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Subject: FW: Comment: Opposition to Proposed Amendment to CrR 8.3(b)/CrRLJ 8.3(b)
Date: Monday, April 21, 2025 1:49:14 PM

From: Merrick, Daniel <damerrick@kingcounty.gov>
Sent: Monday, April 21, 2025 1:44 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment: Opposition to Proposed Amendment to CrR 8.3(b)/CrRLJ 8.3(b)

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Dear Court Clerk,

I urge the Court to reject Public Defense's newest attempt to amend this court rule, which fails to address or resolve any of the problems identified by numerous commenters when a similar amendment was proposed and rejected in 2024. It is another attempt to use the rule making process to wrestle away the prosecutor's constitutionally granted authority to use its discretion to file charges when Public Defense has policy differences with the charges the State has chosen to file.

The cover sheet for the proposed rule offers no concrete example or examples of situations where the proposed rule would apply to. Nor does it define any of its important terms like "community" or factors to consider when determining "impact" on the community or perceptions of the criminal justice system. This is probably by design. Since the rule is untethered to any violation to a defendant's due process rights, Public Defense intends for a rule with as few boundaries as possible that can apply to as many cases as possible where it has policy differences with the State's charging decision or handling of a case. I urge

Regards,

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