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**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Comment on Proposed Amendment to CrR/CrRLJ 3.2  
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**From:** Godwin, Hannah <hgodwin@kingcounty.gov>  
**Sent:** Tuesday, April 30, 2024 11:30 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comment on Proposed Amendment to CrR/CrRLJ 3.2

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I am writing to strongly oppose the proposed change to CrR 3.2 and CrRLJ 3.2. This proposed change would allow reduction of any bail or bond set by the court by 90% without requiring any security or collateral. This rule is wholly unnecessary. CrR 3.2 and CrRLJ 3.2 establish a presumption of release of defendants on personal recognizance. If the court concludes that their appearance cannot be reasonably assured, subsection (b) of each rule provides that the least restrictive conditions of release shall be imposed, which may include secured or unsecured bond. Under the current rule, the court may order an appearance bond, which is satisfied by posting 10 percent of the amount set and an agreement to pay the remainder if conditions of release are violated.

This proposal does not recognize that the rule already requires the court setting bail to consider the defendant's financial resources and that the court has discretion to impose an appearance bond. If this rule were to be enacted, it is foreseeable that trial courts will set higher bail amounts with the understanding that it will be automatically reduced by 90%, which would ironically have the effect of imposing higher bail in Washington state.

Ultimately, the decision of bail is best left to the discretion of the Judge who is the most familiar with the case before them and can make a decision on a case by case basis.

Respectfully,

**Hannah Godwin**  
Deputy Prosecuting Attorney | Felony Traffic Unit

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