STATEWIDE JUROR SUMMONS DEMOGRAPHIC SURVEY PROJECT

AN ANALYSIS OF SELECTED COUNTY DATA

2022 INTERIM REPORT

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Peter A. Collins, Ph.D.,[1] Seattle University

Brooke Gialopsos, Ph.D., Seattle University

Bailey Tanaka, M.A. Candidate, Seattle University

[1] Corresponding Authors: Peter A. Collins, Ph.D., Associate Professor, Department of Criminal Justice, Criminology & Forensics, Seattle University, 901 12th Avenue Post Office Box 222000, Seattle, Washington 98122-1090, Phone: 206-296-5474, Email: collinsp@seattleu.edu. Brooke Gialopsos, Ph.D. Assistant Professor, Department of Criminal Justice, Criminology & Forensics, Seattle University, 901 12th Avenue Post Office Box 222000, Seattle, Washington 98122-1090, Phone: 206-296-5478, Email: bgialopsos@seattleu.edu.

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EXECUTIVE SUMMARY

During the 2020-2021 Legislative Session, legislators passed ESSB 5092, Section 115, Section 3, which required the Washington Administrative Office of the Courts to provide: "all courts with an electronic demographic survey for jurors who begin a jury term." The aim was to collect data on each juror's race, ethnicity, age, sex, employment status, educational attainment, and income, as well as any other data approved by order of the Chief Justice of the Washington State Supreme Court. The central question is whether summoned jurors are representative of the counties from which they are selected. The makeup and representativeness of jury summons respondents and eventually impaneled juries pertains to the trial provisions of the Sixth Amendment and to the perceived legitimacy and fairness of and confidence in our courts.

While there have been prior versions of this survey over the last six years, this is the largest and most comprehensive research effort to date. Although there is ongoing data collection across the state of Washington, this interim report only presents findings from analysis of data from the electronic juror surveys in Clark, King, Pierce, and Spokane Counties' Superior Courts.

This Executive Summary provides highlights drawn from the two data analysis sections of this report. Data were collected electronically, over a roughly 9-month period in 2022. Each county had a different start and interim-end date for data collection, as the survey was embedded in each county's online juror registration webpage, requiring a tailored onboarding process. All data represent only those people who responded to their summons by registering for jury duty online *and* who also opted into the survey. Therefore, it does not include those who: did not receive their summons in the mail, ignored their summons, declined to participate in the survey, and/or responded to their summons through different modalities, such as in-person, over the telephone, or via postal mail.

The **first section** covers key findings from across all four counties. Descriptive analyses are included for each of the survey questions. For all race and ethnicity questions, U.S. Census Citizen Voting Age Population (CVAP) data from the American Community Survey are used as baseline comparison figures. Additional federal, state, and private sources of data are used as baseline comparisons for additional demographic measures.

The **second section** provides more detailed findings for Pierce County alone, as they were able to track juror progress from summons through seating, as well as completion of a trial or jury service term. In summary, there are four unique stages of analysis for Pierce County: Stage 1) online check-in; Stage 2) those who report in person to the courthouse; Stage 3) those are selected for *voir dire* (jury selection process); and Stage 4) those who are assigned to a case as a sworn or alternate juror. Because Pierce County has this technical capability, we can observe changes, for example, in the proportion of Black or White jurors through all the stages described above.

Highlights for All Counties

- Black, American Indian, and Alaskan Native survey respondents are underrepresented amongst those reporting to jury summons. For example, in King, Pierce, and Spokane counties, Black respondents were underrepresented by approximately 46% relative to the population.

- On average, jurors reporting for jury service have annual household incomes above the median income in their respective counties.

- Jurors reporting for jury service hold higher levels of education, on average, than the general populations within their respective counties.

- A majority of survey respondents (64% on average) indicated experiencing a conflict or hardship that worked as a barrier to participating in jury service.

    - Work and dependent care related conflicts or hardships were the most commonly selected categories.

    - Women were substantially more likely to report dependent care barriers with respect to children, aging family members, and other dependent care needs.

- Considering the interactions between race/ethnicity, gender, and income, for all counties, as income categories increase from lowest to highest, the proportion of White survey respondents increases.

- Overall, trends in racial representation are similar when comparing prior survey efforts in Washington State. For example, King County's Black only ratio was the same in 2017 as in 2022.

- We did not study the effect of remote video conferencing-based juror participation versus in-person juror participation on representation. Therefore, we are unable to determine whether the implementation of remote juror participation during the pandemic had an effect on juror demographics.

- Multi-race categories continue to grow nationally and locally, and this trend is well documented. While mixed-race and two-or-more race categories are overrepresented, that does not account for the underrepresentation observed in the single-race categories.

Highlights for Pierce County

- Black survey respondents are underrepresented at every stage. Notably, however, Black jurors were more represented at stage 4 than at stage 1.

- Considering the interactions between race/ethnicity, gender, and income, findings for Pierce County indicate that:

    - As income categories increase from lowest to highest, the proportion of White survey respondents increases.

    - In terms of gender, women were overrepresented at stage 1, however men were overrepresented at stage 4. This may indicate that women are more likely to be excused for financial hardship or work/family conflicts than men.

- In total, 72.5% of survey respondents reported experiencing at least one conflict or hardship that worked as a barrier to participating in jury service.

    - There was a high degree of similarity across all racial and gender categories in regard to reporting a work-related conflict or hardship.

    - Women across all racial groups reported much higher levels of dependent care conflict and hardships.

Recommendations

Considering the findings from this interim report, as well as the previous efforts, we offer some recommendations for future research, in order of importance.

1. Continue monitoring juror demographics: We cannot emphasize enough how important it is to continue to collect and report juror summons demographic data, especially as particular courts weigh potential policy or service changes. These data will be integral to providing baseline comparison data for any new or ongoing research.

2. Study the demographics of people who do not respond to summons: We still know virtually nothing about those people who do not respond to their summons in the first place, which is a very large gap in the data. Understanding the details surrounding summons non-response is a critical piece to the representativeness question. Moreover, filling this gap in knowledge will aid in empirically-driven policy.

3. Pilot increases in juror pay and monitor changes in demographics: Work and financial hardships continue to play a significant role in preventing many, especially those with low-income, from responding to and participating in jury duty. Targeted increases in juror pay may help to encourage participation.

4. Fund data gathering on jury selection from summons to seating in multiple large jurisdictions: Pierce County serves as a model for what is possible for tracking jurors through the summons to seating process. Stage-based data and monitoring is key and will allow for more targeted analysis and the ability to see where, in the process, certain jurors are being retained.

INTRODUCTION

During the 2020-2021 Legislative Session, legislators passed ESSB 5092, Section 115, Section 3, which required the Washington Administrative Office of the Courts to provide: "all courts with an electronic demographic survey for jurors who begin a jury term." The survey sought to collect data on each juror's race, ethnicity, age, sex, employment status, educational attainment, and income, as well as any other data approved by order of the chief justice of the Washington State Supreme Court.[2] Though not the first effort to explore juror demographics in the state, it is by far the most comprehensive, wide-reaching, in-depth, and inclusive empirical study to date. While the final report will be published in June 2023, this interim report sheds light on the project thus far and showcases the data of four superior courts in Clark, King, Pierce, and Spokane Counties.

Jury Duty Qualifications

According to the RCW 2.36.070, in order to be competent to serve as a juror in the state of Washington, a person needs to: 1) be at least 18 years old, 2) a United States citizen, 3) live in the county that they are summoned from, and 4) possess the ability to communicate in English. Finally, a person shall be competent to serve 5) unless they have a felony conviction and have not had their civil rights restored yet. While these are the legal qualifications to serve on a jury, not everyone who is eligible makes it to court for jury duty. Eligibility is further limited to those whose name appears on a source list. In Washington State, two separate source lists are utilized: 1) registered voters, and 2) those with a driver's license or "identicard" holders (see RCW 2.36.054). After merging these lists and removing duplicate names, the master jury list is produced. This master list provides the foundation for all counties and courts, regardless of the level (i.e., municipal, district, superior) and type of case (i.e., criminal or civil).

Prior Efforts

Beginning in October 2016, the Washington State Supreme Court Minority and Justice Commission conducted a study in which jury pool data was collected from a diverse group of courts across the state. With limited exception, results indicated that racial/ethnic minority populations are underrepresented in most jurisdictions with some variation among the courts concerning representation based on racial/ethnic category (Hickman & Collins, 2017). In 2020, the Washington State Gender and Justice Commission sponsored subsequent analyses to determine whether disparities exist in jury service pools for specific subpopulations. Disparities were found among BIPOC, women of color, and people who identify as LGBTQ+ (Collins & Gialopsos, 2021a).

[2] $150,000 of the general fund—state appropriation for fiscal year 2022 and $150,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for providing all courts with an electronic demographic survey for jurors who begin a jury term. The survey must collect data on each juror's race, ethnicity, age, sex, employment status, educational attainment, and income, as well as any other data approved by order of the chief justice of the Washington state supreme court. This electronic data gathering must be conducted and reported in a manner that preserves juror anonymity. The administrative office of the courts shall provide this demographic data in a report to the governor and the appropriate committees of the legislature and publish a copy of the report on a publicly available internet address by June 30, 2023.

During this time, the COVID-19 pandemic emerged, which forced courts to temporarily halt jury proceedings and become innovative in terms of their operations. While trying to protect the health and safety of all persons involved, some courts shifted to remote jury selection processes that allowed them to minimize case backlogs and delays and preserve fundamental rights of defendants. Courts also moved locations and revamped existing protocols in order to meet the social distance requirements placed on Washington State at that time. The impact of the pandemic, coupled with the prior jury demographic findings, provided a unique opportunity to examine the demographic makeup of potential jurors during an unprecedented period of change. During four months in 2021, a brief digital survey was administered to potential jurors in King, Pierce, and Snohomish Counties (Collins & Gialopsos, 2021b). The bulk of the responses came from King County Superior Court. Similar to the 2016-2017 survey findings, White respondents were overrepresented compared to Citizen Voting Age Population (CVAP) baseline data.

In addition to gauging any potential demographic shifts, this research also captured self-reported barriers to jury service and possible solutions to overcome them. The data revealed the most frequently reported barriers were work/employer issues, lack of childcare, and financial hardships (Collins & Gialopsos, 2021b). This empirical finding fits anecdotal accounts observed by court personnel and supports trends in jury excusals and deferrals.

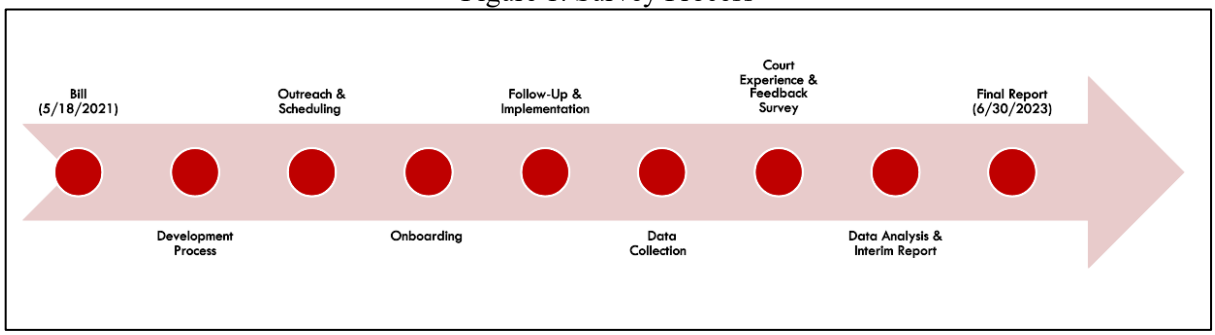
Unlike the 2016-2017 research project, which utilized paper surveys, the 2021 data collection effort relied on electronic surveys. This is key for several reasons. First, it allowed us to pilot this technology when measuring demographics of prospective jurors and determine more successful strategies for advertising and soliciting survey responses. Early attempts to use QR codes, for instance, were largely unsuccessful. Inserting survey links directly into the online juror registration portals and/or utilizing juror management systems to provide a digital link to the survey proved to yield higher response rates (Collins & Gialopsos, 2021b). Second, it captured data from a couple courts utilizing virtual jury selection and/or trials for the first time in the state's history. This allowed us to gather some data points for this major change to our jury system and court operations. Third, in order to create more inclusive variables that better capture the identities of potential jurors, revised questions and closed-ended answer choices were used for several measures, including gender identity and sexual orientation.

Collectively, these prior efforts allowed us to refine the conceptualization of key variables, methodology, and data collection processes. These methodological developments are now present within embedded and seamless electronic survey tool that has minimal impact on survey respondents in terms of time and effort and has significantly increased the number of survey responses from participating courts. Next, we provide an overview of the research process and basic outline of the analytical approach.

METHODOLOGY

There were several stages of development for this current project. Figure 1 summarizes the research process beginning with the passing of ESSB 5092 in May 2021 (as discussed above). This interim report reflects data collected to date, which occurred over the 2022 calendar year. As detailed below, each county/court had a different survey launch date. This phased rollout of our project was necessary due to time and resource constraints along with court capacity. Specifically, while all courts were invited to participate, we initially targeted those who had electronic capabilities, were located in large, populated areas, and/or had frequent jury trials. The four counties selected for analysis here were "early joiners" to the project due to existing electronic capabilities that allowed them to collect information from potential jurors who respond to a summons through an online juror registration portal.

Figure 1. Survey Process



Survey Development Process

Building on prior survey efforts, we first worked on refining the survey questions and answer choices provided for respondents. A key question was whether to rely on what has been done before for comparison purposes (i.e., the 2016-2017 question wording) *or* whether to include, replicate and/or refine survey questions from the four-month survey in 2021, and use these more inclusive measures to establish a new baseline for future survey iterations. As mentioned in the introduction, we opted to move the needle forward. This stage of the development process coincided with a year-long racial reckoning in the United States that cast light on systemic racial bias and discrimination in our criminal justice system. Further, the COVID-19 pandemic spotlighted economic and employment precarity in our society. For these reasons and many more, we utilized survey measures that were more inclusive, a better reflection of respondents' individual identities, and captured more demographic nuance and shifts in the U.S. population. This decision and focus also align with the mission and research endeavors of the Washington State Minority and Justice Commission and Gender and Justice Commission.

Changes with Selected Survey Questions

The legislative mandate outlined seven demographic variables to be collected: age, current employment status, combined household income, highest level of education, ethnicity, race, and gender identity. An eighth demographic variable, sexual orientation, was not specifically outlined

by the bill but was included based on the "other data approved by order of the Chief Justice of the Washington State Supreme Court" clause of the bill. As already mentioned, both gender identity and sexual orientation were operationalized in a more inclusive manner than in the 2016-2017 efforts when they were captured with a singular question. Adopting more inclusive gender identity and sexual orientation questions and answers was first a methodological concern regarding question accuracy, as there is a large and growing understanding of the nuances in how people self-identify. This approach is also consistent with the work of the Washington State Gender and Justice Commission, as well as the previous 2021 jury summons study. In addition, we reflected best practices and, to the best of our ability, avoided alienating certain groups of people. Specifically, we used phrases like "an identity not listed" or "a category not listed."

In terms of the ethnicity and race variables, we tried to mimic the U.S. Census question format and categories as much as possible in order to make CVAP (Census Voting Age Population) comparisons straightforward and easy to interpret. Nevertheless, there are a few noteworthy modifications. First, for ethnicity, we allowed respondents to select all categories that applied whereas the U.S. Census has them select a singular response category. Also, we used the more gender-conscious and inclusive terminology of "Latino/a/x" rather than their use of "Latino."

Second, in terms of race, our question and responses were directly comparable to those used by the U.S. Census in 2020. We did, however, include a few additional response categories. Specifically, we provided the option of "Cambodian" whereas the U.S. Census did not provide a standalone category for this but rather had it as a write-in option for "Other Asian." Furthermore, we included a category that was publicly discussed but ultimately not included in the 2020 iteration of the U.S. Census - "Middle Eastern or North African - Print, for example, Lebanese, Egyptian, etc." (Wang, 2020 & 2022). To avoid generalizing this group and in anticipation of future changes within the U.S. Census to this group, we recognized it as a freestanding option. Although the next modification is slight, we included "Hispanic, Latino/a/x" as a listed example of an origin in the "Some other race" response category while the U.S. Census strictly considers it to be ethnicity and, thus, not included within their race question. Finally, we also utilized "Guamanian or Chamorro" whereas they narrowed this category to be "Chamorro" only (Marks & Rios-Vargas, 2021). It is also important to emphasize that the U.S. Census question and response options had been revised since the 2010 version in order to better reflect changes to the population and information gathered from research and outreach with various entities (e.g., stakeholders, advisers) (Marks & Rios-Vargas, 2021).

Each demographic question also had a "prefer not to answer" option. Since these questions are quite personal and seek to capture various identities and demographic factors, providing this option allowed respondents to answer questions depending on their comfort level. While this does contribute to missing data, it is nonetheless important to avoid coercing subjects to respond to questions that they would rather not answer.

Likewise, courts had the opportunity to include an optional question on barriers to jury service. To streamline the process for courts wanting this option, the question utilized the most common responses from the 2021 research effort (Collins & Gialopsos, 2021b). The six responses provided were: 1) work-related conflicts or hardship, 2) financial hardship, 3) dependent care (prenatal, nursing/infant, child, adult, etc.), 4) transportation (accessibility, parking, safety), 5)

disability or health/mental health related hardship, and 6) COVID-related issues or hardship. Respondents were able to select all that applied and could also write in or add additional comments. Among the four counties highlighted in this interim report, three chose to include the barrier question (Clark, King, and Pierce Counties). Spokane County Superior Court followed only the legislatively mandated questions and chose not to include the optional barrier question.

Before we launch into the data and results, it is critical to note that we understand and are conscious of the nuances surrounding identity constructs (i.e., racial, ethnic, sexual, gender identity, etc.) and related harms that marginalized groups face due to racism, bias, and discrimination within society as a whole and the criminal justice system specifically. Despite our attempts to be as inclusive as possible, the subcategorizations used in this research are still imperfect and may not capture all combinations of self-reported identity or orientation. As a result, the analysis in this interim report may not properly reflect the true nature of personal identity within these populations.

IRB Process

Since this project involves human subjects, we submitted an application through Seattle University's Institutional Review Board (IRB) in July of 2021. The IRB determined the study to be exempt from IRB review in accordance with federal regulation criteria. Consistent with the protections afforded to human subjects, the landing page of the survey explicitly states that the survey is completely voluntary and that all responses are confidential. Further, it informed individuals that no personally identifying information (i.e., names and IP addresses) would be collected, and that all analyses would be presented in the aggregate to protect the identities of the respondents.

It is important to mention that there was an administrative question on the electronic survey that asked for juror id/badge number. As indicated on the informed consent statement on the first page of the electronic survey, juror id/badge number is requested to track a respondent's progress through the jury selection process. However, confidentiality of responses is maintained, as the researchers/administrators of the survey will never have access to any information that allows us to identify a respondent and the courts will never have access to a respondent's individual survey responses that include jury badge number. While most courts do not have the capacity to utilize this to its full data analysis potential, Pierce County (as discussed in Section Two Results) used this data point to more fully understand the demographic makeup of potential jurors as they travel through the entire jury selection process.

Court Outreach & Scheduling

An initial step in the process was to identify how potential jurors respond to their summons in different counties and across different levels of courts. To do so, we launched a Statewide Jury Survey Capacity Test in October 2021 that was sent to court representatives for whom we had contact information (e.g., email addresses were gathered from public-facing court websites, internal connections, or provided by AOC at our request). This brief online survey identified a point person for future communication and took stock of which courts had web-based juror registration and management systems, were utilizing video-conferencing software for virtual

proceedings, as well as the various methods for jurors to register and check-in for jury service. In all, 62 responses were collected, though many responses were only partially completed. From these responses, we learned that under 20 courts had existing web-based jury registration systems and/or had plans to get one at some point in the future. For the purposes of this interim report, all four county superior courts utilized some form of electronic capability. However, it is important to note that a paper version of this survey was necessary to accommodate more counties and courts. Because this modality is not relevant to the data analyzed in this interim report, a discussion of the methodology, process, and limitations will be included only in the final report in June 2023.

Onboarding

Following the Statewide Jury Survey Capacity Test, we made contact via email with courts with electronic capabilities – including the four county superior courts highlighted in this interim report – and set up a time to meet with them individually. Dubbed "onboarding meetings" these individual appointments held over Zoom (and occasionally over the phone) typically lasted between 15 and 45 minutes. During these meetings, we asked follow-up questions to the information they provided in the survey capacity test, had them walk us through their jury summons process, and addressed other questions or issues they raised (these often dealt with staff time, resources, capacity, COVID-related modifications, etc.). We also reviewed the survey questions together, discussed the contract agreement and any next steps required on their end (e.g., seeking approval from other court personnel and/or the presiding judge, acquiring signatures for the court order, etc.), collected contact information for their IT person/department, and identified potential launch dates for the survey to be published (i.e., go live date). These individual onboarding meetings proved to be incredibly useful for all parties involved and allowed us to identify and proactively respond to minor issues, answer questions, and provide clarification as needed.

Follow-up & Implementation

For most courts, there was a period of weeks to months where we kept in regular contact, addressed questions or concerns raised by other court personnel via email, met with IT people, and pretested the process with their staff. Once the survey was officially live and embedded in their electronic jury management systems, we stayed in contact with their court point person to provide updates on the response rates we were receiving to determine whether the amount seemed appropriate given the number of trials and summoned jurors. We also wanted to ensure that jurors were not mistakenly thinking the survey was the equivalent of completing the juror registration/check-in and, therefore, failing to properly respond to their jury summons. After careful review, it was determined that failure to complete registration was not an issue.

INTERIM RESULTS

Interim results from the juror demographic survey are presented in two main sections. The first section includes interim results from superior courts/court systems within the following four counties: Clark, King, Pierce, and Spokane. These courts were selected for the interim report based on whether their respective court management systems allowed for digital survey collection (survey links embedded in the reporting process) and the total number of usable surveys completed to date.

Importantly, interim results for these four counties in the first section reflect data collected at the *summons reporting stage*. Data collected at the reporting stage represent those survey participants who:

1) responded to their summons through a digital/online portal,
2) agreed to take the digital survey, and
3) successfully completed the survey.

These data *do not* capture those summoned individuals who choose not to complete the survey, as well as those individuals who check in for jury service either over the phone or in-person at their respective courthouses. Additionally, these data *do not* capture information on people who do not respond to a summons.

The second section focuses on interim results that originate from Pierce County only. Importantly, Pierce County's information management system allows for the matching and tracking of jurors at **four distinct stages in the jury process**: online check-in, those who report in person to the courthouse, those are selected for *voir dire* (means "to speak the truth" refers to the process where potential jurors are questioned by legal counsel or judges as part of the process of being selected as a juror), and finally, those who are assigned to a case as a sworn juror or alternate. In this section of the analysis, we provide a deeper dive into how juror demographics change from the summons response stage to seating a jury. Below, we provide detailed information on the "stages" of the jury process.

Overview of Jury Process Stages for Pierce County

There are four distinct stages that data are organized within the Pierce County analyses that appear later in this report. The first stage is referred to as stage 1 (S1) "online check-in" and can be considered as nearing the "top of the funnel" for those who respond to a summons. This represents the stage at which participants complete the demographic survey. This is the largest stage in terms of N and is also the stage at which we collected data for participants in all other jurisdictions. A total of 37,995 survey responses were linked at this stage for Pierce County.

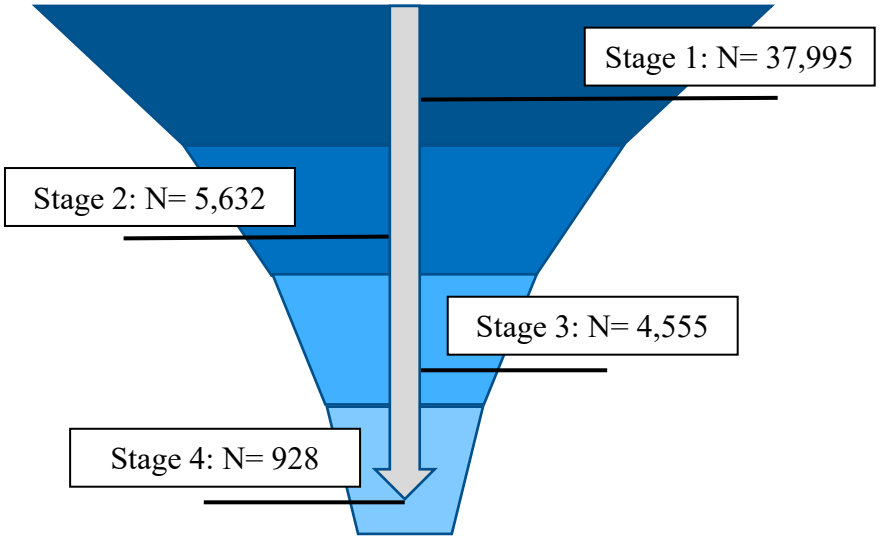
Next, stage 2 (S2) is defined as all potential jurors who physically showed up or "came in the door" and checked in at the courthouse. Jurors first respond to a summons and are given a date and time to report. Once at the courthouse, these jurors check in at a computer kiosk or with staff. At stage 2, all potential jurors who checked in to the system have a chance to be selected to be

assigned to a case/courtroom. This selection process is automated and random. The total number of linked survey responses at stage 2 is 5,632.

Stage 3 (S3) is defined as all potential jurors who are selected and "sent to a courtroom" for *voir dire*. Once selected in the main juror waiting area, selected jurors are given a second ID badge that indicates their selected group and courtroom assignment. When called, the group then proceeds to the assigned courtroom to begin the selection process. There are a total of 4,555 surveys included at this stage.

Stage 4 (S4) is defined as those jurors who are selected and "sworn" onto a jury or selected as an alternate. This is the final stage that is captured and represents all those jurors who were selected to serve on a jury, who also completed a survey. There was a total of 928 respondents represented at this final stage for Pierce County.

Figure 2. Illustration of the Number of Linked Survey Respondents at each Stage of Data Analysis for Pierce County.



Data

The survey data presented here are unique to each court or county court system. The onboarding process, which includes embedding a digital survey link within each court's respective jury summons reporting website, was slightly different for each participating court, from the survey approval process, to working with IT staff who maintain each court's website. Generally speaking, the process to embed the live survey link was simple and required very little time for staff to complete. Due to the aforementioned differences, each court went "live" on different dates

(represented below under the "Begin" column in Table 1), and therefore, each court's data collection period is different. While data collection is still ongoing in these counties, the column labeled "Interim End" is the date on which the data were downloaded for analysis purposes. The following are the data collection dates for the participating courts:

Table 1. Survey Runtime to Interim Report Data Drawdown.

County	Begin	Interim End	Days	Total N
Clark	03/08/2022	11/10/2022	247	9,354
King	02/09/2022	09/01/2022	204	68,515
Pierce	12/16/2021	09/21/2022	279	37,995
Spokane	02/03/2022	10/24/2022	263	6,427

Notes: Total N represents final completed survey counts for each county over the study period.

Additionally, each court, court system, and jurisdiction in Washington State is unique. The total number of surveys (N) completed within each jurisdiction is reflective of the population and related needs. Some larger counties and courts hold hundreds of jury trials every year, therefore requiring more jurors, while other smaller jurisdictions or courts may hold only a few to no trials at all, annually. The court systems included in this interim report represent the most populated counties in the state. However, we are currently involved in ongoing data collection in some additional smaller jurisdictions and findings from those courts may be included in the final report.

Representativeness, reliability, and margin of error in survey and sample size is important, as the estimates provided here are no different, but there are some important distinctions that must be made. First, the data here are gathered from a non-probability sample, as the survey is voluntary, and does not account for those people who were summoned but did not respond to the summons and those who did not respond to the survey. Therefore, presenting calculations of margin of error here are problematic. Furthermore, jury lists are not random, their development depends on a number of factors present to identify a person as a potential juror. Even after being added to a list and summoned to jury service, individuals need to meet the basic qualifications for jury service under the RCW.

Second, it is important to understand which population we are assuming our samples represent. This can be further understood in terms of the question: "are our samples in each county representative of those who receive and respond to a summons in that same county?" Although sample size alone is not the most ideal measure, we can say with a degree of confidence that *yes,* the samples reported here are likely representative of those populations. Assuming a 95% confidence level, a population of 100,000, and a 1% margin of error, the ideal sample size would be N= 8,762 ($Sample\ Size = \frac{(z-score)2*StdDev*(1-StdDev)}{(margin\ of\ error)2}$). All of the sample sizes reported here far exceed or are well within an acceptable level of confidence (between .2% and 1.2% margin at .95CI) that they are indeed reflective of the population of those who respond to a jury summons in each county, assuming no systematic differences between those who took the survey and those who did not.

SECTION ONE RESULTS

Jury Summons Reporting Stage Demographics

In the following section, we present univariate findings for each unique survey question. When appropriate, county data are combined into one table for ease of presentation. Baseline comparison information (U.S. Census or other source) is included in the related table notes or text where appropriate. Findings for each county are grouped together here for simplicity, many patterns are similar across counties, which is indeed interesting, but we caution readers in making cross-county comparisons, as each county population, structure of the court(s), staffing, number of trials, and overall court system is specific. Additional information on survey item operationalization is included in the survey section and will be detailed in the final report.

Age

Table 2 presents data on respondents' age. As already indicated, in order to legally qualify for jury duty, a person needs to be 18 years of age or older. Survey respondents in the four counties included in the interim report can be characterized as being around mid-40s, on average. There are some slight differences; however, each reporting county follows the same basic pattern, which lends confidence that the following are reliable age estimates of the reporting population. The median ages are the mid-point in each data distribution. The median is useful to include here as means (i.e., averages) can be influenced by outliers in the data (e.g., having a few very young and/or very old respondents).

Table 2. Age of Survey Respondents.

County	Average	Median
Clark	45.7	45
King	45.6	44
Pierce	47.3	46
Spokane	48.2	48

Annual Household Income

In the next tables, we present combined household income. In order to simplify the data, we provide two tables, the first includes the percentage of each county's respondents who identified in a particular annual income category. This initial table is mapped onto the U.S. Census' combined household income question. The category detail changes in percentage from 10 to 20 thousand dollar increments to 50 thousand dollar and over increments. In order to create more comparable categories, in Table 4 we collapse the smaller categories into roughly 50 thousand dollar increments to the highest category, which includes combined annual incomes over 150 thousand dollars. We also include details on estimated county-level median combined household income and provide percentages of those reporting below or above the median for each county.

Table 3. Detailed Annual Household Income: Percent Reported within Income Category.

Income Category	Clark %	King %	Pierce %	Spokane %
Less than $10,000	4.3	4.6	4.6	3.8
$10,000 - $19,999	3.7	2.8	3.4	3.9
$20,000 - $29,999	5.1	3.6	4.7	6.1
$30,000 - $39,999	7.1	4.7	6.0	8.9
$40,000 - $49,999	7.2	5.3	7.0	8.4
$50,000 - $59,999	7.2	5.7	7.1	7.9
$60,000 - $69,999	6.6	5.2	6.9	7.3
$70,000 - $79,999	7.1	5.3	7.1	6.9
$80,000 - $89,999	6.2	4.8	6.6	6.1
$90,000 - $99,999	6.8	5.1	6.4	6.7
$100,000 - $149,999	21.3	18.6	21.8	19.8
More than $150,000	17.5	34.4	18.3	14.2
Total	100	100	100	100

Table 4. Combined Household Income: Percent within Income Category & MHI Comparison.

Income Category	Clark %	King %	Pierce %	Spokane %
0-49K	27.3	20.9	25.6	31.0
50-99K	33.9	26.1	34.2	35.0
100-149k	21.3	18.6	21.8	19.8
150K+	17.5	34.4	18.3	14.2
Total	100	100	100	100
MHI*	$73,601	$102,903	$81,720	$61,690
Below MHI	41.1	46.9	46.8	39.0
Above MHI	58.9	53.1	53.2	61.0

Notes: Category that median fell into was selected as upper divider. *MHI= Median Household Income. Median Household Income Estimates collected from: Washington State Office of Financial Management and are 2021 projected estimates.

Income plays a unique role in influencing patterns of reporting to jury service. First, as with all findings presented here, these data do not capture the annual household income of those who fail to report to jury service or those who did not choose to answer the survey or this specific survey question. What does seem clear from the data, however, is that most people who respond to the jury summons reported having an annual household income over the median for their particular jurisdiction. Additionally, these data do not provide insight into how many potential jurors are excused for work-related or other financial hardships, which we cover in more detail below.

Employment

Next, we present information on employment status. The bulk of respondents within each county reported being employed full-time, followed by retirees, and self-employed and part-time employment. Using estimates from the Washington State Employment Security Department (ESD), we can compare unemployment figures. Though the unemployment estimates reported in the survey are all within a fraction to a percentage or so, there are some differences in whether each county reported more or less than the estimated percentage. Additionally, and as the ESD notes in each county profile, the dip and rebound in employment during and through recovery from the COVID-19 pandemic has had an impact on the predictability of their estimates, so some caution is recommended in interpreting those figures (ESD, 2022).

Table 5. Employment: Percent Reported within Category.

Employment Category	Clark %	King %	Pierce %	Spokane %
Full Time	55.4	58.6	52.3	53.0
Part Time	5.8	5.4	6.8	6.7
Furloughed Due to COVID-19	0.1	0.1	0.0	0.0
Military Active Duty	0.2	0.1	0.6	0.3
Homemaker	4.7	3.4	4.3	3.7
Retired	13.5	12.0	15.7	17.3
Self-Employed	6.0	5.2	4.7	5.2
Student	2.2	3.6	2.4	1.3
Unable to Work	1.5	1.2	2.0	1.9
Unemployed Looking for Work	2.2	2.0	2.0	1.6
Unemployed and Not Looking for Work	1.0	0.9	0.8	0.8
A Category Not Listed	1.4	1.1	1.6	0.8
Multi-Category Selection	6.1	6.5	6.9	7.4
Total	100	100	100	100
Total Unemployed*	4.7	4.1	4.8	4.4
WA ESD Estimates**	4.5	2.5	6.1	5.5

Notes: *Total Unemployed = furloughed COVID, unable to work, unemployed looking/not looking sum.
**Washington State Employment Security Department current (2021/22) unemployment estimates.

Education

Table 6 contains detailed information regarding education. For all counties, the vast majority of respondents reported having at least a high school level education or more. Additionally, each county reported a higher percentage of people with a bachelor's degree or higher, when comparing to baseline education figures from the American Community Survey (2021). The percentage differences (survey percent minus ACS percent) range from 5.8% more in King County, to 7.5% in Clark, 11.3% in Pierce, and 13% more in Spokane County. Overall, jurors reporting for jury service (and having completed the survey) hold higher levels of education, on average, than the general populations within their respective counties.

Table 6. Education: Percent Reported within Category.

Education Category	Clark %	King %	Pierce %	Spokane %
Some high school	3.5	2.5	2.7	1.6
High school degree or GED	18.3	9.5	16.6	15.8
Trade school	4.5	2.2	4.9	4.2
Some college but no degree	22.5	15.1	20.9	20.5
Associates degree	10.9	7.2	11.3	12.4
Bachelor's degree	26.0	37.0	26.2	27.2
Master's degree	10.8	19.1	12.8	13.3
Doctorate degree	2.5	5.9	3.4	3.8
A category not listed:	1.1	1.4	1.2	1.2
Total	100	100	100	100
Survey bachelor's or higher	39.3	62.0	42.5	44.2
ACS bachelor's or higher*	31.8	56.2	31.1	31.2

Notes: *ACS 1-Year Estimates Subject Tables 2021, only population 25 years old and higher used in figures above.

Gender

Table 7 presents results from the gender question. In order to capture accurate results, the gender question was expanded to be more inclusive. The ACS continues to capture gender data at a binary level (although this is also changing to be more inclusive in future surveys), which therefore requires some additional care when interpreting the differences between the main categories. Results indicate that the bulk of respondents identified as "woman" at the reporting stage. This figure is slightly above the percent reporting female in each county by the ACS (2021). Additional information is presented below regarding the patterning of reported barriers by gender, specifically, we present information on how certain barriers, such as dependent care, may impact women's ability to participate in jury service.

Table 7. Gender: Percent Reported within Category.

Gender Category	Clark	King	Pierce	Spokane
Agender	0.0	0.0	0.0	0.0
Gender Queer or Fluid	0.1	0.3	0.2	0.2
Man	47.4	46.2	45.2	44.3
Non-Binary	0.3	0.6	0.4	0.3
Questioning	0.0	0.1	0.1	0.0
Trans Man	0.1	0.1	0.1	0.1
Trans Woman	0.1	0.1	0.1	0.1
Woman	51.5	51.9	53.1	54.3
An Identity Not Listed	0.1	0.1	0.2	0.1
Multi-Category Response	0.4	0.6	0.6	0.5
Total	100	100	100	100
Female Percent 18 & Over ACS 2021*	50.5	49.4	50.1	50.4

Notes: *ACS 1-Year Estimates Subject Tables, % Female 18 and over. Due to rounding, cells reporting 0 may actually contain responses.

Sexual Orientation

Next, we present the findings for sexual orientation. The largest portion of potential jurors reported being heterosexual, with only a percentage or two difference between counties. Finding baseline sexual orientation comparison data is difficult, as the U.S. Census has historically not collected specific and separated information on sexual orientation and gender identity but is starting to integrate some questions into the Household Pulse Survey. One source from The Williams Institute estimated that 5.2% of the population in Washington State identify as LGBT (The Williams Institute, 2022). Summary LGBTQ+ data are included for each county.

Table 8. Sexual Orientation: Percent Reported within Category.

Sexual Orientation Category	Clark %	King %	Pierce %	Spokane %
Asexual	0.5	0.5	0.4	0.5
Bisexual	3.0	3.2	2.7	2.6
Gay	0.8	2.3	1.1	0.7
Heterosexual	92.5	89.4	91.9	93.2
Lesbian	0.8	1.1	1.0	0.9
Pansexual	0.7	0.9	0.8	0.8
Queer	0.4	1.0	0.5	0.3
Questioning	0.1	0.4	0.3	0.2
An Identity Not Listed	0.3	0.3	0.4	0.2
Multi-Category	0.8	1.1	0.8	0.7
Total	100	100	100	100
Combined LGBTQ+*	6.5	8.9	6.6	5.7

Notes: *LGBTQ+ Combined = Asexual, Bi, Gay, Lesbian, Pan, and Queer.

Barriers

The following table provides information on self-reported barriers to jury service by those reporting. The figures in Table 9 are mutually exclusive category answers, meaning they represent the percentage of respondents who only selected one category. The multicategory responses resemble the overall patterns seen below, with work-related conflict or hardship reported the most, followed by dependent care, and health. The "other" category was made up of similar barriers, mostly including work-related barriers such as travel, health concerns such as not being able to sit for long periods of time, dependent care for both children and adults, and status-related issues such as language barriers and college student status. We provide some additional and simple bivariate analyses related to barriers towards the end of this section.

For comparison purposes, a similar question was asked in the four-month electronic survey that was administered in 2021 (Collins & Gialopsos, 2021b). While the earlier effort used an open-ended question that was then coded by hand by both researchers, the optional barrier question that was included in this interim report was closed-ended. As discussed already, respondents were able to pick from multiple predetermined barriers. The six responses (i.e., closed-ended options) provided were: 1) work-related conflicts or hardship, 2) financial hardship, 3) dependent care (prenatal, nursing/infant, child, adult, etc.), 4) transportation (accessibility, parking, safety), 5) disability or health/mental health related hardship, and 6) COVID-related issues or hardship. Respondents were able to select all that applied and could also write in or add additional comments. Although coded and analyzed differently, the data included in this report paint a similar picture to the 2021 findings. Specifically, across both studies, work-related barriers were the most frequently reported conflict or hardship followed by dependent care ones.

Table 9. Mutually Exclusive Barriers: Percent Reported within Category.

Barrier Category	Clark %	King %	Pierce %
Work related conflict or hardship	24.2	26.3	28.8
Financial conflict or hardship	2.8	1.9	2.0
Dependent care conflict or hardship	10.2	8.3	8.8
Transportation conflict or hardship	1.4	2.5	1.5
Disability or health/mental health related hardship	4.8	4.3	5.0
Other conflict or hardship	25.1	22.5	16.6
COVID related conflict or hardship	1.0	1.8	1.2
Multiple conflict or hardship categories selected	30.6	32.3	36.0
Total	100.0	100.0	100.0
Total number reporting at least one barrier	57.3	61.3	72.5

Notes: Spokane Superior Court chose not to include the barriers question.

Race & Ethnicity

Next, we present findings regarding race and ethnicity. We first present each county's detailed within-race category frequency, survey percent and Citizen Voting Age Population (CVAP) results, followed by a combined summary table that provides within-category ratios. Our race category mapping scheme is included upon request. The categories used here reflect those reported in the CVAP data, with Hispanic or Latino/a/x filtered within racial categories. County-level CVAP estimates were gathered from the Citizen Voting Age Population (CVAP) Special Tabulation From the 2016-2020 5-Year American Community Survey (ACS).

Clark County

Table 10. Clark County Race/Ethnicity & CVAP Comparison.

Census Category (Non-Hispanic/Latino/a/x)	Survey n	Survey %	CVAP %
White Alone	6,282	85.0	89.0
Black Alone	136	1.8	1.9
Am Indian/AK N	32	0.4	0.5
Asian Alone	450	6.1	4.5
Nat Hawaiian/Other PI	43	0.6	0.5
Some other race	23	0.3	
American Indian or Alaska Native and White	87	1.2	1.2
Asian and White	129	1.7	0.9
Black or African American and White	93	1.3	0.8
American Indian/Alaska Native & Black or African Am.	2	0.0	0.1
Remainder of Two or More Race Responses	116	1.6	0.7
Total	7,393	100	
Not Hispanic or Latino/a/x	7,393	93.2	94.4
Hispanic or Latino/a/x	538	6.8	5.6
Total	7,931	100	100

Notes: n= frequency within each category.

King County

Table 11. King County Race/Ethnicity & CVAP Comparison.

Census Category (Non-Hispanic/Latino/a/x)	Survey n	Survey %	CVAP %
White Alone	37,758	69.9	73.5
Black Alone	1,866	3.5	6.2
Am Indian/AK N	212	0.4	0.6
Asian Alone	9,930	18.4	14.5
Nat Hawaiian/Other PI	219	0.4	0.6
Some other race	190	0.4	
American Indian or Alaska Native and White	425	0.8	0.9
Asian and White	1,428	2.6	1.9
Black or African American and White	646	1.2	0.8
American Indian/Alaska Native & Black or African Am.	31	0.1	0.1
Remainder of Two or More Race Responses	1,318	2.4	0.9
Total	54,023	100	
Not Hispanic or Latino	54,023	94.0	94.0
Hispanic or Latino	3,436	6.0	6.0
Total	57,459	100	100

Notes: n= frequency within each category.

Pierce County

Table 12. Pierce County Race/Ethnicity & CVAP Comparison.

Census Category (Non-Hispanic/Latino/a/x)	Survey n	Survey %	CVAP %
White Alone	23,517	79.7	78.3
Black Alone	1,114	3.8	7.2
Am Indian/AK N	209	0.7	1.0
Asian Alone	2,129	7.2	6.1
Nat Hawaiian/Other PI	289	1.0	1.5
Some other race	97	0.3	
American Indian or Alaska Native and White	348	1.2	1.3
Asian and White	658	2.2	1.7
Black or African American and White	411	1.4	1.3
American Indian/Alaska Native & Black or African Am.	28	0.1	0.2
Remainder of Two or More Race Responses	705	2.4	1.3
Total	29,505	100	
Not Hispanic or Latino	29,505	94.1	92.6
Hispanic or Latino	1,840	5.9	7.4
Total	31,345	100	100

Notes: n= frequency within each category.

Spokane County

Table 13. Spokane County Race/Ethnicity & CVAP Comparison.

Census Category (Non-Hispanic/Latino/a/x)	Survey n	Survey %	CVAP %
White Alone	5,615	90.4	91.8
Black Alone	56	0.9	1.7
Am Indian/AK N	67	1.1	1.1
Asian Alone	82	1.3	1.9
Nat Hawaiian/Other PI	10	0.2	0.3
Some other race	16	0.3	
American Indian or Alaska Native and White	121	1.9	1.3
Asian and White	101	1.6	0.8
Black or African American and White	73	1.2	0.6
American Indian/Alaska Native & Black or African Am.	0	0.0	0.1
Remainder of Two or More Race Responses	72	1.2	0.4
Total	6,213	100	
Not Hispanic or Latino	6,213	96.7	95.5
Hispanic or Latino	214	3.3	4.5
Total	6,427	100	100

Notes: n= frequency within each category.

Race & Ethnicity Ratios

The following table includes a summary of race and CVAP ratios. A ratio is simply the survey percentage divided by the CVAP percentage. Each ratio can be interpreted as either under- or over-representative of the CVAP population depending on whether the figure is below or above 1. Figures at, or close to, 1 can be interpreted as being reflective of the CVAP population. With some exceptions, findings across all counties at the summons check-in stage follow some basic over/under patterns. White Alone respondents were all close to even, while the Black Alone figures trailed in King, Pierce, and Spokane. Asian Alone and Asian and White were mostly over-represented, as well as the Black or African American and White categories. The final mixed-race category was also over-represented, which is not surprising considering significant growth in the multi-race category (276% over the last decade) coupled with improvements to the race and ethnicity questions in the U.S. Census (Jones, Marks, Ramirez, & Ríos-Vargas, 2021).

Table 14. Survey/CVAP Per-Category Ratios.

Census Category (Non-Hispanic/Latino/a/x)	Clark	King	Pierce	Spokane
White Alone	0.95	0.95	1.02	0.98
Black Alone	0.97	0.56	0.52	0.53
Am Indian/AK N	0.84	0.67	0.68	0.97
Asian Alone	1.36	1.27	1.18	0.71
Nat Hawaiian/Other PI	1.28	0.63	0.67	0.49
American Indian or Alaska Native and White	0.95	0.88	0.89	1.51
Asian and White	2.04	1.41	1.31	2.08
Black or African American and White	1.59	1.44	1.04	1.95
American Indian/Alaska Native & Black or African Am.	0.54	0.44	0.53	0.00
Remainder of Two or More Race Responses	2.26	2.77	1.84	2.77
Not Hispanic or Latino	0.99	1.00	1.02	1.01
Hispanic or Latino	1.20	0.99	0.79	0.74

Although it is difficult to draw any direct comparisons due to the differences in the questions used during the first 2017 study, which utilized an earlier version of the Census/CVAP, and the point of data capture (the 2017 survey captured survey data on paper and in-person as jurors showed up for jury duty at their respective courthouses), we include the 2017 study figures here for some additional context (see Table 15, below). Although we urge caution in interpreting the following figures, there are some interesting similarities and differences in the overall patterns. For instance, similar to the current study, Black/African American alone and American Indian/Alaska Native alone were under-represented, while White alone were basically even. Although not as large, we can see the multi-race category was over-represented during this early survey as well. When comparing to the latest data, we see a clear growth pattern, which has been noted by the U.S. Census and other researchers (Jones et al., 2021). Again, much of these similarities and differences may be attributed to methodological differences between the two surveys. Again, we caution readers in drawing any conclusions here, as more research is needed to address longitudinal trends and impacts in reporting due to system-wide shocks such as the COVID-19 pandemic.

Table 15. Survey/CVAP Ratios: Selected 2017 Survey Comparisons.

Census Cat (Non-Hisp) & Survey Year	Clark		King		Pierce		Spokane	
	2022	2017	2022	2017	2022	2017	2022	2017
White Alone	0.95	0.99	0.95	1.04	1.02	1.05	0.98	1.01
Black Alone	0.97	0.73	0.56	0.56	0.52	0.75	0.53	0.57
Am Indian/AK N	0.84	0.75	0.67	0.39	0.68	0.55	0.97	0.63
Asian Alone*	1.36	0.60	1.27	0.58	1.18	0.37	0.71	0.58
Multi-Race	2.26	1.82	2.77	1.96	1.84	1.38	2.77	1.64
Hispanic or Latino	1.20	1.10	0.99	0.91	0.79	0.80	0.74	0.87

Notes: Only categories that contained a comparable figure from both surveys are included here. *Please interpret with caution because Census categories are not similar.

Main Demographic Questions: Selected Bivariate Analyses

There are multiple factors that influence the ability for people, from all backgrounds, to report to and participate in jury service. For example, a person's social-economic-status (SES), which includes wealth, work status, and education are all important indicators of participation or responding to a jury summons. Additionally, we know that race, ethnicity, and gender influence patterns of SES in our society at large, and these patterns are also reflected within these data and resulting analyses within this current study. Although covering all possible demographic combinations and intersections here is outside the current scope, we focus here on analyses based on race, gender, and combined household income.

Race, Gender, & Combined Household Income

Analyses in this section are broken out by county and consist of a summary analysis of the proportion of non-White respondents to White respondents (presented as a ratio of non-White/White*100) within four main income categories and by gender. The numbers on the top of each bar are ratios. The darker bars represent men, while the lighter bars represent women. The income categories are included from lowest to highest annual combined household income. Comparisons can be made between non-White and White men and women, across the four combined income categories. Please note that due to small sample and cell size that "non-binary/an identity not listed" summary categories are not included here. Additionally, for each county we include baseline U.S. Census information regarding the estimated expected proportion of the White Alone population within each income category (ACS, 2021, 1-Year Estimates Detailed Tables, B19001A). The ACS data does not include gender for this particular analysis; therefore, this portion of the analysis combines all genders in the survey data.

Clark County

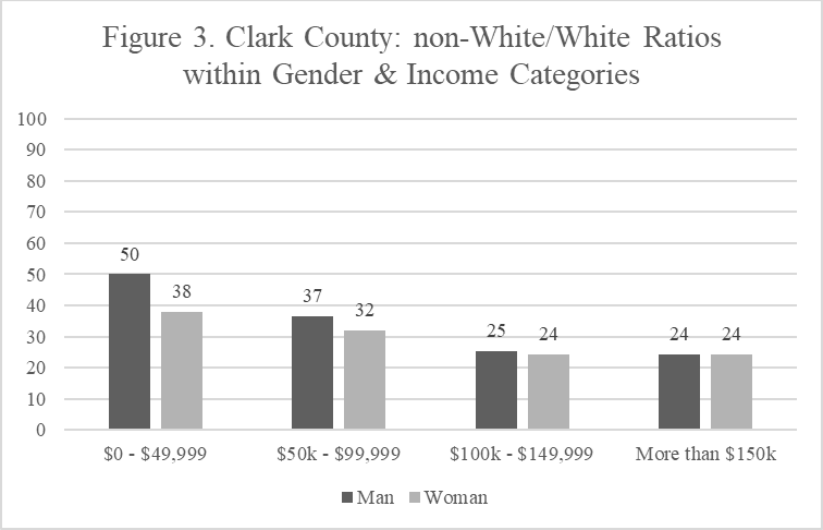


Figure 3, above, contains non-White to White ratios in each income column, separated by man or woman. This figure shows that as the income category increases, the proportion of non-White respondents decreases for both men and women. There is more separation in the proportion of non-White to White between men and women within the $0-$49,999 category, but the gap shrinks as the income categories grow. Thus, fewer non-White respondents are represented in the highest income category. Stated differently, for both men and women in Clark County, as income increases, there are more White and fewer non-White potential jurors available to serve on a jury.

Do the race ratios indicate under- or over-representation within each income category? In Table 16, below, we present some baseline race and income comparison information for White Alone in Clark County. The percentages represent the observed percentage of White Alone in each income category for the survey, compared to the expected percentage within the baseline U.S. Census estimates for each income category. The proportion of White Alone in the survey is smaller than what is expected from the ACS data for the lowest income category ($0-$49,999). After that, the survey proportion is slightly larger than the estimates from the Census and just shy of the Census in the last category. Although this analysis is limited to White Alone and includes all gender categories, a similar pattern emerges that shows an increase to parity or over-representation within the expected income categories for White respondents. We can therefore assume with some degree of confidence that the opposite is happening within the non-White category.

Table 16. Clark County: White Alone Observed Survey % and Census Expected %.

Income Category	Clark % (All)	Census* %
$0 - $49,999	25.1	27.5
$50,000 - $99,999	33.2	31.7
$100,000 - $149,999	22.6	21.3
More than $150,000	19.1	19.6

Notes:*ACS, 2021, Table ID: B19001A.

King County

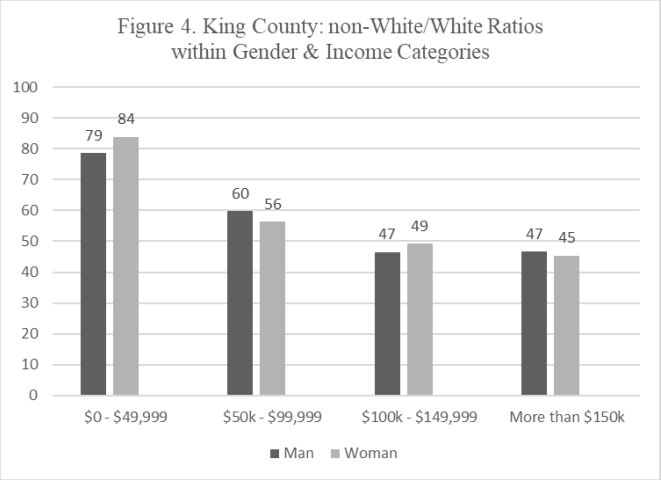


Figure 4, above, contains non-White to White ratios in each income column, separated by man and woman. This figure shows that as the income category increases, the proportion of non-White respondents decreases for both men and women. There is separation in the proportion of non-White to White women and men between all categories, however, these gaps shrink from the lowest income category to the highest. Although the ratios are much higher to begin with in King County (meaning there is closer to even representation, especially in the lowest income category), we see a similar pattern that shows that as income increases, there are more White and fewer non-White potential jurors available to serve on a jury.

Do the race ratios indicate under- or over-representation within each income category? In Table 17, below, we present some baseline race and income comparison information for White Alone in King County. The percentages represent the observed percentage of White Alone in each income category for the survey, compared to the expected percentage within the baseline U.S. Census estimates for each income category. The proportion of White Alone in the survey is smaller than what is expected from the ACS data for the lowest income category ($0-$49,999). After that, the survey proportion is lower than the estimates from the Census and until becoming much larger in the last category. This indicates a concentration of White Alone respondents in the upper most income categories. We can therefore assume with some degree of confidence that the opposite is happening within the non-White category.

Table 17. King County: White Alone Observed Survey % and Census Expected %.

Income Category	King (all)	Census
$0 - $49,999	17.9	26.1
$50,000 - $99,999	25.6	30.0
$100,000 - $149,999	19.6	19.9
More than $150,000	36.9	24.0

Notes:*ACS, 2021, Table ID: B19001A.

Pierce County

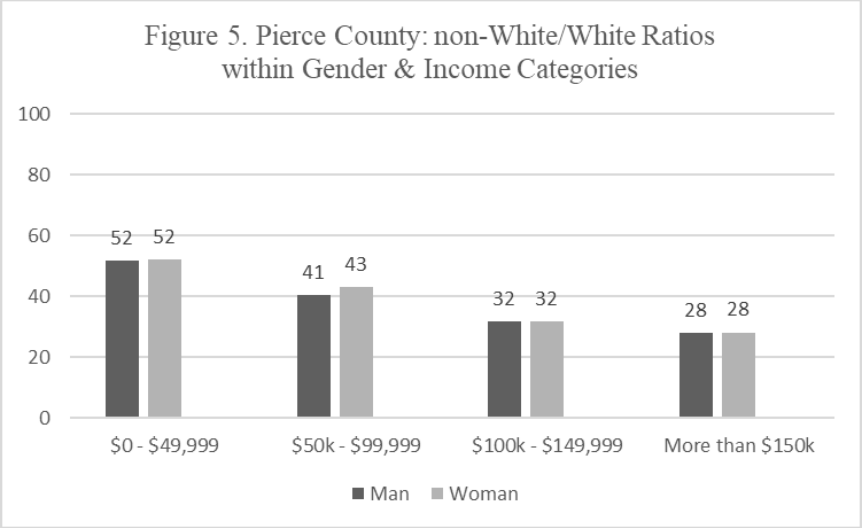


Figure 5, above, contains non-White to White ratios in each income column, separated by man and woman. This figure shows that as the income category increases, the proportion of non-White respondents decreases for both men and women. There is some separation in the proportion of non-White to White between all categories, but the gender categories for both men and women are very similar.

Do the race ratios indicate under- or over-representation within each income category? In Table 18, below, we present some baseline race and income comparison information for White Alone in Pierce County. The percentages represent the observed percentage of White Alone in each income category for the survey, compared to the expected percentage within the baseline U.S. Census estimates for each income category. The proportion of White Alone in the survey is slightly smaller than what is expected from the ACS data for the lowest income category ($0-$49,999). After that, the survey proportion is larger than the estimates from the Census and until becoming smaller again in the last category. This indicates some concentration of White Alone respondents in the middle-income categories. Additional analyses regarding race, gender, and income are presented in the next section, which focuses specifically on Pierce County.

Table 18. Pierce County: White Alone Observed Survey % and Census Expected %.

Income Category	Pierce (all)	Census
$0 - $49,999	23.4	23.98
$50,000 - $99,999	33.5	31.51
$100,000 - $149,999	23.1	21.25
More than $150,000	20.0	23.27

Notes:*ACS, 2021, Table ID: B19001A.

Spokane County

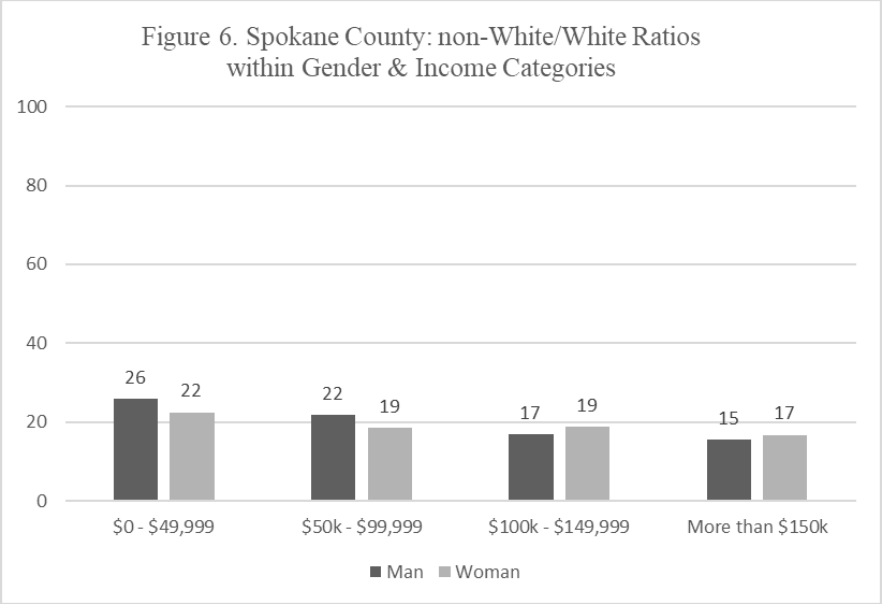


Figure 6, above, contains non-White to White ratios in each income column, separated by man or woman. This figure shows that as the income category increases, the proportion of non-White respondents decreases slightly for both men and women. There is some separation in the proportion of non-White to White between men and women within each category, but the overall proportions in Spokane County are much lower across the board.

Do the race ratios indicate under- or over-representation within each income category? In Table 19, below, we present some baseline race and income comparison information for White Alone in Spokane County. The percentages represent the observed percentage of White Alone in each income category for the survey, compared to the expected percentage within the baseline U.S. Census estimates for each income category. The percentage of White Alone in the survey is smaller than what is expected from the ACS data for the lowest income category ($0-$49,999). After that, the survey percentage is slightly larger than the estimates from the Census for all remaining categories. This indicates an increase to over-representation within the expected income categories for White respondents. As was the general case for the other counties, we can assume with some degree of confidence that the opposite is happening within the non-White category, meaning as the income categories increase, representation of non-White jurors decreases.

Table 19. Spokane County: White Alone Observed Survey % and Census Expected %.

Income Category	Spokane (all)	Census
$0 - $49,999	29.6	36.4
$50,000 - $99,999	35.2	32.2
$100,000 - $149,999	20.4	18.1
More than $150,000	14.7	13.3

Notes:*ACS, 2021, Table ID: B19001A.

Race, Gender, & Barriers

We offered some summary information regarding barriers to jury service in the previous section. Here, we provide some additional details on the intersections of basic race, gender, and each reported barrier. Importantly, the survey allowed for multiple responses in the barrier question, so one person could answer "yes" to more than one barrier. For that reason, we present each barrier answer separately here, but keep in mind that unlike the previous barrier question, where each category was mutually exclusive (meaning each answer represented one single person), the current analyses are non-mutually exclusive, meaning some individual respondents may be represented in each of the tables below. As with the previous analyses, some cell sizes within smaller race/ethnicity groups shrink significantly once filtered for all races, genders, and barriers. Therefore, we present the following analyses with combined race and gender categories. Note that Spokane County elected to not include the barrier question in the survey.

Table 20. Percent Reporting Work Hardships (YES) within Race & Gender Categories.

	Clark		King		Pierce	
Gender-Race	White %	non-White %	White %	non-White %	White %	non-White %
Man	28.2	25.8	33.0	29.2	42.7	39.9
Woman	22.7	21.8	30.6	26.9	40.3	36.4
Non-Binary	28.9	26.7	30.9	36.7	36.1	35.8

Notes: Total Ns: Clark N= 2,255; King N= 19,612; Pierce N= 14,410.

Table 20 (above) provides additional information for those reporting a work-related hardship. Overall, women reported less work-related hardships than men, while mixed compared to non-binary respondents. Also, with the exception of the King County non-binary category, non-White respondents reported less work-related hardships than White respondents. Work-related hardships include things such as lost wages, work-related travel conflicts, and staffing issues for small business owners, for example. Work-related hardship was the largest barrier category reported among all surveys. As previously mentioned, this finding mirrored what was discovered in the four-month survey during the COVID-19 pandemic (Collins & Gialopsos, 2021b). Table 21, below, provides information on the number of respondents who indicated financial hardship as a barrier to jury service. Findings here indicate a relatively similar percentage between men and women and White and non-White respondents reported having a financial hardship. The exception here is with the non-binary category, which is about double the size of the next largest group in each category, as well as larger in the non-White categories across the board. Some caution in interpreting the non-binary category is warranted due to some small cell sizes (less than n= 10).

Table 21. Percent Reporting Financial Hardships within Race & Gender Categories.

	Clark		King		Pierce	
Gender-Race	White %	non-White %	White %	non-White %	White %	non-White %
Man	8.7	9.0	6.3	7.0	10.4	12.9
Woman	7.4	7.4	6.8	7.2	10.7	12.0
Non-Binary*	19.3	13.3	15.4	20.2	19.5	25.5

Notes: Total Ns: Clark N= 737; King N= 4,520; Pierce N= 4,043. *Low cell counts, interpret with caution.

Table 22 provides information on the number of respondents who indicated issues surrounding dependent care as a barrier to jury service. Unsurprisingly, both White and non-White women reported having dependent care issues at a much higher rate than men and non-binary individuals. Dependent care is the second most selected barrier to jury service within the current study.

Table 22. Percent Reporting Dependent Care Hardships within Race & Gender Categories.

	Clark		King		Pierce	
Gender-Race	White %	non-White %	White %	non-White %	White %	non-White %
Man	6.2	5.8	7.1	8.3	9.2	10.8
Woman	19.4	17.6	17.5	16.2	23.7	22.9
Non-Binary	3.6	13.3	6.8	7.9	10.1	10.8

Notes: Total N Clark N= 1,148; King N= 8,045; Pierce N= 6,084.

Table 23 provides information on the number of respondents who indicated issues surrounding transportation as a barrier to jury service. Transportation continues to be an issue for many survey respondents. Again, we see some similar patterns among White and non-White and men and women, and a clear divergence among the non-binary category. Some caution in interpreting the non-binary category is warranted due to some small cell sizes (less than n= 10).

Table 23. Percent Reporting Transportation Care Hardships within Race & Gender Categories.

	Clark		King		Pierce	
Gender-Race	White %	non-White %	White %	non-White %	White %	non-White %
Man	2.8	4.1	5.2	5.8	4.8	5.5
Woman	3.4	5.0	7.4	8.6	6.2	7.4
Non-Binary*	14.5	26.7	14.8	18.1	21.3	16.5

Notes: Total Ns: Clark N= 1,148; King N= 4,466; Pierce N= 2,183. *Low cell counts, interpret with caution.

Table 24 provides information on the number of respondents who indicated issues surrounding disabilities, health, or mental health as a barrier to jury service. Again, there are some generally similar patterns between White and non-White men and women, with a clear difference with the non-binary category. Some caution in interpreting the non-binary category is warranted due to some small cell sizes (less than n= 10).

Table 24. Percent Reporting Disability or Health Care Hardships within Race & Gender Categories.

	Clark		King		Pierce	
Gender-Race	White %	non-White %	White %	non-White %	White %	non-White %
Man	6.0	6.1	5.9	5.0	8.7	7.9
Woman	7.3	7.3	7.8	7.4	10.0	9.9
Non-Binary*	20.5	23.3	17.7	16.3	25.5	19.8

Notes: Total Ns: Clark N= 621; King N= 4,441; Pierce N= 3,401. *Low cell counts, interpret with caution.

Overall, thousands of respondents across all the reporting counties reported at least one, if not many, barriers or hardships that impacted their ability to participate in jury service. We can only assume that these numbers are even larger for those people who do not respond to a summons at all. We have noted barriers in previous reports and the patterns we see here are similar to those seen in past iterations of this survey (Collins & Gialopsos, 2021b). There are clear policy implications here, as we believe that changes aimed at lessoning the impact of reported hardships have a potential for net positive effect for *all* potential jurors, and specifically those reporting work and dependent care-related hardships.

Many survey respondents reported facing multiple barriers and some provided additional information in a section of the barriers question that gave respondents the opportunity to write-in additional or "other" barriers. A large number of those reporting "other" barriers included additional details about their hardships. For example, many elderly respondents said that they had health concerns, such as not being able to sit for long periods of time, while others reported details about their dependent care, which ranged from caring for infants to the elderly, as well as people who require full time care for a range of healthcare related needs. Many people reported having travel-related issues that required them to postpone their service, as well as students who were attending college away from home to those serving in the military overseas. In general, the basic themes from the "other" category tracked with the other noted barriers categories.

SECTION TWO RESULTS

The Pierce County Superior Court Administration maintains a unique Juror Management System (JMS), which allows for the tracking of individual jurors through the entire process, from summons to being selected and seated on a jury. Up until now, demographic survey research on potential jurors has only recorded jury participation patterns at the reporting for duty or check-in stage. For example, previous large-scale iterations of the demographic survey (e.g., the 2016-2017 study) were conducted on-site as people who were summoned showed up in-person at their respective courthouse, while the current approach captures data a step prior, at online check-in. Because Pierce County has a more thoroughly integrated JMS, for the first time, we can map patterns in four distinct stages: 1) from the online check-in stage to 2) those reporting in-person at the courthouse, 3) then to those selected for *voir dire*, and 4) finally to those selected as jurors (sworn or alternate).

At the beginning of the survey, we asked that jurors record their juror ID, which is auto generated by the JMS and included on their summons. Those IDs were then matched within the Pierce County JMS. Successfully matched IDs were then supplemented with stage or status identifiers and shared back with the research team where they were merged with the demographic data. Status identifiers are simply earmarks in the system that provide information regarding how far each juror progressed in the process. For example, "Person A" reports for jury duty online and fills out the survey, thereby creating a record at stage 1 in the process. Next, "Person A" reports in-person and checks in at the courthouse (stage 2) and waits to be selected but they are not randomly assigned to a courtroom. The "Person A" indicator would be present at both stages 1 and 2, but not at 3 or 4. These stage identifiers act as simple filters, which ultimately show which jurors are retained through the process. The stages offer snapshots of the demographics at each stage. The data and resulting analyses in this section reflect the Pierce County ID-linked responses only. A graphic was included in the intro section that provided visual details about the four stages. As we describe in previous sections regrading protection of identifiable data and confidentiality, as per our contract agreement, Pierce County never had access to the raw linkable demographic survey data and the research team never had access to the Pierce County data system.

This is truly an enormous step forward in terms of data depth and quality in jury summons research in Washington State, and the credit for including and maintaining such great data management standards goes to the Pierce County Court system judges, and the administration staff. The Pierce County Superior Court and Court Administration has been a valued partner in this endeavor and has led the effort in being open and transparent with their data, and we would not be able to provide such detailed information without their valued partnership.

Pierce County Univariate Analysis

As with the Part 1 analysis section, we first present the main univariate findings for each demographic question for Pierce County and then present selected bivariate analyses. We understand that other important questions may be left unanswered here; however, our intention is to provide the clearest information related specifically to racial representation, followed by gender and income. Each measure and related table will contain summary data for all four stages of the

jury process. Where appropriate, additional benchmark or comparison data will be listed in the text or in the notes section of the table.

Age

The average age of respondents in Pierce County is right around 48 years old. Both the average and median figures reflect minimal change through the four stages of the process, suggesting a good deal of stability throughout the jury selection process. The median age for all Pierce County residents is 36.9 years old and about 76% of the population is aged 18 and over (ACS, 2021).

Table 25. Pierce County: Respondent Age.

Stage	Mean	Median
Stage 1	47.3	46
Stage 2	48.9	49
Stage 3	48.9	49
Stage 4	48.1	49

Notes: The median age in Pierce County is 36.9 years old and about 76% of the population is 18 or older (ACS, 2021).

Employment

Table 26. Pierce County: Employment Status, Frequency & Percent Per Category.

Employment Category	S1	S1%	S2	S2%	S3	S3%	S4	S4%
Full Time	19,310	52.3	3,298	59.6	2,696	60.4	592	65.1
Part Time	2,509	6.8	326	5.9	258	5.8	47	5.2
Furloughed Due to COVID-19	12	0.0	2	0.0	1	0.0	0	0.0
Military Active Duty	217	0.6	17	0.3	13	0.3	1	0.1
Homemaker	1,595	4.3	132	2.4	104	2.3	20	2.2
Retired	5,811	15.7	1,044	18.9	831	18.6	151	16.6
Self-Employed	1,725	4.7	172	3.1	143	3.2	27	3.0
Student	871	2.4	52	0.9	33	0.7	3	0.3
Unable to Work	727	2.0	37	0.7	29	0.6	2	0.2
Unemployed Looking for Work	724	2.0	138	2.5	110	2.5	17	1.9
Unemployed & Not Looking for Work	300	0.8	46	0.8	33	0.7	6	0.7
A Category Not Listed	574	1.6	46	0.8	36	0.8	6	0.7
Multi-Category Selection	2,531	6.9	219	4.0	180	4.0	37	4.1
Total	36,906	100	5,529	100	4,467	100	909	100

Notes: S1-S4, Stage 1-Stage 4. Employment categories are mutually exclusive.

Employment status is an important measure, as we know from our analysis on barriers to jury service that work-related conflicts or hardships make up a large portion of those reported. According to the Washington State Employment and Security Department, the unemployment rate

in Pierce County is around 6.1%, while we estimate 4.8% for the survey respondents. Our unemployment summary estimate for the Pierce County survey respondents includes those who were furloughed, unable to work, or unemployed (looking and not looking).

Combined Household Income

In Table 27, below, we present the percent of combined annual household income by summary income category for each of the four stages for Pierce County. There are some clear trends here, especially within the lowest and the highest combined income categories, where at the lowest, we see a decrease in the percent of people from stage 1 to stage 4, while at the highest end we see an increase in the general percentage of people from stages 1 to 4. This can be interpreted as simply the process tends to retain individuals who have a higher income and thus, the means to participate, while those making less are likely dismissed for hardship at a higher rate.

Table 27. Combined Annual Household Income: Percent.

Income Category	S1%	S2%	S3%	S4%
$0-49k	25.6	17.4	17.6	14.8
$50-99k	34.2	34.9	35.0	32.6
$100-149k	21.8	24.7	24.3	25.8
$150k+	18.3	23.0	23.1	26.8
Total	100	100	100	100

Notes: Median household income is $81,720.

Education

There is not much meaningful change across the stages in regard to educational attainment in Pierce County. Perhaps the more important finding here is that the percentage of those survey respondents who reported having a bachelor's degree or higher is 42.5%, while the percentage of those reporting in the general population is 31.1%, which is an 11.3% difference. This was also a trend for all reporting counties, as detailed in the first section of this report.

Table 28. Educational Attainment: Percent within Category.

Highest Level of Education	S1%	S2%	S3%	S4%
Some high school	2.7	0.9	1.0	1.0
High school degree or GED	16.6	13.4	13.5	13.3
Trade school	4.9	4.3	4.2	2.9
Some college but no degree	20.9	20.6	20.8	21.8
Associates degree	11.3	11.8	11.5	10.8
Bachelor's degree	26.2	29.2	29.4	30.5
Master's degree	12.8	15.3	15.1	15.8
Doctorate degree	3.4	3.7	3.6	3.1
A category not listed:	1.2	0.9	1.0	0.8
Total	100.0	100.0	100.0	100.0

Notes: Benchmark: Population High school or higher (above 25 years old) is 93%; Population Bachelor's degree or higher is 31.1% (ACS, 2021). Bachelor's or higher survey is 42.5%.

Gender

The gender findings above reveal an interesting pattern regarding how men and women are retained through the four stages. At stage 1, women represent the greatest number of respondents, and as the stages progress, the percentages flip and men then become a majority. There are likely multiple reasons for this pattern; however, we know that dependent care-related conflicts and hardships affect women at much higher rates than men in these data, ultimately resulting in more excusals. We discuss this in more depth in the bivariate section on barriers.

Table 29. Gender: Percent Reported within Category.

Gender Category	S1%	S2%	S3%	S4%
Agender	0.0	0.1	0.1	0.0
Gender Queer or Fluid	0.2	0.1	0.1	0.0
Man	45.2	51.4	51.6	53.6
Non-Binary	0.4	0.5	0.5	0.3
Questioning	0.1	0.1	0.1	0.1
Trans Man	0.1	0.1	0.0	0.0
Trans Woman	0.1	0.1	0.1	0.1
Woman	53.1	47.1	46.9	45.3
An Identity Not Listed	0.2	0.1	0.1	0.0
Multi-Category Response	0.6	0.6	0.6	0.6
Total	100.0	100.0	100.0	100.0

Notes: Pierce County female population 18 and over is 50.1% (ACS, 2021). Stage 1 Ns: Women= 19,015; Men= 16,185 | Stage 4 Ns: Men= 475; Women= 401.

Sexual Orientation

The bulk of survey respondents reported a heterosexual orientation and the percentage remained relatively stable within the four stages. There is still more research to be done in this area, but there are two observations that are important to forward here. First, the stability across the stages may indicate that sexual orientation may not affect retention or exclusion throughout the process, indicating that it is not a significant source of bias within the jury summons and selection process. Second, we do not have solid baseline comparison figures for sexual orientation in Pierce County. The best estimates we have are at the state level, which indicates that 5.2% of the state population identify as LGBT (The Williams Institute, 2021). Other sources estimate the LGBTQ+ population in Seattle at over 10% (Link). Pierce County is unique and different from Seattle, of course, but survey estimates hover around 7% for all stages, which lends some confidence that the estimates are somewhat generalizable to the population.

Table 30. Sexual Orientation: Percent Reported within Category.

Category	S1%	S2%	S3%	S4%
Asexual	0.4	0.3	0.4	0.2
Bisexual	2.7	2.4	2.3	3.1
Gay	1.1	1.6	1.6	1.9
Heterosexual	91.9	91.7	91.8	92.2
Lesbian	1.0	1.3	1.3	0.8
Pansexual	0.8	0.7	0.7	0.7
Queer	0.5	0.5	0.5	0.1
Questioning	0.3	0.3	0.2	0.1
An Identity Not Listed	0.4	0.3	0.3	0.0
Multi-Category	0.8	0.9	0.9	0.7
Total	100.0	100.0	100.0	100.0
Combined LGBTQ+*	6.6	6.7	6.7	7.0

Notes: **LGBTQ+ Combined = Asexual, Bi, Gay, Lesbian, Pan, and Queer. Stage Average LGBT= 5.2% (The Williams Institute, 2021).

Barriers

As with all previous barriers-related analyses, please note that Table 31, below, reports data from only those respondents who reported a conflict or hardship (72.5% of all survey respondents), and it does not mean that they failed to show up to jury duty or were not ultimately selected as a juror. The conflicts or hardships that were reported by Pierce County respondents followed the same general trends found in the other jurisdictions in this study as well as in a previous report (Collins & Gialopsos, 2021b). Work-related conflicts remain the largest category with dependent care coming in second. As detailed in Part 1 of this interim report, the "Other" and "Multiple" categories follow the same general pattern in the named categories above, with additional details, such as identifying specific circumstances surrounding the stated barrier (for example, some respondents indicated that they were attending college away from home or serving overseas in the military). More research on the barriers to jury service is forthcoming, but there are a couple of observations that are important to make here. First, there is an increase in the percentage of work-related conflicts moving from stage 1 to stage 4. This can be seen as a concentration affect, which follows previous patterns found for income and employment. Second, there is a decrease in the percentage of dependent care conflicts from stage 1 to stage 4. This is an important trend to note as well, as it is likely reflective of excusals for dependent care, a trend that is also concentrated within the woman category, impacting retention throughout the stages. We present additional information on this trend below.

Table 31. Mutually Exclusive Barriers: Percent within Category.

Conflict or Hardship/Barrier Category	S1%	S2%	S3%	S4%
Work Related	28.8	38.5	39.2	45.0
Financial	2.0	2.4	2.1	1.7
Dependent Care	8.8	6.5	6.5	5.3
Transportation	1.5	2.7	2.7	2.5
Disability or Health/Mental Health	5.0	2.3	2.4	2.1
Other	16.6	19.3	19.1	19.2
COVID	1.2	1.6	1.5	1.5
Multiple Categories Selected	36.0	26.7	26.5	22.6
Total	100	100	100	100

Notes: Mutually exclusive means each individual can only be represented within one category above.

Race & Ethnicity

Pierce County is unique in their willingness to be open to including additional questions on the survey, regarding race and ethnicity. Similar to all other jurisdictions, the Pierce County survey asked survey respondents to self-report their race and ethnicity. In order to explore how individuals view their own racial and ethnic identities, we added additional race and ethnicity questions that had the exact same answers as the original race and ethnicity questions but asked respondents to identify what race and ethnicity they felt *other* people view them as. Therefore, for all race and ethnicity analyses, we present two sets of results. We refer to the original race and ethnicity questions throughout the following report as "R1" and we refer to the experimental question as "R2." We present some additional bivariate analyses on these two questions below.

As with the Part 1 findings, the categories used here reflect those reported in the CVAP data, with Hispanic or Latino/a/x filtered within racial categories. County-level CVAP estimates were gathered from the Citizen Voting Age Population (CVAP) Special Tabulation from the 2016-2020 5-Year American Community Survey (ACS). As with previous analyses, the following tables include a summary of race and ethnicity CVAP ratios. A ratio is simply the survey percentage divided by the CVAP percentage. Each ratio can be interpreted as either under- or over-representative of the CVAP population depending on whether the figure is below or above 1. Figures at or close to 1 can be interpreted as being reflective of the CVAP population.

Table 32. Pierce County R1 Race and Ethnicity Ratios (Survey% / CVAP%).

Census Category (Non-Hispanic/Latino/a/x)	S1	S2	S3	S4
White Alone	1.02	1.06	1.07	1.04
Black or African American Alone	0.52	0.58	0.54	0.79
American Indian/Alaska Native Alone	0.68	0.47	0.54	0.00*
Asian Alone	1.18	1.08	0.72	0.76
Nat Hawaiian/Other Pacific Islander Alone	0.67	0.51	0.42	0.27*
American Indian or Alaska Native and White	0.89	0.37	0.77	0.50*
Asian and White	1.31	0.62	1.31	1.40
Black or African American and White	1.04	0.60	0.86	0.99*
Am. Indian or AK Native and Black or African Am.	0.53	0.27*	0.15*	0.00*
Remainder of Two or More Race Responses	1.84	1.43	1.70	2.65
Not Hispanic or Latino	1.02	1.02	1.02	1.02
Hispanic or Latino	0.79	0.71	0.72	0.75

Notes: *Cell counts are low (10 or less), interpret with caution.

The figures presented in both Tables 31 and 32 are somewhat dense, so we offer some basic interpretations here. For example, in regard to the Black or African American Alone (non-Hispanic/Latino/a/x) category at stage 1, we observe a ratio of .52. This is interpreted as: using the CVAP estimates as a baseline comparison, we observe 52 (survey) out of the expected 100 (CVAP) individuals who self-reported Black or African American Alone. This can be further interpreted as 52% of the expected number of Black or African American respondents were represented proportionately at stage 1. Likewise, the same number could be interpreted as 48% of the expected percentage of Black or African American Alone category was missing. Overall, the ratio improves from .52 stage 1 to .79 at stage 4. Other notable categories include American Indian or Alaska Native Alone (non-Hispanic/Latino/a/x), which is proportionately underrepresented throughout each stage, as well as some additional mixed-race categories, and under-representation for the Hispanic or Latino/a/x categories.

Additionally, the mixed-race category is once again over-represented, and increases proportionately as jurors progress through the process. Additional analysis is warranted here, but this finding is not incredible considering this category continues to experience significant overall growth in the general population. Finally, there is likely some movement from more exclusive or non-representative categorization to more inclusive categorization. For example, allowing respondents to mark "all that apply," instead of forcing them to pick a single category. We see this same effect with previous limited categorization of binary gender and sexual orientation. What is important to note, however, is that even if we combined *all* responses from the "Remainder of Two or More Responses" category into the "Black or African American" category, for example, the ratio would still be less than one (.86).

Table 33. Pierce County R2 Race and Ethnicity Ratios (Survey% / CVAP%).

Census Category (Non-Hispanic/Latino/a/x)	S1	S2	S3	S4
White Alone	1.06	1.10	1.11	1.09
Black or African American Alone	0.58	0.60	0.56	0.71
American Indian/Alaska Native Alone	0.47	0.37	0.41	0.00*
Asian Alone	1.08	0.69	0.64	0.68
Nat Hawaiian/Other Pacific Islander Alone	0.51	0.40	0.33	0.19*
American Indian or Alaska Native and White	0.37	0.33	0.34	0.53*
Asian and White	0.62	0.59	0.60	0.49*
Black or African American and White	0.60	0.58	0.64	1.04*
Am. Indian or AK Native and Black or African Am.	0.27	0.13*	0.16*	0.00*
Remainder of Two or More Race Responses	1.43	1.22	1.25	1.50
Not Hispanic or Latino	1.02	1.03	1.03	1.02
Hispanic or Latino	0.71	0.57	0.59	0.74

Notes: *Cell counts are low (10 or less), interpret with caution.

The experimental race/ethnicity question results, listed in Table 33 above, are interesting indeed. We find that, overall, the respondents thought that others viewed them outside their respective self-reported racial and ethnic category. While some categories follow a similar pattern as seen in the self-report race question (R1), there is a noticeable and noteworthy increase in the ratios for White Alone. This may be interpreted as: some of the respondents reported that they feel that others perceive them as White, rather than how they self-report. There also appears to be a condensing effect in terms of the mixed race (especially remainder of two or more races) category. This is likely due to someone identifying in multiple categories, but feeling that others only see them as one particular race. We believe these findings have further implications in discourse surrounding race, perceived race, and representation. Next, we present some additional bivariate analysis.

Bivariate Test: R1 and R2 Differences

Normally, a simple χ^2 (chi-square) test is used in order to test significant differences between categorical groups. Here, a modified test must be used due to the dependent or related nature of the units of analysis (people) in the sample. Here, "Person A" has an answer for the R1 question and a related or paired answer for the R2 question. We use a McNemar test to measure changes in the proportion of paired responses of dichotomous race (non-Hispanic/Latino/a/x). For the following analysis, we must combine categories into White/non-White. The null hypothesis is that the distributions of different values (White/non-White) across R1 and R2 are equally likely. The test indicates a statistically significant difference between the paired values, so the null hypothesis is rejected in favor of the alternative, or that the significant proportion of respondents who selected a non-White category for their self-reported race category (R1) reported that they felt others viewed them as White in the R2 category. There is more work to be completed specifically relating to the experimental race question, but this finding raises some important questions regarding measurement and related estimates of race and ethnicity.

Table 34. Crosstabs χ^2: McNemar Test.

	R2 Race		
R1 Race	White	non-White	Total
White	21,681	312	21,993
non-White	725	4,753	5,478
Total	22,406	5,065	27,471

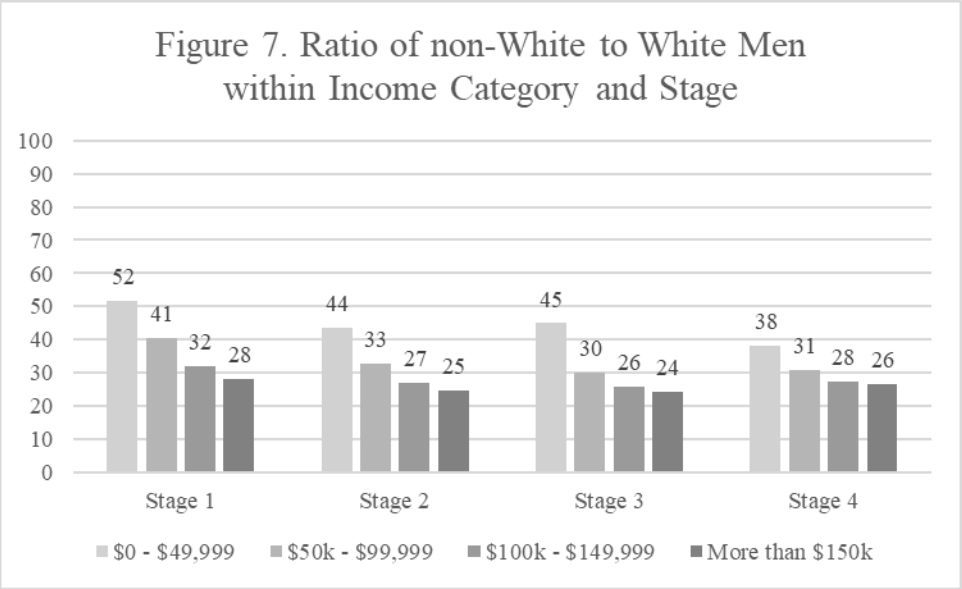
Notes: McNemar Test: χ^2= 163.7, (1) p< .001.

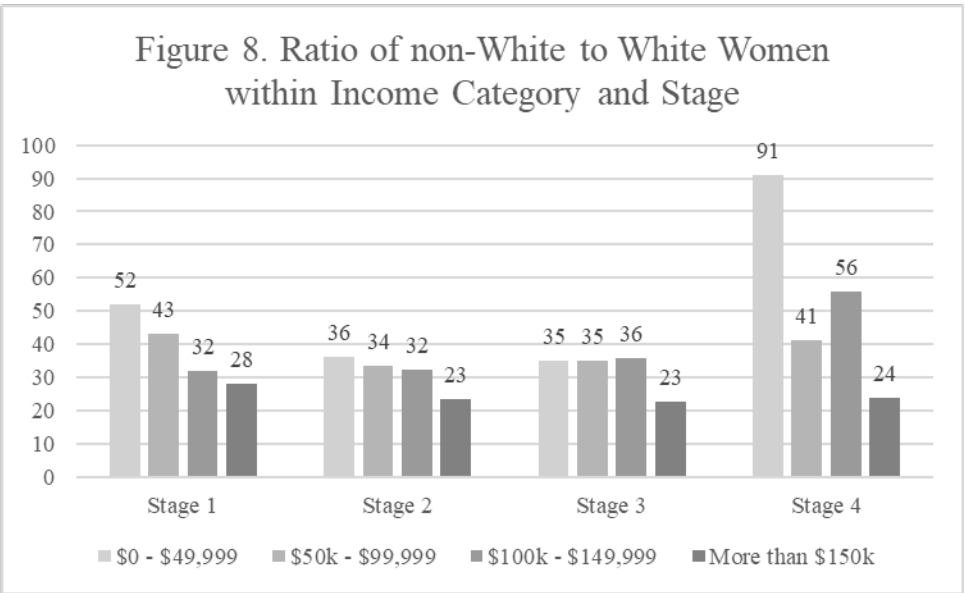
Selected Pierce County Bivariate Analyses

As we stated earlier, there are a large number of combinations that could be explored within this dataset. Some of these analyses will be detailed in the full report, which will be released June 2023. Others still may not be detailed due to time and resource restraints. We understand that some individuals may have very important and particular questions and it is our hope that we will be able to provide a public use file in the future. For now, we focus on some higher-level questions surrounding the intersections of race, ethnicity, gender, income, and barriers to participation. For some of the following analyses, combined categories are used to simplify interpretations and/or conserve space.

Race, Gender, & Income

In Figures 7 and 8 below, we present the ratio of non-White to White in each of the summary income categories and in each of the stages for men and for women, respectively. Additional categories beyond the gender binary were collected, but due to low sample size, we do not provide that information here. There are some distinct patterns for both men and women. First, for both groups, and generally across all stages, the representation of non-White decreases as the income category increases. The overall representation of non-White for both men and women trend towards decreasing over each income category and through each stage of the process. There is one exception regarding the Stage 4 Women category, where in the lowest income category for women there is near parity between non-White and White respondents (i.e., as indicated by the line the column that is much longer than the rest) and a general increase in the proportion of non-White to White in the other income categories. Except for this noted exception, men and women in Pierce County are very similar in that as income increases, the potential jurors become more White and less non-White.





As with the RGI analysis in Part 1 of this interim report, the ratios of non-White to White within annual household income categories are not equal at baseline (i.e., not all categories in the survey contained the same intervals; while most of the survey categories were in $9,999 increments, once $100,000 was reached, the intervals increased to roughly $50,000). Therefore, interpretation of the ratios presented in the figures here need to be interpreted with caution, as they do not reflect the differences compared to a baseline Census figure. The proper interpretation rests in the change in proportions between income categories and across stages, the basic pattern that it shows, which are valid.

Work & Dependent Care Conflict or Hardship

In Tables 35 and 36 below, we present some additional findings on the top two reported barriers to jury service in Pierce County, work and dependent care related conflicts or hardships. The figures here are from Stage 1. The reported percentage of men reporting a work-related conflict or hardship was a little higher than the percentage of women. There is also a slight difference between White and non-White respondents, with White respondents reporting higher than non-White respondents.

Table 35. Work Hardship: Percent Reporting within Category.

	% Men		% Women	
	White	non-White	White	non-White
Work	42.7	39.9	40.3	36.4

Notes: Men n= 6,768; Women n= 7,427.

Table 36 depicts the percentage of women reporting a dependent care related conflict or hardship was about double of what men reported, with comparatively small differences between White and non-White respondents. Separate analysis of gender and excusals from jury service reveals that 76.4% of those reporting a dependent care conflict or hardship were women (n= 2,790), compared to men (23.6%, n= 863).

Table 36. Dependent Care: Percent Reporting within Category.

	% Men		% Women	
	White	non-White	White	non-White
Dependent Care	9.2	10.8	23.7	22.9

Notes: Men n= 1,566; Women n= 4,456.

STUDY LIMITATIONS

While the current study is by far the most comprehensive effort to capture the demographic data of potential jurors, there are still noteworthy limitations. First and foremost, the results only paint a picture of those who respond to their summons for jury service and elect to complete the survey. It does not capture those whose information is not reflected in master jury lists (including those who fail to meet the legal requirements), whose summons are undeliverable (e.g., due to transiency, unstable housing, homelessness, housing discrimination, etc.), and/or those who choose not to answer the call when summoned. A sizeable portion of these individuals are encountering powerful barriers that deter or completely block them from fulfilling their civic duty.

Further, in some jurisdictions, like Pierce County, prospective jurors have multiple options for responding to juror summons (e.g., electronically, over the phone, and in person). In other courts, mailing in responses is common, too. Only those who are summoned and replied via the online portal are reflected in this data. Also, it is possible to have completed the online survey ahead of time but then fail to actually show up in court on the allotted day.

In order to uphold human subject protections, the survey was voluntary to complete. Thus, it is possible that fundamental differences exist between those who chose to complete the survey and those who did not. Further, because respondents had the option to skip any questions that they preferred not to answer, there is the potential issue of missing data; however, tests for systematic missingness were null, and individual question response rates were all well within acceptable limits (high 80% to 95% range). Annual household income was the most skipped question (high 70% to 80% range), which makes sense considering norms of privacy surrounding wealth and income. Similarly, given the electronic nature of the survey, it seems highly likely that some individuals started the survey on one electronic device without completing it and then restarted it on another. Regardless, this contributes to some incomplete data for some of the surveys. As described earlier, we are confident that our samples within each county are representative of those people who respond to a summons.

While the data collected thus far will form a demographic baseline of summoned jurors for the state of Washington, the analysis here is cross-sectional in nature. This alone presents some limitations. Unless the data collection efforts are long-term and/or become a permanent fixture in the jury summonsing process, the data represent merely a snapshot of those who respond to their jury summons within the last year or so. With so many historic and societal changes impacting our justice system and various local and state efforts being employed to increase response rates of jury summons and diversity of jurors, it is necessary to have consistent, unaltered, and uninterrupted data collection.

NEXT STEPS

While data collection remains on-going, there are some recommendations that warrant consideration. Some suggestions are derived from the Court Experience and Feedback Survey from those who had hands-on experience with behind-the-scenes aspects and/or the actual administration of the jury demographic survey. Other suggestions are linked to literature and/or require broader systemic changes. Finally, this section concludes with potential revisions to any future iterations of the legislative bill, as well as possible pathways for new research.

Court Experience & Feedback Survey

In an effort to better understand courts' experience with the Statewide Jury Demographic Survey, researchers developed a brief Court Experience and Feedback Survey. The goal of this subsequent survey was to elicit anecdotal feedback that would identify both financial and non-financial resources needed to inform and sustain future survey efforts. Regardless of their participation status, all Washington court recipients were invited to complete the survey; including any individuals who had corresponded with the research team and/or had a role in the onboarding, implementation and/or administration of the demographic survey (e.g., IT personnel, court administrators, court clerks, judges, etc.).

This voluntary feedback survey was distributed electronically on 10/26/22 and open for data collection through 12/07/22. Upon identifying their court and participation status, points of inquiry included: (1) How easy the participation process was; (2) What worked well when administering the survey; (3) What didn't work well; (4) How much time, on average, their dedicated to the survey in hours per month; (5) How much effort their court dedication to the survey in terms of additional resources (e.g., staffing, mailing, technical assistance, supplies, etc.); What circumstances impacted their participation (e.g., staffing, staff capacity, frequency of trials, court chose not to participate, etc.); What their court would need, in terms of resources, to fully integrate the demographic survey project into their court operations.

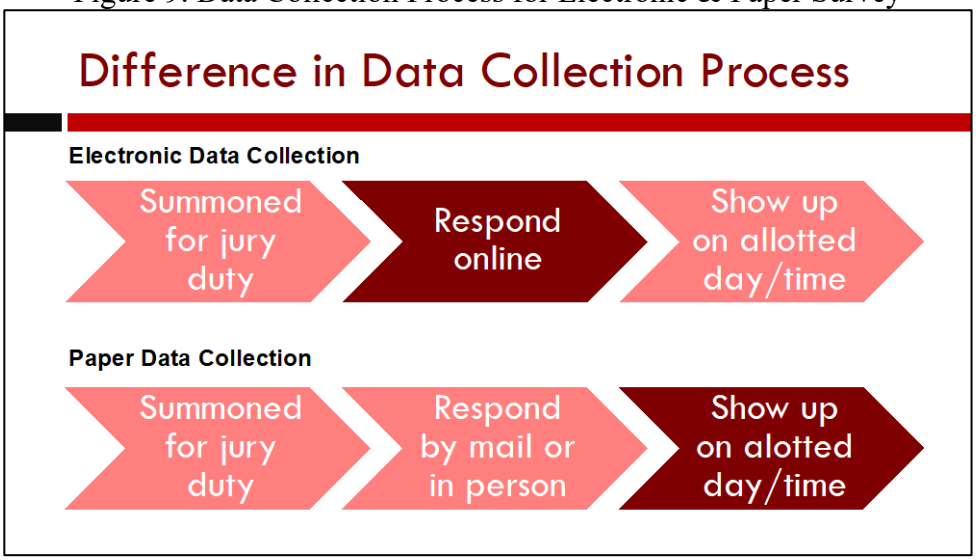
We sent survey links to contacts affiliated with approximately 119 Washington courthouses, inviting those that we had any prior contact with to participate in this feedback opportunity; 28 respondents completed the Court Experience and Feedback Survey. Please note that multiple people from each county/court were invited to participate; therefore, the number of responses is not equivalent to the number of responding counties/courts. Among the four counties whose data is analyzed in this interim report, only one county provided feedback. Table 36 displays the responses based on the court's participation status.

Table 37. Responses from the Court Experience and Feedback Survey.				
Participation Status	Number of Responses	Ease of Implementation	Time Per Month	Resources Recommended
Electronic data collection in progress	8 (1 from interim report)	**Very easy** = 6 **Somewhat easy** = 2 **Neither easy nor difficult** = 0 **Somewhat difficult** = 0 **Very difficult** = 0 **No response** = 0	**0 hours** = 2 **1-1.5 hours** = 2 **2-2.5 hours** = 2 **>3 hours** = 1 **Unsure/No response** = 1	**Did not specify** =
Paper data collection in progress	8	**Very easy** = 5 **Somewhat easy** = 0 **Neither easy nor difficult** = 0 **Somewhat difficult** = 1 **Very difficult** = 0 **No response** = 2	**0 hours = 0** **1-1.5 hour** = 1 **2-2.5 hours** = 2 **>3 hours** = 2 **Unsure/No response** = 3	**Funding for/electronic capabilities** = 5 **No response/Did not specify** = 0
Onboarded but waiting for jury trial	3	**Very easy** = 1 **Somewhat easy** = 1 **Neither easy nor difficult** = 1 **Somewhat difficult** = 0 **Very difficult** = 0 **No response** = 0	**0 hours** = 0 **1-1.5 hours** = 0 **2-2.5 hours** = 1 **>3 hours** = 0 **Unsure/No response** = 2	**No response/Did not specify** = 3
Still in process of being onboarded	5	**Very easy** = 0 **Somewhat easy** = 0 **Neither easy nor difficult** = 3 **Somewhat difficult** = 1 **Very difficult** = 0 **No response** = 1	**0 hours** = 0 **1-1.5 hours** = 0 **2-2.5 hours** = 0 **>3 hours** = 0 **Unsure/No response** = 5	**Funding for/electronic capabilities** = 2 **No response/Did not specify** = 3
Opted out of the project for various reasons	4	**Very easy** = 0 **Somewhat easy** = 0 **Neither easy nor difficult** = 0 **Somewhat difficult** = 0 **Very difficult** = 0 **No response** = 4	**0 hours** = 0 **1-1.5 hours** = 0 **2-2.5 hours** = 0 **>3 hours** = 0 **Unsure/No response** = 4	**No response/Did not specify** = 4

Suggested Revisions to Legislative Bill

Upon reviewing ESSB 5092, Section 115, Section 3, it is recommended that elements of the language in the legislation be revised to address the lack of operational standardization that currently exists among Washington State Courts. For example, as the bill currently states, the Washington Administrative Office of the Courts shall provide: "all courts with an electronic demographic survey for jurors who begin a jury term." However, there is variation in the process of summonsing potential jurors across superior, district and municipal courts – with the majority operating without electronic capacity. This modality issue was quickly addressed through the development of a paper version of the survey. However, this resulted in data collection occurring at two different points depending on which modality courts opted for (see Figure 9, below). For courts that possessed electronic capabilities, the demographic survey was presented to potential jurors upon responding to their summons online. Those that opted for the paper modality presented the survey in-person to potential jurors at the point of appearance.

Figure 9. Data Collection Process for Electronic & Paper Survey



If/when future survey efforts are implemented on a mandatory basis, it is imperative to consider what financial and non-financial resources may need to be provided to participating courts to ensure that data collection runs concurrently. On multiple occasions, court staff expressed reluctance around the prospect of incorporating electronic capabilities as senior citizens were said to make up a large portion of their jury pool and preferred responding to summons via mail or hand delivery. Additionally, some reported concerns related to staff's capacity to incorporate electronic capabilities into their existing operations (i.e., installation, maintenance, training, and providing assistance to those who have been summoned).

Additionally, future proposals and survey efforts would benefit from more definitive language concerning what constitutes as a "juror" as well as the "beginning of a jury term" in the context of the bill. Anecdotally, courts appeared to interpret their use differently from one another. In some cases, a "juror" was regarded as an individual who has been formally impaneled while others used the term to refer to those summoned from the jury pool. With regards to the "beginning of a jury term," several courts expressed confusion over whether the term refers to the point at which summons are sent out or once a jury is empaneled for trial.

Beyond these recommendations, it might be fruitful to include some additional demographic questions. Asking respondents about their marital status, as well as their disability status could help us to more fully understand some of the reported barriers. Adding the marital status question could also provide some additional insight regarding the distributions of income. Finally, although the barrier question was deemed optional since it was not included in the legislative mandate, making it a required element of the survey would allow us to gather more complete data on this important issue.

Changes to State Jury Lists

A criminal defendants' right to a jury of their peers begins with the master lists assembled from a cross-section of local communities (Collins & Gialopsos, 2021a). As demonstrated in the

survey results, Washington State juries are not demographically representative of their county or jurisdiction. Indeed, there are factors at every stage of the jury selection process that influence the final impaneling. However, it is imperative to consider the far-reaching implications that originate from the methods with which jury pools are initially generated.

According to the Revised Code of Washington[3], the master list will contain all registered voters, licensed drivers and identicard holders, or both. While this revision supports the idea that additional lists increase the likelihood of yielding more representative juries (Caprathe et al., 2016; Collins & Gialopsos, 2021a), each pose significant limitations in their ability to produce proportionate community composition. For example, other scholars have suggested that commonly used lists, specifically from registered voters and motor vehicle registrations, are not representative of many racial and/or ethnic identities while driver's license registries tend to underrepresent women (Adamakos, 2016; Collins & Gialopsos, 2021a; Eisenberg, 2017). Future research should explore whether the master list sources are representative of the population specifically in Washington State.

It is recommended that Washington State increase targeted efforts to maximize juror participation in communities that are underrepresented in terms of race, ethnicity, socioeconomic status, gender identity, and sexual orientation. There are strategies to address these disparities that have been employed successfully by other states and can be adopted. For example, Massachusetts has expanded their sources by incorporating resident lists (Dreiling, 2006). Other states have been generating their jury pools using up to four or five separate sources including parishioner lists (Tran, 2013), food pantry lists, community center lists (Seabury, 2016), the U.S. Postal Service's national change-of-address list (Dreiling, 2006), as well as state income tax records, utility records, and welfare records. Some counties in Pennsylvania have even provided jury service applications in public libraries of BIPOC communities where names are then cross-checked and added to the master jury list (Saunders, 1997). Such efforts have been instrumental in capturing the homeless population that may not be represented on existing lists.

Future Research

Current survey efforts are ongoing and a more comprehensive and updated final report will be released June 2023. The findings in this interim report coupled with the prior jury demographic research in Washington State have begun to paint a clearer picture of the demographic profile of summoned jurors, as well as provide insight into how factors such as dependent care impact participation (see Hickman & Collins, 2017; Collins & Gialopsos, 2020; Collins & Gialopsos, 2021a; Collins & Gialopsos, 2021b). Additionally, our collective understanding of the unique and significant circumstances faced by courts in a highly decentralized system has grown significantly. We have made substantial improvements in the survey process and through our efforts and those

[3] According to the Revised Code of Washington, Title 2, Chapter 36, Section 70, "A person shall be competent to serve as a juror in the state of Washington unless that person: (1) Is less than eighteen years of age; (2) Is not a citizen of the United States; (3) Is not a resident of the county in which he or she has been summoned to serve; (4) Is not able to communicate in the English language; or (5) Has been convicted of a felony and has not had his or her civil rights restored" (RCW 2.36.070).

of our court partners, we have been able to develop a much more comprehensive understanding of summonsing processes alone side the capabilities (and outstanding needs) of courts to deliver services. The work being done in Washington State is groundbreaking and has positioned us as a frontrunner for jury diversity efforts in the nation. Nevertheless, it is only capturing those who receive a summons and choose to respond. It does not capture information about those who do not receive their summons and/or opt not to respond to a summons. This remains an important missing piece to the jury summons puzzle, and we hope to both continue current data collection and expand our research efforts to include a focus on this particular question in future iterations of the survey.

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