



Judicial Impact Statement

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SB 15 – Jury Source List

SB 15

Sen. Thomas

Title Information

The bill seeks to amend R.C. 2313.06 of the Revised Code to require the names submitted by the Bureau of Motor Vehicles to the commissioners of jurors to be included on the annual jury source list compiled by the commissioners.

Background

The purpose of this bill is to increase the diversity of the juror pool by creating the juror pool list using two sources: lists of registered voters from the Boards of Elections (already required by law to be used in creating juror pools) and lists of licensed drivers or state identification holders from the BMV (currently a permissible, but not mandatory, source for creating juror pools). Forty-seven courts (13 common pleas courts and 34 municipal or county courts) across Ohio use both lists.¹

A jury is supposed to contain a representative cross section of the community, resulting in a fair and impartial jury. A diverse jury has the benefit of the various backgrounds and experiences of its members. Racial minorities have historically been underrepresented on juries and courts should remain vigilant in monitoring jury pools for representativeness.

Judicial Impact

In counties that do not already do so, merging the voter list and the driver list will increase the annual cost of creating the annual jury source list. Some duplications would have to be removed manually. Use of the driver list is also likely to increase the return of summons as undeliverable, which represents an additional cost. That is to say, there is a small administrative burden associated with implementation of this bill.

More importantly, studies of Ohio jury pools (one in 2008 and one in 2018) have shown that utilizing the list of licensed drivers and state identification card holders has not created a more representative jury than the list of registered voters. The 2008 study of Lucas County concluded groups that are frequently underrepresented

What is a Judicial Impact Statement?

A Judicial Impact Statement describes as objectively and accurately as possible the probable, practical effects on Ohio's court system of the adoption of the particular bill. The court system includes people who use the courts (parties to suits, witnesses, attorneys and other deputies, probation officials, judges and others). The Ohio Judicial Conference prepares these statements pursuant to R.C. 105.911.

¹ See http://users.neo.registeredsite.com/0/2/0/11669020/assets/OJMA_Survey-VoterReg.BMVlist_2016.pdf

in lists of registered voters tend to be underrepresented in lists of licensed drivers and state identification card holders, too. The 2018 study of Montgomery County concluded that age diversity did increase when BMV lists were used, as more younger people were included in the juror pool. Those young people, however, were excused from jury duty at a greater than average rate because they tended to no longer reside in the county while they attended colleges elsewhere. In short, there is no greater racial and ethnic representativeness between lists of licensed drivers and state identification card holders and lists of registered voters.

Conclusion

The bill's goal is one that is supported by the Ohio Judicial Conference, but the approach crafted by the bill has been shown through research to make no impact on representativeness of jury pools.