

Jeralita "Jeri" Costa, Crime Victim Advocate  
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Marysville, WA 98270-0796

To: Clerk of the Supreme Court

April 30, 2019

RE: Proposed Amendments to CrR 3.8, 3.9, 4.1, and 4.7 and related CrRLJ

**I am writing to express my strong OPPOSITION to each of these proposed rule changes.**

By way of background, I have been a crime victim advocate for more than 40 years. During this time, I have also served as an elected Washington State Senator and Representative, and served as the chair of the Indeterminate Sentence Review Board. I am very familiar with the laws providing victims' of crime specific rights that include dignity, respect, and information that our outlined in our state statutes and the Washington State Constitution (Article 1, Section 35).

It is extremely important that the entire criminal justice system provide a balanced approach to upholding and enforcing the rights of victims of crime and the rights of those accused of harming them.

These proposed rules changes will have a chilling effect on the participation of victims in the criminal justice system. The system cannot operate as it is meant to without their involvement. Victims already lack confidentiality in the system and are often placed at greater risk solely by their involvement in the system. I have been witness to the appalling tactics of some defense attorneys in their zeal to taint victims' participation and to get their clients acquitted at all costs. While everyone deserves a fair and impartial trial, the methods sometimes used against traumatized victims and survivors does significant harm to the victims and to the criminal justice system.

Victims are often reluctant to engage with the criminal justice system because they have very little control already over information that is shared with the accused offender; placing them at further risk of harm – including homicide. In this digital age, when pictures, video and audio recordings can spread like wildfire, we must do MORE to protect victims not LESS.

Washington State stands alone in its efforts to provide defense attorneys greater access to attack and demean victims and witnesses through court rules changes. I direct you to the federal rules related to victims and witnesses to see how abhorrently far Washington has stretched the powers of defense attorneys to interview witnesses. I further refer you to case law such as *State v. Mankin* and subsequent court rules changes, which already went much too far.

Handing over sensitive information like medical records, recordings, and photos directly to a defendant places victims at a significant risk of harm – emotionally, psychologically, and physically.

**I urge you to reject every one of these proposed rules changes.**

Sincerely,

*Jeralita Costa*

Jeralita "Jeri" Costa

**Tracy, Mary**

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**From:** OFFICE RECEPTIONIST, CLERK  
**Sent:** Tuesday, April 30, 2019 12:48 PM  
**To:** Tracy, Mary  
**Subject:** FW: Comments on CrR/CrRLJ proposed changes  
**Attachments:** Letter to WA Supreme Court on changes to CrR and CrRLJ.pdf

**From:** Costa, Jeralita P.J. (DOC) [mailto:jpcosta@DOC1.WA.GOV]  
**Sent:** Tuesday, April 30, 2019 12:44 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comments on CrR/CrRLJ proposed changes

Dear Clerk of the Supreme Court:

Attached please find my comments regarding the proposed changes to CrR/CrRLJ 3.7, 3.8, 3.9, 4.7, 4.11  
Warm Regards,  
Jeri