



General Assembly

January Session, 2019

**Committee Bill No. 344**

LCO No. 6052



\* 0 6 0 5 2 S B 0 3 4 4 J U D \*

Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT PROMOTING DIVERSITY IN THE SELECTION OF A JURY PANEL.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 51-222a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 (a) Annually, upon the request of the Jury Administrator, the  
4 Commissioner of Motor Vehicles shall supply the Jury Administrator  
5 with the latest updated file of licensed motor vehicle operators for the  
6 state and with the latest updated file of holders of identity cards issued  
7 under section 1-1h. Upon the request of the Jury Administrator, the  
8 Commissioner of Revenue Services shall supply the Jury  
9 Administrator with the most recent updated list of residents of this  
10 state who have a permanent place of abode in this state and who filed  
11 a return on personal income under chapter 229 in the last tax year, and  
12 the Labor Commissioner shall supply the Jury Administrator with the  
13 most recent updated list of residents of this state who are recipients of  
14 unemployment compensation under chapter 567. In addition, upon the  
15 request of the Jury Administrator, the registrars of voters of each town

16 shall supply a list of all electors from their town, except that in lieu of  
17 such list from the registrars of voters, the Jury Administrator may  
18 obtain the list of all electors from a central repository, or if such list is  
19 not available, may contract for the creation and purchase of such list.  
20 The registrars of voters shall provide lists of electors to the contractor  
21 at the request of the Jury Administrator. Annually, upon the request of  
22 the Jury Administrator, the Commissioner of Public Health shall  
23 supply the Jury Administrator with the most recent updated list of  
24 deceased persons. The lists supplied to the Jury Administrator under  
25 this subsection shall be in the format prescribed by the Jury  
26 Administrator and shall include, at a minimum, the name, address  
27 and, if available, date of birth of each person on such list or the reason  
28 for the unavailability. The lists supplied by the Commissioner of Motor  
29 Vehicles, the Commissioner of Revenue Services, the Commissioner of  
30 Public Health and the Labor Commissioner to the Jury Administrator  
31 under this subsection shall also include the Social Security number of  
32 each person on such list or the reason for the unavailability. The lists of  
33 electors supplied to the Jury Administrator by registrars of voters or  
34 the Secretary of the State under this subsection shall not include Social  
35 Security numbers of persons on such lists.

36 (b) The Jury Administrator shall compile a list of names of electors,  
37 residents of this state appearing on the most recent updated list of  
38 operators of motor vehicles licensed pursuant to chapter 246, residents  
39 who filed a return on personal income under chapter 229 in the last tax  
40 year and recipients of unemployment compensation under chapter  
41 567.

42 (c) Annually the Jury Administrator shall combine the names from  
43 the lists compiled under subsection (b) of this section. The Jury  
44 Administrator shall delete, where possible, duplicate names in order to  
45 insure that names occurring on any list are given only a single chance  
46 to be selected and shall delete, where possible, the names of persons  
47 who may be excluded from the list compiled pursuant to subsection (c)  
48 of section 51-217 and the names appearing on the list of deceased

49 persons supplied by the Commissioner of Public Health.

50 (d) The Jury Administrator shall select, at random from the list  
51 compiled as provided in subsection (c) of this section, the number of  
52 names required by section 51-220. These names for each town in the  
53 state and the names of persons whose jury service was continued from  
54 the previous jury year shall constitute such town's final list of  
55 prospective jurors for service starting the next succeeding September.  
56 The final list for each town shall contain the name and street address of  
57 each prospective juror. In the event that a new master file is  
58 unavailable or defective, the Chief Court Administrator may authorize  
59 the Jury Administrator to continue to summon jurors from the list  
60 compiled pursuant to subsection (c) of this section during the previous  
61 year.

62 (e) When determining the final list, the Jury Administrator shall  
63 take such measures as may be necessary to ensure that (1) such list  
64 consists of the names of persons who represent a fair cross section of  
65 the community, and (2) there is no systemic exclusion of any group of  
66 persons in the jury selection process. If the Jury Administrator  
67 determines at any time that there is a need to supplement the number  
68 of names on the final list of jurors for each town within a judicial  
69 district, the Jury Administrator, so far as he or she is able, shall select  
70 in proportion to the population of each town, at random, from the  
71 names not selected pursuant to subsection (d) of this section such  
72 number of prospective jurors as the Jury Administrator determines is  
73 necessary.

74 Sec. 2. Section 51-240 of the general statutes is repealed and the  
75 following is substituted in lieu thereof (*Effective October 1, 2019*):

76 (a) In any civil action tried before a jury, either party shall have the  
77 right to examine, personally or by his counsel, each juror outside the  
78 presence of other prospective jurors as to his qualifications to sit as a  
79 juror in the action, or as to his interest, if any, in the subject matter of  
80 the action, or as to his relations with the parties thereto.

81 (b) If the judge before whom the examination is held is of the  
82 opinion from the examination that any juror would be unable to  
83 render a fair and impartial verdict, the juror shall be excused by the  
84 judge from any further service upon the panel, or in the action, as the  
85 judge determines.

86 (c) The right of examination shall not be abridged by requiring  
87 questions to be put to any juror in writing and submitted in advance of  
88 the commencement of the action.

89 (d) Prior to the commencement of any civil action tried before a jury,  
90 each party personally, or through such party's counsel, shall be  
91 afforded the opportunity to make a statement on the record, before the  
92 judge who is to preside over such action, that specifically addresses  
93 whether such party or counsel believes that the impaneled jury  
94 represents a fair cross section of the community. The judge, after  
95 hearing any such statement from the parties or their counsel, shall  
96 make a finding on the record as to whether the impaneled jury  
97 represents a fair cross section of the community. If the judge finds that  
98 the impaneled jury does not represent a fair cross section of the  
99 community, the judge shall communicate such finding to the parties,  
100 their counsel and the Jury Administrator and the civil action shall be  
101 returned to the Jury Administrator for such further proceedings as  
102 may be necessary to ensure that the impaneled jury represents a fair  
103 cross section of the community.

104 Sec. 3. Section 54-82f of the general statutes is repealed and the  
105 following is substituted in lieu thereof (*Effective October 1, 2019*):

106 (a) In any criminal action tried before a jury, either party shall have  
107 the right to examine, personally or by his counsel, each juror outside  
108 the presence of other prospective jurors as to his qualifications to sit as  
109 a juror in the action, or as to his interest, if any, in the subject matter of  
110 the action, or as to his relations with the parties thereto. If the judge  
111 before whom the examination is held is of the opinion from the  
112 examination that any juror would be unable to render a fair and

113 impartial verdict, the juror shall be excused by the judge from any  
114 further service upon the panel, or in the action, as the judge  
115 determines. The right of such examination shall not be abridged by  
116 requiring questions to be put to any juror in writing and submitted in  
117 advance of the commencement of said action.

118 (b) Prior to the commencement of any criminal action tried before a  
119 jury, each party personally, or through such party's counsel, shall be  
120 afforded the opportunity to make a statement on the record, before the  
121 judge who is to preside over such action, that specifically addresses  
122 whether such party or counsel believes that the impaneled jury  
123 represents a fair cross section of the community. The judge, after  
124 hearing any such statement from the parties or their counsel, shall  
125 make a finding on the record as to whether the impaneled jury  
126 represents a fair cross section of the community. If the judge finds that  
127 the impaneled jury does not represent a fair cross section of the  
128 community, the judge shall communicate such finding to the parties,  
129 their counsel and the Jury Administrator and the criminal action shall  
130 be returned to the Jury Administrator for such further proceedings as  
131 may be necessary to ensure that the impaneled jury represents a fair  
132 cross section of the community.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	51-222a
Sec. 2	<i>October 1, 2019</i>	51-240
Sec. 3	<i>October 1, 2019</i>	54-82f

**Statement of Purpose:**

To promote racial and ethnic diversity in the selection of a jury panel.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: SEN. BRADLEY, 23rd Dist.; REP. ROSARIO, 128th Dist.

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