

2025 Regular Session

HOUSE RESOLUTION NO. 243

BY REPRESENTATIVE OWEN

A RESOLUTION

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

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

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

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

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

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

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

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

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

BE IT FURTHER RESOLVED that the legislative auditor consider the following in its analysis:

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

(a) Six licensed attorneys.

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

(2) Operational expenses.

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

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

BE IT FURTHER RESOLVED that the legislative auditor report its findings to the Speaker of the House no later than December 31, 2025.

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES