



WSBA

Paula C. Littlewood
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May 2, 2014

The Honorable Chief Justice Barbara Madsen
The Honorable Justice Charles W. Johnson
Washington Supreme Court
Temple of Justice
P.O. Box 929
Olympia, WA 98504

Dear Chief Justice Madsen and Justice Johnson,

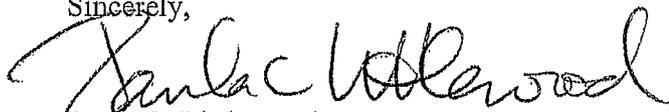
This letter serves to clarify comments submitted to the Court on April 30, 2014, regarding proposed rule JuCR 1.6, Physical Restraints in the Courtroom, as published January 2014.

On April 26, 2013, the Washington State Bar Association (WSBA) Board of Governors heard a request from its Council on Public Defense, with unanimous consent of Council members, to support proposed rule JuCR 1.6, Physical Restraints in the Courtroom. The Council presented the rule and explained that its adoption would make a uniform policy so that a court can allow juvenile shackling, but will provide a list of criteria that must be met before shackles can be used in the courtroom. The Council noted that one Eastern Washington Juvenile Court currently has a similar rule and reports having no problems with it. The Board engaged in a robust discussion of the issue and heard feedback from interested parties in attendance. The liaison from the Superior Court Judges' Association (SCJA), stated that SCJA opposed a similar, previously proposed rule because of fiscal concerns due to the need for extra security officers during transport. The Council clarified that under the proposed rule, juveniles would remain shackled during transport and that the shackles would be removed before they enter the courtroom, thereby requiring no additional security during transport.

On May 31, 2013, the Board of Governors heard further discussion of the rule and voted unanimously to support JuCR 1.6 and to forward it to the Court with a recommendation for adoption. WSBA subsequently forwarded the rule to the Court, which the Court published for comment in January 2014.

The comments my staff forwarded to your office on Wednesday should have reflected that the support for JuCR 1.6 is the official position of the WSBA Board of Governors after careful deliberation and with the support of its Council on Public Defense.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paula C. Littlewood". The signature is written in dark ink and is positioned above the typed name.

Paula C. Littlewood
Executive Director