

## WSCC 2009 LEGISLATIVE PRIORITIES

### CRIMINAL JUSTICE

#### PRINCIPLES

*We are called to promote the well-being of all, and to protect the lives and dignity of all, especially the weak, the vulnerable, the voiceless. While society may reject some people because they are in prison, we work to enhance their dignity, improve their lives, and meet their needs.*

Forming Consciences for Faithful Citizenship, USCCB, 2007

**VOTING RIGHTS RESTORATION:** Under current state law citizens who have served their prison terms are denied the right to vote until they pay monetary debts to the legal system imposed at the time of sentencing. More than 90 percent of felony defendants are indigent and unable to pay their debts. People of color are disproportionately represented in this category.

**THREE STRIKES LAW:** In 1993, Washington adopted a “3 Strikes Law” that mandates 25 years to a life sentence for persons convicted of three crimes from a specific list of crimes. Many of the defendants sent to jail under three-strikes laws are non-violent repeat offenders. The original intent of the law was the stop violent criminals, but the result has been that some criminals with a history of minor offenses, such as petty theft or drug dealing have longer terms than criminals who commit violent acts. The number of those convicted under the three strikes statute continues to grow, over-populating a bulging prison system. In addition, studies of three-strikes laws have shown that African Americans are disproportionately affected by the policy.

**INDIGENT DEFENSE:** Effective legal counsel is a cornerstone of the criminal justice system and ensures extension of justice to the poor and vulnerable. Indigent defendants are to be provided with a qualified and capable attorney, but this often does not occur. Caseloads are to be set at a reasonable level to ensure that representation is thorough. Increased funding is needed to provide adequate legal representation.

**ALTERNATIVE PROGRAMS TO INCARCERATION:** Many persons with drug and alcohol abuse problems or a mental illness end up in jail or prison, without adequate assessment and treatment for their underlying problems. Many times these same persons are “repeat” visitors to jails, hospitals, and shelters. Several counties have instituted drug and mental health courts with positive results. The budget shortfall may put these courts in jeopardy.

**RE-ENTRY:** In 2007, a law was adopted to assist in reentry planning, transition, work release, treatment, education and housing for offenders being released from state custody. Considered an important first step, the 2009 legislature will provide another opportunity for policy makers to address the important needs of former offenders as they re-join our communities.

#### RECOMMENDATIONS

##### WSCC SUPPORTS:

- Restoration of voting rights for released offenders
- Reformation of the three-strikes law
- Adequate resources for indigent defense
- Effective alternatives to incarceration for those with a drug/alcohol abuse or mental illness diagnosis
- Enhancement of transition and re-entry programs