

THE EFFECT OF NEED FOR SOCIAL  
APPROVAL, POLITICAL VIEWPOINT, AND  
TYPE OF CRIME ON DECISIONS OF  
THREE-PERSON MOCK JURIES

Thesis for the Degree of Ph. D.  
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## ABSTRACT

### THE EFFECT OF NEED FOR SOCIAL APPROVAL, POLITICAL VIEWPOINT, AND TYPE OF CRIME ON DECISIONS OF THREE-PERSON MOCK JURIES

By

Dennis R. Pollack

The purpose of this study was to examine proposed relationships between the need for social approval (NSA), political viewpoint, and punitive aggression. Specifically, it was hypothesized that as the number of high need for social approval subjects on a mock jury increased, there would be (a) an increase in both the number of convictions awarded and the severity of the sentences imposed, and (b) a decrease in both the time to first individual decision and time to consensus verdict. In addition, it was hypothesized that juries made up of all Conservative subjects would be more aggressive than juries composed of all Liberals. It was, also, hypothesized that there would be a significant difference in the aggressiveness expressed to three types of crime: neutral, sexual, and aggressive. The hypothesized order of increasing aggressiveness for convictions and sentences was sexual, neutral, and aggressive. In terms of increasing time to first decision and time to verdict the expected order of type of crime was sexual, aggressive, neutral.

Results revealed the following: 1) the aggressiveness of mock juries did not increase as the number of high NSA subjects on the

jury increased, 2) Conservatives, when compared to Liberals, did not give more convictions or impose more severe sentences, nor did they take a shorter time to reach a first individual decision. However, they did take more time than did Liberals to reach a consensus verdict. The results did support the hypothesized order for the three types of crime with respect to convictions, sentences, time to first individual decision, and time to consensus verdict. Finally, the results revealed a significant need for social approval x Liberal-Conservative x type of crime interaction for time to first decision. However, further analyses of this effect revealed no consistent, theoretically meaningful pattern of results.

Thus, overall the result did not provide extensive support for the hypotheses. A number of possible explanations for these findings were presented and directions for further research were suggested.

Approved: \_\_\_\_\_

Date: \_\_\_\_\_

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THREE-PERSON MOCK JURIES

By  
Dennis R. Pollack

A THESIS

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Dedication

To my wife, Jean

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## CHAPTER I

### INTRODUCTION

#### Statement of the Problem

The need for social approval (NSA), as described by Crowne and Marlowe (1964), has been shown to have at least in part an element of defensiveness associated with it. Previous research has attempted to demonstrate that the high NSA individual often is suppressing aggressive feelings. Kazdin (1967) and Pollack (1968) demonstrated that with controversial issues, high NSA subjects tend to express aggression significantly more often than do those low in NSA. This study was an attempt to extend these findings by testing the hypothesis that as members of a mock jury high NSA subjects would manifest significantly more hostility than would subjects low in NSA. It also investigated the court decisions of Liberal and Conservative subjects and the effect of type of crime on such behavior.

#### The High Need for Approval Individual

Marlowe and Crowne (1964) provide a description of the high need for approval person that is based upon an extensive review of the literature. They state that the high NSA person has learned to say the "right" things to people in authority, that he holds

attitudes which are proper, that he uses language which is common, acceptable, and innocuous, that he does not call attention to himself by being too lazy or ambitious, and that he does not exhibit hostility overtly. The authors assume that these values typify those of "American middle class culture." They further state that "they seem in general, to reflect the congeries of virtues defining the 'adjusted' individual. On closer scrutiny, however, those identified as approval motivated seem to resolve social and personal conflicts in ways that are detrimental to themselves (p. 204)."

Because the high NSA individual seemed "too good to be true," research on need for approval began to focus upon the defensive posture which seemed to characterize the high NSA subject. In addition, research began to explore the possibility that the overt behavior of the high NSA person specifically concealed underlying aggressive impulses. Tutko (1962), for example, found that high need for approval was associated with guardedness, conventional and stereotyped responses, and less productivity. Moreover, Tutko found that these relationships were enhanced by stressful testing situations.

Since it is generally accepted that sex and aggression are the two motives which are most strongly defended against, it is no surprise that some of the research which followed Tutko's study attempted to elicit aggressive behavior on the part of high need for approval subjects. Kazdin (1967), for example, by using controversial issues succeeded in demonstrating that high NSA individuals are high in aggressive needs. This finding was also demonstrated by Pollack (1968). He found that high NSA subjects gave significantly

more convictions and more severe sentences when they were presented a series of ambiguous court cases. Pollack's study went one step further and demonstrated that after the high NSA subjects had given their sentences, when they did not know they were guilty, they gave less severe sentences for the same crimes when they knew they were guilty. It seems as though high NSA individuals tried to regain the approval of the experimenter by giving less severe sentences.

#### A Theory of Approval Motivated Behavior

The behavior of the high NSA individual can be separated into four sequential elements which can be represented as (A→B→C→A).

(A): The high NSA subject behaves in a compliant and stereotypic manner, maintaining an equilibrium between his approval needs and his sexual and aggressive needs. (B): When socially unacceptable stimuli are presented, the subject becomes defensive, self-productive, and avoidant of the anxiety-arousing stimulus. (C): The sexual and aggressive feelings are suppressed, though with more effort. The individual conforms to the perceived demands of the situation and acts in "normal" fashion; (A).

However, if the situation is ambiguous or one in which it is socially acceptable to express aggression, the behavior pattern will be somewhat more complicated. (A), (B), and (C) remain the same but step (D) and (E) are added so that the paradigm becomes (A→B→C→D→E→A). In (D) the sexual and aggressive feelings are aroused. The situation may be one in which it is socially acceptable to express aggression

or sexual needs. Or, the situation may be one in which the situation is sufficiently ambiguous so that the high NSA subject may imagine that he has support for his actions whether or not such support actually exists. (E): When the socially unacceptable needs of sex and aggression are expressed, anxiety increases because of perceived loss of approval or because the individual has behaved in a fashion which is atypical; with this increased level of anxiety the high NSA individual will attempt to regain the approval which is deemed lost. By the act of regaining the approval which the individual perceives as lost the equilibrium is restored: (A). Thus, the paradigm is self-rewarding.

#### Need for Social Approval as Related to Theory

The literature on NSA may be interpreted in terms of the various phases in the high NSA response pattern outlined above.

(A): The individual behaves in a compliant and stereotypic manner, maintaining the equilibrium between his approval needs and sexual and aggressive needs. In other words because the individual is motivated by needs for social approval he acts in a stereotypic and conforming manner.

Early NSA research dealt with verbal conditioning. The rationale behind these experiments was that the stronger a given need, the more readily conditioning will take place when appropriate reinforcement is given. If social reinforcement is used, those high in need approval should condition faster than subjects low in need for



approval. This hypothesis was supported by Crowne and Strickland (1961) who used the Greenspoon technique and rewarded plural nouns. They found that high NSA subjects conditioned more readily. This finding was replicated in a study by Marlowe (1962) who reinforced positive references. Marlowe, Beecher, Cook and Dobb (1964) found similar results using the Tafel technique. Tutko and Neville (1964) also obtained results that were consistent with the hypothesis that high NSA subjects condition more readily.

Individuals high in need for social approval typically were found to set goals of intermediate difficulty. This behavior has been interpreted as an attempt to control or constrict a situation so that there is a high probability of gaining the approval of others. There is neither too much nor too little risk so that high NSA persons do not lose face in the eyes of their observers. Barthel (1961) confirmed this hypothesis when having subjects set goals for themselves on a dart throwing task. Barthel (1963) obtained similar results when he measured the distance that subjects stood away from the target.

We would expect that high NSA individuals would suppress their feelings and conform to the demands of the situation when that situation was frustrating and involved a high status person. This hypothesis was confirmed by Marlowe and Crowne (1961) when they had the subjects perform a repetitive task and attempted to instigate the subjects to aggressive behavior. High NSA expressed less hostile feelings and more positive feelings than did subjects low in NSA.

These findings were replicated in a study by Strickland and Crowne (1962) which used an Asch type of situation.

A recent study by Crowne, Holland and Crowne (1968) studied discrimination learning as a function of NSA. They found that high NSA subjects learned less rapidly than did subjects low in NSA. They also showed that high NSA subjects had a faster heart rate during the experiment than did subjects low in NSA. This latter finding might reflect the higher degree of involvement in the situation that should characterize persons with strong approval needs.

Situation (B) finds the high NSA individual becoming defensive when socially unacceptable needs are aroused. The unacceptable needs which have been the focus of most research are sex and aggression. When the high NSA individual is presented with sexual or aggressive stimuli, we would expect a constriction of responses. In support of this hypothesis, Barthel and Crowne (1962) found that when responding to a word association test, high NSA persons had longer latencies of response than did low NSA subjects, and Horton, Marlowe, and Crowne (1963) found that high NSA subjects gave significantly more common word associations.

Tutko (1962) found that even when using projective techniques--for example, TAT, Rorschach and Incomplete Sentences Blank--high NSA individuals constricted their responses or gave "normal" responses significantly more often than did low NSA individuals. It seems reasonable to speculate that the normal response or the constricted response serves to cover socially unacceptable feelings

especially since constriction of responses was particularly evident for the socially unapproved needs of sex and aggression.

In Situation (C) sexual and aggressive feelings are suppressed but more effort has to be extended to suppress them. It is postulated that the anxiety that is aroused by sexual and aggressive stimuli instigates the high need for approval subjects to perform a socially sanctioned act in order to reassure themselves of social approval and to mask their high level of anxiety. Conn and Crowne (1964) used a Schachter type of design in an attempt to arouse high NSA subjects to aggressive behavior. Their results indicated that high NSA subjects were more euphoric and gave fewer negative evaluations. The authors speculated that the behavior of high NSA subjects reflects attempts to gain greater approval.

This behavior would have utility since, once the high NSA individual has gained more approval, the equilibrium is restored and Situation (A) results.

The experiments cited above illustrate the difficulty encountered when attempts are made to elicit from high NSA subjects' behaviors directed toward satisfying socially unacceptable needs. However, if the situation is sufficiently ambiguous so that the high NSA individual cannot act to gain the approval of others, or if the situation is controversial,--that is, one in which the high NSA subject cannot use reference groups--this individual should act in an aggressive manner. As noted above, this sequence can be represented by (A→B→C→D→E→A).

Situations (A→B→C) remain the same, but Situation (D) is the ambiguous situation. Kazdin (1967) had subjects state how the United States policy in Viet Nam should be changed. Such an issue is sufficiently controversial that the high NSA subject probably perceived that he could not act to gain the approval of all significant others. Kazdin found that high NSA subjects gave significantly greater aggressive responses, i.e. send more troops, invade the north, drop the bomb, or similar responses, than subjects low in NSA. Pollack (1968) found similar results using controversial court cases and having subjects give a verdict and sentence. High NSA subjects gave significantly more guilty verdicts and significantly more severe sentences.

Once the socially unacceptable needs of sex and aggression are expressed, anxiety increases because of perceived potential loss of approval or because the individual has acted in an atypical fashion. In order to regain the approval that he thinks he might have lost, the high NSA individual performs a highly sanctioned act: Situation (E). Pollack (1968) found that a high NSA subject will give less severe sentences than low NSA subjects when they know the defendant is guilty if these sentences immediately follow the original sentencing. It seems that by behaving in this manner the high NSA subject is attempting to regain approval.

Tedeschi, Burriel and Gahagan (1969) found that high NSA subjects are more penitent after they had defected in an experimental game. These findings suggest that the high NSA subject can act in a socially unapproved manner, but after doing so will immediately act to regain approval. The regaining of approval restores the

equilibrium to (A). Note that an important dimension of this type of behavior in high NSA subjects is that it is self-rewarding. If the individual acts in an aggressive manner, he then acts to regain approval. When approval is regained the aggressive act in itself is rewarded.

An event which lends itself to explanation by the need for approval paradigm is the Algier's Motel Incident which was reported by John Hershey (1969). During the Detroit Riot of 1969, three young Negro males were shot and killed. The deaths were reported to police headquarters by the National Guard. Under newspaper pressure it was revealed that the men were shot by Detroit policemen who failed to report the deaths promptly to their superiors.

The policemen involved maintained the men killed were snipers and they, the police, were only defending themselves. However, no weapons other than police weapons were found at the motel. Subsequently, charges were brought against the policemen involved. The result was that the policemen were either released because of insufficient evidence or acquitted. One policeman involved after the case was closed stated, "If we killed more of them in the beginning of the riot so many people wouldn't have had to die."

Explaining the incident in NSA terms: (A) the police (assuming, for the moment that they are high NSA persons) behaved in a compliant and stereotypic manner. (B) When socially unacceptable events occurred--in this case, rioting--the police became defensive, self-protective, and attempted to avoid anxiety arousing stimuli. (C) Aggressive feelings were suppressed through great effort.

(D) The aggressive feelings were elicited (the men were killed) due to the ambiguity of the situation and the policemen's desire to relieve anxiety. In addition, the policemen believed that they had the support of their peers and the "law." (E) When the socially unacceptable need to aggress was expressed and met with disapproval--that is, the killing of three men and the subsequent lack of support for these actions by the National Guard occurred--the high NSA individuals attempted to regain the lost approval by admitting the shooting. (A) The fact that they were exonerated or did not go to trial serves as a reward since it was interpreted by them as support for their actions.

Obviously, the behavior was self-rewarding. The statement by the policeman after his exoneration (quoted above) demonstrated the belief that he was right and increased the probability that he would behave in a similar manner again in similar circumstances.

One socially acceptable opportunity to express aggression is as a member of a jury. As members of a jury, high NSA individuals would be able to express aggression without fear of reprisal. It is reasonable to expect that within the jury situation, aggression would be reflected in (a) the willingness to vote for conviction and (b) the severity of sentence imposed. Therefore, these two variables were the major dependent measures in the present study. Other potential indices of aggression, also examined in the present research, are the length of time it takes an individual to reach a negative decision and the length of time it takes the jury to reach such a decision.

Since the description of the high NSA subject presented above is similar to that of the Conservative subject presented by Wilson and Patterson (1968), two pilot studies were performed to measure the degree of correlation between the two variables. The results were nonsignificant in both studies, indicating no correlation between the need for approval and Liberalism-Conservatism. Therefore, it was decided to use political viewpoint as a second variable for study in the present research.

Since Conservatives, in contrast to Liberals, are usually considered to be insistent on strict rules and punishments, intolerant of minority groups, and as preferring conventional and anti-hedonistic behavior, one would expect Conservative persons to vote for more convictions and more severe sentences in a series of ambiguous court cases. Because Conservatives seem to have more strict and simplistic moral codes than do Liberals, one would expect that Conservatives will take less time to reach an individual decision and less time to reach a group decision than will Liberals.

Also studied in the present research was the difference in the number of convictions and sentences given by juries to three different types of convictions. Previous research (Pollack, 1968) has shown that the highest number of convictions are given for aggressive crimes, second highest are for neutral crimes, and the fewest number of convictions are given for sexual crimes. The same order occurs with respect to the severity of sentences. However, time to individual verdicts is expected to yield different results: neutral crimes are expected to require the longest time to reach a

decision, aggressive crimes the next longest time, and then sexual crimes the least time. The same order should apply to group decisions as well. This prediction is based upon the assumption that neutral crimes are the least anxiety provoking, aggressive crimes more anxiety provoking, and sexual crimes the most anxiety provoking. As anxiety increases the material may become more difficult to deal with and it could be that decisions would be made more rapidly to relieve this anxiety.

### Hypotheses

#### I. Convictions:

- A. As the number of high NSA subjects on a jury increases there will be a significant increase in the number of convictions.
- B. Conservatives will convict significantly more often than Liberals.
- C. There will be a significant difference in the convictions given for three types of crime. The order will be, in decreasing number of convictions, aggressive, neutral, sexual.



## II. Sentences:

- A. As the number of high NSA subjects on a jury increases there will be a significant increase in the severity of sentences.
- B. Conservatives will give significantly more severe sentences than Liberals.
- C. There will be a significant difference in the convictions given for three types of crime. The order will be, in decreasing order of severity, aggressive, neutral, sexual.

## III. Time to First Decision:

- A. As the number of high NSA subjects on a jury increases there will be a significant decrease in the amount of time to reach a first decision.
- B. Conservatives will take less time than Liberals.
- C. There will be a significant difference in the time taken to reach an individual decision for three types of crime. The order will be, in decreasing order of time, neutral, aggressive, sexual.

#### IV. Time to Verdict:

- A. As the number of high NSA subjects on a jury increases there will be a significant decrease in the amount of time taken to reach a verdict.
- B. Conservatives will take less time to reach a verdict than Liberals.
- C. There will be a significant difference in the time taken to reach an individual decision for three types of crime. The order will be, in decreasing order of time, neutral, aggressive, sexual.

## CHAPTER II

### METHOD

#### Subjects

The subjects were 120 male Caucasian freshmen registered for introductory psychology, spring term 1970. Each S received four experimental credits for participating in the study.

#### Instruments

The first day of class spring term, 1970, 330 students were given the Marlowe-Crowne Social Desirability Scale and the Liberal-Conservative Scale. A third instrument, The Criminal Court Case Questionnaire, was used during the actual experiment.

The Marlowe-Crowne Social Desirability Scale (M-C SDS). The M-C SDS is a paper-and-pencil instrument designed to measure social desirability. It consists of 33 items of which 18 are keyed true and 15 are keyed false; that is, a response in the keyed direction is assumed to reflect need for approval. A typical item is, "I'm always willing to admit when I make a mistake." Endorsement of such an item implies need for approval and, therefore, it is assumed that the higher an individual score, the greater the need for approval. The mean score is approximately 14. Marlowe and Crowne (1960) found that

the 33 item M-C SDS had a Kuder-Richardson 20 reliability of .88 and a one month test-retest reliability of .89.

The Conservatism Scale (C-S). The Conservatism Scale was designed by Wilson and Patterson (1968). According to the authors, it is an attempt to measure an immediate, emotional response to the central controversial issue involved in 50 statements. The authors contend that by having the Ss give an immediate response, the influence of cognitive processes, task conflict, grammatical confusion, and social desirability is reduced.

Although the research employing the C-S has not been extensive, it has shown to have a Spearman-Brown reliability of 0.943 ( $N = 244$ ), and its validity was demonstrated by its success in discriminating between Liberal and Conservative groups in Great Britain. It discriminated between the New Left Club and Junior National Party and also between the Scientists and Gideons. Its simplicity and ability to discriminate lent itself readily to the purposes of this study.

The Criminal Court Case Questionnaire (CCCQ). Aggression, as Kazdin (1967) noted, is most often expressed in a situation which is ambiguous, in which the individual is free to give opinions without fear of sanction and in which the expression of aggression is socially acceptable. The Criminal Court Case Questionnaire was designed to measure aggression as defined by (a) the number of convictions given to a series of ambiguous court cases and (b) the severity of sentences given to those convictions.

This study used only 6 of the original 21 cases in the CCCQ. Two cases involved crimes of an aggressive nature, two were of a sexual nature, and two of a neutral nature. After making the decision, if the group thought the defendant was guilty, they were asked to give a sentence. There are eight choices ranging from psychiatric help (1) to death (8). A sentence of psychiatric help was considered as slightly aggressive, while a sentence of death was considered an extremely aggressive response.

### Scoring

All questionnaires and scales were hand scored by student assistants. The results were checked by the experimenter to insure accuracy.

### Design and Procedure

Ss were selected on the basis of their demographic data (see Appendix A), their C-S scores, and their M-C SDS scores. The Ss were divided into two political groups by use of a medium split on the C-S test. Liberals were those having a score at 33 or below on the Liberal-Conservative Scale, while those with 34 or above were considered Conservative. Subjects having a score of 9 or below were considered to be low in NSA while those having a score of 16 or above were considered to be high in need for approval.

Within this framework, the Ss who were selected for participation were then randomly assigned to three-person juries

corresponding to a 2 x 4 x 3 factorial design. This design permitted examination of two levels of political viewpoints, 4 levels of need for approval group-member composition (ranging from all low NSA through the various mixed compositions to all high NSA groups), and 3 types of crime (neutral, sexual, and aggressive; examined as a repeated measure). There were 5 juries in each cell.

The 40 three-person juries were randomly assigned to one of three student Es. The Ss were met at the door to the experimental room by the E (a senior student who received credit for his work) and were led to the experimental room and told they may sit wherever they pleased.<sup>1</sup> The E then asked their names and recorded them. The Ss were asked to read the instructions on the cover of the CCCQ. When all Ss had finished reading the instructions the E asked if there were any questions. After answering any that may have occurred, the E left the room and seated himself before a one-way mirror through which he was able to observe the simulated jury.

After reading a case, the Ss voted guilty or not guilty by means of silent switches which could be hidden from the sight of other jury members. The switches were constructed so that the E was able to observe and record the decisions and time to decisions of the individual jury members and the jury as a whole. The maximum time allowed for one case was 15 minutes after which the jury was declared "hung." The Ss were then instructed to go on to the next case.

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<sup>1</sup>It should be noted that the E was unaware of the nature of the study and was ignorant of the variables by which subjects were selected. In this way, the possibility of experimenter effects were minimized.

The E recorded the Ss' names, time at which group started on each case, the time at which they first voted individually and the time needed to reach a common verdict.

## CHAPTER III

### RESULTS

The data were analyzed with a 2 x 4 x 3 factorial analysis of variance for repeated measures on one of the variables (Winer, 1962). This analysis examined, as independent variables, two conditions of political viewpoint, four levels of need for approval group composition, and three types of crime. Analyses of variance were performed on the responses to the Criminal Court Case Questionnaire for (a) convictions, (b) sentences, (c) time to first decision, and (d) time to verdict.

#### Convictions

The results of the analysis of variance for convictions are summarized in Table 1. It was hypothesized that as the number of high NSA subjects on a jury increased there would be a significant increase in the number of convictions given to a series of six ambiguous court cases. As indicated, the results failed to support this hypothesis.

Conservatives were thought to be more aggressive than Liberals and, therefore, were expected to give significantly more convictions than Liberals. As indicated in Table 1, this hypothesis also was not supported by the results.



TABLE 1  
ANALYSIS OF VARIANCE FOR CONVICTIONS

Source	SS	df	MS	F
A (C-S)	.53	1	.53	1.49
B (NSA)	.33	3	.11	.31
AB	1.13	3	.38	1.05
<u>Ss</u> w/in grps	11.47	32	.36	
C (Crime)	27.62	2	13.81	50.39*
AC	.62	2	.31	1.12
BC	1.32	6	.22	.80
ABC	1.92	6	.32	1.17
C x <u>Ss</u> w/in grps	17.53	64	.27	

\* $p < .0001$

A third hypothesis concerning convictions stated that there would be a significant difference in the number of convictions given for three types of crime and the order of increasing number of convictions would be sexual, neutral, and aggressive. Table 1 indicates that there was a significant effect for type of crime. However, examination of the means indicated aggressive crimes received the most convictions ( $\bar{x} = 1.58$ ), sexual crimes the least (.35), while neutral crimes received an intermediate number of convictions (.93).

### Sentences

A second analysis of variance, summarized in Table 2, examined the severity of sentence. It was hypothesized that as the number of high NSA subjects on a jury increased there would be a significant increase in the severity of sentences given to the six ambiguous court cases. Table 2 indicates that the results failed to confirm the hypothesis.

Conservatives were expected to give significantly more severe sentences than Liberals. This hypothesis also was not supported.

As predicted, however, there were significant differences in the severity of sentence given for the three types of crime. However, the order of severity of sentences does not conform to prediction, with sexual crimes eliciting the least severe sentences ( $\bar{x} = .58$ ), neutral the most severe (2.19), and aggressive crimes eliciting sentences of intermediate severity (1.78).

TABLE 2  
ANALYSIS OF VARIANCE FOR SENTENCES

Source	SS	df	MS	F
A (C-S)	.60	1	.60	.32
B (NSA)	3.11	3	1.04	.55
AB	1.52	3	.51	.27
<u>Ss</u> w/in grps	60.33	32	1.89	
C (Crime)	56.14	2	28.07	29.96*
AC	1.83	2	.42	.44
BC	8.71	6	1.45	1.55
ABC	59.97	64	.94	

\* $p < .001$

### Time to First Decision

Table 3 summarizes the analysis of variance for time (in seconds) to first decision. It was hypothesized that as the number of high NSA subjects on a jury increased there would be a significant decrease in the time taken to reach an individual decision, that is, the first decision. This hypothesis was not supported. The hypothesis that Conservatives would take significantly less time to reach a first decision than Liberals also was not supported by the results.

As shown in Table 3 the hypothesis that there would be a significant difference in the time taken to reach a first decision for the three types of crime was supported. The order of time, also, conforms to prediction, with sexual crimes taking the least amount of time ( $\bar{x} = 135$ ), aggressive crimes more time (185), and neutral crimes the greatest amount of time (214).

Table 3 also indicates that there was a significant interaction between need for approval and type of crime and a significant three-way interaction between need for approval, political viewpoint, and type of crime. To explore this interaction, analyses of simple effects were performed by first examining need for approval and type of crime under the two levels of political viewpoint. A significant effect ( $F = 4.81$ ,  $p < .05$ ) was found for need for approval in Liberals. A Neuman-Kuhls test (Winer, 1962) revealed that of the

TABLE 3  
ANALYSIS OF VARIANCE FOR TIME TO FIRST DECISION

Source	SS	df	MS	F
A (C-S)	19,456.00	1	19,456.00	2.45
B (NSA)	46,115.00	3	15,371.67	1.93
AB	21,869.00	3	7,289.67	.92
<u>Ss</u> w/in grps	254,506.00	32	7,953.00	
C (Crime)	127,300.00	2	63,650.00	108.79***
AC	701.00	2	350.50	.60
BC	24,874.00	6	4,145.66	7.09*
ABC	29,265.00	6	4,877.50	8.34**
C x <u>Ss</u> w/in grps	37,444.00	64	585.06	

\* $p < .005$   
 \*\* $p < .001$   
 \*\*\* $p < .0001$

possible pairs, a significant difference was found between all NSA groups except the comparison between the 2-1 juries and 3-0 juries.<sup>1</sup>

There also was a significant simple effect for crime for Liberal Ss ( $F = 61.12$ ,  $p < .001$ ). A Neuman-Kuhls test revealed neutral crimes take significantly longer to determine than either sexual or aggressive crimes, but there is no difference between sexual or aggressive crimes.

The results of the analyses for Conservative Ss revealed a significant effect only for type of crime ( $F = 44.85$ ,  $p < .001$ ). A Neuman-Kuhls test revealed a significant difference between all possible pairs of sex, aggression, and neutral crimes. Sexual crimes were the least time consuming while neutral crimes were the most time consuming.

Analyses of simple effects for the two levels of political viewpoint and three types of crime within each of the four levels of need for approval was also conducted. These analyses yielded significant effects for political viewpoint ( $F = 6.91$ ,  $p < .05$ ), type of crime ( $F = 6.12$ ,  $p < .05$ ) and an interaction between political viewpoint and type of crime ( $F = 5.98$ ,  $p < .05$ ), for the 0-3 need for approval group.

Liberals were found to take less time than did Conservatives to reach a decision. A Neuman-Kuhls test, which was performed on type of crime, revealed that neutral crimes take significantly longer

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<sup>1</sup>Here and throughout the remainder of this report, the NSA composition of the mock juries is represented by two numbers, the first indicates the number of high NSA members, the second the number of low NSA members.

to determine than either sexual or aggressive crimes, but there is no difference between sexual and aggressive crimes within the 0-3 need for approval condition.

The interaction between political viewpoint and type of crime is caused by a marked decrease in the time it takes Conservatives to reach a decision on sexual crimes as compared to neutral and aggressive crimes. Liberals take less time than Conservatives in the three types of crime.

The results for 1-2 level juries revealed significance only for type of crime ( $F = 44.85$ ,  $p < .001$ ). A Neuman-Kuhls test reveals that there is a significant difference between all pairs of sex, aggression, and neutral crimes, with sexual crimes taking the least time and neutral crimes the most.

A significant political viewpoint by crime type interaction ( $F = 9.18$ ,  $p < .01$ ) was also found. This interaction indicated that Liberals took less time to decide on sexual crimes when compared to Conservatives, but Liberals took more time for neutral and aggressive crimes.

The results for the 2-1 level of need for approval juries again showed a significance between Liberals and Conservatives ( $F = 6.26$ ,  $p < .05$ ). Conservatives took more time than Liberals. A significant difference was also found for type of crime. There was a significant difference between sexual and neutral and sexual and aggressive, but not between neutral and aggressive crimes. Sexual crimes took the least time upon which to reach a first decision.

The results for the 0-3 need for approval group again revealed significance for type of crime ( $F = 24.22$ ,  $p < .001$ ). There was a significant difference between sexual (took less time) and both neutral and aggressive crimes, but not between neutral and aggressive crimes.

Finally, the analyses of simple effects examined political viewpoint and need for approval within each type of crime. For neutral crimes there was a significant effect for the four levels of NSA ( $F = 3.70$ ). A Neuman-Kuhls revealed a significant difference between the 0-3 group and both the 1-2 groups and 2-1 groups with the 0-3 group taking the least time to reach its individual decision. There was also a significant interaction between NSA and Conservatism which indicated a decreasing trend from the 1-2 to the 2-1 and 3-0 Liberal group, with the 0-3 group much lower than the other three. There was a gradual increase in time for Conservatives over these groups.

For sexual crimes there was a significant difference ( $F = 3.40$ ,  $p < .05$ ) between Liberals and Conservatives, with Liberals taking less time than Conservatives. For aggressive crimes there was a significant effect ( $F = 3.70$ ,  $p < .05$ ) for the four levels at NSA which was produced by a significant difference only between the 0-3 and 3-0 groups. Less time was taken in 0-3 groups than in 3-0 groups.

### Time to Verdict

Table 4 summarizes the analysis of variance for time to verdict. The hypothesis that as the number of high NSA subjects on a



TABLE 4  
ANALYSIS OF VARIANCE FOR TIME TO VERDICT

Source	SS	df	MS	F
A (C-S)	226,809.00	1	226,809.00	5.64*
B (NSA)	118,016.00	3	39,338.00	.98
AB	225,190.00	3	75,063.00	1.87
Error	1,286,485.00	32	40,202.00	
C (Crime)	297,287.00	2	148,643.50	10.57**
AC	62,892.00	2	31,446.00	2.23
BC	66,066.00	6	11,011.00	.78
ABC	97,119.00	6	16,186.00	1.15
Error	902,955.00	64	14,108.67	

\* $p < .05$   
 \*\* $p < .001$

jury increases, there will be a significant decrease in the amount of time taken to reach a consensus verdict was not supported.

As indicated, there is a significant difference between Liberals and Conservatives. Liberals took less time ( $\bar{x} = 241$ ) than did Conservatives (328). In addition, the difference in time taken to reach a verdict for the three types of crimes was significant. Neutral crimes took the most time ( $\bar{x} = 337$ ), followed by aggressive crimes (295), and then sexual crimes (218).

## CHAPTER IV

### DISCUSSION

#### Hypothesis I: Convictions

The results failed to support the hypothesis that as the number of high NSA subjects on a jury increased, there would be a significant increase in the number of convictions given to the ambiguous court cases. One factor which may have contributed to the failure of the hypothesis was the lack of variability for neutral crimes. The flat distribution of convictions yielded little information. A second factor that probably contributed to the negative results was the lack of variability with the Conservative juries in contrast to the great variability with the Liberal juries. Finally, the behavior of those juries having either one low NSA juror or one high NSA juror varied more widely between each other than those juries having all low NSA jurors or all high NSA jurors. This implies that there was a constriction of responses in juries in which all members were alike with respect to level of need for approval.

The hypothesis that Conservatives would give more convictions than Liberals also was not supported. This can be explained partially by the constriction of responses by Conservatives. More important, it was found that Liberals tended to give at least the same number of

convictions as did Conservatives, except for the 0-3 Conservative juries for aggressive crimes. This finding suggests Liberals may be more aggressive than Conservatives, or that Conservatives will constrict their responses when they are in doubt.

The third hypothesis relevant to convictions which stated that there would be a significant difference in the number of convictions for three types of crime, was supported. Relative differences in the frequencies of convictions as a function of type of crime also conformed to prediction, with aggressive crimes receiving the largest number of convictions and sexual crimes the least.

#### Hypothesis II: Sentences

The results failed to support the hypothesis that as the number of high NSA subjects on a jury increased there would be a significant increase in the severity of sentences given to the ambiguous court cases. In contrast to the results for convictions, there was greater variability among Conservatives than among Liberals. The tendency of Liberals to constrict responses limited the information gained. In addition, the behavior of the juries having all low NSA subjects greatly influenced results. Their mean number of convictions was less than the all high jury but more than for the 1-2 and 2-1 conditions. Disregarding the juries with all low NSA members, there was a trend toward more severe sentences as the number of high NSA members on a jury increased.

The hypothesis that Conservatives would give significantly more severe sentences than Liberals was not supported. The constriction of responses to sexual crimes for both Liberals and Conservatives might have limited the information given. Conservatives did give more severe sentences for all types of crime, but the difference for aggressive crimes is so minimal that it attenuated the hypothesized main effect for political viewpoint.

The hypothesis that there would be a significant difference in the number of convictions given for three types of crime was supported. The order, in decreasing order of severity was neutral, aggressive, and sexual.

#### Hypothesis III: Time to First Decision

The hypothesis that as the number of high NSA subjects on a jury increases, there will be a significant decrease in the amount of time taken to reach a first decision was not supported. Moreover, there was a marked trend in the opposite direction. Juries having all low NSA subjects took less time for all types of crime than juries having all high NSA subjects, but beginning with the jury having only one high NSA subject there was a decrease in time taken to reach a decision.

It was hypothesized that Conservatives would take less time than Liberals in reaching a first decision. In contrast to prediction, Conservatives took more time than Liberals, but the wide

variability between and within groups tended to limit the significance of the results.

The prediction that there would be a significant difference in the time taken to reach an individual decision for three types of crime was supported. The specific differences in time conformed to prediction, lending support to the theory that sexual crimes are more anxiety provoking than aggressive and neutral crimes and, therefore, would take less time. Also, aggressive crimes took less time than did neutral crimes, possibly indicating that anxiety about socially taboo behavior leads to attempts to deal with it quickly.

An interaction was found between need for approval and type of crime. The interaction can be attributed to the juries with all low need for approval members having the lowest mean time, but a marked increase in time for the jury having one high NSA subject, which gradually declined as the number of high NSA members of the juries increased.

In addition, a three-way interaction was found between need for approval, political viewpoint, and type of crime. Analyses of the simple effects examined need for approval and type of crime under the two levels of political viewpoint. There were significant differences for need for approval for Liberals, indicating for the first time that need for approval can be a powerful enough variable to relate systematically to an increasing or decreasing trend across groups.

When looking at types of crime, it was found that neutral crimes take significantly longer than sexual or aggressive crimes,

a result that supports the speculation that since sexual and aggressive material is more anxiety provoking, this type of material will be dealt with more rapidly.

The results for Conservatives indicate that type of crime was a meaningful variable. Again, neutral crimes were significantly more time-consuming than sexual or aggressive crimes, results which support the anxiety hypothesis. In addition, aggressive crimes took more time than sexual crimes, a result implying that sexual crimes are more anxiety provoking.

Simple effects analyses of the two levels of political viewpoint and three types of crime within each of the four levels of need for approval were also conducted. Examination of the jury having all low NSA subjects revealed that the effect of political viewpoint was significant, indicating that Conservatives took longer than Liberals to reach decisions. A possible explanation for this result is that Conservatives were attempting to gather more data or attempting to digest all the data before they made a decision. Perhaps this attempt to be sure is one manifestation of their being "Conservative." Type of crime also yielded a significant effect. Differences in time as a function of crime type was in the direction predicted by the anxiety hypothesis, that is, sexual crimes were examined most quickly, followed by aggressive crimes, and then neutral crimes.

A significant interaction between political orientation and type of crime within all low NSA juries was due to Liberals taking less time for sexual crimes than aggressive crimes. This result is inconsistent with other Liberal groups over the remaining three

levels of need for approval. The symmetry of low need for approval and liberal political orientation might have allowed such subjects to dispense with aggressive crimes because of the realization that they are in agreement about "reasonable" punishment.

The juries with one high NSA subject yielded a significant effect for type of crime. Differences for this variable, however, were in the predicted direction. Sexual crimes took significantly less time than did aggressive crimes which took significant less time than did neutral crimes. This result also supports the anxiety theory. The interaction found between type of crime and political viewpoint was due to the fact that Liberals took less time than did Conservatives to make a decision on sexual crimes, but Liberals took longer for neutral and aggressive crimes.

The results for the juries having two high NSA subjects revealed a significant difference between Liberals and Conservatives. Again, Conservatives may take more time because they are more careful about their decisions. The results for type of crime are in agreement with prediction and add support for the anxiety theory.

The results for juries having all high subjects revealed a significant effect only for type of crime. This finding, however, was in the predicted direction.

The simple effects analysis also examined political viewpoint and need for approval within each type of crime. Results for neutral crimes revealed that NSA can influence time needed to reach a decision.



The significant interaction between NSA and political viewpoint for neutral crimes can be explained by the gradual increase in time for Conservatives and a gradual decrease in time for Liberals, across NSA. One group, the all low NSA Liberals, was lower than the all high NSA group. As the number of high NSA subjects on a Liberal jury increased, the decrease in time may be attributed to a willingness to express aggression, take less time, and get the case completed. Conservatives, on the other hand, might increase time because they are more aware of their own aggressive tendencies which, unless they are absolutely sure of themselves, they are going to keep it in check.

Liberals took significantly less time for sexual crimes than did Conservatives, indicating either that they feel most sexual behaviors are not criminal and do not need to be considered or that for sexual crimes they are more willing to make rapid judgments than Conservatives.

For aggressive crimes, need for approval again influenced behavior but in the direction that is the opposite of what was expected. The increase in time for increasing need for approval may be accounted for by an awareness on the part of high NSA subjects of their own aggressiveness and an attempt by these subjects to keep these impulses in check. This would require them to take longer to reach a decision.

Hypothesis IV: Time to Verdict

The results failed to support the hypothesis that as the number of high NSA subjects on a jury increased, there would be a significant decrease in the amount of time taken to reach a verdict. It is evident that NSA is not a predictor time to verdict for mock juries.

Liberals took less time to reach a verdict than did Conservatives. This result can be explained either by willingness of Liberals to express aggression rapidly when they believe a person guilty, or their desire not to deal with sexual material, since they do not look upon it as being bad and, therefore, take a shorter amount of time.

The effect of type of crime was significant, with neutral crimes taking the most time and sexual crimes the least, as predicted. This result adds support to the theory that sexual crimes are more anxiety provoking and, therefore, take less time. The same results can be explained by an unwillingness to deal with sexual material because subjects did not believe it to be improper. However, aggressive crimes always took less time to reach a verdict than did neutral crimes, suggesting that the anxiety theory is a more valid explanation of the results.

### Theoretical Considerations

The primary focus of this study was the need for social approval variable. It was expected that as the number of high NSA Ss on a jury increased there would be an increase in the amount of aggression expressed, when the measures of aggression were the number of convictions, severity of sentences, time to individual decisions and time to verdict. The failure to achieve significance for the four measures indicates that NSA alone cannot be used to predict aggressive jury behavior. The use of NSA as a predictor of jury behavior does not merit further study when used as a single predictor.

Of secondary concern were the variable of conservatism and type of crime. These variables did work as predictors of jury behavior but in an inconsistent fashion. Further study of these variables in conjunction with jury behavior is warranted.

Past research on the variable, need for social approval, has demonstrated a relation between this variable and aggressive behavior. The present study, using mock three-person juries, fails to support this finding. The failure to demonstrate a relationship may be attributed to the difference between one and three-person juries, regression toward the mean, the fact that the cases are not actually similar and the limited time allowed to reach a decision. Because of the importance of jury decisions to society and because previous research demonstrated a relationship between need for social approval and aggression, further research on the relation between these variables is encouraged.

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## APPENDICES

APPENDIX A  
SOCIOMETRIC INFORMATION

Name \_\_\_\_\_ Student Number \_\_\_\_\_  
Age \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Phone \_\_\_\_\_  
Home Address \_\_\_\_\_  
Father's Occupation \_\_\_\_\_  
Mother's Occupation \_\_\_\_\_  
How many older brothers do you have? \_\_\_\_\_ Ages? \_\_\_\_\_  
How many younger brothers do you have? \_\_\_\_\_ Ages? \_\_\_\_\_  
How many older sisters do you have? \_\_\_\_\_ Ages? \_\_\_\_\_  
How many younger sisters do you have? \_\_\_\_\_ Ages? \_\_\_\_\_

Circle One

How many years of school did your father complete? Please circle the last year completed?

1 2 3 4 5 6 7 8 9 10 11 12 F S J S Master's Ph.D.

How many years of school did your mother complete? Please circle the last year completed?

1 2 3 4 5 6 7 8 9 10 11 12 F S J S Master's Ph.D.

What is your family's income per year?

\$0-5,000 5,000-10,000 10,000-20,000 20,000-30,000 30,000 or more

In what size city do you live?

0-1,000 1,000-5,000 5,000-10,000 10,000-50,000 50,000-100,000  
100,000-500,000 500,000-1,000,000 1,000,000 or more

In what religion were you raised? Catholic, Protestant, Jewish,  
Other \_\_\_\_\_? None

What is your present religious affiliation? Catholic, Protestant,  
Jewish, Other \_\_\_\_\_?  
None

Have you ever served in the armed forces? Yes No



APPENDIX B  
CONSERVATISM SCALE

WHICH OF THE FOLLOWING DO YOU FAVOUR OR BELIEVE IN?

(Circle 'Yes' or 'No.' If absolutely uncertain, circle '?'.  
There are no right or wrong answers; do not discuss; just  
give your first reaction. Answer all items.)

1	Death penalty	Yes	?	No	26	Computer music	Yes	?	No
2	Evolution theory	Yes	?	No	27	Chastity	Yes	?	No
3	School uniforms	Yes	?	No	28	Fluoridation	Yes	?	No
4	Striptease shows	Yes	?	No	29	Royalty	Yes	?	No
5	Sabbath observance	Yes	?	No	30	Women judges	Yes	?	No
6	Beatniks	Yes	?	No	31	Conventional clothes	Yes	?	No
7	Patriotism	Yes	?	No	32	Teenage drivers	Yes	?	No
8	Modern art	Yes	?	No	33	Apartheid	Yes	?	No
9	Self-denial	Yes	?	No	34	Nudist camps	Yes	?	No
10	Working mothers	Yes	?	No	35	Church authority	Yes	?	No
11	Horoscopes	Yes	?	No	36	Disarmament	Yes	?	No
12	Birth control	Yes	?	No	37	Censorship	Yes	?	No
13	Military drill	Yes	?	No	38	White lies	Yes	?	No
14	Co-education	Yes	?	No	39	Birching	Yes	?	No
15	Divine Law	Yes	?	No	40	Mixed marriage	Yes	?	No
16	Socialism	Yes	?	No	41	Strict rules	Yes	?	No
17	White superiority	Yes	?	No	42	Jazz	Yes	?	No
18	Cousin marriage	Yes	?	No	43	Straitjackets	Yes	?	No
19	Moral training	Yes	?	No	44	Casual living	Yes	?	No
20	Suicide	Yes	?	No	45	Learning Latin	Yes	?	No
21	Chaperones	Yes	?	No	46	Divorce	Yes	?	No
22	Legalized abortion	Yes	?	No	47	Inborn conscience	Yes	?	No
23	Empire-building	Yes	?	No	48	Coloured immigration	Yes	?	No
24	Student pranks	Yes	?	No	49	Bible truth	Yes	?	No
25	Licensing laws	Yes	?	No	50	Pajama parties	Yes	?	No

## APPENDIX C

### MARLOWE-CROWNE SOCIAL DESIRABILITY SCALE

Complete the following test on the IBM form provided. Do not mark the booklet. When finished attach the IBM form to the booklet with the paperclip which has been provided.

Before handing in your booklet be sure all questions and information has been filled in.

Student Number \_\_\_\_\_

Date \_\_\_\_\_

Course \_\_\_\_\_

Sex \_\_\_\_\_

## Personal Reaction Inventory

Listed below are a number of statements concerning personal attitudes and traits. Read each item and decide whether the statement is true or false as it pertains to you personally.

1. Before voting I thoroughly investigate the qualifications of all the candidates. ( )
2. I never hesitate to go out of my way to help someone in trouble. ( )
3. It is sometimes hard for me to go on with my work if I am not encouraged. ( )
4. I have never intensely disliked anyone. ( )
5. On occasion I have had doubts about my ability to succeed in life. ( )
6. I sometimes feel resentful when I don't get my way. ( )
7. I am always careful about my manner of dress. ( )
8. My table manners at home are as good as when I eat out in a restaurant. ( )
9. If I could get into a movie without paying and be sure I was not seen, I would probably do it. ( )
10. On occasions, I have given up doing something because I thought too little of my ability. ( )
11. I like to gossip at times. ( )
12. There have been times when I felt like rebelling against people in authority even though I knew they were right. ( )
13. No matter who I'm talking to, I'm always a good listener. ( )
14. I can remember "playing sick" to get out of something. ( )
15. There have been occasions when I took advantage of someone. ( )
16. I'm always willing to admit it when I make a mistake. ( )

17. I always try to practice what I preach. ( )
18. I don't find it particularly difficult to get along with loud mouthed, obnoxious people. ( )
19. I sometimes try to get even, rather than forgive and forget. ( )
20. When I don't know something I don't mind at all admitting it. ( )
21. I am always courteous, even to people who are disagreeable. ( )
22. At times I have really insisted on having things my way. ( )
23. There have been occasions when I felt like smashing things. ( )
24. I would never think of letting someone else be punished for my wrongdoings. ( )
25. I never resent being asked to return a favor. ( )
26. I have never been irked when people expressed ideas very different from my own. ( )
27. I never make a long trip without checking the safety of my car. ( )
28. There have been times when I was quite jealous of the good fortune of others. ( )
29. I have almost never felt the urge to tell someone off. ( )
30. I am sometimes irritated by people who ask favors of me. ( )
31. I have never felt that I was punished without cause. ( )
32. I sometimes think when people have a misfortune they only got what they deserved. ( )
33. I have never deliberately said something that hurt someone's feelings. ( )

Name \_\_\_\_\_ Phone Number \_\_\_\_\_

APPENDIX D  
CRIMINAL COURT CASE QUESTIONNAIRE

Name \_\_\_\_\_

Instructions

This packet contains information about six court cases. The information consists of a definition of a crime of which someone, the defendant, has been accused, some facts, the prosecution argument and the defense argument. Your task is:

1. Read Case 1.
2. Reach a personal decision as to whether the defendant is guilty or not guilty. Move the switch to the guilty or not guilty position when you have reached your personal decision.
3. Register your decision by means of the switch in front of you. (You may take the switch-box off the table.) Do not discuss the case until after you have reached a personal decision.
4. If all members of your group have agreed that the defendant is guilty, the light marked guilty will light up. If all members of your group have agreed that the defendant is not guilty, the light marked not guilty will light up. If all members agree the defendant is not guilty go on to the next case.
5. If your group differs in opinion as to whether the defendant is guilty or not guilty no light will light up.
6. If your group differs in opinion as to whether the defendant is guilty or not guilty, attempt to reach agreement. If your group does not come to an agreement within 15 minutes, this constitutes a hung-jury and proceed to the next case.
7. If your group has found the defendant guilty reach an individual decision as to what sentence the defendant should receive. Mark your personal decision on the answer sheet by circling the appropriate number.
8. Attempt to reach a group decision as to what sentence the defendant should receive. Mark the group decision by circling the appropriate number.
9. Repeat the same process for each case.

Are there any questions?

Leave the switch in the appropriate position. Change the position only when or if you change your mind as to whether the defendant is guilty or not guilty.

Case 1

**Definition:** Possession of marijuana, the possession of marijuana is illegal because it is defined as a dangerous drug and, therefore, should be regulated.

**Facts:** The defendant is accused of possessing marijuana and giving marijuana to a minor, a 16 year old high school girl. The alleged victim met the defendant in night club where the defendant worked as a musician.

**Prosecution:** The prosecuting witness, the girl, testified that she met the defendant on three separate occasions and went with him to his apartment. There, she testified, she was given a hand rolled cigarette containing green tobacco. She smoked it along with the defendant and after smoking it she felt "sort of happy." This was the only physical effect. She further testified that this was the 5th time she smoked marijuana.

**Defense:** The defendant testified and denied that he had given the girl a cigarette containing marijuana. He further claims that the girl is not an expert on marijuana and, therefore, her testimony is questionable.

1. Was the defendant guilty or not guilty?
2. If the defendant was guilty, what sentence would you give?
  1. Psychiatric help.
  2. Probation.
  3. 1-5 years.
  4. 5-10 years.
  5. 10-20 years.
  6. Life with chance of parole.
  7. Life without chance of parole.
  8. Death.
3. What decision did your group give? 1 2 3 4 5 6 7 8

## Case 2

Definition: Incest, the sexual intercourse between persons so closely related that marriage between them is forbidden by law or by taboo.

Facts: The prosecutrix is an 11 year old girl. She is the step-daughter of the defendant. The defendant is accused of incest with the stepdaughter.

Prosecution: The prosecuting witness testified that she had sexual intercourse with the defendant on 3 separate occasions. She was examined by a physician but no testimony was offered as to whether she had sexual intercourse before. She also testified that she had not seen male sexual parts before the first of the three separate occasions.

Defense: The defendant claims that the charges are fantasy and the prosecutrix was not telling the truth. Several boys testified that the prosecuting witness knew about sexual matters, had indulged in sexual play and knew about sexual organs, male urges, and male responses to sex play. The court would not allow testimony of specific examples of sexual play that the prosecuting witness might have engaged in.

1. Was the defendant guilty or not guilty?
2. If the defendant was guilty, what sentence would you give?
  1. Psychiatric help.
  2. Probation.
  3. 1-5 years.
  4. 5-10 years.
  5. 10-20 years.
  6. Life with chance of parole.
  7. Life without chance of parole.
  8. Death.
3. What sentence did your group give? 1 2 3 4 5 6 7 8

## Case 3

**Definition:** Murder, a willful act, characterized by the presence of an intent to kill engendered by sufficient provocation and by the absence of premeditation and malice aforethought.

**Facts:** The crime took place in a church library. The victim was the librarian. She complained to the verger that the defendant, who was the janitor, did not take adequate care of the premises. The defendant testified that the librarian insulted him and that he slapped her and ran. He returned and hit her with a stick. She started screaming. The stick broke. When she would not stop screaming he choked her to silence her screaming.

**Prosecution:** The prosecution maintained she screamed, called him a nigger and, therefore, he killed her.

**Defense:** Psychiatrists testified for the defense. They maintain that the defendant was somewhat mentally deficient, below normal intellectual ability, and a psychopath.

1. Was the defendant guilty or not guilty?
2. If the defendant was guilty, what sentence would you give?
  1. Psychiatric help.
  2. Probation.
  3. 1-5 years.
  4. 5-10 years.
  5. 10-20 years.
  6. Life with chance of parole.
  7. Life without chance of parole.
  8. Death.
3. What sentence di your group give? 1 2 3 4 5 6 7 8 '



## Case 4

Definition: Bribery, any agreement based upon the understanding that action upon a matter pending or a matter brought before an individual of authority will be influenced by a gift or reward.

Facts: The defendants were employed as building inspectors. Their task was to spot check plastering jobs and the quality of workmanship. Any defect must be corrected and afterward approved by inspectors in writing. A contractor may appeal the ruling of the inspectors but this costs time and money for the contractor.

Prosecution: The prosecuting witnesses testified that the defendants assumed to decide that the plastering was unsatisfactory on a certain job. They, the defendants, mailed a copy of the job stop order to the general contractor. It required that the contractor remove and correct faulty plastering. One of the defendants met with the contractor. The defendant stated to the contractor that he would require tests be made at 4 different locations on the job at a cost of \$60 a location, but that he heard that, "You (the contractor) were willing to fix the job up." The contractor asked if the price of one job would be enough. The defendant is alleged to have said no, \$125 would be required because someone else had to be taken care of. The defendant is alleged to have threatened to make the contractor tear off all of the plaster if he told anyone. The contractor made out a check for \$125 to the defendant. The check had written on it "Paid to \_\_\_\_\_ for fixing job 38 and Pac." The defendant endorsed the check.

Defense: The defense claims that the check should not have been admitted as evidence because it was an entrapment attempt by the contractor. The defendants tried to show that the testimony of the prosecuting witness was biased and fabricated. The defendants maintain that the prosecuting witness was biased before the time of the alleged crime.

1. Were the defendants guilty or not guilty?
2. If the defendants were guilty, what sentence would you give?
  1. Psychiatric help.
  2. Probation
  3. 1-5 years.
  4. 5-10 years.
  5. 10-20 years.
  6. Life with chance of parole.
  7. Life without chance of parole.
  8. Death.
3. What sentence did your group give? 1 2 3 4 5 6 7 8

## Case 5

**Definition:** Cohabitation, the living with some person to who he or she is not married, or for the purpose of sexual intercourse.

**Facts:** The defendants, a man and woman, were registered at a hotel as Robert \_\_\_\_\_ and wife. They were occupying a room therein.

**Prosecution:** Two police officers testified that they knocked at the defendants' door. Four or five minutes later the defendant opened the door and let them in. They found the defendant dressed in his shirt, trousers, stockings and shoes, and was buttoning up his trousers. The officers also testified that the woman was "dressed in a nightgown, was sitting in bed with a coat over her and the bed was messed up." Also, the police asked the male defendant if he was married and he said, "No." They asked the female defendant if she was married and she said, "No."

**Defense:** The defendants maintain that there was no proof that they had sexual intercourse and, therefore, the evidence was insufficient.

1. Were the defendants guilty or not guilty?
2. If the defendants were guilty, what sentence would you give?
  1. Psychiatric help.
  2. Probation.
  3. 1-5 years.
  4. 5-10 years.
  5. 10-20 years.
  6. Life with chance of parole.
  7. Life without chance of parole.
  8. Death.
3. What sentence did your group give? 1 2 3 4 5 6 7 8

## Case 6

**Definition:** Assault, the unlawful attempt coupled with the present ability to commit a violent crime on the person of another.

**Facts:** Mr. and Mrs. C. took a truck belong to Mr. S., with his permission, to go into town. They lived on a ranch and Mr. C. was the hired help of Mr. S. Mr. and Mrs. C. went into town to do a few errands. When they did not return, Mr. S. went into town to find the truck they were using. He found Mr. and Mrs. C. at a bar. He told them he was taking the truck. Mrs. C. asked for a ride but Mr. C. prevented her from going with Mr. S. by pulling her from the truck. Mr. S. aided Mrs. C. in getting away from Mr. C. and they drove off. Mr. C. later obtained a ride home from someone else.

Upon arriving at the ranch, Mr. C. went to his cottage. Mr. P., the person who gave Mr. C. a ride home told Mr. S., "Harry's really pushed out of shape. He's going to shoot you." Mr. S. saw Mr. C. coming and armed himself with a shotgun. Mr. S. fired a warning shot over the head of Mr. C., who was approaching armed with a rifle. Mr. S. told him not to come any closer. The defendant turned and walked away.

**Prosecution:** The prosecuting attorney agreed with the facts. A prosecuting witness, the deputy sheriff, testified that the defendant's rifle was loaded.

**Defense:** The defendant claimed that he had taken 6 or more pain or nerve pills; that he had not eaten and was drunk. He maintains that he blacked out. He also maintains that he could not recollect picking up the gun and walking toward Mr. S. and that he did not come to till Mr. S. fired the warning shot.

1. Was the defendant guilty or not guilty?
2. If the defendant was guilty, what sentence would you give?
  1. Psychiatric help.
  2. Probation.
  3. 1-5 years.
  4. 5-10 years.
  5. 10-20 years.
  6. Life with chance of parole.
  7. Life without chance of parole.
  8. Death.
3. What sentence did your group give? 1 2 3 4 5 6 7 8

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