

SENATE CONCURRENT RESOLUTION NO. 74

BY SENATORS CLAITOR, ALARIO, ALLAIN, APPEL, BARROW, BISHOP, BOUDREAUX, CARTER, CHABERT, COLOMB, CORTEZ, DONAHUE, ERDEY, FANNIN, GATTI, HENSGENS, HEWITT, JOHNS, LAFLEUR, LAMBERT, LONG, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, MORRELL, MORRISH, PEACOCK, PETERSON, PRICE, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE

A CONCURRENT RESOLUTION

To commend *The Advocate* on being awarded a 2019 Pulitzer Prize for its series of articles detailing the impact of Louisiana's unique provisions allowing juries to convict defendants with less than an unanimous verdict.

WHEREAS, a free press is essential to democracy, it is right and just to recognize and acknowledge superior reporting by the press; and

WHEREAS, *The Advocate*, the daily newspaper in Baton Rouge, Louisiana, was awarded its first Pulitzer Prize for its series of investigative reports on Louisiana's provisions that allowed nonunanimous jury verdicts in certain criminal cases, which was one of the many pieces that set the stage for the voters to amend the state constitution to require unanimous verdicts in criminal cases; and

WHEREAS, *Tilting the Scales*, an award-winning five-part series by *The Advocate*, debuted on Easter Sunday, April 1, 2018, nearly a month into the 2018 Regular Legislative Session; and

WHEREAS, at the time the series was published, a bill by Senator J. P. Morrell, had been filed that would allow Louisianians to repeal the nonunanimous verdicts provision in the state constitution and to require unanimous verdicts in all criminal cases, on a prospective basis; and

WHEREAS, in order to make the change, the legislation required approval by two-thirds vote of both houses of the legislature, the signature of the governor, and a two-thirds majority of the state's voters participating in a statewide election that was scheduled seven months after the passage of the legislative instrument and this series was essential to the approval of the voters, once the legislation had been placed on the ballot; and

WHEREAS, *The Advocate* reporting brought to light the disturbing origins of the provision and the continuing impact of Louisiana's unusual provision, rooted in the Jim Crow era, that allow for criminal convictions when as many as two jurors vote to acquit; and

WHEREAS, the newspaper staff compiled extensive databases of jury trials around Louisiana and the data revealed that black defendants were thirty percent more likely than white defendants to be convicted in nonunanimous verdicts; and

WHEREAS, a second database compiled by the newspaper revealed that blacks were substantially under-represented on juries and that black people who do serve as jurors are much more likely to disagree with a verdict to convict than their white counterparts; and

WHEREAS, it is self-evident and long acknowledged that a jury is the last line of defense against tyranny; and

WHEREAS, the issue was brought to the voters in October 2018 garnering overwhelming support for the repeal, passing the constitutional amendment by a nearly two-to-one margin, receiving more than nine hundred thousand votes and carrying sixty-one of sixty-four parishes; and

WHEREAS, Senator Morrell credited *The Advocate*, stating, "investigative reporting was essential in educating, not just my fellow legislators, but also the public" and, continuing, "The reporting put names and faces to those affected . . . without it, it would have been impossible to be successful"; and

WHEREAS, *Tilting the Scales* was also honored with a George E. Polk award, another prestigious journalism award, and the editorial staff of *The Advocate* consisting of editor, Peter Kovacs, Danny Heitman, and Lanny Keller were named 2019 Pulitzer finalists in editorial writing for "persuasive editorials that prompted Louisiana voters to abolish a Jim Crow-era law that undermined equal justice in the jury system"; and

WHEREAS, Gordon Russell, managing editor for investigations who oversaw the production of this series written by Russell, Jeff Adelson, Jim Mustian, and John Simerman; and

WHEREAS, Russell won his third Pulitzer honor as he was involved in the *Times-Picayune's* Hurricane Katrina-related reporting which garnered two Pulitzer Prizes in 2006; and

WHEREAS, *The Advocate* editor, Peter Kovacs, commented, "This is a tough time to be a journalist but it's the best time ever to be a journalist at *The Advocate* because we

have the best newsroom in Louisiana and the best owners in the land"; and

WHEREAS, *The Advocate* has been published for more than one hundred seventy-five years; beginning in 1909, the paper was owned by Baton Rougean Charles P. Manship Sr. and his descendants until 2013 when it was purchased by Louisiana businessman John Georges and his wife Dathel; and

WHEREAS, despite long being an exceptional journalism source for the state, especially regarding issues and events at the capitol, *The Advocate* was missing a Pulitzer on its resume, but the timely and outstanding reporting by a large cast of journalists beyond Russell, Adelson, Mustian, and Simerman; including cartoonist Walt Handelsman; Dan Swenson; print and online graphics; Max Becherer, photos; Kyle Whitfield, Jeff Nowak, and Orlando Flores, online presence for the reporting; and Jennifer Brown, Jay Martin, and Tiffany Segura, copy editing and page design; brought an end to nonunanimous jury verdicts in criminal cases in Louisiana and earned the 2019 Pulitzer Prize.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby commend *The Advocate* on being awarded a 2019 Pulitzer Prize for its series of articles detailing the impact of Louisiana's unique provisions allowing juries to convict defendants with less than a unanimous verdict, influencing the public opinion and legislators to end the nonunanimous jury verdicts in criminal trials.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to John Georges, owner and chief executive officer of Georges Media Group, which owns *The Advocate*.

---

PRESIDENT OF THE SENATE

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES