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Serving with Honor, Pride and Integrity

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Chief Civil Deputy

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Director, Emergency Management

April 27, 2011

Clerk of the Supreme Court
Temple of Justice
Post Office Box 40929
Olympia, Washington
98504-0929

Dear Justices of the Washington State Supreme Court,

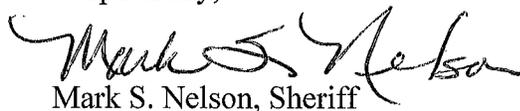
I am writing to urge you to *not* adopt CrR4.11, or CrRLJ 4.11. I believe that these rules as presented, are inconsiderate to the victim and are of little benefit to the court overall.

Please consider these points:

- Currently, this is a two-party consent state. *Requiring* a victim to submit to a recording; the state would be taking the right of consent away from an individual. A recording can always be requested /offered.
- This recording, which would be available through discovery, or public disclosure, an offender, could gain/retain possession of the audio recording of their victim telling how they were victimized. The offender, some of whom would be participating in some treatment program (sex, alcohol, anger) would be able to replay their victim's trauma over and over.

While I'm certain that the court may recognize some benefits, I feel that there are far too many negatives to actually implement this rule. I urge you to not adopt CrR 4.11 and CrRLJ 4.11 as currently drafted.

Respectfully,


Mark S. Nelson, Sheriff

CLERK
2011 APR 29 AM 8:08
STATE OF WASHINGTON
SUPREME COURT
CLERK