

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Martinez, Jacquelyn](#)
Subject: FW: proposed amendments to CrR 4.7 and CrRLJ 4.7
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From: Maryman, Bridgette <Bridgette.Maryman@kingcounty.gov>
Sent: Tuesday, April 30, 2024 10:17 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: proposed amendments to CrR 4.7 and CrRLJ 4.7

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I am writing to oppose the current proposed amendments to CrR 4.7(h) and CrRLJ 4.7(h).

In analyzing the amendments, it is important to remember what is contained in unredacted discovery and how errors in redactions or deficient local rules could substantially impact crime victims and witnesses. Unredacted discovery contains a wide array of personal information about victims and witnesses, which may include full names, contact information, dates of birth, financial information, social security numbers, health information, and personal images. Such information can be used by defendants or other parties to intimidate, pressure, or humiliate victims and witnesses. Likewise, such information can be used to commit identity theft or other crimes. This risk is not mere speculation—it happens regularly with information already available to defendants. The amendments would substantially increase the risks of such consequences.

Because unredacted discovery contains such information, it is vital to ensure that redaction guidelines adequately protect victims and witnesses and that the guidelines are properly adhered to. While the procedures currently used in King County allow for such review, the proposed amendments do not.

First, the amendment defers to local jurisdictions for establishing redaction guidelines. Although I appreciate the proponent's citation to our office's redaction guidelines, no local jurisdiction is obliged to follow those guidelines under the proposed amendments. Any changes to 4.7(h) should include specific redaction requirements, with the opportunity for comment.

Second, the proposed amendment does not include a requirement that the defense attorney provide a copy of redacted discovery to the prosecutor. Whereas our current procedures allow for multiple levels of review (and therefore errors are more often identified), the amendments provide no mechanism for identifying errors or disagreement over application of the rules.

Finally, because prosecutors have an interest in ensuring proper redaction, and because the amendment does not allow for the prosecutor to review redactions in advance, prosecutors will likely set hearings in many cases to assure that the redactions adequately protect victims and witnesses.

The amendments to CrR 4.7(h) and CrRLJ 4.7(h) do not adequately protect victim and witness privacy and create new inefficiencies in administering redaction rules. This Court should reject the proposed amendments.

Respectfully,
Bridgette Maryman



Bridgette Maryman (she/her)

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