

September 23, 2020

Dear Justice Johnson and Associate Justices,

I write today to encourage the Supreme Court to adopt the proposed amended rule to CrR 3.4 and CrRLJ 3.4. This rule speaks to an issue that has deeply impacted my personal life; had this proposed rule been in place when the case against me was pending, it would have had a radical impact on my life, family, mental health, and safety.

For too long, the criminal courts have used this court rule to require defendants to appear at every court hearing, without consideration to the life demands of those engaged in the court system. I have first-hand experience with the contrast between the civil and criminal courts and how they treat persons engaged with the courts.

Two years ago, I found myself engaged with the local criminal and juvenile dependency courts. I am an honorably discharged veteran, mother, and former employee at one of our State correctional facilities. All of that changed when I was arrested for an offense for which I was not guilty, and which was later dismissed. The offense also triggered child dependency proceedings in our juvenile court. I found myself with two lawyers in two cases in two courthouses with very different rules. In the dependency proceeding, I appeared telephonically or through my counsel, when appropriate. The accommodations made by the dependency court allowed me to continue to attend my schooling, health appointments, work, and other obligations. The dependency case was dependent on resolutions in the criminal case which lasted for almost two years! In that criminal case, I was not allowed to appear telephonically and through my counsel. As a result, I was forced to take personal time off from my work to attend court - and there are many, many seemingly pointless hearings to attend. I burned through all my PTO and was eventually terminated from my work because of the number of hearings I had to attend as part of my criminal case. As a result of losing my job, I got behind on court fines and my license was suspended. I was ticketed for driving on a suspended license twice while looking for new work and attending court. The two arrests for DWLS 3 triggered a violation of my probation subjecting me to additional penalties. So at one time for over two years I was attending 5 courts almost monthly. None of the judges appeared to have any concern for my life and schedule and even set future court hearings at the same time as hearings in other courts over my objection. I repeatedly was in tears with my public defender and asked him to explain a "justice" system that couldn't accommodate the life of veteran and mother struggling to make ends meet.

The current rule prevents courts from accommodating the lives of defendants. In fact, the current rule discourages courts from accommodating the lives of defendants by demanding their physical appearance. In so doing, it perpetuates the stigma impacting those charged with crimes. It was embarrassing enough to have to be held in jail for 72 hours, but more embarrassing was the unwillingness of judges to treat me like I was a person with obligations outside the courthouse. Amending the rules will encourage trial judges to reconsider their expectations about criminal defendants. An amended rule will encourage judges to treat defendants in criminal cases in the same manner they treat litigants in civil cases, like dependency proceedings.

While I have resolved all my cases, my memory of my time in the courts lingers with me. It is that negative experience that inspired to attend college full time to become a paralegal and, in the near future, work for a pro bono law firm to help those whose barriers prevent them from accessing resources and justice.

I encourage the Court to adopt the proposed rule. It will increase the civility of the criminal court and encourage proceedings to resolve without interfering with the daily life of the defendant.

Thank you for your time and consideration.

Regards,

/s/

Hannah Salyer

Snohomish County Washington

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#)
Cc: [Tracy, Mary](#)
Subject: FW: Comment to Proposed Changes CrR and CrRLJ 3.4
Date: Thursday, September 24, 2020 8:10:11 AM
Attachments: [Comment on CrR 3.4.pdf](#)

From: Schwarz, Jason [mailto:Jason.Schwarz@co.snohomish.wa.us]
Sent: Wednesday, September 23, 2020 6:26 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: hrsalyer@gmail.com
Subject: Comment to Proposed Changes CrR and CrRLJ 3.4

Hello,

Please accept the attached “Comment to Proposed Changes to CrR 3.4” which I am submitting today on behalf of my client, Hannah Salyer, who is copied on this email.

Thank you for your time.

Best,

Jason Schwarz | Director
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