

IOWA-NEBRASKA NAACP TRAINING



Understanding the Jury Data for Your Local District Court and How You Can Utilize It to Advocate for Juries that Are Truly as Diverse as Your Community

Monday, March 20, 2023

7 – 8:30 PM Via Zoom

Presented by Russell Lovell, Iowa-Nebraska NAACP State Area & Des Moines Branch Co-Chair

Register Here: <https://us02web.zoom.us/meeting/register/tZcrceCupjgoEtKy7HZ0dCFLfaPWsIRHaURA>

NAACP Training so local NAACP Branches can be knowledgeable and can determine whether its local District Court juries truly reflect the racial composition of the community and, if not, can also identify the stage of the process that is causing underrepresentation of African Americans. Armed with the data and data analysis, local branches will be able to approach their local District Court administrator and Jury Manager to discuss the data and steps that can be taken to improve diversity on its juries.

The training would involve explanation of the entire Iowa jury selection process, with special focus on the jury pool and jury panel stages that are the special focus of the fair-cross section cases of the U.S. Supreme Court and the Iowa Supreme Court. Participants will learn how to read the spread sheets of 2022 Iowa Jury data (attached) and how to calculate the percentage of “African American alone” jurors at the jury pool and jury panel stages. Participants will learn how to read the jury empanelment data (attached and OSCA definitions) as it is relevant to the U.S. Supreme Court’s Batson prohibition on racially discriminatory peremptory challenges that occur immediately before seating the 12-person jury in criminal cases (and the 8-person jury in civil cases).

The African American percentage of each County’s jury pool and jury panel would then be compared with the African American percentage of the Census jury-eligible population. See Charts that Russ Lovell prepared for the November 2021-April 2022 time frame. Russ will be preparing similar Charts based on the Calendar Year 2022 jury data.

The State Data Center webpage provides the necessary information to easily make this comparison for each of Iowa’s 99 Counties. <https://www.iowadatacenter.org/index.php/data-by-source/american-community-survey/nativity-and-citizenship-status-race-and-ethnicity>. You are encouraged to check this website out in advance. It is very User Friendly and its drop-down menu feature allows you to check out the jury-eligible population (persons age 18 and older AND U.S. Citizens) for all 99 Counties in Iowa. This data is also directly relevant to the NAACP’s voter participation efforts. Russ believes that just a little familiarity with this webpage will make participants feel confident about using this advocacy tool. It was the Iowa-Nebraska’s idea and advocacy that brought about the creation of this web page and its annual updating.

Finally, participants will understand the standard deviation analysis (binomial distribution) and learn how to do it on Excel. Standard deviation analysis enables determination as to whether the underrepresentation of African Americans at the jury pool and jury panel stages of each of the largest urban counties (with the largest African American populations), when compared to the jury-eligible population of the county, is statistically significant, as required by the Iowa Supreme Court decision in State v. Lilly.

WORKSHOP PREVIEW DOCUMENT:

Iowa Office of State Court Administration Juror Data, Calendar Year 2022 (January – December)

Distinctive Group: Persons who checked “Black/African American” box on Iowa Judicial Branch Juror Questionnaire

Statistical Comparison based on “Black/African American alone” Census jury-eligible population (Persons 18 years of age and older who are U.S. Citizens) as reported on State Data Center web page (B%-JE column):

County	B%-JE	B% Jury Pool	B% Jury Panel	B% Trial Jurors	Panel Stat. Signif.
Black Hawk	7.9%	10.4% (1768/17016)	7.2% (288/4027)	7.2% (46/638)	.04 <.16
Des Moines	4.6%	4.4% (158/3570)	4.1% (29/712)	7.7% (19/248)	.29 >.16
Dubuque	2.5%	2.4% (208/8665)	1.1% (14/1264)	0% (0/314)	.0003 <.16
Johnson	4.4%	6.6% (421/6370)	5.6% (35/621)	6.4% (9/141)	.94 >.16
Linn	4.0%	5.5% (644/11787)	3.6% (83/2326)	4.0% (20/496)	.156 =.16
Polk	5.5%	6.3% (1145/18221)	4.5% (146/3274)	6.0% (37/617)	.004 < .16
Scott	6.3%	7.6% (1655/21809)	4.0% (189/4701)	4.9% (40/821)	4.52E-12 < .16
Woodbury	3.0%	2.6% (280/10666)	2.0% (19/949)	2.3% (4/179)	.04 <.16

1. Trial Jurors: 4 Counties had trial juries that were fully representative: Des Moines, Johnson, Linn, and Polk. Scott and Dubuque Counties are particularly problematic. In Scott one would have expected approximately 52 Black jurors out of 821; there were only 40. In Dubuque one would have expected approximately 8 Black jurors out of 314; there were none.
2. Jury Pools. In 5 Counties the Black % of the Jury Pool juror exceeded the Black % of the jury-eligible population: Black Hawk, Johnson, Linn, Polk, and Scott counties. In 3 counties the Black % of the jury pool was only slightly below the B%-JE population: Des Moines, Dubuque, and Woodbury; in 1 of these 3 counties, Des Moines County, the Black % of the trial jurors still exceeded the B%-JE population.
3. Jury Panels. Only in Johnson County did the Black% of the jury panel exceed the B% of the jury-eligible population. However, 3 counties whose Black % of the Jury Panel was less than their Black %-JE still had juries that were fully representative: Des Moines, Linn, and Polk.

Of the remaining 4 counties whose Jury Panels showed Blacks were underrepresented, the underrepresentation was statistically significant at the 1 standard deviation level in Black Hawk, Dubuque, Scott, and Woodbury. The underrepresentation was statistically significant at the 2 standard deviation level in Dubuque and Scott.