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**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Comment to proposed CrR and CrRLJ 3.2  
**Date:** Monday, March 18, 2024 2:19:21 PM

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**From:** bjorkess@gmail.com <bjorkess@gmail.com>  
**Sent:** Monday, March 18, 2024 1:54 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Cc:** Ward, David <David.Ward@courts.wa.gov>  
**Subject:** Comment to proposed CrR and CrRLJ 3.2

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Shortly after the proposed rules were published I submitted a comment which has not appeared on the web site or the revamped web site. Mr. Ward suggested that I send it directly to this address.

The proposal allows for alternatives to surety, and permits the court to deduct costs when exonerating cash bail. The rule should make it clear that, if a court is setting bail, it must allow for a surety bond option: *State v. Barton*, 181 Wn.2d 148 (2014), Const., art. 1, § 20. The rule should provide that if a person posts cash and the case is dismissed or defendant is acquitted the court should not deduct court costs.

The rule should provide that the court must release on personal recognizance for a nonviolent offense unless defendant has failed to appear.

Ronald Kessler