

Introduction to Psychology – Jury Decision Making

Theory/Background

The use of the jury system has a long history based on the assumption that a group of representative people should reach an objective decision about whether the law has been broken. Because the jury system lies at the heart of our judicial system, understanding factors affecting the decisions they make and the processes by which these decisions are made is of paramount importance in operating a fair justice system. Social psychologists have conducted research into jury decision making, and have considered how factors other than evidence might influence the decisions that juries make. The study of real juries is prohibited in the UK and USA, so psychologists often use mock juries made up of a group of participants who are made to consider a case and make judgements about it.



Social psychologists have identified a bias in our judgements about people known as the halo effect. This is a bias in which an observer judges that because a person seems to have some good or desirable characteristics, then they will judge them favourably on other dimensions as well. Basically, if we are told or judge that a person has a particularly favourable characteristic, we will tend to assume that they have other favourable characteristics. (ie. A positive halo). The reverse is true if we judge that they have a particularly negative characteristic, in which case we attribute them with a negative halo of other negative traits. The halo effect is a form of implicit personality theory that people hold, which enables them to infer what people are like when we only have very limited information about them. Dion, Berscheid and Hatfield (1972) coined the term 'What is beautiful is good' to describe their findings which demonstrate that attractiveness is a positive trait that we associate with many other positive characteristics – a kind of attractiveness stereotype. For example, attractive people have been found to be judged as more intelligent, confident, happy, assertive, truthful and honest than people with average looks. This is also consistent with stereotypes that we are exposed to on television and in books, magazines and films – we all know that heroes are handsome and whereas villains look tough, hard and unattractive. So, attractive people are rarely considered capable of behaving criminally.

Study

In one study, Saladin et al (1988) showed participants eight photos of men and asked them to judge how capable they considered them to be of committing each of two crimes of murder and one of robbery. They found that the attractive men were considered less likely have committed either murder or robbery than the unattractive ones. This suggests that our judgements about criminality and likelihood of breaking the law can be affected by factors other than evidence, such as the appearance of the criminal. Castellow et al (1990) decided to investigate this idea to see if appearance affects jury decision making. Their aim was to test the hypothesis that juries make judgements about personality and character of defendants based on appearance. They used a mock jury method, in which the participants read a summary of a case in which a 23 year old

secretary accused her male employer of sexual harassment. It was alleged that he repeatedly made sexual remarks, attempted to kiss and fondle her, and described in great detail sexual acts he would like to enjoy sharing with her. Jurors were shown photographs of the defendant (the employer) and the plaintiff (the secretary) and asked to decide whether defendant was guilty or innocent. There were four conditions in the study: Participants shown one of four different combinations of photographs:

- Both attractive
- Both unattractive
- Attractive defendant and unattractive plaintiff
- Unattractive defendant and attractive plaintiff.

They found that a guilty verdict was most likely when the secretary was attractive and the boss was unattractive. A guilty verdict was least likely when the boss was attractive and the secretary was unattractive.

Photo combination	Percentage of mock jurors who found the defendant guilty
Attractive plaintiff/attractive defendant	71%
Attractive plaintiff/unattractive defendant	83%
Unattractive plaintiff/attractive defendant	41%
Unattractive plaintiff/unattractive defendant	69%