

Demographic Descriptive Analysis of Jury Pool and Jurors in an Arizona Superior Court

The descriptive analysis was conducted based on data for calendar year 2019 (CY 2019). Analysis was not conducted on the pool or persons who reported to the courthouse, instead we examined data of those who were sent from the jury assembly room to the courtroom. No single day of jury service, single venire, or single empaneled jury was analyzed. Rather, the analysis looks at data for all persons randomly selected for assignment to a courtroom for jury selection (venire) and all persons empaneled on juries during the calendar year. The information presented in this report does not constitute a legal analysis of the jury system.

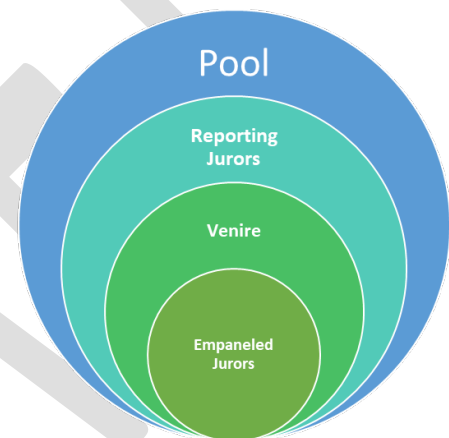
For purposes of this report, the following definitions apply to these terms:

“Pool” refers to all persons summoned for jury service in CY 2019.

“Reporting jurors” are persons who have appeared at a courthouse and are waiting in a designated assembly room for further instruction.

“Venire” refers to persons who reported to a courthouse for jury service and were randomly assigned to a courtroom for the purpose of jury selection.

“Empaneled jury” refers to persons selected and sworn as jurors for a trial. This includes persons selected as alternate jurors.



A High-Level Look at Jury Selection

Each jurisdiction has a master jury list derived from Motor Vehicle Department records and voter registration lists. Prospective jurors are randomly selected from the master jury list and are sent summonses for jury service. Each person is directed to respond to the summons, so the court can determine whether the person is qualified and available for jury service. Despite the instruction to respond to the summons, not all persons will do so. Those responding will answer a questionnaire to ensure that they meet the minimum qualifications for jury service and are available on the date their service is scheduled.

On the date of service, persons who have been instructed to report to the court check in with court staff and wait in an assembly room with other jurors. When a case is ready for jury selection, a group of jurors—the venire—is randomly chosen and sent to a courtroom. There, the judge and the parties’

attorneys (or a party if the person is not represented by an attorney) questions the jurors in a procedure known as *voir dire*.

During *voir dire*, a person can be removed from consideration for the jury for several reasons. The person may ask to be excused for hardship, such as extreme financial burden, a medical disability, etc. The judge will hear the person's reasons for asking to be excused and will decide whether to grant the request. Also, if the person knows anyone involved in the case—the judge, an attorney, a party, or a witness—the person may be excused and sent back to the assembly room. An attorney can challenge a person “for cause.” Challenge for cause means that there is a specific and compelling reason to believe the person cannot be fair, unbiased, or capable of serving as a juror. Finally, the person can be the subject of a peremptory challenge, in which a party or an attorney objects to the person being on the jury but does not have to give a reason for excluding the person.

The jurors who are chosen to hear the case comprise the “empaneled jury.” Jurors who are not chosen return to the waiting room, where they may be randomly selected for another trial or dismissed for the day.

Study Purpose

The purpose of this descriptive study was to examine whether there are demographic differences between the population of a jurisdiction and persons in the jury venire or those on empaneled juries of the superior court of that jurisdiction. The jurisdiction provided data for 35,570 persons who appeared at the courthouse and were randomly assigned to a courtroom for the jury selection process. We examined combined demographic data provided by the superior court for persons who comprised venire panels for CY 2019.

This report describes the composition of the racial and ethnic groups in the jury venire and empaneled jury based on CY 2019 data that combines all venire and jury assignments compared to the population data for the jurisdiction.

Jurisdiction Population Demographic Characteristics

This section reports the race and ethnic distributions for the population of the jurisdiction using 2018 census estimates (U.S. Census Bureau, 2018a) on the number of adult citizens in the jurisdiction.

Table 1 reports the distribution of race and ethnic categories in the jurisdiction population for adult citizens. Among the adult citizens living in the jurisdiction during 2018, the majority were White (81.65%) and non-Hispanic White (64.90%). Hispanic or Latino persons comprised 22.33% of adult citizens living in the jurisdiction.

Table 1.

Distribution of Race and Ethnic Categories for Adult Citizens in the Jurisdiction

Race	Jurisdiction Population 2018 Estimates ¹	
	#	%
White	2,453,819	81.65%
Black or African American	177,842	5.92%
Asian	98,598	3.28%
American Indian & Alaska Native	62,950	2.09%
Native Hawaiian & other Pacific Islander	6,720	0.22%
Other	118,835	3.95%
Two or more	86,403	2.88%
Total	3,005,167	100%
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Ethnicity: Hispanic / Latino (any race)	671,012	22.33%
Non-Hispanic White	1,950,320	64.90%

¹Source: U.S. Census Bureau (2018).

Results

In CY 2019, 35,570 persons were randomly assigned to a courtroom for the jury selection process (venire), and of these, 5,547 served as empaneled jurors (see Table 2). From the jury venire, 87.55% were randomly assigned to criminal cases and 12.45% were randomly assigned to civil cases. Among those who were empaneled to serve on a jury during CY 2019, 85.97% (*n* = 4,769 jurors) served on criminal cases, and 14.03% (*n* = 778 jurors) served on civil cases.

Table 2.

Frequency and Percent Distribution of Case Types

Case Type	Jury Venire		Empaneled Jury	
	<i>f</i>	%	<i>f</i>	%
Criminal	31,142	87.55%	4,769	85.97%
Civil	4,428	12.45%	778	14.03%
Total	35,570	100%	5,547	100%

Frequency and percent distributions of race and ethnicity for both criminal and civil cases are summarized below. The racial and ethnic composition of person randomly assigned to jury venires and those who served as jurors is summarized in Table 3 for criminal cases and Table 4 for civil cases.

Criminal Cases

The demographic distribution of the adult citizen population in the jurisdiction, persons randomly assigned to the jury venire, and jurors who served on criminal case trials in CY 2019 appear in Table 3. White or non-Hispanic White persons are the largest demographic group in the jurisdiction and also comprise the majority of adults to be randomly assigned to the jury venire or to serve on juries.

Table 3.

Race and Ethnic Distribution of Adults from Jurisdiction Venire and Empaneled Juries for Criminal Cases of a Superior Court

Race and Ethnicity	Adult Citizen Population Estimates in Jurisdiction (2018) ¹		Criminal Cases (CY 2019)			
	#	%	Jury Venire (N = 31,142)		Empaneled Jurors (n = 4,769)	
			#	%	#	%
White	2,453,819	81.65%	23,861	76.62%	3,816	80.02%
Black/African American	177,842	5.92%	1,317	4.23%	238	4.99%
Asian	98,598	3.28%	1,332	4.28%	159	3.33%
American Indian / Alaska	62,950	2.09%	422	1.36%	49	1.03%
Native Hawaiian & other Pacific Islander	6,720	0.22%	146	0.47%	15	0.31%
Other	118,835	3.95%	3,871	12.43%	477	10.00%
Two or more	86,403	2.88%				
Missing			193	0.62%	15	0.31%
Total (Race)	3,005,167	100%	31,142	100%	4,769	100%
Ethnicity: Hispanic (any Race)	671,012	22.33%	6,601	21.20%	848	17.78%
Non-Hispanic White	1,950,320	64.90%	20,888	67.07%	3,409	71.48%

¹Source: U.S. Census Bureau (2018).

Non-Hispanic White persons comprised 64.90% of the adult citizens living in the jurisdiction. A little over two-thirds (67.07%) of the jury venire and 71.48% of the jurors were non-Hispanic White persons.

Civil Cases

Table 4 contains the demographic breakdown by race and ethnicity for the jurisdiction's adult residents who were citizens, as well as for jury venire and empaneled jurors for civil cases during 2019. White or non-Hispanic White residents are the largest demographic group in the jurisdiction and also comprise the majority of adults selected for the jury venire and to serve as jurors. Non-Hispanic White persons comprised 64.90% of the adult citizens living in the jurisdiction, 70.30% of the venire, and 72.37% of the jurors. Hispanic or Latino persons were the next largest ethnic group in the jurisdiction, comprising 22.33% of the population of adult citizens in the jurisdiction in 2018.

Table 4.
Race and Ethnic Distribution of Adults from Jurisdiction Venire and Juries for Civil Cases of a Superior Court

Race and Ethnicity	Adult Citizen Population Estimates in Jurisdiction (2018) ¹		Civil Cases (CY 2019)			
	#	%	Jury Venire (N = 4,428)		Empaneled Jurors (n=778)	
			#	%	#	%
White	2,453,819	81.65%	3,502	79.09%	635	81.62%
Black/African American	177,842	5.92%	168	3.79%	35	4.50%
Asian	98,598	3.28%	169	3.82%	23	2.96%
American Indian / Alaska	62,950	2.09%	47	1.06%	4	0.51%
Native Hawaiian & other Pacific Islander	6,720	0.22%	23	0.52%	2	0.26%
Other	118,835	3.95%	495	11.18%	77	9.90%
Two or more	86,403	2.88%				
Missing			24	0.54%	2	0.26%
Total (Race)	3,005,167	100%	4,428	100%	778	100%
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Ethnicity: Hispanic (any Race)	671,012	22.33%	868	19.60%	146	18.77%
Non-Hispanic White	1,950,320	64.90%	3,113	70.30%	563	72.37%

¹ Source: U.S. Census Bureau (2018).

References

U.S. Census Bureau (2018). Citizen, Voting-Age Population by Selected Characteristics, 2018: ACS 1 Year Estimates Subject Tables, American Community Survey. Retrieve from <https://data.census.gov/>