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The proposed amendment ignores the public interest in the prosecution of crimes and protection of the victim and the community. Because it does not require a connection between any misconduct of the State and the defendant's ability to have a fair trial, it does not serve the public interest in punishment of the guilty and public safety. It disregards the victim's right to justice and protection from the defendant. Additionally, the proposed rule change violates the separation of powers between the judiciary and the prosecutor.

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