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ARE JURIES REPRESENTATIVE?
AN EXAMINATION OF THE REPRESENTATIVENESS OF JURY PANELS IN
HAMILTON COUNTY TENNESSEE

A Thesis

Presented for the

Master of Science Degree

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Brandy L. Hemmer

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DEDICATION

This thesis is dedicated to my parents, Gerald and Debbie Hemmer, for always believing in me, inspiring me, and encouraging me to aspire toward higher goals and achievements.

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ABSTRACT

Under the United States Constitution, a defendant has the right to a trial by jury composed of his or her peers. The intent is for the chosen jurors to be representative of the defendant's community. This study examined whether the jury panels in State Court in Hamilton County, Tennessee are representative of the community. A sample of 375 citizens who appeared for jury duty were given a questionnaire that measures the same demographic characteristics that appear in the United States 2010 Census. The results show that compared with the Census, the jury panels are not representative of the citizens who live in Hamilton County. Namely, the jury panels consist of a higher percentage of Whites, males, and citizens with higher levels of education and income. Similar results were found in a sample collected nearly a decade ago when compared with the U. S. Census. The findings from the present study indicate that jury panels may not be demographically representative, and therefore, not composed of a fair cross section of the community. This is the first known study to examine the representativeness of juries. The legal implications and suggestions for future research will be discussed.

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CHAPTER I: INTRODUCTION

The right to a jury trial is one of the fundamental principles of the American Justice System. According to a study done by the American Bar Association (ABA), 78% of respondents believed that the jury system is the fairest way to determine guilt or innocence, and 69% think that juries are the most important part of our legal system (American Bar Association, 1999).

The right to a trial by an impartial jury is protected by the Sixth Amendment, as well as, the Due Process and Equal Protection clauses of the Fourteenth Amendment. The Sixth Amendment guarantees the right to “a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed” (U. S. Constitution, Amend. VI). Interestingly, most of the landmark decisions by the U. S. Supreme Court regarding jury composition have been based on the Fourteenth Amendment’s Equal Protection and Due Process clauses:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction of the laws. (U.S. Constitution, Amend. XIV, §1)

The United States Supreme Court has determined that an impartial jury must be from a fair cross section of the community (Taylor v. Louisiana, 1975), and must be unbiased (Frazier v. United States, 1948; U.S. Supreme Court Center, n.d.). If a person is to have a jury composed of a fair cross section of the community, as guaranteed by the law, then citizens must show up for jury duty.

There seems to be a disconnect between believing that the jury system is fundamentally important and being willing to actually serve as a juror because studies show that citizens are often reluctant to show up for jury duty. Nonresponse rates to jury summons have been found to be as high as 20% in state courts and 11% in federal courts (Boatright, 1999; Mize & Connelly, 2004; Maltby, 2003). However, some studies have estimated that nonresponse rates could be as high as 67% in some rural areas (Schneider, 1997; Maltby, 2003). In fact, in some of the more rural jurisdictions, judges have ordered sheriff's deputies to go get jurors from the community, like Wal-Mart (Merrick, 2002; Maltby, 2003). However, in 2007 the National Center for State Courts (NCSC) reported that each year over 31 million people are summoned, but only about 1.5 million (4.8%) are impaneled. The NCSC also reported that the national average nonresponse rate is 8.7% (Mize, Hannaford-Agor, & Waters, 2007). If the jury system is so important to our society, then why do citizens still fail to show up for jury duty?

The extant literature, though small in size, does provide insight for noncompliance to juror summons. The literature has identified several reasons that citizens do not show up for jury duty, and they include the following: (a) citizens are not confident in their ability to serve as a juror (fear of embarrassment), (b) they are inconvenienced, (c) people believe that they would not be selected to serve as a juror, (d) people will be financially burdened, (e) jury service can be uncomfortable, (f) people may believe that the government cannot be trusted, and (g) many citizens do not believe that they will be punished if they do not show up (Seltzer, 1999; Boatright, 1999). Furthermore, the study by Boatright (1999) identified three categories of nonrespondents,

which will be labeled in the present study as the unconfident, the cynical, and the inconvenienced nonrespondent.

The unconfident nonrespondent is generally of lower income and/or education. These nonrespondents are not confident about their ability to serve as a juror, and they believe that if chosen the other jurors and the attorneys will not treat them well. The major issue inhibiting these citizens from showing up for jury duty is fear of embarrassment. Furthermore, these citizens worry about the financial burdens of jury service, like loss of wages and/or childcare costs (Boatright, 1999).

The cynical nonrespondent generally has a higher level of income and/or education. These citizens are confident in their ability to serve, and may be interested in the justice system and in being a juror, but they do not believe they will be selected to serve as a juror. For example, these citizens may feel like lawyers would strike them from the jury panel because of their high level of education. The people in this category are concerned with losing work hours. They are not concerned as much with monetary losses, but with missed meetings, appointments, and other obligations. Therefore, these nonrespondents feel like it would be a waste of time to show up for jury duty (Boatright, 1999).

The inconvenienced nonrespondent is a citizen who has other things to do, but does not think that they have valid reasons for missing jury duty, like a vacation or a doctor's appointment. These citizens may contact the court to try and reschedule their service date or they will just ignore the summons. The people who ignore the summons do not believe that anything will happen to them if they do not show up for jury duty, and often they are correct (Boatright, 1999).

In sum, citizens do not respond to jury duty for a number of reasons, but the three most prominent reasons include, fear of embarrassment, inconvenience, and the belief that they will not be selected to serve. Coupled with low response rates, lax state laws and broad group exemptions also contribute to the limited jury pools (Boatright, 1999; Seltzer, 1999)

Many states have jury duty laws that are unclear and/or not enforced. For example, citizens will not show up for jury duty because they believe that they will not be punished, regardless of the current laws. Additionally, most states have broad categorical exemptions. For example, laws that allow doctors, lawyers, and the elderly to be exempt from jury duty. According to the ABA, *Standards Relating to Juror Use and Management* (1993), “broad categorical exceptions not only reduce the inclusiveness and representativeness of a jury panel, but also place a disproportionate burden on those who are not exempt” (p. 51). Calls for jury reform include laws that lessen the financial burden of responding citizens, provide harsher punishments for no shows, and eliminate categorical exemptions (Borman & Behrens, 2003). Some states, including Arizona and Tennessee, have begun to make such reforms, but most have not.

In Tennessee, a new law was implemented on January 1, 2009 which made several changes to the previous laws to combat low summons response rates and to increase representativeness of juries. According to David Haines, Administrative Office of the Courts General Counsel, the General Assembly of Tennessee wanted to “effectively ‘wipe the slate clean’ and ‘modernize’ the jury selection process, making people more accountable and juries more representative of the population” (as cited in Mercer, 2008, para. 6). The most significant changes to the old law include, (1)

abolishing jury commissions, allowing court clerks to screen jurors, (2) raising the maximum fine for skipping jury duty from \$25 to \$500, and (3) eliminating broad jury service exemptions.

Under the previous law, a person could be excused from jury service based on “undue hardship, health reasons, injury to personal or public interests, being a sole proprietor of a professional practice or for any other reasonable or proper cause as determined by the court.” These broad, ambiguous exemptions have been replaced with fewer, more specific exemptions. For example, previously persons who had limited hearing or vision were automatically excluded from jury duty. However, under the new law, people with disabilities are only exempt if they can prove that they have a mental or physical condition that renders them unfit to serve. Also, under the old law, members of fire companies, National Guard members, podiatrists, and optometrists were all exempt from duty. Under the new law, however, a person is only exempt if they can show that jury service will “constitute an undue or extreme financial or physical hardship to the prospective juror or a person under the prospective juror’s care,” called the hardship determination. Furthermore, unless the person is found to have a permanent hardship, as determined by the court, the person will be eligible for service again within 24 months. In sum, only persons “convicted of a felony or any other infamous crime,” “persons determined to have a mental or physical condition that renders the person unfit,” and those persons who are determined to have a hardship exemption by the court will be exempt from jury duty under the new law (Jurors and Juries, 2008).

In Hamilton County, before the new law was enacted, Hamilton County Jury Clerk, Stormi Rogers, reported that only 150 of the 720 (20.8%) people summoned for

jury duty every two weeks actually showed up for jury service (Mercer, 2008). However, in January 2009, after the implementation of the new bill, about 400 of the 720 (55.6%) citizens summoned responded for jury duty. The response was so large, that the clerk began sending out about 400 summonses at a time (Mercer, 2009a). However, the high response rates seem to have dwindled. In fall 2009, 300 citizens were summoned every two weeks for service, but the clerks were only able to impanel about 70 (23.3%) people, when they needed at least 96. On September 1 and 15, the court reported that over 50 people completely ignored the summonses. Despite the implementation of the new law, the response rates have dwindled back down to the rates in the low 20s. Yet, court personnel showed that Hamilton Co. is serious about enforcing the new law, when in May the officials planned to issue arrest warrants for two people who repeatedly failed to respond to summonses and warning letters. Despite the continued low response rates, Hamilton Co. officials maintain that rates have improved (Mercer, 2009b).

To date, this is the first known study to examine the representativeness of jury panels. The purpose of the present research is to examine whether the current jury pools are representative of the community according to the data collected by the United States Census Bureau. A second purpose is to determine whether the composition of the jury pools have changed with the implementation of the new law using demographic information collected in a previous study. We first hypothesize that the jury pools will not be representative of the county when compared to the U. S. Census. Second, it is hypothesized that the jury pools will have changed with the enactment of the new law. Third, we hypothesize that the jury panels will be biased in the direction of citizens with higher income and education levels, based on the literature which shows that volunteers

tend to be better educated and be from higher levels of socioeconomic status (Rosenthal, 1965).

CHAPTER II: METHOD

Participants

The participants in this study were 375 respondents to jury duty summons in Hamilton County, Tennessee State Court. The age of participants ranged from 20-87 ($M = 48.84$, $SD = 14.20$). The participants were 46.9% female (53.1% male), and were mostly White (83.2%). See Tables A-1 through A-6 for additional demographic information.

Materials

An anonymous seven item demographic survey was given to citizens who appear for jury duty in Hamilton County, Tennessee State Court. These seven items included, age, gender, race/ethnicity, marital status, education, estimated yearly household income, and current occupation (see Appendix B-1 for the survey).

Additional Data Sources

In order to examine any changes in demographic characteristics with the implementation of the new law, demographic characteristics from a related jury study conducted about 10 years ago were used in this study. The data from 2000 were collected from citizens who served as jurors and completed a survey about their understanding of the legal system. Only the demographic data collected in the 2000 study were used in the present study. There were 121 participants in the previously collected data (see Appendix B-2 for the survey). The demographic characteristics collected in this study and the demographics from the previously conducted study were compared to the demographic characteristics collected and reported by the United States

Census Bureau. Results from the 2000 Census and the 2008 American Community Survey by the U.S. Census were used in this study.

Procedure

An anonymous seven item demographic survey was given to citizens who appeared for jury duty, in Hamilton County, Tennessee State Court. The survey was administered at the Hamilton Co. Courthouse to these potential jurors under the supervision of the Honorable Judge W. Neil Thomas, III. The administration of this survey was approved by Judge Thomas, and it was administered during December 2009, and January and February 2010, when he was in charge of jury pool processing.

CHAPTER III: RESULTS

Results of Chi-square analyses show a marked discrepancy between the demographic characteristics between the citizens who appear for jury duty and the Census data (See Tables A-1 – A-7). Specifically, compared to the 2008 Census data, the jury panels have a significantly higher percentage of White/Caucasians (83.2% vs. 74.1%, $\chi^2 (1) = 16.51, p < .01$), and a higher percentage of males (53.1% vs. 46.8%, $\chi^2 (1) = 5.92, p = .015$). Additionally, the participants were older ($\chi^2 (8) = 36.19, p < .01$), had higher levels of income ($\chi^2 (9) = 53.60, p < .01$), higher levels of education ($\chi^2 (6) = 123.17, p < .01$).

Tables A-1 through A-7 also show that most of the aforementioned results were present nearly 10 years ago. Specifically, compared with the 2000 Census, the jury panels in 2000 had significantly more White/Caucasians (83.3% vs. 75.5%), $\chi^2 (1) = 3.98, p = .046$. Additionally, the potential jurors from the previous studies tended to be older ($\chi^2 (8) = 36.75, p < .01$), have higher levels of income ($\chi^2 (7) = 44.43, p < .01$), and higher levels of education ($\chi^2 (4) = 40.87, p < .01$).

Table A-7 shows the Chi-square values of the data collected from 10 years ago and the data collected in the present study. The statistics shown in this table indicate that the present jury pools are composed of citizens who are older, more male, more White/Caucasian, more likely to be married, have higher education levels, and have higher levels of income than 10 years ago. Table A-8 shows the characteristics of the typical juror in 2000 and in 2010. In 2000, the typical juror was a 39-year-old White, female, who was married, with some college, and whose income was about \$55,000 per

year. In 2010, the typical juror is a 50-year-old White, male, who is married, with an associate's degree, and whose income is approximately \$59,000 per year.

CHAPTER IV: DISCUSSION

The results from the present study show that jury panels in Hamilton County, Tennessee are not representative of the community according to the U. S. Census data. Additionally, results from data collected 10 years ago also shows that jury panels were not representative 2000 either. In support of the hypotheses, results showed that jury panels are composed of more Whites, males, and citizens with higher levels of education and income. The results indicate that the jury panels have changed since 2000, but in the direction of being even less representative.

It is clear from these results that the representativeness of juries needs to be examined more thoroughly at both the local and state levels. While these results clearly show that the jury panels are not representative, there are several limitations to this study. First, the sample is only from Hamilton County, Tennessee. The representativeness of juries in other jurisdictions needs to be examined. Second, the data were only collected over a three month time period. There may be differences in people who show up for jury duty in the winter months than in the summer months because of school or other types of jobs or obligations, for example. Third, not every person who showed up for jury duty completed the questionnaire. Some people elected not to complete the questionnaire for personal reasons. For example, some of the older citizens said that they could not read the questionnaire due to declining eyesight, and some said their hands were too weak to write due to arthritis. Other potential jurors refused to complete the questionnaire for unknown reasons. Additionally, due to time constraints that we were given to collect data, some people were not able to complete the questionnaire because they were late for jury duty. Fourth, due to discrepancies between categorical labels from

the 2000 data, some of the demographic groups were combined in the most comprehensive way to match the Census data. Finally, there has been some controversy regarding the accuracy of the 2000 Census and the subsequent American Community Surveys. In the final report to Congress on the 2000 Census, the U.S. Census Monitoring Board reported that the 2000 Census did not include about 6.4 million people (2% of the population). Most of these people who were not included were minorities, young children, and people of low socioeconomic status (U.S. Census Monitoring Board, 2001).

While there are several limitations to this present study, at present, the jury panels in Hamilton County, Tennessee are not representative of the population according to the U. S. Census. Future research should examine the representativeness of the citizens who respond for jury duty at both the local and state levels, and of the people who are summoned for jury duty and the people who actually serve as jurors. Additionally, researchers should continue to examine why citizens do not respond for jury duty because it may lead to findings that could help increase representativeness through legal reform. Finally, the current law states that a fair jury must be composed of a fair cross section of the community and must be unbiased. We propose that the demographic representativeness of the jury be a check on the neutrality of the jury, rather than a separate test of fairness.

LIST OF REFERENCES

- American Bar Association. (1999). *Perceptions of the U.S. Justice System*. Retrieved from <http://www.abanet.org/media/perception/perceptions.pdf>
- American Bar Association. (1993). *Standards relating to juror use and management*. Retrieved from http://www.abanet.org/jd/jurystandards/jurystandards_jd_1993.pdf
- Boatright, R. G. (1999). Why citizens don't respond to jury summonses and what courts can do about it. *Judicature*, 82(4), 156-164. Retrieved from http://vnweb.hwwilsonweb.com.proxy.lib.utc.edu/hww/results/results_single_fulltext.jhtml;hwwilsonid=M20EDS0LLBJ1VQA3DINCF4ADUNGIIV0
- Borman, K. T., & Behrens, M. A. (2003). Preserving the right to a representative jury. *Engage*, 4(1), 117-120. Retrieved from http://www.fed-soc.org/publications/pubID.601/pub_detail.asp
- Frazier v. United States, 335 U.S. 497 (1948).
- Jurors and Juries, TN Code Ann. ch. 1159 (2008), Revises various provisions relating to jury service including removing exemptions for certain people for jury duty.
- Maltby, L. (2003). Jury duty reform: Arizona leads the way. *Legal Backgrounder*, 18(2), 1-4. Retrieved from <http://www.wlf.org/upload/062003LBMaltby.pdf>
- Mercer, M. (2008, December 29). Tennessee: Rules, fines change for jury duty. *Chattanooga Times Free Press*. Retrieved from <http://www.timesfreepress.com/news/2008/dec/29/tennessee-rules-fines-change-jury-duty/>
- Mercer, M. (2009, January 20a). Hamilton County: Jury duty-dodgers get reminder letters. *Chattanooga Times Free Press*. Retrieved from

<http://www.timesfreepress.com/news/2009/jan/07/tennessee-jury-duty-dodging-decline/>

Mercer, M. (2009, September 21b). Jurors: Many called, few show for duty. *Chattanooga Times Free Press*. Retrieved from <http://www.timesfreepress.com/news/2009/sep/21/jurors-many-called-few-show-for-duty/>

Merrick, A. (2002, August 20). When the jury box runs low, deputies head for Wal-Mart. *The Wall Street Journal*. Retrieved from <http://online.wsj.com/article/SB1029790947613016555.html?mod=googlewsj>

Mize, G. E., & Connelly, C. J. (2004). Jury trial innovations: Charting a rising tide. *Court Review*, 41(1), 4-10. Retrieved from <http://digitalcommons.unl.edu/ajacourtreview81>

Mize, G. E., Hannaford-Agor, P., & Waters, N. L. (2007). *The state-of-the-states survey of jury improvement efforts: A compendium report*. Retrieved from the National Center for State Courts website: http://www.ncsconline.org/D_Research/cjs/pdf/SOSCompendiumFinal.pdf

Rosenthal, R. (1965). The volunteer subject. *Human Relations*, 18(4), 389-406.

Schneider, D. (1997). Jury deliberations and the need for jury reform: An outsider's view. *The Judges' Journal*, 36(4), 23-53. Retrieved from <http://www.heinonline.org.proxy.lib.utk.edu:90/HOL/Page?handle=hein.journals/judgej36&id=1&size=2&collection=journals&index=journals/judgej#222>

Seltzer, R. (1999). The vanishing juror: Why are there not enough available jurors? *The Justice System Journal*, 20(3), 204-218.

Taylor v. Louisiana, 419 U.S. 522 (1975).

U. S. Census Monitoring Board. (2001). *U. S. Census monitoring board, presidential members report to Congress*. Retrieved from <http://govinfo.library.unt.edu/cmb/cmbp/downloads/April2001report.pdf>

U. S. Constitution, Amend. VI.

U.S. Constitution, Amend. XIV, §1.

U.S. Supreme Court Center. (n.d.). *Impartial jury*, Retrieved from U.S. Supreme Court Center, Justia website: <http://supreme.justia.com/constitution/amendment-06/07-impartial-jury.html>

APPENDICES

Appendix A: Tables

Table A-1. Age

Age	Previous Study		Present Study	
	Census 2000 ^a %	Jury Pool %	Census 2008 ^b %	Jury Pool %
18 to 19 years	2.8	1.6	1.84	0.0
20 to 24 years	6.8	18.9	6.8	4.9
25 to 34 years	13.6	15.6	12.0	13.9
35 to 44 years	15.5	32.0	13.7	17.5
45 to 54 years	14.8	19.7	15.3	27.3
55 to 59 years	5.3	5.7	7.1	13.1
60 to 64 years	4.3	3.3	5.7	9.8
65 to 74 years	7.4	2.5	7.4	9.6
75 to 84 years	4.8	0.8	5.0	3.3
85 years and over	1.7	0.0	1.9	0.5
Total	307,896 ^c	121 ^d	330,182 ^c	375 ^d

Note. According to the U. S. Census Bureau, there was an 8.1% population change from April 1, 2000 to July 1, 2008.

^a $Mdn_{Age} = 37.4$ and $N_{18 \text{ and over}} = 236,454$ ^b $Mdn_{Age} = 39.5$, and $N_{18 \text{ and over}} = 256,184$ (77.6%) ^c This number represents the total population of Hamilton County, Tennessee.

^d This number represents the total number of participants in the sample.

Table A-2. Gender

Gender	Previous Study		Present Study	
	Census 2000 %	Jury Pool %	Census 2008 %	Jury Pool %
Males	47.8	47.1	48.0	53.1
Females	52.2	52.9	52.0	46.9
Total	307,896 ^a	121 ^b	330,182 ^a	375 ^b

^a This number represents the total population of Hamilton County, Tennessee. ^b This number represents the total number of participants in the sample.

Table A-3. Race/Ethnicity

Race/Ethnicity	Previous Study		Present Study	
	Census 2000 %	Jury Pool %	Census 2008 %	Jury Pool %
White	75.5	83.3	74.1	83.2
Black or African American	20.1	15.8	19.8	13.7
Hispanic or Latino	1.8	^a	2.9	1.3
Asian	1.3	^a	1.5	1.3
Other	1.2	0.8 ^a	1.6	0.5
Total	307,896 ^b	121 ^c	330,182 ^b	375 ^c

^a. The previously collected data collapsed the categories “Hispanic or Latino,” “Asian,” and “Other” into the single category of “Other” (0.8%). ^b. This number represents the total population of Hamilton County, Tennessee. ^c This number represents the total number of participants in the sample.

Table A-4. Marital Status

Marital Status	Previous Study		Present Study	
	Census 2000 %	Jury Pool %	Census 2008 %	Jury Pool %
Never Married	23.8	30.8 ^a	27.4	18.5
Now Married	54.8	62.5	50.6	66.7
Separated	1.8	^a	2.1	1.0
Widowed	7.6	^a	6.7	3.4
Divorced	12.0	6.5	13.1	10.4
Total	248,290 ^b	121 ^c	269,516 ^b	375 ^c

Note. The U.S. Census data reports marital status for citizens 15 years of age and older.

^a. The previously collected data collapsed the categories “Never Married,” “Separated,” and “Widowed” into “Other” (30.8%). ^b. This number is the total population of citizens ages 15 years of age and older according to the U.S. Census. ^c. This number represents the total number of people in the sample.

Table A-5. Highest Level of Education

Education Level	Previous Study		Present Study	
	Census 2000 %	Jury Pool%	Census 2008 %	Jury Pool %
Less than 9 th Grade	6.0	^a	4.6	0.8
9 th to 12 th Grade, no diploma	13.3	6.6	10.4	6.0
High School Graduate or Equivalent	27.2	12.3	29.6	36.1
Some College, no degree	23.5	39.3 ^b	22.8	5.5
Associate's Degree	6.2	^b	6.2	11.4
Bachelor's Degree	15.8	28.7	17.6	25.2
Graduate or Professional Degree	8.0	13.1	8.7	15.1
Total	207,180 ^c	121 ^d	224,812 ^c	375 ^d

Note. The U.S. Census only reports education levels for citizens 25 years of age and older.

^a. The previously collected data did not include a specification for the education level “Less than 9th Grade.” ^b. The previously collected data collapsed “Associate’s Degree” and “Some College, no Degree” into “Some college” (39.3%) ^c. The U.S. Census data represents the total population of people 25 years of age and older. ^d This number represents the number of participants in the sample.

Table A-6. Household Income

Household Income	Previous Study		Present Study	
	Census 2000 ^a %	Jury Pool %	Census 2008 ^b %	Jury Pool %
Less than \$10,000	11.1	4.7	7.6	3.8
\$10,000 to \$14,999	6.5	1.2	6.3	2.5
\$15,000 to \$24,000	14.1	7.0	12.8	6.7
\$25,000 to \$34,999	13.4	11.6	12.6	11.1
\$35,000 to \$49,999	16.9	14	13.8	11.4
\$50,000 to \$74,999	19.4	24.4	18.4	24.1
\$75,000 to \$99,999	8.8	17.4	11.9	14.6
\$100,000 to \$149,999	6.0	19.8	9.5	14.3
\$150,000 to \$199,999	1.8	0.0	3.2	7.0
\$200,000 or more	2.1	0.0	3.9	4.4
Total Number of Households	124,515*	---	133,378**	---

Note. According to the U.S. Census, 13.5% of all people in Hamilton Co. are below poverty level.

^aThe income reported in the U.S. Census 2000 data are incomes from 1999. $Mdn_{Income} = 38,930$ and Per Capita Income = 21,593 ^bThe incomes reported by the U.S. Census is in 2008 inflation adjusted dollars. $Mdn_{Income} = 46,505$, $M_{Income} = 65,302$, and Per Capita Income = 26,896.

Table A-7. Table of Chi-squares of Data from 2000 and 2010

Demographic Characteristic	Previous Study 2000			Present Study 2010		
	<i>df</i>	χ^2	<i>p</i>	<i>df</i>	χ^2	<i>p</i>
Age	8	36.75	.000	8	36.19	.000
Gender	1	0.05	0.946	1	5.95	0.015
Race/Ethnicity	1	3.98	0.046	1	16.51	.000
Marital Status	2	4.35	0.114	4	41.13	.000
Highest Level of Education	4	40.87	.000	6	123.17	.000
Household Income	7	44.43	.000	9	53.6	.000

Table A-8. Characteristics of the Typical Juror

Demographic	2000	2010
Age	35-44 ^a	45-54 ^b
Gender	Female	Male
Race/Ethnicity	White	White
Marital Status	Married	Married
Highest Level of Education	Some College ^c	Associates Degree
Household Income	\$50,000 - \$74,000 ^d	\$50,000 - \$74,000 ^e

^a $Mdn_{Age} = 39$, $M_{Age} = 39.15$, $SD_{Age} = 13.074$ ^b $Mdn_{Age} = 49.5$, $M_{Age} = 48.84$, $SD_{Age} = 14.195$ ^c 2000 data collapsed “Some college” and “Associate’s degree.” ^d $Mdn_{Income} = \$55,000$ ^e $Mdn_{Income} = \$59,000$

Appendix B: Questionnaires and Research Compliance

Appendix B-1. Survey from the Present Study

Please answer the following questions about yourself as honestly and completely as possible. Do not include your name or any other identifying information.

Age: _____

Gender (check one): Female Male

Ethnicity/Race (check one):

- White/Caucasian
- Black/African American
- Latino(a)/Hispanic/Spanish Origin
- Asian/Asian American
- Other, please specify: _____

Marital Status (check one):

- Never Married
- Now Married
- Now Married, but Separated
- Widowed
- Divorced

Educational Background: Please check the highest level of education achieved.

- Less than 9th Grade
- 9th to 12th Grade, no diploma
- High School Graduate, or Equivalent (GED)
- Associate's Degree
- Bachelor's Degree
- Master's Degree, please specify: _____
- Doctoral Degree (check one below):
 - Ph.D. M.D. J.D. Ed.D. Other, please specify:

- Other Graduate Degree or Professional Training, please specify:

- Other Education or Training, please specify: _____

Approximate Household Yearly Income: \$ _____

Current Occupation: _____

**Thank you for completing this demographic survey!
Your time and effort is greatly appreciated!**

Appendix B-2. Survey from the 2000 Data

Your Gender

Male

Female

How old are you? _____

Ethnic Background

White

African American

Asian-American

Mexican-American

Other

What is your highest level of educational achievement?

Some high school

High school graduate

Some college

College graduate

Master's degree

Doctoral Degree

What is your total household income per year: _____

What is your occupation? _____

REMOVED RELIGIOUS AFFILIATION AND DENOMINATION QUESTIONS FOR THIS ANALYSIS.

What is your marital status?

Married

Divorced

Other

Appendix B-3. UTC Institutional Review Board Letter of Approval



Institutional Review Board
Dept. 4905
615 McCallie Avenue
Chattanooga, TN 37403-2598
Phone: (423) 425-4443

MEMORANDUM

TO: Brandy Hemmer
Dr. David Ross **IRB # 09-149**

FROM: Lindsay Pardue, Director of Research Integrity
M. D. Roblyer, IRB Committee Chair

DATE: October 5, 2009

SUBJECT: IRB Application # 09-149: Survey of Demographic Characteristics of Citizens who Appear for Jury Duty in Hamilton County State Court

The IRB Committee Chair has reviewed and approved your application and assigned you the IRB number listed above. You must include the following approval statement on research materials seen by participants and used in research reports:

The Institutional Review Board of the University of Tennessee at Chattanooga (FWA00004149) has approved this research project # 09-149.

Since your project has been deemed exempt, there is no further action needed on this proposal unless there is a significant change in the project that would require a new review. Changes that affect risk to human subjects would necessitate a new application to the IRB committee immediately.

Please remember to contact the IRB Committee immediately and submit a new project proposal for review if significant changes occur in your research design or in any instruments used in conducting the study. You should also contact the IRB Committee immediately if you encounter any adverse effects during your project that pose a risk to your subjects.

For any additional information, please consult our web page <http://www.utc.edu/irb> or email us at: instrb@utc.edu.

Best wishes for a successful research project.

VITA

Brandy Hemmer was born in Scottsboro, AL on September 11, 1985. She attended elementary school in Chattanooga, TN at Boyd-Buchanan, and attended Farragut Middle and High schools in Knoxville, TN. She graduated from Farragut High School in 2004. From there, she went on to the University of Tennessee at Chattanooga, where she received a B.S. in Psychology and a B.S. in Political Science in 2008. She also received her M.S. in Research Psychology in 2010.