

Jury Decision-Making: Normative and Informational Influences

By

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CERTIFICATE OF APPROVAL

Honors Thesis

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Abstract

Juries are distinct groups in which scholars have been investigating for decades past. Members of these groups- called jurors- are key players in the court process and are susceptible to psychological concepts such as social conformity. With previous studies showing that jurors can be affected by both normative and informational influences, this calls into question the idea of being influenced through reading hypothetical scenarios instead of being present in the actual situation. This study is designed to examine the effect of one's own decision-making about court cases during jury deliberations through knowing peer decisions. In this experiment, comprised of two test groups, subjects in college classes are given hypothetical court cases and are then asked to rate the guilt of the defendant on a scale of one to ten. One group is given the court cases with no knowledge of peer decisions, and the other group is given the same cases but with the added information that all the hypothetical peers have unanimously chosen the defendant to be guilty. Results indicated no significant difference between the two groups. These findings point towards the minimal effect social pressure has in situations where subjects cognitively know to be hypothetical.

Jury Decision-Making: Normative and Informational Influences

Judges and attorneys are often seen as the significant parties in criminal court cases. There is no doubt about their importance; however, there is another group of people which may arguably be even more essential: the jury. These six people (twelve for murder trials) listen attentively to the case and attempt to reach a unanimous decision on the guilt of the defendant and thus determine the outcome of the case. Through understanding this, one can see the power that lies in the jury. As a result, the jury process should be established with utmost care and responsibility due to its ability to rule in favor of either party. The United States Bill of Rights outlines the rights for every American; this includes various rights within the realm of legal prosecutions:

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence (U.S. Const. amend. VI).

Impartiality is an essential feature in the trial process. It helps ensure the fairness of a trial and attempts to protect against skewed decisions on the outcome of a case. There are many aspects to court cases that help ensure impartiality such as jury selection, admissibility of evidence, rules and objections, and in some cases, jury sequestration (“How Courts Work”). One of the key features of impartiality takes place within the jury. These people, selected by the attorneys, have the job of hearing the court case while considering the evidence and cases presented. They then confer among themselves to reach a unanimous decision on the outcome of

the case. However, is it possible for a jury to be completely unbiased? Obviously, it is virtually impossible to have a completely unbiased jury. However, there may be an underlying phenomenon that contributes to partiality in juries. Since juries are groups of people in controlled settings, they can be related to larger psychological concepts.

Recent jury studies provide a wide array of concepts calling for research and investigation. First, scholars have conducted experiments that investigate extra influences that can affect verdicts; these factors are characteristics of the defendant that can include race, gender, age, and many others (Maeder & Burdett, 2013; McKimmie, Masters, Masser, Schuller, & Terry, 2013). For example, a meta-analysis study conducted by Devine & Caughlin (2014) found strong relationships between jury decisions and numerous factors, including defendant socioeconomic status, defendant criminal record, juror authoritarianism, and juror trust within the legal realm. Other areas of focus are the effects of current court procedures and rules. Examples of these include investigations of the effects of the unanimity rule versus supermajority rule in court cases (Bah, 2013). Another pertains to evidence procedure: “Previous studies have shown that individuals were more likely to endorse the guilty verdict when the prosecution evidence was presented in a temporal order (story condition) than when the same evidence was presented in a nontemporal order (witness condition)” (Takada & Murata, 2014, p. 110). Notice the commonality between these areas of research: they all investigate an influence beyond the scope of court procedures. Another research area is social conformity, which also shares this characteristic and is often interconnected with the other areas of investigation.

Social conformity- the idea that people can be coerced to do and think a certain way by others, whether consciously or subconsciously- has been deemed to be present in social situations. One of the first studies that formally pioneered this concept dates back to the 1950s in

the Asch Line Experiment. Solomon Asch conducted a study where a test subject, along with confederates, would be asked a series of questions with obvious right and wrong answers. He then would measure the responses of the test subjects even if the confederates unanimously answered incorrectly. Asch found that a substantial number of subjects would align their decisions with the confederates' incorrect ones, showing that people can be influenced socially to choose wrong answers if they are influenced enough (Asch 1955). If people are able to be influenced in situations where right and wrong answers are blatant, then one could argue that they certainly could be influenced in situations where the correct answer (verdict) is blurred.

Groupthink is similar to social conformity, but is more specific in that it addresses conformity in the group setting. Many agree that Irving Janis was the first to make a substantial contribution to the groupthink mentality with his first significant study being published in 1972, which explained why people tend to agree in groups and gives guidelines and conditions that make this idea more conducive to group environments. Groupthink asserts that people tend to agree with others in a group setting if certain conditions are present (Janis 1983); people may do this for numerous reasons on a conscious or subconscious level. Janis' study, however, addressed groupthink mainly within the specific realm of policy-making. In a study examining the work of Janis, Paul 't Hart explains, "According to Janis, groupthink stands for an excessive form of concurrence-seeking among members of high prestige, tightly knit policy-making groups. It is excessive to the extent that the group member have come to value the group higher than anything else" (1991, p. 247). Although Janis' work addresses policy-making, it did set the stage for studies of other groups such as juries. Mitchell and Eckstein (2009), found that there are numerous antecedent conditions in juries that parallel to groups in which groupthink can exist, such as group cohesiveness, group insulation, and a high stress from external threats to name a

few. As a result, many characteristics of the groupthink mentality can be attributed to jury deliberations.

Through understanding that juries carry a number of similar characteristics of policy-making groups, it would be reasonable to apply parts of Janis' original work to juries. Mitchell and Eckstein (2009) applied Janis' symptoms of groupthink as the precursors to faulty decision-making in juries. Symptoms include: overestimation of the group, illusion of invulnerability, belief in inherent morality, closed-mindedness, collective rationalization, stereotypes of out-groups, pressures toward uniformity, self-censorship, illusion of unanimity, and direct pressure on dissenters. Groupthink mentality may lead to faulty decision-making, clearly showing the importance of addressing this topic within the realms of juries. Jurors decide on cases that determine the outcome, or possibly fate, of the case; it follows that there should be efforts to prevent it in order to achieve the fairest trial possible. If groupthink occurs, the following risks are present in the courtroom as faulty-decision making consequences: failure to completely survey alternatives, failure to completely survey risks, failure to examine risks of preferred choice, failure to reappraise initially rejected alternatives, poor information search, selective bias in processing information at hand, and failure to work out contingency plans (Mitchell & Eckstein, 2009).

In addition to understanding classical psychological concepts in the context of juries, it is also important to examine jury deliberations within the legal realm. The main issue to address in this study is whether peer influence, solely through knowing the decisions of others, is enough to affect the subject's ratings of guilt. Knowing others' decisions commonly takes place in jury deliberations; it is important to understand the ideas surrounding these events.

Jurors have interesting characteristics in terms of susceptibility to influence. First, it is important to distinguish the difference between informational and normative influences: informational influences are factors that affect a juror's decision in an informed, compelling way (e.g. evidence, reasoning, etc.). Normative influences, on the other hand, are factors that pertain to social norms, such as social pressures and groupthink mentality. Contrasting with informational influences, normative influences are undesired in the effort to maintain impartiality within the justice system. Jurors have a tendency to compromise in both informational and normative ways (Baddeley & Parkinson, 2012). However, jurors are not susceptible to normative influences to the degree that most would think. There is significant evidence that jurors use great discretion and careful processing strategies when evaluating the case: "...a strong majority of jurors interviewed after deliberating said that they thoroughly reviewed the evidence and jury instructions in the process of reaching their verdict" (Bornstein & Greene 2011, p. 65). This shows that most jurors are not making case decision in a passive and reckless manner. Logically, the more a juror carefully examines a case individually, the less he or she would be influenced normatively.

Despite individual juror decisions, jurors must still do their best to confer among one-another in an attempt to reach a unanimous decision in avoidance of having a hung jury. Examining individual predeliberation verdicts is a favorable method in understanding the impact of deliberation on jurors' decisions. Through simulation studies, it was found that the initial distribution of views on the jury is far more significant than the impact of deliberations. Surprisingly, in approximately 90% of trials, the verdict favored by the majority at the beginning of deliberations became the final jury verdict (Salerno & Diamond, 2010). Through understanding this, the question to be raised is how the minority positions change their stances

on the verdict to conform to the majority. Fortunately, Salerno and Diamond found that jurors will be significantly more apt to agree to the majority position when they become convinced, through careful deliberation, of the reasoning of the majority. This shows that jurors tend to conform to the majority position through informational influences significantly over normative. For additional information regarding jury-decision making, refer to the comprehensive list of past studies compiled by Devine, Clayton, Dunford, Seying, & Pryce (2001).

Approaches to research are often unique within the legal realm. Upon the conclusion of a trial, the jury is given instructions and is then sent to deliberate the case. In this process, the jurors are to review and consider all admitted aspects of the court case and then come to a unanimous verdict. Secrecy is an essential aspect to this process. Secrecy protects jurors from harassment from outside parties; it also serves to promote the freedom to deliberate without fear of a juror's words reaching an unintended audience outside of the other jurors. "Freedom to deliberate in secret is thought to promote good group dynamics within a jury, whereby jury members exchange ideas and concerns to reach a verdict that reflects community mores" (Markovitz 2001, p. 1507). Although secrecy is an essential feature of jury deliberation, it often presents obstacles within the realm of direct research. Researchers are not permitted to sit in on jury deliberations, thus forcing them to use other methods of research. This particular study employs an instrumentation survey to examine the responses of two test groups.

This experiment is intended to measure the tendencies of jurors to conform to the majority position when they are completely removed from a physical environment and are given hypothetical cases instead. The control group is given no information regarding the preferences of the other jurors; whereas the experimental subjects do. The control group simply gives an opinion on the guilt of the defendant; this can be seen as the individual preference without any

influence of others. The experimental group does the same task, yet with the knowledge of peer decisions; this serves as the effect of deliberation. The main issue addressed in this study is to examine the difference between a control and experimental group in terms of concurrence with other jurors. It is hypothesized that the experimental group subjects will give higher rates of guilt than the control group. This is due to the additional information of knowing that all of the other jurors have chosen the defendant to be guilty; this serves as a normative influence. The prosecutors' statements, which are informational influences, are constant between the two groups. With no opportunity to deliberate in a physical setting, there are no external informational influences affecting either group. As a result, there is an absence of informational influences beyond the scope of the statements. Overall, both groups are identical in terms of informational influences; the experimental group varies only through the presence of a perceived normative influence.

Nearly all jury studies have experimental designs with two exclusive verdicts as options: guilty or not guilty. This study was designed to be unique in that it gives the subject the option to rate the guilt of the defendant on an ordinal scale. This helps shed light on the gray area in studies using only two exclusive options. For example, a juror may decide that a defendant is innocent. In an identical situation, the juror learns that the peer jurors have decided that the defendant is guilty. This may influence the juror towards thinking the defendant is more guilty, but not enough to change his or her decision. As a result, the juror would be influenced, but not enough to change his or her choice, thus rendering the situation unable to be measured. This exact situation, on the other hand, would be more measurable if put on an ordinal scale.

Method

Participants

Data was collected in three different summer courses at a small southeastern university, making up a total of 37 participants. No compensation was given for participation. No individual coercion was employed to encourage participation in any way. No subjects refused to participate in the study.

Materials

Each participant was given a stapled four-page packet. The first page of the packet was a basic cover page with the researcher's name, title of study, instructions, and designation that the study is part of an Honors Thesis. The following three pages comprised of a hypothetical court case on each page. The three court cases each presented a prosecutor's statement, explaining the nature of what had happened. After reading a case, the participant then rated on a scale of one to ten on how guilty he or she thinks the defendant was; this was done for all three cases. Each completed packet was scored through adding the three ratings; the range of all possible scores was 3 to 30 (e.g. A score of 30 would mean that the participant assessed all cases with a guilt rating of 10). The hypothetical court cases used were retrieved from a previous study titled "Narrative Structure, Information, Certainty, Emotional Content, and Gender as Factors in a Pseudo Jury Decision-Making Task" by James F. Voss and Julie A. Van Dyke, 2001. Refer to appendix A for court cases.

Procedure

Data was collected through conducting in-class surveys with all data collected from three different class procedures. A uniform data collection procedure was used for each class: Before the class session, the researcher prepared the materials by integrating the control and experimental packets one-by-one; this was to ensure that an even amount of materials from each group was used for the experiment. The packets were then put in a folder and brought to the classroom. In the class, the students were first given verbal introductions from the data collector. They were told the basics of the study and what it pertained to, and then they were given instructions and details as to what they were to do for the experiment. The packets were then handed out to the students. Nearly any method of handing out the packets was appropriate for the exercise because the cover page of each packet concealed the control and experimental groups. The cover page ensured that the students did not see the difference between the control and experimental packets. After all the packets were handed out, each student individually read the various scenarios and rated the levels of guilt. Everyone was given as much time needed to complete the exercise, and most students were finished in around ten minutes. When they were finished, the packets were then handed back to the researcher, which concluded the process.

Results

Descriptive Statistics

The data received indicated a minimum score of 5 and a maximum score of 29. The mean of all data was 21.08 with a standard deviation of 5.246. The skewness was -.905 and the kurtosis was .940. See Figure 1 for the distribution of scores for the total sample. See Table 1 for the descriptive statistics of the control and experimental groups.

Inferential Statistics

A t-test was conducted to compare the groups on the average ratings of the scenarios. There was no significant difference between the two groups, $t(35) = .59$, $p = .56$, Cohen's $d = .19$ (See Figure 2). The control group was not statistically different from the experimental group (see Table 1).

Discussion

It was hypothesized that the experimental group would give higher ratings of guilt. This was predicted due to the addition of a phrase in the experimental group. This hypothesis, however, was not supported and the final results were not significant. Although these results were not expected, they are not surprising. It was previously known that normative influences have less of an impact on jurors than informational (Salerno & Diamond, 2010). Salerno and Diamond go as far to say that jurors will only alter their decisions if they are influenced by careful deliberation and proper reasoning from the others. This helps indicate that informational influences have drastically more of an impact than normative, and thus helps affirm the findings of Salerno & Diamond within hypotheticals. In this experiment, the addition of the phrase, indicating that all the other jurors decided that the defendant was guilty, served as a normative influence, having virtually no impact on the experimental group.

Additionally, these results point in the direction of Bornstein & Greene's (2011) statements that jurors tend to use careful processing strategies and carefully weigh evidence. Although this experiment was not designed to measure the impact of evidence on jurors' decisions, it still gives insight on it compared to normative influences. Both groups had identical prosecutors' statements with evidence presented (an informational influence), whereas only the

experimental group contained the phrase informing the reader of the other jurors' decisions (a normative influence). The insignificant results help show that evidence most likely plays a heavier role in jury decision-making than a single normative influence. These findings may help affirm Bornstein & Greene, who state, "In fact, the substantive evidence presented in a trial is the most powerful determinant of jurors' verdicts" (2011, p.64). This study does not provide data indicating that evidence is the most powerful factor in juror verdicts, but it does point toward its precedence over normative factors.

These findings show the characteristics of social conformity and groupthink in that it removes the subject from an actual social situation- the possible cause of conformity. Recall Solomon Asch's (1955) experiment, in which subjects would conform to the majority simply out of avoidance of conflict. Since this study was conducted in a confidential setting removed from social situations, the potential to conform out of fear is removed. This helps show that people are more greatly influenced by normative conditions when they are actually in real-life situations (or believed to be realistic). Conversely, subjects deciding in hypothetical scenarios are less influenced by these conditions. The variances in a person's demeanor in real versus hypothetical situations is further acknowledged by Straughan, who states, "...hypothetical dilemmas necessarily lack that first-hand immediacy which is an essential ingredient of genuine moral experience" (2012, p. 150).

Regarding groupthink, a number of implications arise with the negative results of this study. First, it helps confirm the idea that hypothetical situations are not enough to produce a groupthink setting. It can be argued that the main reason for the absence of groupthink in hypothetical scenarios is due to the lack of the antecedent condition of group cohesiveness, which Janis' asserts as one of the most important antecedent conditions for groupthink to occur:

“Only when a group of policy-makers [or in this sense, jurors] is moderately or highly cohesive can we expect the groupthink syndrome to emerge as the members are working collectively on one or another of their important policy decisions” (1983, p. 176). Lacking group cohesiveness, with a potential deficiency of other antecedent conditions, shows that the study’s certain conditions were not prominent enough to produce the groupthink phenomenon. Increasing the number of perceived antecedent conditions may correlate with the probability for groupthink to occur. In the context of groupthink, the perception of hypothetical compared to realistic situations also arises; this corresponds with the hypothetical versus realistic situational concepts previously mentioned. The antecedent conditions may not be enough if they are simply imagined in a hypothetical scenario; the conditions may have to be present and perceived as reality. For example, a person taking the survey could imagine the stress of being a juror; but the stress would not take effect in the same way in an actual stressful jury situation. These results help point towards the idea that groupthink is not likely to be present in social situations that are only perceived and cognitively known as hypothetical situations by the subject, especially among college students. Overall, the fact that the participant is making decisions in hypothetical situations affects the prominence of social conformity and groupthink.

Limitations of the Study

A few aspects pertaining to limitations concern guiltiness. In the one to ten scale where the participant rates the level of guilt, it defines the range of numbers with the following terms: very guilty, moderately guilty, and not very guilty. An issue arises with the “not very guilty” wording that corresponds to the low numbers. Using these words arguably implies guilt for the hypothetical defendant and leaves out the possibility that the defendant is not guilty at all. By seeing the ranges with the lowest being “not very guilty”, the participant may think, whether

consciously or subconsciously, that the defendant is already guilty. Additionally, there is a risk of ambiguity regarding what the defendant is guilty of. In the survey materials, the prosecutors' statements may have caused confusion because they fail to state what the defendant is guilty of in the second and third case. The first prosecutor's statement clearly states that the defendant should be found guilty of first-degree murder. However, the second and third statements only imply that the guilt pertains to murder, but fails to state what degree of murder (e.g. first-degree, second-degree, manslaughter).

There are other issues regarding ambiguity and a lack of information. In the study, it was assumed that the subject knew that there were twelve jurors in the hypothetical situations. The subjects, however, may have thought that there were only six (or any other number that is not twelve). It is known that the majority size can affect the outcome of conformity (Asch 1955). Because of this, the effect of the perceived normative influence may have skewed the final results due to the varying perception of the number of jurors. Additionally, there is a risk that the subjects were ignorant of the unanimity rule in convicting; instead, some may have thought it was a majority rule. Social influence and jury decision-making have been shown to vary between the conditions of majority and unanimity rules (Ohtsubo, Miller, Hayashi, & Masuchi 2004).

Another contribution to limitations could be the lack of a manipulation check. In the process of the experiment, there is a chance that some of the subjects from the experimental group may not have noticed or comprehended the last sentence indicating that all of the other fellow jurors have decided that the defendant is guilty. As a result, the added sentence in the experimental group may not have had the desired effect on the subject. In retrospect, adding a manipulation check would have helped increase the validity. An example of a manipulation check would be to ask the subjects of the experimental group if they noticed the sentence

indicating the other jurors' decision on guilt. On an extra paper after the experiment, they could check the following: yes, no, or maybe. If they check no, then that particular subject's answers would be thrown out.

Of course, the small sample size also serves as a limitation. Although 37 participants may begin to give a decent amount of data to analyze, it would have been ideal to achieve a much higher number of participants; this would help increase the validity of the study.

Future Directions

It is important to note that this study's hypothetical cases all pertained to murder offenses. It is recommended to have this research duplicated with court cases that explore other types of offenses (e.g. larceny, burglary, assault, etc.), and examine any potential differences than the statistically insignificant results of this experiment. If significant results are produced for other types of offenses, it would be encouraged to explore the reasoning surrounding the variances of significance between different offenses.

Through recalling the research methodology, it is seen that the demographic of the test participants were college students at a small southeastern university. It is estimated that the vast majority of these students' ages fell in the range of 18-24 years old. It is previously known that age can affect the degree in which people conform and resist peer pressure, with a significant increase in social pressure resistance taking place between the ages of 14 and 18 in a person's life (Steinberg & Monahan 2007). It would be interesting to duplicate this research with different age groups and investigate any differences in results. This is especially encouraged to be duplicated for children aged younger than 14 years old, where most have not experienced a

significant increase in the ability to resist pressure. Of course, the research scenarios may need to be altered to where children can understand it, as well as make the content appropriate.

As previously discussed, a lack of perceived hypothetical antecedent conditions was a potential significant reason for the negative findings. It is recommended to conduct an identical experiment, with the exception of an added background to the juror environment. This study could include an introductory paragraph describing the environment in which the participant is acting as a juror. The paragraph could explain additional hypothetical antecedent conditions. Although it would all be hypothetical, the participant may process the antecedent conditions in a way to promote groupthink mentality to a greater degree than if the introductory paragraph was absent.

Conclusion

There is no doubt that all people are susceptible to social pressure in one way or another. The important issue to consider is if the pressure is producing an unfavorable outcome. This paper was designed to investigate the effects of social pressure when participants are put in hypothetical court case situations as opposed to realistic and physical cases. The research indicated that subjects are not significantly susceptible to social influence in surveys with an absence of social pressure and numerous antecedent conditions. This helps confirm Janis' original work on groupthink mentality. Due to its nature to produce outcomes that determine the fate of the human being, criminal court case concepts should continue to be under careful investigation by scholars. Hopefully, future research will continue to examine and improve jury decision-making, and thus improve impartiality and uphold the sixth amendment. In light of this, Miller & Bornstein have rightfully stated, "From a legal standpoint, a defendant is entitled to a

verdict that reflects jurors' genuine beliefs, not one made to conform to normative pressures, to end a lengthy deliberation or to meet an implicit deadline imposed by a dynamite charge” (2008, p. 18).

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U. S. Constitution, Amendment VI

APPENDIX A

Study Materials: 1-3

NOTE: The following pages are the hypothetical court cases of the control instrument. The experimental instrument is identical with the exception of the phrase, “All of the other fellow jurors have decided that the defendant is guilty” added after the prosecutor’s statement but before the rating instructions.

Case 1 Prosecutor’s Statement

“John Ryan and Rob Brown drove to DuBois together in Rob’s truck. For years they had driven there on the first Saturday of deer season. They had packed the truck on Friday night so they could get an early start. Rob had looked forward to this hunt for the entire year. This time, however, Rob Brown was shot and killed by John Ryan. According to John, Rob was walking through the woods about 40 yards away when John saw the head and antlers of a deer to his right. He raised his gun, aiming at the deer, and fired. He claims that, being a poor shot, his shot missed the deer, but that he saw something else fall. He said he ran to see what he had hit, and found Rob lying in the grass, dead. John says that he immediately went to a nearby cabin where he contacted the police. He claims that this was all a terrible accident. However, the police investigation concluded that, while there were deer tracks in the area where John and Rob had been walking, the area had only a few trees and a little brush and thicket, and that Rob was quite likely fully visible to John. Furthermore, during the investigation, John’s wife, Rachel, testified that she and Rob had been having an affair for over a year and a half. Mary Jacoby, a friend of Rachel Ryan’s, testified that she, Mary, had thought there was an affair and had told John about her suspicions just prior to the hunting trip. Since John had just discovered that Rob had been having an affair with his wife, he had a motive. Furthermore, since the police have established that John was quite likely able to see Rob when he was shot, the death of Rob Brown was a premeditated murder and not a freak accident. John should be found guilty of first-degree murder.”

Please rate the level of guilt of the defendant using the rating scale below:

1	2	3	4	5	6	7	8	9	10
Not Very				Moderately					Very
Guilty				Guilty					Guilty

Case 2 Prosecutor's Statement

“The victim, Roger Wilson, was hit by a baseball bat and died. This is how the crime took place. Roger Wilson had dropped off his co-worker, Susan Walker, at her home. He then drove down Crawford Road in order to get onto the freeway. As he was driving, he saw a small girl run out from behind a parked car. Before he could stop, his right fender hit her and she fell to the ground. Roger quickly got out of his car and checked to see if the girl was seriously hurt. She was not. Roger turned to call the police, but a group of teenagers began to push him around. Then one of the teenagers took a baseball bat and hit Roger with it. Roger fell over and died. A few minutes later police arrived on the scene and interviewed those present. A person living across the street had witnessed the events, but she could not identify who struck Roger. Then the police discovered a blood-covered bat in the rear seat of a car parked nearby. The car belonged to Matthew Moran, the older brother of the girl that Roger had hit. Later analyses revealed that the blood was that of the victim and that the victim's hair was also on the bat. The bat also had fingerprints on it, but the fingerprints were smudged and could not be identified as those of Matthew Moran. Matthew claims someone else threw the bat into his car through the open window, but the police didn't mention an open window in their report. We have also learned that Matthew often became angry when he felt someone was mistreating his little sister. This served as the motive to hit the victim. The evidence therefore indicates that Matthew Moran used the bat to kill Roger Wilson. He had the motive, the means, and the opportunity.”

Please rate the level of guilt of the defendant using the rating scale below:

1	2	3	4	5	6	7	8	9	10
Not Very				Moderately					Very
Guilty				Guilty					Guilty

Case 3 Prosecutor's Statement

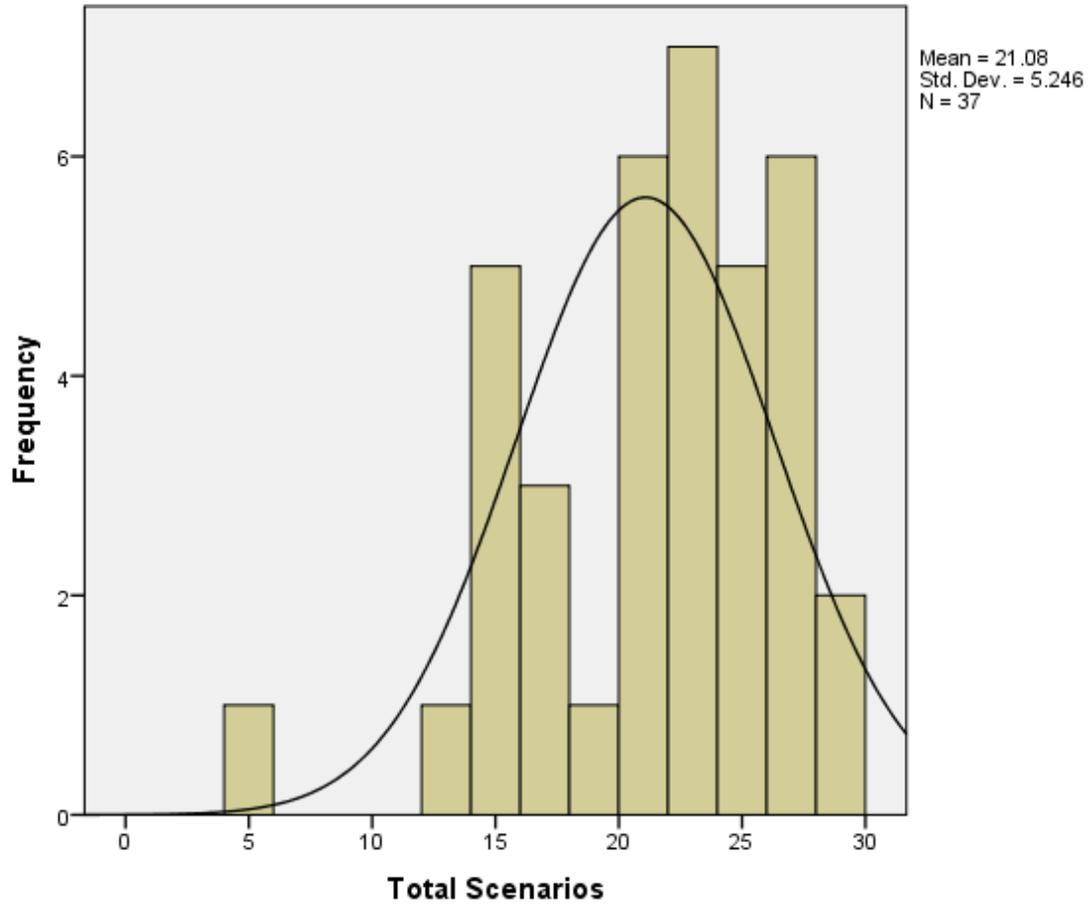
"It all began when Raymond Hammond saw his ex-wife, Myrna Ramsey, walking along the jogging trails near Bridge Street. She had just moved from Castle City. Five years earlier, Raymond had swindled a large amount of money from her when she worked at an insurance company there. Now Raymond was afraid that she would tell his current wife about these shady dealings. When he saw Myrna stop to talk to two people who were walking their dogs, Raymond approached her. Raymond told Myrna that he would kill her if she talked with his current wife Connie. He then left in a rush, crossing through the busy traffic on Forward Street. Three days later Myrna did call Connie and arranged to meet her. Raymond was home when Myrna called and he overheard the conversation from the bedroom. He had heard where Myrna and Connie were to meet, at the Midway Restaurant, and he drove to that destination a half-hour before the appointed time. He waited in a sheltered doorway across the street from the restaurant until he saw Myrna approaching. When he saw her, he grabbed her purse, took out his gun, and shot her. He then quickly got in his car and drove away. Later, two eyewitnesses were sure that his car was the one they saw driving away from the scene. Four hours later, the police picked him up at his home. During the intervening 4 hours, Raymond Hammond attempted to get rid of the murder weapon by driving his car to the river and throwing the gun in the water. Later, the gun was recovered and identified as his. Having been at the river bottom, the gun had no fingerprints on it. Raymond claims that he had lost that gun several months before and didn't know he should report it missing. In light of the evidence presented, Raymond Hammond should be found guilty."

Please rate the level of guilt of the defendant using the rating scale below:

1	2	3	4	5	6	7	8	9	10
Not Very				Moderately				Very	
Guilty				Guilty				Guilty	

APPENDIX B

Distribution of Total Scores

Figure 1**Distribution of Total Scores**

APPENDIX C

Descriptive Statistics for the Experimental and Control Groups

Table 1**Descriptive Statistics**

	Min	Max	Mean	SD	Skewness	Kurtosis
Control	12	29	21.61	4.77	-.48	-.58
Experimental	5	28	20.58	5.75	-1.11	1.53

APPENDIX D

T-Test Results

Figure 2

Results of the T-Test Analysis

	Levene's Test for Equality of Variances			t-test for Equality of Means						
	F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference		
								Lower	Upper	
Total Scenario										
Equal variances assumed	.222	.640	.593	35	.557	1.032	1.741	-2.503	4.567	
Equal variances not assumed			.596	34.416	.555	1.032	1.732	-2.487	4.561	