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Gonzales' Jury Pay Plan Boosts rate to \$40 a Day

By DAVID A. DIAZ
Special to the
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Texasans called in for jury duty no longer have to suffer a paltry pay of \$6 per day as a result of legislation co-sponsored by Rep. Veronica Gonzales, D-McAllen. The McAllen attorney, whose legislative district includes southwest Edinburg, helped carry Senate Bill 1704 in the House of Representatives, which provides a pay raise for Texas juries for the first time since 1954, when the current rate of \$6 per day was established.

The measure, which was signed into law by Gov. Rick Perry on June 18, increases to \$40 per day the pay for jury service. The law went into effect on September 1; the pay boost goes into effect on January 1. The funding for the pay hike is made possible by an additional \$4 fee on criminal convictions. Lawmakers overwhelmingly approved the plan, Senate Bill 1704 by Sen. Rodney Ellis, D-Houston, and Rep. Will Hartnett, R-Dallas, during last spring's legislative regular session.

Sen. Juan "Chuy" Hinojosa, D-McAllen, helped steer the bill out of the Senate Jurisprudence Committee, while Gonzales pushed the measure out of her House Judiciary Committee. "This is great news for Texas," Ellis said earlier this summer. "This legislation will significantly improve the quality of justice in Texas." Hinojosa said the jury pay boost was needed in order to help improve the low level of jury participation. "At \$6 a day, Texas ranks dead last in the nation in what we pay our jurors. Texas also ranks dead last when it comes to helping counties foot the bill for juror pay," Hinojosa said. "In contrast, many states require that jurors be paid at least \$50/day and contribute 100% of the funds to help their counties pay for jurors." The money raised by SB 1704 will be more than sufficient to reimburse counties for the costs associated with paying jurors the increased compensation, said Gonzales. The fee is expected to raise over \$24 million to pay for jurors' fees.

"The primary reason cited for this

low level of jury participation is the dismal level at which Texas compensates jurors," she ex-

plains. "Studies have shown that when financial barriers to jury participation are decreased, participation drastically increases."



State Rep D-McAllen Veronica Gonzalez

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ponents of the new law said that court costs for people convicted

of criminal offenses already are very high, and many people cannot afford to pay the costs. Felons in particular experience great difficulties in readjusting to society and should not be burdened by additional costs, according to a bill analysis by the House Research Organization, the nonpartisan research arm of the House of Representatives. Adding additional court costs disproportionately would affect persons with low incomes and minorities, who are convicted of crimes at much higher rates, opponents contended, saying that taxpayers, not persons convicted of crimes, should pay for the costs of increasing juror pay because society as a whole benefits from having fully representative juries. Supporters of the legislation noted that in 1999, El Paso County increased jury pay to \$40 a day which helped their jury show-up rate more than double. When the State of New York increased jury pay, their jury participation more than tripled.

Although minorities are well-represented in juries in South

Texas, that is not the case in many other regions of Texas. "Low income and minority Texans are currently drastically underrepresented on juries at levels that experts warn jeopardize the constitutional legitimacy of many convictions," said Ellis. "Latinos, for example, comprise more than 30% of the population of Dallas and Harris counties, but make up only 10 percent of the jury venires." Ellis said the new law will help Texas on many different levels. "The \$6 per day compensation rate was making it more difficult for counties to attract jurors, and reducing diversity in the jury box. If you did not receive a pay raise in 50 years, you'd walk off the job too," said Ellis. "That's what had been happening. As a result, we were flirting with having our court system being ruled unconstitutional because the jury box is not representative of Texas."