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# Trust in the Jury System as a Predictor of Juror/Jury Decisions

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## ABSTRACT

To determine whether jurors' attitudes are correlated with their verdicts and judgments at trial, the present experiments examined the relationship between individuals' trust in the jury system, other legal attitudes, and their verdict judgments, at both the individual (juror) and group (jury) level. We used a binary logistic regression model to examine the factors—jury instructions and individual difference measures—that contribute to a juror's verdict. The results indicate that jurors with higher PJAQ and JUST scores had a higher likelihood of voting guilty on a homicide trial involving a mercy killing. It was also found that the majority of juries in the second study took a verdict-based approach, and jurors with less trust in the jury system participated more in deliberation than high trust jurors.

## INTRODUCTION

- A number of juror attitudes are correlated with their verdicts and judgments at trial (Devine & Caughlin, 2014; Wrightsman et al., 2004) and are important for a number of reasons.
- Understanding the relationship between jurors' attitudes and their verdicts can aid attorneys and trial consultants in jury selection (Crocker & Kovera, 2011).
- Juries allow citizens to express their attitudes toward certain behaviors (Hans, 2014; Reed & Bornstein, 2015).
- Existing measures have not addressed attitudes toward jury service as a whole. Our prior research developed a measure of jury system trustworthiness that had good psychometric properties, and was correlated with other relevant legal attitudes (e.g., legal authoritarianism).
- From a theoretical perspective, attitudes toward juries and attitudes toward other legal authorities (e.g., courts, police) are likely similar. They vary as a function of a number of variables, such as demographic characteristics, individuals' prior experience, and context (Bornstein & Tomkins, 2015).
- Despite these similarities, the jury, as a legal institution, is unique in that the target institution is us—the litigants' peers.
- Because only one-quarter of American adults have actually served (Rose et al., 2012), attitudes toward juries are likely formed in the absence of first-hand experience, are likely to be distinct from other legal attitudes, and should be a stronger predictor of verdicts in some cases than others (e.g., jury nullification).
- Jury trust also has real-world impacts. Attitudes toward jury service would logically influence both citizens' willingness to serve on juries and their actions if they do serve.

## HYPOTHESES

### Study 1:

- **Hypothesis 1:** Participants who are older, White, relatively conservative, more willing to show up upon receipt of a jury summons, and more positive toward other legal institutions such as the police will have more trust in juries.
- **Hypothesis 2:** We have competing hypotheses for an interaction between trust in juries and instruction type. Participants with higher trust in juries could be more likely to nullify the law and acquit the defendant because jury nullification is a means of empowering the jury, or participants with higher trust in juries could be less likely to nullify and acquit because they trust the jury to make the correct decision by following the instructions.
- **Hypothesis 3:** Nullification instructions and individual measures would predict jurors' verdicts.

### Study 2:

- **Hypothesis 1:** High trust juries would be less likely to acquit the defendant than low trust juries.
- **Hypothesis 2:** High trust juries would be more likely to take an evidence-based approach than low trust juries.
- **Hypothesis 3:** High trust jurors would participate more in deliberation than low trust jurors.

## METHOD

### Study 1:

- **Participants**
  - A total of 440 community members via MTurk participated (66.8% female, 78.4% White).
- **Procedure**
  - Participants were randomly assigned to one of two videos of a homicide trial involving a mercy killing, with or without nullification instructions.
  - After viewing the video, participants rendered their verdict, rated witness credibility, and indicated importance of different pieces of evidence.
  - Participants completed eight questionnaires (counterbalanced).

### Eight Questionnaires Completed:

- Trust in Police Questionnaire (9 items); Pretrial Juror Attitude Questionnaire (29 items); Revised Legal Attitudes Questionnaire (23 items); Jury System Trustworthiness Questionnaire (26 items); Maddox-Lilie Model (11 items); Need for Cognition Scale (18 items); Contact with the Criminal Justice System (19 items); Law-Show TV Viewing (20 items).
- Participants then provided basic demographics.

### Study 2:

- **Participants**
  - A total of 57 participants from the Lincoln community (66.6% female, 61.4% White).
  - 15 in-person juries were run in groups of 2-6 jurors.
- **Procedure**
  - Each jury was randomly assigned to one of the two trial conditions.
  - Following the trial video, participants completed individual questionnaires and provided individual verdict preferences.
  - Next, videotaping of participants began, participants were given brief procedural instructions, a verdict form, and allowed 30 minutes to deliberate to a unanimous verdict; juries that did not reach a verdict within 30 minutes were declared hung.

## RESULTS

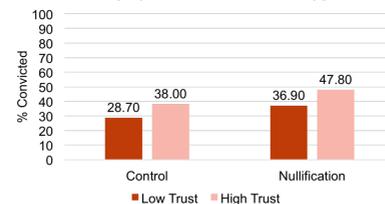
### Study 1: Hypothesis 1

- A linear regression was run to determine what predictors contribute to Trust in Juries.  $F(5, 415) = 24.789, p < .001, R^2 = .230$ 
  - A positive jury summons response and greater trust in the police significantly contributed to greater trust in juries.

Predictors	b Weight	SE	$\beta$ Weight	t	p
Age	-0.044	0.074	-0.026	-0.595	0.552
Race/Ethnicity	-0.561	2.493	-0.010	-0.225	0.822
Political Leaning	0.629	0.598	0.047	1.051	0.294
Jury Summons	11.261	2.976	0.166	3.784	<.001
Trust in Police	0.854	0.094	0.415	9.104	<.001
Constant	58.452	5.260		11.112	<.001

### Study 1: Hypothesis 2

- A binary logistic regression with trust in jury (high vs. low) and instructions (control vs. nullification) as predictors and verdict as the criterion.
  - To determine high and low trust a median split was performed.
  - There was no interaction between jury trust and instruction type.



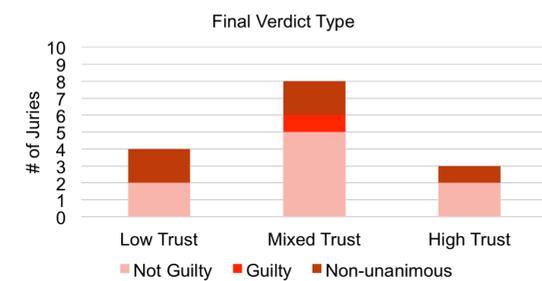
### Study 1: Hypothesis 3

- A binary logistic regression was run to determine if four of the individual measures (JUST, TIPQ, PJAQ, RLAQ) and nullification instructions would predict jurors' verdicts.  $\chi^2 = 46.965, p < .001, R^2 = .138$ 
  - Participants with higher JUST and PJAQ scores were more likely to vote guilty. (significant)
  - Participants who received nullification instructions were more likely to vote not guilty. (marginally significant)

Predictors	$\beta$ Weight	SE	Wald	df	p	Odds Ratio
Jury Instruction	0.383	0.209	3.344	1	0.067	1.466
JUST	-0.011	0.005	4.578	1	0.032	0.989
Trust in Police	0.014	0.012	1.388	1	0.239	1.014
PJAQ	-0.035	0.008	17.830	1	<.001	0.965
RLAQ	-0.011	0.009	1.369	1	0.242	0.990
Constant	4.288	0.754	32.345	1	<.001	72.817

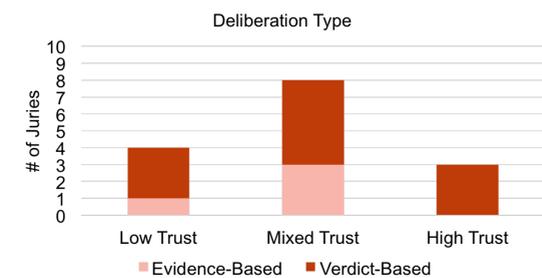
### Study 2: Hypothesis 1

- A median split analysis was run on high vs. low trust jurors, then high vs. low trust juries were determined when 75% of jurors were categorized similarly. The remaining juries were identified as mixed juries.
- Due to only 10 of the 15 juries making a unanimous decision, it is difficult to interpret the data accurately.



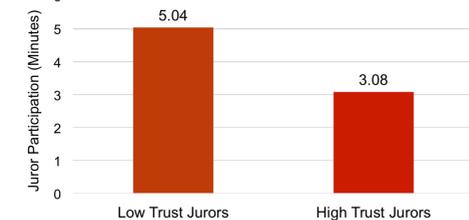
### Study 2: Hypothesis 2

- Due to the low number of juries in each category, a meaningful determination could not be made. Overall, the majority of juries took a verdict-based approach with no high trust juries taking an evidence-based approach.



### Study 2: Hypothesis 3

- A one-way ANOVA was run comparing juror participation and Trust in Juries.
- Results indicated the low trust jurors participated significantly more than high trust jurors.  $F(1, 55) = 5.969, p = .018$



## CONCLUSION

The purpose of the present project was to examine the relationship between individuals' trust in the jury system, additional legal attitudes, and verdict judgments at both the individual (juror) and group (jury) level. In Study 1, results indicated that participants with higher trust in jury system scores and pretrial juror attitude questionnaire scores were more likely to find a defendant guilty, while participants who received nullification instructions were more likely to find a defendant not guilty. Also, a positive jury summons response and greater trust in police scores significantly contributed to greater trust in the jury system. Findings from Study 2 revealed that the majority of juries took a verdict-based approach with no high trust juries taking an evidence-based approach. Also, low trust jurors participated significantly more in deliberation than high trust jurors. The limitations of this study include the small number of juries and the small jury size; it is also important to consider that results from this study may not be generalizable to all cases. Overall results indicated that there is some relationship between Trust in the Jury System scale (JUST) and other measures commonly used in jury research (e.g., PJAQ), and there is evidence of a relationship between the JUST scale and verdict, which warrants further research.