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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; Wrightman et al., 2004) and are important for a number of reasons.

Understanding the relationship between juror attitudes and their verdicts can aid attorneys and trial consultants in jury selection (Crocker & Kovara, 2011).

Juries allow citizens to express their attitudes toward certain behaviors (Hans, 2014; Read & Bornstein, 2011).

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., court, 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.

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 are computing 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 juries would participate more in deliberation than low trust juries.

METHOD

Participants: A total of 440 community members via MTurk participated (66.8% female, 74.8% White).

Procedure: Participants were randomly assigned to one of two videos of a homicide trial involving a mercy killing, with or without nullification instructions.

Participants completed eight questionnaires (counterbalanced).

• Eight Questionnaires Completed:
  • Trust in Police Questionnaire (9 items); Prettrial Juror Attitude Questionnaire (29 items); Revised Legal Attitudes Questionnaire (23 items); Jury System Trustworthiness Questionnaire (26 items); Maddies-Like Model (11 items); Need for Cognition Scale (18 items). Contact with the Criminal Justice System (19 items); Law-Show TV Viewing (20 items).

RESULTS

Study 1: Hypothesis 1

A linear regression was run to determine what predictors contribute to Trust in Juries.

F(15, 415) = 24.789, p < .001.

A positive jury summons response and greater trust in the police significantly contributed to greater trust in juries.

Study 1: Hypothesis 2

A binary logistic regression was performed with nullification instructions as the predictor and verdict as the criterion.

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 1: Hypothesis 3

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 1

A one-way ANOVA was run comparing juror participation and Trust in Juries.

Results indicated the low trust juries participated significantly more than high trust juries. 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 prettrial 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., PIQAQ), and there is evidence of a relationship between the JUST scale and verdict, which warrants further research.