



[justiceadvocatespdx@gmail.com](mailto:justiceadvocatespdx@gmail.com)

### Testimony in support of **SB 1511**

Oregon passed racist legislation in 1934 allowing jury convictions in felony cases even if up to two jurors did not find the defendant guilty. In recent times only Louisiana and Oregon allowed this. In 2018 LA voters abolished the practice going forward. Finally in 2020, the US Supreme Court ruled that all non-unanimous convictions are unconstitutional and that persons still actively appealing such convictions would have their convictions vacated; as with all "hung jury" cases, the prosecutors would then have the option to re-try or drop the case. The Supreme Court left it to LA and OR to decide whether to apply the ruling retroactively.

Oregon's Attorney General having declined to bring justice to all those un-Constitutionally convicted by a split jury, it is up to another entity to take this opportunity. That is why Justice Advocates calls on legislators to pass SB 1511.

We also believe that the opportunity to have a conviction considered should include those cases where a judge gave jury instruction that a conviction required only 10 and that instruction is on record. As a result, during jury deliberations, one or two individuals who actually doubted the defendant's guilt, might nevertheless have gone along with the vote of the 11 or 10 jurors who wanted to convict because they believed that their opposing vote would not count.