

## Washington's "3-Strikes" Law

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

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

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

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

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

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

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35 **WHEREAS** racial disparity exists throughout Washington State's criminal justice  
36 system but is perhaps at its most severe in the 3-Strikes population which comprises  
37 45% African Americans in comparison to our state population which is 3.5% African  
38 American.

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

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

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

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58 Submitted by the Grays Harbor County Democrats to the Democratic Central  
59 Committee for consideration at its June 14 convention in Spokane. (Date Submitted  
60 4/12/2008)

61  
62 Submitted by the 45th LD Democrats to the Democratic Central Committee for  
63 consideration at its June 14 convention in Spokane. (Date Submitted 4/21/2008)

64  
65 Submitted by the King County Democrats to the Democratic Central Committee for  
66 consideration at its June 14 convention in Spokane. (Date Submitted 4/21/2008)

67  
68 Submitted by the Spokane County Democrats to the Democratic Central Committee for  
69 consideration at its June 14 convention in Spokane. (Date Submitted 4/23/2008)

70  
71 Submitted by the Island County Democrats to the Democratic Central Committee for  
72 consideration at its June 14 convention in Spokane. (Date Submitted 4/29/2008)

73  
74 Submitted by the Benton County Democrats to the Democratic Central Committee for  
75 consideration at its June 14 convention on Spokane. (Date Submitted 5/3/2008)

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

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80 The Washington State Democratic Convention "PASSED" this resolution at its June 14,  
81 2008 meeting in Spokane.