BATSON Justifications: Articulating Juror Negatives

1. **Inappropriate Dress** - attire may show lack of respect for the system, immaturity or rebelliousness

2. **Physical Appearance** - tattoos, hair style, disheveled appearance may mean resistance to authority.

3. **Age** - Young people may lack the experience to avoid being misled or confused by the defense.

4. **Attitude** - air of defiance, lack of eye contact with Prosecutor, eye contact with defendant or defense attorney.

5. **Body Language** - arms folded, leaning away from questioner, obvious boredom may show anti-prosecution tendencies.


7. **Juror Responses** which are inappropriate, non-responsive, evasive or monosyllabic may indicate defense inclination.

8. **Communication Difficulties**, whether because English is a second language, or because juror appeared to have difficulty understanding questions and the process.

9. **Unrevealed Criminal History** re: voir dire on “previous criminal justice system experience.”

10. Any other sign of defiance, sympathy with the defendant, or antagonism to the State.