



# Oregon District Attorneys Association, Inc.

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### **Readers Respond: Oregon District Attorneys Association Supports Unanimous Juries**

The Oregon District Attorneys Association (ODAA) joins the Oregonian, our fellow elected District Attorneys across the State and Legislative Leadership in their call to send voters a constitutional amendment to require unanimous jury verdicts.

ODAA will support a legislative referral that seeks to require a unanimous verdict for guilty and not-guilty verdicts.

As Prosecutors, we believe in a fair and just criminal justice system that reflects the shared values of the public. While Oregon has made 10-2 verdicts work, we recognize the need for this law change and believe it is time to align our state with the rest of the country and the federal courts. Many will call on us to implement this practice immediately, however we do not believe we have the unilateral authority to implement a change in verdict vote requirements without a constitutional amendment to Article 1, Section 11. Today's law makes it clear that the right to a non-unanimous jury verdict is held by the jurors themselves, not by the prosecutor. Simply put, prosecutors cannot waive a right that they do not possess. That is why it is critical that Oregon voters amend Oregon's state constitution to remove the possibility of a non-unanimous jury.

ODAA believes the jury system allows for community voices to play a vital and critical role in our criminal justice system, one that is just and transparent. It is time for a thoughtful review of this law. Fostering public confidence in the criminal justice system is an essential part of what prosecutors do on a daily basis, both inside and outside of the courtroom. Times are changing and the criminal justice system should be a reflection of the public's shared values today.

In theory, ODAA acknowledges that a change to unanimous verdicts could make criminal convictions more difficult. However, it is a hallmark of our justice system that it should be difficult to take someone's liberty. This is evidenced by the fact that in criminal cases the defendant enjoys the presumption of innocence and the prosecutor must establish guilt beyond a reasonable doubt. Adding the requirement of unanimity is another important safeguard against both wrongful convictions and wrongful acquittals.

ODAA supports the change to require unanimity by our juries. It is good policy to align ourselves with the rest of the country and ensure that no juror's voice is ignored during jury deliberations.

Note: While ODAA had previously sought to have a discussion with voters about the entirety of Article 1, Section 11, including provisions to allow victims (via the State) to have input into jury waiver our position today is simple and clear – ODAA supports a legislative referral amending the constitution to require unanimous verdicts.

Matt Shirtcliff  
President, Oregon District Attorneys Association  
Baker County District Attorney

***The Mission of the Oregon District Attorney Association (ODAA) is to uphold the laws and Constitution of the State of Oregon and the United States Constitution, to preserve the safety of the public, to protect the rights of crime victims, and to pursue justice for all with skill, honor and integrity. The ODAA, Inc. is a voluntary association of the 36 district attorneys, deputy district attorneys, Oregon assistant attorneys general, district attorney office managers and the U.S. Attorneys serving in Oregon. Find out more at [www.OregonDA.org](http://www.OregonDA.org)***