



**Washington Defender Association  
110 Prefontaine Place S., Suite 610  
Seattle, Washington 98104**

Christie Hedman, *Executive Director*  
Keith Tyne, *President*

Telephone: (206)623-4321  
Web: [www.defensenet.org](http://www.defensenet.org)

April 27, 2016

Justice Charles Johnson  
Washington Supreme Court  
Temple of Justice  
P. O. Box 40929  
Olympia, WA 98504-0929

Re: Comment to proposed amendment to CrRLJ 3.2

Dear Justice Johnson and Supreme Court Rules Committee,

The Washington Defender Association supports the comment to proposed amendment to CrRLJ 3.2 submitted by the WSBA Council on Public Defense, as well as the reasoning of the comments submitted by Judge Deborah D. Fleck, retired, and Judge Ronald Kessler.

WDA concurs with other commenters recommending that the Court reject the proposed amendment to CrRLJ 3.2, which would eliminate subsection (b)(4) altogether, and reconsider the previous amendment to CrR 3.2, as well. Both rules should, instead, be aligned with the Court's conclusion in *State v. Barton*, that an accused must be allowed the option of seeking to make bail via a surety arrangement *in addition* to the option of depositing cash or other property in the registry of the court. *Barton*, 181 Wn.2d 148,162 (2014) (emphasis added). Amendments to CrRLJ 3.2 and CrR 3.2 should preserve the option of an appearance bond supported by the accused's deposit of up to 10% of the bond amount in the registry of the court.

Please let me know if you have any questions or if I can provide you with further information. I can be reached at 206-623-4321 or at [hedman@defensenet.org](mailto:hedman@defensenet.org).

Sincerely,

Christie Hedman  
Executive Director

**Tracy, Mary**

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**From:** Hinchcliffe, Shannon  
**Sent:** Thursday, April 28, 2016 11:43 AM  
**To:** Tracy, Mary  
**Cc:** Jennings, Cindy  
**Subject:** FW: Corrected: WDA Comment to proposed amendment to CrRLJ 3.2  
**Attachments:** WDA Comment on CrRLJ 3.2 April 2016.pdf

**From:** Christie Hedman [mailto:hedman@defensenet.org]  
**Sent:** Wednesday, April 27, 2016 5:32 PM  
**To:** AOC DL - Rules Comments <RulesComments@courts.wa.gov>  
**Cc:** Keith Tyne <keitht@co.skagit.wa.us>  
**Subject:** Corrected: WDA Comment to proposed amendment to CrRLJ 3.2

*Please use this corrected version when disseminating to the committee. Sorry for the confusion and thank you for your assistance.*

Dear Justice Johnson and Supreme Court Rules Committee,

Attached is comment by the Washington Defender Association to the proposed amendment to CrRLJ 3.2. Please let me know if you have any questions or if I can provide you with further information.

Sincerely,

Christie Hedman  
Executive Director  
Washington Defender Association  
206-623-4321  
[hedman@defensenet.org](mailto:hedman@defensenet.org)