

Kate Brown
Governor



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House Committee on Rules
Testimony in Support of HJR10
May 6, 2019, 3 pm, Hearing Room C

Chair Holvey, Vice-Chairs Williamson and Wilson, and Representatives Boles, Nosse, Smith Warner, and Sprenger:

The Oregon Commission for Women and the Oregon Commission on Black Affairs strongly support HJR 10. HJR 10 will amend the Oregon Constitution to require unanimous jury verdicts in criminal trials.

Oregon's current practice allows convictions over the objections of two dissenting jurors. It has had a pernicious history and effect on the ability of jurors to deliberate and reach agreement on the rule of law in their communities. As women and people of color were excluded from jury service, their voices were silenced. Then, as these barriers were removed and Oregon women were allowed to sit on juries beginning in 1921, the non-unanimous verdict rule once again silenced the contributions of women and other voices on the jury, allowing their contributions to be ignored and outvoted. Unanimity requires deliberation to a common ground for a community; finding common ground in the rule of law. In a majority male or majority white area, the Oregon courts may seat female and non-white jurors, and then ignore their contributions to deliberation, continuing to voice implicit and explicit bias despite their presence in the jury room. This illustrates the kind of polarization that destroys community life and civic participation rather than unifying and celebrating our sacred institutions.

Last, but not least, Oregon has become the last holdout for the non-unanimous jury, making us an outlier in the system of justice shared throughout this Nation. It is time to put this vestige of our history behind us at last.

The Oregon Commission for Women and the Oregon Commission on Black Affairs strongly support HJR 10 to require unanimous jury verdicts in criminal cases.

Respectfully Submitted,

Dr. Barbara Spencer, OCFW Chair

Jamal Fox, OCBA Chair

OR Commission on Black Affairs
Jamal Fox, Chair
Lawanda Manning, Vice Chair
Legislative member:
Representative Janelle Bynum

OR Commission for Women
Dr. Barbara Spencer, Chair
Vice Chair (vacant)
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