Cultural Bias In the Jury Selection Process

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Research Problem

• The message society is currently receiving is "only one race gets to control who is being put away and who is being let off."
• This is in what is supposed to be a post-racial society (relating to a period or society in which racial prejudice and discrimination no longer exists. 
• There is a disproportionately low number of minorities serving on both the jury and grand juries of America.
• Our group has researched cultural biases that are evident in the jury selection process.

Goals

• To bring awareness of the issue of cultural biases in the jury selection process
• To allow citizens to become educated as to cultural biases and take action to ensure they are not turned away from serving on a jury
• To prevent cultural bias in jury selection

Research Question

How is cultural bias evident in the jury selection process?

Findings

• Attorneys choose which jurors serve on a jury. They're allowed a limited number of peremptory challenges (meaning that they can choose not to pick a certain juror without giving a reason). This is where one's cultural biases come into play.
• Bryan Stevenson argues that while the Batson v. Kentucky case outlawed that jurors can be excluded based on race, there still continues to be a problem of racial bias in the jury selection process.
• Cultural bias in the jury selection process has been a problem since the 1800s. Although there is a clear problem of racism, there have been countless accusations that it is being caused due to the prohibition or that it's state law.
• The following statistics represent the Travis County District:
  ❖ Whites made up about 62 percent of grand juries, while the county's non-Hispanic white population is about 51 percent.
  ❖ African Americans, who make up about 9 percent of the county population, accounted for 18 percent of the grand juries.
  ❖ Hispanics made up 16 percent of all grand juries, while the county population is about 34 percent Hispanic.

Methodology

• Scholarly Articles
• Statistics

Solutions

• Judges and court staff should seek out information on implicit bias by attending bias training sessions.
• Implicit bias training sessions will help judges and biased court staff understand what is prejudicial.
• There should be evaluation of the effects of the everyday decisions and behaviors of the staff that select juries.

Bibliography