

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Martinez, Jacquelynn](#)
Subject: FW: Proposed Changes to CrR 3.2
Date: Tuesday, April 30, 2024 1:51:15 PM

From: Chad Allred <chadallred@live.com>
Sent: Tuesday, April 30, 2024 1:49 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Proposed Changes to CrR 3.2

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Good afternoon,

I served on the King County Superior Court from 2014 to early 2024, including a year as Chief Judge of the Maleng Regional Justice Center. In that role, I was required to make hundreds of release decisions under CrR 3.2. These release decisions are difficult, often based on limited and preliminary information. In my experience, the judge making the decision does so carefully and thoughtfully, seeking to appropriately balance rights of the defendant, community safety, and effective administration of justice.

I believe the proposed changes to CrR 3.2 would unreasonably and unnecessarily reduce a judge's discretion to (1) protect the community from violence and (2) compel a defendant to appear for court proceedings. It is important to keep in mind that when a judge makes the bail/bond decision, the judge has already found the presence of at least one meaningful risk—i.e., “the accused is not likely to appear if released on personal recognizance,” CrR 3.2(b), or “there exists a substantial danger that the accused will commit a violent crime or that the accused will seek to intimidate witnesses, or otherwise unlawfully interfere with the administration of justice,” CR 3.2(d). Given the risk that the judge has already found to exist, the proposed changes would be harmful and would unreasonably limit the judge’s ability to mitigate the risk.

The proposed changes to CrR 3.2 should not be adopted. In the alternative, the proposed changes should not be adopted without first holding an open, public hearing, where the proposed changes are discussed and members of the public can present their views orally.

Respectfully,
Chad Allred