The Effects of Facility Animals in the Courtroom on Juror Decision-Making

by

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ABSTRACT

Courthouse dogs (sometimes referred to as facility animals) are expertly trained canines which may be used to assist individuals with psychological, emotional, or physical difficulties in a myriad of courtroom situations. While these animals are increasingly used to assist young witness to court, the jury is still out on whether or not they are prejudicial to the defendant. No known research exists in this area, although research is necessary to determine the possibly prejudicial nature of these animals. Using a mock trial paradigm involving a child sexual abuse case, the current study employed a 2 (Witness type: victim vs. bystander) x 3 (Innovation type: courthouse dog vs. teddy bear vs. none) fully-crossed factorial design. It was hypothesized that witness type and innovation type would interact to differentially impact jurors' judgments about the trial, defendant, and child witness. In addition, it was posited that emotions, such as anger and disgust, would also affect judgments and decision-making. Results indicate that courthouse dogs and comfort toys did impact jurors' decision making in some ways. In addition, emotions and witness credibility predicted sentencing, verdict, and other trial judgments.

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Chapter 1: Introduction

Child physical and sexual abuse trials are difficult and complex due to the types of alleged crimes committed, the age of the alleged victim, and the vulnerability of young witnesses. In such cases, the prosecution must often rely on the testimony of the child in question: Typically, cases of alleged abuse, especially sexual abuse, have no physical evidence. Thus, the case hinges on the testimony of alleged victims and other witnesses.

While testifying in court may be stressful for most witnesses, it is especially trying and stressful for young witnesses (Goodman, Taub, Jones, England, Port, Rudy, & Prado, 1992). Children may be reluctant to testify in court and may be hesitant to face the alleged offender. Testifying for these victims may be made more difficult because they are asked to testify to difficult subject matter and are asked to recount their abuse at trial (Sas, 1991). Due to these stresses, children may not testify as accurately as they could in other situations (Saywitz & Nathanson, 1993). In order to combat the difficulties children face as testifying witnesses, several evidentiary and procedural changes have been made regarding children.

Courts have long exercised the use of therapeutic jurisprudence. Therapeutic jurisprudence refers to the law's ability to influence the psychological wellbeing of those involved in the justice system and implies that the law may actually serve as a therapeutic instrument of wellbeing (Dellinger, 2009). Some argue that the law should be analyzed to determine how law and the practice of law could be utilized or changed to facilitate positive therapeutic effects (Zacharias, 1999). This belief and goal correspond with the use of various reforms, innovations, and accommodations in the courtroom, especially for young and/or vulnerable witnesses. These reforms and accommodations are thought to

ease or decrease the harm caused to vulnerable witnesses during courtroom participation and to aide in the prosecution of adults who commit crimes against vulnerable witnesses (Goodman, Quas, Bulkley, & Shapiro, 1999). These changes may ease the burden of children testifying in court. In addition, by decreasing the stress children experience in this setting, their trial testimony may be more complete and accurate. Several courtroom innovations have also been used to help children testify in court, including children testifying through closed-circuit television (CCTV), the presence of a support person for the child, and more. Recently, a new form of therapeutic jurisprudence is being used in the courts, one which involves canine companions (Dellinger, 2009).

Courthouse dogs, sometimes referred to as facility animals, are a new innovation being used in courts to assist vulnerable witnesses. While they are typically used for children in child sexual abuse trials, they have also been used to assist elderly witnesses, disabled witnesses, and defendants. While many of these innovations are anecdotally and empirically considered very helpful to witnesses, a question remains: Are these innovations prejudicial against defendants? Are they prejudicial against the witnesses themselves? Does their presence alter jurors' perceptions? If so, does it change their perceptions based on whether or not the witness using them is a victim or bystander witness? What weight do jurors' lend them?

The purpose of the current study is to investigate whether or not courthouse dogs or comfort toys are prejudicial against defendants and to the witnesses that use them. In theory, the dogs should have no probative or prejudicial value, in an ideal world. Courthouse dogs would be prejudicial against defendants if jurors disproportionally convict the defendant when the dog is present, which would suggest that dogs elicit

prejudice and affect judgments over and above their probative value. In addition, this study seeks to determine if these innovations affect jurors' perceptions of witnesses differentially depending on whether they accompany a victim-witness or a bystander witness. It is important to address the concerns of many defense attorneys and judges that these innovations may unduly influence jurors' perceptions of witnesses during trial. Similarly, it is important to determine if these innovations affect perceptions of different types of witnesses. If these dogs or toys are prejudicial, alternate innovations should be used to reduce bias in the courtroom. However, if no bias exists in relation to these innovations, then vulnerable witnesses should be able to take advantage of the comfort they may offer.

Chapter 2: Evidentiary and Procedural Innovations for Child Witnesses

There is a lengthy legal precedence detailing methods of accommodating vulnerable witnesses in court which lend support to the use of service animals for vulnerable witnesses. The Federal Rule of Evidence 611 (FRE 611) allows trial judges to use their discretion when deciding the presentation of evidence. This rule aims to make the presentation of evidence and the interrogation of witnesses effective in attaining the truth and protects witnesses from undue embarrassment and from harassment. In addition, other federal laws protect vulnerable witnesses and allow them special accommodations in court. In 1990, the Victims of Child Abuse Act was passed which revised the Federal Rules of Criminal Procedure. This act allows for special accommodations for children. For instance, children are often allowed "comfort toys" or dolls in court, are allowed a support person, or may testify via closed-circuit television (CCTV) or through hearsay testimony of their forensic interview statements (Dellinger, 2009).

Several controversies surround the use of innovations. For instance, some argue that children are not harmed by their interactions in court. Others argue that, even if children are harmed by their participation, the current innovations may or may not be effective in alleviating the stress children experience. Furthermore, some state that defendants' constitutional rights may be violated by certain innovations and case outcomes may be affected (Goodman et al., 1999). While these controversies remain, many judges, prosecutors, and more are proponents for the usage of accommodations, and several innovations are commonly used.

Closed-Circuit Television (CCTV)

Closed-circuit television is currently permissible in thirty-seven states within the U.S. for criminal child abuse cases (U.S. Department of Health and Human Services, 2000). This innovation is used to remotely broadcast live images of child witnesses from other areas within a courthouse to the courtroom. In two-way CCTV, some images are also broadcasted back to the child witness and may include images of an attorney or judge. In some cases, all trial participants (including the judge and attorneys) remain in the courtroom and question the child via CCTV while in others the attorneys are present in the same room as the child. Hafemeister (1996), in a national survey of trial judges, found that eleven percent had allowed CCTV in child sexual abuse cases. Goodman, Quas, Bulkley, and Shapiro (1999) surveyed U.S. prosecutors who reported that less than three percent had used videotaped or CCTV testimony.

Hafemeister (1996) reports that seventy-nine percent of surveyed trial court judges believe that CCTV is an effective method of reducing children's court stresses. Conversely, Goodman et al. (1999) found that surveyed district attorneys find videotaped testimony (similar to CCTV) to be one of the least effective ways of reducing court-related stress in children. However, Goodman et al. (1992) determined that children who testify via CCTV are less likely to cry when questioned by the defense, indicating that they feel less court-related stress when using this innovation. Goodman, Tobey, Batterman-Faunce, Orcutt, Thomas, Shapiro, and Sachsenmaier (1998) also found that CCTV led children to have fewer errors of omission to misleading questions compared to children who testified in open court and CCTV increased their ability to answer direct questions compared to those in open court. Children in this study also experienced more pretrial stress when they expected to testify in open court versus children who did not and

jurors perceived children who testified via CCTV as less stressed than children in open court. While CCTV is relatively common, it is considered to be one of the most controversial trial innovations because the defendant does not have the right to face his accuser in these situations (McAuliff & Kovera, 2002). However, Goodman et al. (1998) found that jurors perceived child witnesses less positively when children testified via CCTV. This, in turn, led to fewer guilty verdicts when measured pre-deliberation.

Hearsay Testimony

This innovation is currently allowed in thirty-three states within the U.S. (U.S. Department of Health and Human Services, 2000). While hearsay testimony is typically inadmissible according to Rule 801 of the Federal Rules of Evidence, it may be allowed in cases pertaining to child sexual abuse. These hearsay exceptions may allow out-of-court statements regarding the child to be made in court. Hafemeister (1996), in a national survey of trial court judges, found that seventy-two percent allowed hearsay exceptions for out-of-court statements made by child witnesses. Conversely, Goodman et al. (1999) surveyed U.S. prosecutors who reported that forty-nine percent of judges admitted hearsay testimony. In most states, hearsay statements must be supplemented by additional live testimony from the child.

Hafemeister (1996) reports that ninety-five percent of surveyed trial court judges believe that such innovations (including hearsay testimony) are effective methods of reducing children's court stresses. However, researchers have found that hearsay testimony as reported by mothers is accurate and similar to first accounts with children, but are not as complete compared to the original interview (Bruck, Ceci, & Francoeur, 1999). Additionally, hearsay testimony as reported by professionals tends to be accurate

but incomplete compared to first interviews with children (Warren & Woodall, 1999). However, Goodman et al. (1996) found that jurors perceived children less positively when they testified via hearsay testimony rather than testifying live in court. This, in turn, actually led to fewer guilty verdicts when measured pre-deliberation.

Support Persons or Victim/Witness Assistants (VWAs)

Support persons are allowed in 47 states within the U.S. (National District Attorney Association, 2010). Support persons may be court-appointed guardian *ad litems*, friends, or family members. Over 90% of prosecutors in a national survey stated that support persons are frequently used to assist vulnerable children (Goodman et al., 1999). Prosecutor-based VWAs or guardians/parents most commonly serve as support persons (McAuliff, Nicholson, Amarailio, & Ravanshenas, 2012). These VWAs are most frequently used in child sexual and physical abuse case (McAuliff et al., 2012). In some states, support persons may accompany the child to the witness stand while in others they may remain close to the child but may not sit with the child (U.S. Department of Health and Human Services, 2000). Forty-one percent of state trial judges allow children to testify while on a support person's lap (Hafemeister, 1996). Goodman et al. (1999) found that prosecutors who had used support persons believed that the presence of that person substantially reduced the trauma caused to the child. However, these prosecutors did not believe that using support persons led to higher conviction rates.

Goodman et al. (1999) found that surveyed district attorneys find support persons to be one of the most effective ways of reducing court-related stress in children. Additionally, Goodman et al. (1992) determined that children who testify in the presence of a loved one or parent were less likely to give inconsistent testimony and were less

frightened. Furthermore, when children testified in the presence of a victim advocate, they were less likely to recant perpetrator identifications or their descriptions of their abuse when questioned by the defense (Goodman et al., 1992). Self-reportedly, VWAs argue that support persons do in fact increase children's accuracy and decrease their stress but are not prejudicial to defendants (McAuliff et al., 2012).

Legal precedence has been well established for the use of support persons. In one case, a 9-year-old was allowed to testify while sitting on his/her mother's lap (Holmes v. United States, 1948). In another case, an 8-year-old child was allowed to testify from an aunt's lap (State v. Johnson, 1986). In addition, case law supports the use of non-familial support persons. In Baxter v. State (1988), a 9-year-old boy held the hand of a support person during testimony, and in Soap v. State (1977), a 7-year-old held the hand of a support person during trial.

Comfort Dolls/Toys

In one study conducted in Alabama, fifty-two percent of judges and prosecutors surveyed related that children often testify while accompanied by a toy or a friend (Sigler, Crowley, & Johnson, 1990). In general, comfort items are often allowed when there is a compelling or particular need for the use of such an item. Comfort items are also well established in case law. In Smith v. State (2005), a 15-year-old held a teddy bear, while in State v. Cliff (1989), an 8-year-old held a doll. In addition, in State v. Hakimi (2004), a 7-year-old testified while holding a doll.

Courthouse Dogs/Facility Animals

Courthouse dogs are expertly trained canines which may be used to assist individuals with psychological, emotional, or physical difficulties in many situations.

These dogs provide companionship and comfort by accompanying children during forensic interviews, while children testify in court, or by visiting youth detention facilities. The dogs are trained by members of the Assistance Dogs International, and their handlers are professionals within the criminal justice system and can include forensic interviewers, detectives, victim advocates, and more. These service dogs are currently used in 15 states, Washington, DC, and in two other countries (Courthouse Dogs, 2012).

Courthouse dogs may be used in many ways, and their services are often called on for young witnesses. Proponents of facility dogs contend that they are very effective in calming witnesses and in providing support for them. Previous research suggests that dogs have a calming effect on children. For instance, Nagengast, Baun, Megel, and Michael Leibowitz (1997) found that when children were accompanied by a dog to a doctor's visit, those children had significantly less behavioral distress, fewer physiological signs of distress, lower systolic blood pressure, and lower heart rate than children who were not accompanied by a dog. In an analogous setting, trained therapy dogs used in therapy sessions led to an improvement in mood, an improvement in affect, and an increase in ability to play in young children. In addition, the therapy dogs decreased aggressive behaviors in the same children and also decreased disruptions in play (Thompson, 2009).

Dogs often assist young, vulnerable witnesses to court when it is believed that the child would be too distraught or too emotional to be an effective witness (Dellinger, 2009). Supporters believe that these dogs are not prejudicial to jurors. In many cases the dogs are instructed to lay silently on the floor near to a child or just within the child's

view, and in some courtrooms, the dogs are completely hidden from the jurors' view. Some argue that these canines are less prejudicial than typical support persons who may distract jurors with their facial expressions and outward displays of emotion (Courthouse Dogs, 2012).

While these animals subjectively provide immeasurable comfort and support to special needs populations, very little empirical research has been conducted on the issue, and legal debates regarding their usage are great. Previous research examining therapy dog recipients indicate that they are in fact helpful to those they accompany, but no research has been conducted on their implication in trial situations or their impact on juror reasoning and decision making. Proponents of courthouse dogs argue that the animals help bring defendants to justice by calming children and making their testimony clearer (Dellinger, 2009). In fact, some argue that some young witnesses have been so distraught when testifying that they could not be functional witnesses and that the dogs have calmed them to the point of being cooperative, successful witnesses (Courthouse Dogs, 2012).

Opponents of courthouse dogs worry that the animals will unduly influence jurors and may play to their sympathies which could bias jurors against the defendant unfairly, thus infringing upon the defendant's right to a fair trial (Dellinger, 2009). They argue that since dogs are often considered so visually appealing, that they may cause jurors to view a child witness as more vulnerable or likeable (Courthouse Dogs, 2012). Furthermore, certain labels for the canines, such as "therapy dogs" or "advocate dogs," may imply that the child is credible or is in fact a victim in need of therapy, which may further bias jurors (Campos, 2008). In addition, it could be argued that these service animals may be

prejudicial in that they act as peripheral cues which emphasize the victimization of the child and thus the child's testimony may be more persuasive because it elicits sympathy. For instance, research shows that when people feel sympathy or empathy for an individual, these feelings are often linked with a desire to engage in prosocial behavior (Eisenberg & Miller, 1987).

Many other possible defense objections exist and have been used in trials involving courthouse dogs. For instance, objections include: the jurors or child are distracted by the canine; jurors who like dogs may like a witness holding a dog more than the defendant; the State arranged for the dog to be present to specifically elicit sympathy for the witness; if the canines respond to witness stress, it will be unclear to jurors if the dog is responding to actual stress produced by trauma or the stress of lying on the stand; the dog signifies to the jury that the alleged victim is an actual victim who is traumatized and needs comfort; or the presence of the dog may signal credibility or bolster credibility of the witness (Courthouse Dogs, 2012). If courthouse dogs are to be used in courts, then proponents suggest that they should only be used when there is a clear and overwhelming need for emotional support for the witness and should only be used when the defendant's rights are balanced with the needs and rights of the victim (Dellinger, 2009).

Precedence of courthouse dogs. During one seminal child sexual abuse case, a therapy dog, Jeeter, was used to calm two seven-year-old twin girls during a trial wherein their father was the defendant. These girls, whose fear initially kept them from testifying, finally testified after being allowed a dog on the witness stand (McNerthney, 2007). Others in the courtroom reported that the dog could sense when the girls were tense or anxious and would respond by placing his head in their laps. This trial led to a

guilty verdict on two counts of assault (McNerthney, 2007). Since this case, prosecutors' offices around the country have begun to form similar programs incorporating courthouse dogs and many judges and prosecutors support their usage (McNerthney, 2007). For instance, courthouse dog programs exist in several states, including Arizona, California, Indiana, New York, Pennsylvania, Washington, and more (Courthouse Dogs, 2012).

Many prosecuting attorneys across the country publically endorse the use of courthouse dogs. For instance, one King County prosecuting attorney states, "The dogs help us break down the barriers of fear, distrust and anxiety so we can get to the truth…I think this has been an essential part of our office" (McNerthney, 2007). Another prosecutor states, "Having a friendly, non-judgmental, docile presence is helpful to people in stressful situations… It's not to make things better for us; it's to make the process go more smoothly… It's just remarkable how the dynamics in the room changes…the dog provides a calming influence" (Henry, 2010). While many prosecutors and judges publically endorse the use of courthouse dogs, there is also established legal precedence which may lend support for them as well.

Legal precedence supports the use of courthouse dogs or other forms of accommodation whenever "clear and convincing evidence" shows that a child may be mentally and emotionally vulnerable if required to testify in open court (Uniform Child Witness Testimony by Alternate Methods Act, 2002). Federal Rule of Evidence (FRE) 611 may also support the use of courthouse dogs in that, if dogs do in fact make children better witnesses, then they support FRE 611's aim to attain the truth. Further, if the witnesses feel more secure and give their testimony more quickly than they would

without the dog, then dogs also support FRE 611's aim to avoid a "needless consumption of time." Lastly, another of FRE 611's objectives is met by the use of courthouse dogs if the dogs make children feel more secure and less vulnerable, since the third objective is to protect witnesses from embarrassment and unnecessary harassment (Dellinger, 2009).

While opponents of courthouse dogs assert that they are prejudicial because they may lend credibility to a child witness, conversely, courthouse dogs may help defendants exercise their right to confrontation. Courthouse dogs could arguably strike a balance between the rights of the victims and defendants: Defendants can confront their accusers and children may be protected from undue stress and emotional hardship. The quality of testimony that could be elicited from vulnerable witnesses due to the comfort of a courthouse dog may outweigh the negligible prejudice that could occur.

Similarly, CCTV or videotaped testimony of children witnesses have been allowed based on this ruling when testifying in this way is considered "in the best interest of the child" (Uniform Child Witness Testimony by Alternate Methods Act, 2002). The common usage of support persons may lend validation to the use of courthouse dogs. Several courts have held that support persons may be used to increase children's abilities to testify effectively in court (Holmes v. United States, 1948; State v. Johnson, 1986; Baxter v. State, 1988; Soap v. State, 1977). In addition, courts will generally allow children to testify using a comfort item or toy if there is a "compelling need" for one (Smith v. State, 2005; State v. Cliff, 1989; State v. Hakimi, 2004). Thus, allowing courthouse dogs may protect children from mental and emotional vulnerability while allowing defendants to confront their accusers.

While many judges and prosecutors support the use of courthouse dogs and argue they are comparable to current child witness accommodations, some believe that courthouse dogs may lead to backlash in the legal system. For instance, one judge worries that courthouse dogs will elicit unintended support for witnesses and may sway jurors (Dellinger, 2009). In addition, she worries that the use of these canines will create a backlash in the courts and will lead to many appeals. Another judge fears that they will increase the time that voir dire takes, as he believes that they must be addressed at length. Another worries that some jurors may be afraid of dogs, may be allergic to the animals, or that they may appear "gimmicky" (Dellinger, 2009).

Courthouse Dogs versus other Accommodations for Children. It is argued that courthouse dogs are more discrete than other accommodations a child may use, including teddy bears, dolls, security blankets, or support persons. For instance, advocates of courthouse dogs believe that dogs are less prejudicial and more discrete than a comfort person. Dogs may be perceived as more of a neutral party than an adult comfort person. Furthermore, these canines are often labeled "facility dogs" during discussions with jurors or during judicial instructions, which is believed to be less prejudicial than other terms, such as "victim advocate," which is thought to infer credibility in the child (Campos, 2008).

Still, advocates of courthouse dogs believe that these canines will be less prejudicial than other common innovations. Other innovations have tended to favor defendants: Defendants in mock trial court cases were less likely to be convicted when alleged child victims testified via videotape versus live (Swim et al., 1993). Ross et al. (1994) found that defendants were convicted less when children testified via CCTV

versus live in the courtroom. Eaton et al. (2001) found that defendants were convicted more when children testified live versus by videotape or CCTV. However, conviction rates did not differ when innovations were used and an entire simulated trial was used versus trial stimuli which ended in the child's testimony (McAuliff et al., 2012).

Compared to such courtroom innovations as CCTV, which may infringe a defendant's right to face his/her accuser, courthouse dogs do not violate the Sixth Amendment confrontation right: With the companionship of a courthouse dog, young witnesses may be more likely to testify in person (Dellinger, 2009). Further, the defendant's right to confrontation has been upheld while still allowing other accommodations for young witnesses, such as when comfort objects are used for support (Dellinger, 2009). Based on the legal precedence upheld when children are allowed comfort toys, service dogs may be a legally sound method of comforting vulnerable witnesses.

Other Extra-Legal Factors and their Impact on Jurors

In addition, other extralegal factors may impact jurors' decision-making in these cases. Several studies illustrate that emotions may have a great impact on the way that information is processed and used. Emotions, generally, may diminish attention and may increase the use of heuristics in information processing. Several models predict that negative emotions negatively impact information processing which may deleteriously impact decision-making, especially during trial situations. Negative emotions may bias information processing and may lead to a narrow, targeted information search which only seeks to find information/evidence which aligns with blaming a target (here, the defendant) (Alicke, 2000). In addition, when negative emotions lead to a targeted,

negative information search, their attention may then become more focused on other negative information or their negative mood may be a cue that certain decisions are correct because they align more with the current mood-state (Feigenson & Park, 2006). The social intuitionist model also predicts that emotion plays a large role in decision-making: This model argues that emotions and emotional reactions are the cause of moral judgments. These moral judgments are automatic and powerful and occur first, while logical, deliberative processing occurs second (Haidt, 2001).

Need for Cognition. Cohen, Stotland, and Wolfe (1955) define the Need for Cognition as "a need to structure relevant situations in meaningful, integrated ways. It is a need to understand and make reasonable the experiential world" (p. 291). The Need for Cognition is the propensity to enjoy engaging in thinking (Cacioppo & Petty, 1982). Those with higher Need for Cognition enjoy this process more than those with low Need for Cognition. In addition, high Need for Cognition scores may also indicate higher conscientiousness and more of a willingness to be open to new experiences (Sadowski & Cogburn, 1997). Research indicates that Need for Cognition (NC) can influence legal decisions and jury deliberation (Bornstein, 2004; Shestowsky & Horowitz, 2004). Jurors who are high in Need for Cognition are perceived as more persuasive during deliberation and talk longer than those with low NC (Shestowsky & Horowitz, 2004). Sargent (2004) found that jurors with high NC were less punitive than low NC jurors. Jurors with high NC are less punitive because they attribute more complexity to human behavior than low NC jurors, and thus are less supportive of punitive measures against defendants (Sargent, 2004).

Empathy. Empathy and sympathy are often defined in similar ways or are used

interchangeably to define similar emotions. Some researchers define empathy as a cognitive term and state that it is one's ability to understand another's cognitive or affective state (Borke, 1971). Other researchers describe empathy in more affective terms and consider it an emotional response to others which matches the other's affective status (Feshbach & Roe, 1968). Some have described it as a way of emotionally matching another's state and responding to that state sympathetically (Hoffman, 1984; Mehrabian & Epstein, 1972). Positive relations exist between empathy, prosocial behavior, and social competence (Eisenberg & Miller, 1987). Empathy and sympathy have been shown to be positively related to adults' willingness and intention to assist others (Eisenberg et al., 1989). However, the link between empathy and prosocial behavior is still unclear.

In the current context of a child sexual abuse trial, jurors with high levels of empathy may be biased towards the alleged child victim because they view this relationship as one which could help the victim. Because the alleged victim appears to be in need or hurt by the victimization, jurors with high levels of empathy may also be prejudiced against the defendant and may adjust punishment and guilt ratings against the defendant in order to "protect" the victim. Mock jurors may see punishment as a helping behavior which could assist the child victim.

Anger. Previous research suggests that anger aroused during trial may impair information processing and can bias jurors' judgments of defendants and witnesses (Semmler & Brewer, 2002). Lerner, Goldberg, and Tetlock (1998) found that angry jurors used simpler information processes and used fewer cues when making judgments at trial. Anger also affected ratings of culpability and punishment: Anger affected ratings of responsibility for crimes which in turn increased conviction rates and/or proposed

punishment (Lerner et al., 1998).

Bodenhausen, Sheppard, and Kramer (1994) examined anger and its effects during social information processing and found that anger led participants to make more stereotypic judgments during tasks of social perception to an even greater extent than did sad participants. In addition, angry participants rely more greatly on heuristic cues during persuasive situations than did sad participants. Angry individuals were thus more likely to rely on simple cues while processing social information and their judgments of accused individuals were affected by such cues and processing.

Bright and Goodman-Delahunty (2006) found that anger towards a defendant mediated mock jurors' perceptions of the weight of inculpatory evidence and the influence of gruesome photographs on their perceptions. In another study, angry individuals were asked to evaluate an unrelated civil case. Angry participants judged the defendant in that case more harshly and awarded the plaintiff in the case more damages than non-angry participants (Lerner et al., 1998). However, more recently, research revealed that angry individuals may be able to process information analytically; previous studies which showed the opposite results may have been found because participants had felt that the heuristic cue used was actually relevant to the situation which they were processing (Moons & Mackie, 2007).

Sadness. Research indicates that sad mood states in jurors leads to better, more substantive information processing (Semmler & Brewer, 2002). Bodenhausen et al. (1994) found that sad individuals use more systematic tactics during social judgments and found little evidence that sad individuals increase their use of stereotypes during social judgment tasks. Rather than ignoring social cues altogether, it appears that sad

individuals use them in an opposite way than do angry individuals.

Disgust. Disgust is considered an affective response to moral violations (Rozin, Lowery, Imada, & Haidt, 1999). Disgust may be an emotional and affective response which is strongly elicited during child sexual abuse trials, regardless of evidence quality.

Anxiety. Much like anger, previous studies show that anxious individuals use more heuristic strategies during social information processing than do others (Baron, Inman, Kao, and Logan, 1992). As with disgust, anxiety may be elicited during emotional child sexual abuse trials. This anxiety may impact jurors' reasoning by simplifying their decision making process.

The Present Study

Many gaps exist in the literature regarding courthouse dogs and their potentially prejudicial nature. Currently, the legal field has investigated the possible legal precedence for their usage and has determined that prosecutors and others have a strong case for allowing them in court. However, no empirical research has been conducted to examine if they are prejudicial or if they will unduly sway jurors to the side of the witness. In addition, no research exists which compares these canine to other innovations, including comfort toys, which are already commonly used and accepted in many courts. The current study aims to close some of these gaps in knowledge by determining if courthouse dogs and comfort toys affect jurors' perceptions of child witnesses, if these perceptions differentially change depending on whether the child witness is a victim or bystander, and what mechanism might be the driving force of these perceptions.

In order to empirically determine if courthouse dogs cause undue bias against defendants, a study was conducted to examine whether bias exists due to the use of

courthouse dogs and what might cause such bias. In addition, the present study examined the impact of courthouse dogs and comfort toys on jurors' perceptions of child witnesses. In some ways, the current study is exploratory in nature: It is currently unknown whether any prejudice exists surrounding this courtroom canine. If prejudice or bias does exist, what creates drives the bias? Will mock jurors be more persuaded by a child accompanied by a courthouse dog or a comfort toy? Will jurors be more persuaded by a child without any accommodation? If jurors' perceptions are affected by the type of innovation used, will these perceptions be differentially impacted by the child witness type? Will victims be more persuasive than bystanders? Will these two variables (innovation and victim type) interact to inform mock jurors' perceptions? If so, why? Does the Need for Cognition differentially impact mock jurors' perceptions in these cases? What roles do emotions and empathy play, if any? The current study seeks to answer all of these questions.

The current study also investigated how gender, age, and educational background impact jurors' perceptions of such cases. In addition, political affiliation and its possible effects were explored. Those with advanced education may be less susceptible to the possible peripheral cues present in the courthouse dog and teddy bear conditions. In addition, gender differences may exist, especially given the nature of the alleged crime, since women are typically more pro-prosecution than men in child sexual abuse cases.

If courthouse dogs provide support to children and other witnesses without prejudicing jurors against the defendant, then their usage should be allowed. However, if by providing support to witnesses they cause impartiality in favor of the prosecution, then

their usage should be denied. These concerns necessitate the objective study of courthouse dogs. In the current study, it was hypothesized that:

I. Innovation type (courthouse dog, teddy bear, none) and victim type (victim-witness, bystander witness) would interact to affect jurors' judgments of the child witness and defendant which would influence verdict and punishment. It was hypothesized that the courthouse dog would make the victim seem "more like a victim" compared to victims accompanied by a teddy bear or no innovation. If innovations are biasing and distract jurors from the case facts, then conviction rates would likely be higher in innovation conditions compared to the "none" conditions, even though the evidence remains the same.

II. Ratings of child credibility would differentially affect jurors' verdicts (guilty vs. not guilty) and level of punishment (years sentenced to prison). Children who are perceived to be more credible would lead to longer prison sentencing and more guilty verdicts than those perceived to be less credible.

III. Innovations (courthouse dog or teddy bear) would increase feelings of empathy such that participants' feelings of empathy would be significantly higher in the conditions with innovations compared to those with no innovation.

IV. Innovations (courthouse dog or teddy bear) would result in greater anger and disgust compared to the "none" conditions. Greater feelings of anger and disgust would be associated with harsher conviction rates and sentencing.

V. Jurors who have high Need for Cognition scores would be less likely to convict the defendant, favor more lenient sentencing for the defendant, and would be less

affected by the use of innovations (courthouse dog or teddy bear) than jurors low in Need for Cognition.

Chapter 3: Methodology

Participants

Three hundred seven participants were recruited from Mechanical Turk, an online paid participant pool. Participants were each paid $2.50 for their participation.

Design

This study employed a 2 (Witness Type: Victim-Witness vs. Bystander Witness) x 3 (Type of Innovation: Courthouse Dog vs. Teddy Bear vs. None) fully randomized between-subjects design. Participants were randomly assigned to one of six experimental conditions. (See Table 1).

Table 1

Study Design

		Type of Innovation		
		Courthouse Dog	**Teddy Bear**	**None**
Witness Type	**Victim-Witness**	**Victim-Witness, Courthouse Dog**	**Victim-Witness, Teddy Bear**	**Victim-Witness, None**
	Bystander Witness	**Bystander Witness, Courthouse Dog**	**Bystander Witness, Teddy Bear**	**Bystander Witness, None**

Materials

Case Summary (See Appendix A). The case summary described a mock child sexual abuse case which took place in Arizona. It stated that the defendant had been

accused of molesting his 6-year-old granddaughter. The summary described the charges based on Arizona Criminal Law, which included a class 2 felony. The molestation was described as genital fondling over clothing which was alleged to have occurred four times over the course of six months. The victim's sister alleged to have seen the abuse and reported it to the girls' mother. The mother reported the alleged abuse to the authorities.

The summary also included a brief description of the defendant's version of the events. He claimed that the children were confused by some of his behaviors when he played with them, and stated that the children often make up fantastic stories and were manipulated into reporting the alleged events by their mother. The defendant denied all charges and claimed that he could never endanger the children.

Last, the case summary described the key players in the mock trial. This portion of the summary varied by condition. In the *victim-witness/courthouse dog condition*, participants were told that they would read about the victim and her grandfather and that the child was accompanied by an advocate dog. The summary indicated that the dogs are used to reduce anxiety and that they are available to any witness that requests one. In the *bystander witness/courthouse dog condition*, the summary described that the alleged victim's sister would be accompanied by the dog to reduce anxiety. In the *victim-witness/ teddy bear condition*, participants were told that the alleged victim was accompanied by a teddy bear to reduce anxiety. Similarly, in the *bystander witness/teddy bear condition*, the summary described that the alleged victim's sister was accompanied by a teddy bear to reduce anxiety. In the *victim-witness and bystander/none conditions*, no accommodation was used and thus none were described.

Mock Trial Transcripts (See Appendix B). Participation occurred online. An online survey tool, Qualtrics, was used to create the survey. A Qualtrics survey link was presented to participants via Amazon's Mechanical Turk. All materials were presented in written format. Materials included an informed consent; judicial instructions; opening/closing statements for the prosecution and defense; mock trial transcripts of the child witnesses' statements; photos of the child witnesses, judge, prosecutor, and defense attorney; photos of a courthouse dog; and photos of a teddy bear.

The judge's preliminary instructions and closing instructions remained the same across all conditions. In the preliminary instructions, the judge introduced mock jurors to the crime and described the importance of jury duty. The judge briefly described that the defendant was charged with molesting his granddaughter. Next, the judge walked mock jurors through the order that information was to be presented during trial (opening statements from the prosecution and then defense, witnesses' testimony, and closing remarks from the prosecution and defense).

In the prosecutor's opening statement, he described the charges against the defendant. In the victim-witness conditions, the prosecution stated that the jurors would hear testimony from the alleged victim directly. In the bystander witness conditions, the prosecution stated that jurors would hear from the alleged victim's sister who witnessed the abuse. In all conditions, the prosecutor described the defendant's version of the events.

In the defense's opening statements, the defense attorney denied all charges against the defendant and described that children can be impressionable. He claimed that the children were confused and manipulated by their mother into describing the events as

they did. In the victim-witness conditions, the defense attorney stated that the jurors would hear from the alleged victim. In the bystander witness condition, the defense attorney stated that jurors would hear from the victim's sister instead.

Next, mock jurors read a transcript of the child witness' testimony. In all conditions, the child witness was questioned by the prosecutor. Thus, the transcript represented the direct questioning from the prosecution. No cross-examination was included. In the *victim-witness* conditions, the alleged victim testified directly and described in the first-person her memories of the abuse. In the *bystander witness* conditions, the alleged victim's sister testified and claimed that she saw her sister being abused by her grandfather. In all conditions, the child's testimony remained the same except that it was reported from the first-person perspective in the *victim-witness* conditions and was reported from a third-person perspective in the *bystander witness* conditions.

Mock jurors then read closing remarks from the prosecution and defense. Both reiterated the main points from opening statements and asked jurors to return a verdict in their client's favor.

Lastly, jurors read the transcript of the judge's closing remarks. Here, the burden of proof and guilt beyond a reasonable doubt were discussed.

Experimental Manipulations (See Appendix C). The presence or absence of a courthouse dog or comfort toy (teddy bear) was manipulated through photographs. In the *courthouse dog* conditions, participants viewed three photographs of a young girl accompanied by a mock courthouse dog. In the *teddy bear* conditions, participants viewed three photographs of a young girl accompanied by a teddy bear. In the *none*

conditions, participants viewed three photographs of a young girl without either a dog or a teddy bear. These photo manipulations were placed between the child's testimony transcript text. Photograph manipulations did not change for the *victim-witness* or *bystander witness* conditions. Thus, all of the photos were of the same child across conditions and only varied in whether a courthouse dog, teddy bear, or nothing accompanied the child.

Witness type was also manipulated so that half of participants read the transcript of a child victim-witness while the other half read a transcript of a child bystander witness. Most of the child's testimony remained the same and only the name of the child and the perspective of the abuse (fist-person or third-person bystander) changed. For instance, when the victim-witness testified, the victim (Samantha) testified about her personal encounters with the alleged child sexual abuse. When the bystander witness (Hannah) testified, she described the exact same acts of sexual abuse as did the victim in the victim-witness conditions, except she said that she saw all the acts happen to her sister. All other evidence and testimony remained the same and all other portions of the transcript were identical.

Measures

Trial Quiz/Manipulation Check Questionnaire (See Appendix D). A short quiz was given to each participant immediately following the presentation of all of the mock trial evidence. This quiz was used to determine if participants had properly followed along with the story and was used to gauge whether or not they remembered key pieces of information from the mock trial. Four questions were asked in total and measured whether the mock jurors remembered the alleged victim's name, the alleged

victim's sister's name, who reported the abuse, and what the defendant's relationship was to the alleged victim. This questionnaire was intended as a manipulation check to be sure participants paid attention to the trial stimuli. Those who did not answer three out of four questions correctly or more would be considered separately to decide if those responses should remain in the analyses.

Dependent Measures Questionnaire (See Appendix E). Mock jurors were asked several questions which pertained directly to the mock trial case at hand. First, participants rated their belief that the alleged victim was abused. Next, they rated their confidence that the child was abused. Mock jurors then assessed the child witness' perceived level of convincingness, credibility, and accuracy of the child's eyewitness testimony. Next, mock jurors were asked to rate how likely it was that the child was mistaken in her testimony and how likely it was that the child witness intentionally lied in her testimony.

Mock jurors assessed the believability of the defendant's version of events and the strength of the case against the defendant. Next, mock jurors gave a dichotomous verdict (guilty or not guilty). Participants who gave a guilty verdict were asked to choose a prison sentence ranging from 10-24 year. This range was based on the Arizona Criminal sentencing suggestions for a class 2 felony for a first-time offender for a sex crime. Participants were told that even though there were multiple possible incidences of abuse that the defendant would serve all sentences concurrently. Next, participants were asked to describe why they chose the prison sentence that they did. All participants were asked how confident they were in their verdict decision.

Demographic Questionnaire (See Appendix F). Participants answered several demographic questions including age, gender, ethnicity, political party affiliation, and level of education.

Emotions Questionnaire (See Appendix G). Participants ranked their current emotional state by answering questions regarding anger, amusement, disgust, desire, fear, embarrassment, sadness, and happiness. They answered to what extent they felt each emotion at that exact moment ranging from 1 (not at all) to 9 (extremely). These measures were adapted from Ekman, Friesen, and Ancoli (1980).

Need for Cognition Scale - Short form (See Appendix H). Developed in 1984 by Cacioppo, Petty, and Kao (1984), the shorter form of the Need for Cognition scale (NCS) is an 18-item assessment which measures people's inclination to participate in and take pleasure in thinking. This scale is highly reliable (Cronbach's $\alpha = +.90$).

Revised Toronto Empathy Questionnaire (See Appendix I). The Toronto Empathy Questionnaire (TEQ) is a 16-item scale which aims to represent empathy as an emotional process (Spreng, McKinnon, Mar, & Levine, 2009). It possesses strong test-retest reliability ($r = .81$, $p<.001$), strong internal consistency (Cronbach's $\alpha = .87$), and strong convergent validity. It contains new items as well as items used from previously used empathy scales. An equal number of negatively and positively worded items/scoring is used. This scale aims to measure trait empathy levels.

Spielberger State-Trait Anxiety Inventory - Short-form (STAI-6) (See Appendix J). The short-form of the STAI (STAI-6) was developed by Marteau and Bekker (1992) to measure state and trait anxiety. This scale is used as an alternative to the lengthier 20-item STAI (STAI-Y). Higher scores indicate higher levels of anxiety. It

is sensitive to fluctuations in anxiety. The STAI-6 is acceptably reliable (Cronbach's α = .82). Test-retest reliability was not measured as state anxiety is transitory and results are likely to change from one test time to another. Only state anxiety was measured in the present study.

Procedure

The study was performed completely online using the online survey program Qualtrics, which was administered on Mechanical Turk. Mock jurors first read the consent letter, a case summary, and transcripts from a mock trial which the survey program selected at random. Mock jurors then answered a series of questions as described above, along with general demographic questions.

Chapter 4: Data Analyses and Results

Of the three hundred seven participants, 45.9% were Female with a mean age of 33.91 years (*SD* = 11.18). Roughly fifty participants were in each cell. The participants were 7.5% Black/African American, 79.9% White/Caucasian, 3.6% Hispanic, 1% Native American, 6.2% Asian/Pacific Islander, and 1.9% "other". Less than one percent (.3%) of participants had less than four years of high school, 13.6% graduated high school or had a GED, 31.8% had some college education, 40.3% had a college degree, 3.6% had some graduate school education, and 10.4% had a graduate degree.

Overall Guilt, Sentencing, and Belief the Child was Abused

Overall, 60.3% of participants rated the defendant not guilty while 39.7% found the defendant guilty. Sentencing ranged from ten to twenty-four years with a mean of 14.31 years (*SD* = 4.5 years). When asked, *"Do you believe that Samantha (the complainant) was abused?"* on a scale that ranged from 1 (definitely abused) to 9 (definitely not abused), the mean for belief abused was 5.28 (*SD* = 2.13).

Factor Score

In order to simplify analyses, a principal-axis factor analysis was conducted on several primary dependent variables that measured judgments of the trial, including: *Do you believe that Samantha (the complainant) was abused?, How convincing was the child witness?, How credible is the child witness?, What is the likelihood that the child witness was mistaken and was not lying?, How accurate do you think was the eyewitness's account (the child witness) of the crime?,* and *How strong do you think the case is against Dean Thomas (the defendant)?* From these dependent variables, a single factor was extracted that accounted for 71.78% of the total variance in the items. These dependent

measures were combined into a single standardized factor score (Witness Credibility) which was used for subsequent analyses.

Case Strength

An independent-sample t-test was utilized to explore whether victim type affected case strength. Case strength was perceived to be marginally stronger in the victim-witness (M = 4.66, SD = 2.43) versus the bystander witness conditions (M = 4.16, SD = 2.29), $t(306) = 1.86$, $p = .06$.

Gender Differences

A logistic regression analysis revealed that gender had a significant effect on verdict choice, $b = .73$, $SE = .24$, Wald = 9.43, $p = .002$, odds ratio = 2.072. For women, 22.5% gave the defendant a guilty verdict while 17.3% of men rated the defendant guilty. Not-guilty verdicts were given by 23.3% of women and 36.9% of men. No significant difference was found between men and women's level of sentencing, $t(116) = .26$, $p = .8$.

An independent-sample t-test revealed that men and women's perceptions of the child witness varied. Women rated the child witness significantly more positively (M = .18) than males (M = -.15) on the Witness Credibility factor score, $t(274.01) = -3.01$, p = .003.

Demographic Information

A logistic regression analysis revealed that level of education was not significantly associated with verdict, $b = .14$, $SE = .11$, Wald = 1.76, $p = .19$, odds ratio = 1.15. Another logistic regression analysis revealed that political affiliation had no impact on verdict, $b = -.07$, $SE = .12$, Wald = .33, $p = .57$, odds ratio = .94.

Hypotheses

Hypothesis I. In order to test the hypothesis that innovation and witness type would interact to affect jurors' judgments of the child witness and the defendant, a two-way analysis of variance (ANOVA) was performed on the Witness Credibility factor score. The omnibus test of the main effect of innovation type was not statistically significant, $F(2, 301) = .76$, $p = .47$, $\eta_p^2 = .005$. The omnibus test of the main effect of victim type was not statistically significant, $F(1, 301) = 2.39$, $p = .12$, $\eta_p^2 = .008$. The interaction between innovation type and victim type was also not significant, $F(2, 301) = .83$, $p = .44$, $\eta_p^2 = .005$.

A logistic regression analysis was used to determine if verdict was impacted by innovation and/or witness type. Analyses revealed that the overall innovation did not impact verdict, Wald = .11, $p = .95$. In addition, witness type did not impact verdict, $b = -.20$, $SE = .42$, Wald = .23, $p = .63$, odds ratio = .82. There was also no interaction between witness and innovation type on verdict, Wald = .15, $p = .93$. To test the hypothesis that witness and innovation type would interact and impact sentencing, a univariate analysis of variance (ANOVA) was used. No main effect was found for innovation type, $F(2, 112) = .09$, $p = .91$, $\eta_p^2 = .002$. In addition, no main effect was found for victim type, $F(1, 112) = 1.5$, $p = .22$, $\eta_p^2 = .013$. No interaction effect was found between victim type and innovation type on defendant sentencing, $F(2, 112) = .25$, $p = .78$, $\eta_p^2 = .004$.

Next, to test whether perceptions of the child witness mediated the relation between innovation and witness type on verdict, a mediation analysis was performed. Dummy coding was utilized and the teddy bear innovation was used as a reference group. "Teddy bear" versus "courthouse dog" was entered as the independent variable while

"none" versus "courthouse dog" was entered as a covariate. Results indicated that the direct effect of innovation on verdict was not significant, $b = .03$, $SE = .56$, $p > .05$. In addition, there was no significant indirect effect through Witness Credibility, $b = -.05$, $SE = .6$, $p > .05$.

Table 2

Percentage of Guilty Verdicts by Condition

		Innovation Type		
		None	**Courthouse Dog**	**Teddy Bear**
Victim Type	**Victim**	19 (36.5%)	22 (44%)	29 (43.1%)
	Bystander	16 (32%)	21 (39.6%)	22 (43.1%)

Table 3

Means and Standard Deviations of Sentencing by Condition

	M	*SD*
1. Victim/None	15.05	4.70
2. Victim/Teddy Bear	14.40	5.06
3. Victim/Courthouse Dog	14.86	4.63
4. Bystander/None	13.14	3.11
5. Bystander/Teddy Bear	13.91	4.29
6. Bystander/Courthouse Dog	14.14	4.93

Table 4

Means and Standard Deviations of Witness Credibility by Condition

	M	*SD*
1. Victim/None	.08	.93
2. Victim/Teddy Bear	.05	.97
3. Victim/Courthouse Dog	.12	.99
4. Bystander/None	-.28	.93
5. Bystander/Teddy Bear	.05	.98
6. Bystander/Courthouse Dog	-.04	1.05

Hypothesis II. A linear regression was performed to test the hypothesis that ratings of the child would differentially affect jurors' assignment of sentencing. Witness Credibility was tested as a predictor of defendant sentencing. Analyses revealed that Witness Credibility significantly predicted sentencing, $\beta = .26$, $SE = .70$, $p = .005$, $R^2 = .07$.

A logistic regression analysis was conducted to evaluate whether Witness Credibility impacted the dichotomous guilt rating (*Do you believe the defendant is guilty or not guilty of child molestation?*). Analyses revealed a significant effect of Witness Credibility on verdict, $b = 4.16$, $SE = .49$, Wald = 72.23, $p < .001$, odds ratio = 64.27. As perceptions of Witness Credibility increased in favorability, the likelihood that participants rated the defendant guilty increased.

Hypothesis III. Next, analyses were conducted to test the hypothesis that innovations would differentially affect jurors' levels of empathy. A univariate analysis of

variance (ANOVA) was used to explore the potential relation between innovation type and participants' scores of self-reported empathy. No main effect was found for types of innovations on Toronto Empathy Questionnaire (TEQ) scores, $F(2, 305) = .12$, $p = .89$. Tukey's HSD test revealed no significant differences between levels of the innovation variable on TEQ scores (*ps* > .05).

Hypothesis IV. A univariate analysis of variance (ANOVA) was used to explore the hypothesis that innovation type would impact participants' ratings of self-reported anger. A marginal main effect was found for type of innovation on anger scores, $F(2, 305) = 2.64$, $p = .07$. Tukey's HSD test revealed that anger scores were marginally greater in the teddy bear ($M = 3.02$, $SD = 2.49$) conditions than in the courthouse dog ($M = 2.34$, $SD = 1.91$, $p = .07$) conditions.

It was predicted that innovation type would differentially affect participants' feelings of disgust. A univariate analysis of variance (ANOVA) was used to explore the potential relation between innovation type and participants' ratings of self-reported disgust. No main effect was found for type of innovation on disgust scores, $F(2, 305) = 2.25$, $p = 1.07$. Tukey's HSD test revealed no significant differences between levels of innovation on disgust scores (*ps* > .05).

Next, a multiple regression was performed to investigate the relation between anger and disgust jointly as predictors of sentencing. Analyses revealed that when anger and disgust were entered together as predictors of sentence, that the relation was significant, $p = .04$, $R^2 = .05$. However, neither anger ($\beta = .17$, $p = .21$) nor disgust ($\beta = .08$, $p = .56$) were independent predictors of sentencing.

Next, to test whether anger and/or disgust mediated the relation between innovation type on verdict, mediation analyses were performed. Dummy coding was utilized and the teddy bear innovation was used as a reference group. “Teddy bear” versus “courthouse dog” was entered as the independent variable while “none” versus “courthouse dog” was entered as a covariate. Results indicated that the direct effect of “teddy bear” versus “courthouse dog” on disgust was significant, b = -.72, SE = .37, p = .05. In addition, there was a significant direct effect of “teddy bear” versus “courthouse dog” on anger, b = -.7, SE = .3, p = .03. The direct effect of disgust on guilt was also significant, b = .27, SE = .07, p < .001. In addition, the indirect effect of disgust on verdict was also significant, b = -.19, SE = .12, $LLCI$ = -.48, $ULCI$ = -.01. Results indicate that participants experienced less disgust in the courthouse dog versus teddy bear conditions. Therefore, those in the teddy bear conditions experienced more disgust than those in the courthouse dog conditions, which increased the likelihood that the defendant received a guilty verdict.

Table 5

Summary of Means, Standard Deviations, and Correlations

			Correlations				
	M	*SD*	1	2	3	4	5
1. Witness Credibility	0E-7	.98	1	**.37**	**.46**	**.79**	**.26**
2. Anger	2.63	2.18	**.37**	1	**.72**	**.28**	**.23**
3. Disgust	4.05	2.62	**.46**	**.72**	1	**.35**	**.20**
4. Verdict	N/A	N/A	**.79**	**.28**	**.35**	1	N/A
5. Sentence	14.31	4.50	**.26**	**.23**	**.20**	N/A	1

Note. Correlations in bold are significant at $p < .01$

Hypothesis V. To test whether Need for Cognition was related to verdict and sentencing, a linear regression was used to explore the relation between participants' Need for Cognition scores and their assignment of defendant sentencing. Need for Cognition was not significantly related to participants' sentencing of the defendant, $\beta = -.04$, $SE = .02$, $p = .64$, $R^2 = .002$. A logistic regression analysis was performed to investigate the relation between participants' Need for Cognition and verdict. Analyses revealed that Need for Cognition significantly predicted verdict, $b = .01$, $SE = .01$, Wald = 7.33, $p = .01$, odds ratio = 1.01. As Need for Cognition scores increased, so did the likelihood that participants would rate the defendant guilty.

To test whether jurors with high or low Need for Cognition were differentially influenced by type of innovation, a 2 (Witness type: victim vs. bystander) x 3 (Innovation type: courthouse dog vs. teddy bear vs. none) x Need for Cognition (continuous scores) analysis of variance was conducted on participants' judgments of the trial. The three-way

analysis of variance (ANOVA) was conducted to explore the impact of innovation type, witness type, and Need for Cognition on the Witness Credibility factor score. Analyses revealed no significant main effect of innovation type, $F(2, 295) = .78$, $p = .46$, $\eta_p^2 = .005$, and no significant main effect of witness type, $F(1, 295) = 1.1$, $p = .3$, $\eta_p^2 = .004$. A significant main effect was found for Need for Cognition, $F(1, 295) = 7.22$, $p = .008$, $\eta_p^2 = .02$. Higher scores on Need for Cognition were associated with more favorable ratings of Witness Credibility. No two-way interactions were found between innovation type and Need for Cognition ($F(2, 295) = 1.07$, $p = .35$, $\eta_p^2 = .007$) or between victim type and Need for Cognition ($F(1, 295) = .5$, $p = .48$, $\eta_p^2 = .002$). A marginally significant two-way interaction was found between innovation type and witness type, $F(2, 295) = 2.72$, $p = .07$, $\eta_p^2 = .02$. However, this effect was moderated by a three-way interaction between innovation type, witness type, and Need for Cognition, $F(2, 295) = 3.46$, $p = .03$, $\eta_p^2 = .02$.

In order to simplify exploration of the three-way interaction, Need for Cognition scores were split into a categorical variable at the median. The simple effects of witness type and innovation type were tested within low and high Need for Cognition participants. For participants low in Need for Cognition, there was a marginal effect of witness type, $F(1, 155) = 2.90$, $p = .09$, $\eta_p^2 = .02$. Victims ($M = .001$, $SD = .95$) were rated marginally more positively than bystanders ($M = -.25$, $SD = .92$). There was no main effect of innovation type and no interaction between witness type and innovation type, *ps* >.05. For participants high in Need for Cognition, no significant main effects or interactions were found, *ps* >.05.

Chapter 5: Discussion

This research examined how witness type (victim vs. bystander) and courtroom innovation type (courthouse dog vs. teddy bear vs. none) affect perceptions of a child witness and a defendant in a child sexual abuse case using a mock trial paradigm. Overall, evidence did support the main hypothesis that courthouse dogs and comfort toys would differentially and prejudicially impact jurors' judgments. While all evidence was held equal across conditions and witness type was controlled for, there was some effect of courthouse dogs and comfort toys on jurors' judgments. Results indicated that disgust mediated the relation between innovation type and verdict such that the presence of the teddy bear increased participant disgust which increased their likelihood of convicting the defendant.

Approximately 40% of all participants believed the defendant was guilty of child molestation. For those who believed the defendant was guilty, the mean sentencing length assigned was 14.31 years (*SD* = 4.5 years) with a possible range from 10 – 24 years. Collapsed across all conditions, participants' belief that the child was sexually abused was *M* = 5.28 (*SD* = 2.13) on a scale ranging from 1 – 9.

Previous studies indicate that mock jurors' judgments in child sexual abuse cases are harsher in relation to verdict and defendant sentencing when the perpetrator of the abuse is the child's parent (McCoy & Gray, 2007). Therefore, the fact that the defendant in this case was a relative (but not the victim's parent) may have minimized sentencing and guilty verdicts. Also, several participants indicated that they did not sentence the defendant harshly because he was elderly. Future research should investigate a similar case but should manipulate the defendant's relationship to the victim. For instance,

offender relationship to the victim could be varied to include a parent or family friend rather than a grandparent, as in the current study. Many real cases involving courthouse dogs have involved a parent offender.

The current study supports previous literature regarding gender differences in child sexual abuse cases. Women in the present study were more pro-prosecution than men: Women perceived the child witness more favorably than men as measured by perceptions of Witness Credibility. These findings support previous literature which finds that women are generally more pro-prosecution than men and believe child witnesses more so than men (e.g., Bottoms, 1993; McCoy & Gray, 2007). Previous research suggests that women are more pro-prosecution than men in part because they have more sympathy for the victim than do men (Bottoms, 1993).

It was predicted that innovation type and victim type would interact to affect jurors' judgments of the child and defendant which would, in turn, influence participants' verdict and punishment ratings. It was hypothesized that the courthouse dog would make the victim seem "more like a victim," increasing the perceived level of harm suffered by the victim, thereby affecting punishment but not verdict (Carlsmith, Darley, & Robinson, 2002). Analyses revealed no effect of witness type or innovation type on ratings of Witness Credibility. In addition, Witness Credibility did not mediate the relation between innovation and witness type on juror verdicts. However, verdict and sentence did vary by Witness Credibility. As jurors' perceptions of Witness Credibility increased, so did the likelihood that the defendant was convicted and sentenced longer to prison. These findings contradict previous research which suggests that bystander witnesses are considered more credible and believable than victim-witnesses (Holcomb & Jacquin,

2007). These differing results may be caused by the content of the testimony witnesses gave; compared to previous research, the current study explored molestation versus sexual abuse. Jurors may find molestation (here, fondling over clothing) more plausible in general than other forms of child sexual abuse. In addition, the child witness manipulation was through photographs only, so it is also possible that the manipulation was not strong enough to seem realistic to mock jurors.

Guilty verdicts and sentence length did not vary by witness type. To the contrary, Holcomb and Jacquin (2007) found that defendants in child sexual abuse trials are judged more harshly when a bystander witness testifies compared to a victim-witness as measured by guilt ratings. One possibility for the present findings is that the strength of the case presented in the current study was too weak to elicit differences in perceptions when comparing the victim-witness versus the bystander. For instance, the current study portrayed molestation instead of more advanced abuse (e.g., penetration).

Guilty verdicts and sentencing also did not vary by type of innovation. Previous research has found that innovations typically lead to fewer convictions of the defendant (e.g., Ross et al., 1994; Swim et al., 1993). Results in the present study may vary from previous research because the child in this study testified "live," which is when children testify in the same courtroom as the jurors, judge, and defendant. Other studies have focused more on children who testified via CCTV compared to live testimony (Swim et al., 1993; Ross et al., 1994). However, McAuliff and colleagues (2012) found that innovations did not impact conviction rates when innovations were used as part of a complete simulated trial, which aligns with the findings of the current study.

Previous literature suggests that emotions such as anger and disgust differentially impact mock jurors' judgments during emotional trials. Results revealed a small effect of innovation type on participants' levels of experienced anger such that participants were angrier in the teddy bear than the courthouse dog conditions. In addition, disgust mediated the relation between innovation type and verdict: Participants in the teddy bear conditions experienced more disgust than those in the courthouse dog conditions, which increased guilty verdicts. Likewise, the courthouse dogs decreased participant disgust which decreased the likelihood that the defendant would be convicted. These findings are supported by previous research which shows that disgust is a better predictor of moral outrage than anger (Salerno & Peter-Hagene, in press). Perhaps the teddy bear (presumably the child's own) led jurors to believe the child was harmed greater than she who testified with the more neutral courthouse dog. The teddy bear may portray something highly personal about the child and may make the victim seem even more vulnerable. Perhaps courthouse dogs neutralize anger in the courtroom and depersonalize the situation because jurors are aware that the courthouse dog does not belong to the victim.

Higher levels of experienced anger and disgust were associated with longer prison sentences and the likelihood that participants would give a guilty verdict. However, when anger and disgust were entered simultaneously, neither was a significant predictor. These results align with previous research which suggests that negative emotions play a large role in information processing and may lead to a focused, narrow information search and that emotions can lead to fast, automatic moral judgments (Alicke, 2000; Feigenson & Park, 2006; Haidt, 2001).

Limitations

This study contained several weaknesses. First, while a power analysis revealed that power was high enough to find large effects, the power was not high enough to find smaller effects. Next, the study employed photographs and mock trial stimuli, which may be poor substitutes for examining the interaction between an alleged victim of abuse and a courthouse dog or comfort doll. Photographs of the alleged victim may elicit less of an emotional response from mock jurors compared to a real trial with an actual alleged victim. In one rape trial, defense counsel argued for prosecutorial misconduct due to the use of a courthouse dog (Glaberson, 2011). The defense attorney stated, "Every time [the victim] stroked the dog, it sent an unconscious message to the jury that she was under stress because she was telling the truth." In addition, in written arguments, the defense attorney stated that the dog, '"…infected the trial with such unfairness' that it constituted a violation of [the defendant's constitutional rights'"". This type of emotional response created through real interactions was not plausibly elicited during the current study as the photographic manipulations could not likely compare to the real-time interaction described above during an actual trial.

The manipulations used in the current study may not have been strong enough to elicit empathy at comparable levels to the empathy drawn on in real trials. In one case involving a girl who suffered sexual abuse, a courthouse dog accompanied the victim to the stand and reportedly "push[ed] the girl gently with her nose" whenever the girl hesitated during testimony (Glaberson, 2011). This type of dynamic interaction between an alleged victim and support animal was not attainable through simple photographs alone. Thus, the lack of a strong connection between empathy and helping behavior (here,

no connection between empathy scores and punishment of the defendant) may have occurred because empathy was not activated or because there was no obvious way to engage in a helping behavior with the child witness.

In the future, live testimony utilizing an actual courthouse dog or a mock video which mimics real occurrences should be used. The trade-off of using the controlled experimental manipulations for this particular case is that these findings are not generalizable to other cases or situations – significant effects of innovation type (especially courthouse dogs) may exist in more realistic trials or in different cases.

Future Considerations

While the current study found some effects of innovation type, future studies should explore this issue further. If future results indicate that no bias exists due to the presence of courthouse dogs (or that courthouse dogs actually reduce bias), then policy makers, judges, and prosecutors should allow the use of service dogs in the courtroom to increase the comfort of those witnesses. However, if future results indicate that mock jurors are unduly influenced by the presence of service dogs and/or comfort dolls, then steps must be taken to reduce the prejudice they cause or their use should be discontinued in many situations. While the current study could not offer strong evidence for or against the courthouse dogs or comfort toys, more research must be conducted in this area as the stakes are very high.

Innovations (including courthouse dogs) may not affect jurors' judgments during child sexual abuse crimes. Perhaps the charges are so heinous that they overshadow any effect the dog could have in these trials. Future research could compare courthouse dog usage in child sexual abuse cases with those used in other crimes. For instance, results

may change if the child was a victim or bystander of another crime. Perhaps the innovations would stand out more in lesser crimes (i.e., witnessing a robbery).

Even if empirical research suggested that courthouse dogs are not prejudicial, many may still believe that they are. Thus, these dogs could lead to appeals, as has already happened in several cases. Defense objections may remain, even if the defense counsel does not bring the case for appeal. For example, common objections include belief that the dog will distract the jury, belief that the child or other vulnerable witnesses will be distracted by the dog and more (Courthouse Dogs, 2012).

Defense attorneys often argue that courthouse dogs are prejudicial to their clients and several defense attorneys have taken action against the implementation of courthouse dogs. For instance, beginning in 2011, several cases were up on appeal which utilized courthouse dogs (Courthouse Dogs, 2012). A defendant was acquitted in 2012 for a case involving a courthouse dog and other trials are currently pending appeal (Courthouse Dogs, 2012). However, the results of this research suggest no prejudice.

Several remedies exist that could assist courts in integrating these canines into the courts by mitigating the bias that may coincide with their presence. For instance, the dogs could be addressed during voir dire: Questions could be asked of jurors to ensure that they will not be distracted or biased by the dogs. Judges could also create limited jury instructions which minimally address the dog as not to draw undue attention to the animal and its relationship with the child. For example, judges could instruct jurors that the canine is present for the victim but that the dog does not imply credibility and should be ignored. In analogous cases involving the use of a comfort toy, judges have asked the jury to disregard the toy (State v. Gutkaiss, 1994). The dog and witness could also be

required to enter the courtroom before jurors enter so that the dog may not be seen at all (Dellinger, 2009). However, some argue that just by questioning jurors about the dogs during voir dire and/or during judicial instructions brings undue attention onto the dog and witness (Legal Talk Network, 2009).

Advocates of courthouse dogs strongly suggest that these dogs are helpful to all involved in the justice system. It is argued that defense attorneys can take advantage of the courthouse dogs by engaging with the dog and the child during cross examination. One defense attorney situated the dog between himself and the victim and petted the dog throughout an entire cross examination. In this case, jurors reported that the defense counsel was very gentle with the child (Courthouse Dogs, 2012). When asked, jurors have reported that they were not distracted by the use of a courthouse dog and did not find the dog's presence inappropriate (Courthouse dogs, 2012), but what is needed here is an objective measure of juror bias.

Future research should explore whether or not courthouse dogs increase the effectiveness of the testimony of vulnerable witnesses. For example, a study could be conducted which made children anxious and/or scared and children could be asked to recall information from an event that occurred during that time. Then, courthouse dogs and comfort toys could be used while children provide testimony of the experienced event. The number of truthful or inaccurate pieces of information could be counted and testimony could be compared for length, comprehensiveness, and more. In addition, anxiety, fear, and other emotions could be measured to determine if courthouse dogs or comfort dolls affect them differentially. This research would help determine if courthouse dogs are in fact helpful to vulnerable witnesses.

While future research should further probe the relation between innovations and juror perceptions of defendants and witnesses, other forms of prejudice may exist over and above that caused by types of innovation used, witness type, and other factors. For instance, generic prejudice, generally speaking, may still be an overwhelming form of prejudice defendants experience during child sexual abuse cases. Vidmar (1997) found that 36% of mock jurors could not be impartial during a child sexual abuse trial knowing only the nature of the charges against the defendant. Mock jurors gave several reasons for their impartiality – several had experienced some form of abuse themselves, some feared for the children and thus could not be impartial, and some generally said that they could not believe the defendant was innocent given the charges he faced. Thus, other forms of prejudice may be present. The current study did not measure other sources of potential prejudice and thus other forms cannot be ruled out in this situation.

Courthouse dogs and other innovations are often allowed in attempts to mitigate the harm caused to vulnerable witnesses by the process of testifying in court. However, if children or other vulnerable witnesses are not in fact harmed in the process (which some argue), then their usage is less necessary. In one study, researchers found that no differences in behavioral adjustments or self-esteem were found between children who had and had not testified in child sexual abuse cases. However, in the same study, parents self-reported that they were dissatisfied with their child's involvement in the criminal justice system. These results indicate that parents and children may be discontented by involvement in the justice system, although this dissatisfaction may not be caused by the actual event of testifying (Oates, Lynch, Stern, O'Toole, & Cooney, 1995). Conversely, other studies reveal that some children do in fact suffer negative consequences caused by

their involvement in court (Goodman et al., 1992). If children are in fact harmed during the process, and if future research reveals that courthouse dogs can alleviate some of this harm and their usage is not unduly prejudicial, then courthouse dogs should be allowed in the courtroom.

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APPENDIX A

CASE SUMMARIES

Arizona v. Thomas

Dean Thomas, age 65, has been accused of several counts of molestation of his 6 year old granddaughter, Samantha. According to Arizona Criminal Law, molestation of a child is defined as intentionally or knowingly engaging in or causing a person to engage in sexual contact, except sexual contact with the female breast, with a child who is under fifteen years of age. Molestation of a child is a class 2 felony that is punishable pursuant to section 13-705.

Samantha Thomas, age 6, claims that she was sexually touched by her paternal grandfather, Dean Thomas, several times over the course of six months. Samantha claims that she was touched while she and her sister, Hannah, were visiting their grandparents. She states that her grandfather touched her approximately four times during visits. Samantha states that her grandfather would touch her genitals over her clothing. Samantha's sister, Hannah, age 7, saw the touching and eventually told their mother what she saw during the visits to the grandparents' home. Their mother then contacted the authorities. The defendant is being charged with sexual molestation, which involves sexual contact with a child under age 15.

The defendant, Dean Thomas, denies the charges. He stated that the children are young and often make up fantasy stories. He believes the girls became confused when he gave the children piggy-back rides at his home. He also claims that his daughter-in-law contributed to the confusion because he believes she has always disliked him and wanted him out of the children's lives. He claims to love the children very much and stated that he would never cause them harm.

These are individuals in the trial that you will be reading about:

Samantha Thomas - Complainant: The 6 year old granddaughter of the Defendant. Samantha was accompanied by an advocate dog. Testifying in court is a stressful and unfamiliar event for most people; these dogs are used in a courthouse setting to help reduce anxiety for the witness and are available to any witness who requests one.

Dean Thomas - Defendant: The grandfather of the complainant

Arizona v. Thomas

Dean Thomas, age 65, has been accused of several counts of molestation of his 6 year old granddaughter, Samantha. According to Arizona Criminal Law, molestation of a child is defined as intentionally or knowingly engaging in or causing a person to engage in sexual contact, except sexual contact with the female breast, with a child who is under fifteen years of age. Molestation of a child is a class 2 felony that is punishable pursuant to section 13-705. Her sister, Hannah, age 7, witnessed several instances of molestation.

Samantha Thomas, age 6, claims that she was sexually touched by her paternal grandfather, Dean Thomas, several times over the course of six months. Samantha claims that she was touched while she and her sister, Hannah, were visiting their grandparents. Hannah, age 7, saw the touching and eventually told their mother what she saw during the visits to the grandparents' home. Hannah states that her grandfather touched her sister approximately four times during visits. Hannah claims that her grandfather would touch her sister's genitals over her clothing. After Hannah told their mother, their mother contacted the authorities. The defendant is being charged with sexual molestation, which involves sexual contact with a child under age 15.

The defendant, Dean Thomas, denies the charges. He stated that the children are young and often make up fantasy stories. He believes the girls became confused when he gave the children piggy-back rides at his home. He also claims that his daughter-in-law contributed to the confusion because he believes she has always disliked him and wanted him out of the children's lives. He claims to love the children very much and stated that he would never cause them harm.

These are individuals in the trial that you will be reading about:

Samantha Thomas - Complainant: The 6 year old granddaughter of the Defendant

Dean Thomas - Defendant: The grandfather of the complainant

Hannah Thomas – Witness: The 7 year old sister of the complainant who witnessed the events; granddaughter of the Defendant. Hannah was accompanied by an advocate dog. Testifying in court is a stressful and unfamiliar event for most people; these dogs are used in a courthouse setting to help reduce anxiety for the witness and are available to any witness who requests one.

Arizona v. Thomas

Dean Thomas, age 65, has been accused of several counts of molestation of his 6 year old granddaughter, Samantha. According to Arizona Criminal Law, molestation of a child is defined as intentionally or knowingly engaging in or causing a person to engage in sexual contact, except sexual contact with the female breast, with a child who is under fifteen years of age. Molestation of a child is a class 2 felony that is punishable pursuant to section 13-705.

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The defendant, Dean Thomas, denies the charges. He stated that the children are young and often make up fantasy stories. He believes the girls became confused when he gave the children piggy-back rides at his home. He also claims that his daughter-in-law contributed to the confusion because he believes she has always disliked him and wanted him out of the children's lives. He claims to love the children very much and stated that he would never cause them harm.

These are individuals in the trial that you will be reading about:

Samantha Thomas - Complainant: The 6 year old granddaughter of the Defendant. Samantha was accompanied by a teddy bear. Testifying in court is a stressful and unfamiliar event for most people; the teddy bear was used to help reduce anxiety for the witness.

Dean Thomas - Defendant: The grandfather of the complainant

Arizona v. Thomas

Dean Thomas, age 65, has been accused of several counts of molestation of his 6 year old granddaughter, Samantha. According to Arizona Criminal Law, molestation of a child is defined as intentionally or knowingly engaging in or causing a person to engage in sexual contact, except sexual contact with the female breast, with a child who is under fifteen years of age. Molestation of a child is a class 2 felony that is punishable pursuant to section 13-705. Her sister, Hannah, age 7, witnessed several instances of molestation.

Samantha Thomas, age 6, claims that she was sexually touched by her paternal grandfather, Dean Thomas, several times over the course of six months. Samantha claims that she was touched while she and her sister, Hannah, were visiting their grandparents. Hannah, age 7, saw the touching and eventually told their mother what she saw during the visits to the grandparents' home. Hannah states that her grandfather touched her sister approximately four times during visits. Hannah claims that her grandfather would touch her sister's genitals over her clothing. After Hannah told their mother, their mother contacted the authorities. The defendant is being charged with sexual molestation, which involves sexual contact with a child under age 15.

The defendant, Dean Thomas, denies the charges. He stated that the children are young and often make up fantasy stories. He believes the girls became confused when he gave the children piggy-back rides at his home. He also claims that his daughter-in-law contributed to the confusion because he believes she has always disliked him and wanted him out of the children's lives. He claims to love the children very much and stated that he would never cause them harm.

These are individuals in the trial that you will be reading about:

Samantha Thomas - Complainant: The 6 year old granddaughter of the Defendant

Dean Thomas - Defendant: The grandfather of the complainant

Hannah Thomas – Witness: The 7 year old sister of the complainant who witnessed the events; granddaughter of the Defendant. Hannah was accompanied by a teddy bear. Testifying in court is a stressful and unfamiliar event for most people; the teddy bear was used to help reduce anxiety for the witness.

Victim-Witness and None Scenario

Arizona v. Thomas

Dean Thomas, age 65, has been accused of several counts of molestation of his 6 year old granddaughter, Samantha. According to Arizona Criminal Law, molestation of a child is defined as intentionally or knowingly engaging in or causing a person to engage in sexual contact, except sexual contact with the female breast, with a child who is under fifteen years of age. Molestation of a child is a class 2 felony that is punishable pursuant to section 13-705.

Samantha Thomas, age 6, claims that she was sexually touched by her paternal grandfather, Dean Thomas, several times over the course of six months. Samantha claims that she was touched while she and her sister, Hannah, were visiting their grandparents. She states that her grandfather touched her approximately four times during visits. Samantha states that her grandfather would touch her genitals over her clothing. Samantha's sister, Hannah, age 7, saw the touching and eventually told their mother what she saw during the visits to the grandparents' home. Their mother then contacted the authorities. The defendant is being charged with sexual molestation, which involves sexual contact with a child under age 15.

The defendant, Dean Thomas, denies the charges. He stated that the children are young and often make up fantasy stories. He believes the girls became confused when he gave the children piggy-back rides at his home. He also claims that his daughter-in-law contributed to the confusion because he believes she has always disliked him and wanted him out of the children's lives. He claims to love the children very much and stated that he would never cause them harm.

These are individuals in the trial that you will be reading about:

Samantha Thomas - Complainant: The 6 year old granddaughter of the Defendant

Dean Thomas - Defendant: The grandfather of the complainant

Bystander Witness and None Scenario

Arizona v. Thomas

Dean Thomas, age 65, has been accused of several counts of molestation of his 6 year old granddaughter, Samantha. According to Arizona Criminal Law, molestation of a child is defined as intentionally or knowingly engaging in or causing a person to engage in sexual contact, except sexual contact with the female breast, with a child who is under fifteen years of age. Molestation of a child is a class 2 felony that is punishable pursuant to section 13-705. Her sister, Hannah, age 7, witnessed several instances of molestation.

Samantha Thomas, age 6, claims that she was sexually touched by her paternal grandfather, Dean Thomas, several times over the course of six months. Samantha claims that she was touched while she and her sister, Hannah, were visiting their grandparents. Hannah, age 7, saw the touching and eventually told their mother what she saw during the visits to the grandparents' home. Hannah states that her grandfather touched her sister approximately four times during visits. Hannah claims that her grandfather would touch her sister's genitals over her clothing. After Hannah told their mother, their mother contacted the authorities. The defendant is being charged with sexual molestation, which involves sexual contact with a child under age 15.

The defendant, Dean Thomas, denies the charges. He stated that the children are young and often make up fantasy stories. He believes the girls became confused when he gave the children piggy-back rides at his home. He also claims that his daughter-in-law contributed to the confusion because he believes she has always disliked him and wanted him out of the children's lives. He claims to love the children very much and stated that he would never cause them harm.

These are individuals in the trial that you will be reading about:

Samantha Thomas - Complainant: The 6 year old granddaughter of the Defendant

Dean Thomas - Defendant: The grandfather of the complainant

Hannah Thomas – Witness: The 7 year old sister of the complainant who witnessed the events; granddaughter of the Defendant.

APPENDIX B

MOCK TRIAL TRANSCRIPTS

Judge's Preliminary Instructions

Welcome jurors. My name is Judge Williams and I will be presiding over the case that you will hear and decide. Jury duty is one of the most important obligations citizens have in a free society and I expect that you will approach your task with the great care that it deserves. I thank you in advance for your service. In this case, the defendant, Dean Thomas, is charged with the molestation of his granddaughter, Samantha Thomas, and of sexually touching her. The trial will proceed as follows. First, the prosecution and defense will offer opening statements. Next, the prosecution will call witnesses to present its case. Then, the defense will call witnesses, if it chooses to do so. Next, the prosecution and defense will offer closing arguments. Finally, I will provide you with some instructions after which you will make some decisions about this case, including the guilt or innocence of the defendant. The prosecutor will now make his opening statement.

Opening Statement: Prosecution

Ladies and gentlemen of the jury, my name is Leon Turnbull and I am the Assistant District Attorney for the city of Phoenix. I am the prosecutor in this case.

The state has charged the defendant, Dean Thomas, with the molestation of his granddaughter, Samantha Thomas. Through our evidence, we intend to prove beyond a reasonable doubt that Mr. Thomas molested his granddaughter several times over the course of six months while she and her sister, Hannah, were visiting their grandparents' home. We argue that the defendant molested Samantha by fondling her genitals over her clothing approximately four times over six months. In addition, I argue that the complainant's sister, Hannah, witnessed all of these sexual acts.

Eventually, Hannah became so upset by what she saw occur between her grandfather and Samantha that she told her mother. Hannah and Samantha's mother immediately contacted the authorities.

Our case is simple but compelling. You will hear from Samantha. Samantha will tell you that her grandfather touched her several times during trips to visit her grandparents at their home. You will also hear that Dean Thomas denies his guilt in these charges. He argues that the children are young and impressionable, and that their mother instigated these charges because she does not like him. He says he loves his grandchildren very much and that he would never harm them. However, ladies and gentlemen, he did. He harmed his granddaughter Samantha in the worst way imaginable.

I submit to you that the evidence you are about to hear is so simple and so compelling that you will believe, beyond any reasonable doubt, that the defendant committed this horrific crime. At the end of the trial, I will ask you to return a guilty verdict. Thank you.

Opening Statement: Defense

Ladies and gentlemen of the jury, my name is Steven Hoch and I am the attorney for the defendant in this case, Dean Thomas.

Let me be perfectly clear from the outset: The evidence will not show that Mr. Thomas molested his granddaughter. He loves his grandchildren. And none of the evidence will prove otherwise.

Perhaps the most important pieces of information that my friend Mr. Turnbull neglected to tell you in his opening statement is the evidence that you will *not* hear today. You will not hear from a DNA expert who will tell you that Mr. Thomas' DNA was found on Samantha Thomas' body. You will not hear these things because no DNA was found and because Mr. Thomas did not commit these crimes.

As for the eyewitness testimony that you will hear from Samantha Thomas, remember – she is just a child. Children commonly make up fantastic stories and are commonly mistaken. Also, remember that the children's mother dislikes the defendant and that she would say anything to get him out of her children's lives forever.

In sum, the prosecution's case is so weak and unpersuasive that I am confident that you will see that the evidence can't possibly sustain a conviction. I ask and fully expect that you will return a verdict of not guilty. Thank you.

Samantha's testimony – Prosecution Direct

PROSECUTION: Hello, my name is Leon and I am a lawyer. Part of my job is to talk to children about things that have happened to them. I meet with many children so that they can tell me the truth about things that have happened to them. So, before we begin, I want to make sure that you understand how important it is to tell the truth. If I say that my shoes are red, is that true or not true?

CHILD: Not true.

PROSECUTION: Right, that would not be true because my shoes are really black. Now, if I say that I am standing up, would that be true or not true?

CHILD: True

PROSECUTION: Yes, it would be true because you can see that I really am standing up. I see that you understand what telling the truth means. It is very important that you only tell me the truth today. You should only tell me things that really happened to you.

PROSECUTION: If I ask a question that you don't understand, just say "I don't understand." Okay?

CHILD: Okay.

PROSECUTION: And if I don't understand what you say, I'll ask you to explain. If I ask you a question and you don't know the answer, just tell me "I don't know."

PROSECUTION: And if I say things that are wrong, you should tell me, okay?

CHILD: Okay.

PROSECUTION: Now I want to talk to you about why you are here today. Tell me why you think your mom brought you here today.

CHILD: Mommy is upset because grandpa touched me.

PROSECUTION: I understand that something happened to you. Tell me everything that happened from the beginning to the end.

CHILD: Grandpa touched me at his house.

PROSECUTION: Did someone do something to you that wasn't right?

CHILD: He touched my private parts.

PROSECUTION: Tell me everything about that.

CHILD: When I went to his house to visit he touched me down there when we were playing.

PROSECUTION: Can you tell me what you mean when you say he touched you down there?

CHILD: Yeah, he touched my private parts.

PROSECUTION: What do you mean by private parts?

CHILD: He touched me where I pee.

PROSECUTION: Did he touch you where you pee over or under your clothes?

CHILD: Over my clothes.

PROSECUTION: How many times?

CHILD: Um, uh, he touched me down there a few times when we went to visit.

PROSECUTION: Did he touch this part of your body, the part you pee with, more than once?

CHILD: Yes.

PROSECUTION: Did he touch you about four times?

CHILD: Uh...I think so. I think four times.

PROSECUTION: What did he touch you with down there?

CHILD: His hand.

PROSECUTION: Did he touch other parts of your body?

CHILD: Ummm, no.

PROSECUTION: So he touched you where you pee, over your clothes, four times?

CHILD: Uhhh, I think so.

PROSECUTION: Did he touch you four times in the same day? Or did he touch you separate days?

CHILD: Um…a few days.

PROSECUTION: Is there any other touching you can tell me about?

CHILD: Umm, no.

INTERVIEWER: Did you touch any part of grandpa?

CHILD: Um, no.

PROSECUTION: Is the person who touched you in the room with us today?

CHILD: Umm, yes.

PROSECUTION: Can you point to the person who touched you and tell me what that person is wearing?

CHILD: He is over there (child points at Mr. Thomas). He is wearing a white shirt and black pants and a tie.

PROSECUTION: Thank you, Samantha. You have told me lots of things today, and I want to thank you for helping me. Is there anything else you want to tell me?

CHILD: Uhhh, no.

PROSECUTION: Is there anything else you think I should know?

CHILD: No.

PROSECUTION: Okay. Thank you, Samantha. Your Honor, no further questions for this witness.

Closing Argument - Prosecutor

Ladies and gentlemen of the jury, I told you that this would be a simple and compelling case against the defendant, Dean Thomas, and I hope and expect that you now see why. The evidence of Mr. Thomas's molestation of Samantha Thomas is overwhelming.

You heard from Samantha Thomas, Mr. Thomas' little granddaughter that he touched sexually. She told you all about how her grandfather fondled her genitals over her clothing while she and her sister went to visit their grandparents' home. She told you that he touched her nearly four times over the course of six months. And she told you that the molestation finally stopped after her sister, Hannah, finally told their mother what was happening.

Using your common sense and experience, you know darn well what happened when Samantha and Hannah went to visit their grandparents. Even though Mr. Thomas denies all of these heinous crimes, you know he is lying. You know the truth – what child would make these terrible crimes up?

The defendant, Dean Thomas, is guilty of all charges of sexual contact and of molesting his little granddaughter. I ask you to use your common sense, put the pieces together, and return the only verdict that provides some measure of justice in this case. I ask you to find Mr. Thomas guilty of molestation. Thank you.

Closing Argument – Defense

I too ask you to use your common sense in this case. And your common sense should tell you that something is amiss here. The evidence that the prosecution has put forth is anything but compelling. It is practically non-existent. There is no DNA. There is only the eyewitness testimony of a confused and manipulated little girl, Samantha Thomas. There is reasonable doubt everywhere. And that's because Mr. Thomas did not commit these crimes. Let's review the prosecution's evidence.

The only so-called evidence in this case is the testimony of Samantha Thomas, the alleged victim in this case. We readily concede that Mr. Thomas gave piggy-back rides to his two young grandchildren. But that is all he did with his grandchildren. But this does not make him a child molester or weaken the prosecution's burden of proof in this case.

That kind of "proof", ladies and gentlemen, falls far short of the kind we require to convict someone of child molestation and sexual contact. As I said in my opening remarks, I am confident that you will now see through the prosecution's flimsy evidence and see that there is reasonable doubt everywhere in this case. I ask you to return a verdict of not guilty. Thank you.

Judicial Instructions

Ladies and gentlemen, that concludes the trial except for your deliberations, decisions and verdict. Before you retire to deliberate, I offer the following instructions.

Every defendant is presumed by law to be innocent. The prosecution has the burden of proving the defendant guilty beyond a reasonable doubt. Proof "beyond a reasonable doubt" is proof that leaves you firmly convinced of the defendant's guilt.

On the other hand, the law does not require proof that overcomes every doubt. If, based on your consideration of all the evidence, in light of the law that applies, you are firmly convinced beyond all reasonable doubts that the defendant is guilty of child molestation, you should return a guilty verdict. However, if you think, based on the evidence or the lack of it, that there is a real possibility that he is not guilty, you must give him the benefit of the doubt and find him not guilty.

Judge's Preliminary Instructions

Welcome jurors. My name is Judge Williams and I will be presiding over the case that you will hear and decide. Jury duty is one of the most important obligations citizens have in a free society and I expect that you will approach your task with the great care that it deserves. I thank you in advance for your service. In this case, the defendant, Dean Thomas, is charged with the molestation of his granddaughter, Samantha Thomas, and of sexually touching her. The trial will proceed as follows. First, the prosecution and defense will offer opening statements. Next, the prosecution will call witnesses to present its case. Then, the defense will call witnesses, if it chooses to do so. Next, the prosecution and defense will offer closing arguments. Finally, I will provide you with some instructions after which you will make some decisions about this case, including the guilt or innocence of the defendant. The prosecutor will now make his opening statement.

Opening Statement: Prosecution

Thank you, Your Honor. Ladies and gentlemen of the jury, my name is Leon Turnbull and I am the Assistant District Attorney for the city of Phoenix. I am the prosecutor in this case.

The state has charged the defendant, Dean Thomas, with the molestation of his granddaughter, Samantha Thomas. Through our evidence, we intend to prove beyond a reasonable doubt that Mr. Thomas molested his granddaughter several times over the course of six months while she and her sister, Hannah, were visiting their grandparents' home. We argue that the defendant molested Samantha by fondling her genitals over her clothing approximately four times over six months. In addition, I argue that the complainant's sister, Hannah, witnessed all of these sexual acts.

Eventually, Hannah became so upset by what she saw occur between her grandfather and Samantha that she told her mother. Hannah and Samantha's mother immediately contacted the authorities.

Our case is simple but compelling. First, you will hear from Hannah today on behalf of her little sister, Samantha. Hannah will tell you that she saw her grandfather touch her little sister several times during their trips to visit their grandparents at their home.

You will also hear that Dean Thomas denies his guilt in these charges. He argues that the children are young and impressionable, and that their mother instigated these charges because she does not like him. He says he loves his grandchildren very much and that he would never harm them. However, ladies and gentlemen, he did. He harmed his granddaughter Samantha in the worst way imaginable.

I submit to you that the evidence you are about to hear is so simple and so compelling that you will believe, beyond any reasonable doubt, that the defendant committed this horrific crime. At the end of the trial, I will ask you to return a guilty verdict. Thank you.

Opening Statement: Defense

Ladies and gentlemen of the jury, my name is Steven Hoch and I am the attorney for the defendant in this case, Dean Thomas.

Let me be perfectly clear from the outset: The evidence will not show that Mr. Thomas molested his granddaughter. He loves his grandchildren. And none of the evidence will prove otherwise.

Perhaps the most important pieces of information that my friend Mr. Turnbull neglected to tell you in his opening statement is the evidence that you will *not* hear today. You will not hear from a DNA expert who will tell you that Mr. Thomas' DNA was found on Samantha Thomas' body. You will not hear these things because no DNA was found and because Mr. Thomas did not commit these crimes.

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In sum, the prosecution's case is so weak and unpersuasive that I am confident that you will see that the evidence can't possibly sustain a conviction. I ask and fully expect that you will return a verdict of not guilty. Thank you.

Hannah's testimony – Prosecution Direct

PROSECUTION: Hello, my name is Leon and I am a lawyer. Part of my job is to talk to children about things that have happened to them. I meet with many children so that they can tell me the truth about things that have happened to them. So, before we begin, I want to make sure that you understand how important it is to tell the truth. If I say that my shoes are red, is that true or not true?

CHILD: Not true.

PROSECUTION: Right, that would not be true because my shoes are really black. Now, if I say that I am standing up, would that be true or not true?

CHILD: True

PROSECUTION: Yes, it would be true because you can see that I really am standing up. I see that you understand what telling the truth means. It is very important that you only tell me the truth today. You should only tell me things that really happened to you.

PROSECUTION: If I ask a question that you don't understand, just say "I don't understand." Okay?

CHILD: Okay.

PROSECUTION: And if I don't understand what you say, I'll ask you to explain. If I ask you a question and you don't know the answer, just tell me "I don't know."

PROSECUTION: And if I say things that are wrong, you should tell me, okay?

CHILD: Okay.

PROSECUTION: Now I want to talk to you about why you are here today. Tell me why you think your mom brought you here today.

CHILD: Mommy is upset because grandpa touched my sister, Samantha.

PROSECUTION: I understand that something happened to your sister. Tell me everything that happened from the beginning to the end.

CHILD: Grandpa touched Samantha at his house.

PROSECUTION: Did someone do something to her that wasn't right?

CHILD: He touched her private parts.

PROSECUTION: Tell me everything about that.

CHILD: When I went to his house to visit he touched her down there when we were playing.

PROSECUTION: Can you tell me what you mean when you say he touched her down there?

CHILD: Yeah, he touched her private parts.

PROSECUTION: What do you mean by private parts?

CHILD: He touched her where she pees.

PROSECUTION: Did he touch her where she pees over or under her clothes?

CHILD: Over her clothes.

PROSECUTION: How many times?

CHILD: Um, uh, he touched her down there a few times when we went to visit.

PROSECUTION: Did he touch this part of her body, the part she pees with, more than once?

CHILD: Yes.

PROSECUTION: Did he touch her about four times?

CHILD: Uh...I think so. I think four times.

PROSECUTION: What did he touch her with down there?

CHILD: His hand.

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INTERVIEWER: Did she touch any part of grandpa?

CHILD: Um, no.

PROSECUTION: Is the person who touched her in the room with us today?

CHILD: Umm, yes.

PROSECUTION: Can you point to the person who touched her and tell me what that person is wearing?

CHILD: He is over there (child points at Mr. Thomas). He is wearing a white shirt and black pants and a tie.

PROSECUTION: Thank you, Hannah. You have told me lots of things today, and I want to thank you for helping me. Is there anything else you want to tell me?

CHILD: Uhhh, no.

PROSECUTION: Is there anything else you think I should know?

CHILD: No.

PROSECUTION: Okay. Thank you, Hannah. Your Honor, no further questions for this witness.

Closing Argument - Prosecutor

Ladies and gentlemen of the jury, I told you that this would be a simple and compelling case against the defendant, Dean Thomas, and I hope and expect that you now see why. The evidence of Mr. Thomas's molestation of Samantha Thomas is overwhelming.

You heard from Hannah Thomas, Mr. Thomas' little granddaughter and Samantha's sister who saw that Mr. Thomas touched Samantha sexually. She told you all about how her grandfather fondled her sister's genitals over her clothing while she and her sister went to visit their grandparents' home. She told you that he touched her sister nearly four times over the course of six months. And she told you that the molestation finally stopped after she finally told their mother what was happening.

Using your common sense and experience, you know darn well what happened when Samantha and Hannah went to visit their grandparents. Even though Mr. Thomas denies all of these heinous crimes, you know he is lying. You know the truth – what child would make these terrible crimes up?

The defendant, Dean Thomas, is guilty of all charges of sexual contact and of molesting his little granddaughter. I ask you to use your common sense, put the pieces together, and return the only verdict that provides some measure of justice in this case. I ask you to find Mr. Thomas guilty of molestation. Thank you.

Closing Argument – Defense

I too ask you to use your common sense in this case. And your common sense should tell you that something is amiss here. The evidence that the prosecution has put forth is

anything but compelling. It is practically non-existent. There is no DNA. There is only the eyewitness testimony of a confused and manipulated little girl, Hannah Thomas.

There is reasonable doubt everywhere. And that's because Mr. Thomas did not commit these crimes. Let's review the prosecution's evidence.

The only so-called evidence in this case is the testimony of Hannah Thomas, a bystander witness and sister of the alleged victim in this case. We readily concede that Mr. Thomas gave piggy-back rides to his two young grandchildren. But that is all he did with his grandchildren. But this does not make him a child molester or weaken the prosecution's burden of proof in this case.

That kind of "proof", ladies and gentlemen, falls far short of the kind we require to convict someone of child molestation and sexual contact. As I said in my opening remarks, I am confident that you will now see through the prosecution's flimsy evidence and see that there is reasonable doubt everywhere in this case. I ask you to return a verdict of not guilty. Thank you.

Judicial Instructions

Ladies and gentlemen, that concludes the trial except for your deliberations, decisions and verdict. Before you retire to deliberate, I offer the following instructions.

Every defendant is presumed by law to be innocent. The prosecution has the burden of proving the defendant guilty beyond a reasonable doubt. Proof "beyond a reasonable doubt" is proof that leaves you firmly convinced of the defendant's guilt.

On the other hand, the law does not require proof that overcomes every doubt. If, based on your consideration of all the evidence, in light of the law that applies, you are firmly convinced beyond all reasonable doubts that the defendant is guilty of child molestation, you should return a guilty verdict. However, if you think, based on the evidence or the lack of it, that there is a real possibility that he is not guilty, you must give him the benefit of the doubt and find him not guilty.

APPENDIX C

EXPERIMENTAL MANIPULATIONS

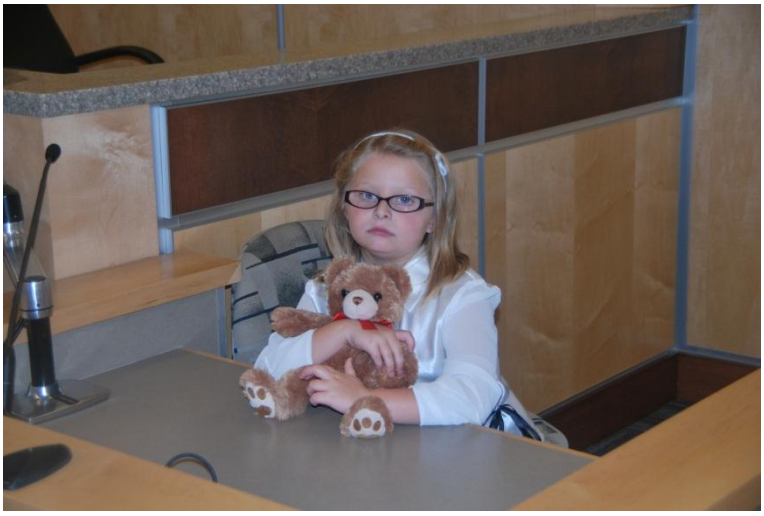






Victim-Witness and Bystander Witness and Teddy Bear Scenarios













APPENDIX D

TRIAL QUIZ QUESTIONNAIRE

Now you will be asked some questions pertaining to the case.

1. **What is the complainant's name?**

- Samantha
- Sarah
- Shirley

2. **What is the complainant's sister's name?**

- Haley
- Hannah
- Heidi

3. **What was the defendant's relationship to the alleged victim?**

- Father
- Grandfather
- Uncle

4. **Who revealed the alleged abuse?**

- The complainant
- The complainant's sister
- The sisters' grandmother

APPENDIX E

DEPENDENT MEASURES QUESTIONNAIRE

Please answer the questions below.

1. **Do you believe that Samantha (the complainant) was abused?**

1	2	3	4	5	6	7	8	9
Definitely Not Abused								Definitely Abused

2. **How confident are you in this judgment?**

1	2	3	4	5	6	7	8	9
No Confidence								Strong Confidence

3. **How convincing was the child witness?**

1	2	3	4	5	6	7	8	9
Not at all convincing								Extremely convincing

Please answer the following questions about lying. Lying is when one knows the truth but says something different. Sometimes people are not lying, but believe something to be true that is not so.

4. **How likely is it that the child witness intentionally liked about the abuse?**

1	2	3	4	5	6	7	8	9
Not at all likely								Extremely likely

5. **What is the likelihood that the child witness was mistaken and was not lying?**

1	2	3	4	5	6	7	8	9
Not at all likely								Extremely likely

Please answer the following questions.

6. **How accurate do you think was the eyewitness's account (the child witness) of the crime?**

1	2	3	4	5	6	7	8	9
Not at all accurate								Extremely accurate

7. **How believable was the defendant's explanation of the event?**

1	2	3	4	5	6	7	8	9
Not at all believable								Extremely believable

8. How strong do you think the case is against Dean Thomas (the defendant)?

1	2	3	4	5	6	7	8	9
The case is very weak								The case is very strong

9. Do you think the defendant is guilty or not guilty of child molestation?

Guilty Not guilty

10. If you believe the defendant is guilty, please choose a prison sentence ranging from 10 to 24 years in prison. Although there were multiple counts of abuse, if sentenced, the defendant will serve the sentences concurrently (he will serve his time for each offense at the same time).

Defendant Sentence – 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24

11. Please explain why you chose this sentence length.

Please answer the question below.

12. How confident are you in the verdict you made regarding the defendant?

1	2	3	4	5	6	7	8	9
No confidence								Strong confidence

APPENDIX F

DEMOGRAPHIC QUESTIONNAIRE

Now you will be asked to answer some questions about yourself.

1. **How old are you?**

2. **What is your sex?**
   Male Female

3. **What ethnicity do you consider yourself?** ***(Please select one)***
   a. Black / African American
   b. White / Caucasian
   c. Hispanic
   d. Native American
   e. Asian / Pacific Islander
   f. Other (Please specify)

4. **How many years of school have you completed (*Please select one)***
   a. Less than 4 years of high school
   b. High school graduate / GED
   c. Some college
   d. College degree
   e. Some graduate school
   f. Graduate degree

5. **Which option below best reflects your political views? (*Please circle one*)**
   a. Liberal
   b. Somewhat more liberal than conservative
   c. Somewhat more conservative than liberal
   d. Conservative

APPENDIX G

EMOTIONS QUESTIONNAIRE

Please answer the following questions about how you feel, right now, using the scale below.

1	2	3	4	5	6	7	8	9
Not at all								Extremely

Anger
Amusement
Disgust
Desire
Fear
Embarrassment
Sadness
Happiness

APPENDIX H

NEED FOR COGNITION SCALE

The questions that follow do not specifically pertain to the case. Instead, these questions concern your views about various general matters and some basic information about you.

1. I would prefer complex to simple problems.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

2. I like to have the responsibility of handling a situation that requires a lot of thinking.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

3. Thinking is not my idea of fun.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

4. I would rather do something that requires little thought than something that is sure to challenge my thinking abilities.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

5. I try to anticipate and avoid situations where there is likely a chance I will have to think in depth about something.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

6. I find satisfaction in deliberating hard and for long hours.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

7. I only think as hard as I have to.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

8. I prefer to think about small, daily projects to long-term ones.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

9. I like tasks that require little thought once I've learned them.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

10. The idea of relying on thought to make my way to the top appeals to me.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

11. I really enjoy a task that involves coming up with new solutions to problems.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

12. Learning new ways to think doesn't excite me very much.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

13. I prefer my life to be filled with puzzles that I must solve.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

14. The notion of thinking abstractly is appealing to me.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

15. I would prefer a task that is intellectual, difficult, and important to one that is somewhat important but does not require much thought.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

16. I feel relief rather than satisfaction after completing a task that required a lot of mental effort.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

17. It's enough for me that something gets the job done; I don't care how or why it works.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

18. I usually end up deliberating about issues even when they do not affect me personally.

1	2	3	4	5	6	7	8	9
Very Strongly Disagree								Very Strongly Agree

APPENDIX I

TORONTO EMPATHY QUESTIONNAIRE

Instructions

Below is a list of statements. Please read each statement *carefully* and rate how frequently you feel or act in the manner described. Circle your answer on the response form. There are no
right or wrong answers or trick questions. Please answer each question as honestly as you can.

Never = 0; Rarely = 1; Sometimes = 2; Often =3; Always = 4.

1. When someone else is feeling excited, I tend to get excited too
2. Other people's misfortunes do not disturb me a great deal
3. It upsets me to see someone being treated disrespectfully
4. I remain unaffected when someone close to me is happy
5. I enjoy making other people feel better
6. I have tender, concerned feelings for people less fortunate than me
7. When a friend starts to talk about his\her problems, I try to steer the conversation towards something else
8. I can tell when others are sad even when they do not say anything
9. I find that I am "in tune" with other people's moods
10. I do not feel sympathy for people who cause their own serious illnesses
11. I become irritated when someone cries
12. I am not really interested in how other people feel
13. I get a strong urge to help when I see someone who is upset
14. When I see someone being treated unfairly, I do not feel very much pity for them
15. I find it silly for people to cry out of happiness
16. When I see someone being taken advantage of, I feel kind of protective towards him \her

APPENDIX J

SPIELBERGER STATE-TRAIT ANXIETY INVENTORY – SHORT-FORM (STAI-6)

Instructions: A number of statements which people have used to describe themselves are given below. Read each statement and then circle the most appropriate number to the right of the statement to indicate how you feel right now, at this moment. There are no right or wrong answers. Do not spend too much time on any one statement but give the answer which seems to describe your present feelings best.

	Not at all	Somewhat	Moderately	Very much
1. I feel Calm	1	2	3	4
2. I am tense	1	2	3	4
3. I feel upset	1	2	3	4
4. I am relaxed	1	2	3	4
5. I feel content	1	2	3	4
6. I am worried	1	2	3	4

APPENDIX K

INSTITUTIONAL REVIEW BOARD (IRB) APPROVAL LETTER

ASU Knowledge Enterprise Development

Office of Research Integrity and Assurance

To:	Dawn Mcquiston FAB
From:	Mark Roosa, Chair Soc Beh IRB
Date:	01/22/2013
Committee Action:	**Exemption Granted**
IRB Action Date:	01/22/2013
IRB Protocol #:	1301008693
Study Title:	The Effects of Facility Animals in the Courtroom on Juror Decision-Making

The above-referenced protocol is considered exempt after review by the Institutional Review Board pursuant to Federal regulations, 45 CFR Part 46.101(b)(2) .

This part of the federal regulations requires that the information be recorded by investigators in such a manner that subjects cannot be identified, directly or through identifiers linked to the subjects. It is necessary that the information obtained not be such that if disclosed outside the research, it could reasonably place the subjects at risk of criminal or civil liability, or be damaging to the subjects' financial standing, employability, or reputation.

You should retain a copy of this letter for your records.