

$$^{11^{\text{th}}}$$ annual report Pursuant to Section 528 of the Judiciary Law

2021



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



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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 2021.

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 the Judiciary Law (Article 16, Sections 500 -528) and the Rules of the Chief Administrative Judge, Part 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 pursuant to Judiciary Law, Article 16, Section 509.

QUALIFICATION

Jurors are qualified by completing 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 from which the questionnaire was sent, 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 driver's 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 volunteer 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 by 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 selected at random to be mailed an initial questionnaire. Volunteers are summoned by date order of qualification. A qualified juror who is not summoned within 18 months of being qualified 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 20 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.² The juror is asked to:

- fill in the date
- indicate whether they were "here to serve as a trial juror or a grand juror"
- indicate gender³

- answer questions about Hispanic origin, race, and year of birth, and
- indicate county of jury service.

The collected cards are scanned and the data compiled and analyzed by the Jury Support Office.

OVERVIEW

For the calendar year 2021, there were 125,748 completed cards collected and successfully scanned. During the year, 144,521 jurors appeared for service. In 2021, NYS courts were operating in a limited capacity due to the COVID-19 pandemic. As a result, the number of jurors served is well below normal. In 2019, for example, more than 452,000 jurors served.

The following pages contain tables showing numbers of jurors served and cards completed in each county in 2021, followed by tables showing the percentage of responses by county for gender, Hispanic ethnicity, race and age. The number of cards processed occasionally exceeds the number of jurors who served as some jurors who appear in response to a summons are postponed, excused or disqualified. It can be difficult to exclude them from completing cards.⁴

- 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 Section (a)(1) or 517(a)(2).
- 2. A copy of the data collection card is attached as Appendix A. The full text of Judiciary Law Section 528 is included on the back of the card.
- 3. The Office of Court Administration's Jury Support Office collaborated with the Richard C. Failla Commission to make a recommendation to the Administrative Board on expanding gender options on jury related forms. As of January 1st, 2020, the data collection card includes these values: Male, Female, Transgender, Nonbinary, Intersex and Other as reported in Table B.
- 4. Generally, row totals do not equal 100% due to non-response.

County	Jurors Served	Completed Cards	County	Jurors Served	Completed Cards
Albany	2,358	2,155	Niagara	1,500	1,338
Allegany	266	225	Oneida	1,597	1,538
Bronx	11,308	4,494	Onondaga	3,197	2,937
Broome	2,613	2,790	Ontario	834	924
Cattaraugus	563	531	Orange	1,760	1,48
Cayuga	604	499	Orleans	251	258
Chautauqua	690	847	Oswego	1,054	920
Chemung	1,192	1,038	Otsego	347	39
Chenango	299	209	Putnam	534	54:
Clinton	1,840	1,787	Queens	14,276	16,19
Columbia	403	505	Rensselaer	1,626	1,53
Cortland	487	337	Richmond	4,950	4,79
Delaware	218	208	Rockland	1,438	1,29
Dutchess	1,649	1,335	St Lawrence	1,011	87
Erie	3,900	4,106	Saratoga	1,136	86
Essex	416	337	Schenectady	1,039	70
Franklin	430	160	Schoharie	103	7
Fulton	611	482	Schuyler	335	32
Genesee	486	406	Seneca	265	20
Greene	270	204	Steuben	1,032	90
Hamilton	81	3	Suffolk	10,388	9,06
Herkimer	481	394	Sullivan	1,533	80
Jefferson	907	780	Tioga	826	83
Kings	17,988	18,732	Tompkins	529	54
Lewis	117	99	Ulster	957	38
Livingston	760	771	Warren	341	35
Madison	612	497	Washington	295	35
Monroe	7,144	6,996	Wayne	719	78
Montgomery	468	531	Westchester	4,128	4,00
Nassau	11,243	5,793	Wyoming	822	62
New York	14,966	12,345	Yates	328	28

County	Female	Male	Transgender	Nonbinary	Intersex	Other
Albany	48.20%	47.00%	0.20%	0.50%		0.20%
Allegany	48.90%	42.70%	-	-	-	
Bronx	42.80%	28.70%	0.10%	0.10%	7.00%	9.50%
Broome	46.70%	43.00%	0.10%	0.10%	-	0.10%
Cattaraugus	49.70%	43.90%	0.40%	0.40%	-	
Cayuga	49.10%	47.10%	-	0.20%	-	
Chautauqua	45.80%	43.20%	-	0.40%	-	
Chemung	52.40%	43.10%	0.20%	0.10%		
Chenango	49.80%	46.90%	-	-	-	
Clinton	49.80%	44.40%	0.10%	0.20%	-	
Columbia	49.50%	45.00%	-	0.20%	-	0.20%
Cortland	54.90%	43.00%	-	0.30%	-	
Delaware	40.40%	48.10%	-	-	-	
Dutchess	48.80%	48.30%	0.10%	0.20%	-	0.10%
Erie	49.10%	45.60%	0.00%	0.20%	-	
Essex	50.40%	41.80%	-	-	-	
Franklin	51.30%	44.40%	-	-	-	
Fulton	43.40%	49.60%	-	0.20%	0.20%	
Genesee	49.30%	45.30%	-	-	-	
Greene	47.10%	46.10%	0.50%	-	-	
Hamilton	66.70%	33.30%	-	-	-	
Herkimer	48.70%	43.40%	-	-	-	
Jefferson	50.10%	46.40%	-	-	-	
Kings	53.00%	45.30%	0.20%	0.70%	0.00%	0.20%
Lewis	50.50%	42.40%	1.00%	-	-	
Livingston	51.10%	43.10%	0.10%	0.30%	-	
Madison	46.70%	44.10%		0.80%	-	0.40%
Monroe	49.40%	46.70%	0.20%	0.40%	-	0.10%
Montgomery	50.80%	45.00%	-	-	-	
Nassau	_*	_*	_*	_*	_*	_

County	Female	Male	Transgender	Nonbinary	Intersex	Other
Niagara	44.90%	42.60%	0.10%	0.20%	-	-
Oneida	48.40%	46.80%	0.10%	0.20%	-	-
Onondaga	48.50%	45.00%	0.20%	0.20%	-	0.10%
Ontario	50.20%	47.90%	0.20%	0.10%	-	0.10%
Orange	52.70%	41.50%	0.10%	0.30%	-	0.10%
Orleans	55.80%	44.20%	-	-	-	-
Oswego	49.70%	44.70%	0.50%	-	-	-
Otsego	51.60%	40.50%	-	0.30%	-	0.30%
Putnam	50.60%	43.00%	-	0.20%	-	0.20%
Queens	46.60%	39.30%	0.10%	0.30%	0.20%	0.00%
Rensselaer	48.90%	44.50%	0.20%	0.50%	0.10%	-
Richmond	48.70%	44.10%	0.10%	0.20%	-	0.00%
Rockland	48.80%	46.70%	0.10%	0.10%	-	-
St Lawrence	49.90%	45.40%	0.10%	0.30%	-	-
Saratoga	46.80%	43.00%	0.10%		-	0.10%
Schenectady	49.50%	44.20%	0.30%	0.40%	-	-
Schoharie	53.80%	35.90%	1.30%	-	-	-
Schuyler	50.80%	46.20%	-	-	-	-
Seneca	40.90%	48.80%	-	1.00%	-	-
Steuben	48.30%	47.20%	0.10%	0.20%	-	-
Suffolk	47.00%	43.10%	0.10%	0.10%	0.40%	0.10%
Sullivan	46.90%	45.60%	-	0.50%	-	-
Tioga	52.00%	46.30%	0.10%	-	-	0.10%
Tompkins	54.00%	41.10%	0.40%	0.70%	0.20%	0.20%
Ulster	51.20%	36.20%	0.50%	-	-	-
Warren	49.10%	47.40%	0.30%	0.30%	-	-
Washington	52.00%	42.90%	-	-	-	-
Wayne	51.30%	42.40%	-	0.10%	-	-
Westchester	50.60%	44.40%	0.00%	0.20%	-	0.00%
Wyoming	49.50%	47.30%	-	-	-	-
Yates	50.50%	44.30%	0.30%	0.70%	0.70%	-
Total	49.03%	43.34%	0.13%	0.30%	0.36%	0.47%

^{*}Due to scanning anomalies in these locations, 2021 data cannot be reported. The issues with the scanning process have been identified and remedied for 2022 data.

County	Hispanic Origin	County	Hispanic Origin
Albany	4%	Niagara	1%
Allegany	-	Oneida	3%
Bronx	34%	Onondaga	3%
Broome	2%	Ontario	2%
Cattaraugus	1%	Orange	15%
Cayuga	1%	Orleans	2%
Chautauqua	3%	Oswego	3%
Chemung	1%	Otsego	3%
Chenango	1%	Putnam	7%
Clinton	1%	Queens	18%
Columbia	3%	Rensselaer	4%
Cortland	1%	Richmond	14%
Delaware	2%	Rockland	12%
Dutchess	8%	St Lawrence	2%
Erie	3%	Saratoga	2%
Essex	1%	Schenectady	4%
Franklin	1%	Schoharie	3%
Fulton	2%	Schuyler	0%
Genesee	2%	Seneca	3%
Greene	3%	Steuben	2%
Hamilton	-	Suffolk	11%
Herkimer	1%	Sullivan	9%
Jefferson	2%	Tioga	1%
Kings	15%	Tompkins	3%
Lewis	2%	Ulster	5%
Livingston	1%	Warren	3%
Madison	1%	Washington	1%
Monroe	5%	Wayne	2%
Montgomery	5%	Westchester	14%
Nassau	_*	Wyoming	1%
New York	_*	Yates	5%

^{*}Due to scanning anomalies in these locations, 2021 data cannot be reported. The issues with the scanning process have been identified and remedied for 2022 data.

TABLE D: RACE	BY COUNTY ALBANY	TO NEW YORK - 20	021	
County	White	Black	Asian	Other/Mixed
Albany	80%	6%	5%	2%
Allegany	87%	-	-	1%
Bronx	14%	43%	5%	18%
Broome	82%	2%	3%	2%
Cattaraugus	92%	1%	1%	1%
Cayuga	90%	1%	1%	1%
Chautauqua	84%	1%	1%	2%
Chemung	89%	2%	1%	2%
Chenango	91%	1%	1%	1%
Clinton	89%	1%	1%	1%
Columbia	89%	1%	2%	2%
Cortland	92%	1%	-	1%
Delaware	86%	1%	0%	1%
Dutchess	79%	6%	4%	5%
Erie	84%	6%	2%	3%
Essex	82%	0%	0%	1%
Franklin	91%	1%	-	1%
Fulton	89%	1%	1%	1%
Genesee	90%	0%	1%	1%
Greene	89%	3%	1%	2%
Hamilton	100%	-	-	-
Herkimer	92%	-	0%	1%
Jefferson	91%	1%	1%	2%
Kings	35%	28%	16%	10%
Lewis	91%	-	-	2%
Livingston	90%	0%	1%	1%
Madison	88%	1%	1%	1%
Monroe	81%	6%	3%	3%
Montgomery	89%	2%	1%	3%
Nassau	_*	_*	_*	_*
New York	_*	_*	_*	_*

TABLE D: RACE B	Y COUNTY NIAGAR	A TO YATES - 2021		
County	White	Black	Asian	Other/Mixed
Niagara	83%	3%	1%	2%
Oneida	90%	2%	2%	1%
Onondaga	83%	5%	3%	3%
Ontario	91%	1%	1%	1%
Orange	72%	8%	4%	7%
Orleans	95%	2%	-	3%
Oswego	87%	1%	2%	2%
Otsego	85%	1%	2%	3%
Putnam	82%	3%	3%	4%
Queens	27%	15%	29%	14%
Rensselaer	86%	3%	3%	3%
Richmond	62%	6%	14%	8%
Rockland	68%	10%	9%	6%
St Lawrence	89%	1%	1%	2%
Saratoga	84%	1%	2%	1%
Schenectady	80%	5%	5%	5%
Schoharie	88%	-	1%	1%
Schuyler	88%	0%	1%	1%
Seneca	84%	0%	-	1%
Steuben	90%	1%	2%	1%
Suffolk	69%	6%	4%	5%
Sullivan	77%	3%	4%	5%
Tioga	94%	1%	1%	1%
Tompkins	84%	3%	3%	3%
Ulster	79%	3%	1%	4%
Warren	93%	1%	0%	1%
Washington	90%	0%	1%	0%
Wayne	92%	2%	1%	1%
Westchester	66%	11%	8%	7%
Wyoming	95%	0%	0%	1%
Yates	91%	1%	2%	1%
Total	61%	12%	10%	7%

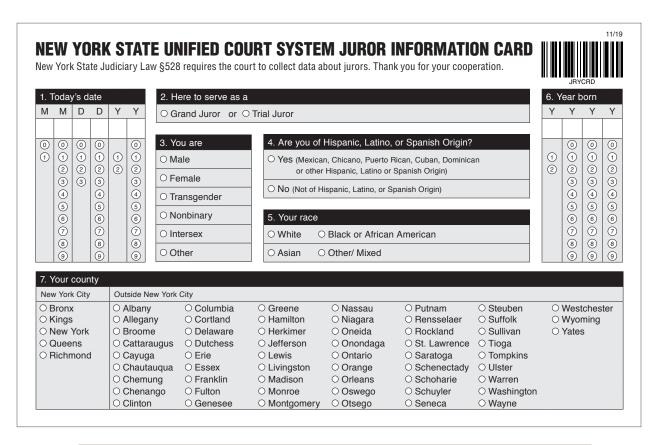
^{*}Due to scanning anomalies in these locations, 2021 data cannot be reported. The issues with the scanning process have been identified and remedied for 2022 data.

County	18-24	25-44	45-64	65-75	75+
Albany	10%	30%	32%	10%	2%
Allegany	3%	25%	37%	13%	2%
Bronx	14%	24%	21%	4%	0%
Broome	9%	27%	34%	12%	3%
Cattaraugus	5%	26%	33%	17%	3%
Cayuga	7%	27%	35%	13%	4%
Chautauqua	9%	25%	32%	15%	2%
Chemung	9%	29%	33%	14%	5%
Chenango	3%	32%	36%	12%	4%
Clinton	3%	24%	36%	15%	3%
Columbia	6%	26%	34%	22%	6%
Cortland	16%	24%	31%	14%	5%
Delaware	6%	17%	28%	16%	5%
Dutchess	7%	24%	41%	13%	4%
Erie	9%	31%	32%	12%	3%
Essex	4%	23%	34%	15%	4%
Franklin	1%	24%	33%	12%	3%
Fulton	7%	21%	36%	14%	4%
Genesee	8%	21%	36%	14%	3%
Greene	6%	20%	41%	19%	5%
Hamilton	-	33%	67%	-	
Herkimer	7%	26%	38%	15%	3%
Jefferson	6%	28%	39%	13%	2%
Kings	16%	42%	30%	9%	1%
Lewis	4%	24%	41%	11%	5%
Livingston	6%	24%	36%	17%	4%
Madison	5%	26%	37%	17%	5%
Monroe	10%	33%	35%	13%	3%
Montgomery	8%	28%	35%	16%	3%
Nassau	3%	8%	9%	3%	1%
New York	8%	38%	35%	13%	2%

County	18-24	25-44	45-64	65-75	75+
Niagara	7%	22%	30%	12%	3%
Oneida	9%	28%	37%	13%	3%
Onondaga	5%	29%	34%	13%	3%
Ontario	8%	26%	38%	16%	4%
Orange	12%	27%	35%	11%	2%
Orleans	8%	24%	46%	16%	3%
Oswego	6%	25%	36%	11%	2%
Otsego	8%	25%	27%	13%	4%
Putnam	8%	20%	40%	13%	3%
Queens	8%	27%	23%	6%	1%
Rensselaer	8%	33%	32%	12%	3%
Richmond	7%	31%	37%	9%	0%
Rockland	9%	28%	37%	12%	3%
St Lawrence	11%	23%	34%	15%	3%
Saratoga	4%	21%	30%	11%	4%
Schenectady	9%	30%	33%	12%	3%
Schoharie	1%	14%	30%	15%	5%
Schuyler	5%	20%	43%	14%	6%
Seneca	4%	25%	31%	17%	5%
Steuben	8%	26%	35%	13%	3%
Suffolk	8%	32%	43%	13%	2%
Sullivan	7%	29%	30%	14%	3%
Tioga	8%	27%	39%	15%	5%
Tompkins	6%	24%	35%	16%	4%
Ulster	5%	25%	30%	12%	2%
Warren	6%	29%	34%	17%	6%
Washington	5%	25%	38%	15%	19/
Wayne	5%	27%	35%	12%	4%
Westchester	8%	25%	38%	13%	2%
Wyoming	7%	28%	38%	18%	49
Yates	10%	29%	27%	15%	8%
Total	9%	30%	32%	11%	2%

APPENDIX A

The data collection card is 5 ½ x 8 ½.



11/19



NEW YORK STATE UNIFIED COURT SYSTEM JUROR INFORMATION CARD

New York State Judiciary Law §528 requires the court to collect data about jurors. Thank you for your cooperation

Please answer all questions on the front of this card.

- Use a dark pencil or blue or black pen.
- Do not use pens with ink that soaks through the paper.
- No stray marks, folding or tearing the card.
- · Make solid marks that fill the circle completely.
- CORRECT MARK

Judiciary Law §528. Collection of demographic data.

The commissioner of jurors shall collect demographic data for jurors who present for jury service, including each juror's race and/or ethnicity, age and sex, and the chief administrator of the courts shall submit the data in an annual report to the governor, the speaker of the assembly, the temporary president of the senate and the chief judge of the court of appeals.