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Subject: FW: Rules of Professional Conduct—RPC 4.4 Commentary Amendment
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From: Beth Sattler [mailto:bsattler149@gmail.com]
Sent: Thursday, January 30, 2020 12:57 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Rules of Professional Conduct—RPC 4.4 Commentary Amendment

Beth Sattler
East Wenatchee, Washington
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January 28, 2020

Supreme Court Justices
Olympia, Washington
supreme@courts.wa.gov
Rules of Professional Conduct—RPC 4.4 Commentary Amendment

Dear Supreme Court Justices,

As a member of Wenatchee for Immigrant Justice and Washington Immigrant Solidarity Network, I have been accompanying members of the immigrant community in Grant County, Washington, to Court.

These community members are afraid to access our judicial system because ICE and CPB have been patrolling the courthouses and making “arrests”. They have been both inside the courthouse and on the courthouse grounds. They seem to be racially profiling members of the immigrant community as well as using the courthouse docket and records to find community members to arrest. They also seem to be getting inside information about cases. Community members feel that they can predict when they are most a risk of being picked up. Some of this information may be available to the public. However, some seems to be coming from courthouse staff including prosecutors.

I accompanied a woman to the Ephrata Courthouse for her second judicial hearing to get an order of protection from the court. The judge did grant this order of protection. However, because the woman’s abuser could not be found on the Ephrata jail roster, the woman was told to see the Grant County Sheriff to have the order served. This may all be standard procedure. However, just being in the courthouse itself placed this community member at risk of being “arrested” and

detained. If picked up by ICE or CBP, she would be separated from her children. She would have very expensive legal fees. She could be deported. And if the court attorneys shared her immigration status with the Grant County Sheriff's Office, then going there to have the order of protection served, was not safe either.

This community member had legitimate and documented fear of her ex-partner. She had legitimate fear while in the Ephrata Courthouse. And the fear that courthouse attorneys are sharing immigration status is legitimate as well.

No one should be afraid to go to court in Washington state. Lawyers should not be facilitating courthouse arrests or sharing information that facilitates arrests elsewhere. It is unethical for an attorney to use immigration status against anyone in a court of law. Prosecutors should not be seeking political favor with sheriffs or immigration enforcement, or some members of the community by facilitating ICE and CBP arrests. This makes the courthouse unsafe for the immigrant community and the community at large.

Please adopt Rules of Professional Conduct — RPC 4.4

Lawyers must be held to a professional standard that is ethical, fair, and just.

Thank you,
Beth Sattler