

Tracy, Mary

From: OFFICE RECEPTIONIST, CLERK
Sent: Tuesday, April 30, 2019 8:03 AM
To: Tracy, Mary
Subject: FW: Comments regarding proposed rule changes to CrR 3.7 et al

From: Garvin, Steve [mailto:SGarvin@spokanecounty.org]
Sent: Monday, April 29, 2019 6:23 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comments regarding proposed rule changes to CrR 3.7 et al

Dear Justices of the Supreme Court,

I write regarding the proposed amendments to CrR and CrRLJ 3.7, 3.8, 3.9, 4.7, and 4.11.

Many years ago I had the pleasure of serving for a period of time on the Criminal Law Section of the WSBA. This group was evenly split between defense counsel and prosecutors. We worked hard to identify areas of agreement and mutually agreeable proposals for rule amendments and ways to improve the functioning of the criminal justice system for victims, defendants, law enforcement, attorneys, and society. Sadly, the proposals by WACDL seem to take the opposite approach – seeking to advance a purely one-sided agenda.

To the extent that the Supreme Court may have interest in exploring rule-making in these areas, I would suggest that the Court request the Criminal Law Section to work on proposals to fully vet and explore the ramifications of the rules being proposed. I don't see that WACDL has made any efforts to circulate their proposed changes to any stakeholders such as prosecuting attorneys, law enforcement, or victim and survivor's rights groups.

I join my colleagues across the State who have pointed out the many failings of the proposed rules. I also remind the Court that the costs of crime are mostly borne by the most vulnerable victims and the poorest communities. Should the Court adopt these proposals then the harm it would have on the least fortunate victims would be substantial.

Finally, I urge the Court to reject the process of an advocacy group advancing one-sided, poorly considered, and unvetted proposals to the Court – we can do better.

Sincerely,

Stephen W. Garvin
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Spokane County
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