

House Bill 2937

Sponsored by Representative GELSER, Senator BONAMICI (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates Task Force on Unanimous Jury Verdicts to study potential impact of requiring unanimous jury verdicts in Oregon.

Sunsets task force on date of convening of 2013 legislative session.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to unanimous jury verdicts; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Task Force on Unanimous Jury Verdicts is established, consisting**
5 **of the following members appointed by the Governor:**

6 (a) **The executive director of the Oregon Criminal Justice Commission;**

7 (b) **Two members who are representatives of the Oregon District Attorneys Association;**

8 (c) **Two members who are criminal defense attorneys in Oregon;**

9 (d) **If available, one member who is a federal attorney working in Oregon; and**

10 (e) **If available, one member who is a federal judge sitting in Oregon.**

11 (2) **The task force shall study the potential impact of amending the Oregon Constitution**
12 **to require unanimous jury verdicts in criminal procedures, including the potential fiscal im-**
13 **act and the potential impact on the criminal justice system.**

14 (3) **A majority of the voting members of the task force constitutes a quorum for the**
15 **transaction of business.**

16 (4) **Official action by the task force requires the approval of a majority of the voting**
17 **members of the task force.**

18 (5) **The task force shall elect one of its members to serve as chairperson.**

19 (6) **If there is a vacancy for any cause, the Governor shall make an appointment to be-**
20 **come immediately effective.**

21 (7) **The task force shall meet at times and places specified by the call of the chairperson**
22 **or of a majority of the voting members of the task force.**

23 (8) **The task force may adopt rules necessary for the operation of the task force.**

24 (9) **The task force shall submit a report, and may include recommendations for legis-**
25 **lation, to an interim committee of the Legislative Assembly related to criminal procedure**
26 **as appropriate no later than October 1, 2012.**

27 (10) **The Oregon Criminal Justice Commission shall provide staff support to the task**
28 **force.**

29 (11) **Members of the task force are not entitled to compensation, but may be reimbursed**
30 **for actual and necessary travel and other expenses incurred by them in the performance of**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **their official duties in the manner and amounts provided for in ORS 292.495. Claims for ex-**
2 **penses shall be paid out of funds appropriated to the Oregon Criminal Justice Commission**
3 **for purposes of the task force.**

4 (12) **All agencies of state government, as defined in ORS 174.111, are directed to assist**
5 **the task force in the performance of its duties and, to the extent permitted by laws relating**
6 **to confidentiality, to furnish such information and advice as the members of the task force**
7 **consider necessary to perform their duties.**

8 **SECTION 2. Section 1 of this 2011 Act is repealed on the date of the convening of the 2013**
9 **legislative session.**

10 **SECTION 3. This 2011 Act being necessary for the immediate preservation of the public**
11 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
12 **on its passage.**

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