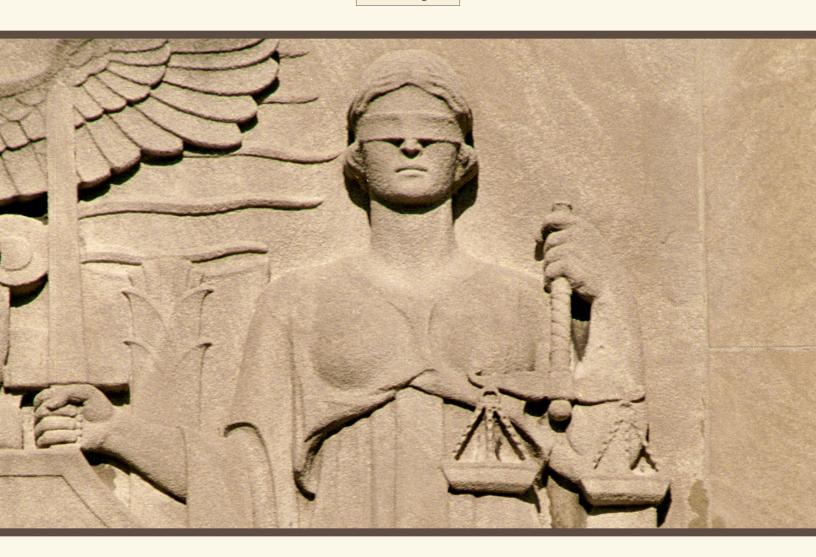


$$13^{\text{th}}$$ annual report Pursuant to Section 528 of the Judiciary Law

2023



JOSEPH A. ZAYAS
CHIEF ADMINISTRATIVE JUDGE OF THE STATE OF NEW YORK



$$13^{\text{th}}$$ annual report Pursuant to Section 528 of the Judiciary Law

2023

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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 2023.

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 2023, there were 359,842 completed cards collected and successfully scanned. During the year, 383,466 jurors appeared for service.

The following pages contain tables showing numbers of jurors served and cards completed in each county in 2023, 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	4,969	4,932	Niagara	2,234	1,879
Allegany	198	201	Oneida	1,824	1,813
Bronx	35,621	33,978	Onondaga	5,347	5,466
Broome	3,155	3,350	Ontario	1,702	1,156
Cattaraugus	782	699	Orange	3,835	3,260
Cayuga	1,392	1,339	Orleans	375	338
Chautauqua	1,545	1,487	Oswego	893	701
Chemung	1,258	1,169	Otsego	580	592
Chenango	199	265	Putnam	1,104	1,120
Clinton	2,562	2,342	Queens	61,957	62,997
Columbia	1,740	2,218	Rensselaer	2,545	2,835
Cortland	980	875	Richmond	11,179	11,135
Delaware	242	253	Rockland	2,270	2,176
Dutchess	3,359	3,197	St Lawrence	1,806	1,756
Erie	8,338	8,816	Saratoga	983	850
Essex	533	532	Schenectady	2,852	2,77
Franklin	515	513	Schoharie	866	70
Fulton	451	463	Schuyler	303	278
Genesee	868	735	Seneca	897	88
Greene	617	723	Steuben	1,117	1,238
Hamilton	110	111	Suffolk	27,527	20,054
Herkimer	501	456	Sullivan	1,435	1,47
Jefferson	764	713	Tioga	350	32
Kings	47,260	46,936	Tompkins	798	87
Lewis	512	687	Ulster	2,612	1,558
Livingston	1,295	1,129	Warren	607	60
Madison	765	742	Washington	893	858
Monroe	18,591	18,473	Wayne	1,127	1,19
Montgomery	801	775	Westchester	10,723	10,46
Nassau	30,562	21,951	Wyoming	501	49
New York	61,476	57,737	Yates	263	19
			Total	383,466	359,842

TABLE B: GENDER BY COUNTY ALBANY TO NEW YORK - 2023										
County	Female	Male	Transgender	Nonbinary	Intersex	Other				
Albany	48.9%	43.4%	0.2%	0.4%	0.0%	0.1%				
Allegany	48.3%	45.3%	0.0%	0.0%	0.0%	0.0%				
Bronx	54.2%	41.8%	0.1%	0.4%	0.0%	0.1%				
Broome	47.1%	44.7%	0.1%	0.4%	0.0%	0.1%				
Cattaraugus	44.3%	47.1%	0.0%	0.1%	0.0%	0.0%				
Cayuga	51.5%	43.7%	0.1%	0.1%	0.0%	0.1%				
Chautauqua	47.3%	42.0%	0.1%	0.1%	0.0%	0.1%				
Chemung	51.8%	42.0%	0.1%	0.4%	0.0%	0.1%				
Chenango	47.5%	41.9%	0.0%	0.4%	0.0%	0.0%				
Clinton	45.8%	40.9%	0.1%	0.1%	0.0%	0.0%				
Columbia	50.4%	44.3%	0.2%	0.4%	0.0%	0.1%				
Cortland	50.4%	42.4%	0.0%	0.2%	0.0%	0.1%				
Delaware	41.9%	47.0%	0.4%	0.0%	0.0%	0.0%				
Dutchess	46.2%	46.4%	0.1%	0.3%	0.0%	0.0%				
Erie	48.0%	46.8%	0.1%	0.3%	0.0%	0.1%				
Essex	43.4%	47.6%	0.2%	0.0%	0.0%	0.0%				
Franklin	43.9%	44.1%	0.2%	0.0%	0.0%	0.0%				
Fulton	51.8%	46.0%	0.2%	0.4%	0.0%	0.0%				
Genesee	47.8%	44.6%	0.1%	0.3%	0.0%	0.3%				
Greene	47.3%	46.7%	0.3%	0.0%	0.0%	0.0%				
Hamilton	53.2%	44.1%	0.0%	0.9%	0.0%	0.0%				
Herkimer	47.8%	38.8%	0.0%	0.2%	0.0%	0.0%				
Jefferson	49.6%	42.1%	0.4%	0.0%	0.0%	0.1%				
Kings	54.4%	43.7%	0.3%	0.8%	0.0%	0.2%				
Lewis	48.6%	46.6%	0.0%	0.1%	0.0%	0.0%				
Livingston	49.1%	44.8%	0.1%	0.1%	0.0%	0.1%				
Madison	49.2%	46.0%	0.3%	0.1%	0.0%	0.3%				
Monroe	51.3%	46.8%	0.2%	0.5%	0.0%	0.1%				
Montgomery	52.4%	44.1%	0.4%	0.1%	0.0%	0.1%				
Nassau	47.3%	40.4%	1.5%	0.4%	0.1%	0.2%				
New York	49.0%	43.5%	0.4%	1.0%	0.0%	0.1%				

County	Female	Male	Transgender	Nonbinary	Intersex	Other
Niagara	45.7%	44.0%	0.1%	0.2%	0.0%	0.1%
Oneida	50.4%	48.7%	0.2%	0.4%	0.0%	0.0%
Onondaga	46.7%	45.3%	0.1%	0.2%	0.0%	0.1%
Ontario	53.0%	45.1%	0.2%	0.1%	0.0%	0.1%
Orange	48.7%	43.9%	0.1%	0.3%	0.0%	0.1%
Orleans	51.8%	47.0%	0.0%	0.3%	0.0%	0.0%
Oswego	44.8%	46.8%	0.3%	0.0%	0.0%	0.0%
Otsego	46.5%	46.1%	0.0%	0.2%	0.0%	0.0%
Putnam	49.4%	44.0%	0.0%	0.1%	0.0%	0.0%
Queens	48.9%	42.7%	0.1%	0.3%	0.1%	0.1%
Rensselaer	45.0%	41.0%	0.4%	0.4%	0.0%	0.1%
Richmond	47.7%	44.1%	0.1%	0.2%	0.0%	0.1%
Rockland	50.0%	48.9%	0.1%	0.1%	0.0%	0.1%
St Lawrence	48.3%	40.8%	0.1%	0.2%	0.0%	0.1%
Saratoga	44.0%	48.4%	0.2%	0.2%	0.0%	0.0%
Schenectady	48.5%	46.6%	0.2%	0.5%	0.0%	0.0%
Schoharie	48.8%	43.7%	0.0%	0.1%	0.0%	0.0%
Schuyler	54.3%	40.3%	0.0%	0.7%	0.0%	0.0%
Seneca	45.3%	45.5%	0.1%	0.1%	0.0%	0.0%
Steuben	48.6%	46.5%	0.1%	0.0%	0.0%	0.2%
Suffolk	47.7%	45.7%	0.5%	0.4%	0.1%	0.1%
Sullivan	48.7%	45.0%	0.1%	0.1%	0.0%	0.1%
Tioga	50.8%	45.3%	0.0%	0.6%	0.0%	0.0%
Tompkins	48.5%	43.7%	0.1%	1.5%	0.0%	0.0%
Ulster	45.3%	47.4%	0.3%	0.7%	0.0%	0.1%
Warren	52.9%	45.4%	0.0%	0.3%	0.0%	0.0%
Washington	50.5%	48.8%	0.0%	0.0%	0.0%	0.0%
Wayne	47.2%	45.2%	0.1%	0.3%	0.0%	0.0%
Westchester	50.8%	45.2%	0.1%	0.2%	0.0%	0.1%
Wyoming	49.7%	49.3%	0.0%	0.0%	0.0%	0.2%
Yates	48.2%	47.2%	0.5%	0.0%	0.0%	0.0%
Total	49.9%	43.7%	0.3%	0.5%	0.0%	0.1%

County	Hispanic Origin	County	Hispanic Origin
Albany	4%	Niagara	2%
Allegany	0%	Oneida	3%
Bronx	49%	Onondaga	3%
Broome	3%	Ontario	3%
Cattaraugus	1%	Orange	17%
Cayuga	1%	Orleans	3%
Chautauqua	2%	Oswego	2%
Chemung	2%	Otsego	2%
Chenango	1%	Putnam	15%
Clinton	2%	Queens	19%
Columbia	3%	Rensselaer	4%
Cortland	1%	Richmond	15%
Delaware	2%	Rockland	14%
Dutchess	9%	St Lawrence	1%
Erie	4%	Saratoga	2%
Essex	2%	Schenectady	5%
Franklin	1%	Schoharie	2%
Fulton	3%	Schuyler	1%
Genesee	2%	Seneca	1%
Greene	3%	Steuben	2%
Hamilton	0%	Suffolk	14%
Herkimer	3%	Sullivan	11%
Jefferson	2%	Tioga	1%
Kings	16%	Tompkins	3%
Lewis	5%	Ulster	6%
Livingston	1%	Warren	3%
Madison	3%	Washington	2%
Monroe	6%	Wayne	2%
Montgomery	5%	Westchester	17%
Nassau	17%	Wyoming	1%
New York	19%	Yates	3%
		Total	17%

TABLE D: RACE E	BY COUNTY ALBANY	TO NEW YORK - 20)23	
County	White	Black	Asian	Other/Mixed
Albany	79%	8%	5%	2%
Allegany	93%	0%	1%	1%
Bronx	15%	38%	6%	26%
Broome	83%	4%	3%	3%
Cattaraugus	90%	1%	1%	2%
Cayuga	93%	1%	0%	1%
Chautauqua	89%	2%	0%	2%
Chemung	92%	2%	1%	2%
Chenango	92%	0%	0%	1%
Clinton	85%	1%	1%	1%
Columbia	89%	1%	2%	2%
Cortland	91%	1%	0%	2%
Delaware	90%	1%	0%	2%
Dutchess	78%	7%	4%	6%
Erie	84%	7%	3%	3%
Essex	87%	1%	1%	2%
Franklin	86%	1%	0%	2%
Fulton	94%	0%	0%	3%
Genesee	91%	1%	0%	2%
Greene	91%	1%	1%	3%
Hamilton	95%	0%	0%	2%
Herkimer	88%	1%	1%	2%
Jefferson	88%	2%	1%	3%
Kings	38%	32%	14%	12%
Lewis	75%	13%	4%	3%
Livingston	91%	0%	0%	1%
Madison	92%	1%	1%	2%
Monroe	84%	7%	3%	4%
Montgomery	93%	1%	1%	3%
Nassau	54%	14%	12%	8%
New York	57%	12%	11%	11%

County	White	Black	Asian	Other/Mixed
Niagara	86%	3%	1%	3%
Oneida	94%	2%	1%	2%
Onondaga	82%	5%	2%	3%
Ontario	92%	1%	1%	3%
Orange	69%	11%	3%	8%
Orleans	94%	3%	0%	2%
Oswego	92%	1%	0%	1%
Otsego	89%	1%	1%	1%
Putnam	79%	5%	3%	7%
Queens	28%	15%	30%	16%
Rensselaer	81%	5%	2%	3%
Richmond	60%	7%	16%	8%
Rockland	67%	11%	10%	9%
St Lawrence	90%	1%	1%	1%
Saratoga	90%	1%	2%	2%
Schenectady	80%	5%	5%	7%
Schoharie	90%	0%	1%	2%
Schuyler	91%	0%	0%	1%
Seneca	90%	0%	1%	1%
Steuben	92%	1%	1%	2%
Suffolk	74%	7%	4%	7%
Sullivan	79%	4%	2%	6%
Tioga	93%	1%	2%	2%
Tompkins	81%	2%	3%	3%
Ulster	85%	3%	2%	4%
Warren	93%	1%	0%	2%
Washington	96%	0%	1%	1%
Wayne	90%	1%	0%	2%
Westchester	66%	12%	7%	10%
Wyoming	96%	0%	0%	2%
Yates	97%	0%	0%	19
Total	54%	15%	12%	11%

TABLE E: AGE	BY COUNTY ALE	BANY TO NEW Y	ORK - 2023		
County	18-24	25-44	45-64	65-75	75 +
Albany	9%	33%	33%	15%	3%
Allegany	0%	22%	34%	17%	7%
Bronx	10%	30%	25%	6%	1%
Broome	8%	28%	32%	15%	7%
Cattaraugus	5%	28%	36%	13%	7%
Cayuga	6%	27%	31%	16%	9%
Chautauqua	8%	30%	38%	19%	2%
Chemung	10%	31%	31%	16%	7%
Chenango	2%	24%	38%	19%	10%
Clinton	6%	25%	31%	13%	5%
Columbia	6%	23%	32%	24%	11%
Cortland	5%	24%	34%	15%	5%
Delaware	4%	22%	29%	19%	14%
Dutchess	7%	27%	39%	19%	6%
Erie	9%	34%	33%	15%	4%
Essex	6%	22%	32%	16%	6%
Franklin	5%	31%	34%	19%	5%
Fulton	8%	30%	35%	18%	8%
Genesee	7%	25%	33%	17%	8%
Greene	5%	25%	37%	19%	9%
Hamilton	0%	21%	31%	25%	13%
Herkimer	4%	31%	32%	18%	7%
Jefferson	7%	31%	29%	14%	4%
Kings	11%	46%	30%	9%	2%
Lewis	2%	29%	32%	19%	8%
Livingston	5%	26%	33%	16%	9%
Madison	8%	31%	33%	16%	8%
Monroe	11%	32%	34%	16%	5%
Montgomery	6%	25%	38%	21%	7%
Nassau	5%	27%	30%	11%	4%
New York	6%	42%	34%	13%	4%

County	18-24	25-44	45-64	65-75	75+
Niagara	8%	28%	28%	14%	6%
Oneida	9%	33%	34%	18%	5%
Onondaga	6%	31%	32%	14%	5%
Ontario	8%	26%	35%	17%	8%
Orange	8%	25%	38%	12%	3%
Orleans	9%	29%	34%	19%	8%
Oswego	6%	26%	34%	14%	5%
Otsego	5%	25%	32%	15%	9%
Putnam	7%	29%	36%	14%	4%
Queens	9%	35%	29%	9%	2%
Rensselaer	8%	33%	29%	12%	5%
Richmond	8%	31%	32%	10%	2%
Rockland	7%	33%	41%	15%	3%
St Lawrence	9%	29%	37%	19%	4%
Saratoga	4%	25%	36%	18%	6%
Schenectady	9%	32%	35%	17%	5%
Schoharie	6%	26%	30%	15%	9%
Schuyler	3%	26%	30%	16%	129
Seneca	6%	30%	34%	17%	7%
Steuben	8%	27%	32%	14%	6%
Suffolk	7%	34%	39%	16%	2%
Sullivan	5%	26%	32%	16%	6%
Tioga	7%	30%	35%	16%	6%
Tompkins	4%	25%	30%	16%	7%
Ulster	7%	28%	33%	15%	6%
Warren	5%	28%	35%	21%	8%
Washington	5%	28%	37%	20%	7%
Wayne	5%	27%	35%	15%	7%
Westchester	7%	27%	39%	15%	4%
Wyoming	5%	28%	43%	17%	6%
Yates	7%	27%	22%	20%	7%
Total	8%	35%	32%	12%	3%

APPENDIX A

The data collection card is 5 ½ x 8 ½.

1. T	oday M	/'s da	ate D	Υ	Υ		ere to serve as a					6. Y	ear b Y	orn	Υ
						O di	and suror or c	_ mai suroi							
0	0	0	0		0	3. Yo	u are	4. Are you of	Hispanic, Latino,	or Spanish Origin?			0	0	0
1	1	1	1 2	① ① ① O Male ② ② Yes (Mexican, Chicano, Puerto Rican, Cuban, Dominican or other Hispanic, Latino or Spanish Origin)								1	1	1	1
	3	2	3	(2)	3	O Fe	male	or other	Hispanic, Latino or	Spanish Origin)		2	3	2	(2)
	4	9	4		4	○ Tr	nagandar	O No (Not of Hi	spanic, Latino, or Sp	oanish Origin)			4	4	4
	(5)		(5)		5		ansgender						5	5	(5
	6		6		6	O No	onbinary	5. Your race					6	6	6
	7		7		7	O Int	ersex	O White O	Black or African	American			7	7	9
	8		8		8	O Ot	her	O Asian O	Other/ Mixed				8	8	(8)
7. Y	our '	coun	tv												
		c City		Out	side Ne	w York	City								
	Bron	-			lbany		O Columbia	O Greene	O Nassau	O Putnam	O Steuben	_		tches	ter
	(ings				llegan	•	O Cortland	O Hamilton	O Niagara	O Rensselaer	O Suffolk		Wyo	_	
	onee Juee	York			Broome		O Delaware O Dutchess	O Herkimer O Jefferson	Oneida	RocklandSt. Lawrence	O Sullivan	0	Yate	S	
		ns nond			Cattara Cayuga	-	O Erie	O Lewis	○ Onondaga○ Ontario	O Saratoga	○ Tioga○ Tompkins				
<i>-</i>	110111	nonu			Chauta		O Essex	O Livingston	O Orange	O Schenectady					
					Chemu		○ Franklin	O Madison	O Orleans	O Schoharie	O Warren				
					Chenar	5	O Fulton	O Monroe	O Oswego	O Schuyler	O Washington				
					Clinton	-	O Genesee	O Montgomery	Otsego	O Seneca	O Wayne				

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.
- $\boldsymbol{\cdot}$ 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.