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**To:** [Farino, Amber](#)  
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**Subject:** FW: Proposed Changes to CrR 3.2 and CrRLJ 3.2  
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**From:** Harrison, Susan <Susan.Harrison@kingcounty.gov>  
**Sent:** Wednesday, April 30, 2025 11:18 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Proposed Changes to CrR 3.2 and CrRLJ 3.2

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I am writing to express my deep concerns regarding the proposed change to above-noted Criminal Court Rules for Washington State Superior Courts and Courts of Limited Jurisdiction and to urge the Court to reject adoption of same.

The proposed change to CrR 3.2 and CrRLJ 3.2 makes a significant change to these rules under the guise of clarifying an intentionally broad term. The term “interfere with the administration of justice” is clearly intended to give courts the ability to consider a broad range of facts that may be relevant in determining appropriate conditions of release in each case before them. The proposed amendment completely disregards the reality that an accused person can interfere with the administration of justice in a number of ways that do not involve direct threats to or intimidation of potential witnesses in their criminal case. Courts must have sufficient discretion to address all behavior that interferes with the administration of justice.

Awareness of those realities is reflected in the current sections of CrR 3.2 and CrRLJ 3.2 that outline the relevant factors for the court to consider in determining which conditions of release will reasonably assure the accused’s noninterference with the administration of justice and reduce danger to others or the community. This proposed rule change would curtail the discretion of the court to consider the universe of information that is relevant and helpful to it in imposing conditions of release that are designed to address the concerns that the accused will unlawfully interfere with the administration of justice.

Some examples of such conditions of release that are regularly imposed by courts and that are not necessarily tied to the accused attempting to threaten or intimidate anyone are orders prohibiting a defendant from having contact with co-defendants, having contact with victims (in any crime where a victim is identified, to include crimes classified as economic, domestic violence, violent, or sexual assault), having contact with minors (most notably in sexual assault and commercial sexual abuse crimes), and having contact with specific locations. Another regularly imposed condition of release in criminal cases is that of a

prohibition on committing new law violations. Violations of these conditions of release interfere with the administration of justice even if they do not involve behavior that involves a threat or intimidation to a victim or witness of a crime. This proposed amendment would entirely deprive courts of the ability to impose and enforce such conditions of release. For those reasons, I strongly urge this Court to reject this proposed change to CrR 3.2 and CrRLJ 3.2.

Sincerely,

Susan Harrison, WSBA #40719  
Senior Deputy Prosecuting Attorney  
King County Prosecuting Attorney's Office