

For Immediate Release  
April 19, 2004

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## King County Sexual Assault Resource Center Opposes Initiative 861: One-strike law for sex offenders

The impulse to lock up sex offenders is one that most of us share, particularly those of us who work with the victims of sexual assault on a daily basis. As the primary provider of services to victims of sexual abuse, King County Sexual Assault Resource Center (KCSARC) has worked for over 27 years to make these criminals accountable for their crimes, and to protect the safety of our community.

Initiative 861 proposes to change Washington's two-strike law to a one-strike law for persons convicted of sexual assault. The result would be life imprisonment for the first conviction of one of several felony sexual assault crimes.

Despite the best intentions of the Initiative's writers, Initiative 861 will result in fewer convictions of sexual predators, and a community that is less safe from them. This initiative will have the opposite impact by:

- Deterring victims from making reports of sexual assault to law enforcement;
- Deterring victims from being willing to participate as a witness in the criminal justice process, resulting in fewer criminal convictions for these offenses.
- Causing greater psychological stress on victims and their families,

In 2003, KCSARC served over 3,300 victims and their families. In over 90% of the cases, the victim was assaulted by someone they knew; 47% of the time, the offender was a family member or acting in that capacity. KCSARC is concerned that the potential of mandatory life imprisonment for the offender will be a significant deterrent to victims seeking assistance in any way: reporting to Children's Protective Services, law enforcement, or cooperating with the prosecution of the offender.

When an offender is also a family member or friend, it is not unusual for child or teen victims to experience feelings of guilt and responsibility for getting the offender "in trouble", as well as pressure from some family members to recant their story. In KCSARC's experience with our present laws, when the offender is facing life imprisonment (current 2 strikes law) the pressure to recant can increase tremendously. **Having a child/teen victim testify to put a relative or family prison for life is too great a burden to place on a young person.**

In terms of prosecuting sex offenders, Initiative 861 will provide no incentive for the offender to plead guilty and every reason to force the state to prove the charge beyond a reasonable doubt. If a victim is pressured to recant, or does not cooperate with

prosecution, a conviction is highly unlikely. Jurors usually discover that the defendant is facing a mandatory life sentence; if this is a first time conviction, the jury is more likely to acquit.

The stress and fear that victims must face when going to trial is tremendous. In 2003, 59% of the victims we served were children or teens. Imagine what a child goes through when he or she has to testify in court, with the offender present, telling everyone about the acts committed against them by the sex offender. In comparison to a plea agreement, jury trials are more stressful for the victim, always lengthy, and from the victim's perspective offer no guarantee of a positive outcome in the form of conviction. Initiative 861 would diminish the possibility of the offender pleading guilty and would force more victims to undergo the traumatic experience of a trial.

As a community, we are struggling to find answers on how to deal with sex offenders, and how to keep our neighborhoods safe from these predators. Initiative 861 is founded on the fear and anger that all of us feel, however the solution that it offers is too simple and doesn't comprehend the complexity of the issue or the tremendous impact that a one-strike law will have on victims and our society's ability to prosecute sex criminals.

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