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November 28, 2016

JIS Data Dissemination Committee
c/o Stephanie Happold
Data Dissemination Administrator
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170

To the JIS Data Dissemination Committee:

I am writing this letter in support of preserving public defender access to address information contained in JIS. I am the Managing Director of the Snohomish County Public Defender Association and have worked as a public defender for nearly 18 years.

At the beginning of my career, I did not have access to JIS. I had to rely on information from other criminal justice stakeholders, such as the prosecutors, courts, and probation departments. This was information that was readily available to them as JIS users. This was information critical for my function as defense counsel. This system was highly inefficient, unnecessarily burdened other stakeholders, and reduced my effectiveness as defense counsel.

My understanding is the current change is being proposed based on a perception that public defenders may be obligated to share other party, witness or victim address information to their clients. This concern can be addressed without this drastic change. For example, discovery materials are protected by the court rules. User requirements can protect JIS address information. JIS address information is used to facilitate the defense function. Often times, the address information is used to locate our clients, who are at others times in their lives victims and witnesses, and are now criminal defendants. It is a tool we use on a daily basis.

To prohibit public defenders from accessing information that is available to the court, probation, prosecutors and law enforcement compounds issues related to fundamental fairness. There is a perception that public defenders are the stepchild of the criminal justice system. Defendants, even those living in abject poverty, spend money to hire private counsel to avoid their concerns that they will not get as good of representation by a public defender. Please do not create an inequity where one does not currently exist.

Thank you for your consideration.

Sincerely,

Kathleen Kyle