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Improving the Jury System by Improving the Juror

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IMPROVING THE JURY SYSTEM BY IMPROVING THE JUROR

THE modern jury system had hardly been established in the reign of Henry II[1] when it became subject to popular and professional criticism. Much of the expressed dissatisfaction with the jury system has been directed against the method of selection of jurors, but the qualifications for jury service have also frequently been reconsidered.[2] The responsibility for improving the quality of jurors and for increasing the efficiency of the jury system is fundamentally one resting upon judges and lawyers; whenever administration of the jury system comes under attack, criticism is generally directed towards these groups because of their intimate connection with the functioning of the system.[3] Judge Pound of New York, commenting upon public dissatisfaction with the trial jury, has cautioned the profession thus:

> "Law tinkering still remains in the hands of lawyers and judges, but the time may come when the people, wearied of rusty and creaking mechanisms of courts, may arise to destroy it and install some plan of administering justice more in keeping with an age of mechanical power and speed."[4]

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[1] See Brown v. State, 62 N. J. L. 666, 42 Atl. 811, 813 (1899).

[2] See Crane, *Judge and Jury* (1929) 15 A. B. A. J. 201; FERRI, CRIMINAL SOCIOLOGY (1917) § 320; Mannheim, *Trial by Jury in Modern Continental Criminal Law* (1937) 53 L. Q. REV. 99; Mannheim, *Trial by Jury in Continental Law* (1937) 53 L. Q. REV. 388; PARMELEE, ANTHROPOLOGY AND SOCIOLOGY IN RELATION TO CRIMINAL PROCEDURE (1922) 360; PARSONS, CRIME AND THE CRIMINAL (1926) 203; Osborn, *The Unfit Jurors* (1933) 17 J. AM. JUD. SOC. 113; Wilkin, *The Jury, Some Reforms by Reversion* (1927) 13 A. B. A. J. 50; Legis. (1930) 30 COL. L. REV. 221; (1929) 13 J. AM. JUD. SOC. 50.

[3] "The reasons offered for saying that (the jury problem) is a problem for lawyers and judges is that they are primarily most interested. When the institution for administration of justice is strong the lawyers and judges get the credit; when it is weak they have the blame." Richardson, *The Jury and Methods of Increasing Its Efficiency* (1928) 14 A. B. A. J. 410; See also Osborn, *The Unfit Jurors* (1933) 17 J. AM. JUD. SOC. 113.

[4] See Osborn, *The Unfit Jurors* (1933) 17 J. AM. JUD. SOC. 113.

Two aspects of the general problem of qualifications of jurors upon which attention has been increasingly focussed seem worthy of further consideration by the profession: (1) the inadequacy of present intellectual and educational requirements for jurors; and (2) the exclusion of women from jury service.

I

According to an analysis frequently offered in both the United States and continental Europe,[5] a principal factor contributing to ineffective criminal prosecution in jury cases is the two frequent composition of juries with citizens of insufficient experience and intelligence.[6] But if the ideal of Blackstone that a jury should be composed of "sensible and upright jurymen" is often not realized, the reasons for such failure apparently must be sought, in part at least, beyond the provision of the jury-qualification statutes enacted in most American jurisdictions.

The Texas statutes relating to qualifications of jurors provide, similarly to those of most other states, that jurors must be able to read and write and must be of sound mind and good moral character.[7] The responsibility is placed upon the trial judge for determining whether these requirements are met by the prospective jurors.[8] Although the language requiring literacy is hardly sufficient in itself to guarantee jurors of adequate intelligence, the greater difficulty would seem to be that the trial judges, in their application of the standards thus prescribed, are confronted with factors which

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[5] "The jurors, owing to their social standing and to the inadequacy of their intellectual culture, are unable to decide difficult legal questions ... questions of fact may not safely be left to jurors, inexperienced as they are in grasping the significance of the evidence in more difficult cases." Mannheim, *Trial by Jury in Modern Continental Criminal Law* (1937) 53 L. Q. REV. 99. "The jury system not only elevates incapacity to the height of a principle, but celebrates incoherence ...." FERRI, CRIMINAL SOCIOLOGY (1917) § 320.

[6] "The largest part of the injustices committed by the jury, comes in reality from its ignorance...." PARMELEE, ANTHROPOLOGY AND SOCIOLOGY IN RELATION TO CRIMINAL PROCEDURE (1922) 360. See also ILLINOIS CRIME SURVEY (1929) 231.

[7] TEX. REV. CIV. STAT. (Vernon, 1925) art. 2133; see *Committee of National Crime Prevention* (1926) 12 A. B. A. J. 690, 692.

[8] TEX. CODE CRIM. PROC. (1925) art. 621.

so limit the availability of desirable jury material that effectuation of the purpose of the statutes becomes almost impossible.[9]

Professional consensus in Texas seems to be that federal courts are generally more successful in obtaining desirable jurors than are state courts.[10] But inasmuch as the federal courts are required to adopt the same qualifications for jurors as are the state courts,[11] this disparity in quality of jury personnel does not necessarily reflect a need for modification of the Texas statutes prescribing standards of eligibility for jury service. Although the elevation of such standards would undoubtedly be served by statutory provision for a minimum educational attainment by all jurors, nevertheless popular and professional satisfaction with federal juries would seem to indicate that the quality of jurors in state courts can be sufficiently improved without legislation establishing educational qualifications if other factors contributing to the jury problem in the state courts can be dealt with.

Perhaps differences in the quality of jurors in the state and federal systems stem in part from divergent interpretations of the "cross-section" theory of jury composition. In the case of *Glasser v. United States*,[12] the Supreme Court of the United States declared that the jury should be a "cross section of the community" since the "proper functioning of the jury system requires that the jury be a body truly representative of the community." This has come to be understood as meaning that any community is composed of different segments based upon religious, racial and economic groupings, and that each segment has men of intelligence and character from among whom jurors should be drawn.[13] If this principle

[9] "The judges have the best opportunity to guage the quality of jurors.... It is impossible to believe that political timidity accounts for judicial indifference. It is more likely the case that individual judges are busy and in most cities their courts do not possess the organic powers that are necessary for responsible administration." (1929) 13 J. AM. JUD. SOC. 50.

[10] See Stayton, *Report Upon Federal and State Jury Questionnaire* (1938) 17 TEX. L. REV. 62.

[11] 36 STAT. 1164 (1911), 28 U. S. C. § 411 (1940).

[12] 315 U. S. 60 (1942).

[13] See Otis, *Selecting Federal Court Jurors* (1943) 29 A. B. A. J. 19.

is followed, the "cross-sectioning" would be horizontal rather than vertical, the jury thus being selected from the more intelligent of each segment with no segment systematically excluded.

A second serious difficulty in the impaneling of capable juries is the method by which juries are selected in the state courts. In marked contrast to the method of selection in the state courts by which clever defense counsel appearing before indifferent judges can defeat the selection of highly competent jurors, the system employed in the federal courts is believed to facilitate selection of jurors of reputed integrity and intelligence, even though the federal courts follow the same statutory qualifications as those prescribed for the highest court in the state in which they are sitting.[14] In the light of the experience of the federal courts, it seems clear that the administration of jury selection can be improved by the legislature's providing for a more expeditious selection system[15] which would minimize the influence of counsel who place the interest of the defense above the interest of the public in the functioning of the jury.

Perhaps the major obstacle facing those judges who are sensitive to the possibility of having more competent panels is the indifference of those who are qualified to render intelligent service as triers of fact.[16] Indeed, public apathy regarding jury duty is properly becoming a matter of professional concern. Judge Wilkin, for example, has observed that

> "The jury is an institution concerning which public thought and sentiment seem to have crystallized or petrified. The busy citizen with a sense of civic duty serves grudgingly when called; others, without such a sense of duty, stretch their ingenuity and conscience to evade service."[17]

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[14] 36 STAT. 1164 (1911), 28 U. S. C. § 411 (1940).

[15] Watkins, *Selecting Jurors* (1941) 48 W. VA. L. Q. 47.

[16] See WOOD AND WAITE, CRIME AND ITS TREATMENT (1941) 425. "Most of the criticism, if not all of the criticism, of our jury system has come from those . . . who never serve on the jury and who do nothing in a practical way to improve it." Crane, *Judge and Jury* (1929) 15 A. B. A. J. 201.

[17] Wilkin, *The Jury: Some Reforms by Reversion* (1929) 13 A. B. A. J. 50.

However, until interested governmental or non-governmental agencies undertake systematically to insure an intelligent orientation of the individual citizen with regard to jury responsibility, it seems probable that the obstructive effects of such public aversion toward jury duty will continue.

In view of such a tendency of qualified persons to seek excusal from jury duty,[18] it may be unfortunate that the legislature has excluded at the outset groups of the better equipped members of the community[19] who would add considerably to the intelligence and competence of juries. A Texas statute provides that members of certain professional and vocational groups may be exempt from jury service if they so desire.[20] Among such exempted groups are teachers, ministers, physicians, newspaper publishers, druggists, telegraph operators, and railroad agents and engineers, all presumably persons of good reputation and recognized ability. These exempted groups, together with those men whose business and professional interest allegedly would be interfered with by jury service and who therefore are excused, constitute a substantial portion of any community who never serve on juries. The inference may well be drawn from the privilege of absence from the jury panel thus conferred upon so many of the community's capable citizens that the work of the courts in jury cases is not of sufficient importance to warrant the employment of the best qualified citizens as jurors.[21] The insistence by the legal profession and society upon the importance of capable and intelligent judges seems somewhat incongruous with the willingness of the public to associate with

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[18] "So great has become the aversion to jury service according to the Cleveland Survey, that in many of the larger cities of the United States avoidance of jury service by persons of means and intelligence has become traditional and it has become to be a kind of mild disgrace for a 'respectable citizen' to allow himself to be called for jury service." PARSONS, CRIME AND THE CRIMINAL (1926) 203.

[19] *Ibid.*

[20] TEX. REV. CIV. STAT. (1925) art. 2135.

[21] See Osborn, *The Unfit Jurors* (1933) 17 J. AM. JUD. SOC. 113.

the judges, in the administration of justice, jurors other than the most capable and intelligent available or with what one writer has suggested is "a premium on ignorance and excluded intelligence" from our jury panels.[22]

If the social judgment is that nothing is of greater importance than the doing of justice by men sitting in judgment on their fellow man,[23] then the legislative elimination at the outset[24] of most of the material well qualified for this task seems to merit reconsideration. Certainly those exemptions which on their face are reasonable and perhaps necessary because of public policy[25] should be continued, for example, those with respect to persons of advanced age and attorneys. But in the final analysis other exemptions are justified only if the performance of the function of the exempted vocational or professional group is valued over the performance of the jury function by those who may be best equipped. Even so, it may be inquired whether the exemption of persons who may from time to time perform a function thus preferred by society should be granted in advance and without reference to the particular circumstances in which the prospective juror is situated at the time of his call for jury service. For example, in the larger cities of Texas in which the school systems have provided for substitute teachers, such substitutes might well be used whenever a school teacher is called for the jury panel. Not only would such an arrangement add to the character of the jury, but presumably an occasional opportunity for jury service would aid teachers in preparing their students for a more responsible citizenship. Perhaps a revision of the present comprehensive exemption statute could eliminate legislative encouragement of avoidance of jury

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[22] See Crane, *Judge and Jury* (1929) 15 A. B. A. J. 201.

[23] *Ibid.*

[24] See PARSONS, CRIME AND THE CRIMINAL (1926) 203.

[25] See Hall v. Burlingame, 88 Mich. 438, 50 N. W. 289, 290 (1891).

duty without precluding excusals whenever the exigencies of the person called may require.

II

The popular issue presented by the denial to women of the right to serve on juries in criminal cases in a number of jurisdictions has again become a matter of current interest as a result of the recent Supreme Court decision in the case of *Ballard v. United States*.[26] In that case defendant, convicted in a federal court in California of using, and conspiring to use, the mails to defraud, contended that the intentional and systematic exclusion of women from the jury panel in the trial court violated Section 275 of the United States Code, which provides that jurors in federal courts shall have the same qualifications as those of the highest court of law in the state.[27] California statutes provide that women are eligible for jury duty.[28] In an opinion by Justice Douglas, the Court, approving the statutory interpretation urged by defendant, held that Congress contemplated that women should serve on federal court juries in states in which they are eligible for jury service in state courts. Although the Judicial Code contains certain exceptions which permit federal jury service notwithstanding that the juror would be disqualified for service in the state courts, none of these exceptions related to the sex of the jurors.[29]

Whether women shall have a right to serve on juries is a comparatively new problem.[30] At common law women were refused the

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[26] 15 U. S. L. WEEK (Dec. 9, 1946) 4049.

[27] 36 STAT. 1164 (1911), 28 U. S. C. § 411 (1940).

[28] CAL. CODE CIV. PROC. (Deering, 1941) § 198.

[29] Congress has prohibited disqualification of citizens from jury service on "account of race, color, or previous condition of servitude." 36 STAT. 1165 (1911), 28 U. S. C. § 415 (1940). Congress has required that jurors be chosen "without reference to party affiliations." 39 STAT. 873 (1917), 28 U. S. C. § 412 (1940).

[30] Women have been excluded from jury service since the time of Henry III. See (1932) 32 COL. L. REV. 134.

right [31] except in the rare case of a jury by matrons.[32] Blackstone states that at common law the jury consisted of "twelve good men and true"[33] and accepted without discussion the then current understanding that the word "men" signified only members of the male sex.[34] The common-law decisions referred to a juror as *liber et legalis homo*, interpreting the word *homo* as including males only.[35] The common-law idea of jurors has been affixed to the word "jurors" and to the concept of "trial by jury" in numerous American decisions on the ground that the meaning to be given to those words is the meaning which prevailed in England and the colonies at the time of the adoption of the United States Constitution.[36] It seems, however, that the courts adhering to the common-law idea of "male jurors" have failed to realize that women were excluded from jury service at common law because they were then in a position of political inferiority and were not recognized as the peers of men.[37] Such an attitude today seems archaic. As one court has observed, continued application of this common-law theory is likely to present an anomalous situation incongruous with present-day acceptance of women into business and social relations and even into the life of the court room where "a woman on trial for a crime might be brought to trial before a woman judge, prosecuted by a woman district attorney, defended by a woman lawyer, brought into court by a woman bailiff, and yet forced to a trial

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[31] See Thompson v. Utah, 170 U. S. 343 (1897); Harland v. Territory, 3 Wash. Terr. 131, 13 Pac. 453 (1887); 3 BL. COMM. *362.

[32] See *In re* Opinion of the Justices, 237 Mass. 591, 130 N. E. 685 (1921). 2 BOUVIER, LAW DICTIONARY (3d ed. 1914) 1783, defines a "jury by matrons" thus: "Where pregnancy is pleaded by a condemned woman, in delay of execution, a jury of twelve discreet matrons was called from those in court, who were impanelled to try the fact and report to the court. On their returning a verdict of 'enceinte', the execution was delayed until the birth...."

[33] 3 BL. COMM. *349, 379.

[34] *Id.* at *362.

[35] *E. g.*, Hays v. Territory, 2 Wash. Terr. 286, 5 Pac. 927 (1884).

[36] State v. Bray, 150 La. 103, 95 So. 417 (1923); State v. James, 96 N. J. L. 132, 114 Atl. 553 (1921); Harland v. Territory, 3 Wash. Terr. 131, 13 Pac. 453 (1887).

[37] See Strauder v. West Virginia, 100 U. S. 303, 308 (1879).

before a jury of men, because men only were considered eligible for jury duty at common-law."[38]

Many courts, however, have argued that the preservation of the jury as at common law does not necessitate continued acceptance of the common-law qualifications of the jurors.[39] No particular qualification of jurors has ever been considered to be among the "essential and substantive attributes or elements of jury trial" which have consistently been declared by the courts to be number, impartiality, and unanimity. "The jury must consist of twelve; they must be impartial and indifferent between the parties . . . ."[40] Inasmuch as a majority of the states have enacted statutes which ignore one or more of the common-law qualifications of a juror,[41] it apparently was not considered necessary for the adoption of the common-law principle of trial by jury to preserve the jury procedure or the personnel qualifications required by historic practice.[42]

It has been accepted generally that the state legislatures have the power to prescribe jury qualifications.[43] Such power has been recognized in the legislative branch from the time of its exercise by Parliament during the development of juries at common law.[44] The Texas Constitution provides that the Legislature shall prescribe

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[38] See *In re* Mana, 178 Cal. 213, 172 Pac. 986, 987 (1918); Little, *Shall Women Serve on Juries in Illinois?* (1930) REP. ILL. S. BAR ASSO. 278.

[39] State v. Rosenberg, 155 Minn. 37, 192 N. W. 194 (1923).

[40] See Lohman v. Minneapolis Gas Light Co., 65 Minn. 196, 68 N. W. 53, 55 (1896).

[41] See State v. Chase, 211 Pac. 920, 923 (Ore. 1922).

[42] "... conceding that we adopted the system itself, or rather the principle of the grand jury system, from the common law, that when we incorporated the system into our laws, we departed most emphatically from the lines which established grand jury qualifications at common law." Parus v. District Court, 42 Nev. 229, 174 Pac. 706, 708, 4 A. L. R. 140 (1918); *accord*, State v. Hartley, 22 Nev. 342, 40 Pac. 372 (1895) (the only element of the common-law jury adopted was the right of trial by jury).

[43] Guykowski v. People, 2 Ill. 476 (1838); McDonel v. State, 90 Ind. 320 (1883); State v. Walker, 192 Iowa 823, 185 N. W. 619 (1921); Beatty v. Commonwealth, 91 Ky. 313, 15 S. W. 856 (1891); People v. Barltz, 212 Mich. 580, 180 N. W. 423 (1920); Commonwealth v. Maxwell, 271 Pa. 378, 114 Atl. 825 (1921).

[44] See Commonwealth v. Maxwell, 271 Pa. 378, 114 Atl. 825, 828 (1921).

the qualifications of grand and petit juries.[45] The power thus given the Legislature with regard both to the methods of selection and to qualifications is limited only by the constitutional mandate that the right to trial by jury shall remain inviolate.[46] Additional restrictions have been placed on this and similar provisions in other states by the Fourteenth Amendment to the United States Constitution and by court interpretations of that amendment. However, the Fourteenth Amendment was never intended to give women the right to serve on juries.[47]

In those states that require suffrage as a prerequisite to service on juries, cases have arisen as to the effect of the Nineteenth Amendment to the federal Constitution upon the disqualification of women from jury service in criminal cases. The validity of Texas jury statutes as affected by the woman suffrage amendment to the federal Constitution was considered by the Texas Court of Civil Appeals in the case of *Glover v. Cobb*,[48] in which it was held that the Nineteenth Amendment did not confer on women the right to jury service, inasmuch as the right to vote and competency for jury service are subjects distinct and different in nature, requiring wholly separate legislative regulation. This attitude has been adopted in many other jurisdictions which have refused to hold that a qualified elector is ipso facto entitled to jury service lest such a

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[45] TEX. CONST. (1876) Art. 16, § 19.

[46] *Id.*, Art. 1, § 14.

[47] The aim of the Fourteenth Amendment was to prevent discrimination on the basis of race or color. The problem of discrimination against race or color is now well settled; it has been established that the equal protection of the laws is denied to a Negro criminal defendant, if through state action Negroes are deliberately excluded from the juries. Gibson v. Mississippi, 162 U. S. 565 (1896); Virginia v. Rives, 100 U. S. 313 (1879); Strauder v. West Virginia, 100 U. S. 303 (1879). The Fourteenth Amendment applies to the action of state administrative officers, including judges, as well as to legislative action. Carter v. Texas, 177 U. S. 442 (1899). On this point, see also the recent decision in Smith v. Texas, 311 U. S. 128 (1940). But the Fourteenth Amendment does not apply to discrimination because of sex. Minor v. Happersett, 21 Wall. 162 (U. S. 1874); Harland v. Territory, 3 Wash. Terr. 131, 13 Pac. 453 (1887); McKinney v. State, 3 Wyo. 719, 30 Pac. 293 (1892).

[48] 123 S. W. (2d) 795 (Tex. Civ. App. 1938).

decision would preclude the legislature from prescribing any other limitation upon the right to serve as a juror.[49]

The service of women on juries in Texas arguably could be permitted under existing statutes without the necessity of legislative reconsideration of the question. In some jurisdictions the provisions of jury-qualification statutes requiring that the jury be composed of "men" have been construed to mean "men" in the generic sense, *i. e.*, both sexes; and in such jurisdictions women, having become electors, are admitted to jury service under the statutory provision imposing jury duty on men who are qualified electors.[50] By thus construing the word "men" in the generic sense, the courts have not only overcome the obstacle of the common-law prohibition of women from serving as jurors. They have also eliminated the basis for any objection that the legislative power over jury qualifications is being usurped, since a construction of the statutory language to include women presumably carries out the legislative intent.[51]

The objections to the service of women on juries appear to a considerable extent to be based upon mere matters of prejudice.[52] It is claimed, for example, that they are too sympathetic and emotional to be able intelligently to judge the guilt of the accused and that they are too delicate to be confronted with the details which must be considered in many criminal cases.[53] It is true that

[49] People v. Goehringer, 196 Ill. App. 472 (1915); State v. Walker, 192 Iowa 823, 185 N. W. 619 (1921); In re Grilli, 179 N. Y. S. 795 (1920); State v. Mittle, 120 S. C. 526, 113 S. E. 335 (1922); Riddle v. State, 90 Tex. Crim. Rep. 548, 236 S. W. 725 (1922). *Contra:* Palmer v. State, 197 Ind. 625, 150 N. E. 917 (1926); People v. Barltz, 212 Mich. 580, 180 N. W. 423 (1920); Parus v. District Court, 42 Nev. 229, 174 Pac. 706 (1918); Commonwealth v. Maxwell, 271 Pa. 378, 114 Atl. 825 (1921).

[50] People v. Barltz, 212 Mich. 580, 180 N. W. 423, 12 A. L. R. 520 (1920); Browning v. State, 120 Ohio St. 62, 165 N. E. 566 (1929).

[51] People v. Barltz, 212 Mich. 580, 180 N. W. 423, 12 A. L. R. 520 (1920).

[52] See Little, *Shall Women Serve on Juries in Illinois?* (1930) REP. ILL. S. BAR Asso. 278.

[53] With reference to the service of women on juries it has been said that "The natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life." Harland v. Territory, 3 Wash. Terr. 131, 13 Pac. 453, 456 (1887). Also, it has been said that the service of women on juries "must ... shock and blunt those fine sensibilities, the possession of which is [woman's] greatest charm...." See Turner, J., dissenting in Rosencrantz v. Territory, 2 Wash. Terr. 267, 5 Pac. 305, 310 (1884).

altogether too many criminal prosecutions involve salacious or unpleasant subject matter; but changes in the education of women and their participation on a basis of equality with men in activities beyond the home have afforded them a psychological preparation for jury responsibility which would have seemed unjustifiable a half-century ago. Women today serve as jurors in criminal cases in thirty-two states,[54] as well as in the role of judges and court reporters; yet there has apparently been no apprehension in such jurisdictions that exposure to the unattractive disclosures of the court room has been attended by any of the undesirable consequences anticipated by earlier judges, either for the "innate sensitive nature" of the women who participate or for society generally.

Another objection to the jury service of women is based upon the difficulties which could be expected to arise when a mixed jury is compelled to remain overnight in a criminal case. Any such difficulties, however, could easily be remedied by a legislative enactment providing for separate quarters when such a situation arises. Women jurors have also been opposed on the ground that their domestic responsibilities should take precedence over activity beyond the home. This objection has not been considered conclusive in some states which permit excusal from jury duty at the discretion of the trial judge; nor by certain other states which permit women to serve if they so desire, without making jury service for them mandatory.[55]

Almost any community numbers among its population many women of social intelligence and education unassociated with any business or profession which might require their time. Their availability for jury service not only would add to the quality of the

[54] Those states which permit women to serve on juries in criminal cases are: Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, Washington, Wisconsin.

[55] Those states in which jury service for women is optional are: Arizona, Arkansas, Delaware, Idaho, Kansas, Kentucky, Louisiana, Minnesota, Missouri, Nevada, New Jersey, New York, North Dakota, Rhode Island, Utah, Washington, Wisconsin.

jury panel but would also facilitate the excusal of men for whom jury service is unreasonably burdensome because of other responsibilities. Jury service for women would thus benefit the community by aiding the operation of the judicial process; moreover, it would enable them to acquire useful information and experience as well as interest in the functioning of government and insight into a significant problem of their community.

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