



**Quick Info re: Senate Bill 1511 from the Ramos Project
a Project of the Criminal Justice Reform Clinic at Lewis & Clark Law School
February 2, 2022**

- Senate Bill (SB) 1511 provides post-conviction relief (PCR) to people who can prove they were convicted by an unconstitutional non-unanimous jury verdict, vacating their non-unanimous convictions and allowing district attorney offices the opportunity to decide whether to pursue re prosecution.
- The Ramos Project does not predict that SB 1511 would result in a flood of PCR cases for several reasons:
 - As of September 9 — in the year-and-a-half since we began notifying incarcerated folks that they might be able to challenge a final judgment of conviction based on *Ramos v. Louisiana* and helping them file PCR petitions — **only 244** people had petitioned for PCR raising a claim that at least one of their convictions was by non-unanimous verdict.
 - That number represents PCR petitioners deemed indigent and appointed an attorney, but we estimate only about a couple dozen more petitioners with private PCR attorneys.
 - Due to a lack of jury polling, most people who went to trial cannot prove that they were convicted non-unanimously, a requirement of SB 1511. And most people don't go to trial anyway.
 - Petitioners must file for PCR within a year of SB 1511's effective act, limiting the potential number of petitioners.
- Of these 244 cases — 13 Oregon counties have zero cases, and 19 counties have 11 cases or fewer.
 - **Only four counties** have more cases: Lane County has 19, Marion has 30, Washington has 37, and Multnomah has 67. But those are larger counties with larger and more resourced circuit courts and district attorney offices.
- The Ramos Project's analyses of available data — detailed in written testimony submitted by staff attorney Laney Ellisor — strongly suggests that defendants of color, particularly Black defendants, were disproportionately convicted non-unanimously.
- SB 1511 would begin to address the seemingly disparate impact on defendants of color of Oregon's non-unanimous jury system, a system whose racist origins are well-documented.
- SB 1511 offers a clear and simple legislative solution to the injustice that people whose non-unanimous convictions are final do not currently benefit from *Ramos* and provides an important opportunity to right a historic wrong.
- Importantly, the 244 cases noted above are already pending in the PCR process, while circuit courts await instructions on how to proceed. SB 1511 provides the simplest way to keep these cases moving forward inexpensively and without much additional work for the courts.