Peripheral Processing in Mock Jurors’ Thought Elaboration During Expert Witness Testimony: A Qualitative Exploration

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Research Questions and Issues
- How do mock jurors process expert witness testimony?
- Do mock jurors focus more on the information being presented versus what is being presented?
- Subjective factors strongly influence witness perceptions of witness credibility and/or content-mediated impressions.
- How can we make sense of mock jurors who attend to source-mediated impressions rather than content-mediated impressions?

The Elaboration Likelihood Model (ELM) of persuasion provides a psychological context for understanding information processing differences among mock jurors (e.g., Brodsky, Griffin, & Cramer, 2010; Heesacker, Petty, & Cacioppo, 1983; Petty, Cacioppo, & Schumann, 1983; Petty, Cacioppo, & Schumann, 1986; Petty, Kasmer, & Heesacker, 1983; Petty, Cacioppo, & Schumann, 1987).

Central Route = CONTENT Mediated
- Relies on testimony content
- Employs effortful cognitive thought
- Indicates an active attempt to understand and analyze the argument and its validity

Peripheral Route = SOURCE Mediated
- Relies on tangential, simple cues
- Employs less effortful and/or centrally related cognition
- Perceived expert witness credibility and presentation style are used to assess argument quality
- Examples: Witness attractiveness, age, gender, ethnicity, speech style, eye contact, and body language.

Elaboration Likelihood Model of Persuasion

Method
- Thought Listing Measure: Participants retrospectively listed a maximum of 8 thoughts that came to mind while viewing the expert witness testimony (e.g., Guadagno & Cialdini, 2002)
- Purpose: To assess mock jurors’ quality of thoughts while viewing testimony
- Procedure: Two trained raters (K = 96) coded each thought listed by mock jurors as:
  1. Central = Message Relevant
  2. Peripheral = Source Mediated
  3. Unrelated = Message Irrelevant

Participants
- Random assignment to 1 of 6 conditions
- 188 undergraduate students of the University of Alabama Psychology Subject Pool

Table 1: Study Conditions

<table>
<thead>
<tr>
<th>IV 1</th>
<th>IV 2</th>
<th>DV 1</th>
<th>DV 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Juror condition (individual juror vs. jury deliberation)</td>
<td>Length of time exposed to testimony (30 seconds vs. 5 minutes vs. 10 minutes)</td>
<td>Witness credibility ratings</td>
<td>Verdict decisions</td>
</tr>
</tbody>
</table>

Table 2: Participant Demographics*

<table>
<thead>
<tr>
<th>Racial Background</th>
<th>Caucasian</th>
<th>African-American</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>35.1%</td>
<td>64.9%</td>
<td>84%</td>
</tr>
<tr>
<td>Female</td>
<td>13.8%</td>
<td>2.2%</td>
<td>1.8%</td>
</tr>
</tbody>
</table>

Demographics approximately evenly distributed within and between jury conditions

Table of Thoughts:

<table>
<thead>
<tr>
<th>Thought Content</th>
<th>Case Defendant</th>
<th>Witness Testimony</th>
<th>Mental Illness</th>
<th>Non-Related</th>
</tr>
</thead>
<tbody>
<tr>
<td>24.4%</td>
<td>24.4%</td>
<td>5%</td>
<td>4.6%</td>
<td></td>
</tr>
</tbody>
</table>

Central Processing
- “At the time of the crime the defendant seems to have been insane and had no clue why he did what he did.”
- “I remember immediately thinking that it had to be NGRI when the expert witness presented us with Duncan’s mental illness history.”
- “Regardless of it he was insane he killed someone and he is dangerous to those around him.”
- “Did the illness cause the action?”

Peripheral Processing
- “The defense expert was well dressed.”
- “The expert witness seemed to have a clear unbiased opinion on the medical state of Duncan.”
- “He seemed very confident and egotistical.”
- “How could the doctor know how Duncan was at the crime scene fully?”

Unrelated Thoughts
- “What am I doing tonight?”
- “I am starving.”
- “How much longer will I be here?”
- “Don’t care.”

Stimulus:
- Case Description: Testimony from the New York Supreme Court case People v. Goldstein (2004)
  - The defendant, who was diagnosed with schizophrenia, pled Not Guilty by Reason of Insanity (NGRI) to the charge of second-degree murder for pushing a woman onto a subway track, killing her instantly.

Written Description:
- Charges & plea: Juror instructions
- Role of prosecution, defense, and jurors
- Standard and Burden of proof
- Basic facts for Prosecution & Defense

Expert Testimony Video:
- Forensic mental health expert
- All videos included impaired MSO due to MI

Implications
- A greater reliance on peripheral processing of NGRI Expert testimony, than central or unrelated.
- The large majority of peripheral information is irrelevant to the specific testimony message (58.3%).
- Only a small portion is unrelated (2.4%) to message source (witness) or context (case information).

Table of Thought Elaboration by Exposure to Witness:

<table>
<thead>
<tr>
<th>Thought Elaboration</th>
<th>Central</th>
<th>Peripheral</th>
<th>Unrelated</th>
</tr>
</thead>
<tbody>
<tr>
<td>58.3%</td>
<td></td>
<td>39.3%</td>
<td>2.4%</td>
</tr>
</tbody>
</table>

Note: TLM Responses would not differ across deliberation condition, as they were relevant to testimony presented prior to deliberation.

Subjective factors strongly influence mock jurors’ perceptions of witness credibility and/or content-mediated impressions.

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