

KING COUNTY PROSECUTING ATTORNEY'S OFFICE



LEESA MANION (she/her)
PROSECUTING ATTORNEY

JUSTICE
COMPASSION
PROFESSIONALISM
INTEGRITY
LEADERSHIP

April 30, 2025

Honorable Mary Yu
Supreme Court Rules Committee
c/o Clerk of the Supreme Court

RE: Comments on Proposed Amendments to CrR 3.2 and CrRLJ 3.2

Dear Honorable Justice Mary Yu and Members of the Rules Committee:

I urge the Court to reject the proposed changes to CrR 3.2 and CrRLJ 3.2 regarding the standards for pretrial release. The proposed amendment eliminates a court's authority to set bail based on its concern that the accused will "unlawfully interfere with the administration of justice." The amendment unjustifiably limits a court's consideration to the danger that an accused will threaten or intimidate victims, witnesses, or court employees, will engage in evidence tampering, or commit a violent offense. The proponents of the amendment provide no persuasive justification for narrowing the court's discretion in this manner.

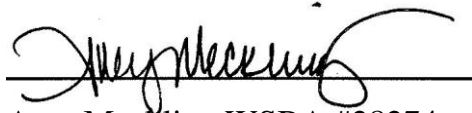
The current rule is intended to give courts discretion to consider a *broad range* of facts that are relevant to the release decision. The proposed amendment ignores the reality that defendants can (and do) interfere with the administration of justice in a myriad of ways that do not involve threats, intimidation, evidence tampering, or the commission of additional violent offenses. For example, a prolific car thief may steal another car each time he or she is released. Under the proposed amendment, the commission of non-violent offenses is not to be considered in the bail decision. But the defendant's behavior nonetheless results in additional charges, additional delays, and the expenditure of additional scarce judicial resources.

Moreover, courts commonly impose conditions of release that are necessary for the due administration of justice but are not necessarily tied to the accused attempting to threaten or intimidate anyone. Examples include prohibiting a defendant from having contact with codefendants, victims (especially in domestic violence and sexual assault cases), minors (especially in sexual assault and CSAM cases), and specific locations. The proposed amendment would wholly deprive courts of the ability to *enforce* these appropriate conditions of release.

The proposed amendment strips courts of the discretion that they need to ensure that justice is properly administered without any showing of a significant or systematic abuse of that discretion.

Thank you for considering my comments.

Sincerely,

A handwritten signature in dark ink, appearing to read "Amy Meckling", is written over a solid horizontal line.

Amy Meckling WSBA #28274
Senior Deputy Prosecuting Attorney
Co-Chair, Appellate Unit
Criminal Division
King County Prosecuting Attorney's Office

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Farino, Amber](#)
Cc: [Ward, David](#)
Subject: FW: Comment on Proposed Changes to CrR 3.2 and CrRLJ 3.2
Date: Wednesday, April 30, 2025 11:43:03 AM
Attachments: [image001.png](#)
[2025 Proposed 3.2 Rule Change Comments Letter.pdf](#)

From: Meckling, Amy <Amy.Meckling@kingcounty.gov>
Sent: Wednesday, April 30, 2025 11:37 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment on Proposed Changes to CrR 3.2 and CrRLJ 3.2
Importance: High

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.

Attached, please find my comments to the proposed amendments to CrR 3.2 and CrRLJ 3.2.

Thank you,



Amy Meckling (she/her)

SENIOR DEPUTY PROSECUTING ATTORNEY

CO-CHAIR, APPELLATE UNIT

CRIMINAL DIVISION

King County Prosecuting Attorney's Office

516 3rd Avenue | Seattle | WA | 98104

Office: (206) 477-9542

Email: amy.meckling@kingcounty.gov