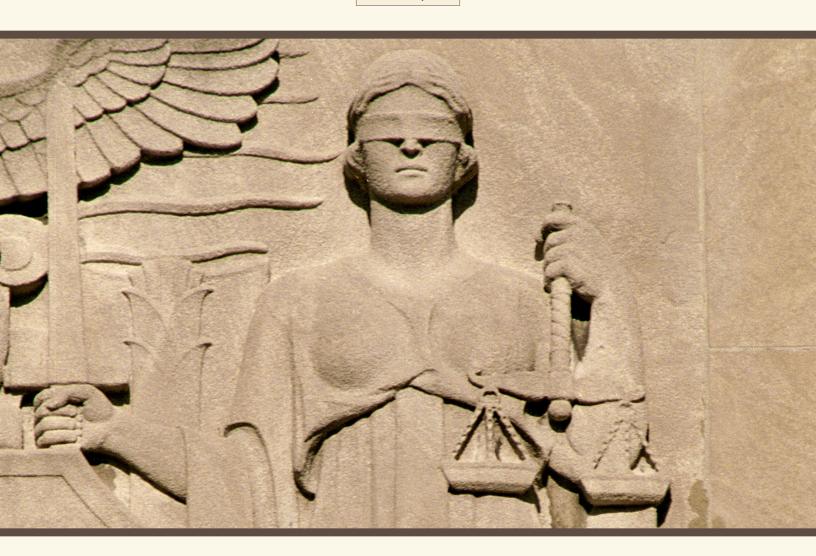ANNUAL REPORT

Pursuant to Section 528 of the Judiciary Law

2017

LAWRENCE K. MARKS
CHIEF ADMINISTRATIVE JUDGE OF THE STATE OF NEW YORK

ANNUAL REPORT

PURSUANT TO SECTION 528 OF THE JUDICIARY LAW

2017

TABLE OF CONTENTS

INTRODUCTION

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. The statute further directs submission of an annual report to the Governor, Speaker of the Assembly, President of the Senate and the Chief Judge of the Court of Appeals. This report is for the calendar year 2017.

BACKGROUND: QUALIFICATION AND SUMMONING OF JURORS

All 62 Commissioners of Jurors participate in a centralized Jury Management System. The System implements policies and practices consistent with statutory and regulatory requirements pursuant to Judiciary Law (Article 16, Sections 500-528), Rules of the Chief Administrative Judge, Rule 128.

The New York State Unified Court System uses a two-step system for qualifying and summoning jurors. The first step is juror qualification accomplished through completion of qualification questionnaires by potential jurors. The second step is summoning qualified jurors to serve. Questionnaire and summons mailings are requested through the Jury Management System and sent to prospective jurors by First Class Mail. Through both steps of this process, all potential juror and juror records must be kept confidential under Judiciary Law 509.

QUALIFICATION

Jurors are qualified by completion of Qualification Questionnaires. Qualifications are the same for trial and grand jurors. Statutory qualifications pursuant to Judiciary Law Section 510, are: US citizenship, residence in the county, age 18 or older, ability to understand and communicate in English, and no felony conviction (holders of a certificate of relief from civil disabilities or a certificate of good conduct are qualified to serve).

Once a year, the Unified Court System requests lists from five New York State agencies. These lists are used to randomly select names and addresses of potential jurors to whom questionnaires are mailed. The court system receives a data file from each agency. Each file contains all people who are in the agency's file as of the date it is supplied. The file contains name and address for each person included in the file. The five sources are:

1. Department of Taxation and Finance: NYS tax filers
2. State Department of Labor: Persons receiving unemployment insurance
3. Office of Temporary and Disability Assistance: Persons receiving home relief or aid to families with dependent children
4. Department of Motor Vehicles: Persons with drivers' licenses or DMV-issued identification cards
5. Board of Elections: Registered voters

In addition to the names on these lists, individuals who meet statutory qualifications for jury service can volunteer to be included in the pool of people available to be summoned by completing an online questionnaire available at www.nyjuror.gov.

The source lists are processed by an outside vendor, to remove duplicates and records of people who are currently active in the NYS jury system and to eliminate people who are under 18 or who live outside of New York. The remaining "reconstituted" list is provided to the Jury Support Office. Every 90 days the list is subjected to the US Postal Service address cleansing procedure which updates or eliminates outdated addresses.

Individuals are randomly selected, within their county of residence, from the "reconstituted" list to be mailed questionnaires upon request of the Commissioner of Jurors. Questionnaire responses are reviewed to determine qualifications. Any juror who fails to respond to a questionnaire is automatically sent at least two follow up questionnaire mailings. The final questionnaire is always a noncompliance questionnaire, requiring response by the juror within 20 days.

SUMMONING

Randomness of summoning is maintained by mailing summonses to qualified jurors in the same order in which each one was randomly mailed an initial questionnaire. Volunteers are summoned by date order of qualification. A qualified juror who is not summoned within 18 months becomes eligible to receive a new qualification questionnaire.

Any summoned juror who fails to respond to two consecutive summonses receives a Summons Notice of Noncompliance warning, pursuant to Judiciary Law Section 527, that a judgment may be imposed for failure to appear and requiring a response within 21 days of receipt.

DATA COLLECTION PROCEDURES

Each person who appears for jury service is asked to complete a scannable data collection card. Efforts are made to exclude from completing cards those who appear but do not serve.[1] The card explains that New York State Judiciary Law §528 requires the court to collect data about jurors. The juror is asked to:

- Fill in the date
- Indicate whether she or he was "here to serve as a trial juror or a grand juror"
- Indicate gender
- Answer questions about Hispanic origin, race, and year of birth, and
- Indicate county of jury service.

Questions about Hispanic origin and race are the same ones used in the 2010 census. The collected cards are scanned in multiple locations around the state; data read by the scanners is sent to a central computer drive at the Office of Court Administration for compilation and analysis.

OVERVIEW

For the calendar year 2017, there were 422,596 completed cards collected and successfully scanned. During the year, 489,903 jurors appeared for service. The following pages contain tables showing numbers of jurors served and cards completed in each county in 2017, followed by tables showing the percentage of responses for each demographic characteristic.[2]

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1. Those who appear but do not serve include: people who do not meet qualification criteria pursuant to Judiciary Law Section 510; and qualified jurors who request and receive an excusal or a postponement pursuant to Judiciary Law Sections 517(a)(1) and 517(a)(2).

2. The number of cards processed occasionally exceeds the number of jurors who served as those who appear in response to summons includes people who are postponed, excused or disqualified and are therefore not "present for jury service." Every effort is made to avoid including completed cards for prospective jurors who appear only to be excused, postponed or disqualified.

TABLE A: JURORS SERVED AND CARDS COMPLETED BY COUNTY - 2017

County	Jurors Served	Completed Cards	County	Jurors Served	Completed Cards
Albany	7,931	7,556	Niagara	2,095	1,980
Allegany	437	316	Oneida	2,425	2,267
Bronx	41,392	36,472	Onondaga	7,959	7,607
Broome	3,248	3,570	Ontario	2,013	1,770
Cattaraugus	898	786	Orange	7,685	5,362
Cayuga	564	572	Orleans	352	264
Chautauqua	2,242	1,999	Oswego	791	737
Chemung	2,986	2,558	Otsego	607	615
Chenango	496	269	Putnam	1,208	1,156
Clinton	2,174	2,080	Queens	61,418	60,567
Columbia	2,399	2,176	Rensselaer	3,311	3,288
Cortland	660	553	Richmond	12,093	11,978
Delaware	500	478	Rockland	3,909	3,451
Dutchess	3,257	3,228	Saratoga	1,415	923
Erie	10,638	10,752	Schenectady	1,293	1,165
Essex	649	628	Schoharie	3,729	3,354
Franklin	740	408	Schuyler	258	280
Fulton	876	871	Seneca	419	392
Genesee	1,108	866	St. Lawrence	713	565
Greene	906	515	Steuben	2,284	2,305
Hamilton	136	0	Suffolk	30,844	16,738
Herkimer	807	647	Sullivan	1,744	1,718
Jefferson	790	743	Tioga	653	525
Kings	82,874	81,925	Tompkins	1,287	1,483
Lewis	367	432	Ulster	3,587	1,441
Livingston	936	279	Warren	1,303	1,225
Madison	815	749	Washington	1,194	1,074
Monroe	17,426	16,438	Wayne	650	432
Montgomery	702	574	Westchester	12,133	11,511
Nassau	33,029	29,006	Wyoming	761	516
New York	97,298	68,010	Yates	489	451
			Total	**489,903**	**422,596**

TABLE B: GENDER BY COUNTY* - 2017

County	Female	Male	County	Female	Male
Albany	50%	46%	Niagara	44%	42%
Allegany	47%	44%	Oneida	51%	46%
Bronx	55%	41%	Onondaga	51%	47%
Broome	52%	48%	Ontario	48%	39%
Cattaraugus	49%	50%	Orange	50%	43%
Cayuga	52%	43%	Orleans	53%	41%
Chautauqua	47%	43%	Oswego	49%	43%
Chemung	53%	46%	Otsego	52%	47%
Chenango	49%	51%	Putnam	46%	43%
Clinton	45%	39%	Queens	50%	42%
Columbia	48%	40%	Rensselaer	51%	43%
Cortland	57%	43%	Richmond	47%	45%
Delaware	54%	44%	Rockland	50%	48%
Dutchess	50%	47%	Saratoga	52%	41%
Erie	49%	46%	Schenectady	51%	43%
Essex	48%	42%	Schoharie	50%	41%
Franklin	50%	43%	Schuyler	43%	43%
Fulton	44%	46%	Seneca	49%	51%
Genesee	52%	46%	St. Lawrence	50%	42%
Greene	49%	45%	Steuben	49%	46%
Hamilton	-	-	Suffolk	48%	43%
Herkimer	52%	43%	Sullivan	47%	42%
Jefferson	50%	45%	Tioga	52%	43%
Kings	53%	42%	Tompkins	54%	45%
Lewis	45%	48%	Ulster	49%	44%
Livingston	53%	41%	Warren	46%	44%
Madison	50%	50%	Washington	51%	42%
Monroe	52%	45%	Wayne	47%	46%
Montgomery	49%	42%	Westchester	52%	42%
Nassau	49%	42%	Wyoming	47%	49%
New York	51%	43%	Yates	50%	43%
			Total	51%	43%

Rows do not total 100% due to non-responses.

TABLE C: HISPANIC ORIGIN OF ANY RACE BY COUNTY - 2017

County	Hispanic Origin	County	Hispanic Origin
Albany	4%	Niagara	2%
Allegany	1%	Oneida	2%
Bronx	49%	Onondaga	2%
Broome	2%	Ontario	5%
Cattaraugus	1%	Orange	13%
Cayuga	9%	Orleans	1%
Chautauqua	3%	Oswego	1%
Chemung	2%	Otsego	3%
Chenango	1%	Putnam	9%
Clinton	2%	Queens	19%
Columbia	2%	Rensselaer	2%
Cortland	1%	Richmond	14%
Delaware	2%	Rockland	11%
Dutchess	8%	Saratoga	1%
Erie	3%	Schenectady	3%
Essex	1%	Schoharie	1%
Franklin	1%	Schuyler	1%
Fulton	1%	Seneca	1%
Genesee	1%	St. Lawrence	1%
Greene	4%	Steuben	1%
Hamilton	-	Suffolk	10%
Herkimer	1%	Sullivan	7%
Jefferson	2%	Tioga	1%
Kings	15%	Tompkins	2%
Lewis	2%	Ulster	6%
Livingston	1%	Warren	1%
Madison	1%	Washington	1%
Monroe	5%	Wayne	1%
Montgomery	3%	Westchester	14%
Nassau	10%	Wyoming	1%
New York	15%	Yates	2%
		Total	**15%**

TABLE D: RACE BY COUNTY* ALBANY TO NEW YORK - 2017

County	White	Black	Asian	Other/Mixed
Albany	80%	8%	4%	3%
Allegany	98%	1%	0%	0%
Bronx	20%	37%	5%	18%
Broome	91%	3%	1%	3%
Cattaraugus	94%	1%	0%	4%
Cayuga	83%	8%	1%	5%
Chautauqua	94%	1%	0%	2%
Chemung	93%	3%	1%	2%
Chenango	94%	0%	1%	3%
Clinton	93%	2%	2%	2%
Columbia	90%	2%	1%	3%
Cortland	97%	1%	0%	2%
Delaware	95%	0%	1%	2%
Dutchess	84%	7%	2%	4%
Erie	87%	7%	1%	3%
Essex	96%	0%	0%	1%
Franklin	94%	1%	0%	3%
Fulton	95%	1%	1%	1%
Genesee	96%	1%	1%	2%
Greene	95%	1%	0%	3%
Hamilton	-	-	--	-
Herkimer	97%	0%	0%	1%
Jefferson	95%	1%	0%	2%
Kings	42%	29%	13%	8%
Lewis	94%	2%	0%	2%
Livingston	94%	0%	0%	3%
Madison	97%	1%	0%	1%
Monroe	85%	8%	2%	3%
Montgomery	95%	1%	1%	2%
Nassau	60%	7%	8%	4%
New York	67%	10%	11%	8%

Rows do not total 100% due to non-responses.

TABLE D: RACE BY COUNTY* NIAGARA TO YATES - 2017

County	White	Black	Asian	Other/Mixed
Niagara	92%	3%	0%	2%
Oneida	93%	2%	1%	2%
Onondaga	88%	6%	2%	3%
Ontario	91%	1%	0%	2%
Orange	79%	8%	3%	5%
Orleans	95%	1%	1%	2%
Oswego	97%	0%	0%	1%
Otsego	97%	0%	0%	1%
Putnam	88%	3%	2%	4%
Queens	36%	15%	27%	10%
Rensselaer	91%	3%	1%	2%
Richmond	69%	7%	9%	6%
Rockland	73%	11%	8%	4%
St Lawrence	95%	1%	2%	2%
Saratoga	86%	4%	3%	3%
Schenectady	83%	1%	0%	1%
Schoharie	97%	1%	0%	1%
Schuyler	96%	0%	0%	2%
Seneca	98%	1%	0%	1%
Steuben	95%	1%	1%	2%
Suffolk	85%	5%	3%	4%
Sullivan	80%	4%	1%	5%
Tioga	95%	1%	1%	2%
Tompkins	91%	2%	3%	3%
Ulster	88%	3%	1%	5%
Warren	97%	0%	0%	1%
Washington	96%	0%	0%	2%
Wayne	97%	1%	0%	2%
Westchester	71%	11%	6%	5%
Wyoming	98%	O%	0%	1%
Yates	96%	0%	0%	0%
Total	**59%**	**15%**	**10%**	**7%**

Rows do not total 100% due to non-responses.

TABLE E: AGE BY COUNTY* ALBANY TO NEW YORK - 2017

County	18-24	25-44	45-64	65-75	75+
Albany	9%	34%	41%	12%	2%
Allegany	9%	28%	38%	14%	4%
Bronx	13%	41%	36%	6%	0%
Broome	10%	36%	39%	13%	2%
Cattaraugus	6%	28%	38%	13%	2%
Cayuga	7%	28%	40%	10%	3%
Chautauqua	7%	27%	37%	13%	3%
Chemung	9%	36%	40%	12%	3%
Chenango	7%	40%	36%	14%	1%
Clinton	8%	33%	35%	11%	2%
Columbia	12%	24%	40%	14%	3%
Cortland	7%	31%	43%	14%	5%
Delaware	8%	30%	40%	18%	3%
Dutchess	8%	27%	45%	13%	2%
Erie	10%	32%	39%	10%	2%
Essex	7%	22%	39%	13%	2%
Franklin	7%	27%	36%	14%	2%
Fulton	8%	22%	35%	14%	3%
Genesee	9%	29%	41%	13%	5%
Greene	7%	31%	43%	13%	2%
Hamilton	-	-	-	-	-
Herkimer	7%	28%	38%	15%	7%
Jefferson	8%	31%	38%	11%	2%
Kings	13%	50%	29%	7%	1%
Lewis	8%	28%	41%	13%	4%
Livingston	8%	23%	44%	11%	1%
Madison	7%	33%	43%	14%	4%
Monroe	12%	32%	38%	12%	3%
Montgomery	6%	27%	42%	16%	3%
Nassau	9%	28%	37%	11%	2%
New York	8%	53%	26%	7%	1%

Rows do not total 100% due to non-responses.

TABLE E: AGE BY COUNTY* NIAGARA TO YATES - 2017

County	18-24	25-44	45-64	65-75	75+
Niagara	11%	27%	40%	12%	3%
Oneida	7%	31%	41%	13%	3%
Onondaga	7%	33%	41%	13%	3%
Ontario	7%	24%	37%	12%	4%
Orange	8%	27%	44%	10%	1%
Orleans	8%	29%	38%	11%	3%
Oswego	6%	27%	42%	12%	2%
Otsego	6%	35%	42%	15%	2%
Putnam	8%	24%	38%	12%	2%
Queens	9%	40%	39%	11%	1%
Rensselaer	11%	32%	37%	14%	3%
Richmond	8%	32%	39%	9%	1%
Rockland	9%	29%	47%	10%	0%
St Lawrence	7%	27%	40%	12%	2%
Saratoga	7%	26%	38%	12%	2%
Schenectady	6%	23%	43%	14%	6%
Schoharie	10%	33%	36%	17%	4%
Schuyler	9%	26%	41%	12%	2%
Seneca	8%	30%	44%	11%	0%
Steuben	10%	27%	33%	13%	3%
Suffolk	8%	29%	44%	11%	2%
Sullivan	8%	25%	42%	16%	2%
Tioga	10%	35%	40%	10%	3%
Tompkins	6%	35%	39%	16%	4%
Ulster	10%	27%	39%	16%	2%
Warren	6%	25%	42%	14%	4%
Washington	8%	22%	37%	12%	3%
Wayne	6%	26%	40%	15%	4%
Westchester	8%	28%	43%	12%	2%
Wyoming	9%	30%	35%	12%	3%
Yates	4%	27%	37%	16%	3%
Total	**10%**	**40%**	**35%**	**10%**	**1%**

Rows do not total 100% due to non-responses.