

# Inslee suspends death penalty in Washington

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Staff and news service reports

OLYMPIA — Gov. Jay Inslee said Tuesday he was suspending the use of the death penalty in Washington for as long as he's in office, announcing a move that he hopes will enable officials to “join a growing national conversation about capital punishment.”

The first-term Democrat said he came to the decision after months of review, meetings with victims' families, prosecutors and law enforcement.

“There have been too many doubts raised about capital punishment, there are too many flaws in this system today,” Inslee said at a news conference. “There is too much at stake to accept an imperfect system.”

Last year, Maryland abolished the death penalty, the 18th state to do so and the sixth in the last six years. In Washington state, legislative efforts to abolish the death penalty have received public hearings in recent years, but they've never gained political traction. Inslee said he would support a permanent ban from lawmakers.

Washington state hasn't executed an inmate in more than three years. There have been seven inmates executed this year in the U.S., according to the Washington D.C.-based Death Penalty Information Center.

Richard Dieter, the center's executive director, said recent state moves away from the death penalty, including Inslee's action, show that support for capital punishment is waning. "The death penalty is being used less," he said.

Inslee, who was elected in 2012, said executions are "unequally applied" in the state, "sometimes dependent on the size of the county's budget." He also said death penalty cases take years to wind through the legal system and represent a drag on state and local budgets.

He said the system "does not deter crime, costs citizens millions of dollars more than life in prison without parole," is "uncertain in its application" and "exposes families to multiple decades of uncertainty."

Inslee's moratorium means that if a death penalty case comes to his desk, he will issue a reprieve. Reprieves aren't pardons and don't commute the sentences of those condemned to death. Under Inslee's system, death row inmates will remain in prison rather than face execution.

"During my term, we will not be executing people," said Inslee. But "nobody is getting out of prison, period."

In Yakima County, two top law enforcement officials said they disagree with arguments that the death penalty isn't an effective deterrent or isn't justified in some cases. But Sheriff Ken Irwin and Prosecuting Attorney Jim Hagarty agree with Inslee that the cost of pursuing a death penalty case is huge and can have financially crippling results.

Irwin said in such a case in Yakima County "would bring law and justice funding for the county back to its knees again," referring to multimillion-dollar budget cuts and transfers in recent years to keep the county Department of Corrections afloat.

"I don't want to have to lay off deputies to kill someone," said Irwin, whose department absorbed a budget cut of more than \$521,000 last year.

Hagarty said a single death penalty case, which can be drawn out in the appeals process for a decade or longer, could cost the county up to \$2 million.

"It's become so expensive due to a lack of control over the appellate process," Hagarty said. "How do you go dip into the budget and take \$2 million to handle a death penalty case? You'll go bankrupt on it."

Hagarty said he would favor legislation that tightens up the criteria for pursuing the death penalty or that allows local governments to share the costs with the state.

“Rather than just put a moratorium and say we’re not going to do it, maybe we should strengthen the way we do it and tighten up the standards on it,” Hagarty said.

The death penalty has been considered for relatively few cases in Yakima County. In 2011, Hagarty considered, but then decided not to seek the death penalty against the prime suspect in the triple homicide of the Goggin family. He said the case wasn’t strong enough. Two years later, prosecutors dropped all murder charges against the prime suspect, Kevin Harper.

In 2006, then-Prosecuting Attorney Ron Zirkle considered, but rejected, seeking the death penalty for Jose Luis Sanchez Jr. for the execution-style slaying of a reputed drug dealer and his 3-year-old daughter.

The available witnesses and evidence didn’t appear strong enough, he later explained. Sanchez was eventually sentenced to life in prison without the possibility of parole.

The last death penalty case to go trial in Yakima County was in 1989, when a jury deadlocked 11-1 in the case of Herbert “Chief” Rice, one of two 17-year-olds accused in the brutal murders of an elderly couple in the Lower Valley.

Rice is now serving a life sentence without parole. The U.S. Supreme Court has since ruled against execution for killers under the age of 18.

Rep. Reuven Carlyle, a Seattle Democrat who has introduced bills to get rid of the death penalty, said Inslee’s action provides a “profound shift” in momentum for future attempts.

“He has opened a legitimate conversation that gives the Legislature the ability to not only bring legislation forward in the coming years, but to step up and engage the public in that conversation,” he said. There have been 78 inmates, all men, put to death in Washington state since 1904. Since a 1976 Supreme Court decision cleared the way for the resumption of executions by states, 1,366 people have been put to death, according to the criminal justice nonprofit Death Penalty Information Center.

In Washington, nine men currently sit on death row. The state Supreme Court last month rejected a petition for release from Jonathan Lee Gentry, sentenced to death for the murder of a 12-year-old girl in 1988. Gentry could have been the first execution in the state since September 2010.

Senate Republican Leader Mark Schoesler of Ritzville said he thought Inslee’s move was “out of touch.”

He noted that lawmakers have previously rejected opportunities to pass such measures, “because the public and Legislature support keeping that tool.” Leola Peden, whose daughter was raped and killed in Tacoma in 1996, was outraged at the decision. The man convicted in her daughter’s death, Allen Eugene Gregory, is on death row. Peden, 78, said Inslee hadn’t spoken with her before announcing the new policy. “He’s absolutely wrong,” Peden said.

“I don’t feel that my family and my grandchildren and my great-grandchildren should clothe and feed” Gregory, she said, “and take care of all his health needs and dental care for the rest of his life. Where is the justice in that?”

Reaction from county prosecutors was mixed. Dan Satterberg, the elected prosecutor in King County, which includes Seattle, said the moratorium “is likely to cause more delay, expense and uncertainty.”

“A moratorium alone will not resolve the issues raised by the governor,” Satterberg said in a written statement. He said there should be an informed public debate before the state makes changes.

Kitsap County Prosecutor Russell Hauge called the death penalty “an extremely ineffective tool.” But he noted that the moratorium didn’t change state law, which obligates county prosecutors to seek the death penalty when circumstances warrant. “The problem is,” he said, “the law’s still on the books.”

- Yakima Herald-Republic reporter Mike Faulk and Associated Press reporter Rachel La Corte contributed to this article.

## 29 comments



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**Rusty Taylor** · Top Commenter

There is no excuse for the out of line costs to put these pukes on trial and then execute them. The liberal pukes have give the criminals so many rights it is obvious which side they are on..

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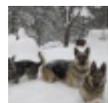
**Steve Brazeau** · Top Commenter

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Lord knows I'm not a supporter of Inslee, but I agree with doing away with the death sentence. From a financial point of view, it is insanely more expensive to prosecute and wrap up. Yes, more expensive than locking someone up and giving them medical care to keep them alive in prison for life. Yakima County, for example, will likely never prosecute a death penalty case, because we simply can't afford to do so without crippling the County budget.

Also, if you think prison is a nice place to be, you need to pull your head out of your \*censored\* and visit one. I've been inside jails as an employee, and even just being inside in that capacity was awful. Justice will still be served with LWOP.

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**Kim Walker** · Project Admin at Apollo Mechanical Contractors

Listed below are just a few of the lovely people Gov. Inslee feels the need to save from the "flaws in this system". I wonder if he would feel the same if Cassie Holden, 12, was his daughter!!

1. JONATHAN LEE GENTRY convicted June 26, 1991 of fatally bludgeoning Cassie Holden, 12, on June 13, 1988 in Kitsap County.
2. CLARK RICHARD ELMORE convicted on July 6, 1995 of one count of aggravated first degree murder and one count of rape in the second degree for the rape and murder of Christy Onstad, 14, the daughter of his live-in girlfriend on April 17, 1995 in Whatcom County.
3. DWAYNE A. WOODS convicted on June 20, 1997 of two counts of aggravated first degree murder for the murders of Telisha Shaver, 22, and Jade Moore, 18, on April 27, 1996 in Spokane County.
4. CECIL EMILE DAVIS convicted February 6, 1998 of one count of aggravated first degree murder for the suffocation/asphyxiation murder of Yoshiko Couch, 65, with a poisonous substance after burglarizing her home, robbing and then raping her January 25, 1997 in Pierce County.
5. DAYVA MICHAEL CROSS convicted June 22, 2001 for the stabbing deaths of his wife Anouchka Baldwin, 37, and stepdaughters Amanda Baldwin, 15, and Salome Holle, 18 in King County on March 6, 1999.

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**Don D Williams**

Such is life on the "Upper Left Coast"; at least for the perpetrators, life for the victims ended years or decades ago. Remember the name Inslee at election time, meanwhile, send them to Texas. P. S. They will not need to pack a bag.

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**Doyle Anderson** · Top Commenter

Criminals have more rights than We do



