

2025 Regular Session

HOUSE RESOLUTION NO. 243

BY REPRESENTATIVE OWEN

CRIMINAL/APPEALS: To authorize and direct the Legislative Fiscal Office to study the fiscal impact of establishing and operating a sentencing review panel for non-unanimous jury verdicts

1 A RESOLUTION

2 To authorize and direct the Legislative Fiscal Office to analyze and determine the fiscal
3 impact of establishing and operating a sentencing review panel within the
4 Department of Public Safety and Corrections for non-unanimous jury verdicts and
5 to reports its findings to the legislature no later than December 31, 2025.

6 WHEREAS, the Louisiana Constitution of 1898 provided for trial by jury for "cases
7 in which the punishment is necessarily at hard labor, by a jury of twelve, nine of whom
8 concurring may render a verdict"; and

9 WHEREAS, in November 2018 the electors of the state of Louisiana approved a
10 constitutional amendment requiring a unanimous jury verdict in all noncapital felony cases
11 for an offense committed on or after January 1, 2019; and

12 WHEREAS, in April 2020 the United States Supreme Court held in *Ramos v.*
13 *Louisiana* that the Sixth Amendment right to a jury trial, as incorporated against the states
14 by way of the Fourteenth Amendment, requires a unanimous verdict to convict a defendant
15 of a serious offense; and

16 WHEREAS, in October 2022 the Louisiana Supreme court held in *State of Louisiana*
17 *v. Reddick* that the requirement for unanimity in jury verdicts is with prospective effect only;
18 and

19 WHEREAS, there is an interest by the public and the legislature in understanding the
20 full impact of non-unanimous jury verdicts within the state of Louisiana; and

1 WHEREAS, the legislature should give consideration to the establishment of a
2 sentencing review panel for non-unanimous jury convictions within the Department of
3 Public Safety and Corrections; and

4 WHEREAS, understanding the fiscal impact of establishing and operating a review
5 panel is essential for legislative decision-making; and

6 WHEREAS, the Legislative Fiscal Office is tasked with providing the legislature
7 with fiscal information that will assist the legislature in its deliberations; and

8 WHEREAS, the Legislative Fiscal Office analyzes the state's operating budget and
9 prepares analysis for the legislature; and

10 WHEREAS, the Legislative Fiscal Office is well suited to evaluate legislative
11 proposals for fiscal effect;

12 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
13 authorize and direct the Legislative Fiscal Office to analyze and determine the fiscal impact
14 of establishing and operating a sentencing review panel within the Department of Public
15 Safety and Corrections for non-unanimous jury verdicts.

16 BE IT FURTHER RESOLVED that the Legislative Fiscal Office consider the
17 following in its analysis:

18 (1) Salaries for twelve panel members comprised of the following:

19 (a) Six licensed attorneys.

20 (b) Six other staff members which may include data analysts, investigators,
21 paralegals, and administrative staff.

22 (2) Operational expenses.

23 (3) Collection and analysis of sentencing data prior to January 1, 2019, case review,
24 and an offender's eligibility for pardon or commutation of sentence.

25 (4) Any other expenditures of the panel necessary to complete the review of all cases
26 within one year.

27 BE IT FURTHER RESOLVED that the Legislative Fiscal Office report its findings
28 to the Speaker of the House no later than December 31, 2025.

1 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
2 Legislative Fiscal Officer, the Speaker of the House of Representatives, and the David R.
3 Poynter Legislative Research Library.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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