

**Legal Applications
continued**



The Trial



Defendant Characteristics





- “Baby-faced” criminals less likely to be found guilty than “typical” criminals
- AND more attractive defendants get lower fines and bails
 - This difference *increases* with the seriousness of the crime (Downs & Lyons, 1991)



- High similarity, higher likelihood of seeing defendant as an “atypical criminal”
 - Shared attitudes, religion, race, gender, etc.
 - **Self-serving bias & ingroup bias**



Outcomes of

- During early 90's, federal judges (mostly White) sentenced Black defendants to 10% longer sentences than White defendants
- Defendants dissimilar to the judge are more likely to be given the death sentence than similar ones



- Objections by lawyers
 - Accusatory comments
 - Inadmissible evidence
 - Leading the witness toward a biased response
- If sustained, judge instructs jurors to ignore it
- Problem: Gives piece of information a special cognitive “tag” that is easily retrieved
 - Ex. DON'T LISTEN TO THE PROJECTOR FAN
- Reason? **Reactance**



- Is the defendant there due to internal or external factors?
 - **Locus of causality**
- Has the defendant done this before?
 - **Stability**
- Is the defendant in control of his or her actions?
 - **Controllability**
 - Best predictor of appraising responsibility
 - Ex. Looting jewelry vs. Looting food



How Jurors Understand

- More likely to convict if prosecution presents case as a **narrative**
- Subjectivity of “beyond a reasonable doubt” (criminal) and “preponderance of evidence” (civil)
- Statistics and base rates are lost

When Jurors Matter



- When evidence is overwhelming, jurors don't matter
- When the case is close, individual differences can decide the verdict
 - **Belief in a Just World** → Blaming the victim
 - **Authoritarianism** → Prone to guilty verdicts
 - **Internal/External LOC** → Who's to blame

Jury Deliberations



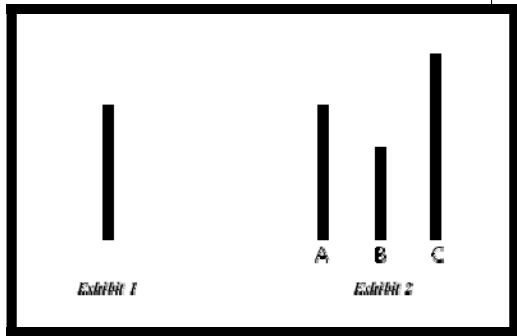
- Vocal
- Consistent
- Persistent
- Self-confident





- A group-produced enhancement of members' preexisting tendencies
- Authoritarian juries give a much harsher sentence than what it would have been if only one gave the sentence (Bray & Noble, 1978)
- Typically, jurors become more lenient than harsher
 - Partly due to **recency effect** and legal process

Remember This?



Asch Experiment



- 6 confederates, 1 participant seated in a row
 - Participant is in the sixth chair
- Trials 1 and 2, everyone agrees
- Subsequent trials, all confederates prior to the participant provide a wrong answer...

What if were 11 against 1?