

RESOLUTION RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

WHEREAS, the U.S. Constitution guarantees the right to a trial by a jury of peers, but currently most juries tend to be not reflective of our communities' economic or racial diversity; and

WHEREAS, if a juror's employer does not cover their salary, jurors earn nothing on their first day of service and only \$15 per day after that; and

WHEREAS, California has the fourth highest cost of living, followed by Massachusetts, Washington D.C. and Hawaii, all of which pay their jurors at least double than the rate paid in California; and

WHEREAS, since jury pay was enacted in California in the 1950s, the stipend has only been increased one time in 2000, over two decades ago; and

WHEREAS, because many low-income families cannot afford to forfeit days, weeks, or months of their salary, they file a claim of financial hardship and are excused from service; and

WHEREAS, a 2004 report presented to the Judicial Council from the Task Force on Jury System Improvements, the Commission called the rate paid to California jurors for daily service and mileage "insulting"; and

WHEREAS, consequently, jury pools tend to be composed of people who can afford to serve unpaid or whose employers will pay them while they're serving; and

WHEREAS, in 2021, Governor Newsom signed Assembly Bill (AB) 1452 (Ting), which created the "Be The Jury" pilot program at the San Francisco Superior Court, where jury pay for criminal cases was increased to \$100 for low to moderate income San Franciscans; and

WHEREAS, the "Be The Jury" pilot program in San Francisco had the following results: (1) the diversity of program participants matched San Francisco's at-large population, where 63 percent of participants identified as "people of color;" (2) the average household income for participants was under \$40,000, significantly below the \$97,000 area median household income in San Francisco; and (3) 81% of participants said they would not have been able to participate in jury duty without financial assistance from the pilot program; and

WHEREAS, the City of Los Angeles is one of the most racially diverse cities in the United States, and its leadership is committed to equity and inclusion for all Los Angeles residents, particularly those who are impacted by the criminal justice system; and

WHEREAS, AB 881, introduced by Assemblymember Ting in February 2023, would apply the “Be The Jury” program statewide by increasing jury pay for criminal cases to \$100 per day of jury service for low to moderate-income Californians; and


WHEREAS, AB 881 also makes \$15 the base rate of pay—rather than the cap, which it currently is—giving courts flexibility to increase pay for civil or criminal cases should they choose to in order to promote more economically and racially diverse jury panels across the State so that they accurately reflect community demographics; and

WHEREAS, to be eligible for the statewide program, an individual’s income for the past 12 months would have to be less than 80% of the area median income and one of the following additional criteria would have to be met: (1) their employer does not compensate for jury service or for the estimated duration of jury service; (2) they are self-employed; or (3) they are unemployed; and

WHEREAS, AB 881 passed the California Assembly Public Safety Committee with bipartisan support, and is supported by both prosecutors and public defenders across the state;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in the 2023-2024 State Legislative Program SUPPORT for AB 881 (Ting) and urges the California State Legislature and California Governor to pass this bill in order to remove financial hardship barriers to increase the diversity of criminal juries in the City of Los Angeles and across the State of California.

PRESENTED BY:



NITHYA RAMAN
Councilmember, 4th District



HUGO SOTO-MARTÍNEZ
Councilmember, 13th District

SECONDED BY:



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