

5191-S

Sponsor(s): Senate Committee on Law & Justice (originally sponsored by Senators Goings, Roach, Haugen, Schow, Oke, Winsley and Rasmussen)

Brief Title: Increasing penalties for methamphetamine crimes.

SB 5191-S - DIGEST

(DIGEST AS ENACTED)

Provides that, of the twenty-five thousand dollar fine for a methamphetamine crime, three thousand dollars of the fine may not be suspended.

Requires up to three thousand dollars of the fine to be deposited with the law enforcement agency having responsibility for cleanup of laboratories, sites, or substances used in the manufacture of the methamphetamine.

VETO MESSAGE ON SB 5191-S

April 19, 1997

To the Honorable President and Members,
The Senate of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to section 1, Substitute Senate Bill No. 5191 entitled:

"AN ACT Relating to crimes involving methamphetamine;"

This legislation increases the penalties for delivering, manufacturing, and possession with intent to deliver or manufacture methamphetamine, and the possession of ephedrine or pseudoephedrine with the intent to manufacture methamphetamine.

I wholeheartedly agree with sections 2 and 3 of this legislation which require that the first \$3,000 of fine money collected be given to the law enforcement agency responsible for cleaning up methamphetamine manufacturing laboratories or sites. Because the manufacture of methamphetamine involves toxic and explosive chemicals, the cleanup costs for these sites are substantial. The affected law enforcement agencies should be reimbursed through fines collected from the responsible offenders, as SSB 5191 provides.

Section 1 of SSB 5191 would extend the "Three Strikes" law - which mandates life imprisonment on the third offense - to simple addicts as well as methamphetamine manufacturers and distributors. I do not believe that the "Three Strikes" law is likely to deter simple drug addicts. Rather, we need to address the problems that lead our youth into drugs in the first place.

I share the Legislature's concern with the very serious problem of increased methamphetamine abuse in Washington. This legislation brings to our attention the dangers of the growing use of methamphetamine. We must take immediate steps to address the problem in an effective manner, especially to prevent our youth from becoming addicted to this and other drugs. The problem must be attacked from every direction, all at once. This will take

political will, strong law enforcement and an educated public.

However, this legislation would represent a fundamental shift in our criminal jurisprudence. It would have, for the first time, extended the "Three Strikes" law to non-violent offenders. That is a step that cannot be taken lightly. If one category of non-violent drug offenses is added, what would be next? How would we draw the line between non-violent crimes that should or should not be "strike" crimes?

Many simple drug addicts sell small amounts of drugs to feed their habit. Sending methamphetamine addicts to prison for life on the third "strike" - consisting of the crime of possession with the intent to sell even small amounts of methamphetamine - would divert more and more of the state's scarce resources from prevention efforts that provide a more immediate and effective response to the problem.

For these reasons I have vetoed section 1 of Substitute Senate Bill No. 5191. With the exception of section 1, Substitute Senate Bill No. 5191 is approved.

Respectfully submitted,
Gary Locke
Governor