

Tracy, Mary

From: OFFICE RECEPTIONIST, CLERK
Sent: Thursday, April 11, 2019 2:57 PM
To: Tracy, Mary
Subject: FW: Comment for Proposed Rule regarding CrR 3.7

From: Marchesano, Joseph [mailto:Joseph.Marchesano@kingcounty.gov]
Sent: Thursday, April 11, 2019 2:57 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Marchesano, Joseph <Joseph.Marchesano@kingcounty.gov>
Subject: Comment for Proposed Rule regarding CrR 3.7

Hello,

I am writing in regards to the proposed new rule of CrR 3.7 (Recording Interrogations). First, proposed CrR 3.7 would require sweeping changes to police procedure in the investigation of every incident that may constitute a crime. Not only would it obstruct these investigations, it is an unrealistic mandate and unless it is funded by the court, impossible due to lack of equipment that would be required. Second, the rule encompasses every encounter with a potential suspect, no matter how casual or innocuous, on the scene, on the street, at their home, in a vehicle, or at any other location. It imposes an unreasonable burden on law enforcement. Third, the rule does not define "interrogation." Subsection (b) suggests any question is an interrogation. It could be broadly interpreted to include actions likely to provoke a response. Fourth, proposed CrR 3.7 will impede effective law enforcement because many individuals are reluctant to be recorded. Requiring them to be recorded will decrease cooperation with police. It is illogical and a violation of the Washington Privacy Act to record the refusal of a person who refuses to be recorded.

Thank you for your time.

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