

OREGON | U.S. SUPREME COURT DECISION

Advocates to keep fighting nonunanimous convictions

More than 200 found guilty by split juries in Oregon still will seek to have convictions overturned

BY ANDREW SELSKY
Associated Press

SALEM — Advocates for over 200 people found guilty of crimes by Oregon juries that weren't unanimous said Monday that they will keep fighting to have the convictions vacated after the U.S. Supreme Court ruled that those people don't need to be retried.

The high court made that decision Monday after barring convictions by nonunanimous juries a year ago. Oregon and Louisiana were the only two states that had allowed such convictions.

Now, juries everywhere must vote unanimously to convict. The high court's 2020 decision affected defendants who were still appealing their convictions but not those who had

exhausted their appeals. The Criminal Justice Reform Clinic at Lewis and Clark Law School in Portland has been leading efforts in Oregon on behalf of prisoners with no appeals left. Its director, Aliza Kaplan, said the clinic will keep at it despite the new Supreme Court ruling.

"So we just keep proceeding as we were, which is through our state court system. Our state courts ... are not bound by any federal test," Kaplan said in a telephone interview.

Oregon Attorney General Ellen Rosenblum said her office is carefully reviewing the high court's Monday decision.

"My office remains committed to reviewing every case presented to us that involves a request for a new trial ... and will be working expeditiously on a plan for addressing these cases going forward," Rosenblum said.

Kaplan said the nonunanimous jury system was based on Oregon's racist past and that such convictions disproportionately affected people

of color. Of the 226 cases with no appeal remaining that the law clinic knows about, 17% involved Black petitioners in a state where Black people make up only 2% of the population.

In 1934, voters decided to amend the state Constitution to allow split-jury verdicts — a decision fueled by white supremacy and anti-minority sentiment. First-degree murder convictions still required a unanimous verdict.

Digging back into old cases will often be problematic.

One of the oldest Oregon cases with a nonunanimous conviction and no appeals remaining is a defendant who was tried in 1983, according to Laney Ellisor, staff attorney with the Criminal Justice Reform Clinic.

"All the attorneys on his trial case have passed away," Ellisor said.

The judge and court reporter are both in their 70s and don't remember it, Ellisor said. All the transcripts have been destroyed.

LEGISLATURE



AP file
A bill that would prohibit coyote-hunting contests in Oregon has failed for the third time.

3rd try to ban coyote hunting contests fails

BY MATEUSZ PERKOWSKI
Capital Press

An attempt to ban coyote hunting contests in Oregon has failed for the third time after a key legislative committee didn't take action on the bill.

House Bill 2728, which would have prohibited killing of coyotes in competitions for cash or prizes, passed the House 32-14 last month but has now died in the Senate Energy and Environment Committee.

The committee did not schedule a work session on HB 2728 by the Friday deadline for keeping legislation alive.

Proponents of the bill argued that it would stop a cruel and counterproductive practice while still allowing ranchers to protect their livestock.

"It is past time we put an end" to this vestige of a bygone era of non-fair chase wildlife management, said Rep. Brad Witt, D-Clatskanie, referring to the "fair chase" ethical standard of hunting without unfair advantages.

Such coyote-killing contests are different than hunting competitions or fishing derbies in which participants vie to obtain the largest antlers or fish within bag limits, he said before the

House floor vote. Killing coyotes on a large scale also doesn't result in meaningful population control of the predators because since they typically respond by accelerating reproduction, Witt said.

However, the bill would not have limited hunting coyotes for population control, he said. "Problem animals or not, coyotes may still be hunted or shot year-round, just not for contest money or prizes."

Rep. Mark Owens, R-Crane, said he disagrees with the characterization of coyote hunting contests as wasteful slaughter.

The pelts are collected and used to raise money for good causes, while the average number of coyotes killed by a competitor is less than one, he said.

The contests also bring a surge of tourism to remote parts of Oregon during the wintertime, Owens said.

While the science shows that contests aren't a long-term way to reduce coyote populations, the competitions do serve an intermediate purpose due to their timing, he said.

"They allow the dispatch of some coyotes around calving grounds and are historically done when the cows begin to calve," Owens said.

CHARLES GRODIN • 1935-2021

'Midnight Run' star known for offbeat roles

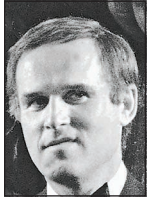
Associated Press

Charles Grodin, the droll, offbeat actor and writer who scored as a caddish newlywed in "The Heartbreak Kid" and later had roles ranging from Robert De Niro's counterpart in the comic thriller "Midnight Run" to the bedeviled father in the "Beethoven" comedies, has died. He was 86.

Grodin died Tuesday in Wilton, Connecticut, from bone marrow cancer, his son, Nicholas Grodin, said.

Known for his dead-pan style and everyday looks, Grodin also appeared in "Dave," "The Woman in Red," "Rosemary's Baby" and "Heaven Can

Wait." On Broadway, he starred with Ellen Burstyn in the long-running 1970s comedy "Same Time, Next Year," and he found many other outlets for his talents.



Charles Grodin in 1982.

With bone-dry understatement, Grodin could steal entire scenes with just a look. His commitment, whether acting across De Niro or Miss Piggy, was unsurpassed. In his many late-night appearances, he once brought a lawyer with him to threaten

David Letterman for defamation. (The lawyer instead took a shine to Letterman.) Hosting "Saturday Night Live," he pretended to not understand live television, ruining all the sketches.

Steve Martin, who co-starred with Grodin in 1984's "The Lonely Guy," remembered him as "one of the funniest people I ever met."

In the 1990s, Grodin made his mark as a liberal commentator on radio and TV. He also wrote plays and television scripts, winning an Emmy for his work on a 1997 Paul Simon special, and wrote several books humorously ruminating on his ups and downs in show business.

Actors, he wrote, should "think not so much about getting ahead as becoming as good as you can be, so you're ready when you do get an opportunity. I did that, so I didn't suffer from the frustration of all the rejections. They just gave me more time."

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