

Submitter: Susan Caddell

On Behalf Of: My Loved One

Committee: Senate Committee On Judiciary and Ballot Measure 110  
Implementation

Measure: SB1511

My Loved One was wrongly accused, tried and found guilty by a non-unanimous jury and sent to prison. He filed for Post Conviction Relief, won & came home on bail pending a new trial. Then the Attorney General of the State of Oregon appealed the Post Conviction Relief decision.. The State won the appeal and eventually the Oregon Supreme Court declined to hear the case.

He returned to prison and completed his sentence. However he is not included in the relief provided by the Attorney General because the appeal process had been completed before the Ramos decision.

The information available around the 1934 law passed by Oregon to allow guilty verdicts from non-unanimous juries was presented as a way to make convictions easier and to deny the opinions of minorities at jury deliberations. I believe the State of Oregon was well aware this was an unjust law since 1972 when the US Supreme Court found non-unanimous jury convictions violated the Sixth Amendment of the Constitution for federal cases but did not apply that decision to the states. The State of Louisiana repealed their law in 2018, The State of Oregon kept on using it right up until the Ramos decision forced them to stop and now do not want to make relief for this wrong retroactive.