FEDERAL PUBLIC DEFENDER
Western District of Washington

Michael Filipovi
Federal Public Defender

November 29, 2016

Stephanie Happold
Data Dissemination Administrator
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170

Re: Proposed Changes to Data Dissemination Policy

Dear Ms. Happold,

Thank you for the opportunity to comment on the proposed changes to the JIS Data Dissemination Policy. Our office shares the same concerns as those expressed by our state, county and city colleagues regarding the negative impact that these proposed changes would have on public defender offices. Limiting public defender access to addresses in JIS would impede our clients' right to equal access to justice in federal court.

I write to express my strong opposition to these proposed changes. Our office relies on JIS to locate addresses for clients in our misdemeanor cases where clients have moved and not informed us of their whereabouts and, more importantly, JIS is an essential tool for locating witnesses in federal cases. Our clients do not have access to JIS and our staff do not share JIS results with our clients. We have no legal requirement or duty to provide these reports to them.

Limiting our access to client and witness addresses in JIS would deprive our clients of equal access to sources of information that are otherwise easily accessible to the prosecution. Our duty to thoroughly investigate client cases and to communicate with our clients in a timely manner would be seriously impaired.

Confidentiality is a key component of all of our jobs. We know how to protect privileged information we have received from the prosecution and other sources. If this change is being considered because of particular abuses of the JIS access by Public Defenders, those abuses should be handled on a case by case basis with the individual office.

Sincerely,

Michael Filipovic
Federal Public Defender

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