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Subject: FW: Comment regarding proposed changes to CrR 3.2
Date: Friday, January 29, 2021 10:29:14 AM

From: Halloran, Scott [mailto:Scott.Halloran@co.snohomish.wa.us]
Sent: Friday, January 29, 2021 10:03 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment regarding proposed changes to CrR 3.2

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I write to respectfully express concern regarding proposed changes to CrR 3.2 mandating release for non-violent offenders absent certain special circumstances.

As proposed, the rule removes the current provision of CrR 3.2(a) which clarifies that the term “violent crime” is not limited to the statutory definition found in RCW 9.94A.030. Removing this clarification would deprive judges of any discretion to impose bail for offenders charged with crimes such as:

- Felony violation of a domestic violence no contact order
- Felony harassment threats to kill
- Domestic violence stalking
- Malicious harassment (hate crimes)
- Felony DUI
- Class B and C sex offense, such as second degree child molestation

None of those offenses are statutorily classified as “violent.” An offender charged with one of those crimes would have to be released, regardless of their violent criminal history or level of threat they pose to victims and the community, if they were currently unsupervised. Such offenders can pose significant dangers to the community and to victims, this is particularly so with domestic violence crimes.

The rights of offenders with regard to bail reform should be carefully weighed to avoid putting victims of domestic violence and other victims at greater risk of harm should the proposed changes be adopted without careful consideration.

Respectfully,

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