

The Washington State Criminal Sentencing Task Force

March Meeting Discussion Notes – DRAFT 3.18.21

QUESTION: WHY DO WE HAVE AN ADULT FELONY SYSTEM? WHAT IS ITS PURPOSE/GOAL?

Common Themes on System Goals:

- Public safety (particularly with respect to crimes against a person)
- Prevention of future crimes and harm
- Accountability to the rule of law, also described as:
 - Maintain society's social contract
 - Providing some structure/predictability/fairness when holding people accountable
 - Impart respect for the law
- Rehabilitation
- Accountability for harm
- Punishment
- The sentencing system is a line that keeps communities safe but comes with a responsibility to give individuals held behind that line every opportunity for rehabilitation.
- Recognize system goals are never fully achieved but we constantly work towards fulfilling them.

System Outcomes:

- An imperfect system—goals have never been fully realized
- Separates families and individuals from their communities
- Isolation/an ostracization process
- Inhumane
- Cheap labor that serves a profit-seeking business
- Racial and socioeconomic disparities
 - Individuals entering the system are defined by socioeconomic class
 - Perpetuates history where prisons were designed in large part to incarcerate Black people
 - Generational impacts
- Acknowledge that prisons are not necessarily the only or best space for rehabilitation
- It shows a lack of imagination and will. It does not address complex and varied issues and actions and instead applies a one-size-fits-all approach.
- A catch-all system to solve complex problems that results in socioeconomic inequalities and falsely simplifies society in terms of good vs. evil.
- Inadequate programming and amenities to support rehabilitation/change
- Does not rehabilitate and prepare people for successful reentry
- Does not center the needs and restoration of people who have been harmed
- Criminal legal processing system rather than a criminal justice system

The System Should...

- Respond to violations of law in appropriate way while acknowledging the complexity of the individuals, systems, and actions involved.

- We should ask ourselves “What else can be done to achieve mutual goals?”
- Bring equal justice for equal violations of the law
- Provide ways to acknowledge and address structural harms—not just incapacitating individuals who break the law and cause harm
- Allow individuals to pay their debt and start with a clean slate. The current system fails to prepare people to reentry society in productive and healthy ways.
- The system should progress with society and align with human change and progress.
- Acknowledge the complexity and nuance that exists (e.g., acknowledge criminalized survivors, human fragility, etc.)
- Can gain perspective on our system by examining other systems, particularly those not focused on revenge (e.g., Nordic countries, Germany, etc.).
- Perspective changes how you see the system, its goals, and its purposes. Law enforcement officers, policymakers, and communities all experience and view the system differently.