

## End Jury Disenfranchisement in New York



Jury service is a cornerstone of our system of self-government and, along with voting, represents Americans' most significant opportunity to participate in the democratic process.

Yet New York law permanently disqualifies people convicted of felonies from serving on a jury, no matter the offense or how long ago it occurred. As we all know, structural racism and class bias operate in ways that disproportionately convict Black, brown and working-class people. As a result, Black and Brown New Yorkers are overrepresented among the population with felony convictions and underrepresented in jury pools across the state.

New York should repeal this lifetime categorical ban that prevents people accused of crimes from being judged by a jury of their peers.

**The exclusion of people with felony convictions from jury service undermines our civic society by skewing the jury pool, particularly in communities that have been devastated by over policing and racist sentencing. This harms our democracy and erodes public confidence in the fairness of the jury system by preventing people accused of crimes from judgement by a jury of their peers.**

- **New York remains trapped in a vicious cycle:** The underrepresentation of Black and Latinx people on juries contributes to the overrepresentation of Black and Latinx people among the population with felony convictions, which in turn drives their further underrepresentation in the jury pool.
  - **New York is out of step with our peers.** 21 states and the District of Columbia either never exclude people with felony convictions from jury service or provide for automatic restoration of eligibility after a set time.
  - **Jury disenfranchisement serves no legitimate purpose.** As a class, people with felony convictions are as capable of serving as jurors as any other group of citizens.
  - **Jury disenfranchisement is unnecessary.** The law already provides for individualized screening of prospective jurors in civil and criminal trials and on grand juries
- 
- **For many people convicted of felonies, civic engagement—including through political participation such as voting and jury service—is a critical means to facilitate sustainable reintegration back into society.** The restoration of civil rights also enhances public safety and community stability, as research shows that people whose civil rights have been restored are substantially less likely to reoffend.

## End Jury Disenfranchisement in New York

**New York should pass the Jury of Our Peers Act, S.206A (Cleare) /A.1432A (Aubry)**



The Act will repeal New York’s lifetime categorical ban and postpone the service of anyone currently incarcerated until they complete their term of imprisonment.

In 2021, New York passed legislation to restore the right to vote to people with felony convictions automatically upon release from prison. The State Legislature recognized that “facilitating reentrance in the voting process should be an essential component of rehabilitation and reintegration.” It’s also another step towards strengthening democracy, in line with reforms like the Enhancing Electoral Education Legislation that was signed by the Governor in 2023. The same is true of jury service.

Restoring the right of people with felony convictions to serve on juries is the right thing to do and it is an imperative to instilling racial justice within our courts.

The premise of a “jury of our peers” can only be actualized when all people are represented on juries. Statutory exclusion that undermines the representation of any community in our courts should not be tolerated - the law must be reformed.

## SUPPORTING ORGANIZATIONS

