

Andy Hertel  
Introduction to Social Psychology

**Psychology 3201:  
Introduction to Social  
Psychology**  
Elliott Hall Room N119  
Monday, December 12  
2:30-4:25PM

**Today**

- Social Psychology and Law

**Overview of the Criminal Justice  
System**

- 74% of crimes do not result in arrest
- 76% of charges are dropped or juvenile
- 22% of charges go to trial
- only about 14 of 1000 crimes committed will actually go to trial

**Overview of the Criminal Justice  
System**

- two types of trials
  - criminal trial
    - any reasonable doubt as to the guilt of the defendant, the law necessitates acquittal
  - civil trial
    - defendant can be guilty of charges if it is more likely than not that s/he is guilty

**Jury Selection**

- voir dire
  - pretrial interview
  - Does the person have an interest in the outcome?  
Have s/he already formed an opinion?

**Jury Selection**

- peremptory challenge
  - removal of a limited number of prospective jurors without giving a reason
  - What guides their decisions?

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**Jury Selection**

- implicit personality theories and/or stereotypes
  - belief: women are more skeptical than men -- especially in response to attractive female witnesses (Adler, 1994)

**Jury Selection**

- implicit personality theories and/or stereotypes
  - Women: guilty verdicts likely for sex crimes against women and children (Bottoms et al., 2004)
  - Authoritarians: guilty verdicts likely in general

**Jury Selection**

- Do jurors favor defendants who are similar to them in important ways?
  - mixed-race groups of mock jurors
  - strong/weak case with White/AA defendant
  - participants recommended a verdict
  - weak evidence: lenient to own race defendant
  - strong evidence: harsh to own race defendant

(Kerr et al., 1995)

**Jury Selection**

- scientific jury selection
  - attempts to draw correlations between demographics and trial-relevant attitudes
  - consultants conduct a survey in the jury population
  - if prospective juror fits an unfavorable profile, use a peremptory challenge to exclude

**Jury Selection**

- scientific jury selection
  - controversial process
    - oppose: tips the scales of justice toward the wealthy
    - favor: problem is in the peremptory challenge

**Jury Selection**

- death qualification
  - prospective jurors who would NOT vote for the death penalty can be excused from cases involving capital punishment crimes

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## Introduction to Social Psychology

### Jury Selection

- death qualification
  - favor the death penalty more likely to vote guilty (Cowen et al.)
  - death qualified jurors: more concerned about crime, more cynical of defense lawyers, more likely to be punitive (Fitzgerald & Ellsworth, 1984)
  - mock jurors asked the death qualification question were more likely to convict (Haney, 1984)

### Eyewitness Testimony

- estimated that 77,000 people per year are charged with crimes based solely on evidence from an eyewitness testimony (Goldstein et al., 1989)
- eyewitnesses are asked to recall faces, accidents, conversations, etc.

### Eyewitness Testimony

- 3 conclusions about eyewitness testimony
  - people's memories are imperfect
  - personal and situational factors systematically influence their performance
  - judges, juries, and lawyers are not always well-informed about these factors

### Eyewitness Testimony

- acquisition
  - many factors harm a person's ability to accurately perceive and interpret information
    - unexpectedness of event
    - brief exposure time
    - poor viewing conditions
      - Distance, bad lighting
    - perpetrator disguise
    - emotional level

### Acquisition

- own race bias
  - tendency for people to have difficulty identifying people of another race
    - 86 convenience store clerks in El Paso, TX
    - identify 3 customers (confederates): White, African-American, and Latino
    - more likely to identify same race customer

(Platz & Hosch, 1988)

### Acquisition

- own race bias

		Customer Race		
		White	African-American	Latino
Clerk Race	White	58%	42%	37%
	African-American	57%	65%	43%
	Latino	37%	23%	59%

(Platz & Hosch, 1988)

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**Acquisition**

- own race bias
  - likely due to a lack of interracial contact
    - own race bias NOT evident in a sample of avid and knowledgeable NBA fans who are white (Dunning et al., 1998)

**Acquisition**

- weapons focus effect
  - presence of a weapon draws attention and impairs a witness's ability to identify a culprit
    - identification less likely when culprit had a gun, razor blade, or knife (Stebay, 1992)

**Acquisition**

- weapons focus effect
  - slides of customers approaching tellers
  - IV: gun or checkbook
  - DV: eye movement and accuracy identifications
  - spent more time looking at the gun and less likely to identify person in a lineup

(Loftus et al., 1987)

**Storage**

- misinformation effect
  - the tendency for false post-event information to become integrated into people's memory

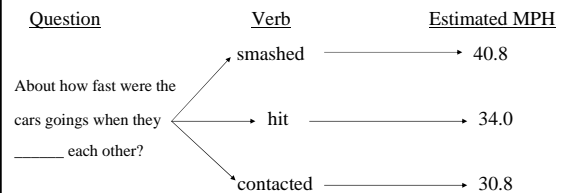
**Storage**

- misinformation effect
  - viewed a film of a car accident and answered questions
  - "About how fast were the cars going when they (**smashed, hit, contacted**) each other?"
  - make estimates in MPH

(Loftus & Palmer, 1974)

**Storage**

- misinformation effect



(Loftus & Palmer, 1974)

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### Storage

- misinformation effect
  - Asked more questions one week later
  - “Did you see any broken glass at the scene?”
  - 32% of participants in the **smashed** condition said yes

(Loftus & Palmer, 1974)

### Storage

- misinformation effect
  - source-monitoring hypothesis
    - People confuse where their memories came from
  - overwriting hypothesis
    - New information overwrites old information, such that old memories are changed
  - Forgetting hypothesis
    - New information fills in the blanks of the forgotten information, such that old memories are completed

### Retrieval

- eyewitnesses are questioned by police and lawyers, view mugshots and lineups, and may be asked to create a facial composite
- may be soon after the crime or perhaps months

### Retrieval

- identifying a suspect from a lineup
  - **construction**: lineup should consist of 4-8 innocent persons (foils)

### Retrieval

- identifying a suspect from a lineup
  - construction
  - **lineup instructions**: should be told that suspect may or may not be in the lineup

### Retrieval

- identifying a suspect from a lineup
  - construction
  - lineup instructions
  - **format**: photos should be shown one at a time, not simultaneously

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### Retrieval

- identifying a suspect from a lineup
  - construction
  - lineup instructions
  - format
  - **mugshot induced bias**
    - more likely to identify an innocent in a lineup if picture was present in previous mugshots (Brown et al., 1977)

### Eyewitness Testimony

- actual courtroom testimony
  - viewed a staged theft, ID's a suspect from mugshots, and served as witnesses in mock trial
  - others served as mock jurors
  - jurors overestimated the accuracy of eyewitness testimony

(Wells et al.)

### Eyewitness Testimony

- actual courtroom testimony
  - when witnesses are repeatedly asked about their testimony, their confidence increases but not accuracy (Shaw, 1996)

### Eyewitness Testimony

- What should jurors be aware of?
  - the way in which post-event questions were worded
  - the lineup instructions given
  - any post-event information that could affect the witness's recall