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**From:** Soukup, Dan <Dan.Soukup@kingcounty.gov>  
**Sent:** Monday, April 28, 2025 2:47 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** CrR 8.3

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I am requesting that the proposed amendment to CrR 8.3 be denied. This amendment would allow a trial judge to dismiss any criminal prosecution. A court could conclude that any decision made by a prosecutor was arbitrary, from charging decisions to sentencing recommendations. On that basis, the amendment would authorize dismissal of any or all charges or convictions. For example, the term “government misconduct” has been interpreted to include negligence as well as affirmative misconduct. As a result, a court could conclude that a prosecutor’s charging standards or allocation of office resources was arbitrary or negligent. The amendment would authorize dismissal of any case that a court concludes was affected by that policy.

For these reasons, the proposed amendment to CrR 8.3 should be denied.

Sincerely, Dan Soukup