

Washington's "3-Strikes" Law

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3 **WHEREAS** RCW 9.94A.010 requires that punishment for crimes be proportionate to the seriousness
4 of the crimes and commensurate with punishment provided for similar crimes;

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6 **WHEREAS** Initiative 593, approved in 1993, states: "Punishments for criminal offenses should be
7 proportionate to both the seriousness of the crime and the prior criminal history. By sentencing
8 three-time most serious offenders to prison for life without the possibility of parole, the people
9 intend to: improve public safety by placing the most dangerous criminals in prison"; and

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11 **WHEREAS** RCW 9.94A, which enacts the reforms called for under Initiative 593 and is often
12 referred to as the "3-Strikes" law, includes Robbery 2 and Assault 2 on the list of "most serious
13 offenses" that trigger life imprisonment;

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15 **WHEREAS** Washington's Sentencing Guidelines Commission (The Commission), the state agency
16 charged with evaluating sentencing policies and recommending modifications to the Governor and
17 Legislature, recommended to the Legislature 2001 that it remove Robbery 2, and consider removing
18 some forms of Assault 2, from the list of offenses triggering life imprisonment under 3-Strikes,
19 noting that the range of behaviors associated with Robbery 2 and some instances of Assault 2 do not
20 rise to the level of "most serious" offenses and that, specifically, in the case of Robbery 2, these
21 behaviors pose "little risk of physical injury"; and,

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23 **WHEREAS** life imprisonment for crimes that are not "most serious" violates the proportionality
24 requirements of RCW 9.94A.010 and I-593, violates the intent in I-593 to address the "most
25 dangerous" criminals, is unjust to individuals serving life sentences for these crimes and to their
26 families, causes significant unnecessary expense, and reduces respect for the law;

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28 **WHEREAS** each year, bills to comply with the recommendations of The Commission are introduced
29 in the state legislature without success;

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31 **WHEREAS** racial disparity exists throughout Washington State's criminal justice system but is
32 perhaps at its most severe in the 3-Strikes population which comprises 45% African Americans in
33 comparison to our state population which is 3.5% African American.

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35 **WHEREAS** the 2006 Washington State Democratic Party platform declares the following: "We also
36 recognize that in the pursuit of civil order, we cannot abandon the legal principles upon which a
37 free and democratic society relies. We ... believe that criminal justice and human rights are linked."

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39 **THEREFORE BE IT RESOLVED** that we call upon Washington's governor and each of our state's
40 legislators to vigorously support and defend legislation that removes Robbery 2 and any Assault 2
41 or other offenses not reasonably qualifying as "most dangerous" and "most serious" from the list of
42 offenses that trigger life imprisonment under 3-Strikes;

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44 **THEREFORE BE IT FURTHER RESOLVED** that we call on Washington's governor and each of our
45 state's legislators to acknowledge and address the racial disparity in our criminal justice system
46 which manifests in perhaps its most extreme form among those incarcerated under Washington's 3-
47 Strikes law, and to act with due haste to eliminate this disparity.

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Submitted by the Grays Harbor County Democrats to the Democratic Central Committee for consideration at its June 14 convention in Spokane. (Date Submitted 4/12/2008)

Submitted by the 45th LD Democrats to the Democratic Central Committee for consideration at its June 14 convention in Spokane. (Date Submitted 4/21/2008)

Submitted by the King County Democrats to the Democratic Central Committee for consideration at its June 14 convention in Spokane. (Date Submitted 4/21/2008)

Submitted by the Spokane County Democrats to the Democratic Central Committee for consideration at its June 14 convention in Spokane. (Date Submitted 4/23/2008)

Submitted by the Island County Democrats to the Democratic Central Committee for consideration at its June 14 convention in Spokane. (Date Submitted 4/29/2008)

Submitted by the Benton County Democrats to the Democratic Central Committee for consideration at its June 14 convention on Spokane. (Date Submitted 5/3/2008)

The Resolutions Committee "RECOMMENDED A PASS" at its June 13, 2008 meeting in Spokane.

The Washington State Democratic Convention "PASSED" this resolution at its June 14, 2008 meeting in Spokane.