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Legal Decision-Making Lab

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Juror Decision-Making: Examining Legal and Extralegal Influences

Legal Decision-Making Lab

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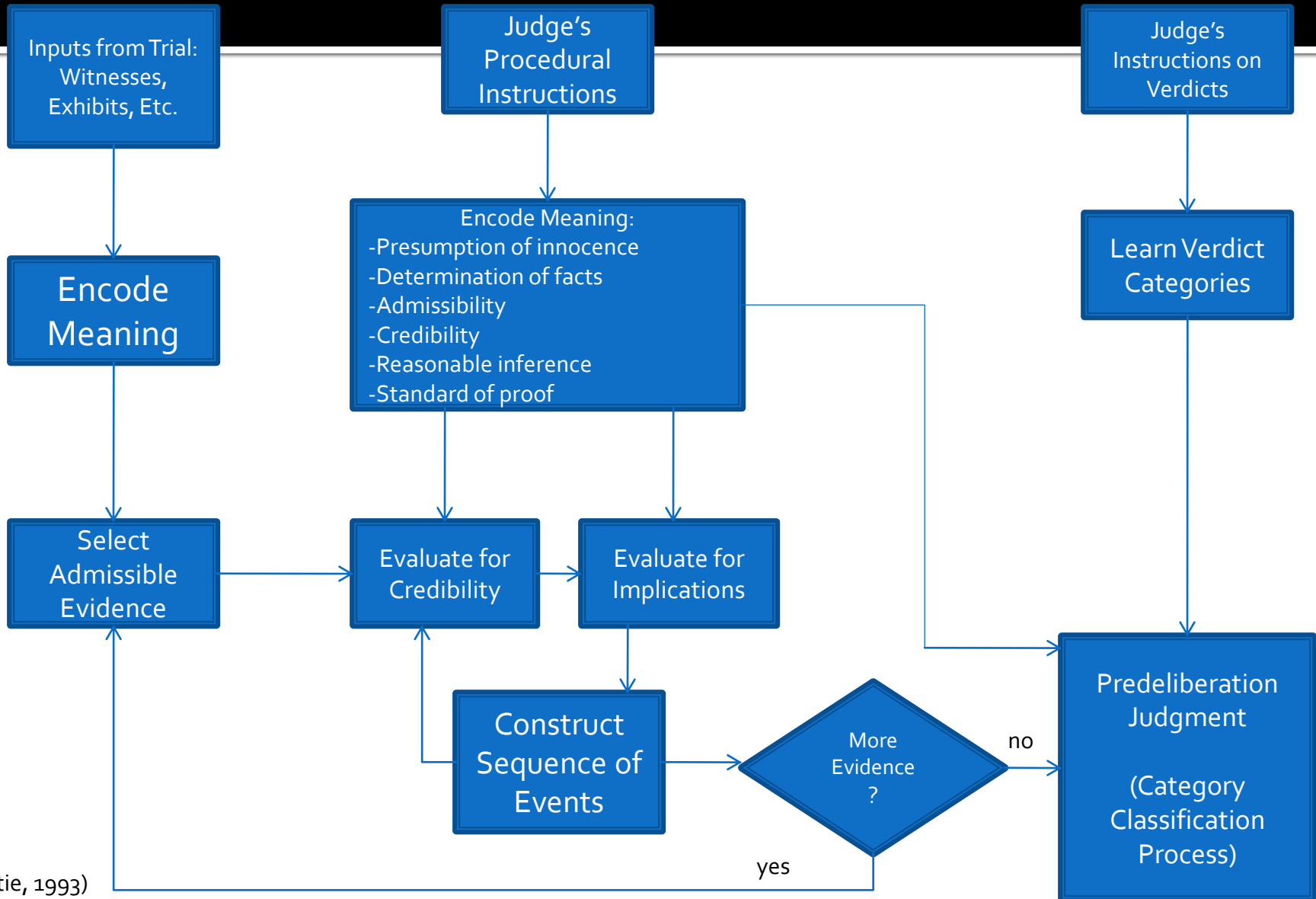
Research Areas

- Juror Decision-Making
 - Extralegal influences
 - Race
 - Attractiveness
 - Gender
 - Attitudes
 - Mental Illness
 - Legal influences
 - Evidence type
 - NCRMD cases

Juror Decision-Making: Introduction

- Why study juror decision-making?
 - Well-defined task with constrained rules and procedures
 - Complex task – higher-order processing
 - Productive task in which to study individual differences
 - Significance outside of scholarly appeal

The Juror's Task



Difficulties with the Study of Juror Decision-Making in Canada

649. Every member of a jury, and every person providing technical, personal, interpretative or other support services to a juror with a physical disability, who, except for the purposes of

- (a) an investigation of an alleged offence under subsection 139(2) in relation to a juror, or
- (b) giving evidence in criminal proceedings in relation to such an offence,

discloses any information relating to the proceedings of the jury when it was absent from the courtroom that was not subsequently disclosed in open court is guilty of an offence punishable on summary conviction.

R.S., 1985, c. C-46, s. 649; 1998, c. 9, s. 7.

Extralegal Influences

- Courtroom is a venue for persuasion
- Elaboration Likelihood Model (Petty & Cacioppo, 1986)
 - Central Route Processing
 - Motivation
 - Ability
 - Peripheral Route Processing
 - Heuristics

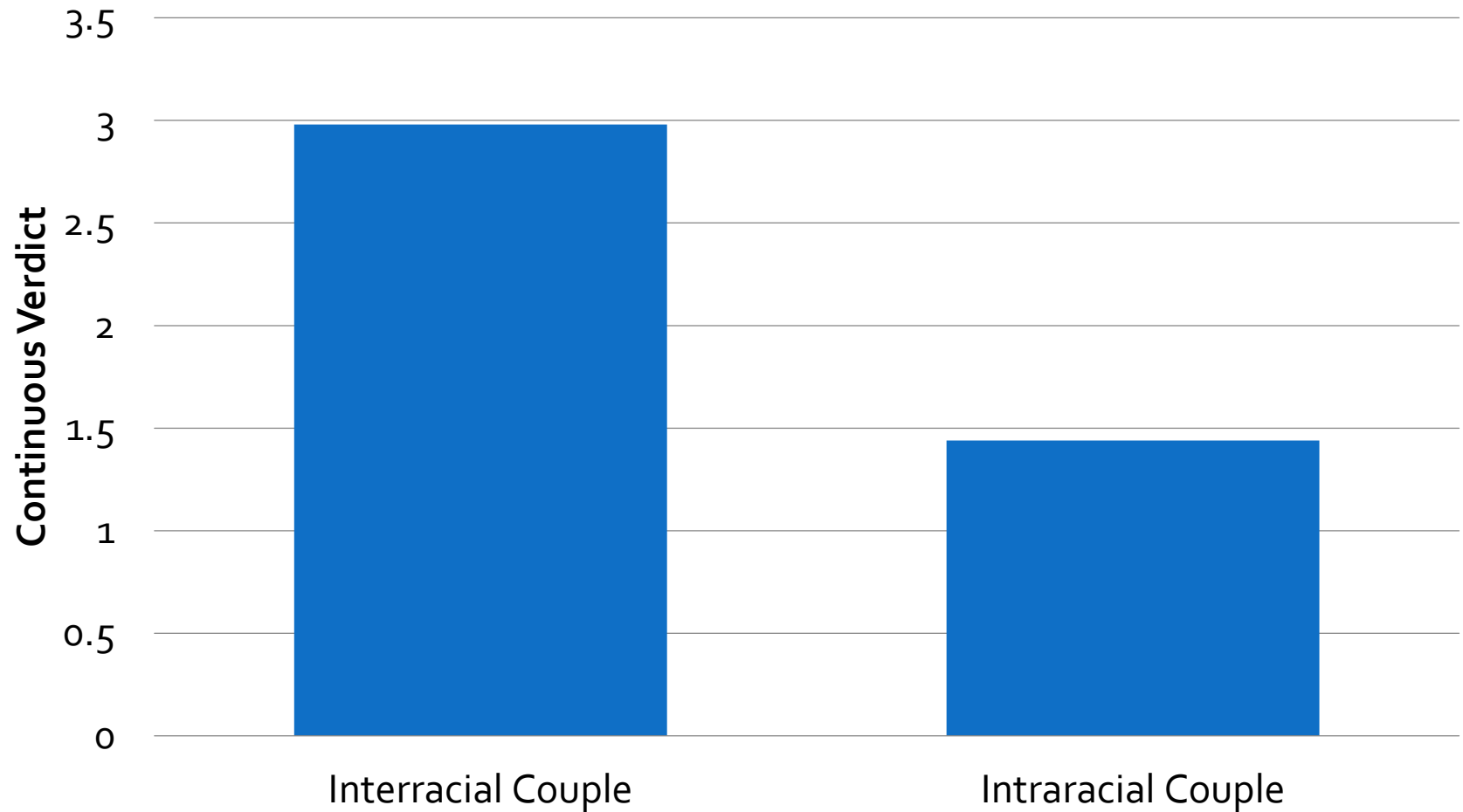
Extralegal Influences: Race

- Past projects
 - Influence of defendant race and victim physical attractiveness in a mock sexual assault trial (Maeder & Saliba, under review)
 - Influence of defendant race and alleged gang affiliation (Maeder & Burdett, 2012)

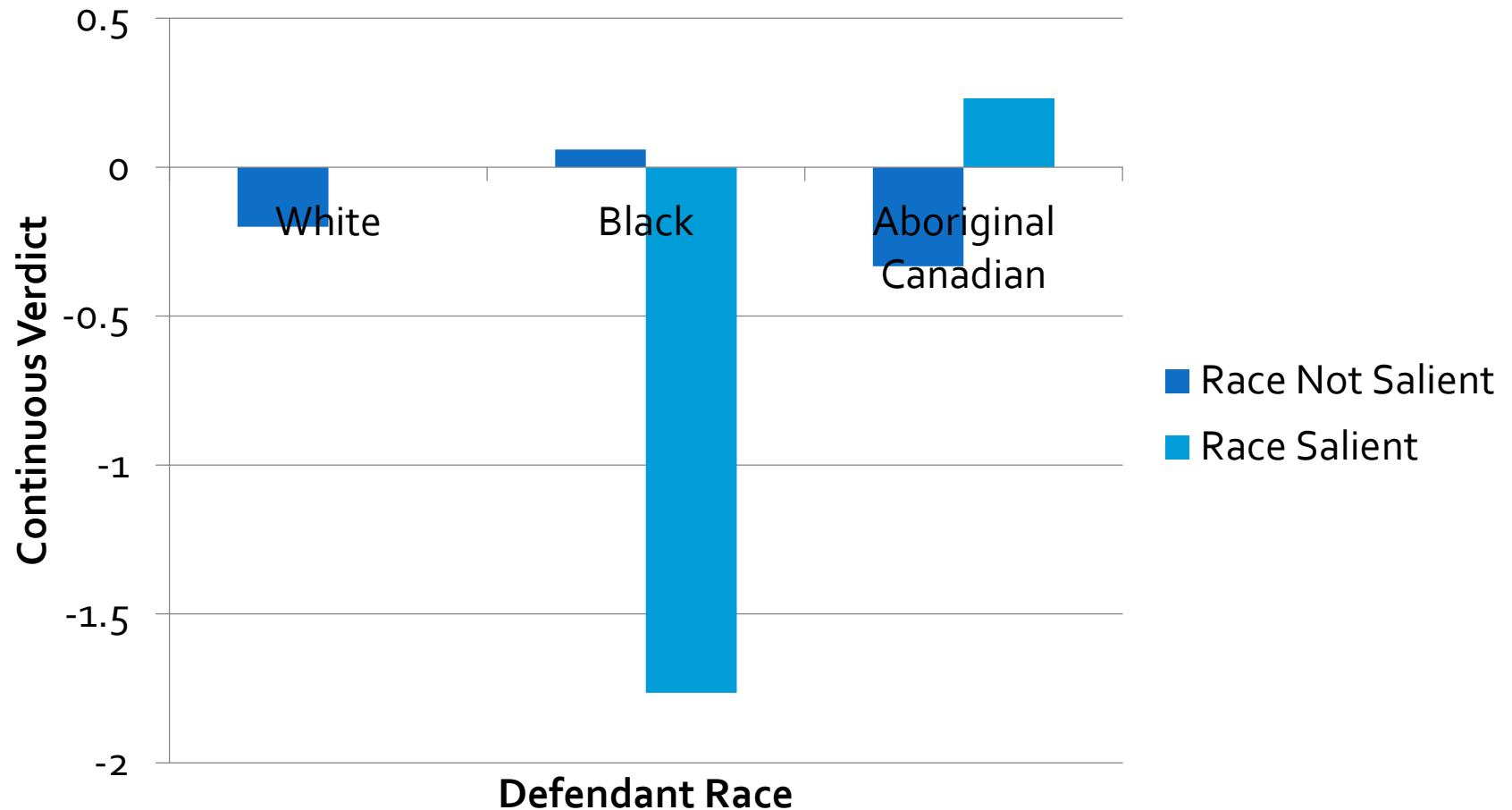
Extralegal Influences: Race

- Recent Projects
 - Defendant and Victim Race in Mock Domestic Violence Cases
 - Race Salience Pilot Study

Defendant and Victim Race in Mock Domestic Violence Cases



Race Salience Pilot Study



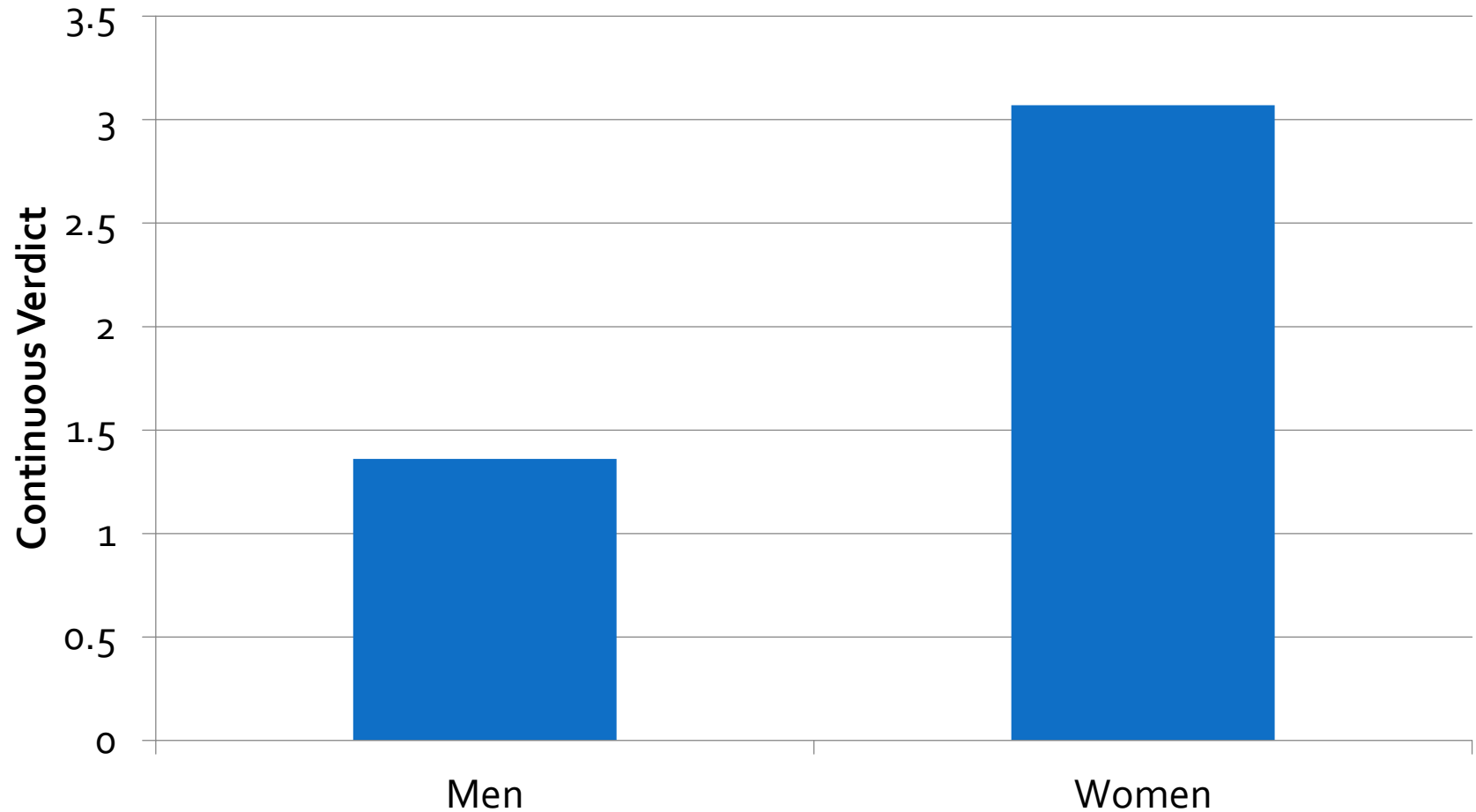
Extralegal Influences: Race

- Current Projects
 - Race Salience and Crime Congruency

Extralegal Influences: Gender

- Recent project
 - Participant gender and attitudes in domestic violence cases

Participant Gender and Attitudes in Domestic Violence Cases



Participant Gender and Attitudes in Domestic Violence Cases

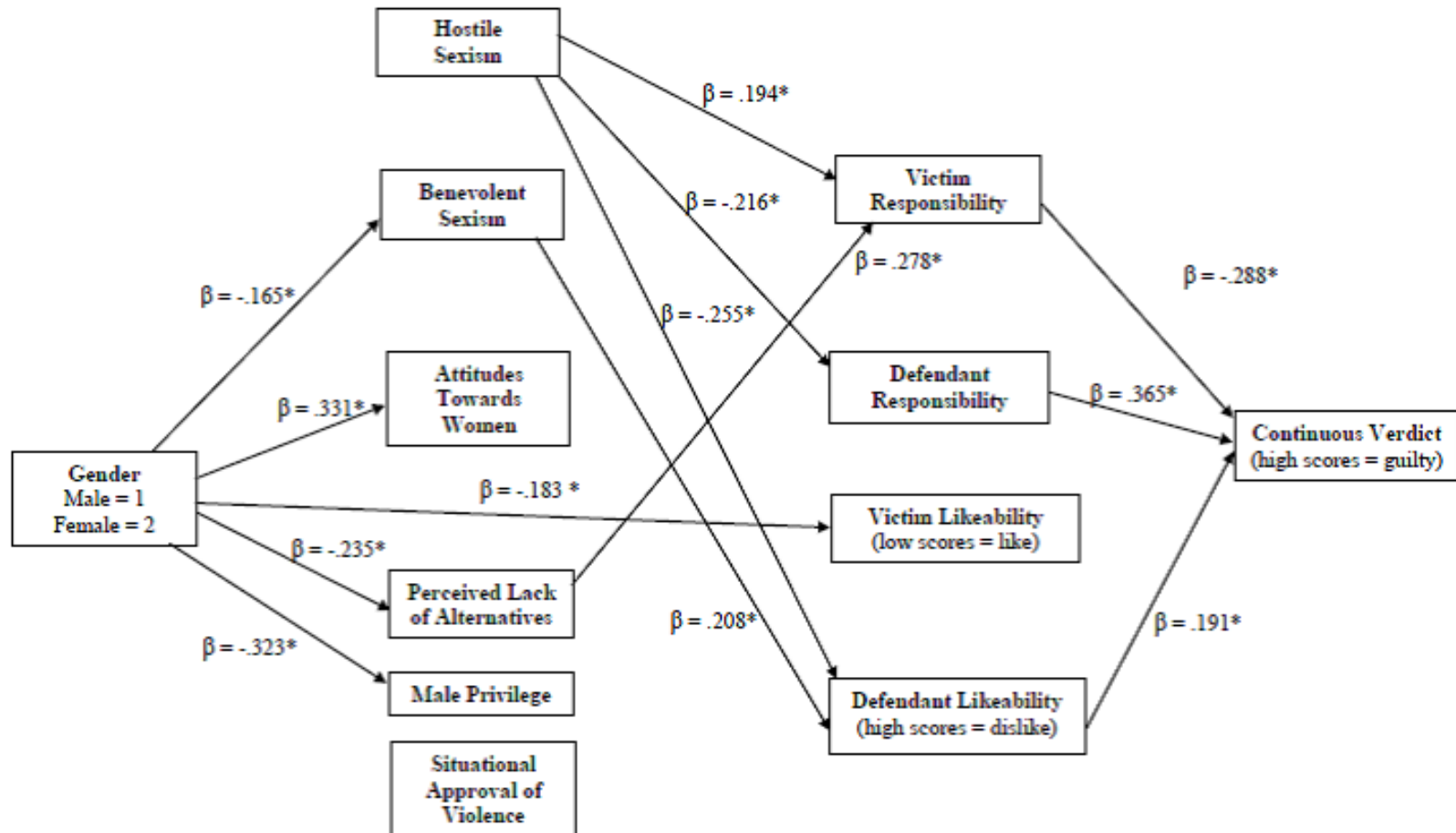


Figure 1. The Domestic Violence Model : Path Analysis of Attitudes and Perceptions in Juror Verdict Decisions in DV Cases. (Arrows indicate significant paths at $p < .05$)

Extralegal Influences: Mental Illness

- Annik Mossière M.A. thesis
 - Testing the influence of defendant mental illness in non-NCRMD cases
 - Examining the influence of different procedures for challenge for cause

Legal Influences

- Type of Evidence
 - DNA vs. eyewitness testimony
 - Strong vs. weak evidence
 - CSI effect?

Juror Decision-Making in NCRMD Cases

- NCRMD = not criminally responsible by reason of mental disorder
- American literature reveals negative attitudes toward the defence stem from misconceptions about how and how often the defence is used, and consequences thereof
- Effect of education

Study 1

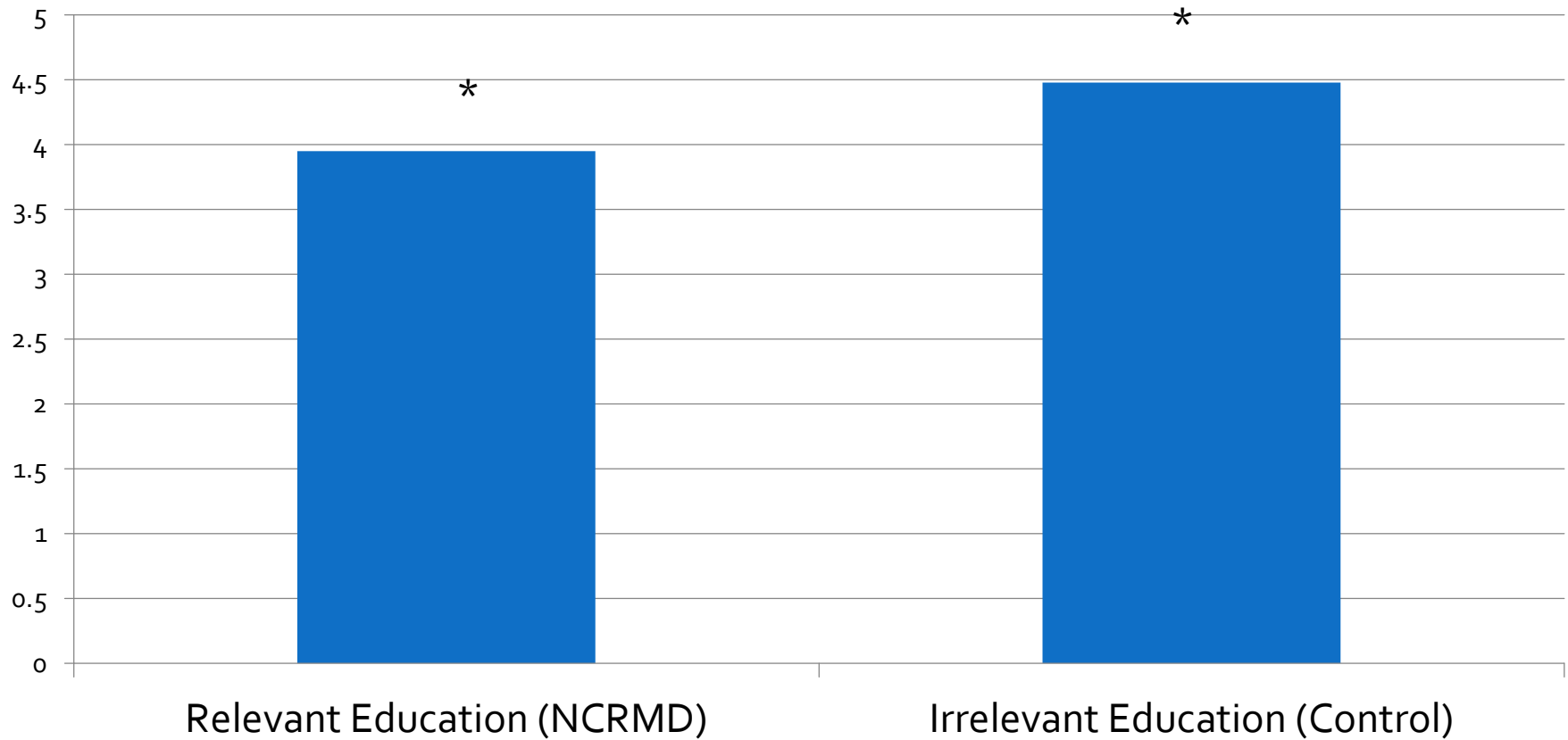
- Hypotheses
 - Attitudes toward the Not Criminally Responsible by Reason of Mental Disorder defence would be negative (similar to US studies)
 - Education about the defence would result in more positive attitudes toward the defence
 - Mock jurors receiving education about the defence would find the defendant NCRMD more often than control mock jurors

Study 1 Method

- Participants
 - 114 undergraduates (54 men and 60 women)
 - Mean age 20.69
- Materials
 - Education sheet (NCRMD/relevant or control/irrelevant)
 - Case vignette
 - Juror Questionnaire
 - Attitude Scales (IDA-R [adapted], ATDP, BJW, authoritarianism, attitudes toward the legal system)

Study 1 Results

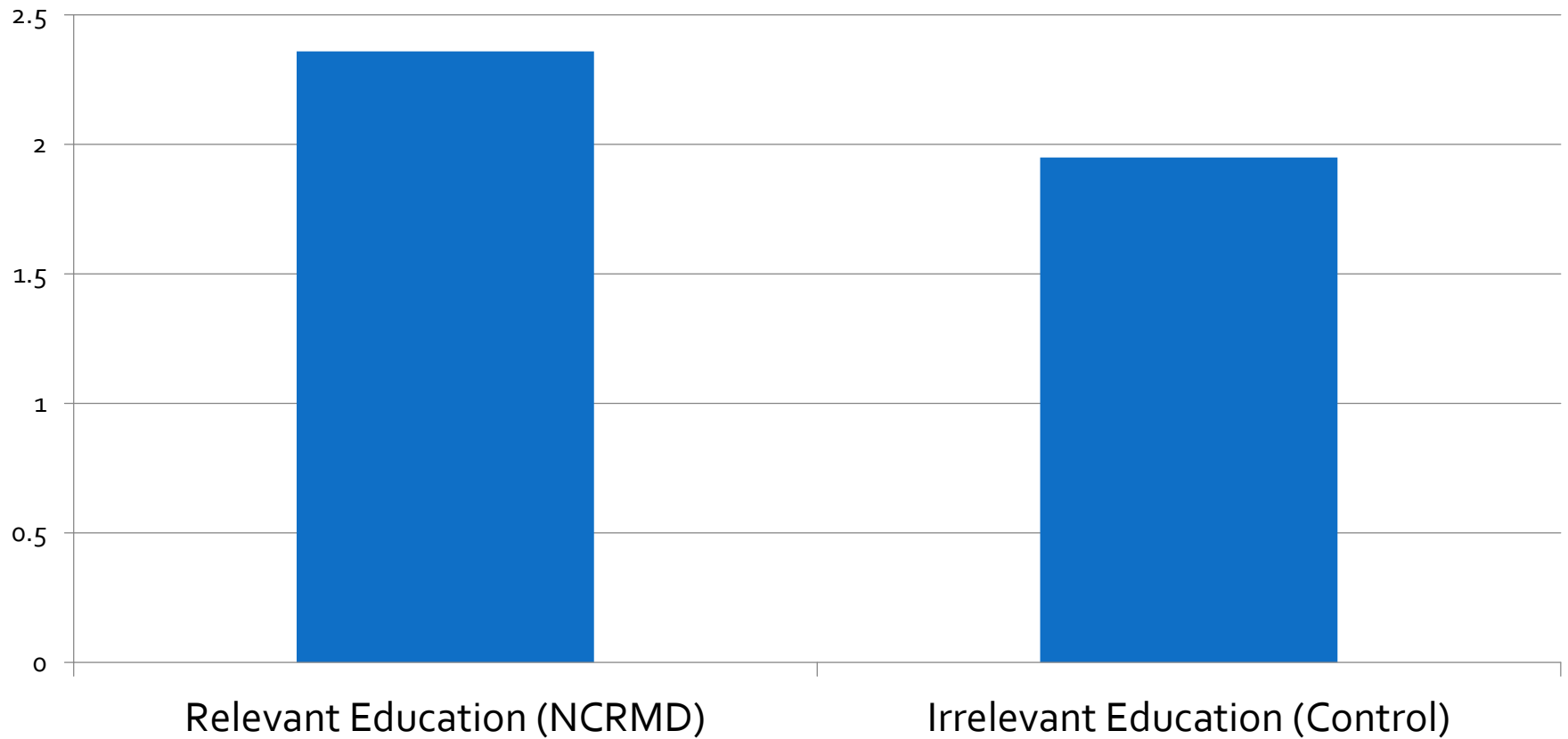
Attitudes toward the NCRMD Defence



Note: Lower scores reflect more positive attitudes toward the defence.

Study 1 Results

Continuous Verdict



Study 1 Results

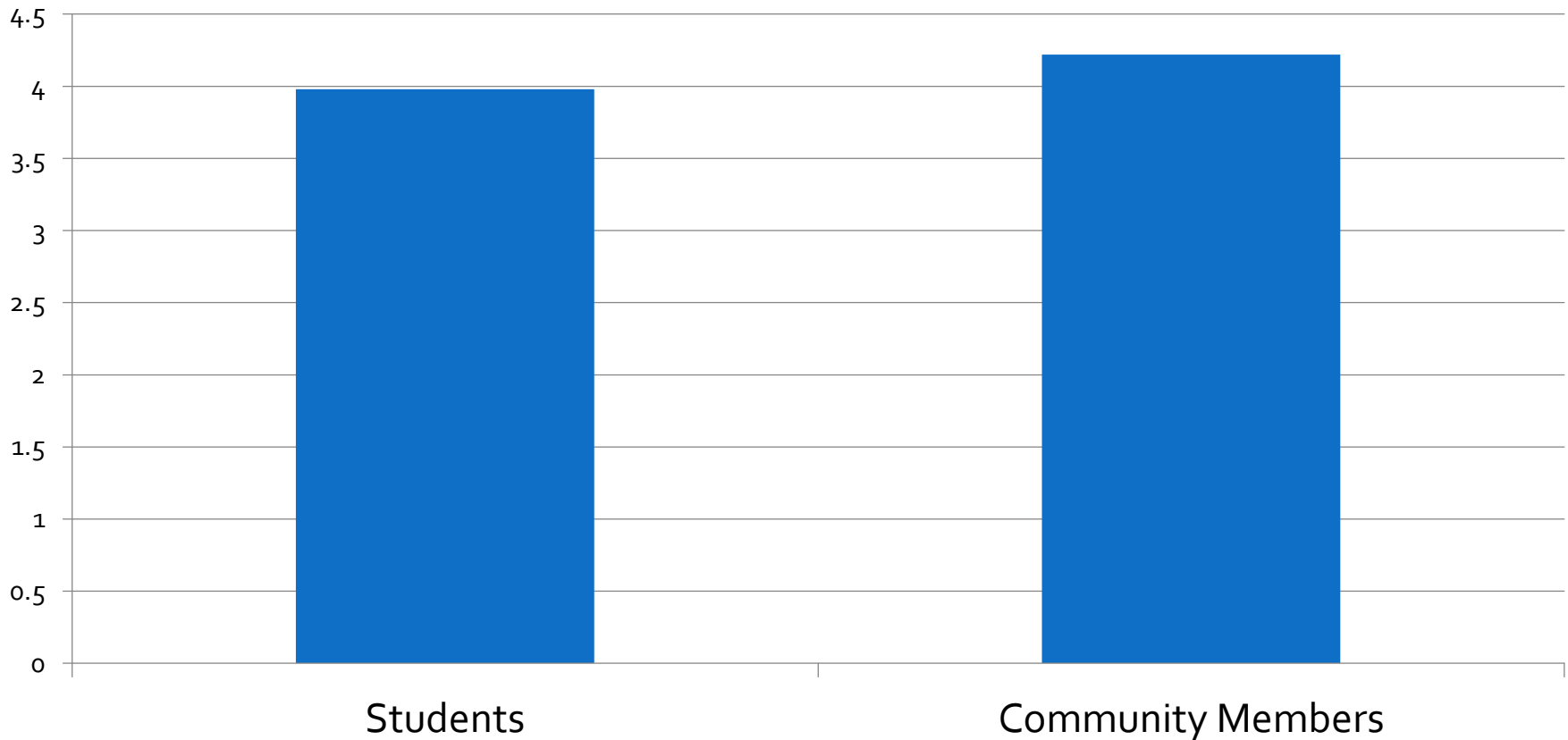
	Attitudes toward the Death Penalty	Authoritarianism	Belief that the System is Too Lenient	Belief that the System Works	Belief in a Just World
Attitudes toward the NCRMD Defence	$r = 0.43$ $p < 0.001$	$r = 0.29$ $p < 0.01$	$r = 0.46$ $p < 0.001$	$r = -0.09$ $p > 0.05$	$r = 0.10$ $p > 0.05$

Study 2

- Funded by AP-LS Early Career Grant
- Similar methodology to Study 1, with the following exceptions:
 - Online (Survey Monkey)
 - Student (N=127) and community (N=131) samples
 - Different case scenario – adult victim

Study 2 Results

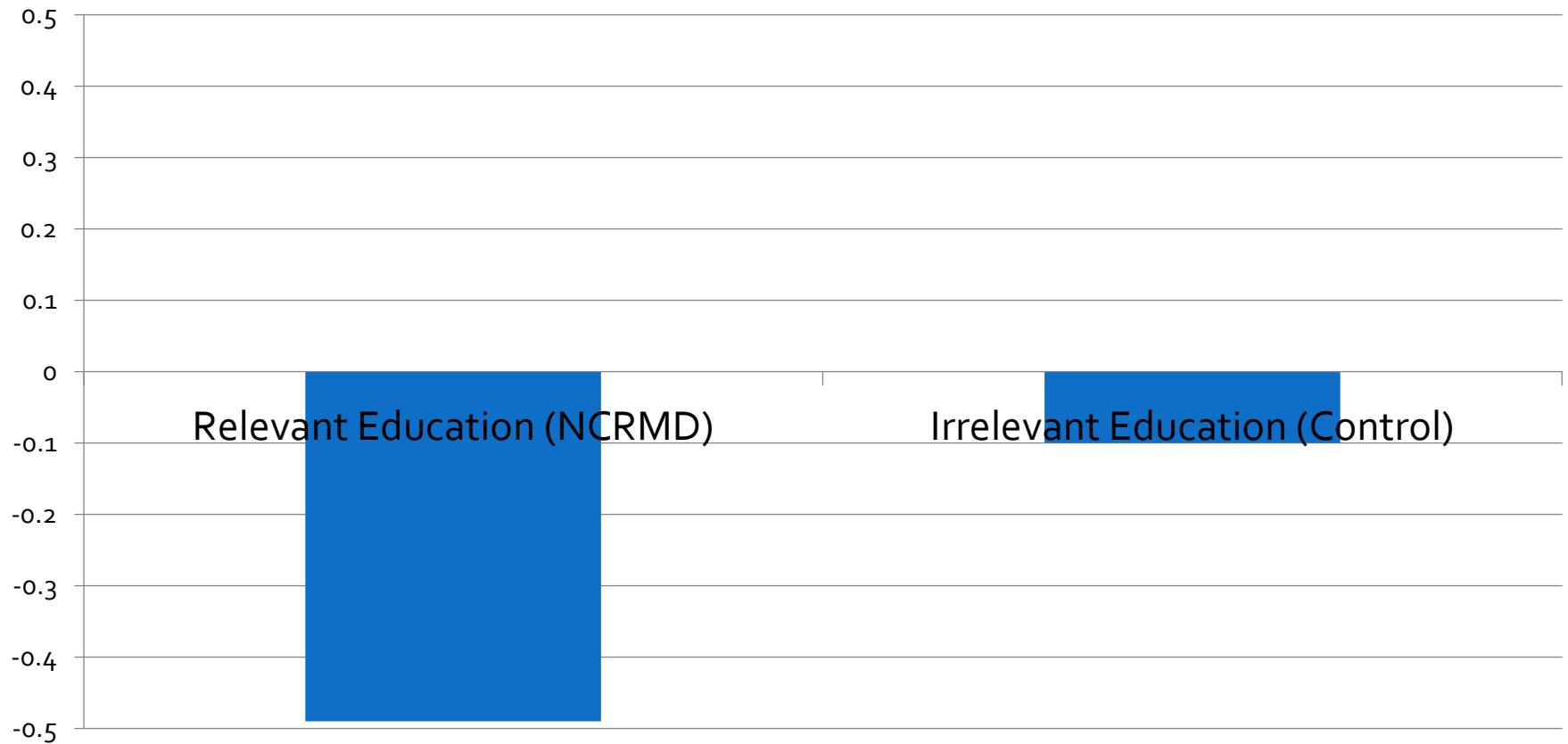
Attitudes toward the NCRMD Defence



Note: Lower scores reflect more positive attitudes toward the defence. Difference is marginally significant ($p = .08$).

Study 2 Results

Continuous Verdict



Next Steps

- Punishment orientation measures
- Attitudes toward mental illness measures
- Deliberation study
- Kristin Fenwick MA Thesis

Thank You

- Graduate students, honours students, and volunteers
- AP-LS, FPA, and CURO for funding
- SurveyMonkey and StudyResponse
- Participants

Questions

