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Subject: FW: Comment for CrR 3.4
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From: Taguba, Leah [mailto:Leah.Taguba@kingcounty.gov]
Sent: Thursday, September 30, 2021 3:18 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment for CrR 3.4

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I am strongly opposed to the proposed changes to CrR 3.4.

Though it appears as though this could allow for less Failing to Appear and less bench warrants as a result of the change, it will in fact cause disparate result and unequal access to the criminal process, particularly for people who don't have the means to access the internet to appear virtually. Poor immigrant and communities of color could be disproportionately denied this access and have disparate results. This can further affect non-English speakers who do would not be able to effectively navigate the process. The courts should be loathe to approve rules that have the intended or unintended consequence of disproportionality.

Critical parts of the process such as motions, trials, and sentencings should not be allowed to proceed virtually unless there is either agreement by the parties or under circumstances that personal appearances are impracticable or with substantial hardship to the defendant. A inquiry and finding should be required.

Electronic signatures should not be allowed by defendants on pleas, Judgement and sentences and No-Contact/Protection Orders, Orders of Surrender etc. This makes prosecution of future violations too difficult to prove.

Defendants will not be able to access their counsel in real time, or have privacy with their counsel, and therefore these processes can slow down for certain hearings. This will also expose jurors and victims and other witnesses in ways that would not be allowed otherwise (ie. Screenshots on zoom, recording of proceedings).

Thank you,
Leah



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