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The Impact of Task Difficulty, Defendant's Race, and Race Salience on Conformity in Mock Jury Deliberations

Understanding what factors affect conformity in jury deliberations is an essential part of understanding the decision making process of reaching a verdict. This study manipulated three variables in a case summary: race salience (not salient vs. salient), defendant race (Black vs. White), and task difficulty (easy vs. difficult). The study used a mock deliberation paradigm based on Kassin, Smith, & Tulloch (1990). Participants read a case summary and provided a verdict with a short explanation. After doing so, participants read notes containing the verdicts and explanations of 5 other fictitious participants. Participants' verdicts were always in the minority. After viewing the decisions of the other participants, the participants were asked to write down a second verdict. In total, there were three rounds of deliberations. Conformity was assessed by number of people who changed their vote in each condition. The participants in this study were college students ($N=125$). The primary hypothesis was that when the task was unimportant (i.e., the defendant is White), conformity would be equal for the easy and difficult tasks. However, when the task was important (i.e., the defendant is Black), conformity should be higher for the difficult task versus the easy task. This pattern was predicted when race was not salient. The same pattern was predicted for the race salient conditions, however it was anticipated that the effect of task difficulty when the defendant was Black would be amplified. Results provided information about how legally relevant and extralegal variables interact to affect conformity. Aversive racism theories are discussed in the context of the results.

“It’s very hard to keep personal prejudice out of a thing like this. And no matter where you run into it, prejudice obscures the truth. Nine of us now seem to feel that the defendant is innocent, but we’re just gambling on probabilities. We may be wrong. We may be trying to return a guilty man to the community. No one can really know. But we have a reasonable doubt, and this is a safeguard which has

enormous value to our system. No jury can declare a man guilty unless it’s SURE. We nine can’t understand how you three are still so sure. Maybe you can tell us” (IMDb, 2006).

This quotation by Henry Fonda from the movie *Twelve Angry Men* (1957) highlights some of the dilemmas facing jurors during deliberations. The quotation is particularly interesting in its reference to

personal prejudice and the inevitability that prejudice will be involved in the deliberation process. The movie questions the reliability and fairness of the American Judicial system by focusing on the jurors' personal prejudices, biases, anger, cultural differences and judgments that affect their decision-making. It speaks to the challenges of deliberations and the importance of factors such as social influence and conformity in reaching a verdict.

The plot focuses on one man, played by Henry Fonda, who believes that the defendant is not guilty. By the end of the film, he successfully persuades the eleven other jurors of the defendant's innocence, thereby reaching a unanimous decision of not guilty. The story is not entirely believable because it documents a situation where one man who has the minority vote manages to convince eleven other jurors to switch to his decision. Although such a situation is probably unlikely, it does highlight the potential for conformity in jury deliberations.

The purpose of the current study is to achieve a greater understanding of the various factors that are involved in decision-making and conformity in the context of jury deliberations. The study examines how the race of a defendant, the difficulty of an expert's testimony, and the salience of race will affect the conformity of individuals in jury deliberations. First, general research on conformity is reviewed. Then, the rationale for the three independent variables used in the current study is explained.

Group Decision Making and Conformity

Social psychologists have studied conformity extensively over the years. The Handbook of Social Psychology has identified three personal goals that may cause individuals to shift their opinion to agree with a group decision (Cialdini & Trost, 1998). These personal goals include an individual 1) believing that he or she has made a more accurate decision by switching opinions (i.e., informational influence, cf. Deutsch & Gerard, 1951), 2) believing that he or she is gaining the acceptance of others by switching opinions which corresponds to normative influence (cf. Deutsch & Gerard, 1951), and 3) believing that switching opinions will avoid feelings of difference or deviance from the group. These goals

cause a person to be influenced by a conflict between perceptions of others and one's own decision. Such goals are important in understanding decision-making processes in situations such as jury deliberations. Members of a jury are placed in situations where they are forced to debate and convince one another to reach a verdict. Assuming there is disagreement among the jurors and unanimity eventually results, there are individuals who will end up being influenced by others to change their decision. Such individuals may have similar goals to those mentioned above, which may explain their shift in opinion.

Further research examining memory conformity found that post event memories are malleable and easily changed in the presence of discussion about the events (Wright, Self, & Justice, 2000). In the experiments participants were assigned to view one of two storybooks. The critical picture that differed in the two conditions was an image of the thief with or without an accomplice. Participants were given a questionnaire that included questions about details of the storybook as well as confidence ratings. The important question was whether the thief had an accomplice. Participants (each who had seen a different condition) were asked to discuss the events together as if they were describing them to a police officer. Initially participants were accurate in recalling details about an event, however, after discussing the information with another individual who was shown a different version of the event, participants were likely to conform to one of the memories discussed. Conformity was in the direction of the participant with the higher confidence ratings.

It is important to examine the conditions under which individuals will change their decision in order to better understand the process of conformity and implications it has for the legal field. Jury deliberations are an excellent natural venue for examining how people are influenced to change their decision when they are in groups. As Kalven and Zeisel (1966) wrote, jury deliberation "is an interesting combination of rational persuasion, sheer social pressure, and the psychological mechanism by which individual perceptions undergo change when exposed to group discussion" (p. 489). Another set of researchers wrote that "jurors must attend to

information, evaluate theories, resolve inconsistencies and persuade one another in the pursuit of a verdict” (Sommers & Ellsworth, 2000, p. 1367).

The Current Research

The current research seeks to examine how two extralegal variables (defendant race and race salience) and one legally relevant variable (testimony complexity) may interact to produce differences in individuals’ willingness to conform.

Race Salience

There is some research regarding the influence of race on juror judgment, however the results are inconsistent (Sommers, 2006). Some studies suggest that jurors are harsher in their judgments of individuals of a different race from their own (DeSantis & Kayson, 1997), or that a defendant’s race has no effect on juror judgments (Mazzella & Feingold, 1994). More generally, research suggests that White jurors can be biased towards Black defendants.

One way to examine race in the legal context goes beyond researching effects of defendant race by focusing on race salience. A trial where race is salient consists of the crime being racially charged or one where the attorneys address race in their arguments. An example of a racially salient trial is one where a witness testifies that the defendant yelled “You know better than to talk that way about a *White* (or *Black*) man in front of his friends” (Sommers & Ellsworth, 2000, p. 1373). Research examines how trials with salient racial issues affect White mock jurors and suggests a theoretical approach to understanding how race influences juror judgments. When race is not salient within a trial, White jurors are harsher in their judgments of Black versus White defendants. However, when White jurors are more conscious and aware of the possibility of being prejudiced (i.e., because race is salient), the influence of the defendant’s race on the White jurors’ decision is reduced (Johnson, Whitestone, Jackson, & Gatto, 1995; Sommers & Ellsworth, 2001). Race salience is an important issue because it contributes to understanding the nature of

biases and prejudices that can affect juror decisions.

Aversive racism. An explanation for findings regarding race in the courtroom suggests that White participants with prejudice are more aware of their ability to act prejudiced and when race is salient will act as “watchdogs” against their prejudice (Petty, Fleming, & White, 1999). Another explanation of the effects of race on White juror judgments is the nature of modern American racism. There is a theory that modern forms of racism differ from racism in the past. This theory is based on a population of middle class White Americans who have egalitarian values which directly and indirectly influence their desire to avoid any prejudice (Gaertner & Dovidio, 1986). This aversive racism suggests that when race is a salient issue, White individuals will respond in a non-prejudiced manner by actively inhibiting their existing prejudice. However, when the issue of race becomes more ambiguous, White individuals will display racial bias. Race salience in a trial tends to decrease the presence of bias for White jurors.

Defendant Race

Further research concerning race in the courtroom suggests that White mock jurors pay more attention to legally relevant material when a defendant is Black rather than White (Sargent & Bradfield, 2004). Sargent and Bradfield asked participants to rate alibi strength and guilt. The defendant’s race, alibi strength, and processing motivation were all manipulated. In the high motivation condition, they evaluated the strong alibi as stronger regardless of whether the defendant was Black or White. When participants were in a low motivation condition, they should have rated both alibis as equally credible, however they were sensitive to differences in alibi strength when the defendant was Black versus when the defendant was White. These results suggest that race affects informational processing and can determine the amount of scrutiny that an argument receives. If importance might be increased in the minds of the jurors when the defendant is Black, it is necessary to examine the implications that defendant race may have on jury deliberations and conformity within those deliberations.

Difficulty of Task

Difficulty of task or judgment is important in the context of juries so that psychologists and the judicial system can understand how juror decisions are affected when the task is difficult versus easy. A study examining how complexity of scientific expert testimony influenced jurors indicated that when the testimony was complex, jurors were more persuaded by the expert witness with better credentials versus the expert witness who had less impressive credentials (Cooper, Bennett, & Sukel, 1996). When the testimony was simple, jurors were equally persuaded by the testimony regardless of credentials. Findings indicate that when the testimony was complex and more difficult to understand, jurors relied heavily on peripheral cues, such as credentials, to make their judgments. The reliance on peripheral cues that are not directly involved in a particular task is important to recognize in order to better understand mechanisms for how jurors make decisions regarding certain information.

Research focusing on task difficulty has shown that if an individual is exposed to a difficult task versus an easy task, level of certainty in one's judgment affects one's susceptibility to influence. When an individual is certain about a particular judgment (occurring most often when the task is easy), "he is more able to resist pressures being exerted by being more able to respond in terms of internal cues" (Coleman, Blake, & Mouton, 1958, p. 121). When an individual is uncertain about the correctness of his judgment, he is more likely to be influenced by others. It is important to note that this conformity is not necessarily a result of normative versus informational influence because it can occur equally based on credible information from a source (informational) or from the desire to conform to the majority opinion (normative) (Coleman et al., 1958).

The current study will examine whether the difficulty of the case, in addition to the race of the defendant, and the race salience will affect White mock jurors' conformity. Existing research suggests predictions for these variables. Baron, Vandello, and Brunzman (1996), using a modified Asch situation with an eyewitness identification task, showed that difficulty and importance of a task or judgment affect levels of conformity. The study manipulated task

importance by telling participants that the test procedure was a measure of eyewitness ability and that they would receive \$20 if their accuracy placed them in the top 12% (Baron et al., 1996). Task difficulty was manipulated by changing the time that slides were exposed to the participants before they had to respond to identification questions. When a task was difficult, individuals were more likely to seek out social feedback from others in order to make a correct judgment. In contrast, people did not conform when the task was easy. The theory regarding this phenomenon is that when the task is difficult, individuals will turn to social feedback from others in order to receive cues regarding the most accurate response. With a difficult judgment, social influence becomes increasingly important as an indicator of a correct decision (Festinger, 1954).

However, Baron et al. (1996) found that the difference in conformity with difficult tasks only appeared when the task was important; when the task was unimportant, people conformed equally in the easy and difficult conditions. Therefore, task importance and difficulty are procedural variables that appear to be important in decision-making and conformity. Since other research has suggested that importance is increased for jurors when the defendant is Black (Sargent & Bradfield, 2004), this study will examine task importance by manipulating defendant race.

Hypotheses

The design of the current study is a 2 (Task: Easy vs. Difficult) x 2 (Defendant race: Black vs. White) x 2 (Salience: Salient vs. Not Salient) between participants factorial design. The dependent variable is conformity (measured by the number of participants who change their verdict).

Based on previous research, I predict a two-way interaction such that when a task is important (i.e., the defendant is Black), conformity should be higher for the difficult task versus the easy task. However, I predict that this pattern will only be observed when the task is important (i.e., the defendant is Black). When the task is unimportant (i.e., the defendant is White), conformity will be equal for the easy and difficult tasks (Baron et al., 1996). This pattern is predicted when race is not salient in the case

summary. I expect the same pattern for the race-salient conditions except that I anticipate the effect of task difficulty in the important condition (i.e., the defendant is Black) will be even stronger due to increased uncertainty and increased desire to be unbiased on the part of the jurors. It is possible that race salience will increase jurors' uncertainty of their judgment and therefore cause them to be more influenced by other individuals. Based on this assumption, it is predicted that any significant effects regarding conformity will be amplified in the race-salient condition, producing a three-way interaction.

Method

Participants and Design

This study was conducted at a small liberal arts college located in Northern New England. The participants were 125 college students who participated for class credit or a cash reward. Participants were run in groups of one, two, or three. The subjects were randomly assigned to one of eight conditions in a 2 (Task: Easy vs. Difficult) x 2 (Race Salience: Salient vs. Not salient) x 2 (Defendant race: Black vs. White) between-subjects factorial design.

Materials

The study used a case summary, which was created for the purpose of the experiment. The summary was created with the goal of a 50/50 verdict outcome.¹ The summary was manipulated to fit the different conditions.

Task Difficulty Manipulation

The difficulty of the task was manipulated by making the expert testimony in the case summary more complex for the difficult condition. This was done by manipulating vocabulary and syntax. The technique for the manipulation was derived from

Cooper, Bennett, & Sukel (1996). As an example of the difference in the two conditions, the following is an excerpt from the complex expert testimony condition:

Mr. Thomas endured facial fractures and swelling, bruising and bleeding on his face and torsal area and suffered from a comminuted mandibular fracture of the rami on the right side of his face as well as a comminuted fracture to the zygoma bone on the right side of the face, all of which were undoubtedly products of high pressure persistent blows to the face.

The same excerpt of the simple expert testimony is presented below:

Mr. Thomas suffered from broken facial bones and swelling, bruising, and bleeding on his face and chest area. The main bone of the lower part of the face on the right side and the cheekbone on the right side of Mr. Thomas' face were crushed and likely caused by being hit forcefully.

The word count was held constant for both the simple and the complex conditions.

Race Salience Manipulation

Race salience was manipulated by directly addressing race through the nature of the crime in the case summary. In order to manipulate race salience in this study, the description of the victim's testimony in the salient condition read that "the defendant yelled 'You know better than to push around a White (or Black) man like that'." In contrast, the non-race-salient condition included a description of the defendant yelling "You know better than to push around a man like that." The technique for manipulating race salience was derived from Sommers and Ellsworth (2000).

Defendant Race Manipulation

At the beginning of the case summary was a description of the defendant and the victim which

¹ Although the case summary had been created to yield a 50/50 verdict outcome so that when participants were presented with contrasting verdicts, the scenario would be believable, 73.9 % of the first 23 participants initially voted not guilty. As a result, the case summary was changed in an attempt to make the verdict outcome more equal. The change in the summary was made on page 2 in reference to the alibi of the defendant. The original summary read, "A waitress supports the alibi". The changed summary read, "The employees at the diner do not recall seeing Mr. Robinson". With the changed summary, 77.4% of remaining participants initially voted not guilty, showing that the change was not effective.

provided name, age, race, sex, and occupation of both. This was done in order to manipulate race. The crime was always cross racial to replicate Sommers and Ellsworth (2000).

Procedure

Drawing from Kassin, Smith, and Tulloch (1990), participants were led to believe that they were participating in a mock jury with 5 other jurors. In reality, there were 2 or 3 participants for each testing time. All participants were run at one time in separate rooms. The participants were placed in separate rooms and asked to sign a consent form. They were then given 15 blank verdict notes and a pen. After having signed the consent form, participants were given a set of verbal instructions about the experiment. They were told that they were participating in a controlled study on how juries deliberate. In order to understand the decision making process without the bias inherent in face to face interactions the participants were told that they were communicating with other jurors by passing notes. They were also reminded that their verdicts had to be unanimous.²

After providing written consent and listening to the instructions, participants read a brief case summary. The deliberations were structured in three rounds. After the subjects read the case report they were asked to write down their verdict with a short reason for their decision using five of the blank verdict notes. The participants were told that they had to write down their verdict five times so that it could be redistributed to the other five jury members. After the notes were completed, the experimenter collected the verdict notes from the participants in each room and left the room. Supposedly the experimenter went to collect the other participants' note cards so that they could be redistributed.

The study required sets of pre-written verdict notes, which said guilty or not guilty and had a two-sentence explanation for the decision. The following is an example of a reason accompanying a not guilty

note: "There was not enough information to prove that the defendant is guilty" and a guilty note: "the defendant's alibi is too weak to prove that he wasn't at the crime." Five individuals generated the notes so that each note was in a different handwriting. The experimenter created the reasons based on pilot testing that was done with students in a first year seminar. A class of freshman students ($N = 17$) was asked to read the case summary and write down their verdict decision accompanied by a two sentence explanation for their choice. The pre-written notes were created by adopting ideas from the reasons presented by the students.

There were three sets of notes for each of the deliberation rounds. Each set had three identical packets of five notes that were guilty verdicts and three identical packets of five notes that were not guilty verdicts. After collecting the notes from each of the rooms, the examiner reentered the rooms to redistribute the fictitious notes to each participant. In the experiment, the subject was always in the minority with their decision.

After reading the fictitious notes, the subjects once again (beginning a second round of deliberation) were asked to write down a verdict with an explanation and copy it five times. The experimental session ended if the participant changed their decision or after three rounds of deliberation. The subjects' decisions for each round of deliberation were recorded. After the subjects were finished deliberating they filled out a questionnaire. The questionnaire asked the participants to recall the age, race, and occupation of the defendant. In order to indirectly measure the subjects' perceptions of how salient racial issues were in the trial they read, participants were asked to indicate the extent to which they believed the incident in the trial was the result of a racial conflict (Sommers & Ellsworth, 2000). The measure asked "On a scale from 1-9 (1 = *not at all*, 9 = *very much*) rate the extent to which the defendant's behavior was motivated by a racial conflict." This measure was done indirectly because participants

² Among the first 42 participants, 19% conformed. In order to be consistent with Kassin et al. (1990) and increase rates of conformity, the unanimity portion of the instruction that "...deliberations will continue until verdicts reach unanimity" was added at participant 43. With the changed instructions, 30% of the remaining participants conformed.

may be unwilling to answer a direct measure which asks how racial issues influenced their perception of the trial. Additionally there was a manipulation check for the task difficulty variable which asked, "how complex did you find the expert's testimony?" Both questions were asked on a scale from 1 (*not at all*) to 9 (*very much*).

When the participants completed the experiment they were debriefed, thanked, and requested to keep details regarding the experiment secret.

Results

Manipulation Checks

After omitting participants who were not White ($N = 15$), analyses were run for the manipulation checks ($N = 110$ remaining participants). Participants accurately recalled the Black defendant's race (95.3%) and the White defendant's race (91.8%) equally, $z = 0.80, p = .42$. Participants accurately recalled the Black victim's race (84%) and the White victim's race (92%) equally, $z = 1.45, p = .14$.

Participants' ratings of complexity of the expert testimony were used to check the task difficulty manipulation. Mock jurors in the difficult condition rated the expert's testimony as more complex ($M = 5.44$) than did mock jurors in the simple condition ($M = 3.56$), $t(108) = 5.26, p = .001$. Participants' ratings of the extent to which the defendant's behavior reflected a racial conflict were used to check the race-salience manipulation. Mock jurors in the race salient condition indicated that the defendant's behavior was more motivated by a racial conflict ($M = 5.60$) compared with mock jurors in the non-race-salient condition ($M = 4.18$), $t(108) = 3.19, p = .002$. These results provide support for the validity of the manipulations.

Univariate Analysis of Conformity

Conformity was measured by whether participants changed their vote during the deliberations. When participants did not conform (did not change their vote) they were given a score of zero. However, when participants conformed, the score was 1 (see Tables 1 and 2). Therefore, mean values represent the average of conformity. A

univariate three-way analysis of variance with White participants ($N = 110$) revealed a marginally significant main effect of race, $F(1, 102) = 2.98, p = .09$, with more conformity occurring when the defendant was White ($M = .34$) than when the defendant was Black ($M = .21$).

Analyses revealed a significant two-way interaction between race of the defendant and race salience, $F(1, 102) = 4.20, p = .04$. Simple effects indicated that when race was not salient, mock jurors did not differ in conformity when the defendant was Black ($M = .29$) versus White ($M = .26$), $t(53) = 0.22, p = .83$. However, when the case was salient, mock jurors conformed significantly more when the defendant was White ($M = .42$) versus when the defendant was Black ($M = .14$), $t(53) = 2.46, p = .02$. No other effects were significant, F 's ($1, 102$) $< 2.20, p$'s $> .14$.

Univariate Analysis of Conformity Excluding Some Participants

Another univariate three-way analysis of variance was done with only White participants and participants who correctly recalled defendant race ($N = 103$) due to the assumption that participants who incorrectly recalled the defendant's race were not affected by the task importance (i.e., defendant race) manipulation. This analysis revealed a marginally significant main effect of race, $F(1, 95) = 2.80, p = .10$, with more conformity occurring when the defendant was White ($M = .35$) than when the defendant was Black ($M = .21$). A two-way interaction between race of the defendant and race salience emerged, $F(1, 95) = 6.14, p = .02$ (see Figure 1). The interaction was of the same pattern as described above. The three-way interaction of task importance, task difficulty, and race salience for participants' conformity was not significant, $F(1, 95) = 2.31, p = .13$.

Discussion

The present study examined how task difficulty, defendant race, and race salience affect conformity in mock jury deliberations. More specifically, the study tested the hypotheses that all three variables would interact. Results revealed partial support for

the predictions that defendant race and explicit references to racial issues in an interracial crime would affect conformity for White mock jurors.

Review of Hypotheses

Results did not support the initial predictions that there would be an interaction between task difficulty and race. The hypothesis was that conformity would be equal for the White defendant in the easy and difficult tasks. For the Black defendant (arguably the more important task), the hypothesis was that conformity would be higher in the difficult task versus the easy task. A possible explanation for why the interaction was not significant is that although the task difficulty manipulation proved to be effective, the mean juror ratings for the complex expert testimony (i.e., the difficult task) was $M = 5.48$, which although significantly different from the simple expert testimony (i.e., the easy task: $M = 3.64$), a mean of 5.48 is not very high on the measurement scale of 1 (*not at all*) to 9 (*very much*).³ It is possible that the complexity of the expert testimony was not enough to create a difficult task and produce the hypothesized effect. Other methods to manipulate task difficulty need to be explored. An example of a possible method to manipulate task difficulty would be to have one case summary with a high information load and one with a low information load (Horowitz & Bordens, 2002). It is likely that judging a case with a low information load would translate into an easier task than judging a case with more information. Testing different manipulations of task difficulty would be important in making the results more generalizable to real world conditions.

When the defendant was Black (i.e., the case is more important in the minds of the jurors), jurors conformed significantly less than when the defendant was White. The mere fact that the defendant was Black was sufficient to decrease conformity. Although this effect was not explicitly predicted, it is consistent with previous research by Sargent & Bradfield (2004) which suggests that White jurors pay more attention to legally relevant information when the defendant is Black and based on research by Baron et al., Vandello, and Brunzman (1996) which

suggests that people conform more when the task is important.

Results also revealed an interaction between race of the defendant and race salience. When race was a salient issue, jurors conformed less when the defendant was Black versus when the defendant was White. This difference was not present when race was not a salient issue. A theoretical explanation for the findings in the current study is the idea of aversive racism. Aversive racism is an explanation of racism in modern America. The theory of aversive racism operates under the assumption that White middle class individuals inherently have prejudices. However, such individuals acknowledge that their prejudices are wrong and in situations that elicit normative racial attitudes, will act to inhibit them. As a result, White individuals tend to over-correct for any possible prejudice they might have, but only when race is salient (Gaertner & Dovidio, 1986).

Aversive racism is subtle and unintentional. In the context of the present study it can be applied in the following way: when the defendant is Black, White mock jurors become more aware of and actively inhibit any prejudice they may have. This inhibition results in a decrease in conformity on the part of the jurors in conditions where the defendant is Black. Consistent with aversive racism, White mock jurors are more likely to stick to their initial decision when race is a factor in an effort to avoid any prejudice they may have. In the context of the two-way interaction, the explanation can be applied in the same manner, such that race of the defendant and race salience act together to produce a decrease in conformity. When the defendant is black and the race is salient, White jurors actively inhibit their prejudice translating into less conformity.

Although the three-way interaction was not significant, the trend towards the three-way interaction revealed interesting findings. When race was salient and the task was difficult, participants conformed more when the defendant was White than when the defendant was Black. Although this trend was not present in the non-salient condition, it shows that there is something particular about task

³ A one sample t test revealed that the mean for the complex expert testimony was significantly lower than a maximum rating of 9, $t(108) = 13.18, p < .001$.

difficulty and salience that is important in conformity. The difficulty of the task is enough to change levels of conformity in the salient condition. When race is salient, jurors are likely to pay more attention to their own prejudice, however there is no main effect of salience. Sommers and Ellsworth (2000) do not report a main effect, therefore it is possible that race salience alone is not enough to produce significant effects on juror judgment. When task difficulty is involved, it causes a difference in conformity such that White jurors are more influenced to change their decision because racial issues are involved *and* the judgment is difficult. The added factor of task difficulty is sufficient to cause participants to seek out external cues. This finding is consistent with general research that shows that task difficulty increases conformity among individuals in groups (Baron et al., 1996; Coleman, Blake, & Mouton, 1958).

Limitations

There are several limitations to the design of the present study. First, the number of participants in the current study is approximately half of what fulfills the power for a 2 x 2 x 2 between-subjects factorial design. Arguably, more participants would yield stronger versions of the effects already found in the current study, and possibly move to significance other effects that were only trends. Second, this study used a mock jury paradigm where participants "deliberated" by passing notes. In order for findings in this study to be ecologically valid, it is important to examine whether the effects can be generalized to real jury deliberations. Studies have shown that juries can exacerbate certain effects such as the biasing effects of pretrial publicity (Kramer, Kerr, & Carroll, 1990), so it is possible that real deliberations would increase effects seen in this paradigm such that particular pressures causing a juror to change their vote and conform to the majority opinion would only have a larger impact in real groups where people are face to face and stakes are higher.

Future Research

There are many avenues for future research. In the current study there was no question to test

jurors' perceptions of the deliberations. In the future, it would be important to include a measure on the questionnaire which asks how influenced jurors felt by the deliberation process. Additionally, an analysis of the notes for whether they revealed differences in the use of informational and normative influence across task difficulty, race of the defendant, and race salience would be interesting. A blind rating system similar to the one used in Kassir et al. (1990) could be used. Two blind raters could independently code whether the note described external forces that are associated with not wanting to deviate from the majority (i.e., reflecting normative influence) or internal, more factual sources that cause jurors to genuinely believe they are making the correct judgment based on specific information (i.e., reflecting informational influence).

In order to address the issue of external validity it would be important to conduct a similar experiment using a large-scale laboratory study involving interacting mock jurors. The use of confederates would be essential in creating groups where the participant was in the minority. Research suggests that private responses cause less conformity than face-to-face or group responses (Cialdini & Trost, 1998), therefore it is likely that there would be greater effects of conformity in a mock deliberation with face-to-face interactions. Such a study would be an excellent source that could be generalizable to the real world.

A possible experiment to support the explanation of aversive racism in the current scenario would include asking participants for confidence ratings. It would be important to examine whether an individual's confidence ratings affect their likelihood to conform and whether other jurors' confidence ratings affect the likelihood that an individual will conform. Results would be interesting to see whether confidence ratings are correlated with conditions where White jurors are more likely to actively inhibit prejudices and stick to their initial decision (i.e., when the defendant is Black and the race is salient). It would be interesting to examine which conditions might foster higher or lower confidence and how that would influence conformity.

Based on the research by Wright et al. (2000) which showed that conformity occurs in the direction

of the participant with the higher confidence rating, if confidence ratings were included as a part of the current study, it is possible that participants with higher confidence would be less likely to conform and that participants would be more influenced by other jurors with higher confidence. It would also be intriguing to explore how adding an individual to the minority decision position would affect conformity. Research has shown that adding an individual who holds the same decision as the minority decision decreases conformity from the minority decision to the majority decision (Asch, 1955). It seems as though two people are enough to create an ally effect that can resist the normative influence of the majority. Exploring this in the context of the mock jury paradigm would be important for jury deliberation research because it is unlikely that there will ever only be one minority vote. However, such situations are not impossible. In New York, Judge Michael Obus granted a mistrial due to circumstances surrounding a juror (Clarkin, 2004). A week prior to the declaration of a mistrial, the jurors sent notes to the judge suggesting that one juror was "holding out for acquittal." Clarkin (2004) states that:

A note from the jury suggested that she was not deliberating in good faith while a note from the juror complained the others would not allow for the possibility someone could have a good faith belief that the prosecution had not proved its case. (p. 2)

The Tyco case is an excellent example of a juror who was seemingly unwilling to conform to the majority opinion. It is unclear what her specific reasons were; however, she clearly did not believe that the prosecution had presented a strong enough case. The case is an excellent example of why it is extremely important to do research regarding minority and majority opinions in jury deliberations.

Additionally, it would be important to examine how the race of mock jurors affects conformity in a similar paradigm. Previous research has shown that racially heterogeneous mock juries exchanged a "wider range of information" compared to all White juries (Sommers, in press). Therefore, racial diversity has an effect on the content of deliberations and on verdict outcomes. By manipulating race of

the person in the minority decision and that of people in the majority, as well as the race of the person who acts as the ally, future studies can reveal important information regarding race in the legal context of jury deliberations. It is also important to consider how different manipulations of race salience may affect jurors differently. Future research should explore different race salience manipulations through courtroom dynamics or pretrial publicity.

An article by Dabbs (1992) discusses the relevance of debriefing jurors for emotionally traumatizing material that they may encounter in the trial process. Dabbs proposes that it is the responsibility of the legal system to ensure that jurors feel safe and positive after the trial experience. Jurors are asked to be unbiased and unemotional during the trial process, however, after the proceedings are over, jurors often reveal feelings of helplessness, anger, and guilt. These feelings may stem from their own actions or inactions during the trial process. Dabbs discusses trial debriefing within the context of emotionally salient information; however, it is both interesting and important to discuss it in the context of the current study. After the experiment, mock jurors occasionally expressed feelings of regret or questioned whether they had made the right choice in changing or not changing their vote. At times participants felt duped by the deception of the study, but they also expressed a feeling of helplessness associated with conforming to the majority opinion. These emotions which jurors are likely to experience are important to address. Doing so in the form of a "trauma" debriefing would be helpful to make jurors aware that conformity is a natural step which is inherent in jury deliberations. Although the idea of conformity has a negative connotation because it suggests that an individual is not strong enough to stick to an opinion, the jury system would not be possible without the presence of conformity. This is an important fact to convey to jurors who go through the deliberation process and ultimately conform to a majority decision.

The present research has important implications for understanding how the deliberation process may differ for a White defendant versus a Black defendant (Sommers, in press). General themes that should be explored in future research should strive

to explain the mechanism that causes White jurors to be on guard against their responses when a case has “racial overtones” (Sommers & Ellsworth, 2000, p. 1376). When racial norms are salient, White jurors seem to overcorrect for their prejudices. If White jurors are more attentive to legally relevant information when race is involved, then it is possible that White jurors are actually giving the Black defendant a more fair trial. This would be a form of informational influence. However, if White jurors are simply sticking to their decisions in an effort to not appear prejudiced, the underlying causal factor is more similar to a normative influence. As Henry Fonda said in *12 Angry Men*, “...no matter where you run into it, prejudice obscures the truth” (IMDb, 2006), therefore it is important for individuals involved in the legal system to understand prejudice in the context of the system in order to produce a fair trial and achieve a maximum level of truth. Understanding factors that influence conformity in jury deliberations is critical for both social psychology and the legal field because it will help both disciplines further understand how types of influence affect jurors more or less in particular crime or trial contexts when different variables are present.

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Table 1

Frequency of conformity by condition

Salient				Non-salient			
Black		White		Black		White	
Easy	Difficult	Easy	Difficult	Easy	Difficult	Easy	Difficult
1	3	5	6	4	5	6	4

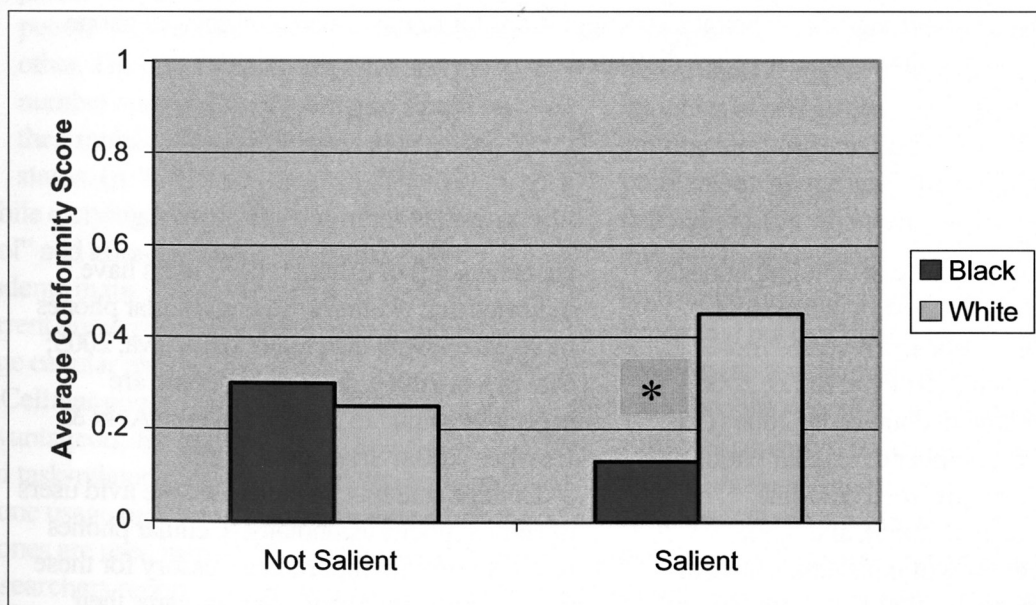
Table 2

Frequency of verdict by deliberation round

	Initial Vote	2 nd Vote	3 rd Vote
Guilty	29	27	11
Not Guilty	96	98	80
Total	125	125	125

Figure 1

Interaction between Defendant Race and Race Salience



Note. * $p < .05$