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**Subject:** FW: Comment for Proposed CrR 3.2  
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**From:** Alexander, Paul C. [mailto:PALEXANDER@SpokaneCounty.org]  
**Sent:** Wednesday, April 28, 2021 12:30 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comment for Proposed CrR 3.2

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To whom it may concern:

In my opinion, since COVID, there have been a number of well-intended temporary changes to address bond that have proven to harm the integrity of the Court. I have seen time and time again, a defendant being released on his/her own recognizance, despite having a significant failure to appear history, only to return a short time later with a new case. During COVID, there has been many defendants immediately released due to the criminal offense not warranting a need "for the preservation of public or individual safety" since it is a property and/or drug offense. In consequence, many defendants now carry multiple files with multiple victims. The point is that, the proposed rule will *require* release of "non-violent" defendants regardless of the failure to appear history unless they meet one of the exceptions of CrR 3.2(a). However, how is the Court to distinguish between violent and non-violent offenses here since CrR 3.2(a)(2) remains unchanged and the plain meaning of "violent" is, per Webster's Online Dictionary, "marked by the use of usually harmful or destructive physical force"? The proposed rule invites litigation over what a "violent offense" is for CrR 3.2 and the answer to that question determines the initial scope of the court's discretion for bond. This proposed rule change not only lays "land mines" for the court, but it also strips the court of its vital discretion in determining if bond is appropriate since every defendant before the court is *different* than the next defendant. The proposed rule attempts to set a one-size-fits all approach and it is inadequate because it weakens the local community's ability to maintain the safety of its citizens.

As a matter of function, I also take issue with proposed CrR 3.2(b)(4) because it encourages dissimilar bond settings and as written, can be abused.

Thank you,

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