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Subject: FW: CrR 8.3 and CrRLJ 8.3:
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From: Megan Allen <mallen@kcsarc.org>
Sent: Wednesday, April 30, 2025 9:42 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: CrR 8.3 and CrRLJ 8.3:

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Good Morning,

I submit this statement in strong opposition to the proposed amendments to CrR 8.3 and CrRLJ 8.3. I have worked for the past 25 years as an advocate for survivors of sexual assault, sexual abuse and child physical abuse, and I am currently the Director of Advocacy for King County Sexual Assault Resource Center (KCSARC), where we support nearly 5,000 survivors annually. Our legal advocacy team alone is actively working with over 800 survivors at any one time. Most will never see charges filed. Of those few who are fortunate enough to see their offenders held accountable through criminal charges, the path is already long, and uncertain.

Even in 2025, most sexual assault survivors still don't report, and many indicate they don't trust the system will protect or believe them. When the court process lacks clear boundaries or fairness, it undermines the legitimacy of the legal system and sends a clear message to survivors that justice isn't worth the risk of coming forward. This proposal would allow judges to dismiss cases based on vague and subjective findings of "arbitrary" or negligent conduct by the state even when that conduct caused no actual harm to the defendant. It sets no meaningful standards for what justifies dismissal and gives judges broad authority without requiring that those decisions be grounded in clear and objective criteria.

When survivors ask why their case was dismissed after years of waiting. How are we to explain a law that offers no real guidelines? These are not abstract legal questions to them; it's personal. Survivors are not naïve, and they read the law too. When rules are so broadly written that they allow for dismissals based on personal or ideological opinions, it destroys any sense of fairness in the process.

Our courts must be held to the same standard of accountability we expect from all sides. Broad

discretion by any party in the system without guardrails undermines legitimacy. When the law allows a judge to dismiss a case with no clear boundaries, it sends a damaging message to victims: that justice depends not on facts or fairness, but on who happens to be sitting on the bench.

I urge the Court to reject this proposed rule change. Victims who come forward deserve a system they can trust; a system where serious decisions are rooted in law, not left to individual opinion.

Sincerely,

Megan Allen

Megan Allen

Director of Advocacy Services | Pronouns: She/Her

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