

## Faulk, Camilla

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**From:** Phillips, Janean [jvphillips@spokanecity.org]  
**Sent:** Thursday, April 29, 2010 4:48 PM  
**To:** Faulk, Camilla  
**Cc:** Harrington, Margaret  
**Subject:** Objection to proposed rule change to IRLJ 3.1

This proposed rule change is very problematic. It must not be approved.

The City of Spokane has already been providing discovery in the manner suggested for photo red citations. The removal of the "no further discovery is required" language creates a slippery slope for defendants to serve full blown infinitely long civil discovery requests on every kind of infraction ranging from barking dogs to speeding and commercial overweight tickets. As it stands, this rule is the only thing allowing us to say "no" when defendants demand everything from design and calibration records of parking meters, to insurance, driving and medical records of the involved in the auto collision for which they were cited. The prosecution would be severely hampered in responding especially given current budget and time and personnel constraints. Prosecutors would become buried in discovery and motions to compel requesting dismissal of infractions. Courts would not be able to accommodate the time and resources necessary to deal with the increased motion demands. Realistically, we would not be able to enforce infractions in the current numbers that we experience them coming through our courts- which is in the tens of thousands.

Janean Phillips  
City of Spokane Prosecutor's Office