

## The Three-Strikes Law Works

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Commentary by John Carlson, Board Member

### *Introduction*

*The "Three Strikes You're Out" law passed by Washington voters in 1993 provides requires mandatory life sentences for three-time violent offenders. Recently, this important criminal justice reform has come under attack from critics for supposedly targeting certain racial groups in our society.*

*The law's author persuasively argues in the commentary below that this reform has been effective in keeping violent criminals off our streets, and has ended the revolving door of our criminal justice system. In fact, the FBI's Uniform Crime report for our region shows significant declines in the incidence of murder, arson, robbery and assault in the years since three-strikes become law. No longer are dangerous predators being released into an unsuspecting society to seek new victims.*

*This commentary first appeared in the Seattle Post-Intelligencer on March 1, 2001 in response to the P.I.'s earlier report on the three strikes law.*

*- Paul Guppy, V.P. for Research.*

The Seattle Post-Intelligencer recently ran a long article criticizing Washington's "Three Strikes, You're Out" law because African Americans are a much smaller percentage of the state population than the proportion of those who "strike

out." George Bridges, a University of Washington sociologist, called the data

"very disturbing" and claimed "that minorities, particularly blacks, are overrepresented."

"Overrepresented?"

Washington's three-strikes law doesn't target race -- it targets conduct. Criminals have to be convicted on three separate occasions of committing a felony that involves the threat or the outright use of physical violence to get an automatic life term.

But the law's opponents want to divert attention from what a felon does to what he looks like. If that's the case, why stop at race? Ninety-eight percent of three strikers are male. Since only about 50 percent of the population is male, should we criticize the law because it "overrepresents" men?

Nearly 6 percent of the population are Asian but only 1 percent of those who have "struck out" are Asian. Does that mean that Asians are "underrepresented" by our three-strikes law?

If so, then Hispanics are also "underrepresented," as they make up a larger portion of the population than the percentage of those who have "struck out."

The data also shows a disproportionate number of three strikers

under the age of 40. Does that mean the law discriminates on the basis of age as well as gender and race?

And speaking of race, have you noticed that whenever the news media, academics and civil rights leaders complain about racial disproportion in the criminal justice system, they focus only on the criminals and not on the victims?

You are far more likely to be shot in Washington state if you are black than white. You are more likely to be raped if you are a black woman than a white woman. You are more likely to be ripped off, robbed, assaulted or menaced by a drug dealer if you are black than white.

Mountains of studies have long proven that victims are usually preyed upon by criminals of the same race, which means that the vast majority of law-abiding African Americans in our state are safer because we started cracking down on habitual criminals.

The article in the Post-Intelligencer went to generous lengths to portray some of these criminals as harmless as possible. Freddie Hampton, 37, was described as a onetime cook at Safeco Field who robbed a bank three separate times to pay for his drug habit. "There were no weapons, no threats. No one was hurt," the article assured readers.

First, there were four bank robberies, not three. And most bank tellers might consider a holdup note threatening, especially when it references a firearm, as Hampton's did. The article didn't mention that Hampton netted thousands of dollars from each of his robberies. Nor did it mention the rest of his criminal record,

which includes additional convictions from California to Alaska for larceny and forgery.

Our state's three-strikes law, the nation's first, was designed to nail two kinds of criminals: first, the violent predators and, second, those who commit lesser but far more numerous crimes over and over again. But the law's chief benefit is the amount of crime it deters from felons with one or two strikes already on their record. When a third conviction means life behind bars, many legally-challenged citizens resist the temptation to commit that third offense. Of those who don't shape up, many simply move away. This helps explain that while violent crime rates have plummeted nearly 30 percent since "three strikes" became law in 1993, only about 26 felons "strike out" each year.

Opponents had predicted nearly four times that number would do so. They assumed that changing the law would not change criminal behavior. They were mistaken. Ask any street cop. Their street-level insights are far more valuable and relevant than those of academics and politicians.

Is there room for improvement in the three-strikes law? Certainly. We should strengthen it by adding two crimes to the list of "strikes," namely, the manufacture of methamphetamine and home burglary. As soon as it happens, the meth crisis will immediately begin to subside, and the number of residential break-ins will plummet.

These are the kinds of results that make all of us safer, regardless of where we live or what we look like.

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