

1 in arguing facts to a jury for this without confusing juries  
2 by arguing law as well.

3 In fact, the jury is handcuffed. They can't take  
4 the lawbook that the prosecutor and defense counsel use in  
5 the jury room with them and they don't have these tools to  
6 help them decide the case.

7 Another reason for deleting it is that this  
8 provision encourages inconsistency in results of criminal  
9 trials.

10 A final reason is that it doesn't mean what it  
11 says because in fact the juries are not really judges of the  
12 law in the true sense as the amendment suggests, but this  
13 has been somewhat curtailed in recent years. If it were  
14 given literal meaning, it is perfectly clear that it would  
15 violate the equal protection and due process law in the U.S.  
16 Constitution and therefore would be void. There is ab-  
17 solutely no reason for continuing this in the present day,  
18 particularly with all of the real protections that the  
19 Supreme Court is now requiring the states to afford criminal  
20 defendants.

21 We respectfully suggest that this archaic