

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Martinez, Jacquelynn](#)
Subject: FW: Public Comment, Order Number 25700-A-1568
Date: Friday, September 20, 2024 11:05:06 AM

From: Eric Zimmerman <ezimmerman@normandyparkwa.gov>
Sent: Friday, September 20, 2024 10:49 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Public Comment, Order Number 25700-A-1568

External Email Warning! This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

Public Comment, Order Number 25700-A-1568

Honorable members of the Washington State Supreme Court,

Please do not adopt the WSBA proposal regarding changes to public defender caseloads in Washington State. While we acknowledge a caseload problem exists and wish to help develop solutions, we ask that the Court consider the likeliest real-world consequences of implementing the WSBA proposal without prior State funding and a pipeline of new public defenders. Due to how powerfully disruptive this change would be, if the Court approves the WSBA proposal, something which is effectively new legislation will be created by the Court which further decriminalizes felonies and prevents elected officials from defining what is and is not legal in Washington. This will occur because most municipalities, due to State laws on taxation, lack the funding necessary to enact the proposed WSBA rules.

We ask that the Court act in a way consistent with its standing as an equal member of a system of government, alongside elected officials, which must work together to create solutions. We ask that the Court defer to the expert opinions of municipalities on the consequences of Court action, and that the Court acknowledge that the real-world consequences of acting independent of its elected partners would do little or nothing to promote guarantees established in the Constitution. Because the rules change would make it difficult or impossible for government to consistently separate dangerous individuals from the general public, we ask that the Court acknowledge that the rules change would directly lead to loss of innocent life and rob families of a future together which would have otherwise existed without Court action. We ask you to picture who those families might be so that actions you contemplate will not exist only in a legal-theoretical construct without connection to real-world faces and lives. That the Court's action approving this proposal has the likelihood of obstructing government in its duty to prevent violent crime should on its own cause the Court to defer action until a time when the unified bodies of government have provided a solution which is likeliest to succeed in a real-world setting.

Society in Washington State is already under the dangerous strain of a commonly held perception that virtually all misdemeanor and many felony laws are optional to follow because of an absence of consequences. It is undeniable that this attitude has driven increases in all types of crime. By further signaling that breaking the law can be done with little or no consequence, the Court faces the likelihood of strengthening a growing culture of lawlessness which creates new criminals where they would not have otherwise not existed. Together we depend on a social contract that laws shall apply to all people equally, breaking laws shall involve consequences, that the accused shall be entitled to a fair trial, and that victims are entitled to seek justice. The unraveling of this contract undermines our future as youth who look to society to establish the norms and mores around which they shape their attitudes and behaviors are being failed by government which is increasingly unclear on whether and how laws have meaning. Vigilante attitudes are increasingly common among those who believe that, in the absence of government taking responsibility to seek justice, it becomes the responsibility of the individual to guarantee justice for themselves. The Court must agree that these harmful beliefs and attitudes should not be permitted to grow in strength and prevalence. Please do not add your names to an unfortunate history – which will already be studied by the researchers of the future – where failure of society was seen most powerfully not in inequality or poverty but in the failure of government to know the meaning of the word "law".

Respectfully,

Eric Zimmerman

Mayor

City of Normandy Park

801 SW 174th Street

Normandy Park, WA 98166

m: 206.953.5151

e: ezimmerman@normandyparkwa.gov