

A CONCURRENT RESOLUTION directing the staff of the Legislative Research Commission to study the racial demographics of Kentucky's criminal juries.

WHEREAS, Section 11 of the Kentucky Constitution guarantees the right to a public trial by an impartial jury of the vicinage; and

WHEREAS, the Sixth Amendment of the Constitution of the United States guarantees the defendant in a criminal trial the right to an impartial jury; and

WHEREAS, the Fourteenth Amendment of the United States provides that no state shall deny to any person within its jurisdiction equal protection under the law; and

WHEREAS, the Supreme Court of the United States has found that a defendant's right to equal protection is violated when the state puts the defendant on trial before a jury from which members of the defendant's race have been purposely excluded; and

WHEREAS, ensuring that all defendants are guaranteed the right to a fair and impartial trial is essential to the administration of justice in the Commonwealth of Kentucky;

NOW, THEREFORE,

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate concurring therein:

➔Section 1. The staff of the Legislative Research Commission shall, during the 2016 legislative interim, study the 2015 racial demographics of criminal grand and petit juries, with a statistical analysis done on a county-by-county basis identifying the racial demographics of:

- (1) The county population as a whole;
- (2) The pool of persons for whom a summons to jury service is issued;
- (3) The pool of persons who answer a summons to jury service;
- (4) The makeup of panels of potential jurors for individual trials;
- (5) The makeup of jurors selected to serve for individual trials; and
- (6) The makeup of persons selected to serve on a grand jury.

➔Section 2. Staff shall transmit the results of the study to the Legislative Research Commission for distribution to the appropriate interim joint committee or committees by November 1, 2016.

➔Section 3. The Legislative Research Commission shall have the authority to alternatively assign the issues identified herein to an interim joint committee or subcommittee thereof and to designate a study completion date.