

Tracy, Mary

From: OFFICE RECEPTIONIST, CLERK
Sent: Thursday, August 30, 2018 8:02 AM
To: Tracy, Mary
Subject: FW: Proposed rule changes

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From: Kent [mailto:kent.huxel2@huxels.com]
Sent: Wednesday, August 29, 2018 7:06 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Proposed rule changes

CrR 4.7(a)(4) and CrRLJ 4.7(a)(4) seem to be missing a word. For ease of reading, I'm only including the text after changes, with underline for the suggested edit.

The prosecuting attorney's obligation under this section includes material and evidence favorable to the defendant and material to the defendant's guilt or punishment, and/or which tends to impeach a State's witness. This includes favorable evidence known to others acting on the State's behalf in the case, including the police. The prosecuting authority's duty under this rule is not conditioned on a defense request for such material. Such duty is ongoing, even after plea or sentencing.

I'm also curious why evidence to the defendant's guilt or punishment is not included in this rule. I think it's more clear if it evidence were also included. Otherwise it looks good. Defendants need to have all exculpatory evidence and material to ensure their civil rights are protected.

-Kent Huxel