have recognized how difficult this factor is to establish and have, accordingly, allowed a presumption of prejudice to attach to excessive delays. There is in this case, however, no proof of particularized prejudice. Nonetheless, at a minimum, the factor should be treated neutrally weighing in neither party's favor.

Balancing the four factors, then, it is abundantly clear that defendant's constitutional speedy trial rights have been violated, and I would so hold preferring that unfortunate result to the one I believe the majority's opinion allows: a prosecution far beyond the time period we have deemed reasonable before in the face of a speedy trial demand.

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Penny J. White, Justice