

## Faulk, Camilla

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**From:** Ed Allen [ed@edallenlaw.com]  
**Sent:** Friday, January 29, 2010 3:44 PM  
**To:** Faulk, Camilla  
**Subject:** Comments on Bail Forfeitures

Hello Ms. Faulk,

I thank you for this opportunity to comment on the proposed change to disallow bail forfeitures as a final disposition on criminal charges. I have practiced criminal law for 19 years. I was a prosecuting attorney for the first 11 years, three with the City of Kent and nearly eight with the King County Prosecutor's Office. I most passionately oppose this measure. In my practice as both a prosecutor and defense attorney, I have found them to be a tremendous tool for appropriately resolving some minor cases. They are used very sparingly and judiciously, always with a full understanding of their ramifications by the Court, the prosecutor and the defense. I wholeheartedly support and agree with the other comments submitted on this issue by Mr. Rosen, Mr. Ferris and Mr. Shields. I will not reiterate their comments further, except to say that their comments are extremely valid and well articulated.

There are certainly some nuances as to how they are treated, but competent defense counsel should be (and almost always are) fully versed in these nuances. The concerns that are raised stem entirely from the manner in which court information is processed and recorded, not from the vehicle itself. In that regard, I feel that it would be most inappropriate to disallow this provision of the law simply for technological difficulties or shortcomings.

As a prosecuting attorney, I was able to avoid countless meaningless trials on minor cases by a bail forfeiture resolution. It is my expectation that if they are disallowed, prosecuting attorneys will find their hands tied and will ultimately come to regret this action.

Please feel free to contact me for any further comment or input. Have pleasant weekend.

Kindest Regards,

-Ed

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