PSYC 305: The Psychology of Juries

Summer Session II, 2024

| Instructor | Prof. Margaret Stevenson |
|--|---|
| E-mail | stevensonm@kenyon.edu |
| Course Meeting Days and Time | See syllabus agenda below for meeting dates and times |
| Required Experiential Learnir Dates | ^{1g} July 13, 16, 25, 30 |
| Office Hours | Email for appointment |

Catalog Description:

By taking this course, you will live in an English manor and explore the U.K. while learning about the psychological science of jury decision-making. The U.S. and the U.K. share historical common legal roots of



origin and as such, are similar today in many respects. Where better to learn about the origins of the modern jury than in the U.K., where students will visit the <u>National Museum of Justice in</u> <u>Nottingham</u> (and perhaps encounter the Sherriff of Nottingham, himself). Yet, there are key differences between U.K. and U.S. juries (yes, many British

barristers *wear the wigs!*), which students will also explore first-hand by observing an actual British trial. Students will also visit the stunning <u>Royal Courts of Justice</u>, home to U.K.'s High Court of Justice and <u>The Old Bailey</u>, where criminal trials are heard in London. We will also enjoy day trips to historic cities of Lincoln and York, where we will tour their castles, visit their Crown Courts, and see the Magna Carta.



The jury is praised by some as an important symbol of democracy, yet sharply criticized by others as incompetent and biased. This course uses a psychological perspective to evaluate claims about the strengths and limitations of the contemporary jury. Questions we will explore throughout the course include: What

are barriers to jury service? Do juries represent all segments of their communities? Can lawyers stack a jury in their favor? How do jurors use trial evidence and legal rules to decide verdicts or sentences? What should judges do about jurors' exposure to pretrial publicity, as well as their use of the Internet and social media during trials? What role should emotion play in juror decision-making? We will focus on how psychological theories and research can shed light on these issues, how the jury system can be informed by the results of research, and how to design future research to address remaining questions. Theories and methods from nearly every subdiscipline of psychology will be featured, including social, cognitive, and clinical psychology.



Credit Hour Policy Statement:

This class meets the federal credit hour policy of 1 hour of class with an expected 2 hours of additional student work outside of class each week for approximately 15 weeks for each hour of credit, or a total of 45-75 total hours for each credit.

General Education Requirements:

This course does not fulfil a general education objective. However, it does count as one option for a required UE psychology major course and **psychology majors must achieve a C- grade or higher in all psychology courses that apply to the major** (2011-2013 Catalog, p.90).

Course Learning Objectives:

By the end of the semester, you should have acquired:

- An understanding of how psychological theory and science can be used to address issues related to juries,
- The ability to identify legal assumptions that can be tested with psychological research,
- The ability to think critically and communicate clearly about research as it relates to psychology and law, and
- · Specific knowledge about issues affecting juries and juror decision making,
- An understanding of the factors that contribute to your own views and attitudes toward the jury.

Methods of Instructions:

Lecture, seminar, discussion, student papers, presentations, and student led discovery

Textbooks and Required Reading:

Najdowski, C. J., & Stevenson, M. C. (Eds.) (2018). Criminal juries in the 21st century: Contemporary issues, psychological science, and the law. New York, NY: Oxford University Press.

Readings in this text will be made available via Blackboard.

Additional readings (theoretical, empirical, and review journal articles and book chapters) listed in the separate course schedule, made available via Blackboard.

Format and Grading Criteria:

Although there will be some lecture, the course will be conducted mainly as a seminar, not a lecture course. As a 300-level class, the course is an upper-level class, and as such, great emphasis will be placed on the preparation and active participation of **all** seminar members during **each** class and each experiential learning opportunity. The success of the course will depend, in large part, on student participation at a level appropriate for upper-division undergraduate students. Class preparation includes completing all readings prior to class/experiential learning event and making notes that will prepare you to discuss the main points, theories, methods, and/or empirical findings from all readings. You should also be prepared to generate ideas for future psychological research. As a general rule of

HARLAXTON



thumb, in order to succeed in this class, plan on spending *at least* 2 hours reading/studying outside of class for every hour spent in class.

Grades will be assigned on the basis of in-class participation (10%), image of the jury assignment (10%), two class preparation essays (30%), one in-class oral report (25%), interview assignment (25%)

10% 1. In-Class Participation: Participation means self-motivated, regular, and thoughtful in-class verbal contributions that illustrate your mastery of the readings (scientific observations and thoughts, not just unfounded opinions). This includes reporting the contents of your class participation essay for that week. Participation reflects in-class comments and questions, not simply class attendance or coming to class on time, which are assumed. (More than two unexcused absences will result in the loss of most, if not all, participation points.) Although it may seem at first glance like this is a small percentage of your grade, please realize that it's an entire letter grade (in fact, it is a letter grade that some students in this class may lose unnecessarily if they do not heed this information).

Daily Questions: In order to facilitate discussion about the readings, students will be required to write one discussion question for **each of the readings you are assigned to read**. <u>All questions</u> **should be focused on the arguments of the article and the 'big picture.'** They should be **conceptual, thought-provoking, and encourage discussion in the class.** You must bring your discussion questions to class on the day that the readings will be discussed (late discussion questions will not be accepted). Be sure to be prepared to ask to your question in class. Keep your discussion question with you while we discuss the reading and use the discussion time in class to share your discussion questions but also whether or not you participated during class discussion. One easy way to do so is to share your discussion question/s with the class. Therefore, failure to attend class will directly hurt your grade.

Hints and ideas for writing discussion questions/thoughts:

- A good strategy is to compare/contrast the current article with other readings (e.g., other assigned articles, previous readings, or information from another class).
- Discuss how the research findings relate to or are dissimilar from common beliefs held in society or how they might impact basic research and theory or society/public policy.
- Discuss the external validity of the article findings (Will these results generalize to the real world? Why/why not?).
- Suggest a new theory or novel application of an existing theory to explain or tie together existing research findings.
- Your questions can, of course, include criticism of anything you read; however, be careful: criticisms must be well justified. For example, it is a common mistake for budding scholars to write something like, "This study is no good because they conducted it with college students." Well, so what? Why would the study have turned out any differently if older participants had participated instead?

What you should **NOT** include in a discussion question/thought:



- Do not solely write a summary of the readings.
- Yes/no questions
- "Test" questions that quiz the class on their understanding of the article and have only one correct answer (i.e. multiple choice questions, T/F questions, etc)
- Questions solely based on the statistics used in the article. Although there may be times when we discuss statistics, this is not a statistics course. All articles we review will be taken from peer-reviewed journals and you can (generally) make the assumption that the statistics used were appropriate for the methodology.

**These types of questions do not tend to promote discussion.

<u>Hint</u>: make notes in the margins of your readings as you read -- notes about even your most trivial reactions. When you're done reading, you'll have plenty of thoughts for your discussion question.

10% 2. Image of The Jury Assignment

Share an example of an image or depiction of the jury—any jury, any depiction! It could be a story about an old or new legal case decided by a jury, a favorite scene from a movie or TV show that features the jury, a YouTube video, a blog post rant about juror stupidity, a heartfelt account of a person's experience on jury duty, a research study on jury decision making, etc. Ideally, the depiction you submit will be something that *resonated with you personally*, not simply something you found through Google because of this assignment. Any text depictions (e.g., stories, articles) must be 3 or fewer pages long. Any video depictions must be 3 minutes or less in length.

In addition, submit a brief description (approximately one paragraph) about what you think the selected image or depiction says about trial by jury. See class agenda for this assignment's due date, on which date, you will submit your image and reflection to blackboard, and in class, you will share your reflections on the image, and we will discuss the depictions, and reflect on what the set of images reveals about the cultural significance, values, and challenges of the jury system.

30% 2. Class Preparation Essays: These are formally written, but brief essays (exactly 1- to 2-double-spaced typed pages), due at the beginning of any class (post to blackboard). Writing well reflects thinking well. Moreover, writing is a skill that transcends much of the content that you will learn throughout your time at college. These essays allow you practice in improving your writing, while simultaneously, deepening your understanding of the material you are learning. In addition, participating in class would be difficult if you hadn't read and thought about the main points in the articles, and if you hadn't prepared some comments to make in class. These papers are designed to help you do that, and to help you anticipate and prepare for the exams. (Bring an extra copy to class to guide your comments throughout the class.)

You are required to complete 2 papers; thus, each is worth 10%. They will be graded A - F (A = 93%, A- = 92%, B+ = 87%, B = 83%, 82% = B- etc.). If you write 3 papers, I will drop your lowest grade (but an 4th paper won't be counted). <u>ONE PAPER IS DUE BY WEEK 3.</u> YOUR SECOND PAPER IS DUE BY WEEK 4.



Importantly, **these papers are not summaries of the readings**, although they should reflect the fact that you did all of the readings. Instead, these essays are an opportunity for you to go beyond the readings in creative and thoughtful ways. In each paper, you will develop one or two ideas related to the issues in course readings. If your idea is detailed, one idea is probably sufficient. Otherwise, you'll want to discuss two or three ideas. Ideas can relate to your own research interests. A hint: make notes in the margins of your readings as you read -- notes about even your most trivial reactions. When you're done reading, you'll have plenty of thoughts for your paper. Your paper could take either of the following forms, but from experience, the first one is the best one, and I highly, highly recommend it for most of your papers. **In fact, because I hope to foster scientific curiosity**, *at least* **1 of your papers must conform to the** <u>first option</u> (a):

(a) an idea for future research, even very simple research: State the research question and a testable hypothesis (your prediction), the theory that drives the hypothesis (given the readings, why did you make that prediction? Why should that result be expected?), describe why it is important and how it flows from what you read (i.e., from psychological research or theory, or from issues that arose in a particular study), and briefly sketch a rudimentary methodological design to test the hypothesis;

(b) a specific policy or law change that will enhance the fairness of a jury trial: You must include theoretical justification for why this program will be effective. Provide its psychological justification and describe how it would be useful. This version of your class paper requires that you take the concepts/problems you've learned in this class and propose an "action plan," rooted in empirical research for how you (and an interdisciplinary team of students/faculty) could address this problem in actual juries. Who knows. You may later decide to actually advocate for this in the real world!

(c) a new theory (or novel application of an existing theory) to explain or tie together existing research findings;

(d) a careful and novel analysis or comparison and contrasting of key points from the readings (readings from past weeks may always be discussed in light of new readings);

(e) a specific discussion of how readings on a certain topic might be re-written or amended based on the new information you have gained from the additional readings, in-class reports, and in-class discussions.

Your papers can, of course, include criticism of anything you read; however, be very careful: Criticisms must be well justified. For example, it is a common mistake for budding scholars to write something like, "This study is no good because they conducted it with college students." Well, so what? **Why** would the study have turned out any differently if older community members had participated instead? Sometimes there is a theoretically sound reason to think it might make a difference, sometimes there is not.



Finally, even though these are very brief papers, your writing should be clear, grammatically correct, concise, elegant, and in APA style. Grammar and punctuation must be correct and will affect your grade. On Blackboard, you will find a Writing Tips document – read it carefully, and do not make the mistakes discussed in that paper. I also recommend that every student buy a copy of the *Elements of Style* by Strunk and White and review it. (It's short and cheap.) Writing beautifully is a skill that will transcend most other things you learn -- its importance cannot be overstated. I hope you'll use these papers as a way to learn to write important things in concise ways.

- 4. Oral Presentation: (One oral presentation) To reduce the number of readings assigned to the entire class, there will be weekly student oral presentations. Presentations will focus on readings that the professor assigns that are related to the day's common readings. The formal, prepared part of the presentation should last no more than 10 minutes (you must practice beforehand so that you do not go over 10 minutes), and must be divided in such a way that all group members have roughly equivalent speaking time. Importantly, you will be in charge of the class for 20-25 minutes. Within that 20-25 minutes, 10 minutes will be devoted to the power point presentation and the remaining 10-15 minutes should be divided up into varied activities of your choosing that facilitate group discussion. These activities could include, for example:
 - pair and share (i.e., prompt students to pair with a fellow classmate to discuss a prompted question/issue)
 - whole-class discussion (e.g., guided discussion, prompted discussion, prompted Q & A)
 - playing short (<3 minute) clips of the video relevant to activities (carefully evaluate graphic visual content, and please avoid graphic visual content of children)
 - facilitating a relevant in-class demonstration/activity

The best presentations will encourage and involve class discussion.

The importance of expressing ideas orally is often overlooked, but it is essential for success. Here are some guidelines for preparing an "A" report: First, do not go over the allotted time. Second, focus on the main points and describe them in detail, assuming the audience knows absolutely nothing about the topic. Describe how the article is relevant to that day's common readings. If the article describes an empirical study, be sure to summarize the most important predictions, methodology, main findings, and conclusions. If the article is a theoretical piece, state the main premise and basic argument, as well as evidence used to support the thesis. For any article, present a critical analysis of the work (that is, add your own thoughts about the work and how you think it is relevant to the class). If you don't understand something about your article, see me before class (meaning see me at least one week before--not the day before--your report). An important tip: Do not assume any prior knowledge on the part of your classmates (beyond the common readings). One of the most common mistakes made by unskilled speakers is to assume people understand things you haven't explicitly stated. Give the report as if you were giving it to an 8th grader who has never studied anything about psychology. I'm totally serious.



Third, give your report from notes rather than the article. Do not read from a "highlighted" version of the article (a sure way to bore us all and get a low grade). All students must use PowerPoint slides during the presentation and also give out 1- or 2-page handouts (which may be duplicated power point slides). Power point slides and handouts should consist of only a scaffolding or outline of key points, not a lot of prose, and they should be in BIG font. Handouts are important because they will help your classmates take notes on your presentation -- remember, the exams will include information you present, so you must be an effective teacher.

Finally, don't be nervous. Give your report in a relaxed, but professional manner. Nervousness usually stems from being ill-prepared. There is nothing more tedious and even embarrassing than being forced to sit through an ill-prepared presentation. Think about all the bad presentations you've attended. Make a list of the things that made the presentation horrible, and avoid them all! Make sure your reports are concise, accurate, and well-prepared--even over prepared. It is a good idea to prepare for your report by writing out every word you plan to say, then practice your talk to yourself several times, making sure it is the appropriate length. You'll find that the report almost comes out automatically, without the need for worry.

25% 5. Interview Assignment

As a class, we will develop a core set of questions that you will use to interview a person who has either (a) actively sought to be excused from jury service *or* (b) served on a jury. You will conduct a short interview of someone matching one of these descriptions, no more than 1 hour in length (interviews can be conducted via Zoom, phone, etc.). Then you must write a 3- to 4double-spaced page paper (not including the title page or references) summarizing and reflecting on the interview. Your task is to **integrate what you learn during the interview with what you have learned from the assigned readings**. That is, you should consider the results of your interview in the context of the material we cover in class (e.g., how are the interviewee's responses consistent or inconsistent with research findings about attitudes toward jury service?).

Interview questions will be made available on Blackboard. You also may ask additional questions as you see fit. You must complete your interview and submit your paper **via Blackboard** by the due date listed in the course schedule (the last day of class). On the due date, come to class prepared to summarize the results of your interview and your reflections during class. Each student will be expected to share their results/reflections briefly (5 minutes max) and to encourage classroom discussion, questions, comments, and reflections.



TENTATIVE Course Schedule (class meets 1pm-4pm):

Week 1

July 10, Wed:

Course requirements, introduction to the field & the professor, introduction to the material

Common Readings:

Read syllabus carefully!! This provides an introduction to the field & the structure and guidelines of the class.

TEXT: Ch. 1 Criminal Juries in the 21st Century: A Case-Study Introduction to Contemporary Issues

July 11, Thurs:

Common Readings: Jury Selection

Ch. 2. Jury Selection in the Post-Batson Era

Sommers' Article

July 13, Sat:

Experiential Learning in London

2 hour Legal London Inns of Court Tour OR Half-Day London Legal (The Royal Courts of Justice and The Old Bailey)

Common Readings:

Padfield, N. (2016). The English jury: Issues, concerns and future directions. In *The Psychology of Crime, Policing and Courts* (pp. 188-200). Routledge.

Week 2

July 15, Mon:

Common Readings: Jury Selection Continued – Death Qualification

Ch. 3. Diminishing Support for the Death Penalty: Implications for Fair Capital Case Outcomes

Article on Capital Jury Decision-Making (Lynch & Haney, 2009)

Image of the Jury Assignment DUE

Oral Presentation article: TBA

Oral Presentation article: TBA



July 16, Tues: Experiential Learning Class Nottingham: National Museum of Justice Common Readings: Ch. 5. Implicit Jury Bias: Are Informational Interventions Effective?

July 17, Wed:

Common Readings:

Ch. 4. LGBTQ in the Courtroom: How Sexuality and Gender Identity Impact the Jury System

Jessica Salerno's Article (angry juror)

Oral Presentation article: TBA

Oral Presentation article: TBA

Week 3

July 22, Mon:

Common Readings:

Ch. 6. In the Aftermath of Ferguson: Jurors' Perceptions of the Police and Court Legitimacy Then and Now

Sommers (2008) Racial Diversity in Juror Decision-Making

Oral Presentation article: Salerno LHB special issue article

Oral Presentation article: Salerno LHB special issue article

July 24, Wed:

Common Readings:

Ch. 7 The Impact of Legally Relevant Media Exposure on Criminal Juror Decision-Making

Ch. 8. Pre- and Midtrial publicity in the age of internet and social media

Oral Presentation article: TBA

Oral Presentation article: TBA



July 25, Thurs: Experiential Learning Class Lincoln Castle: The Crown Court is on the Castle Grounds; tour prison, visit Magna Carta Class Preparation Essay #1 DUE by 4pm *Common Readings:* Magna Carta and the Right to Trial by Jury Week 4 July 29, Mon: *Common Readings:* Ch. 10 Do video recordings help jurors recognize coercive influences in interrogations?

Jurors' Perceptions of Juveniles in Interrogation Contexts (chapter)

Oral Presentation article: TBA

Oral Presentation article: TBA

July 30, Tues:

Experiential Learning Class

Visit York: York Castle Museum; York Crown Court

Class Preparation Essay #2 DUE by 4pm

Common Readings:

Ch. 11. Neuroscience and jury decision-making

July 31, Wed:

Common Readings:

Mock Jurors' Perceptions of Child Abuse Victims (chapter)

Mock jury study involving perceptions of child abuse victims

Oral Project Presentation: TBA

Oral Presentation article: TBA



Week 5

Aug 5, Mon (LAST CLASS):

Common Readings:

TEXT: Ch. 12 The role of emotion and motivation in jury decision-making

TEXT: Ch. 13 How Does Jury Service Affect 21st-Century Jurors? A Call to Action for Researchers

Interview Assignment Paper DUE

Withdrawal and Attendance policies:

Harlaxton College expects regular class attendance by all students. Students are considered sufficiently mature to appreciate the necessity of regular and punctual attendance, to accept this personal responsibility and to accept the consequences of failure to attend. When absences occur due to emergency or medical reasons, students are expected to notify their instructors of the absence prior to class or to seek the assistance of the College nurse or a member of the Student Experience Team for help in notifying instructors.

Instructors have the authority to grant excused absences for medical, psychological, or personal reasons upon review of appropriate documentation and professional recommendation supporting such a request. In the event of long-term illness, reasonable accommodations will be made to allow a student to complete a course. In these cases, the Dean will need to approve the long term nature of the accommodation.

The Dean of Harlaxton College has the authority to grant excused absences for medical, psychological, or personal reasons.

Each instructor is expected to maintain an attendance policy in keeping with the nature of the Harlaxton program and may consider it in evaluating performance in their courses.

Policy Governing Unexcused Absences:

Harlaxton College operates an attendance policy that is binding on all faculty and students. The number of unexcused absences that are allowed before incurring a penalty is related to the number of times a class meets each week. For courses which meet three times a week, students are allowed a maximum of three unexcused absences during the semester without attracting penalty points. For courses meeting twice a week two such absences are permitted, and for courses meeting once a week a single absence is allowed. Additional unexcused absences will attract a grade penalty. The penalty will be a full-letter grade deduction (A to B) per unexcused absence.

Policy Governing Excused Absences.

- Excused absences are not given to facilitate student travel independent of College-sponsored travel.
- Students may be permitted to miss class because of participation in academic field trips.



- Instructors must co-ordinate and confirm academic fieldtrips with the Dean, prior to the commencement of the Semester to ensure their inclusion in the Semester timetable.
- Where authorization for an academic fieldtrip is requested after the commencement of the semester, the request must be submitted to the Dean.

The following information is required:

• Purpose and brief description of the official Harlaxton event or academic fieldtrip.

• Dates, location, and times (as applicable).

• Alphabetical list of students involved [Last Name/First Name] along with their student identification number.

If approval is granted:

• Instructors affected will be notified at least one week prior to the class period during which absence is anticipated, or as soon as possible.

• Missed class time due to student participation is to be considered an excused absence.

• The grade of a student may not be lowered in any class due to excused absences.

• It is the student's responsibility - to take the initiative by consulting with their instructors before the absence occurs, and - to do what is required by the instructor to make up all missed assignments and/or examinations.

• Instructors are required to assist students in these occasional situations of excused absences.

Honor Code:

All students at the University of Evansville agree to the University honor code: *I will neither give nor receive unauthorized aid, nor will I tolerate an environment that condones the use of unauthorized aid.*

AI may be used only with prior permission or direction by the instructor.

• All work submitted in this course must be your own.

• The use of generative AI composition tools, such as those offered by ChatGPT, Google Bard etc. is prohibited in this course except for specific assignments and subject to the instructor's guidelines.

• Work generated by such tools without proper attribution is plagiarism and, thereby, a breach of the University's Plagiarism and Academic Honesty policy.

Disability Policy:

It is the policy and practice of the University of Evansville to make reasonable accommodations for students with properly documented disabilities. Students should contact Disability Services within the Office of Counseling Services by calling 812-488-2663 to seek services or accommodations for disabilities. Written notification to faculty from Disability Services is required for academic accommodations.

The University of Evansville Disability Services office will share the request for academic accommodations with the Academic Support team at Harlaxton College. Staff members at Harlaxton will



meet individually with students to discuss needs and provide additional information related to examinations or other assessments.

Students from partner institutions should provide the appropriate letter of accommodation from their institution to the Academic Support team at Harlaxton College.

Non-Discrimination Statement

The University of Evansville expects all members of its community to treat each other with respect and civility. Harassing behaviors directed towards any member of our community will not be tolerated. As part of its commitment to non-discrimination, the University specifically prohibits harassment based on any other characteristics set forth in its nondiscrimination statement as follows: including race, color, gender, gender identity and expression, sexual orientation, creed or religion, national origin, age, disability, veteran status and all federally protected groups/classes. Any form of harassment undermines the mission of the University and negatively impacts the University community as a whole.



Prohibited Conduct and Confidentiality

The University of Evansville is committed to fostering an atmosphere free from harassment and discrimination. This commitment includes identifying problems that may lead to sexual harassment and misconduct, as well as other forms of harassment and discrimination, by creating an atmosphere in which the entire University community is sensitive to preventing prohibited conduct. Additionally, the University is committed to providing support and resources to individuals who have experienced prohibited conduct. This commitment includes effectively responding when a student, visitor, guest or program participant is the victim of prohibited conduct.

All campus employees, students, and guests are required to abide by the Title IX and Other Sexual Harassment and Misconduct Policy, the Harassment and Discrimination Policy, and the Consensual Sexual or Romantic Relationships Between Employees and Students Policy. Violation of these policies could result in disciplinary action, up to and including expulsion for students and termination for employees.

Faculty members at the University of Evansville are considered "Responsible Employees" under the applicable federal guidelines and the University's policies. This means that I am unable to offer you confidentiality if you report any incidence of prohibited conduct to me as defined by Title IX statute. If I am made aware of a violation, I am required to report any known information to the Office of Institutional Equity.

You may choose to report the violation yourself the following ways: Email: \cdot Annie Sills, Assistant Director of Institutional Equity and Title IX Coordinator: cs175@evansville.edu

Keith Gehlhausen, Executive Director of HR and Institutional Equity: <u>kg77@evansville.edu</u> Title IX: <u>titleix@evansville.edu</u> Phone: 812-288-5261 Online: <u>https://www.evansville.edu/safety/report.cfm</u>

You may also choose to speak with a Confidential Resource. Confidential Resources are required to maintain confidentiality and cannot report violations to the Office of Institutional Equity: University of Evansville

- Counseling Services: counselingservices@evansville.edu, 812-488-2633
- Health Center Professionals: <u>healthcenter@evansville.edu</u>, 812-488-2033
- University Chaplain: <u>chaplain@evansville.edu</u>, 812-488-5262

Harlaxton College

- College Nurse: Lesley Selby, RGN, +44 01476 403027, lselby@harlaxton.ac.uk
- Counselling Services: <u>counselling@harlaxton.ac.uk</u>

