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To: [Martinez, Jacquelynn](#)
Subject: FW: Comment on proposed amendment to CrR and CrRLJ 8.3
Date: Friday, April 26, 2024 8:14:57 AM

From: Houston, Kyle <Kyle.Houston@kingcounty.gov>
Sent: Thursday, April 25, 2024 5:05 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment on proposed amendment to CrR and CrRLJ 8.3

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I am writing to oppose the proposed amendment to CrR 8.3 and CrRLJ 8.3. I agree wholeheartedly with the comments submitted by Donna Wise.

I have been a prosecutor for 12 years and do not recall ever seeing any proposed amendments to the criminal rules that invites such broad violations of the separation of powers between the judiciary and other branches of government. The proposed rule gives trial judges extremely broad discretion to dismiss any criminal case even on the basis of policy disagreement with the prosecutor, or disagreement with the criminal or sentencing statutes enacted by the state legislature. This would allow judges to *arbitrarily* interfere with the powers of the prosecutor and the legislature. The result would be wildly varying outcomes for motions to dismiss depending on which county the case is being tried in, or even which judge happens to be on the bench that day.

Please reject the proposed amendment.

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