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Subject: Comment on Proposed Changes to CrR 8.3

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I strenuously object to the proposed amendments to CrR 8.3. The current proposal encourages further erosion of the separation of powers doctrine and does nothing to ensure that crime victims also have equal access to justice. To invite the court to dismiss a matter when it cannot make a finding of prejudice to the defendant is a standard that we should not embrace. The current rule already permits a court to dismiss a case when it finds government actors engaged in arbitrary action or misconduct that prejudices a defendant's right to a fair trial. The proposed amendment invites arbitrary and inappropriate actions that would leave crime victims without recourse. Assuming diligent and factually correct briefing from the advocates before it, a trial court is well-equipped under the current rule to make appropriate decisions in these matters.

Thank you,

Preston McCollam
Chief Criminal Deputy
Spokane County Prosecuting Attorney's Office
Office: 509-477-2841



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