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2538 CHANNING WAY
BERKELEY, CALIFORNIA 94720
(415) 642-2337

To: Board of Overseers
From: Eric Oliver and Raymond E. Wolfinger
Re: Jury Duty as a Deterrent to Voter Registration
Date: January 22, 1992

Most election officials are convinced that popular aversion to jury duty, combined with a widespread belief that jury lists are drawn from voter registration records, significantly depresses turnout. One often hears stories about citizens who cancel their registration in order to avoid further ruinous and involuntary absences from work. For some of us, jury duty might be an unwelcome interruption or an interesting diversion, but not an economic hardship. This could not be said of the self-employed; or workers paid by the hour, the day, or the sale; or those subject to unsympathetic bosses or personnel policies. For these people, jury duty represents a real and significant cost of voting, no less real for being unexplored by those colleagues who specialize in proving that rational people choose to vote because of the benefits of doing so.

Notwithstanding the anecdotal evidence, attempts to measure individual aversion to jury duty with survey data began only in the summer of 1991 with the NES Pilot Study.¹ Using the data from this study, we have attempted to calculate the impact of the threat of jury duty on rates of voter registration. We explored both beliefs about the sources of juror lists and the relationship of those beliefs to the likelihood of registering to vote.

We were somewhat surprised by answers to the first question, which asked respondents if they knew where courts got the lists from which juries were chosen. Only **52 percent** of the sample professed to know, a finding that nearly halves the number of citizens who might be deterred from registering by fear of jury duty. Those who said they knew were then asked how it was done. Responses to this second, open-ended question fell into a

¹. The only systematic empirical study of any kind that we know of is Stephen Knack's analysis of the 1988 NES supplemented with contextual data on each state's sources of jury lists. This paper strongly suggests that aversion to jury duty does keep some people from registering. It also provides useful background information on the evolution of laws about selecting juries and an adequate selection of anecdotes about people deterred from remaining registered by their experiences with jury duty.

number of categories and multiple answers were possible. We put avowedly knowledgeable respondents into three groups: 1) those who mentioned only voter lists; 2) those who mentioned both voter lists and other sources; and 3) those who just mentioned some other source.²

Only 33 percent of the sample said that voter lists alone were the source of juror rolls (See Table 1). An additional 9 percent included voter lists among other sources of jurors. We assume that the deterrent effect of jury duty would be weaker for the second group because these respondents would consider themselves also vulnerable from other lists. The final 11 percent did not think jury lists were based on registration records.

Table 1

Registration and Knowledge of
the Sources of Jury Lists

Where Juries Come From:	Percent of the <u>Total Sample</u>	Percent <u>Registered^a</u>	<u>N^b</u>
Don't Know	48	66	(621)
Only Voter Lists	33	79	(422)
Voter and Other Lists	9	84	(110)
Other than Voter Lists	11	89	(140)
Sample Average		74	(1293)

^a By Self-Report

^b Includes only respondents who provided coded answers

Doubtless all sorts of other things are going on, but we begin with a peek at a simple crosstabulation of registration (measured by self-report) in 1990 against the four sorts of Pilot Study respondents: the three kinds of knowledgeable respondents and the 48 percent of the sample who did not know how juries are made. These findings are also in Table One.

We would expect fewer admittedly ignorant respondents to be registered because such people are less likely to have what it takes to register: education, bureaucratic skills, whatever. Thus whether the gap in registration rates between them and the soi-disant knowledgeable ones is a blow at the rational choice hypothesis awaits multivariate analysis. The same caution should apply to differences among the professedly knowledgeable, which

². Because the facts about the sources of jury lists vary not just from state to state, but also from county to county, we are unequipped to grade respondents who said they knew the sources of juries. We can, of course, flunk the half who admitted ignorance.

are consistent with a rational choice explanation. Respondents who thought jury lists came only from registration records were less likely to be registered than those who believed that they were also vulnerable in other ways. In turn, fewer of this mixed group were registered than were those who mentioned sources other than registration records.

Pilot Study respondents were also asked about their willingness to serve on a jury. About a third said they would rather not. As we might expect, just 68 percent of them reported themselves as registered, compared to 78 percent of those willing to serve. Table 2 compares the registration of the willing and the unwilling, controlled for knowledge of the sources of juries.

Table 2

Willingness to Serve on Juries and Registration
by Knowledge of the Sources of Juries

<u>Where Juries Come From:</u>	Percent Registered:	
	<u>Willing to Serve</u>	<u>Unwilling to Serve</u>
Don't Know	69	61
Only Voter Lists	80	77
Voter and Other Lists	86	78
Other than Voter Lists	94	81

Fewer of those reluctant to serve on juries are registered to vote. However, this relationship is not confined to those who believe jurors are drawn from voter registration records; it is found, in about equal measure, irrespective of knowledge of the sources of jury lists. Thus the relationships depicted in Table 1 are repeated in Table 2 among both those willing and unwilling to serve, at slightly lower levels for every category of knowledge. What is more, nearly 60 percent of the unwilling respondents do not have an opinion about where juries come from; we might say that their ignorance is self-serving. The relationships in Table 2 suggest that happiness about jury service is a variant of the old civic duty item, which was powerfully related to some of the correlates of turnout, particularly education.

Without further examination of relationships among jury duty items and variables like education and political interest, we proceed to the main event: a multivariate analysis. Although we are aware of the abstract arguments against using OLS when dealing with a dichotomous dependent variable, we are also aware that in practice the differences between its results and those from other methods are trivial. We regressed registration on education, age, residential mobility, interest in politics (measured by the "follow public affairs" and "discuss politics" items), self-employment, willingness to serve on juries, and beliefs about the sources

of jury lists. (Self-employment was added because such people were most likely to suffer immediately because of juror service). Coding of the variables is shown in the appendix.

Table 3

Regression of Voter Registration Among
Respondents Who Offered a Source of Juror Lists

All Variables

<u>Independent Variables</u>	<u>Standardized Beta</u>	<u>P value</u>
Education	.004	.469
Age	.078	.064
Residential Mobility	.192	.000
Jury Knowledge	.061	.094
Willing to Serve Jury	.030	.260
Self-Employed	-.022	.325
Follow Politics	.277	.000
Discuss Politics	.035	.238

N = 416

R² = .1432

S.E.E. = .3333

Significant Variables

<u>Independent Variables</u>	<u>Standardized Beta</u>	<u>P value</u>
Age	.064	.072
Residential Mobility	.204	.000
Jury Knowledge	.075	.029
Follow Politics	.200	.000
Discuss Politics	.065	.063

N = 545

R² = .1323

S.E.E. = .3245

Among the variables, residential mobility and interest in politics are clearly the most closely related to registration. Since these respondents already represent an older and more educated portion of the survey, it is not surprising that two variables usually related to registration (age and education) are of less or no significance. On the other hand, the

coefficients for residential mobility and interest in politics are important.

On a second tier of significant variables is "jury knowledge," along with age and how often the respondent discusses politics. Although jury knowledge is not as important as mobility or interest in politics, it clearly has a small but statistically significant relationship with registering to vote: the farther one moves away from seeing voter rolls as the sole source of juror lists the more likely one is to be registered to vote. However, the coefficient of this relationship is fairly small (only about a third of the first tier coefficients) and any substantive interpretations relating knowledge of jury duty to unwillingness to register must be qualified.

One of the more interesting findings of the regression was the lack of significance among such variables as employment status and willingness to serve on a jury. We expected self-employment to be a significant factor in deterring registration as jury duty for this group represents a real cost. In fact, if anything, the self-employed were more likely to be registered and more willing to serve on juries. Similarly, willingness to serve on a jury had no statistical impact on likelihood of registering to vote.

This presents somewhat of a puzzle: although willingness to serve on a jury has no impact on likelihood of registration, knowledge of juror lists does seem to influence registration rates. It remains unclear as to why those respondents who give more sources for juror lists are more likely to be registered to vote. It is possible that respondents are untruthful in their willingness to serve on juries and that the juror knowledge question reflects the reality of the impact of jury duty on registration. It might also be the case that this question is capturing some other attitude and that the difference between the groups is merely a statistical artifact.

Nevertheless, the impact of threat of jury duty on voter registration rates, to the extent it exists at all, seems to be modest. If the threat of jury duty is somehow inhibiting registration, it does so for a tiny portion of the electorate, estimated not to exceed two percent (this estimation was calculated from the coefficients in the original OLS estimate that gave a three percent increase in likelihood of registering to vote based on jury knowledge). We conclude that the great majority of voters are either ignorant of the sources of juror lists or not sufficiently disturbed by the threat of jury duty as to avoid registering to vote.

Appendix

Coding of the Variables

Registration: not registered = 0; registered = 1.

Education: 0-12 years = 1; some college = 2; 4 or more years of college = 3.

Age: 18-24 years = 1; 25-36 years = 2; over 36 = 3.

Residential Mobility: 0-12 months = 1; 13-24 months = 2; 25-60 months = 3; over 60 months = 4.

Jury Knowledge: voter lists only = 1; voter and other lists = 2;
other than voter lists = 3.

Willing to Serve Jury: unwilling = 1; willing = 2.

Self-Employed: self-employed = 1; self-employed and salaried = 2;
not self-employed = 3.

Follow Politics: hardly at all = 1; now and then = 2; some of the time = 3; most of the time = 4.

Discuss Politics: never = 1; less than once a week = 2; once or twice a week = 3; 3-4 times a week = 4; every day = 5.