
HOUSE BILL 3230

State of Washington 59th Legislature 2006 Regular Session

By Representatives Strow and O'Brien

Read first time . Referred to .

1 AN ACT Relating to requiring DNA evidence to be presented prior to
2 imposition of the death penalty; adding a new section to chapter 10.95
3 RCW; creating new sections; providing an effective date; and declaring
4 an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** This act may be known and cited as the
7 mandatory DNA testing act of 2006.

8 NEW SECTION. **Sec. 2.** (1) The legislature finds that:

9 (a) On September 9, 2005, Kirk Bloodsworth was freed from death row
10 based on postconviction DNA testing;

11 (b) On May 27, 2005, Texas passed a law stating that all felons are
12 required to submit a DNA sample to the Texas department of criminal
13 justice;

14 (c) Since 1993, one hundred twenty-three individuals have been
15 exonerated through postconviction DNA testing;

16 (d) The Green river killer, Gary Ridgeway, was identified as being
17 guilty based on DNA tests; and

1 (e) In Maryland, on January 1, 2004, a student senate passed a bill
2 mandating postconviction DNA testing prior to the imposition of the
3 death penalty.

4 (2) It is therefore the intent of the legislature to:

5 (a) Provide the court with a one hundred percent guarantee that the
6 one that is facing possible capital punishment is, in fact, guilty of
7 the crime committed; and

8 (b) Ensure that innocent people are not being executed for crimes
9 they have not committed.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 10.95 RCW
11 to read as follows:

12 Notwithstanding any other provision of law, and without exception,
13 the death penalty may not be imposed upon a person convicted of
14 aggravated first degree murder unless DNA evidence was used in the
15 person's conviction.

16 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
17 preservation of the public peace, health, or safety, or support of the
18 state government and its existing public institutions, and takes effect
19 March 1, 2006.

--- END ---