

JANELLE S. BYNUM
STATE REPRESENTATIVE
DISTRICT 51



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HOUSE OF REPRESENTATIVES

June 16, 2021

Dear Clerk Sekerak,

Please accept this vote explanation for SB 193.

It is common knowledge that Oregon was the last state to permit non-unanimous juries and there was a significant element of racism and disproportionate impact on Black and brown defendants when the law was in effect. Thankfully the United States Supreme Court ruled to overturn this unjust practice.

As the Chair of House Judiciary, I have participated in a recent conversation on the Supreme Court's *Ramos* decision regarding non-unanimous juries and retroactivity. The workgroup that included the Senate Chair, the Attorney General and her staff concluded that considerable work needed to be done to discuss the real work of *Ramos* which is more than just a statutory cleanup. As I understand it, the Oregon Attorney General twice weighed in on *Ramos* against his case. Her concerns needed to be ironed out as we consider how to move forward with her full support or at least without her opposition. We concluded that an interim workgroup would be the place where we would take up case review, developing the statutory language to present to the legislature and how we would codify Oregon's new values on the issue in a meaningful way.

Knowing that this conversation is continuing and needs to be done with urgency, I was surprised to learn that only a fraction of this conversation was being included in SB 193. I immediately objected and discussed this with the Senate chair. I raised the issue multiple times.

The language in Section 11 is merely a small portion of what needs to happen to make significant changes. This bill and its language regarding non-unanimous juries is rather empty to me. I believe it used the racial equity lens to garner support for the other parts of the bill **rather than actually doing anything to help people of color on this issue**. Using us as a sweetener to deliver on policy goals that should stand on their own merit is morally wrong. I hope our bodies are not ever used in this way again.

Sincerely,

Representative Janelle Bynum