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ACLU OF RI POSITION: OPPOSE

TESTIMONY ON 26-S 2052, RELATING TO COURTS AND CIVIL PROCEDURE – JURY LISTS March 31, 2026

Despite its good intentions, the ACLU of Rhode Island opposes this bill, which would automatically exempt from jury duty any person who is seventy years of age or older. While the law already contains a defined list of occupational exemptions, we do not believe that an exemption based solely on age satisfies the important goals underlying universal jury duty.¹

A diverse jury pool is a cornerstone of the jury trial system. While elderly Rhode Islanders may have legitimate *individual* grounds for seeking excusal from jury duty – such as medical burdens, travel restrictions and the like – they are all reasons potentially applicable to any number of people eligible for jury duty, and they should be similarly considered on an individual basis. To rely in this era solely on an age cutoff to automatically qualify for an exemption – a day and age when the two contenders for the U.S. Presidency in 2024 were well beyond this age – is to rely on archaic and stereotypical notions of those we call “senior citizens.” Instead, these people “of a certain age” should be seen as able to provide unique perspectives and experiences to a jury based on their advanced years and therefore welcomed to court rather than encouraged to avoid this civic duty.

Because a person’s age is simply not a useful determinant on its own of a person’s qualifications or ability to serve on a jury, and could have an unwarranted impact on the diversity of the jury pool, we respectfully oppose this well-intended legislation.

¹ The ACLU would question some of the exemptions already existing in the law, but their presence should not serve as a basis for adding other questionable ones.