

# The Effects of Inconsistent Jailhouse Informant Testimony on Jury Decision Making

*Jake Davis, Anna McAlpin, Danielle DeLoach, Depts. of Psychology and Biology, Dr. Jeffrey Neuschatz, Dept. of Psychology*

## Introduction

### Jailhouse informants (JIs)

- Incarcerated individuals claiming the defendant confessed to them while in prison together (Neuschatz et al., 2008)
- Include details, sometimes fabricated, that make the testimony convincing (Garrett, 2011)
- Used in 45.9% of wrongful convictions in death penalty cases since 1973 (Warden, 2004)

### Inconsistency

- Highlighting inconsistencies in testimony is a common strategy for attorneys (Walters, 1985)
- Cross examination of inconsistencies can undermine credibility of JI (Berman et al., 1995)
- Central, or not easily confused, inconsistencies result in less guilty verdicts in eyewitness testimony (Berman et al., 1995)
  - Peripheral can be explained away by nervousness (Palmer et al., 2016)

### Hypotheses

- H1: Inconsistency will result in less guilty verdicts than when JI is consistent.
- H2: Central Inconsistency will result in lowest guilty verdicts of all conditions.

## Methods

### Sample

- $N = 206$  (51.45% men)

### Design

- Central Inconsistency: present, absent
- Peripheral Inconsistency: present, absent
- 4 conditions:

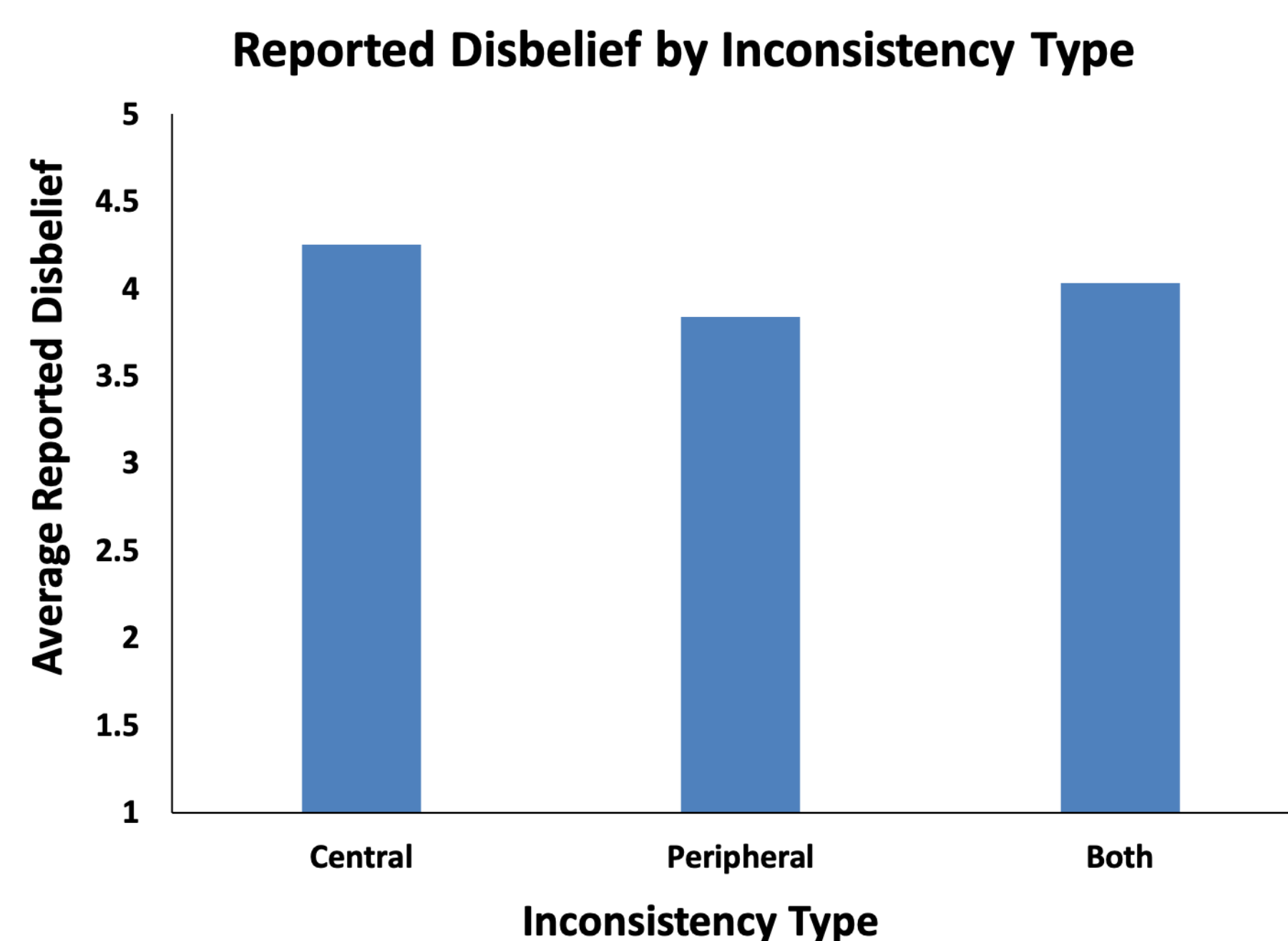
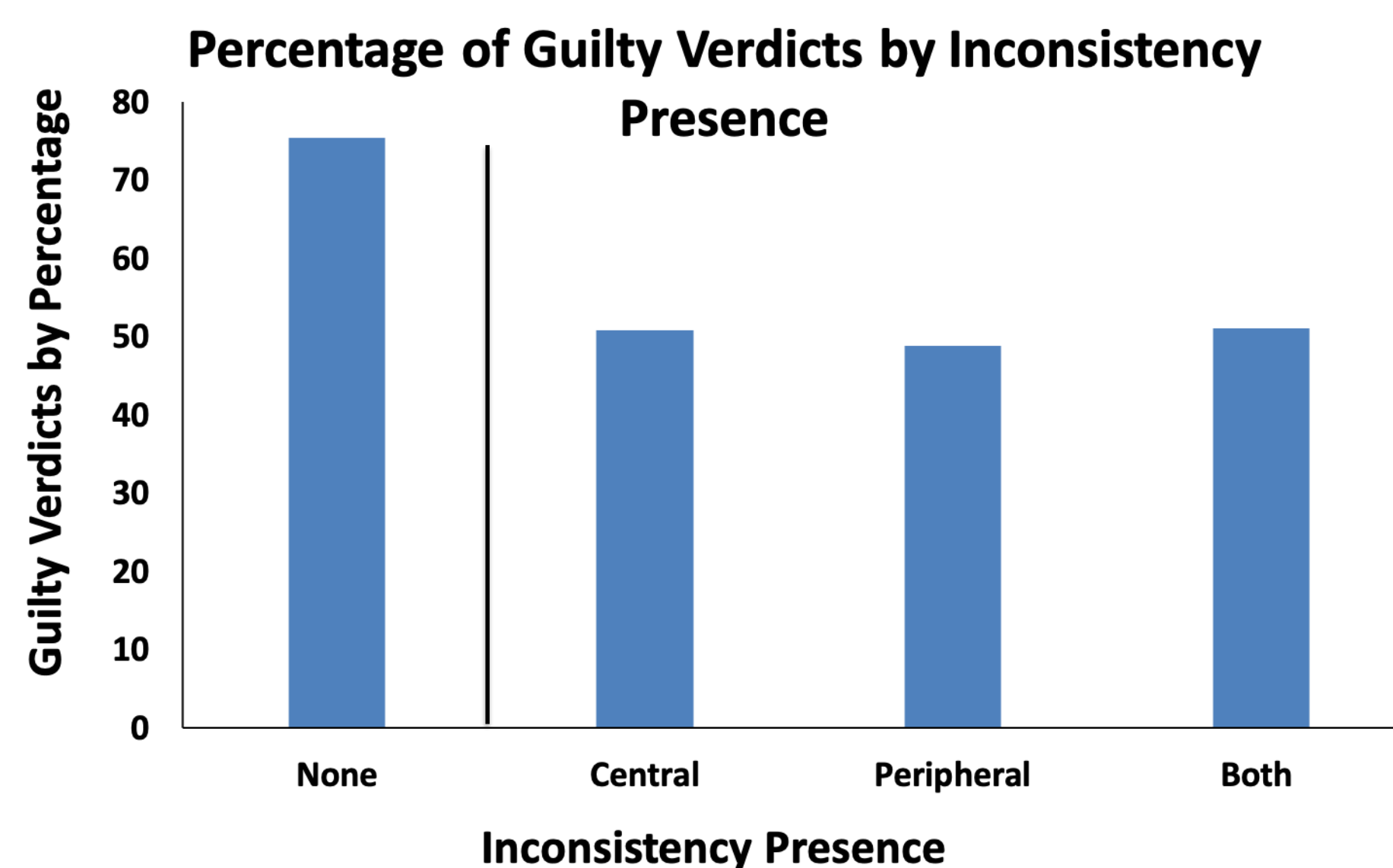
Both	Peripheral Only
Central Only	None

- Central Inconsistencies: directly relevant to determining JI truthfulness (murder weapon, body disposal location)
- Peripheral Inconsistencies: easily confused or forgotten (time of day, how JI began conversation with defendant)
- DVs: Verdicts, Disbelief of JI's Testimony (Likert)

### Materials and Procedures

Consent → Instructions → Audio Trial → PTQ

## Results



## Key Findings and Explanation

### Inconsistency led to less guilty verdicts

- Inconsistency leads jurors to discredit the truthfulness of testimony evidence (Berman et al., 1996)
- Consistent JI testimony remains convincing to mock jurors

### Inconsistency type did not affect verdicts, but did affect belief in JI

- Participants disbelieved JI most often when inconsistencies are central
  - Participants disbelieved JI, but this disbelief did not affect their final verdict