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Subject: FW: Comments on proposed court rule changes
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From: Taylor, Karissa <Karissa.Taylor@kingcounty.gov>
Sent: Monday, April 29, 2024 2:31 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Taylor, Karissa <Karissa.Taylor@kingcounty.gov>
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- 1. The proposed amendments to CrR 8.3 will lead to arbitrary dismissals and do not take victims' needs and wishes into consideration.** Allowing individual judges to define for themselves what "misconduct" means that the outcome for any particular defendant depends entirely on which judge is hearing the motion to dismiss. Due Process requires that defendants be treated similarly, and the Rule as currently written requires a showing of prejudice which acts as a guardrail to arbitrary decision making. Additionally, victims needs are completely thrown out the window, which seems to be problematic when reviewed in light of the Victims Bill of Rights.
- 2. The proposed amendments to CrR 3.2 makes bail meaningless:** By not requiring security or collateral and reducing bail by 90%, the bail system becomes meaningless. If judges want to reduce the amount an individual is held on, they can do that currently through a bond hearing. Not requiring collateral seems like it will lead to our most violent and dangerous offenders (for whom high bail is often ordered), bonding out and not returning without consequence.
- 3. The proposed amendment to 4.7 means defendants may be in receipt of personal and identifying information of victims and witnesses without recourse:** Currently the rule requires prosecutor approval so as to adequately protect the personal information of civilians. The proposed rules doesn't allow for review to ask for additional redactions, nor to make sure the appropriate redactions have been made. There is no penalty to defense counsel in failing to do the appropriate redactions.

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