

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

Measures Heard SJR19 (PAW) SB 75 (WRK) SB 990 (WRK) SB 506 (WRK) SB 194 (WRK) SB 707 (PUB) SB 45 (PUB)

JOINT MEETING OF THE HOUSE AND SENATE COMMITTEES ON THE JUDICIARY

April 26, 1991Hearing Room C 12:45 p.m.Tapes 130 - 132

SENATORS PRESENT: SEN. JOYCE COHEN, CHAIR SEN. PETER BROCKMAN SEN. JIM BUNN SEN. JEANNETTE HAMBY SEN. BOB SHOEMAKER

SENATORS EXCUSED: SEN. JIM HILL, VICE CHAIR SEN. DICK SPRINGER

REPRESENTATIVES PRESENT:

REP. JUDY BAUMAN REP. MARIE BELL REP. KELLY CLARK REP. JIM EDMUNSON

REPRESENTATIVES EXCUSED:

REP. RANDY MILLER, CHAIR REP. TOM MASON, VICE CHAIR REP. RAY BAUM REP. TOM BRIAN REP. ROD JOHNSON REP. KEVIN MANNIX REP. DEL PARKS REP. RON SUNSERI

STAFF PRESENT: BILL TAYLOR, SENATE COMMITTEE COUNSEL INGRID SWENSON, SENATE COMMITTEE COUNSEL MARK THORBURN, SENATE COMMITTEE ASSISTANT

WITNESSES: THE HONORABLE NORMA PAULUS, STATE SUPERINTENDENT OF PUBLIC INSTRUCTION THE HONORABLE MICHAEL GILLETTE, OREGON SUPREME COURT STEVIE REMINGTON, AMERICAN CIVIL LIBERTIES UNION STEPHEN KANTER, LEWIS AND CLARK NORTHWESTERN SCHOOL OF LAW ROBERT MISMER, WILLAMETTE UNIVERSITY COLLEGE OF LAW DR. PAUL WRIGHT, LEWIS AND CLARK COLLEGE ETHAN KNIGHT, MEMBER OF BICENTENNIAL BILL OF RIGHTS COMPETITION DEBATE TEAM SETH WILKINSON, MEMBER OF BICENTENNIAL BILL OF RIGHTS COMPETITION DEBATE TEAM TOM POTTER, PORTLAND CITY POLICE BUREAU NATHAN ANDERSON, SPRAGUE HIGH SCHOOL MARGIE BOULE, THE OREGONIAN NEWSPAPER BILL NAITO, CITIZEN CHARLES HINKLE, AMERICAN CIVIL LIBERTIES UNION STEPHEN BACH, CITIZEN JANNA STARR, ASSOCIATION FOR RETARDED CITIZENS DR. MEREDITH BRODSKY, WESTERN OREGON STATE COLLEGE GERI NEWTON, CATHOLIC COMMUNITY SERVICES JAMES ELLIS, AMERICAN ASSOCIATION ON MENTAL RETARDATION STEPHEN GORHAM, ASSOCIATION FOR RETARDED CITIZENS DALE PENN, OREGON DISTRICT ATTORNEYS ASSOCIATION ELYSE CLAWSON, DEPARTMENT OF CORRECTIONS JEREME AXELROD, CHAPMAN SCHOOL KIM BLISS, CHAPMAN SCHOOL LORNA ILLINGWORTH, CHAPMAN SCHOOL KRISTA BANGSUND, CHAPMAN SCHOOL BRADY LANG, CHAPMAN SCHOOL PETER ADAMS, CHAPMAN SCHOOL GEORGE MCCLEARY, CHAPMAN SCHOOL SASHA RESNIKOFF, CHAPMAN SCHOOL JUDY HAMMER, CHAPMAN

SCHOOL SHARA WRIGHT, CHAPMAN SCHOOL

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TAPE 130, SIDE A

(Note: The recording from 004 to 399 is extremely loud on the tape.)

004 CHAIR COHEN: Calls the meeting to order at 12:45 p.m.

- Expecting state representatives to join us to hear the presentation on the Bill of Rights.

- Discusses agenda and witnesses, including Norma Paulus.

014 SEN. HAMBY: She has a one o'clock.

015 CHAIR COHEN: Is she here?

015 SEN. SHOEMAKER: She's out in the hallway.

016 CHAIR COHEN: Let's take her now.

017 SEN. SHOEMAKER: What bill is she going to talking about?

018 CHAIR COHEN: The Bill of Rights.

- Tells members of the audience that this is a busy time for the Senate and discusses the work of the Senators.

SJR19

030 THE HONORABLE NORMA PAULUS, STATE SUPERINTENDENT OF PUBLIC INSTRUCTION: Paraphrases Exhibit A.

086 CHAIR COHEN: Thanks witness. Let's take a break from SJR19.

SB 75

099 INGRID SWENSON, SENATE COMMITTEE COUNSEL: There are no amendments proposed. The bill would permit a juvenile court to suspend the license of a juvenile for a violation of any of the things listed in 809.410 (Exhibit B).

111 CHAIR COHEN: The bill doesn't need amending.

117 MOTION: Sen. Hamby moves SB 75 to the floor with a "do pass" recommendation.

119 VOTE: Motion passes unanimously; Sen.s Bunn, Hill, and Springer excused.

SB 506

125 SWENSON: There are dash four amendments (Exhibit C); explains the amendments.

130 SEN. HAMBY: At the last hearing, Sen. Shoemaker was concerned about car alarms not meeting the language of "requesting assistance."

133 CHAIR COHEN: This amendment takes care of that?

134 SEN HAMBY: Yes.

135 MOTION: Sen. Hamby moves the adoption of the dash four amendments.

136 CHAIR COHEN: Calls for objections; hearing none, so ordered; Sens. Bunn, Hill, and Springer excused.

137 MOTION: Sen. Hamby moves SB 506 as amended to the floor with a "do pass" recommendation.

139 SEN. HAMBY: Might I explain to the students?

140 CHAIR COHEN: Yes.

141 SEN. HAMBY: Explains the bill to the students in the audience.

146 CHAIR COHEN: Discusses the purpose of the bill.

150 SEN. HAMBY: Discusses the safety issue involved.

155 VOTE: Motion passes unanimously; Sens. Bunn, Hill, and Springer excused.

SB 194

161 CHAIR COHEN: We've talked about the dash one amendments (Exhibit G). The law enforcement community supports the amendment.

169 SEN. BROCKMAN: Supports the bill, but not the amendments, so you might want to put this off and wait for somebody else to . . .

170 CHAIR COHEN: O.K.

SB 990

175 CHAIR COHEN: We have three sets of amendments (Exhibits D, E, and F).

184 SEN. BROCKMAN: This is not to be confused with the day fines business.

185 CHAIR COHEN: No.

- We passed out the day fines.

188 SWENSON: Explains the dash one (Exhibit D), dash two (Exhibit E), and the dash three (Exhibit F) amendments.

220 CHAIR COHEN: As to the dash three amendments, not sure that the

Criminal Justice Council is in a position to compile and maintain the directory. Wants the Council to assess its monitoring of the scope and effectiveness of those programs.

- Any one here from the Criminal Justice Council?

244 SWENSON: No.

245 CHAIR COHEN: Have had testimony from the Corrections Department in opposition to the dash one amendments. Any testimony on the dash two?

251 SWENSON: Don't think so.

252 CHAIR COHEN: Invites Elyse Clawson to testify.

256 ELYSE CLAWSON, DEPARTMENT OF CORRECTIONS: Currently, one half of one percent of our dollars are held to provide an evaluation. Explains methods of looking at that.

284 CHAIR COHEN: You're the one who makes the contracts, makes the formula, and does the evaluation. We've heard concerns from the counties that its too much in the internal side of your advisory committee.

- For now, we won't take action on the amendments.

302 CLAWSON: Are we also on hold as to the other amendments?

305 CHAIR COHEN: Yes.

SB 707

306 CHAIR COHEN: Reviews lists of witnesses.

- Calls for witnesses to testify.

341 GERI NEWTON, CATHOLIC COMMUNITY SERVICES: Paraphrases Exhibit H.

365 SEN. SHOEMAKER: (Inaudible) . . . credentials?

367 CHAIR COHEN: We'll ask her to come back as soon as she . . .

368 SEN. SHOEMAKER: Maybe her written testimony does that.

374 DR. MEREDITH BRODSKY, WESTERN OREGON STATE COLLEGE: Paraphrases Exhibit I.

422 SEN. SHOEMAKER: Do we have anybody waiting execution who is mentally retarded?

425 BRODSKY: Not at this time.

437 STEPHEN GORHAM, ASSOCIATION FOR RETARDED CITIZENS: In favor of the bill. The mentally retarded are people who should not be put to death; not saying that they shouldn't be punished. The death penalty is a different type of punishment; explains statement.

- Most of the District Attorney's concerns are taken up either in this bill or in other ways. Hopes the committee will ask questions after Mr. Penn speaks.

489 CHAIR COHEN: We may not have time. We'll do what we can.

498 GORHAM: Appreciates that. Introduces other witnesses.

TAPE 131, SIDE A

048 JANNA STARR, ASSOCIATION FOR RETARDED CITIZENS: Paraphrases Exhibit J.

093 JAMES ELLIS, AMERICAN ASSOCIATION ON MENTAL RETARDATION: This is now an issue that is before every state that has the death penalty. Discusses the U.S. Supreme Court's Penry case and the questions it puts to the state legislature.

123 SEN. SHOEMAKER: What was the vote on the Penry case?

129 ELLIS: Discusses the two decisions and votes in the Penry case.

143 SEN. HAMBY: Would Mr. Penn like to testify?

146 CHAIR COHEN: Did not mean an absolute with respect to our time. The House committee members may be delayed.

152 DALE PENN, OREGON DISTRICT ATTORNEYS ASSOCIATION: Opposes the bill. There is no need for it:

- No one on death row that fits the description of this bill.
- The likelihood of large numbers of death penalty verdicts not great.
- Discusses the fourth question in a death penalty sentencing procedure.
- We're not talking about people who are unable to understand what they did or who is unable to control their actions. If either one of those tests are established, then they are not guilty of the crime due to mental defect. We're talking about people who do not have a valid defense.
- We don't have a procedure in the bill as to how is mental retardation brought to the court, etc.
- We'll be litigating in every case whether person is mentally retarded. It is not a clear cut distinction whether a person is mentally retarded.

223 SEN. SHOEMAKER: Under the fourth question, if you acknowledge that mental retardation would meet that question, would you not litigate that same question every time there's a chance of establishing it?

227 PENN: Yes; that's my point.

228 SEN. SHOEMAKER: What are we losing?

229 PENN: We would litigate it in the trial; we'd have standards and a procedure that's clearly delineated.

- This bill doesn't give us a procedure and it legislatively prohibits even the presentation.
- The legislature does not know what is the will of the people on this

issue.

- Sees major potential for misuse of this.

255 CHAIR COHEN: We'll ask Mr. Ellis to respond briefly, take a break from this, and then come back.

263 ELLIS: This is not the same issue as the availability of a defense to prosecution based on one's intellectual handicap.

- The Supreme Court has made it clear that the only criteria in selecting those to be executed is personal culpability.

- Mental retardation, unlike mental illness, is a measurable and identifiable phenomena. The definition of mental retardation in the bill has already been adopted for other purposes. Summarizes that definition.

- The concern about the ability to falsely raise a claim to this has not been borne out. Even if it could be done, the definition requires that the condition had been noticed when the person was a child. Have yet to see a case without a paper trail as to the disability.

- Would be glad to discuss possible procedures.

335 CHAIR COHEN: Thanks the witness; asks that he visit with Mr. Penn while the committee is taking up the Bill of Rights issue.

SJR19

349 STEVIE REMINGTON, AMERICAN CIVIL LIBERTIES UNION: Delivers letters from children at the Chapman and Markham Schools (Exhibits K to P) to the committee. Introduces Judge Gillette.

369 THE HONORABLE MICHAEL GILLETTE, OREGON SUPREME COURT: Supports the resolution. Important that Oregon now admit that it, when admitted to the Union in 1859, accepted the Constitution as amended. Outlines what's in the Bill of Rights and discusses what we've accomplished with the First Amendment.

TAPE 130, SIDE B

027 REMINGTON: Introduces Robert Mismser and Stephen Kanter.

032 ROBERT MISMER, WILLAMETTE UNIVERSITY COLLEGE OF LAW: Supports the resolution.

043 STEPHEN KANTER, LEWIS AND CLARK NORTHWESTERN SCHOOL OF LAW: Supports the resolution. Human rights battles are never won forever. The Bill of Rights needs to be constantly renewed. Comments on the Bill of Rights from an international prospective.

- Hopes the legislature would consider entrenching the Oregon constitutional principles by requiring a supermajority to amend our constitution.

097 REMINGTON: Wants to make a formal introduction.

099 CHAIR COHEN: Reminds witness that the school children in the audience need to leave.

101 REP. CLARK: All the school children, including the House members.

102 CHAIR COHEN: Assume they were going to say something other than . . .

- Asks witness to give their name for the record.

108 JEREME AXELROD, CHAPMAN SCHOOL: The Bill of Rights should be approved by Oregon. Discusses the First and Fifth Amendments. Should teach the Bill of Rights in school.

133 KIM BLISS, CHAPMAN SCHOOL: The Bill of Rights is very important. Discusses what could happen were it not for the Bill of Rights.

152 LORNA ILLINGWORTH, CHAPMAN SCHOOL: By ratifying the Bill of Rights, the Oregon Legislature is promising the citizens freedoms and basic rights. Life without the Bill of Rights would be awful.

161 KRISTA BANGSUND, CHAPMAN SCHOOL: To ensure that the rights of the citizens of Oregon are protected, we want the Oregon Legislature to ratify the Bill of Rights, especially the First and Fifth Amendments. There will be many benefits to Oregon if it adopts the Bill of Rights.

185 BRADY LANG, CHAPMAN SCHOOL: The Bill of Rights is very important in our

every day life.

200 PETER ADAMS, CHAPMAN SCHOOL: By ratifying the Bill of Rights, the Oregon Legislature has a great opportunity to let all the citizens of the state know how important basic freedoms are to everyone.

214 GEORGE MCCLEARY, CHAPMAN SCHOOL: Life would be pretty dull without the Bill of Rights. Many things can happen without the Bill of Rights.

227 SASHA RESNIKOFF, CHAPMAN SCHOOL: Ratifying the Bill of Rights would be a good way to celebrate its anniversary. Without the Bill of Rights, we can be put in jail for a crime we didn't commit.

240 JUDY HAMMER, CHAPMAN SCHOOL: Discusses the Second and Eight Amendments. Each right is an excellent right designed by the Founding Fathers.

255 SHARA WRIGHT, CHAPMAN SCHOOL: Supports ratification of the Bill of Rights; its very important to our lives.

265 CHAIR COHEN: Thanks and congratulates the Chapman School teachers and students.

283 REMINGTON: Introduces Dr. Paul Wright.

291 DR. PAUL WRIGHT, LEWIS AND CLARK COLLEGE: Addresses the importance of the freedom of speech.

370 REMINGTON: Introduces Portland Police Chief Tom Potter and Bill Naito.

380 TOM POTTER, PORTLAND CITY POLICE BUREAU: Paraphrases Exhibit Q.

TAPE 131, SIDE B

004 BILL NAITO, CITIZEN: Discusses personal experience of when the country set aside the Bill of Rights as well as recent efforts to build a Bill of Rights memorial in Waterfront Park.

- Urges teaching of the Bill of Rights in schools.

078 REP. BAUMAN: Proud of the City of Portland to have its Police Chief and Bill Naito here.

086 REMINGTON: Introduces Ethan Knight and Seth Wilkinson.

091 SETH WILKINSON, MEMBER OF BICENTENNIAL BILL OF RIGHTS COMPETITION DEBATE TEAM: Important to embrace the Bill of Rights as much as possible; its something we tend to take for granted.

101 ETHAN KNIGHT, MEMBER OF BICENTENNIAL BILL OF RIGHTS COMPETITION DEBATE TEAM: The Bill of Rights allows our characteristics as individuals to breath, but does not define them specifically.

118 REMINGTON: Introduces last three witnesses.

123 NATHAN ANDERSON, SPRAGUE HIGH SCHOOL: Paraphrases Exhibit R.

143 MARGIE BOULE, THE OREGONIAN NEWSPAPER: The freedom of the press is under siege; cites personal experiences.

233 CHARLES HINKLE, AMERICAN CIVIL LIBERTIES UNION: Ratification of the Bill of Rights is an important symbol. Living in a time when the Bill of Rights are under attack. Explains statements.

266 REMINGTON: Refers to Exhibits S, T, and U.

- The secret of maintaining the Bill of Rights is in the people themselves.

294 STEPHEN BACH, CITIZEN: Supports SJR19. The Bill of Rights needs to be seen as an integrated whole. There is an onslaught on individual rights. Discusses how the Bill of Rights relates to SB 633 and SB 1061 and its importance to a market economy. These rights are individual rights, not collective, and they're not divisible.

TAPE 132, SIDE A

000 BACH: Continues testimony.

042 CHAIR COHEN: Thanks witness. Comments on next Monday's hearing.

049 BACH: Over \$100,000 of my property, if SB 633 passes, will be removed from me and my family without due process of law. Facing massive criminal penalties if it passes.

058 MOTION: The Chair moves SJR19 to the floor with a "do pass" recommendation.

066 VOTE: Motion passes unanimously; Sens. Hill and Springer excused.

SB 707



069 CHAIR COHEN: Invites additional witnesses to testify.

077 HINKLE: Submits written testimony (Exhibit V) in support of bill. The bill is narrowly drafted; punishment ought to have some relationship to culpability and a person who is mentally retarded is, by definition, someone who cannot fully appreciate the consequences of their action.

109 ELLIS: We've met with the representatives of the prosecutor's association to attempt to come up with procedures to answer concerns about potential abuse and believes it can be done expeditiously.

120 CHAIR COHEN: The basic problem that we always have is the definition.

124 ELLIS: Reads and discusses the definition of mental retardation.

139 CHAIR COHEN: Do we have that language?

140 ELLIS: In your bill, it is cross referenced to another law that uses the same definition.

144 CHAIR COHEN: It is the exact same definition?

145 ELLIS: It is the same definition that you have in your statutes and which every other legislature that has addressed has used.

149 SEN. HAMBY: Our only dispute might be the lack of a procedure to meet the needs of the District Attorney's office and their concerns with potential litigation.

153 ELLIS: Having done some of the drafting in other states, would be happy to work with the folks here.

155 CHAIR COHEN: Sen. Hamby is sort of taking up that issue.

156 SEN. HAMBY: I'd be appreciative of the help.

SB 45

158 CHAIR COHEN: The bill is from the Labor Committee. There are no witnesses signed up to testify.

169 BILL TAYLOR, SENATE COMMITTEE COUNSEL: The issue from the Labor Committee related to the right of a jury trial.

- My understanding that this issue was raised and, as a result, was referred to here.

177 CHAIR COHEN: There probably was a subsequent referral.

179 TAYLOR: There was a man from the Labor Committee that was here and this is one of the bills we put on to Monday night.

181 CHAIR COHEN: If we have enough time, we need to take care of it tonight.

191 SEN. SHOEMAKER: When did this go to the Labor Committee?

194 CHAIR COHEN: April 22nd.

196 SEN. SHOEMAKER: April 2nd.

197 TAYLOR: We had it for a public hearing on April 22nd; there was no one here to testify at the time.

200 SEN. SHOEMAKER: If it would help at all, if we could return to this, I will make it my business to read this and get back in my mind why I thought it was appropriate to . . . .

203 SEN. BROCKMAN: Refresh my memory when you do that.

204 SEN. SHOEMAKER: I don't see a problem; it does protect the right to a jury trial.

206 CHAIR COHEN: I'm not sure that you have specifically requested that it comes here, but for the fact that it has a subsequent on it . . . .

207 SEN. SHOEMAKER: So it just came.

208 CHAIR COHEN: It just came and there may have been some determination that the subsequent referral be removed and you said that, because it deals with jury trial, it ought to go ahead.

213 TAYLOR: The question about the jury trial was given to me by Annette Talbott and I discussed it with her. Did not check whether it was a subsequent referral or if it was referred here.

217 CHAIR COHEN: This is the second time that this bill has been here.

- I don't mind putting it over to Monday.

218 SEN. SHOEMAKER: I don't mind moving the bill.

219 TAYLOR: File indicates that the Labor Committee substantially amended portions of the bill to incorporate portions of SB 42 and it now addresses the employer's right to a jury trial. The committee decided that since this issue is a sensitive one, the Judiciary Committee should be allowed to review the measure.

224 CHAIR COHEN: So it reinstates the jury trial; it does not take it away.

225 SEN. SHOEMAKER: That's right.

226 CHAIR COHEN: Then we ought to move it.

241 MOTION: Sen. Bunn moves SB 45 to the floor with a "do pass" recommendation.

245 SEN. SHOEMAKER: Do now see the reason why it's here; in the staff summary, it says that section three clarifies that the employer has a trial in cases where there is a constitutional right to a trial by jury. It removes the right to trial for cases based on statutory rights and provides for administrative hearings on those rights.

255 SEN. HAMBY: Constitutional right, if any . . .

256 CHAIR COHEN: It's in the civil rights arena and there's a constitutional right there.

- If you did not have adverse testimony on the Labor Committee, I would suggest that . . . .

263 SEN. SHOEMAKER: Just wanted to make sure that we did understand that.

264 SEN. BROCKMAN: They've had another shirk on it here, so if nobody has surfaced . . . .

265 TAYLOR: This bill has also been reviewed by the Department of Justice.

272 CHAIR COHEN: Calls for further discussion on the motion.

274 VOTE: Motion passes unanimously; Sens. Hill and Springer excused.

277 CHAIR COHEN: Adjourns meeting at 2:57 p.m.

Submitted by:

Reviewed by:

Mark Thorburn  
Committee Counsel

Bill Taylor Committee Assistant

EXHIBIT LOG:

A - Testimony on SJR19 - Norma Paulus - 2 pages B - Copy of  
ORS 809.410 re: SB 75 - Committee Staff - 6 pages C - Amendments  
to SB 506 - Committee Staff - 1 page D - Amendments to SB 990  
(dash one) - Committee Staff - 2 pages E- Amendments to SB 990  
(dash two) - Committee Staff - 1 page F - Amendments to SB 990  
(dash three) - Committee Staff - 2 pages G - Amendments to SB 194  
- Committee Staff - 1 page H - Testimony on SB 707 - Geri Newton -  
1 page I- Testimony on SB 707 - Dr. Meredith Brodsky - 1 page  
J - Testimony on SB 707 - Janna Starr - 2 pages K - Letter  
on SJR19 - Stevie Remington - 3 pages L - Letter on SJR19 - Stevie  
Remington - 1 page M - Letter on SJR19 - Stevie Remington - 2  
pages N - Letter on SJR19 - Stevie Remington - 2 pages  
O - Letter on SJR19 - Stevie Remington - 1 page  
P - Collection of Letters on SJR19 - Stevie Remington - 19 pages  
Q - Testimony on SJR19 - Tom Potter - 2 pages R - Testimony  
on SJR19 - Nathan Anderson - 1 page S - Letter on SJR19 - Stevie  
Remington - 2 pages T - Copy of Speech Entitled "The Bill of  
Rights in Oregon" - Stevie Remington - 12 pages U - ACLU Briefing  
Paper re: SJR19 - Stevie Remington - 4 pages V - Testimony on SB  
707 - Charles Hinkle - 2 pages

EXHIBITS DISTRIBUTED TO COMMITTEE MEMBERS BUT NOT REFERRED TO DURING THE HEARING

W - Department of Justice Memorandum re: SB 75 - Committee Staff -  
3 pages X - Letter and Accompanying Magazine Article re: SJR19 -  
David Frohnmayer - 9 pages Y - Fiscal Impact Forms re: SB 194 - R.  
William Linden, Jr. - 3 pages Z - Letter re: SB 194 - Ellen Jones

- 1 page AA - Testimony on SB 707 - Ellen Johnson - 1 page AB  
- Testimony on SB 707 - Mark Kramer - 6 pages AC -Testimony on SB  
707 - Robert Joondeph - 2 pages AD - "How Mental Retardation Differs  
from Mental Illness" re: SB 707 - Janna Starr - 2 pages AE  
- "Introduction to Mental Retardation" re: SB 707 - Janna Starr - 2  
pages AF - Resolution of the American Association on Mental  
Retardation re: SB 707 - Janna Starr - 2 pages AG - "Individuals with  
Mental Retardation and the Criminal Justice System" re: SB 707 - Janna  
Starr - 8 pages AH - "If Your Client is Mentally Retarded" re: SB 707  
- Janna Starr - 6 pages AI - "Capital Cases: Representing the  
Mentally Retarded Defendant" re: SB 707 - Janna Starr - 6 pages AJ  
- "Mental Retardation and Miranda" re: SB 707 - Janna Starr - 4 pages  
AK - ABA Resolution and Report on Mental Retardation and the Death  
Penalty re: SB 707 - Janna Starr - 7 pages AL - Amici Curias Brief in  
U.S. Supreme Court Penry Case re: SB 707 - Janna Starr - 26 pages AM  
- Materials on New Mexico's Senate Bill 148 re: SB 707 - Janna Starr  
- 2 pages AN - Testimony of James Ellis before U.S. Senate re: SB 707  
- Janna Starr - 10 pages AO - Letter re: SB 45 - Committee Staff - 3  
pages