

# Senate Bill 327

Sponsored by Senator THATCHER (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**.

Requires trial judge to inform jury of power to acquit even if guilt of defendant is proven beyond reasonable doubt.

## A BILL FOR AN ACT

1  
2 Relating to jury instructions.

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

4 **SECTION 1. (1) During a criminal jury trial in which a defendant is charged with a felony,**  
5 **before the jury begins deliberations, the court shall instruct the jury as follows: "As jurors,**  
6 **if you feel that a conviction would not be a fair or just result in this case, it is within your**  
7 **power to find the defendant not guilty even if you find that the state has proven the**  
8 **defendant's guilt beyond a reasonable doubt."**

9 **(2) A court's failure to give the instruction described in subsection (1) of this section**  
10 **constitutes a mistrial and is reversible error upon appeal.**

11 **SECTION 2. Section 1 of this 2019 Act applies to trials for crimes committed on or after**  
12 **the effective date of this 2019 Act.**

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**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.