

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Linford, Tera](#)  
**Subject:** FW: Opposition to changes in CrR 3.4  
**Date:** Thursday, September 30, 2021 3:41:11 PM  
**Attachments:** [image001.png](#)

---

**From:** Chen, Diana [mailto:dichen@kingcounty.gov]  
**Sent:** Thursday, September 30, 2021 3:34 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Opposition to changes in CrR 3.4

**External Email Warning!** This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

To Whom It May Concern:

I am writing in opposition to the proposed CrR 3.4 changes that permit Defendants to appear via Zoom for all hearings and stages in criminal case. This is fraught with dangerous problems including huge social justice, access to justice, and equity concerns. This rule would permit those with access to high-speed internet, broadband, and computers to appear via Zoom from where ever they please and those who do not have those items to appear in person. This will have the greatest impact on communities of color, non-English speaking communities, and those disenfranchised (both for defendants and victims).

The current version of CrR 3.4 has already created a practice nightmare for all parties. The current rule assumes that defense attorneys have good contact with their clients before court hearings. When defense attorneys cannot contact their clients before a hearing (which is often – especially for those with court-appointed attorneys), several additional court hearings must be had before a defendant can be ordered to appear in person or a bench warrant can be issued. This results in cases lingering without the defendant’s participation. This has a detrimental effect on victims and community participation.

The proposed change to CrR 3.4 will not solve this issue. In fact, it will do the opposite by exacerbating inequities in representation and communication. The Court should not confuse short-term solutions in the name of a global pandemic with long-term plans for criminal justice administration.

Sincerely,

| **Diana Chen** (she/her/they)



***Deputy Prosecuting Attorney  
Special Assault Unit***

King County Prosecuting Attorney's Office

516 3rd Avenue, Seattle, WA, 98104

☎ (206) 477-5367 | 📠 (206) 482-9364

✉ [dichen@kingcounty.gov](mailto:dichen@kingcounty.gov)