



Pacific County
PROSECUTING ATTORNEY

Mark McClain, Prosecutor

July 3, 2017

Susan L. Carlson
Clerk of the Washington State Supreme Court
c/o Washington State Supreme Court
P.O. Box 40929
Olympia, WA 98504-0929
(Via email: supreme@courts.wa.gov)

RE: Comment on Proposed Rule ER 413

Dear Ms. Carlson,

I write in support of ER 413, specifically making ones immigration status inadmissible at trial. As a prosecutor I have certainly seen a number of defense attorneys intimidate, in a no so subtly way, witnesses based on their immigration status. This conduct is repugnant and has no place in our jurisprudence. I applaud courts like *State v. Streepy* (No. 7475-2-1 (July 2, 2017) who make it clear immigration status is not a relevant issue; however, I believe a rule would greatly assist. I understand the ACLU stands in opposition to this rule. I hope wisdom and the rule of law will overcome what appears to be a grossly inconsistent position.

Respectfully,

Mark McClain

Tracy, Mary

From: OFFICE RECEPTIONIST, CLERK
Sent: Monday, July 03, 2017 2:25 PM
To: Tracy, Mary
Subject: FW: Comment on ER 413
Attachments: 20170703_132732.pdf

Forwarding.

From: Mark McClain [mailto:mmclain@co.pacific.wa.us]
Sent: Monday, July 3, 2017 2:02 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment on ER 413

Attach, please find my comment on the proposed ER 413 rule. Thank you.