

2019 Regular Session

SENATE CONCURRENT RESOLUTION NO. 74

BY SENATOR CLAITOR

COMMENDATIONS. Commends "The Advocate" on being awarded a Pulitzer Prize for its reporting on the impact of Louisiana provisions allowing juries to convict defendants without a unanimous verdict.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

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

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

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

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

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

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

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

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

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

30 WHEREAS, those working on the series included Gordon Russell, managing editor

1 for investigations who oversaw the efforts, and written by Russell, Jeff Adelson, Jim
2 Mustian, and John Simerman, and for Russell, it was his third Pulitzer honor as he was
3 involved in the *Times-Picayune's* Hurricane Katrina-related reporting which garnered two
4 Pulitzer Prizes in 2006; and

5 WHEREAS, *The Advocate* editor, Peter Kovacs, commented, "This is a tough time
6 to be a journalist but it's the best time ever to be a journalist at *The Advocate* because we
7 have the best newsroom in Louisiana and the best owners in the land"; and

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

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

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

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

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Mary Dozier O'Brien.

SCR 74 Original

DIGEST
2019 Regular Session

Claitor

Commends *The Advocate* on being awarded a 2019 Pulitzer Prize for its series of articles regarding Louisiana's unique provisions allowing juries to convict defendants with less than a unanimous verdict.