Judicial System Sentiment

April 2023 • The Harris Poll Thought Leadership Practice
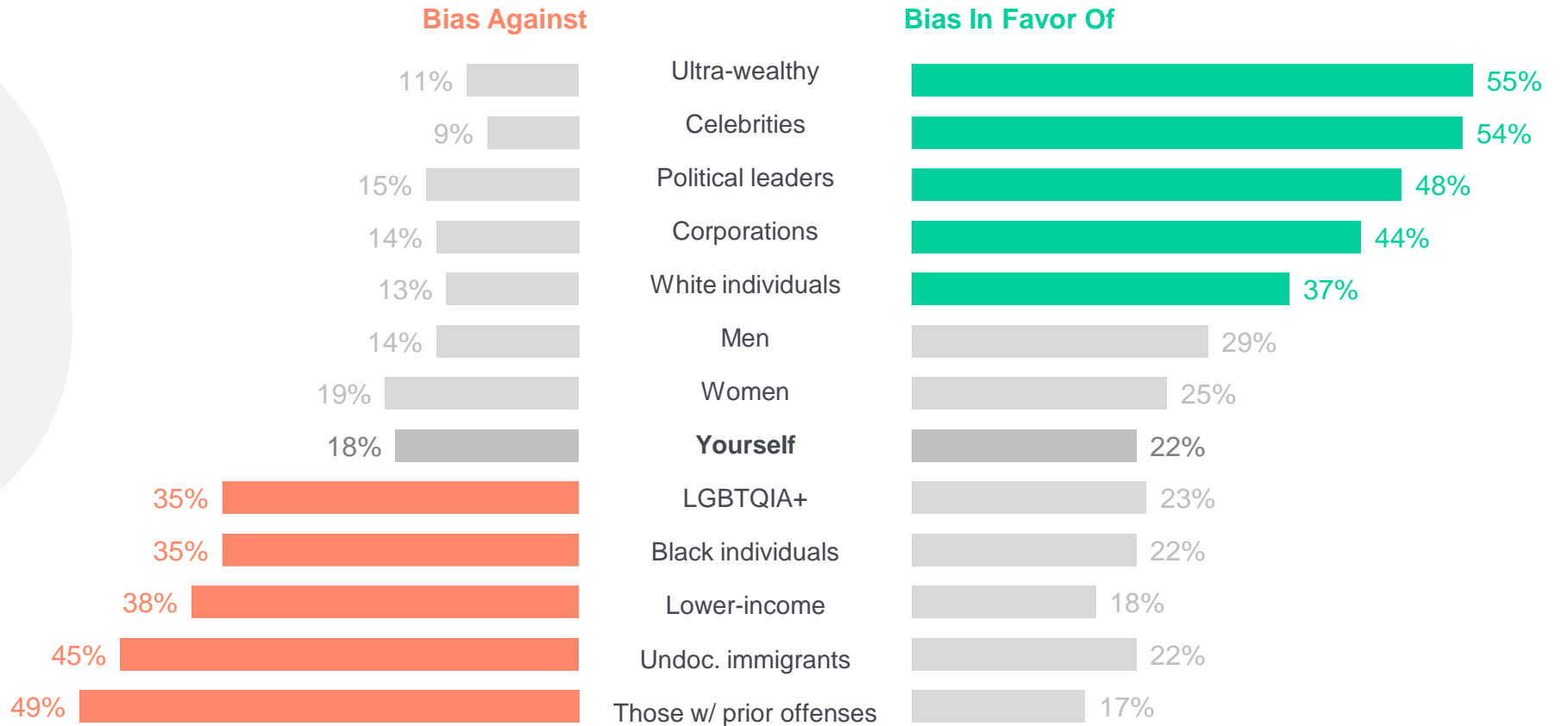
Methodology

This survey was conducted online within the U.S. by The Harris Poll from March 31st to April 2nd, 2023, among a nationally representative sample of 2,002 U.S. adults.

Nearly 8 in 10 agree, courts don't provide equal justice to all – and are most biased against those with prior offenses and undocumented immigrants

Do you think court proceedings involving _____ would be biased in any way?

79% agree,

"**Judicial courts don't provide 'equal justice to all'** even though they seek to be impartial in practice"

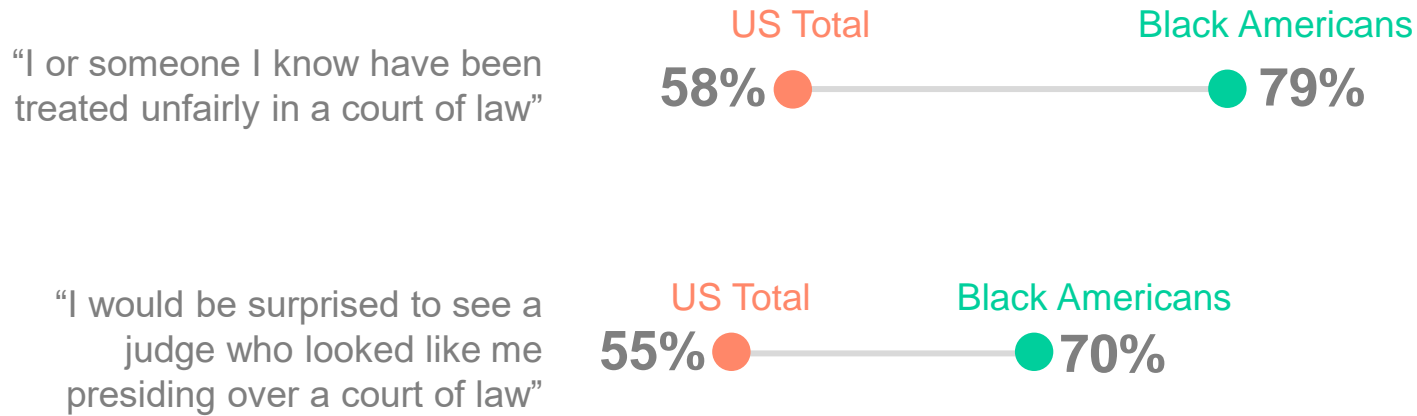|	**Bias Against**		**Bias In Favor Of**
Ultra-wealthy	11%		55%
Celebrities	9%		54%
Political leaders	15%		48%
Corporations	14%		44%
White individuals	13%		37%
Men	14%		29%
Women	19%		25%
Yourself	18%		22%
LGBTQIA+	35%		23%
Black individuals	35%		22%
Lower-income	38%		18%
Undoc. immigrants	45%		22%
Those w/ prior offenses	49%		17%

Q: Thinking about how the following would be treated in a judicial court hearing (e.g., state, Supreme Court, etc.), do you think the proceedings would be biased in any way? (Total n=2,002)
Q: How much do you agree or disagree with the following statements? (Somewhat/strongly agree, Total n=2,002)

3

6 in 10 Americans say they or someone they know has been treated unfairly in a court of law, increasing to 8 in 10 Black Americans

Black Americans are more likely to note both unfair treatment in court and surprise at seeing someone like themselves on the judicial bench, pointing to inadequate representation (% agree)

"I or someone I know have been treated unfairly in a court of law"

US Total — **58%** ● ———————— ● **79%** — Black Americans

"I would be surprised to see a judge who looked like me presiding over a court of law"

US Total — **55%** ● ———————— ● **70%** — Black Americans

Majorities of all political affiliations agree a more diverse bench would increase justice

71% agree,

86% Democrat
65% Independent
58% Republican

"*We would have a more just society* if the diversity of judges matched the **diversity** of communities they ruled in"

Q: How much do you agree or disagree with the following statements? (Somewhat/strongly agree, Total n=2,002)

8 in 10 Americans think the judicial system doesn't consider the human impact of its decisions, and 75% say our courts are taking away freedom

Across political parties, strong majorities feel our courts fail to understand their effects on people's lives and need fundamental change in order to deliver justice (% agree)

79%

Courts frequently overlook the human impact of their decisions and the ripple effects they can have on people's lives

85% Democrat
72% Republican

79%

Our judicial system needs to **fundamentally change** in order to provide unbiased justice to all

88% Democrat
72% Republican

73%

Our judicial courts **are moving backward** instead of progressing.

77% Democrat
75% Republican

75%

Rather than increasing freedom for all Americans, it feels like judicial courts are **taking it away**

81% Democrat
70% Republican

Q: How much do you agree or disagree with the following statements? (Somewhat/strongly agree, Total n=2,002)
Icons by icons8.com

Majorities say cost, overburdened courts, political influence, and inconsistency are major problems that prevent equal justice under the law

People feel the courts must fix logistical and ethical issues to uphold "equal justice under the law"

	Major+Minor Issue NET	Major Issue	
High cost of legal fees	87%	**61%**	
Overburdened courts	88%	**57%**	
Political influence of appointed judges	88%	**54%**	
Inconsistent application of the law	86%	**51%**	
Political influence of the attorney/prosecutor's office	88%	**50%**	
Racial and ethnic bias in sentencing	82%	**48%**	59% Democrat 36% Republican
Socioeconomic bias in sentencing	83%	43%	51% Democrat 32% Republican
Mandatory minimum sentencing	80%	40%	
Lack of diversity in the legal profession overall	77%	38%	49% Democrat 25% Republican
Insufficient and/or outdated technology	82%	33%	

When it comes to perceived problems, **high agreement** remains between political parties. Though gaps emerge on the **severity of bias and diversity issues**.

Q: How much do you agree or disagree with the following statements? (Somewhat/strongly agree, Total n=2,002) | Q: Thinking about how the following would be treated in a judicial court hearing (e.g., state, Supreme Court, etc.), do you think the proceedings would be biased in any way? (Total n=2,002) | Q: How much of a problem are the following issues in preventing the judicial system from upholding "equal justice under the law" to everyone? (Total n=2,002)

Nearly half of Americans would prefer an AI judge over a human one, and most are hopeful it can solve issues with bias and delays

43% agree,

"I would prefer an AI judge rather than a human one in a potential court hearing"

62% Millennials
61% Black Americans
53% BIPOC
51% Familiar with generative AI

Solve delays

62% agree,

"Utilizing AI judges would help prevent long hearing waits for individuals"

51% agree,

"I would rather use an AI judge if it meant I wouldn't have to wait as long for a hearing"

Mitigate bias

60% agree,

"I am hopeful that AI can be used to counter the human error and bias in our courts"

59% agree,

"AI judges would be more equitable in sentencing"

45% agree,

"I would trust an AI judge to sentence me more fairly than a human judge"

Q: How much do you agree or disagree with the following statements? (Somewhat/strongly agree, Total n=2,002)

To learn more about this research, please reach out to…

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