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Measure would allow victims to demand jury

■ Measure 70 would stop defense attorneys from choosing sympathetic judges to hear their case

By Brian Goodell

Criminals have the right to trial-by-jury. On Nov. 2, voters will decide whether crime victims should get the same right.

Measure 70 is one of several victims' rights measures on the ballot this year.

According to the Oregon Constitution, only the accused person has the right to demand a jury trial. Measure 70 would grant victims, through the prosecutor, an independent constitutional right to demand a jury trial in criminal

Proponents of Measure 70 feel it is important to put crime victims' rights on the same level as defendants' rights. Criminals often waive their right to a jury trial if they feel the judge in their case will be sympathetic to their

According to J.L. Hobgood of Crime Victims United, giving victims the opportunity to a jury trial is the only chance they have for a fair outcome.

'This measure in no way impedes the defendant's right to a fair trial," Hobgood said in this year's Voters' Pamphlet. "It would stop defense attorneys from shopping for a judge who will rule in their favor.

Opponents feel that if Measure 70 passes, government prosecutors will have too much power in criminal n caes.

"Prosecutors don't need more power than judges in our courtrooms, yet that's exactly what some of these measure do," said Rep. Floyd Prozanski, D-Eugene, in reference to all six crime victims' initiatives. "In fact, some of these measures will give government prosecutors the same kind of power as Kenneth Starr. That's not the Oregon way.'

Opponents said they are also hesitant to amend the constitution when the laws in Measure 70 are already provided for in Oregon Statutes.

Sen. Lane Bryant, R-Bend, was a member of the Congressional Explanatory Committee responsible for impartially explaining Measure 70 in the 1999 Voters Pamphlet. Bryant said he will vote against Measure 70.

"Unless it's extremely important, I'm reluctant to amend the constitution," Bryant said.

Steve Doell of Crime Victims United disagrees with Bryant. He said voters must amend the Oregon Constitution because it is a living document.

"We would still have slavery and women would not be al-lowed to vote if the U.S. Constitution wasn't amended," Doell said. "It's time to put crime victims' rights on the same playing field as crime defendants' rights.



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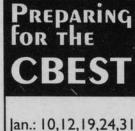
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