



*Justice... Professionalism... Service... Since 1886*

July 25, 2011

The Honorable Larry Gossett  
Chairman, King County Metropolitan Council  
516 Third Avenue, Room 1200  
Seattle, WA 98104

Dear Councilmember Gossett:

I am writing on behalf of the King County Bar Association to support efforts that would retain judicial discretion in the use of pre-trial release alternatives and urge the Council to take further time to study the impact of adopting Ordinance 2011-0205, which is on today's Council agenda.

As you know, KCBA is the largest voluntary bar association in the state of Washington, founded in 1886 and representing over 14,000 attorneys in King County including attorneys, judges, and law professors. Our mission is to promote a just, collegial, and accessible legal system and profession; work with the judiciary to achieve excellence in the administration of justice; and serve our local community through organized pro bono legal services.

While the bar appreciates the importance of Council review and oversight of how pre-trial release programs are working, we are concerned about unintended consequences with the pending proposal without taking further time for additional discussion to address stakeholders' concerns. For example, since bail must be set in all but a few types of cases, many defendants will be released with no possibility of supervision before trial. Another possible effect could be a disproportionate impact on the poor; those with means will be able to post bail while those living paycheck to paycheck will have no option but detention. Finally, some have argued that this proposal could increase the racial disparities in our justice system.

KCBA calls on the Council to take additional time for further study and feedback from the community before proceeding with action on this proposed ordinance. If councilmembers remain insistent on acting today, we urge careful consideration of an alternate proposal being promoted by the public defender agencies and several council members that would retain at least some discretion for our judges.

Sincerely yours,

A handwritten signature in black ink that reads "Andrew J. Prazuch". The signature is fluid and cursive, with the first name being the most prominent.

Andrew J. Prazuch  
Executive Director

cc: King County Metropolitan Councilmembers