



SOMERSET COUNTY BAR ASSOCIATION

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November 9, 2021

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Via E-Mail Only

The Hon. Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Hughes Justice Complex
P.O. Box 037
Trenton, New Jersey 08625-0037

RE: New Jersey State Bar Association Working Group on Jury Selection Interim Report to the Judicial Conference on Jury Selection November 2021

Dear Judge Grant:

The Somerset County Bar Association Board of Trustees has reviewed the New Jersey State Bar Association Working Group on Jury Selection's Interim Report dated November 2021 concerning implicit bias in New Jersey's jury selection process. The SCBA appreciates the extraordinary amount of work the NJSBA Working Group put into the Report, and thanks it for its efforts. I write today to offer the SCBA's support of the Interim Report.

There is no question that the impact of bias, both implicit and explicit, on New Jersey's jury selection process is a matter of utmost importance. Given that New Jersey has the largest disparity of any state between the incarceration rates of black, indigenous, and people of color ("BIPOC") and white people, it is clear that the issues of race, fairness, and equity in New Jersey's jury selection process must be carefully analyzed and examined. Extensive reforms to the entirety of the State's judicial system are likely necessary in order to combat discrimination and bias, and to ensure a fair and impartial process for all citizens. The gravity and long term implications of such reforms must be acknowledged, studied, and analyzed, and the voices and ideas of all stakeholders heard and incorporated into any lasting measures taken by the Judiciary.

Although we are all eager for the elimination of bias in New Jersey's judicial process, the Interim Report recognizes that there is no quick fix for this longstanding and systemic issue. It cautions against the immediate reduction of peremptory challenges without further study and consideration due to the negative impact such reduction will have on the substantive rights of criminal defendants. It also sets forth a series of recommendations for both short term and long term actions that will keep this critical topic on the top of stakeholder's minds while the necessary and appropriate time, care, and energy are devoted to addressing discrimination and bias in our judicial system.

Accordingly, the SCBA endorses the NJSBA Working Group's Interim Report, and respectfully requests that the Judiciary consider the implementation of the proposed recommendations for the benefit of all citizens, as well as litigants, attorneys, and the Courts. I thank you for your attention to this matter.

Respectfully submitted,

Victoria D. Britton

Victoria D. Britton,
SCBA President

cc: New Jersey State Bar Association
SCBA Board of Trustees