Nullification Instructions and Anger Increase Jurors’ Reliance on Attitudes in Verdict Decisions

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To my husband Jerry, for his love, support, understanding, and superhuman calm during these years.
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Summary

American jurors have the right to give a not-guilty verdict when their conscience demands it, even when guilt is established beyond reasonable doubt – a phenomenon known as jury nullification. Yet courts have historically avoided informing jurors explicitly about their nullification power, for fear that such knowledge would prompt jurors to disregard the law and rely on their personal biases, attitudes, and emotions. Prior research suggests that attitudes can influence verdicts, as can emotions such as anger, which may deplete jurors' ability to process information carefully and increase their reliance on heuristics. I explored the effect of jury nullification instructions on the relation between jurors' attitudes toward a crime (euthanasia), their emotions (anger), and verdicts. As predicted, pro-euthanasia jurors were less likely to give a guilty verdict than anti-euthanasia jurors, an effect mediated by feelings toward the defendant and anticipated affect (but not by perceptions of the defendant). Nullification (versus standard) instructions resulted in reduced guilt ratings. A significant three-way interaction qualified these results. Euthanasia attitudes had no effect on verdicts when jurors were in an emotionally neutral (compared to induced anger) condition and received standard instructions. In contrast, attitudes had the expected effect on verdicts when jurors were in the induced anger condition and received standard instructions, and when jurors were in the emotionally neutral condition and received nullification instructions. The only unexpected finding was that attitudes did not affect verdicts when jurors were both in the anger and nullification instruction condition. Implications are discussed.
I. Introduction

A. Background

The strongest case evidence is not a guarantee for conviction when the law conflicts with public conceptions of morality. *Inside the Jury Room* (1986), a Public Broadcasting Service documentary, offered rare insight into the jury decision making process by showing the videotaped jury deliberations that led to an acquittal in Leroy Reed’s felony trial despite his indubitable legal guilt. Leroy Reed was a convicted felon found in possession of a gun, so by any legal standards he should have been convicted of violating his parole. But Reed was also a gentle and apparently harmless man of borderline intelligence, who confessed that he had bought the gun because he wanted to become a private detective. Jurors in this case openly relied on their beliefs and emotions, rather than the letter of the law, to return a not-guilty vote that reflected their personal sense of justice. During deliberations, jurors expressed feelings of sympathy for the defendant as well as negative attitudes toward the prosecutor for pursuing Reed’s case.

Social psychological theories and some legal scholars acknowledge the role of emotions and attitudes on judgment and decision making; however, the legal system still regards emotions and motivations as “unwanted intruders in the objective world of weighing inputs to reach one of a very few permissible outputs” (Wiener, Bornstein, & Voss, 2006, p. 232). Juror and jury decision making is likely to be colored by emotions and influenced by jurors’ pre-existing attitudes, particularly because legal decisions
often involve issues of morality and justice. Standard jury instructions direct jurors to ignore their personal feelings, biases, and prejudices, and to follow the letter of the law in deciding guilt. In Anglo-American jurisprudence, however, the jury can return any verdict jurors see fit, even if the verdict is not in line with the letter of the law (i.e., jurors can return a not-guilty verdict, even when the defendant is proven guilty beyond reasonable doubt). Thus, jurors can ignore the law and vote according to their conscience – a phenomenon known as jury nullification (Finkel, 2000; Horowitz, 1985).

In this study, I used a mock trial paradigm to investigate the potential for explicit nullification instructions to exacerbate the influence of emotions and attitudes on jurors’ verdicts in a euthanasia case, an interaction which has not yet been studied. Next, I build the rationale behind my central hypothesis that nullification instructions will enhance the influence of attitudes on verdicts, especially when jurors experience incidental emotion.

B. **Jury Nullification**

Few not-guilty verdicts are instances of *true* jury nullification, where the verdict is clearly conflicting with the law, and does not result from reasonable doubt or the misunderstanding of jury instructions (Finkel, 2000). The jury’s power to nullify is controversial (Horowitz, 1985; Horowitz & Willging, 1991). Some legal scholars claim nullification exemplifies the legal system’s duty to reflect the community’s sense of justice and morality (Rubenstein, 2006). When laws are perceived as unjust, jurors (as representatives of the community) should have the power to bypass them. For example, English jurors routinely gave not-guilty verdicts for small crimes that carried the death
penalty in the 18th century, and American jurors often returned not-guilty verdicts in trials of young men who refused to join the army during the Vietnam war (Horowitz, 1985; Horowitz & Willging, 1991). However, jury nullification is so rare because, although juries have the power to nullify, American courts have historically ruled that jurors should not be explicitly informed of this power (Sparf and Hansen v. the United States, 1895; United States v. Dougherty, 1972) for fear that such information would open the door to the undue influence of personal attitudes, beliefs, and emotions on jury verdicts, and create “chaos in the courtroom” (Finkel, 2000; Horowitz, 1985; Horowitz, Kerr, Park, & Gockel, 2006; Neidermeier, Horowitz, & Kerr, 2003). In fact, recently, federal prosecutors brought criminal charges against a man who was spreading information about jury nullification outside a Manhattan, New York courthouse (United States v. Heicklen, 2012). The indictment was dismissed, but the prosecutor referred to the defendant’s advocacy as “a significant and important threat to our judicial system” (Weiser, 2012).

C. Psychological Studies of Nullification Instructions Influence on Verdicts

Mock trial studies find that nullification instructions do influence jurors’ deliberation process and verdicts (Horowitz, 1985). For example, nullification instructions lead to increased reliance on extralegal factors (i.e., factors other than the evidence presented at trial) (Horowitz, 1985, 1988). Compared to juries that heard standard instructions (i.e., without nullification instructions), juries who heard nullification instructions in a euthanasia case spent significantly more time discussing the instructions, their personal experiences, and defendant characteristics, and less time discussing the evidence.
Studies that examined the moderating effects of nullification instructions, however, found mixed results.

One group of studies found support for the court’s fear that nullification instructions exacerbate the effects of extra-legal biases on verdicts. Hill and Pfeifer (1992) found that nullification instructions (but not standard instructions) resulted in fewer guilty verdicts for a White (versus a Black) defendant in a rape trial. These results could be interpreted as showing that nullification instructions set the stage for racial prejudice to influence verdicts: When mock jurors were given the option to not follow the law, they were more lenient toward a White, but not toward a Black, offender. Horowitz and colleagues (2006) found that some emotions elicited by victim characteristics are more likely to influence verdicts when jurors receive nullification rather than standard instructions (as described in more detail later).

A second group, however, found no support for the courts’ fear. Niedermeier, Horowitz, and Kerr (1999) found that defendant characteristics such as gender and ethnicity, whether the defendant showed remorse, and penalty severity were not more likely to influence verdicts when jurors heard nullification versus standard instructions. Meissner and colleagues (2003) found that jurors’ verdicts in a euthanasia case were not more likely to be influenced by jurors’ attitudes toward euthanasia when jurors heard nullification versus standard instructions, a somewhat counterintuitive finding discussed in more detail later. Schuller and Rzepa (2002) found that, in the case of a battered woman who killed her husband, jurors were influenced by expert testimony on the battered woman syndrome (i.e., a legally relevant piece of case evidence) only when they heard nullification instructions. Thus, nullification instructions might prompt jurors to
follow their conscience when they can rely on legitimate sources such as expert testimony in making their judgments.

Only studies by Horowitz and colleagues (2006) and Meissner and colleagues (2003) investigated the impact of emotions and attitudes on verdicts under nullification (versus standard) instructions, although both emotions and attitudes are strongly related to moral and legal judgments (Rozin, Lowery, Imada, & Haidt, 1999). Furthermore, these studies investigated each factor separately, although in a realistic trial context they are likely to interact. Next I will describe each of these factors and their relation to verdicts and nullification instructions separately, and end the discussion by proposing interaction patterns between these extralegal factors in nullification and standard instructions conditions.

**D. Attitudes, Nullification Instructions, and Verdicts**

There is strong empirical support for the influence of attitudes toward the insanity defense (Rendell, Huss, & Jensen, 2010), death penalty, and rape (see Devine, Clayton, Dunford, Seying, & Pryce, 2001 for a review) on jurors’ verdicts. This effect could be stronger when the evidence or judgment criteria are ambiguous (Giner-Sorolla, Chaiken, & Lutz, 2002), but also when the crime itself is morally ambiguous (i.e., euthanasia, Meissner et al., 2003). Euthanasia cases are well suited for the study of attitudes and legal judgments. First, public opinion is split on the morality of euthanasia and assisted suicide in the case of terminally ill patients (Rosenfeld, 2002). Therefore, jurors are likely to vary in their attitudes toward euthanasia. Second, euthanasia attitudes, like most attitudes toward life and death issues, can reflect morality beliefs about right or wrong for some people (Skitka, Bauman, & Lytle, 2009), and therefore
they can be quite powerful in influencing behavior and decisions. I predicted that pro-euthanasia mock jurors would be more likely to vote not guilty than anti-euthanasia jurors in a criminal trial involving euthanasia for a terminally ill patient.

I also predicted that the effect of euthanasia attitudes on verdicts in a euthanasia case would be mediated by emotional reactions to (e.g., sympathy, empathy, disgust, and anger) and different perceptions of the defendant (e.g., as a physician who cares about his patients versus a proud man who thinks he can play God). For example, attitudes toward rape have been found to influence perceptions of rape defendants (Devine et al., 2001). In addition, empathy and positive attitudes toward a target are often related, although most research has focused on the potential of empathy to improve attitudes. For example, people who were encouraged to adopt the perspective of an out-group member reported more favorable intergroup attitudes than people who were not (Vescio, Sechrist, & Paolucci, 2003). One study, however, provides support for the hypotheses that attitudes can affect empathy, and in turn guilt judgments. Namely, attitudes about rape and women’s role in society were related to jurors’ empathy for rape victims and defendants, which in turn was correlated with guilt judgments in a rape case (Deitz, Blackwell, Daley, & Bentley, 1982). No studies have assessed the mediating effect of empathy when explaining the effect of attitudes on judgments, yet I believe it is plausible to predict that pro-euthanasia (compared to anti-euthanasia) jurors would feel more empathy and even sympathy for a defendant whose behavior reflects these attitudes.

The effect of euthanasia attitudes might also be mediated by moral outrage toward the defendant. Moral outrage can result from negative cognitive, affective, and
behavioral responses to others’ moral transgressions (Skitka, Bauman, & Mullen, 2004) and it drives punitive behavior (Darley & Pittman, 2003; Salerno et al., 2010; Wiley & Bottoms, 2009) and mediates the effect of crime severity on case judgments (Salerno et al., 2010; Wiley & Bottoms, 2009). Therefore, I expected that perceptions of crime severity would depend on people’s attitudes toward euthanasia, which would result in pro-euthanasia jurors feeling less moral outrage than anti-euthanasia jurors and in turn being less likely to vote guilty.

Further, I expected that anticipated emotion would mediate the relation between attitudes and verdicts. When people weigh the costs and benefits of their decisions, they consider their anticipated emotional reactions to the potential outcomes (Mellers, 2000). In the case of jury decision-making, jurors might anticipate pleasant or unpleasant emotion as a result of their verdicts and take them into account when deciding a verdict (Wiener, Bornstein, & Voss, 2006). Thus, in a euthanasia case, pro-euthanasia jurors might anticipate negative emotion at the thought of voting guilty and might try to alleviate it by voting more in line with their positive attitudes toward euthanasia. In contrast, anti-euthanasia jurors might anticipate negative emotion at the thought of voting not guilty, with similar results. Decision makers are more likely to experience regret if the negative outcomes are under their control (Mellers, 2000). Thus, jurors might be especially prone to experience anticipated regret at the thought of voting against their attitudes and satisfaction at the thought of voting in line with their attitudes when they hear nullification instructions, because these instructions allow jurors more control over the verdicts.
To my knowledge, only Meissner and colleagues (2003) have tested the relation between euthanasia attitudes and verdicts when jurors hear nullification instructions, and found no support for the predictions mentioned above. They measured mock jurors’ attitudes toward euthanasia, then presented jurors with a videotaped testimony of a man who confessed to the mercy killing of his terminally ill wife. In addition to the standard instructions, nullification instructions explicitly allowed jurors to rely on their emotions and prompted them to follow their conscience in reaching a verdict. Jurors’ attitudes toward euthanasia influenced individual verdicts before deliberation regardless of instruction type (standard or nullification). Post-deliberation, this relation was maintained only in the standard instruction condition. The authors suggested that nullification instructions prompted jurors to discuss their attitudes openly, which, combined with the motivation to reach consensus, resulted in attitudinal concessions for each side (pro- and anti-euthanasia) and reduced the influence of extreme attitudes on verdicts. I wanted to test whether these results would replicate for a different euthanasia case, where the defendant is a doctor rather than a spouse. Thus, in the present study, because the defendant was not related to the victim, verdicts are more likely to reflect attitudes or reliance on the law, rather than either consideration of ulterior motives (i.e., husband no longer wanted to care for his sick wife) or sympathy for a suffering spouse.

E. Emotions, Nullification Instructions, and Verdicts

Jurors’ reliance on their attitudes rather than the law under nullification instructions might depend on a third factor commonly associated with jurors’ decisions: anger. In a realistic trial context, the cumbersome process of jury selection, lengthy waiting periods, or arguing with other jurors can elicit incidental (i.e., unrelated to the judgment) anger,
which might be misinterpreted as reactions to the case and/or the actions of the defendant. The Affect Infusion Model (Forgas, 1995) asserts that affect can influence judgments either indirectly (affect priming) or directly (affect as information). Specifically, affect can influence judgment indirectly through affect-priming mechanisms: Emotionally congruent stimuli receive more attention and are better encoded and retrieved than emotionally incongruent stimuli. For example, when jurors experience negative emotion, they might process negatively valenced evidence more carefully, and therefore they might give it more weight in their decision process. Affect can also influence judgment directly, as information that jurors might use to evaluate the situation (i.e., “How do I feel about this?”). As a consequence, if jurors misattribute emotional reactions such as frustration or anger elicited by non-legal stimuli to case evidence, they might rely on these emotional reactions to inform their verdicts.

Anger is often experienced in response to the moral violations of others (Rozin, Lowery, Imada, & Haidt, 1999). Compared to other emotional stimuli, stimuli designed to elicit anger receive more attention and are better remembered – and thus have a better chance to shape complex judgments (Lerner & Tiedens, 2006). Anger also has a strong infusive potential – that is, the potential to carry over from past situations, and color judgments in subsequent, unrelated situations as incidental emotion. For example, incidental anger elicited by detailed recall of an angering experience can, in subsequent, unrelated situations, trigger a desire to blame (Quigley & Tedeschi, 1996) and activate more punitive attributions, which in turn lead to harsher punishment decisions compared to neutral emotion (Goldberg, Lerner, & Tetlock, 1999; Lerner, Goldberg, & Tetlock, 1998). Most studies of anger effects on verdicts focus on integral
anger (see Feigenson, 2000; Feigenson & Park, 2006; Wiener et al., 2006). In the only study of incidental anger and jurors’ judgments that I know of, Wiener and colleagues (2006) successfully manipulated incidental anger by asking mock jurors to write about an autobiographical event. Jurors then viewed videotapes depicting workplace situations and made judgments of sexual harassment. Although anger had no direct effect on verdicts, it did increase jurors’ reliance on extra legal factors (see Wiener et al. 2006).

When jurors hear nullification instructions that prompt them to rely on their emotions and attitudes, they might rely on them more as legitimate sources of information, even when the emotions are incidental to the case. In support, Horowitz and colleagues (2006) presented mock jurors with a murder case in which a terminally ill patient’s physician administered a lethal overdose of medicine. Presenting the euthanasia victim as sympathetic versus unsympathetic affected jurors’ emotions (i.e., feeling upset) and in turn jurors’ verdicts, but only under nullification instructions. Horowitz and colleagues (2006) concluded that nullification instructions might be more likely to exacerbate emotional but not factual biases – a distinction that explains others’ failure to find biasing effects for nullification instructions (e.g., Meissner et al., 2003; Niedermeier et al., 2003).

Horowitz and colleagues’ study provides only partial support for the legal system’s assumption that nullification instructions would encourage jurors to vote according to their emotions. The expected pattern (nullification instructions by emotion interaction) was observed only for feeling upset, but not for feeling angry or agitated. Furthermore, emotion was not manipulated directly in this study – rather, it was the result of a victim-
characteristics manipulation, and therefore acted as a mediator rather than as an independent variable. A direct emotion manipulation (i.e., incidental emotion) would provide a more conclusive test of emotions’ effect on verdicts. In addition, emotion was elicited by facts which, although extralegal, were nevertheless integral to the case (victim characteristics). This raises the question of whether completely incidental emotion (i.e., emotion elicited by factors unrelated to the case, such as the frustration of arguing with others or waiting for hours to be called in the courtroom) would have a similar biasing effect on jurors’ verdicts under nullification instructions. Because I expected anger to moderate the effect of euthanasia attitudes on verdicts (discussed next), I predicted that the biasing effect of anger and attitudes would be stronger when jurors receive nullification versus standard instructions.

The infusive potential of anger is not limited to the emotional experience per se; instead, the cognitive appraisals associated with anger are also likely to be transferred from one event to another when events are in close temporal proximity (Lerner & Tiedens, 2006). Smith and Ellsworth (1985) found that emotions are associated with appraisals of the environment – in other words, thoughts that interpret the emotion in light of the immediate situation and help us deal with the situation. Some of the cognitive appraisals associated with anger are certainty, tendency to blame others, desire to punish, and desire to correct a perceived injustice (Lerner & Tiedens, 2006; Smith & Ellsworth, 1985). Because anger is associated with certainty appraisals, it tends to reduce depth of processing (Tiedens & Linton, 2001), perhaps because certainty serves as an internal cue that one’s judgment is already accurate and decreases motivation to process information systematically (Tiedens & Linton, 2001).
Lerner and colleagues (1998) found that angry participants relied on fewer informational cues (i.e., how much free will the target had) in making their judgments compared to non-angry participants. Further, angry (versus not angry) participants are more likely to rely on heuristics such as racial stereotypes or other readily available information (Bodenhausen, Sheppard, and Kramer, 1994). In addition, attitudes are more likely to influence verdicts when information processing capacity is low (Giner-Sorolla et al., 2002). Therefore, anger might increase jurors’ reliance on easily available heuristics such as their own euthanasia attitudes, rather than on evidence, when they judge a euthanasia case. Such findings would, for the first time, qualify the general trend in emotion and legal judgment research that links anger with an increased tendency to punish by showing that, in certain conditions, anger might have the opposite effect of reducing punitiveness.

F. **Study Overview, Design, and Hypotheses**

To test my predictions, I used a mock trial methodology with a 2 (Instruction type: standard, nullification) X 2 (Anger: not angry, angry) between-subjects design with euthanasia attitudes as a continuous predictor. During mass testing, participants filled out measures of attitudes and moral convictions toward euthanasia. Later, in the ostensibly unrelated experimental phase, some participants were induced to feel angry by recalling an angering event and writing about it in detail; other participants were given an emotionally neutral recall task. Participants then read a trial summary involving a hospital physician accused of killing one of his terminally ill patients at the patient’s request. The case facts were designed to eliminate any reasonable doubt that the physician administered drugs that caused the patient’s death. The motivation for the
crime (desire to end the patient’s suffering) was also made salient. After mock jurors learned the case facts, they were given either standard or nullification instructions. Jurors then completed the dependent measures (i.e., verdict, degree of guilt, perceptions of the defendant, perceptions of the law).

To review, I made the following hypotheses:

**Hypothesis 1.** I predicted a significant main effect of attitudes toward euthanasia on verdicts. Jurors with pro-euthanasia attitudes would be less likely to vote guilty than would be jurors with anti-euthanasia attitudes.

**Hypothesis 2.** I predicted a significant two-way interaction between euthanasia attitudes and nullification instructions. Although attitudes would influence verdicts regardless of jury instruction type, I predicted that this effect would be larger in the nullification (versus standard) instructions condition. In the standard condition, pro-euthanasia jurors would be less likely to vote guilty than anti-euthanasia jurors. In the nullification instructions condition, the difference between anti- and pro-euthanasia jurors would be in the same direction, and even larger than in the standard condition.

**Hypothesis 3.** I predicted a significant two-way interaction between euthanasia attitudes and anger. Pro-euthanasia jurors would be less likely to vote guilty when angry than when not, because anger would increase their certainty in the not-guilty verdict. In contrast, anti-euthanasia jurors would be more likely to vote guilty when angry than when not, because anger would increase their certainty in a guilty verdict.

**Hypothesis 4.** Both two-way interactions would be qualified by a significant three-way interaction between nullification instructions, attitudes, and anger. In the standard instruction condition, pro-euthanasia jurors would be less likely to vote guilty when they
are angry (versus not angry), and anti-euthanasia jurors would be more likely to vote guilty when they are angry (versus not angry). The difference would be exacerbated in the nullification instruction condition, where pro-euthanasia angry jurors would be even less likely to vote guilty compared to pro-euthanasia not-angry jurors, and anti-euthanasia angry jurors would be even more likely to vote guilty compared to anti-euthanasia not-angry jurors.

I also proposed mediation hypotheses:

**Hypothesis 5.** The effect of attitudes on verdicts would be mediated by jurors’ emotions toward the defendant, anticipated affect, perceptions of the defendant, and moral outrage. Jurors’ euthanasia attitudes would influence the degree to which they feel empathy and sympathy for the defendant, or feel angry and morally outraged by the defendant. Attitudes would also influence negative and positive perceptions of the defendant. In turn, their emotions and perceptions would affect verdicts. Finally, attitudes would influence anticipated affect at the thought of giving a guilty and non-guilty verdict, which in turn would weigh in the decision making process and influence final verdicts.
II. Method

A. Participants

Participants in the mass testing sessions were 1126 Introductory Psychology students who received class credit for their participation. Out of these, 150 students who were jury eligible (i.e., older than 18 and US citizens) participated in experimental sessions. Sixteen participants failed the nullification manipulation (i.e., said they had not received nullification instructions although they were in a nullification instruction condition), and two more failed to answer the question. These 18 were dropped. In the final sample of 132, age ranged from 18 to 25 years ($M = 19.22, SD = 2.44$); 73% were women; 25% were Asian, 6% were Black, 34% were White, 26% were Hispanic, and 9% were of other or multiple ethnicities. Participants also reported a variety of religious denominations: 17% were Fundamentalist Christian, 7% Protestant, 44% Catholic, 1% Jewish, 9% Islamic, 2% Hindu, 1% Buddhist, 8% agnostic, 6% atheist, 6% other or multiple religions. Political orientation ranged from extremely liberal (1) to extremely conservative (7), although overall the sample was moderate, $M = 3.65, SD = 1.16$. Only three participants had served on a jury before, and participants rated their knowledge about trial procedures as moderate, $M = 2.71, SD = 0.89$ on a scale from 1 (not at all) to 5 (very much). The majority of participants (58%) said that someone close had suffered significant pain from a terminal illness.

B. Materials and Measures

1. Attitudes toward euthanasia (Appendix D). Euthanasia attitudes were measured with six items of the Attitudes Toward Euthanasia (ATE) questionnaire (Wasserman, Clair, & Ritchey, 2005) that most closely resembled our trial scenario. For
the present study, the original 7-point scale was slightly changed to range from - 3 (Strongly disagree) to + 3 (Strongly agree), with a midpoint (N = 132, M = -0.08, SD = 0.93). The scale was reliable in the original study (Cronbach’s α = .91) and in the present study, Cronbach’s α = .82.

Of note, the median for the sale in the final sample was 0, which is also the theoretical midpoint of this scale. Therefore, for the ANOVA analyses, the ATE was separated into three categories: pro-euthanasia (above 0 scores, N = 53), neutral (0 scores, N = 18) and anti-euthanasia (below 0 scores, N = 58).

2. Emotion manipulation. Incidental anger was manipulated via written and recorded instructions for participants to recall an either angering or mundane event from their lives and write about it in detail. The instructions were modeled after Mauro and colleagues’ study, with participants in the neutral condition recalling the last time they went grocery shopping:

Think about a [the last] time [you went grocery shopping] when you felt really angry, the angriest you ever remember being. Try to remember it as vividly as you can. Try to go back and re-experience how you felt during that situation. Think about what happened, what it felt like to be in this situation. Now, please write down a detailed story of what happened, including the feelings that you felt and the thoughts that went through your mind. Think about how you felt, in detail, specifically, while you were [grocery shopping] angry. Before you begin, take a minute to close your eyes and really picture yourself in that situation.

This procedure has been used successfully in studies of incidental anger effects on judgments, as it seems to elicit real anger that colors judgments in subsequent, unrelated tasks (Bodenhausen et al., 1994; Mauro, Sato, & Tucker, 1992).

3. Trial stimulus (Appendix A). The written trial transcript was a modified version of the euthanasia case used by Horowitz and colleagues (2006). The case involved a hospital physician, Dr. Wood, accused of the murder of Henry Bates, a terminally ill
cancer patient. Evidence suggested that Dr. Wood had performed euthanasia by administering drugs that were potentially lethal to Henry Bates, who died as a result. The evidence showed – beyond a reasonable doubt – that the drug administered by Dr. Wood was the cause of Henry Bates’ death. Hospital staff testified that Dr. Wood was upset by the patient’s suffering, and had been overheard to say that the patient was better off dead. The victim’s wife testified that she and Henry Bates both asked Dr. Wood to end the patient’s suffering. Dr. Wood confessed to administering the lethal drug. The trial stimuli were designed to (a) leave no room for reasonable doubt that Dr. Wood intended to kill Henry Bates and that he was successful in doing so, and (b) convince jurors that Dr. Wood was motivated by his desire to end Henry Bates’ suffering. This way, a not guilty verdict would be an instance of true nullification (Finkel, 2000).

In addition to the jury instructions described later, participants in the nullification instruction condition were also informed of their right to nullify by the defense attorney in his opening and closing statements. Both paragraphs are marked in bold font in the trial transcript. In the defense attorney’s opening statement, nullification mock jurors read the following paragraph in addition to the statement given to all mock jurors:

“As jurors, you are the voice of your community, and you can decide on whatever verdict you see fit. You don’t have to punish a man for trying to do a good thing, regardless of what the law says. You may not know this, but our laws also say that nobody can deny jurors their right to give a not-guilty verdict when their conscience dictates it, and no court of law can reverse such a verdict. It is called jury nullification. It means that your feelings and beliefs in this case reflect the feelings and beliefs of the community you represent, and you have the power to find the defendant not guilty if you don’t believe he acted immorally. You, the jurors, have the right, the power, and the moral duty to go beyond the law and base your decisions on your own sense of justice.”
In the defense attorney’s closing statement, nullification mock jurors read the following paragraph in addition to the statement given to all mock jurors:

“As members of the jury, you are the voice of the community and you have the right to go beyond the letter of the law in giving your verdict. Our laws are clear: Nobody can deny jurors their right to vote according to their conscience, no matter what the facts of the case are, and no matter the evidence. You don’t often hear about this power you as jurors have, but you have it. It is a part of our legal system. If you find my client, Dr. Wood, not guilty, no court of law could ever reverse that verdict. This means the law recognizes you have final say because you speak on behalf of your community, and your feelings and beliefs reflect the feelings and beliefs of your community. You should ask yourselves whether a guilty verdict in this case would serve justice. You don’t have to punish a man for trying to do a good thing, regardless what the law says. You have the power and the moral duty to vote according to your conscience.”

4. **Jury instructions and nullification instruction manipulation (Appendix B).** I used jury instructions for first-degree murder typically given by judges in the state of Illinois. The instructions contained elements of the charge of murder, admonitions to focus solely on the evidence, and reminders of the burden of proof and reasonable doubt criteria. As the nullification instruction manipulation, some jurors also read and heard this additional paragraph (Horowitz et al., 2006; Meissner et al., 2003):

“While you must give respectful attention to the laws about which you have just been instructed, you have the final authority to decide whether or not to apply a given law to the acts of the defendant on trial. As jurors you represent the community and it is appropriate to bring into your deliberation the feelings of the community and your own feelings based on your conscience. You must respect the law, that is clear. However, regardless of your respect for the law nothing should stop you from acquitting the defendant if you feel that the law, as applied to the facts and situation in this case, would lead to an injustice.”

5. **Dependent measures.**

a. **Verdicts and degree-of-guilt (Appendix C).** Participants made verdict judgments (*Guilty, Not guilty*) and rated their confidence in their verdict. Confidence in verdict is assessed on a 10-point Likert scale ranging from 1 (*not at all confident*) to 10
(extremely confident). Dichotomous guilt judgments are combined with the confidence scale to create a more sensitive 22-point degree-of-guilt scale that ranged from 1 (not guilty, extremely confident) to 22 (guilty, extremely confident), $M = 9.60$, $SD = 8.90$ (see Table 1 for descriptive statistics of continuous variables in the study).

To ensure that not-guilty verdicts in this case are instances of true nullification (Finkel, 2000), participants were asked whether the prosecution proved beyond a reasonable doubt that Dr. Wood intentionally caused the death of Henry Bates, which they did: Most participants (90%) believed that the prosecution proved legal guilt.

b. Other dependent measures (Appendix F).

1) Jurors’ understanding of nullification instructions. I assessed whether jurors understood the implications of nullification instructions for their judgments. I asked jurors whether they perceived themselves to be bound by the letter of the law when giving their verdicts, or free to follow their conscience (Niedermeier, Horowitz, & Kerr, 1999). Participants responded on a 5-point scale ranging from 1 (Not at all) to 5 (Very much) (questions 1 and 2).

2) Jurors’ anticipated emotions. To assess jurors’ anticipated emotional reactions to giving a guilty or not-guilty verdict, several items ask jurors to report their regret, satisfaction, guilt, and relief on 5-point scales ranging from 1 (Not at all) to 5 (Very much). Specifically, the questions prompted jurors to rate these emotions (a) anticipating that they would give a guilty verdict, and (b) anticipating that they would give a not-guilty verdict (questions 3 and 4).
3) Jurors’ emotions toward the defendant. These items assess jurors’ emotional reactions of sympathy, empathy, anger, and disgust toward the defendant on 6-point scales ranging from 1 (Not at all) to 5 (Very much) (questions 5-8).

4) Moral outrage scale. The 4-item moral outrage scale (Skitka, Bauman, & Mullen, 2004; Salerno et al., 2010; Wiley & Bottoms, 2009) assess the emotional reactions (outrage), beliefs (defendant is evil), and action tendencies (desire to punish) that form the construct of moral outrage. The scale ranges from 1 (Not at all) to 5 (Very much) and had good reliability in the initial sample ($\alpha = .80$, Skitka et al., 2004) and in this sample, $\alpha = .77$ (questions 9-12).

5) Perceptions of the defendant. Positive and negative perceptions of defendant were assessed (e.g., “Wood is a sympathetic physician who cares about his patients.”; “Dr. Wood is a proud man who likes to play God with his patients’ lives.”) on scales ranging from -3 (Strongly disagree) to +3 (Strongly agree) with no midpoint (questions 13-14).

6. Manipulation checks (Appendix F). Immediately after the anger induction manipulation (i.e., the recall task), participants were asked to indicate how angry they were using a 5-point adjective rating scale ranging from 1 (Not at all) to 5 (Extremely). The scale consisted of four adjectives: angry, annoyed, frustrated, and irritated. The scale was used a manipulation check in similar studies, and was found to be reliable by its authors, $\alpha = .83$ (DeSteno, Petty, Wegener, & Rucker, 2000). In this study the scale was also reliable, $\alpha = .89$, $M = 1.97$, $SD = 1.01$. I added items that describe other negative emotions in case the recalled events triggered a mix of negative emotions: sad, nervous, blue, distressed.
To ensure that participants noticed the nullification instruction manipulation, after completing the dependent measures, they answered the following question with yes or no: “Were you told verbally or in anything you read something like: you did not have to follow the law about first degree murder if you thought it was not right?”

7. Demographics (Appendix F). Participants indicated their age, gender, and citizenship status during mass testing and during the experimental session. In addition, we measured religious affiliation, religiosity (mass testing), and political orientation (experimental session).

8. Religious beliefs. Participants identified their religious denomination from a list comprising Fundamentalist Christian, Protestant, Catholic, Jewish, Islam, Hindu, Buddhist, Non-denominational/Agnostic/Spiritual, and Atheist (Hernandez, Salerno, & Bottoms, 2010). Participant also indicated their religiosity by answering the question, “How religious would you consider yourself?” on a 5-point scale ranging from 1 (Strongly not religious) to 5 (Strongly religious), $M = 2.66, SD = 1.11$. Participants also gave a behavioral indication of religiosity (“How often do you attend religious services?”) on an 8-point scale ranging from 1 (less than once a year) to 8 (once a day), $M = 4.92, SD = 1.13$ (Hernandez, Salerno, & Bottoms, 2010).

9. Political orientation. Participants answered the following question: “When it comes to politics, how liberal or conservative do you consider yourself to be?” on a 7-point scale from Extremely Liberal to Extremely Conservative with a midpoint, $M = 3.65, SD = 1.16$ (Caddell & Newton, 1995).

10. Personal experiences. Finally, we also asked jurors whether they ever served on a jury and how much they knew about trial procedure on a scale from 1 (Not at all) to
5 (Very much), and whether anyone close to them had suffered from painful terminal illness (yes/no).

C. Procedure

During mass-testing, participants in the University of Illinois at Chicago Introductory Psychology subject pool filled out the attitudes toward euthanasia (ATE) scale, demographics, and measures of religious beliefs and political orientation. Only participants who completed the mass testing questionnaires, were US citizens, and were 18 or older (i.e., jury-eligible) were able to sign up for experimental sessions in our laboratory and in department classrooms. Session size varied from two to twelve participants. Each session was randomly assigned to one of the four experimental conditions (neutral emotion/standard instructions, neutral emotion/nullification instructions, anger/standard instructions, neutral emotion/nullification instructions).

First, participants were told about the nature and duration of the study and signed informed consent forms (Appendix G). Then participants were told that, because the time allowed for the sessions was ample, they would participate in two studies. The first study (in reality, the anger induction manipulation) was presented as a study of people’s memory. Participants read along as the experimenter played the audio instructions for the memory task. Then participants filled out emotion ratings as a manipulation check for the anger induction procedure.

Next, participants were told that they would serve as mock jurors in a criminal case and they read the trial transcripts. Once all participants finished reading, the experimenter played pre-recorded standard jury instructions for first-degree murder that, for half of the participants, included a paragraph about nullification. These participants
had also then read a trial transcript that included information about their right to nullify, embedded in the defense attorney’s opening and closing statements (Appendix A). The other half of the participants did not receive any information about their right to nullify.

All mock jurors then gave their verdicts in the case and indicated the level of confidence in their verdicts. Participants then completed the other dependent measures in the same order in which they are described in the materials section of this paper. Finally, participants answered a manipulation check question as well as demographic questions (Appendix E). At end of the session, participants were debriefed (Appendix H) and asked not to discuss the experiment with anyone in their Psychology class.
III. Results

A. Preliminary Analyses

Verdicts were somewhat evenly split between *guilty* (42%) and *not guilty* (58%). Preliminary analyses revealed that gender, ethnicity, political orientation, religious beliefs, and having someone close suffer from severe pain due to terminal illness had no effects on guilt, degree of guilt, or euthanasia attitudes\(^1\). Therefore, I collapsed across gender and ethnicity and did not control for any of these factors in my analyses.

As a manipulation check for incidental anger, an independent samples t-test revealed that participants in the anger condition (*M* = 2.20) were significantly angrier than participants in the neutral condition (*M* = 1.75), *t*(129) = 2.58, *p* < .05. As for the nullification instruction manipulation check, participants who failed by indicating they had not heard or read that they can rely on their beliefs and conscience, despite being in the nullification instruction condition, were excluded. In addition, however, 27 (42%) participants in the standard condition reported that they *had* heard instructions to rely on their conscience. These participants were not excluded, because their answer cannot be attributed to lack of attention-- they did not miss any information. There is every reason to believe that actual jurors would think the same thing, given that the actual jury instructions were used, therefore excluding them might threaten the ecological validity of the study. Therefore, I conducted the main regression analyses a second time, using the manipulation check variable instead of the objective manipulation of the instructions, thus allowing participants’ subjective answers to replace the objective manipulation. That is, the 27 jurors in the standard condition who reported they had received nullification instructions were coded as being in the nullification condition. Both analyses
yielded similar results (see Tables 2 and 3), therefore the results section presents only
the analyses using the actual manipulation. This provides a more conservative test of
my hypotheses, assuming that jurors’ perceptions of what they are told are even more
likely to affect their behavior than the real instructions.

Nullification instructions had the intended effect on jurors’ perceptions of their duties
and role: (a) jurors felt more free to follow their conscience in the nullification ($M = 4.02,
SD = 0.89$) than in the standard ($M = 3.07, SD = 1.32$) condition, $t(130) = 4.81, p < .05$,
and (b) jurors felt less bound by the law in the nullification ($M = 3.15, SD = 1.01$) than in
the standard ($M = 3.67, SD = 1.27$) condition, $t(130) = -2.58, p < .05$.

**B. Hypotheses Testing**

1. **Analyses of main effects and moderation.** I used hierarchical regression
analyses to test my hypotheses about the main effects of attitudes and moderating
effects of nullification instructions and incidental anger on the relation between
euthanasia attitudes and (a) dichotomous verdicts (logistic regression, see Table 2) and
(b) continuous degree-of-guilt ratings (multiple regression, see Table 3).

   The first step of the regression analysis included euthanasia attitudes (centered),
instruction condition, and incidental anger (both dummy coded). The two-way interaction
terms were added in the second step, and the three-way interaction term was added in
the third step. As predicted, the effect of attitudes on both dichotomous verdicts ($Wald =
6.02, p = .01, OR = .55$) and degree of guilt, $B = -1.91, t(128) = -6.88, p < .01$, was
negative and significant at Step 1, indicating that pro-euthanasia jurors were less likely
to vote guilty than anti-euthanasia jurors (see Tables 2 and 3 for all results). The main
effect of nullification instructions on verdicts ($Wald = 30.76, p < .01, OR = .08$) and
degree of guilt, $B = -1.91$, $t(128) = -2.65$, $p < .01$, was also significant, with jurors who received nullification instructions being less likely to vote guilty than jurors who received standard instructions.

In Step 2, the predicted two-way interactions between attitudes and incidental anger, $B = -0.10$, $t(128) = -.07$, $ns$, and attitudes and nullification instructions, $B = 0.08$, $t(128) = .05$, $ns$, were not significant; neither was the interaction between incidental anger and instructions, $B = 1.12$, $t(128) = .41$, $ns$. The interaction terms did not explain a significant amount of additional variance, $\Delta R^2 = .001$, $F(3, 122) = 0.98$, $ns$. The same pattern held for dichotomous verdicts: None of the three two-way interactions were significant in the logistic regression, all $Walds < .15$, $ORs = .83$ to $1.05$, $ns$.

In Step 3, the main effects were qualified by the predicted significant three-way interaction effect on verdicts ($Wald = 4.04$, $p < .05$, $OR = 11.67$) and degree-of-guilt ratings, $B = 5.92$, $t(128) = 20.4$, $p < .05$, which explained a significant amount of additional variance, $\Delta R^2 = .02$, $F(3, 121) = 4.17$, $p < .05$.²

Follow-up analyses of simple slopes revealed differential effects of euthanasia attitudes on verdicts as a function of both incidental anger and jury instructions (see Figure 1). First, when mock jurors were not angry and received standard instructions, attitudes had no significant effect on verdicts ($Wald = .01$, $ns$, $OR = .96$) or degree of guilt, $B = -.030$, $t(128) = -.20$, $ns$. Second, when jurors were angry and received standard instructions, attitudes significantly (and negatively) predicted verdicts ($Wald = 3.71$, $p = .05$, $OR = .33$) and degree-of-guilt ratings, $B = -3.43$, $t(128) = -2.38$, $p < .05$. Third, when jurors were in the neutral emotion condition and received nullification instructions, attitudes marginally predicted verdicts ($Wald = 3.58$ $p = .06$, $OR = .20$) and
significantly predicted degree of guilt, $B = -3.13$, $t(128) = -2.28$, $p < .05$. Thus, pro-euthanasia jurors in both these conditions were less likely to vote guilty and endorsed lower guilt ratings than anti-euthanasia jurors. Fourth, when jurors were in the incidental anger condition and received nullification instructions, contrary to my predictions, the effect of attitudes on verdicts ($Wald = 0.17$, $ns$, $OR = .81$) and degree of guilt, $B = -.033$, $t(128) = -.22$, $ns$, was not significant. Thus, attitudes affected verdicts only when either incidental anger or nullification instructions alone exacerbated the effect, but not when both factors were present.

2. **Mediation analyses.** Because the effect of euthanasia attitudes on verdicts was significant, I tested the individual mediating role of each proposed mediator using the three steps suggested by Baron and Kenny (1986). First, I regressed verdicts and degree-of-guilt ratings on the attitudes scale. As indicated before, this effect was significant for verdicts ($Wald = 3.88$, $p < .05$, $OR = .67$) and degree of guilt, $B = -.176$, $t(128) = -2.09$, $p < .0$. Then, I regressed the mediator on the euthanasia attitudes scale. Finally, I regressed verdicts (logistic regression) and degree of guilt (multiple regression) on both the attitudes scale and the mediator, to see whether (a) the mediator significantly affected verdicts when controlling for attitudes, and (b) whether the effect of attitudes was diminished or rendered not significant by the mediator (see Table 4 for all mediation coefficients).

a. **Emotions toward the defendant.**

Sympathy for the defendant fully mediated the effect of attitudes on verdicts and degree of guilt (Table 4). Pro-euthanasia attitudes were related to feeling more sympathy for the defendant. With both variables in the equation, only sympathy was
related to lower likelihood of voting guilty and lower guilt ratings, while the effect of attitudes was rendered not significant. Empathy for the defendant also fully mediated the effect of attitudes on verdicts: The more pro-euthanasia the attitudes, the more jurors understood the defendant, and the lower the likelihood of a guilty verdict and the degree of guilt. Negative emotions (i.e., anger, disgust, and moral outrage) also fully mediated the effect of attitudes on verdicts: The more pro-euthanasia the attitudes, the less likely jurors were to feel negative emotions toward the defendant. In turn, anger, disgust, and moral outrage higher likelihood of guilty verdicts and higher degree of guilt, while attitudes were rendered non-significant (Table 4). In summary, all emotional reactions toward the defendant emerged as significant mediators of the relation between attitudes and verdicts.

To assess the mediating role of each emotional reaction to the defendant while controlling for the others, I used the Indirect SPSS macro created by Preacher and Hayes (2008). This macro uses bootstrapping techniques to calculate the indirect effect of each individual mediator with all other mediators in the equation. An indirect effect is significant if the 95% confidence interval for the coefficient does not include 0. Only empathy mediated the effect of euthanasia attitudes on verdicts above and beyond other mediators, $B = .32$, 95% CI [-1.62, -.15], bootstrap = 5000.

**b. Perceptions of the defendant.** Perceptions of the defendant, however, did not act as mediators (Table 4). Although perceiving the defendant as a sympathetic doctor who cares about patients was negatively related to guilty verdicts and degree of guilt, and perceiving him as a proud man who likes to play God was positively related to guilty verdicts and degree of guilt, neither of these beliefs were predicted by jurors’ attitudes.
c. Anticipated affect. Anticipated regret at the thought of giving a guilty verdict mediated the effect of attitudes: The more pro-euthanasia the attitude, the more regret jurors said they anticipated, and in turn the less likely they were to vote guilty. Although anticipating both satisfaction and guilt at the thought of a guilty verdict affected guilty verdicts and degree of guilt (positively and negatively, respectively), neither emotion was predicted by euthanasia attitudes. Anticipated pride and relief were unrelated to attitudes and verdict judgments (Table 4). When all mediators were assessed in parallel with degree of guilt as a dependent variable, using the Indirect macro (Preacher & Hayes, 2008), none emerged as a unique mediator above and beyond the others (all 95% CIs included 0).

Anticipated regret and guilt at the thought of giving a not guilty verdict were not mediators (not affected by attitudes) but they positively predicted verdicts: The more regret and guilt jurors anticipated at the thought of voting not guilty, the more likely they were to vote guilty and the higher the degree of guilt they endorsed (Table 4). Satisfaction and pride at the thought of voting not guilty mediated the effect of attitudes: the more pro-euthanasia the attitude, the more satisfaction and pride jurors said they anticipated, and in turn the less likely they were to vote guilty and the lower their degree-of-guilt ratings. Finally, relief was not affected by attitudes, yet it was related to verdicts: The more relief jurors anticipated as a result of voting not guilty, the less likely they were to vote guilty and the lower their guilt ratings. When all mediators were assessed in parallel with degree of guilt as a dependent variable, using the Indirect macro (Preacher & Hayes, 2008), none emerged as a unique mediator above and beyond the others (all 95% CIs included 0).
Because the mediating effect of anticipated emotion could be more pronounced in the nullification than in the standard instructions condition, I conducted moderated mediation analyses (Preacher, Rucker, & Hayes, 2007) with jury instructions as moderator of the effect of attitudes on the mediators (model 2). The conditional indirect effects did not vary by condition, therefore I concluded that instructions did not moderate these effects.
IV. Discussion

Nearly all mock jurors (90%) agreed that the prosecution had proven guilt beyond reasonable doubt, yet 58% still chose to vote not guilty -- true instances of nullification (Finkel, 2000). In light of the trial evidence, which proved beyond reasonable doubt that the defendant both intended to and did kill the patient, these results indicate the strong role extra-legal factors can play in jury decisions.

Nullification (versus standard) instructions and pro- (versus anti-) euthanasia attitudes resulted in fewer guilty verdicts. The effect of euthanasia attitudes was mediated by emotional reactions to the defendant, as well as anticipated emotions. My main hypotheses about the interactive effects of attitudes, incidental anger, and nullification instructions were largely confirmed. Namely, as predicted, when jurors were angry, or when they heard nullification instructions, their attitudes predicted both dichotomous verdicts and degree of guilt: The more pro-euthanasia the attitude, the lower the likelihood of a guilty verdict, and the lower the degree of guilt. When jurors were not angry and received standard jury instructions (control condition), attitudes had no effects on verdicts or degree of guilt. Thus, the effect of people’s attitudes on their legal judgments are contingent upon these other factors. When jurors were both angry and received nullification instructions, however, the effect of attitudes on verdicts was not significant.

A. Euthanasia Attitudes’ Effect on Verdicts

As predicted, pro-euthanasia attitudes resulted in more guilty verdicts, and anti-euthanasia attitudes resulted in fewer guilty verdicts. Thus, my findings replicate those of Meissner and colleagues (2003), and extend them to a new context, in which a doctor
is accused of killing a terminally ill patient at the patient’s direct request. Finkel, Hurabiell, and Hughes (1993) also found that jurors were most likely to nullify when there was evidence that the victim requested to die (i.e., by leaving a living will), and when the victim was extremely impaired (i.e., comatose). In these conditions, jurors who gave *not-guilty* verdicts also listed pro-euthanasia attitudes (e.g., such acts should not be unlawful because they are not immoral, the act was motivated by compassion rather than malice) as reasons for their verdicts. As the authors concluded: “In this life-and-death matter, black letter law and common sense justice were not only far apart, but, in the eyes of some [jurors], irreconcilably so” (Finkel et al., 1993, p. 487).

**B. Moderators of Euthanasia Attitudes’ Effect on Verdicts**

1. **Nullification instructions.** Jurors in the nullification condition were overall less likely to vote *guilty* and gave lower degree-of-guilt ratings than jurors in the standard condition, similar to previous research (e.g., Hill & Pfeifer, 1992; Horowitz, 1988). Nullification instructions seem to have a direct effect on verdicts by priming jurors to be more lenient. After all, the instructions are meant to allow jurors a *not guilty* verdict even though the law demands otherwise; they are not meant to do the opposite, and allow jurors to vote guilty despite a lack of evidence. Nullification instructions, however, can also lead to harsher verdicts when the crime is perceived as severe (Horowitz, 1985), and in the present case euthanasia attitudes could have affected perceptions of crime severity. In support, the main effects of nullification instructions and attitudes were qualified by a three-way interaction between instruction type, incidental anger, and attitudes. In the emotionally neutral conditions (i.e., no incidental anger), pro-euthanasia attitudes resulted in fewer guilty verdicts than anti-euthanasia attitudes, but only when
jurors received nullification instructions – the effect was non-significant in the standard instructions condition. Thus, although nullification instructions did result in more lenient verdicts overall, this effect was stronger for pro-euthanasia than for anti-euthanasia jurors, perhaps due to different perceptions of crime severity.

Surprisingly, I found no effect of attitudes on verdicts in the nullification/incidental anger condition, although I had expected the two variables to work in concert to enhance the effect of attitudes on verdicts. Although this unexpected result should be replicated before drawing strong conclusions, it is possible that nullification instructions actually reduce the biasing effect of incidental emotions by drawing jurors’ attention to the emotion and eliminating misattribution of arousal effects. In their classic paper, Schwarz and Clore (1983) found that incidental mood triggered by nice or rainy weather influenced people’s life satisfaction ratings, but only when people’s attention was not drawn to the cause of their affect. The influence of affective states on judgments is strongest when it operates outside awareness, because people do not try to control or correct for their emotions (Lerner & Tiedens, 2006). Perhaps nullification instructions (and the defense attorney’s emotional pleas) drew jurors’ attention to their own emotions, reducing their influence on judgments. Alternatively, nullification instructions directed jurors to consider their integral emotions about the case (e.g., integral anger, empathy, sympathy), which perhaps overshadowed and reduced the effects of incidental anger. In support, the misattribution effect seems limited to incidental emotion: Horowitz and colleagues (2006) found that nullification instructions encouraged jurors to rely on integral emotions elicited by case facts.
2. **Incidental anger.** When jurors heard standard instructions, angry jurors relied on their euthanasia attitudes in deciding in verdicts: The more pro-euthanasia the attitude, the lower the likelihood of guilty verdicts and the degree-of-guilt ratings. For not angry jurors, attitudes had no effect on verdicts. Thus, as predicted, incidental anger served to exacerbate the effect of pre-existing attitudes on judgments, and not only, as has been thought before (e.g., Lerner, Goldberg & Tetlock, 1998; Lerner & Tiedens, 2006; Quigley & Tedeschi, 1996), to increase punitiveness. Psychology and law researchers have rarely addressed the role of incidental emotion on judgments in a mock-trial paradigm (Feigenson, 2010), despite evidence that incidental anger reduces jurors’ reliance on legal factors (see Wiener et al. 2006). It is possible that incidental anger affects verdicts through a different, more indirect mechanism than integral anger.

Anger has been linked to other appraisals aside from punitiveness, such as perceptions of injustice and desire to restore justice (Lerner & Tiedens, 2006). In studies of integral emotion, anger always results in more punitive judgments, because punishing the target is in line with the desire to restore justice. Logically, if the target were not blameworthy, he or she would not have aroused the anger. The desire to restore justice and desire to punish, in these cases, would both lead to the same punitive reactions. Incidental emotion manipulations, however, allow isolation of anger from the eliciting stimulus, and the transfer of cognitive appraisals associated with anger to new stimuli (Quigley & Tedeschi, 1996).

I suggest that it is at this point that individual differences such as previous knowledge or attitudes come into play. Cervone (2004) proposes a personality architecture theory based on the interplay between knowledge (enduring structures
developed over time and stored in long-term memory, such as euthanasia attitudes) and appraisal (dynamic processes that work in the moment to interpret the situation in light of previous knowledge). Although developed as a personality theory, this framework might serve to explain why anger and attitudes interact. Once anger appraisals are triggered incidentally, jurors might seek a target to blame and punish, or might seek to restore justice. The same trial might be appraised differently by jurors with different backgrounds and attitudes. Specifically, angry (versus not angry) pro-euthanasia jurors might be more motivated to restore perceived injustice done to the defendant (the perceived injustice being his prosecution for an act of mercy.) In contrast, angry (versus not angry) anti-euthanasia jurors might be more motivated to blame and punish the defendant. Therefore, incidental anger would, as it did in the present study, exacerbate the effect of attitudes on verdicts instead of having a main effect of increasing guilt ratings as previous research would suggest. An assessment of appraisal tendencies could shed light on the mechanisms through which anger moderates the effect of attitudes.

There might, of course, be simpler yet less interesting explanations for this effect. Anger is associated with certainty appraisals. When people are angry they feel more certain in their opinions and judgments, and as a result are less motivated to process things carefully (Tiedens & Linton, 2001). Anger also tends to reduce cognitive capacity (Lerner & Tiedens, 2006) and increase reliance on heuristics such as stereotypes or source credibility (Bodenhausen et al., 1994). Further, attitudes tend to influence judgments more when processing capacity is low, either due to high load or due to time pressure (e.g., Giner-Sorolla, 2002). It is reasonable to predict that the same could
happen when capacity and motivation to process is low because people are angry. Thus, angry jurors might simply be more likely to rely on their euthanasia attitudes instead of thinking carefully about the case evidence or about the jury instructions.

C. Mediators of Euthanasia Attitudes’ Effect on Verdicts

I proposed several mechanisms to explain why attitudes affected verdicts. Overall, positive (sympathy, empathy) and negative (anger, disgust, moral outrage) emotions toward the defendant fully mediated the effect, suggesting that attitudes shape emotional reactions which in turn influence verdicts. From a personality architecture framework (Cervone, 2004), attitudes might serve as the stable, long-term knowledge structures that people draw upon when interpreting a specific situation. Emotional reactions to the defendant in this case could stem from jurors’ appraisals of their attitudes, in light of the trial situation. Thus, pro-euthanasia (versus anti-euthanasia) jurors felt no anger, disgust, or moral outrage because the defendant acted in line with their beliefs and therefore was not perceived as a moral transgressor. These jurors also felt more empathy because they could more easily envision themselves acting (or wanting to act) as the defendant had. Empathy emerged as the strongest emotional mediator of attitudes effects on verdicts. This is not surprising, considering that empathy for members of a group is related to positive attitudes toward that group (i.e., Vescio et al., 2003; Pedersen, Beven, Walker, & Griffiths, 2004). Both variables also affect judgments in legal cases. Attitudes toward rape and women’s role in society are related to empathy for rape victims and defendants, and empathy was related to guilt judgments in a rape case (Deitz et al., 1982).
Some anticipated emotions also mediated the effect of attitudes on verdicts. The more pro-euthanasia the jurors, the more they anticipated regret for a guilty verdict and satisfaction and pride for a not-guilty verdict, and the more likely they were to vote not guilty. Other emotions (e.g., satisfaction and guilt for a guilty verdict; regret, guilt, and relief for a not-guilty verdict) were also related to verdicts, yet not related to attitudes and thus were not mediators. Overall, jurors did not report anticipating much satisfaction for a guilty verdict, nor regret and guilt for a not-guilty verdict (see Table 1). Given the nature of this case (i.e., a non-violent crime with the intention to help), it is not surprising that jurors did not derive much satisfaction from a guilty verdicts, regardless of their attitudes. In addition, because anti-euthanasia jurors did not experience the same conflict with the letter of the law that pro-euthanasia jurors felt, they had little actual reason to anticipate giving not-guilty verdict, and any emotions deriving from such an action. Non-emotional perceptions of the defendant -- whether jurors saw his actions as a sign of his own sympathy or his pride -- were unrelated to attitudes, although they significantly predicted guilt ratings.

D. Applied Implications

Sometimes, the same emotional evidence might have different and unanticipated effects on jurors, because it is not the evidence, but rather its subjective interpretation, that shapes judgments. For example, an analysis of actual transcripts of jury deliberations revealed that emotional evidence about a defendant’s history of child abuse had very different effects on some versus other jurors’ verdicts because it was interpreted by some as a mitigating factor, and by others as an aggravating factor (Stevenson, Bottoms, & Diamond, 2010). Thus, defense attorneys who decide to
present a defendant’s abuse history in an effort to elicit sympathy might elicit negative emotions or evaluations of the defendant instead. Because this study involved actual transcripts, it could not include measures of emotions or attitudes to explain these differences. The findings showcase, however, the complexity of actual legal judgments and the need for considering moderating effects between potentially relevant variables. Results that indicate a “backfiring” or unexpected effect of emotional evidence on punitiveness or verdicts (Barnett, Brodsky, & Price, 2007) are often left unexplained, but researchers should consider measuring attitudes and beliefs that might be relevant to the case, and focus on interactive effects between these individual differences and emotions.

As for nullification instructions, whether their effects on the relation between attitudes and verdicts should be considered problematic depends on how one views the role of the jury. According to Rubenstein (2006), the legal system’s ambivalent treatment of nullification can be attributed to two such views: formalist and functionalist. The formalist view regards the jury as a fact finder whose only purpose is to match case facts to the laws, and decide whether the law was violated or not. Jurors are not meant to judge the law or to express their personal beliefs through their verdicts, and nullification instructions should be avoided because they distract jurors from case facts. The functionalist view, however, regards the jury as a means to provide “popular control over the criminal process” (Rubenstein, p. 972). Some even believe that nullification instructions would benefit disempowered groups such as racial minorities who are disproportionately affected by harsh laws (e.g., Collins-Chobanian, 2009). Thus, some legal scholars argue that nullification allows the legal system to reflect public views of
justice and morality (e.g., Finkel, 2000; Rubenstein, 2006), in which case factors such as euthanasia attitudes should legitimately be allowed to affect verdicts. For example, Dr. Jack Kevorkian was tried three times for performing physician-assisted suicide, yet he was acquitted because his actions were not perceived as morally wrong by jurors. Physician-assisted suicide is currently legal in two states (Maryland and Oregon), and the Supreme Court upheld states' rights in this matter by precluding federal prosecutors from charging physicians in these states (Gonzales v. Oregon, 2006). Because laws change to reflect societal changes in morality, allowing jurors to express their moral attitudes in verdicts is not necessarily prejudicial (Rubenstein, 2006).

In fact, unlike Horowitz and colleagues (2006), my results indicate that nullification instructions do not exacerbate the effect of unrelated biasing factors such as incidental anger. Quite the contrary, in this study nullification instructions diminished the moderating effect of incidental anger, suggesting that, by drawing people’s attention to their emotions, they might serve as a safeguard against unwarranted (i.e., incidental) emotions.

**E. Limitations**

One of the main limitations of the present study is that mock jurors did not deliberate. Deliberation is considered to increase the ecological validity of mock juror studies (Diamond, 1997), and was found to moderate the effect of attitudes on verdicts (Meissner et al., 2003). I plan to include a deliberation component in future studies. Because the study is a first step in a new line of inquiry, I intended to establish the relations between the variables of interest on an individual level, and then investigate the role of deliberation.
Another limitation is the use of an undergraduate sample, which might differ in significant ways from an older, more diverse community sample (Diamond, 1997). Bornstein (1999) found few differences in case judgments between college undergraduate and community samples, although more recent studies (e.g., Schwartz & Hunt, 2011) indicate that some legal issues (e.g., sexual harassment) might me more susceptible than others to such differences. There is no reason to believe that undergraduates have different attitudes toward euthanasia than the general population, although their attitudes might not be as strong. In the present study the sample mean (-0.18) and median (0) of the euthanasia attitudes scale were at the theoretical midpoint of the scale, suggesting an even split between pro-and anti-euthanasia participants.

The role of anticipated emotions in jurors’ judgments should be further explored, perhaps with a different methodology. Ideally, one would assess jurors’ anticipated emotions as they read the transcript, before giving the verdict. Assessing these emotions after the fact might prompt jurors to (a) make post-hoc judgments and report hypothetical emotions they never actually anticipated, or (b) evaluate their previous emotional states through the prism of a verdict they already gave, which makes their role as mediators problematic. However, evaluating emotions before assessing verdicts is impossible without losing a key aspect of the ecological validity of a juror study – assessing guilt before any other measures are artificially introduced that might bias or disrupt the natural guilt judgment.

F. Conclusion
The present study contributes new knowledge to the field of psychology and law, and to theories of emotion and decision making. This is the first study to assess the effect of attitudes on verdicts in a euthanasia case while considering the moderating effects of nullification instructions and incidental anger. My results suggest that nullification instructions encourage reliance on case relevant attitudes, but not on incidental, unrelated emotions, with implications for the “chaos in the courtroom” view of nullification. This is also the first study to show that anger is not exclusively associated with punitive tendencies, but can, in combination with pre-existing attitudes, result in more lenient verdicts. Thus, the study showcases a need for future research into the role of emotion appraisals in light of enduring knowledge structures such as attitudes. Finally, the roles of anticipated affect, empathy, and other emotional reactions as mediators of attitudes effects on verdicts were also explored for the first time.

Cited Literature


Footnotes

1 Preliminary analyses revealed that gender had no significant effect on verdicts, \( \chi^2(1, N = 132) = 0.16, \text{ ns} \), degree-of-guilt ratings, \( t(130) = -0.07, \text{ ns} \), or euthanasia attitudes, \( t(128) = 0.45, \text{ ns} \). Ethnicity had no significant effect on verdicts, \( \chi^2(4, N = 129) = .43, \text{ ns} \), degree of guilt, \( F(4, 124) = 0.88, \text{ ns} \), or euthanasia attitudes, \( F(4, 121) = 1.07, \text{ ns} \). Therefore, I collapsed across gender and ethnicity for further analyses.

Political orientation was not significantly correlated with degree of guilt, \( r(129) = .04, \text{ ns} \), or euthanasia attitudes, \( r(126)= -.16, \text{ ns} \). Religiosity was also not significantly correlated with degree of guilt, \( r(129) = .14, \text{ ns} \), or euthanasia attitudes, \( r(129)= -.15, \text{ ns} \). Therefore, I did not control for political orientation or religiosity in my analyses. In addition, whether participants had someone close suffer from severe pain due to terminal illness had no effect on verdicts, \( t(129) = 0.50, \text{ ns} \), and only a marginal effect on euthanasia attitudes, \( t(126) = 1.84, p = .07 \).

2 Analyses of variance (ANOVA) with the categorical euthanasia attitudes variable and degree of guilt revealed a similar pattern of results depicted in Figure 2, where the graphs clearly illustrate the interactive effects of incidental anger and attitudes on verdicts at the two levels of jury instructions – standard and nullification.
Table 1

Descriptive Statistics for Continuous Variables

<table>
<thead>
<tr>
<th>Variables</th>
<th>Minimum</th>
<th>Maximum</th>
<th>M</th>
<th>SD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Degree of guilt</td>
<td>1</td>
<td>22</td>
<td>9.59</td>
<td>8.89</td>
</tr>
<tr>
<td>Euthanasia attitudes</td>
<td>-3</td>
<td>+3</td>
<td>-0.08</td>
<td>0.93</td>
</tr>
<tr>
<td>Incidental anger scale</td>
<td>1</td>
<td>5</td>
<td>1.97</td>
<td>1.01</td>
</tr>
<tr>
<td>Emotions and beliefs about the defendant</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sympathy</td>
<td>1</td>
<td>5</td>
<td>3.53</td>
<td>1.22</td>
</tr>
<tr>
<td>Empathy</td>
<td>1</td>
<td>5</td>
<td>4.04</td>
<td>1.17</td>
</tr>
<tr>
<td>Anger</td>
<td>1</td>
<td>5</td>
<td>1.59</td>
<td>0.88</td>
</tr>
<tr>
<td>Disgust</td>
<td>1</td>
<td>5</td>
<td>1.53</td>
<td>1.00</td>
</tr>
<tr>
<td>Moral outrage</td>
<td>1</td>
<td>5</td>
<td>1.33</td>
<td>0.57</td>
</tr>
<tr>
<td>Defendant cares</td>
<td>-3</td>
<td>+3</td>
<td>2.07</td>
<td>1.17</td>
</tr>
<tr>
<td>Defendant plays God</td>
<td>-3</td>
<td>+3</td>
<td>-1.58</td>
<td>1.72</td>
</tr>
<tr>
<td>Anticipated emotion for guilty verdict</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regret</td>
<td>1</td>
<td>5</td>
<td>3.39</td>
<td>1.42</td>
</tr>
<tr>
<td>Satisfaction</td>
<td>1</td>
<td>5</td>
<td>1.77</td>
<td>1.10</td>
</tr>
<tr>
<td>Guilt</td>
<td>1</td>
<td>5</td>
<td>3.25</td>
<td>1.42</td>
</tr>
<tr>
<td>Pride</td>
<td>1</td>
<td>5</td>
<td>1.55</td>
<td>0.92</td>
</tr>
<tr>
<td>Relief</td>
<td>1</td>
<td>5</td>
<td>1.67</td>
<td>1.04</td>
</tr>
<tr>
<td>Anticipated emotion for not guilty verdict</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regret</td>
<td>1</td>
<td>5</td>
<td>1.77</td>
<td>1.04</td>
</tr>
<tr>
<td>Satisfaction</td>
<td>1</td>
<td>5</td>
<td>3.22</td>
<td>1.39</td>
</tr>
<tr>
<td>Guilt</td>
<td>1</td>
<td>5</td>
<td>1.73</td>
<td>1.00</td>
</tr>
<tr>
<td>Pride</td>
<td>1</td>
<td>5</td>
<td>2.47</td>
<td>1.43</td>
</tr>
<tr>
<td>Relief</td>
<td>1</td>
<td>5</td>
<td>2.92</td>
<td>1.46</td>
</tr>
</tbody>
</table>

Notes. Most variables were measured on a scale from 1 (not at all) to 5 (very much); however, beliefs and attitudes were measured on scales from -3 (very disagree) to +3 (very agree) and scale means should be considered in light of their respective ranges. For the degree-of-guilt measure, lower numbers indicate confidence in a not guilty verdict (low degree of guilt), higher numbers indicate confidence in a guilty verdict (high degree of guilt), and (theoretical) midpoints indicate zero confidence in either verdict.
### Table 2

Hierarchical Logistic Regression Results for Moderation Effects of the Predictors on Dichotomous Verdicts

<table>
<thead>
<tr>
<th>Variable</th>
<th>Nullification Condition as Assigned by Experimenter</th>
<th>Nullification Condition as per Manipulation Check Answers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Wald</td>
<td>OR</td>
</tr>
<tr>
<td><strong>Step 1</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anger</td>
<td>.38</td>
<td>.77</td>
</tr>
<tr>
<td>Instructions</td>
<td>30.76**</td>
<td>.08</td>
</tr>
<tr>
<td>Attitudes</td>
<td>6.03*</td>
<td>.55</td>
</tr>
<tr>
<td><strong>Step 2</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anger</td>
<td>.28</td>
<td>.74</td>
</tr>
<tr>
<td>Instructions</td>
<td>15.94**</td>
<td>.08</td>
</tr>
<tr>
<td>Attitudes</td>
<td>1.36</td>
<td>.61</td>
</tr>
<tr>
<td>Anger * Instructions</td>
<td>.01</td>
<td>1.05</td>
</tr>
<tr>
<td>Instructions * Attitudes</td>
<td>.15</td>
<td>.83</td>
</tr>
<tr>
<td>Anger * Attitudes</td>
<td>.01</td>
<td>.94</td>
</tr>
<tr>
<td><strong>Step 3</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anger</td>
<td>.05</td>
<td>.87</td>
</tr>
<tr>
<td>Instructions</td>
<td>14.38**</td>
<td>.06</td>
</tr>
<tr>
<td>Attitudes</td>
<td>.01</td>
<td>.96</td>
</tr>
<tr>
<td>Anger * Instructions</td>
<td>.13</td>
<td>1.43</td>
</tr>
<tr>
<td>Instructions * Attitudes</td>
<td>2.67</td>
<td>.21</td>
</tr>
<tr>
<td>Anger * Attitudes</td>
<td>2.16</td>
<td>.34</td>
</tr>
<tr>
<td>Anger * Instructions * Attitudes</td>
<td>4.04*</td>
<td>1.67</td>
</tr>
</tbody>
</table>

**Notes.** The table includes Wald statistics and Odds Ratios (OR) for hierarchical logistic regression analyses.

* $p < .05$

** $p < .01$. 
Table 3

Hierarchical Regression Results for Moderation Effects of the Predictors on Degree-of-Guilt Ratings

<table>
<thead>
<tr>
<th>Variable</th>
<th>Nullification Condition as Assigned by Experimenter</th>
<th>Nullification Condition as per Manipulation Check Answers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>B</td>
<td>SE</td>
</tr>
<tr>
<td><strong>Step 1</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anger</td>
<td>-1.22</td>
<td>1.34</td>
</tr>
<tr>
<td>Instructions</td>
<td>-9.14**</td>
<td>1.33</td>
</tr>
<tr>
<td>Attitudes</td>
<td>-1.91**</td>
<td>.72</td>
</tr>
<tr>
<td><strong>Step 2</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anger</td>
<td>-1.77</td>
<td>1.91</td>
</tr>
<tr>
<td>Instructions</td>
<td>-9.70**</td>
<td>1.91</td>
</tr>
<tr>
<td>Attitudes</td>
<td>-1.88</td>
<td>1.30</td>
</tr>
<tr>
<td>Anger * Instructions</td>
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<td>2.72</td>
</tr>
<tr>
<td>Instructions * Attitudes</td>
<td>.08</td>
<td>1.47</td>
</tr>
<tr>
<td>Anger * Attitudes</td>
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<td>1.70</td>
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<tr>
<td><strong>Step 3</strong></td>
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<td></td>
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<tr>
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<td>-1.74</td>
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</tr>
<tr>
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<td>1.89</td>
</tr>
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</tr>
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<td>2.03</td>
</tr>
<tr>
<td>Anger * Attitudes</td>
<td>-3.13</td>
<td>2.08</td>
</tr>
<tr>
<td>Anger * Instructions *</td>
<td>5.93*</td>
<td>2.90</td>
</tr>
</tbody>
</table>

Notes. The table includes unstandardized (B) and standardized (β) regression coefficients, as well as standard errors of the unstandardized coefficients (SE).

* p < .05
** p < .01.
### Table 4

*Mediators of the Euthanasia Attitudes Effect on Dichotomous Verdicts and Degree-of-Guilt Ratings*

<table>
<thead>
<tr>
<th>Mediator</th>
<th>Effect of attitudes on mediator</th>
<th>Mediator</th>
<th>Attitudes controlling for mediator</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Effect of attitudes on mediator</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>B</td>
<td>β</td>
<td>Wald</td>
</tr>
<tr>
<td>Emotions toward defendant</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
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<td>.29*</td>
<td>.21</td>
<td>7.71**</td>
</tr>
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<td>.28**</td>
<td>.23</td>
<td>14.06*</td>
</tr>
<tr>
<td>Anger</td>
<td>-.20*</td>
<td>-.21</td>
<td>17.71**</td>
</tr>
<tr>
<td>Disgust</td>
<td>-.20*</td>
<td>-.20</td>
<td>12.92**</td>
</tr>
<tr>
<td>Moral</td>
<td>-.13*</td>
<td>-.21</td>
<td>18.06**</td>
</tr>
<tr>
<td>Perceptions of defendant</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cares</td>
<td>.11</td>
<td>.09</td>
<td>14.47**</td>
</tr>
<tr>
<td>Plays God</td>
<td>-.11</td>
<td>-.06</td>
<td>15.38**</td>
</tr>
<tr>
<td>Anticipated emotion</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guilty verdict</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regret</td>
<td>.30*</td>
<td>.20</td>
<td>12.61**</td>
</tr>
<tr>
<td>Satisfaction</td>
<td>-.03</td>
<td>-.03</td>
<td>2.99</td>
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<tr>
<td>Guilt</td>
<td>.24</td>
<td>.16</td>
<td>11.39**</td>
</tr>
<tr>
<td>Pride</td>
<td>-.02</td>
<td>-.03</td>
<td>12.37</td>
</tr>
<tr>
<td>Relief</td>
<td>-.12</td>
<td>-.11</td>
<td>1.81</td>
</tr>
<tr>
<td>Not guilty verdict</td>
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<td></td>
<td></td>
</tr>
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<td>Regret</td>
<td>-.09</td>
<td>-.08</td>
<td>14.01**</td>
</tr>
<tr>
<td>Satisfaction</td>
<td>.35**</td>
<td>.24</td>
<td>15.31**</td>
</tr>
<tr>
<td>Guilt</td>
<td>-.18</td>
<td>-.17</td>
<td>10.53**</td>
</tr>
<tr>
<td>Pride</td>
<td>.30*</td>
<td>.20</td>
<td>10.79**</td>
</tr>
<tr>
<td>Relief</td>
<td>.12</td>
<td>.08</td>
<td>11.81**</td>
</tr>
</tbody>
</table>

*Notes.* The table includes (a) the multiple regression coefficients for the effect of attitudes on mediators, (b) the Wald statistic and Odds Ratios (OR) for logistic regression analyses with dichotomous verdicts as the dependent variable, and (c) unstandardized (B) and standardized (β) regression coefficients for multiple regression analyses with continuous degree of guilt as the dependent variable. The significant effect of attitudes on verdicts and degree of guilt was reported in text, and is not included here.

* p < .05

** p < .01.
**Figure 1.** Graphs of the simple slopes of euthanasia attitudes at each level of emotion manipulation and jury instructions. The first graph illustrates the simple slopes in the standard instructions condition, the second graph in the nullification condition.

* * p < .05.
Figure 2. Graphs of cell means and significant differences based on ANOVA analyses with attitudes toward euthanasia as a categorical variable.

* $p < .05$. 

Graphs showing the degree of guilt under different conditions and instruction types.
Appendix A
Trial Transcript

**Trial Summary**

Character List

This is a list of all the people involved in this trial, followed by a summary of the case. Please keep this sheet in front of you as you read the trial transcript and answer questions about the case, as it will help you remember the main actors and case facts.

**Judge Dale Lucerno**

**Henry Bates** -- The victim, 82 years old, was terminally ill with cancer and in chronic pain.

<table>
<thead>
<tr>
<th><strong>PROSECUTION</strong></th>
<th><strong>DEFENSE</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Randy Wade</strong> -- Assistant State’s</td>
<td><strong>Dr. Daniel L. Wood</strong> – The defendant,</td>
</tr>
<tr>
<td>Attorney (Prosecutor).</td>
<td>Henry Bates’ family physician, is on trial</td>
</tr>
<tr>
<td><strong>Michael Turner</strong> -- Police Detective in</td>
<td>for first degree murder for the killing of</td>
</tr>
<tr>
<td>charge of the case.</td>
<td>Henry Bates.</td>
</tr>
<tr>
<td><strong>Dr. Myron Koepke</strong> – Coroner,</td>
<td><strong>Norman Zimmer</strong> – Defense attorney for</td>
</tr>
<tr>
<td>performed the autopsy on Henry Bates.</td>
<td>the defendant, Dr. Daniel Wood.</td>
</tr>
<tr>
<td><strong>Dr. Glenn Bass</strong> -- Chief of Surgery at</td>
<td><strong>Laura Bates</strong> -- The victim’s wife, 78 years</td>
</tr>
<tr>
<td>Swedish Covenant Hospital, performed</td>
<td>old, testifies for the defense.</td>
</tr>
<tr>
<td>surgery on Henry Bates.</td>
<td></td>
</tr>
<tr>
<td><strong>Jane Foley</strong> – Nurse at Swedish</td>
<td></td>
</tr>
<tr>
<td>Covenant Hospital.</td>
<td></td>
</tr>
</tbody>
</table>

**Case Summary**

Dr. Daniel Wood is charged with the first degree murder of his patient, Henry Bates. Henry Bates was an 82-year-old terminal cancer patient suffering from severe and chronic abdominal pain. Dr. Wood had been Henry Bates’ family physician for over a year when the victim had surgery to repair a hole in his stomach on February 5, 2007. Over the next eight days, patient Bates remained under Dr. Wood’s care in the surgical intensive care unit. On the morning of February 13, patient Bates took a turn for the worse. The hospital investigated and so did the Chicago Police. The investigation took a number of months, and on January 17, 2008, Dr. Wood was
brought to trial for the murder of Henry Bates. He is accused of intentionally administering an injection of potassium chloride that caused the death of Henry Bates.

**Layout of the Trial Transcript**

The case summary you will read is based on an actual murder case. You will read summaries and transcripts of witness testimony. The prosecuting attorney is Mr. Randy Wade, the Assistant State's Attorney representing the State of Illinois. The defense attorney is Mr. Norman Zimmer representing Daniel Wood, the defendant.

The first step in the trial will be the opening statements made by the prosecutor and defense attorneys. An opening statement is not evidence. Its purpose is only to give you a brief overview of what the attorneys think are the important aspects of this case and to help you understand what the evidence will be and what the state and defense will try to prove. The questioning of the witnesses will follow.

After the witnesses testify, the prosecution and defense attorneys will make their closing statements. Just like opening arguments, closing arguments are not evidence, but you should pay close attention to them.

**Opening Statement for the Prosecution**

Assistant State’s Attorney Randy Wade:

Ladies and Gentlemen, Dr. Wood is charged with the first degree murder of his patient, Henry Bates. You will hear evidence that proves, beyond a reasonable doubt, that Dr. Wood intentionally administered a drug that led to Mr. Bates’ death in the hospital. The defendant himself admits that he did it. So the case before you is simple: Dr. Daniel Wood admits that he took his patient’s life, and the law says that is murder! No matter what the defense says to justify this action, the truth is that murder is murder, and in this country murder is against the law.

As you will hear, Dr. Wood has had an excellent reputation as a physician. He has demonstrated competence in his practice. But in this case, he overstepped his bounds as a professional. He decided he could kill Henry Bates because he was old, sick, and in pain. He thought he was committing an act of mercy. So he stopped being a doctor and decided to play the role of God. But he doesn’t get to play God! No one, whatever his or her motives, has the right to do that. In this country, we don’t go about killing people just because we feel sorry for them. That’s why we have laws; to save us from the chaos that would follow if anyone could just decide that other people should die because they are too old, too poor, or too darn miserable.

Dr. Wood is charged with murder. He admits it! He’s charged because he unlawfully took someone’s life. That’s murder and that is what the State will prove. Thank you.

**Opening Statement for the Defense**

Defense Attorney Norman Zimmerman:

As you have just heard, the State has charged my client, Dr. Daniel Wood, with
murder. The prosecutor is correct: Dr. Wood does not deny that he administered the
drug that took Henry Bates’ life. But I’m going prove to you that Dr. Wood did it
because he wanted to end his patient’s suffering and to bring relief to an old man
who was going to spend the rest of his days in pain, with no chance of ever getting
better. That, ladies and gentlemen, is not murder, it is not a crime; it is an act of
mercy!

Dr. Wood has been, as even the state acknowledges, a competent and
respected physician in this community. For a doctor as dedicated as Dr. Wood, it’s
extremely hard to see patients he cares about in so much pain, with no chance of
recovery. It’s hard to see their families struggle with the emotional hardships of
watching a loved one slowly wither away in pain and not be able to help.

Mr. Bates had been Dr. Wood’s patient for over a year. In this capacity, Dr. Wood
witnessed his patient’s pain and despair as his health deteriorated. Henry Bates was
very, very ill, and he was going to die sooner or later. He suffered every day of his life
from the pains of his terminal cancer. You will hear from Dr. Wood and from Mr.
Bates’ wife that Mr. Bates begged Dr. Wood to end his suffering, because he was too
weak to do it himself. Dr. Wood believed he had to do whatever was best for Henry
Bates. His act was an act of mercy, and he should not be punished for it.

[ONLY JURORS IN THE NULLIFICATION CONSION READ THE BOLDED
PARAGPRAH BELOW]:

As jurors, you are the voice of your community, and you can decide on
whatever verdict you see fit. You don’t have to punish a man for trying to do a
good thing, regardless of what the law says. You may not know this, but our
laws also say that nobody can deny jurors their right to give a not-guilty verdict
when their conscience dictates it, and no court of law can reverse such a
verdict. Your feelings and beliefs in this case reflect the feelings and beliefs of
the community you represent, and you have the power to find the defendant
not guilty if you don’t believe he acted immorally. You, the jurors, have the
right, the power, and the moral duty to go beyond the law and base your
decisions on your own sense of justice.

[ALL JURORS READ THE LAST SENTENCE BELOW]:

In this case, justice dictates that you find my client, Dr. Wood, not guilty.
Prosecution Witnesses

**Summary of County Coroner Dr. Myron Kopeke’s Testimony**

Dr. Myron Kopeke, the County Coroner, testified that he performed an autopsy on Henry Bates’ body and concluded that the victim had died of an overdose of potassium chloride. Although the victim suffered from many other health issues, the potassium chloride was the immediate cause of death.

**Summary of Dr. Glen Bass’ Testimony**

Dr. Glen Bass, the chief of surgery at Swedish Covenant Hospital, testified that he performed surgery on Mr. Henry Bates. The patient remained in the intensive care unit after the surgery under the care of his family physician, Dr. Wood, and of Dr. Bass. On February 13th, Henry Bates took a turn for the worse. Dr. Wood arrived at the hospital later that morning, and took over Henry Bates’ treatment. Dr. Wood seemed very eager to take over the treatment, and he insisted that he would oversee the patient himself. Although Dr. Wood was the primary physician, Dr. Glen Bass found his insistence suspicious because it was contrary to hospital regulations for a doctor other than the surgeon to make decisions while patients were recovering from surgery in the intensive care unit.

The defense attorney cross-examined Dr. Bass. The cross examination established that Mr. Bates was in severe pain not only as a result of the surgery, but also because of his terminal cancer. Dr. Bass also testified that the patient could have lived for a few weeks or months, and that his level of pain would have increased over time until he was eventually going to die of cancer.

**Testimony of Nurse Jane Foley**

**PROSECUTOR:** The State calls Ms. Jane Foley. We have already heard testimony about the events of February 13, 2007. What happened after you were left alone with Dr. Wood and the patient Henry Bates?

**JANE FOLEY:** Well, Dr. Wood examined Mr. Bates and concluded that his body was not absorbing the potassium chloride solution administered earlier by Dr. Bass. Dr. Wood then said there was not much we could do for the patient at that point.

**PROSECUTOR:** Then what happened?

**JANE FOLEY:** Dr. Wood asked me to go and prepare a cannula needle, a hollow needle commonly used to remove fluid from a patient’s lungs.

**PROSECUTOR:** To your knowledge, did Mr. Bates have liquid in his lungs at this time?

**JANE FOLEY:** Not to my knowledge, no. I thought it was strange for Dr. Wood to request it, but I started to go prepare it anyway. I wasn’t going to question a doctor’s decisions.

**PROSECUTOR:** And is this cannula needle commonly kept in hospital rooms in the intensive care unit?
JANE FOLEY: No, it is not. Which is why I had to leave the room and go to the surgical ward. But after I left, I thought maybe I had misunderstood his request so I went back to double check with him.

PROSECUTOR: And what did you see when you returned to Mr. Bates’ room?

JANE FOLEY: I saw Dr. Wood holding an empty syringe. When I walked back in, he seemed surprised that I had returned. I started to explain why I came back, but in the meantime Mr. Bates’ heart monitor started beeping, and then flat-lined. We didn’t have time to discuss the cannula at that point.

PROSECUTOR: What happened next?

JANE FOLEY: Mr. Bates died soon after despite efforts by Dr. Wood to revive him.

PROSECUTOR: What efforts did Dr. Wood make?

JANE FOLEY: Well, Dr. Wood gave the patient a couple of quick precordial thumps, you know, pressing his chest to stimulate a heartbeat, and then he stopped. I was surprised.

PROSECUTOR: Why was that?

JANE FOLEY: Because sometimes it takes a while to resuscitate a patient and Dr. Wood only spent a few seconds trying.

PROSECUTOR: So what did you do?

JANE FOLEY: Well, Dr. Weingard -- another surgeon who was doing his rounds nearby -- came in, and he and I took over and called for more help.

PROSECUTOR: How long did you two continue to try?

JANE FOLEY: Four or five minutes. But it was no use.

PROSECUTOR: What was Dr. Wood doing during that four or five minutes?

JANE FOLEY: He was just standing there, watching. At some point he said we should just stop and let the poor man go, that he would be better off.

PROSECUTOR: That is all. Thank you, Ms. Foley.

Cross-Examination of Nurse Jane Foley by the Defense

DEFENSE: How long had Mr. Bates been in the intensive care unit before he died?

JANE FOLEY: About a week.

DEFENSE: And you had been nursing him throughout that time?

JANE FOLEY: Yes.

DEFENSE: Was he in a lot of pain?

JANE FOLEY: Yes, and not just from the surgery. Mr. Bates also had cancer and was in pretty constant pain from that illness.

DEFENSE: How did Dr. Wood treat that illness?

JANE FOLEY: Well, Mr. Bates was in-between chemotherapy treatments, so the only treatment Dr. Wood ordered for the cancer was pain medication. He ordered that Mr. Bates be given painkillers whenever he asked for them. He said it’s a shame but there’s nothing we can do except try to reduce his suffering.

DEFENSE: And did Mr. Bates often request more pain killer?

JANE FOLEY: Yes, every few hours.

DEFENSE: And what pain killer was he receiving?

JANE FOLEY: Morphine injections.
DEFENSE: Was it your impression that Dr. Wood treated Mr. Bates with compassion throughout his stay in the hospital?
JANE FOLEY: Yes, he was very compassionate. He told me how sorry he felt for the patient on a couple of occasions. We both witnessed the patient, Mr. Bates, crying and saying he just wanted the pain to stop, that he wanted to die. And his wife was there every day, asking us to do something for him, to ease his pain. It's hard for all of us to witness this kind of situation.
DEFENSE: Was it your impression that Dr. Wood’s administering the injection was motivated by a desire to reduce the patient’s suffering?
JANE FOLEY: That was my impression, yes.
DEFENSE: Thank you. No more questions.

Re-direct Examination of Nurse Foley by the Prosecutor

PROSECUTOR: Nurse Foley, you said it is hard for all medical staff to watch patients suffer. Did you ever think that gives you the right to take a patient’s life?
JANE FOLEY: No, never. Our duty is to treat patients, make them better or just help them with pain management.
PROSECUTOR: Thank you, no further questions. The prosecution rests.

Defense Witnesses

Testimony of Mrs. Laura Bates

DEFENSE: The defense calls Mrs. Laura Bates. Mrs. Bates, what was your relationship to Henry Bates?
LAURA BATES: He was my husband. We had been married for 47 years.
DEFENSE: Mrs. Bates, how long ago did your husband become ill?
LAURA BATES: Henry was diagnosed with stomach cancer in 2005, two years before he died.
DEFENSE: And how long has Mr. Bates been Dr. Wood’s patient?
LAURA BATES: Ever since we came to Swedish Covenant, about a year before he died.
DEFENSE: And how was your husband’s health during this last year?
LAURA BATES: Oh, he was so sick, he was suffering so much. He had to go through some very aggressive chemotherapy treatments, but they were not working. The cancer had spread to his bones. He was in constant pain and he was sick and nauseated almost all the time. Over the last few months, he cried almost every day. Some days he couldn’t even walk. He told me he felt this disease was taking away his dignity, you know, he felt so helpless all the time.
DEFENSE: It must have been hard for you. During this year, how many times did your husband see Dr. Wood?
LAURA BATES: About 12 times... We came to see him once a month, the doctor wanted to monitor Henry closely. He was very dedicated.
DEFENSE: And so Dr. Wood had many occasions to observe what your husband was going through?
LAURA BATES: Yes, he did.
DEFENSE: Mrs. Bates, what happened on February 5, 2007?
LAURA BATES: My husband told me he felt worse than usual, he had acute stomach pains so we rushed to the hospital. The doctors told us he had a hole in his stomach wall, which caused an infection, and he needed surgery. So Dr. Glen Bass performed the surgery, and after that Henry stayed in intensive care until he died. That week was the most horrible week of our lives.
DEFENSE: Worse than before?
LAURA BATES: Well, he was in constant pain at this point, he had to have morphine injections every few hours so he was either unconscious or in horrible pain. They told us that even if he recovered from surgery, the cancer was so advanced they would have to keep him on morphine until the end.
DEFENSE: And did Dr. Wood come to see him in intensive care?
LAURA BATES: He came every day, yes.
DEFENSE: And did your husband ever ask Dr. Wood to help him end his suffering, you know, help him die?
LAURA BATES: He did. We both did. Henry had asked me before the surgery, he said he wanted to die and asked me to help. But I couldn't do it. Then four days after the surgery, when we found that there was really no hope of getting better, he told me he was going to ask Dr. Wood. The next day I talked to Dr. Wood myself.
DEFENSE: Can you tell us more about that conversation, with Dr. Wood I mean?
LAURA BATES: Henry was asleep when Dr. Wood came in to check on him, so I asked him to do something to end my husband’s suffering, to just, you know, give him something like more morphine, to make him go peacefully. It was not easy to ask, and I knew this was so much to ask of somebody, but he was our only hope. At first the doctor told me we had to be strong, but I could tell he was also very distressed over Henry’s pain.
DEFENSE: Did Dr. Wood seem surprised when you asked him to kill your husband?
LAURA BATES: No, he seemed almost prepared for it. Henry had already asked him a few times before.
DEFENSE: Mrs. Bates, how do you feel about what Dr. Wood did?
LAURA BATES: Thankful. I feel thankful. I miss my Henry, but he’s in a much better place now.
DEFENSE: Thank you, no further questions.

Cross-examination of Mrs. Laura Bates by the Prosecutor

PROSECUTOR: Mrs. Bates, you told us how hard it was for you to see your husband suffer, and I can’t imagine what you went through. But despite all this, you said you could not bring yourself to kill him, is that right?
LAURA BATES: I thought about it, after he asked. But I just could not do it, go through the motions.
PROSECUTOR: Is that because you knew killing someone is wrong, no matter what the reason?
LAURA BATES: I didn’t think it would be wrong, no. I just didn’t know how I could do it.
PROSECUTOR: No further questions. Thank you, Mrs. Bates.

Testimony of Dr. Daniel Wood

DEFENSE: Dr. Wood, would you please state your full name and professional background.
DANIEL WOOD: My name is Daniel Wood. I am a medical doctor. I earned my undergraduate degree at Wofford College and my medical degree at the University of Chicago.
DEFENSE: How long have you been a doctor?
DANIEL WOOD: Fifteen years.
DEFENSE: You have been charged with murdering Mr. Bates by injecting him with a lethal dose of potassium chloride. Did you?
DANIEL WOOD: I injected Henry with potassium chloride, but I don’t think what I did was murder.
DEFENSE: Why did you do it?
DANIEL WOOD: Henry Bates was in constant and severe pain, with no real prospect of any improvement. He was given morphine every few hours. He was in and out of consciousness. He had to be changed and fed. His wife couldn’t care for him properly, it was just too much for her to handle. When he was conscious, I would see him crying because he was either in pain, or afraid of the pain that he knew would come back. One day, I think he had been here for four or five days, he told me he wanted me to help end his life. He asked me so many times. And his wife, Mrs. Laura Bates, also talked to me and she asked me to help her husband out of his suffering. At first I said no, my job is to make people better, that’s what I believe in. But then I thought about it. This man had spent the last two years of his life in and out of hospitals, he was suffering and sick from cancer and from the side effects of chemotherapy, we was never going to get better. I felt that he deserved to die with dignity.
DEFENSE: When did you decide that you were going to do what Mr. Bates and his wife asked you?
DANIEL WOOD: Like I said, at first I wouldn’t consider it. But after Mrs. Bates talked to me, I couldn’t sleep and I kept thinking about, you know, what kind of life does this man have at this point? He was in so much pain, nobody deserves that. When you see as much pain and suffering as I have on a daily basis for the last 15 years, you really think about life and death in a different light.
DEFENSE: How is that?
DANIEL WOOD: Well, you just don’t think that life is better than death no matter what. You start to understand patients who say they would rather die than suffer through it.
DEFENSE: Thank you, Dr. Wood.

Cross Examination of Dr. Daniel Wood by the Prosecutor
PROSECUTOR: Dr. Wood, you admitted to killing Henry Bates. You made that decision and then carried it through, is that right?
DANIEL WOOD: I followed through with what Henry asked of me, yes.
PROSECUTOR: Did you consider that what you were doing was illegal?
DANIEL WOOD: I knew it was illegal, but I don’t think it was wrong.
PROSECUTOR: If you didn’t think what you were doing was wrong, why did you send Nurse Foley away on a fake task? Why not inject Henry Bates in front of her?
DANIEL WOOD: I didn’t want anyone else to have to be involved or get blamed for it.
PROSECUTOR: Wasn’t it because you were trying to cover your tracks, get away with it? Isn’t that why you used the same substance that Dr. Bass had administered before?
DANIEL WOOD: Well, I didn’t want to be charged with murder for helping my patient, no.
PROSECUTOR: Do you consider killing a form of help?
DANIEL WOOD: In this case, where there was nothing in my power to make my patient better, I think I helped him, yes.
PROSECUTOR: Dr. Wood, as a doctor, you’re usually in control of your patients’ health, is that right?
DANIEL WOOD: It depends. Some patients respond to our treatments, some don’t. I can’t say that as doctors we’re always in control.
PROSECUTOR: You said there was nothing in your power to make Henry Bates better. Did that upset you, that you were powerless?
DANIEL WOOD: Yes, it did.
PROSECUTOR: So you decided to play God and put Henry Bates out of his misery.
DANIEL WOOD: I did what I thought was in the best interests of my patient. Mr. Bates was gravely ill and could have died at any time, with or without my actions.
PROSECUTOR: So it was ok to kill him if he was going to die anyway, right?
DANIEL WOOD: That wasn’t why I gave him the potassium chloride. I did it because in his case death was a relief.
PROSECUTOR: Thank you Dr. Wood. I have no further questions.

Closing Arguments for the Prosecution (Mr. Wade)

Ladies and Gentlemen: Dr. Wood is on trial here for murder, and there is no doubt that he murdered Henry Bates. He himself confesses to doing it, and he’s not even sorry for taking this man’s life! The defense argues that what he did was not murder, but I ask you: How is it anything but murder? Dr. Wood decided he would take it upon himself to kill Henry Bates. He waited for the right opportunity. He sent Nurse Foley away from the room so he could inject the patient without witnesses. He chose a solution that had been previously administered within hospital regulations by Dr. Glen Bass, and he did that so the autopsy wouldn’t show suspicious traces. He knew what he was doing was illegal, wrong, and against his very oath as a doctor. That’s why he tried to hide it. If he knew it was wrong, how can he expect you to think it’s right?

Now, let’s talk about his motive. The defense says this was a mercy killing. I’m sure Dr. Wood felt sorry for his patient. But feeling sorry is not a license to just go ahead and kill someone. Think about it, and think about the implications of letting Dr. Wood get
away with this crime. It’s a slippery slope. It means that we, as a society, think that it’s OK for people to decide when and how others should die. What if a doctor decided that life in a wheelchair was not worth living, that the patient would be better off dead? Dr. Wood thought he could play God and decide when and how Henry Bates should die, and all in the name of mercy. But he was wrong. People are not dogs. You can’t decide to put people out of their misery. One darn good reason is that it is against the law. It is murder. Such behavior flies in the face of moral behavior. We don’t do it because it violates the norms of a civilized society.

There is no doubt. Dr. Wood killed Mr. Bates. Does it matter that Mr. Bates might have died anyway, or would have died in the near future? No, murder is murder. Ladies and gentlemen, the state has met its burden in this case. We have shown, beyond any reasonable doubt, that Dr. Wood planned to commit this murder. Dr. Wood violated his oath as a doctor, a healer and a care-giver, as well as the laws of this state when with malice and premeditation he murdered Mr. Bates. He thought he could get away with it, first by hiding it, then by appealing to your emotions. It’s your duty to prove him wrong. Your duty now is to convict this murderer. Just follow the law. Thank you.

**Closing Arguments for the Defense**

Ladies and Gentlemen of the jury: The prosecution will have you believe that Dr. Wood was a proud man, who decided to play God with his patient’s life. But nothing could be further from the truth. Dr. Wood did not take his role as a doctor lightly. He was deeply committed to his oath to help patients and to heal them. But, sometimes, healing is not an option. Sometimes, all a doctor can do when he sees an old, sick, scared man is try to end his suffering.

You heard the testimonies of Nurse Foley and Mrs. Laura Bates: Mr. Bates was in constant pain, with no chance of getting better. Even if he survived the critical, post-surgery stage, he would have died of cancer sooner or later, and he would never get better or live a life without pain. You should view my client’s actions as a measure of his commitment and compassion. Dr. Wood had treated Mr. Bates for a year, and in that time he developed a relationship with his patient, and a sense of duty to him and his devoted wife.

Imagine how hard it must have been to see this old, suffering man cry and beg in his helplessness and pain. Mr. Bates cried and asked Dr. Wood to end his suffering. He had asked his wife, Laura, and you heard her say she wanted to do it, and believed it was the best possible option for her husband. You heard her say she is thankful for what Dr. Wood did.

Do not think that Dr. Wood took this decision lightly. You heard his testimony: He struggled with his duty to his patient and his duty to obey the rules of his profession. He lost sleep. And he came to a decision. He decided that he would listen to his patient’s request and end his life in a humane, compassionate manner. This doctor risked his career and his freedom to help his patient. Yes, Dr. Wood broke hospital rules when he administered the injection, but he did so because he put his patient’s best interest above all else. Dr. Wood is not a murderer. He should not be punished for an act that was entirely motivated by compassion and by a desire to help.
As members of the jury, you are the voice of the community and you have the right to go beyond the letter of the law in giving your verdict. Our laws are clear: Nobody can deny jurors their right to vote according to their conscience, no matter what the facts of the case are, and no matter the evidence. If you find my client, Dr. Wood, not guilty, no court of law could ever reverse that verdict. This means the law recognizes you have final say because you speak on behalf of your community, and your feelings and beliefs reflect the feelings and beliefs of your community. You don’t often hear about this power you as jurors have, but you have it. You should ask yourselves whether a guilty verdict in this case would serve justice. You don’t have to punish a man for trying to do a good thing, regardless what the law says. You have the power and the moral duty to vote according to your conscience.

In this case, your conscience will tell you that what Dr. Wood did may have been illegal, but it was certainly not immoral. Do not punish a dedicated doctor for an act of compassion.
Appendix B

Jury Instructions

**DIRECTIONS:** The following are the jury instructions that are used in the state of Illinois. Please read every word and pay close attention because these instructions are very complex. You should follow them when delivering your verdict. It is very important that you read through these very carefully and understand them before delivering a verdict.

**THE JUDGE’S INSTRUCTIONS TO YOU, THE JURY**

Members of the jury, the evidence and arguments in this case have been completed, and I now will instruct you as to the law. The law that applies to this case is stated in these instructions, and it is your duty to follow all of them. You must not single out certain instructions and disregard others. It is your duty to determine the facts and to determine them only from the evidence in this case. You are to apply the law to the facts and in this way decide the case. Neither sympathy nor prejudice should influence you. The evidence which you should consider consists only of the testimony of the witnesses in this case. You should consider all the evidence in light of your own observations and experience in life. By these instructions I do not mean to indicate any opinion as to the facts or as to what your verdict should be. Faithful performance by you of your duties as jurors is vital to the administration of justice.

The defendant is presumed to be innocent of the charge against him of first degree murder. This presumption remains with him throughout every stage of the trial and during your deliberations on the verdict. This presumption is not overcome unless, from all the evidence in this case, you are convinced beyond a reasonable doubt that the defendant is guilty. The State has the burden of proving that the defendant is guilty of first degree murder, and this burden remains on the State throughout the case. The defendant is not required to prove his innocence.

Only you are the judges of the believability of the witnesses and of the weight to be given to the testimony of each of them. In considering the testimony of any witness, you may take into account his or her ability and opportunity to observe, age, memory, manner while testifying, any interest, bias, or prejudice he or she may have, and the reasonableness of his or her testimony considered in the light of all the evidence in the case. You should judge the testimony of the defendant in the same manner as you judge the testimony of any other witness.

*PLEASE TURN OVER AND CONTINUE READING*
YOU HAVE TWO VERDICT OPTIONS IN THIS CASE:

- FIND THE DEFENDANT, Dr. WOOD, GUILTY OF FIRST-DEGREE MURDER.
- FIND THE DEFENDANT, DR. WOOD, NOT GUILTY.

To sustain the charge of first degree murder, the State (the Prosecution) must prove the following Propositions:

1. *First Proposition:* That the defendant, DR. WOOD, performed the acts which caused the death of Henry Bates.

   AND

2. *Second Proposition:* That when the defendant, DR. WOOD, did so
   [1] he intended to kill or do great bodily harm to Henry Bates.
   [or]
   [2] he knew that such acts would cause death to Henry Bates.
   [or]
   [3] he knew that such acts created a strong probability of death or great bodily harm to Henry Bates.

If you find from your consideration of all the evidence that any one of these propositions has not been proved beyond a reasonable doubt, you should return a verdict of NOT GUILTY.

If you find from your consideration of all the evidence that each one of these propositions has been proved beyond a reasonable doubt, you should return a verdict of GUILTY.

[ ONLY JURORS IN THE NULLIFICATION INSTRUCTION CONDITION READ THIS ADDITIONAL PARAGRAPH]:

**NOTE:** While you must give respectful attention to the laws about which you have just been instructed, you have the final authority to decide whether or not to apply a given law to the acts of the defendant on trial. As jurors you represent the community and it is appropriate to bring into your deliberation the feelings of the community and your own feelings based on your conscience. You must respect the law, that is clear. However, regardless of your respect for the law nothing should stop you from acquitting the defendant if you feel that the law, as applied to the facts and situation in this case, would lead to an injustice.
Verdict Judgments

Please answer the following questions bearing in mind the jury instructions you just read:

1. Do you find the defendant NOT GUILTY or GUILTY? Please circle ONE:

   NOT GUILTY

   GUILTY

2. How confident are you in your verdict? Please circle ONE:

   0%    10%    20%    30%    40%    50%    60%    70%    80%    90%    100%

   Not at all

   Confident

   Completely

   Confident

3. Regardless of how you just voted, do you think that the prosecution proved beyond a reasonable doubt that the defendant, Dr. Wood caused the death of his patient, Henry Bates?

   YES

   NO

4. Please list three reasons you decided on your verdict (in order of importance):

   Reason 1

   Reason 2

   Reason 3
Appendix D

Attitudes toward Euthanasia Scale

(Wasserman, Clair, & Ritchey, 2005)

Please use the following scale to indicate how much you agree with the following statements.

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<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>19.</td>
<td>It is okay for a doctor to administer enough medicine to end a patient’s life if the doctor does not believe that the patient will recover.</td>
<td>-3 -2 -1 0 1 2 3</td>
</tr>
<tr>
<td>20.</td>
<td>If a patient in severe pain requests it, a doctor should prescribe that patient enough medicine to end their life.</td>
<td>-3 -2 -1 0 1 2 3</td>
</tr>
<tr>
<td>21.</td>
<td>It is okay for a doctor to administer enough medicine to a suffering patient to end that patient’s life if the doctor thinks that the patient’s pain is too severe.</td>
<td>-3 -2 -1 0 1 2 3</td>
</tr>
<tr>
<td>22r.</td>
<td>Even if a doctor does not think that a patient will recover, it would be wrong for the doctor to end the life of a patient.</td>
<td>-3 -2 -1 0 1 2 3</td>
</tr>
<tr>
<td>23.</td>
<td>If a dying patient requests it, a doctor should prescribe enough medicine to end the patient’s life.</td>
<td>-3 -2 -1 0 1 2 3</td>
</tr>
<tr>
<td>24r.</td>
<td>Even if a doctor knows that a patient is in severe, uncontrollable pain, it would be wrong for the doctor to end the life of that patient.</td>
<td>-3 -2 -1 0 1 2 3</td>
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</tbody>
</table>

Note: Items 22 and 24 were reverse-coded.
Appendix E

Other Measures

NOTE TO COMMITTEE: The headings in this appendix are for your convenience only and were not used in the actual materials given to participants. The items are in the order in which they were presented to participants.

 Jurors’ understanding of nullification instructions.

1*. In reaching your verdict, how free did you feel to follow your conscience?

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<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
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<td>Not at all free</td>
<td>Slightly free</td>
<td>Moderately free</td>
<td>Free</td>
<td>Very free</td>
<td></td>
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</table>

2*. In reaching your verdict, how obligated or bound did you feel to follow the law about first-degree murder?

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<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not at all</td>
<td>Slightly</td>
<td>Moderately</td>
<td>Much</td>
<td>Very much</td>
<td></td>
</tr>
</tbody>
</table>


 Jurors’ anticipated emotions.

NOW, REGARDLESS OF YOUR VERDICT, PLEASE THINK BACK TO WHEN YOU WERE READING THE TRIAL TRANSCRIPT. WHILE READING IT, YOU WERE PROBABLY TRYING TO DECIDE WHETHER YOU’D GIVE A GUILTY OR NOT GUILTY VERDICT.

3. At that time, how did you imagine giving a GUILTY verdict would make you feel? (Please circle ONE answer for each emotion)

<table>
<thead>
<tr>
<th></th>
<th>Not at all</th>
<th>A little</th>
<th>Moderate</th>
<th>Much</th>
<th>Very much</th>
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<tbody>
<tr>
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<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Satisfaction</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Guilt</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Pride</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Relief</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>
4. At that time, how did you imagine giving a NOT GUILTY verdict would make you feel? (Please circle ONE answer for each emotion)

<table>
<thead>
<tr>
<th></th>
<th>Not at all</th>
<th>A little</th>
<th>Moderate</th>
<th>Much</th>
<th>Very much</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regret</td>
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<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Satisfaction</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
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<tr>
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<tr>
<td>Pride</td>
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<tr>
<td>Relief</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

**Jurors' feelings toward the defendant.**

PLEASE ANSWER EACH OF THE FOLLOWING QUESTIONS ABOUT YOUR FEELINGS TOWARD THE DEFENDANT, DR. WOOD, BY CIRCLING ONLY ONE ANSWER FOR EACH STATEMENT:

5. I feel sorry for the defendant, Dr. Wood.
   - 1  2  3  4  5
   - Not at all  Slightly  Moderately  Much  Very much

6. I feel angry at the defendant, Dr. Wood.
   - 1  2  3  4  5
   - Not at all  Slightly  Moderately  Much  Very much

7. I feel disgusted by the defendant, Dr. Wood.
   - 1  2  3  4  5
   - Not at all  Slightly  Moderately  Much  Very much

8. I feel like I understand why the defendant, Dr. Wood, acted the way he did.
   - 1  2  3  4  5
   - Not at all  Slightly  Moderately  Much  Very much

**Jurors' feelings of moral outrage toward the defendant.**

9. I feel a compelling need to punish the defendant, Dr. Wood.
   - 1  2  3  4  5
   - Not at all  Slightly  Moderately  Much  Very much
10. I feel a desire to hurt the defendant, Dr. Wood.

Not at all  Slightly  Moderately  Much  Very much

11. I believe the defendant, Dr. Wood, is evil to the core.

Not at all  Slightly  Moderately  Much  Very much

12. I feel morally outraged by what the defendant, Dr. Wood, did to his patient, Henry Bates.

Not at all  Slightly  Moderately  Much  Very much

Jurors’ perceptions of the defendant.

PLEASE INDICATE HOW MUCH YOU AGREE OR DISAGREE WITH THE FOLLOWING STATEMENTS BY CIRCLING ONE ANSWER OPTION FOR EACH QUESTION.

13. Dr. Wood is a sympathetic physician who cares about his patients.

Strongly Disagree  Somewhat Disagree  Somewhat Agree  Agree  Strongly Agree

14. Dr. Wood is a proud man who likes to play God with his patients’ lives.

Strongly Disagree  Somewhat Disagree  Somewhat Agree  Agree  Strongly Agree
Appendix F

Manipulation Check and Demographics

**Manipulation check for jury instructions.**

Were you told in anything you read that regardless of your respect for the law nothing should stop you from giving a not guilty verdict if you feel that the law would lead to an injustice in this case, or something similar to this statement?

YES  NO

**Demographics.**

**a. From mass testing.**

What is your **current religion**? That is, what is your current denominational preference? Please circle **ALL THAT APPLY:**

- Fundamentalist
- Protestant
- Catholic
- Jewish
- Islam
- Hindu
- Buddhist
- Non-denominational
- Atheist / Agnostic/Spiritual
- Jewish
- Buddhist
- Hindu
- Non-denominational
- Atheist / Agnostic/Spiritual

How religious do you consider yourself to be?

- Not at all religious
- Slightly religious
- Moderately religious
- Religious
- Very religious

How often do you **attend** religious services? Please circle **ONE:**

- Never
- Less than once a year
- About once a year
- A few times a year
- About once a month
- A few times a month
- About once a week
- A few times a week
- Once a day

Your age ____________

Your gender (please circle ONE):  MALE  FEMALE

Are you a US citizen? (please circle ONE):  YES  NO
b. From the experimental sessions.

Your Ethnicity/ Race (Please check ALL THAT APPLY):

____ American Indian or Alaska Native
____ Asian
____ Black or African American
____ Native Hawaiian or Other Pacific Islander
____ White
____ Hispanic
____ Other: Please specify______________

When it comes to politics, how liberal or conservative do you consider yourself to be? Please circle ONE:

<table>
<thead>
<tr>
<th>Extremely Liberal</th>
<th>Liberal</th>
<th>Slightly Liberal</th>
<th>Moderate</th>
<th>Slightly Conservative</th>
<th>Conservative</th>
<th>Extremely Conservative</th>
</tr>
</thead>
</table>

Relevant personal experiences.

Have you ever served on a jury in a court of law?

YES  NO

Some people know more about courtrooms and about trial procedures, and other people know less. How much do you think you know about trial procedure?

1 2 3 4 5
Not at all Slightly Moderately Much Very much

Has a close friend, family member, or anyone else close to you suffered from significant pain from a terminal illness?

YES  NO
Appendix G

Informed Consent

University of Illinois at Chicago
Consent for Participation in Research
“Jurors' Beliefs About Criminal Cases”

Why am I being asked?

You are being asked to be a subject in a research study about how jurors make decisions in criminal cases. This research is being conducted by Professor Bette L. Bottoms and Liana Peter-Hagene in the Department of Psychology at the University of Illinois at Chicago. You have been asked to participate in the research because you are enrolled in Psychology 100, you are at least 18 years of age or older, you have participated in mass testing, and you are a U.S. citizen. Please read this form and ask any questions you may have before agreeing to participate in the research.

What is the purpose of this research?

The purpose of this research is to examine lay persons’ legal case judgments in trials.

What procedures are involved?

If you agree to be in this research, we would ask you to do the following things:

You will complete a biographical memory task and write about a specific life event.

You will play the role of a “mock juror” and read about a doctor who is charged with a crime. You will then indicate your individual verdict preference, as well as other case-relevant judgments. You will also complete a demographic questionnaire. Finally, you will be debriefed about the purposes of and psychological theory behind this experiment.

This experiment will take about 1 hour to complete. Approximately 240 students will be involved in this research at UIC.

What are the potential risks and discomforts?

We believe that the current study poses minimal or no risk to you. You may be asked to remember things that made you angry or upset in the past. You may feel uncomfortable reading about crimes, but there are few graphic details. In any case, the cases are not more graphic than reports of crimes that you encounter in every day life while watching television programming, movies, or reading the newspaper.

Also, you may worry about your questionnaire responses being identified. The only way that your questionnaire responses may be identified is through your PIN that is assigned
to you confidentially by the Psychology Department Subject Pool. This PIN will be
destroyed so that your questionnaire data will become anonymous.

Are there benefits to taking part in the research?

Through the debriefing procedure at the end of the experiment, you will receive an
educational benefit: You will learn more about research involving psychology and law
and how jurors make decisions in criminal court cases. The knowledge from this study
could potentially benefit society as well. That is, such research advances the goal of
ensuring fair trials. The research also adds to basic social psychological knowledge.

What other options are there?

You do not have to participate in this study if you do not want to. You may participate in
another experiment, or write a paper or an annotated bibliography for Psychology
Experience Credit in place of participating in this experiment.

What about privacy and confidentiality?

The only people who will know that you are a research subject are members of the
research team. No information about you, or provided by you during the research, will
be disclosed to others without your written permission, except:

- if necessary to protect your rights or welfare (for example, when the UIC
  Institutional Review Board monitors the research or consent process); or

- if required by law.

All data collected during this experimental session will be kept in a locked laboratory,
either in storage units or in computer data files. Only the principal investigators of this
study and trained undergraduate research assistants will have access to your data. The
only way that your questionnaire data may be identified is through your PIN and, as
described above, the PIN will be destroyed so that your questionnaire data will become
anonymous. Raw questionnaire data will be destroyed after it has been published,
according to American Psychological Association guidelines for publication of data.
When the results of the research are published or discussed in conferences, no
information will be included that would reveal your identity.

Will I be reimbursed for any of my expenses or paid for my participation in this
research?

There is no cost to you to participate in this study. You will receive 1 hour of Psychology
Experience Credit for participating in this study, as this study will take 1 hour to
complete.

Can I withdraw or be removed from the study?
You can choose whether to be in this study or not. If you volunteer to be in this study, you may withdraw at any time without consequences of any kind. You may also refuse to answer any questions you don’t want to answer and still remain in the study. You may withdraw now, for example. The investigator may withdraw you from this research if circumstances arise which warrant doing so (e.g., if you are interrupted while completing the survey, for example during a power failure). If you withdraw from this study, you will still receive Psychology Experience Credit. Withdrawing from the study will not affect your class standing or grades at UIC. You will not be offered or receive any special consideration if you participate in this research.

Whom should I contact if I have questions?

The researchers conducting this study are Bette L. Bottoms, Ph.D., and Liana Peter-Hagene. You may ask any questions you have now. If you have questions later, you may contact the researchers by phone at (312) 413-2635.

What are my rights as a research subject?

If you have any questions about your rights as a research subject, you may call the Office for Protection of Research Subjects at 312-996-1711.

Remember: Your participation in this research is voluntary. Your decision whether or not to participate will not affect your current or future relations with the University. If you decide to participate, you are free to withdraw at any time without affecting that relationship. You will be given a copy of this form for your information and to keep for your records.

I have read the above information. I have been given an opportunity to ask questions and my questions have been answered to my satisfaction. I agree to participate in this research. I have been given a copy of this form.

_________________________________________  _______________________________________
Signature of Subject                                      Date

______________________________________________
Printed Name

_________________________________________  _______________________________________
Signature of Researcher                                  Date (must be same as subject’s)
Appendix H
Debriefing

In these two studies, which were actually related, we were interested in studying a number of factors that can influence jurors’ decisions when they judge criminal cases. The legal system assumes that jurors’ judgments are not influenced by their emotions, values, or attitudes. But psychological research shows that emotions and attitudes are an important part of how people make decisions, in legal and in other contexts. Juror and jury decision making is likely to be colored by emotions and influenced by jurors’ pre-existing attitudes, because legal decisions often involve issues of morality and justice - for example, in cases like euthanasia.

American jurors have right to return a not-guilty verdict when their conscience demands it but the law directs otherwise – a phenomenon known as jury nullification. The courts have historically avoided informing jurors explicitly about their nullification power, for fear that such knowledge would prompt jurors to disregard the law and rely on their personal biases, attitudes, or emotions. In this study, we want to determine whether nullification instructions encourage jurors to rely on their emotions and attitudes, and whether this results in more not-guilty verdicts.

Previous research on the effects of anger on jurors’ judgments found that anger makes people more likely to blame defendants and to punish, but it also makes them want to correct a perceived injustice. Anger can have an effect on people’s judgments even if it is not related to the person they judge. For example, the frustration jurors might feel when they spend long hours waiting to be called, or arguing with other jurors can influence the way they judge a defendant. We wanted to determine whether this effect depends on people’s attitudes about the crime with which the defendant is charged. Do people who have negative attitudes toward euthanasia become more punitive when they are angry? And do people who have positive attitudes become less punitive, because they want to correct the injustice of placing the defendant on trial for trying to end someone’s misery? Analysis of this data will help us understand how people make judgments about defendants, and what kinds of factors influence these judgments. It will also help us see whether American courts are justified in not telling jurors that they have the power to nullify when they feel the laws are not just.

Below, we have provided a reading list so that you may do additional reading about this type of research. If you have any questions or are interested in receiving further information concerning this study, we would be happy to talk with you. Please feel free to contact us via e-mail at cpeter26@uic.edu. Thank you again for your participation.

Sincerely,

Liana Peter-Hagene  Bette L. Bottoms, Ph.D.
Graduate Student  Professor
For further reading on this topic, please consult:


Appendix I
Copies of IRB Approval

University of Illinois
At Chicago

Office for the Protection of Research Subjects (OPRS)
Office of the Vice Chancellor for Research (MC 672)
203 Administrative Office Building
1737 West Polk Street
Chicago, Illinois 60612-7227

Approval Notice
Initial Review – Expedited Review

August 11, 2011

Liana Peter-Hagene, MA
Psychology
Criminology, Law and Justice
1007 W Harrison, M/C 285
Chicago, IL
Phone: (312) 996-3037

RE: Protocol # 2011-0626
“Attitudes Toward Euthanasia”

Dear Ms. Peter-Hagene:

Members of Institutional Review Board (IRB) #2 reviewed and approved your research protocol under expedited review procedures [45 CFR 46.110(b)(1)] on August 6, 2011. You may now begin your research.

Your research meets the requirements for review under expedited review procedures [45 CFR 46.110] Category: 7

(7) Research on individual or group characteristics or behavior (including but not limited to research on perception, cognition, motivation, identity, language, communication, cultural beliefs or practices and social behavior) or research employing survey, interview, oral history, focus group, program evaluation, human factors evaluation, or quality assurance methodologies.

Please note the following information about your approved research protocol:

Approved Subject Enrollment #: 1,500
Additional Determinations for Research Involving Minors: The Board determined that this research satisfies 45CFR46.404, research not involving greater than minimal risk.
Performance Site: UIC
Sponsor: None
**Research Protocol:**
a) Attitudes toward Euthanasia; Version 1; 08/01/2011

**Recruitment Material:**
a) UIC Psychology Student Subject Pool, Mass Testing procedures will be followed - no recruitment materials will be used

**Informed Consent:**
a) UIC Psychology Student Subject Pool, Mass Testing procedures will be followed - no consent materials will be used

**Parental Permission:**
a) A waiver of parental permission has been granted under 45 CFR 46.116(d) and 45 CFR 46.408(c); however, as per UIC Psychology Subject Pool policy, as least one parent must sign the Blanket Parental Permission document prior to the minor subject’s participation in the UIC Psychology Subject Pool.

Please note the Review History of this submission:

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<th>Submission Type</th>
<th>Review Process</th>
<th>Review Date</th>
<th>Review Action</th>
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<td>Initial Review</td>
<td>Expedited</td>
<td>08/06/2011</td>
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Please remember to:

→ Use your **research protocol number** (2011-0626) on any documents or correspondence with the IRB concerning your research protocol.

→ Review and comply with all requirements of the, 
"UIC Investigator Responsibilities, Protection of Human Research Subjects"

Please note that the UIC IRB has the right to ask further questions, seek additional information, or monitor the conduct of your research and the consent process.

Please be aware that if the scope of work in the grant/project changes, the protocol must be amended and approved by the UIC IRB before the initiation of the change.

We wish you the best as you conduct your research. If you have any questions or need further help, please contact the OPRS office at (312) 996-1711 or me at (312) 996-2014. Please send any correspondence about this protocol to OPRS at 203 AOB, M/C 672.

Sincerely,
Sandra Costello
Assistant Director, IRB # 2
Office for the Protection of Research

Subjects
Approval Notice
Amendment to Research Protocol and Consent Documents – Expedited Review
UIC Amendment # 2

November 14, 2011

Liana Peter-Hagene, MA
Psychology
Criminology, Law and Justice
1007 W Harrison, M/C 285
Chicago, IL
Phone: (312) 996-3037

RE: Protocol # 2011-0626
“Attitudes Toward Euthanasia”

Dear Ms. Peter-Hagene:

Members of Institutional Review Board (IRB) #2 have reviewed this amendment to your research and consent forms under expedited procedures for minor changes to previously approved research allowed by Federal regulations [45 CFR 46.110(b)(2)]. The amendment to your research was determined to be acceptable and may now be implemented.

Please note the following information about your approved amendment:

Amendment Approval Date: November 3, 2011
Amendment:
Summary: UIC Amendment #2 (response to modifications), dated and submitted to OPRS 2 November 2011, is an investigator-initiated amendment to add a second phase to the study (mentioned in version 2 of the Initial Review application) consisting of exploring the influence of attitudes and emotions on verdicts under different types of jury instructions to see if allowing jurors to rely on their conscience will increase the influence of attitudes and emotions on their verdicts. Included are Informed Consent (version 1, 10/10/2011), Debriefing form (version 1, 10/10/2011), Appendix Euthanasia Attitudes Questionnaire, Appendix 2 Attitudes Toward Physician Assisted Suicide (2005), Appendix 3 Support for Physician Assisted Suicide and Moral Beliefs (2009), Appendix 5 Experimenter Instructions, Appendix 6, Trial stimulus and jury instructions, revised Protocol (version 2, 10/10/11).

Approved Subject Enrollment #: 1,500
Performance Sites: UIC
Sponsor: None

Research Protocol:
   a) Attitudes toward Euthanasia; Version 2; 10/10/2011

Informed Consents:
   a) Informed Consent; Version 1; 10/10/2011
   b) Debriefing Form; Version 1; 10/10/2011

Please note the Review History of this submission:

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</table>

Please be sure to:

➤ Use only the IRB-approved and stamped consent documents when enrolling subjects.
➤ Use your research protocol number (2011-0626) on any documents or correspondence with the IRB concerning your research protocol.
➤ Review and comply with all requirements on the enclosure, "UIC Investigator Responsibilities, Protection of Human Research Subjects"

Please note that the UIC IRB #2 has the right to ask further questions, seek additional information, or monitor the conduct of your research and the consent process.

Please be aware that if the scope of work in the grant/project changes, the protocol must be amended and approved by the UIC IRB before the initiation of the change.

We wish you the best as you conduct your research. If you have any questions or need further help, please contact the OPRS at (312) 996-1711 or me at (312) 996-2014. Please send any correspondence about this protocol to OPRS at 203 AOB, M/C 672.

Sincerely,
Sandra Costello
Assistant Director, IRB #2
Office for the Protection of Research Subjects

Enclosures:
1. UIC Investigator Responsibilities, Protection of Human Research Subjects
2. Data Security Enclosure
3. Informed Consent Documents:
   a) Informed Consent; Version 1; 10/10/2011
   b) Debriefing Form; Version 1; 10/10/2011

cc: Bette Bottoms (faculty advisor), Psychology, M/C 285
Jon D. Kassel, Psychology, M/C 285
CURRICULUM VITAE
Liana Claudia Peter-Hagene

435 Ridge Road
Wilmette, IL, 60091
(773)-773-8613, cpeter26@uic.edu

EDUCATION

Currently
University of Illinois at Chicago
Ph.D., Social and Personality Psychology,
Minor in Psychology & Law and Statistics, Methods, & Measurement

2011
University of Illinois at Chicago
M. A., Criminology, Law and Justice, GPA: 4.0/4.0

2009
University of Illinois at Chicago
B. A., Psychology; Criminology, Law and Justice, GPA: 4.0/4.0
Graduated Cum Laude and Department Distinction in Criminology, Law and Justice

1999-2002
Babes-Bolyai University, Cluj-Napoca, Romania
Major in Psychology

RESEARCH INTERESTS
Jury decision making, impact of emotional factors on verdicts, jury nullification, sexual assault survivors' coping and recovery, social reactions to sexual assault disclosure.

TEACHING EXPERIENCE
2009 – 2010
University of Illinois at Chicago, Chicago, IL
Teaching Assistant, Criminology, Law and Justice

RESEARCH EXPERIENCE
2009 – 2010
UIC Honors College
Graduate Assistant

2010 – Present
UIC Department of Criminology, Law, and Justice
Research Assistant, Women’s Stress and Support Study, Prof. Sarah Ullman

2011 – Present
UIC Psychology Department
Research Assistant, Psychology and Law Laboratory, Prof. Bette Bottoms

AWARDS
2009
Chicago Bar Association Award for Academic Excellence, $ 300

GRANTS
2012
American Psychology/Law Society Grant-in-Aid Award, $700
University of Illinois at Chicago Provost’s Award, $674

AFFILIATIONS
American Society of Criminology (ASC)
American Psychological Association (APA)
American Psychology and Law Society (AP-LS)
Psi Chi International Honor Society in Psychology  
Society for Psychological Studies of Social Issues (SPSSI)  
Phi Kappa Phi Honors Society  
Society for Personality and Social Psychology

SERVICE IN THE DISCIPLINE

2011- Present  American Psychology-Law Society (APA Div. 41) Student Section Campus Representative for UIC

PUBLICATIONS


CONFERENCE PRESENTATIONS


PUBLICATIONS IN PROGRESS


Peter-Hagene, L. C., & Bottoms, B. L. (Manuscript in preparation). Moderators of euthanasia attitudes effects on verdicts: Nullification instructions and anger increase jurors’ reliance on attitudes in verdict decisions.

Salerno, J. M., Bottoms, B. L., & Peter-Hagene, L. C. (Manuscript in preparation). Mock jury deliberations about opposing expert witnesses: The effects of central and peripheral arguments on individual versus group decision making accuracy.
