

Faulk, Camilla

From: Dressler, Dennis [DDRESSLER@spokanecounty.org]
Sent: Friday, January 14, 2011 9:28 AM
To: Faulk, Camilla
Subject: proposed change to Rule 4.11 - Recording Witness Interviews

Dear Ms. Faulk,

I am writing in support of the change to Rule 4.11 concerned the ability to tape victim/witness statements. My comments come from the standpoint of a criminal defense attorney of twenty plus years.

Historically the concerns used by opposing parties has been that the person being interviewed does not want to be interviewed. While I can be empathetic to the concerns of the victim it has to be balance with the need for complete accuracy that all parties can agree are correct. Only those that want to use a "skewed" view of the interview would object to the recording.

What is often consternating is when the people that don't want to be recorded are not lay witnesses but law enforcement officers who will refuse to be recorded. That position makes no sense whatsoever as they have, in most cases, already reduced part of their proposed observations in their reports. Why object to what information is brought forward during the oral interview?

Any past issues of whether or not the comments or photos may have been circulated in the jail, that issue is a non starter here. There is no change to what has been allowed to be given to a defendant and there is nothing in the proposed change to provide a copy of a recording to a defendant, incarcerated or not.

Please note me as being completely in favor of the proposed rule change.

Sincerely,

Dennis

Dennis J. Dressler
Counsel For Defense
1116 W. Broadway
Spokane, WA 99260-0285
(509) 477-4905
Fax 477-3448