

Tracy, Mary

From: OFFICE RECEPTIONIST, CLERK
Sent: Friday, April 5, 2019 3:12 PM
To: Tracy, Mary
Subject: FW: Proposed Court Rule Changes Comments

From: Willson, Natasha [mailto:Natasha.Willson@kingcounty.gov]
Sent: Friday, April 5, 2019 3:10 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Martin, David <David.Martin@kingcounty.gov>
Subject: Proposed Court Rule Changes Comments

To Whom It May Concern,

My name is Natasha Willson, and I am a victim advocate with the King County Prosecuting Attorney's Office. I work with victims of felony Domestic Violence crimes. I'm writing to voice my concerns related to proposed CrR 3.8, CrR 4.1 and CrR 4.7.

Proposed CrR 3.8 will force witnesses and victims of crimes to be on camera pointing out the perpetrator of their crimes. Victims of domestic violence and sexual assault will fear retaliation because they will anticipate (accurately) that their assailant will have access to the recording and their image may be circulated to associates of the defendant for purposes of retaliation.

Proposed CrR. 4.1 allows defense attorneys to record interviews with witnesses and victims without informing them. This proposed rule effectively allows attorneys to mislead or intimidate victims who are reluctant to be recorded, which is inconsistent with this most basic principle of justice. Because the rule coerces victims to agree to recording, it violates Article I, Section 35 of the Washington Constitution which requires that crime victims be afforded due dignity and respect.

Implementing CrR. 3.8 and CrR. 4.1 would place victims in fear of retribution by the perpetrator, therefor placing them in fear of making reports and supporting prosecution. Victims who will be coerced into being recorded, will potentially be exposed to additional violence by the perpetrator, jeopardizing their safety and security and severely limiting their ability to safety plan.

Proposed CrR. 4.7 allows all discovery including medical records, photos and recordings to be handed to defendant without prosecutor's knowledge. It places victims at risk as these records may include sensitive information that the perpetrator could utilize to control and intimidate the victims, including outside of the criminal case, such as in custody or dependency proceedings.

Despite the Crime Victim Bill of Rights (RCW 7. 69.030), victims enjoy very few protections within the Criminal justice system. Eliminating their ability to choose how their voice is heard, or how their images and recordings are shared with the defendant would inhibit victims willingness to engage with the system in the future or participate in the case as it proceeds towards trial/resolution and will put them in danger of future violence.

Thank you for considering my concerns regarding proposed court rule changes

Natasha Willson
Victim Advocate
Domestic Violence Unit
King County Prosecuting Attorney's Office
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***Please note that this email may be subject to public disclosure pursuant to RCW Ch. 42.56.**