
END JURY DISENFRANCHISEMENT IN NEW YORK

New York law permanently disqualifies people convicted of felonies from serving on a jury, no matter the offense or how long ago the conviction took place. Jury service is a cornerstone of our system of self-government and, with voting, represents Americans' most significant opportunity to participate in the democratic process. New York should repeal this lifetime categorical ban that prevents people accused of crimes from being judged by a jury of their peers.

THE PROBLEM

Preventing people with felony convictions from serving on juries makes it harder for returning New Yorkers to reintegrate into society. But the harms of this ban run deeper and are compounded by the history of racialized policing and prosecution. Because the law bans a person with a felony conviction from serving on a jury permanently, it perpetuates the effects of decades of racially-discriminatory law enforcement. As a result, Black and Brown New Yorkers are overrepresented among the population with felony convictions and underrepresented in jury pools across the state. This robs people accused of crimes of their right to a jury of their peers, and erodes public confidence in the fairness of the jury system. Under the current law, New York remains trapped in a vicious cycle: the underrepresentation of people of color on juries contributes to the overrepresentation of people of color among the population with felony convictions, which in turn drives their underrepresentation in the jury pool, and so on.

Currently, the only way for people with felony convictions to apply for restoration of their jury eligibility is through a process that is intrusive and burdensome. Few New Yorkers with felony convictions ever see their jury service rights restored.

THE SOLUTION

In 2021, New York passed legislation to restore the right to vote to people with felony convictions automatically upon release from prison. The State Legislature recognized that “facilitating reentrance in the voting process should be an essential component of rehabilitation and reintegration.” The same is true of jury service. Twenty-one states and the District of Columbia either never exclude people with felony convictions from jury service or provide for automatic restoration of eligibility after a set time.

New York should follow suit by passing the **Jury of Our Peers Bill S.206 (Cleare) /A.1432 (Aubry)**. This legislation would repeal New York’s lifetime categorical ban and postpone the service of anyone currently incarcerated until they complete their term of imprisonment. Restoring the right of people with felony convictions to serve on juries is the right thing to do and it is a racial justice imperative. A jury system that underrepresents Black and Brown New Yorkers is one that ultimately sends more Black and Brown New Yorkers to jail, and it is one that needs to be overhauled.

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