

## THE IMPACTS OF EVIDENCE AND EXTRALEGAL FACTORS IN JURORS' DECISIONS

BARBARA F. RESKIN  
CHRISTY A. VISHER

This study uses data from courtroom observations and posttrial interviews with jurors who served in thirty-eight actual sexual assault trials. It addresses three issues: (1) the effects of several measures of evidence on jurors' judgments of a defendant's guilt, (2) the relative merits of jurors' recollections of the evidence and measures of evidence coded at trial by trained observers, and (3) whether the effects of jurors' attitudes toward crime and their sentiments toward victims and defendants depend on the strength of the evidence, as Kalven and Zeisel (1966) contended. We find that both trial- and juror-level measures of evidence adequately capture the effects of evidence, and that neither measure is inherently preferable. Also, while jurors were influenced by extralegal factors, these effects were largely limited to weak cases in which the state presented little hard evidence, which is consistent with Kalven and Zeisel's "liberation hypothesis."

### I. INTRODUCTION

This study seeks to advance our understanding of how jurors use evidence. Specifically, it addresses three issues: (1) the effects of several measures of evidence on jurors' judgments of a defendant's guilt, (2) whether jurors' judgments are more strongly influenced by the evidence as they recall it or as it is measured by an observer at trial, and (3) whether the effects of extralegal factors on jurors' decisions depend on the

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strength of the evidence. Our analyses are based on courtroom observations and posttrial interviews with jurors who served in sexual assault trials.

Researchers have examined how both evidence and various extralegal factors influence jurors' judgments (see, e.g., Simon, 1967; Kaplan and Kemmerick, 1974; Saks *et al.*, 1975; Kaplan and Miller, 1978; Myers, 1979; Feild and Bienen, 1980; Loftus, 1981; Tanford and Penrod, 1982; for reviews see Penrod and Hastie, 1979; Kaplan, 1982; Hastie *et al.*, 1983). Many earlier studies have loosely classified evidence as "strong" or weak" and focused primarily on defendants' characteristics to indicate extralegal variables. Few studies have simultaneously examined the influence of a wide range of both evidence and extralegal factors. Of those that have taken this approach, most included both evidence and extralegal factors in an additive model rather than testing Kalven and Zeisel's (1966) "liberation hypothesis" of the *interactive* relationship between the strength of the evidence and jurors' "sentiments." Studies designed to test explicitly whether the effects of legally irrelevant factors are confined to cases in which the evidence is weak or ambiguous have yielded mixed and nonpersuasive results. Our data provide a stronger test of the liberation hypothesis.

## II. METHODS

### A. *Data and Sample*

Our data come from a larger study of thirty-eight forcible sexual assault trials held in Marion County (Indianapolis), Indiana, courts between 1978 and 1980.<sup>1</sup> Two observers coded trial data using a detailed coding scheme. We interviewed 331 of the total 456 jurors,<sup>2</sup> yielding a 70.4 percent response rate.<sup>3</sup> In interviews, which were held within several days of each of the trials and lasted about ninety minutes, we questioned jurors about their personal background (age, education, occupation, marital status, and previous jury service), their attitudes about crime, and their reactions to the defendant and alleged victim,

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<sup>1</sup> Charges included first and second degree rape, first and second degree attempted rape, first and second degree unlawful deviant conduct (anal and oral sodomy), incest, and confinement.

<sup>2</sup> We could not always conduct interviews immediately after the trial because jury duty disrupted jurors' schedules; sometimes a week transpired between trial and interview.

<sup>3</sup> Respondents did not differ significantly on age, sex, and race from jurors who declined to be interviewed. Comparisons between the respondents and a sample of nonrespondents who consented to a brief telephone interview showed no systematic difference on a wide range of variables. For other information about study design, see Reskin and LaFree, 1981; LaFree *et al.*, 1985.

using both open and closed items.<sup>4</sup> We then asked them several questions about the evidence (described below), whether before deliberating they believed the defendant was guilty, and whether they agreed with the final verdict. Many variables were precoded; trained coders coded the rest.<sup>5</sup> These data permit us to assess whether jurors' recollections better predict their decisions than the more readily available measures of evidence observed in court.

### B. Variables

Our dependent variable is the individual juror's assessment of the defendant's guilt or innocence at the end of the trial but before deliberating. Response choices included certainly guilty, probably guilty, probably innocent, and certainly innocent. The nineteen jurors who did not answer this question are omitted from the analysis. We chose to analyze the predeliberation "verdict" because our interest is in how individual jurors' assessments of the evidence and trial participants influence their decisions. Unlike the final verdict, the predeliberation verdict varies among jurors within the same trial and thus can covary with independent variables measured at the juror-level. After hearing the evidence and the attorneys' closing arguments, most jurors have reached a tentative decision about the defendant's guilt (Kalven and Zeisel, 1966; Simon, 1980). Since we interviewed jurors after deliberation, the deliberation process may have affected their recollections of their predeliberation judgments. We cannot eliminate this problem, but the jurors' candor about their degree of certainty in the final verdict suggests that recall bias did not seriously threaten the validity of this measure.<sup>6</sup>

Our independent variables include evidence, jurors' perceptions of victims and defendants, and a measure of jurors' attitudes about crime. We do not examine jurors' other personal characteristics such as age, sex, and race in this paper because in several earlier analyses of these data they showed no independent effects on the dependent variable (Visher, 1982; 1985; for similar results see Hepburn, 1980; Sealey, 1981; Hastie *et al.*, 1983).

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<sup>4</sup> For more detailed description of these measures, see LaFree *et al.*, 1985 or write Barbara Reskin, Department of Sociology, University of Illinois, 222 Lincoln Hall, 702 S. Wright Street, Urbana, IL 61801.

<sup>5</sup> Open-ended items were coded by two trained coders. Coders discussed and jointly resolved the few disagreements.

<sup>6</sup> Eighty-two % of the jurors expressed complete certainty with the final verdict, 10% were "pretty sure," and 8% expressed some doubt.

*C. Measuring Evidence*

Legally, all admissible testimony from the witness stand is evidence, and jurors' accounts of the evidence that influenced their decisions reflect the wide range of "data" presented at trial. In recounting what influenced them, jurors cited more than one hundred different factors ranging from victim's testimony to material evidence to inferences about the victim's and defendant's characters. Researchers consider some of these, such as a victim's sexual history and a defendant's employment status or prior criminal record, extralegal factors.

Given the adversarial nature of trials, much evidence is disputed, and in trying the facts jurors must choose which piece of contradictory evidence to believe. However, some evidence, such as a broken arm, a recovered weapon, or the testimony of a disinterested witness such as a passer-by who heard screams, is harder to dispute. For example, the evidence that convinced one juror that an assault had been attempted was a prosecution witness who had helped the victim get away from the attacker: "We couldn't hear him [this witness] very well, but the fact that he was there was what counted."

In recognition of this difference between various types of evidence we sought to distinguish such hard-to-contest evidence (i.e., "hard" evidence) from both evidence that the other side contradicts and extralegal "evidence" such as disputants' personal characteristics or their claims about what occurred. In this paper we classify as hard evidence eyewitness testimony, a recovered weapon, physical injury to the victim, and other physical evidence. Evidence of physical injury came from medical records, photographs, or testimony from doctors who had treated the victim. Physical evidence is material evidence linking the defendant to the crime, such as a book inscribed with the defendant's name that was found in the victim's car or a police report in which the victim's description of her assailant's tattoos matched those visible on the defendant. While the four evidence variables listed above do not capture all hard evidence presented at trials, they represent an advance over the measurement of evidence in most previous studies of jurors.

We measured evidence in two ways: by coding testimony and exhibits presented during the trial and by asking jurors about the evidence. Trial observers recorded the content of each witness's testimony as well as any physical evidence presented in court in testimony or as an exhibit. From their observations we constructed trial-level measures of the four types of hard evidence described: no versus any recovered

weapon, no versus any physical injury to victim, no versus any eyewitness testimony, and no versus any other physical evidence (all coded 0, 1).<sup>7</sup> Eyewitnesses testified in six of the thirty-eight trials, a recovered weapon was introduced in ten, evidence that the victim was injured in addition to the assault itself was presented in nine cases, and physical evidence was offered in fourteen.

Our juror interviews were designed to measure the evidence jurors found important. We asked, with respect to each of the legal elements of assault (namely, that sexual contact occurred or was attempted, that the defendant was the perpetrator, that the victim did not consent, and that the assailant used either force or the threat of imminent force), first whether the evidence proved each element and then what specific evidence led them to believe it did or did not. We also asked which evidence had been most influential for their final decision about the defendant's guilt. We constructed dichotomous variables indicating whether the jurors mentioned each of the four types of hard evidence. The trial and juror evidence measures are moderately correlated: for eyewitness testimony,  $r = .59$ ; weapon,  $r = .44$ ; victim injury,  $r = .55$ ; and other physical evidence,  $r = .30$ . We suspect that the correlations are not stronger partly because the state must offer evidence for each element of the crime regardless of whether it is at issue, while jurors probably emphasized evidence for the element(s) under dispute in their trial (e.g., whether the victim consented or the correct identification of the defendant).

#### *D. Jurors' Perceptions of Defendants and Victims*

Our measures of jurors' sentiments or extralegal factors are based on their comments about or evaluations of the defendants' and victims' personal characteristics or life styles. After examining the correlations among a large number of such variables and estimating preliminary equations, we selected four variables for this analysis: (1) assessment of the defendant's attractiveness, (2) any reference to the defendant being employed or unemployed, (3) any negative comment about the victim's moral character,<sup>8</sup> and (4) juror's perception of the ex-

<sup>7</sup> Because the state has the burden of proving each element of the crime whereas the defense does not have to prove anything, the state was more likely to introduce hard evidence. With the occasional exception of physical evidence, these measures refer to prosecution evidence.

<sup>8</sup> We solicited jurors' opinions of the victim's moral character by asking them how they "would describe [her] moral character." We classified responses into positive, neutral, and negative categories and distinguished the last from the first two for this analysis.

**Table 1.** Description of Variables ( $N = 331$ )

Variable (Coding)	Mean	Correlation with Dependent Variable
Juror's perception of defendant's guilt (1 = certainly innocent; 4 = certainly guilty)	3.07	—
<u>Trial-Level Evidence</u>		
Recovered weapon (0, 1) <sup>a</sup>	.58	.30
Victim injured (0, 1)	.52	.28
Eyewitness testimony (0, 1)	.17	.22
Other physical evidence (0, 1)	.38	.28
<u>Jurors' recollections of evidence</u>		
Recovered weapon (0, 1)	.31	.31
Victim injured (0, 1)	.25	.23
Eyewitness testimony (0, 1)	.18	.20
Other physical evidence (0, 1)	.30	.21
<u>Extralegal factors</u>		
Defendant seemed unattractive (1 = attractive; 5 = unattractive)	3.02	.12
Defendant employed (0, 1)	.69	-.26
Victim judged of poor moral character (0, 1)	.22	-.45
Victim seemed careless (1 = careful; 5 = careless)	2.76	-.40
Juror holds tough-on-crime attitude (factor scale) <sup>b</sup>	.00	.16

<sup>a</sup> All dichotomies are coded 0 = no, 1 = yes.

<sup>b</sup> For details see LaFree *et al.* (1985).

tent of the victim's carefulness or carelessness at the time of the assault. We also included a scale measuring jurors' attitudes toward crime. Table 1 shows how we coded these variables.

### *E. Analysis*

We used ordinary least squares multiple regression to assess the effects of evidence and extralegal factors on jurors' predeliberation judgments of a defendant's guilt. We used statistical significance tests to assess the possibility that observed relationships may stem from random measurement error. We used a conservative one-tailed test ( $\alpha = .01$ ,  $t = 2.33$ ).

## III. RESULTS

We begin by estimating, in turn, the effects of trial-level evidence measures and jurors' perceptions of the evidence. Next we examine jurors' perceptions of the defendant and victim, adding evidence measures in a second step. This latter specification assumes an additive model, in contradiction of the liberation hypothesis, and our final analyses test that assump-

**Table 2.** Regressions of Defendants' Guilt on Evidence Measures

Variable <sup>a</sup>	Equation 1	Equation 2	Equation 3
<u>Trial-Level Evidence</u>			
Recovered weapon	.49 (.24) <sup>b</sup>	—	.28 (.14)
Victim injury	.37 (.19)	—	.24 (.12)
Other physical evidence	.38 (.19)	—	.24 (.12)
Eyewitness testimony	.26 <sup>c</sup> (.10)	—	.28 <sup>c</sup> (.10)
<u>Jurors' Recollections of Evidence</u>			
Recovered weapon	—	.60 (.28)	.41 (.19)
Victim injury	—	.50 (.22)	.29 (.13)
Other physical evidence	—	.29 (.14)	.19 <sup>c</sup> (.09)
Eyewitness testimony	—	.33 (.13)	.01 <sup>d</sup> (.02)
Y-intercept	2.41	2.62	2.38
$\bar{R}^2$	.19	.18	.23
N	312	312	312

<sup>a</sup> All variables significant at  $p < .01$  except as noted.

<sup>b</sup> Standardized coefficients are in parentheses.

<sup>c</sup>  $.01 < p < .05$

<sup>d</sup> Not significant

tion and the liberation hypothesis by estimating separate equations for cases with strong and weak evidence.

#### A. *Extralegal Variables*

As Table 2 indicates, the evidence presented at trial clearly influenced jurors' decisions. The four trial-level measures of evidence—a recovered weapon, victim injury, other physical evidence, and eyewitness testimony—jointly explained almost one-fifth of the variation in jurors' judgments about the defendant's guilt (see Table 2, Equation 1). The most influential variable was a recovered weapon. Not only does a weapon attest to force, one of the legal elements of rape, but it also indicates an assault's seriousness. Kalven and Zeisel (1966) found that jurors were more lenient when they deemed an assault to be non-serious (*de minimis*). Presumably for the same reasons, evidence showing that a victim had been injured increased jurors' propensity to believe that a defendant was guilty. Half of the

victims sustained some injury in addition to the sexual assault, but these injuries varied in severity from bumping one's head against a car door to multiple stab wounds. The significant effect of a dichotomous representation (any injury versus no injury) suggests that evidence of an injury probably influenced jurors because it implied the use of force rather than indicating severe harm to the victim.

As we expected, other physical evidence was also influential. In few of the trials we studied was the defendant's guilt or innocence clearcut, and jurors often had trouble deciding whom to believe, so it is not surprising that concrete evidence linking a defendant to the crime helped convince jurors of his guilt. Finally, an eyewitness's evidence was influential presumably because it bears on several of the legal elements of rape—whether sex occurred or was attempted, whether it was accomplished (or attempted) through force or the imminent threat of force and without the victim's consent, and whether the defendant was the assailant.

### *B. Jurors' Perceptions of the Evidence*

The results for the four measures of jurors' perceptions of the evidence shown in Table 2 Equation 2 resemble those for the trial-level measures. All are statistically significant, and together they explain 18 percent of the variance in the dependent variable. As in Equation 1, a recovered weapon appeared to influence the jurors most, and eyewitness testimony was least influential.

Measuring evidence exclusively by either what was introduced at trial or what jurors recalled as influential implies the two operationalizations are interchangeable. Although we have seen that jury- and trial-level measures of each of the four kinds of evidence we examined are only moderately correlated, the similar results in Equation 1 and Equation 2 suggest that their covariance captures whatever it is in the evidence that influenced jurors' decisions. Moreover, including both trial evidence and jurors' recollections only slightly improved the explanatory power of either individually (a 4 percentage point increase in explained variance; see Table 2, Equation 3). Thus, neither operationalization appears to be inherently preferable, and either adequately measures evidence.

### *C. Extralegal Variables*

We next considered whether the personal characteristics of the two contestants in the trial influenced jurors' decisions by



examining the effects of four extralegal variables—defendant's appearance, defendant's employment status, victim's apparent carelessness, and victim's moral character—as well as whether jurors held a tough-on-crime attitude. We began by examining the effects of these factors, without controlling for hard evidence, to provide a benchmark against which we could compare subsequent equations. As Table 3, Equation 1 indicates, all five variables show significant effects. That they jointly explain 31 percent of the variance might suggest that these measures of jurors' sentiments were more important in influencing jurors' decisions than was the evidence. Subsequent analyses required us to withhold such a conclusion.

Equation 2 shows the effects of the sentiment measures net of both trial- and juror-level evidence measures. The characteristics of both a defendant and his accuser affected juror's judgments net of the effects of evidence. If defendants seemed attractive or were employed, jurors were less likely to believe they were guilty.<sup>9</sup> Jurors were also swayed by the character of the woman who testified she had been assaulted. If, in their opinion, she had not exercised sufficient caution or was of poor moral character, they were less likely to believe the defendant was guilty. In fact, these two variables exerted the strongest independent effects on jurors' predeliberation verdicts. The victim's attractiveness did not influence jurors (results not shown tabularly), consistent with Feild (1979) but contrary to Seligman *et al.* (1977) and Calhoun *et al.* (1978). We also examined whether jurors' attitudes toward crime influenced their propensity to find the defendant guilty. Net of hard evidence and the defendant's characteristics, jurors who held hard-line anticrime attitudes were more likely to believe in the defendant's guilt.

Including the evidence measures in the equation attenuated the size of the effects of the extralegal variables, although all remained significant. Thus, failing to take evidence into account yields inflated estimates of the importance of extralegal factors. Taking into account both evidence and the extralegal factors moderately improved our ability to explain predeliberation verdicts over an equation with just evidence ( $\bar{R}^2$  increased from .23 in Equation 3 of Table 2, to .39 in Equation 2 of Table

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<sup>9</sup> Other researchers have reported effects of defendant's race (Feild, 1979), socioeconomic status (Gleason and Harris, 1975), and failure to testify (Myers, 1979). In analyses not shown tabularly in which we substituted each of these variables in turn for the defendant's employment status, both race and failure to testify showed significant effects. However, when we included each in the same equation as defendant's employment status, neither showed a significant effect.

**Table 3.** Regressions of Defendants' Guilt on Evidence Measures and Extralegal Variables for All Cases and for Strong and Weak Cases

Independent Variables	All Cases		Strong Cases		Weak Cases	
	Equation 1	Equation 2	Equation 3a	Equation 3b	Equation 4a	Equation 4b
<u>Trial-Level Evidence</u>						
Recovered weapon		.26 <sup>a</sup> (.13) <sup>b</sup>	—	—	—	—
Victim injury		.13 (.06)	—	—	—	—
Other physical evidence		.20 <sup>c</sup> (.10)	—	—	—	—
Eyewitness testimony		.03 (.01)	—	—	—	—
<u>Jurors' Recollections of Evidence</u>						
Recovered weapon		.28 <sup>a</sup> (.13)	.26 <sup>a</sup> (.18)	.22 <sup>c</sup> (.15)	.35 <sup>c</sup> (.12)	.35 <sup>c</sup> (.12)
Victim injury		.13 (.08)	.22 <sup>c</sup> (.15)	.22 <sup>c</sup> (.15)	-.04 (-.01)	-.04 (-.01)
Other physical evidence		.10 (.05)	.07 (.05)	.07 (.05)	-.04 (-.01)	-.04 (-.01)

Eyewitness testimony				-.11 (-.02)				
<u>Extralegal Variables</u>								
Juror holds tough-on-crime attitude	.14 <sup>a</sup> (.12)	.12 <sup>a</sup> (.11)	.05 (.06)	.06 (.08)	.16 <sup>c</sup> (.13)			
Defendant seemed unattractive	.10 <sup>c</sup> (.11)	.10 <sup>a</sup> (.11)	.02 (.04)	.01 (.01)	.24 <sup>a</sup> (.21)			
Defendant employed	-.41 <sup>a</sup> (-.20)	-.38 <sup>a</sup> (-.18)	-.00 (-.00)	-.01 (-.01)	-.98 <sup>a</sup> (-.40)			
Victim seemed careless	-.16 <sup>a</sup> (-.22)	-.11 <sup>a</sup> (-.15)	-.15 <sup>a</sup> (-.27)	-.12 <sup>a</sup> (-.22)	-.13 <sup>a</sup> (-.17)			
Victim judged of poor moral character	-.83 <sup>a</sup> (-.35)	-.65 <sup>a</sup> (-.27)	-.10 (-.04)	-.08 (-.03)	-.72 <sup>a</sup> (-.34)			
Y-intercept	3.67	3.01	3.78	3.50	3.29			3.23
$\bar{R}^2$	.31	.39	.06	.14	.42			.41
<i>N</i>	312	312	184	184	128			128

<sup>a</sup>  $p < .01$

<sup>b</sup> Standardized coefficients are in parentheses.

<sup>c</sup>  $.01 < p < .05$

3), and the partial effects of every evidence measure—both trial- and juror-level—declined.

#### *D. Juror Decision Making in Strong and Weak Cases*

The above results are derived from an additive model that assumes that the effects of jurors' impressions of the trial parties are independent of the strength of the evidence. If Kalven and Zeisel's liberation hypothesis is correct, "rule departures"—that is, extralegal effects—are most likely to occur when the evidence is weak. Variation across our trials in the amount of hard evidence the prosecution introduced permitted us to distinguish between weaker and stronger cases. We classified the evidence as "weak" in fifteen trials in which the state presented none or only one of the four types of evidence. In the remaining twenty-three trials in which the state offered at least two of the four kinds of evidence, we classified the evidence as "strong." Not surprisingly, jurors in strong cases were more likely to believe in the defendant's guilt. On a four-point scale on which jurors judged a defendant's guilt (with 1 representing certainly innocent and 4 representing certainly guilty), the means for the strong and weak cases were 3.5 and 2.5, respectively. Moreover, 91 percent of the strong cases resulted in guilty verdicts in contrast to 53 percent of the weak cases.

To test Kalven and Zeisel's hypothesis that the influence of legally irrelevant factors is greatest in weak cases, we compared the effects of jurors' reactions to defendants' and victims' characteristics in strong and weak cases. Including jurors' recollections of evidence in these equations makes it more difficult for extralegal factors to show an effect, which yields a more conservative test for the weak cases. Omitting juror-level evidence measures makes it easier for extralegal factors to show an effect, thus posing a more conservative test for the strong cases. As a result, for both types of cases we estimated equations both with and without the juror-level evidence measures.

**Strong cases.** Our results support the hypothesis that the strength of a case affects whether the jurors consider factors other than hard evidence in arriving at a decision. In cases in which the state presented at least two pieces of hard evidence, jurors tended to ignore the trial parties' personal characteristics (see Table 3, Equation 3a—the more conservative test—and Equation 3b). Only one such variable significantly affected their assessments of the defendant's guilt—whether they thought the victim had failed to exercise sufficient caution. Jurors who made this attribution were more likely to rate the de-

fendant as innocent. Some have argued that equity considerations govern jurors' allocation of responsibility (see, e.g., Schefflin and Van Dyke, 1980; Howard, 1984) and that jurors are more inclined to exonerate defendants if they believed a victim's negligence contributed to her assault (Kalven and Zeisel, 1966).<sup>10</sup>

Note also that two of the juror-level evidence measures show significant effects (Table 3, Equation 3b), even though we partially controlled evidence by considering strong and weak cases separately. Jurors in strong cases who mentioned a recovered weapon or injury to the victim were more likely to judge the defendant guilty than were those who did not mention such evidence.

**Weak cases.** In sharp contrast to these findings stand the results for the fifteen cases in which the state introduced none or only one of the four types of hard evidence. Even when we controlled for evidence (see Table 3, Equation 4b), the jurors' verdicts were still influenced by their attitudes toward crime as well as by the characteristics of the alleged victims and the men they accused. Jurors were more likely to believe in a defendant's guilt if he were unemployed or seemed unattractive to them, and more likely to exonerate him if, by their standards, the victim had behaved carelessly or was of poor moral character. Thus, in weak cases jurors were heavily influenced by their own values and their reactions to victims and defendants.

That the effects of jurors' sentiments depend on the strength of the case supports Kalven and Zeisel's liberation hypothesis. As they said, "The jury does not consciously . . . yield to sentiment in the teeth of the law. Rather it yields to sentiment in the apparent process of resolving doubts as to the evidence" (1966: 165). Thus, the additive equation (Table 3, Equation 2) is misspecified. Its coefficients represent an average of minimal extralegal effects in the strong evidence cases and strong effects in the weak cases.

#### IV. DISCUSSION AND CONCLUSIONS

As Kalven and Zeisel suggested twenty years ago, the facts and values in a trial are intertwined in jurors' decisions. Our analyses document the importance of both. Trial- and juror-

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<sup>10</sup> Our research design does not allow us to rule out the possibility that a belief in the defendant's innocence led some jurors to fault the victim for failing to exercise caution.

level measures of evidence show a moderate effect of facts on jurors' pre-deliberation judgments, and jurors' sentiments influenced them to varying degrees, depending on the strength of the case. In considering these findings we must bear in mind that our results are based on sexual assault trials. The inclusion in these data of actual jurors' evaluations of both trial parties and evidence well suits them to testing the liberation hypothesis. However, the generalizability of our conclusions to other criminal cases ultimately depends on their replication in other contexts.

What do these results tell us about the processes by which evidence influenced these jurors' opinions about a defendant's guilt? And what are their implications for measuring evidence? These analyses point to four conclusions. First, jurors appropriately used trial evidence in reaching decisions about defendants' guilt. Second, evidence presented at trial and jurors' recollections of that evidence served about equally well to measure evidence. The analysis incorporating both kinds of evidence confirmed that the jurors selectively interpreted the trial evidence—they tended to disregard eyewitness testimony even when it was available and to emphasize instead evidence of force and seriousness of the assault. The reductions in the sizes of the metric coefficients for three of the four trial-level measures (recovered weapon, victim injury, and other physical evidence) when their moderately correlated juror-level counterparts were added to the equation were to be expected, but the continued statistical significance of trial-level measures means that jurors' reports did not wholly mediate trial measures. From this we can conclude that regardless of the reasons, jurors' self-reports are not necessarily preferable to trial data. Third, because the strength of the effects of the evidence measures declined when we took the extralegal factors into account, and vice versa, omitting either measures of evidence or jurors' sentiments would lead to inflated estimates of the effects of the variables examined. Fourth, jurors' sentiments—their reactions to trial parties' personal characteristics and their attitude toward crime—appeared to influence their judgments, but subsequent analyses confirmed Kalven and Zeisel's liberation hypothesis that additive models misspecify juror decision processes. The influences of extralegal factors were largely confined to weak cases in which the defendant's guilt was ambiguous because the prosecution did not present enough hard evidence. In these situations, jurors—forced to arrive at a decision—were apparently swayed by their own values and reactions to the defendants and victims. When the prosecution of-

ferred ample hard evidence, jurors were more likely to be convinced of the defendant's guilt without considering the extralegal factors we examined.

Recognizing the relationship between the strength of a case and jurors' values and sentiments is crucial to characterizing juror decision making accurately. Previous studies, which were mostly experimental, have tended to find effects of extralegal factors; few report evidence-sentiment interactions. Both findings are misleading. In cases with weak evidence, jurors turn to other factors such as the defendant's appearance or the victim's life style in reaching a decision. But if the state can muster enough hard evidence in the form of disinterested eyewitness testimony or physical exhibits, sentiments play a minor role in jurors' decisions.

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