

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Farino, Amber](#)  
**Cc:** [Ward, David](#)  
**Subject:** FW: Concerns regarding proposed changes to CrR 3.2.1, CrR 4.1, and CrRLJ 4.1.  
**Date:** Wednesday, April 30, 2025 8:19:52 AM

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**From:** Megan Allen <mallen@kcsarc.org>  
**Sent:** Tuesday, April 29, 2025 11:07 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Concerns regarding proposed changes to CrR 3.2.1, CrR 4.1, and CrRLJ 4.1.

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As an advocate for victims of sexual assault, abuse, and child physical abuse for the past 25 years, I am deeply concerned about the proposed changes to CrR 3.2.1, CrR 4.1, and CrRLJ 4.1. I have witnessed firsthand how the legal system, even with the best intentions, can unintentionally increase a victim's risk, discourage their participation, and silence already vulnerable survivor, particularly women and children. Reducing the arraignment timeline to three days for in-custody or conditionally released defendants will only exacerbate these harms.

**This rule will disproportionately affect women and children the vast majority of survivors in sexual violence and domestic abuse cases by denying them adequate time to be notified, access advocacy, and prepare to participate in court processes that are critical to their protection.** It also reflects and risks reinforcing the misogyny and gender bias that have historically minimized and dismissed the voices of victims, especially those whose perpetrators are intimate partners, parents, or caretakers.

**Courts should be an access point of protection for victims.** By reducing the arraignment window to three days, the proposed rule effectively **shuts the door to many victims' ability to access protective measures in time.** Victims without notice would have no time to safety plan, access protection orders, or give input on bail conditions. Without timely notice of arraignment, victims will be unaware that their perpetrator is being released. This leaves survivors vulnerable to intimidation, coercion, and further violence. For victims of domestic violence, child abuse, sexual assault, and stalking, crimes overwhelmingly committed by known perpetrators **this lack of notice can be life-threatening.**

**This rule change would disproportionately harm those already underserved by the legal system: BIPOC communities, non-English speakers, women, and children.** These populations often rely on advocacy organizations to receive information and navigate court processes—services that require time, coordination, and cultural or linguistic support. **A three-day arraignment window does not allow for this, leaving victims even more isolated. In effect, the rule penalizes survivors for systemic inequalities the courts should be working to minimize.**

This rule would create a violation of Washington State Constitution and victims' statutory rights. Under Washington's Constitution, Article I, Section 35, enshrines victims' rights to be informed, present, and heard at court proceedings. These rights are further codified in RCW 7.69.030, which guarantees victims:

- **The right to be informed of and attend court proceedings.**
- **The right to receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts.**

**The proposed rule makes it nearly impossible to uphold these rights in practice. Without victim input, courts cannot accurately assess danger, issue appropriate release conditions, or determine no-contact orders.**

**The criminal justice system relies on victims' willingness to report and participate.** When victims are ignored, or put at further risk by the court system, they are not going to come forward. By failing to provide equal consideration of victims' rights, this rule does more than compromise fairness; it undermines the very legitimacy of justice itself.

Victims will not trust a system that fails to protect them. The proposed rule sends the harmful message that **defendant expediency is valued above victim safety and constitutional protection.**

I respectfully urge the Court to reject this proposed rule.

Sincerely,

## Megan Allen

Director of Advocacy  
KCSARC

**Megan Allen**

**Director of Advocacy Services** | Pronouns: She/Her

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