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**Subject:** FW: Comments re Proposed Rule Changes  
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**From:** Kenneth Chadwick <kchadwick@waclawfirm.com>  
**Sent:** Tuesday, April 16, 2024 2:02 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comments re Proposed Rule Changes

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I am a former longtime police officer and a member of the WSBA for over 20 years.?? I significant portion of my representation concerns criminal defense.?? I am completely supportive of the proposes to CrR and CrRLJ 4.7, 8.3, and 3.2.

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Regarding 4.7, it is imperative to allow defendants more access to the discovery materials against them???allow them to freely explore the discovery materials on their own time.?? As the rule sits now, it is overly cumbersome and limits a defendants time to review materials at an attorney???s office.?? This is, quite frankly, ridiculous.

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Regarding 8.3, the change will put more pressure on the government to prosecute cases under the rules or risk dismissal.?? When the only chance for dismissal is proving prejudice to receive a fair trial, the government is given too broad a path, leading to it disregarding the basic rights of the accused.?? Much like the exclusionary rule is designed to punish the government for illegally collecting evidence without a showing of prejudice, changing this rule to allow judges to dismiss cases without showing prejudice when there is government misconduct will likely lead to a more careful government.

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And regarding 3.2, this is a change long in coming.?? Oregon, where I was also a police officer, has had the policy of allowing 10 percent bail postings with the government.?? This removes the bail bonds companies, many of which are quite unseemly, from direct involvement in the justice system and takes a way what is an effective 10 tax on defendants for their freedom pre-trial.??

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I appreciate the opportunity to comment on these proposals and fully support their acceptance by the Court.

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Sincerely,

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Kenneth W. Chadwick

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