

**SYSTEMIC JUROR EXCLUSION:
HOW STATES CONTINUE TO DISENFRANCHISE PROSPECTIVE JURORS THROUGH IMPROPER
POLICY IMPLEMENTATION**

RESOURCE LIST

BOOKS:

Binnall, J. (2021). "Twenty Million Angry Men: The Case for Including Convicted Felons in Our Jury System," *University of California Press*

available at: <https://www.ucpress.edu/book/9780520379176/twenty-million-angry-men>

LAW JOURNAL ARTICLES:

Kalt, B.C. (2003). "The Exclusion of Felon from Jury Service," 53 *American University Law Review* 65 (2003).

Binnall, J. (2009). "Sixteen Million Angry Men: Reviving a Dead Doctrine to Challenge the Constitutionality of Excluding Felons from Jury Service," 17 *Virginia Journal of Social Policy & the Law* 1-42

Binnall, J. (2010). "Convicts in Court: Felonious Lawyers Make a Case for Including Convicted Felons in the Jury Pool," 73 *Albany Law Review* 1379-1440

Binnall, J. (2010). "A Felon Deliberates: Policy Implications of the Michigan Supreme Court's Holding in *People v. Miller*," 87 *University of Detroit Mercy Law Review* 59-81

Roberts, A. "Casual Ostracism: Jury Exclusion on the Basis of Criminal Convictions." 98 *Minnesota Law Review* 592 (2013).

Binnall, J. (2020). "A 'Meaningful' Seat at the Table: Contemplating Our Ongoing Struggle to Access Democracy," 73(1) *Southern Methodist University Law Review Forum* 35-50

Binnall, J. (2022). "The Impeachment Trials of Donald John Trump: How Senate Jurors Strengthened the Case Against Federal Felon-Juror Exclusion," 25 *City University of New York Law Review: Footnote Forum* 76-99

EMPIRICAL RESEARCH:

INHERENT BIAS RATIONALE

Binnall, J. (2014). "A Field Study of the Presumptively Biased: Is There Empirical Support for Excluding Convicted Felons from Jury Service," *Law & Policy*, 36(1), 1-34

Binnall, J. (2018). "Cops and Convicts: An Exploratory Field Study of Jurymandering," 16(1) *Ohio State Journal of Criminal Law* 221-235

Binnall, J. and Petersen, N. (2020). "Building Biased Jurors: Exposing the Circularity of the Inherent Bias Rationale for Felon-Juror Exclusion," 27(1) *Psychiatry, Psychology & Law* 110-125

Binnall, J. and Petersen, N. (2022). "Felon-Jurors' Impact on Deliberation Satisfaction: Do They Really 'Infect' the Process?" 43(2) *Justice System Journal* 218-230

CHARACTER RATIONALE/VIEWS OF THE EXCLUDED

Binnall, J. (2018). "Exorcising Presumptions: Judges and Attorneys Contemplate 'Felon-Juror Inclusion' in Maine," 39(4) *Justice System Journal* 378-392

Binnall, J. (2018). "Felon-Jurors in Vacationland: A Field Study of Transformative Civic Engagement in Maine," 71(1) *Maine Law Review* 71-101

Binnall, J. (2018). "Summoning Criminal Desistance: Convicted Felons' Perspectives on Jury Service," 43(1) *Law & Social Inquiry* 4-27

Binnall, J. (2019). "Jury Diversity in the Age of Mass Incarceration: An Exploratory Mock Jury Experiment Examining Felon-Jurors' Potential Impacts on Deliberations," 25(4) *Psychology, Crime & Law* 345-363

PUBLIC OPINION OF EXCLUSION

Binnall, J. and Petersen, N. (2020). "No Fear Here: How the Public Views Anticipated Interactions with Jurors Convicted of a Felony," 25(2) *Berkeley Journal of Criminal Law* 61-97

Binnall, J. and Petersen, N. (2021). "Public Perceptions of Felon-Juror Exclusion: An Exploratory Study," 21(5) *Journal of Criminology & Criminal Justice* 593-613

Binnall, J. and Petersen, N. (2021). "They're Just Different: The Bifurcation of Public Attitudes Toward Felon-Jurors Convicted of Violent Offenses," 75 *Crime, Law & Social Change* 3-19

Binnall, J., Smith, O., and Flick, C. (2022). "Is the Taint Argument Real? Evaluating the Public's Perceptions of Juries that Include Felon-Jurors," *Psychology, Crime & Law* (Online First)

CROSS SECTION RESEARCH

Wheelock D. (2011). "A Jury of One's" Peers": Felon Jury Exclusion and Racial Inequality in Georgia Courts." 32(3) *Justice System Journal* 335-359

FAILURE TO NOTIFY (CA/LA)

Binnall, J. and Davis, L. (2020). "Californians with a Felony Conviction are Now Eligible for Jury Service: How Would They Know?" 32(1) *Stanford Law and Policy Review Online* 1-26

Binnall, J. and Krawl, B. (2023). "What We've Got Here is Failure to Notify: How Louisiana Has Ignored Jurors with a Felony Conviction Since the Implementation of H.B. 84," *The Juror Project*, available at: <https://www.thejurorproject.org/s/What-We-Have-Here-is-Failure-to-Notify-Final-For-Will-Review.pdf>

NEWS OUTLETS

Binnall, J. (2018). “Felons Barred from Jury Duty: An Unjustified Punishment,” *The Conversation*, available at: <https://theconversation.com/felons-barred-from-jury-duty-an-unjustified-punishment-91378>

Binnall, J. (2018). “My Turn: Why Excluding Convicted Felons From Juries is a Bad Idea,” *CALmatters*, available at: <https://calmatters.org/articles/commentary/my-turn-why-excluding-ex-felons-from-juries-is-a-bad-idea/>

Binnall, J. (2021). “Carceral Wisdom,” *Inquest* (Institute to End Mass Incarceration – Harvard Law School), available at: <https://inquest.org/carceral-wisdom/>

Binnall, J. (2021). “Truly Diverse Juries Must Include Citizens with Prior Criminal Convictions,” *UC Press Blog*, available at: <https://www.ucpress.edu/blog/57671/truly-diverse-juries-must-include-citizens-with-prior-criminal-convictions/>