Sex, drugs, and secondary confessions

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SEX, DRUGS, AND SECONDARY CONFESSIONS

Kylene Street

A THESIS

Submitted in partial fulfillment of the requirements for the degree of Master of Arts in Experimental Psychology to The Graduate School of The University of Alabama in Huntsville August 2023

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Dr. Jeffrey Neuschatz, Research Advisor
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Abstract

SEX, DRUGS, AND SECONDARY CONFESSIONS

Kylene Street

A thesis submitted in partial fulfillment of the requirements for the degree of Master of Arts

Experimental Psychology

The University of Alabama in Huntsville
August 2023

Jailhouse informant testimony in the form of secondary confessions is one of the leading causes of wrongful convictions in the United States. Often, informants receive incentives in exchange for their testimony. This is the first study to incorporate incentives other than reduced sentences. In two experiments, employing a multigroup comparison with 4 levels of the independent variable (Incentive: Legal, Illegal, No Incentive, No Informant), this study explored the influence the type of incentive received by the informant had on jury decision making. The results of Experiment 1 indicated neither perceptions of the informant nor verdict decision making were influenced by the type of incentive. In Experiment 2, although the perceptions of the informant and incentive were influenced by incentive type, verdict decision making was not. Mock jurors may be relying on implicit prosecutorial vouching when deciding whether to convict or acquit the defendant.
Acknowledgements

This study would not have been possible without the guidance and encouragement I received from my advisor Dr. Neuschatz. His confidence in my abilities and his steadfast drive provided further motivation throughout completion of the project. I am thankful for my committee members, Dr. Torres and Dr. Wetmore, for their support, insight, and feedback when the study was in development, during data collection, and in the writing process. I am grateful for the support I received from fellow members of the Psychology and Law lab who also assisted in the development of the study and provided encouragement along the way. I would also like to acknowledge Dr. Jon Golding whose constructive feedback was essential to the development of the study as well as Dr. Anne Lippert for her guidance in analyzing cognitive networks.
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Chapter 1. Introduction

During a trial, jury members are presented with evidence from various sources including physical evidence from crime scenes and accounts from witnesses. At times, jailhouse informants provide evidence in the form of secondary confessions (Neuschatz, Lawson, Swanner, Meissner, & Neuschatz, 2008). Jailhouse informants are witnesses, usually for the prosecution, with knowledge about the crime which they learned while serving time in jail. A secondary confession is a statement from a third party who testifies the suspect confessed to them. Jailhouse informants often receive an incentive in exchange for their testimony. These incentives come in many forms including sentence leniency or pending charges dropped, special custody arrangements, money sent to a spouse, special food privileges, cash, and increased telephone privileges (Los Angeles County Grand Jury, 1990). In a recent article by the Philadelphia Inquirer, an informant disclosed he was allowed to partake in illegal acts, use of drugs and sex with a sex worker, in exchange for his testimony (Melamed, 2021). The purpose of this study was to investigate whether the use of illegal incentives (sex with a sex worker and illicit drugs) would reduce guilty verdicts and jailhouse informant credibility ratings.

1.1 Wrongful Convictions

Jailhouse informant testimony has often lead to a miscarriage of justice in which an innocent suspect is convicted of the crime while the culprit remains free. Ian Schweitzer is just one such example (Kelleher, 2023). On December 24, 1991, Dana
Ireland, a tourist from Virginia, was kidnapped, raped, and murdered in Puna, Hawaii. The case went cold until 1994, when a man facing cocaine conspiracy charges alleged his half-brother, Frank Pauline Jr., witnessed the attack. Pauline, in an effort to get the drug charges dropped against his half-brother, implicated his brothers Ian and Shawn Schweitzer. Pauline, Ian, and Shawn were all charged for the crimes against Ireland, but the charges were later dismissed based on DNA evidence. They were reindicted after another informant claimed Ian confessed details of the crime to him in jail. In 2000, despite the lack of physical evidence and a jailhouse informant’s testimony serving as the primary evidence in the case, Pauline and Ian were convicted of the kidnapping, rape, and murder of Ireland. Shawn, after seeing the fate of Pauline and Ian, decided to plead guilty to avoid prison time. In 2019, with the help of the Innocence Project in New York, the case was reinvestigated. New DNA evidence supported the DNA results from the original investigation. Once again, all 3 were excluded as the source of DNA found at the scene.

On January 24, 2023, based on the DNA results and other new evidence presented, a judge ordered Ian to be released after serving over 20 years of a 130-year sentence. Frank Pauline, however, was killed in prison in 2015 while serving time for a crime he did not commit. This is only one example of a wrongful conviction based on jailhouse informant testimony.

Informant secondary confessions are currently one of the leading causes of wrongful convictions. They were a contributing factor in 45% of 111 overturned U.S capital cases analyzed from 1973 through 2004 (Center on Wrongful Convictions, 2004). The National Registry of Exonerations tracks exonerations since 1989 (The University of Michigan Law School, n.d.). According to the registry, jailhouse informants testified in
7% \((n = 217)\) of 3,332 trials resulting in convictions that were later exonerated. Of the 217 exonerations that involved an informant, 85% were murder cases. Jailhouse informants were involved in 13% of the total murder exonerations and only 2% of all other exonerations. Considering the severity of the crime, prosecutors may feel more pressure to convict in murder cases than lesser crimes resulting in an increased willingness by prosecutors to utilize jailhouse informants. Jailhouse informants contributed to convictions in 24% of total exonerations with death sentences, 15% of exonerations with life sentences without the possibility of parole, and 13% of exonerations with life sentences with the possibility for parole. The 217 exonerees served a total of 3,331 years for crimes they did not commit.

1.2 Previous Literature

Given the impact jailhouse informant testimony can have on a defendant’s life, it is imperative to understand how these secondary confessions influence jury decision making. Neuschatz et al. (2008) conducted the first research investigating the effects of jailhouse informant testimony on jury decision making. In this study, conditions with informants receiving no incentive were compared to conditions in which informants testified to receiving a reduced prison sentence in exchange for their secondary confession as well as a control condition with no informant. Participants in conditions with an informant providing a secondary confession, regardless whether or not they were given an incentive, convicted significantly more often than when there was no informant. There was no significant difference in verdicts between the no incentive and incentive conditions.
1.3 Truth Default Theory

The results of the jailhouse informant studies and the wrongful conviction cases can be explained by the Truth-Default Theory (TDT). TDT states people generally presume communication from others to be honest or what is referred to as the truth-default state (Levine, 2014). The truth default occurs because most of the time people are in fact telling the truth and there is no reason to suspect deception. When deception occurs, people often fail to detect because they are in this truth default state. According to TDT, deceptions are not detected because people need a reason to suspect that they are being deceived, often referred to as a trigger. A trigger event, a cue indicating possible deception, must activate suspicion in order to abandon the truth-default state. Possible triggers include, but are not limited to, motive for deceit, behavior indicating dishonesty, unclear message content, or information from a third party indicating possible deceit. If a trigger were to activate suspicion, the truth-default state would be suspended in order to evaluate the information more closely. If the message receiver determined there was enough evidence to conclude deceit occurred, the truth-default state would be abandoned. If there was not sufficient evidence to determine deceit, the message receiver would remain in a state of suspicion or revert back to the truth-default state. In cases involving informant testimony, a trigger indicating potential deceit could move jurors to a state of suspicion in order that they would scrutinize the evidence rather than perceive it as being truthful.

An informant receiving an incentive in exchange for testimony could serve as a motive for deceit and a trigger for jurors. If all other evidence provided in the case is circumstantial, there should be an increase in reasonable doubt and a decrease in guilty
verdicts (Levine, 2014); however, this has not been illustrated in most previous jailhouse informant studies (Neuschatz et al., 2008; Neuschatz et al., 2012). Equipping mock jurors with knowledge that the informant received a reduced sentence in exchange for testimony against the defendant did not reduce guilty verdicts. Providing mock jurors with the knowledge that the informant testified in prior cases for an incentive also did not reduce conviction rates (Neuschatz et al., 2012). Participants did not appear to register that the presence of an incentive could tempt an informant to provide a false secondary confession. Thus, either the incentive did not cause the mock jurors to consider the deception as a possibility or the deception was considered but proof of deception was lacking or not convincing enough for mock jurors to discredit the informant and vote not guilty.

A notable exception incorporated variations in the size of the informant incentive. Using a modified version of the trial transcript from Neuschatz et al. (2008), Maeder and Pica (2014) explored whether the size of the incentive, 6 months, 1 year, or a 2-year sentence reduction, would impact conviction rates. Contrary to prior studies at the time, participants convicted less often in incentive conditions than when the informant did not receive an incentive. Participants voted guilty less often in the medium and large incentive conditions compared to the no incentive condition; however, there were no differences in conviction rates between the small, medium, and large incentive groups. The effect of incentives in this particular study may have been a result of modifications made to the trial transcript or heightened awareness of reasons for wrongful convictions.
1.4 Fundamental Attribution Error

A possible explanation for why jurors may not suspend the truth default state is the fundamental attribution error (FAE). The fundamental attribution error occurs when dispositional factors are overestimated in comparison to external or situational factors (Ross, 1977). In circumstances involving incentivized secondary confessions, mock jurors overlook the incentive, the situational factor, in favor of dispositional factors such as a belief the informant was trying to do the right thing. In fact, mock jurors rated the truthfulness and trustworthiness of the informant testimony the same regardless of whether or not an incentive was received (Neuschatz et al., 2008). Further, mock jurors indicated a belief that the informant testified out of guilt or sympathy for the victim’s family more often than receipt of an incentive (Neuschatz et al., 2012). Also, mock jurors who cited only dispositional attributions or both dispositional and situational attributions for an informant testifying convicted significantly more often than those who only cited situational attributions (Maeder & Pica, 2014). Given that informants in exonerated cases often stated they were testifying for dispositional reasons, the FAE offers an explanation as to why the jurors voted guilty despite the defendant’s innocence (Neuschatz et al., 2020).

Emphasizing the situational aspects of an informant’s secondary confession may induce more suspicion that the jailhouse informant is lying and result in lower guilty verdicts (Deloach, Neuschatz, Wetmore, & Bornstein, 2020). To explore this concept, Deloach et al. had participants read a murder trial transcript in which inconsistencies between statements made by a jailhouse informant, ulterior motives for the informant’s testimony, and an alternative explanation for how the informant learned details of the
crime were either present or absent in the transcript. For the inconsistency manipulation, the defense attorney pointed out inconsistencies about the type of weapon the defendant confessed to using in the murder between the informant’s trial testimony and the original statement the informant provided to detectives. For the alternative explanation manipulation, it was disclosed that the informant learned details of the crime from an acquaintance with connections to the police department. For the ulterior motive manipulation, the informant admitted only coming forward after learning about a possible sentence reduction. Guilty verdicts were reduced when inconsistencies between the informant’s statements were present as well as when an alternative explanation was provided for the informant’s knowledge of the crime. Although there were more situational-only attributions in the ulterior motive condition than in the control condition with no inconsistencies, alternative explanations, or ulterior motives, providing an ulterior motive for the informant’s testimony did not reduce guilty verdicts. In each transcript, the informant testified that he was receiving a reduced sentence in exchange for his testimony. Mock jurors’ may not have been influenced by the emphasis of the ulterior motive because they were already aware of the reduced sentence. A high rate of situational attributions were present even when the ulterior motive was not stressed. Also, participants may have seen the reduced sentence as justified if they perceived the informant was taking a risk in testifying against the defendant.

1.5 Jailhouse Informant Incentives

Research on jailhouse informant testimony has focused exclusively on reduced sentences in exchange for secondary confessions, leaving other types of incentives unexplored. As mentioned earlier, jailhouse informants have been offered all types of
incentives (money, jail privileges, and so forth). Reduced sentences have largely been found to have no influence on mock juror verdict ratings (Neuschatz et al., 2008; Neuschatz et al., 2012, see Golding et al., 2022 for similar results with mock juries).

While reduced sentences are a common incentive in the criminal justice system, it is not the only type used. Not only are other incentives offered, but in a survey of students and community members, 50% agreed that law enforcement should be able to offer incentives other than reduced sentences (Key et al., 2018). Other incentives may pass the threshold necessary for deception detection. Because other incentives are utilized in the criminal justice system, it is important to determine if the incentive type affects jury decision making.

1.6 The Present Studies

The purpose of the current study was to investigate whether the type of incentive a jailhouse informant receives in exchange for a secondary confession influences jury decision making. Specifically, in two experiments, I examined whether allowing an informant access to an illegal incentive would reduce mock jurors’ guilty verdict decision. The first experiment incorporated a sex worker as the illegal incentive. A sex worker was chosen because of its use in real world cases (Melamed, 2021). Prostitution, the act of engaging or attempting to engage in sexual conduct with another person for a fee, is illegal throughout the United States except for a few counties in Nevada (FindLaw, 2023). The sex worker condition was compared to a condition in which the informant was allowed to have sex with his wife (Spouse) and two control conditions. One condition did not include a jailhouse informant and the other included an informant who did not receive an incentive for testifying.
Experiment 2 is the same as Experiment 1 with exception of the incentive. In
Experiment 2, heroin was the incentive as opposed to a sex worker. Because a specific
drug was not named in the Philadelphia Inquirer, heroin was chosen as the incentive on
account of its reputation as the “worst drug in the world” (Robins, Compton, & Horton,
2000). This reputation stems from the belief that using heroin leads to lifelong addiction
which then leads to crime. Heroin is illegal across the United States. Compared to other
drugs, the United States government has utilized more resources and effort to reduce the
amount of heroin coming into the country, prosecuting heroin dealers, and incarcerating
and treating heroin users. The heroin condition was compared to a condition in which the
informant receives ibuprofen in exchange for his testimony. Heroin and ibuprofen both
relieve pain within the body. Ibuprofen is a legal, commonly used, and readily available
over the counter medication.

1.6.1 Hypothesis 1: Influence of Illegal Incentive on Juror Verdicts

For both experiments and consistent with prior research, mock jurors would vote
guilty more often when an informant was present, regardless of incentive, compared to
the no jailhouse informant condition. Also, jurors in the illegal incentive conditions
would vote guilty less often than jurors in the legal incentive and no incentive conditions.
The illegal nature of the incentives was predicted to act as a motive for deception,
activating suspicion and leading mock jurors to abandon the truth default state (Levine,
2014). Specifically, in experiment 1, the sex worker condition would receive fewer guilty
verdicts than the no incentive condition and the Spouse condition.

In Experiment 2, mock jurors in the heroin condition would vote guilty less often
than jurors in the ibuprofen and no incentive conditions. More negative feelings such as
“I feel no pity for the user” and bad character attributes such as “making poor decisions” are expressed toward heroin users who get drugs on the street compared to opioid users who receive a prescription from a doctor (Ragsdale & Elliott, 2022). Considering those who use heroin to have bad character is a dispositional attribution. This dispositional attribute may counter or negate perceived positive dispositional attributions of the informant’s testimony such as the testimony was given from a desire to help the victim, enabling the situational reasons for the testimony to be illuminated. Both the illegal nature of the incentive and the attitudes toward heroin use should act as a strong trigger indicating possible deception (Levine, 2014).

1.6.2 Hypothesis 2: Perceptions of the Jailhouse Informant

The mock jurors’ perceptions of the jailhouse informant’s credibility, believability, honesty, and morality would be lower in the illegal incentive conditions than the legal and no incentive conditions. In Experiment 1, the Spouse condition may be seen as justifiable based on expectations in a marriage; consequently, this incentive would not negatively influence perceptions of the informant. Intercourse with a sex worker was expected to be less acceptable, thus negatively influencing informant perceptions. In regard to Experiment 2, stereotypes and stigmas exist for substance use and substance use disorders (Nieweglowski et al., 2018). Those who abuse substances, such as drugs or alcohol, are stereotyped as being liars, sneaky, and promiscuous. They are perceived as dangerous, sinners, and dirty. Those who choose to use illegal substances, like heroin, can be further stereotyped with increased criminality such as stealing in that “People think you’ll do anything for a little something.” These stereotypes
suggest perceptions of the informant in the heroin condition would be lower than the informant’s in the no incentive and ibuprofen condition.

1.6.3 Hypothesis 3: Perceptions of the Incentive

Because they are illegal, perceptions of the incentive, morality, ethicality and whether the incentive was justified, would be lower in the heroin and sex worker incentive conditions than the legal incentives conditions. Further, for Experiment 1, stigmas associated with sex work such as moral judgment, attitudes about promiscuity, and assumptions about drug use and sexual health might contribute to lower perceptions of the incentive (Wolf, 2019). Perceptions of the incentives in Experiment 2 might also be influenced by stigmas. Illegal use of opioids, like heroin, is more stigmatized than prescribed use of opioids and considered more dangerous (Ragsdale & Elliott, 2022).

1.6.4 Hypothesis 4: Mediation

Hypothesis 4 predicted that the impact of incentive type would result in evidence of mediation through the dependent variables measuring perceptions of the jailhouse informant. Specifically, illegal incentive conditions would lead to reduced perceptions of the informant, resulting in fewer guilty verdicts.

1.6.5 Hypothesis 5: Cognitive Networks

To understand how incentive type influences mock jurors' cognitive representation of a case, verdict reason was used to construct a semantic network of mock jurors’ mental models using Pathfinder analysis (Magyarics, Lynch, Golding, & Lippert, 2015). In the illegal incentive conditions, the incentive (heroin or sex worker) would be a
central node in mock jurors' network of reasoning when not guilty verdicts were rendered. When a guilty verdict was rendered, based on previous research, the case would be conceptualized on the presence of the jailhouse informant’s testimony (Golding, Neuschatz, Bornstein, Pals, & Wetmore, 2020).
Chapter 2. Experiment 1 Methods and Results

2.1 Participants

Participants were community members recruited from Prolific and were required to be U.S. citizens of at least 18 years of age to participate. Participants were awarded $8.00 per hour for completing the study. Participants were recruited from the online platform continuously until the sample size requirement was met. To detect medium to high effects based on G*power analysis, a minimum of 85 participants were needed. A total of 151 participants completed the study; however, nine participants were excluded for incorrectly responding to the manipulation check questions and three were not U.S. citizens. Subsequently, analyses were conducted for 139 participants of which included 70 women, 60 men, two identified as transgender and two selected “other”. The majority of participants indicated that they were White (77.7%), with smaller percentages indicating Asian or Pacific Islander (11.5%), Black or African American (3.6%), Hispanic Latino (2.9%), Middle Eastern (1.4%), Native American (0.7%), and other (2.2%). Participants’ age ranged from 19 - 73 years ($M = 37.42$, $SD = 12.99$). APA guidelines were followed in order to ensure the confidentiality and anonymity of participants as indicated by the ethical guidelines provided by the Institutional Review Board (IRB). The study was approved by IRB (see Appendix A for the approval letter and Appendix B for the Consent Form).
2.2 Design

This experiment employed a multigroup comparison with 4 levels of the independent variable (Incentive: Spouse, Sex, No Incentive, No Informant). For each Jailhouse informant condition, the jailhouse informant testified he received either intercourse with his spouse, intercourse with a sex-worker, or no incentive (e.g., no intercourse) in exchange for his testimony. The main dependent measure was verdict decision (guilty, not guilty). Dependent measures also included participant evaluations about the jailhouse informant (credibility, honesty, believability, influence on verdict decision) and incentives (morality, fairness). All of these factors were measured on a Likert type scale with 1 representing “Not at all” and 10 representing “Completely” or “Extremely” depending on the question. All of the dependent measures can be viewed in Appendix C.

2.3 Materials

2.3.1 Criminal Trial Summary

In the fictional trial summary, the defendant, Charles Wilson, was charged with 2 counts of First-Degree Murder for the deaths of his wife, Mary Lou Wilson, and her friend, Scott Maddox. The summary began by describing the criminal procedure process and defining relevant terms such as reasonable doubt. The trial summary then provided participants with a brief description of the crime including the charge of First-Degree Murder, how and where the victims were killed, the date and time of the incident, and a statement regarding the defendant’s plea of “Not Guilty”. Participants were then informed the defendant and his wife were separated. The trial summary presented the
case for both the Prosecution and Defense with the Prosecution’s case presented before the Defense which is standard in criminal trials (see Appendix D for a complete version of the trial summaries).

There were 3 witnesses for both the prosecution and defense, and each witness’s testimony included cross-examination. The witnesses’ testimony was the same for each trial except for the jailhouse informant condition which changed depending on the condition. An additional witness for the prosecution replaced the jailhouse informant in the control condition to keep the number of witnesses consistent across all levels of the independent variable.

The first prosecution witness was the police officer who was first to arrive on the scene of the murders. The officer testified that he contacted the defendant at the scene and reported that the defendant admitted he called his lawyer before calling the police. The officer stated the deceased victims were found in the kitchen, and it appeared the wife had been strangled and her friend had been stabbed. Upon cross-examination, the officer disclosed the murder weapon was not found, and the defendant, having denied being the offender, was visibly upset. The second witness for the prosecution, the coroner, stated that based on the angle of the stab wounds, the offender was likely left-handed and about 6 feet tall which are descriptors that match the defendant. On cross-examination, the coroner stated the height of the offender could be two inches above or below 6 feet.

The third witness for the prosecution was the jailhouse informant. The informant, Seth Rogers, testified he met the defendant while they were both in jail. Rogers advised the defendant confessed to the murders, and he provided details to the jury including
knowledge the knife was hidden. In the experimental conditions, during cross examination, there was either no incentive mentioned or Mr. Rogers testified he was allowed intercourse with his spouse or with a sex-worker in exchange for his testimony. In each condition, the informant also stated he did not know why the defendant would make a murder confession to someone he does not know very well. The prosecution’s third witness in the control condition was the defendant’s neighbor who stated he saw Mr. Wilson arrive at the residence around the time of the murders. During cross-examination, the neighbor testified he did not speak to Mr. Wilson that night, and because it was dark outside, he could only make out the figure of the person. All evidence presented by the prosecution was circumstantial.

The Defense’s first witness was a friend of the defendant. The friend stated he was with the defendant on the night of the murders, and Mr. Wilson was calm during their interaction. During cross-examination, the friend testified he and the defendant parted ways around the time the murders occurred. The second witness for the defense was the bartender at the establishment the defendant and his friend visited on the night of the murders. The bartender testified he remembered seeing the defendant, and on cross-examination, he stated his shift ended before the defendant left the bar that evening. The third witness for the defense was a coworker of the defendant. The coworker stated Mr. Wilson was friendly and optimistic on the day of the murders. On cross-examination, the coworker stated he knew the defendant had personal issues recently, but they did not talk about them.

After the Defense presented its final witness, participants read the judge’s instructions for determination of guilt or innocence. The instructions stated the defendant
should only be found guilty if there was belief beyond a reasonable doubt that the defendant not only killed the victims, but that the murders were perpetrated with intent and not an action resulting from extreme emotional disturbance. After the judge’s instructions, the Prosecution and Defense presented their closing arguments. The arguments consisted of an overview of the evidence presented and reasoning as to why the evidence proved the defendant’s guilt or innocence.

2.3.2 Post-trial Questionnaire

Following the trial summary, participants completed a post-summary questionnaire that included questions relevant to the verdict decision as well as the participants’ perception of the jailhouse informant and the respective jailhouse informant incentive. These questions served as the dependent variable and were presented in the same order for every participant. The first set of questions pertained to the verdict. Participants indicated a verdict decision (guilty, not guilty). An open-ended question followed asking what led each participant to their decision. Participants rated their confidence in the verdict decision and how much the informant testimony influenced their verdict decision on a 10-point Likert scale (1 = Not at all to 10 = Completely). The jailhouse informant questions included scales (1 = Not at all to 10 = Extremely) for rating the credibility, honesty, and believability of the informant as well as belief the defendant confessed to the informant. Using 10-point scales (1 = Not at all to 10 = Completely), participants ranked the fairness and morality of the incentive received by the informant. After responding to the dependent variables, participants provided demographic and jury experience information.
2.4 Procedure

Participants were recruited through Prolific and directed to Qualtrics to complete the experiment. Participants were randomly assigned to one of the four experimental conditions. After giving informed consent, participants were presented with instructions for completing the study followed by the trial summary. While reading the summary, participants answered manipulation and comprehension checks in order to ensure attentiveness and comprehension of the information in the trial. When a check was presented, the participant had to answer it before being allowed to continue reading the trial. In regard to the attention checks, an incorrect answer directed them to a statement requesting them to pay closer attention to the material. Following the trial summary, participants completed the post-trial questionnaire. To conclude the experiment, participants read a debriefing form and were thanked for their participation. The experiment was completed individually and took about 30 minutes.

2.5 Analysis Plan

Composite scales were created for jailhouse informant credibility and morality of the incentive. The scale for informant credibility was created from the average of informant credibility, believability, and honesty (Cronbach’s $\alpha = .97$). The incentive morality scale was created from the average of incentive fairness and morality (Cronbach’s $\alpha = .89$). Data were analyzed using logistic regression for verdict decision and linear regression for the rating variables. The guilt percentages and descriptive statistics for perceptions of the informant and incentives for both experiments can be seen in Table 2.1.
Table 2.1. Guilty verdict percentages and descriptive statistics for informant and incentive ratings. Means are presented with standard deviations in parentheses.

<table>
<thead>
<tr>
<th></th>
<th>Guilty Verdict</th>
<th>JI Credibility</th>
<th>Incentive Morality</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Experiment 1</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sexworker</td>
<td>51.7%</td>
<td>3.56 (2.76)</td>
<td>1.86 (2.46)</td>
</tr>
<tr>
<td>Spouse</td>
<td>58.1%</td>
<td>3.30 (2.74)</td>
<td>2.38 (2.47)</td>
</tr>
<tr>
<td>No Incentive</td>
<td>52.4%</td>
<td>4.34 (3.12)</td>
<td>-</td>
</tr>
<tr>
<td>No JI</td>
<td>27.3%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>47.4%</td>
<td>3.82 (2.92)</td>
<td>2.16 (2.45)</td>
</tr>
<tr>
<td><strong>Experiment 2</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heroin</td>
<td>48.7%</td>
<td>2.75 (2.53)</td>
<td>0.92 (1.81)</td>
</tr>
<tr>
<td>Ibuprofen</td>
<td>47.5%</td>
<td>4.19 (2.59)</td>
<td>3.67 (2.54)</td>
</tr>
<tr>
<td>No Incentive</td>
<td>48.6%</td>
<td>3.84 (2.47)</td>
<td>-</td>
</tr>
<tr>
<td>No JI</td>
<td>36.1%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>45.4%</td>
<td>3.61 (2.59)</td>
<td>2.35 (2.60)</td>
</tr>
</tbody>
</table>

To test for mediation between the type of incentive and verdict decision, the PROCESS MACRO was used with bootstrapping of 5000 samples (Coutts & Hayes, 2022). The bootstrap method is a recommended method to compare indirect effects which are defined as significant when the 95% confidence intervals do not contain zero. Pathfinder analysis was used to create semantic networks from the verdict reason data (Magyarics et al., 2015). The networks are constructed of nodes that illustrate meaningful concepts used by mock jurors in their reason for verdict as well as links indicating the strength of the association between nodes. Once the networks were developed, the Girvan-Newman Community Detection algorithm (Girvan & Newman, 2002) was applied to isolate major themes or topics within each network. This algorithm iteratively assigns nodes into communities to maximize a modularity index, $Q$. The modularity index $Q$ is a measure of the proportion of links that occur within communities relative to the expected proportion if all links were placed randomly. $Q$ ranges from 0 to 1, with $Q = 0$ when the number of within-community links is no better than random. In
general, values of $Q$ greater than 0 indicate the presence of community structure, with the strength of the community structure increasing as $Q$ approaches 1. Extreme positive values of $Q$ are rare and most networks with strong community structure have $Q$ values in the range of 0.3 to 0.7 (Newman & Girvan, 2004).

2.6 Results

2.6.1 Hypothesis 1: Influence of Illegal Incentives on Juror Verdicts

Analyses indicate partial support for Hypothesis 1. In the no informant condition, participants voted guilty (27.3%) less often than participants in the no incentive (52.4%), Sexworker (51.7%), and Spouse (58.1%) conditions (see Figure 2.1). Using the no informant condition as the reference group, the logistic regression was significant for the Sexworker condition, $B = 1.05$, Wald’s $\chi^2(1) = 3.88$, 95% CI [1.01, 8.05], $p = .05$, the Spouse condition, $B = 1.31$, Wald’s $\chi^2(1) = 5.98$, 95% CI [1.29, 10.52], $p = .01$, and the no incentive condition, $B = 1.16$, Wald’s $\chi^2(1) = 5.54$, 95% CI [1.21, 8.43], $p = .02$.

![Figure 2.1](image)

*Figure 2.1* Experiment 1 Guilty Verdicts by Incentive Type for Informant Testimony.
Participants did not, however, vote guilty less often in the illegal incentive condition than the legal and no incentive conditions. Using the Sexworker condition as the reference group, the logistic regression was not significant for the Spouse condition, $B = .26$, Wald’s $\chi^2 (1) = .26$, 95% CI [.48, 3.54], $p = .61$, or the no incentive condition, $B = .12$, Wald’s $\chi^2 (1) = .06$, 95% CI [.45, 2.83], $p = .80$.

2.6.2 Hypothesis 2: Perceptions of the Jailhouse Informant

The analysis for perceptions of the informant indicated hypothesis 2 was not supported. The linear regression model did not reach significance for the three levels of jailhouse informant credibility ($R^2 = .03$), $F (2, 97) = 1.34$, $p = .27$. Participants did not provide lower credibility ratings in the Sexworker condition compared to the Spouse condition ($B = -.26$, $p = .73$) nor the no incentive condition ($B = .81$, $p = .25$) (see Figure 2.2).

![Informant Credibility](image)

**Figure 2.2** Experiment 1 Perceptions of the Jailhouse Informant by Condition.
2.6.3 Hypothesis 3: Perceptions of the Incentive

The analysis for perceptions of the incentive indicated hypothesis 3 was not supported. The linear regression model did not reach significance for the two levels of incentive morality ($R^2 = .01$), $F (1, 57) = .66$, $p = .42$. Participants did not provide lower ratings for morality of the incentive in the Sexworker condition compared to the Spouse condition ($B = .52$, $p = .42$) (see Figure 2.3).

![Incentive Morality](image)

**Figure 2.3** Experiment 1 Perceptions of the Incentive.

2.6.4 Hypothesis 4: Mediation

The perceptions of the jailhouse informant were expected to act as a mediator between the condition and the dependent variable of verdict. Specifically, the illegal incentive, intercourse with a sex worker, was expected to lead to lower positive perceptions of the jailhouse informant, resulting in fewer guilty verdicts than when the incentive was intercourse with a spouse or no incentive was provided. Mediation explains “how” a predictor variable exerts its effect on an outcome variable, thus there must be
variation in the outcome variable brought about by the predictor variable in order for mediation to occur (Hayes, 2022). As demonstrated in hypothesis 1, the Sexworker condition did not influence verdict decisions compared to the Spouse and no incentive conditions, therefore; mediation could not occur.

2.6.5 Hypothesis 5: Cognitive Networks

All Pathfinder network construction was completed using a computer programming language (Matlab, 2023). Verdict reason data were uploaded directly into Matlab for analysis. The program then extracted key terms based on frequency, excluding non-intrinsic words (e.g., “the”, “and”, “it”, etc.). The resulting key terms were examined based on relevance and context in order to select the terms most useful for visualization of the themes. For example, the term “think” was extracted as a key term. Visual examination of the reason data discovered this term was used in the context of “I think”, as in the formation of an idea or opinion with the object of the verb, the idea, to follow. Given that participants were asked to reflect on their verdict reason, “think” is an indicator of compliance with the request thus not providing relevant insight into mock jurors' verdict reasons and was not included in the final cognitive network. The object of the verb “think”, for example “I think evidence”, would be considered a relevant term. Additionally, synonymous key terms such as “informant” and “cellmate” were merged. Two Pathfinder networks (guilty and not guilty verdicts with Sexworker as the incentive) were derived to investigate mock jurors' cognitive representations of the trial when the jailhouse informant received an illegal incentive to testify. There were 16 “guilty” and 15 “not guilty” verdict reasons analyzed for the Sexworker condition.
The illegal incentive, Sexworker, was hypothesized to be a central node for “not guilty” verdicts and the informant was hypothesized to be a central node for “guilty” verdicts. When a “not guilty” verdict was rendered, the incentive itself was not identified as a key concept, however, “cellmate” and “testimony” were nodes in the network (see Figure 2.4). Two distinct themes emerged in the “not guilty” cognitive network. One theme was related to evidence with nodes including “unreliable”, “blood”, “circumstantial”, and “cellmate”. The second theme was centered around reasonable doubt with nodes including “intent”, “murder”, and “prove”. The terms “first”, “2nd”, and “degree” were also included indicating some mock jurors had reasonable doubt for 1st degree murder but may have rendered a guilty verdict if 2nd degree murder had been an option. The $Q$ value for the not guilty cognitive network was 0.36 indicative of a strong community structure (Newman & Girvan, 2004).

Figure 2.4 Pathfinder Network of Not Guilty Verdicts in Sexworker Incentive Condition. Colors highlight the 2 distinct themes, $Q = 0.36$. 

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When a "guilty" verdict was rendered, the informant’s “testimony” was a central node (see Figure 2.5). Similar to when not guilty verdicts were rendered, two distinct themes emerged. One theme was more general with nodes including “motive”, “confess”, “profile”, “cellmate”, and “evidence”. The second theme was more specific to events at the time of the murder with nodes representing the defendant calling his attorney first before police and no forced entry to the home such that another “person” who did not live at the home would have used force to enter. The $Q$ value for the guilty verdict cognitive network was 0.37.

**Figure 2.5** Pathfinder Network of Guilty Verdicts in Sexworker Incentive Condition. Colors highlight the 2 distinct themes, $Q = 0.37$. 
Chapter 3. Experiment 2 Methods and Results

3.1 Participants

Participants were community members recruited from Prolific and were required to be U.S. citizens of at least 18 years of age to participate. Participants were awarded $8.00 per hour for completing the study. To detect medium to high effects based on G*power analysis, a minimum of 85 participants were needed. A total of 160 participants completed the study, however, eight participants were excluded for incorrectly responding to the manipulation check questions. Therefore, analyses were conducted for 152 participants of which included 72 women, 77 men, one identified as transgender, and two selected “other”. The majority of participants indicated that they were White (79.6%), with smaller percentages indicating Black or African American (7.2%), Asian or Pacific Islander (5.3%), Hispanic Latino (5.9%), Native American (0.7%), and other (1.3%). Participants' ages ranged from 20 - 70 years ($M = 37.42, SD = 12.39$). APA guidelines were followed in order to ensure the confidentiality and anonymity of participants as indicated by the ethical guidelines provided by the IRB. The study was approved by IRB (see Appendix A for the approval letter and Appendix B for the Consent Form).
3.2 Design, Materials, and Procedure

The design, materials, and procedure for Experiment 2 were the same as Experiment 1 with the exception of the manipulation and three additional dependent variables. The manipulations consisted of a condition in which the informant received heroin in exchange for his testimony and a condition in which the informant received ibuprofen in exchange for testimony. As in Experiment 1, Experiment 2 also had a condition with no jailhouse informant testimony as well as a condition in which the jailhouse informant did not mention receiving an incentive. In Experiment 1, participants were asked to rate the morality of the incentive received by the informant but not the morality of the informant. For Experiment 2, participants were also asked to rate the morality of the jailhouse informant (1 = Not at all to 10 = Extremely). Also using a 10-point Likert scale, participants were asked to rate how ethical and how justified the incentive was that the informant received for his testimony.

3.3 Analysis Plan

The analyses for Experiment 2 were consistent with Experiment 1 with one additional dependent variable used to create the composite scale for jailhouse informant credibility and two additional dependent variables used to create the composite scale for incentive morality. The scale for informant credibility was created from the average of informant credibility, believability, honesty, and morality (Cronbach’s α = .94). The incentive morality scale was created from the average of incentive fairness and morality as well as how justified and ethical the incentive was that the informant received (Cronbach’s α = .95).
3.4 Results

3.4.1 Hypothesis 1: Influence of Illegal Incentives on Juror Verdicts

The analysis did not indicate support for Hypothesis 1. Participants did vote guilty less often in the no informant condition (36.1%) compared to the no incentive condition (48.6%), Heroin condition (48.7%), and the Ibuprofen condition (47.5%) (see Figure 3.1). Nevertheless, using the no informant condition as the reference group, the logistic regression was not significant for the Heroin condition, $B = .52$, Wald’s $\chi^2 (1) = 1.21$, 95% CI [0.67, 4.24], $p = .27$, the Ibuprofen condition, $B = .47$, Wald’s $\chi^2 (1) = 1.00$, 95% CI [0.64, 4.02], $p = .32$, and the no incentive condition, $B = .52$, Wald’s $\chi^2 (1) = 1.17$, 95% CI [0.66, 4.28], $p = .28$.

![Figure 3.1](image.png)  
*Figure 3.1* Experiment 2 Guilty Verdicts by Incentive Type for Informant Testimony.

Participants also did not vote guilty less often in the illegal incentive condition than the legal and no incentive conditions. Using the Heroin condition as the reference
group, the logistic regression was not significant for the Ibuprofen condition, $B = -.05$, Wald’s $\chi^2(1) = .01$, 95% CI [.39, 2.30], $p = .91$, or the no incentive condition, $B = -.003$, Wald’s $\chi^2(1) < .001$, 95% CI [.45, 2.45], $p = .99$.

3.4.2 Hypothesis 2: Perceptions of the Jailhouse Informant

There was support for hypothesis 2. The linear regression model reached significance for jailhouse informant credibility ($R^2 = .06$), $F(2, 107) = 3.23$, $p = .04$, as participants provided higher ratings of credibility for the informant in the Ibuprofen condition than in the Heroin condition ($B = 1.44$, $p = .02$) (see Figure 3.2). There was no significant difference between the Heroin and no incentive conditions; however, the means were in the predicted direction. Jailhouse informant credibility was rated lowest in the Heroin condition ($M = 2.75$, $SD = 2.53$) and highest in the Ibuprofen condition ($M = 4.19$, $SD = 2.59$) with informant credibility in the no incentive condition falling between the Heroin and Ibuprofen conditions ($M = 3.84$, $SD = 2.47$).

![Informant Credibility](image)

**Figure 3.2** Experiment 2 Perceptions of the Jailhouse Informant by Condition.
3.4.3 Hypothesis 3: Perceptions of the Incentive

The analysis indicated support for hypothesis 3. The linear regression model reached significance for morality of the incentive ($R^2 = .28), F (1, 73) = 28.67, p < .001.$ Incentive type was a significant predictor of perceived incentive morality, $B = 2.75, p < .001,$ such that Heroin was rated as less moral ($M = 0.92, SD = 1.81$) than Ibuprofen ($M = 3.67, SD = 2.54$) (see Figure 3.3).

![Incentive Morality](image)

**Figure 3.3** Experiment 2 Perceptions of the Incentive.

3.4.4 Hypothesis 4: Mediation

The mediation hypothesis expected that the illegal incentive of heroin would lead to lower perceptions of the informant, resulting in fewer guilty verdicts than when the incentive was ibuprofen or no incentive. Similar to Experiment 1 and as demonstrated by hypothesis 1, the Heroin condition did not influence verdicts compared to the Ibuprofen and no incentive conditions; therefore, mediation could not occur.
3.4.5 Hypothesis 5: Cognitive Networks

Two Pathfinder networks (guilty and not guilty verdicts with Heroin as the incentive) were derived to investigate mock jurors’ cognitive representations of the trial when the jailhouse informant received an illegal incentive to testify. There were 19 “guilty” and 20 “not guilty” verdict reasons analyzed for the Heroin condition. The illegal incentive, Heroin, was hypothesized to be a central node for “not guilty” verdicts and the informant was hypothesized to be a central node for “guilty” verdicts.

When a “not guilty” verdict was rendered, heroin was identified as a central node linked to “testimony” and “exchange” (see Figure 3.4). The concept of “cellmate” was also identified as a central node linked to “confess”. Four distinct themes emerged in the cognitive network. One theme was related to circumstantial evidence, and a second theme was related to reasonable doubt in the lack of blood on the defendant and the perceived short time frame the defendant had to commit the murders. A third theme was related to the cellmate’s secondary confession with the fourth theme related to the incentive. The “heroin” node was centered between “testimony” and “prove” with “exchange” 2 links away indicating mock jurors were aware of the incentivized secondary confession and saw it as a lack of proof. In the not guilty reason data, “prove” is preceded by “did not”. The $Q$ value for the not guilty cognitive network was 0.46 indicating a strong community structure (Newman & Girvan, 2004).
When a “guilty” verdict was rendered, the “cellmate” was identified as a central node linked to “admit” indicating the defendant’s confession to the informant was a key concept in the verdict decision making process (see Figure 3.5). Four distinct themes also emerged for guilty verdicts. One theme was specific to the defendant calling his lawyer before police, and a second was related to the secondary confession and the time gap the defendant could have committed the murders within. A third theme was specific to a lack of forced entry in the home, similar to the theme in Experiment 1. The fourth theme was related to evidence in that the defendant had motive, did not have a solid alibi, and matched the description of the profile given by the coroner. The $Q$ value for the guilty cognitive network was 0.45.
Figure 3.5 Pathfinder Network of Guilty Verdicts in the Heroin Incentive Condition. Colors highlight the 4 distinct themes, $Q = 0.45$. 
Chapter 4. Conclusions and Future Work

The present study was the first to examine how alternative incentives received by jailhouse informants for their testimony influence jury decision making. There were four primary results. First, conviction rates were unaffected by the informant receiving an illegal incentive whether it was intercourse with a sexworker or the opioid heroin. Second, the jailhouse informant was only perceived as less credible when the incentive was heroin. Allowing the informant to have intercourse with a sexworker did not lower perceptions of the informant. Third, while heroin was considered less moral of an incentive than ibuprofen, intercourse with a sexworker was not considered less moral than intercourse with a spouse. Mock jurors did not appear to be deterred by the illegality of intercourse with a sexworker as an incentive. Finally, analysis of verdict reasons indicated heroin as an incentive was a reason for acquittal, and the jailhouse informant was a primary decision factor in the illegal conditions whether the mock jurors returned a guilty or not guilty verdict.

Consistent with prior research, participants in Experiment 1 convicted significantly more often when a jailhouse informant was present (Neuschatz et al., 2008). Mock jurors in Experiment 2, however, did not convict more often in conditions with a jailhouse informant although the guilty verdict percentages were in the predicted direction. Guilty verdict percentages were similar in informant conditions across both experiments. For instance, 51.7% of mock jurors in the Sexworker condition
(Experiment 1) voted guilty while 48.7% of mock jurors in the Heroin condition
(Experiment 2) voted guilty. In Experiment 2, guilty verdicts (36.1%) were higher in the
no informant condition than expected. This may explain why there was a significant
difference in verdicts in Experiment 1 as there were fewer guilty verdicts (27.3%) in the
no informant condition. Given that the no informant condition was exactly the same for
both experiments, it is unclear why there was a 9% difference in guilty verdicts. Data
collection for Experiment 2 took place approximately three months after data collection
for Experiment 1 and may have been a contributing factor.

Contrary to what was hypothesized, the results of Experiment 1 indicated there
was not a significant difference in the frequency of guilty and not guilty verdicts for the
jailhouse informant conditions. Further, mock jurors did not find the incentive of
intercourse with a sexworker less moral than intercourse with a spouse. Although
prostitution is illegal, the mock jurors may not have a negative attitude toward
toward prostitution and found that liberals have a more positive outlook toward
prostitution. In Experiment 1, 64.8% of respondents indicated they considered themselves
liberal on the political spectrum while 14.4% indicated they were moderate and only
20.8% indicated they were conservative. To the extent liberal respondents in this study
have a more favorable attitude toward prostitution than anticipated, political beliefs could
be a factor in the results. Alternatively, mock jurors may view intercourse as an incentive
negatively regardless of whether the act took place legally or not. Mock jurors rated the
incentives of intercourse with a sexworker at an average of 1.86 and intercourse with a
spouse at only 2.38. These low morality perceptions of the incentives indicate mock

jurors did not approve of intercourse as an incentive overall. Further, average credibility ratings for the informant in the Spouse condition was only 3.3 and the informant in the Sexworker condition was 3.56. Despite the low incentive and informant ratings, the verdict results of Experiment 1 reflect a strong belief in jailhouse informant testimony, thus the incentives provided may not have been a strong enough trigger to allow mock jurors to suspend or abandon the truth-default state (Levine, 2014). The informant’s statement supplying an intrinsic motivation for testifying and the lack of alternative explanation for how the informant knew the murder details may have prevented the triggers from displaying the intended effect.

In Experiment 2, mock jurors perceived the illegal incentive as less moral and the jailhouse informant that received heroin less credible compared to the legal incentive condition; however, these perceptions were not reflected in the verdicts. The Story Model of jury decision making may explain the inconsistent nature of these results (Pennington & Hastie, 1992). Under this model, jurors would create one or more internal narratives based on the evidence. There are three main components of the Story Model (story construction, knowledge of verdict categories, and decision making) based on placing the best fit internal narrative into a verdict category. During story construction, to organize trial information into a mental representation, jurors combine case evidence, knowledge about similar events to the disputed topics, and expectations about what makes a complete story. After all of the evidence has been presented, the second component of the Story Model becomes active as the presiding judge defines the verdict categories and the relevant criminal statutes for the jury. Once the jury instructions have been received, the jurors then classify the best fit story into one of the verdict categories. Applying the Story
Model to the present study, participants in the heroin condition that found the informant lacked credibility may have created mental narratives in which the defendant was innocent, but when unable to account for an alternative source to explain how the informant knew about the murders, they were unable to complete this mental narrative. Consequently, they decided the best fit narrative was one in which the defendant confessed to the informant and was therefore responsible for the murders.

Another avenue to consider in regard to the null verdict results is prosecutorial vouching. Prosecutorial vouching occurs when the prosecuting attorney attests to the reliability of a witness’s testimony being truthful (Roth, 2016). While prosecutorial vouching can be either explicit or implicit, explicit vouching, wherein the prosecutor makes a statement to the court that they believe the witness, is prohibited in court. When a prosecutor calls a witness to the stand and the jurors perceive the prosecutor believes the witness to be truthful in the absence of explicit statements to the matter, it is implicit prosecutorial vouching. Implicit prosecutorial vouching may occur because jurors likely do not believe the prosecutor would put a witness on the stand who would knowingly provide false testimony. By simply calling a witness to the stand, whether it be an expert witness such as a medical examiner or an informant witness such as a jailhouse informant, the prosecutor is asserting a belief in the witness’ testimony. The mock jurors in this study may be providing the same frequency of guilty verdicts regardless of whether or not the informant received an incentive to testify against the defendant because they believe the informant would not be allowed to testify if there was any doubt in the truthfulness of his statements.
In regard to the cognitive networks, the present study utilized the verdict reasons in the illegal incentive conditions to gain insight into the concepts deemed most important to mock jurors when making a determination of guilt or innocence. In total, four cognitive networks were created to represent the meaningful decision-making themes when the jailhouse informant received heroin or intercourse with a sexworker for both guilty and not guilty verdicts. Consistent with prior research (Golding et al., 2020) and as hypothesized, when a “guilty” verdict was rendered in both illegal incentive conditions, the case was conceptualized on the presence of the jailhouse informant’s testimony. When a “not guilty” verdict was rendered in the heroin condition, as hypothesized, “heroin” was a central node. Further, this incentive was one of four distinct themes in the cognitive network. Contrary to expectations in the Sexworker condition, “sexworker”, nor any term related to the incentive itself, was not a central node when a “not guilty” verdict was rendered. While the incentive was not determined to be a reason for acquittal, the jailhouse informant was in the cognitive network indicating intercourse with a sexworker was not as relevant in the decision-making process as the jailhouse informant overall.

Another interesting aspect of the cognitive networks was that some terms were nodes for acquittals and convictions. Upon visual inspection of the networks, there were nodes common across both guilty and not guilty networks in each experiment. In Experiment 1, the guilty and not guilty networks contain nodes for “cellmate”, “evidence”, and “testimony”. The concepts each of these nodes link to indicates the context varies based on the verdict decision. For instance, when a not guilty verdict is rendered, “cellmate”, “evidence”, and “testimony” are directly linked indicating high
association. “Evidence” is also directly linked to “circumstantial”. When a guilty verdict is rendered, “cellmate” is directly linked to “profile” and “motive” with “evidence” and “testimony” more distant associations at 2 links away on either side. This suggests mock jurors who voted guilty and not guilty viewed these key concepts differently to make their verdict decision. Those who voted not guilty appeared to view the cellmate as circumstantial evidence while those who voted guilty found the cellmate indicative of defendant guilt along with the profile description given by the coroner and the perceived motive of the defendant.

In Experiment 2, the guilty and not guilty cognitive networks for the Heroin condition each contained nodes for “police”, “cellmate”, “time”, and “evidence”. These concepts appear to have been used differently depending on the verdict. For instance, when participants found the defendant not guilty, “evidence” was directly linked to “circumstantial”. When participants found the defendant guilty, “evidence” was directly linked to “motive”. The node of “cellmate” was directly linked to “confess” when not guilty verdicts were rendered and “admit” when guilty verdicts were rendered. While confess and admit are similar terms, “cellmate” was also directly linked to “reason” with “doubt” 2 links away for not guilty verdicts. For guilty verdicts, “cellmate” is also directly related to “call”, specifically the phone call to the lawyer, indicating mock jurors saw the cellmate as a form of evidence against the defendant. The same concepts perceived differently illustrate the variability in jury decision making.

There were limitations to this study and areas for future research that should be considered. This study was conducted online, limiting the ecological validity as well as the ability to monitor the attentiveness of the participants; however, multiple attention
checks and manipulation checks were included in the study to gauge participants’ alertness to the stimuli. Also, in real criminal trials, jurors may not be able to absorb all of the information provided to them depending on the length of the trial, the amount of evidence provided, and individual juror factors. This study also did not incorporate jury deliberation. Each mock juror made a single guilt assessment without discussing facts of the case with other mock jurors. Future research could employ a jury deliberation scenario with this study. It would be insightful to determine how juries discuss and process a jailhouse informant’s testimony when the informant received an illegal incentive to testify. Lastly, future research should investigate prosecutorial vouching in regard to jailhouse informant testimony. Considering people generally presume communication from others to be honest, jurors may be trusting that the prosecutor would not allow an untruthful witness to testify (Levine, 2014). If a juror trusts the prosecutor’s judgment, they may be more likely to commit the fundamental attribution error (Ross, 1977). In the event the mock juror is relying on implicit prosecutorial vouching, they may not be aware that in most cases the prosecutor cannot verify the informant’s testimony and may not attempt to disconfirm it. Understanding the role of prosecutorial vouching in jury decision making when a jailhouse informant testifies may provide invaluable insight that could be applied to future policies regarding the use of jailhouse informants.

In conclusion, the present study provides further confirmation of the strength of jailhouse informant testimony. This study was the first to incorporate incentives other than a reduced sentence. Even when the jailhouse informants were incentivized to testify by the illegal means of heroin and intercourse with a sexworker, jurors still convicted just as often as when informants were not incentivized at all. Jailhouse informant testimony is
one of the leading causes of wrongful convictions, yet there are few policies regulating the use of informants in criminal trials. Given their influence on jury decision making, jailhouse informants should be used with caution in the criminal justice system.
References


Appendix A. IRB Approval Letter

Date: 24 July 2022

PI: Kylene Street
PI Department: Psychology
The University of Alabama in Huntsville

Dear Kaylene,

The UAH Institutional Review Board of Human Subjects Committee has reviewed your proposal titled: Incentive and found it meets the necessary criteria for approval. Your proposal seems to be in compliance with these institutions Federal Wide Assurance (FWA) 00019998 and the DHHS Regulations for the Protection of Human Subjects (45 CFR 46).

Please note that this approval is good for one year from the date on this letter. If data collection continues past this period, you are responsible for processing a renewal application a minimum of 60 days prior to the expiration date.

No changes are to be made to the approved protocol without prior review and approval from the UAH IRB. All changes (e.g. a change in procedure, number of subjects, personnel, study locations, new recruitment materials, study instruments, etc) must be prospectively reviewed and approved by the IRB before they are implemented. You should report any unanticipated problems involving risks to the participants or others to the IRB Chair.

If you have any questions regarding the IRB’s decision, please contact me.

Sincerely,

Ann L. Bianchi
IRB Chair
Associate Professor, College of Nursing
Appendix B. Consent Form

Key Information:

This form seeks your consent for research and participation is voluntary. The purpose of this study is to examine how jurors use information in the courtroom by having participants answer questions and deliberate with other students about a provided case. This will take 20 minutes to an hour. The risks involved are no more than what you experience in everyday life, however; you may remember an experience in your life that could cause distress. There are no known benefits to you for completing this study.

The primary investigators are Kylene Street and Kassie Mink, from The University of Alabama in Huntsville’s Psychology department.

Consent to Participate in a Research Study
Jury Decision Making-Cases

WHY AM I BEING INVITED TO TAKE PART IN THIS RESEARCH?
You and about 180 others are being invited to take part in a research study about psychology and the law, specifically victims of crimes.

WHO IS DOING THE STUDY?
The person in charge of this study is Kylene Street of the Department of Psychology at The University of Alabama in Huntsville. There may be other people on the research team assisting at different times during the study.

WHAT IS THE PURPOSE OF THIS STUDY?
By doing this study, we hope to learn more about how people serving as jurors use information in the courtroom.

WHERE IS THE STUDY GOING TO TAKE PLACE AND HOW LONG WILL IT LAST?
The research procedures will be completed wherever you can log on to a computer, because the study is completed online. The total amount of time you will be asked to volunteer for this study will be approximately 20 minutes to 1 hour during 1 session, depending on the length of the trial presented and the number of questions that need to be answered.

WHAT WILL I BE ASKED TO DO?
During the study you will be asked to do one or more of the following: (1) read, hear, and/or watch information about a randomly selected court case and/or other legal issues; (2) answer questions about the case and/or legal issues; (3) answer questions about experiences you and others have had in life (e.g., contact with elders); (4) answer questions about your beliefs and behavior with regard to specific aspects of your life (e.g., religion, television watching behavior), and (5) provide demographic information (e.g., race, age, sex, married, children). You should also be aware that the information and questions that are presented to you may refer to crimes of a sexual nature or crimes involving physical abuse.

ARE THERE REASONS WHY I SHOULD NOT TAKE PART IN THIS STUDY?
There are no known reasons why you should not participate in this study. However, individuals under the age of 18 should not participate in this study.

**WHAT ARE THE POSSIBLE RISKS AND DISCOMFORTS?**
To the best of our knowledge, the things you will be doing have no more risk of harm than you would experience in everyday life. It is possible, however, that you may remember an experience in your life that will cause you some distress. If this occurs, you should feel free to discontinue your participation. Also, if you feel any distress you may want to contact a trained professional at Comprehensive Health Care (859-233-0444), or The University of Alabama in Huntsville Counseling Center (256-824-6203).

**WILL I BENEFIT FROM TAKING PART IN THIS STUDY?**
There is no guarantee that you will get any benefit from taking part in this study.

**IF I DON’T WANT TO TAKE PART IN THE STUDY, ARE THERE OTHER CHOICES?**
If you do not want to take part in the study, there are other choices as discussed in your class.

**WHAT WILL IT COST ME TO PARTICIPATE?**
There are no costs associated with taking part in this study.

**WHAT WILL I RECEIVE FOR TAKING PART IN THE STUDY?**
You will receive up to $8.00 per hour, depending on the amount of time it takes you to complete the study, for participating in this study.

**WHO WILL SEE THE INFORMATION I GIVE?**
Your information will be combined with information from other people taking part in the study. When we write about the study to share it with other researchers, we will write about the combined information we have gathered. You will not be personally identified in these written materials. We may publish the results of this study; however, we will keep your name and other identifying information private.

We will make every effort to prevent anyone who is not on the research team from knowing that you gave us information, or what that information is. However, we may have to show information which identifies you to people who need to be sure we have done the research correctly; these would be people from such organizations as The University of Alabama in Huntsville.

Please be aware, while we make every effort to safeguard your data once received from the online survey/data gathering company, given the nature of online surveys, as with anything involving the Internet, we can never guarantee the confidentiality of the data while still on the survey/data gathering company’s servers, or while en route to either them or us. It is also possible the raw data collected for research purposes may be used for marketing or reporting purposes by the survey/data gathering company after the research is concluded, depending on the company’s Terms of Service and Privacy policies.

**CAN MY TAKING PART IN THE STUDY END EARLY?**
If you decide to take part in the study, you still have the right to later decide at any time that you no longer want to continue, and you will still receive full credit for taking part in the study. No one will think badly of you or treat you differently if you decide not to take part in this study.
The individuals conducting the study may need to take you off of the study. They may do this if you are not able to follow the directions they give you, or if they find that your being in the study is more risk than benefit to you.

**WHAT IF I HAVE QUESTIONS?**
Before you decide whether to accept this invitation to take part in the study, please ask any questions that might come to mind now. Later, if you have questions about the study, you can contact the investigator, Kylene Street at kls0006@uah.edu. You may also contact the faculty supervisor, Dr. Jeffrey Neuschatz, at 256-824-2321 or at neuschaj@uah.edu. If you have any questions about your rights as a research volunteer, or if this study has led you to feel any concerns in regard to your participation, please contact the IRB Chair, Dr. Ann Bianchi, at 245-824-2465 or at irb@uah.edu. You may print, or email kls0006@uah.edu, for a copy of this form if you would like.

Do you consent to participate?

__ I agree

__ I decline
Appendix C. Participant Questionnaire

How would you rate the guilt of the defendant with regard to the charge involving Scott Maddox and Mary Lou Wilson?

1 (Completely: Not Guilty) – 10 (Completely: Guilty)

What is your verdict with regard to the charge against the defendant involving Scott Maddox and Mary Lou Wilson?

__ Not Guilty
__ Guilty

How confident are you in your verdict with regard to the charge involving Scott Maddox and Mary Lou Wilson?

1 (Not at All) – 10 (Completely)

What led to your verdict with regard to the charge involving Scott Maddox and Mary Lou Wilson? (Open ended response)

Did a jailhouse informant testify?

__ Yes
__ No

If participants select “Yes” they will be directed to questions specific to the jailhouse informant, but if participants select “No” they will be directed to a set of questions pertaining to another witness (neighbor).

The following questions will be assessed on a ten-point Likert scale with one being none and ten being completely.

being completely.
How much did the testimony of the jailhouse informant influence your verdict decision?

(This question is followed by an open-ended question asking for the reason for the rating)

How fair do you think it was that the jailhouse informant received an incentive for testifying for the Prosecution?

How moral was the incentive the jailhouse informant received for testifying?

How much did the testimony of the neighbor influence your verdict decision?

Was the incentive the jailhouse informant received for his testimony justified?

(Experiment 2)

The following questions will be assessed on a ten-point Likert scale with one being none and ten being extremely.

How credible was the jailhouse informant (Mr. Rogers)?

How honest was the jailhouse informant (Mr. Rogers)?

Rate how much you believed that the defendant told the jailhouse informant about the crime he had committed. (This question is followed by an open-ended question asking for the reason for the rating)

How credible was the defendant’s neighbor (Mr. Feinstein)?

How honest was the defendant’s neighbor (Mr. Feinstein)?

How moral was the incentive the jailhouse informant received for testifying?

(Experiment 2)

How ethical was the incentive the jailhouse informant received? (Experiment 2)
Appendix D. Trial Transcript

Case and Criminal Trial Instructions
No. 1400-1003
Dept. No. CW-C

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEW YORK

THE HONORABLE A. TORRES, DISTRICT JUDGE

--o0o--

STATE OF NEW YORK, > PARTIAL TRANSCRIPT
> OF PROCEEDINGS
Plaintiff, > March 6-8, 1988
vs. >
CHARLES M. WILSON, >
Defendant. >

CHARGE: Murder in the First Degree

APPEARANCES:
For the State: D. James Kerning
Assistant District Attorney
For the Defendant: John D. Evans, Esq.
Attorney at Law
The case you will hear about involves a criminal trial. It is important to keep in mind that criminal procedure refers to the legal process for adjudicating claims that someone has violated criminal law. Criminal laws define violations that can be punished by fines, imprisonment, or even death. Such offenses include murder, armed robbery, theft, stalking, kidnapping, arson, and assault. In criminal cases, the state or federal government prosecutes an individual (i.e., the defendant) who is alleged to have committed a specific offense. A jury in a criminal case rules “Guilty” if there is evidence beyond a reasonable doubt that the defendant committed the crime. The jury rules “Not Guilty” if the evidence leads to reasonable doubt that the defendant committed the crime.

Now, you will be assuming the role of a juror as you read a trial summary and answer questions. Please make sure you read the trial very carefully so that you will be able to answer important questions about it. **The Defendant, Mr. Charles Wilson, is charged with two crimes of murder in the first degree for the deaths of Mary Lou Wilson, the defendant’s wife, and Scott Maddox, her friend.** The prosecution alleged that Charles Wilson strangled his wife Mary Lou Wilson and stabbed her friend Scott Maddox in the evening of July 30, 2019 in Mr. Wilson’s home. The state charged the defendant with two counts of First-Degree murder. The defendant pleaded “not guilty” to the charges. The defense attorney argued that Mr. Wilson was simply at the wrong place at the wrong time and is innocent of both charges.

**The defendant was charged with murder.**

a. Yes
b. No
If participants select “no”, the following message will appear and they will be directed to the next block:

**WRONG ANSWER!**

Your response to the last question was INCORRECT. Please make sure you read carefully so that you can answer ALL questions correctly.

Please continue with the trial.

**Prosecution Witnesses**

**Prosecution's Case**

**Witness No. 1: Donald Heffling**

**Direct Examination:**

Officer Donald Heffling was on patrol for New York City the night Mary Lou and Scott Maddox were murdered. Officer Heffling advised he was dispatched to the Wilson residence at 8:35 PM to investigate a potential murder reported by the defendant, Charles Wilson. Officer Heffling testified that upon arrival, he was met by the defendant who informed him the bodies of Mary Lou and Scott Maddox were in the kitchen. He found the bodies lying side by side on the floor of the kitchen. Mr. Maddox had suffered a severe stab wound and it appeared Mrs. Wilson had been strangled. Officer Heffling read Mr. Wilson his Miranda Rights and took him to the police station for questioning. The defendant told Officer Heffling that he found the murdered bodies of Mary Lou and Scott Maddox at around 8:00 PM when he stopped by the house to pick up checks out of his desk. The defendant admitted to waiting 30 minutes before calling police because he called his lawyer first.
Cross Examination:
Officer Heffling stated they have no idea what weapon was used to stab Scott Maddox because a murder weapon was never recovered. Officer Heffling further advised that the defendant seemed extremely upset about the death of his wife, and when asked if he killed Mary Lou and Scott, he stated no.

Prosecution's Case
Witness No. 2: John Belmonte

Direct Examination:
Dr. John Belmonte had been a coroner for the state of New York for 2 years at the time of the murders. Dr. Belmonte testified that based on his examination of the body, Maddox was probably stabbed from behind with a hunting knife by a left-handed offender who was about 6 feet tall. Mary Lou Wilson had bruising on her throat and a collapsed windpipe. The prosecution noted Charles Wilson is left-handed and about 6 feet tall.

Cross Examination:
Dr. Belmonte stated that although he believed Maddox was killed with a hunting knife, they are common in the area and he could not narrow it down to a specific brand or type of hunting knife. Dr. Belmonte also advised the offender could have been anywhere from 5’10” to 6’2”.

The victim, Scott Maddox, was stabbed.

a. Yes
b. No

If participants select “no”, the following message will appear and they will be directed to the next block:

WRONG ANSWER!
Your response to the last question was INCORRECT. Please make sure you read carefully so that you can answer ALL questions correctly.

Please continue with the trial.

**Manipulation**

**Prosecution's Case: Condition 1 - No Jailhouse Informant**

**Witness No. 3: Bob Sullivan**

**Direct Examination:**

Mr. Sullivan has been a neighbor of the defendant for three years—he lived directly across from the Wilson's. On the day in question, Mr. Sullivan was coming home from work later than usual because a shipment of goods had unexpectedly come into the store where he worked. He thought the time must have been around 7:45 PM - 8:00 PM because it was already dark outside. When he arrived home, Mr. Sullivan said he noticed the defendant just pulling into the driveway of the Wilson residence. Mr. Sullivan stated that the defendant was driving the pick-up truck that he had owned for several years. Mr. Sullivan reminded the court that the defendant, Mr. Wilson, lived directly across the street from him. Mr. Sullivan said he saw the defendant get out of his truck and walk directly into his house. He did not see him at any point for the rest of that day.

**Cross Examination:**

Mr. Sullivan stated he did not speak to Mr. Wilson when he saw him. He also stated he only saw Mr. Wilson in the dark and cannot give any description about his clothing or demeanor because he could only make out a figure. Mr. Sullivan further testified he did not know another man was also at the residence and was unaware of the murders until the following day.
Was Mr. Sullivan the Wilson’s neighbor for 3 years?

a. Yes
b. No

If participants select “no”, the following message will appear and they will be directed to the next block:

**WRONG ANSWER!**

Your response to the last question was INCORRECT. Please make sure you read carefully so that you can answer ALL questions correctly.

Please continue with the trial.

Prosecution's Case: Condition 2- Jailhouse Informant No Incentive

Witness No. 3: Jailhouse Informant, Seth Rogers

Direct Examination:

Mr. Seth Rogers testified that in November 2019, he had been in the Lincoln Correctional Facility serving time. He stated that he met Charles Wilson while in jail and that they occasionally played cards together. Mr. Rogers reported that he had heard that the defendant was serving time for a murder and decided to ask him about it while playing cards one day. He testified that Mr. Wilson confessed to him, admitting that he had stabbed Maddox multiple times and strangled Mary Lou when he found them together in his own home. He then said that Mr. Wilson told him he had disposed of the knife, but he didn’t tell him where he put it. Mr. Rogers stated that he wanted to come forward with this information because he felt bad for the victims’ friends and families.
Cross Examination:

Mr. Rogers stated that he did not know why the defendant would confess to murder to someone he did not know very well.

Prosecution's Case: Conditions 3 & 4 - Incentive

Witness No. 3: Jailhouse Informant, Seth Rogers

Direct Examination:

Mr. Seth Rogers testified that in November 2019, he had been in the Lincoln Correctional Facility serving time. He stated that he met Charles Wilson while in jail and that they occasionally played cards together. Mr. Rogers reported that he had heard that the defendant was serving time for a murder and decided to ask him about it while playing cards one day. He testified that Mr. Wilson confessed to him, admitting that he had stabbed Maddox multiple times and strangled Mary Lou when he found them together in his own home. He then said that Mr. Wilson told him he had disposed of the knife, but he didn’t tell him where he put it. Mr. Rogers stated that he wanted to come forward with this information because he felt bad for the victims’ friends and families.

Cross Examination:

Mr. Rogers advised he agreed to testify against the defendant in exchange for (heroin/ non-prescription ibuprofen/ intercourse with a sex worker/ intercourse with his wife). Rogers admitted he has testified in prior cases in exchange for (heroin/ ibuprofen/ private visits). He has been allowed (to use/ visits for) (heroin/ ibuprofen/ intercourse with a sex worker/ intercourse with his wife) over the course of the last several months. He also stated that he did not know why the defendant would confess to murder to someone he did not know very well.
For all conditions with a jailhouse informant, the following manipulation check appeared immediately after cross examination of the informant.

**Manipulation Checks**

1. Did the jailhouse informant admit to receiving an incentive for testifying?
   a. Yes
   b. No
   If participants select “Yes” they will be directed to the next question, but if participants select “No” they will be directed to the next block.

2. What incentive did the jailhouse informant receive?
   a. Conjugal visit with his wife/ Illegal Drugs
   b. Time off of his prison sentence
   c. Conjugal visit with a sex worker/ Over-the-Counter drug

**Defense Witnesses**

Defense's Case

Witness No. 1: Arnold Feinstein

Direct Examination:

Arnold Feinstein was a longtime friend and neighbor of the defendant. Mr. Feinstein stated he and the defendant had a couple of beers at a local bar on the night of the murders. He advised they discussed Charles’ separation with Mary Lou. Feinstein said Wilson believed that his wife was probably not having an affair. Feinstein described the defendant as calm that night. Feinstein stated their interaction ended that evening when Wilson advised he needed to pick up items from his desk at home.
Cross Examination:

Feinstein stated he and the defendant parted ways at about 7:30 PM and it takes Wilson about 15 minutes to drive to his house. The defendant would have arrived at the Wilson residence at around 7:45 PM. Feinstein advised he had seen Wilson express anger or hatred toward Mary Lou on previous occasions but not that night.

*According to Feinstein, the defendant, Mr. Wilson, went home on the night of the murder to change clothes.*

a. Yes
b. No

If participants select “yes”, the following message will appear and they will be directed to the next block:

**WRONG ANSWER!**

Your response to the last question was INCORRECT. Please make sure you read carefully so that you can answer ALL questions correctly.

Please continue with the trial.

Defense's Case

Witness No. 2: Edward Andrews

Direct Examination:

Edward Andrews was the bartender where Arnold Feinstein and Charles Wilson had beers on the evening of July 30, 2019. Mr. Andrews testified that he saw the defendant, Wilson, and Feinstein drinking together at a corner table. Mr. Andrews reported that the defendant entered the bar around 6:00 pm and that he was still there when Mr. Andrews’ shift ended at 7:00pm.
Cross-Examination:

Mr. Andrews admitted that he did not know at what time the defendant left the bar because he left as soon as his shift had ended at 7:00 pm. Mr. Andrews further stated that it was possible that Mr. Wilson could have left immediately after he did.

Defense's Case

Witness No. 3: Mr. Paul Franklin

Direct Examination:

Paul Franklin had been the defendant’s co-worker for about 3 and a half years. Franklin testified that on the day of the murder, he saw Wilson at work, and they talked about a range of topics, from basketball to hunting. Franklin advised Wilson was friendly in his conversation and his mood seemed more optimistic the last couple of days.

Cross Examination:

Franklin advised that although he knew Wilson had personal issues recently, they didn’t talk about it at work. Their conversations focused more on hobbies, food and sports.

Instructions to the Jurors

Judge A. Torres:

Judge Torres charged the jurors with the following instructions:

“You will find the defendant, Charles Wilson, guilty of First-Degree Murder under this Instruction if, and only if, you believe from the evidence beyond a reasonable doubt all of the following:

“That in this county on or about July 30, 2019, Charles Wilson killed Scott Maddox by stabbing and Mary Lou Wilson by strangulation; that in doing so, he intended to cause the death of Scott Maddox and Mary Lou Wilson.”
AND

That Mr. Wilson was NOT acting due to extreme emotional disturbance."

Prosecution Closing Arguments:

Mary Lou Wilson asked for a separation from her husband and faced retribution that eventually resulted in her death. Scott Maddox was an innocent man who found out his friend was being followed and wanted to help. The defendant, Charles Wilson, was a jealous man overwhelmed with emotion. He was so distraught that he hired a private investigator to follow Mary Lou for days in an attempt to catch her being unfaithful. On the night of July 30th, he found Mr. Maddox in the home with Mary Lou and assumed they were having an affair. He stabbed Mr. Maddox as he was attempting to walk away and then strangled his own wife, Mary Lou Wilson. The defendant realized what he had done so he disposed of the weapon and called his lawyer before calling the police. Also, the defendant did not realize that he made a major mistake by admitting to the jailhouse informant, Mr. Rogers, when they were in jail together, that he committed the murders.

_The victim, Mary Lou Wilson, died from poisoning._

a. Yes
b. No

If participants select “yes”, the following message will appear and they will be directed to the next block:

**WRONG ANSWER!**

Your response to the last question was INCORRECT. Please make sure you read carefully so that you can answer ALL questions correctly.

Please continue with the trial.
Defense Closing Arguments:

Not only is Mr. Wilson grieving the loss of his beloved wife, he is doing so while being falsely accused of her murder. The defendant, Charles Wilson, admits he was upset when Mary Lou asked for a separation but not more so than any other man would be in that position. He loved his wife and wanted to find out why she no longer loved him so he hired a private investigator. He told the investigator to stop following her when nothing turned up. He had hope they could work things out. That is until he arrived at his residence and found her lifeless body next to Scott Maddox’s. Wilson, knowing he would automatically be the first suspect because of the separation, called his lawyer for advice. He then immediately called police and not only stayed until they arrived, but fully cooperated. The evidence presented by the defense is purely circumstantial. There are hundreds of left-handed people who match the height range of the offender. Also, it is important to note that the testimony of the jailhouse informant Mr. Rogers should not be considered credible because he is a convicted felon. The state has failed to prove that Charles Wilson committed the murders of Mary Lou Wilson and Scott Maddox. Charles Wilson is innocent and should be acquitted.

Prosecution Closing Arguments:

The evidence against Charles Wilson is substantial. He fits the physical profile described by the coroner. In the absence of evidence of a forced entry, jealousy becomes the only logical motivation for the murders of Mary Lou and Scott Maddox. The defendant’s story has a time gap during which he cannot prove where he was or what he was doing. This time gap coincides with the time of the murders. Wilson told Mr. Rogers that he hid the knife before calling police. All of the facts combined should convince you beyond a
reasonable doubt that Charles Wilson is guilty of murdering his wife, Mary Lou, and her friend, Scott Maddox.
Appendix E. Demographic Questions

Are you a citizen of the United States of America?
__ Yes
__ No

What is your gender?
__ Male
__ Female
__ Transgender
__ Other: __________

What is your ethnicity?
__ Asian/Pacific Islander
__ Black/African American
__ Hispanic/Latino
__ White/Caucasian
__ Middle-Eastern
__ Native American
__ Other: __________

How old are you?
___________________

We are interested in your political beliefs. Would you consider yourself more liberal or conservative? Please select an option from this rating scale.
__ Very Liberal
__ Liberal
__ Slightly Liberal
__ Moderate
__ Slightly Conservative
__ Conservative
__ Very Conservative
Appendix F. Jury Experience Questions

Have you ever served on a jury?
  _ Yes
  _ No

If participants select “Yes” they will be directed to the next question, but if participants select “No” they will be directed to the next block.

On how many occasions have you served on a jury?
___________________

For each time you served on a jury, what crime was involved?
___________________

What was the outcome in each of the trials?
___________________

If you served on a jury that did not reach a unanimous verdict, did you personally think that the defendant was guilty or not guilty? Answer this question for each jury in which this occurred.
Appendix G. Debrief

Explanation--Juries in the Courtroom

This experiment was designed to study how we use information in the courtroom when we serve as jurors. Previous research has shown that we are able to remember information and make a decision about a case (e.g., guilt or innocence) based on different evidence that is presented. For example, if you heard that a person "was not present at the scene of the crime," you would probably remember this information and determine that the defendant was innocent.

In the present research, individuals were presented with evidence about a fictitious defendant during a court trial, and were instructed to use the evidence to determine the guilt or innocence of the person (in a criminal trial) or to decide in favor of the defendant or the alleged victim (in a civil trial). It was predicted that the believability of the witnesses and the subsequent decision in the case would be a function of various factors. These factors include the relationships involved, the type of crime, the type of evidence presented (e.g., alleged victim alone vs. physical evidence), whether there was an incentive for testimony or not, and the type of incentive for testimony.

Thank you for your help with this study. It would not be possible to continue psychological research without your cooperation and goodwill. We hope you enjoyed this experiment. If you are troubled by the concealment within the study, you may withdraw your data. Withdrawing your data will have no effect on the research participant credit offered. If you would like to learn more about this experiment you may contact Kylene Street or consult the references listed below. We expect to have the results analyzed in approximately four months, so if you are curious about what happened feel free to send an email to Kylene Street.