

Overview

- Racial Bias in Jury Selection
- Importance of Minority Representation on Juries
- Unequal Jury Representation and Its Consequences
- Call To Action



Racial Bias in Jury Selection

- Racial bias in jury selection is illegal
- Juries are supposed to represent communities and their diversity, but black people and people of color are often excluded.
- Historically, prosecutors use peremptory strikes illegally based on race which hinders people of color from being put on a jury.



Racial Bias in Jury Selection

- This discriminatory practice must be eliminated for the makeup of the jury to be more equal.
- Cultural misconceptions about jury duty also discourages people of color from jury participation.
- Essential workers face many roadblocks when it comes to jury participation.



Importance of Minority Representation on Juries

- A diverse jury is necessary because the decision making by a diverse jury is better for the community because people with diverse experiences and backgrounds are more beneficial with the decision making.
- It is very important to have minority representation on juries so that everyone has an “equal opportunity to participate in the fair administration of justice under our democratic system”. “Community participation in the administration of the criminal law is not only consistent with our democratic heritage but is also critical to public confidence in the fairness of the criminal justice system”.



Importance of Minority Representation on Juries

- Jurors are community members with diverse experiences and backgrounds who better reflect the conscience of the community. Jurors produce collective decision making taking into account that they come from different backgrounds
- The absence of Black representation means that decisions are primarily made by individuals who have less experience contending with racial bias.
- The more diverse the group is the better the decision is at the end of the day.



Unequal Jury Representation and its Consequences

- Today's juries lack diversity in people of color, and this is partially due to the strategic removal of minority groups from juries during the selection process (according to Ashish Joshi and Christina Kline with the ABA)
- Challenges to representation associated with permanent felony disqualification (according to the EJI Report)
- Compared to representative juries, all white juries spend less time deliberating, considering fewer perspectives and make more mistakes. (according to the EJU Report).



Unequal Jury Representation and its Consequences

- The outcome of the trial may be affected (according to the EJI Report)
- Wrongful convictions and excessive sentences (according to the EJI Report)
- Harm to excluded jurors and lack of representation (according to the EJI Report)
- Compromising the integrity of the system (according to the EJI Report)



Call to Action

- Limit set of juror eligibility requirements
- Avoidance of discrimination in jury selection
- Commit to fully diverse jury pools
- Use of shorter and flexible terms of service
- Set days/ times to be a juror... ex. Tuesday and Thursday from 5pm-7pm is better for the essential worker's schedule.
- Reasonable fees to compensate jurors and businesses for their service

