

2025 Regular Session

SENATE RESOLUTION NO. 183

BY SENATOR DUPLESSIS

CRIMINAL PROCEDURE. Creates a commission to study and make recommendations relative to non-unanimous jury verdicts in Louisiana to determine the number and distribution of such cases, and to inform the Senate of the findings.

1 A RESOLUTION

2 To create and provide for the commission to study and make recommendations relative to  
3 non-unanimous jury verdicts in Louisiana, to determine the number and distribution  
4 of such cases, and to inform the Senate of the Legislature of Louisiana of its  
5 findings.

6 WHEREAS, from 1898 until 2019, the state of Louisiana permitted criminal  
7 convictions based on non-unanimous jury verdicts; and

8 WHEREAS, Louisiana and Oregon were the only two states in the United States that  
9 allowed such convictions; and

10 WHEREAS, in 2018, the citizens of Louisiana voted to amend the state constitution  
11 to require unanimous jury verdicts in felony trials, an amendment that applied prospectively  
12 and did not address the retroactive application of this right; and

13 WHEREAS, in 2020, the United States Supreme Court ruled in *Ramos v. Louisiana*,  
14 590 U.S. \_\_\_\_ (2020), that non-unanimous jury verdicts violate the Sixth Amendment of the  
15 United States Constitution, with Justice Neil Gorsuch writing, "The Constitution forbids  
16 states from using non-unanimous juries", and further noting, "a verdict taken from 11 was  
17 no verdict at all"; and

18 WHEREAS, in *State v. Reddick*, 2022-00184 (La. 6/29/22), 347 So.3d 844, the

1 Louisiana Supreme Court held that it would not expand retroactivity beyond the scope  
2 approved by voters in 2018, but acknowledged that the legislature has the authority to  
3 provide broader relief; and

4 WHEREAS, the state of Louisiana continues to incarcerate individuals who were  
5 convicted by non-unanimous jury verdicts prior to the constitutional amendment and the  
6 Ramos decision; and

7 WHEREAS, the full scope of the impact, including the number of such cases, the  
8 geographic distribution of cases, and sentencing details, remains undetermined; and

9 WHEREAS, the Louisiana Legislature must have a comprehensive understanding  
10 of this issue in order to consider and implement appropriate legislative remedies.

11 THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana  
12 does hereby establish and provide for the Commission on Non-unanimous Verdicts to study  
13 and make recommendations relative to non-unanimous jury verdicts in Louisiana, to  
14 determine the number and distribution of such cases, and to propose recommendations,  
15 together with specific proposals for legislation, by written report to the Senate and to the  
16 David R. Poynter Legislative Research Library as required by R.S. 24:771 and 772, no later  
17 than February 1, 2026.

18 BE IT FURTHER RESOLVED that the Senate Committee on Judiciary B shall  
19 provide staff support to the commission.

20 BE IT FURTHER RESOLVED that the commission shall consist of the following  
21 members:

22 (1) Two members of the Senate Committee on Judiciary B appointed by the chair.

23 (2) The executive director of the Louisiana District Attorneys Association, or his  
24 designee.

25 (3) An attorney appointed by the president of the board of directors of The Promise  
26 of Justice Initiative.

27 (4) The director of The Juror Project, or his designee;

28 (5) A representative of the Louisiana Supreme Court appointed by the chief justice.

29 (6) A victim's rights advocate jointly appointed by the chief of state advocacy for the  
30 Crime Survivors for Safety and Justice and the founder of Crime Survivors NOLA.

1 BE IT FURTHER RESOLVED that each designating authority shall submit the  
2 names of commission designees to the chair of the Senate Committee on Judiciary B no later  
3 than September 1, 2025.

4 BE IT FURTHER RESOLVED the commission shall convene for its first meeting  
5 no later than October 1, 2025, at the call of the chair of the Senate Committee on Judiciary  
6 B, and at the first meeting, the members shall elect a chairman and other officers as the  
7 commission may deem appropriate.

8 BE IT FURTHER RESOLVED the commission establish methods and criteria to  
9 collect data necessary to produce the required findings, including but not limited to court  
10 records, legal filings, and jury polling slips.

11 BE IT FURTHER RESOLVED that any individual incarcerated in Louisiana who  
12 believes they were convicted by a non-unanimous jury may submit their case and supporting  
13 documentation to the commission for review. The commission shall establish a procedure  
14 to receive and assess these submissions.

15 BE IT FURTHER RESOLVED that a majority of the commission shall constitute  
16 a quorum for the transaction of business; and all official actions of the commission shall  
17 require the affirmative vote of a majority of the members present.

18 BE IT FURTHER RESOLVED that the members of the commission shall serve  
19 without compensation, except per diem or expense reimbursement to which they may be  
20 individually entitled as members of their constituent organizations.

21 BE IT FURTHER RESOLVED that the commission shall terminate on the date of  
22 the submission of its report or February 1, 2026, whichever occurs first.

23 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
24 chair of the Senate Committee on Judiciary B, the executive director of the Louisiana  
25 District Attorneys Association, the president of the board of directors of The Promise of  
26 Justice Initiative, the director of The Juror Project, the chief justice of the Louisiana  
27 Supreme Court, the chief of state advocacy for the Crime Survivors for Safety and Justice,  
28 and the founder of Crime Survivors NOLA.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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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SR 183 Original	DIGEST 2025 Regular Session	Duplessis
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