

April 5, 2023

Dear Democratic Senators:

We, the undersigned organizations, write to urge you to restore retroactivity to EHB 1324, a bill to stop the use of juvenile adjudications to automatically enhance future sentences in adult courts. This practice disproportionately harms young Indigenous people and Black people in our state.

On March 27, the Senate Law & Justice Committee amended EHB 1324 — against the recommendation of advocates, experts, labor organizations, tribes, and directly impacted people — to remove retroactivity from the bill.

As a matter of fairness and racial justice, we urge you to support an amendment that will restore retroactivity back into the bill.

Washington can and should be a leader in cultivating a justice system that balances the need for accountability with the need for equity and second chances. Instead, we are in the minority of states that automatically sentence people to longer sentences because of crimes they committed as children. This has devastated the lives of young people of color for decades.

This is not news to members of the Senate. Many of you have publicly acknowledged this fact as a reason to change course and take a different approach to sentencing.

But, without retroactivity, any change in the law would fail to provide meaningful accountability for the historical harms we are, collectively, responsible for, including for the approximately 809-1,437 people who would benefit from resentencing under EHB 1324. Passing EHB 1324, without retroactivity, perpetuates bad policy that does nothing more than preserve existing racial inequities for those still incarcerated. Your colleagues in the House have allocated court requested funding in the budget for resentencings and the courts have developed clear procedures for efficient second looks.

Community members who were convicted and sentenced during the 1980s, 1990s and 2000s, have families, friends, and other loved ones who continue to shoulder the burden of our state's historic failures. The Senate has a unique opportunity to correct these failures by supporting a version of EHB 1324 that includes retroactivity.

Communities need retroactivity so they can begin to heal from the impacts of a sentencing system that has thrown away entire generations of its members.

There has never been a better time to reckon with the harm done to Black, brown, Indigenous and low-income communities.

Please restore retroactivity to EHB 1324.

Sincerely,

ACLU of Washington

Washington State Labor Council, AFL-CIO

SEIU 775

SEIU 1199NW

UAW 4121

Minority & Justice Commission

Washington Chapter of American Academy of Pediatricians

Adam Cornell, Former Snohomish County Prosecuting Attorney

Judge Theresa Doyle (Ret.)

Huy

Chief Seattle Club

Washington Defender Association

Washington Association of Criminal Defense Lawyers

Urban League of Metropolitan Seattle

League of Women Voters Washington

Look2Justice

Civil Survival

FAMM

Disability Rights Washington

Native American Reentry Services

Dream.Org

Collective Justice

Freedom Project

Community Passageways

Burien People Power

Black Prisoner's Caucus Community Group

Washington Partners for Social Change

Burien People Power

Indivisible Eastside

Indivisible Plus Washington

Indivisible Vashon

Indivisible Washington's 8th District

Wallingford Indivisible

Information for a Change

Liberation Media Northwest

Nuestro Grupo Cultural-Stafford Creek Chapter

Participatory Justice

People Power Washington

University Beyond Bars

Vashon Maury Showing up for Racial Justice Criminal Justice Action Team