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Subject: FW: Proposed amendment to CR 3.4
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From: Berliner, Jessica [mailto:Jessica.Berliner@kingcounty.gov]
Sent: Thursday, September 30, 2021 10:20 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Proposed amendment to CR 3.4

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To whom it may concern,

While I believe reducing the times a criminal defendant is required to physically appear in court is a laudable goal, I am opposed to the proposed amendment allowing them to appear remotely for all hearings. COVID protocols have already drastically reduced the number of in-person hearings required for preliminary matters. However, trials, guilty pleas and sentencings are the most critical stages of criminal proceedings. It is essential that defendants understand all of their rights, have unfettered access to their attorneys, and are fully engaged during these hearings. In my experience (of 22 years), it is at these types of hearings that criminal defendants most frequently seek to consult with their attorneys during the actual proceeding. In addition, I believe that allowing the defendant to appear remotely during the trial will trivialize the gravity of a criminal trial for both defendants and jurors, likely resulting in less thoughtful and just verdicts. I also believe it will significantly increase grounds for appeal, which can be a heartbreaking process for victims of violence and further serve to undermine confidence in the criminal justice system.

Jessica Berliner