

KING COUNTY PROSECUTING ATTORNEY'S OFFICE



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Washington Association of Prosecuting Attorneys Supports Referendum on the Death Penalty

The prosecuting attorneys of Washington State overwhelmingly believe that the people of the state should vote on the question of whether the state should retain the death penalty as an option in cases of aggravated murder. As the elected officials entrusted with the fair administration of capital punishment in our state, we call upon the Governor and the Legislature to place a referendum on the ballot next year seeking guidance from the voters about this significant public policy issue.

It was forty years ago, in 1975, that the people of the state approved Initiative 316, which created the death penalty in our state. The previous death penalty scheme had been found unconstitutional by the US Supreme Court in the Fuhrman v. Georgia case in 1972. The language of the initiative was amended by the Legislature in 1981 to comport with the 1981 State Supreme Court decision in State v. Frampton.

For the past thirty-four years Washington prosecutors have pursued capital punishment in the most heinous murders committed in our state. During that time, prosecutors sought the death penalty in 90 of 268 cases where it was a possible sentence. Jurors returned unanimous verdicts of the death penalty in 32 of those 90 cases.

The 32 death sentences that have been imposed under the current statute have resulted in the execution of five men, three of whom were "volunteers" who instructed their attorneys to not pursue appeals of their convictions. Two men were executed following a lengthy period of appeals: Charles Rodman Campbell in Snohomish County, executed in 1994 for three murders committed in 1982, and Cal Colburn Brown in King County, executed in 2010 for a murder committed in 1991. Nine men currently reside on death row, awaiting more appellate process.

Eighteen men who were sentenced to the death penalty had their sentences reversed by appellate courts and their cases were ultimately resolved without imposition of the death penalty.

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Most of the people in the state of Washington today did not participate in the election forty years ago that established our state as one of 31 U.S. states with the death penalty. The citizens of Nebraska will vote on the repeal or retention of the death penalty in that state next year. Washington State voters should have a similar choice.

Prosecuting Attorneys act daily as ministers of justice exercising the power and authority of the state in the name of the people of the state. Prosecutors want to know that when we embark on the long and difficult process of capital punishment for the worst crimes inflicted upon our community that we are doing so with the support and approval of the people we represent.

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