



Juror Records & Demographic Data

November 10 and 12, 2021

Overview

- State v. Dangcil, 248 N.J. 114 (2021)
- Voluntary Demographic Questions
- Demographic Reports: New York and Connecticut Models
- Timeframe for Implementation
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State v. Dangcil, 248 N.J. 114 (2021)

- The New Jersey Supreme Court upheld hybrid (virtual and in person) jury selection procedures adopted on a temporary basis during the COVID-19 pandemic.
- To “protect against potential underrepresentation and irregularities” associated with “facially neutral procedures” the Court directed the Administrative Office of the Courts “to begin collecting jurors’ demographic information.”

State v. Dangcil, 248 N.J. 114 (2021)

- “Disclosure should be voluntary and cover a juror’s identified racial identity, ethnicity, and gender categories.”
- In response to Dangcil, the AOC reexamined the existing juror summons (the qualification questionnaire) to propose new questions on the prescribed demographic areas.

Voluntary Demographic Questions

Demographic Information

This information helps the Judiciary understand the diversity and representativeness of jury pools. Your responses to these questions are optional and will **not** affect your selection.

Voluntary Demographic Questions

- Selecting from the race categories used by the U.S. Census, please select the response that most closely aligns with your racial identity.
 - American Indian or Alaska Native
 - Asian
 - Black or African American
 - Native Hawaiian or Other Pacific Islander
 - White
 - More than one race

Voluntary Demographic Questions

- Selecting from the ethnicity categories used by the U.S. Census, please also select the response that most closely aligns with your ethnic identity.
 - Hispanic or Latino
 - Not Hispanic or Latino

Voluntary Demographic Questions

- Selecting from the gender categories used by the State of New Jersey, please select the response that most closely aligns with your gender.

Female Male Non-Binary or Undesignated

Demographic Reports: New York Model

In New York, Section 528 of the Judiciary Law, adopted on June 15, 2010, directs the “commissioner of jurors to collect demographic data for jurors who present for jury service.” The statute directs collection of data describing race and/or ethnicity, age and sex.

Each person who appears for jury service (reporting jurors) is asked to complete a scannable data collection card. Efforts are made to exclude from completing cards those who appear but do not serve.

Demographic Reports: New York Model

The New York Judiciary annually publishes a report that includes tables for response rate and the demographic categories.

County	White	Black	Asian	Other/Mixed
Albany	81%	9%	4%	2%
Allegany	93%	1%	1%	1%
Bronx	16%	38%	6%	21%
Broome	87%	3%	3%	1%
Cattaraugus	90%	1%	-	1%
Cayuga	94%	2%	-	1%
Chautauqua	88%	1%	1%	1%

Demographic Data: Connecticut Plan

Pursuant to recent legislation (An Act Concerning the Recommendations of the Jury Selection Task Force), Connecticut will also collect juror demographic information.

Information will be requested at the qualification (rather than reporting) stage.

Demographic Data: Connecticut Plan

The Judicial Branch shall compile a record of the demographic characteristics of all persons who: (A) Are summoned for jury service, (B) participated in a panel, (C) are subject to a peremptory challenge, (D) are subject to challenge for cause, and (E) serve on a jury. Such record shall exclude personally identifiable information and shall be maintained in a manner that provides free and open access to the information on the Internet.

Implementation of Dangcil

The New Jersey Judiciary shall collect voluntary juror demographic information at the point of qualification (rather than reporting).

This enables a more comprehensive baseline that includes jurors who do not ultimately report for service.

It can support greater analysis of processes that affect the demographic composition at each stage of selection.

Timeframe for Implementation

This Judicial Conference provides an opportunity for input on the proposed updates to the juror qualification questionnaire.

Once the questionnaire is finalized, it will be substituted for the existing questionnaire (both the eResponse online version and the hard copy document).

The first demographic information would be for jurors who report around 8 weeks after issuance of those initial summons documents.

Timeframe for Implementation

The Judiciary will need to collect and compile data for a period of time to test processes.

- Demographic information will be **voluntarily** requested from summoned jurors (during the qualification, rather than reporting, phase).
- Jurors will **not** be excluded on the basis of non-response to demographic questions.

Questions and Discussion

Moderator: Hon. Lee A. Solomon, Associate Justice

Panelists: Hon. Andrew Bruck, Acting Attorney General

Hon. Glenn A. Grant, Administrative Director

Alexander Shalom, Senior Supervising Attorney,
ACLU-NJ