WASHINGTON STATE COURT RULE (GENERAL RULES) GR 16 CLEARLY PROVIDES THAT ONLY THE PRESS OR NEWS MEDIA NEEDS THE JUDGES PERMISSION TO AUDIO TAPE AND VIDEO TAPE COURT PROCEEDINGS AND CLEARLY DOES NOT APPLY TO THE PUBLIC OR THE PARENTS IN ANY DEPENDENCY OR TERMINATION PROCEEDING!

It is undisputed pursuant to CR 8 (d) that Washington State Court Rule GR 16 clearly provides that "**only**" the Press or the News Media needs the so called "**permission**" of "**the communistically minded judge**" to Audio Tape and Video Tape "**public court proceedings**" and does NOT apply to the public or the parents in any Dependency or Termination Proceedings!

GR 16 reads:

> "**RULE GR 16 COURTROOM PHOTOGRAPHY AND RECORDING BY THE NEWS MEDIA**
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> (a) Video and audio recording and still photography by the news media are allowed in the courtroom during and between sessions, provided
> (1) that permission shall have first been expressly granted by the judge; and
> (2) that media personnel not, by their appearance or conduct, distract participants in the proceedings or otherwise adversely affect the dignity and fairness of the proceedings.
> (b) The judge shall exercise reasonable discretion in prescribing conditions and limitations with which media personnel shall comply.
> (c) If the judge finds that sufficient reasons exist to warrant limitations on courtroom photography or recording, the judge shall make particularized findings on the records at the time of announcing the limitations. This may be done either orally or in a written order. In determining what, if any, limitations should be imposed, the judge shall be guided by the following principles:
> (1) Open access is presumed; limitations on access must be supported by reasons found by the judge to be sufficiently compelling to outweigh that presumption;
> (2) Prior to imposing any limitations on courtroom photography or recording, the judge shall, upon request, hear from any party and from any other person or entity deemed appropriate by the judge; and
> (3) Any reasons found sufficient to support limitations on courtroom photography or recording shall relate to the specific circumstances of the case before the court rather than reflecting merely generalized views.
> [Adopted effective December 27, 1991; amended effective January 4, 2005.]." And;

It is undisputed that the United States Supreme Court in Devenpeck et al. v. Alford, 543 U.S. 146 (December 13, 2004), the Ninth Circuit in Alford v. Haner, 333 F.3d 972, at 976 (June 23, 2003) and the Washington State Supreme Court in Lewis v. Dep't of Licensing, 157 Wn.2d 446, at

460, 139 P.3d 1078 (August 3, 2006), all held that members of the public have the right to "**secretly record**" cops, CPS Social Workers, Guardian Ad Litems, Assistant Attorney Generals and Family Court Judges with the use of unobtrusive hand-held tape recording devices at all public meetings and in all public court proceedings being held in public court buildings paid for with tax payers money!

Article 1, section 10 of the Washington State Constitution clearly reads:

> "**SECTION 10 ADMINISTRATION OF JUSTICE. Justice in all cases shall be administered openly**, and without unnecessary delay." And;
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> "To prevent star-chamber injustice, the public should generally have unrestricted access to all proceedings." State ex rel. Miami Herald v. McIntosh, 340 S.E.2d 904 (Fla. 1977).
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> "I cannot accede to the correctness of the proposition in that case, that, if a public trial has not been accorded the accused, the burden is upon him to show that actual injury has been suffered by a deprivation of his constitutional right. On the contrary, when he shows that his constitutional right has been violated, the law conclusively presumes that he has suffered an actual injury. I go further, and say the whole body politic suffers an actual injury when a constitutional safeguard erected to protect the rights of citizens has been violated in the person of the humblest or meanest citizen of the state. The constitution does not stop to inquire of what the person has been accused , or what crime he has perpetrated; but it accords to all, without question, a fair, impartial, **and public trial**.'" State v. Marsh, 126 Wash. 142 (1923). See former RCW 13.04.090.
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> "We agree with the Special Term's conclusion that appellants have offered no justifiable basis for prohibiting the use of unobtrusive, hand-held tape recording devices at its public meetings (see, People v. Ystueta, 99 Misc. 2d 1105; Committee on Open Government, Advisory Opinion on Open Meetings Law, Oct. 27, 1983; 1980 Opns Atty Gen 145; see also, Feldman v. Town of Bethel, 106 AD2d 695). . . . Matter of Davidson v. Common Council, 40 Misc. 2d 1053, 1056)." Mitchell v. Board of Educ. of Garden City Union Free School Dist., 113 A.D.2d 924, 493 N.Y.S.2d 826 (September 30, 1985); Craig v. Harney, 331 U.S. 367, 91 L.Ed. 1546, 67 S.Ct. 1249 (1947).
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> "If a shorthand record of a such a meeting is more accurate than long hand notes, then the use of shorthand is to be approved and if the making of a tape record is a still better method of memorializing the acts of a public body it should be encouraged." Nevins v. City of Chino, 233 C.A.2d 775, 778-79; 44 Cal Rptr. 501 (April 22, 1965).
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> "Minutes which purport to abridge and to summarize what went before at best involve a process of subjective judgment calls; and may well, by inadvertence or by design, lead to a finished product which bears only a distant resemblance to the original. A tape recording of the meeting could therefore act as an insurance policy against imperfections in the official record." Belcher v. Mansi, 569 F.Supp. 379, 383 (June 30, 1983); Nebraska Press Association v. Stuart, 427 U.S. 539 (1976).
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> "As no one is harmed, the use of a silent tape recorder operated exclusively by the person interested in making such a record must be permitted." Sudol v. Borough of North Arlington, 348 A.2d 216, 219 (Nov. 5, 1975); Federated Publications, Inc., v. Swedberg, 96 Wn.2d 13 (1981).

If you want to sue your CPS Social Worker, please contact Luis Ewing at 1 - (360) 335-1322 or <rcwcodebuster@aol.com> or http://www.luisewing.com or http://www.CPSExposed.com