MICHIGAN STATE
UNIVERSITY
COLLEGE OF LAW

Report on Jury Selection Study

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I.   Introduction

This report documents the study design, methodology, analysis, and results for a study on the exercise of peremptory challenges during jury selection in trials of all defendants on death row in North Carolina as of July 1, 2010.[1] The study examined how prosecutors exercised peremptory challenges in capital cases to assess whether potential jurors' race played any role in those decisions. The primary investigators for the study are Barbara O'Brien and Catherine Grosso. Both are associate professors of law at Michigan State University College of Law.

II.   Study Design

The North Carolina Racial Justice Act of 2009 specified that a capital defendant could state a claim under the act upon a finding that, "[r]ace was a significant factor in decisions to exercise peremptory challenges during jury selection."[2] Our goal was to design and conduct a study that would rigorously analyze the role of race in the exercise of peremptory challenges in capital cases so as to evaluate the availability of claims under the act.

This study had two parts: Part 1 coded and analyzed race and strike information for all venire members in the study. Part 2 added coding and analysis of race-neutral descriptive information for a randomly selected sample of venire members. This report presents the methodology, analysis, and results for both parts.

Several earlier jury selection studies informed our study design. The most important among these examined strike decisions over a 17-year period in 317 Philadelphia County, Pennsylvania, capital murder trials.[3]

A. Study Population

This study examined jury selection in at least one proceeding for each inmate who resided on North Carolina's death row as of July 1, 2010, for a total of 173 proceedings.[4] We included proceedings for all current death row inmates to ensure the inclusion of every defendant with a potential claim under the Racial Justice Act. We focused our analysis on defendants with an active death sentence because of the availability of data in such cases. In addition, we were

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[1] A complete list of the defendants included in the study is included in Appendix A.
[2] N.C. Gen. Stat. § 15A-2011 (b) (3) (2011).
[3] David C. Baldus, George Woodworth, David Zuckerman, Neil Alan Weiner & Barbara Broffitt, *The Use of Peremptory Challenges in Capital Murder Trials: A Legal and Empirical Analysis*, 3 U. PA. J. CONST. L. 3 (2001).
[4] We were unable to include Jeffrey Duke's 2001 trial because the case materials are unavailable. We included every other proceeding.

confident that the decision making in 173 proceedings would provide a large enough sample for meaningful statistical analysis.

For each proceeding we sought to include every venire member who faced peremptory challenges as part of jury selection. For the purposes of this report a "venire member" includes anyone who was subjected to voir dire questioning and not excused for cause, including alternates.

Each proceeding involved an average of 42.9 strike eligible venire members, producing a database of 7,422 strike decisions. Of these, 3,950 (53.2%) were women, and 3,472 (46.8%) were men. The venire members' racial composition was as follows: white (6,054, 81.6%); black (1,213, 16.3%); Native American (79, 1.1%); Latino (22, 0.3%); mixed race (22, 0.3%); Asian (13, 0.2%); other (11, 0.1%); Pacific Islander (2, 0.03%), and unknown (6, 0.1%).

B. Data Collection

We created an electronic and paper case file for each proceeding in the study. The case file contains the primary data for every coding decision. The materials in the case file typically include some combination of juror seating charts, individual juror questionnaires, and attorneys' or clerks' notes. Each case file also includes an electronic copy of the jury selection transcript and documentation supporting each race coding decision.

C. Overview of Database Development

Staff attorneys completed all coding and data entry at Michigan State University College of Law in East Lansing, Michigan, under the direct supervision of the primary investigators. As set forth more fully below, staff attorneys received detailed training on each step of the coding and data entry process. A total of 12 staff attorneys and 5 law students worked on this project.

i. Development of Data Collection Instruments

Data collection instruments (DCIs) are forms that staff attorneys completed based on the primary documents and transcripts. We used five data collection instruments for coding data in this study: (1) the Defendant Level Data Collection Instrument (D-Level DCI), (2) the Venire Member Level Data Collection Instrument (VM-Level DCI), (3) the Supplemental Venire Member Level Data Collection Instrument (VM-Level Race Coding DCI), (4) the Supplemental Venire Member Descriptives Data Collection Instrument (VM-Level Double Coding DCI), and (5) the Second Supplemental Venire Member Descriptives Data Collection Instrument (VM-

Level Supp. DCI).[5] In Part I of the study, staff attorneys completed the D-Level DCI, questions 1-14 and 24 of the VM-Level DCI, and the VM-Level Race Coding DCI.[6] In Part II of the study, staff attorneys coded the remaining questions in the VM-Level DCI, the VM-Level Double Coding DCI, and the VM-Level Supp. DCI.

The D-Level DCI collected information about the proceeding generally, including the number of peremptory challenges used by each side, and the name of the judge and attorneys involved in the proceeding. The data from the D-Level DCI was used only to aid in data cleaning; none of these data was used in any analysis.

Questions 1-14 of the VM-Level DCI documented basic demographic and procedural information specific to each venire member.

Question 5 of the VM-Level DCI required the staff attorney to determine strike eligibility for each potential juror. "Strike eligibility" refers to which party or parties had the chance to exercise a peremptory strike against a particular venire member. For instance, if the prosecution struck someone before the defense had a chance to question that person, that juror would be strike eligible to the prosecution only. Likewise, if a party had exhausted its peremptory challenges by the time it reached a potential juror, the failure to strike reveals nothing about how that party exercised its discretion. This determination refines the analysis of strike decisions to examine only those instances in which that party actually had a choice to pass or strike a juror, and excludes those when the decision was out of the party's hands.[7]

Question 14 documents the race of the venire member. Staff attorneys completed this question with reference to the VM-Level Race Coding DCI. The VM-Level Race Coding DCI was used to code the race of each venire member, the quality of the match for race coding from public records, and the source of the race information. Details on race coding are provided below.

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[5] These instruments are included in Appendix B. As explained more fully below, supplemental DCIs were sometimes used to allow for double coding of certain information as a way to check the reliability of coding decisions.

[6] Before they began coding, each staff attorney met with one or both of the primary investigators for training in North Carolina capital jury selection procedures and in how to work with the case materials. Those instructions are set forth in the Jury Study Coding Protocol in Appendix C.

[7] In one case (Gary Trull), the defense successfully challenged the prosecution's exercise of a peremptory strike against a black venire member (Rodney Foxx) and the court seated him as an alternate juror. Thus, although this venire member ultimately served on the jury, we nevertheless treated him as struck by the prosecution in the analysis.

In Part II of the study, staff attorneys coded Questions 15-23 on the VM-Level DCI for a random sample of venire members. Using juror questionnaires (when available) and jury selection transcripts, staff attorneys coded questions relating to the following: (1) demographic characteristics (e.g., gender, marital status, employment, educational background); (2) prior experiences with the legal system (e.g., prior jury service, experience as a criminal defendant or victim); and (3) attitudes about potentially relevant matters (e.g., ambivalence about the death penalty[8], skepticism about (or greater faith in) the credibility of police officers). This "descriptive" information was coded on the VM-Level DCI using codes set forth in the Descriptive Characteristics Appendix and the Employment Coding Appendix.[9] As explained below, staff attorneys verified the descriptive coding using the VM-Level Double Coding DCI.

Finally in Part II, the VM-Level Supp. DCI instructed staff attorneys to code additional information for venire members who received a 700 or 800 level descriptive code on Question 23 of the VM-Level DCI. These codes indicated that the venire member had expressed bias or difficulty following the law. The VM-Level Supp. DCI documented whether the grounds for dismissal suggested a more punitive outcome, a less punitive outcome, or neither. This measure was taken after staff attorneys had coded descriptive characteristics for a significant number of the randomly selected sample of venire members, and the utility of a simple measure of the direction of a potential bias became evident. Thus while staff attorneys used detailed codes to capture the precise nature of a venire member's potential bias, this item added an important nuance that had been missing.[10] Staff attorneys revisited the cases of those venire members for

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[8] A court could properly remove for cause a venire member who expressed unwillingness to impose the death penalty under any circumstances under *Lockhart v. McCree,* 476 U.S. 162 (1986), *Witherspoon v. Illinois,* 391 U.S. 510 (1968), and *Witt v. Wainwright*, 470 U.S. 1039 (1985), thus such venire members are not included in our analysis. Sometimes, however, a venire member expressed reservations or ambivalence about the death penalty that fell short of outright opposition. Such a venire member would still be eligible to serve on the jury, but a prosecutor could reasonably base a decision to exercise a peremptory strike on this basis. *See Witherspoon v. Illinois,* 391 U.S. 510, 519-20 (1968). Accordingly, this is one of the many venire member characteristics we included in our analysis.
[9] The Descriptive Characteristics Appendix and the Employment Coding Appendix are included in Appendix B with the data collection instruments.
[10] It bears repeating that due to the RJA's explicit application to strikes, we did not code venire members who were removed for cause. Thus, by definition, every venire member included in the study was eligible to serve. A venire member who refused to abide by the presumption of innocence or who could never vote to impose the death penalty should have been struck for cause and not subject to a peremptory strike. As a result, our designation of various statements or attitudes as "biased" is necessarily based on something more subtle than what would disqualify a potential juror for cause. For instance, a venire member might say that she thinks the death penalty does no good, but that she would be willing to vote for it if justified under the law. Likewise, a venire member might admit that he would have a hard time ignoring the fact of the defendant's arrest, but that he would follow the court's instructions to presume the defendant innocent. In neither case would the venire member likely be removed for cause, but their statements suggest a disposition to see the case in a way that favors one side more than the other. Certainly,

whom such a code had been recorded and filled out the additional item. From that point on, they completed the item whenever the issue arose for a venire member.

ii. Race Coding

In order to analyze potential racial disparities in peremptory strikes, it was necessary to identify the race of each venire member. Any potential findings about racial disparities in strike decisions would turn on the accuracy of this coding. Strike information was straightforward in that it could be extracted directly from the transcripts. As explained more fully below, race information was equally straightforward in a good number of cases. But for the cases that required the staff attorneys to look deeper to determine the race of venire members, we implemented a rigorous protocol to produce data in a way that is both reliable and transparent.[11] Staff attorneys recorded race coding in the VM-Level Race Coding DCI.

We obtained information about potential jurors' race from three sources. First, we collected juror questionnaires for many of the venire members in our study. These questionnaires almost always asked the venire member's race, and the vast majority of respondents provided that information. We considered potential venire members' self-reports of race to be highly reliable and were able to get this information from juror questionnaires for 62.4% (4,631/7,422) of the eligible venire members.

For a second group of venire members, race was noted explicitly in the trial record. More than six percent (6.4%, 477/7,422) stated their race on the record in a manner that appears in the voir dire transcript.[12] Similarly, a court clerk's chart noting the race of potential jurors that was officially made part of the trial record or a statement by an attorney on the record provided race information for a smaller percent of the venire members (0.6%, 41/7,422).[13]

Finally, for the remaining 30.5% (2,267/7,422) of venire members, we used electronic databases to find race information and record the race and source of race information in the VM-

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attorneys would be reasonable in considering these statements in deciding whether to exercise a strike. For that reason, we coded statements like these as a form of bias, even though they do not rise to the level of bias that renders the venire member unfit to serve.

[11] *See* Appendix D.

[12] In these instances, the judges asked potential jurors to state their race for the record.

[13] Importantly, we did not rely on clerks' or attorneys' observations about potential jurors' race unless incorporated into the record and thus subject to dispute if a party or the court objected to the classification. For instance, we considered reliable an attorney's mention of a potential jurors' race during an argument regarding a *Batson* challenge with the assumption that the other party or the court would challenge that assessment if the attorney was mistaken. In contrast, we did not rely on a clerk's notes about the race of potential jurors on a jury chart unless it was clear that the parties had a chance to review that document and challenge any perceived inaccuracies.

Level Race Coding DCI. Staff attorneys used the North Carolina State Board of Elections website, LexisNexis "Locate a Person (Nationwide) Search Non-regulated," LexisNexis Accurint, and the North Carolina Department of Motor Vehicles online database. Many of the case files included juror summons lists with addresses, which allowed staff attorneys to match online records to the information about the potential juror with a high level of certainty.

The primary investigators prepared a strict protocol for use of these websites for race coding and trained staff attorneys on that protocol in a half-day session.[14] One objective of this protocol was to minimize the possibility of researcher bias. In addition, staff attorneys who searched for venire members' information on electronic databases were (whenever possible) blind to strike decision.[15]

Throughout this process we instructed staff attorneys to code a venire member's race as "unknown" unless they were able to meet strict criteria ensuring that the person identified in the public record was in fact the venire member and not just someone with the same name.[16] Staff attorneys were not to rely on a record containing information that was not wholly consistent with whatever information we had about a particular venire member. For instance, staff attorneys would not rely on a public record in which the person's middle initial was inconsistent with that of the venire member, unless they were able to document a name change to account for the discrepancy (for instance, a record that indicated that a venire member started using her maiden name as a middle name). If staff attorneys found someone with the same name as the venire member but with a different address, they were to use that record only if they could trace the person's address back to that of the venire member.

Staff attorneys saved an electronic copy of all documents used to make race determinations.[17] The files are organized by proceeding and are available for review.

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[14] See Appendix D for the protocol used in this process.

[15] Staff attorneys seeking race information from public sources knew about strikes only when they had to turn to the transcript for information to help them find that venire member's race. For instance, venire members often indicated during voir dire precisely where they lived and for how long. For cases lacking a summons list with addresses, this information was useful in public records searches where we lacked direct information about race.

[16] For instance, staff attorneys were instructed to use information such as the venire member's middle name or year of birth to link the venire member to records of someone with the same name. When at all in doubt, staff attorneys were instructed to code the venire member's race as unknown.

[17] For instance, if a staff attorney identified the race of a venire member through the North Carolina Board of Elections website, he or she would save the record with the venire member's race designation (usually as an Adobe Acrobat file but sometimes as a screen shot). If the staff attorney relied upon an address provided in the jury summons list to identify a venire member had moved since the time of the trial, the staff attorney would also save records of the venire member's change of addresses over the years. This information was often available on Lexis-

Because of the importance of the race coding, we conducted a reliability study on this methodology. Staff attorneys and law students coded a second copy of the VM-Level Race Coding DCI using public records for 1,897 venire members for whom we also had juror questionnaires reporting race or express designations of race in a voir dire transcript.[18]

We then compared the data from public records to the presumably more reliable self-reported data in the jury questionnaires. Staff attorneys using public records were unable to determine the venire member's race to the level of reliability required by the study protocol in 242 of 1,897 cases (12.8%).[19] In the remaining 1,655 cases, the race extracted from the public records matched that taken from the presumably more reliable sources for 97.9% of the venire members. This suggests that the method we used is highly reliable.

The methods described in this section allowed us to document race for all but 6 of the 7,422 eligible venire members in our study.[20] In other words, our database includes race information for 99.9% of the eligible venire members. Our coding documented the source from which we identified race information for each venire member.

iii. Coding Race-Neutral Control Variables (Descriptive Information)

Strike and race information allows for analysis of unadjusted strike rates by race. To account for other factors that might bear on the decision to strike, more detailed information about individual venire members must be considered. Thus, in addition to basic demographic

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Nexis Locate a Person Database, which allowed the staff attorney to trace the venire member's address from the jury summons list to his or her current address reflected in the North Carolina Board of Elections website. For each step in the process linking current information about each venire member to information recorded at the time of the trial, staff attorneys saved a copy of the electronic record.

[18] The staff attorneys did not have access to the questionnaires or voir dire transcripts when they conducted the public records research.

[19] We instructed staff attorneys to code a venire member's race as unknown unless they could rule out the possibility that the record on which they were relying referred to someone besides the venire member. In cases where we had juror summons lists with addresses, a staff attorney usually had no trouble identifying the venire member from two people with the same name. Lacking specific identifying information, however, staff attorneys were sometimes unable to meet the strict criteria for extracting race. We expected that this method of extracting data on race would lead to a moderate amount of missing data.

In the full study, we expended additional efforts to find the missing data. In most instances, our staff attorneys reviewed transcripts more closely to gather identifying information that allowed them to link the venire members to the appropriate public records. For example, venire members often stated in voir dire where they lived and worked; this additional information often allowed staff attorneys to narrow down among several public records for people with the same name even when we lacked a juror summons list.

Staff attorneys and law students did not expend this level of effort in tracking down race through public record databases solely as part of the reliability check.

[20] We were unable to determine the race of the following six venire members: Michael Scott (Danny Frogge, 1995); Billy Howard (Danny Frogge, 1995); James F Burgess (James Campbell); Joyce Bradley (Christopher L. Roseboro, 1997); Barbara Ward (Christopher L. Roseboro, 1997); and Judy Farmer (James E. Jaynes, 1999).

information about each eligible venire member, we coded more detailed information for a random sample of venire members.[21]

Because this process is labor intensive, we started by coding a 15% random sample of venire members from the database to ensure that at any point in the process we would have a valid sample of venire members for analysis.[22] When we finished coding all venire members in the first sample, we drew a second sample of 10% of the remaining venire members. In order to produce the most complete information possible for this case, we then coded each of the 471 venire members from the eleven Cumberland County cases in the study.[23] In total, using the process outlined below, we coded descriptive information for both 1) a randomly selected sample of almost a quarter of the venire members in the database (1,753/7,422)[24] and 2) every venire member from the 11 Cumberland County trials in the study.

Staff attorneys completed either Questions 15-23 on the VM-Level DCI or the VM-Level Double Coding DCI for all of the venire members in the sample using the complete case file, including juror questionnaires (where available) and the transcripts of voir dire proceedings. Staff attorneys used the search function in Adobe Acrobat to search for venire members by name. This allowed them to reliably and efficiently find each instance when a particular venire member answered questions during the jury selection process. Every question in the DCI provided a code for the staff attorney to indicate that the case file did not contain sufficient information on a particular characteristic.

We instituted standard double coding procedures for coding of descriptives. Under these procedures, two different staff attorneys separately coded descriptive information for each venire member to ensure accuracy and intercoder reliability. The first staff attorney filled out the remaining questions on the VM-Level DCI. The second staff attorney repeated the process using a VM-Level Double Coding DCI. A senior staff attorney with extensive experience working on the study compared and reviewed their codes for consistency and either corrected errors or, when necessary, consulted with the primary investigator.

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[21] See Appendix E for the protocol used in this process.

[22] We used SPSS random select function to draw the sample.

[23] Those cases include jury selection in the trials of Richard Cagle, Philip Wilkinson, Christina Walters, Marcus Robinson, John McNeill, Tilmon Golphin, Quintel Augustine, Jeffrey Meyer (1995 and 1999), and Eugene Williams (both guilt and penalty trials).

[24] A few of the venire members who were randomly selected to be included in the sample could not be coded due to the poor quality or unavailability of the case materials. The transcript for Wayne Laws was too faded to be made searchable and no venire members were coded for descriptive information. No transcript was available in the more recent case of Andrew Ramseur.

Questions resolved by the primary investigators typically involved differences in judgment.[25] After a primary investigator resolved the issue, the senior staff attorney documented the proper coding for the issue in the coding log ("Coding Questions and Answer").[26] All of the staff attorneys had access to the coding log and were responsible for reviewing this document regularly to inform themselves about ongoing coding decisions. This system developed a shared expertise and enhanced intercoder reliability. The number of differences in judgment diminished over time due to staff attorney experience with the data collection instruments, the data themselves, and the coding log.

D. Steps for Ensuring Accuracy of Data

This database includes information about 173 proceedings and 7,422 venire members. As noted above, we took several steps to minimize coding errors. We also developed systematic procedures to catch and correct errors in coding and data entry.

A member of the law school's library staff created a Microsoft Access database to allow us to transfer the data that staff attorneys coded on paper DCIs into a machine-readable format. The data entry fields accepted only valid responses in order to minimize errors. For instance, if an item on the DCI allowed for only three possible responses (0 = No, 1 = Yes, and 9 = Unknown), then entering anything other than 0, 1, or 9 would be rejected and the person entering the data would be prompted to re-enter an acceptable value for that question. Although this mechanism could not prevent all data entry errors (e.g., it could not catch a staff attorney's misspelling of a venire member's name), it provided one line of defense against human error.

We used several other methods to catch and correct other errors in coding or data entry. Using the SPSS statistical program, we identified instances where inconsistencies in data indicated possible errors and established a process for review and, where appropriate, correction.[27]

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[25] For instance, one staff attorney might have coded a venire member who owned his own trucking business as working in the transportation field based on trucking while the other might have coded him as a professional based on business ownership. One of the primary investigators would identify the proper coding and inform the third staff attorney how to resolve it. The third staff attorney would then correct the DCI and note the issue and its resolution on the shared spreadsheet so that staff attorneys would be advised how to deal with this issue when it arose in the future. This helped to ensure consistency across staff attorneys.

[26] See Appendix F.

[27] For example, we identified all instances in which it appeared that a party exercised fewer than the peremptory strikes usually allotted to determine whether there was an error or if the party failed to use all strikes.

III. Statewide Analysis and Results

This report presents unadjusted racial disparities in prosecutorial strikes, disparities controlling for potentially relevant race-neutral variables one at a time, and disparities that emerge via fully controlled logistic regression analysis of a randomly selected sample of a quarter of the study population for whom we coded detailed individual level information. It also presents the same analyses specifically for Cumberland County.

Throughout this section, we report the disparities observed as well as a measure of the likelihood that the finding would occur as a result of chance. This measure, called a *p*-value, reflects the probability of observing a disparity of a given magnitude simply by luck of the draw. The lower the *p*-value, the lower the chance that an observed disparity was due merely to chance. The *p*-values for the racial disparities observed in this study are consistently well below the standard scientific benchmarks for reliability.

A. Unadjusted Disparities in Prosecutorial Strike Patterns

The statewide database includes information about 7,422 venire members. Of those, 7,401 (99.7%) were eligible to be struck by the state. We analyzed prosecutorial strike patterns for only those venire members who were eligible to be struck by the state. Among state strike-eligible venire members, the overwhelming majority of cases were either white (6,036, 81.6%) or black (1,210, 16.3%); just 2.0% (149) were other races. As of the writing of this report, we are missing race information for only 6 (0.1%) venire members.

Prosecutors exercised peremptory challenges at a significantly higher rate against black venire members than against all other venire members. Across all strike-eligible venire members in the study, prosecutors struck 52.6% (636/1,210) of eligible black venire members, compared to only 25.8% (1,594/6,185) of all other eligible venire members. This difference is statistically significant, $p < .001$; put differently, there is less than a one in one thousand chance that we would observe a disparity of this magnitude if the jury selection process were actually race neutral.[28] (See Table 1.) The average rate per case at which prosecutors struck eligible black venire members is significantly higher than the rate at which they struck other eligible venire

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[28] Several different chi square tests (Pearson Chi-Square, Continuity Correction, Likelihood Ratio, Fischer's Exact Test, and Linear-by-Linear Association) were used to calculate the *p*-values, and the results were consistent regardless of the test used.

members.[29] Of the 166 cases that included at least one eligible black venire member, prosecutors struck an average of 55.6% of eligible black venire members, compared to only 24.8% of all other eligible venire members.[30] This difference is statistically significant, $p < .001$. (See Table 2.)[31]

Disparities were even greater in cases involving black defendants. In cases with non-black defendants, the average strike rate was 50.3% against black venire members and 26.8% against all other venire members.[32] In cases with black defendants, the average strike rate was 60.0% against black venire members and 23.1% against other venire members. (See Table 3.) The difference in the magnitude of the disparity between black and other defendants is significant. In other words, although state strike rates were generally higher against black venire members as compared to all other venire members, the disparity is on average significantly greater in cases with black defendants, at $p < .03$.

The disparities persist if the inquiry is limited to different time periods (see Tables 4-9), or to division (former and current) or district/county (see Table 10).[33] In the current North Carolina Superior Court Division 4, from 2000 to 2010, prosecutors in 8 cases struck qualified black venire members at an average rate of 62.4%, but struck other qualified venire members at an average rate of only 21.9%.[34] This difference in strike levels is significant at the $p < .001$ level. In former Judicial Division 2, from 1990 through 1999, prosecutors in 37 cases struck qualified black venire members at an average rate of 51.5%, but struck qualified non-black venire members at an average rate of only 25.0%. This difference in strike levels is significant at the $p < .001$ level.

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[29] The analyses presented in Tables 1 and 2 are very similar, but differ in their unit of analysis. Table 1 shows strikes against all venire members in the study, pooled across cases (7,401 strike eligible venire members across 173 cases). Table 2 compares the strike rates calculated per case. Thus, only those cases with at least one eligible black venire member (166) were included, and each case represents one data point. We present both ways of calculating these disparities to demonstrate that the effect is robust and does not depend on which method is used.

[30] When we exclude those venire members whose race we coded from public records, the pattern is substantially the same: Of 140 cases, prosecutors struck an average of 55.1% of eligible black venire members compared to only 22.3% of all other eligible venire members. This difference is statistically significant, $p < .001$.

[31] The disparities between mean prosecutorial strike rates against eligible black venire members versus those of other races are consistent across time. 57.4% vs. 25.9%, $p < .001$ (1990-94, 42 cases); 53.9 vs. 24.0%, $p < .001$ (1995-1999, 80 cases); 57.2% vs. 25.0%, $p < .001$ (2000-04, 29 cases); and 56.4% vs. 25.4%, $p < .01$ (2005-2010, 15 cases).

[32] Out of 166 cases with black eligible venire members, 90 involved black defendants and 76 involved defendants of other races.

[33] *See infra* for county level analyses.

[34] This study refers to former and current judicial divisions because, on January 1, 2000, North Carolina's judicial divisions were reconstituted from four divisions statewide to eight divisions statewide.

B. Ruling out Alternative Explanations of Disparate Strike Patterns based on Venire Members' Personal Characteristics

The unadjusted disparities in strike rates against eligible black venire members compared to others are consistently statistically significant to a very high level of reliability. That means that there is a very small chance that the differences observed are due to random variation in the data or chance. The next step was to determine whether these disparities were affected in any way by factors that correlate with race but that may themselves be race neutral. For instance, members of certain racial groups might be more likely than others to express dissatisfaction or ambivalence about the death penalty. If such attitudes are represented fairly frequently in the population and if they bear heavily on the decision to strike, an observed disparity in strike rates against different racial groups may be better explained by other factors that tend to be associated (or correlated) with them.

We first controlled for race-neutral variables by analyzing strike disparities within subsets of the study population. For example, we excluded all of the venire members who expressed any ambivalence about the death penalty and then analyzed the strike patterns for the remaining venire members. Because none of the remaining venire members expressed ambivalence about the death penalty, any racial disparity in strike patterns we observed could not be attributable to the possibility that relevant attitudes vary along racial lines. We looked at five different subsets in this manner, removing (1) venire members with any expressed reservations on the death penalty, (2) unemployed venire members, (3) venire members who had been accused of a crime or had a close relative accused of a crime, (4) venire members who knew any trial participant, and, finally, (5) all venire members with any one of the first four characteristics. The disparities identified through the unadjusted analysis persisted in each and every subset, as seen in Table 11.

The disparities in prosecutorial strike rates against eligible black venire members persist even when other characteristics one might expect to bear on the decision to strike are removed from the equation. Table 11 provides a simple way of comparing apples to apples. However, the decision to strike or pass a potential juror can turn on a number of factors in isolation or combination. In the following section, we provide the results of a fully controlled logistic regression model taking into account a number of potentially relevant factors to examine whether the racial disparities can be explained by some combination of race-neutral factors.

C. Fully Controlled Regression Analysis of the Role of Race in the Exercise of Peremptory Strikes

We were able to collect individual-level descriptive information for a significant portion (1,753/7,422) of all the venire members in the study.[35] The demographic profile of this random sample strongly resembled that of the complete study population.[36] Even after controlling for other factors potentially relevant to jury selection, a black venire member had 2.39 times the odds of being struck by the state as did a venire member of another race.[37] In other words, while many factors one might expect to bear on the likelihood of being struck did matter, none–either alone or in combination—accounts for the disproportionately high strike rates against qualified black venire members. (See Table 12.)

For instance, consider the previous example of ambivalence about the death penalty. In our database of randomly selected venire members, 186 venire members (10.6%) expressed a reservation of some sort about imposing the death penalty.[38] An expression of this sort increased dramatically the odds that the state would strike that venire member relative to someone who did

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[35] We were unable to collect detailed information about venire members for whom we lacked a questionnaire if they were struck (or less commonly passed) without any discussion during voir dire. We assume that the parties did not bother to engage in the conversation when a venire member said something in his or her questionnaire that obviated the need for further discussion.

[36] Of these 1,753 jurors, 1,749 were eligible to be struck by the state. We determined the race of all but one juror (83.6% non-black (1,465), 16.4% black (287), and 0.06% (1) missing). These percentages mirror those in the full sample (83.6% non-black (6,199), 16.3% black (1,212), and 0.1% missing (6)). The random sample also reflects the relative proportions of men and women: The smaller sample included 52.0% women (911) and 48.0% men (842); the full data set included 53.2% women (3,950) and 46.8% men (3,472).

[37] We used a logistic regression model with the dependent variable that the strike-eligible venire member was struck or passed by the state. A few words are in order about the choice of this model in lieu of a multilevel model. One assumption of logistic regression is that the data are independent. That assumption comes into question in this context, as a party's decision to use one of its strikes is likely to be affected by who else is in the pool. This can present a problem in that it might increase the risk of Type I error; that is, it could increase the chances that the researcher will improperly find a result statistically significant. One way to gauge whether a particular dataset presents such a risk is to look at interclass correlations. If subjects (i.e., venire members) nested within settings (i.e., trials) are in fact more similar to each other than are subjects between settings, the researcher should use a multilevel model. We examined the interclass correlations for the 173 cases in this study and found a negative interclass correlation. That means that venire members within a case were no more alike as to the outcome of interest (struck or passed) than were venire members between cases. In fact, that the interclass correlation was negative suggests that the results of the logistic regression analysis are likely conservative. For this reason, using a multilevel model was unnecessary and a traditional logistic regression model was appropriate. *See* David A. Kenny, Deborah A. Kashy, & Niall Bolger, *Data Analysis in Social Psychology*, in THE HANDBOOK OF SOCIAL PSYCHOLOGY 238 (4th ed. 1998) (Daniel T. Gilbert, Susan T. Fiske, & Gardner Lindsey eds.).

[38] Examples of statements we coded as an expression of ambivalence about the death penalty included: "[I]f the defendant is found guilty, … he does serve life in prison … I would lean more toward that simply because if there is a crime committed, I don't feel that killing someone is – serves anyone justice …" (VM White, p. 1,210, Quintel Augustine). "Well, I've said I lean toward the death – against the death penalty. I would still consider it -- it would be hard for me to favor the death penalty in any case, but I'm not saying I would not." (VM Harper, p. 649, Terrence Elliot).

not express a similar sentiment, holding all else constant.[39] Likewise, the odds that the state would strike someone who had previously been accused of a crime were much higher than for someone who had not.[40]

The coding process described above produced close to 100 possible control variables potentially relevant to whether a venire member was struck or passed. The code book in Appendix G provides a complete list of variables in the database. The available control variables are included in this directory. We sought to identify the variables that consistently and reliably predicted whether the state would strike or pass a potential juror. The resulting model combines those factors to distinguish venire members based on how objectionable or strike-worthy they were.

Using the Logistic Regression command in SPSS, we started the analysis with a simple model using only the venire member's race[41] and tested each candidate control variable individually and in small groups. This process allowed us to identify the most important control variables for the decision to strike or pass an eligible venire member. This process produced about 25 variables that bore a significant relation (either in isolation or in combination) to the odds of being struck. We then tested these variables in various combinations, both by forcing them into the model and by allowing the computer program to assess which of the candidate variables provided the best fitting model. Through this process, we were able to build a model estimating the effects of various venire member characteristics on strike decisions.

Table 12 presents the final logistic regression model for prosecutorial strike decisions. A venire member is coded "1" if struck by the state, and "0" if strike eligible but not struck. The "Black" variable in Row 2 shows the regression coefficient, the odds ratio, and the p-value for the effect of being a black venire member on the odds of being struck by the state. This model estimates that after controlling for several other race-neutral factors, black venire members face odds of being struck by the state that are 2.39 times those faced by all other venire members. That difference was statistically significant at $p < .001$; put differently, there is less than one in one thousand chance that we would observe a disparity of this magnitude if the jury selection process were actually race neutral.

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[39] Odds Ratio 10.18, $p < .001$.

[40] Odds Ratio 2.00, $p < .01$.

[41] Including the race variable in this model helps to identify which variables are potentially significant in the complete model independent of race. To get a clearest picture possible, we also tested potential control variables without including race in the model but this did not produce a different list of potential control variables.

The results of the logistic regression model are consistent with the unadjusted disparities we observed looking simply at the relative strike rates against black and other venire members. None of the factors we controlled for in the regression analysis eliminated the effect of race in jury selection. While we found many non-racial factors that were highly relevant to the decision to strike, none was so closely associated with race or so frequent that it could serve as an alternative explanation of the racial disparities. Note that throughout the process of building this model, we found no factor or combination of factors that rendered the effect of race non-significant. In other words, the statistically significant influence of race on the odds of being struck was robust; its predictive power did not depend on the inclusion or exclusion of any particular variable or variables in the model.[42]

IV.   Cumberland County Analyses and Results

Staff attorneys coded descriptive information for each of the strike eligible venire members in the eleven Cumberland County proceedings in our study. Of the 474 venire members, all were eligible to be struck by the state. There were 244 (51.5%) women and 230 (48.5%) men. The venire members' racial composition was as follows: white (329, 69.4%); black (129, 27.2%); Native American (5, 1.1%); Latino (7, 1.5%); mixed race (1, 0.2%); Asian (1, 0.2%); other (1, 0.2%); Pacific Islander (1, 0.2%); and unknown (0, 0%).

Out of 129 strike eligible black venire members, prosecutors struck 48.1% (62/129), compared to only 22.9% of eligible venire members of other races (79/345). This difference is statistically significant at $p < .001$.[43] The picture is similar when one looks at average strike rates: across eleven cases, prosecutors struck eligible black venire members at an average rate of 52.7%, compared to 20.5% against venire members of other races. This difference is statistically significant at $p < .001$. (See Table 10.)

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[42] If we were missing data for an individual juror regarding *any* of the variables under analysis, this model excluded that juror from the analysis completely (even though we have data about that juror for some of the other variables). To determine whether exclusion of these cases with missing data skewed the model, we used a method known as multiple imputation. *See* Donald B. Rubin, Multiple Imputation for Nonresponse in Surveys (1987); J.L. Schaefer, Analysis of Incomplete Multivariate Data (1997). This method allows us to use the information we do have about a juror to impute a value for the missing variable, using what we know about other jurors for whom we have complete information on the variable in question. We then conducted another logistic regression analysis using these data (original data supplemented by imputed values for the missing). This model produced estimates that were very close to the estimates presented in Table 12, in which we used only jurors for whom we have complete information.

[43] Several different chi square tests (Pearson Chi-Square, Continuity Correction, Likelihood Ratio, Fischer's Exact Test, and Linear-by-Linear Association) were used to calculate the *p*-values, and the results were consistent regardless of the test used.

We developed a fully controlled model for Cumberland County using the same procedures described above. (See Table 13.) A venire member's race remained a powerful predictor of prosecutorial strike decisions: an eligible black venire member had more than two-and-a-half times the odds of being struck by the state than a venire member of another race, all else being equal.[44] As in the statewide model, factors such as having previously been accused of a crime or expressing reservations about the death penalty were strong predictors of being struck by the state, but none could account for the effect of race.[45]

V.   Summary of Findings

We have documented the strike decisions and race for more than 7,400 potential capital jurors in 173 cases from 1990 to 2010. In every analysis that we performed, race was a significant factor in prosecutorial decisions to exercise peremptory challenges in jury selection in these capital proceedings. Regardless of how one looks at the data, a robust and substantial disparity in the exercise of prosecutorial strikes against black venire members compared to others persists.

A statistically significant disparity persists at a magnitude of more than two to one whether calculated by looking at all strike decisions pooled across cases, or by comparing the mean strike rates for all cases in which a black venire member was eligible to serve.

A statistically significant disparity persists at a magnitude of at least two to one when we exclude any potential juror with one of several potentially objectionable qualities (e.g., reservations about the death penalty not strong enough to warrant removal for cause, prior allegations of criminal conduct, unemployment).

A statistically significant disparity persists at odds of more than two to one in the fully controlled logistic regression model at both the state and county level.

In all but one instance, the effect of race was statistically significant at the level of $p < .001$.[46] Thus, for each of these analyses, the chances that we would see a disparity of that magnitude in a race-neutral jury selection system is less than one in one thousand. The robustness of our findings of racial disparities across a variety of analyses provides powerful

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[44] Odds Ratio 2.54, $p < .01$.

[45] Odds Ratio 23.51, $p < .001$ (death penalty reservations); Odds Ratio 2.13, $p < .01$ (self or close friend or family member previously accused of a crime).

[46] The effect of race was significant at $p < .01$ when we limited the analysis to the 15 cases from 2005-2010. Thus, there is less than a one in one hundred chance that we would observe a disparity of that size and magnitude if jury selection in those cases were racially neutral.

evidence that race was a substantial factor in prosecutorial strike decisions statewide in the 173 cases and in the 11 cases in Cumberland County.

TABLE 1
Statewide Prosecutorial Peremptory Strike Patterns over Entire Study Period
(Strikes against venire members aggregated across cases)

		A Black Venire members	B All Other Venire members	C Unknown	D Total
1.	**Passed**	574 (47.4%)	4,591 (74.2%)	3 (50.0%)	5,168 (69.9%)
2.	**Struck**	636 (52.6%)	1,594 (25.8%)	3 (50.0%)	2,233 (30.1%)
3.	**Total**	1,210 (100.0%)	6,185 (100.0%)	6 (100.0%)	7,401 (100.0%)

*Chi square tests (Pearson Chi-Square, Continuity Correction, Likelihood Ratio, Fischer's Exact Test, and Linear-by-Linear Association) indicate that these differences in strike rates are significant at $p < .001$.

TABLE 2
Statewide Average Rates of State Strikes over Entire Study Period
(Average of strike rates calculated in individual cases and number of cases averaged)

	A Average Strike Rate	B Number of Cases Averaged
1 **Strike Rates Against Black Qualified Venire Members**	55.6%	166
2 **Strike Rates Against All Other Qualified Venire Members**	24.8%	166

*A paired-sample t-test indicates that this difference in strike rates is significant at $p < .001$.

TABLE 3
Disparities in Strike Patterns by Race of Defendant, Statewide Average Rates of State Strikes over Entire Study Period
(Average of strike rates calculated in individual cases and number of cases averaged)

	Race of Defendant	A Strikes Against	B Average Strike Rate	C Number of Cases Averaged
1.	**Black**	**Black Qualified Venire members**	60.0%	90
2.		**All Other Qualified Venire members**	23.1%	
3.	**Non-Black**	**Black Qualified Venire members**	50.3%	76
4.		**All Other Qualified Venire members**	26.8%	

*Analysis of variance (*F*-test) indicates that this difference between the disparities in strike rates by race of defendant is significant at $p < .03$.

TABLE 4
Statewide Average of Rates of State Strikes from 1990 through 1999
(Average of strike rates calculated in individual cases and number of cases averaged)

	A Average Strike Rate	B Number of Cases Averaged
1. **Strike Rates Against Black Qualified Venire Members**	55.1%	122
2. **Strike Rates Against All Other Qualified Venire Members**	24.7%	122

* A paired-sample t-test indicates that this difference in strike rates is significant at $p < .001$.

TABLE 5
Statewide Average of Rates of State Strikes from 2000 through 2010
(Average of strike rates calculated in individual cases and number of cases averaged)

	A Average Strike Rate	B Number of Cases Averaged
1. **Strike Rates Against Black Qualified Venire Members**	56.9%	44
2. **Strike Rates Against All Other Qualified Venire Members**	25.1%	44

* A paired-sample t-test indicates that this difference in strike rates is significant at $p < .001$.

TABLE 6
Statewide Average of Rates of State Strikes From 1990 through 1994
(Average of strike rates calculated in individual cases and number of cases averaged)

	A Average Strike Rate	B Number of Cases Averaged
1. **Strike Rates Against Black Qualified Venire Members**	57.4%	42
2. **Strike Rates Against All Other Qualified Venire Members**	26.0	42

* A paired-sample t-test indicates that this difference in strike rates is significant at $p < .001$.

TABLE 7
Statewide Average of Rates of State Strikes from 1995 through 1999
(Average of strike rates calculated in individual cases and number of cases averaged)

	A Average Strike Rate	B Number of Cases Averaged
1. **Strike Rates Against Black Qualified Venire Members**	53.8%	80
2. **Strike Rates Against All Other Qualified Venire Members**	24.0%	80

* A paired-sample t-test indicates that this difference in strike rates is significant at $p < .001$.

TABLE 8
Statewide Average of Rates of State Strikes from 2000 through 2004
(Average of strike rates calculated in individual cases and number of cases averaged)

	A Average Strike Rate	B Number of Cases Averaged
1. **Strike Rates Against Black Qualified Venire Members**	57.2%	29
2. **Strike Rates Against All Other Qualified Venire Members**	25.0%	29

* A paired-sample t-test indicates that this difference in strike rates is significant at $p < .001$.

TABLE 9
Statewide Average of Rates of State Strikes from 2005 through 2010
(Average of strike rates calculated in individual cases and number of cases averaged)

	A Average Strike Rate	B Number of Cases Averaged
1. **Strike Rates Against Black Qualified Venire Members**	56.4%	15
2. **Strike Rates Against All Other Qualified Venire Members**	25.4%	15

* A paired-sample t-test indicates that this difference in strike rates is significant at $p < .01$.

TABLE 10
Strike Rates for Division and County
(Average of strike rates calculated in individual cases and number of cases averaged)

	A Current Division 4 (8 cases)**	B Former Division 2 (37 cases)**	C Cumberland County (11 cases)
1. **Strike Rates Against Black Qualified Venire Members**	62.4%	51.5%	52.7%
2. **Strike Rates Against All Other Qualified Venire Members**	21.9%	25.0%	20.5%

* A paired-sample t-test indicates that differences in strike rates for all three columns are significant at $p < .001$.
** This study refers to former and current judicial divisions because, on January 1, 2000, North Carolina's judicial divisions were reconstituted from four divisions statewide to eight divisions statewide.

TABLE 11
Strike Patterns when Venire Members with Potentially Explanatory Variables Removed from Equation

	Variable	A Number of Venire Members Removed from Analyses	B Strike Rates	C Strike Rate Ratio	D p-value*
1.	**Death Penalty Reservations**	186	44.8% (Black VMs) vs. 21.1% (All others)	2.1	<.001
2.	**Unemployed Venire Member**	26	49.2% (Black VMs) vs. 24.8% (All others)	2.0	<.001
3.	**Venire Member or Close Other Accused of Crime**	399	50.3% (Black VMs) vs. 24.0% (All others)	2.1	<.001
4.	**Venire Member knew a Trial Participant**	47	53.5% (Black VMs) vs. 25.5% (All others)	2.1	<.001
5.	**Venire Member with Any One of Above Characteristics**	583	35.7% (Black VMs) vs. 18.2% (All others)	2.0	<.001

*Chi square tests (Pearson Chi-Square, Continuity Correction, Likelihood Ratio, Fischer's Exact Test, and Linear-by-Linear Association) were used to calculate the *p*-values.

Table 12
Statewide Fully Controlled Logistic Regression Model

	A Variable Name	B Variable Description	C Coefficient	D Odds Ratio	E *p*-value
1.	**Intercept**		-1.714	0.18	< .001
2.	**Black**	**Venire member is black**	**0.869**	**2.39**	**< .001**
3.	**DP_Reservations**	Venire member expressed reservations about the death penalty	2.320	10.18	< .001
4.	**SingleDivorced**	Venire member is not married	0.645	1.91	< .001
5.	**JAccused**	Venire member accused of a crime	0.694	2.00	<.01
6.	**Hardship**	Venire member worried serving would impose a hardship	1.093	2.98	<.01
7.	**Homemaker**	Venire member is a homemaker	0.719	2.05	<.03
8.	**JLawEnf_all**	Venire member or close other works in law enforcement	-0.510	0.60	<.01
9.	**JKnewD**	Venire member or venire member's immediate family knew the defendant	2.234	9.34	<.001
10.	**JKnewW**	Venire member knew a witness	-0.619	0.54	<.02
11.	**JKnewAtt**	Venire member knew one of the attorneys in the case	0.577	1.78	<.03
12.	**LeansState**	Venire member expresses view that suggests view favorable to state (e.g., problems with presumption of innocence, right not to testify)	-1.958	0.14	<.001
13.	**PostCollege**	Venire member went to graduate school	0.880	2.41	<.01

$R^2 = .30$

Table 13
Cumberland County Fully Controlled Logistic Regression Model

	A Variable	B Description	C Coefficient	D Odds Ratio	E P-value
1.	**Intercept**		-2.933	0.05	< .001
2.	**Black**	**Venire member is Black**	**0..934**	**2.54**	**<.001**
3.	**DP_Reservations**	Venire member expressed reservations about the death penalty	3.159	23.51	<.001
4.	**Unemployed**	Venire member is unemployed.	1.914	6.78	< .05
5.	**Accused_all**	Venire member or close other accused of a crime	0.758	2.13	<.01
6.	**Hardship**	Venire member worried serving would impose a hardship	1.212	3.36	<.10
7.	**Helping**	Venire member works in a job that involves helping others	1.026	2.79	< .01
8.	**Blue_all**	Venire member or close other worked in blue collar job	0.695	2.00	<.01
9.	**LeansAmbig**	Venire member expresses view that suggests a bias or trouble following law but the direction of that bias is ambiguous	0.945	2.57	<.10
10.	**VeryYoung**	Venire member is 22 or younger.	1.469	4.35	<.01

$R^2 = .41$

Appendix A

List of Cases Included in the Study

List of Cases Included in Study

	A	B	C
	Case Study ID	**Defendant's Name**	**County**
1.	2.0	Allen, Scott D	Montgomery
2.	6.0	Anderson, Billy R	Craven
3.	8.0	Anthony, William T	Gaston
4.	10.0	Atkins, Randy L	Buncombe
5.	11.0	Augustine, Quintel	Cumberland
6.	13.0	Bacote, Hassan	Johnston
7.	14.0	Badgett, John S	Randolph
8.	16.0	Ball, Terry L	Beaufort
9.	17.0	Barden, Iziah	Sampson
10.	19.0 & 66.0	Barnes, William L. & Chambers, Frank J	Rowan
11.	20.0	Barrett, Jeffrey L	Northampton
12.	26.0	Bell, Brian C	Sampson
13.	29.0	Best, Norfolk J	Columbus
14.	30.0	Billings, Archie L	Caswell
15.	32.0	Blakeney, Roger M	Union
16.	34.0	Bond, Charles P	Bertie
17.	36.0	Bonnett, Shawn D	Martin
18.	38.0 & 39.0	Bowie, Nathan W & Bowie, William B	Catawba
19.	41.0	Braxton, Michael J	Halifax
20.	42.0	Brewington, Robert F	Harnett
21.	48.1	Brown, Paul A	Wayne
22.	48.2	Brown, Paul A	Wayne
23.	51.0	Buckner, George C	Gaston
24.	53.0	Burke, Rayford L	Iredell
25.	54.0	Burr, John E	Alamance
26.	55.0	Cagle, Richard E	Cumberland
27.	56.1	Call, Eric L	Ashe
28.	56.2	Call, Eric L	Ashe
29.	59.0	Campbell, James A	Rowan
30.	60.0	Campbell, Terrance D	Pender
31.	64.0	Carter, Shan E	New Hanover
32.	74.1	Conner, Jerry W	Gates
33.	74.2	Conner, Jerry W	Gates
34.	76.0	Cummings, Daniel, Jr.	Brunswick
35.	79.0	Cummings, Paul D	New Hanover
36.	82.0	Daughtry, Johnny R	Johnston
37.	83.0	Davis, Edward E	Buncombe
38.	85.0	Davis, James F	Buncombe
39.	86.0	Davis, Phillip	Buncombe
40.	87.0	Decastro, Eugene T	Johnston
41.	88.2	Duke, Jeffrey N	Gaston
42.	89.0	East, Keith B	Surry
43.	90.0	Elliot, John R	Davidson
44.	91.0	Elliott, Terrence R	Moore

List of Cases Included in Study

	A	B	C
	Case Study ID	Defendant's Name	County
45.	92.0	Fair, Nathaniel	Wake
46.	94.0	Fleming, John	Northampton
47.	95.1	Fletcher, Andre L	Rutherford
48.	95.2	Fletcher, Andre L	Rutherford
49.	98.0	Forte, Linwood E	Wayne
50.	99.0	Fowler, Elrico D	Mecklenburg
51.	100.1	Frogge, Danny D	Forsyth
52.	100.2	Frogge, Danny D	Forsyth
53.	103.0	Gainey, David	Harnett
54.	105.0	Garcell, Ryan G	Rutherford
55.	106.0	Garcia, Fernando L	Wake
56.	107.0	Garner, Daniel T	Robeson
57.	109.0	Geddie, Malcolm, Jr.	Johnston
58.	113.0	Golphin, Tilmon C	Cumberland
59.	116.0	Goss, Christopher E	Ashe
60.	121.0	Warren, Gregory R	Pitt
61.	122.1	Gregory, William C	Davie
62.	122.2	Gregory, William C	Davie
63.	123.0	Grooms, Timmy E	Scotland
64.	124.0	Guevara, Angel	Johnston
65.	127.0	Harden, Alden J	Mecklenburg
66.	131.0	Haselden, Jim E	Stokes
67.	135.0	Morganherring, William	Wake
68.	138.0	Hill, Jerry	Harnett
69.	142.0	Holman, Allen R	Wake
70.	143.0	Holmes, Mitchell D	Johnston
71.	144.0	Hooks, Cerron T	Forsyth
72.	149.0	Hurst, Jason W	Randolph
73.	150.0	Hyatt, Terry A	Buncombe
74.	151.0	Hyde, Johnny W	Onslow
75.	156.1	Jaynes, James E	Polk
76.	156.2	Jaynes, James E	Polk
77.	157.0	Jennings, Patricia W	Wilson
78.	166.0	Jones, Marcus D	Onslow
79.	168.0	Kandies, Jeffrey C	Randolph
80.	172.0	King, James D	Guilford
81.	173.0	Lane, Eric G	Wayne
82.	174.0	Larry, Thomas M	Forsyth
83.	175.0	Lawrence, Jimmie W	Harnett
84.	176.0	Laws, Wayne A	Davidson
85.	180.0	Little, James R	Forsyth
86.	184.0	Locklear, Robbie D	Robeson
87.	186.0	Lynch, David C	Gaston
88.	190.0	Maness, Darrell	Brunswick

List of Cases Included in Study

	A	B	C
	Case Study ID	**Defendant's Name**	**County**
89.	191.0	Mann, Leroy E	Wake
90.	195.0	May, Lyle C	Buncombe
91.	198.0	McCollum, Henry L	Robeson
92.	205.0	McNeill, John D	Cumberland
93.	209.1	Meyer, Jeffery K	Cumberland
94.	209.2	Meyer, Jeffery K	Cumberland
95.	211.0	Miller, Clifford R	Onslow
96.	214.0	Mitchell, Marcus D	Wake
97.	218.0	Moore, Blanche	Forsyth
98.	220.1	Al-Bayyinah, Jathiya	Davie
99.	220.2	Al-Bayyinah, Jathiya	Davie
100.	222.0	Morgan, James	Buncombe
101.	223.0	Moseley, Carl S	Forsyth
102.	224.0	Moses, Errol D	Forsyth
103.	227.0	Murillo, Eric F	Hoke
104.	228.0	Murrell, Jeremy D	Forsyth
105.	229.0	Neal, Kenneth	Rockingham
106.	230.0	Nicholson, Abner R	Wilson
107.	234.0	Parker, Carlette E	Wake
108.	235.0	Parker, Johnny S	Sampson
109.	239.0	Peterson, Lawrence Jr E	Richmond
110.	240.0	Phillips, Mario	Moore
111.	243.0	Polke, Alexander C	Randolph
112.	252.0	Raines, William H	Henderson
113.	253.0	Reeves, Michael M	Craven
114.	255.0	Richardson, Martin A	Union
115.	256.0	Richardson, Timothy	Nash
116.	262.0	Robinson, Marcus R	Cumberland
117.	263.0	Robinson, Terry L	Wilson
118.	269.0	Rose, Clinton R	Rockingham
119.	270.1	Roseboro, Christopher L	Gaston
120.	270.2	Roseboro, Christopher L	Gaston
121.	272.0	Rouse, Kenneth B	Randolph
122.	277.0	Sherrill, Michael W	Mecklenburg
123.	278.0	Sidden, Tony M	Wilkes
124.	281.0	Smith, Jamie L	Buncombe
125.	282.0	Smith, Reche	Washington
126.	287.0	Smith, Wesley Jr. T	Rowan
127.	289.0	Squires, Mark L	Pitt
128.	291.0	Steen, Patrick J	Mecklenburg
129.	292.0	Stephens, Davy G	Johnston
130.	293.0	Strickland, Darrell E	Union
131.	294.0	Stroud, Isaac J	Durham
132.	296.0	Taylor, Rodney	New Hanover

List of Cases Included in Study

	A	B	C
	Case Study ID	**Defendant's Name**	**County**
133.	297.0	Bowman, Terrence D	Lenoir
134.	298.0	Taylor, Eddie L	Harnett
135.	299.0	Thibodeaux, Raymond T	Forsyth
136.	302.0	Thomas, Walic C	Guilford
137.	303.0	Thompson, John H	Guilford
138.	305.0	Trull, Gary A	Randolph
139.	306.0	Tucker, Russell W	Forsyth
140.	308.0	Tyler, Stacey A	Hertford
141.	313.0	Wallace, Henry L	Mecklenburg
142.	315.0	Walters, Christina S	Cumberland
143.	318.0	Waring, Byron L	Wake
144.	319.0	Warren, Lesley E	Buncombe
145.	320.0	Watts, James H	Davidson
146.	322.0	White, Melvin L	Craven
147.	323.0	White, Timothy L	Forsyth
148.	324.0	Wiley, Keith	New Hanover
149.	325.0	Wilkinson, Philip E	Cumberland
150.	326.0	Wilkerson, George T	Randolph
151.	327.0	Williams, David K	Bertie
152.	328.1	Williams, Eugene J	Cumberland
153.	328.2	Williams, Eugene J	Cumberland
154.	329.0	Williams, James E	Randolph
155.	330.0	Williams, Marvin Jr E	Wayne
156.	331.0	Williams John, Jr,	Wake
157.	335.0	Woods, Darrell C	Forsyth
158.	336.0	Wooten, Vincent M	Pitt
159.	341.0	Cole, Wade L	Camden
160.	343.0	Cummings, Jerry R	Robeson
161.	344.0	Cummings, Daniel Jr.	Robeson
162.	351.0	Hedgepeth, Rowland A	Halifax
163.	356.0	Mccarver, Ernest P	Cabarrus
164.	359.0	Robinson, Eddie C	Bladen
165.	363.0	Thomas, James E	Wake
166.	388.1	Prevatte, Ted A	Anson
167.	388.2	Prevatte, Ted A	Stanly
168.	690.0	LeGrande, Guy T	Stanly
169.	786.0	Moseley, Carl S	Stokes
170.	879.0	Smith, Jamie L	Buncombe
171.	930.0	Warren, Lesley E	Guilford
172.	990.0	Ramseur, Andrew D	Iredell
173.	995.0	Ryan, Michael P	Gaston

Appendix B

Data Collection Instruments

NORTH CAROLINA RACIAL JUSTICE ACT
JURY SELECTION STUDY
Defendant Level Data Collection Instrument
Version: 19 November 2009

Please fill in the blanks as legibly as possible in capital letters with a sharp dark pencil. For the questions that present multiple answer options, please circle the number of the single most appropriate answer unless otherwise instructed.

I.   Identifying and Procedural Information

1.   Charging & Sentencing Study ID Number: V1001 |_____|_____|_____|_____.|_____|

2.   Defendant's Name:

|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|
[V1002] Last

|_____|_____|_____|_____|_____|_____|_____|_____|_____| |_____|
[V1003] First   [V1004] MI

II.   Juror Data

3.   Number of Jurors Excused for Cause   V1005 ___/___
     If unknown code 99.

4.   Number of Peremptory Challenges Used by the State   V1006 ___/___
     If unknown code 99.

5.   Number of Peremptory Challenges Used by the Defense   V1007 ___/___
     If unknown code 99.

6.   Which parties exhausted their peremptory challenges? (circle one)   V1008

     0 = Neither side exhausted peremptory   3 = Both sides exhausted peremptory challenges
            challenges
                                                                        9 = Unknown
     1 = Only the State exhausted peremptory
            challenges

     2 = Only the defense exhausted peremptory
            challenges

III.   Judge and Attorney Names

7. Judge. *If unknown code "9999" for Last Name.*

|___|___|___|___|___|___|___|___|___|___|___|___|___|___|
[V1009] Last

|___|___|___|___|___|___|___|___|___|___|___|___| |___|___|
[V1010] First   [V1011]MI

8. Lead Prosecutor. *If unknown code "9999" for Last Name.*

|___|___|___|___|___|___|___|___|___|___|___|___|___|___|
 [V1012] Last

|___|___|___|___|___|___|___|___|___|___|___|___| |___|___|
[V1013] First   [V1014]MI

9. Second Prosecutor. *If unknown code or not applicable "9999" for Last Name.*

|___|___|___|___|___|___|___|___|___|___|___|___|___|___|
 [V1015] Last

|___|___|___|___|___|___|___|___|___|___|___|___| |___|___|
[V1016] First   [V1017]MI

10. Lead Defense Attorney. *If unknown code "9999" for Last Name.*

|___|___|___|___|___|___|___|___|___|___|___|___|___|___|
 [V1018] Last

|___|___|___|___|___|___|___|___|___|___|___|___| |___|___|
[V1019] First   [V1020]MI

11. Second Defense Attorney. *If unknown code or not applicable "9999" for Last Name.*

|___|___|___|___|___|___|___|___|___|___|___|___|___|___|
 [V1021] Last

|___|___|___|___|___|___|___|___|___|___|___|___| |___|___|
[V1022] First   [V1023]MI

12. District Attorney. *If unknown code "9999" for Last Name.*

|___|___|___|___|___|___|___|___|___|___|___|___|___|___|
 [V1024] Last

|___|___|___|___|___|___|___|___|___|___|___|___| |___|___|
[V1025] First   [V1026]MI

IV.   Sources of Information Consulted

13. Data Sources Used   V1027

D1 ____|____   D3 ____|____

D2 ____|____   D4 ____|____

1 = Juror Chart   4 = Trial Attorney/Clerk's Notes

2 = Juror Questionnaire   6= Judgment and Commitment Order

3 = Juror List   9 = Other (specify) _____

Coder's Name

|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|
 [V1028] Last

|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____| |_____|
 [V1029] First   [V1030] MI

Date Coded   V1031 ____ ____/____ ____/____ ____ ____ ____
                                                    MM   DD   YEAR

NORTH CAROLINA RACIAL JUSTICE ACT
JURY SELECTION STUDY
Venire Member Level Data Collection Instrument
Version: 11 January 2010

Please fill in the blanks as legibly as possible in capital letters with a sharp dark pencil. For the questions that present multiple answer options, please circle the number of the single most appropriate answer. Otherwise, follow the instructions provided.
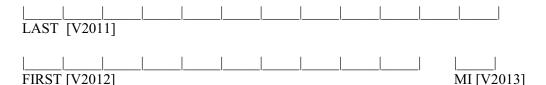
I.   IDENTIFYING INFORMATION

1.   Charging & Sentencing Study Identification Number   V2001 |____|____|____|. |____|

2.   Venire Member's Study Identification Number[1]   V2002 **J** |____|____|____|. |____|.|____|____|____|____|

3.   Defendant's Name

|____|____|____|____|____|____|____|____|____|____|____|____|
LAST [V2003]

|____|____|____|____|____|____|____|____|____| |____|
FIRST [V2004]   MI [V2005]

II.   CHALLENGES TO VENIRE MEMBER

4.   Excused for Cause (circle one)   V2006

   0 = No   1 = Yes   9 = Unknown

5.   Peremptory strike eligibility[2] (circle one)   V2007

 1 = Both Defense & State   2 = State   3 = Defense (applies *only* if   4 = Neither (both sides   9 = Unknown
                                      State exhausted strikes)   exhausted strikes)

6.   Peremptory Challenge by State (circle one)   V2008

   0 = No   1 = Yes   9 = Unknown

7.   Peremptory Challenge by Defense (circle one)   V2009

   0 = No   1 = Yes   9 = Unknown

8.   Peremptory Challenge, source unknown, Successful (circle one)   V2010

   0 = No   1 = Yes   9 = Unknown

III.   VENIRE MEMBER CHARACTERISTICS

---

[1] This number should be the study id number from the charging and sentencing study, followed after the decimal by a number you assign based on the order in which you code the venire members. For example, if you are coding case number 168.00, code the first juror's DCI as 168.00.001, and code the second's as 168.00.002, and so on.
[2] A venire member is "strike eligible" to a party when that party has the chance to either accept the juror or exercise a peremptory challenge against them. For instance, if the State strikes a juror before the defense has a chance to strike or accept that juror, you should code that juror's strike eligibility as "State." If the State accepts a juror and the defense then strikes or passes on them, you would code that juror's strike eligibility as "Both Defense and State."

9. Venire Member's Name

|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|
LAST [V2011]

|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____| |_____|
FIRST [V2012]   MI [V2013]

10. What was this venire member's ultimate status? (circle one)   V2014

   0 = Neither seated on the jury nor selected as alternate   3 = Selected as an alternate and later seated on the jury

   1 = Seated on the jury   4 = Selected as an alternate but never seated on the jury

   2 = Seated on the jury, but later replaced with alternate   9 = Unknown

11. Number of seat to which venire member was called for questioning. *If unknown code 99.*   V2015 ___/___

12. Venire Member's Gender (circle one)

                                                V2016

   0 = Female   1 = Male   9 = Unknown

13. Source of information for Gender (circle one)   V2017

   1 = Indicated Explicitly   2 = Inferred from other   9 = Gender unknown
                                  information (e.g., name)

14. Venire Member's Race (circle one)   V2018

   1 = White/Caucasian   5 = Latino/Hispanic   8 = Mixed (self-reported)

   2 = Black/African American   6 = Native American   _____

   3 = Asian/Asian American   7 = Other (specify)   9 = Unknown

   4 = Pacific Islander   _____

15. Age   *If unknown code 99.*   V2019___/___

16. Marital Status (circle one)   V2020

   1 = Married   3 = Separated or divorced   5 = Living unmarried with a significant other

   2 = Single   4 = Widowed   9 = Unknown

17. Children (circle one)   V2021

   0 = Does not have children   1 = Has children   9 = Unknown

18. Belongs to a religious organization (circle one)   V2022

    0 = No   1 = Yes   9 = Unknown

19. Education (circle highest level of education obtained)   V2023

    1 = Attended grade school   4 = Attended college   6 = Attended graduate school

    2 = Attended high school (9-12) 5 = College graduate   7 = Other

    3 = High school graduate   9 = Unknown

20. Has served in military (circle one)   V2024

    0 = No   1 = Yes   9 = Unknown

Employment Information: Use the code from Employment Code Appendix that provides the most detailed information. Use the more general code (i.e., 10, 20, etc.) only if more precise information is unavailable. If the **venire member** or spouse has more than one job, choose the one at which he or she spends the most time or otherwise indicates is primary.

21. Venire Member's Employment (enter code from list in Employment Code Appendix)   V2025 _____/_____
        If unknown code 99.

22. Spouse's Employment (enter code from list in Employment Code Appendix   V2026 _____/_____
        If unknown code 99. If not applicable, code 88.

23. Descriptive Characteristics: Enter the code from the Descriptive Characteristics Appendix for whichever characteristics apply in the slots V2027 through V2036, as needed. Use the code that provides the most detailed information possible. Use the more general code (e.g., 100, 200) only if more precise information is unavailable.

V2027 ___|___|___|___   V2031 ___|___|___|___   V2035 ___|___|___|___

V2028 ___|___|___|___   V2032 ___|___|___|___   V2036 ___|___|___|___

V2029 ___|___|___|___   V2033 ___|___|___|___   *8888* = No factors apply (enter in V2027, leave rest blank)
                                                          9999 = Responses unknown (enter in V2027, leave rest blank)
V2030 ___|___|___|___   V2034 ___|___|___|___

24. Venire Member Questioned for   V2037

    1 = Both guilty and penalty phase   2 = Guilt phase only   3 = Penalty phase only

Coder's Name

|____|____|____|____|____|____|____|____|____|____|____|____|____|____|
LAST [V2038]

|____|____|____|____|____|____|____|____|____|____|____| |____|
FIRST[V2039]   MI [V2040]

Date Coded   _____/_____/_____   V2041
                   MM   DD   YEAR

Page **3** of **3**

Revised Employment Coding Appendix
October 12, 2010

10 = *Management, Professional and Related Occupations*
(e.g., Management, business, and financial operations, Computer and mathematical, Architecture and engineering, Arts, design, entertainment, sports, and media)

    14 = Life, physical, and social science (e.g., social worker)
    15 = Legal
    16 = Education, training, & library
    18 = Healthcare practitioner and technical

20 = *Sales and Office Occupations*
    (e.g., Sales and related, Office and administrative support)

30 = *Farming, Fishing, and Forestry Occupations*

40 = *Service Worker*
    41 = Healthcare support
    42 = Fire fighting and prevention, and other protective service workers including supervisors
    43 = Law enforcement workers including supervisors
    44 = Food preparation and serving
    45 = Building and grounds cleaning and maintenance
    46 = Personal care and service

50 = *Military*
    51 = Military (enlisted)
    52 = Military (officer)

60 = *Construction, Extraction, Maintenance, and Repair Occupations*
(e.g., Construction and extraction; Installation, maintenance, and repair)

70 = *Production, Transportation, and Material Moving Occupations*
(e.g., Production; transportation and material moving occupations)

80 = *Outside of Labor Force*
    81 = Juvenile, out of school
    82 = Student
    83 = Retired
    84 = Homemaker
    85 = Chronically unemployed
    86 = Disabled
    87 = Other

Descriptive Characteristics Appendix

100 = Hardship
      110 = Difficulty was emotional or moral
      120 = Hardship related to juror's occupation
      130 = Juror had a caretaker obligation (children or elderly/ill person)
      140 = Juror had difficulty communicating or understanding (e.g., due to hearing, vision or language)
      150 = Medical problem

200 = Prior Jury Service (includes prior jury service in grand jury, criminal or civil case
      230 = Juror had a negative experience with prior jury service
      240 = Juror served on a hung jury

300 = Juror/Friend/Family Was Victim of Crime
      310 = Juror was a victim of crime
      320 = Juror's family member/close friend was a victim of crime

400 = Juror/Friend/Family Was Accused of Being Involved in Criminal Activity
      410 = Juror was accused of being involved in criminal activity
      420 = Juror's family member/close friend was accused of being involved in criminal activity

500 = Juror/Friend/Family Was an Eyewitness to a Crime
      510 = Juror was an eyewitness to a crime
      520 = Juror's family member/close friend was an eyewitness to a crime

600 = Juror/Friend/Family Has Worked in Law Enforcement (e.g. judges, prosecutors, public defenders, private criminal defense lawyers, detectives, and security or prison guards)
      610 = Juror worked in law enforcement
      620 = Juror's family member worked in law enforcement
      630 = Juror's close friend worked in law enforcement

700 = Admitted to Bias or Other Reason S/he Could Not Be Fair
      710 = Juror admitted to a premature verdict (fixed opinion as to guilt or innocence)
          711 = Had determined that the defendant was guilty
          712 = Had determined that the defendant was innocent
      720 = Juror admitted that race of defendant or victim would affect decision
          721 = The race of the defendant would affect juror's decision
          722 = The race of the victim would affect juror's decision
      730 = Juror admitted that gender of defendant or victim would affect decision
          731 = The gender of the defendant would affect juror's decision
          732 = The gender of the victim would affect juror's decision
      740 = Juror admitted that social class of defendant or victim would affect decision
          741 = The social class of the defendant would affect juror's decision
          742 = The social class of the victim would affect juror's decision
      750 = Juror admitted that the age of defendant or victim would affect decision
          751 = The age of the defendant would affect juror's decision
          752 = The age of the victim would affect juror's decision
      760 = Juror admitted that sexual preference of defendant or victim would affect decision
          761 = The sexual preference of the defendant would affect juror's decision
          762 = The sexual preference of the victim would affect juror's decision
      770 = Juror admitted that knowing that either defendant or victim had been previously incarcerated would affect decision
          771 = Knowing that defendant was previously incarcerated would affect decision
          772 = Knowing that victim was previously incarcerated would affect decision
      780 = Juror admitted that another reason that he/she would not be able to be fair
      790 = Juror admitted to moral/religious/conscientious beliefs regarding the nature of the charges that would affect the decision (includes difficulty sitting in judgment in a criminal case)

800 = Expressed View Contrary to Applicable Law, Not Including Death Qualification
      810 = Juror would not be able to presume that a person is innocent until proven guilty beyond a reasonable doubt
      820 = Juror would not be impartial if the defendant did not take the stand or present evidence
      830 = Juror would presume that a person who was arrested was guilty or would take a mere arrest as evidence of guilt
      840 = Juror would have difficulty making up his/her own mind during jury deliberations

850 = Juror would have difficulty affirming verdict in open court if jury polled

860 = Juror would have difficulty making decision based only on evidence

870 = Juror would have difficulty following court's instruction

900 = Prior Familiarity with Parties

910 = Prior familiarity with the defendant through either personal or professional channels (e.g., church, school)

920 = Prior familiarity with victim through either personal or professional channels

930 = Prior familiarity with witnesses through either personal or professional channels

940 = Prior familiarity with attorneys or the judge through either personal or professional channels

1000 = Prior Litigant or Witness

1010 = Was a plaintiff in civil dispute

1020 = Was a defendant in civil dispute

1030 = Was a witness in civil dispute

1040 = Was a witness for defense in a criminal case

1050 = Was a witness for the State in a criminal case

1100 = Possessed Extrajudicial Information

1110 = Juror had prior information about the case

    1111 = Information obtained through the media

    1112 = Information obtained through social network

1120 = Juror had expertise in relevant field

1200 = Moral or Religious Reservations about Imposing the Death Penalty

1210 = Juror expressed reservations on imposing the death penalty because of moral or ethical belief

1220 = Juror expressed reservations on imposing the death penalty because of a religious belief

1230 = Juror could not follow instructions for imposition of death penalty

1240 = Juror held other views which would make the imposition of the death penalty difficult

1300 = Moral or Religious Reservations about Imposing a Life Sentence

1310 = Juror expressed reservations on imposing a life sentence because of a moral or ethical belief

1320 = Juror expressed reservations on imposing a life sentence because of a religious belief

1400 = Predisposition on Credibility of Police Officers

1410 = Was less likely to believe the testimony of police officers over other witnesses

1420 = Was more likely to believe the testimony of police officers over other witnesses

1500 = Disqualified by Law

1510 = Juror was not a resident of the county

1520 = Juror was under 18

1530 = Juror was not a U.S. citizen

1540 = Juror had been convicted of a felon

NCRJA Jury Selection Study
Supplemental Venire Member Level Data Collection Instrument
Version: 23 March 2010

1. Charging & Sentencing Study Identification Number   [V2001] |_____|_____|_____|**.**|_____|

2. Venire Member's Name |____|____|____|____|____|____|____|____|____|____|____|
   LAST [V2011]

   |____|____|____|____|____|____|____|____|____|____| |____|
   FIRST [V2012]   MI [V2013]

3. Venire Member's Race (circle one) [V2044]

   1 = White/Caucasian   5 = Latino/Hispanic   8 = Mixed (self-reported)

   2 = Black/African American   6 = Native American   _____

   3 = Asian/Asian American   7 = Other (specify)   9 = Unknown

   4 = Pacific Islander   _____

4. Please indicate the source of information for race. Choose the lowest number that applies, even if a subsequent foil
   is also applicable (e.g., if you match based on notes in the jury chart and checked against BOE or Lexis, choose 3
   even though 4 would also technically be correct). (Circle one)   [V2045]

   1 = Self-reported on questionnaire   4 = BOE website and/or Lexis

   2 = Noted by court or counsel in transcript and no dispute about characterization   8 = N/A because race is unknown

   3 = Noted on a jury chart or in counsel's notes and verified by another source

5. If the source of race information was based in any way on either the BOE website or a Lexis public records search (or both),
   please indicate *all* of the criteria on which you were able to match using the following codes.

   1 = Matched to this information
   0 = Unable to match on this information
   Blank = Not applicable because race unknown

First & last name [V2046] |_____|	Address [V2047] |_____|	Middle name/initial [V2048] |_____|
DOB [V2049] |_____|	SSN (any part) [V2050] |_____|	City [V2051] |_____|
County [V2052] |_____|		Other (please specify) [V2053] |_____| _____[V2054]

6. **Coder's Identification Number** |_____|_____|
   [V2055]

7. **Date Coded** [V2056] _____/_____/_____
   MM   DD   YEAR

NORTH CAROLINA RACIAL JUSTICE ACT
JURY SELECTION STUDY
Supplemental Venire Member Descriptives Data Collection Instrument
Version: 11 October 2010

1. Charging & Sentencing Study Identification Number   V2001 |_____|_____|_____|. |_____|

2. Venire Member's Study Identification Number   V2002 **J** |_____|_____|_____|. |_____|.|_____|_____|_____|

3. Defendant's Name _____

I.   VENIRE MEMBER CHARACTERISTICS

9. Venire Member's Name _____

10. What was this venire member's ultimate status? (circle one)   V2014

    0 = Neither seated on the jury nor selected as alternate   3 = Selected as an alternate and later seated on the jury

    1 = Seated on the jury   4 = Selected as an alternate but never seated on the jury

    2 = Seated on the jury, but later replaced with alternate   9 = Unknown

11. Number of seat to which venire member was called for questioning. *If unknown code 99*.   V2015 ___/___

12. Venire Member's Gender (circle one)

                                                             V2016

    0 = Female   1 = Male   9 = Unknown

13. Source of information for Gender (circle one)   V2017

    1 = Indicated Explicitly   2 = Inferred from other information (e.g., name)   9 = Gender unknown

14. Venire Member's Race (circle one)   V2018

    1 = White/Caucasian   5 = Latino/Hispanic   8 = Mixed (self-reported)

    2 = Black/African American   6 = Native American   _____

    3 = Asian/Asian American   7 = Other (specify)   9 = Unknown

    4 = Pacific Islander   _____

15. Age   *If unknown code 99.*   V2019___/___

16. Marital Status (circle one)   V2020

    1 = Married   3 = Separated or divorced   5 = Living unmarried with a significant other

    2 = Single   4 = Widowed   9 = Unknown

17. Children (circle one)   V2021

    0 = Does not have children   1 = Has children   9 = Unknown

18. Belongs to a religious organization (circle one)   V2022

     0 = No   1 = Yes   9 = Unknown

19. Education (circle highest level of education obtained)   V2023

     1 = Attended grade school   4 = Attended college   6 = Attended graduate school

     2 = Attended high school (9-12)   5 = College graduate   7 = Other

     3 = High school graduate   9 = Unknown

20. Has served in military (circle one)   V2024

     0 = No   1 = Yes   9 = Unknown

Employment Information: Use the code from Employment Code Appendix that provides the most detailed information. Use the more general code (i.e., 10, 20, etc.) only if more precise information is unavailable. If the **venire member** or spouse has more than one job, choose the one at which he or she spends the most time or otherwise indicates is primary.

21. Venire Member's Employment (enter code from list in Employment Code Appendix)   V2025 _____/_____
         If unknown code 99.

22. Spouse's Employment (enter code from list in Employment Code Appendix   V2026 _____/_____
         If unknown code 99. If not applicable, code 88.

23. Descriptive Characteristics: Enter the code from the Descriptive Characteristics Appendix for whichever characteristics apply in the slots V2027 through V2036, as needed. Use the code that provides the most detailed information possible. Use the more general code (e.g., 100, 200) only if more precise information is unavailable.

V2027 ___|___|___|___   V2031 ___|___|___|___   V2035 ___|___|___|___

V2028 ___|___|___|___   V2032 ___|___|___|___   V2036 ___|___|___|___

V2029 ___|___|___|___   V2033 ___|___|___|___   *8888* = No factors apply (enter in V2027, leave rest blank)
                                                           9999 = Responses unknown (enter in V2027, leave rest blank)

V2030 ___|___|___|___   V2034 ___|___|___|___

24. Venire Member Questioned for   V2037

     1 = Both guilty and penalty phase   2 = Guilt phase only   3 = Penalty phase only

Coder's Name _____

NORTH CAROLINA RACIAL JUSTICE ACT
JURY SELECTION STUDY
Second Supplemental Venire Member Descriptives Data Collection Instrument
Version: 26 April 2011

1. Charging & Sentencing Study Identification Number   V2001 |_____|_____|_____|. |_____|

2. Venire Member's Study Identification Number   V2002 **J** |_____|_____|_____|. |_____|.|_____|_____|_____|

3. Defendant's Name   _____

4. Venire Member's Name   _____

5. If a 700 or 800 code was entered as a descriptive for this VM, please select the option that
    best reflects the reason for that code.   V2057

    1 = VM said something to suggest a tendency toward a *more* punitive outcome (e.g., conviction or
        death sentence)

    2 = VM said something to suggest a tendency toward a *less* punitive outcome (e.g., acquittal or life
        sentence)

    3 = VM said something to warrant a 700 or 800 code, but the comments did not indicate a tendency to
        favor one side or outcome over another

    8 = Not applicable (no 700 or 800 codes apply in this case)

    9 = Unknown (descriptive information unavailable)

Coder's Name: _____   **Date:** _____

Appendix C

Jury Study Coding Protocol

Jury Study Coding Protocol

To: **Jury study coders**

From: **Barb O'Brien**

Re: **Jury study protocol**

Date: **November 13, 2009**

Overview

For each case, first complete one Defendant Level Data Collection Instrument (D-level DCI). Each case file has information about the jury selection process, such as a seating chart, individual juror questionnaires, and sometimes attorney's or clerk's notes. For each venire member, use these materials to complete a Juror Level Data Collection Instrument (J-level DCI). By "venire member," I mean anyone who was subjected to voir dire questioning and thus subject to a decision to be struck, excused for cause, or seated on the jury. (This includes alternates, even if they don't ultimately have to deliberate.)

For the venire member's study identification number, the digits that precede the decimal point should be the case level study identification number; what comes after should be a number you assign based on the order in which you code. For example, if you code Jeffrey Kandies's case, you would code the first J-level DCI as 168.001; the second would be 168.002, and so on.

Coding the D-level DCI first familiarizes you with the jury materials in that case. By figuring out first how many strikes the parties used and how many jurors were struck for cause, you'll be in a better position to figure out who stuck whom and strike eligibility when coding the J-level DCIs. "Strike eligibility" refers to whether only one party had a chance to strike (use a peremptory against) or both parties did. For instance, if the State strikes someone before the defense has a chance to question that person, that juror would be strike eligible to the State only.

To be able to determine this, you have to understand the procedure North Carolina courts use in jury selection. For the reasons set forth below, a consequence of its system is that a potential juror is always strike eligible to the State, but not necessarily to the defense.

North Carolina Jury Selection Procedures

The clerk randomly calls 12 jurors from the panel. NC ST § 15A-1214 (a). The judge informs them about the case, and questions them briefly regarding their fitness to serve. NC ST § 15A-1214 (b). The prosecutor then examines the first 12 jurors seated, and may make challenges for cause and exercise peremptory challenges. NC ST § 15A-1214 (d). As soon as a juror is removed, the clerk calls a replacement. Id. This continues until the prosecutor is satisfied with the 12 jurors in the box. Id. Until that point, the prosecutor can move to challenge for cause or

exercise a peremptory against any of the jurors in the box, regardless of whether they are original or replacement jurors. Id.

Once the prosecutor tenders the 12 jurors, defense counsel may question them, making challenges for cause and exercising peremptories. NC ST § 15A-1214 (e). Unlike when the prosecutor is questioning the panel, the clerk does *not* call a replacement for an excused juror as soon as one is removed. Id. Rather, the clerk waits to call replacements until all defendants have expressed satisfaction with the remaining jurors. Id. After the clerk calls replacement jurors for each of the excused jurors, the prosecution examines those replacement jurors only—repeating the original procedure—until the prosecutor is satisfied with a panel of 12. NC ST § 15A-1214 (f).   The prosecutor then tenders this panel to the defense, and the procedure repeats until all parties have accepted 12 jurors. Id.

In capital cases, the trial judge may for good cause allow jurors to be questioned and selected individually and apart from the other jurors, in which case each juror must first be passed by the prosecutor. NC ST § 15A-1214 (j).   Each capital defendant is allowed 14 challenges; the state is allowed 14 for each defendant.   NC ST § 15A-1217.

In all capital cases, the judge must empanel at least two alternate jurors. NC ST § 15A-1216 (b). Parties get an additional strike for each alternate.

Making Sense of the Jury Study Materials

Ideally, the file contains a seating chart with names of potential jurors clearly set forth and notations as to whether a potential juror was removed for cause (often noted as "C"), struck by the State ("S"), or struck by the defense ("D"). Sometimes, even if the chart lacks notations, another chart lists the venire members and their ultimate status (e.g., removed for cause (including objection to death penalty), struck by State, seated, etc.), or there are notes about strikes and excusals for cause. The file should also include juror questionnaires for all venire members, which will provide demographic information to complete the J-level DCI. These questionnaires might also include information on strikes and removals for cause. Unfortunately, sometimes the file contains only the questionnaires from jurors who ultimately sat on the case. If that happens, flag the case and we will try to track down those additional materials.

To interpret the seating chart, keep in mind the procedures set forth above. The State gets first crack at the panel and keeps going until it fills 12 seats. Thus everyone passed to the defense was strike eligible to the prosecution. In other words, the defense doesn't even get the chance to pass (approve) or strike a juror until the State has passed on them. If the defense strikes 6 of the 12 jurors passed by the State, the clerk calls 6 more new venire members and the State gets the first crack at questioning those 6. Understanding that process can help you figure out the order of events. Thus, anyone the State struck was strike eligible only to the State; anyone the defense struck was strike eligible to both parties *unless* the State had exhausted its peremptory challenges. And typically, anyone who is ultimately seated on the jury was strike eligible to both parties *unless* they were seated after one or both parties exhausted their peremptory challenges.

Appendix D

Race Coding Protocol

(1) Memo re: Protocol for Determining Race of Jurors
(2) Instructions for Race Coding

To: RJA Jury Study File
From: Barb O'Brien
Re: Protocol for Determining Race of Potential Jurors
Date: February 18, 2010

This study requires that the race of potential jurors be accurately recorded. Below is the protocol for coding a potential juror's race. For each juror, please indicate the source relied on in the spreadsheet column entitled "source."

1. **Self or Contemporaneous Report of Race based on Direct Observation**: The following are considered definitive sources of race information, in descending order of preference. (In other words, rely on the source of information listed in (a) before (b).)
   a. The juror reports his or her own race either in a questionnaire or on the record during voir dire
   b. The juror's race is noted by the court or an attorney as part of the record (e.g., race is mentioned in connection with a *Batson* motion or the clerk reads the race of the venire members into the record) and there is no indication of any unresolved dispute about that characterization.
   c. The juror's race is noted on the seating chart, and verified using public sources listed in Part 2.

2. **Secondary Sources of Information**: If the sources of information listed in section 1 are not available, you may look to the North Carolina Board of Elections website or Lexis Public Records for race information. Below are the circumstances in which you may find a match and thus rely on these records for information about race, in descending order of preference (in other words, rely on matches based on (a) before (b), and (b) before (c)). In all cases, the person named in the record *must* have been at least 18 at the time of trial. Information that a person would have been under 18 at the time of trial is a sufficient basis to exclude him or her as a match.
   a. You may rely on the public record for race if the record is consistent with our information about the venire member's name *as well as* either the venire member's (1) address, *or* (2) birth date.
      i. For the information to be considered "consistent" it must not contradict the information we have. For instance, if we know the juror's middle name, any information about the middle name in the public record must be consistent with what we have. If both sources provide all three names, then all three names must be the same to be treated as "consistent." If the public record provides only a middle initial, that initial must be consistent with the venire member's reported middle name. If either source lacks information about a middle name, then the presence of information about

it in the other source does not render them inconsistent and preclude a match.

1. Example: We have information about a venire member named "Jack Shepherd." On the BOE website, you find "Jack A. Shepherd." This would be considered consistent. The same would be true if we had the information on the venire member's middle initial, but the BOE website did not. In contrast, suppose we have information about a venire member named "Jack A. Shepherd." On the BOE website, you find a record for "Jack B. Shepherd." This would *not* be considered consistent as to name, and thus preclude a match.

2. Slight discrepancies may be acceptable if there are other strong indicators of a match that suggest that the inconsistency is likely due to data entry error or some other reasonable explanation. However, this assumption should not be made casually, but only when significant other evidence supports the inference.

   a. Example: We have information on venire member Richard Alpert, living 4815 Jacobs Way, with a DOB 8/15/1960. On Lexis, you find a record for Richard A. Alpert at 4815 Jacobs Way, whose DOB is listed as 8/15/1961. Another record for Richard Alpert at a different address (from a different year) lists his DOB as 8/15/1960. Lexis records often give partial Social Security Numbers. If the two records for Richard Alpert have matching partial SSNs, it is reasonable to find this to be a match for our venire member despite the difference in the year of birth in one of the records.

   b. Example: We have information about venire member Katherine R. Austin, born 1/6/1978. You find a record created several years after trial for Katherine Austin Ford, born 1/6/1978. If there are other pieces of information to indicate that these are the same people (e.g., DOB or partial Social Security numbers), the "Ford" does not render the names inconsistent because it could have been changed upon marriage.

ii. Because people move, lack of consistency between the venire member's address and the address indicated in the public record isn't necessarily fatal to finding a match based on other criteria. However, if information about the address suggests that these are not the same people (e.g., the

person did not reside in the county at the time of trial), that person should not be treated as a match.

b. You may rely on the public record for race information if the record is consistent with the venire member's name and county of residence at time of jury duty. If more than one record matches based on these criteria, you may rely on race information *only* if all the people with the matching records have the same race.

   i. Example: A search for John Locke in Wake County produces a single match for someone of that name who would have been old enough to serve on a jury at the time of the trial. That match is unique and you may rely on that record's information about race. But suppose the search produces several people with that name in Wake County. If all of those people are indicated as being white, for instance, code the potential juror as "white." If the matching records include people of different races, code venire member John Locke's race as "unknown."

   ii. Example: A search for John Locke in Wake County produces two matches for people with that name, but only one of whom would have been old enough to serve on a jury at the time of the trial. You may exclude the younger person and thus conclude that you have found a match.

   iii. Use information about the date of trial to assess whether there is a match as to county. As with address, lack of consistency between the venire member's county and the county indicated in the public record isn't necessarily fatal to finding a match. People do move from county to county. However, if information in the record suggests that the person did not reside in that county at the time of trial, that person should not be treated as a match.

c. If you cannot match on county, you may rely on a match based on a statewide search on name alone *only* if it produces a unique match or multiple matches of people of the same race. It will likely be very rare to find a match on this basis even if we have the middle name, but it may be possible for a particularly unusual name.

Instructions for Race Coding

Our goal is to determine the race of venire members in our study. Your job is to track down public records for the venire members and record their race. To do this, you will receive various types of information about the venire members. The level of detail will vary. Use the information you have available to find a record that matches with as much specificity as possible.

Below is a step-by-step guide to finding these records. During this process, however, you should not abandon your own common sense and good judgment. If something doesn't make sense, please don't be afraid to ask questions. For each venire member, you will fill out a sheet with questions about how you made your determination.

1. Create a folder with the defendant's case number and name as the title (e.g., for defendant John Badgett, create a folder named "14 Badgett".
2. Use two electronic sources of information:
    a. North Carolina Board of Elections (BOE) website (http://www.sboe.state.nc.us/VoterLookup.aspx?Feature=voterinfo)
    b. Lexis public records search (http://w3.lexis.com/lawschoolreg/researchlogin04.asp)
        i. If that link doesn't work, go to lexis.com and log in. Then look under "Public Records" and then "Voter Registrations Search." Be sure to select "North Carolina" as the state.

3. **If the information provides name AND address or date of birth**, search by name and county in the BOE website.
    a. If you find a unique match on the BOE website, you may record that venire member's race and stop looking.
        i. A "unique match" is entirely consistent with the venire member's name and also matches either the address or date of birth (DOB) as provided.
        ii. Name Consistency: For the information to be considered "consistent" it must match the information provided as follows:
            1. If both sources provide all three names, then all three names must be the same to be treated as "consistent."
            2. If the public record provides only a middle initial, that initial must be consistent with the venire member's reported middle name (and vice versa)
            3. If either source lacks information about a middle name, then the presence of information about it in the other source does not render them inconsistent and preclude a match.
        iii. Address Consistency. For the information to be considered "consistent" it must match the information provided perfectly.
            1. If you find multiple matches with the same address, you may record the race if all the records are for people with the same race.
    b. If the BOE search does not produce a unique match or does not produce any matches, run the same search in Lexis.

i. Look for Name Consistency.

ii. Look for Address Consistency. For the information to be considered "consistent," it must be possible to determine **two** items of information:

    1. The person identified lived at the address provided at or near the time of the trial.

    2. The person identified also lived at the address provided by the BOE.

iii. If you find Name Consistency and Address Consistency, you may record that venire member's race and stop looking.

c. If searching by name and county produces multiple matches with multiple race information, try to narrow the possible matches. Eliminate duplicate candidate matches in each database (BOE & Lexis) based on the following:

i. The person did not reside in the county of trial at the time of trial.

ii. The person would not have been old enough to serve on a jury at the time of trial. (BOE and Lexis often provide year of birth.)

d. If searching by name and county does not produce any matches in BOE,

i. Use Lexis to determine if a venire member has changed her name. Search in Lexis under the name provided. If Lexis documents a name change, search again in the BOE website with the new name. Look for a unique match. Note that Lexis often includes partial Social Security Numbers that allow you to confirm a match even if the person's name has changed.

4. If the information does not provide address or DOB on the venire member, search BOE by name and county. If you find a record for someone with that name living in the county of trial at the time of trial, record the race if:

a. The search produces a unique match

i. In determining whether you have a unique match, use Lexis to gather additional information that may allow you to exclude some potential matches as ineligible.

b. The search produces records for several people with that name in that county and all are of the same race.

5. Create an electronic folder for each juror for whom you are able to make a race designation. Name the folder based on the based on the juror's last and then first name (e.g., for juror John Locke save the PDF as "Locke_John". For each electronic record you rely upon to determine race, save a PDF named the same way you named the folder, with an extension to indicate whether the source is BOE or Lexis. Save the PDF to the folder created for this juror, which is within the folder created for this defendant's case. You can usually do this quite easily by selecting "print page" and then select "Adobe PDF" as the printer. You can also select "save as" and save the html page as a PDF.

a. Example: When working on defendant Badgett's case, create a folder named "14 Badgett". Within that folder, create a folder for juror John Locke named "Locke_John". You find several BOE records for John Locke, and look to Lexis to exclude some as a potential match. Within the folder "Locke_John", save as PDFs the documents you relied upon to make the race determination.

Appendix E

Descriptives Coding Protocol

Descriptives Coding Protocol

October 11, 2010

I. Coding Process
    A. Code *twice* the data for each VM from a random sample of 15% of all VMs.
    B. If coding descriptives for a particular case for the first time, make changes directly to the DCI.
    C. For VMs who have already been coded, use the Supplemental Venire Member Descriptives Coding DCI
    D. A third coder compares other two coders' work
        i. The third coder makes corrections for errors or omissions that are clearly due to one party's error or oversight.
            1. Primary DCI should be corrected (if necessary) so that it always reflects right answers
            2. Questions that require judgment are sent to Barb for resolution
                a. The third coder puts the question on a descriptives coding cleaning google doc along with identifying case information. Barb will highlight her resolution in yellow, and the appropriate correction should be made to the DCI before the data are entered.
                b. Resolutions will be noted on the coding FAQs google doc.
    E. When these VMs have been coded twice, checked, and entered, we'll take another random sample of the remaining VMS and repeat the process.

Appendix F

Coding Log

(1) Coding Log
(2) Coding Questions and Answers

Coding Log

Nov. 23, 2009: Instructed coders not to fill out venire member DCIs for jurors struck for cause, but to code for cause challenges on D level. We will wait to code jurors struck for cause when we have a sense of how much time we have.

Nov. 24, 2009: Clarified that coding for descriptive characteristics required recording information provided in file (usually from the juror Q), but it's not the same thing as coding the reason for a strike, which may or may not be provided.

Nov. 24, 2009: Consulted with Jonathan Broun at CDPL about how strikes are allocated between regular jurors and alternates. Attorneys are not supposed to use strikes allocated for alternates in the regular panel, but it may sometimes have happened so that a party used 15 strikes in selecting the regular jury.

Nov. 25, 2009: Gave AT and MS and electronic list of cases so that they can make notes about anything unusual they run into in coding a case (e.g., if the D got 15 strikes instead of 14).

January 4, 2010: Kevin Golphin (114) was tried with a co-defendant. Same jury, so coded as one unit. Defendants tried together are coded as a single case because there is no way to separate the jury selection process.

January 6, 2010: When there are separate juries for guilt and sentencing, we code both. The DCI will get a new variable to indicate that the juror was for both phases, guilt only, or PT only. For those already coded, we will put a label on the D-level DCI to indicate what should be inputted in the Access database for this variable.

January 11, 2010: Changed DCI Q5 to reflect a 4th option that neither side had strikes left, so not strike eligible to anyone.

February 8, 2010: On VM-DCI, when #16 = 9 (marital status of venire member unknown), code #22 as 99 (unknown). I directed the staff attorneys to recode all blanks as 99 when this happens and instructed the jury coders.

March 29, 2010: We don't always know what happened to alternates (whether they sat or were excused). The current foils for Q10 on the Venire Member DCI doesn't allow for that. So from now on when we know that the venire member was selected as an alternate but not whether they ultimately served, they should be coded as 4 (Selected as an alternate but never seated). That will now have in addition "or unknown if served."

September 8, 2010: AT asked whether a juror who opposed a life sentence because of the cost could be coded as 1310 ("Juror expressed reservations about life sentence because of moral or ethical beliefs." I said yes, as the juror was opposed to using society's resources to keep someone alive under those circumstances.

September 13, 2010: IA asked whether a person's prior grand jury service fell under code 200 (the more general code for prior jury service, as opposed to more specifically civil or criminal.) Because the more specific code for prior criminal jury service referred to serving in a criminal case, I told him to use the more general code to indicate some sort of jury service not captured by the more specific codes.

September 24, 2010: J. Hegg asks: "I've got a juror who says (basically), "yeah, I've formed an opinion that this guy (defendant) did what he's accused of" based on media reports, but then goes ahead and says he could be "totally objective" listening to the case and deciding guilt or innocence. Code as a 711 descriptor (had determined that the defendant was guilty) or something else? We talked about it down here, but can't make the call." My response: "Yes, I think 711 because he is saying he made up his mind. If he didn't follow it up with "I can be objective" he's be a cause strike. So if there ever was a 711 it's this one." Also spoke with ABT about how much ambivalence a VM must express to qualify for a 1200 descriptive. I explained that because people who cannot follow the law by considering death should be excused for cause, thus these categories must apply to something less than an outright unwillingness. Supposed to capture reservations, not necessarily opposition.

Coding Questions and Answers

Refer to this document when coding questions arise. When coders present questions or issues, I will make a note of the resolution here so that it is available to everyone. If you have a question about how to code something, check this document to see if it has already been resolved. When you have a question, please post it at the top of this page and I will address it asap.

This document also includes annotated versions of the employment and descriptive characteristics appendices. As we characterize certain professions under particular codes, make a note of it below. If you have any questions about how to code someone, email me or post the question here. After I resolve it, I will note the profession below under the appropriate code for everyone's future reference. Likewise, if you are unsure how to characterize a juror's descriptive characteristics, give me the precise language on which it's based and I will make a note of it below so everyone can use these instances as examples for future reference.

Questions:

Employment Coding Appendix

10 = Management, Professional and Related Occupations
- Pilot
- real estate appraiser
- Cellular Field Engineer (maintaining sights)
- HR
- Loan Specialist at a bank
- Licenced funeral director per B.O.
- Senior Sales Engineer
- Purchaser aka Purchasing Manager
- Projects manager for the city

11 = Management, business, and financial operations
- Accountant who is VP of finance at his company
- General manager of a sales team

12 = Computer and mathematical

13 = Architecture and engineering

14 = Life, physical, and social science
- Social worker
- Caseworker for social services per B.O.
- Psychotherapist

15 = Legal

16 = Education, training, & library
- Pastor/clergy
- Teacher assistants
- School counselors

17 = Arts, design, entertainment, sports, and media

18 = Healthcare practitioner and technical
- X-ray technologists

- Pharmacists (not those who work in a pharmacy)
- Medical transcriptionist
- Dental Hygienist
- Dietitian

20 = *Sales and Office Occupations* (Sales and related & Office and administrative support have been grouped into 20)

- Service rep at insurance company
- Realtor
- bank teller
- Insurance Adjuster
- Produce Manager at a grocery store per B.O.
- Store manager ie Dollar General
- General Manager of a sales team per B.O.
- Finance Director (Loan Arranger) at car dealership
- responsible for assigning the appropriate diagnosis for billing purposes in a hospital
- Distribution clerk/ mail sorter
- Cashier
- Legal Secretary

30 = *Farming, Fishing, and Forestry Occupations*

40 = *Service Worker*

- Security Guard
- Manager of a marina and campground
- Supervisor at a YMCA
- Lab Tech at a Manufacturing plant.

41 = Healthcare support

Dental Lab Tech
Dental Assistant
LPN, CNA
Pharmacy Tech

42 = Fire fighting and prevention, and other protective service workers including supervisors

- 911 Dispatchers
- EMT/Paramedics

43 = Law enforcement workers including supervisors

- Sheriff's Secretary

44 = Food preparation and serving

- Includes fast food managers & deli
- Pizza Delivery Person

45 = Building and grounds cleaning and maintenance

Painter

46 = Personal care and service

- Day Care

50 = *Military*

51 = Military (enlisted)

52 = Military (officer)

60 = *Construction, Extraction, Maintenance, and Repair Occupations*
*Shop Foreman, Process Operator, building inspector, Welder
61 = Construction and extraction
62 = Installation, maintenance, and repair
  ○ Parts manager for trucking company

70 = *Production, Transportation, and Material Moving Occupations*
  ● Warehouse manager
  ● chicken processing plant worker
  ● route sales
71 = Production
72 = Transportation and material moving occupations

80 = *Outside of Labor Force*
81 = Juvenile, out of school
82 = Student
83 = Retired
84 = Homemaker
85 = Chronically unemployed
86 = Disabled
87 = Other

Descriptive Characteristics Appendix

8888 = No factors apply (enter in V2027, leave rest blank)
  ● Use this if there is some voir dire questioning but none of the factors applies
9999 = Responses unknown (enter in V2027, leave rest blank)
  ● Use this is there was no questioning of the juror and nothing in the questionnaire bears on these factors

100 = Hardship
110 = Difficulty was emotional or moral
  ● VM had a nightmare about someone coming into her place of work and killing her if she gave a guilty verdict (this was in response to a death penalty question).
  ● Difficulty viewing crime scene photos.
120 = Hardship related to juror's occupation
130 = Juror had a caretaker obligation
        131 = Children
        132 = Elderly or ill person
140 = Juror had difficulty communicating or understanding
        141 = Language difficulty
        142 = Hearing problem
          ● If it is obvious from the transcript that the VM has difficulty hearing the questions, code this even if VM does not explicitly say she has a hearing problem per B.O.
        143 = Vision problem

150 = Medical problem

200 = Prior Jury Service
- Note: Not enough that someone was previously called for service if they did not ultimately serve
- Grand jury service
- Is it enough to have been picked for a jury and then dismissed before they commenced
- when they decided they did not need a jury? NO
- If they served in any capacity (as opposed to just being called for jury duty) code as a 200

210 = Prior jury service in criminal case
220 = Prior jury service in civil case
230 = Juror had a negative experience with prior jury service
240 = Juror served on a hung jury

300 = Juror/Friend/Family Was Victim of Crime
310 = Juror was a victim of crime
320 = Juror's family member was a victim of crime
330 = Juror's close friend was a victim of crime

400 = Juror/Friend/Family Was Accused of Being Involved in Criminal Activity
410 = Juror was accused of being involved in criminal activity
420 = Juror's family member was accused of being involved in criminal activity
430 = Juror's close friend was accused of being involved in criminal activity

500 = Juror/Friend/Family Was an Eyewitness to a Crime
Finding a shooting victim is close enough for a 500, even though VM did not see the shooting happen. Also consider how much time has passed between the crime and VM arriving on scene - per Prof. O'Brien.
510 = Juror was an eyewitness to a crime
520 = Juror's family member was an eyewitness to a crime
530 = Juror's close friend was an eyewitness to a crime

600 = Juror/Friend/Family Has Worked in Law Enforcement (e.g. judges, prosecutors, public defenders, private criminal defense lawyers, detectives, and security or prison guards) dispatcher, *prison counselor*
610 = Juror worked in law enforcement
  ■sheriff's secretary
  ■Assistant Food Sup. dept. of corrections
620 = Juror's family member worked in law enforcement
630 = Juror's close friend worked in law enforcement

700 = Admitted to Bias or Other Reason S/he Could Not Be Fair
- Answers on feelings about the possible presentation of a drug use mitigator not included here - APT

710 = Juror admitted to a premature verdict (fixed opinion as to guilt or innocence)
- juror who has read a lot about the case in the paper and watched the news--pretty much followed it since it happened. He admitted that he had already formed an opinion on what he thinks the consequences should be.
    711 = Had determined that the defendant was guilty
- A juror who says (basically), "yeah, I've formed an opinion that this guy (defendant) did what he's accused of" based on media reports, but then goes ahead and says he could be "totally objective" listening to the case and deciding guilt or innocence. This is appropriately coded as 711 despite statement about being objective.
- VM who says that Defendant "appeared to be guilty" based on newspaper articles but who says she can still be fair is NOT a 711 per B.O.
    712 = Had determined that the defendant was innocent
720 = Juror admitted that race of defendant or victim would affect decision
    White VM that says black men committed a crime against her mother and that it has "somewhat, but not a lot" affected her view of racial issues is a 720, even though she says she can put her view aside per Prof. O'Brien.
    721 = The race of the defendant would affect juror's decision
    722 = The race of the victim would affect juror's decision
730 = Juror admitted that gender of defendant or victim would affect decision
    731 = The gender of the defendant would affect juror's decision
    732 = The gender of the victim would affect juror's decision
740 = Juror admitted that social class of defendant or victim would affect decision
    741 = The social class of the defendant would affect juror's decision
    742 = The social class of the victim would affect juror's decision
750 = Juror admitted that the age of defendant or victim would affect decision
    751 = The age of the defendant would affect juror's decision
    752 = The age of the victim would affect juror's decision
- VM who says that he would try to keep an open mind but that the age of a child victim might affect him is a 752 per Prof. O'Brien.
760 = Juror admitted that sexual preference of defendant or victim would affect decision
    761 = The sexual preference of the defendant would affect juror's decision
    762 = The sexual preference of the victim would affect juror's decision

770 = Juror admitted that knowing that either defendant or victim had been previously incarcerated would affect decision
    771 = Knowing that defendant was previously incarcerated would affect decision
    772 = Knowing that victim was previously incarcerated would affect decision
780 = Juror admitted that another reason that he/she would not be able to be fair
- Not a code 780 if the VM says he has a hard time considering Defendant's impairment from drug use as a mitigating factor since it's not contrary to law.
790 = Juror admitted to moral/religious/conscientious beliefs regarding the nature of the charges that would affect the decision (includes difficulty sitting in judgment in a criminal case)

■VM indicated that his religion prohibits him from judging others on the questionnaire, but says that he changed his mind after praying about it overnight (per B.O.).

800 = Expressed View Contrary to Applicable Law, Not Including Death Qualification
- *Note:* just like with issues of bias or reservations about the DP, the juror need not express a view so contrary to law that it warrants striking for cause. In other words, a juror who expresses a contrary view but who is later rehabilitated should be coded under this section
- Juror believes a M1 conviction should automatically result in death penalty.
- People who think a first degree murder conviction = they must give the death penalty due to a misunderstanding of the law don't count under this code though correct
- Eye for an eye
- VM says he is "an Old Testament kind of guy" per Prof. O'Brien.
- A VM stating that he'd need a reason not to vote for death is enough for 800
- NOT a VM who would not consider impairment from voluntary drug use as a mitigating factor.
    810 = Juror would not be able to presume that a person is innocent until proven guilty beyond a reasonable doubt
    820 = Juror would not be impartial if the defendant did not take the stand or present evidence
       - not 820 if he says he wouldn't hold it against him, even if he would like to hear from the D.
    830 = Juror would presume that a person who was arrested was guilty or would take a mere arrest as evidence of guilt
    840 = Juror would have difficulty making up his/her own mind during jury deliberations
    850 = Juror would have difficulty affirming verdict in open court if jury polled
    860 = Juror would have difficulty making decision based only on evidence
       ○ Juror who said they would have a hard time forgetting what they heard from the media or people but could still be open minded.
    870 = Juror would have difficulty following court's instruction

900 = Prior Familiarity with Parties
    910 = Prior familiarity with the defendant but unknown in what context (applies to family of the D if they are close friends / family friends, as opposed to something casual like they know who they are or used to work with them a long time ago or something)
       911 = Prior familiarity with defendant through personal or social channels
       912 = Prior familiarity with defendant through professional channels
    920 = Prior familiarity with victim but unknown in what context (applies to family of the Victim
      if they are close friends / family friends, as opposed to something casual like they know who they are or used to work with them a long time ago or something)
          ■VM is NOT familiar with a victim who may possibly be a distant relative, but is not known personally to VM per B.O.

921 = Prior familiarity with victim through personal or social channels
922 = Prior familiarity with victim though professional channels
930 = Prior familiarity with witnesses but unknown in what context
- ■VM says he knows a witness but doesn't say how he knows them
- ■VM is NOT familiar with witnesses if VM says she thinks they might be distant relatives, but does not personally know them per B.O.
931 = Familiarity obtained through personal or social channels
932 = Familiarity obtained through professional channels
940 = Prior familiarity with attorneys or the judge but unknown in what context
941 = Prior familiarity obtained through personal or social channels
- attends same church as attorney
942 = Prior familiarity obtained through professional channels

1000 = Prior Litigant or Witness
- *Note:* Having been divorced in itself does not qualify someone under this category unless they indicated there was litigation
- Child Custody cases (including witnesses)
1010 = Was a plaintiff in civil dispute
1020 = Was a defendant in civil dispute
1030 = Was a witness in civil dispute
- Includes witnesses in "Article 15" or "office hours" military disciplinary proceedings per B.O.
1040 = Was a witness for defense in a criminal case
Does NOT include someone who identifies a suspect at a police station but who does   not testify in court.
1050 = Was a witness for the State in a criminal case

1100 = Possessed Extrajudicial Information
1110 = Juror had prior information about the case
1111 = Information obtained through the media
-people who read about the case but don't really remember what they read don't count-APT
1112 = Information obtained through social network
1120 = Juror had expertise in relevant field
Registered nurse who had previously worked in a mental health unit for a year and a half   had expertise when Defendant raised the insanity defense per Prof. O'Brien.

1200 = Moral or Religious Reservations about Imposing the Death Penalty
- Note: How much hesitation must a VM express to qualify for a 1200 code? Because people who cannot follow the law by considering death should be excused for cause, these categories *must* apply to something less than an outright unwillingness. The 1200 codes are supposed to capture reservations, not necessarily opposition.
- Juror says she is "not fond" of death penalty

- When asked if the DP is a necessary law, says "I guess" and later says "I wouldn't want to be [part of a jury that sentences someone to death]. Like I said, I don't like the thought of having to sentence someone to die."
- leaning toward life is not 1200

1210 = Juror expressed reservations on imposing the death penalty because of moral or ethical belief

1220 = Juror expressed reservations on imposing the death penalty because of a religious belief

1230 = Juror could not follow instructions for imposition of death penalty

1240 = Juror held other views which would make the imposition of the death penalty difficult

1300 = Moral or Religious Reservations about Imposing a Life Sentence

1310 = Juror expressed reservations on imposing a life sentence because of a moral or ethical belief
- juror who opposed a life sentence because of the cost
- Person thought it unfair that someone who took another's life be allowed to live
- have a problem giving less than DP

1320 = Juror expressed reservations on imposing a life sentence because of a religious belief

1400 = Predisposition on Credibility of Police Officers

1410 = Was less likely to believe the testimony of police officers over other witnesses

1420 = Was more likely to believe the testimony of police officers over other witnesses

1500 = Disqualified by Law

1510 = Juror was not a resident of the county

1520 = Juror was under 18

1530 = Juror was not a U.S. citizen

1540 = Juror had been convicted of a felon

Appendix G

Codebook

North Carolina Racial Justice Act
Jury Selection Study

CODEBOOK
(18 September 2011)

	Variable Name	Ques. No.	Variable No.	Coding Instruction or Recoding Syntax	Explanation
1.	Accused_all	23	2027-2036	IF ((Descriptive1=400 | Descriptive1=410 | Descriptive1=420 | Descriptive1= 430)) Accused_all=1. (For all codes using descriptives, this step repeats for descriptive2 through 10.)	VM or a close other has been accused of criminal wrongdoing.
2.	Age	15	2019		VM's age
3.	BDWV	NA	External source.	1 = Case had a black defendant and at least one white victim, 0 = all other cases	Case had a black defendant and at least one white victim.
4.	Black	14, 3 (Supp DCI)	MergedRace	RECODE MergedRace (SYSMIS=9) (9=9) (2=1) (ELSE=0) INTO Black.	Recodes MergedRace into Black or all others.
5.	BlackAlt	10, 14, 3 (Supp DCI)	Black, Status	IF (status > 2 & Black = 1) BlackAlt=1. RECODE BlackAlt (SYSMIS=0).	VM was both black and ultimately selected to serve as an alternate on the jury.
6.	BlackAlt_sum	10, 14, 3 (Supp DCI)	BlackAlt	AGGREGATE /OUTFILE=* MODE=ADDVARIABLES overwrite = yes /BREAK=CSStudyID /BlackAlt_sum=SUM(BlackAlt).	Sum of black VMs selected as alternate jurors in a case.
7.	BlackEligibleDef	5, 14, 3 (Supp DCI)	DefEligible, Black	IF (Black=1 & DefEligible=1) BlackEligibleDef=1. IF (Black=9 | DefEligible=9) BlackEligibleDef=9. IF (Black=0 & (DefEligible = 0| DefEligible =1)) BlackEligibleDef=0. IF ((Black=0| Black = 1) & DefEligible = 0) BlackEligibleDef=0.	VM is both black and eligible to be struck by defense.
8.	BlackEligibleDef_sum	5, 14, 3 (Supp DCI)	BlackEligibleDef	AGGREGATE /OUTFILE=* MODE=ADDVARIABLES /BREAK=CSStudyID /BlackEligibleDef_sum=SUM(BlackEligibleDef)	Sum of black VMs eligible to be struck by the defense in that case.
9.	BlackEligibleState	5, 14, 3 (Supp DCI)	StateEligible, Black	IF (Black=1 & StateEligible=1) BlackEligibleState=1. IF (Black=9 | StateEligible=9) BlackEligibleState=9. IF (Black=0 & (StateEligible = 0| StateEligible =1)) BlackEligibleState=0. IF ((Black=0| Black = 1) & StateEligible = 0) BlackEligibleState=0.	VM is both black and eligible to be struck by state.
10.	BlackEligibleState_sum	5, 14, 3 (Supp DCI)		/BlackEligibleState_sum=SUM(BlackEligibleState)	Sum of black VMs eligible to be struck by the state in that case.
11.	BlackJuror	10, 14, 3 (Supp DCI)	Black, Status	IF (status ne 0 & status < 3 & Black = 1) BlackJuror=1. RECODE BlackJuror (SYSMIS=0).	VM was both black and ultimately selected to serve on the jury.
12.	BlackJuror_sum	10, 14, 3 (Supp DCI)	BlackJuror	AGGREGATE /OUTFILE=* MODE=ADDVARIABLES overwrite = yes /BREAK=CSStudyID /BlackJuror_sum=SUM(BlackJuror)	Sum of black VMs selected as jurors in a case.
13.	Blue_all	21, 22	2025, 2026	IF (BlueCollar = 1 | (SpouseBlueCollar =1)) Blue_all=1. IF (BlueCollar = 0 & (SpouseBlueCollar =0 | SYSMIS (SpouseBlueCollar))) Blue_all=0. IF (Black=1 & (StrikeDef = 0 | StrikeDef = 1)) DefStrikeNB=0. IF ((Black=0| Black = 1) & StrikeDef = 0) DefStrikeNB=0.	VM or spouse has a blue collar job.
14.	BlueCollar	21	2025	RECODE Employment (SYSMIS=SYSMIS) (44 thru 46=1) (60 thru 72=1) (ELSE=0) INTO BlueCollar.	VM has a blue collar job.
15.	Children	17	2021	0 = no children, 1 = children, 9 = unknown	VM has children
16.	CoderFirst	NA	2039		Coder's first name
17.	CoderLast	NA	2038		Coder's last name
18.	CoderMiddle	NA	2040		Coder's middle initial
19.	CollegeGrad	19	2023	RECODE Education (SYSMIS=SYSMIS) (1 thru 4=0) (5 thru 6=1) (7=SYSMIS) INTO CollegeGrad.	VM graduated from college.
20.	CSStudyID	1	2001	Study Identification Number	Identification number assigned case in the Charging & Sentencing study.
21.	CtyNo	NA	NA	External source.	Assigns numbers to each case based on county of crime.
22.	cV1002	2 (Charging & Sentencing Study)	1002 (Charging & Sentencing Study)	NA	CRS number

	Variable Name	Ques. No.	Variable No.	Coding Instruction or Recoding Syntax	Explanation
23.	cV1003	3 (Charging & Sentencing Study)	NA1003 (Charging & Sentencing Study)	NA	County of conviction
24.	cV1036	4 (Charging & Sentencing Study)	1036 (Charging & Sentencing Study)	NA	County of crime
25.	DataEntry	NA	2042		Name of person who entered data
26.	DateCoded	NA	2041		Date coded
27.	DateEntered	NA	2043		Date coding entered into database
28.	DCDis09	NA	NA	External source.	Assigns each case to appropriate District Court District as of 2009.
29.	ddistrict	NA	NA	(Charging & Sentencing Study)	Assigns each case to proper Superior Court Prosecutorial District based on date of sentencing (V1010).
30.	DefB	13 (Charging & Sentencing)	V1014 (Charging & Sentencing)	1 = Case had a black defendant , 0 = Case had a non-black defendant	Case had a black defendant.
31.	DefEligible	17	Eligibility	Eligibility (SYSMIS=9) (9=9) (4=0) (3=1) (1=1) (2=0) INTO DefEligible.	Recodes Eligibility to indicate whether VM was strike eligible by defense
32.	DefRM	NA	NA	1 = Case had a non-white defendant , 0 = Case had a white defendant	Defendant was not white
33.	DefStrikeBlack	7, 14, 3 (Supp DCI)	StrikeDef, Black	IF (Black=1 & StrikeDef = 1) DefStrikeBlack=1. IF (Black=9 | StrikeDef =9) DefStrikeBlack=9. IF (Black=0 & (StrikeDef = 0 | StrikeDef = 1)) DefStrikeBlack=0. IF ((Black=0| Black = 1) & StrikeDef = 0) DefStrikeBlack=0.	VM was both black and struck by the defense.
34.	DefStrikeBlack_sum	5, 14, 3 (Supp DCI)	DefStrikeBlack	AGGREGATE /OUTFILE=* MODE=ADDVARIABLES /BREAK=CSStudyID /DefStrikeBlack_sum=SUM(DefStrikeBlack)	Sum of black VMs struck by the defense in that case.
35.	DefStrikeNB.	7, 14, 3 (Supp DCI)	DefStrike, Black	RECODE DefStrikeBlack (0=1) (1=0) INTO DefStrikeNB. IF (Black=0 & StrikeDef = 1) DefStrikeNB=1. IF (Black=9 | StrikeDef = 9) DefStrikeNB=9.	VM was either not black or not struck by the defense.
36.	DefStrikeNB_sum	5, 14, 3 (Supp DCI)	DefStrikeNB	AGGREGATE /OUTFILE=* MODE=ADDVARIABLES /BREAK=CSStudyID /DefStrikeNB_sum=SUM(DefStrikeNB)	Sum of non-black VMs struck by the defense in that case.
37.	DefStrikeWhite	7, 14, 3 (Supp DCI)	DefStrike, White	IF (White=1 & StrikeDef = 1) DefStrikeWhite=1. IF (White=9 | StrikeDef = 9) DefStrikeWhite=9. IF (White=0 & (StrikeDef = 0 | StrikeDef = 1)) DefStrikeWhite=0. IF ((White= 0| White = 1) & StrikeDef = 0) DefStrikeWhite=0.	VM was both white and struck by the defense.
38.	DefStrikeWhite_sum	5, 14, 3 (Supp DCI)	DefStrikeWhite	AGGREGATE /OUTFILE=* MODE=ADDVARIABLES /BREAK=CSStudyID /DefStrikeWhite_sum=SUM(DefStrikeWhite)	Sum of white VMs struck by the defense in that case.
39.	Descriptive1	23	2027	*8888* = No factors apply (enter in V2027, leave rest blank); 8888 = No factors apply (enter in V2027, leave rest blank), 9999 = Responses unknown (enter in V2027, leave rest blank)	Descriptive information about individual VMs (see Descriptive Characteristics Appendix). Coders instructed to enter the code for whichever characteristics apply in the slots V2027 through V2036, as needed. They used the code that provided the most detailed information possible. They used the more general code (e.g., 100, 200) only if more precise information was unavailable. (Applies to Vs 2027-2036.)
40.	Descriptive10	23	2036		
41.	Descriptive2	23	2028		

	Variable Name	Ques. No.	Variable No.	Coding Instruction or Recoding Syntax	Explanation
42.	Descriptive3	23	2029		
43.	Descriptive4	23	2030		
44.	Descriptive5	23	2031		
45.	Descriptive6	23	2032		
46.	Descriptive7	23	2033		
47.	Descriptive8	23	2034		
48.	Descriptive9	23	2035		
49.	DFirst	3	2004		Defendant's first name
50.	Difference	5, 6, 14, 3 (Supp DCI)	RateProsStruckBlacks, RateProsStruckNB	Compute Difference= RateProsStruckBlacks- RateProsStruckNB.	Different between the rate the state struck eligible black jurors and the rate it struck eligible non-black jurors for each case
51.	DLast	3	2003		Defendant's last name
52.	DMiddle	3	2005		Defendant's middle initial
53.	DName	3	DLast, DFirst, DMiddle	String DName (a25). Compute DName = CONCAT(rtrim(DLast), ", ", rtrim(DFirst), ' ', rtrim(DMiddle)).	Text variable combining defendants' first, last and middle names into one variable.
54.	DP_Reservations	23	2027-2036	IF ((Descriptive1=1200 | Descriptive1=1210 | Descriptive1=1220 | Descriptive1= 1230 | Descriptive1= 1240)) DP_Reservations=1.	VM expresses reservations about death penalty short of disqualification for cause.
55.	dV1007	6 (Charging & Sentencing Study)	1007 (Charging & Sentencing Study)		Date of offense
56.	dV1008	7 (Charging & Sentencing Study)	1008 (Charging & Sentencing Study)		Date of indictment
57.	dV1009	8 (Charging & Sentencing Study)	1009 (Charging & Sentencing Study)		Date of guilt phase verdict or plea
58.	dV1010	9 (Charging & Sentencing Study)	1010 (Charging & Sentencing Study)		Date sentence imposed for homicide
59.	dV1011	10 (Charging & Sentencing Study)	1011 (Charging & Sentencing Study)		Defendant's date of birth
60.	EdScale	19	2023	RECODE Education (SYSMIS=SYSMIS) (7=SYSMIS) (ELSE = COPY) INTO EdScale.	Linear scale whereby lower numbers reflect less education and higher numbers reflect more.
61.	Education	19	2023	1 = Attended grade school, 2 = Attended high school (9-12), 3 = High school graduate, 4 = Attended college, 5 = College graduate, 6 = Attended graduate school, 7 = Other, 9 = Unknown	Highest level of education VM achieved.
62.	Eligibility	5	2007	1 = Both Defense & State, 2 = State, 3 = Defense (applies *only* if State exhausted strikes), 4 = Neither (both sides exhausted strikes), 9 = Unknown	Peremptory strike eligibility: A VM is "strike eligible" to a party when that party has the chance to either accept the VM or exercise a peremptory challenge against them. For instance, if the state strikes a VM before the defense has a chance to strike or accept that VM, that VM's strike eligibility coded as "State." If the state accepts a VM and the defense then strikes or passes on them, coded as "Both Defense and State."
63.	Employment	21	2025	If unknown code 99	See the employment Code

	Variable Name	Ques. No.	Variable No.	Coding Instruction or Recoding Syntax	Explanation
					Appendix. Coders were instructed to use the code that provided the most detailed information. More general codes (i.e., 10, 20, etc.) used only if more precise information was unavailable.
64.	Excused	4	2006	0 = No; 1 = Yes; 9 = Unknown	VM excused for cause (for data cleaning purposes only)
65.	FamAccused	23	2027-2036	IF (Descriptive1=420) FamAccused=1.	VM's family member has been accused of criminal wrongdoing.
66.	Final_status	10	status	string final_status (a10). recode status (0 = 'Not seated') (1 = "Seated") (2 = "Seated") (3 = "Alternate") (4 = "Alternate") into final_status.	Text variable indicating VM's final status.
67.	FiveYears	NA	NA	1 = 1990-1994 2 = 1995-1999 3 = 2000-2004 4 = 2005-present	Groups cases in five-year intervals by date of sentencing.
68.	Gender	12	2016	0 = Female, 1 = Male, 9 = Unknown	VM's gender
69.	GenderSource	13	2017	1 = Indicated explicitly, 2 = Inferred from other information (e.g., name), 9 = Gender unknown	Source of information for gender
70.	Hardship	23	2027-2036	IF (Descriptive1 > 99 & Descriptive1 < 160) Hardship=1.	VM indicates that service would impose hardship short of justifying excusal for cause.
71.	Helping	21	2025	RECODE Employment (SYSMIS=SYSMIS) (14=1) (15=1) (16=1) (18=1) (41=1) (46=1) (ELSE=0) INTO Helping.	VM works in a helping profession, like nurse, social worker or teacher.
72.	Homemaker	21	2025	IF (Employment = 84) Homemaker=1. IF (Employment ne 99 & Employment ne 84) Homemaker=0.	VM is a homemaker.
73.	HungJury	23	2027-2036	IF ((Descriptive1=240 | Descriptive2=240 | Descriptive3=240 | Descriptive4=240 | Descriptive5=240 | Descriptive6=240 | Descriptive7=240)) HungJury=1.	VM has served on a jury that hung.
74.	JAccused	23	2027-2036	IF (Descriptive1=410) JAccused=1.	VM has been accused of a crime.
75.	JBias_all	23	2027-2036	RECODE Descriptive1 (700 thru 790=1) INTO JBias_all.	VM said something to suggest bias short of disqualifying VM for cause.
76.	JCivWit	23	2027-2036	RECODE Descriptive1 (1010 thru 1020=1) INTO JCivWit.	VM served as a witness in a civil case.
77.	JContrary	23	2027-2036	DO IF (((Descriptive1 > 800) & (Descriptive1 < 831))	Descriptive1 = 860).	VM said something to suggest a view contrary to law short of disqualifying VM for cause.
78.	JCredPO	23	2027-2036	IF (Descriptive1=1420) JCredPO=1.	VM expressed greater trust in police officers' credibility.
79.	JDefWit	23	2027-2036	IF (Descriptive1=1040) JDefWit=1.	VM has served as a defense witness.
80.	JExpert	23	2027-2036	IF (Descriptive1=1120) JExpert=1.	VM has expertise in a field relevant to the case.
81.	JEye	23	2027-2036	IF (Descriptive1=510) JEye=1.	VM has witnessed a crime.
82.	JEye_all	23	2027-2036	IF ((Descriptive1=500 | Descriptive1=510 | Descriptive1=520 | Descriptive1= 530)) JEye_all=1.	VM or close other has witnessed a crime.
83.	JKnewAtt	23	2027-2036	RECODE Descriptive1 (940 thru 942=1) INTO JKnewAtt.	VM knew one of the attorneys.
84.	JKnewD	23	2027-2036	RECODE Descriptive1 (910 thru 912=1) INTO JKnewD.	VM knew the defendant.
85.	JKnewParty	23	2027-2036	IF (JKnewD=1 | JKnewV = 1) JKnewParty=1.	VM knew a party involved in case (defendant, victim, attorney, witness).
86.	JKnewV	23	2027-2036	RECODE Descriptive1 (920 thru 922=1) INTO JKnewV.	VM knew the victim.
87.	JKnewW	23	2027-2036	RECODE Descriptive1 (930 thru 932=1) INTO JKnewW.	VM knew a likely witness in the case.
88.	JKnowledge	23	2027-2036	RECODE Descriptive1 (1110 thru 1112=1) INTO JKnowledge.	VM has knowledge about the case.
89.	JLawEnf	23	2027-2036	IF (Descriptive1=610) JLawEnf=1.	VM works in law enforcement.
90.	JLawEnf_all	23	2027-2036	IF ((Descriptive1=600 | Descriptive1=610 | Descriptive1=620 | Descriptive1= 630)) JLawEnf_all=1.	VM or close other works in law enforcement.
91.	JNoCredPO	23	2027-2036	IF (Descriptive1=1410) JNoCredPO=1.	VM expressed mistrust of police officers' credibility.

	Variable Name	Ques. No.	Variable No.	Coding Instruction or Recoding Syntax	Explanation
92.	JNoLife	23	2027-2036	RECODE Descriptive1 (1300 thru 1320=1) INTO JNoLife.	VM generally objects life sentences, short of disqualification for cause.
93.	JStateWit	23	2027-2036	IF (Descriptive1=1050) JStateWit=1.	VM has been a prosecution witness.
94.	JVic	23	2027-2036	IF ((Descriptive1=310 | Descriptive2=310 | Descriptive3=310 | Descriptive4=310 | Descriptive5=310 | Descriptive6=310 | Descriptive7=310)) JVic=1.	VM has been a crime victim.
95.	JVic_All	23	2027-2036	IF ((Descriptive1=300 | Descriptive1=310 | Descriptive1=320 | Descriptive1= 330)) JVic_All=1.	VM or close other has been a crime victim.
96.	LawEnforcement	21	2025	RECODE Employment (SYSMIS=SYSMIS) (43=1) (ELSE=0) INTO LawEnforcement.	VM currently works in law enforcement.
97.	Leans	5 (Second Supp. DCI)	2042	1 = tendency toward a more punitive outcome; 2 = tendency toward a less punitive outcome, 3 = ambiguous or conflicting comments	Reflects direction of a VM's possible bias or contrary view. Applies when VM has indicated something to warrant a 700 or 800 level code under descriptive characteristics.
98.	LeansAmbig	23	2027-2036	Same procedure as above but for Leans = 3.	Recode of variable "Leans" and reflects that VM made a statement that suggested bias or a view contrary to law but that was ambiguous or conflicting as to which side it favored.
99.	LeansDef	23	2027-2036	Same procedure as above but for Leans = 2.	Recode of the variable "Leans" and reflects that the VM made a statement that showed a tendency toward a less punitive outcome
100.	LeansState	23	2027-2036	RECODE Descriptive1 (SYSMIS=9) (9999=9) INTO LeansState. DO IF (Leans=1). RECODE LeansState (SYSMIS=1). END IF. DO IF (Leans=2). RECODE LeansState (SYSMIS=0). END IF. DO IF (Leans=3). RECODE LeansState (SYSMIS=0). END IF. RECODE LeansState (SYSMIS=0). RECODE LeansState (9=SYSMIS).	Recode of the variable "Leans" and reflects that VM made a statement that showed a tendency toward a more punitive outcome.
101.	Legal	21	2025	RECODE Employment (SYSMIS=SYSMIS) (15=1) (ELSE=0) INTO Legal.	VM works in the legal profession.
102.	Legal_all	21, 22	2025, 2026	IF (Legal = 1 | (SpouseLegal =1)) Legal_all=1. IF (Legal = 0 & (SpouseLegal =0 | SYSMIS(SpouseLegal))) Legal_all=0.	VM or spouse works in legal profession.
103.	LiveTogether	16	2020	RECODE Marital (5=1) (SYSMIS=SYSMIS) (ELSE=0) INTO LiveTogether.	VM is living with but not married to a romantic partner.
104.	LowEd	19	2023	RECODE Education (SYSMIS=SYSMIS) (1 thru 2=1) (ELSE = 0) INTO LowEd.	VM graduated from high school.
105.	Marital	16	2020	1 = Married, 2 = Single, 3 = Separated/divorced, 4 = Widowed, 5 = Living with significant other, 9 = Unknown	VM's marital status
106.	MarriedWidow	16	2020	RECODE Marital (1=1) (4=1) (SYSMIS=SYSMIS) (ELSE=0) INTO MarriedWidow.	VM is married or widowed.
107.	Match_address	5	2047	1 = Matched to this information, 0 = Unable to match on this information, Blank = Not applicable because race unknown	If source of race information was based on either BOE or Lexis websites, coders indicated all of the criteria on which they were able to match. (Applies to Vs 2046-2054)
108.	Match_City	5	2051		
109.	Match_County	5	2052		
110.	Match_DOB	5	2049		
111.	Match_Middle	5	2048		
112.	Match_name	5	2046		
113.	Match_Other	5	2053		
114.	Match_SpecifyOther	5	2054		
115.	Match_SSN	5	2050		
116.	MergedRace	14, 3 (Supp DCI)	Race, Race_Supp	DO IF (Race < 9). RECODE Race (ELSE=Copy) INTO MergedRace. END IF. DO IF (Race = 9). RECODE Race_Supp (SYSMIS=SYSMIS) (ELSE=Copy) INTO MergedRace.	Recodes race variables from the two DCIs to merge them into one variable.
117.	Military	20	2024	0 = No; 1 = Yes; 9 = Unknown	VM has served in military

	Variable Name	Ques. No.	Variable No.	Coding Instruction or Recoding Syntax	Explanation
118.	Milt_all	21, 22	2025, 2026	IF (Military = 1 | (SpouseMilitary =1)) Milt_all=1. IF (Military = 0 & (SpouseMilitary =0 | SYSMIS(SpouseMilitary))) Milt_all=0.	VM or spouse served in military.
119.	NBDefEligible	5, 14, 3 (Supp DCI)	DefEligible, Black	IF (Black=0 & DefEligible=1) NBDefEligible=1. IF (Black=9 | DefEligible=9) NBDefEligible=9. IF (Black=1 & (DefEligible = 0| DefEligible =1)) NBDefEligible=0. IF ((Black=0| Black = 1) & DefEligible = 0) NBDefEligible=0.	VM is both not black and eligible to be struck by the defense.
120.	NBDefEligible_sum	5, 14, 3 (Supp DCI)	NBDefEligible	AGGREGATE /OUTFILE=* MODE=ADDVARIABLES /BREAK=CSStudyID /NBDefEligible_sum = SUM(NBDefEligible)	Sum of non-black VMs eligible to be struck by the defense in that case.
121.	NBEligibleState	5, 14, 3 (Supp DCI)	StateEligible, Black	IF (Black=0 & StateEligible=1) NBEligibleState=1. IF (Black=9 | StateEligible=9) NBEligibleState=9. IF (Black=1 & (StateEligible = 0| StateEligible =1)) NBEligibleState=0. IF ((Black=0| Black = 1) & StateEligible = 0) NBEligibleState=0.	Non-black VM eligible to be struck by state.
122.	NBEligibleState_sum	5, 14, 3 (Supp DCI)		/NBEligibleState_sum=SUM(NBEligibleState)	Sum of non-black VMs eligible to be struck by state in that case.
123.	NWEligibleState	5, 14, 3 (Supp DCI)	StateEligible, White	IF (White=0 & StateEligible=1) NWEligibleState=1. IF (White=9 | StateEligible=9) NWEligibleState=9. IF (White=1 & (StateEligible = 0| StateEligible =1)) NWEligibleState=0. IF ((White=0| White = 1) & StateEligible = 0) NWEligibleState=0.	
124.	NWEligibleState_sum	5, 14, 3 (Supp DCI)		/NWEligibleState_sum=sum(NWEligibleState)	Sum of non-white VMs eligible to be struck by the state in that case.
125.	PDis070101	NA	NA	External source.	North Carolina Prosecutorial District (effective January 1, 2007-January 14, 2007)
126.	PDis070115	NA	NA	External source.	North Carolina Prosecutorial District (effective January 15, 2007-December 31, 2008)
127.	PDis09	NA	NA	External source.	North Carolina Prosecutorial District (effective January 15, 2009)
128.	PDis89	NA	NA	External source.	North Carolina Prosecutorial District (effective September 1, 1989-October 31, 1993)
129.	PDis93	NA	NA	External source.	North Carolina Prosecutorial District (effective November 1, 1993-December 31, 1994)
130.	PDis95	NA	NA	External source.	North Carolina Prosecutorial District (effective January 1, 1995-January 3, 1997)
131.	PDis97	NA	NA	External source.	North Carolina Prosecutorial District (effective January 4, 1997-December 31, 2006)
132.	PostCollege	19	2023	RECODE Education (SYSMIS=SYSMIS) (1 thru 5=0) (6 thru 6=1) (7=SYSMIS) INTO PostCollege.	VM has post-graduate education.
133.	Prof_all	21, 22	2025, 2026	IF (Professional = 1 | (SpouseProfessional =1)) Prof_all=1. IF (Professional = 0 & (SpouseProfessional =0 | SYSMIS(SpouseProfessional))) Prof_all=0.	VM or spouse has a professional job.
134.	Professional	21	2025	RECODE Employment (SYSMIS=SYSMIS) (52=1) (10 thru 18=1) (ELSE=0) INTO Professional.	VM works in a professional job
135.	QuestionFor	24	2037	1 = Both guilty and penalty phase, 2 = Guilt phase only, 3 = Penalty phase only	Phase for which VM was questioned.
136.	Race	14	2018	1 = White/Caucasian, 2 = Black/African American, 3 = Asian/Asian American, 4 = Pacific Islander, 5 = Latino/Hispanic, 6 = Native American, 7 = Other (specify), 8 = Mixed (self-reported), 9 = Unknown	
137.	Race_Supp	3 (Supp DCI)	2044	1 = White/Caucasian, 2 = Black/African American, 3 = Asian/Asian American, 4 = Pacific Islander, 5 = Latino/Hispanic, 6 = Native American, 7 = Other (specify), 8 = Mixed (self-reported), 9 = Unknown	Supplemental DCI used to allow coding for race while blind to strike information when race not available in questionnaires or transcript.
138.	Random25	NA	NA	1 = VM randomly selected for coding of descriptive information, 0 = VM not part of randomly sampled group	SPSS used to select random sample of VMs to code VM-level descriptive information.
139.	RateDefStruckBlacks	5, 6, 14, 3 (Supp DCI)	DefStrikeBlack_sum, BlackEligibleDef_sum	COMPUTE RateDefStruckBlacks=DefStrikeBlack_sum / BlackEligibleDef_sum.	Rate defense struck eligible black jurors: calculated by dividing sum of black VMs

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	Variable Name	Ques. No.	Variable No.	Coding Instruction or Recoding Syntax	Explanation
					defense struck by sum of black VMs eligible to be struck in that case
140.	RateDefStruckNB	5, 6, 14, 3 (Supp DCI)	DefStrikeNB_sum, NBDefEligible_sum	COMPUTE RateDefStruckNB=DefStrikeNB_sum / NBDefEligible_sum.	Rate defense struck eligible non-black jurors: calculated by dividing sum of non-black VMs defense struck by sum of non-black VMs eligible to be struck
141.	RateDefStruckNW	5, 6, 14, 3 (Supp DCI)	DefStrikeNW_sum, NWEligibleDef_sum	COMPUTE RateDefStruckNW=DefStrikeNW_sum / NWEligibleDef_sum.	Rate defense struck eligible non-white jurors: calculated by dividing sum of non-white VMs defense struck by sum of non-white VMs eligible to be struck
142.	RateDefStruckWhites	5, 6, 14, 3 (Supp DCI)	DefStrikeWhite_sum, WhiteEligibleDef_sum	COMPUTE RateDefStruckWhites=DefStrikeWhite_sum / WhiteEligibleDef_sum.	Rate defense struck eligible white jurors: calculated by dividing sum of white VMs defense struck by sum of white VMs eligible to be struck
143.	RateProsStruckBlacks	5, 6, 14, 3 (Supp DCI)	StrikeBlack_sum, BlackEligibleState_sum	COMPUTE RateProsStruckBlacks=StrikeBlack_sum / BlackEligibleState_sum.	Rate state struck eligible black jurors: calculated by dividing sum of black VMs state struck by sum of black VMs eligible to be struck
144.	RateProsStruckNB	5, 6, 14, 3 (Supp DCI)	StrikeNB_sum, NBEligibleState_sum	COMPUTE RateProsStruckNB=StrikeNB_sum / NBEligibleState_sum.	Same as above but using sums for non-blacks.
145.	RateProsStruckNWs	5, 6, 14, 3 (Supp DCI)	StrikeNW_sum, NWEligibleState_sum	COMPUTE RateProsStruckNWs=StrikeNW_sum / NWEligibleState_sum.	Same as above but using sums for non-whites
146.	RateProsStruckWhites	5, 6, 14, 3 (Supp DCI)	StrikeWhite_sum, WhiteEligibleState_sum	COMPUTE RateProsStruckWhites=StrikeWhite_sum / WhiteEligibleState_sum.	Same as above but using sums for whites
147.	ReligiousOrg	18	2022	0 = No; 1 = Yes; 9 = Unknown	VM belongs to religious organization
148.	Retired	21	2025	RECODE Employment (SYSMIS=SYSMIS) (83=1) (ELSE=0) INTO Retired.	VM is retired.
149.	Retired_all	21, 22	2025, 2026	IF (Retired = 1	(SpouseRetired =1)) Retired_all=1. IF (Retired = 0 & (SpouseRetired =0	SYSMIS(SpouseRetired)))Retired_all=0.	VM or spouse is retired.
150.	RMAlt	10, 14, 3 (Supp DCI)	Status, White	IF (status > 2 & White = 0) RMAlt=1. RECODE RMAlt (SYSMIS=0)	VM was both not-white and ultimately selected to serve as an alternate on the jury.
151.	RMAlt_sum	10, 14, 3 (Supp DCI)	RMAlt	AGGREGATE /OUTFILE=* MODE=ADDVARIABLES overwrite = yes /BREAK=CSStudyID /RMAlt_sum=SUM(RMAlt).	Sum of non-white VMs selected as alternate jurors in a case.
152.	RMJuror	10, 14, 3 (Supp DCI)	Status, White	IF (status ne 0 & status < 3 & White = 0) RMJuror=1. RECODE RMJuror (SYSMIS=0)	VM was both not white and ultimately selected to serve on the jury.
153.	RMJuror_sum	10, 14, 3 (Supp DCI)	RMJuror	AGGREGATE /OUTFILE=* MODE=ADDVARIABLES overwrite = yes /BREAK=CSStudyID /RMJuror_sum=SUM(RMJuror)	Sum of non-white VMs selected as jurors in a case.
154.	SeatNumber	11	2015	If unknown code 99.	Number of seat to which VM was called for questioning
155.	Senior	15	2020	IF (Age < 65) Senior=0. IF (Age >= 65) Senior=1.	VM is 65 or older.
156.	Served	10	Status	RECODE Status (0=0) (SYSMIS=SYSMIS) (9=SYSMIS) (1 thru 4=1) INTO served.	VM served in some capacity (as alternate or regular juror).
157.	Sex	12	Gender	string sex (a7). recode gender (0 = 'Female') (1 = 'Male') into sex.	Text variable indicating VM's gender.
158.	SingleDivorced	16	2020	RECODE Marital (1=0) (4=0) (2=1) (3=1) (SYSMIS=SYSMIS) (ELSE=0) INTO SingleDivorced.	VM is single or divorced.
159.	SomeCollege	19	2023	RECODE Education (SYSMIS=SYSMIS) (1 thru 3=0) (4 thru 6=1) (7=SYSMIS) INTO SomeCollege.	VM attended some college.
160.	Source	4 (Supp DCI)	SourceRace	String Source (a15). recode SourceRace (1 = "Questionnaire") (2 = "Transcript") (3 = "Clerk's Chart") (4 = "Public Record") (5 = "NA") into Source.	Text variable indicating source of information of VM's race.
161.	SourceRace	4 (Supp DCI)	2045	1 = Self-reported on questionnaire, 2 = Noted by court or counsel in transcript and no dispute about characterization, 3 = Noted on a jury chart or in counsel's notes and verified by another source, 4 = BOE website and/or Lexis, 8 = N/A	Indicates source of information for race. Coders instructed to choose lowest number that applied, even if a subsequent

	Variable Name	Ques. No.	Variable No.	Coding Instruction or Recoding Syntax	Explanation
				because race is unknown	foil also applied (such as when multiple sources of race information were available).
162.	SpouseBlueCollar	22	2026	RECODE SpouseEmployment (SYSMIS=SYSMIS) (44 thru 46=1) (60 thru 72=1) (ELSE=0) INTO SpouseBlueCollar.	VM's spouse had blue collar job.
163.	SpouseEmployment	22	2026	If unknown code 99. If not applicable, code 88.	VM's spouse's employment (same coding protocol applied)
164.	SpouseLawEnf	22	2026	RECODE SpouseEmployment (SYSMIS=SYSMIS) (43=1) (ELSE=0) INTO SpouseLawEnf.	VM's spouse worked in law enforcement.
165.	SpouseLegal	22	2026	RECODE SpouseEmployment (SYSMIS=SYSMIS) (15=1) (ELSE=0) INTO SpouseLegal.	VM's spouse had legal job.
166.	SpouseMilitary	22	2026	RECODE SpouseEmployment (SYSMIS=SYSMIS) (50 thru 52=1) (ELSE=0) INTO SpouseMilitary.	VM's spouse was in military.
167.	SpouseProfessional	22	2026	RECODE SpouseEmployment (SYSMIS=SYSMIS) (52=1) (10 thru 18=1) (ELSE=0) INTO SpouseProfessional.	VM's spouse had professional job.
168.	SpouseRetired	22	2026	RECODE SpouseEmployment (SYSMIS=SYSMIS) (83=1) (ELSE=0) INTO SpouseRetired.	VM's spouse was retired.
169.	SpouseStudent	22	2026	RECODE SpouseEmployment (SYSMIS=SYSMIS) (82=1) (ELSE=0) INTO SpouseStudent.	VM's spouse was a student.
170.	SpouseUnemployed	22	2026	RECODE SpouseEmployment (SYSMIS=SYSMIS) (85=1) (ELSE=0) INTO SpouseUnemployed.	VM's spouse was unemployed.
171.	StateEligible	17	Eligibility	Eligibility (SYSMIS=9) (9=9) (1=1) (2=1) (3=0) (4=0) INTO StateEligible.	Recodes Eligibility to indicate whether VM was strike eligible by state
172.	Status	10	2014	0 = Neither seated on jury nor selected as alternate, 1 = Seated on jury, 2 = Seated on jury but later replaced with alternate, 3 = Selected as alternate and later seated on jury, 4 = Selected as alternate but never seated on jury, 9 = Unknown	VM's ultimate status. Coded as 4 when VM was selected as alternate but it was unknown whether VM ultimately served.
173.	StrikeBlack	6, 14, 3 (Supp DCI)	StrikeState, Black	IF (Black=1 & StrikeState = 1) StrikeBlack=1. IF (Black=9 | StrikeState = 9) StrikeBlack=9.IF (Black=0 & (StrikeState = 0 | StrikeState = 1)) StrikeBlack=0. IF ((Black=0| Black = 1) & StrikeState = 1) StrikeBlack=0.	VM was both black and struck by the state.
174.	StrikeBlack_sum	6, 14, 3 (Supp DCI)		AGGREGATE /OUTFILE=* MODE=ADDVARIABLES /BREAK=CSStudyID /StrikeBlack_sum=SUM(StrikeBlack) /N_BREAK=N.	Computes sum of black VMs state struck in that case.
175.	StrikeDef	7	2009	0 = No; 1 = Yes; 9 = Unknown	1 = 'Struck' 0 = 'Passed'
176.	StrikeElig	5	Eligibility	STRING StrikeElig (A8). RECODE Eligibility (1='Both') (2='State') (3='Defense') (4='Neither') INTO StrikeElig. EXECUTE.	Text variable indicating VM's strike eligibility.
177.	StrikeNB	6, 14, 3 (Supp DCI)	StrikeState, Black	IF (Black=0 & StrikeState = 1) StrikeNB=1. IF (Black=9 | StrikeState = 9) StrikeNB=9. IF (Black=1 & (StrikeState = 0 | StrikeState = 1)) StrikeNB=0. IF ((Black=0| Black = 1) & StrikeState = 0) StrikeNB=0.	VM was both non-black and struck by the state.
178.	StrikeNB_sum	6, 14, 3 (Supp DCI)		/StrikeNB_sum=SUM(StrikeNB)	Computes a sum of non-black VMs struck by the state.
179.	StrikeNW	6, 14, 3 (Supp DCI)	StrikeState, White	IF (White=0 & StrikeState = 1) StrikeNW=1. IF (White=9 | StrikeState = 9) StrikeNW=9. IF (White=1 & (StrikeState = 0 | StrikeState = 1)) StrikeNW=0. IF ((White= 0| White = 1) & StrikeState = 0) StrikeNW=0.	VM was both non-White and struck by the state
180.	StrikeNW_sum	6, 14, 3 (Supp DCI)		/StrikeNW_sum=SUM(StrikeNW)	Sum of non-white VMs struck by state.
181.	StrikeSourceUnknown	8	2010	0 = No; 1 = Yes; 9 = Unknown	VM struck but unknown by whom.
182.	StrikeState	6	2008	1 = 'Struck' 0 = 'Passed'	VM was struck by state.
183.	StrikeWhite	6, 14, 3 (Supp DCI)	StrikeState, White	IF (White=1 & StrikeState = 1) StrikeWhite=1. IF (White=9 | StrikeState = 9) StrikeWhite=9. IF (White=0 & (StrikeState = 0 | StrikeState = 1)) StrikeWhite=0. IF ((White= 0| White = 1) & StrikeState = 0) StrikeWhite=0.	VM was both white and struck by state
184.	StrikeWhite_sum	6, 14, 3 (Supp DCI)		/StrikeWhite_sum=SUM(StrikeWhite)	Sum of white VMs struck by state.
185.	Struck	6	StrikeState	STRING Struck (A8). RECODE StrikeState (0='Passed') (1='Struck') INTO Struck. EXECUTE. DO IF (StateEligible=0). RECODE Struck (ELSE='Not Strike Eligible').	Text variable indicating whether state passed or struck a VM.
186.	Student	21	2025	RECODE Employment (SYSMIS=SYSMIS) (82=1) (ELSE=0) INTO Student.	VM is a student.
187.	Student_all	21, 22	2025, 2026	IF (Student = 1 | (SpouseStudent =1)) Student_all=1. IF (Student = 0 & (SpouseStudent =0 | SYSMIS (SpouseStudent))) Student_all=0.	VM or spouse was a student.

	Variable Name	Ques. No.	Variable No.	Coding Instruction or Recoding Syntax	Explanation
188.	SupCtDis09	NA	NA	External source.	Identifies the Superior Court District of the case based on county of crime (1036) and the 2009 districts.
189.	SupCtDiv09	NA	NA	External source.	Identifies the Superior Court Division of the case based on county of crime (1036) and the 2009 divisions.
190.	SupCtDiv97	NA	NA	External source.	Identifies the Superior Court Division of the case based on county of crime (1036) and the 1997 districts.
191.	SuppCoderID	6 (Supp. DCI)	2055		Coder's identifying number.
192.	SuppCoderName	6 (Supp. DCI)	SuppCoderID	STRING SuppCoderName (A20). RECODE SuppCoderID (1='Jason Hegg') (2='Katy Hegg') (3='Anthony Beckneck') (4='Zachary Risk') (5='Erin Lane') (6='Jenny Bunker') (7='Amy Edwards') (8='Brian Prain') (9='Diana Shkreli') (10="Barb O'Brien") (11='Catherine Grosso') (12='Abijah Taylor') (13='Meredith Sharp') (14='Brendan Dennis') (15='Claire Tluczek') (16='Adam Novack') (17='Elizabeth Petsche') (18='Ibrahim Ayuub') INTO SuppCoderName.	Recode to identify coders by name.
193.	SuppDateCoded	7	2056		Date coded
194.	Unemp_all	21, 22	2025, 2026	IF (Unemployed = 1 | (SpouseUnemployed =1)) Unemp_all=1. IF (Unemployed = 0 & (Unemployed =0 | SYSMIS(Unemployed))) Unemp_all=0.	
195.	Unemployed	21	2025	RECODE Employment (SYSMIS=SYSMIS) (85=1) (ELSE=0) INTO Unemployed.	VM is unemployed.
196.	VenireFirst	9	2012		VM's first name.
197.	VenireLast	9	2011		VM's last name.
198.	VenireMiddle	9	2013		VM's middle initial.
199.	VenStudyID	2	2002	Venire Member's Study Identification Number	Study id number from charging and sentencing study (CSStudyID). Decimal followed by a number assigned by coders based on the order in which they coded each VM.
200.	VeryYoung	15	2020	IF (Age <= 22) VeryYoung=1. IF (Age > 22) VeryYoung=0.	VM is 22 or younger.
201.	VM_Name	9	VenireLast, VenireFirst, VenireMiddle	string VM_Name (a25). COMPUTE VM_Name=CONCAT(rtrim(VenireLast), ", ", rtrim(VenireFirst), ' ', rtrim(VenireMiddle)).	Text variable combining VMs' first, last and middle names into one variable.
202.	White	14, 3 (Supp. DCI)	MergedRace	MergedRace (SYSMIS=9) (9=9) (1=1) (ELSE=0) INTO White.	Recodes MergedRace into White or all others.
203.	WhiteEligibleDef	5, 14, 3 (Supp DCI)	DefEligible, White	IF (White=1 & DefEligible=1) WhiteEligibleDef=1. IF (White=9 | DefEligible=9) WhiteEligibleDef=9. IF (White=0 & (DefEligible = 0| DefEligible =1)) WhiteEligibleDef=0. IF ((White=0| White = 1) & DefEligible = 0) WhiteEligibleDef=0.	VM is both white and eligible to be struck by the defense.
204.	WhiteEligibleDef_sum	5, 14, 3 (Supp DCI)	WhiteEligibleDef	AGGREGATE /OUTFILE=* MODE=ADDVARIABLES /BREAK=CSStudyID /WhiteEligibleDef_sum=SUM(WhiteEligibleDef)	Sum of white VMs eligible to be struck by the defense in that case.
205.	WhiteEligibleState	5, 14, 3 (Supp DCI)	StateEligible, White	IF (White=1 & StateEligible=1) WhiteEligibleState=1. IF (White=9 | StateEligible=9) WhiteEligibleState=9. IF (White=0 & (StateEligible = 0| StateEligible =1)) WhiteEligibleState=0. IF ((White=0| White = 1) & StateEligible = 0) WhiteEligibleState=0.	VM is both white and eligible to be struck by the state.
206.	WhiteEligibleState_sum	5, 14, 3 (Supp DCI)	WhiteEligibleState	AGGREGATE /OUTFILE=* MODE=ADDVARIABLES /BREAK=CSStudyID /WhiteEligibleState_sum=SUM(WhiteEligibleState)	Sum of white VMs eligible to be struck by the state in that case.
207.	WhiteVic	NA	NA	1 = Case had at least one white victim , 0 = Case had no white victims	At least one victim was white
208.	Young	15	2020	IF (Age <= 25) Young=1. IF (Age > 25) Young=0.	VM is 25 or younger.