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SUPREME COURT OF APPEALS
OF WEST VIRGINIA

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No. 25815 State of West Virginia v. Tara Williams

Starcher, Chief Justice, dissenting:

In the instant case, the appellant had just turned 18. She was, in fact, the victim of a lecherous old man. While her conduct was wrong, she had no intent that an armed robbery would occur -- in fact, she insisted that no gun be used in the scheme to get money from the victim.

And, after her friends committed the crime, she fully cooperated with the police and testified against the others.

She had no prior record, and there was no evidence that she had a propensity to violence.

No intent, no record, cooperated with authorities -- this equals 50 years? Not under any reasonable approach to sentencing.

Upholding this 50-year sentence discourages people from cooperating with police. Upholding this sentence deprecates the principle of rehabilitation and panders to cosmetic "tough on crime" rhetoric that is overburdening our prison system.

Obviously, this young woman should have been sentenced under the provisions of our Young Adult Offenders Act, *W.Va. Code*, 25-4-1 to 12 [1999].

Finally, I note that the majority opinion is *per curiam*; therefore, it will not be substantial precedent for future arguments that an absurdly long sentence in such a case is appropriate.

Accordingly, I dissent.