Let emotions be the judge: Graphic evidence and need for affect in legal decision-making

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STATEMENT OF THE PROBLEM
- Jurors are instructed to make legal decisions without influence from their emotions
- Social psychology research indicates affective and cognitive processes are intertwined when making decisions (Forgas, 1995; Kunda & Kauflmann, 2004)
- Lawyers introduce graphic evidence as a trial strategy to invoke negative and prejudicial emotions in jurors
- Research supports that jurors are more likely to provide guilty verdicts when exposed to graphic photographs (Douglas, Lyon, & Ogloff, 1997; Bright & Goodman-Delahunty, 2006)
- Anger mediates the effect of graphic photographs on likelihood of guilty verdicts (Bright & Goodman-Delahunty, 2006)

PRESENT STUDY – Research Questions
- Does an individual’s need for affect (NFA) moderate one’s mood state and subsequent verdict decisions?
- Need for Affect: Individual differences in the motivation to approach or avoid emotions (Mani & Eves, 2001)

DESIGN
- Between-subjects experimental design
- Graphic Nature of Photograph 3 Levels: Low, Medium, High
- Dichotomous: Verdict (Guilty, Not Guilty) Continuous: Likelihood of defendant guilt
- Need for Affect (NFA scale)
- Mood State – Anger (PANAS; State Anger Scale)

PRIMARY RESULTS
1) Did participants rate the graphic photographs significantly different?
- Yes, the photographs in the “HIGH” and “MEDIUM” conditions were rated significantly more graphic than those in the “LOW” condition

2) Did participants’ exposure to high graphic photographs result in higher ratings of likelihood of defendant guilt?
- No, there was no significant difference in ratings of defendant guilt based on the graphic nature of the photos

3) Was the proposed moderated mediation model supported?
- No, participant anger did not predict ratings of guilt and the graphic nature of the photos did not predict participant anger

4) Was Need for Affect related to guilt ratings?
- Yes, Need for Affect was positively correlated with guilt ratings (r = .224, p = .006) such that participants who endorsed higher NFA scores rated the defendant’s likelihood of guilt higher

DISCUSSION
1) The role of emotions in decision-making should not be overlooked. NFA is a construct that can be utilized during the voir dire process to better understand how potential jurors will approach emotionally-laden information and evidence.
2) The graphic level of the photographs is potentially less important in creating bias against a defendant than the mere presence of graphic photographs.
3) The lack of support for the proposed mediation model may suggest:
   a) anger is not the emotion aroused by the photographs; or
   b) the scales we used to measure anger lacked specificity.