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Subject: FW: Comments to CrRlj 3.3
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From: City Attorney <CityAttorney@kentwa.gov>
Sent: Thursday, April 18, 2024 8:33 AM
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Subject: Comments to CrRlj 3.3

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Re: CrRLJ 3.3(c)(2)(ii)

The proposed change to CrRLJ 3.3(c)(2)(ii) seeks to further lessen accountability to the court and the criminal process of those charged with crimes by not requiring their presence in-person after they fail to appear for a required hearing. This proposed rule change defies reason. If a defendant's failure to appear at a required hearing is what stops time for trial from running, it makes no sense that their lack of *actual* appearance at future hearing recommences it. Along those lines, if a defendant has already failed to appear for one or more hearings, there is no basis to rely on statements effortlessly made either virtually or through counsel that they will appear when required in the future. Adoption of this rule also wastes court and prosecutor resources as each will prepare for hearings or trial with a defendant who has a history of not coming to court. The only amendment that should be made to CrRLJ 3.3(c)(2)(ii) is to change the requirement that "physical appearance", as that is defined in CrRLJ 3.3(b)(1), be required after a defendant fails to appear for a required hearing.

City of Kent Law Department, Criminal Division