

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Martinez, Jacquelyn](#)
Subject: FW: Comments on proposed criminal court rule changes.
Date: Tuesday, April 30, 2024 3:38:06 PM

From: Tiffany Attrill <tattrill@hotmail.com>
Sent: Tuesday, April 30, 2024 3:14 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>; Tiffany Attrill <tattrill@hotmail.com>
Subject: Comments on proposed criminal court rule changes.

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I am writing to provide comments on the following proposed criminal rule changes. At first review, it appears most of the proposed changes would only benefit defendants and their attorneys. I ask that victims/survivors and their families have a say, or at least be considered, as most of these proposals would cause victims/survivors and their families further suffering and harm. The Victim's Bill of Rights was established to ensure that victims be treated with dignity, respect, courtesy and protected in a manner no less vigorous than the protections afforded criminal defendants. I do not see how most of these proposed changes would provide any demonstration of dignity, respect, courtesy or protection from further harm, for crime victims/survivors and their families.

Oppose proposed changes to CrR & CrRLJ 8.3:

This proposed rule change would allow a court to conclude that any decision made by a prosecutor was arbitrary, from charging decisions to sentencing recommendations. The court would have authority to dismiss criminal charges, based on what exactly? This proposal disregards victims/survivors and their families the right to justice and protection from the defendant. The Sentencing Reform Act was put in place to ensure fairness and consistency, it appears this proposed rule would override that.

Oppose proposed changes to CrR & CrRLJ 3.2:

This proposed rule change effectively reduces any bail amount set, by 90% and any forfeiture is limited to the 10% posted. It does not impose liability for the full amount if the defendant violates conditions of release. This proposal disregards potential danger to victims, witnesses and the general public, particularly if the defendant has a violent criminal history and has a substantial danger of committing future violent crimes. A 90 percent reduction sends a message to crime victims/survivors and families that their safety, the safety of others is less important.

Oppose proposed changes to CrR & CrRLJ 4.7:

With this proposed rule, the defense attorney does not provide a copy of the redacted discovery to the court or the prosecutor, so no errors in the redaction can be identified and no disagreement with how the redaction rules being applied can be identified. This proposal puts

victim/survivors and their families at risk if redaction errors are made. The prosecutor should be provided a copy of the redacted discovery that is provided to the defendant, in order to assure that all appropriate redactions have been made.

Oppose proposed changes to CrRLJ 3.3:

This proposed rule requires the prosecution and the court to restart the criminal proceedings, after a defendant has failed to appear, in anticipation of trial when there are no assurances that the defendant will ever appear. This proposal would cause further harm to the victims/survivors and their families. Criminal court cases as they are, already take an incredibly long time. Victims/survivors and their families are forced to ride the emotional roller coaster of waiting and rescheduled court date after rescheduled court date.

Oppose proposed changes to ARLJ 15:

This proposed rule allows the court to permit any appearance to be remote or through counsel, even when physical appearance is required. The proposed rule invites errors by the court and counsel in allowing the defendant to not attend hearings as to which their appearance is mandated. It is not uncommon for victims/survivors and their families to appear in court, sometimes at every single hearing, even when they are not required to do so. They show up to show support and honor their loved one who was harmed, and to show that their loved one is not forgotten.

Support proposed changes to RAP 18.25:

Victims are willing to come forward and participate in the criminal justice system when they know that the system will protect them. Protecting a victim's privacy is a necessary component of providing justice. This rule offers much-needed protection for victims of crime and should be adopted.

Thank you,

-Tiffany Attrill