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Subject: FW: Comment in support of proposed amendment to CrR 4.7/CrRLJ 4.7
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From: Hopper, Madeline <mhopper@kingcounty.gov>
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Greetings,

I am a public defense attorney representing people accused of felonies in King County, WA. I am writing in support of the proposed amendment to CrR 4.7/CrRLJ 4.7, requiring redacted versions of discovery to be provided to defendants. Being informed of the evidence against you is an essential part of the right to fair trial, and it materially disadvantages my clients to not be able to have, review, and consider the State's proof at each stage of the proceedings, including in early negotiation stages.

The practice of many prosecuting offices here to withdraw from plea negotiations when redacted discovery is requested is deeply prejudicial to the people who are accused of crimes. These are members of our community who are still presumed innocent, and who have the right to be informed of the proof against them in order to make knowing and voluntary choices about how to proceed with their criminal cases.

Previously, I was a public defender in Tennessee. There, I was permitted to promptly provide copies of discovery to my clients as soon as I received it. My clients were better able to assist in their own defense at very early stages of the case, because they spent hours reviewing their discovery, and knew it inside and out. In many ways, Washington state has more socially just laws, rules, and procedures than Tennessee, but in this way, Washington lags behind the South. Adopting this change would allow Washington to catch up.

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