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Subject: FW: Proposed Amendments to CrR 3.4
Date: Friday, October 1, 2021 11:26:10 AM

From: Hinds, Patrick [mailto:Patrick.Hinds@kingcounty.gov]
Sent: Thursday, September 30, 2021 10:14 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Proposed Amendments to CrR 3.4

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Dear Clerk of the Supreme Court,

I am writing to add my voice in strong opposition to the amendments to CrR 3.4 proposed by the SCJA Criminal Law and Rules Committee. I am a senior deputy prosecutor with the King County Prosecuting Attorney's Office and, over the last 18 months, have been in the forefront of my office's efforts to adapt our practice to comply with this Court's emergency COVID orders and the February 2021 amendment to CrR 3.4. In this context, I have spent countless hours thinking about, discussing, and debating how we can—and cannot—effectively add additional remote appearance options to our criminal justice system. After reviewing the proposed amendments to CrR 3.4 there is no question but that—while the stated goals of the proponents of these amendments may be noble—their proposal will create dramatically more problems than they solve. Many of these many problems are set forth in the numerous comments this Court has already received in opposition to these proposed amendments and I will not reiterate what my fellow practitioners have said; any comments I made would, at best, merely gild the lily. Instead, I will simply ask this Court to seriously consider the points that have been raised. As has been amply pointed out, these proposed amendments will *not* lead to fewer missed courts date and warrants; they will *not* decrease daily court congestions; they will *not* allow for more expeditious case resolution; and they will *not* improve access to justice. Rather, they *will* cause significant delays in court proceedings; they *will* inequitably privilege defendants of means; they *will* lead to unnecessary reversals, retrials, and withdrawals of pleas; and they *will* fundamentally diminish the importance and gravitas of the criminal justice system and call into serious question its commitment to fundamental fairness and equity.

I strongly urge this Court to reject these proposed rule changes. There are clearly numerous ways in which the criminal justice system may be improved and we should not be afraid to examine these issues with an open mind and adopt new and novel approaches when appropriate. That does not

mean, however, that this Court should adopt fundamentally flawed proposals—particularly on an expedited basis—merely because they are proposed in the name of increasing court efficiency.

Respectfully,

Patrick Hinds (he/him)

King County Prosecuting Attorney's Office

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