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The New York State Residents Survey

Public Perceptions of New York's Courts

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EXECUTIVE SUMMARY

The *New York State Residents Survey* was designed by the Center for Court Innovation and conducted by the Marist College Institute for Public Opinion. The survey was conducted among a random sample of New York State residents and was intended to investigate public perceptions about the courts. The specific objectives of the survey were:

- To measure public trust and confidence in the courts among New York State residents;
- To determine key demographic and other respondent characteristics affecting trust and confidence, in order to identify areas of focus for efforts to enhance public trust in the future; and
- To determine residents' knowledge of and experiences with the court system.

Key Findings

The key findings are described below. Note that these findings are generally consistent with those of surveys conducted in other states and nationally, meaning that New York State residents' attitudes reflect commonly-held opinions about state courts and are not unique to New York's court system.

1. New Yorkers express high levels of trust and confidence in the courts in general. Racial and ethnic minorities, particularly African-Americans, are far less supportive of the courts than are whites.

- *New Yorkers express high levels of trust and confidence in the courts and the courts fare well compared to other public institutions.*
 - Seven in ten (71%) are “very” or “somewhat” confident in the courts in their local community, and two in three (65%) in the New York State court system. The ratings are significantly higher than for public schools (59%) and the media (49%), for example. Only local police (78%) fare better.
 - African-Americans (56%) are less likely to express confidence in local courts than Hispanics (68%) and far less likely than whites (75%).
- *Whereas general confidence in the courts is high, courts receive lower ratings for their performance in specific areas.*
 - When asked to rate local court handling of six specific types of cases, no type received positive marks from the majority of residents. Family relations (35% “excellent” or “good” rating) and juvenile delinquency (33%) received particularly low marks.
 - Half (51%) of state residents rate the overall performance of local courts as either “excellent” or “good.” However, nearly as many (46%) rate it as only “fair” or “poor.”
 - Overall performance ratings vary markedly by race and ethnicity. While six in ten (59%) whites rate court performance as “excellent” or “good,” only half (47%) of Hispanics and just one in three (31%) African-Americans feel the same way.

2. Fairness matters.

- ***Perceived fairness of court procedures and outcomes are, by far, the most important factors predicting overall approval of New York courts.***
 - Perceptions of procedural and outcome fairness together explain 42% of the difference in respondents' overall approval ratings.
 - By contrast, race/ethnicity and several other demographic factors explain only 6% of the difference in respondents' overall approval ratings. In other words, the less positive evaluations of local courts among minority groups is due to their less positive perceptions of the fairness of the judiciary.

- ***Local courts receive relatively strong ratings in terms of procedural fairness. The public is less positive in its evaluation of the results of case outcomes and the treatment of certain subgroups.***
 - About two in three respondents rate local courts positively with respect to having fair and honest judges (71% “strongly agree” or “agree”), treating people with dignity and respect (68%) and giving people the chance to be heard (68%).
 - The public expresses concern about the fairness of case outcomes, with less than half (45%) believing people receive fair results either “nearly every time” or “more than half the time.” Among African-Americans, only one in four (23%) feels this way.
 - Three in four (75%) believe wealthy people receive “better treatment than others” from local courts, while 58% feel non-English speakers receive “worse treatment.”

- ***Many New Yorkers have negative perceptions about the relationship between courts and communities, and these perceptions influence views about judicial fairness—and hence approval of the courts overall.***
 - Nearly half (45%) “strongly agree” or “agree” that the “courts are out of touch with what is going on in their communities.” Almost two in three (64%) African-Americans hold this view.
 - Less than half feel that courts “seek input and feedback from the community” (44%) or “educate the public about what courts do” (40%).
 - Perceptions about court-community linkages are strong predictors of views about the fairness of court procedures and outcomes. Those more likely to believe courts are in touch with the community are more likely to believe courts are fair, and in turn to have positive perceptions of the courts overall.

3. Many New Yorkers know little about the courts.

- ***Many New Yorkers report knowing little about local courts, with most information received primarily indirectly through the news media and entertainment sources.***
 - A substantial minority (37%) of New Yorkers say they know “a little” or “nothing at all” about the courts in their community; only 16% say they know “a lot” about them.

- Seven in ten (71%) report they have never needed to obtain information about local courts.
- When asked how often they receive information about courts from various sources, television news programs (71% get information “often” or “sometimes” from this source) and entertainment sources (53%) are among the most commonly cited. Only 26% report receiving information directly from the courts themselves.
- ***Most New Yorkers have had personal involvement with the state courts. This involvement is associated with increased knowledge but not increased approval of the courts.***
 - Two in three (67%) said they have had personal involvement with New York State courts. Among those who had involvement, most reported either being called for jury duty but not selected (32%) or being selected to sit on a jury (26%).
 - Those with direct experience are much more likely to describe themselves as knowledgeable about the courts in their community (69% report having either “a lot” or “some” knowledge vs. 51% for those without experience).
 - However, those with direct experience are no more likely to approve of the performance of local courts than are those lacking such experience.

Conclusions

- **New Yorkers, overall, have positive perceptions of the courts.** Clearly, other public institutions have more work to do to enhance trust and confidence than does the judiciary.
- **However, the relatively lower levels of approval among racial and ethnic minorities are notable.** Hispanics and especially African-Americans have dramatically less positive views about the courts than do whites.
- **Enhancing public perceptions about fairness, both in court procedures and outcomes, is critical to efforts to increase approval for the courts.** Perceptions of fairness are by far the most significant factors influencing overall approval, and explain the differing levels of support across racial and ethnic groups. Since views about court-community linkages are closely tied to perceptions of fairness, efforts to bring together courts and communities are among the most useful ways to enhance perceived fairness and, in turn, overall approval for the courts.
- **Judicial outreach should include public education and other efforts to enhance public access to information about the courts.** Many New Yorkers have relatively little knowledge about the courts, and most do not receive information directly from the judiciary. One way to bring courts and communities together is to enhance opportunities for the public to receive information about New York’s courts.

Chapter 1. Introduction

The *New York State Residents Survey* was designed by the Center for Court Innovation and conducted by the Marist College Institute for Public Opinion. The survey was conducted among a random sample of New York State residents and was intended to investigate public perceptions about the courts. The specific objectives of the survey were:

- To measure public trust and confidence in the courts among New York State residents;
- To determine key demographic and other respondent characteristics affecting trust and confidence, in order to identify areas of focus for efforts to enhance public trust in the future; and
- To determine residents' knowledge of and experiences with the court system.

To address these issues, a statewide survey was conducted among 1,002 adult residents 18 years of age. The interviews, averaging 15 minutes in length, were conducted by telephone between December 7th and December 21st, 2006. (The survey questionnaire may be found in Appendix B.) Respondents were selected to ensure that each region of the state was represented in proportion to its population. Interviews were conducted in both English and Spanish. The survey achieved an overall response rate of 41.6 %.

The results of the entire survey are statistically significant at $\pm 3.1\%$. For example, if 50% of survey respondents provide a particular answer to a question, we have 95% confidence that the actual population percentage falls between 47% and 53%. Note that the margin of error increases when looking at differences in responses to the same question across subgroups. The margin of error can also vary across specific questions. Throughout this report, differences in findings (e.g., across questions or across subgroups) are discussed only if they are statistically significant.

Variables Included in the Analysis

Several questions from this survey were derived from previous public opinion surveys about state courts. In addition to presenting percentage responses to individual questions, some questions are combined into multi-item scales. Measurement based on scales is beneficial because it relies less on the wording of a single question and can reflect multiple aspects of broad concepts.

Specifically, three multi-item scales were developed to measure overall approval of courts, perceptions regarding the fairness of court procedures, and court-community linkages. Each scale meets conventional standards of reliability, which means that the questions all measure aspects of the same general phenomenon. The scales are described in Appendix A.

Description of the Survey Sample

Survey respondents are representative of the entire New York State population with respect to location of residence within the state as well as various demographic factors, as described in the table below. All percentages reflect the distributions within the entire New York State adult population (within the survey's $\pm 3.1\%$ margin of error).

Location of Residence

New York City	
Suburbs of New York City	42%
Upstate	20%
	38%

Gender

Male	47%
------	-----

Age

Under 45	52%
----------	-----

Race/Ethnicity

White	
African-American	61%
Hispanic	13%
Other	14%
	8%

Education

College graduate	36%
------------------	-----

Household Income

Less than \$25,000	
\$25,000-\$50,000	29%
\$50,000-\$75,000	25%
\$75,000 or more	19%
	28%

Note on Reading Tables

Percentages may not always add up to 100% because of rounding, the acceptance of multiple answers from respondents, or the exclusion of “unsure” and “refuse to answer” responses from the tables.

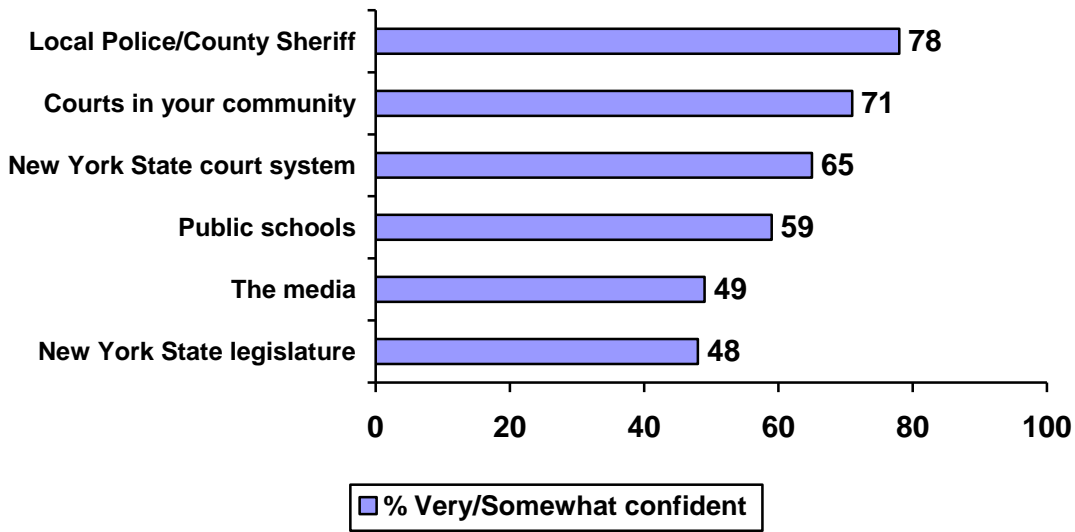
Public Release of Survey Findings

This survey, and all surveys conducted by the Marist College Institute for Public Opinion, is designed to comply with the code and standards of the Council of American Survey Research Organizations (CASRO) and the code of the National Council of Public Polls (NCP). If data from the survey is to be released to the public, the release must stipulate that the complete report is also available.

Chapter 2. General Public Perceptions about New York State Courts

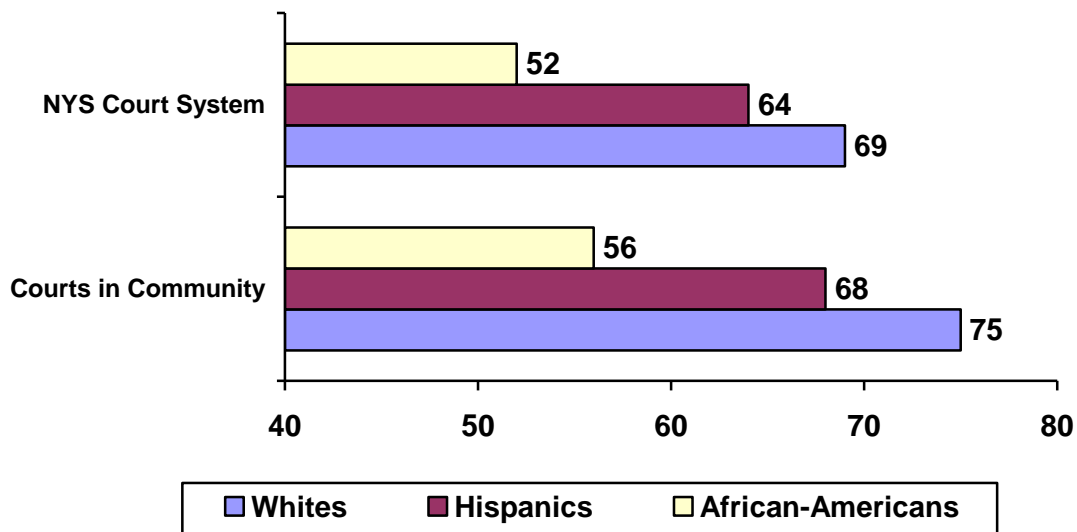
Most state residents express confidence both in the courts in their community and in the New York State court system (the former attracts slightly more positive ratings than the latter). The courts fare well compared to other public institutions. [Exhibit 1].

Exhibit 1: Confidence in Public Institutions



However, significant differences in confidence emerge based on respondent race and ethnicity [Exhibit 2]. While African-Americans are less likely to express confidence in public institutions in most cases, the difference between African-American and white opinion is notable with respect to the courts. The percentage of African-Americans “very” or “somewhat” confident in their local courts is 19% lower than for whites (75% for whites vs. 56% for African-Americans). The comparable “gap” for the New York State court system is 17%. The only larger gap is in confidence in local police, where 29% fewer African-Americans than whites express confidence.

Exhibit 2: Confidence in Courts, by Race/Ethnicity
 % Very/Somewhat Confident



Court Handling of Specific Case Types

When compared to perceptions of overall confidence, the public gives local courts lower marks in terms of how they handle specific types of cases. For all case types asked about, less than a majority of residents give the courts high marks (“excellent” or “good” rating). The handling of criminal cases, particularly those involving acts of violence, receives relatively positive overall ratings. By contrast, family relations and juvenile cases fare poorly [Exhibit 3].

Exhibit 3: Local Court Handling of Cases

Case Type	Excellent/Good
Criminal cases involving acts of violence	45%
Non-violent criminal cases	40%
Civil cases	39%
Domestic violence cases	38%
Family relations cases	35%
Juvenile delinquency cases	33%

Overall Court Performance

When asked to rate the overall job courts are doing, approximately half of New Yorkers rate the performance as “excellent” or “good.” [Exhibit 4]. Overall ratings vary markedly by race and ethnicity, with Hispanic and African-American respondents much less likely to have positive perceptions of local court performance. Only one in three (31%) African-Americans rate the performance of courts in their community as “excellent” or “good” [Exhibit 5].

Exhibit 4: Courts in Community: Overall Performance

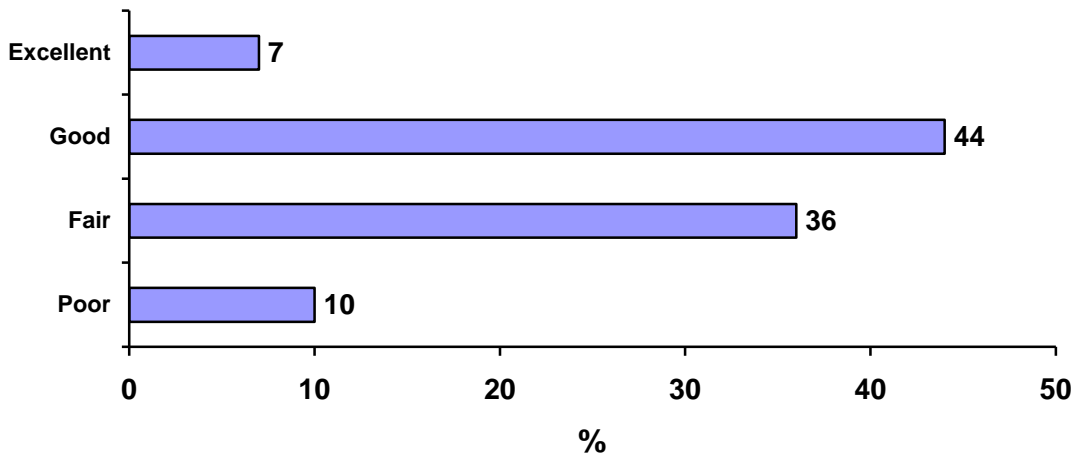


Exhibit 5: Overall Performance, by Race/Ethnicity

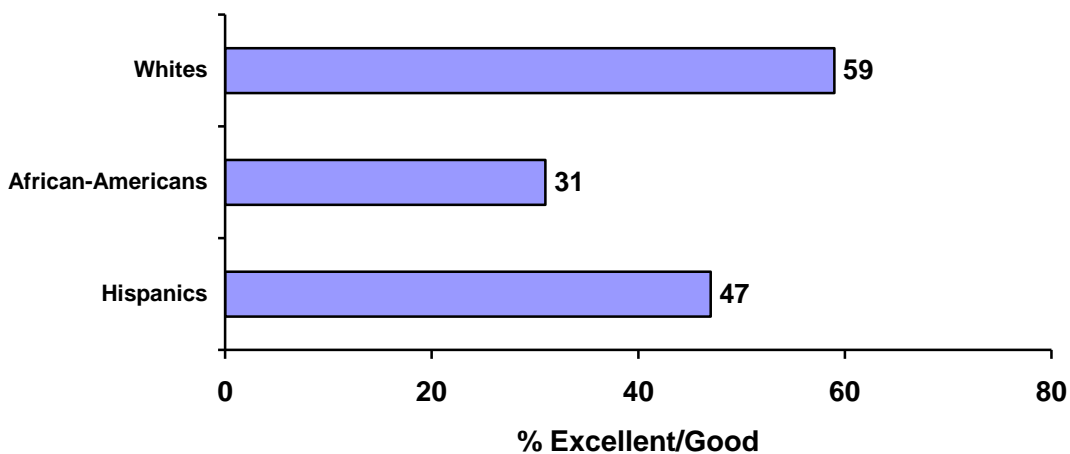


Exhibit 6: Overall Approval Scale Scores, by Race/Ethnicity and Income

	Mean Score
All New Yorkers	2.67
<u>Race/Ethnicity</u>	
White	
African-American	3.00
Hispanic	2.67
	2.67
<u>Household Income</u>	
Less than \$25,000	
\$25,000-\$50,000	2.67
\$50,000-\$75,000	2.67
\$75,000 or more	2.67
	3.00

*The overall approval scale ranges from a low of 1 to a high of 4, with higher scores indicating more positive ratings.

Some differences also emerge based on income, with those in the highest household income bracket (above \$75,000) more supportive [Exhibit 6].

Note that public ratings of local court performance (both overall performance and the handling of specific case types) are substantially less positive than the level of general confidence in local courts. While the survey results do not provide a definitive explanation for this discrepancy, it may be that New Yorkers distinguish institutional support for (i.e., confidence in) courts from approval of court performance. Studies show that there is little relationship between general support for government institutions, including the U.S. Supreme Court and Congress, and performance evaluations. There is, for example, a high level of institutional loyalty to the Supreme Court even among those not pleased with how the Court is doing its job.¹ The findings from this survey are consistent with explanation.

The discrepancy between confidence and approval may also be in part due to the survey question ordering. Respondents were asked about confidence in the courts early in the survey. By contrast, they were asked to rate the overall approval of local court performance near the end of the survey, after being posed with various other questions (e.g., fairness of court procedures and results) which may influence the response to the overall approval question.²

¹ J. Gibson, G. Caldeira and L. Spence, "Measuring Attitudes Toward the US Supreme Court," *American Journal of Political Science* 47: 354-367 (2003).

² Question ordering surely does not entirely explain the discrepancy between confidence and approval. Questions regarding how well local courts handle specific case types were posed prior to those regarding fairness of procedures and other matters. These ratings are substantially lower than those of public confidence in the courts, suggesting that the public does distinguish institutional support for the judiciary from approval of court performance.

Public Perceptions about the Fairness of New York State Courts

Procedural Fairness

Procedural fairness, the perception that decisions are made with fair procedures, is a critical element of confidence in and support for courts and other public institutions.³ The survey measured three elements of procedural fairness—neutrality (judges are honest and fair in deciding cases), respect (people in court are treated with dignity and respect) and participation (litigants have a chance to tell their side of the story).⁴ Overall, the courts fare well in terms of procedural fairness, with about two in three rating the courts positively on each aspect of fair procedures [Exhibit 7].

Exhibit 7: Procedural Fairness in Local Courts

	Strongly Agree/Agree
Judges are generally honest and fair in deciding cases.	71%
The courts treat people with dignity and respect.	68%
People who appear in courts generally have a chance to tell their side of the story.	68%

Here too statistically significant racial disparities emerge. African-Americans rated the courts least positively on procedural fairness (average rating=2.33 on a scale of 1 to 4). This rating is 15% lower, on average compared to whites, and 29% lower compared to Hispanics, who have the most positive perceptions of procedural fairness among the major racial and ethnic groups [Exhibit 8].

³ See, e.g., Tom Tyler, “Trust and Democratic Governance,” in *Trust and Governance*, V. Braithwaite and M. Levi (eds.). New York: Russell Sage Foundation (1998).

⁴ Procedural justice includes a fourth element, trustworthiness (decision makers are sincerely concerned and motivated to treat one fairly), that is not measured in the survey.

Exhibit 8: Procedural Fairness Scale Scores, by Race/Ethnicity

	Mean Score
All New Yorkers	2.67
<u>Race/Ethnicity</u>	
White	
African-American	2.67
Hispanic	2.33
	3.00

*The procedural fairness scale ranges from a low of 1 to a high of 4, with higher scores indicating more positive ratings.

Fair Results

In contrast with the largely positive perceptions New Yorkers have concerning the fairness of court procedures, New Yorkers express concern about the fairness of the results. Less than half (45%) believe people receive fair results either “nearly every time” (8%) or “more than half the time” (37%) they deal with courts in their community. An equivalent number (47%) believe residents receive fair treatment either “less than half the time” (22%), “once in a while” (21%), or “never” (4%) [Exhibit 9].

Exhibit 9: Receiving Fair Results

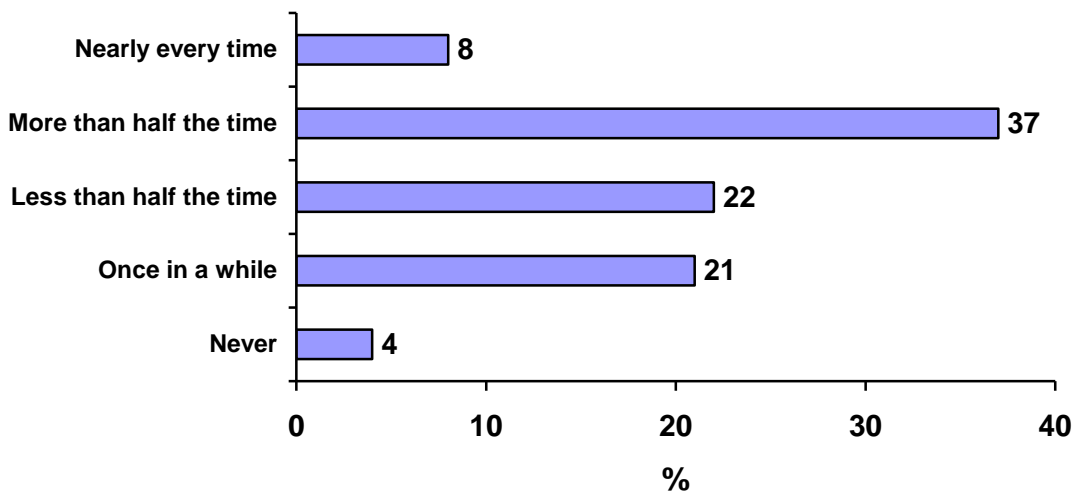
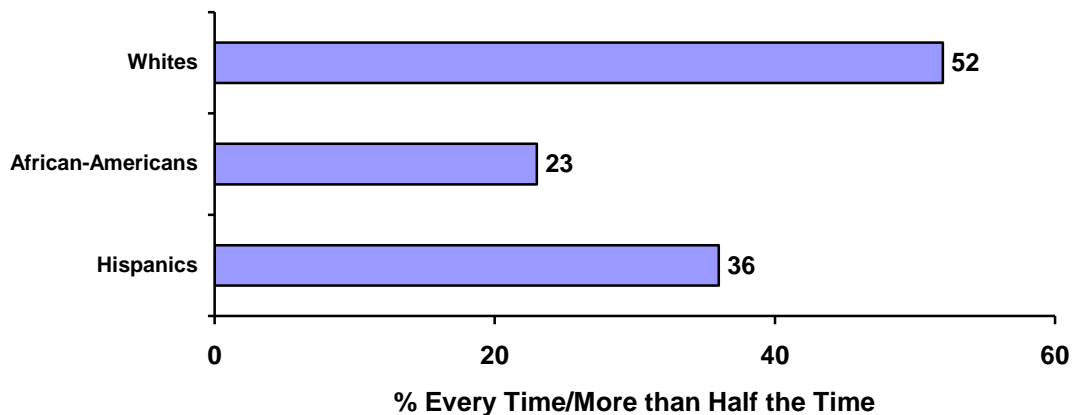


Exhibit 10: Fair Results, by Race/Ethnicity



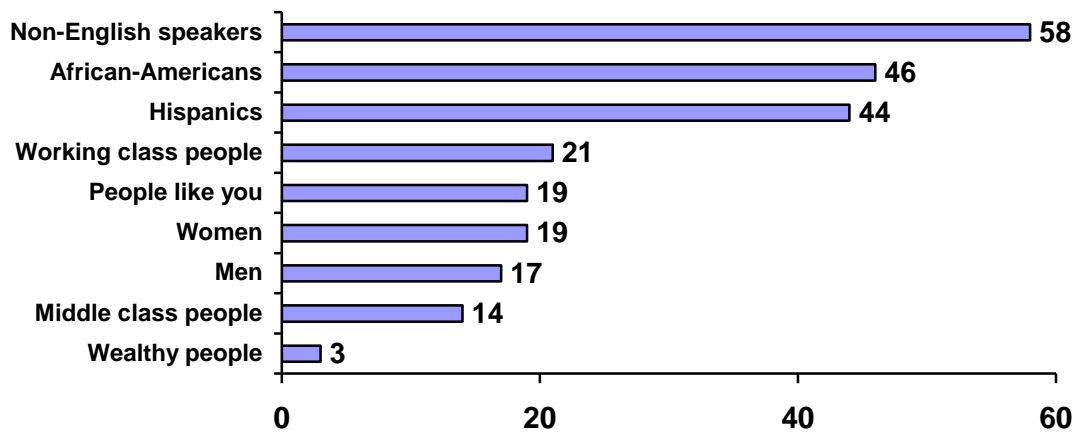
Racial and ethnic minorities, particularly African-Americans, have generally negative perceptions about the fairness of outcomes in local courts. While the majority (52%) of whites believe people receive fair results “nearly every time” or “more than half the time,” only about one in three Hispanics (36%) and just one in four African-Americans (23%) share this view [Exhibit 10].

Equal Treatment by the Courts

There is also a widespread perception among the public that some people receive better treatment from local courts than others. An overwhelming majority of New Yorkers (75%) believe wealthy people receive “better treatment than others” from courts in their community. On the other side of the coin, a full majority (58%) believe non-English speakers receive worse treatment and more than four in ten feel the same way about African-Americans (46%) and Hispanics (44%). It should be noted that large majorities of New Yorkers did not perceive any disparate treatment for several subgroups, including working class people, men and women. [Exhibit 11].⁵

⁵ Note that the relevant questions ask whether certain groups receive “better, the same or worse *treatment* than others.” While responses to these questions may tap perceptions about the equality of case outcomes, it is also plausible that respondents might interpret “treatment” in other ways—e.g., equal respect from the courts or an equal chance to tell their side of the story. Consequently, these findings should be interpreted as measures of “treatment” by courts as a broad concept and not necessarily in terms of better or worse outcomes.

Exhibit 11: Receiving Worse Treatment by Courts



African-Americans tend to perceive the greatest degree of unfair treatment, being more likely than other ethnic groups to perceive “worse” treatment by the courts for a variety of groups. For example, African-Americans are more likely than Hispanics to perceive worse treatment for Hispanics as well as for non-English speakers.

Chapter 3. Public Knowledge about and Experience with the Courts

A substantial minority of New York residents appear to have relatively low levels of knowledge about the courts. Nearly four in ten (37%) say they know “a little” or “nothing at all” about the courts in their community. By contrast, 63% report knowing either “a lot” or “some” about the courts [Exhibit 12]. Self-reported knowledge is roughly equal across racial/ethnic groups, although Hispanics are slightly less likely to report knowing “a lot” about the courts (the results are not presented here).

Exhibit 12: Self-Reported Knowledge about Local Courts

A Lot/Some (Net)	63%
A lot	16%
Some	47%
A Little/Nothing at all (Net)	37%
A little	29%
Nothing at all	8%

The lack of knowledge is particularly striking among those who do not have direct experience with the courts in their community and must rely primarily on indirect sources of information, such as television news and entertainment programs [Exhibit 13]. Those with direct experience are significantly more likely to describe themselves as having “a lot” or “some” knowledge about the courts in their community (whether those with greater self-reported knowledge are indeed more knowledgeable is another matter).

The relatively low level of familiarity among a substantial minority of New Yorkers is consistent with studies conducted in other states and nationally. It is important to keep these findings in mind when evaluating attitudes toward the courts. For many New Yorkers, perceptions represent surface impressions, perhaps based on sound bites and media headlines, rather than strongly-held opinions. If residents are given more information and/or the opportunity to come to a considered judgment, they may reach different conclusions.

Seeking Information about the Courts

The vast majority of residents (71%) said that they have never needed to get any information about the courts in their community. Among the 29% of residents who said they have needed information, most report getting it from the courthouse itself (40%). Other sources included an attorney or judge (15%) and the Internet (13%). When those who did not need information were asked where they would go if the needed it, similar sources were commonly cited: the courthouse (24%), Internet (21%), and an attorney or lawyer (16%).⁶

⁶ The questions about seeking information were open-ended—respondents were allowed to answer in their own words rather than choosing from preset categories.

Exhibit 13: Self-Reported Knowledge about Local Courts, by Prior Court Experience

	With Experience	Without Experience
A Lot/Some (Net)	69%	51%
A lot	20%	8%
Some	49%	43%
A Little/Nothing at all (Net)	31%	48%
A little	27%	34%
Nothing at all	4%	14%

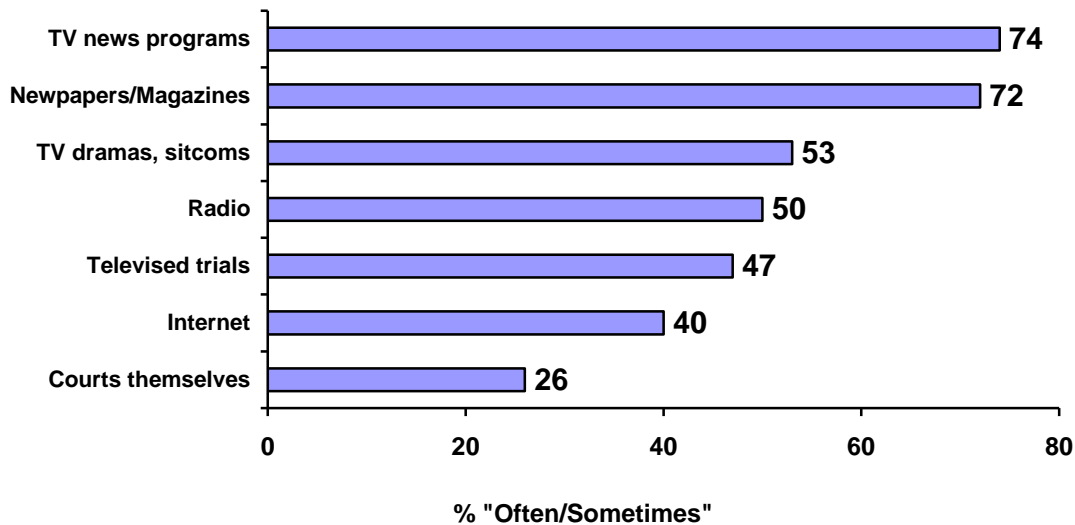
Most of those who did seek out information found it useful—88% said it was either “very” (35%) or “somewhat” useful (53%). Since respondents were allowed to cite more than one source from which they received information about the courts, it is not possible from the survey results to determine which sources were perceived as more or less useful.

Sources of Information about the Courts

While much of the public does not actively seek out information about the courts, most if not all acquire information more passively from the mass media and other sources. When asked how often they receive information about the courts from various sources, the most commonly cited source among survey respondents was the traditional news media. Still, more than half say they get information either “often” or “sometimes” from TV dramas, sitcoms and the like. The Internet is a source for four in ten. Only one in four (26%) report getting information from the courts themselves—the lowest percentage among all the sources asked [Exhibit 14].

In general, the public gets information about courts from multiple sources. Of the seven sources asked about, residents reported getting information “often” or “sometimes” from an average of about four (mean=3.6) sources. However, the relatively heavy reliance on the mass media and entertainment sources raises questions about the quality and accuracy of information received. Indeed, it appears that many in the public believe that information acquired through the media may be suspect. Only half (51%) “strongly agree” or “agree” that the “media’s portrayal of the courts is mostly accurate;” nearly as many (45%) either “disagree” or “strongly disagree” with this statement (4% were unsure).

Exhibit 14: Sources of Information about Courts



Personal Experience in New York State Courts

Two-thirds (67%) of New Yorkers report having ever had “personal involvement in a New York State courthouse, such as being called for jury duty, being a witness in court, a plaintiff, a defendant, an observer or something else.” The extent of court contact varied considerably by race and ethnicity, with Hispanics much less likely to report personal involvement in the courts [Exhibit 15]. These results are likely influenced by the proportion of recent immigrants among the Latino population.

Exhibit 15: Personal Involvement in a New York State Courthouse

All New Yorkers

67%

Race/Ethnicity

Whites

African-Americans

Hispanics

73%

67%

44%

The vast majority of respondents with previous court experience reported either being called for jury duty but not selected (32%) or being selected to sit on a jury (26%). Approximately one in five reported being a litigant—either plaintiff or defendant—in a court case [Exhibit 16]. (Note that if survey respondents had multiple court experiences, they were instructed to answer subsequent questions based on the experience that “made the strongest impression on you.” Consequently, the percentages reported here are not true estimates of the prevalence of jury service or other involvement in a courthouse.)

Exhibit 16: Role of Personal Experience

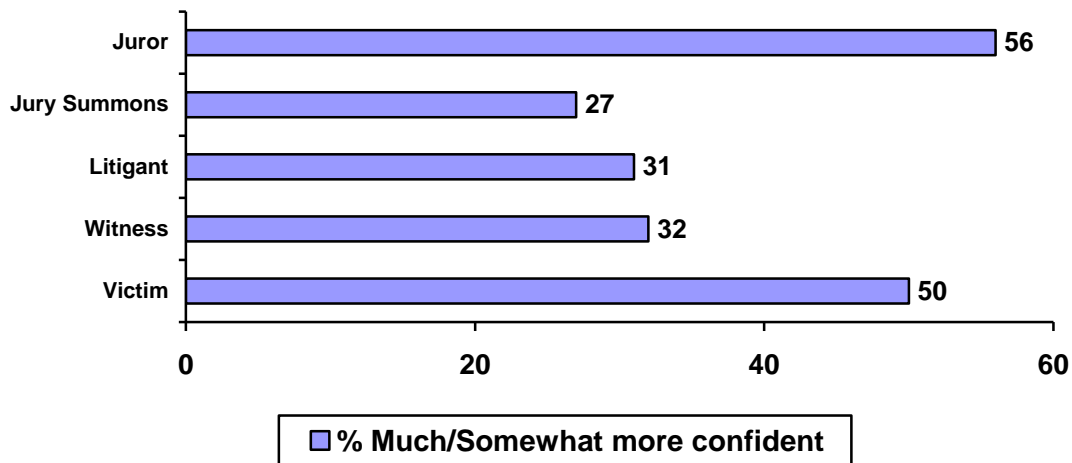
Role	%
Called for jury duty but not selected	32%
Selected to sit on jury or as the alternate	26%
Defendant	14%
Plaintiff	8%
Witness	8%
Victim	5%
Observer	4%
Other	3%

*The percentages indicate the type of personal experience, among those who reported having a personal experience with the courts.

Involvement in a court case does not necessarily enhance confidence in the courts. Among all those with personal experience, 37% reported that the experience made them “much more confident” (11%) or “somewhat more confident” (26%) in the courts. However, a similar percentage reported the experience had “no effect” on their confidence (36%), and one in four (27%) said the experience made them either “somewhat less confident” (14%) or “much less confident” (13%).

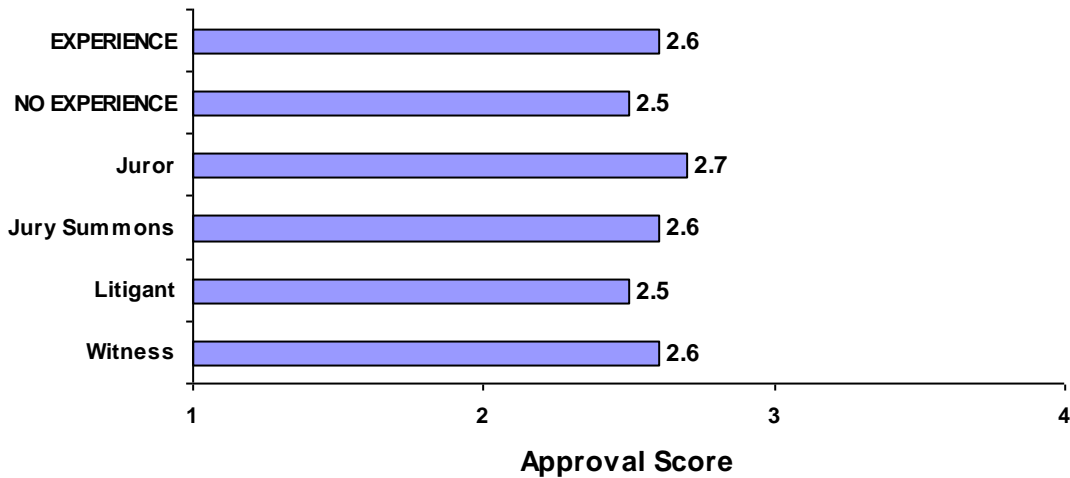
Based on self-reports, only jury service is clearly associated with an increase in confidence—56% of those who sat on a jury said the experience made them “much more confident” or “somewhat more confident” in the courts. Those with a jury summons but who were not picked for a case are especially unlikely to report enhanced confidence as a result of their court experience. Note that there were relatively few victims, as well as witnesses, among the survey respondents, making the findings for these groups far less conclusive than for other court roles [Exhibit 17].

Exhibit 17: Impact on Confidence, by Role



Additional analysis, however, suggests that neither direct experience with courts nor the type of experience strongly influences approval. The overall approval scale, which ranges from a low of one to a high of four, offers a measure of the influence of court experience and experience in different roles. In general, experience in a court case does not necessarily appear to enhance approval of the courts [Exhibit 18]. The average approval rating for those with court experience does not differ significantly from those without experience. An individual's role in the case also is not associated with greater or lesser approval—jurors, litigants and witnesses, on average, all have roughly equivalent scores on the approval scale, and these scores are similar to those without any direct experience.⁷ While those serving on a jury are more likely to *claim* their experience increased their confidence in the courts, jury service is not in fact correlated with greater overall approval.

Exhibit 18: Overall Approval, by Court Experience and Role in the Case



⁷ Since the sample size for those who participated in other ways was too small to yield conclusive results, they are not included in the table below.

Chapter 4. Factors Related to Overall Approval of New York's Courts

To examine which factors are related to the public's overall approval of local courts, a multivariate regression analysis was conducted to predict variance in respondents' overall approval scores. The purpose of a regression analysis is to examine the impact of factors—demographic characteristics, attitudes, etc.—that might influence an individual's approval for the courts while at the same time accounting (“controlling”) for other factors that might provide alternative explanations for approval. The analysis identifies the factors that most influence approval—thus, core areas of concern for policy efforts to enhance public confidence in the courts.

The results of the analysis are presented in Exhibit 19 (on the next page). The findings indicate that the perceived fairness of court procedures and court outcomes are, by far, the most influential factors affecting the public's evaluation of New York courts, together accounting for 42% of the variance in approval scores.⁸ Individuals with more positive perceptions of fairness—in procedures and outcomes—are considerably more likely to have a positive overall view of local courts, even after controlling for a variety of demographic factors. Similarly, those with more negative perceptions of fairness are less likely to be approving of the courts.

Importantly, demographic factors, in and of themselves, are not strong predictors of overall approval, accounting for only about 6% of the variance in approval ratings. *The analysis demonstrates that the stark differences in opinion among racial and ethnic groups, illustrated throughout this report, can largely be accounted for by the fact that African-Americans and Hispanics are less likely to believe court procedures and outcomes are fair compared to whites.*⁹

The findings suggest that to enhance public confidence in the courts most effectively, particularly among minority communities in which approval tends to be lowest, the focus should be on developing policies, court procedures, public outreach/education programs, and other efforts aimed at increasing the public's perception of fairness in court procedures and outcomes.

⁸ Similar results emerge when alternative measures of approval and procedural fairness are used, enhancing confidence in these results. The additional analyses are not presented here.

⁹ When the regression analysis is rerun to include only measures of race/ethnicity and perceived procedural and outcome fairness (i.e., not including gender, income and other demographic factors), the results are the same: race/ethnicity is not a statistically significant predictor of overall approval, and procedural and outcome fairness are highly significant.

Exhibit 19: Multivariate Model Measuring Impact on Overall Approval of New York Courts

Variables	Coefficient	T
Fair procedures	.36	8.12**
Fair outcomes	.20	8.10**
Familiarity with local courts	.00	.09
<u>Demographics</u>		
Age	.12	2.17*
Hispanic	.20	2.50*
African-American	.14	1.76
Education	.00	.20
Upstate resident	.11	1.80
NYC suburbs resident	.09	1.40
Gender (male)	.05	1.16
Income	-.03	-.06

N=846.

* p<.01, ** p<.001

R²=.42

Note: The dependent variable is the overall approval scale (described in the Introduction), which ranges from a 1 to 4, with higher scores indicating greater approval of court performance.

Chapter 5. Other Areas of Court Performance

The survey contained a number of statements referencing court performance with regard to specific court responsibilities. Survey respondents were asked the extent to which they agree with each statement. Generally, a large majority of the public regards courts as doing a good job in several performance areas. This is especially true for protecting defendants' constitutional rights and (as presented earlier) various elements of procedural justice—fair and honest judges, treating people with respect, and giving people the chance to tell their side of the story [Exhibit 20].

However, two in three (68%) feel that judges are influenced by political considerations (this despite a large majority who also feel judges are honest and fair). The public is also divided on some areas of court performance. About as many agree as disagree that courts conclude cases in a timely manner and assist pro se litigants. In addition, a substantial minority do not feel that court decisions are understood by litigants involved in the cases.

Exhibit 20: Rating Local Courts in Specific Areas of Court Performance

	% Strongly Agree/Agree
The courts protect defendants' constitutional rights.	80
Judges are generally honest and fair in deciding cases.	71
The courts treat people with dignity and respect.	68
People who appear in courts generally have a chance to tell their side of the story.	68
Judges' decisions are influenced by political considerations.	68
Court rulings and decisions are understood by the people involved in cases.	60
Courts do a good job concluding cases in a timely manner.	49
The courts assist people who act as their own attorney.	45

Chapter 6. Courts and Communities

Only about half (53%) of New Yorkers agree that courts address problems that arise in the community. Nearly half (45%) feel that the courts are “out of touch” with what is going on in their communities, and only about four in ten agree that courts seek input from the community (44%) or educate the public about what courts do (39%) [Exhibit 21].

The public rates courts lowest on those items that tap a *proactive* role in developing linkages—i.e., seeking input and feedback and educating the public about what courts do. These results should be understood in light of findings presented earlier that a substantial percentage of residents know little about the courts, and suggest the need for courts to continue to actively engage local communities and enhance public knowledge about the courts.

Exhibit 21: Court-Community Linkages

	% Strongly Agree/Agree
Courts are actively involved in addressing problems that arise in the community.	53
Courts are out of touch with what is going on in their communities.	45
Courts seek input and feedback from the community.	44
The courts educate the public about what courts do.	40

As with many other areas, African-Americans and Hispanics have less positive perceptions about court-community linkages than do whites. For example, while only 38% of whites agree that “courts are out of touch with what is going on in their communities,” two in three (64%) African-Americans and a majority of Hispanics (58%) hold this view. Similar discrepancies emerge on the other questions tapping court-community linkages.

To further explore the role of attitudes about court-community linkages an analysis was conducted examining the relationship between these attitudes and perceptions of court fairness. The four survey items measuring court-community relationships were used to create a composite scale measuring perceptions about court-community linkages. The scale ranges from a low of 1 to a high of 4, with higher scores indicating more positive attitudes about the relationship between courts and communities.¹⁰

¹⁰ The item “courts are out of touch with what is going on in their communities” was reverse coded in creating the scale.

Multivariate analysis demonstrates that, even after controlling for a variety of demographic factors, perceptions about court-community linkages are strong predictors of perceived procedural fairness and, to a lesser (yet still highly significant) extent, of outcome fairness [Exhibit 22]. *Those more likely to believe courts are in touch with their communities are more likely to believe courts are fair.* Since perceived procedural and outcome fairness are the most powerful predictors of overall court approval, the findings suggest that efforts to bring together courts and communities are among the most practical steps that can be taken to enhance perceptions of fairness in, and overall approval of, the judiciary.¹¹

Exhibit 22: Multivariate Models Measuring Impact of Court-Community Linkage Perceptions on Perceived Procedural and Outcome Fairness

Variables	Perceived Procedural Fairness		Perceived Outcome Fairness	
	Coefficient	T	Coefficient	T
Court-Community linkage	.46	15.00*	.41	6.57*
<u>Demographics</u>				
Age	.03	.82	.00	.03
Hispanic	-.18	-3.42*	-.31	-3.13*
African-American	-.27	-5.32*	-.49	-5.00*
Education	.09	2.44*	.28	3.90*
Gender (male)	.13	3.82*	.19	2.91*

N=883. * p<.001 R²=.42

Note: The dependent variables, the procedural fairness scale and the measure of perceived fairness in court outcomes, both range from 1 to 4, with higher scores indicating more positive perceptions of procedural and outcome fairness, respectively. These and the other variables included in this analysis are described in the Appendix.

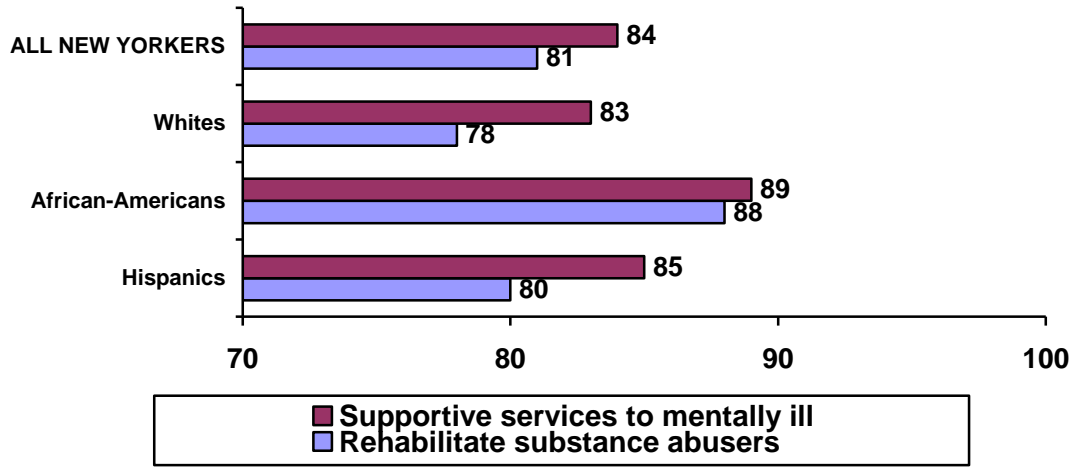
Problem-Solving and the Courts

The survey contained two questions regarding a problem-solving role for the courts. Overall, the public strongly supports a rehabilitative, problem-solving role. More than eight in ten agree that “courts should offer supportive services to mentally ill adults” and that “courts should attempt to rehabilitate adult substance abusers who have committed non-violent crimes.”¹² African-Americans are slightly more likely to agree with both positions than are whites or Hispanics [Exhibit 23].

¹¹ The court-community linkage scale is not included in the multivariate analysis predicting overall approval of the courts (presented earlier) because it is highly intercorrelated with the procedural fairness scale (bivariate correlation=.49). The latter scale is included in the overall approval model not only because it has a higher bivariate correlation with overall approval than does the court-community linkage scale, but also because a large literature documents the impact of perceived procedural fairness on institutional approval.

¹² The extremely high levels of support are likely due in part to question wording. While it is clear that the majority of the public supports offering “supportive” and “rehabilitative” services, it is uncertain whether support would remain as high if, for example, questions presented respondents with a trade-off (e.g., noting that attempts to rehabilitate substance abusers might, at least in the short term, serve as an alternative to incarceration.)

Exhibit 23: Problem-Solving Role, by Race/Ethnicity
% Strongly Agree/Agree



Appendix A: Variables Included in Multivariate Analyses

Following is a description of the variables included in the multivariate regression analysis.

Scales

Overall Approval: Overall approval scale. The variable ranges from a low of 1 to high of 4, with higher scores indicating greater approval of court performance.

1. In general, how would you rate your confidence in New York's court system? (*very confident, confident, not very confident, not at all confident*)
2. In general, how would you rate your confidence in the courts in your local community?
(*very confident, confident, not very confident, not at all confident*)
3. Now, still thinking about the courts in your community, what is your opinion of the overall job they are doing? (*Excellent, good, fair, poor*)

Fair procedures: Procedural fairness scale. The variable ranges from a low of 1 to high of 4, with higher scores indicating more positive perceptions of fairness in court procedures.

Please tell me to what extent you agree or disagree with each of the following statements:

1. Judges are generally honest and fair in deciding cases?
2. The courts treat people with dignity and respect?
3. People who appear in courts generally have the chance to tell their side of the story?
(*Strongly agree, agree, disagree or strongly disagree*)

Court-Community Linkages: Court-Community Linkage scale. The variable ranges from a low of 1 to high of 4, with higher scores indicating more positive perceptions about local courts' connection with the community.

Please tell me to what extent you agree or disagree with each of the following statements:

1. Courts are actively involved in addressing problems that arise in the community?
2. Courts are out of touch with what is going on in their communities? (reverse coded)
3. Courts seek input and feedback from the community?
4. The courts educate the public about what courts do?
(*Strongly agree, agree, disagree or strongly disagree*)

Other Variables

Fair outcomes: Based on the following question: “In general, how often do you think people receive fair results when they deal with the courts in your community? Would you say nearly every time, more than half the time, less than half the time, once in a while or never?” Variable range: 1-5, with higher values indicating perception of greater fairness in outcomes.

Familiarity with local courts. Based on the following question: “Overall how much would you say you know about the courts in your community? Would you say you know a lot, some, a little or nothing at all?” Variable range: 1-4, with higher values indicating greater familiarity.

Age: Dichotomous variable (range 0-1) distinguishing respondents under 35 years old from those 35 or older. Higher value indicates older age.

Hispanic and African-American: Dichotomous variables (range 0-1) indicating respondent race and ethnicity. White is the reference category.

Education: Dichotomous variable (range 0-1) distinguishing college graduates from non-college graduates. Higher value indicates higher level of education.

Upstate resident and NYC suburbs resident: Dichotomous variables (range 0-1) indicating respondent county of residence (New York City is the reference category). Suburbs variable includes respondents living in Nassau, Suffolk, Westchester, Rockland and Putnam Counties. Upstate refers to all other counties other than the five boroughs of New York City and those included in the Suburbs variable.

Male: Dichotomous variables (range 0-1) indicating male respondents. Female is the reference category.

Income: Variable range: 1-4, representing the following household income categories: Less than \$25,000; \$25,000-\$50,000; \$50,000-\$75,000; \$75,000 or more. Higher values indicate higher household income.

Appendix B: Survey Questionnaire

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WTFACTOR. WEIGHT VALUE.

VERY IMPORTANT> This is a weighted dataset. Before you run any analysis you must set the weight. The variable that holds the weight value is WTFACTOR. To set the weight:

DATA --> Weight Cases --> Click on "Weight Cases by" --> Select the variable "Weight Variable-WTFACTOR" in the box on the Left --> Click on OK.

If you are familiar with working with syntax, you can do this in a syntax window by typing and running: WEIGHT CASES BY WTFACTOR.

I. ATTITUDES TOWARD PUBLIC INSTITUTIONS

BASE: ALL RESPONDENTS

Q1) In general, how would you rate your confidence in the following public institutions: are you very confident, confident, not very confident, or not at all confident in [READ FIRST ITEM]?

[RANDOMIZE LIST]

1	2	3	4	8	9
Very confident	Confident	Not very confident	Not very confident	Don't know	Refused

- A) Public Schools
- B) Your local police
Department or county sheriff
- C) New York's state legislature
- D) New York's court system
- E) The courts in your local community
- F) The media

BASE: ALL RESPONDENTS

Q2) Would you rate the job the courts in your community do in handling the following types of court cases as excellent, good, fair, or poor:

[RANDOMIZE LIST]

1	2	3	4	8	9
Excellent	Good	Fair	Poor	Don't know	Refused

- A) Civil cases, such as auto accidents, malpractice claims, or contract disputes
- B) Criminal cases involving acts of violence
- C) Non-violent criminal cases involving alcohol or drug use
- D) Family relations, such as divorce or child custody
- E) Juvenile delinquency cases
- F) Domestic violence cases

III. KNOWLEDGE OF COURTS/SOURCE OF INFORMATION

BASE: ALL RESPONDENTS

Q3) Overall, how much would you say that you know about the courts in your community? Would you say you know a lot, some, a little or nothing at all?

- 1 A lot
- 2 Some
- 3 A little
- 4 Nothing at all

- 8 DO NOT READ: DON'T KNOW
- 9 DO NOT READ: REFUSED

BASE: ALL RESPONDENTS

Q4) Have you ever needed to get any information about the courts in your community?

- 1. Yes
- 2. No

- 8 DO NOT READ: DON'T KNOW
- 9 DO NOT READ: REFUSED

BASE: DID NOT NEED INFORMATION Q4=2

Q5a) Where would you go if you needed that type of information? [DO NOT READ, CHECK ALL THAT APPLY]

BASE: NEEDED INFORMATION Q4=1

Q5b) Where did you go for this information? [DO NOT READ, CHECK ALL THAT APPLY]

- q5a/b01r Civic or church group organizations
- q5a/b02r Court web sites
- q5a/b03r Courthouse
- q5a/b04r Attorney-lawyers-judge
- q5a/b05r Family or friends
- q5a/b06r School
- q5a/b07r Library
- q5a/b08r Newspapers-magazines
- q5a/b09r Internet
- q5a/b10r Radio
- q5a/b11r Phone book
- q5a/b12r TV news
- q5a/b17r County or town offices-hall-local government
- q5a/b18r Elected officials-legislators
- q5a/b19r Police department-station
- q5a/b20r Telephone information line
- q5a/b14r Other
- q5a/b15r Unsure
- q5a/b16r Refused

BASE: NEEDED INFORMATION Q5B = 1 THRU 16,97

Q6) How useful was the information you received—was it very useful, useful, not very useful or not at all useful?

- 1. Very useful
- 2. Useful
- 3. Not very useful
- 4. Not at all useful

- 8 DO NOT READ: DON'T KNOW
- 9 DO NOT READ: REFUSED

BASE: ALL RESPONDENTS

Q7) In addition to looking for information yourself, there are several other ways people might hear or read about the courts. How often do you get information about the courts from [READ FIRST ITEM]—often, sometimes, seldom or never?

[RANDOMIZE LIST]

1	2	3	4	8	9
Often	Sometimes	Seldom	Never	Don't know	Refused

- A) the radio
- B) newspapers or magazines
- C) television news programs
- D) the internet
- E) televised trials or court proceedings
- F) television dramas, sitcoms, movies or reality tv shows

BASE: ALL RESPONDENTS

Q8) And in general, how often do you get information about New York State courts from the courts themselves: often, sometimes, seldom or never?

- 1 Often
- 2 Sometimes
- 3 Seldom
- 4 Never

- 8 DO NOT READ: DON'T KNOW
- 9 DO NOT READ: REFUSED

IV. LOCAL COURTS

BASE: ALL RESPONDENTS

Q9) In general, how often do you think people receive fair results when they deal with the courts in your community? Would you say nearly every time, more than half the time, less than half the time, once in a while or never?

- 1. Nearly every time
- 2. More than half the time
- 3. Less than half the time
- 4. Once in a while
- 5. Never

- 8 DO NOT READ: DON'T KNOW
- 9 DO NOT READ: REFUSED

BASE: ALL RESPONDENTS

Q10) Some people say that the courts treat everyone equally, while others say that the courts favor certain people over others. Thinking about the courts in your community, do you think the following groups receive better, the same, or worse treatment than others?

1	2	3	8	9
Better	The Same	Worse	Don't know	Refused

[RANDOMIZE LIST]

- 1 People like you
- 2 Men
- 3 Women
- 4 Wealthy people
- 5 Middle class people
- 6 Working class people
- 7 People who don't speak English
- 8 African-Americans
- 9 Hispanics and Latinos

[RANDOMIZE ORDER OF Q11 AND Q12]

I would like to ask you about how you feel about some issues related to the courts in your community. Please tell me to what extent you agree or disagree with each of the following statements. Let's begin with....

WHEN STARTING SECOND SET READ: Still thinking about just the courts in your community, please tell me whether you agree or disagree with these statements.

BASE: ALL RESPONDENTS

Q11) [READ FIRST STATEMENT]—do you strongly agree, agree, disagree, or strongly disagree?

[RANDOMIZE LIST]

1	2	3	4	8	9
Strongly Agree	Agree	Disagree	Strongly Disagree	Don't know	Refused

- A) The courts protect defendants' constitutional rights
- B) Judges are generally honest and fair in deciding cases.
- C) The courts assist people who act as their own attorney in court.
- D) Court rulings and decisions are understood by the people involved in cases.
- E) Courts generally do a good job of concluding cases in a timely manner.
- F) The courts treat people with dignity and respect.
- G) Judges' decisions are influenced by political considerations.
- H) People who appear in courts generally have the chance to tell their side of the story.

BASE: ALL RESPONDENTS

Q12) [READ FIRST STATEMENT]—do you strongly agree, agree, disagree, or strongly disagree?

[RANDOMIZE LIST]

1	2	3	4	8	9
Strongly Agree	Agree	Disagree	Strongly Disagree	Don't know	Refused

- A) The courts are out of touch with what's going on in their communities.
- B) The courts are actively involved in addressing problems that arise in the community.
- C) The courts educate the public about what courts do.
- D) The courts seek out input and feedback from the community.
- E) Courts should attempt to rehabilitate adult substance abusers who have committed non-violent crimes.
- F) Courts should offer supportive services to mentally ill adults.
- G) The media's portrayal of courts is mostly accurate.

BASE: ALL RESPONDENTS

Q13) Now, still thinking about the courts in your community, what is your opinion of the overall job they are doing? Would you say it is excellent, good, fair, or poor?

- 1 Excellent
- 2 Good
- 3 Fair
- 4 Poor

- 8 DO NOT READ: DON'T KNOW
- 9 DO NOT READ: REFUSED

II. PERSONAL EXPERIENCE WITH COURTS

BASE: ALL RESPONDENTS

Q14) I would now like to ask you about your experiences with the courts, anywhere in New York State. Have you ever had any personal involvement in a New York State courthouse, such as being called for jury duty, being a witness in court, a plaintiff, a defendant, an observer, or something else?

- 1. Yes
- 2. No

- 8 DO NOT READ: DON'T KNOW
- 9 DO NOT READ: REFUSED

BASE: PERSONAL EXPERIENCE IN COURTS Q14=1

Q15) Now, please think about your experience in a New York State court, or if there was more than one, think about the one that made the strongest impression on you. Did it involve: [READ LIST, SELECT ONLY ONE]

1. a parking or traffic ticket
2. a civil case, like an accident, injury or financial dispute
3. a small claims case
4. a family matter, such as divorce or a child custody case
5. a juvenile delinquency case
6. a mental health case
7. a criminal matter where an adult was charged
8. Vol.: called for jury duty but not selected
9. Vol.: DWI-DUI
- 97 or was it something else? (SPECIFY) _____

98 DO NOT READ: DON'T KNOW

99 DO NOT READ: REFUSED

BASE: PERSONAL EXPERIENCE IN COURTS Q14=1

Q16_3) In that case, were you ...? [READ LIST, SELECT ONLY ONE]

- 1 called for jury duty but not selected
- 2 selected to sit on the jury (or as the alternate)
- 3 the plaintiff, or the person filing the lawsuit
- 4 the defendant, or the person who was sued or accused
- 5 a witness in the case
- 6 the victim in the case
- 7 Vol.: Observer
- 8 Vol.: Attorney-lawyer-Judge

97 OTHER SPECIFY): _____

98 DO NOT READ: DON'T KNOW

99 DO NOT READ: REFUSED

BASE: PERSONAL EXPERIENCE IN COURTS Q14=1

Q17) Did the case reach an outcome? [DO NOT READ]

1. Yes
2. No
3. Not Yet (still pending or on appeal)

8 DO NOT READ: DON'T KNOW

9 DO NOT READ: REFUSED

**BASE: PERSONAL EXPERIENCE IN COURTS AND CASE HAD OUTCOME
(LITIGANTS) Q16=3,4,6 and Q17=1**

Q18) Was the result of this case favorable or unfavorable for your side of the matter?

- 1 Favorable
- 2 Neither favorable nor unfavorable
- 3 Unfavorable

- 8 DO NOT READ: DON'T KNOW
- 9 DO NOT READ: REFUSED

BASE: PERSONAL EXPERIENCE IN COURTS Q14=1

Q19) Did this experience make you much more confident, somewhat more confident, somewhat less confident, much less confident or did it have no effect on your confidence in the courts?

- 1 Much more confident
- 2 Somewhat more confident
- 3 Had no effect
- 4 Somewhat less confident
- 5 Much less confident

- 8 DO NOT READ: DON'T KNOW
- 9 DO NOT READ: REFUSED

V. DEMOGRAPHICS

BASE: ALL RESPONDENTS

Ideo2) How would you describe your political philosophy—conservative, moderate or liberal?

- 1 Conservative
- 2 Moderate
- 3 Liberal

- 7 DO NOT READ: SOMETHING ELSE
- 8 DO NOT READ: DON'T KNOW
- 9 DO NOT READ: REFUSED

BASE: ALL RESPONDENTS

marital) Are you currently:

- 1 Married
- 2 Married, but separated
- 3 Separated
- 4 Widowed
- 5 Divorced
- 6 or single, that is never married?
- 7 DO NOT READ: LIVING WITH SOMEONE
- 8 DO NOT READ: UNSURE
- 9 DO NOT READ: REFUSED

married) not asked. recode based on marital.

- 1 Married
- 2 Not married

BASE: ALL RESPONDENTS

XX) In what year were you born? [ENTER YEAR]

____ (YYYY)

- 9998 DO NOT READ: DON'T KNOW
- 9999 DO NOT READ: REFUSED

agec) not asked. Recode based on year born.

Age35p. not asked. recode based on agec.

- 1. Under 35
- 2. Over 35

Age45. not asked. recode based on agec.

- 1. Under 45
- 2. Over 45

BASE: ALL RESPONDENTS

educ) What is the last year of school you completed?

- 01 LESS THAN HIGH SCHOOL
- 02 HIGH SCHOOL OR EQUIVALENCY DEGREE
- 03 SOME COLLEGE (NO DEGREE)
- 04 ASSOCIATE DEGREE (2 YEARS OF COLLEGE)
- 05 BACHELOR'S DEGREE (BA-BS-4 YEARS OF COLLEGE)
- 06 GRADUATE OR PROFESSIONAL DEGREE (MA-MS-JD-PhD)
- 07 FOREIGN DEGREE
- 96 TECHNICAL-TRADE-NO COLLEGE
- 97 OTHER
- 98 UNSURE
- 99 REFUSED

collesep.not asked recode based on educ.

- 1. Not college graduate
- 2. College graduate

BASE: ALL RESPONDENTS

inc15_2) Is your combined family income before taxes: Please stop me when I get to your category.

INTERVIEWER: IF UNSURE OF INCOME, PROBE FOR AN ESTIMATE.

- 1 \$15,000 or less
- 2 \$15,001 to \$25,000
- 3 \$25,001 to \$35,000
- 4 \$35,001 to \$50,000
- 5 \$50,001 to \$75,000
- 6 \$75,001 to \$100,000
- 7 Over \$100,000
- 8 DO NOT READ: DON'T KNOW
- 9 DO NOT READ: REFUSED

increc50. not asked recode based on inc15_2.

- 1. Less than \$50,000
- 2. \$50,000 or more

increc4. not asked recode based on inc15_2.

- 1. Less than \$25,000
- 2. \$25,000 to \$50,000
- 3. \$50,000 to \$75,000
- 4. \$75,000 or more

BASE: ALL RESPONDENTS

XX) Race. "Are you white, black or African-American, latino or Hispanic, or asian?"

XX) Hispanic. (if not at Race). "Are you Hispanic or Latino background, such as Mexican, Dominican, Puerto Rican, Cuban, or some other Spanish background?"

racerecf. not asked. recode based on race and Hispanic.

- 1 White
- 2 African-American
- 3 Latino
- 4 Asian
- 7 Other
- 9 Refused

BASE: ALL RESPONDENTS

sex) INTERVIEWER: CODE GENDER FROM OBSERVATION (DO NOT ASK)

- 1 Male
- 2 Female

region1) not asked. recode based on phone number.

- 1 Upstate
- 2 New York City
- 3 Suburbs

TOTALSMP. ALL IN DATASET PUNCH = 1.

NYS Residents1