

KING COUNTY PROSECUTING ATTORNEY'S OFFICE



LEESA MANION
PROSECUTING ATTORNEY

JUSTICE
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April 29, 2024

Clerk of the Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

Re: Proposed RAP 18.25

Dear Justices:

Thank you for seeking comments to the proposed additions to the Rules of Appellate Procedure (RAP). I strongly encourage you to adopt proposed RAP 18.25.

This rule is necessary to protect the privacy and safety of some of the most vulnerable victims and witnesses who are forced to participate in the criminal justice system. In Washington appellate practice, there is an ongoing problem of some attorneys identifying minor witnesses and victims of sex offenses by name. Casual internet searches can return appellate briefs as results, thereby exposing the details of a victim's (or child witness's) worst experience for anyone who searches their name. Using the full names of victims of sexual assault in appellate filings can only serve to embarrass victims and discourage them from cooperating in prosecution. Further, using a victim's or child witness's full name in appellate filings threatens their safety or perception of safety, as recitation of the testimony often includes other information about their homes and families that can be used to locate them. Given the ease of access to appellate court documents via the internet, coupled with the persistence of the problem, a statewide rule is necessary to ensure that victims' privacy and safety is protected.

The practice of identifying victims by their initials is not new. This Court and the Court of Appeals routinely use initials in their opinions to protect the privacy of children and adult victims of sex offenses. However, there is not a consistent policy across the appellate court divisions regarding the use of initials in appellate briefing. In fact, there is no policy in effect in Division One, creating a patchwork approach across the state. Proposed RAP 18.25 ensures that a victim's or child witness's privacy will be protected by minimizing their public exposure. Moreover, identifying crime victims by their initials achieves the mandates in Washington's Crime Victim Bill of Rights that all crime victims be "treated with dignity, respect, courtesy, and sensitivity," and that their rights be "honored and protected by ... judges in a manner no less vigorous than the protections afforded criminal defendants." RCW 7.69.010. Adopting this rule

will demonstrate respect, courtesy, and sensitivity for victims of sex offenses and for children, while simultaneously safeguarding their privacy.

I respectfully urge you to adopt the proposed RAP 18.25.

Sincerely,

A handwritten signature in blue ink, appearing to be 'LM' or 'Leesa Manion', written in a cursive style.

LEESA MANION
King County Prosecuting Attorney

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Good morning, Justice of the Supreme Court.

Please find the attached letter from King County Prosecutor Leesa Manion. Thank you!

Best,
Mary Colasurdo



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