

Jury Representation: Are Minnesota Counties Ensuring a Jury of Your Peers?

Madison E. Weyker
Bemidji State University

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Dr. Patrick Donnay, Advisor
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Abstract

The Equal Protection Clause of the Fourteenth Amendment states that the defendant in the courtroom is meant to have a jury that is largely representative of the local community in which the trial is held. This raises the question of whether juries are representative of the population in which they reside. To analyze this question, I compare the demographics of the 87 counties in Minnesota gather and analyze data from the Minnesota Judicial Branch's Committee of Equality and Justice (Wahi et al., 2021). The results show that there are discrepancies at each stage of the jury process. Additionally, they show that though the jury pools are somewhat representative of their population, the seated juries are typically not. The analysis raises more questions as to why these discrepancies occur, whether it be racially motivated elimination during the voir dire process or exemptions from jury duty due to disqualifications (e.g., language barriers, residency).

Introduction

Every year individuals are charged with a crime and taken to court to have a jury decide their outcome. During this process, it is presumed that the defendant is treated as innocent until proven guilty, and the jury is unbiased and makes their decision merely based on the facts presented in the courtroom (Morrison et al., 2016). The Sixth Amendment of the United States Constitution states “In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed...” The common interpretation of this amendment is that at all stages of the jury selection process, the jury must be representative of the community in which the defendant is tried (Rose et al., 2018). When examining a defendant in the courtroom, the state must create a panel of citizens, also known as the venire, from which the eventually seated jury is selected (Barrett, 2007). The Equal Protection Clause of the Fourteenth Amendment also adds a cushion of security by claiming that the state is tasked with ensuring these potential jurors are largely representative of the local community (Barrett, 2007). The questioning process of voir dire allows the judges and attorneys to eliminate biased jurors from the panel (Crocker & Kovera, 2009). During voir dire, the responses given by potential jurors are evaluated by the attorneys, who in turn attempt to eliminate the venirepersons who display signs of bias (Crocker & Kovera, 2009).

Literature Review

The focal point of most jury underrepresentation studies deals with the race of the county in which the court case was held, therefore, the racial composition of juries holds formidable weight (Rose et al., 2018). Despite the powerfulness of the racial composition, laws, and

previous court cases speak about how alleged criminals have the right to a fair-cross-section representation, and how proper representation fails to be met in most seated juries (Rose et al., 2018). Instead of the seated jurors being representative of their counties, the ambiguity of the rules and regulations leaves room for different interpretations that vary by state, and this can lead to underrepresentation. The language that can be misconstrued is that the representation and fair cross-section refers to “jury wheels, pools of names, panels or venires from which juries are drawn” (Rose et al., 2018, p. 379). Even though states and courts are accountable for the representative jury, they focus primarily on larger-sized bodies previously referenced.

Jury Selection Process

Voir Dire

The jury selection process, also known as voir dire, enables attorneys to eliminate potential jurors who may be biased from serving in trials. There are two methods to removing these jurors: a challenge for cause and a peremptory challenge. In the case of a challenge for cause, the attorney can eliminate the potential juror when it can be proven that the individual is biased and will be unable to reach a fair and just verdict or is unwilling to follow the law.

Attorneys in every jurisdiction have an unlimited number of challenges for cause; on the other hand, when using peremptory challenges, the removal of a prospective juror without justification, attorneys are limited. During the process, attorneys rely on their own beliefs on certain perspectives such as race, income, occupation, religion, marital status, and appearance. These beliefs can develop based on their experiences, lessons learned from other lawyers, or suggestions in trial tactics manuals (Marder, 2015).

The process of voir dire begins before the trial and is a questioning of venirepersons or potential jurors. Judges and attorneys alike can struggle to determine which potential jurors, or

venirepersons, are sincerely impartial and able to put their biases and own beliefs aside. This can be for a multitude of reasons, but the primary reason is, some of these venirepersons are unaware of the biases they hold, making it harder for others on the outside to determine bias (Crocker & Kovera, 2010). The questions posed within the questioning are typically unable to uncover these individuals who are unaware of their biases (Lieberman, 2011).

For those that display evident biases, the trial judge should remove the individual from the venire, however, the judge must have evidence that said juror cannot be impartial to the case. As a reminder, there is no maximum number of jurors who can be excused for a cause, but the reason for removal must be clear and be within one of the categories relating to an individual's capability to serve, for example, preexisting bias or relationship with one of the parties (Grosso & O'Brien, 2019). Voir dire procedures and rules change across jurisdictions. The process has ranged from being extremely limited in which the judge completes the questioning process, to extensive, in which both the judges and lawyers complete the questioning process (Grosso & O'Brien, 2019).

Peremptory Challenges

The peremptory challenge dates back to the Roman empire, and the United States adopted the challenge from English common law and then codified it in 1790 (Page, 2005). The United States Constitution does not explicitly state the rules surrounding the peremptory challenge, but the Supreme Court has stated that it is “one of the most important of the rights secured to the accused”. The peremptory challenge, the intention of it, is meant to help to create the authenticity and picture of an impartial jury. Attorneys utilize the peremptory challenge to shape the jury, and it allows them to remove potential jurors without providing an explanation or justification (Ford, 2010). However, peremptory challenges are often not used without basis or

reason but are based on evidence that persuades the attorney to eliminate an individual, but not enough evidence to persuade a judge (Page, 2005).

Enthusiasts of the peremptory challenge claim that an impartial jury is provided as a result of this process because it eliminates jurors who may be biased or hold predispositions against the defendant, deeming them unable to evaluate the facts and evidence in a fair and just way, resulting in a failure to give an impartial verdict (Ford, 2010). Instead, they argue, the result of this process creates a jury of individuals in the moderate middle, who are open to both sides of the argument and able to come to a fair decision, rather than having extremists (Ford, 2010). Having these potential jurors assumes that there are no biases from Republicans or Democrats. This assumes each individual selected will be able to view the facts of the case without an ideological skew.

Those who oppose peremptory challenges claim that these challenges enable attorneys to discriminate based on race, age, gender, employment, or other characteristics (Ford, 2010). Juror members' identities are kept secret, allowing them to answer the questions during voir dire with little information that will help others identify them outside of the courtroom. Because of this, attorneys can take the person for the picture that is painted. The information provided about the venirepersons is limited, so as a result, lawyers rely on the characteristics and stereotypes of these individuals to make a decision; the result of this chain effect is discrimination and underrepresentation of key groups (Ford, 2010).

Ideology, Race, & Batson

Juror ideology can play a big role in a case and lawyers consider this when strategizing their peremptory challenges (Revesz, 2015). As a reminder, in *Batson v. Kentucky*, the Supreme Court banned the use of peremptory challenges to strike jurors based on their race alone.

However, because of the specificity of the wording in the conclusion of the case, prosecutors can work around this and strike jurors by claiming these jurors are ideologically biased (Revesz, 2015). The strike or exemption of a juror cannot be placed on the race and color of an individual alone. However, if ideology is taken into consideration, it can be an entirely different story. Attorneys can justify their peremptory strike by claiming the strike is based on ideology (Revesz, 2015). For example, in a jury pool of 6 individuals, the attorney can take into consideration the individual's appearance, the individual's employment, the individual's gender, education of the individual, and any other questions they see fit to ask. If the responses to these questions seem to be leaning more Republican or more Democratic based on the stereotypes in society, the attorney can use ideological bias as their reason for the strike. In a civil suit between an African American plaintiff and a white defendant, the defendants used a strike on an unemployed African American woman, and the explanation given was that she would be “an unduly liberal juror” based on her characteristics alone (Revesz, 2015, p. 2538). This instance alone showcases the difficulty of separating demographics from ideology when analyzing peremptory challenges; in this case, the prosecutors struck a jury member based on the juror's appearance and shared information (Revesz, 2015).

Jury Bias

Potential jurors have a multitude of attitudes, relevant experiences, and potential biases that are cause for the full exploration during the voir dire process in jury selection. These attitudes and biases have been proven to have an impact on juror decision-making and factor into the verdict of the trial (Clark, 2021). Two forms of bias need to be considered when analyzing prospective jurors: explicit and implicit. Explicit bias refers to verbal evaluations of racial groups based on self-reports, while implicit bias is inferred from race-related responses in performance-

based tasks (Morrison et al., 2016) An example of explicit bias is someone blatantly disregarding another individual through verbal cues based on their race; an individual stating that because a person is black, they are more aggressive. Implicit bias is when an individual shows the physical cues of an individual's response to race-related stimuli such as moving away from a colored individual out of habit. Evidence from social psychological literature has caused legal scholars to become concerned that implicit race bias may affect different aspects of the legal system, specifically in the courtroom, criminal sentencing, and jury decision-making (Morrison et al. 2016). Legal decisions are in the category of intentional behaviors, raising the concern that explicit bias may play more of a role in the jury decision-making process; as a result, the extent that peremptory challenges are used in identifying potential jurors that are supportive of their case, explicit bias is looked at more thoroughly (Morrison et al., 2016).

Critical United States Cases and Laws

Historical Importance

The founders' view on the importance of the jury role is imperative to understand before discussing the cases and laws within the United States. British courts influenced the colonial courts by creating the foundation for them. In Colonial America, British courts and colonial courts operated with jury trials, however, judges had a more powerful role than the jury itself (Deitch, 2018). British judges were able to exercise their influence and compel jurors to reconsider their verdict if it was not to the judge's liking. In juxtaposition, colonial judges had a lesser role and little control over the jury; in turn, colonial juries used this newfound power to reduce verdicts that were imposed under British rule (Deitch, 2018). In an attempt to limit the control that colonial juries now had, Britain regulated the types of cases eligible for jury trial; these efforts created increasing hostility between Britain and the Colonies (Deitch, 2018).

All terms, expressions, and amendments within the Constitution serve a purpose and shed light on the intent of the Framers. The United States Constitution was created in part [along with the Bill of Rights] to limit government power through checks and balances among the branches, community, and government. By describing the right to a jury trial in the Constitution, the Founders demonstrated that they held the unwavering belief that juries played a massive role in the success of democracy because they would be able to protect from government overreach, enable citizens to participate in process and operate as a central figure in the administration of justice (Deitch, 2018). The jury is meant to display two goals that were created in the Constitution: checking government powers and stimulating community involvement in government functions.

Sixth Amendment

The Sixth Amendment guarantees the right of criminal defendants to a “speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed” (Hannaford & Waters, 2011). The interpretation of this amendment in common terms is that the jury selected must reflect the demographic makeup of the community. Like other amendments in the Bill of Rights, this amendment states the right to a fair jury trial created to protect the individual and their rights from the government (Deitch, 2018). This right establishes the barrier between the government and the individual in permitting the members of the community the authority, rather than the primary government, to participate as the check and balance against the prosecution of another member within the community.

Swain v. Alabama, 1965

In 1965, the Supreme Court recognized that the purposeful or deliberate exemption of African Americans on account of race in juries violates the Equal Protection Clause. The

petitioner moved to scratch the motion for imprisonment as the seated venire was not representative of the population, and this motion was denied (Page, 2005). This drew attention to peremptory challenges and if they were correctly used or not. The prosecutor had excused six of the eight African American venirepersons through peremptory challenge, and the other two had been exempted due to disqualifications based on jury rules. Swain was able to claim that the trial was not fair as the African American population was not properly represented within the seated jury (Page, 2005). Additionally, the defendant was able to prove that there was underrepresentation, as there had been no African American seated jurors since 1950. However, because of the failure to provide and prove the information that the prosecutor alone was at fault, the case did not gain the recognition it needed (Page, 2005). The problem was that Swain was unable to prove that the prosecutor had gotten rid of all of the African Americans in the venire. This decision was overturned 20 years after the decision had been made. This case displays how problematic peremptory challenges can be as there is no need for an explanation for the termination of one's place on a jury.

Duncan v. Louisiana, 1968

In 1968 the Supreme Court took an in-depth look at the Sixth Amendment and acknowledged that the alleged individual's right to a jury trial is essential and as a result, pertinent to the states (Deitch, 2018). Gary Duncan, an African American teenager, was sentenced to prison for allegedly slapping a Caucasian boy in the elbow. Duncan requested to have a jury trial and was denied. This raised the question of whether or not state courts were obligated to provide a jury in misdemeanor cases. The Court found that justifications for trial by the jury include "protecting the defendant from unfounded charges; judges who are insufficiently independent of the prosecution; arbitrary judicial actions; overzealous prosecution; compliant,

biased, or eccentric judges; and enforcement of harsh laws” (Deitch, 2018). Because of this case, the right to trial by jury has been embraced in every state and written in every state constitution (Deitch, 2018, p. 1060).

Duren v. Missouri, 1979

In this case, the Supreme Court answered the question of whether or not an involuntary exemption from jury service offered to females was unconstitutional. This question was raised because it minimized the percentage of women from 46% to 15% of the jury pool in which the defendant’s jury was created (Hannaford & Waters, 2011). The Supreme Court determined three guidelines for defendants to follow if they believe their jury is not representative of their community. The requirements to deem this notion are: the group assumed to be omitted must be a minority or distinctive group within the community, the group’s representation within the jury pool is not a proper show of their numbers within the population, and the underrepresentation of said group is a result of systematic exclusion during the jury-selection process (Hannaford & Waters, 2011). With these rules in place, the jury pool must be representative of the number of women in the population. In *Duren v. Missouri*, the court explicitly stated that the states have the power to define eligibility requirements and qualifications for the exemption of jury service. In most states, the requirements to qualify for jury service include U.S. citizenship, residency in the geographic area served by the court, adult (age 18 or over), the ability to speak and comprehend English, and no prior felony convictions or mental incompetency (Hannaford & Waters, 2011). Because of this, the states have the power to exempt anyone based on their interpretation of these rules; this could be a reason why females were exempted from jury service. The ruling for this case did not address the problem with female representation but created new verbiage for state courts to follow when selecting the jury.

Batson v. Kentucky, 1986

Twenty years after *Swain v. Alabama*, the Supreme Court outlined a three-step procedure in *Batson v. Kentucky* to assess the purposeful discrimination in peremptory challenges. This procedure allows the defendant to attack racially motivated peremptory challenges based on the guidelines provided (Page, 2005). In this case, the court reviewed the Swain case and declared that there was a “crippling burden of proof” which meant that “prosecutors’ peremptory challenges were largely immune to constitutional scrutiny” (Page, 2005, p. 163). As a result, the three-step procedure was developed. The first step is for the defendant to foster an inference that the prosecutor had used a challenge to exempt an individual from jury service based solely on their race (Page, 2005). The second step involves the trial court judge. The judge must determine whether the peremptory challenge was implemented unconstitutionally and questions the prosecutor to supply a reason other than race (Page, 2005). Then, if the prosecutor provides their reasoning, the judge decides whether the prosecutor utilized the challenge with proper discrimination (Page, 2005). This last crucial step deals with the lawyer’s credibility and raises several questions such as, whether are they telling the truth. As a result of this procedure being created, the Court overruled *Swain v. Alabama*.

Berghuis v. Smith, 2009

In 2009, The Supreme Court took on the second case, after *Duren v. Missouri*, that involved the Sixth Amendment. The case of *Berghuis v. Smith* was an appeal granting habeas corpus relief, which is used to determine if imprisonment is lawful, to Diapolis Smith, who had previously been convicted of second-degree murder and sentenced to life in prison in Michigan in 1993. Smith requested a petition for habeas corpus relief in a federal district court. However, the district court denied this position. Smith then argued that he was denied his right to an

impartial jury and a fair trial, which violated the Sixth Amendment. The Supreme Court looked at the case and determined that the state court's dismissal of jurors for whom duty would become difficult because of childcare concerns or transportation issues and whether this was unconstitutional because it resulted in a systematic underrepresentation of African American jurors (Hannaforde & Waters, 2011).

Minnesota Court and Jury Selection Background

Minnesota Jury Source List

In the state of Minnesota's Constitution, the Sixth Amendment is mimicked in Article I, section 6. The jury source list for the state of Minnesota is created from two state databases: the Department of Public Safety's database of registered drivers and the Secretary of State's database of registered voters. Those who are deceased are on a list provided by the Department of Health and are matched against the two previously mentioned lists so that those individuals' names are removed from the jury source list. The State Court Administrator's Office then assembles the statewide jury list from the information provided. The chief judge can conclude whether or not an improvement needs to be made to the jury list based on inclusiveness or the representativeness of the jury pool, after which, the correction can be made (Minn. Gen. R. Prac. 806(f) as cited by, Wahi et al., 2021). A jury questionnaire and summons for jury service are mailed to each prospective juror in Minnesota along with instructions for the completion and return of the document either by mail or online.

Minnesota Laws & Qualifications

The law forbids discrimination against potential jurors based on race, ethnicity, faith, religion, sex, national origin, marital/relationship status, mental/physical disability, age, occupation, sexual orientation, and economic status (Minn. Stat. § 593.32; Minn. Gen. R. Prac.

809 as cited by, Wahi et al., 2021). To be qualified to serve as a juror in the state of Minnesota, the potential juror must be: a citizen of the United States, at least 18 years of age, a resident of the county, able to communicate in the English language, physical and mentally capable of rendering satisfactory jury service, an individual who has had civil rights restored if they have been convicted of a felony and a person who has not served as a member of the jury in the past for years (Minn. Gen. R. Prac. 808, as cited by Wahi et al., 2021). Additionally, jurors can be exempted or postponed from jury duties. To be exempted, the individual's ability to attain and assess information is too impaired that they are unable to perform their duties as a juror or they request to be exempted because their service would be continuing hardship to themselves or members of the public (Minn. Gen. R. Prac. 810, as cited by Wahi et al., 2021).

Analyzing Juries in Minnesota

This literature review displays the current synthesis of the research on underrepresentation in the jury system. The literature primarily focuses on race and minorities being excused or exempted from jury service. However, communities are composed of more than race such as employment, income, education, gender, language disabilities, and nativity. The qualifications and the cases discussed previously displays the rules and regulations that set the foundation for juries. *Duren v. Missouri* described the specific regulations to ensure a jury of your peers but also explicitly stated that the state decided to define the regulations that surround jury qualifications. Because of this, race, employment, income, education, gender, language barriers, and nativity can all be used as reasons for exemption whether it be unintentional, intentional, or systematic exclusion. This study focuses on the 87 counties of Minnesota and the racial composition that makes up the population, and as a result, the jury pool. The study conducted aims to assess racial underrepresentation across juries.

Methods and Analysis

The data set that was the base for this research was created by a subcommittee for the Committee on Equality and Justice, the Access and Fairness Subcommittee, composed of, the Honorable Richelle M. Wahi, District Court Judge, Ellen Bendewald, Melissa Kantola, and Karen Jaszewski. The data the Subcommittee utilized was compared against the 2018 Census Bureau Population Estimates. The subcommittee studied petit jury race data for individuals who report for jury duty, jurors selected for voir dire, and jurors seated on a jury. This data was then divided into two categories: judicial district and county. Additionally, the subcommittee studied the racial composition of the juror population, eighteen years of age and up. The jury data was then combined with data from Minnesota Compass, a project of Wilder Research, which has data for the 87 counties of Minnesota, which included population, age, sex, race, and more.

To answer the question of whether Minnesota juries are ensuring a jury of our peers, I utilized both of these data sets to construct my own. I used the racial composition of each county from the data provided by the Access and Fairness Subcommittee and the population data from Minnesota Compass. With the combination of these data sets, I was able to assess the effect of the jury selection process on the racial composition of juries. The demographic variables included the racial categories of American Indian or Alaska Natives, Asian or Pacific Islanders, Black or African Americans, Hispanics, Multiracial, and White or Caucasians. To analyze this data, I first had to change the raw numbers given in the data to percentages of their respective variables. After this conversion was complete, I computed variables to represent the white (“whopper”) and nonwhite (“nonwhopper”) percent of populations. Additionally, I took each of the variables that represented the jury pool, the voir dire process, and the sworn jurors and combined them to create the nonwhite percentage at each stage of the jury selection process.

These variables were then used to analyze the discrepancy between the populations and their place in the jury selection process.

The unit of analysis in my study is the 87 Minnesota Counties. My study specifically pertains to the percentages of nonwhites in each stage of the jury selection process and having a jury of your peers. The purpose of my study is to assess which counties are representative of their populations.

Drawing from the literature, I hypothesize the following:

1. In a comparison of Minnesota counties, the counties with a higher population will be more likely to have a more diverse seated jury than those with a lower population.
2. In a comparison of Minnesota counties, the counties with a larger percentage of nonwhites in the population will have seated juror populations that are less representative of the population.
3. In a comparison of Minnesota counties, those with a higher minority population will have more diverse jury pools but will have less representation in the seated jury.

Hypothesis One: Higher Populated Counties Have a More Diverse Jury

I created a correlation matrix between the variables “nonwhpopper”, “nonwhjurypoolpopper”, “nonwhjurpopper”, and “nonwhvdpopper”. This correlation was created to see the levels of correlation between the nonwhites at each stage of the jury selection process and the nonwhites in the county populations. I then created a correlation matrix between the variables “whpopper”, “whjurypoolpopper”, “whjurpopper”, and “whvdpopper”. I created both of these so that I could compare the difference between the correlations with them.

(Tables 1 and 2 about here)

The correlation matrices display that there is a correlation between the county population and the nonwhite and white jury selection process. There is a higher correlation within the nonwhite correlation matrix. Each of these correlations is positive and above 0.5 on the Pearson scale. The highest correlation on this matrix is between the nonwhite sworn jury and the nonwhite population. When looking at the white correlation matrix, the highest correlation is between the white population percent and the white jury pool percentage.

Hypothesis Two: Counties with Large Percent of Nonwhite Members, Have Less Nonwhite Representation in the Jury

This hypothesis looks at the correlation between the percentage of nonwhite members in the population and the seated jury. I utilized the variables “nonwhpopper” and “nonwhjurpopper” to analyze this hypothesis. The variable “nonwhpopper” was created by combing all the population variables for all the races, excluding the white population, and then was divided by the “pop18” variable to create the percentage. The “nonwhjurpopper” variable was created by adding all of the race percentages within the sworn jurors and then dividing by the total sworn jury population.

(Figure 1 about here)

The figure displays that as the nonwhite population percentage grows, the percentage of nonwhite sworn jurors does not. For example, in Nobles County, the nonwhite population percentage is around 35 percent but the representation in seated juries is only five percent. There are a few outliers such as Mahnomon, Ramsey, Watonwan, and Hennepin, but for the most part, the representation within jury pools is not representative of the population, which proves my hypothesis correct. An explanation for these outliers could be immigration or being part of the larger population.

Hypothesis Three: Representation in Jury Pools, Voir Dire, and Seated Juries

This hypothesis is focused on finding out which stage of the jury process is where the discrepancies occur. I compared the population of nonwhites at the jury pool stage, voir dire stage, and finally, the seated juror stage. I utilized the variables: “pop18”, “disjurpop”, “disvdpop”, and “dsjurpool” to do this analysis. The “disjurpop”, “disvdpop”, and “disjurpool” variables were all created utilizing computation in SPSS. The computation allowed for the percentages of each of the original nonwhite variables to be subtracted from the total of all of the variables. For example, “disjurpop” was created by subtracting “nonwhjurpopper” from “jurtotpop” to create the discrepancy.

(Table 3 about here)

The largest discrepancy appears to be in the nonwhite seated juror population. As the results show, in regards to the Pearson Correlation, this is statistically significant at the 0.741 mark. There is a correlation between the nonwhite sworn jury population and the nonwhite population. The next piece of analysis should focus on which stage specifically this discrepancy happens. I would hypothesize that the largest change would happen between the voir dire stage and the final stage of seated jurors. This is because the Pearson Correlation in each stage of the jury selection process displays that nonwhites get excluded at each stage of the selection process. The highest rate of exclusion happens at the seated juror stage.

Discussion

The analysis shows that two out of three of the presented hypotheses were correct. The first hypothesis was incorrect because counties with larger populations do have diversity. The data displays that larger, more populous counties have more diversity within the seated jury. The second hypothesis looked at the correlation between the nonwhite sworn jury population and the

nonwhite population. This analysis displayed that as the nonwhite population grows larger, the nonwhite sworn jury population does not grow and stays below the fifteen percent mark. There are a few outliers in this data such as Mahnomen, Watonwan, Ramsey, Nobles, and Hennepin. These outliers could be for a multitude of reasons but would require more research. The data reveals that there is underrepresentation between the seated jurors and the nonwhite population. The third analysis is another step in looking at the research and looks at what stage in the jury selection process the discrepancy between the population and the nonwhite members is highest. This test revealed the largest discrepancy was in the seated juror population being the most statistically significant. This is because the percentage of jurors deviates from the percentage within the county's population. As a result, the second and third analyses confirmed that Minnesota Counties are not ensuring a jury of your peers, and because of this, it leaves a gap in the research that needs to be filled. The next step for this analysis or further research would be to look at each of the Minnesota jury requirements. After having a list of the requirements, an analysis would need to be done to see if these requirements exclude people of color from serving on the jury. Additionally, further research could be done to investigate what causes people to be excused after they are selected from the jury pool.

Appendix

Table 1: Nonwhite Jury Selection Process Correlation Matrix

		Non White Jury Pool Population Percent	Non White Sworn Jury Population Percent	Non White Population Percentage	Non White Voir Dire Population Percentage
Non White Jury Pool Population Percent	Pearson Correlation	1	0.569**	0.546**	0.203
	Sig. (2-tailed)		<0.001	<0.001	0.095
	N	69	68	69	69
Non White Sworn Jury Population Percent	Pearson Correlation	0.569**	1	0.787**	0.370**
	Sig. (2-tailed)	<0.001		<0.001	0.002
	N	68	68	68	68
Non White Population Percentage	Pearson Correlation	0.546**	0.787**	1	0.322**
	Sig. (2-tailed)	<0.001	<0.001		0.007
	N	69	68	87	69
Non White Voir Dire Population Percentage	Pearson Correlation	0.203	0.370**	0.322**	1
	Sig. (2-tailed)	0.095	0.002	0.007	
	N	69	68	69	69

** . Correlation is significant at the 0.01 level (2-tailed).

Table 2: Correlation Matrix for Whites in Jury Selection Process

		White Sworn Juror Population Percent	whpoolpopper	White Population Percent	White Voir Dire Population Percentage
White Sworn Juror Population Percent	Pearson Correlation	1	-0.005	0.597**	0.370**
	Sig. (2-tailed)		0.966	<0.001	0.002
	N	68	68	68	68
whpoolpopper	Pearson Correlation	-0.005	1	-0.136	-0.091
	Sig. (2-tailed)	0.966		0.262	0.457
	N	68	70	70	69
White Population Percent	Pearson Correlation	0.597**	-0.136	1	0.217
	Sig. (2-tailed)	<0.001	0.262		0.073
	N	68	70	87	69
White Voir Dire Population Percentage	Pearson Correlation	0.370**	-0.091	0.217	1
	Sig. (2-tailed)	0.002	0.457	0.073	
	N	68	69	69	69

** . Correlation is significant at the 0.01 level (2-tailed).

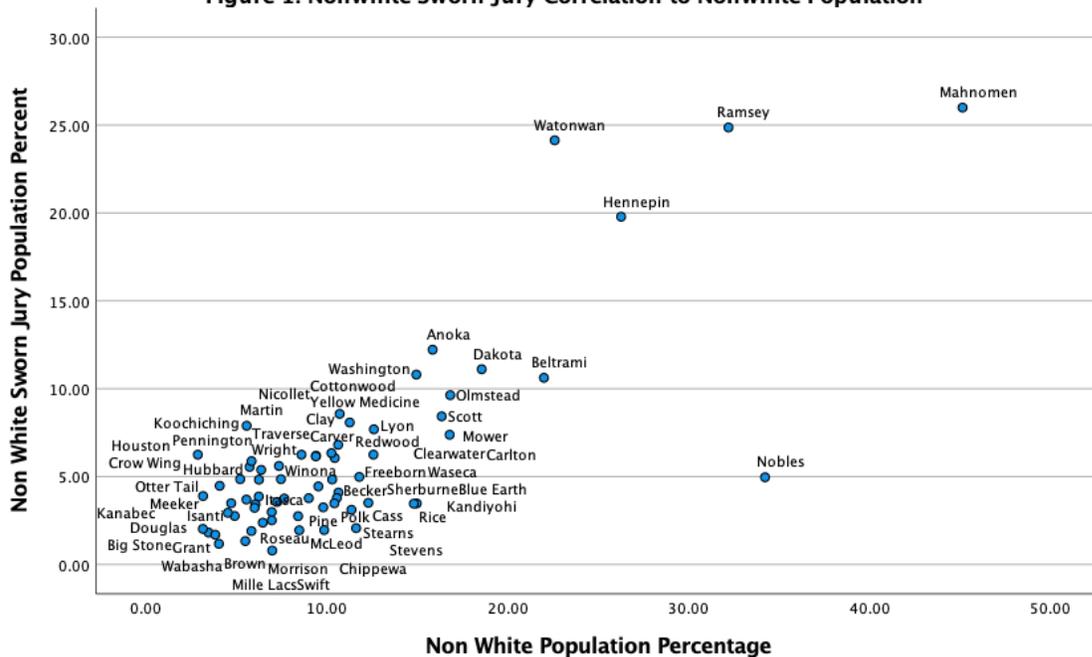
Table 3: Discrepancy In Jury Selection Process and Non White Population Percentage

		Discrepancy in Jury Pool	Discrepancy in Voir Dire Population	Discrepancy In Seated Jury Population	Non White Population Percentage
Discrepancy in Jury Pool	Pearson Correlation	1	0.203	0.248*	0.546**
	Sig. (2-tailed)		0.095	0.041	<0.001
	N	69	69	68	69
Discrepancy in Voir Dire Population	Pearson Correlation	0.203	1	0.106	0.322**
	Sig. (2-tailed)	0.095		0.389	0.007
	N	69	69	68	69
Discrepancy In Seated Jury Population	Pearson Correlation	0.248*	0.106	1	0.741**
	Sig. (2-tailed)	0.041	0.389		<0.001
	N	68	68	68	68
Non White Population Percentage	Pearson Correlation	0.546**	0.322**	0.741**	1
	Sig. (2-tailed)	<0.001	0.007	<0.001	
	N	69	69	68	87

*. Correlation is significant at the 0.05 level (2-tailed).

** . Correlation is significant at the 0.01 level (2-tailed).

Figure 1: Nonwhite Sworn Jury Correlation to Nonwhite Population



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