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## Justice Department Backs Jury Majority

WASHINGTON (AP) — The Justice Department endorsed legislation Tuesday to allow juries to convict defendants without a unanimous vote. It was proposed along with plans to restrict defendants' legal maneuverings — suggestions aimed at recent Supreme Court rulings.

Another major suggestion was a measure aimed at banning appeals based on constitutional questions having no bearing on the defendant's guilt or innocence.

Asst. Atty. Gen. William H. Rehnquist, appearing before the Senate subcommittee on constitutional rights, suggested that a jury vote of 10 to 2 or 9 to 3 be considered enough for conviction.

The Supreme Court will hear arguments Oct. 19 on the use of

nonunanimous votes in state criminal trials.

Rehnquist proposed also modifying all or part of the rule which now prevents the use against a criminal defendant of evidence which is found to have been obtained in violation of his constitutional rights.

He said the rules on habeas corpus should be changed to prevent appeals "which not only have nothing to do with the guilt or innocence of the defendant but nothing to do with the underlying fairness of the factfinding process by which he was found guilty."

He said the number of habeas corpus petitions filed annually had jumped from 500 only 20 years ago to almost 11,000 last year.

Rehnquist said the department's proposed legislation would permit defendants to appeal on grounds that their confession was forced by police, that juries were under mob domination, and that they were not allowed counsel.

He said it would ban appeals based on claims of unlawful search and seizure or on claims that the defendant was not advised of his rights before confessing.