

SUBJECT: Allowing a sequestered juror to vote on election day

COMMITTEE: Judicial Affairs — favorable, without amendment

VOTE: 6 ayes — Thompson, Hartnett, Alonzo, Nixon, Solis, Zbranek
0 nays
3 absent — Duncan, Goodman, Willis

WITNESSES: None

DIGEST: HB 654 would require a judge to allow time for sequestered jurors to vote on election day. A judge would be authorized to provide jurors with transportation to and from the polling place. The bill would take effect September 1, 1995.

SUPPORTERS SAY: The Election Code change that would be made by HB 654 is needed to assure judges that they have authority to allow a sequestered juror time to vote on election day. No such provision exists now, which has led to unfortunate instances of jurors being denied a chance to vote.

Jurors do not know they will be sequestered on election day and may not have taken advantage of early voting. Jurors should have the right to vote on election day like other citizens. Serving on a jury should not entail surrendering a basic citizenship right. Arrangements could be made to avoid exposing jurors to information that might be prejudicial in the case while they are casting their vote.

OPPONENTS SAY: Judges would have more flexibility if they were also authorized to allow sequestered jurors to cast ballots during the early voting period as well as on election day.