

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Proposed CrR 4.7  
**Date:** Tuesday, April 9, 2024 3:38:58 PM

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**From:** bjorkess@gmail.com <bjorkess@gmail.com>  
**Sent:** Tuesday, April 9, 2024 3:23 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Proposed CrR 4.7

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The King County Prosecuting Attorney has a policy of punishing defendants when defense counsel submits proposed redactions prior to giving discovery to the client; complaining that it takes time, the PA ceases plea negotiations. Note that one-third of filed felonies are resolved as gross misdemeanors which, according to the policy, would not be available to a defendant who seeks a copy of the discovery.

Defense lawyers are officers of the court. They will follow the rules of redaction. The KCPAO policy assumes that there will be cheating and only a prosecutor can assure that a defense lawyer will not follow the rules.

The local rule should provide that a copy of the redacted discovery be provided to the PAO and filed in the court file.

**From:** [Ward, David](#)  
**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: FW: Proposed CrR 4.7  
**Date:** Tuesday, April 9, 2024 5:04:48 PM  
**Attachments:** [image001.png](#)

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**From:** bjorkess@gmail.com <bjorkess@gmail.com>  
**Sent:** Tuesday, April 9, 2024 5:02 PM  
**To:** Ward, David <David.Ward@courts.wa.gov>  
**Subject:** Re: FW: Proposed CrR 4.7

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It is from me.

Ronald Kessler

On Tue, Apr 9, 2024 at 4:51 PM Ward, David <[David.Ward@courts.wa.gov](mailto:David.Ward@courts.wa.gov)> wrote:

Dear Judge Kessler,

The Supreme Court Clerk's Office received the comment below this afternoon . Although the comment did not include a name, we are assuming that this comment is from you because you have submitted comments before using this email address.

Before we post the comment online, I wanted to ask if you could please confirm that we may attribute this comment to you when we post it on the Court's website?

Thanks!  
David Ward

**David Ward**

Principal Legal Analyst | Office of Legal Services & Appellate Court Support

**Administrative Office of the Courts**

**(360) 704-4070 (desk)**

**(206) 948-7400 (mobile)**

[David.Ward@courts.wa.gov](mailto:David.Ward@courts.wa.gov)