



Lewis County Prosecuting Attorney's Office

345 W. Main Street, 2nd Floor
Chehalis, WA 98532
Phone: (360) 740-1240
Fax: (360) 740-1497
TDD: (360) 740-1480

April 28, 2023

Ms. Erin L. Lennon, Clerk
Washington State Supreme Court
P.O. Box 40929
Olympia, WA 98504-0929
Email: supreme@courts.wa.gov

RE: Proposed Amendment to RAP 10.10

Dear Ms. Lennon:

This letter is to express concern regarding the Washington State Office of Public Defense proposed amendments to the Rules of Appellate Procedure, RAP, 10.10. The proposed rule would allow discovery to be provided to defendants without protective orders and discovery rule safeguards that defense attorneys must follow in handling discovery. Defense attorneys would be subject to a variety of sanctions for disclosure of this same information that is being proposed to be distributed to defendants freely.

Most concerning, once a defendant receives information, photographs, etc. they are free to distribute it as they see fit within or outside of secure confinement. Documents in trials are many times sensitive, personal, and should not be disclosed widely for safety concerns.

I respectfully request the rejection of the proposed rule change.

Respectfully,

/s/ Karin Phomma

Karin Phomma
WSBA No. 47960
Deputy Prosecuting Attorney

It is the Mission of the Lewis County Prosecutor's Office to zealously seek justice in all criminal matters, consistently promote public confidence in the legal system, and diligently represent county government while adhering to the highest ethical and moral standards