23-24

STATE OF NORTH CAROLINA
COUNTY OF CHATHAM
IN THE GENERAL COURT OF JUSTICE

REGISTRATION NO. 23 R 171

FILM NO. _____

JURY COMMISSION'S STATEMENT

OF SOURCES AND PROCEDURES FILED

PURSUANT TO

NORTH CAROLINA GENERAL STATUTE 9

FOR

BIENNIUM 2024 - 2025

FILED
2023 NOV 15 P 4:56
CHATHAM CO., C.S.C.
BY _____

3. Permanently excused citizens and previously summoned jurors who had been deferred beyond the beginning of the biennium were electronically removed from further consideration, based on name and date of birth, using the database compiled by the office of Clerk of Superior Court.

4. Upon consideration of wasted mailing costs and lost effort, the jury commission:

__**Did** _X_**Did Not**

Elect to have the jury program electronically remove from further consideration those citizens whose mailing address zip codes fall outside those approved by the commission as encompassing the county.

_X_ **Did** __**Did Not**

Elect to have the jury program electronically remove from further consideration those citizens whose name, date of birth and address had resulted in an undeliverable summons in the past.

_X_ **Did** __**Did Not**

Elect to have the jury program electronically remove from further consideration those citizens whose name, date of birth and address were shown to be non-residents of the county in the past.

5. Citizens who served as petit jurors during the previous two years or who served a full term of service as grand jurors in the past six years were electronically removed from further consideration, based on name and date of birth, using the database compiled by the office of Clerk of Superior Court.

d. Selecting names for the list § 9-2 (e); § 9-2(h)]

1. The random selection process was authorized by the Jury Commission to be performed by the office of the Clerk of Superior Court as follows:

a. The jury commission requested a raw list of ___19,000__ names, which is ___2.1__ times the number of jurors for the current biennium.

b. The computer performed a random selection from the eligible records, bypassing any records which had been electronically culled as stated above.

2. The names on the raw jury list were printed in alphabetical order with birth date, ages and addresses.

e. Manually culling disqualified persons from the List § 9-3

1. All persons disqualified pursuant to § 9-3 were manually removed at the direction of the Jury Commission. The jury commission also manually checked the printed raw list for any duplicates that may have been missed by the previous automation process. Any such duplicates were electronically removed.

2. The Jury Commission applied all statutory qualifications as prescribed to the best of its ability.

3. After all disqualified to serve were removed, there remained a total of 17,519 names on the final list, which is 2.0 times the number of jurors for the current biennium.

2. Custody of the Jury List § 9-4]

a. The Master List as completed on October 27, 2023 shall be maintained on the computer.

A. ORGANIZATION § 9-1

1. Appointments

   The following Jury Commissioners were appointed for the biennium:
   Reba G Thomas was appointed on September 19, 2023 by the Honorable Allen Baddour, Senior Resident Superior Court Judge. The Chatham County Board of Commissioners on Emily R Foushee appointed September 19, 2023. The Honorable Dana M Hackney, Chatham County Clerk of Superior Court, appointed Norma Boone on September 25, 2023.

2. Oaths

   Oaths of office were administered to the Jury Commissioners by the Kimberly C Brafford, Deputy Clerk, Chatham County Clerk of Superior Court on October 27, 2023.

3. Date of the first Jury Commission meeting

   The Jury Commission held its first meeting October 27, 2023, electing Emily Foushee as Chairman. The meeting was held in the office of the Clerk of Superior Court.

B. AUTHORITY

1. Compliance with the statute

   The Jury Commission compiled the jury list in strict accord with the directions provided in Chapter 9 of the North Carolina General Statutes.

2. Electronic data processing

   The county utilizes electronic data processing equipment for the function of preparing and maintaining custody of the list of prospective jurors, drawing and summoning panels of jurors, and maintaining records of names of jurors who have served, been excused, been deferred for service, or have been disqualified. Service Commander Software Inc has been employed as consultant in this process. The Clerk of Superior Court is responsible for recording records received from the Division of Motor Vehicles and the Voter Registration onto a stand-alone PC system, which is located and maintained in said office. § 20-43.4.

C. SOURCES § 9-2(b)

The list of registered voters and persons with driver's license records supplied to the county by the Commissioner of Motor Vehicles pursuant to § 20-43.4. There were no other lists used in the preparation of the jury list.

D. PROCEDURES

1. Preparation of the master jury list § 9-2.

   a. Number of names to be included was provided by the Clerk of Superior Court. § 9-2(f)]

   b. Method of Merging Source Lists § 9-2(e)]

      The merge of the source lists was completed pursuant to § 20-43.4.

   c. Electronic culling of disqualified persons form the list. § 9-3

      1. Persons residing out of state were electronically removed from further consideration based on their mailing address.

      2. Based on legal opinion from the Administrative Office of the Courts, no convicted felons were electronically removed.

3. Permanently excused citizens and previously summoned jurors who had been deferred beyond the beginning of the biennium were electronically removed from further consideration, based on name and date of birth, using the database compiled by the office of Clerk of Superior Court.

4. Upon consideration of wasted mailing costs and lost effort, the jury commission:

__**Did** _X_**Did Not**

Elect to have the jury program electronically remove from further consideration those citizens whose mailing address zip codes fall outside those approved by the commission as encompassing the county.

_X_ **Did** __**Did Not**

Elect to have the jury program electronically remove from further consideration those citizens whose name, date of birth and address had resulted in an undeliverable summons in the past.

_X_ **Did** __**Did Not**

Elect to have the jury program electronically remove from further consideration those citizens whose name, date of birth and address were shown to be non-residents of the county in the past.

5. Citizens who served as petit jurors during the previous two years or who served a full term of service as grand jurors in the past six years were electronically removed from further consideration, based on name and date of birth, using the database compiled by the office of Clerk of Superior Court.

d. Selecting names for the list § 9-2 (e); § 9-2(h)]

1. The random selection process was authorized by the Jury Commission to be performed by the office of the Clerk of Superior Court as follows:

a. The jury commission requested a raw list of ___19,000__ names, which is ___2.1__ times the number of jurors for the current biennium.

b. The computer performed a random selection from the eligible records, bypassing any records which had been electronically culled as stated above.

2. The names on the raw jury list were printed in alphabetical order with birth date, ages and addresses.

e. Manually culling disqualified persons from the List § 9-3

1. All persons disqualified pursuant to § 9-3 were manually removed at the direction of the Jury Commission. The jury commission also manually checked the printed raw list for any duplicates that may have been missed by the previous automation process. Any such duplicates were electronically removed.

2. The Jury Commission applied all statutory qualifications as prescribed to the best of its ability.

3. After all disqualified to serve were removed, there remained a total of _____ names on the final list, which is _____ times the number of jurors for the current biennium.

2. Custody of the Jury List § 9-4]

a. The Master List as completed on October 27, 2023 shall be maintained on the computer.

b. The alphabetized list is kept under lock and key in the office of the Clerk of Superior Court, but the list is available for public inspection during regular office hours.

c. Access to the computer file containing this list is prohibited to all but authorized personnel, and their access is prohibited except to the extent necessary to maintain and operate the system. "Authorized personnel" shall be those persons authorized by the Clerk of Superior Court and/or the Jury Commission. After the Master Jury List is complete, a back-up computer file will be prepared and stored in a secure place. This file will be periodically updated.

3. Maintenance of the jury list. The jury list will be updated as to juror service records on the jury file electronically by authorized personnel in a timely manner.

E. CLERK OF SUPERIOR COURT

Authority.

The Chatham County Clerk of Superior Court is hereby directed and authorized, by the Jury Commission; to carry out the procedures outlined herein. Said Clerk of Superior Court is also authorized to designate such other personnel or members of the Clerk's staff, as deemed necessary to carry out the procedures outlined herein.

F. ATTACHMENTS

1. Appointments
2. Oaths
3. Procedures for performing jury selection functions by electronic data-processing equipment.

We further certify that all the statutory qualifications were applied and that the list was compiled in strict accord with statutory directions and utterly without partiality, favoritism, or other unconstitutional factors.

Jury Commissioner, Chair

Jury Commissioner

Jury Commissioner

STATE OF NORTH CAROLINA
COUNTY OF Chatham
IN THE GENERAL COURT OF JUSTICE

File No. _____- R- _____

CERTIFICATION OF FILING OF MASTER JURY LIST
(G.S. 9-4)

The master jury list for the calendar year(s) 2024-2025 was delivered to the Chatham County Clerk of Superior Court for filing on October 27, 2023 Public access to the master jury list containing an alphabetical list of names is allowed by requesting the assistance of a member of the clerk of court's office who will assist the individual requesting the information. Pursuant to G.S. 9-4(b), public access to juror information is limited to the alphabetized list of the names. Addresses of prospective jurors are confidential and not subject to disclosure without an order of the Court.

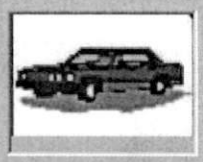
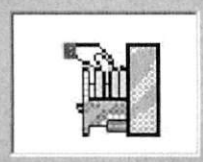
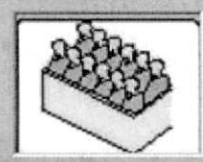
Emily R. Fowler _____ Jury Commissioner

Reba G. Thomas _____ Jury Commissioner

Norma E. Boone _____ Jury Commissioner

Date 10.27.23

Biennium Beginning 1 January 2024

Voter Info	DMV Info	...on Info	Excused, Undeliv, a... NonRes	...ev. Service	DoubleClick only for Supplemental Pool
					
56,711 Records 56,132 Dups	64,751 Records	0 Unique 0 Removed	11,081 Records 4,312 Removed	2,107 Records 1,887 Removed	19,000 Total 19,000 Remain

65,330 Total Records
-646 Out of State Records
-0 Invalid Names
64,684 Unique Useable Records

That finishes all disk processing.

1. Please click on Finished when ready to move on to other tasks.

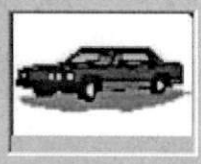
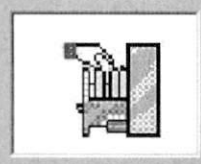
Pool Members Chosen

19,000

Print Screen

Finished

Biennium Beginning 1 January 2024

Voter Info	DMV Info	on Info	Excused, Undeliv, a NonRes	ev. Service
				
56,711 Records 56,132 Dups	64,751 Records	0 Unique 0 Removed	11,081 Records 4,312 Removed	2,107 Records 1,887 Removed

65,330 Total Records
-646 Out of State Records
-0 Invalid Names
64,684 Unique Useable Records

Max available for pool
58485

Number in RAW Pool

Last Biennium:

Raw Pool	16,993
FinalPool	16,577
Not Used	7,647

It is now time to randomly select the RAW jury pool.

Please enter the desired number to be in the Master Pool for this biennium.

Remember, the FINAL jury pool must be between 1.25 and 3 times the number of jurors used during the current biennium. If you are not SURE, Service Commander can help you.

Click on the Select Pool button when ready.

Select Pool

Print Screen

Finished

Service Commander Software, Inc

Jury Management System Overview

1. **Overview.** This document provides a detailed description of the steps taken by the computer to perform the tasks outlined in the jury commission's Statement of Sources and Procedures. The following procedures are performed using software known as Service Commander for Jury Selection, hereinafter known as Service Commander or the program. Throughout this process, the program only uses appropriate information; defined as name, address and date of birth, driver license number and social security number. No information on political parties is ever used or retained. Information on race and ethnicity is recorded but is NEVER accessible through the program in any way. It will only be produced upon judicial order in after the fact retrievals at additional cost to the requesting county. Information on sex is retained but is never used or revealed for any purpose other than proper salutation of letters.

2. **Procedures:**

A. Information on all licensed drivers and registered voters in the county is downloaded electronically from the NC Division of Motor Vehicles by Clerk of Court personnel. This information is subsequently read into the Service Commander database on a county computer by Clerk of Court personnel. Appropriate information is stored in the program's database for further processing as shown below.

B. Records with:

1) An out of state mailing address, or if approved by the Jury Commission, an out of county zip code.
2) Nonprintable characters that would destroy data integrity.
3) Blank first or last names which prevent proper processing.

are marked to preclude further consideration during this annum/biennium.

C. Normally, no information on Felons is processed in accordance with opinion by AOC legal counsel. However, that data will be processed, and those names will be marked to preclude further consideration during this annum/biennium if requested by the Clerk of Superior Court.

D. Information on jurors who are deceased, disqualified or who have otherwise been permanently excused by competent authority is maintained in the program database by personnel from the office of Clerk of Superior Court. The program searches by name and DOB for people who are permanently excused or who were excused on a semi-permanent basis less than one year prior to the processing date. All matches are marked to preclude further consideration in this annum/biennium. In the case of the first annum/biennium Service Commander is run, there is no information on permanently excused people available for processing, unless County data has been converted to Service Commander database format.

E. Information on previously summoned jurors whose summons was undeliverable at that address as well as those who were determined to be non-county residents at that address is maintained in the program's database. If the jury commission elects to remove prospective jurors in either or both of those two categories, the program searches the Combined Table by name, DOB and address. All matches are marked to preclude any further consideration during this annum/biennium. In the case

of the first annum/biennium Service Commander is run, there is no information on undeliverable summonses available for processing unless previous data conversion was accomplished.

F. Information on jurors who served in the past is maintained by the program's database. In the case of the first annum/biennium Service Commander is run without previous data conversion, names of people who have been paid for jury service for the past two years is received by email attachment from the NC Administrative Office of the Courts and inserted in the database. The program searches the database by name and DOB (if available) for petit jurors who served in the past two years as well as Grand Jurors who served in the previous six years. All matches are marked to preclude any further consideration during this annum/biennium. Using the same processing techniques, the program searches for jurors drawn for sessions of court beyond the processing date; as well as jurors who have been deferred beyond the processing date. Jurors in these last two categories are already in the system as pending for service and are accordingly marked to preclude further consideration.

G. The desired number of jurors for the raw Jury Pool is then entered into the program as directed by the Jury Commission. Service Commander then randomly selected eligible names from the Combined Table for inclusion in the Raw Jury Pool List.

H. The Jury Commission then has the option to review the Raw Jury Pool List and annotate it to indicate any remaining duplicate records or people who should be excused for statutory reasons. Clerk of Court personnel then use the Service Commander program to remove or excuse these people as directed.

I. When the Jury Commission is satisfied that the list contains only eligible citizens, the program finalizes that list as the Final Jury Pool. This list, which includes only the names of all prospective jurors, is maintained by the Clerk of Superior Court. However complete information is maintained in the program's database.

J. Each time a jury panel is required during the new annum/biennium, Service Commander will select the required number of eligible names randomly (based on that moment of time) from the Final Jury Pool. These names cannot be predicted or repeated.

K. Subsequent excusals and deferrals are maintained in the Service Commander database by the assistant/deputy clerks, as directed by appropriate authority.

3. **Ownership.** This program is written, copyrighted and fully owned by Service Commander Software, Inc. Its use and support are leased by the counties.

4. **Operation.** This software is operated on a computer or computers owned by the county, in the office of Clerk of Superior Court or other locations as determined by that office.

Jury Commission Procedures for Marking the Raw Pool List

The following procedures will allow the Jury Commission to interface easily with the Service Commander Computer Program. They have been reviewed by AOC for compliance with NCGS 9.

- DMV is charged by statute to provide a consolidated data file of voters and drivers. They already removed the names of deceased state-wide from NC Vital Records. They also removed duplicates and the names of drivers who have not renewed their license in over eight years and voters who have been inactive for eight years.

  The Clerk's office then used Service Commander to enter all DMV and Voter names in our database. The program removed out of state mailing addresses; excused citizens; and petit jurors who served in the past two years, as well as Grand jurors who completed a full term of service in the past six years. The program also has the option of removing citizens when the same name is found at the same address which was found to be undeliverable. It also has the option of removing those citizens who were determined to be non-residents of the county when the same name is found at the same address.

  The above processes were done by county personnel on county computers to maintain the vital chain of evidence in the office of the Clerk of Superior Court.

- It is now time for the Jury Commission to review the Raw Jury Pool List to consider if other citizens should be removed **based only on personal knowledge** of each person and the statutory reasons shown below. The commissioners annotate a master copy of the Raw Jury List using the codes shown below. Please write the appropriate code in the left margin of the list next to the sequence number.

  It is vitally important that these codes be used to allow faster processing by clerk of court personnel and to maintain a proper audit trail so no jury decision can later be overturned on a technicality.

  D - **D**eceased
  I - D**I**sability
  L - **L**anguage Barrier
  N - Felo**N** (rights not restored)
  R - Non **R**esident
  S - Prior **S**ervice
  Z - Non Citi**Z**en
  Dup indicates Duplicate which should be removed from further consideration.

- The Jury Commission returns the annotated list to Clerk of Superior Court who will update the computer lists and finalize the Jury Pool.

- Clerk of Superior Court will print the Final Jury Pool List in alphabetical order and file it with the signed Jury Commission final report.

Appendix C
Oaths for Jury Commissioners

Note: These oaths are required by G.S. 11-7 and G.S. 11-11. G.S. 11-4 provides that any person with conscientious scruples against swearing or appealing to God in taking an oath is permitted to substitute the word "affirm" for "swear", and eliminate the words "so help me God" from the oath.

"I, (state your name), do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said state, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God."

"I, (state your name), do swear (or affirm) that I will well and truly execute the duties of the office of Jury Commissioner of (name of county) County, according to the best of my skill and ability, according to law; so help me, God."