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Confession, Coercion, Procedural Error and the Juror

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CONFESSION, COERCION, PROCEDURAL ERROR
AND THE JUROR

by

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in partial fulfillment of the requirements for the degree of

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Dedication and Acknowledgement

This work is lovingly dedicated to my parents, Tommy and Estelle Jenkins, in honor of their 50th anniversary, which coincidentally falls on the day of my thesis defense. Their unwavering support and encouragement reminds me every day that I can be successful in whatever I strive to accomplish, and I love them more than they will ever know. Thank you, Mom and Dad, and happy anniversary!

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Abstract

The current research examined whether mock jurors make differential assessments of guilt of defendants based on inclusion or exclusion of confession evidence and type of coercion to determine if jurors' behavioral reactions to confession evidence could be predicted. Hypotheses addressed effects of various factors on jurors' decisions of verdicts regarding defendants' guilt or innocence and their certainty of these verdicts: inclusion of confession evidence, type of coercion used in obtaining confessions, admissible or inadmissible presentation of confession evidence, and influence of potential predictor variables. Predictor variables assessed included participants' Belief in a Just World, Spheres of Control, New Authoritarianism, and Belief in False Confession Evidence. No main effects were found for participants' first or second verdicts or certainty assessments.

Confession, Coercion, Procedural Error and the Juror

Introduction

Fear of crime and victimization underlie criminological thought and resulting policies (Stanko, 2001). In an attempt to contain this fear of victimization to manageable levels, officers of the court are charged with apprehending those who deviate from established rules of law in order to maintain an appearance of safety for those who obey these rules. People who are correctly accused of violations of the law are generally expected to accept responsibility and to express remorse by publicly confessing their crimes. Contrarily, those accused who are innocent are expected to continually and consistently protest their innocence. The desire of the American public for closure through the confession of guilt was demonstrated during the months prior to the execution of Timothy McVeigh. Despite the failure of federal prosecutors to disclose records pertaining to the investigation to McVeigh's lawyers, the U. S. Attorney General and the federal judge in the case argued McVeigh's out-of-court confession proved his guilt and negated any need for an appeal of his death sentence ("McVeigh asks for stay," 2001; "McVeigh denied stay," 2001). On the day of his execution, survivors and family members of victims of the Oklahoma City bombing gathered to watch McVeigh's execution in person and on closed circuit video in hopes of hearing an expression of apology or remorse, but many were surprised and some inconsolable when McVeigh made no such statement ("No apology," 2001). As exemplified in the McVeigh case, justice appears to be

served in American culture through the confession of one's transgressions and subsequent expressions of remorse. Following this line of thought, it is not surprising that research has found suspects who offered incriminating confession evidence while being interrogated were believed to be guilty, were more likely to be charged, convicted, and sentenced for longer and more severe sentences, and were less likely to have their cases dismissed (Leo, 1996). People who confess are assumed to do so because they are guilty; however, this is not necessarily always the case. The current research was designed to determine if it is true that mock jurors would tend to assume that defendants were guilty when defendants' confessions were entered into evidence and, if so, whether the type of coercion used in eliciting these confessions would influence their opinions.

Reasons For and Legitimacy of Confessions

Individuals confess to crimes for numerous reasons, but not all of these confessions are truthful (Gudjonsson, 1992; Wrightsman & Kassin, 1993). Individuals may voluntarily confess to crimes of which they are actually guilty to engage in plea-bargaining, to obtain leniency, or to express remorse. Alternatively, others may issue one of three types of false confessions identified in the literature: voluntary, coerced-compliant, and coerced-internalized (Kassin & Wrightsman, 1985). Those who confess to crimes that they did not commit, to gain notoriety or to express generalized guilt, are described as issuing voluntary false confessions. These individuals are well aware of their innocence but often willingly confess in order to gain desired publicity or to protect someone close to

them. Some other people issue coerced-compliant false confessions in order to protect themselves from some perceived threat or to avoid other potentially serious charges or punishment. Like those who voluntarily confess falsely, individuals who make coerced-compliant confessions are aware of their innocence but appear to feel compelled to confess for crimes in order to avoid further interrogation or to accept some perceived reward for compliance to demands to confess. Still other innocent persons may make coerced-internalized false confessions after being interrogated because they come to believe in their own guilt. While considered to be the most rare of the three types of false confessions, those persons who make coerced-internalized false confessions were originally aware of their innocence but came to believe that they must have committed the crimes of which they were accused. These false beliefs developed during interrogation generally persist over time and across situations and are difficult to counteract. Given the varied reasons for offering confessions, if it is true that confessions are viewed as indicative of guilt by criminal justice officials and members of the American public, it is necessary to estimate the prevalence of both true and false confessions. It is important to determine whether innocent persons are being wrongfully charged for crimes based on confessions made in private or during interrogations. Furthermore, the influence of confession evidence on jurors' assessments of the guilt or innocence of individuals who have been charged and indicted must also be examined to control for wrongful convictions based on invalid confessions.

Researchers have estimated that confessions are entered into evidence in roughly 42% to 76% of criminal trials and are implicated in many more cases adjudicated through plea-bargaining (Gudjonsson, 1992; Wrightsman & Kassir, 1993). The number of these confessions that are true or false, however, is hotly debated in the literature; difficulties become apparent when attempting to quantitatively separate these types. For instance, research methods used in gathering what constitutes a false versus a true confession are inconsistent across studies. In one such study, estimates of false confessions were gathered from incarcerated inmates using a self-report survey (Gudjonsson & Sigurdsson, 1994). Of the 229 inmates who responded to the survey, 27, or 12%, reported making false confessions during interrogations; of these, 21 (78%) were convicted of the related offenses. Most of the reported false confessions were for property, traffic, or drug offenses, and approximately half resulted from inducements by police officers or attempts to protect others. Other researchers used anecdotal polling to obtain estimates of wrongful convictions from defense attorneys, prosecutors, and court officials from Ohio (Huff, Rattner, & Sagarin, 1996). Of the 353 questionnaires mailed, 229 (65%) of the respondents reported that 0.5% of the "convictions" in the United States for the eight index crimes reported in the FBI's Uniform Crime Reports in 1993 (of which arrests were 2,848,400) were wrongful convictions, and approximately 394 of these per year were estimated to be attributable to the presentation of coerced confession evidence. However, these findings were challenged in a subsequent study as being based on an

overestimation of actual convictions because cases adjudicated with pleas were included in the sample (Cassell, 1998). After readjusting for cases that were plea-bargained as guilty, Cassell estimated approximately 1 in 93,000 convictions per year (0.001%) resulted in wrongful convictions based on false confession evidence. Given these disparate findings, it appears that the actual incidence of false confessions is still very much up in the air.

Legitimacy of Confessions

Court and criminal justice officials attempt to verify the legitimacy and admissibility of disputed confession evidence prior to its presentation to juries (Kassin, 1997; Kassin & Wrightsman, 1981; Wrightsman & Kassin, 1993). Judges meet with attorneys for the state and defense, arresting officers, and defendants in pretrial hearings to determine whether defendants' confessions should be considered voluntary and therefore admissible in court. In Columbe v. Connecticut (1961), the U. S. Supreme Court established criteria by which the voluntary nature of an alleged confession should be determined. Justice Frankfurter (p. 2), who was joined by Justice Stewart, announced the holding for the Court:

No single test for constitutionally impermissible interrogation by state law enforcement officers in obtaining confessions exists, neither extensive cross questioning, nor undue delay in arraignment, nor failure to caution a prisoner, nor refusal to permit communication with friends and legal counsel at stages in the proceeding when the prisoner is still only a suspect; each of these factors, in company with all of the surrounding circumstances -- the duration and conditions of detention, the manifest attitude of the police toward him, his physical and mental state, the diverse pressures which sap or sustain his powers of resistance and self-control -- is relevant, the ultimate test being voluntariness of the confession.

In order to assess voluntariness in pretrial hearings, arresting officers read typed, signed confessions made by defendants to judges, answer related questions on behalf of defendants, confirm defendants were informed of their Miranda rights, and verify interrogation procedures were followed when confessions were given. Judges then find the confessions as voluntary or involuntary based on the criteria outlined above, and the confessions are then respectively entered into testimony or excluded from evidence in subsequent trials.

In addition to the voluntariness criteria, the U. S. Supreme Court set guidelines for the admissibility of confession evidence in its landmark Miranda ruling (Miranda v. Arizona, 1966; Wrightsman & Kassin, 1993). The ruling stipulated that suspects must be informed of their rights against self-incrimination and to have the presence of counsel during interrogations. After being informed of these rights, suspects should have the expectation that questioning would be halted until their attorneys' arrivals if they exercised these rights. However, in an observational study of 122 interrogations, Leo (1996) found 78% of suspects who were being interviewed eventually waived their Miranda rights and were interrogated out of the presence of counsel, and significantly more of these suspects' cases were judged guilty through plea-bargaining than were cases of suspects who stopped their interrogations. Why would suspects place themselves in peril by waiving their rights and speaking to investigators without requesting access to attorneys? Some may confess for crimes of which they are guilty in order to express remorse or gain leniency in punishment and sentencing

(Gudjonsson, 1992). Others who are guilty may speak to investigators in order to challenge the investigators or serve their own egos. Still others may be innocent individuals who respond to investigators' comments such as, "If you're innocent, you don't need a lawyer, now, do you?" Regardless of the circumstances, once suspects waive their right to counsel, incriminating statements that they make can be used against them in trial.

Concerns regarding the voluntary nature of suspects' confessions often stem from the routine use of certain interrogation tactics by police officers. In the quest for the truth, one of two authors of the most commonly used interrogative training manual, Fred Inbau (1991, p. 1400), asserted:

Of necessity criminal interrogators must deal with criminal offenders on a somewhat lower moral plane than that upon which ethical, law-abiding citizens are expected to conduct their everyday affairs. That plane, in the interest of innocent suspects, need only be subject to the following restriction: although both 'fair' and 'unfair' interrogative practices are permissible, nothing shall be done or said to the subject that will be apt to make an innocent person confess.

Examples of the "fair" and "unfair" tactics often employed in interrogations include convincing suspects that their situations are hopeless by distorting the significance of evidence, stirring suspects' emotions by describing the pain and suffering of victims, and heightening suspects' fears of punishment by stressing the advantages of speedy cooperation and confession (Ofshe, 1989). These and other interrogative techniques were characterized by Kassin and McNall (1991) as falling into one of two types. Maximization techniques are those with which an interrogator attempts to frighten or pressure a suspect into making a confession in

order to escape harsh punishment. One example of a maximization technique used by officers is referred to as a knowledge-bluff technique and involves telling suspects specific evidence such as a fingerprint exists that directly links these suspects to the alleged crime scenes. Another example involves the use of questions that bait suspects in order to make suspects become nervous and more likely to confess. In contrast, minimization techniques are those used by investigators to imply justification exists for the crimes of which they have been charged so that suspects might feel less responsible for their alleged actions and be more likely to confess in order to gain reduced punishment. Minimization techniques often involve the denigration of victims by blaming victims for instigating their own attacks or for failing to protect their assets. Officers sometimes pretend to sympathize with offenders by agreeing that they have known others who deserved to be treated similarly to the ways in which alleged victims were treated; this stance provides perceived justification for suspects' alleged confessions.

Previous research examining decisions of mock jurors who were exposed to confessions elicited with positive or negative coercion revealed that jurors appeared to have assessed the voluntary nature of these confessions differentially. In a series of experiments evaluating jurors' verdicts and assessments of the likelihood of defendants' guilt, Wrightsman and Kassin (1993) consistently found that mock jurors tended to judge confessions elicited with positive coercive techniques, which implied opportunities for leniency, as more voluntary than

those elicited with negative coercion, which implied chances of more severe punishment for defendants. Additionally, defendants who made confessions when positive coercion was used were judged as more likely to have committed the crimes charged, and jurors tended to return guilty verdicts when encountering these scenarios. However, when these jurors perceived that direct threats had been implied through interrogators' uses of negative coercive techniques, jurors tended to discount the resultant confession evidence and found the defendants less likely to have committed the crimes. These findings are disconcerting because suspects often perceive that positive coercion, or minimization techniques, lessens their responsibility for their alleged acts and reduces their potential severity of punishments if they confessed quickly. In other words, suspects might be more likely to confess for these crimes because they expect lenient treatment but could instead be adjudicated guilty by jurors and sentenced more stringently by justice officials.

The type of coercion implicated in eliciting the confession evidence was varied in the current research to evaluate whether jurors exposed to confession evidence make differential judgments of guilt based on the type of coercion used in interrogative techniques. Half of the experimental participants who encountered confession evidence read a scenario in which the confession was obtained with minimization techniques, or positive coercion. In these scenarios, detectives implied that the victim was responsible for her own victimization. The other half of the experimental participants read a scenario in which confession

evidence was obtained with maximization techniques, or negative coercion. In these scenarios, detectives specifically stated that the suspect had been caught on video with evidence from the crime scene.

Often, confessions elicited with positive or negative coercion are deemed involuntary and inadmissible during pretrial hearings but are later alluded to in the presence of jurors during trial. In Arizona v. Fulminante, the U. S. Supreme Court found certain confession evidence that inadvertently comes to the attention of jurors can be considered "harmless error" if prosecutors can demonstrate that the inadmissible inclusion of this evidence does not influence the verdict in the respective trial (Arizona v. Fulminante, 1991; Kassin & Neumann, 1997; Wrightsman & Kassin, 1993). The Court based their findings on two assumptions regarding juror behavior: 1) jurors were believed to be able to ignore confession evidence when instructed to do so by justice officials and 2) jurors were not thought to weigh confession evidence as more influential on their verdicts than other incriminating types of evidence. However, subsequent evaluations of these assumptions suggest they may be faulty. For example, in an evaluation of the abilities of jurors to ignore confession evidence when instructed to do so, jurors failed to disregard inadmissible evidence of an alleged confession and found the defendant guilty more than did controls although these jurors had rated the confession as negatively coerced and involuntarily made by the defendant (Kassin & Sukel, 1997). A separate study that examined the influence of confession evidence on jurors' verdicts found jurors rated defendants more deserving of

punishment if defendants had confessed rather than if they had claimed their Fifth Amendment rights or had denied the charges in efforts to protect themselves (Fischer & Fehr, 1985). Jurors also were found to evaluate confession evidence as more influential on their verdicts than eyewitness or character testimony (Kassin & Neumann, 1997). These findings raise doubts regarding jurors' ability to disregard inadmissible confession evidence and support the contention that jurors perceive defendants who confess as accepting responsibility and expressing remorse for the crimes of which they were charged.

In other circumstances, alleged confession evidence that has been deemed inadmissible during pretrial hearings inadvertently comes to the attention of jurors through the media either before or during the trial. For instance, in Mu' Min v. Virginia, the U. S. Supreme Court found that the defendant's Constitutional rights to an impartial jury and due process were not violated when the trial judge refused to question prospective jurors in voir dire regarding the specific content of extensive and inflammatory pretrial publicity to which they had been exposed (Mu' Min v. Virginia, 1991; Wrightsman & Kassin, 1993). Media coverage of the circumstances of the crime was extensive and included allegations that the defendant had brutally murdered the victim while on prison work detail and had confessed to doing so. Rather than questioning individual jurors regarding the content of pretrial publicity to which they had been exposed, the judge in the case determined it was sufficient to ask the group of potential jurors collectively if they had been exposed to publicity regarding the crime. The Supreme Court

subsequently agreed with this decision. A majority of the jurors who were chosen stated they had been exposed to publicity regarding the case but asserted that the stories had not caused them to make decisions regarding the suspects' guilt prior to the trial. The defendant was later found guilty and sentenced to death, and his sentence was upheld on appeal.

Research findings examining the influence of pretrial publicity on jurors' verdicts have consistently challenged the view that jurors are able to disregard damaging information they encounter through the media prior to trials. A meta-analytic review of 44 experiments with 5,755 participants that examined the effects of pretrial publicity on jurors' decisions found jurors who were exposed to damaging pretrial publicity were significantly more likely to find defendants guilty than were participants exposed to more neutral pretrial publicity or controls (Steblay, Besirevic, Fulero, & Jimenez-Lorente, 1999). These effects were stronger when jury-eligible rather than student samples, real rather than simulated case information, and longer delays rather than immediate exposure to pretrial publicity and subsequent testing were used. Additionally, defendants were judged more responsible as cumulative, negative pretrial information was experienced, such as when participants heard combined information regarding details of crimes, alleged confessions, and eyewitness testimony. In a separate review of experimental tests examining the ability of mock jurors to obey instructions to disregard pretrial publicity, findings suggested that participants exposed to alleged confessions through pretrial publicity were more likely to find defendants guilty

and responsible than were others exposed to information regarding the seriousness of the crimes or of denials by the defendants (Padawer-Singer & Barton, 1975; Tans & Chaffee, 1966). Other researchers found stronger influential effects of pretrial publicity when evidence was pro-conviction rather than pro-defense (Thompson, Fong, & Rosenhan, 1981) or when other trial evidence was weak (Sue, Smith, & Caldwell, 1973), and found longer lasting effects for emotional rather than factual pretrial publicity (Kramer, Kerr, & Carroll, 1990). Attempts to mitigate the effects of pretrial publicity through voir dire questioning of jurors, judicial instructions to disregard evidence, delays in the beginnings of trials, presentation of contradictory trial evidence, and jury deliberations have generally been found to be ineffective (Studebaker & Penrod, 1997). Based on this research, it appears that effects of pretrial publicity on jurors' decisions regarding defendants are highly influential and damaging.

In the current research, the way in which confession evidence was introduced to mock jurors was varied to evaluate whether jurors who were exposed to inadmissible confession evidence through the media would be able to disregard this evidence in their verdict decisions. Half of the experimental participants who encountered confession evidence read a scenario in which the confession was entered into trial testimony. The other half of the experimental participants read a scenario in which confession evidence was introduced to jurors during deliberations. In this scenario a juror shared a newspaper article with the other members of the jury. The article disclosed that the defendant had made a

confession prior to the trial, but this confession had been excluded from testimony because the defendant confessed during an interrogation in which officers neglected to read him his Miranda rights.

Juror Characteristics and Confession Evidence

Although inadmissible confession evidence has been shown to be incriminating, difficult to disregard, and more influential than other incriminating types of evidence on jurors' judgments, there is a great deal that is unknown about how and why jurors differentially respond to confession evidence in trials. In a review of the current state of research on confession evidence, Kassin (1997) raised the concern that the lack of research undertaken by psychologists into jurors' reactions to confessions and police interrogative techniques may have hindered opportunities for the empirical support of reforms to policies regarding confessions. For instance, although assessments of defendants' responsibilities for crimes were found to be punitive and conviction rates were significantly higher in the preceding studies when confessions were included in evidence, these findings do not suggest that all mock jurors who experienced confession evidence decided in these ways. Do some jurors respond in certain characteristically identifiable ways that might help in predicting whether, and in what situations, they might use confession evidence in their verdict decisions? Might different jurors make different decisions based on different types of confession evidence? The current research was designed to attempt to answer these and other questions that directly

pertain to future policy positions regarding jurors' reactions to confession evidence.

Individual differences in jurors' reactions to confession evidence in trials could be attributable to differences in the attitudes and beliefs held by each juror as she or he enters into jury service. Jurors enter into trials with preexisting notions regarding justice, honesty, integrity, and beliefs about the appropriateness of certain behaviors. As human beings, jurors could fall prey to committing the fundamental attribution error in their evaluations of defendants' guilt and victims' responsibility for their victimization (Hewstone & Fincham, 1996). That is, while accounting for both personal and situational factors when evaluating their own behavior, jurors could mistakenly underestimate the situations surrounding charges against defendants and overestimate the influence of defendants' individual personalities on their behaviors and assume defendants are responsible for their alleged crimes when they are not. This error would be magnified if jurors exhibited certain characteristic, attitudinal tendencies that influenced their belief in and reliance on the indicative nature of confession evidence without regard to the situations in which these confessions were made. Three social attitudes relevant to the current research that could influence jurors' decisions of defendants' guilt are Belief in a Just World, New Authoritarianism, and Internal or External Locus of Control.

Belief in a Just World could lead jurors to assume that defendants were culpable for the charges against them. Lerner's Just World Theory (1980) posited

that human beings have the need to feel the world is just and that good things happen to good people. Accordingly, if individuals expressed the belief that the world is just, they might be expected to believe only good things would happen to them if they exhibited "good" behavior by engaging in socially condoned ways. These persons with high beliefs in a just world would also be expected to assume that others who experienced negative life events or outcomes must have acted in "bad" ways that caused these events or outcomes to occur. Given the adverse social and personal consequences associated with being arrested for crimes, individuals who hold high beliefs in a just world could be expected to consider defendants as "bad" individuals who deserve punishment, especially if these defendants confessed to their alleged crimes.

Previous research found that women who were "conviction-prone" scored higher on questions regarding their beliefs in a just world, whereas women who changed their verdicts scored lower on these questions (Moran & Comfort, 1982). However, when examining results of criminal mock trial scenarios of sexual assault or sexual harassment cases, female jurors who had low beliefs in a just world were found to denigrate the victim in order to maintain a personal sense of safety while females with high beliefs in a just world did not do so (Kleinke & Meyer, 1990; Lonsway & Fitzgerald, 1995; Sinclair & Bourne, 1998). These researchers suggested females in these studies who had low beliefs in a just world appeared to understand that good people like themselves could be victimized and blamed victims or some aspects of victims' behaviors for their victimization. By

doing so, females with low beliefs in a just world who were unlike victims in the studies or who did not engage in behaviors engaged in by these victims could maintain their personal safety and feel less vulnerable. Males in these studies who held high beliefs in a just world found victims more responsible than did males with low beliefs in a just world. However, in a civil mock trial scenario neither males or females with high beliefs in a just world attributed blame to the rape victim for her victimization, but they did award very different dollar amounts for compensation of her pain and suffering (Foley & Pigott, 2000). Female jurors with high beliefs in a just world awarded the victim much more than did other females and males with low beliefs in a just world, while males with high beliefs in a just world awarded her significantly less than did the other jurors in the study. These varied findings across criminal and civil mock trials suggest that both male and female jurors who hold high beliefs in a just world act in ways that will restore their sense of justice in an unjust situation (Austin, Walster, & Utne, 1976; as cited in Thompson, Fong, & Rosenhan, 1981; Foley & Pigott, 2000). In other situations, jurors who believe in the guilt of a defendant but who are instructed to disregard key evidence that appears to support their beliefs because of due process violations could conceivably use this evidence in their decisions to ensure justice is achieved (Kassin & Sommers, 1997). Damning evidence of confessions, regardless of their admissibility, could therefore indicate to jurors with high beliefs in a just world that the appropriate and just responses to situations in

which they find themselves are to accept the confessions as fact and find the respective confessors guilty of crimes charged.

Lambert, Burroughs, & Nguyen (1999) hypothesized an interactive relationship between an individual's belief in a just world and level of right-wing authoritarianism. These researchers suggested one's high belief in a just world serves as a buffer in that this belief relates to the individual's perception of herself as a "good" person who is free from chances of experiencing negative events. On the other hand, authoritarians have been hypothesized as individuals who perceive the world as threatening and therefore desire order and control to counter this threat. Overt expressions in response to this perceived threat are often exhibited as prejudiced responsiveness to outgroup members (Brown, 1996; Narby, Cutler & Moran, 1993). However, according to the buffering hypothesis, the fears of individuals who held high authoritarian beliefs regarding imminent threats from external sources would conceivably be buffered by their beliefs in a just world because they would have the expectation that their "good" behaviors would protect them from these perceived threats.

Individuals high in authoritarianism, right-wing authoritarianism, and / or legal authoritarianism have been interchangeably described as behaviorally and morally rigid, and respectful of and submissive to powerful others who they feel deserve and command legitimate authority (Adorno, Frenkel-Brunswick, Levinson, & Sanford, 1950; Narby, et al., 1993). Given their underlying fear of imminent danger, those high in authoritarianism have been found to support the

use of extraordinary measures of social control and force by authority figures if these measures were used in their efforts to minimize threats within society (Narby, et al., 1993; Walker, Rowe, & Quinsey, 1993). As jurors, individuals high in authoritarianism could be susceptible to influence by judges and police given their deference to authority, and they have been found to be pro-prosecution and prone to favor the death penalty more than non-authoritarians (Bray & Noble, 1978; Horowitz, Willging, & Bordens, 1998). Although most researchers have reported that jurors high in authoritarianism are prone to convict defendants and impose longer sentences than do non-authoritarians (Adorno, et al., 1950; Bray & Noble, 1978; Narby, et al., 1993), a few have challenged this finding (Sue, Smith, & Pedroza, 1975). In a real-world test undertaken during the trial of O. J. Simpson to examine the validity of proposed characteristics of authoritarians, Chapdelaine and Griffin (1997) found individuals' increased levels of pro-prosecution bias were associated with their increased belief in Simpson's guilt, in the fairness of his trial, and in the need for enhanced punishment for Simpson. Increased legal authoritarianism exhibited by these participants was associated with their increased belief in Simpson's behavior as running counter to legal standards of behavior.

Based on these and other findings, in a meta-analysis examining hypothesized characteristics of legal and classic authoritarians, Narby, Cutler, and Moran (1993) argued the tendency of high authoritarians to convict was strongest when actions of defendants' behaviors conflicted with conventionally accepted

behavior. These researchers suggested these mock jurors could have conceptualized defendants as outgroup members in courtrooms in which all other persons acted in roles that furthered the interests of society and exerted control over those who would break traditional rules of behavior. They hypothesized that, in the view of those high in authoritarianism, appropriate punishment for these defendants and other outgroup members who engage in non-traditional behaviors should be severely applied over extended periods of time to gain their compliance. In this vein, defendants who confess to breaking social rules could conceivably be severely ostracized by individuals high in authoritarianism.

Finally, individual levels of internal and external spheres of control could also influence jurors' attributions towards defendants in decision-making. Rotter (1966; as cited by Gudjonsson, 1992) conceptualized internal and external locus (spheres) of control as generalized expectancies regarding the origin of behavioral reinforcement. Those persons with internal locus of control were thought to envision reinforcement from external sources as responses to and consequences of their own appropriate or inappropriate behaviors. Contrarily, individuals with external spheres of control were thought to identify the sources of their behavioral reinforcement as originating from somewhere external to themselves via more powerful, influential others or from chance. Levenson (1972; as cited by Chia, Moore, Lam, & Chuang, 1995) re-conceptualized the external component of locus of control as a combination of two components, Powerful Others and Chance,

which are independent components that correlate positively to each other but negatively to internal locus of control.

Although research on locus of control has rarely examined its relation to the attributions of jurors, there has been a great deal of research undertaken regarding the relationship between locus of control and other types of behavior. Individuals who exhibit internal locus of control have been found to engage in reactive behaviors when external sources attempt to constrain their behaviors (Gudjonsson, 1992). These individuals have been known to resist the influences of others and to express confidence and power regarding their inner selves. Some studies have found gender differences in locus of control, with females characterized as externals more often than males (De Brabander & Boone, 1990) and with male externals characterized as more susceptible to suggestibility than female externals or female or male internals (Gudjonsson, 1992). However, other studies have found no sex differences in locus of control (Chia, et al., 1995). Several studies have found relationships between locus of control and approval of academic and work-related dishonesty (Coleman & Mahaffey, 2000; Jones, 1997; Reiss & Mitra, 1998; Smith, Coates, & Deis, 1998), with individuals who exhibited internal locus of control as expressing more ethical attitudes and less approval for scholastic or work-related dishonesty than did individuals who exhibited external locus of control. Jones (1997) intriguingly related these findings to the conceptualization and characteristics of the Protestant Ethic. According to the ideals of Protestantism which originated in the middle and late

seventeenth century, those who value and engage in hard work, personal honesty and integrity, time maximization, and reinvestment of earnings in oneself and one's offspring will be rewarded by a just God for their perseverance in life after death. Underlying this ethic is the staunch reliance in personal honesty and responsibility for one's own actions and the consequential outcomes of those actions. Those who adhere to the values of the Protestant ethic could, by definition, be identified as exhibiting internal locus of control; Jones cited several studies that support this contention. It does not require a great leap in logic to hypothesize that individuals who exhibit internal locus of control would be likely to assume the honesty and personal integrity they value in themselves would also be valued by others as well. If this were the case, they would not expect an individual to confess for a crime unless that individual was issuing an honest statement of personal confession in the act of taking responsibility for the consequences of previous behavior. Those individuals who exhibit internal locus of control would therefore be likely to view a confession as indicative of the guilt of the confessor without regard to the situation in which the confession was made.

Research Hypotheses

The current research was designed to determine whether mock jurors make differential assessments of responsibility for a defendant who is accused of felony murder based on the inclusion or exclusion of confession evidence in testimony and the nature of coercion used in obtaining the confession. To

examine these questions, seven hypotheses were posited for analyses (see Table 1).

Table 1. Hypotheses

	Jurors would be more likely to find the defendant guilty and be more certain of their verdicts if:
<hr/>	
Hypothesis 1	The defendant confessed
Hypothesis 2	Positive coercion (blaming the victim) was used during the defendant's interrogation
Hypothesis 3	The confession was disclosed during deliberations in the jury room via a newspaper article
Hypothesis 4	Participants held high Belief in a Just World
Hypothesis 5	Participants held high New Authoritarianism
Hypothesis 6	Participants exhibited Internal Spheres of Control
Hypothesis 7	Participants held low Belief in False Confession Evidence

First, it was hypothesized that participants would be more likely to find the defendant guilty for the incident and be more certain of their verdicts if there were evidence that the defendant had confessed. This tendency to evaluate confession evidence as indicative of guilt was expected to occur regardless of whether coercion was used by police to obtain the confession, the type of coercion employed by the police if applicable, and how jurors were informed of the confession (through evidence or during deliberations). In contrast, it was

hypothesized that participants would be more likely to find the defendant innocent and be more certain of their verdicts if there was no evidence of a confession by the defendant presented in the scenario.

As previously discussed, research suggests that mock jurors often weigh confession evidence as less indicative of guilt when officials have been implicated in the use of negative coercion or force to elicit a confession from an accused defendant. As such, it was hypothesized that participants who were exposed to conditions in which the defendant confessed would be more likely to find the defendant innocent and be more certain of their verdicts when the confession had been elicited with negative coercion involving baiting questions, verbal force and verbal abuse. In contrast, it was expected that participants who were exposed to conditions in which the confession had been elicited with positive coercion, involving providing an "excuse" of "blaming the victim" for the defendant's alleged behavior, would be more likely to find the defendant guilty and would be more certain of their verdicts. This tendency was expected to occur regardless of how the jurors were informed of the confession (through evidence or during deliberations).

It was also hypothesized that participants would be more likely to find the defendant guilty and be more certain of their verdicts if evidence of the defendant's confession was originally deemed inadmissible in pretrial deliberations but was later introduced to the jury through procedural error rather than being heard as admissible evidence during the trial. In the procedural error

condition, a juror brought a newspaper article regarding the crime into the jury room and exposed the other jurors to the inadmissible confession evidence. In contrast, it was expected that participants who heard the admissible confession during trial would be more likely to base their determinations of the defendant's guilt on the confession itself and on the type of coercion used, with participants who heard confessions elicited with negative coercion finding the defendant less guilty than when positive coercion was implicated.

The Just World Scale (JWS) is based on Just World Theory and measures variations in individuals' beliefs that the world is just (Rubin & Peplau, 1975). Based on the theory, if the world were perceived as being just, individuals who were victimized would be considered responsible for this victimization, and individuals who were arrested and/or confessed for crimes would be considered guilty of committing those or some other crimes. As such, it was hypothesized that because of their beliefs that bad things happen to bad people, such as those who are arrested, participants who held high BJW would be more likely to find the defendant who confessed guilty and would be more certain of their verdicts. Alternatively, it was expected that participants who held low BJW would tend to believe that there could be circumstances in which a suspect could have confessed to a crime that he or she did not commit. Given this, participants who held low BJW were expected to consider all of the evidence, including evidence regarding a confession and allegations of coercion, before they made their determinations of the defendant's guilt. The type of coercion allegedly used in eliciting the

confession was expected to moderate the determinations by participants who held low BJW, with these participants finding defendants less guilty when negative, rather than positive, coercion was alleged.

The New Authoritarianism Scale is a measure of authoritarianism based on current questions (Brink; as cited in Myers, 1993). It was hypothesized that participants high in Authoritarianism would be more likely to find the defendant guilty for the incident and would be more certain of their verdicts, while participants Low in Authoritarianism would be more likely to find the defendant innocent and less responsible. The type of coercion allegedly used in eliciting the confession was expected to moderate the determinations by participants low in Authoritarianism, with these participants finding defendants less guilty when negative, rather than positive, coercion was alleged.

Paulhus' Spheres of Control is a three-part measure designed to assess one's expectancies of outcomes in certain situations, despite goals or motivation, in terms of personal efficacy, interpersonal control and/or sociopolitical control (Paulhus, 1983). High scores in each or all of these three subscales indicate internalized loci of control in these areas, while low scores in each or all of these areas indicate externalized loci of control in personal, interpersonal and/or sociopolitical realms. In other words, individuals with high (Internal) scores on any or all of the three subscales are assumed to believe that they have control over the events that shape their lives in personal, interpersonal and/or sociopolitical realms. As such, it was anticipated that participants with high (Internal) scores in

personal, interpersonal, and/or sociopolitical subscales would be expected to perceive confession evidence as freely offered and indicative of guilt and would be more likely to find the defendant guilty and be more certain of their verdicts. Alternatively, participants with low (External) scores in any or all of these subscales were expected to believe that there could have been circumstances out of the control of the defendant that enticed or forced him to confess for the crime and therefore were expected to be more likely to find the defendant innocent. The type of coercion allegedly used in eliciting the confession was expected to moderate the determinations by participants low (External) in either or all of the three subscales, with these participants finding the defendant less guilty when negative, rather than positive, coercion was alleged.

The Revised Coffman Onus for Nullification: False Confession Evidence Salience Scale (CONFESS) was designed by the author to measure the strength of an individual's belief in the possibility that evidence of an alleged confession is not conclusive of a defendant's guilt. Specifically, low scores suggest a Low Belief in False Confession Evidence and a high belief in the indicative nature of confessions, indicating that these participants perceive that a confession to a crime is conclusive of guilt regardless of any later retraction or disconfirming evidence. In contrast, high scores indicate a high Belief in False Confession Evidence and a low belief in the indicative nature of confessions, indicating that these participants perceive there could be certain situations in which individuals could confess to crimes when they were not actually guilty. As such, it was hypothesized that

participants with high Beliefs in False Confession Evidence would be more likely to find the defendant innocent and would be more certain of their verdicts. The type of coercion allegedly used in eliciting the confession was expected to moderate the determinations by participants with high Beliefs in False Confession Evidence, with these participants finding defendants less guilty when negative, rather than positive, coercion was alleged.

Method

Participants

One hundred forty-eight female (69.6%) and 64 male (30.0%) psychology students at a mid-sized, southeastern university volunteered to participate by completing the questionnaires for the experiment as one option for obtaining course credit (one participant did not respond to the question of gender). The participants varied in age from 17 to 50 with a mean age of 21.3 years. Most participants were White ($n = 173$), although some were Black ($n = 17$), Hispanic ($n = 5$), Asian American ($n = 5$), Native American ($n = 1$), or other ($n = 12$).

One hundred seventy-nine (84%) of the participants were single, 19 (8.9%) were married, 8 (3.8%) were cohabitating, 5 (2.3%) were divorced, and 2 (0.9%) were widowed. Most participants ($n = 196$) had no children, although 15 had one or more children, and two did not provide a response to this question. One hundred eighty-eight (88.3%) of the participants were full-time students, and the remaining 25 (11.7%) were part-time students. Of these, 148 participants

(69.5%) were employed in full or, predominately, part-time positions, and 65 (30.5%) were unemployed. Participants were also asked to identify their political party affiliation (Republican, Democrat, Independent, Undecided, or Other) and political attitudes (liberal, slightly liberal, slightly conservative, or conservative) (see Table 2).

Design

The study was a 2 X 2 between subjects design with type of coercion (positive or negative) and judicial error (procedural error or no procedural error) as the independent variables. Predictor variables were Belief in a Just World (Rubin & Peplau, 1975), Belief in False Confession Evidence, New Authoritarianism (Brink; as cited by Myers, 1993), and Spheres of Control (Paulhus, 1983). Dependent measures were participants' first and second verdicts ("innocent" or "guilty") and participants' certainty of their verdicts on a 6-point Likert scale ranging from 1 (completely certain) to 6 (not at all certain).

Scenario

Section One (read prior to the first verdict / certainty assessment). The scenario involved a transcript of an investigation of the apparent murder and robbery of a fashion model in her apartment by an employee of the extermination company contracted by her apartment complex (see Appendix A). Late in the evening of the apparent murder / robbery, several residents of other apartments in the same building in which the victim lived reported loud disturbances from within her apartment, prompting the apartment manager to investigate, and, after

Table 2. Demographic Information

Variable	N	% of Total
<u>1. Age</u>	213	100.0
(1) 17-20	143	67.1
(2) 21-25	47	22.1
(3) 26-35	14	6.6
(4) 36-45	5	2.3
(5) 46-55	4	1.9
<u>2. Gender</u>	212	99.5 (1 missing)
(1) Female	148	69.5
(2) Male	64	30.2
<u>3. Education</u>	213	100.0
(1) Some High School	1	.5
(2) High School Graduate	33	15.5
(3) Some College	142	66.7
(4) Junior / Community Coll Grad	31	14.6
(5) College Graduate	6	2.8
<u>4. Political Attitudes</u>	211	99.1 (2 missing)
(1) Liberal	37	17.4
(2) Slightly Liberal	60	28.2
(3) Slightly Conservative	76	35.7
(4) Conservative	38	17.8
<u>5. Political Party Affiliation</u>	212	99.5 (1 missing)
(1) Republican	77	36.2
(2) Independent	25	11.7
(3) Democrat	49	23.0
(4) Undecided	58	27.2
(5) Other	3	1.4
<u>6. Ethnicity</u>	213	100.0
(1) African American	17	8.0
(2) Asian American	5	2.3
(3) White American	173	81.2
(4) Hispanic	5	2.3
(5) Native American	1	.5
(6) Other	12	5.6
<u>7. Marital Status</u>	213	100.0
(1) Married	19	8.9
(2) Divorced	5	2.3
(3) Single	179	84.0
(4) Widowed	2	.9
(5) Cohabiting	8	3.8
<u>8. Number of Children</u>	211	99.1 (2 missing)
(1) 0	196	92.0
(2) 1-4	15	7.1
<u>9. Employment Status</u>	213	100.0
(1) Employed Full-Time	31	14.6
(2) Employed Part-Time	117	54.9
(3) Unemployed	65	30.5
<u>10. Student Status</u>	213	100.0
(1) Full-Time Student	188	88.3
(2) Part-Time Student	25	11.7

finding signs of forced entry, to contact the police.

Witnesses described a man seen at the scene of the crime as appearing to be "Caucasian, about 5'6 to 5'9, of medium build, with shoulder length brown or black hair, and wearing dark clothing." A key witness reported that an

exterminator, described as "a Caucasian male in his late 20's of average height and with short to shoulder length hair" had serviced both his and the victim's apartments two days before the murder / robbery.

Based on this and other testimony, the suspect was interrogated by the police, and his apartment was searched. The extermination service employee admitted he was using a company van on the evening of the murder / robbery that corresponded to a description of a van ("white or light colored") used by a man leaving the complex within a few minutes of the murder / robbery. Although no evidence from the crime scene was found, there was a substantial amount of cash found in the suspect's home. This cash was a smaller amount than that missing from the victim's apartment. He was arrested and charged for the crime while maintaining his innocence.

Section Two (read after first verdict / certainty / surveys). After participants made their initial judgments of verdicts and assessments of their certainty of these verdicts, participants were presented with one of five versions of section two of the scenario.

In the control condition, the defendant maintained his innocence. He was read his Miranda rights, and he was arrested and charged for the murder / robbery. He then waived counsel, was unable to produce an alibi, and was questioned for several hours by detectives who stressed their certainty of his guilt.

In conditions in which the type of coercion was manipulated, the defendant first experienced all events as listed in the control condition. Following

these events, in the negative coercion condition, the detectives told the defendant that he had been filmed by a convenience store video camera while examining a pocket watch with a long chain like one taken from the victim's apartment. In the positive coercion condition, the detectives attempted to mitigate the victim's death by suggesting that she was flirtatious and had "led him on and asked for it." Both conditions ended after several hours when the defendant broke down and confessed to the crime, but he later stated this was done to stop the questioning.

In conditions in which the procedural error occurred jurors were informed of the defendant's alleged confession during deliberations when a juror brought a newspaper article regarding the case into the jury room. The article reported that all events described in the control condition had transpired with the exception that the defendant was not read his Miranda rights during the interrogation which lasted several hours nor was he allowed to waive counsel prior to his breaking down and confessing to the crime to stop the questioning. The confession had therefore been deemed inadmissible during pre-trial motions.

Procedure

Participants came to a conference room in groups of one to eight, were informed the study was regarding a criminal murder and robbery trial, and were asked to complete and sign an informed consent if they were interested in participating. Participants who chose to participate were then handed a packet of materials containing, in order: demographics questions, the first section of the scenario (same for all participants), the first verdict and first certainty assessment

form, the Spheres of Control scale, the New Authoritarianism scale, the Revised Coffman Onus for Nullification: False Confession Evidence Salience Scale, the Just World Scale, the second section of the scenario (varied by condition), the second verdict and certainty assessment form, and questions regarding their verdicts. After receiving the materials, the participants were instructed to read and complete the demographics questions and then read the first section of the crime scenario. Following these tasks, participants were asked to read the written instructions at the top of each additional task and to follow those accordingly. They were asked to refrain from referring back to previous pages, including those on which the testimony was printed. Participants were given two hours to complete the study.

Written instructions for the first verdict asked participants to indicate their verdicts (innocent or guilty) based on the evidence presented in the first section of the scenario. Participants were then asked to rate certainty of their verdicts on a 6-point Likert scale ranging from 1 (completely certain) to 6 (not at all certain). Following the completion of the verdict and certainty assessment, the questionnaires, and the reading of the second (manipulated) section of the scenario, participants were asked to provide re-assessments of their verdicts and their certainty as previously described.

Measures

Demographic Variables. All participants completed a brief demographic questionnaire that measured the following characteristics: age, gender, education,

political attitudes, political affiliation, ethnicity, marital status, number of children, employment status, and student status (see Appendix B).

Just World Scale. The Just World Scale (Rubin & Peplau, 1975) was completed by all participants (see Appendix C). The Just World Scale (JWS) measures participants' beliefs that good things happen to good people and that people get what they deserve. Internal consistencies of .80 and .81 were reported for two student samples by the authors. Participants' responses to the 20 items are assessed on a 6-point Likert scale ranging from 1 (strongly disagree) to 6 (strongly agree). Higher scores indicate greater belief in a just world.

New Authoritarianism. The New Authoritarianism scale (Brink; as cited by Myers, 1993) was completed by all participants (see Appendix D). Items from the scale are designed with modern students in mind and reflect aspects of authoritarianism including submission, conventionalism, destruction, cynicism, power, toughness, superstition, stereotyping, distaste for introspection, tendency to project, aggression and sexual concerns. Normative information regarding the scale was unavailable. The New Authoritarianism scale (NA) measures participants' responses to 18 items on a 6-point Likert scale ranging from 1 (strongly disagree) to 6 (strongly agree). Higher scores represent higher authoritarian beliefs based on contemporary questions. Reliability and internal consistency for this sample were assessed using Cronbach's Alpha (.68) and Gutman's Split Half (.70).

Spheres of Control. The Spheres of Control scale (Paulhus, 1983) was completed by all participants. The Spheres of Control scale (SOC) is composed of three subscales: the Personal Efficacy Scale, Interpersonal Control Scale, and Sociopolitical Control Scale (see Appendix E). Items in each subscale were determined through a series of factor analytic studies conducted by Paulhus from an original set of 90 items. Samples were pulled from university students and athletes for original survey construction and validation. Paulhus (1983) reported internal consistency of the subscales as .75 for the Personal Efficacy Scale, .77 for the Interpersonal Control Scale, and .81 for the Sociopolitical Control Scale and reported test-retest correlations at six months at above .70 for the three subscales. Each subscale measures participants' responses to 10 items on a 6-point Likert scale ranging from 1 (disagree) to 6 (agree). Higher scores indicate internal spheres of control.

Revised Coffman Onus for Nullification: False Evidence Salience Scale (CONFESS). CONFESS was completed by all participants (see Appendix F). CONFESS was designed by this researcher to fulfill a graduate research methods assignment and was revised for use in the current research to examine the public perceptions and attitudes of jury eligible citizens regarding the influential nature of confession evidence. The scale measures participants' responses to 30 items on a 6-point Likert scale ranging from 1 (completely true) to 6 (completely false). Higher scores indicate higher beliefs in false confession evidence, indicating that these participants perceive that there could be situations in which individuals

could confess to crimes when they were not in fact guilty. Alternatively, lower scores indicate lower beliefs in false confession evidence, indicating that these participants perceive that confessions made in regards to crimes are generally conclusive of guilt. Reliability, split-half, and test-retest analyses were run using revised CONFESS for a pre-tested sample of seventeen students who volunteered to participate in a psychology and law course at the university who were tested at the beginning of the term and then retested after five weeks (see Table 3).

Reliability and internal consistency for the current sample were assessed using Cronbach's Alpha (.82) and Gutman's Split Half (.69).

Table 3. Pre-test Sample Analyses for Revised CONFESS

	<u>Test 1</u>	<u>Test 2</u>	<u>Combo</u>
Reliability Coefficient - Scale Alpha	.87	.81	.90
Correlation Between Forms	.68	.67	.70
Guttman Split-half	.77	.79	.82
Equal-length Spearman-Brown	.81	.80	.82
Alpha for Part 1	.79	.81	.81
Alpha for Part 2	.49	.75	.87

N = 17

Results

A t -test was performed as a manipulation check with confession (confession / no confession) as the independent variable and the level of agreement on a 6-point Likert scale ranging from 1 (strongly agree) to 6 (strongly disagree) with the statement "Jack Ashton confessed to the murder robbery" as the dependent variable. The results of the t -test indicated a significant effect ($t = -9.49$, $p < .001$). Participants who read confession evidence ($n = 171$, $M =$

3.04) agreed more strongly that the defendant confessed than did those participants in the control group who did not read the confession evidence ($n = 42$, $M = 5.48$).

First and Second Verdicts

Hypothesis One. A MANOVA was run with confession (confession or no confession) as the independent variable and decisions regarding the first and second verdicts as the dependent variables. A Hotelling's Trace evaluation indicated no evidence of a significant effect for confession ($F(2, 207) = 1.72$, $p = .181$).

Hypotheses Two and Three. The data were split by confession (confession or no confession) in order to run the following analyses. Remaining results refer to participants exposed to the confession conditions.

A MANOVA was run with type of procedural error (procedural error or no procedural error) and type of coercion (positive or negative) as independent variables and decisions regarding the first and second verdicts as the dependent variables. A Hotelling's Trace evaluation indicated no evidence of a significant main effect for type of procedural error ($F(2, 163) = 0.24$, $p = .782$) or for type of coercion ($F(2, 163) = 0.29$, $p = .745$). Additionally, there was no significant interaction between type of procedural error and type of coercion ($F(2, 163) = .07$, $p = .935$).

Hypothesis Four Through Seven. Participants' scores for each of the four scales used as predictor variables were divided by median splits into highs and

lows to evaluate hypotheses four through seven. Reliability, split-half statistics, and correlation matrices were run on the four scales used in the study (see Tables 4 & 5).

Table 4. Scale Reliability and Split-Half Analyses

	<u>Cronbach's Alpha</u>	<u>Guttman's Split-half</u>
Just World	.47	.47
New Authoritarianism	.68	.70
Spheres of Control	.82	.69
CONFESS	.82	.73

Table 5. Scale Correlations

	<u>JW</u>	<u>NA</u>	<u>SOC</u>	<u>CONFESS</u>
Just World				
Pearson	---	.417*	-.056	-.324*
Significance	---	.000	.417	.000
New Authoritarianism				
Pearson	.417*	---	-.112	-.503*
Significance	.000	---	.103	.000
Spheres of Control				
Pearson	-.056	-.112	---	-.064
Significance	.417	.103	---	.354
CONFESS				
Pearson	-.324*	-.503*	-.064	---
Significance	.000	.000	.354	---

* Correlation is significant at the .01 level (2-tailed)

A MANOVA was run with the levels of participants' Belief in a Just World as the predictor variable and decisions for participants' first and second verdicts as the dependent variables. A Hotelling's Trace evaluation indicated no significant main effect for the model for levels of participants' Belief in a Just World ($F(1, 209) = 0.39, p = .675$).

A MANOVA was run with the levels of participants' New Authoritarianism as the predictor variable and decisions for participants' first and

second verdicts as the dependent variables. A Hotelling's Trace evaluation indicated no significant main effect for the model for levels of participants' New Authoritarianism ($F(1, 207) = 1.51, p = .223$).

A MANOVA was run with the levels of participants' Spheres of Control as the predictor variable and decisions for participants' first and second verdicts as the dependent variables. A Hotelling's Trace evaluation indicated no significant main effect for the model for levels of participants' Spheres of Control ($F(1, 207) = 0.70, p = .496$).

A MANOVA was run with the levels of participants' Belief in False Confession Evidence as the predictor variable and decisions for participants' first and second verdicts as the dependent variables. A Hotelling's Trace evaluation indicated no significant main effect for the model for levels of participants' Belief in False Confession Evidence ($F(1, 207) = 0.97, p = .379$).

Discussion

Hypothesis One: Influence of Confession Evidence on Verdicts and Certainty Assessments

Contrary to expectations, participants exposed to confession evidence were no more likely than participants exposed to no confession evidence to find the defendant guilty in their verdicts. The verdicts in the current study were in line with, but slightly lower than, other mock trial findings in which jurors' decisions regarding alleged confession evidence were evaluated. In prior studies, 34% to 50% of mock jurors returned convictions after exposure to contested

confession evidence, with more participants returning convictions in cases with stronger evidence (Kassin & Sommers, 1997; Wrightsman & Kassin, 1993). Overall, for the first verdict in the present study, prior to reading any confession evidence 66 (31%) of the 212 participants indicated the defendant was guilty; of these, 48 (22.6%) were in conditions in which confessions were later entered, while 18 (8.4%) were in the control condition. After the manipulation, 70 (33.2%) of the 211 participants who responded indicated the defendant was guilty; of these, 54 (25.6%) were in conditions in which they read about the confession, while 16 (7.6%) were in the control condition with no confession. The difference among the groups was not statistically significant. Additionally, participants exposed to confession evidence were not significantly more certain of their first or second verdicts than were participants in the control condition (see Tables 6 & 7).

Hypothesis Two: Influence of Type of Coercion on Verdicts and Certainty Assessments

Contrary to expectations, participants exposed to confessions elicited with positive coercion were no more likely to find the defendant guilty than were participants exposed to confessions elicited with negative coercion. In fact, of the 70 participants who found the defendant guilty in their second verdicts, a slightly higher percentage of participants found the defendant guilty when negative (33.3%) rather than positive (30.6%) coercion was used in eliciting the confessions, but this difference was not significant. These findings conflict with the results of numerous prior studies which found mock jurors to be more likely to

Table 6. Certainty of First Verdict

Level of Certainty	Confession		No Confession	
	N	%	N	%
1 - Completely Certain	4	2.35%	1	2.38%
2	25	14.70%	4	9.52%
3	41	24.12%	13	30.95%
4	58	34.12%	15	35.71%
5	31	18.23%	8	19.05%
6 - Not At All Certain	11	6.47%	1	2.38%

Table 7. Certainty of Second Verdict

Level of Certainty	Confession		No Confession	
	N	%	N	%
1 - Completely Certain	7	4.12%	1	2.38%
2	35	20.59%	8	19.05%
3	54	31.76%	12	28.57%
4	40	23.53%	14	33.33%
5	26	15.29%	5	11.90%
6 - Not At All Certain	8	4.70%	2	4.76%

find defendants guilty of and responsible for crimes when positive rather than negative coercion was implicated in eliciting their alleged confessions (Kassin & Wrightsman, 1980; Kassin & Wrightsman, 1981; Wrightsman & Kassin, 1993). Perhaps this difference between the current study and previous research was related to the strength of the alleged evidence in the negative coercion condition in the current research. In this condition, detectives adamantly asserted that the defendant had been filmed with objects found at the crime scene. In the positive coercion condition, the alleged evidence was more vaguely portrayed. It is possible that jurors decided there was not enough evidence to convict in the positive coercion conditions. It is also possible that participants could have blamed the victim for her victimization in the positive coercion conditions. The positive coercion scenarios implied that the victim's behavior led the defendant to

believe she was sexually interested in him only to have her reject his reciprocated interest. Jurors could have perceived this alleged rejection as mitigating the defendant's guilt. These latter conjectures could also explain the tendency of participants to be slightly more certain of their second verdicts when positive (60.5%) rather than negative (52.4%) coercion was implicated in eliciting the confessions. As with the verdicts, this difference was not significant.

Hypothesis Three: Influence of Procedural Error on Verdicts and Certainty

Assessments

Contrary to expectations, participants exposed to conditions in which confession evidence was disclosed to jurors during jury deliberation were no more likely to find the defendant guilty than were participants exposed to the confession as it was presented in trial testimony. Eighty-six (40.7%) of the 211 participants who provided second verdicts were exposed to the procedural error condition; of these, 28 (32.6%) found the defendant guilty. Of the 125 (59.2%) remaining participants who were exposed to conditions in which confession evidence was presented during the trial, 42 (33.6%) found the defendant guilty.

A recent evaluation of the effects of pretrial publicity on jurors' decisions when jurors' suspicions have been raised could provide a plausible interpretation of the current findings (Fein, McCloskey, & Tomlinson, 1997). This research found that, while the negative effects of pretrial publicity and other types of inadmissible evidence were replicated in their findings, participants who became suspicious of the motives of the sources of this information were more likely to

disregard the pretrial publicity or inadmissible evidence. Perhaps the mock jurors in the current study were skeptical of the newspaper article detailing the alleged confession that was introduced during jury deliberations or of the motives of the juror who brought the article to the attention of the jury. If this were the case, these participants may have disregarded the confession evidence and instead made their decisions based on other facts of the case. Individual jurors' beliefs regarding the veracity of confession evidence in general could have also influenced their ability to disregard the confession evidence in the scenario. However, if participants in the current research were able to disregard the inadmissible confession evidence in the procedural error conditions, this tendency would run counter to findings from other studies in which jurors were unable to do so (Fischer & Fehr, 1985; Kassin & Sukel, 1997). Possible skepticism regarding the newspaper article or the intentions of the juror who introduced the article to other jurors could have influenced participants to disregard the confession evidence. This could account for the finding in the current research that participants exposed to conditions in which confession evidence was disclosed to jurors during jury deliberations were not significantly more likely to be certain of their second verdicts than were participants exposed to conditions in which the confession was entered during trial testimony (see Table 8).

Table 8. Certainty of Second Verdict - Procedural Error Conditions

Level of Certainty	Procedural Error		No Procedural Error	
	N	%	N	%
1 - Completely Certain	2	2.32%	6	4.76%
2	25	29.07%	18	14.28%
3	30	34.88%	36	28.57%
4	15	17.44%	39	30.95%
5	12	13.95%	19	15.08%
6 - Not At All Certain	2	2.32%	8	6.35%

Hypotheses Four Through Seven: Influence of Scales on Verdicts and CertaintyAssessments

Contrary to expectations, participants' levels of Belief in a Just World, New Authoritarianism, Spheres of Control or Belief in False Confession Evidence were not directly predictive of participants' assessments of the defendant's guilt in the first or second verdicts. Also, participants' levels of Belief in a Just World, New Authoritarianism, Spheres of Control, or Belief in False Confession Evidence were not directly predictive of participants' assessments of the certainty of their first or second verdicts. These null results were unexpected. Participants in the study appeared to rely on a dispassionate review and interpretation of the facts in the case in making their verdict and certainty assessments despite exhibiting varied levels of Belief in a Just World, New Authoritarianism, Spheres of Control, and Belief in False Confession Evidence. A majority of the participants duplicated their initial verdicts in their second verdicts after hearing the confession evidence in the experimental conditions. Statistical analyses of these initial verdicts indicated that the hypothesized attitudes and / or expectancies measured by the scales failed to individually predict the participants'

first verdicts. However, a review of previous research findings examining similar scenarios in terms of participants' levels of Belief in a Just World and authoritarianism and their expectancies regarding the loci of behavioral reinforcement suggested these attitudes and expectations would influence their behaviors and responses in predictable ways. For instance, previous research found that women who were "conviction-prone" held high Belief in a Just World (Moran & Comfort, 1982), and individuals who held high authoritarian beliefs were found to be pro-prosecution (Bray & Noble, 1978; Horowitz, Willging, & Bordens, 1998). Additionally, individuals who held high authoritarian beliefs were more likely to convict defendants when their behavior was in conflict with socially accepted behavioral norms than were individuals who held low authoritarian beliefs (Narby, et al., 1993). Similarly, individuals who exhibited Internal Spheres of Control were found to express more ethical attitudes (Coleman & Mahaffey, 2000) and to value personal honesty and integrity (Jones, 1997), suggesting that these individuals would be more likely to hold defendants accountable for their inappropriate behaviors than would individuals who exhibited External Spheres of Control. However, these hypothesized patterns of responding were not observed in the current research.

It is possible that the scenario chosen for the study could have influenced some participants' decisions regarding the defendant's guilt in directions that were not hypothesized but that, in hindsight, could have been anticipated based on previous findings that examined individuals' levels of Belief in a Just World. All

participants in the study read an uncontested trial transcript that described the condition of the victim's apartment when she was found and the testimony of four vague witnesses who observed a van and a suspicious man around the time of the crime. The victim was described as a fashion model, and the description of items found in her apartment included the fact that several framed photographs of her had been removed from the walls of the apartment and were thrown on the floor and that one of these photographs was missing from its frame. The victim also was described as someone who kept money in a safe in preparation for "frequent travel with short notice for photo shoots." She had been stabbed and had defensive wounds on her arms and hands and a bruise on her right cheekbone. As noted in the previous section, prior research found that, in general, individuals who held high Belief in a Just World were expected to hold defendants accountable for their inappropriate behavior and be more likely to find these defendants guilty than would individuals who held low Belief in a Just World. However, when gender was salient, as in criminal cases of sexual assault or sexual harassment, the opposite trend was found (Kleinke & Meyer, 1990; Lonsway & Fitzgerald, 1995; Sinclair & Bourne, 1998). In these studies, female participants who held low Belief in a Just World, and who viewed themselves as dissimilar to the respective victims, denigrated the victims in order to maintain their personal sense of safety. Additionally, males in these studies who held high Belief in a Just World found the victims to be more responsible for their victimization than did males who held low Belief in a Just World. Given the

salience of gender alluded to by the victim's employment in the current scenario, some participants could have formed their initial verdict decisions following the above patterns of responding and therefore would not have been significantly influenced by the subsequent introduction of the confession during the experimental conditions.

A second possible explanation for the null findings in the current research could be that individuals have developed a more skeptical view of confession evidence and of other types of highly incriminating evidence. Recent reports of the release of numerous individuals who were originally convicted based on the presentation of confession and eyewitness testimony in trial but were subsequently exonerated through DNA testing could have raised jurors' awareness and could lead them to more skeptically consider this evidence in lieu of other evidence in cases in which they are involved (Huff, Rattner, & Sagarin, 1996; Radelet, Bedau, & Putnam, 1992). However, this supposition is questionable based on findings of research conducted during this same time which found jurors unable to disregard inadmissible evidence of an alleged confession negatively coerced and involuntarily made by a defendant (Kassin & Sukel, 1997). Other mock jurors were more likely to weigh confession evidence as negatively influential on their subsequent verdicts than eyewitness or character testimony (Kassin & Neumann, 1997). Jury-eligible participants were also found to be more likely than student participants to find defendants guilty when confronted with cumulative, negative pretrial information such as eyewitness and confession

evidence (Stebly, Besirevic, Fulcro, & Jimenez-Lorente, 1999). Based on these findings, it appears that even if potential jurors have become more suspicious of highly incriminating types of evidence such as confession evidence they are often unable to keep this evidence from negatively influencing their decisions regarding the guilt and accountability of defendants.

Finally, it would be beneficial in future research to examine an interactive relationship between participants' attitudes and expectancies and their subsequent verdict decisions. Perhaps, as suggested in the buffering hypothesis offered by Lambert, Burroughs, and Nguyen (1999), some individuals' levels of Belief in a Just World serve as buffers to their high authoritarian views of the world as threatening. If these same individuals also exhibited internalized expectancies regarding the origins of behavioral reinforcement, these expectancies could act in concert with their high Belief in a Just World to influence their opinions regarding the responsibility of others for their own behavior and behavioral consequences. Future research should examine whether individuals' levels of Belief in a Just World, New Authoritarianism, Spheres of Control and Belief in False Confession Evidence interact in ways that are predictive of their decisions regarding the culpability of defendants.

General Discussion

The current research was designed to determine whether mock jurors make differential assessments of the guilt or innocence of a defendant based on the inclusion or exclusion of confession evidence and the type of coercion used in

obtaining these confessions. This study was undertaken in order to address a void in the research to determine whether jurors' behavioral reactions to confession evidence could be predicted. Hypotheses for the study addressed the effects of various factors on jurors' verdicts regarding defendants' guilt or innocence and their certainty of these verdicts: inclusion of confession evidence, the type of coercion used in obtaining confessions, the admissible or inadmissible presentation of confession evidence, and the influence of potential predictor variables. Predictor variables which were assessed included participants' Belief in a Just World, Spheres of Control, New Authoritarianism, and Belief in False Confession Evidence. Unfortunately, no main effects for the scales were found for participants' first or second verdicts or for their assessments of their certainty of these verdicts.

Several limitations of the current research need to be addressed. First, although the research was designed with the intention of examining juror rather than jury behavior, it is important to note that prior research has examined whether individual juror bias may be eliminated through the jury deliberation process but has found inconclusive results (Kerr, Niedermeier, & Kaplan, 1999). Although some jurors may appear to change their opinions in response to persuasion by other jurors, it is unclear which jurors may or may not be influenced by others' persuasive tactics. However, research similar to the current study regarding the decisions of individual jurors helps in identifying characteristics of potential jurors who may or may not be susceptible to the

influence of other jurors or judicial authorities. This research is particularly important in light of the lack of research examining jurors' perceptions of confession evidence and of defendants who have allegedly confessed (Kassin, 1997). Second, participants in the study were asked to indicate their judgments of the defendant as either "innocent" or "guilty." Although the use of this terminology lacks mundane realism, these verdicts were selected over the use of the legal terminology of "guilty" or "not guilty" in order to more subtly distinguish which jurors would be able to completely disregard confession evidence and find defendants "innocent" rather than considering them "not guilty."

Third, participants were asked to assess the certainty of their first and second verdicts in order to provide a more stringent measure of their opinions regarding the defendant's guilt. If similar research is undertaken in the future, perhaps a separate Likert item should be added to assess participants' beliefs regarding the likelihood that the defendant committed the crime in question in order to further isolate their opinions regarding the defendant's guilt. This measure could better separate participants' opinions regarding the probability that the defendant had committed the crime in question from their opinions regarding the strength of the evidence and other situational factors related to the case. Fourth, in future research examining coerced confessions, it would be beneficial to include a comparison condition in which a defendant confesses freely without coercion in order to determine whether participants evaluate the culpability of

defendants who make non-coerced and coerced confessions differently. Fifth, the scenario for the current research was presented in written format and lacked experimental realism. Future analyses should include the presentation of verbally and visually presented testimony in order to enhance the experimental and mundane realism of the experimental manipulation. Finally, future research should examine whether individuals' attitudes and beliefs interact to influence their opinions regarding the culpability of defendants in ways that may be predictive of their future behavior.

Appendix A

Scenario

Section I (Read by All Participants and Heard Prior to First Verdict / Certainty Assessment)

Today, you are being asked to assume the role of a juror in a criminal trial. Please read the following case scenario, carefully attending to the details of the case as you would if you were serving on an actual jury with other jurors for a criminal trial. This case involves a charge against Jack Ashton, a 36 year-old male from Harsdale, Florida, of Murder in the 1st Degree committed during a felony robbery.

Uncontested Trial Transcript:

At 9:22 p.m. on March 24, 1999, officers responded to a 911 call from the apartment manager of the Mangrove Apartment Complex at 14427 Orange Way, Harsdale, Florida. When they arrived at the complex, the manager, Jeff Foster, informed the officers that three separate apartment lessees in building H had reported a loud disturbance; this disturbance appeared to have originated from apartment H-293, leased by a fashion model named Rachel Smith. Residents reporting the disturbance resided in two apartments adjacent to apartment H-293 and one apartment below the apartment in question. Mr. Foster reported he proceeded to apartment H-293 to investigate the disturbance. As he approached the apartment from the rear of the first floor of the building, he stated he looked up and saw that the glass in the balcony sliding doors had been broken on one side. Foster reported he then proceeded to the front door of the apartment and found it was unlocked and partially opened. Fearing the responsible party(ies) might still be inside, Mr. Foster immediately placed the 911 call to the police and reported the incident.

At 9:53 p.m., the responding officers approached and entered apartment H-293 leased by Rachel Smith. They found her apartment appeared to have been ransacked. Some furniture had been overturned and contents of the drawers in both the bureau and the desk in the living room had been emptied onto the floor. A glass jewelry display case was shattered with its remnants left on the mantle piece. Several framed photographs which later were determined to be photographs of Ms. Smith appeared to have been removed from the walls of the living room and were also thrown on the floor. In addition, an empty frame and broken glass were found on a recliner in the room. The officers proceeded into the single bedroom of the apartment and found this room ransacked as well. Inside the bedroom, they also found the victim, Rachel Smith, lying face up beside the bed. While one officer called dispatch for emergency response, the second examined the victim for life signs but found none.

A subsequent autopsy by the medical examiner suggested that Ms. Smith was stabbed in the arm and the chest; the stab to the chest punctured her left lung causing her to die of asphyxiation. Also, Ms. Smith appeared to have defensive wounds on her arms and hands and a bruise on the right cheekbone.

While at the scene, the officers searched the bedroom and found an empty jewelry case lying on the floor beside Rachel Smith's bed. Later discussions with Ms. Smith's parents determined a diamond tennis bracelet usually worn by her was missing from the apartment as well as an antique pocket watch with an etched caboose and a long gold chain given to her by her great-grandfather. The Smiths stated their daughter always kept this pocket watch displayed in the jewelry case found smashed in the living room. They also confirmed Ms. Smith generally kept around \$2,500 in the wall safe for frequent travel with short notice for photo shoots.

Detectives assigned to the murder investigation interviewed the occupants of the three adjacent apartments who had reported the disturbance to Jeff Foster, the apartment manager. Jessica Lincoln, the lessee of the first floor apartment directly below Ms. Smith's, recalled observing a man walking quickly towards a light or white colored van through her front window within a few minutes after she heard the noises from the apartment above. Ms. Lincoln described the man she saw as appearing to be Caucasian, of medium build, between 5' 5" and 5' 9" tall, with shoulder length brown or black hair, and wearing dark clothing. She did not see the man's face but assumed his gender by his walk and size. Steve and Helen Smart, the lessees of the apartment to the right of apartment H-293, reported hearing a male and female in a muffled argument a few minutes after hearing a crashing noise. The lessee of the apartment to the left of apartment H-293, Mark Baldwin, reportedly heard muffled noises from the apartment but did not specifically see or hear anyone because he was watching a loud action film at the time of the incident. However, Mr. Baldwin was able to

assist the detectives with one crucial fact: his apartment and Ms. Smith's apartment had been treated for bugs two days prior to the incident by the extermination company under contract by the complex. When asked by the officers to describe the service provider, Mr. Baldwin described the exterminator as a Caucasian male in his late 20's, average height, and short to shoulder length brown hair.

Given the description of the exterminator supplied by Mr. Baldwin closely matched Ms. Lincoln's account of the alleged perpetrator, the detectives contacted the owners of the extermination company to determine the exterminator's name and address. While contacting the company, the detectives also determined vendors from the company drove white vans with the company's logo on the vans' right sides.

The detectives contacted and interviewed the exterminator, Jack Ashton. During questioning, the detectives noted Mr. Ashton's appearance seemed to coincide with the general description given by the witnesses. He was Caucasian, about 5' 7 1/2", had medium brown collar-length hair, and had a medium build. Additionally, Mr. Ashton was using one of the company vans on the evening of the incident. The detectives questioned Mr. Ashton about his activities on the night of the murder, and Mr. Ashton said he had been at home during the entire evening.

Probable cause was established based on the evidence identified by the officers, and a search warrant was requested by the detectives and issued by a judge in the county. A subsequent search of Mr. Ashton's home led to the discovery of \$900 in cash in a jewelry case in his bedroom. However, neither the difference in the cash (approximately \$1,600) nor the two pieces of jewelry was located in the suspect's home. When interviewed, Mr. Ashton denied owning a pocket watch and instead stated he always wore the wristwatch he was wearing during the interview. He maintained he kept the money in his home in case of an emergency. Throughout his trial, Mr. Ashton insisted he was not guilty.

Section 2 (Read after First Verdict, Certainty Assessment, and Completion of Surveys)

Condition 1: No Confession or Coercion / No Procedural Error (Control Condition)

According to police records, Jack Ashton was arrested and charged with the 1st degree murder of Rachel Smith. At the scene, detectives read him his Miranda rights and then transported him to the county jail for processing. After booking, the detectives asked Mr. Ashton if he would like to waive his right to counsel and talk to them about the incident; he agreed. At trial, Mr. Ashton testified the detectives questioned him extensively for several hours. He stated he informed the detectives he had been home alone during the crime and had no alibi. He reported that during this questioning the detectives stressed their certainty of his guilt.

Mr. Ashton entered a plea of Not Guilty. When asked at trial whether he was guilty of the murder, Mr. Ashton testified he most certainly was not guilty.

Condition 2: Confession and Negative Coercion / No Procedural Error: (maximization by "knowledge-bluff" via "baiting questions" -- provided emphasis for seriousness of charges)

According to police records, Jack Ashton was arrested and charged with the 1st degree murder of Rachel Smith. At the scene, detectives read him his Miranda rights and then transported him to the county jail for processing. After booking, the detectives asked Mr. Ashton if he would like to waive his right to counsel and talk to them about the incident; he agreed. At trial, Mr. Ashton testified the detectives questioned him extensively for several hours. He reported that during this questioning the detectives stressed their certainty of his guilt. Ashton further testified: "They told me they had me dead to rights! They insisted I was filmed on a convenience store surveillance tape pulling the woman's pocket watch from my jacket pocket, checking the time, and then struggling with the chain while trying to put the watch back. I pleaded with them, saying this wasn't true; I insisted I wasn't guilty all during the questioning. However, after several hours, I felt there was no hope. I had been at home alone during the crime and had no alibi, and the detectives were adamant that they had me on videotape with the watch and were certain that I was guilty. I finally broke and confessed to the murder just to stop the questioning."

Mr. Ashton entered a plea of Not Guilty. When asked at trial whether he was truly guilty of the murder, Mr. Ashton testified he most certainly was not guilty.

Condition 3: Confession and Positive Coercion / No Procedural Error

(minimization by "blaming the victim" -- provided "excuse" for poor behavior for defendant)

According to police records, Jack Ashton was arrested and charged with the 1st degree murder of Rachel Smith. At the scene, detectives read him his Miranda rights and then transported him to the county jail for processing. After booking, the detectives asked Mr. Ashton if he would like to waive his right to counsel and talk to them about the incident; he agreed. At trial, Mr. Ashton testified the detectives questioned him extensively for several hours. He reported during this questioning the detectives stressed their certainty of his guilt. Ashton testified: "The detectives talked about how sexy and attractive Rachel Smith was. Then the tall detective said he had heard from another witness she was a tease who led guys on by flirting but then brushed them off if they got interested. He told me, 'I bet she invited you over after seeing you working at her apartment that day and then tried to blow you off. That's what happened, right?' The other detective added, 'Shoot, you can tell what kind of woman she was. She had all those pictures of herself all over the apartment... she was flashing her wares all over the place. Man, I can understand how a guy could get frustrated if a woman did that to him...' I pleaded with them, saying this wasn't true; I insisted I wasn't guilty all during the questioning. However, after several hours, I felt there was no hope. I had been at home alone during the crime and had no alibi, and the detectives were adamant that they were certain I was guilty. I finally broke and confessed to the murder just to stop the questioning."

Mr. Ashton entered a plea of Not Guilty. When asked at trial whether he was truly guilty of the murder, Mr. Ashton testified he most certainly was not guilty.

Condition 4: Confession and Negative Coercion / Procedural Error

According to police records, after extensive questioning spanning several hours Jack Ashton was arrested and charged with the 1st degree murder of Rachel Smith. Mr. Ashton entered a plea of Not Guilty.

Assume that the trial is over and you are now in the jury room with the other jurors. During deliberations regarding the responsibility of the defendant for the alleged crime, another juror circulates a newspaper article acquired the previous day. This article reported that after extensive questioning, Mr. Ashton had confessed to the murder of the victim. During this questioning the detectives stressed their certainty of his guilt. According to the article, Ashton testified: "They told me they had me dead to rights! They insisted I was filmed on a convenience store surveillance tape pulling the woman's pocket watch from my jacket pocket, checking the time, and then struggling with the chain while trying to put the watch back. I pleaded with them, saying this wasn't true; I insisted I wasn't guilty all during the questioning. However, after several hours, I felt there was no hope. I had been at home alone during the crime and had no alibi, and the detectives were adamant that they had me on videotape with the watch and were certain that I was guilty. I finally broke and confessed to the murder just to stop the questioning." When asked at trial whether he was truly guilty of the murder, it was reported Mr. Ashton testified he most certainly was not guilty.

However, during pretrial motions, Mr. Ashton's attorney was able to demonstrate the officers failed to read him his Miranda rights and have him waive his right to counsel prior to questioning. Given this error on the part of the police, the defendant's confession was excluded for procedural error. Therefore, the alleged confession should not be considered as evidence as to Mr. Ashton's guilt or innocence in this incident and was not presented at the trial.

Condition 5: Confession and Positive Coercion / Procedural Error

According to police records, after extensive questioning spanning several hours Jack Ashton was arrested and charged with the 1st degree murder of Rachel Smith. Mr. Ashton entered a plea of Not Guilty.

Assume that the trial is over and you are now in the jury room with the other jurors. During deliberations regarding the responsibility of the defendant for the alleged crime, another juror circulates a newspaper article acquired the previous day. This article reported that after extensive questioning, Mr. Ashton had confessed to the murder of the victim. During this questioning the detectives stressed their certainty of his guilt. According to the article, Ashton testified: "The detectives talked about how sexy and attractive Rachel Smith was. Then the tall detective said he had heard from another witness the victim was a tease who led guys on by flirting but then brushed them off if they got interested. He told me, 'I bet she invited you over after seeing you working at her apartment that day and then tried to blow you off. That's what happened, right?' The other detective added, 'Shoot, you can tell what kind of woman she was. She had all those

pictures of herself all over the apartment... she was flashing her wares all over the place. Man, I can understand how a guy could get frustrated if a woman did that to him..." I pleaded with them, saying this wasn't true; I insisted I wasn't guilty all during the questioning. However, after several hours, I felt there was no hope. I had been at home alone during the crime and had no alibi, and the detectives were adamant that they had me on videotape with the watch and were certain that I was guilty. I finally broke and confessed to the murder just to stop the questioning." When asked at trial whether he was truly guilty of the murder, it was reported Mr. Ashton testified he most certainly was not guilty.

However, during pretrial motions, Mr. Ashton's attorney was able to demonstrate the officers failed to read him his Miranda rights and have him waive his right to counsel prior to questioning. Given this error on the part of the police, the defendant's confession was excluded for procedural error. Therefore, the alleged confession should not be considered as evidence as to Mr. Ashton's guilt or innocence in this incident and was not presented at trial.

Appendix B Demographic Questionnaire

Please answer the following questions by circling the numbers that correspond to your answer or filling in the blanks.

1. Age _____
2. Gender:
(1) Female (2) Male
3. Education
(1) Some High School (2) High School Graduate (3) Some College
(4) Junior / Community College Graduate (5) College Graduate
(6) Advance Graduate Degree
4. How would you describe your political attitudes?
(1) Liberal (2) Slightly Liberal (3) Slightly Conservative (4) Conservative
5. What is your political party affiliation?
(1) Republican (2) Independent (3) Democrat (4) Undecided (5) Other _____
6. Ethnic Background
(1) African American (2) Asian American (3) White American
(4) Hispanic (5) Native American (6) Other _____
7. Marital Status
(1) Married (2) Divorced (3) Single (4) Widowed (5) Cohabiting
8. Number of Children _____
9. Employment Status
(1) Employed Full-Time (2) Employed Part-Time (3) Unemployed
10. Are you a
(1) Full-Time Student (2) Part-Time Student (3) Not a Student

Appendix C
Just World Scale

Survey instrument deleted, paper copy available upon request.

Appendix D
New Authoritarianism Scale

Survey instrument deleted, paper copy available upon request.

Appendix E
Spheres of Control

Survey instrument deleted, paper copy available upon request.

Appendix F
Coffman Onus for Nullification: False Confession
Evidence Salience Scale (CONFESS)

Please carefully read the following questions and indicate the response closest to your opinion.

Completely True 6 5 4 3 2 1 Completely False

1. The police treat all suspects equally well.
2. If someone lies, then he or she is feeling guilty of something.
3. I would never say that I had done something when I had not done it.
4. People who were convicted of crimes were guilty of them.
5. There are times when it is appropriate not to tell the truth.
6. If someone is innocent, you can tell by the person's body actions.
7. Police officers can tell when a suspect is lying by watching the suspect's eyes.
8. The police do not arrest innocent people.
9. People who confess that they committed crimes are admitting their guilt.
10. The judicial system in the United States operates fairly.
11. If a person being tried is innocent, the jury will acquit her or him.
12. People generally get what they deserve.
13. If someone said he did something wrong but later was shown not to have done the deed, he or she must have been guilty of something.
14. A good detective can tell if someone is telling the truth by how much the suspect blinks.
15. In general, people who were arrested have done something wrong.
16. A person would never say he or she committed a crime unless he or she did it.
17. A mother will often lie to protect her child from arrest.
18. Some people who were arrested were not guilty of anything.
19. A man would say he killed his wife's rapist to keep her from being arrested for the crime.
20. Police never arrest suspects unless they were sure the suspects were guilty.
21. If a woman accused of killing her lover confessed but then said she was threatened into confessing by the police, she should be acquitted.
22. If a detective focuses only on one suspect in an investigation, that suspect must be guilty.
23. I always let my family members assume the blame for what they did wrong.
24. The police never arrest the wrong person.
25. If someone tells a lie about one thing, he or she will lie in other situations.
26. People who confess that they committed crimes and then say they didn't do these crimes are just trying to get out of trouble.
27. I would never be arrested unless I was guilty of something.
28. If a man convicted of murder for which he confessed appealed his conviction based on inadequate counsel, he should be granted a new trial.
29. It is OK to bend the truth to save someone's feelings.
30. The police have appropriate training and skills to detect when a suspect is lying.

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