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thesis entitled

THE EFFECTS OF CAMERA SHOT AND WITNESS TYPE ON JURORS' RESPONSES TO A VIDEOTAPED DEPOSITION

presented by

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has been accepted towards fulfillment
of the requirements for

Ph.D. degree in Communication

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Date August 8, 1978

THE EFFECTS OF CAMERA SHOT AND WITNESS TYPE ON JURORS' RESPONSES TO A VIDEOTAPED DEPOSITION

By

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A DISSERTATION

Submitted to
Michigan State University
in partial fulfillment of the requirements
for the degree of

DOCTOR OF PHILOSOPHY

Department of Communication

1978

Accepted by the faculty of the Department of Communication, College of Communication Arts, Michigan State University, in partial fulfillment of the requirements for the Doctor of Philosophy degree.

Guidance Committee: Harold R. Miller, Chairman

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ABSTRACT

THE EFFECTS OF CAMERA SHOT AND WITNESS TYPE ON JURORS' RESPONSES TO A VIDEOTAPED DEPOSITION

By

Edmund Paul Kaminski

The advent of videotape in the legal system has aroused many concerns for jurists. One concern deals with the type of camera shot employed when videotaping testimony. Currently, there are few rules governing taping and presentation of testimony. Moreover, there is a paucity of research that has examined the effects of different camera shots on viewers' perceptions. The purpose of this thesis was to examine the effects of three different camera shots (close-up; medium; long) and two different witness presentational styles (strong; weak) upon jurors' responses. Specifically, the dependent measures included jurors' perceptions of the witness': (1) composure, (2) credibility, (3) authority, and (4) character. In addition, measures of the following were also obtained: (1) information retention, (2) juror interest, (3) verdict, and (4) award.

With the assistance of legal experts, a trial deposition was selected. The deposition was from a defendant who was accused of negligence in an industrial accident. The deposition, which was approximately 30 minutes in length, consisted of cross-examination by the plaintiff's attorney. It did not contain direct examination by the defendant's attorney.

Professional actors played the roles of the witness and the defense attorney. An actual attorney played the role of the plaintiff's attorney.

The type of witness manipulation consisted of the same actor playing two different roles: (1) a strong witness and (2) a weak witness. The presentational style of the strong witness was characterized as fluent, assertive, and attentive. The presentational style of the weak witness was characterized as uncertain, hesitant, fumbling, and inattentive. The actor was trained to emit verbal and nonverbal cues derived from previous research which were found to elicit impressions of these presentational styles.

The deposition was videotaped in color. Three cameras were used simultaneously in order to achieve the three levels of camera shot. Moreover, the deposition was taped twice -- once for each witness type.

One hundred and sixty-two undergraduate students role-played jurors for this study. Subjects read a trial synopsis, which was used in order to place the deposition in context. The videotaped deposition was then shown. Following the deposition, subjects completed a questionnaire.

The results revealed significant main effects for the presentational style of the witness. Specifically, the strong witness was perceived to be significantly more composed, qualified and dynamic than the weak witness. Moreover, subjects exposed to the strong witness retained significantly more information and expressed greater interest than subjects exposed to the weak witness.

No significant main effects were obtained for camera shot. However, a few significant camera shot x witness type interactions were obtained. The strong witness was perceived significantly more authoritative in the close-up shot than in the long shot. Perceptions of the weak witness' authority did not differ significantly across camera shots. The weak witness was perceived significantly more composed in the long shot

than in either the medium or close-up shots. No significant differences in the perceptions of the strong witness' composure were obtained across camera shots. Finally, subjects exposed to the weak witness retained significantly more information when presented with a long shot than with either a medium or close-up shot. Mean information retention scores did not significantly differ across camera shots for subjects exposed to the strong witness.

While significant interactions were obtained, the largest of these effects accounted for only five percent of the variance. From a practical standpoint, five percent is not very much. Therefore, in the final analysis, given a strong or weak witness, it probably does not matter whether a close-up, medium, or long shot is used to videotape testimony. Due to some limitations with the present study, this recommendation is offered cautiously.

ACKNOWLEDGMENTS

I would like to express my appreciation and gratitude to the members of my committee, Dr. Erwin P. Bettinghaus, Dr. Vincent R. Farace, Dr. Norman E. Fontes, Dr. Eugene Jacobson, and Dr. Gerald R. Miller, for their support, guidance, and patience.

To Gerald R. Miller, I extend my deep appreciation and friendship for his understanding, guidance, and friendship. He has been a constant source of intellectual inspiration and emotional support. Truly a man of patience, he has treated me with fairness and kindness.

To Norman E. Fontes, I extend my friendship and thanks for his help, patience, understanding, and Mexican temper. Hopefully, he'll remain in academia long enough to read this.

To Michael Sunnafrank, I extend my thanks and friendship for putting up with my insanities during the final year and for his support.

Over a period of four years, there are so many people who have helped either by being supportive or by adding humor to my existence by simply being themselves. Due to space limitations, I cannot explain in detail the accomplishments of every individual. So, in keeping with non-tradition, I'll mention them below and hope that they'll know what they did. Thanks is extended to: The Montana Miracle Machine, The Animal, The Condor, The Enforcer, The Mole, The Toke, The Greek, The Magnet, Gar Face, The Kid, Johnny Research, Cosmo, Miz Laura, Slick, M^2, M^3, Mr. Affect, Beech Street Fats, The California Fox, Jungle Man, Andy

Pandy, Mr. Interpersonal, The Buzzed Czars, Ma Bell, Merkins' Marauders, Squeaky, Ms. Hope, Chuckles, Bozo the Clown, Dr. of Love, Paul Revere, The Goonies, Captain Video, The Women's Lib Group, Claw Woman, Leepin' Leena, Lemonade, Organizational Man, Pandora, and Captain Communication.

I would also like to extend my thanks to the continuing saga of The Toke vs. The Goonies, for adding humor and excitement. I understand the movie will be released as soon as the credits are worked out.

I'd also like to thank Miz Laura for helping me find my sanity and helping me lose it at the same time.

Special thanks goes to Judy Mead for typing this thesis and being very patient.

I would like to thank my family for their faith and support.

Finally, I would like to express my gratitude for having a loving wife and son who have been especially understanding and supportive.

Thank y'all.

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Chapter I

INTRODUCTION

The advent of videotape in the legal system has aroused many concerns for jurists. One concern deals with the technical aspects of the use of videotape (Bermant, McGuire & Chappell, 1975). From a technical standpoint, the concern encompasses the quality of the equipment, the skills of the technicians, the production techniques applied, and the editing of the videotape (see Doret, 1974).

Currently, there are few rules governing taping and presentation of testimony. For example, Ohio's Superintendence Rule 15 stipules that standard one-half inch videotape equipment constitutes the standard for filming and playback of testimony and other evidence. However, the ruling allows for deviations from the standard as long as compatible equipment is supplied or the original tape is converted such that it is compatible with the standard. The only other requirement is that there must be a minimum of one monitor having at least a 14 inch screen for playback to the jury.

Clearly, Ohio's Superintendence Rule 15 allows the litigants a good deal of freedom in deciding how and where to videotape. The ruling supplies no limitations on lighting, panning, zooming, camera angles, special effects, backdrops, etc. The lack of specificity concerning the use of videotape in the legal setting has prompted researchers to express concern that the "techniques of film and television art will soon become

applied to videotaped depositions and testimony" (Bermant, et al., 1975, 8). Conceivably, the use of various production techniques could systematically affect the information that is presented in a trial. Thus, it is important to understand how these techniques affect jurors' perceptions of trial participants as well as the information provided by them.

Unfortunately, very little research has examined the effects of production techniques on viewers. Perhaps film has been considered an artistic medium lending itself to evaluation by aesthetic criteria. While aesthetic criteria may be acceptable for evaluating many types of films (e.g., dramas, comedy, suspense), they are inadequate for evaluating the effects the techniques may have on jurors. Thus, research is needed to determine what systematic effects, if any, various production techniques have on jurors' responses to videotaped testimony.

A basic question raised by many leading jurists concerns the type of camera shot that should be employed when videotaping a witness. Doret (1974) has addressed most of the central issues involved in this question. Many alternatives are available when taping a witness and the use of any particular camera shot has advantages and disadvantages. For example, Doret (1974) states that a shot providing a panoramic view of the courtroom offers the jury:

> ...a viewing experience similar to that of watching a movie of a stage play. The advantage of this method is that it deviates least, in terms of the visual field offered the juror, from the traditional trial, and offers the juror the widest possible universe of sensory data to formulate his impressions upon. The disadvantage of this method is the inability of the panorama to capture in detail the nuances of the demeanor of the witness (233-234).

The problem of the lack of visual detail associated with the panoramic shot could be alleviated by using a close-up (head & shoulders) or

medium (head & torso) shot of the testifying witness. However, these shots also have disadvantages. First, the amount of sensory data available to the juror would be greatly reduced. Whether this reduction has any systematic affect on the jurors' decision-making process is unknown. Additional disadvantages are dependent upon how the shot is executed in the context of the entire trial. If the camera is positioned for a close-up or medium shot and remains stationary, then jurors may detach the witness from the courtroom environment, or whatever setting in which the taping occurred. Further, the jurors would not be able to see the behavior of off-camera participants. The other trial participants' reactions to a witness' testimony may constitute important information to the jurors.

Currently, three types of camera shots are predominately used in the legal system when videotaping witness testimony:

(1) close-up shot: tight focus on the head and shoulders of the witness

(2) medium shot: focus from the head to just above the waist of the witness

(3) long shot: full focus of the witness from head to foot

In addition, a fourth shot (a very long shot) is often used at the beginning of a taping session in order to allow the jurors to see all the participants. It is not presently known what effect these camera shots have on jurors' responses to a videotaped witness. Thus, the purpose of the present study is to determine whether the three different camera shots (i.e., close-up; medium; long) used to videotape witness testimony have any systematic effect upon jurors' impressions of a witness.

A logical beginning for determining the effects of camera shots on jurors' responses would entail an examination of television production texts. Most television and film production texts include a discussion

of camera techniques. However, some of these are limited to a "how to" discussion. That is, they discuss camera techniques from a technical perspective describing different lenses, cameras, dollies, etc. (cf., Fulton, 1960; Quick & LaBau, 1972; Scott, 1975). At best, these texts include descriptions of how images change as a function of camera distance, lens selection, f-stops, etc., but offer nothing in the way of how these techniques affect the reactions of viewers.

In contrast, other texts go beyond the basic "how to" discussion, and provide discussions of how viewers may react to various camera techniques (Eisenstein, 1960; Bretz, 1962; Millerson, 1964; Zettl, 1966; Lewis, 1968; Davis, 1960; Madsen, 1973). While the effects of many different camera techniques are discussed in these texts, only camera shots are of central concern.

According to television production texts, the long, medium and close-up shots have distinct functions. Millerson (1964) summarizes the utility of each of these shots.

The long shot serves to personalize the individual(s) being filmed. In contrast to longer shots (e.g., the very long shot), movement becomes more recognizable. Moreover, facial expressions and gestures become more dominant. Thus, in the long shot, emphasis is placed more on the actor(s) rather than the setting.

The medium shot serves to direct the attention to one or two individuals and provide ample cues. Facial expressions and gestures become more prominent in the medium than in the long shot.

The purpose of the close-up shot is to concentrate the viewer's interest. It forces the viewer to notice detail that might otherwise be

overlooked. The close-up shot is usually used for dramatic emphasis of detail (Madsen, 1973).

In sum, the three camera shots differ with respect to the number of sensory cues made available to the viewer as well as the saliency of the cues presented. Of the three shots considered, the close-up provides the fewest sensory cues and the greatest saliency of the cues presented. In contrast, the long shot provides the greatest number of sensory cues and the lowest saliency of the cues presented. The medium shot falls in between the close-up and long shots. That is, the medium shot provides more sensory cues than the close-up shot, but fewer than the long shot. The saliency of the cues presented by the medium shot is less than the close-up, but greater than the long shot. Considering the videotaped witness, these effects can significantly alter jurors' perceptions of that witness.

The literature on person perception adds credence to this last point (e.g., Bruner & Taguri, 1954; Bruner, 1957; Hastorf, Schneider & Polefka, 1970; Shaver, 1975, 1977). Early research in person perception has shown that subjects alter their impressions of a hypothetical stimulus person by simply rearranging a list of descriptive adjectives (Asch, 1946; Luchins, 1957; Anderson & Hubert, 1963). Additionally, researchers contend that some traits are more central than others, and that their inclusion in a list of adjectives can significantly alter subjects' impressions of both a hypothetical stimulus person (Asch, 1946) and a live stimulus person (Kelley, 1950). Thus, when people are privy to information about a person prior to meeting them, the order and type of adjectives used in describing that person can affect initial impressions.

This is directly analogous to what transpires in most trials, particularly for the defendant. Usually, jurors receive information about

the defendant before he/she takes the stand. The order and type of information presented will probably influence the jurors' initial impressions. Therefore, jurors will form an impression of the defendant prior to viewing his/her behavior during testimony, and may look for behaviors that support their initial impression. This is called the prior entry effect (Jones & Gerard, 1967). The presentation of the defendant to the jurors is significant. Conceivably, the defendant could be presented such that the behaviors shown may confirm or contradict the jurors' initial perception. Therefore, an understanding of how people form impressions from a person's behavior is important.

Bruner (1957) contends that impression formation is an act of categorization of attributes of a stimulus person. That is, people learn through experience what elements of the stimulus person are related and these are combined into meaningful categories. Some attributes (stimulus elements) are more relevant than others. Bruner calls these criterial attributes, which serve to define the boundaries of the category.

As one might expect, when perceivers define categories of behavior, they begin to respond to the stimulus person in terms of those categories. Thus, the stimulus person becomes a role occupant in a category rather than a unique individual. This increases the likelihood that the perceiver will make errors in judgments (Bruner, 1957; Goffman, 1963; Miller & Steinberg, 1975).

Although perceptual accuracy has concerned many researchers in the area of person perception (see Cline, 1964), it is not a major concern here. Rarely, if ever, will jurors know if their perceptions are accurate. More important is the fact that they think they are accurate, and

respond according to their perceptions. Thus, it is important to understand how the different camera shots may alter jurors' perceptions of the witness.

Earlier it was argued that camera shots differ both in the number of sensory cues presented to the viewer and the saliency of those cues. The reduction of sensory cues may reduce the number of criterial attributes available to the jurors, which could result in a different categorization of the witness.

Differences in the saliency of the cues presented may also affect jurors' perceptions of the witness. These differences may alter the saliency of certain attributes. For example, the close-up and medium shots may cause jurors to concentrate on attributes of the witness that may have been overlooked, or perceived as less relevant if a long shot had been used. The alteration of relevant attributes could also lead to different impressions of the witness.

Recently, some researchers have undertaken the task of empirically testing the effects of different camera shots on viewers' responses. An examination of the relevant research concerning these effects follows.

Relevant Research

Williams (1965) examined the effect of varying camera shots on viewers' expressed interest level toward a televised lecture. The results of his study indicated that expressed interest level did not significantly differ as a result of using a variety of close-up and long shots compared to utilizing a static medium shot. However, when examining shot differences using a film screen, Williams (1968) found that viewers' expressed interest level significantly decreased when a long shot was employed.

Wurtzel & Dominick (1971-72) examined the effects of acting style and camera shot on viewers' evaluations of television drama. An 11 minute emotional scene was performed by three professional actors utilizing two different acting styles: (1) film acting and (2) stage acting. Stage acting is different from film acting in that gestures and expressions are more elaborate and pronounced when an actor is performing on a stage. The scene was filmed four times in order to obtain the levels of the two independent variables of acting style (film acting and stage acting) and type of shot (close-up and medium).

The dependent variable was an evaluation measure comprised of ten bi-polar adjectives. Six of these scales were derived from an evaluative measure developed by Osgood, Succi & Tannenbaum (1957). The other four scales consisted of "adjectives most used in instructor evaluations of the media performance class at Queens College," which correlated highly with the other six scales.

The main effects for acting style and camera shot were not significant, but a significant interaction was observed. Specifically, viewers evaluated the scene more favorably when the actors were film acting and a close-up shot was used as opposed to a medium shot. Viewers in the medium shot condition evaluated the scene more favorably than did viewers in the close-up shot condition when stage acting was employed.

McCain & Repensky (1972) examined the effect of camera shot on interpersonal attraction. The stimuli subjects were two comedy performers, Edmonds and Curly. The comedians worked together as a team and performed two comedy routines. These routines were taped using three camera shots simultaneously: (1) close-up shot, (2) medium shot, and (3) long shot. The measure of interpersonal attraction was comprised of three

dimensions: (1) physical attraction, (2) social attraction, and (3) task attraction. The authors derived these three dimensions utilizing orthogonal factor analysis and thus treated each dimension independently in the analyses.

The results of this study indicated that camera shot does affect interpersonal attraction. However, the effects differed for each performer. Analysis of the physical attractiveness data yielded a significant main effect for Comedian and a significant interaction of Comedian and Camera Shot. Edmonds was perceived as being more physically attractive in the close-up shot than in the medium or long shot. Curly was perceived as being more physically attractive than Edmonds in the medium and long shots. Neither comedian was perceived significantly more attractive in the close-up shot. No significant differences were obtained from the analysis of the social attractiveness data. A significant interaction was obtained from the analysis of the task attractiveness data. Curly was perceived as most task attractive in the close-up condition while Edmonds was perceived as least task attractive in the close-up condition. The two comedians did not differ in task attractiveness in any other condition.

Clearly, some characteristic(s) of the two comedians interacted with camera shot in this study. However, it is difficult to determine what source characteristic(s) were operating. The authors offer a number of plausible explanations which include, the roles of the comedians (i.e., straight-man vs. funny-man), their physical appearance, and the quality of their performances.

In an attempt to uncover the influence of two particular source characteristics, McCain & Divers (1973) examined the effects of body type, sex of the source and camera shot on interpersonal attraction and

source credibility. Three males and three females were selected as stimulus subjects and were classified into three categories of body type based on the work of Sheldon (1954). The three body types were: (1) endomorph (fat or plump), (2) mesomorph (muscular or athletic), and (3) ectomorph (thin or skinny). Three camera shots were employed: (1) close-up shot, (2) medium shot, and (3) long shot. Interpersonal attraction was comprised of three independent dimensions: (1) physical attraction, (2) social attraction, and (3) task attraction. Source credibility was comprised of five independent dimensions: (1) competence, (2) sociability, (3) dynamism, (4) composure, and (5) character.

The six stimulus subjects delivered a "three minute neutral speech," which was taped utilizing three cameras simultaneously in order to obtain the three levels of camera shot.

The results of the study yielded significant main effects for body type and sex of the source. No main effect for camera shot was found, but a number of significant interactions were obtained. However, once again the interpretation of these results is clouded by the lack of control in the study. For example, the results suggested that the sex of the speaker had a strong impact on the results of the study. This result was interpreted cautiously by the authors, for as they noted:

> Since only one person of each sex represented each body type, the differences are really personal attribute differences of single individuals. Facial expression, fluency of presentation and other nonverbal variations between the males and females may well provide better explanations for differences between them than their gender differences (McCain & Divers, 1973, 9-10).

Thus while it would appear that body type, sex of the source and camera shot have an effect on interpersonal attraction and source credibility,

this result must be interpreted cautiously given the lack of control of potentially relevant source characteristics.

Summarizing the research discussed thus far, it would appear that different camera shots have an impact on viewers' perceptions of a source's attractiveness and credibility. However, the precise nature of these effects is still unknown. In virtually all of the studies discussed earlier, relevant source characteristics were not controlled. It is not known what effect these source characteristics may have had in the results reported in these studies.

An additional point is worth mentioning here. In the studies reported earlier, the role of the sources differed. That is, sources served as comedians (McCain & Repensky, 1972), lecturers (Williams, 1965; 1968), actors (Wurtzel & Dominick, 1971-72) and neutral speakers (McCain & Divers, 1973). As the role of the source changes, the role of the receiver and the purpose of the message changes. Conceivably, as the relationship between the source and the viewer changes, different cues emitted by the source become salient for the viewer. That is, the viewer may attend to different cues if he/she knows that he/she is being entertained, than if he/she knows he/she is being informed or persuaded. This point attains particular relevance when considering the role of the juror. Presumedly, the juror is aware that he/she will receive conflicting testimony throughout the course of a trial. The jurors' task is to weigh the evidence presented, assess the veracity of the information, the credibility of the witnesses, etc. In essence, the juror acts as a judge of various witnesses' character and testimony. Clearly, the role relationship between juror and witness is very different than the role relationship between comedian and viewer. The cues emitted by the source that are salient in

one situation, may not be as salient in the other. The results of the studies reported earlier may not be applicable to the legal setting. Hence, the need for research on the effects of different camera shots on jurors' perceptions of a witness still exists.

Recently, a study was conducted which examined the effects of different camera shots on jurors' perceptions of a witness (Halbert, 1978). Three independent variables were manipulated: (1) camera shot (close-up; medium; long; extreme long), (2) attractiveness of the witness (attractive; unattractive), and (3) sex of the witness. The dependent variables measured included: (1) identification with the witness, (2) information retention, (3) perceived credibility, (4) interpersonal attraction, and (5) viewer interest.

Four sources were used in this study: an attractive male and female and an unattractive male and female. The attractiveness levels of the sources were determined by a pretest.

The study employed an actual trial deposition of an automobile accident. Due to a limitation of available cameras, each source presented the testimony twice in order to obtain the four levels of camera shot.

The results of this study yielded a number of significant three-way interactions. However, due to some problems with the manipulations these results are somewhat suspect. Hence, the findings will not be discussed. Instead, attention will be devoted to the areas of concern surrounding this study.

One problem with this study surrounds the attractiveness manipulation. The mean attractiveness ratings of the sources taken from the experimental groups indicated that the two males were not perceived significantly different from each other. The two females were perceived significantly

different in attractiveness. The weakness of the attractiveness manipulation for the male sources creates obvious problems in interpreting any of the results that involve this variable.

The procedures used when taping the stimuli persons may also have had an effect on the results. Originally, five camera shots were used. The fifth shot, a "very long shot" was dropped from the design. As was mentioned earlier, due to a shortage of cameras, the witnesses presented the testimony twice in order to achieve the levels of camera shot. This was achieved by taping three of the shots during one presentation, and the remaining two during the second. Unfortunately, no consistent pattern of shots was used when taping the witnesses. Thus, in the final design, different shots were from different presentations, which varied across witnesses. For example, for the attractive female, the close-up, medium, and long shots were taken during one presentation, while the extreme long shot was taken from another. For the attractive male, the close-up and long shot were from one presentation, while the medium and extreme long shot were from another. Therefore, some of the differences obtained may be partially attributable to differences in presentation rather than differences in camera shot.

The final area of concern surrounds the lack of control of potentially relevant source characteristics. The study employed only one individual of each sex for the levels of attractiveness. Thus, the differences obtained may be attributable to individual differences among the sources. Coupling this problem with the previous problem, it becomes clear that the results may have been affected by differences in presentations within sources as well as between sources.

Clearly, most of the research on camera shots conducted to date has lacked control for potentially relevant source characteristics. One study that appears to have avoided this problem was discussed earlier (Wurtzel & Dominick, 1971-72). Recall that the findings from this study indicated that acting style interacts with camera shot. Assuming that acting style is analogous to the presentational style of a source, then presentational style may serve as a useful construct to investigate in relation to camera shot. Still, given the many idiosyncratic behaviors of communication sources, the problem becomes one of determining a useful categorization of presentation style, particularly for the trial participant.

Confronted with a similar dilemma, Miller & Siebert (1975) offered a useful, albeit rough, distinction of two different types of witnesses: (1) strong witness and (2) weak witness.* A "strong witness" was conceived to be "...assertive, attentive, and unhesitant...", while a "weak witness" was seen as "...uncertain, fumbling, and inattentive..." (p. 18).

The study was designed to investigate the effects of type of witness (strong and weak) and mode of presentation (color and monochromatic) on jurors' responses. Utilizing an actual trial deposition of an industrial accident, a professional actor was taped in color using a medium shot. The shot included the witness and two attorneys who were seated at a small table. The testimony was presented twice in order to obtain the

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*The original study employed a third type of witness called the "modal witness." In the modal condition, the witness read the testimony, simulating the case where the witness' testimony is read into the record. In a replication of this study (Miller & Siebert, 1975) the modal condition was dropped for two major reasons: (1) it was unrealistic and (2) subjects had difficulty determining whether they were supposed to rate the actual witness or the reader. The results of the replication supported the results of the original study for the effects of witness type. Therefore, the general results will be considered without regard for the modal condition.

levels of witness type. The tapes were then shown to role-playing jurors. The dependent measures included: witness credibility, witness authoritativeness, witness character, and juror information retention.

The results of the study indicated that the strong witness was perceived significantly more credible and authoritative than the weak witness. The strong witness was perceived as having better character than the weak witness, but this finding was not significant. Witness type had no significant effect upon jurors' retention of trial-related information.

The present study offers a replication and extension of the study reported by Miller & Siebert (1975) with some important differences. The latter study employed a static medium shot, which encompassed the witness. The present study will employ three different camera shots (i.e., close-up, medium, and long) which will also encompass only the witness.* In addition, the present study will add a trial synopsis which will precede the videotaped witness in order to obtain a measure of verdict. Finally, the information retention measure will be refined and a measure of witness composure will be added.

In sum, the present study will assess the effects of camera shot and witness type on jurors' responses to a videotaped witness. The dependent measures will include: (1) witness composure, (2) witness credibility, (3) witness authority, (4) witness character, (5) information retention, (6) interest, (7) verdict, and (8) award.

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*While the three shots of interest will only encompass the witness, a longer shot, which includes the two attorneys, will be used at the beginning and the end of the deposition in order to provide the jurors with a sense of location.

Hypotheses

This section will delineate the specific hypotheses of this study and the rationale behind their derivation. In order to achieve clarity in the derivation of specific hypotheses, the main effects for witness type will be discussed first. These hypotheses will then be modified in order to take into account the effects of the different camera shots.

The first variable to be considered is the perceived composure of the witness. Composure is being used here as a measure of the general presentational style of the witness. The specific items that comprise this measure are derived from the research on verbal and nonverbal behavior. For example, one characteristic of the strong witness is a fluent speech pattern, while the speech pattern of the weak witness is nonfluent. Research on speech fluency indicates that a nonfluent speech pattern is indicative of high anxiety; i.e., low composure (Dibner, 1956; Krause & Pilisuk, 1961; Pope & Siegman, 1962; Zimbardo, Mahl & Barnard, 1963; Kasl & Mahl, 1965; Cook, 1969). Therefore, one of the items of the composure measure is a measure of perceived anxiety of the witness. In essence, the composure measure serves as a check on the manipulation of witness presentational style. Thus, the following hypothesis is posited:

H_1: A strong witness will be perceived to be more composed than a weak witness.

The next variable to be considered is the perceived credibility of the witness. Jurors are often placed in the position of having to make decisions in the face of conflicting testimony. That is, the plaintiff's case presents one impression of the events that transpired, while the defendant's case presents a different image. The jurors must then make the decision of whom to believe. While many factors may impinge upon

their decisions, most jurists would agree that the credibility of the witness has a large impact on the jurors' decision-making process.

Credibility* has been defined as a receiver's attitude toward a source at a given point in time (cf., Auer, 1969; McCroskey, 1972). In addition, credibility has been conceived as a multidimensional construct (Lemert, 1963; McCroskey, 1966, 1972; Auer, 1969; Berlo, Lemert & Mertz, 1969-70). Still, researchers disagree on the number of relevant dimensions as well as the labels for those dimensions (see McCroskey, 1966).

Berlo, Lemert & Mertz (1969-70) report three dimensions that comprise credibility: (1) safety, (2) qualification, and (3) dynamism. The first two dimensions comport with dimensions found by other researchers. However, questions concerning the validity of the third dimension as a separate dimension of credibility have been raised. McCroskey (1972) reports findings from a series of studies that found a dynamic source to be "... consistently more competent, and usually more trustworthy, than a passive source" (p. 66). Moreover, McCroskey (1972) reports that items of the dynamism scale were often represented on the competence factor.

While the controversy still remains concerning whether or not dynamism is a separate dimension of credibility, it is not of central concern here. Rather, it is important to note the importance of dynamism to the perceived credibility of the source.

The writings of Aristotle stressed the need for good delivery in acquiring credibility (Cooper, 1932). More recently, researchers have investigated the effects of delivery on credibility (Winthrop, 1956; Miller &

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*The literature also contains the terms ethos and prestige for the same construct. For purposes of clarity, the present paper will consistently use the term credibility.

Hewgill, 1964; Sereno & Hawkins, 1967; McCroskey & Mehrley, 1969; McCroskey, 1972).

Using the credibility scales developed by Berlo & Lemert (1961), Miller & Hewgill (1964) and Sereno & Hawkins (1967) found that sources who had a fluent presentational style were perceived significantly more dynamic and competent than sources who had a nonfluent presentational style. Moreover, Miller & Hewgill (1964) found that a fluent speaker was rated significantly more trustworthy than a nonfluent speaker, but this result did not emerge as clear as the results for the factors of competence and dynamism. Sereno & Hawkins (1967) report findings in the same direction for the ratings of the source's trustworthiness, but the differences were not significant.

McCroskey & Mehrley (1969) employed the scales of authority and character which were developed by McCroskey (1966). These two scales are considered to be related to the dimensions of competence and trustworthiness. In addition, Berlo & Lemert's (1961) dynamism scale was employed. The authors report that a source who used a fluent presentational style was rated significantly higher on all three dimensions than a source who used a nonfluent presentational style.

Given the two types of witness presentational style to be employed in this study, the relationship between witness type and credibility can now be hypothesized. The strong witness, whose presentational style is characterized as fluent, assertive, and attentive (good delivery) would be perceived as being more credible than the weak witness, whose presentational style is characterized as uncertain, hesitant, fumbling and inattentive (poor delivery). Given the conceptualization of credibility

offered by Berlo, Lemert & Mertz (1969-70), the following three hypotheses have been generated to test the effects of witness type on credibility:

H_2: A strong witness will be perceived to be safer than a weak witness.

H_3: A strong witness will be perceived to be more qualified than a weak witness.

H_4: A strong witness will be perceived to be more dynamic than a weak witness.

The variables of witness authority and character will be considered conjointly. As was noted above, the measures for these two variables were developed by McCroskey (1966) and are considered to be related to dimensions of credibility derived by other researchers. Given this relationship, one would expect the presentational style of a source to have the same effect upon these variables as it does upon credibility. Some support is offered for this contention from the results of the study by McCroskey & Mehrley (1969). Recall that in that study, the authors found that a source who had a fluent presentational style was perceived to be more authoritative and as having better character than a source who had a nonfluent presentational style. This finding lead to the following hypotheses:

H_5: A strong witness will be perceived to be more authoritative than a weak witness.

H_6: A strong witness will be perceived as having better character than a weak witness.

The next variable to be discussed in relation to witness type is information retention. When describing the behaviors of the strong and weak witness, it was stated that the weak witness would be nonfluent, fumbling, and inattentive. The nonfluency in speech may be disruptive to the extent that jurors would find it difficult to follow the testimony.

Moreover, the nonverbal behaviors of the weak witness may be distracting to the jurors, causing them to attend more to those behaviors than to the information presented verbally.

Research on distraction and message recall has produced inconsistent results. Some researchers have reported findings that indicate distraction decreases recall of message content (Vohs, 1964; Gardner, 1966; Haaland & Vankatesan, 1968), while others have found distraction to increase recall (Silverman & Regula, 1968).

One explanation for these inconsistent findings is offered by Baron, Baron, & Miller (1973). The authors contend that the effects of distraction on message recall are dependent upon whether or not the distraction can be ignored. If the distraction is mild, then an attempt will be made to block the distracting stimulus by attending more to the message. However, if the distraction is severe, then more attention will be paid to the distracting stimulus.

Assuming the distracting behaviors of the weak witness (e.g., the verbal nonfluencies and fumbling) are disruptive, the following hypothesis is advanced:

H_7: Jurors exposed to a weak witness will retain less trial-related information than jurors exposed to a strong witness.

The presentational style of the witness is expected to have an effect upon jurors' expressed interest in the proceedings. Since the writings of Aristotle (Cooper, 1932), the importance of the presentational style of a source and its effect upon receiver interest has been discussed by students of public speaking. While many factors will ultimately affect receivers' interest, one general relationship is clear. The better the

delivery style of the source, the greater the likelihood of evoking interest in the receiver.

Earlier it was argued that the strong witness' presentational style characterizes good delivery, while the weak witness' presentational style characterizes poor delivery. Given the general relationship between presentational style and interest, the following hypothesis is posited:

H_8: Jurors exposed to a strong witness will express greater interest in the proceedings than jurors exposed to a weak witness.

The relationship between witness type and verdict will now be considered. Earlier it was argued that jurors are often faced with the dilemma of making a decision from conflicting testimony. Further, it was argued that one variable that plays a major role in their decision-making process is the perceived credibility of the witnesses. If this is true, then a significant correlation between credibility and verdict should be found. Recently, Kaminski (1977) reported evidence that supported this relationship. That is, as the perceived credibility of the plaintiff increases, the likelihood of a verdict in favor of the plaintiff increases. The same relationship was found for the defendant. Given this relationship between witness type and credibility, the following hypothesis was derived:

H_9: Jurors exposed to a strong witness will be more likely to offer a verdict congruent with the witness' testimony than jurors exposed to a weak witness.

Considering all of the hypotheses posited thus far, a general pattern emerges. They all indicate that a strong witness will be perceived more favorably than a weak witness. This general relationship may have an effect upon the award offered to the plaintiff for those jurors who find in favor of the plaintiff.

While an award may be considered restitution for the plaintiff, it may also be viewed as punishment for the defendant. Therefore, when determining how much money to award a plaintiff, jurors may not only consider reasonable recompense, they may also consider the degree to which they are punishing the defendant. Conceivably, jurors will be less likely to punish a defendant they view favorably as opposed to a defendant they view unfavorably. Thus, jurors who look favorably upon a defendant may award the plaintiff less than jurors who look unfavorably upon the defendant. The following hypothesis has been posited to test this reasoning:

H_{10}: For those jurors who find for the plaintiff, jurors exposed to a strong witness will recommend lower awards than jurors exposed to a weak witness.

It should be noted that this hypothesis assumes that the witness is either the defendant, or a witness for the defense. If the witness was the plaintiff, or a witness for the plaintiff, the effect would be reversed.

Thus far, the hypotheses have focused on the relationship between witness type and the dependent variables without regard for the effects of camera shot. Those effects will now be discussed and the hypotheses will be modified to take these effects into account.

In order to discuss the effects of camera shot, it is necessary to recall the differences between the three different shots. Earlier, it was argued that the shots differ in the number of sensory cues made available to the viewer as well as the salience of the cues presented. Specifically, the number of sensory cues is greatest in the long shot and minimized in the close-up shot, with the medium shot falling in between the two. Moreover, the cues are most salient in the close-up shot; less salient in the medium; and least salient in the long shot. Given the differences in the saliency of the cues presented, one would expect the

characteristics of the witness to become most prominent in the close-up shot and least prominent in the long shot. Additionally, the characteristics of the witness in the medium shot would be less prominent than in the close-up, but more prominent than in the long shot. Therefore, the effects of witness type upon the dependent variables in Hypotheses 1-10 are expected to change with respect to camera shot. That is, the effects should be most pronounced in the close-up shot and least pronounced in the long shot. The effects in the medium shot should be less pronounced than in the close-up, but more pronounced than in the long shot.

The following 20 hypotheses have been posited to test the effects of camera shot upon the variables of composure; safety; qualification; dynamism; authority; character; information retention; interest; verdict; and award. The first ten are derived for the strong witness, while the last ten are derived for the weak witness. In order to reduce unnecessary confusion, a greater than sign (>) is used in these hypotheses. The effect upon the dependent variable discussed in each hypothesis is expected to be more pronounced in the shot that precedes the greater than (>) sign. Stated differently, the shots are expected to be significantly different from each other, with the ratings of the dependent variable being greater in those shots that are on the left of the greater than (>) sign. The hypotheses are as follows:

For the <u>strong witness</u>:

H_{11}: composure: close-up shot > medium shot > long shot

H_{12}: safety: close-up shot > medium shot > long shot

H_{13}: qualification: close-up shot > medium shot > long shot

H_{14}: dynamism: close-up shot > medium shot > long shot

H_{15}: authority: close-up shot > medium shot > long shot

H_{16}: character: close-up shot > medium shot > long shot

H_{17}: information retention: close-up shot > medium shot > long shot

H_{18}: interest: close-up shot > medium shot > long shot

H_{19}: verdict (congruent with the witness' testimony): close-up shot > medium shot > long shot

H_{20}: award: long shot > medium shot > close-up shot

For the weak witness:

H_{21}: composure: long shot > medium shot > close-up shot

H_{22}: safety: long shot > medium shot > close-up shot

H_{23}: qualification: long shot > medium shot > close-up shot

H_{24}: dynamism: long shot > medium shot > close-up shot

H_{25}: authority: long shot > medium shot > close-up shot

H_{26}: character: long shot > medium shot > close-up shot

H_{27}: information retention: long shot > medium shot > close-up shot

H_{28}: interest: long shot > medium shot > close-up shot

H_{29}: verdict (congruent with the witness' testimony): long shot > medium shot > close-up shot

H_{30}: award: close-up shot > medium shot > long shot

Hypotheses 20 and 30 deserve further explanation. The direction of the effect of camera shot on award is dependent upon whether the witness' testimony is in favor of the plaintiff or the defendant. These hypotheses are posited for a witness whose testimony is in favor of the defendant. If the witness' testimony was in favor of the plaintiff, the effects would be reversed.

It should be noted that the hypotheses for the effects of camera shot for the strong witness are reversed for the weak witness. Therefore, the last 20 hypotheses combined produce a general interaction hypothesis:

H_{31}: Jurors' perceptions of a strong witness will be more favorable in the closer shots, while jurors' perceptions of a weak witness will be more favorable in the longer shots.

Chapter II

METHODS AND PROCEDURES

With the aid of legal experts, a transcript of an actual deposition was selected. The deposition was of a defendant who was accused of negligence resulting in an industrial accident. The deposition, which was approximately 30 minutes in length, consisted of cross-examination by the plaintiff's attorney. It did not contain direct examination by the defendant's attorney.

Professional actors played the roles of the witness and the defense attorney. An actual attorney played the role of the plaintiff's attorney.

The type of witness manipulation consisted of the same actor playing two different roles: (1) a strong witness and (2) a weak witness. The presentational style of the strong witness was characterized as fluent, assertive, and attentive. The presentational style of the weak witness was characterized as uncertain, hesitant, fumbling, and inattentive.

The actor was trained to emit verbal and nonverbal cues derived from previous research which were found to elicit impressions of the presentational styles of interest. For example, for the strong witness, the actor was instructed to speak normally, fluently and with confidence; hold his head erect; maintain eye contact with the questioning attorney and lean slightly toward him. In addition, he was instructed to relax and not fidget, tap his feet or place his arms akimbo (elbows out with hands placed on hips). For the weak witness, the actor was instructed to speak

softly and nonfluently; insert pauses, "um's" and "uh's" in his sentences; maintain low eye contact with the questioning attorney and lean slightly away from him. In addition, he was instructed to tense his muscles slightly; sigh occasionally; fidget and tap his fingers and feet. These behaviors have been found to be indicative of the presentational styles of interest (cf., Dibner, 1956; Kraus & Pilisuk, 1961; Reece & Whitman, 1962; Pope & Siegman, 1962; Zimbardo, Mahl & Barnard, 1963; Kasl & Mahl, 1965; Dittman & Llewellyn, 1968; Cook, 1969; Mehrabian, 1969, 1971; Harrison, 1974).

Taping the Witness

The deposition was videotaped in a television studio at Michigan State University. The participants were seated at a rectangular table in front of a plain backdrop. The witness was seated at the middle of the table, with the attorneys at the ends. The deposition was videotaped in color utilizing three cameras simultaneously in order to achieve the three levels of camera shot (close-up; medium; and long). Each shot contained only the witness. Neither attorney appeared in the shot. A fourth camera shot (a very long shot), containing the witness and both attorneys, was used to offer the viewer a sense of location. This very long shot was edited onto the beginning and end of the videotape.

The angle used for all camera shots was 90° to the vertical plane. This angle was selected because past research has indicated that deviations from this angle has biasing effects on viewers (Tiemens, 1970; McCain & Wakshlag, 1974; McCain, Chilberg & Wakshlag, 1977).

The deposition was videotaped twice--once for each witness type. The testimony was identical in both presentations. Only the delivery style differed.

Trial Synopsis

In order to place the deposition in context, a brief trial summary was written with the assistance of legal experts. In addition, an injury for the plaintiff was contrived, as the deposition did not mention the injury sustained by the plaintiff. It was decided not to make the injury either too serious or too trivial, as this might have affected the subjects' impressions of the incident, which could have carried over and altered their impressions of the witness. Therefore, a moderately serious injury was considered to be most desirable.

In order to determine what a "moderately serious" injury would be, a list of 25 injuries which the plaintiff could have sustained were generated. This list was offered to 98 undergraduate students enrolled in communication courses at Michigan State University. The subjects were asked to rate each injury on a seven-point scale, ranging from "not serious" to "very serious."

While the results indicated that a number of injuries were perceived as moderately serious, only one (a broken leg with no additional complications) was perceived moderately serious and was minimally skewed in either direction of the scale. Therefore, the injury ascribed to the plaintiff was a broken leg with no additional complications.

Subjects

The subjects used in this study consisted of 197 undergraduate students enrolled in communication courses at Michigan State University. The study was conducted on three separate evenings in one week, two conditions each evening. The conditions were randomly assigned to each of the three evenings. Subjects volunteered to participate during one of the evenings.

Upon arriving, the subjects were randomly divided into two groups, one group for each condition.

The subjects were told they were participating in a study on jury size and that they would be assigned to a jury after the presentation of the testimony. The subjects were given the trial synopsis which was read aloud by the experimenter. The synopsis was then collected and the videotaped deposition was presented. At the conclusion of the deposition, the subjects completed the questionnaire. The subjects were then taken to another room and informed that they would not be deliberating. At this time, the subjects were partially debriefed. After all the data were collected, the subjects were fully debriefed.

Thirty-five subjects were randomly deleted in order to obtain an equal number of subjects for each condition. Thus, the total number of subjects used in this study was 162 (27 subjects for each condition).

Demographic Characteristics

Certain demographic characteristics were obtained from the subjects in order to check for homogeneity of sampling across conditions. Specifically, measures of the subjects' sex, age, education, marital status, and ethnic affiliation were obtained. In addition, subjects were asked whether they served as a juror before and whether they had been a party to a suit before. The frequencies of the above measures, with the exception of age, are reported in Table 1. A chi-square test was used for each of these measures to assess differences across conditions. The results indicated that the subjects did not differ in sex ($\chi = .50$, $df = 1$, $p > .05$), education ($\chi = .90$, $df = 3$, $p > .05$), marital status ($\chi = 3.35$, $df = 1$, $p > .05$), ethnic affiliation ($\chi = 2.99$, $df = 2$, $p > .05$), whether they served as a

Table 1. Frequencies of Subjects' Demographic Characteristics.

	Strong Witness			Weak Witness		
	Close-up	Medium	Long	Close-up	Medium	Long
Sex						
Male	14	17	12	11	11	15
Female	13	10	15	15	16	12
(Missing Data)	(0)	(0)	(0)	(1)	(0)	(0)
Education						
Freshman	15	6	11	17	10	9
Sophomore	2	9	8	3	8	8
Junior	8	10	5	3	7	8
Senior	2	2	3	3	1	2
(Missing Data)	(0)	(0)	(0)	(1)	(1)	(0)
Marital Status						
Single	27	27	27	23	26	26
Married	0	0	0	3	1	1
(Missing Data)	(0)	(0)	(0)	(1)	(0)	(0)
Ethnic Affiliation						
Caucasian	23	19	19	16	20	20
Black	1	2	4	4	4	5
Other	0	0	0	1	0	0
(Missing Data)	(3)	(6)	(4)	(6)	(3)	(2)
Ever a Juror Before?						
Yes	0	0	1	0	1	1
No	27	27	26	26	26	26
(Missing Data)	(0)	(0)	(0)	(1)	(0)	(0)
Ever a Party to a Suit Before?						
Yes	2	3	3	5	2	2
No	25	24	24	21	25	25
(Missing Data)	(0)	(0)	(0)	(1)	(0)	(0)

juror before (χ = .00, df = 1, p > .05), nor whether they had been a party to a suit before (χ = .00, df = 1, p > .05). The mean age of the subjects and analysis of variance summary are reported in Table 2. The results indicated that the subjects did not differ in age across conditions. Given the above results, the sample was considered to be homogeneous across conditions.

Table 2. Means and Analysis of Variance Summary of Subjects' Age.

	Strong Witness	Weak Witness	$\bar{x}$
Close-up	19.78	19.12	19.45
Medium	20.15	20.00	20.08
Long	19.44	19.96	19.70
$\bar{x}$	19.79	19.69	$\bar{X}$ = 19.74

Source	Sum of Squares	df	Mean Square	F	η^2
Camera Shot	10.49	2	5.25	2.27	----
Witness Type	.35	1	.35	<1	----
Camera Shot X Witness Type	9.38	2	4.69	2.03	----
Within Groups	358.35	155	2.31		
Total	378.57	160			

Power Estimation

A common problem in social science research stems from the interpretation of insignificant results. Often, the researcher is left asking whether a Type II error has been committed; i.e., accepting the null

hypothesis when it should be rejected. The probability of committing a Type II error can be minimized by increasing the power of an experiment. Power is defined as the probability of rejecting the null hypothesis when an alternative hypothesis is true (see Keppell, 1973). The power associated with a given experiment can be affected by a number of factors, one of which is the size of the sample employed.

Given the concern with committing a Type II error, an estimation of the power associated with the present experiment was calculated. The formula used was derived by Cohen (1969). In calculating the power, an estimation of the size of the effect (η^2) was made. The estimation of effect size is arbitrary, but Cohen (1969) suggests that an effect at $\eta^2 = .06$ is reasonable for most social science data. Therefore, the effect size was set at a minimum of $\eta^2 = .06$.

With a sample size of 27 subjects per cell and an estimated effect size set at $\eta^2 = .06$, the resultant power of this experiment was .70. This means that if an effect is present at $\eta^2 = .06$, the probability of rejecting the null hypothesis is .70. For smaller effects ($\eta^2 > .06$) power decreases, while for larger effects ($\eta^2 > .06$) power increases.

Measurement Techniques

This study was designed to determine the effects of camera shot and type of witness upon jurors' perceptions of the witness' composure, credibility, authority, and character; the amount of information retained by jurors; the amount of interest expressed by jurors; the verdicts rendered by jurors; and the award offered to the plaintiff for those jurors who find in favor of the plaintiff.

Jurors' perceptions of the witness' composure was measured utilizing ten seven-point Likert-type scales. The adjectives used for this scale

were: friendly-unfriendly; confident-unconfident; relaxed-tense; attentive-inattentive; assertive-nonassertive; poised-nervous; calm-anxious; comfortable-uncomfortable; unhesitant-hesitant; outgoing-reserved.

The ten items were factor analyzed which yielded a single factor solution. One item (friendly-unfriendly) failed to load adequately and was deleted from the scale (see Table 3). The remaining nine items yielded an alpha coefficient of .90.

Witness credibility was measured utilizing the scales developed by Berlo, Lemert & Mertz (1969-70). The measure consisted of 15 seven-point Likert-type scales, which theoretically comprise three dimensions of credibility: (1) safety, (2) qualification, and (3) dynamism. The subjects were presented all 15 scales and were asked to place a check in the space beside the answer which best described their opinion of the witness. For example:

_____ very qualified

_____ qualified

_____ somewhat qualified

_____ somewhat unqualified

_____ unqualified

_____ very unqualified

The 15 scales were factor analyzed using the multiple-group method (see Nunnally, 1967). The results of this analysis indicated that the credibility measure was comprised of the three dimensions of safety, qualification, and dynamism (see Table 4). The alpha coefficients for these dimensions were .72, .72, and .85, respectively.

Jurors' perceptions of the witness' authority and character were measured utilizing scales developed by McCroskey (1966). Twenty-two items

Table 3. Factor Loadings of Composure Items.

Item	Factor 1 (Composure)
1. Friendly - Unfriendly	.05
2. Confident - Unconfident	.70*
3. Relaxed - Tense	.84*
4. Attentive - Inattentive	.58*
5. Assertive - Nonassertive	.56*
6. Poised - Nervous	.88*
7. Calm - Anxious	.80*
8. Comfortable - Uncomfortable	.86*
9. Unhesitant - Hesitant	.66*
10. Outgoing - Reserved	.51*

*Indicates item was retained for the factor.

Table 4. Factor Loadings of Credibility Items.

Item	Factor 1 (Qualification)	Factor 2 (Safety)	Factor 3 (Dynamism)
1. Safe - Unsafe	.15	.54*	.04
2. Just - Unjust	.08	.68*	.08
3. Kind - Cruel	-.11	.68*	.01
4. Friendly - Unfriendly	.01	.65*	.08
5. Honest - Dishonest	.20	.56*	.02
6. Trained - Untrained	.69*	.10	.15
7. Experienced - Inexperienced	.74*	.07	-.02
8. Skilled - Unskilled	.61*	.02	.06
9. Qualified - Unqualified	.55*	-.01	.06
10. Informed - Uninformed	.52*	.20	.11
11. Aggressive - Meek	.03	-.08	.80*
12. Emphatic - Hesitant	.05	.12	.71*
13. Bold - Timid	.11	-.13	.82*
14. Active - Passive	.07	.20	.74*
15. Energetic - Tired	.19	.20	.55*

*Indicates item was retained for that factor.

were designed to measure authority and 20 items were designed to measure character. The measure consisted of statements about the witness to which the subjects rated their amount of agreement with the statement. For example:

I have confidence in this witness:

_____ Strongly Agree

_____ Agree

_____ Undecided

_____ Disagree

_____ Strongly Disagree

The 42 items were factor analyzed to a two factor solution using varimax rotation with communalities in the diagonal. The results indicated that a number of items failed to load adequately, given a criterion of loading no less than .50 on one factor and no more than .20 on the other. After eliminating those items which failed to meet this criterion, the authority scale was comprised of seven items and the character scale was comprised of ten items (see Table 5). The resulting alpha coefficients for the authority and character scales were .85 and .90, respectively.

The amount of information retained by jurors was measured in the following manner. Sixty-four multiple choice questions were constructed concerning the testimony presented during the deposition. The items were pretested using a sample of undergraduate students enrolled in communication courses at Michigan State University (N=58). The subjects were divided into two equal sized groups. One group was shown the medium shot of the strong witness. The other group was shown the medium shot of the weak witness. After viewing the videotape, they completed a questionnaire which included the 64 information retention items. The items were

Table 5. Factor Loadings of Authority and Character Items.

	Item	Factor 1 (Character)	Factor 2 (Authority)
1.	I respect this witness' opinion on the topic.	.55	.46
2.	This witness is not of very high intelligence.	.03	.46
3.	This witness is a reliable source of information on the topic.	-.06	.04
4.	I have confidence in this witness.	.61	.37
5.	This witness lacks information on the subject.	.26	.49
6.	This witness has high status in our society.	.12	.25
7.	I would consider this witness to be an expert on the topic.	.14	.66*
8.	This witness' opinion on the topic is of little value.	.26	.27
9.	I believe this witness is quite intelligent.	.00	.61*
10.	This witness is an unreliable source of information on the topic.	.41	.52
11.	I have little confidence in this witness.	.62	.46
12.	This witness is well informed on this subject.	.19	.69*
13.	This witness has low status in our society.	.00	.24
14.	I would not consider this witness to be an expert on this topic.	.07	.71*
15.	This witness is an authority on the topic.	.05	.70*
16.	This witness has had very little experience with this subject.	.12	.36
17.	This witness has considerable knowledge of the factors involved with this subject.	.20	.61*
18.	Few people are as qualified to testify on this topic as this witness.	.22	.36
19.	This witness is not an authority on this subject.	.19	.68*
20.	This witness has very little knowledge of the factors involved with this subject.	.29	.50
21.	This witness has had substantial experience with this subject.	.18	.38
22.	Many people are much more qualified to speak on this topic than this witness.	.12	.31

Table 5 (cont'd.).

	Item	Factor 1 (Character)	Factor 2 (Authority)
23.	I deplore this witness' background.	.34	-.03
24.	This witness is basically honest.	.73*	.11
25.	I would consider it desirable to be like this witness.	.20	.35
26.	This witness is not an honorable person.	.69*	.00
27.	This witness is not concerned with my well-being.	.49	.13
28.	This witness is a reputable person.	.32	.18
29.	I trust this witness to tell the truth about the topic.	.76*	.20
30.	This witness is a scoundrel.	.70*	-.02
31.	I would prefer to have nothing at all to do with this witness.	.61*	.16
32.	Under most circumstances I would be likely to believe what this witness says about the topic.	.65	.32
33.	I admire this witness' background.	.16	.27
34.	This witness is basically dishonest.	.62*	-.01
35.	The reputation of this witness is low.	.54*	.17
36.	I believe that this witness is concerned with my well-being.	.40	.13
37.	This witness is an honorable person.	.67*	.17
38.	I would not prefer to be like this witness.	.27	.32
39.	I do not trust this witness to tell the truth on this topic.	.73*	.20
40.	Under most circumstances, I would not be likely to believe what this witness says about the topic.	.59	.31
41.	I would like to have this witness as a personal friend.	.46	.17
42.	The character of this witness is good.	.59*	.17

*Indicates items was retained for that factor.

dichotomously coded as being either right or wrong. These data were then subjected to an item analysis and those items that demonstrated low reliabilities were eliminated. Forty-six items were retained which yielded an alpha coefficient of .89.

Juror interest was measured utilizing three, seven-point scales. Subjects were asked to respond to the following items:

While watching this witness, I was:

_____ very interested

_____ interested

_____ somewhat interested

_____ undecided

_____ somewhat uninterested

_____ uninterested

_____ very uninterested

While watching this witness, my mind wandered:

_____ all of the time

_____ most of the time

_____ quite often

_____ some of the time

_____ occasionally

_____ rarely

_____ never

I found the testimony presented by the witness:

_____ very easy to follow

_____ easy to follow

_____ somewhat easy to follow

_____ undecided

_____ somewhat difficult to follow

_____ difficult to follow

_____ very difficult to follow

These three items yielded an alpha coefficient of .70.

Jurors' verdicts were measured by having the subjects indicate whether they decided the defendant was guilty of negligence or not guilty of negligence. The measure was obtain immediately after the presentation of the defendant's testimony.

Award was measured by having subjects write the amount of money they decided the defendant should pay the plaintiff. The subjects could award a minimum of $0.00 and a maximum of $3,000.00. These figures were derived with the assistance of legal experts, given the nature of the case and the extent of the injury suffered by the plaintiff.

An additional point about the measure of award deserves attention. After consulting with a Judge and two attorneys, it became apparent that in this case, a plaintiff could sue for damages that would fall into three categories: (1) medical expenses, (2) lost wages, and (3) pain and suffering. The costs for the first two categories were fixed, while the latter was variable. Moreover, if the jurors found the defendant guilty of negligence, the first two categories would usually be paid automatically. That is, if found guilty, the defendant would usually have to pay for medical expenses and lost wages. After contacting a local hospital and a labor negotiator, the following amounts were established for these two categories: $300.00 for medical expenses and $1,920.00 for lost wages. Thus, for this case, if found guilty, the defendant would have to pay the plaintiff $2,220.00 to cover medical expenses and lost wages. The subjects

had to decide how much more the defendant would have to pay to cover pain and suffering. As was mentioned earlier, this amount was set with a minimum of $0.00 and a maximum of $3,000.00.

Chapter III

RESULTS

This section presents the results of the data analyses for the 25 hypotheses posited earlier. The results will be discussed in four sections. The first three sections consider: (1) the effects of witness type, (2) the effects of camera shot for the strong witness, and (3) the effects of camera shot for the weak witness. For these sections, the significant results will be presented first, followed by the nonsignificant results. The fourth section will discuss the acceptability of the general interaction hypothesis posited in Hypothesis 31.

Two-way analysis of variance was used to test the effects of camera shot and witness type upon each of the eight dependent variables. The Newman-Keuls procedure was employed for comparisons among cell means. For all statistical tests, the .05 level of significance was required.

The Effects of Witness Type

The presentational style of the witness was found to have a significant effect upon subjects' ratings of the composure of the witness. The means and analysis of variance summary are reported in Table 6. An inspection of the mean composure ratings indicated that the strong witness was perceived more composed than the weak witness in all three camera shots. The results of the Newman-Keuls test indicated that all three differences were significant. Moreover, the strength of the relationship was found to be large ($\eta^2 = .50$).

Table 6. Means and Analysis of Variance Summary of the Effects of Camera Shot and Witness Type on the Assessment of the Witness' Composure.

	Strong Witness	Weak Witness	$\bar{x}$
Close-up	37.33_a	28.52_b	32.93
Medium	37.74_a	22.78_c	30.26
Long	39.62_a	24.37_c	32.00
$\bar{x}$	38.23	25.22	$\bar{X}$ = 31.73

Source	Sum of Squares	df	Mean Square	F	η^2
Camera Shot	197.98	2	98.99	2.46	----
Witness Type	6857.51	1	6857.51	170.10**	.50
Camera Shot X Witness Type	357.38	2	178.69	4.43*	.03
Within Groups	6289.19	156	40.32		
Total	13702.06	161			

Note: Means containing a common letter do not differ significantly.

*p<.05.
**p<.001.

Perceptions of the witness' qualification was found to be significantly affected by the presentational style of the witness. The mean qualification ratings are reported in Table 7. An inspection of the means indicated that the strong witness was perceived more qualified than the weak witness in all three camera shots. However, the results of the Newman-Keuls test indicated that only the ratings in the close-up shot were significantly different. A measure of the strength of the relationship indicated the effect obtained was small ($\eta^2 = .03$).

The perceived dynamism of the witness was also found to be significantly affected by witness type. The mean dynamism ratings are reported in Table 8. An analysis of the means indicated that the strong witness was perceived significantly more dynamic than the weak witness in all three camera shots. In addition, the strength of the relationship was found to be large ($\eta^2 = .40$).

The presentational style of the witness was found to have a significant effect upon the amount of information retained by the subjects. The mean retention scores are reported in Table 9. An inspection of the means indicated that subjects retained more information when exposed to the strong witness in the close-up and medium shots. However, in the long shot, subjects retained more information when exposed to the weak witness. The results of the Newman-Keuls test indicated that only the differences found in the close-up and medium shots were significant. Overall, subjects retained more information when exposed to the strong witness. Clearly, the retention scores in the close-up and medium shots are the major contributors to this effect. It should be noted that the strength of the relationship was found to be small ($\eta^2 = .02$).

Table 7. Means and Analysis of Variance Summary of the Effects of Camera Shot and Witness Type on the Assessment of the Witness' Qualification.

	Strong Witness	Weak Witness	$\bar{x}$
Close-up	24.37_{a}	22.04_{b}	23.20
Medium	23.44_{ab}	22.85_{ab}	23.15
Long	23.81_{ab}	22.92_{ab}	23.37
$\bar{x}$	23.88	22.60	$\bar{X}$ = 23.40

Source	Sum of Squares	df	Mean Square	F	η^2
Camera Shot	1.44	2	.72	<1	----
Witness Type	65.49	1	65.49	4.59*	.03
Camera Shot X Witness Type	23.42	2	11.71	<1	----
Within Groups	2227.26	156	14.28		
Total	2317.61	161			

Note: Means containing a common letter do not differ significantly.

*p<.05.

Table 8. Means and Analysis of Variance Summary of the Effects of Camera Shot and Witness Type on the Assessment of the Witness' Dynamism.

	Strong Witness	Weak Witness	$\bar{x}$
Close-up	19.48_a	14.89_b	17.19
Medium	19.88_a	14.15_b	17.02
Long	20.11_a	13.59_b	16.85
$\bar{x}$	19.83	14.21	$\bar{X}$ = 17.02

Source	Sum of Squares	df	Mean Square	F	η^2
Camera Shot	3.00	2	1.50	<1	----
Witness Type	1277.93	1	1277.93	105.44**	.40
Camera Shot X Witness Type	25.35	2	12.68	1.05	----
Within Groups	1890.67	156	12.12		
Total	3196.95	161			

Note: Means containing a common letter do not differ significantly.

**p<.001.

Table 9. Means and Analysis of Variance Summary of the Effects of Camera Shot and Witness Type on Retained Information.

	Strong Witness	Weak Witness	$\bar{x}$
Close-up	36.89_{ac}	33.26_{b}	35.07
Medium	37.74_{ac}	33.00_{b}	35.37
Long	34.70_{abc}	36.85_{c}	35.78
$\bar{x}$	36.44	34.37	$\bar{X}$ = 35.41

Source	Sum of Squares	df	Mean Square	F	η^2
Camera Shot	13.48	2	6.74	<1	----
Witness Type	174.22	1	174.22	3.99*	.02
Camera Shot X Witness Type	369.33	2	184.67	4.23*	.05
Within Groups	6798.07	156	43.58		
Total	7355.10	161			

Note: Means containing a common letter do not differ significantly.

*$p<.05$.

The amount of interest expressed by subjects was also found to be significantly affected by the presentational style of the witness. The mean interest scores are reported in Table 10. An inspection of the means indicated that subjects expressed greater interest when exposed to a strong witness than a weak witness in all three camera shots. The results of the Newman-Keuls test indicated that only the interest ratings in the close-up and medium shots were significantly different. A measure of the strength of the relationship indicated a moderate effect ($\eta^2 = .10$).

The means and analysis of variance summary for the dependent variables of safety, authority, character and award are reported in Tables 11, 12, 13, and 14 respectively. The results of the analyses indicated that the presentational style of the witness had no significant effect upon these variables.

The frequencies of verdict for the strong and weak witnesses are reported in Table 15. A chi-square test was utilized to assess the relationship between witness type and the verdicts reported by the subjects. The results indicated that the relationship between these variables was not significant ($\chi^2 = .91$, $df = 1$, $p > .05$).

The Effects of Camera Shot for the Strong Witness

Perceptions of the strong witness' authority was found to be significantly affected by the camera shots. The mean authority ratings are reported in Table 12. An inspection of the means indicated that the strong witness was perceived most authoritative in the close-up shot and least authoritative in the long shot. Moreover, the authority ratings in the medium shot were higher than in the long shot, but lower than in the close-up. The results of the Newman-Keuls test indicated that only the

Table 10. Means and Analysis of Variance Summary of the Effects of Camera Shot and Witness Type on the Assessment of Juror Interest.

	Strong Witness	Weak Witness	$\bar{x}$
Close-up	14.56_a	11.92_b	13.24
Medium	15.07_a	11.81_b	13.44
Long	14.07_a	13.33_{ab}	13.70
$\bar{x}$	14.57	12.36	$\bar{X}$ = 13.46

Source	Sum of Squares	df	Mean Square	F	η^2
Camera Shot	5.81	2	2.91	<1	----
Witness Type	197.78	1	197.78	18.13**	.10
Camera Shot X Witness Type	46.38	2	23.19	2.13	----
Within Groups	1702.30	156	10.91		
Total	1952.27	161			

Note: Means containing a common letter do not differ significantly.

**p<.001.

Table 11. Means and Analysis of Variance Summary of the Effects of Camera Shot and Witness Type on the Assessment of the Witness' Safety.

	Strong Witness	Weak Witness	$\bar{x}$
Close-up	21.22	21.52	21.37
Medium	21.96	20.89	21.43
Long	21.26	21.37	21.31
$\bar{x}$	21.48	21.26	$\bar{X}$ = 21.37

Source	Sum of Squares	df	Mean Square	F	η^2
Camera Shot	.33	2	.17	<1	----
Witness Type	2.00	1	2.00	<1	----
Camera Shot X Witness Type	14.93	2	7.47	<1	----
Within Groups	2408.52	156	15.44		
Total	2425.78	161			

Table 12. Means and Analysis of Variance Summary of the Effects of Camera Shot and Witness Type on the Assessment of the Witness' Authority.

	Strong Witness	Weak Witness	$\bar{x}$
Close-up	19.92_{a}	17.63_{ac}	18.78
Medium	18.66_{ab}	16.03_{c}	17.35
Long	16.77_{bc}	18.15_{ac}	17.27
$\bar{x}$	18.46	17.27	$\bar{X}$ = 17.86

Source	Sum of Squares	df	Mean Square	F	η^2
Camera Shot	67.94	2	33.97	1.68	----
Witness Type	56.89	1	56.89	2.82	----
Camera Shot X Witness Type	133.00	2	66.50	3.29*	.04
Within Groups	3151.19	156	20.20		
Total	3409.02	161			

Note: Means containing a common letter do not differ significantly.

*$p<.05$.

Table 13. Means and Analysis of Variance Summary of the Effects of Camera Shot and Witness Type on the Assessment of the Witness' Character.

	Strong Witness	Weak Witness	$\bar{x}$
Close-up	35.26	33.93	34.59
Medium	34.74	34.56	34.65
Long	33.15	34.44	33.80
$\bar{x}$	34.38	34.31	$\bar{X}$ = 34.35

Source	Sum of Squares	df	Mean Square	F	η^2
Camera Shot	24.53	2	12.27	<1	----
Witness Type	.22	1	.22	<1	----
Camera Shot X Witness Type	46.93	2	23.47	<1	----
Within Groups	5514.96	156	35.35		
Total	5586.64	161			

Table 14. Means and Analysis of Variance Summary of the Effects of Camera Shot and Witness Type on Jurors' Award to the Plaintiff.

	Strong Witness	Weak Witness	$\bar{x}$
Close-up	842.86	810.00	826.43
Medium	708.33	1257.00	982.67
Long	727.27	931.82	829.55
$\bar{x}$	759.49	999.61	$\bar{X}$ = 879.55

Source	Sum of Squares	df	Mean Square	F	η^2
Camera Shot	251212.31	2	125606.15	<1	----
Witness Type	918159.59	1	918159.59	1.28	----
Camera Shot X Witness Type	960261.36	2	480130.68	<1	----
Within Groups	44770044.20	62	722097.49		
Total	46893747.06	67			

Table 15. Frequencies of Verdict for the Strong and Weak Witnesses.

	Strong Witness	Weak Witness
Innocent	44	50
Guilty	37	31

mean authority ratings in the close-up and long shots differed significantly. The mean authority ratings in the medium shot did not differ significantly from the mean authority ratings in the close-up or long shots.

The means and analysis of variance summary for the dependent variables of composure, safety, qualification, dynamism, character, information retention, interest, and award are reported in Tables 6, 7, 8, 9, 10, 11, 13, and 14 respectively. The results of the analyses indicated that camera shot had no significant effect upon these variables for the strong witness.

The frequencies of verdict for the three camera shots of the strong witness are reported in Table 16. A chi-square test was used to assess the relationship between camera shot and the verdicts reported by subjects exposed to the strong witness. The results indicated the relationship was not significant ($\chi^2 = .70$, df = 2, $p > .05$).

Table 16. Frequencies of Verdict for the Three Camera Shots of the Strong Witness.

	Close-up	Medium	Long
Innocent	13	15	16
Guilty	14	12	11

The Effects of Camera Shot for the Weak Witness

The results for the effects of camera shot for the weak witness yielded two significant effects. Camera shot was found to have a significant effect upon: (1) subjects' perceptions of the weak witness' composure and (2) the amount of information retained by the subjects.

The mean composure ratings for the weak witness are reported in Table 6. An inspection of the means indicated the weak witness was perceived most composed in the close-up shot and least composed in the medium shot. The results of the Newman-Keuls test indicated that the weak witness was perceived significantly more composed in the close-up than in either the medium or long shots. The composure ratings in the medium and long shots were not found to differ significantly.

The mean information retention scores are reported in Table 9. An inspection of the means indicated that subjects retained the greatest amount of information in the long shot, while subjects exposed to the medium shot of the weak witness retained the least amount of information. The results of the Newman-Keuls test indicated that the information retention scores were significantly greater in the long shot than in either the medium or close-up shots. The information retention scores in the medium and close-up shots were not found to be significantly different.

The means and analysis of variance summary for the dependent variables of safety, qualification, dynamism, authority, character, interest, and award are reported in Tables 7, 8, 10, 11, 12, 13, and 14 respectively. The results of the analyses indicated that camera shot had no significant effect upon these variables for the weak witness.

The frequencies of verdict for the three camera shots of the weak witness are reported in Table 17. A chi-square test was utilized to test the relationship between camera shot and the verdicts reported by subjects exposed to the weak witness. The results indicated that the relationship was not significant ($\chi^2 = .10$, $df = 2$, $p > .05$).

Table 17. Frequencies of Verdict for the Three Camera Shots of the Weak Witness.

	Close-up	Medium	Long
Innocent	17	17	16
Guilty	10	10	11

Summarizing the results of the data analyses discussed thus far, it was found that the presentational style of the witness had a significant effect upon the variables of composure, qualification, dynamism, information retention, and interest. Camera shot had a significant effect upon subjects' perceptions of the strong witness' authority and the weak witness' composure. Moreover, camera shot had a significant effect upon the amount of information retained by subjects exposed to the weak witness. No other significant effects were obtained for either camera shot or witness type. Thus, the data supported Hypotheses 1, 3, 4, 7, and 8; and partially supported Hypotheses 15 and 27. Hypotheses 2, 5, 6, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, and 30 were not supported by the data and therefore were rejected.

Given the lack of support for 18 of the 20 hypotheses posited for the effects of camera shot, Hypothesis 31 (the general interaction hypothesis) was rejected. Still, it should be noted that the results yielded three significant interaction effects. Specifically, camera shot was found to interact with witness type producing significant effects upon the variables of composure, authority, and interest. The nature of these interactions have already been discussed in terms of their simple main effects. However, the effects of camera shot and

witness type upon the variables of composure and information retention warrant further inspection since witness type alone was found to have a significant effect upon these variables. That is, additional analysis was necessary in order to determine if the main effect for witness type could be interpreted given that significant interactions were also obtained.

Keppell (1973) contends that when both significant main effects and interactions are obtained, the ability to interpret the main effects is dependent upon whether the interaction is ordinate or disordinate. An ordinate interaction occurs when the relative ranking of the levels of one factor do not change at the different levels of the other factor. A disordinate interaction occurs when the relative ranking of the levels of one factor changes at the different levels of the other factor.

The mean composure ratings for the strong and weak witness are plotted as a function of camera shot in Figure 1. An inspection of Figure 1 indicated that the strong witness was consistently perceived more composed than the weak witness at all three levels of camera shot. Therefore, the interaction was found to be ordinate, allowing the main effect for witness type to be interpreted.

The mean information retention scores for subjects exposed to the strong and weak witness are plotted as a function of camera shot in Figure 2. An inspection of Figure 2 indicated that subjects retained more information when exposed to a close-up or medium shot of the strong witness than subjects who were exposed to a weak witness in these same shots. However, for the long shot, subjects exposed to the weak witness retained more information than subjects exposed to the strong witness. Therefore, the interaction is clearly disordinate given that a consistent pattern did not emerge. Thus, no general conclusion regarding the effect of witness type upon information retention can be made.

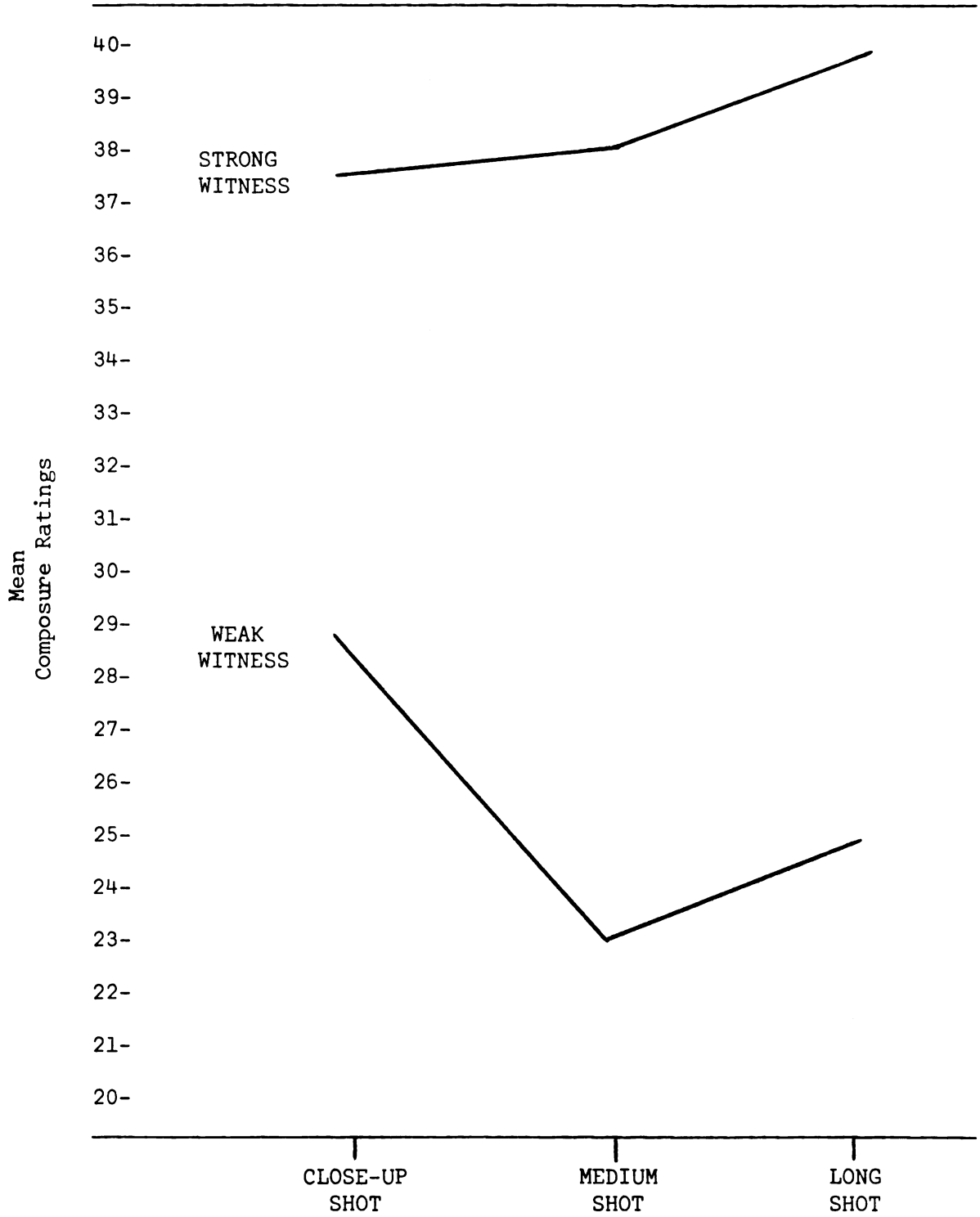

Figure 1. Graphic Representation of Witness' Composure as a Function of Camera Shot and Witness Type.

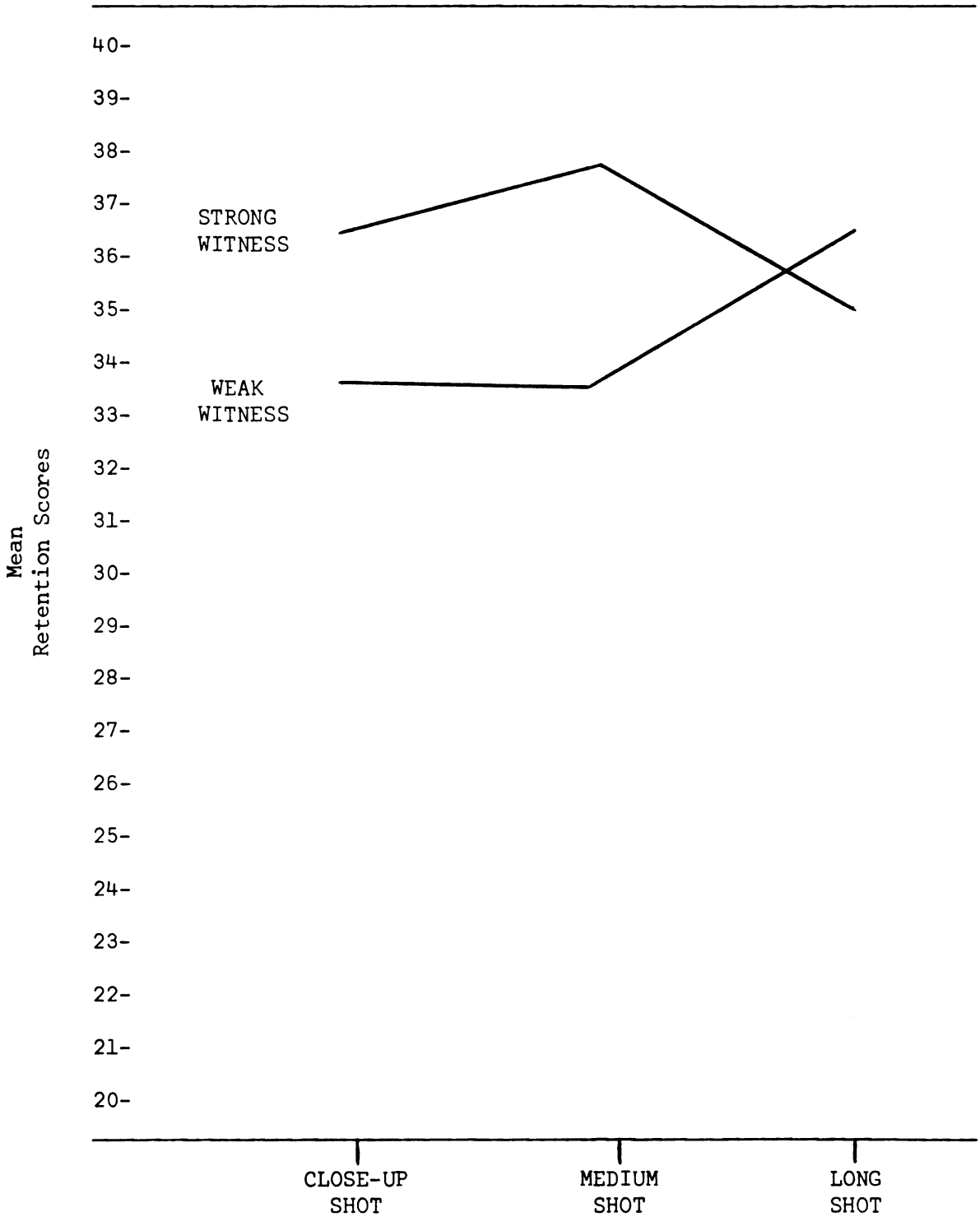

Figure 2. Graphic Representation of Information Retention as a Function of Camera Shot and Witness Type.

Chapter IV

DISCUSSION

The results of this study revealed a number of significant effects for the independent variables of witness type and camera shot. This section will discuss those effects and provide plausible explanations for their occurrence. The effects of witness type will be discussed first, followed by a discussion of the effects of camera shot for each witness type. A discussion of the limitations of the study as well as recommendations to the legal community will also be provided.

The Effects of Witness Type

The presentational style of the witness was found to have a significant effect upon the subjects. Specifically, subjects perceived the strong witness to be significantly more composed, qualified, and dynamic than the weak witness. Moreover, subjects exposed to a strong witness retained significantly more information and expressed greater interest than subjects exposed to a weak witness.

As was mentioned earlier, the composure measure was primarily employed as a check on the manipulation of witness type. The items used in this measure were derived from the literature as indicants of the presentational style of the strong and weak witnesses. The results indicated that the strong witness was perceived significantly more composed than the weak witness at all three levels of camera shot. Therefore, the results support the findings obtained by previous researchers in that

subjects did perceive the two witnesses as hypothesized. Perhaps more important to the present study, the results indicated the manipulation was successful.

It should be noted that the results also revealed a significant camera shot by witness type interaction for the composure variable. However, further analysis indicated that this interaction was ordinate, allowing interpretation of the main effect for witness type. The interaction effect will be discussed later in this chapter.

The perceived qualification of the witness was also significantly affected by witness type. The results indicated that the strong witness was perceived more qualified than the weak witness. This finding replicates the results obtained by previous researchers (Miller & Hewgill, 1964; Sereno & Hawkins, 1967). However, the results also indicated that the strong witness was perceived significantly more qualified only in the close-up shot. Hence, the difference in the close-up supplied the greatest contribution to the overall effect. A plausible explanation for this result is that the close-up shot tended to emphasize the characteristics of the witness and focused the subjects' attention to those characteristics. Some support is lent to this contention since the strong witness received his highest ratings in the close-up shot, while the weak witness received his lowest ratings in the close-up shot.

The findings revealed that subjects perceived the strong witness to be significantly more dynamic than the weak witness. An examination of the means indicated that this pattern was consistent across all three camera shots. One possible explanation for this finding stems from the presentational fluency of the two witnesses. The strong witness was fluent and nonhesitant while the weak witness was nonfluent and hesitant.

The nonfluencies of the weak witness may account for his lower dynamism ratings. This interpretation is supported by the results of previous research (Miller & Hewgill, 1964; Sereno & Hawkins, 1967; McCroskey & Mehrley, 1969).

The amount of information retained by the subjects was also found to be affected by witness type. Overall, it appeared that subjects exposed to the strong witness retained significantly more information than subjects exposed to the weak witness. However, the results also revealed a significant camera shot by witness type interaction. Further inspection indicated that this interaction was disordinate, making it difficult to interpret any general effect for witness type. Therefore, the specific effects for the interaction will be discussed in lieu of the general main effect.

An inspection of the mean information retention scores revealed that subjects retained more information when exposed to the strong witness in the close-up and medium shots. However, in the long shot, subjects exposed to the weak witness retained more information than subjects exposed to the strong witness. Subsequent analysis revealed that only the differences in the close-up and medium shots were significant.

A plausible explanation for this finding involves the nonverbal behavior of the weak witness. As was mentioned earlier, the behaviors manifested by the weak witness included fidgeting, tapping his fingers and feet, tensing his muscles, occasional sighs, etc. These behaviors may have been distracting to the subjects. Assuming this is true, the medium and close-up shots may have emphasized those cues, increasing the amount of distraction experienced by the subjects. However, the long shot may not have emphasized those cues to the same extent as the medium and

close-up shots. Thus, the nonverbal cues may have been only mildly distracting in the long shot.

Research on the effects of distraction upon information retention has produced some seemingly inconsistent results. Distraction has been found to increase recall of message content (Silverman & Regula, 1968) and to decrease recall of message content (Vohs, 1964; Gardner, 1966; Haaland & Vankatesan, 1968). In a review of the literature, Baron, Baron and Miller (1973) suggest that one factor that may account for the discrepancy in results is whether the distraction could be ignored. They argue that if a distracting stimulus is sufficiently severe, subjects may attend more to the distracting stimulus than to the content of the message. However, if the distraction is mild, subjects may attempt to block the distracting stimulus by attending more to the content of the message.

Assuming that the cues emitted by the weak witness were much more distracting in the close-up and medium shots than in the long shot, then subjects exposed to the weak witness in the close-up and medium shots may have been attending to the distracting behaviors rather than to the content of the message. The subjects exposed to the long shot of the weak witness may have attended more to the information presented in order to block the distracting behaviors. This would explain the lower information retention scores obtained in the close-up and medium shots, as well as the increase in retention in the long shot of the weak witness.

The last variable significantly affected by witness type was the amount of interest expressed by the subjects. The results revealed that subjects consistently expressed greater interest when exposed to the strong witness than the weak witness. However, significant differences

were obtained only for the close-up and medium shots. A plausible explanation for this finding also involves the nonverbal behavior of the weak witness. As was argued above, the cues emitted by the weak witness may have been distracting to the subjects. Moreover, it was argued that this distraction may have made it difficult for subjects to attend to the testimony presented by the weak witness, particularly in the close-up and medium shots. The amount of difficulty associated with attending to the testimony may account for the lower interest ratings reported by subjects exposed to the weak witness.

Still, the lack of significant differences for subjects' expressed interest in the long shot deserves attention. Earlier it was argued that the nonverbal cues emitted by the weak witness in the long shot may have been only mildly distracting, while the cues presented in the medium and close-up shots may have been much more distracting. Hence, subjects might have been better able to follow the testimony presented by the weak witness in the long shot than in the close-up or medium shots. The reduction in difficulty of following the weak witness' testimony in the long shot may account for the increase in subjects' expressed interest for that shot.

The Effects of Camera Shot

The results indicated that camera shot had a significant effect upon subjects' perceptions of the strong witness' authority and the weak witness' composure. In addition, camera shot had a significant effect upon the amount of information retained by subjects exposed to the weak witness.

The results for the effect of camera shot upon perceptions of the strong witness' authority indicated that the strong witness was perceived to be significantly more authoritative in the close-up shot than in the long shot. One explanation for this result is that the close-up shot

emphasized the characteristics of the strong witness more than the long shot, resulting in higher authority ratings in the close-up. Given this reasoning, one would expect the close-up shot to emphasize the characteristics of the weak witness more than the long shot. Thus, the authority ratings of the weak witness should be higher in the long shot than in the close-up shot. The mean authority ratings for the weak witness were higher in the long shot than in either the close-up or medium shots, but the differences were not significant.

It is not immediately clear why the effect failed to hold for the weak witness. One possible explanation is that subjects interpreted the nonverbal cues emitted by the weak witness differently. Some support for this contention is offered by subjects' responses to an open-ended question regarding what they liked least about the trial. Some subjects exposed to the weak witness derogated the questioning attorney for making the witness nervous. Others commented on the evasiveness of the witness. From an attribution viewpoint, it seems reasonable to assume that perceptions of the weak witness will differ between subjects who attributed the witness' behavior to be a result of the attorney's questioning behavior, as opposed to those subjects who attributed the witness' behavior to his own evasiveness (see Jones & Davis, 1965; Kelley, 1967; Shaver, 1975). Thus, there may have existed some ambiguity associated with the cues presented by the weak witness, which resulted in subjects making different attributions for the weak witness' behavior.

If a given shot increased the ambiguity of the cues presented by the weak witness, then an indication of this effect should be revealed in the variances for each shot. That is, if subjects were interpreting the cues similarly, then the variance should be relatively small within each

condition, and consistent across the conditions. If the subjects were interpreting the cues differently, and the shots had no effect on this difference, then the variances should be large within each condition, but consistent across the conditions. However, if the shots had different effects upon the ambiguity of the cues presented, then the variances should be inconsistent across conditions.

An inspection of the variances for the weak witness for each camera shot revealed an interesting pattern. The variance in the medium shot was much smaller than the variances in the close-up and long shots ($s^2_{close\text{-}up}$= 25.01; s^2_{medium}=11.72; s^2_{long}=25.90). A test for homogeneity of variance was computed using Hartley's test (see Winer, 1971). The results indicated that the differences in variance was not significant, but approached significance ($F = 2.42$; $p < .07$). The critical F value for this test was 2.67. Thus, there is some support for the contention that subjects were interpreting the cues emitted by the weak witness differently in the close-up and long shots. This remains speculative since it is not known precisely what cues are being used nor exactly how they were being interpreted.

It should be noted that the variances for the strong witness were also different ($s^2_{close\text{-}up}$=13.46; s^2_{medium}=22.38; s^2_{long}=23.72). However, the test for homogeneity of variance indicated the variances were not significantly different ($F = 1.76$; $p < .19$).

In sum, differences in perceptions of the strong witness' authority may be the result of the close-up shot emphasizing the cues emitted by the strong witness. The lack of significance obtained for the weak witness may have been the result of differences in subjects' interpretations of the cues emitted by the witness. It should be noted that the strength

of the effect on perceptions of the witness' authority was found to be small ($\eta^2 = .04$).

Camera shot was found to have a significant effect upon subjects' perceptions of the weak witness' composure. The results indicated that the weak witness was perceived more composed in the close-up shot than in either the medium or long shots. The composure ratings in the medium and long shots did not differ significantly.

A plausible explanation for this pattern of effects involves the behavioral cues used by the weak witness to indicate low composure. The behaviors of the weak witness included nonfluent speech; low eye contact; leaning away from the questioning attorney; fidgeting; tapping of fingers and feet; a closed body position, etc. These behaviors, as well as the measure of composure, were derived from the literature on verbal and nonverbal behavior (cf., Reece & Whitman, 1962; Mehrabian, 1969, 1971; Harrison, 1974). An inspection of these behaviors indicates that a majority of the cues indicative of low composure emanate from the body and not the face. Of course, the paralinguistic cues also indicate composure, but these were consistent across all three shots. The body cues were not consistent, for they were not seen in the close-up shot. Assuming the body cues add information revealing the degree of composure, then it makes sense that the weak witness would appear more composed in the close-up shot where these cues were absent. Additional support is lent to this contention when the long shot is examined. In the long shot, the body cues are available, but they are not as prominent as in the medium shot. Moreover, facial affect cues are also not as prominent as in the close-up shot. Given the above explanation, one would expect to find the composure ratings for the weak witness to be higher in the long shot than

in the medium shot, but lower than in the close-up shot. The data revealed this pattern of relationships. Still, it should be noted that the overall effect was weak (η^2 = .03).

The final relationship to be discussed concerns the effect of camera shot on the amount of information retained by subjects exposed to the weak witness. The results indicated that subjects retained significantly more information in the long shot than in either the medium or close-up shots. The amount of information retained in the medium and close-up shots did not differ significantly.

The pattern of effects obtained can be explained by the nonverbal behavior of the weak witness. Earlier it was argued that the nonverbal behaviors of the weak witness may have been distracting to the subjects. It was further argued that the distraction may have been more pronounced in the close-up and medium shots than in the long shot. Therefore, subjects may have attended more to the cues of the weak witness in the close-up and medium shots and not to the information presented. In the long shot, the distracting cues may have been only mildly distracting. Thus, subjects could have attended more to the information presented in order to block the distracting cues. This would explain why subjects retained more information in the long shot for the weak witness. However, once again it should be noted that while the effect was significant, the strength of the relationship was weak (η^2 = .05).

Summary

The results of this study revealed a number of significant effects for witness type, but few effects for camera shot. In fact, camera shot alone had no significant effect upon any of the dependent variables

examined. Camera shot did interact with witness type producing significant effects upon the subjects' perceptions of the strong witness; authority and the weak witness' composure. Moreover, camera shot affected the amount of information retained by subjects exposed to the weak witness.

Clearly, the number of significant effects obtained for camera shot is far less than the number predicted. The majority of the hypotheses for the effects of camera shot were rejected by the data. This might lead one to conclude that the conventional wisdom of television and film producers concerning the effects of different camera shots is in error. However, such a conclusion is not warranted by the data. Conceivably, the lack of significant differences between the shots may be a function of the way in which they were employed. Once established, all shots remained static with no other shots introduced. The effects may very well have been different if different shots were employed contiguously. Thus, the close-up shot may consistently provide dramatic emphasis only when preceded by a longer shot. Moreover, the emphasis may increase if the preceding shot is a long shot rather than a medium shot.

The present study cannot address these issues. It compares the different shots with regard to the image conveyed. Therefore, it is important to note that the findings generalize only to the static nature of the shots themselves, and not to the numerous combination of shots that could be employed.

Limitations

Given the desire to generalize the findings of the present study to courtroom settings involving actual jurors, the present study, like previous studies that have employed role-playing jurors as well as trial synopses, possesses a number of limitations. The limitations associated with

the procedures and sampling in legal research have been discussed elsewhere and the relevant points will only be summarized here (see Miller, Fontes, Boster & Sunnafrank, 1977).

The first limitation concerns the use of students as role-playing jurors as opposed to using actual jurors. Previous research has suggested that student jurors are demographically different than actual jurors. Miller, et al. (1975) conducted a series of studies examining the effects of different modes of presentation on jurors' information retention. In one study, student role-playing jurors were used. In another, actual jurors were used. The authors found the information retention scores to be practically at ceiling in all conditions when student jurors were employed. However, when the same study was conducted using actual jurors, the information retention scores were much lower, and significantly different from the scores obtained from the student jurors. The demographic data obtained from these two samples indicated differences in educational level, with the educational level of actual jurors falling far short of college students. Miller et al. (1977) reason that college students may simply be smarter than typical jury panels.

Student jurors also tend to differ from actual jurors in their distribution of verdicts. Recent research has found that student jurors tend to manifest a liberal bias in trials; i.e., their verdicts favor the defendant significantly more frequently than actual jurors (Simon & Mahan, 1971; Miller, Bender, Florence & Nicholson, 1974; Miller, et al., 1975). Miller, et al. (1977) offer two possible explanations for these findings. First, student jurors may have more liberal social and judicial attitudes because they are younger, or may have a "more sophisticated, complex definition of reasonable doubt" due to their extensive educational background

(p. 5). Whichever explanation is preferred, it still appears that student jurors differ from actual jurors in their final decision.

An additional area of concern surrounds the differences in expectations between student jurors and actual jurors. In most of the research conducted by the Michigan State Legal Communication Research Team involving actual jurors, elaborate cover stories were used to explain the unusual number of jurors employed in each study (cf., Miller & Siebert, 1975; Miller & Fontes, 1977). Moreover, in some studies, videotape cameras were visible in the courtroom and jurors usually completed a questionnaire prior to their deliberation. One might have expected that jurors would become suspicious of these procedures, as they deviate from typical trial procedures. However, as Miller, et al. (1977) note "...not a single juror expressed doubt about the trial's validity. Instead, they all indicated that they thought the trial was authentic and that their verdicts would be binding" (p. 6-7).

In contrast, student jurors are often suspicious of the procedures employed even when no deception is involved (Miller, et al., 1977). The suspicious nature of the college student is most probably due to the number of studies they have participated in which have involved deception. Miller, et al. (1977) contend that since "...deception is a common procedural commodity, they seem determined to discover the latest subterfuge" (p. 7). Thus, student jurors may differ from actual jurors in that they are suspicious at the outset, which may ultimately affect their behaviors and responses.

Apart from the limitations involved in using a student sample, two additional limitations arise as a result of the procedures employed. First, a complete trial was not used. Rather, subjects were presented

with a trial synopsis and then viewed a deposition from the defendant. Obviously, the procedure employed differs markedly from a complete trial. For one thing, the amount of information presented is less than the amount available in a complete trial. This reduction can have a number of serious consequences. First, the manipulation may become quite transparent in a truncated version of a trial. Second, the elimination or oversimplication of many variables may cause the independent variable(s) to achieve exaggerated importance. Similarly, a truncated version may eliminate variables that could heighten or reduce the effects of the independent variable(s).

Recently, Sunnafrank, Miller & Fontes (1978) conducted a study comparing the effects of a full videotaped trial, a videotaped synopsis, and a written synopsis on the decisions of role-playing jurors. The authors found that subjects differed significantly in their verdicts. Specifically, subjects exposed to the full videotaped trial or the videotaped synopsis were more likely to find the defendant guilty and recommend more severe sentences than were subjects who read the written synopsis. The authors conclude that the mode of presentation in trial simulations exerts a significant impact on juror behavior (Sunnafrank, Miller & Fontes, 1978, 7-8).

The procedures employed in the present study do not easily fit any previous presentational mode. A written synopsis was employed, but a videotaped deposition was added. Moreover, the testimony of only one participant (the defendant) was presented. Thus, it is difficult to assess the effect this procedure had on the subjects. However, it is noteworthy that the procedures clearly differ from what would occur in an actual trial.

The last procedural limitation concerns the measures of verdict and award. These measures were obtained using the individual as the unit of analysis. This obviously differs from what occurs in the courts. Clearly, all group process variables were eliminated by not having the subjects form juries for deliberation. Conceivably, verdicts and awards obtained from juries after deliberation may not coincide with mean individual awards or individual frequencies of verdict. Some support for this contention is offered by Miller, et al. (1977). The authors report findings that indicate that mean individual awards were substantially larger than group awards. Hence, although there is limited data, there appears to be some merit to the contention that group process variables affect pre-deliberation verdicts and awards.

It should be noted that the above limitations arise since the present study deviates from the "ideal" experiment. That is, all of the limitations could have been eliminated by conducting a full trial in a courtroom with actual jurors. Of course, such an endeavor is costly and necessary resources are not always available. Such was the case for the present study. The necessary resources were simply not available.

Despite the limitations presented above, the present study has advantages over previous research conducted on the effects of camera shot. As was mentioned in Chapter I, most of the research conducted to date has failed to control for differences in potentially relevant source characteristics. The present study avoided that problem by using the same source and altering the presentational style of that source. Thus, the present study offers a better picture of the differences between three types of camera shots.

Of course, one of the objectives of the present study was to assess the impact of different camera shots in order to assist the legal community in making policy decisions concerning the use of camera shots when taping depositions. Given the limitations presented above, this objective may be difficult to realize. The sample and procedures employed may seriously hamper the generalizability of the findings. However, as is the case with any research endeavor, certain trade-offs had to be made. A discussion of these trade-offs will now be offered.

The present study attempted to uncover the effects of different camera shots for the method that is most commonly used in the legal setting: the deposition. This decision immediately raises a number of problems. First, it is unrealistic to present a deposition apart from an actual trial. However, including the deposition in an actual trial poses problems. Generally, there arises the problem of controlling extraneous variables which may alter the effects of camera shot (e.g., the behaviors of other witnesses, additional testimony, etc.). Of course, one could argue that these additional variables would be present anyway, and could be controlled across conditions. While there may be some merit to this argument, it too poses problems. For example, how should the trial (apart from the deposition) be presented: live or on videotape?

The problems associated with showing the trial live are clear. For the present study, the trial would have had to have been presented six times. Attempting to control for variation in actors' presentational style across six conditions would have been exceedingly difficult. Moreover, the monetary costs associated with the experiment would have been quite large.

The trial could have been videotaped, which would have eliminated the problem of variation in performance across conditions and might have reduced the cost as well. However, the question of which shot to use when taping the other participants arises. If all three were employed, the complexities of the design would have increased drastically. Moreover, the answer to the basic question of differences between camera shots may have easily become obscured.

Finally, regardless of whether a full trial is presented live or on videotape, the problem of controlling the presentational style of the other trial participants arises. Their style could have affected subjects' evaluations of the witness of interest apart from the effects of camera shot. Attempting to control the presentational style of the other trial participants would have increased the complexities of the study even more.

Clearly, alternatives to the procedure employed create problems of experimental control and demand resources beyond what was available. Given available resources and a desire to assess the differences in camera shot controlling for extraneous variables, the procedures and sample utilized were employed. While the present study may be limited in its generalizability to the legal setting, it provides a useful beginning for future research. Some suggestions for future research will now be offered.

Future Research

One obvious direction for future research on the effects of different camera shots would entail designing experiments that more closely approximate the trial setting. This would greatly improve the generalizability of the findings and allow more confident recommendations to the legal community.

Given the findings of the present study, additional suggestions can be made. First, many of the explanations offered for the effects observed concern the nonverbal behavior of the weak witness. It was argued that the weak witness' nonverbal behavior may have been distracting to the subjects. Unfortunately, the present study did not measure distraction. Therefore, future research should employ a measure of distraction which would offer an assessment of the validity of these explanations.

In addition, while some of the differences obtained may be due to the nonverbal behavior of the witnesses, it is not known which behaviors account for most of the variance. For example, the paralinguistic cues may account for more variance than any other cues for some variables or vice versa. This could be tested in a number of ways. The design of the study would have to be expanded to include two additional conditions which would contain only the audio portion of the testimony for the strong and weak witness. This would allow an assessment of the effects of the paralinguistic cues alone. The other conditions could be presented once with the audio portion included and once with it removed. This would allow comparisons of different cues alone as well as combinations of some of the cues.

Finally, the present study examined three different camera shots independently. Future research may consider examining the processual nature of camera shots. That is, one could examine differences in cutting from a long shot to a close-up, a medium shot to a close-up, and a long shot to a medium shot. Of course, such a study contains problems of deciding when to change shots as well as generalizability problems. Yet, if these could be worked through, the results would be most useful in assessing the impact of shot changes.

Recommendations

Given the pattern of results, the decision to use one camera shot over another is dependent upon the type of witness to be videotaped. If a strong witness is videotaped, and there is a concern for the perceived authority of the witness, then a close-up shot should be employed. If authority is not a concern, then it does not really matter which shot is used.

If a weak witness is being videotaped, and there is a concern for the perceived composure of the witness, then a close-up shot is recommended. However, if there is a greater concern for the amount of information retained by the jurors, then a long shot is recommended.

Still, a final note concerning the selection of camera shots is worth mentioning. In all cases, the effects of the interaction of camera shot and witness type were small. At best, five percent of the variance could be explained by these interactions. From a practical standpoint, five percent is not very much. Therefore, in the final analysis, given a strong or weak witness, it probably does not matter whether a close-up, medium, or long shot is used. Perhaps it might be best to select a camera shot for standard usage when videotaping testimony; e.g., mandate that all videotaped testimony will be taken using a medium shot of the witness.

Considering the limitations discussed earlier, the recommendations offered above are offered cautiously. Additional research that more closely approximates the realities of the legal setting is needed before recommendations may be offered with greater confidence.

APPENDICES

APPENDIX A

INTRODUCTION TO JURORS

APPENDIX A

INTRODUCTION TO JURORS

MICHIGAN STATE UNIVERSITY

College of Communication Arts
Department of Communication

East Lansing · Michigan · 48824

Dear Juror:

You are about to hear a civil case involving an industrial accident. While we would like to show you the actual trial proceedings, we are unable to because they were not videotaped. However, part of the defendant's testimony was taken during a deposition, which was videotaped and presented to the jury during the trial proceedings. Since we are unable to present the entire trial, a written summary of the important aspects of the trial is being provided. After reading this summary, you will have an opportunity to view the defendant's videotaped deposition.

The plaintiff in this trial, John Hickson, is suing the defendant, Robert Montague, for costs resulting from an injury Mr. Hickson suffered. You will be asked to decide whether the defendant was negligent and caused the accident. If you determine that the defendant was negligent, you will also be asked to decide how much money the defendant will pay the plaintiff. Mr. Hickson is asking for $5,220.00 in damages: $300.00 for medical costs; $1,920.00 for lost wages; and $3,000.00 for pain and suffering.

APPENDIX B

TRIAL SUMMARY

APPENDIX B

TRIAL SUMMARY

JOHN HICKSON vs. ROBERT MONTAGUE

The defendant in this case, Robert Montague, is charged with negligence. Specifically, the defendant is charged with negligence on a construction site which resulted in an injury for the plaintiff, John Hickson.

Mr. Hickson is a laborer for the Field Construction Company. His duties include unloading materials delivered to the construction site and general cleanup.

On February 9, 1976, Mr. Hickson was unloading a truckload of propane tanks delivered to the construction site by the defendant, Robert Montague. The tanks were being lifted directly off the truck by an overhead crane. In addition, empty tanks were being lowered directly on the truck by the same crane.

In the beginning, Mr. Montague was helping Mr. Hickson hookup and unload the tanks. During the loading and unloading of the tanks, Mr. Montague got off and on the truck a number of times to go over to a fire barrel to warm up, due to the fact that the temperature was below freezing. During one of these trips, Mr. Montague changed the position of the tailgate of the truck in order to use it as a step. Originally, the tailgate was even with the bed of the truck, and he lowered it such that it was halfway between the bed of the truck and the ground. This placed the tailgate approximately two feet below the bed of the truck.

During one of the lifts, Mr. Hickson was watching the tanks being lifted by the crane, and he started walking backwards on the truck. He continued looking up and walking backwards, and fell off the bed of the truck onto the tailgate. As a result of the fall, Mr. Hickson broke his right leg. He suffered a simple fracture of the tibia (the large bone between the ankle and the knee). At the time of the accident, Mr. Montague was standing by the fire barrel.

Mr. Hickson contends that Mr. Montague did not tell him that he changed the position of the tailgate, and that he still expected the tailgate to be even with the bed of the truck. Mr. Hickson further contends that if the tailgate had not been changed, the accident would not have occurred.

Mr. Hickson had his leg in a cast for four weeks, and after the cast was removed, the leg was bandaged for two additional weeks. He spent a total of six weeks on crutches, and was unable to work during that period of time. After six weeks, the leg had healed completely, and there were no additional complications. At that time, Mr. Hickson returned to work.

APPENDIX C

QUESTIONNAIRE ON JURY SIZE

THE NATIONAL SCIENCE FOUNDATION

Questionnaire on Jury Size

Department of Communication
Michigan State University
East Lansing, Michigan

Dear Juror:

Now that you have read the trial summary and heard the testimony of the defendant, we would like you to respond to a number of questions concerning the testimony you have just heard.

First, we would like to find out what your verdict is in this case. You must decide whether or not the defendant is guilty of negligence. If you find the defendant NOT GUILTY, then he will not have to pay the plaintiff any money. However, if you find the defendant GUILTY, then he must pay the plaintiff $2,220.00 to cover medical bills and lost wages. In addition, you must decide how much money the defendant must pay the plaintiff for pain and suffering. The plaintiff is asking for $3,000.00 for pain and suffering. You may award the plaintiff any amount you choose, from a minimum of $0.00, to a maximum of $3,000.00.

I find the defendant:

_____ not guilty of negligence

_____ guilty of negligence

If you marked "not guilty," please turn to the next page.

If you marked "guilty," how much money should be awarded to the plaintiff? (minimum amount: $0.00/maximum amount: $3,000.00)

_____
(write in amount)

THE FOLLOWING QUESTIONS CONCERN SOME OF THE INFORMATION THAT THE WITNESS PROVIDED DURING THE COURSE OF THE DEPOSITION YOU HAVE JUST HEARD. PLEASE ANSWER EACH QUESTION BY PLACING A CHECKMARK (✓) ON THE LINE BESIDE THE RESPONSE WHICH YOU FEEL IS MOST CORRECT. PLEASE WORK CAREFULLY AND ANSWER EACH QUESTION. YOU MAY HAVE ALL OF THE TIME YOU NEED TO COMPLETE THE QUESTIONNAIRE. IF YOU HAVE ANY QUESTIONS WHILE FILLING THE QUESTIONNAIRE OUT, PLEASE RAISE YOUR HAND AND WE WILL BE HAPPY TO ASSIST YOU.

1. What is the name of the witness whose deposition was being taken?

_____ a. Donald O. Montague
_____ b. John Hickson
_____ c. Charles R. Barnett
_____ d. Robert Montague
_____ e. Robert Stein

2. Where does the witness live?

_____ a. Lexington Road, Wacousta
_____ b. Upton Road, Chicago
_____ c. Upton Road, Wacousta
_____ d. Upton Road, Grand Rapids
_____ e. the witness did not say where he lived

3. What type of discharge was the witness given when he returned to civilian life?

_____ a. medical discharge
_____ b. dishonorable discharge
_____ c. court martialed
_____ d. honorable discharge
_____ e. general discharge

4. How much education had the witness completed prior to entering the Army?

_____ a. 8 years of education (i.e., through the 8th grade)
_____ b. one year of high school
_____ c. high school
_____ d. one year of college
_____ e. two years of college

5. How long has the witness been married?

_____ a. 2 years
_____ b. 3 years
_____ c. 4 years
_____ d. 6 years
_____ e. 7 years

6. Where is the witness currently employed?

_____ a. Propane Fuel Distributors, Inc.
_____ b. Liquipane Fuel Services, Inc.
_____ c. Liquipane Gas Services, Inc.
_____ d. Liquipane Gas Distributing Company
_____ e. Propane Gas Distributing Company

7. How long has the witness been employed by that company?

_____ a. 1 year in October
_____ b. 2 years in October
_____ c. 4 years in October
_____ d. 5 years in October
_____ e. 6 years in October

8. How heavy are the full propane tanks?

_____ a. seventy pounds
_____ b. one hundred pounds
_____ c. one hundred fifty pounds
_____ d. one hundred seventy pounds
_____ e. two hundred pounds

9. What was the length and width of the bed of the vehicle?

_____ a. 12 feet long and 8 feet wide
_____ b. 15 feet long and 6 feet wide
_____ c. 17 feet long and 7 feet wide
_____ d. it did not have a bed
_____ e. the witness was a dispatcher and did not know the dimensions of the vehicle bed

10. How were the cylinders positioned when being transported?

_____ a. one level of cylinders in an upright position
_____ b. two levels of cylinders in an upside down position
_____ c. three levels of cylinders placed sideways in the vehicle
_____ d. four levels of cylinders stacked vertically in the vehicle
_____ e. five levels of cylinders placed angularly in the vehicle

11. During what year did the mishap occur?

_____ a. 1973
_____ b. 1974
_____ c. 1975
_____ d. 1976
_____ e. 1977

12. During what month did the mishap occur?

_____ a. January
_____ b. February
_____ c. April
_____ d. June
_____ e. October

13. How often did the witness drive the vehicle in question?

_____ a. every day
_____ b. several times a week
_____ c. once a week
_____ d. once a month
_____ e. he was a dispatcher and did not drive the vehicle in question

14. How many days a week did the witness work in the winter time?

_____ a. two days a week
_____ b. three days a week
_____ c. four days a week
_____ d. five days a week
_____ e. six days a week

15. Who was responsible for unloading the cylinders when they were to be placed on the ground? When they were to be placed on the roof?

_____ a. the driver (on the ground)/the rigger (on the roof)
_____ b. the witness was a dispatcher and did not know whose responsibility it was to unload the cylinders
_____ c. the driver (on the ground)/the oiler (on the roof)
_____ d. the lead man (on the ground)/the oiler (on the roof)
_____ e. the lead man (on the ground)/the rigger (on the roof)

16. What were the propane tanks used for?

_____ a. fuel to operate equipment
_____ b. temporary heat for the workers
_____ c. temporary heat for the building
_____ d. temporary heat for the foreman's trailer
_____ e. the propane had many uses

17. At what address did the mishap occur?

_____ a. 28th and Division
_____ b. 28th and Lexington
_____ c. 29th and Lexington
_____ d. 40th and Division
_____ e. the witness did not recall the address

18. What type of activity was being conducted at the location where the mishap occurred?

_____ a. construction of a high-rise office building
_____ b. surveying of a building site
_____ c. construction of a single-story office building
_____ d. excavation of a land-fill site
_____ e. construction of a high-rise apartment building

19. On how many previous occasions had the witness made deliveries to this site?

_____ a. two or three times
_____ b. four or five times
_____ c. nine or ten times
_____ d. seven or eight times
_____ e. the witness was a dispatcher and made no deliveries to the site

20. How many cylinders of the product make up one vehicle load?

_____ a. at least 10 per delivery
_____ b. at least 20 per delivery
_____ c. at least 30 per delivery
_____ d. at least 40 per delivery
_____ e. at least 50 per delivery

21. What was the nature of the cable that the witness talked about?

_____ a. the witness said it was a choker which was a plastic device that was attached to the sleeve at the bottom of the cylinder
_____ b. the witness said it was a choker which was a wire cable device that was attached to the collar on top of the cylinders
_____ c. the witness did not talk about any cable
_____ d. the witness said it was a choker which was a wire cable device that was attached to the collar on the bottom of the cylinders
_____ e. the witness said it was a choker which was a wire cable device that attaches to the sleeve on the bottom of the cylinders

22. How many cylinders were unloaded at once using the above mentioned device?

_____ a. 1
_____ b. 2
_____ c. 4
_____ d. 5
_____ e. none--the cylinders were unloaded by hand

23. How many cylinders had been unloaded before the mishap occurred?

_____ a. 12 to 16
_____ b. 14 to 18
_____ c. 16 to 20
_____ d. 17 to 21
_____ e. 19 to 23

24. How high is the bed of the vehicle from the ground?

_____ a. 1 1/2 feet
_____ b. 2 1/2 feet
_____ c. 4 1/2 feet
_____ d. 5 1/2 feet
_____ e. the vehicle in question did not have a bed on it

25. Initially, how many laborers were helping the witness load and unload the tanks?

_____ a. one
_____ b. two
_____ c. three
_____ d. four
_____ e. no one was helping the witness

26. When the witness reached the site of the mishap, what was the name and position of the person who told him where to locate his vehicle so it could be unloaded?

_____ a. Red: a labor foreman
_____ b. Red: a job superintendent
_____ c. Jack: an oiler
_____ d. Jack: a forklift operator
_____ e. Jack: a dispatcher

27. Where on the vehicle are the levers that control the tail-gate located?

_____ a. they are on both sides of the back of the vehicle
_____ b. there are no levers; there is a pushbutton located inside the cab of the vehicle
_____ c. they are on the driver's side on the back of the vehicle
_____ d. they are on the driver's side on the front of the vehicle
_____ e. they are on both sides on the front of the vehicle

28. Which lever was used to raise the tail-gate on the day of the mishap?

_____ a. the lever on the passenger's side on the front of the vehicle
_____ b. the lever on the driver's side on the back of the vehicle
_____ c. the lever on the driver's side on the front of the vehicle
_____ d. no lever was used; rather, a pushbutton was used inside the cab of the vehicle
_____ e. the lever on the passenger's side on the back of the vehicle

29. How long did the witness remain on the vehicle while assisting with the unloading of the first set of cylinders?

_____ a. 5 to 10 minutes
_____ b. 11 to 15 minutes
_____ c. 16 to 20 minutes
_____ d. 21 to 35 minutes
_____ e. the witness was a dispatcher and did not assist with the unloading of any cylinders

30. When the witness stepped off of the vehicle how was the tail-gate positioned?

_____ a. a few inches from the ground
_____ b. the witness did not get off or on the vehicle
_____ c. midway between the ground and the bed of the vehicle
_____ d. folded away
_____ e. even with the bed of the vehicle

31. Where was the tail-gate positioned after it was changed?

_____ a. even with the bed of the vehicle
_____ b. 3/4 of the way between the bed of the vehicle and the ground
_____ c. half-way between the ground and the bed of the vehicle
_____ d. a few inches from the ground
_____ e. it was folded away

32. Where was the witness when the accident occurred?

_____ a. on the vehicle
_____ b. in the labor foreman's office
_____ c. in his own office
_____ d. on the ground beside the vehicle
_____ e. at the fire barrel

33. How far was the fire barrel from the vehicle in question?

_____ a. 3 to 4 feet
_____ b. 6 to 7 feet
_____ c. 8 to 9 feet
_____ d. 10 to 11 feet
_____ e. 12 to 13 feet

34. How far was it from the full cylinders to the end of the bed of the vehicle?

_____ a. 1 foot
_____ b. 4 feet
_____ c. 10 feet
_____ d. 13 feet
_____ e. 16 feet

35. How were the cylinders moved around on the bed of the vehicle?

_____ a. they were rolled
_____ b. they were moved by the forklift
_____ c. they were moved by the crane
_____ d. they were pulled
_____ e. they were lifted

36. Where did the worker who was involved in the mishap fall?

_____ a. onto the tail-gate
_____ b. onto the bed of the vehicle
_____ c. onto the ground
_____ d. on the floor of the labor foreman's office
_____ e. he did not fall--he suffered a severe cut

37. When the worker fell off of the bed of the vehicle, how many cylinders fell with him?

_____ a. none
_____ b. one
_____ c. two
_____ d. three
_____ e. the worker did not fall off of the truck

38. How many persons were with the witness at the time of the mishap?

_____ a. none
_____ b. one
_____ c. two
_____ d. five
_____ e. six

39. When the tanks are lifted off the bed of the truck, what standard procedure is followed with respect to the positioning of the tail-gate?

_____ a. the tail-gate is left folded underneath the truck
_____ b. the tail-gate is placed down on the ground
_____ c. the tail-gate is placed halfway between the ground and the bed of the truck
_____ d. the tail-gate is placed even with the bed of the truck
_____ e. there is no standard procedure that is followed

40. How many vehicles like the one involved in the mishap does the company that employs the witness operate at the present time?

_____ a. none
_____ b. one
_____ c. ten
_____ d. five
_____ e. fifteen

41. What was the weather like on the day of the mishap?

_____ a. it was cold and calm; it was snowing
_____ b. it was cold and windy; it had snowed the previous night
_____ c. it was cold and windy; it was snowing
_____ d. the witness did not recall what the weather was like that day
_____ e. it was warm and calm; it looked like it was going to snow

42. What did the witness do after the worker had the mishap?

_____ a. neither helped nor talked to him
_____ b. the witness did not help him but did talk to him
_____ c. no mishap occurred
_____ d. the witness helped him but did not talk to him
_____ e. the witness was not aware of any mishap occurring because he was in his office

43. Who finished unloading the vehicles after the mishap occurred?

_____ a. the oiler
_____ b. two crane operators
_____ c. no mishap occurred
_____ d. a crane operator
_____ e. the forklift operator

44. What is the name and position of the witness' supervisor?

_____ a. Steve Montague: a comptroller
_____ b. Steve Nugent: a comptroller
_____ c. Art Richardson: a dispatcher
_____ d. Steve Richardson: a dispatcher
_____ e. Mike Richardson: a dispatcher

45. On the day of the mishap, how many loads of cylinders had the witness delivered prior to the mishap occurring?

_____ a. none
_____ b. one
_____ c. two
_____ d. three
_____ e. four

46. What were the witness' normal working hours?

_____ a. he started between 6:00 and 8:00 AM and finished between 4:30 and 5:00 PM
_____ b. he started between 5:00 and 7:00 AM and finished between 3:30 and 4:00 PM
_____ c. he started between 3:00 and 5:00 AM and finished between 1:30 and 2:00 PM
_____ d. he started between 8:00 and 10:00 AM and finished between 6:30 and 7:00 PM
_____ e. he started between 10:00 AM and 12:00 noon and finished between 8:30 and 9:00 PM

Now we would like to ask you some questions about your opinion of this witness. Please place a check mark (✓) in the space beside the answer which best describes your opinion of this witness. For example, if you strongly agree with the statement:

"This witness is a likeable person"

then you should place your check in the space beside "Strongly Agree," for example:

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

If you are undecided about a statement, if you have no opinion about a statement, or if your opinion about a statement is neutral; then place your check mark in the space beside "undecided."

47. I respect this witness' opinion on the topic.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

48. This witness is not of very high intelligence.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

49. This witness is a reliable source of information on the topic.

Strongly disagree _____
Disagree _____
Undecided _____
Agree _____
Strongly agree _____

50. I have confidence in this witness.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

51. This witness lacks information on the subject.

Strongly disagree _____
Disagree _____
Undecided _____
Agree _____
Strongly agree _____

52. This witness has high status in our society.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

53. I would consider this witness to be an expert on the topic.

Strongly disagree _____
Disagree _____
Undecided _____
Agree _____
Strongly agree _____

54. This witness' opinion on the topic is of little value.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

55. I believe that this witness is quite intelligent.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

56. This witness is an unreliable source of information on the topic.

Strongly disagree _____
Disagree _____
Undecided _____
Agree _____
Strongly agree _____

57. I have little confidence in this witness.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

58. This witness is well informed on this subject.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

59. This witness has low status in our society.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

60. I would not consider this witness to be an expert on this topic.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

61. This witness is an authority on the topic.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

62. This witness has had very little experience with this subject.

Strongly disagree _____
Disagree _____
Undecided _____
Agree _____
Strongly agree _____

63. This witness has considerable knowledge of the factors involved with this subject.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

64. Few people are as qualified to testify on this topic as this witness.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

65. This witness is not an authority on this subject.

Strongly disagree _____
Disagree _____
Undecided _____
Agree _____
Strongly agree _____

66. This witness has very little knowledge of the factors involved with this subject.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

67. This witness has had substantial experience with this subject.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

68. Many people are much more qualified to speak on this topic than this witness.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

69. I deplore this witness' background.

Strongly disagree _____
Disagree _____
Undecided _____
Agree _____
Strongly agree _____

70. This witness is basically honest.

Strongly disagree _____
Disagree _____
Undecided _____
Agree _____
Strongly agree _____

71. I would consider it desirable to be like this witness.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

72. This witness is not an honorable person.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

73. This witness is not concerned with my well-being.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

74. This witness is a reputable person.

Strongly disagree _____
Disagree _____
Undecided _____
Agree _____
Strongly agree _____

75. I trust this witness to tell the truth about the topic.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

76. This witness is a scoundrel.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

77. I would prefer to have nothing at all to do with this witness.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

78. Under most circumstances I would be likely to believe what this witness says about the topic.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

79. I admire this witness' background.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

80. This witness is basically dishonest.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

81. The reputation of this witness is low.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

82. I believe that this witness is concerned with my well-being.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

83. This witness is an honorable person.

Strongly disagree _____
Disagree _____
Undecided _____
Agree _____
Strongly agree _____

84. I would not prefer to be like this witness.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

85. I do not trust this witness to tell the truth on this topic.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

86. Under most circumstances I would not be likely to believe what this witness says about the topic.

Strongly disagree _____
Disagree _____
Undecided _____
Agree _____
Strongly agree _____

87. I would like to have this witness as a personal friend.

Strongly agree _____
Agree _____
Undecided _____
Disagree _____
Strongly disagree _____

88. The character of this witness is good.

Strongly disagree _____
Disagree _____
Undecided _____
Agree _____
Strongly agree _____

Now we would like to ask you a few more questions about your opinion of this witness. Please place a check mark (✓) in the space beside the answer which best describes your opinion of this witness. For example, if you thought that this witness was somewhat strong, then you should place your check in the space beside "somewhat strong," for example:

This witness was. . . .

Very strong _____
Strong _____
Somewhat strong _____
Undecided _____
Somewhat weak _____
Weak _____
Very weak _____

If you are undecided about a statement, if you have no opinion about a statement, or if your opinion about a statement is neutral; then place your check mark in the space beside "undecided."

This Witness Was. . . .

89. _____ very safe
_____ safe
_____ somewhat safe
_____ undecided
_____ somewhat unsafe
_____ unsafe
_____ very unsafe

90. _____ very just
_____ just
_____ somewhat just
_____ undecided
_____ somewhat unjust
_____ unjust
_____ very unjust

This Witness Was. . . . (Continued)

91.
_____ very kind
_____ kind
_____ somewhat kind
_____ undecided
_____ somewhat cruel
_____ cruel
_____ very cruel

92.
_____ very friendly
_____ friendly
_____ somewhat friendly
_____ undecided
_____ somewhat unfriendly
_____ unfriendly
_____ very unfriendly

93.
_____ very dishonest
_____ dishonest
_____ somewhat dishonest
_____ undecided
_____ somewhat honest
_____ honest
_____ very honest

94.
_____ very untrained
_____ untrained
_____ somewhat untrained
_____ undecided
_____ somewhat trained
_____ trained
_____ very trained

95.
_____ very experienced
_____ experienced
_____ somewhat experienced
_____ undecided
_____ somewhat inexperienced
_____ inexperienced
_____ very inexperienced

96.
_____ very skilled
_____ skilled
_____ somewhat skilled
_____ undecided
_____ somewhat unskilled
_____ unskilled
_____ very unskilled

97.
_____ very unqualified
_____ unqualified
_____ somewhat unqualified
_____ undecided
_____ somewhat qualified
_____ qualified
_____ very qualified

98.
_____ very informed
_____ informed
_____ somewhat informed
_____ undecided
_____ somewhat uninformed
_____ uninformed
_____ very uninformed

99.
_____ very aggressive
_____ aggressive
_____ somewhat aggressive
_____ undecided
_____ somewhat meek
_____ meek
_____ very meek

100.
_____ very emphatic
_____ emphatic
_____ somewhat emphatic
_____ undecided
_____ somewhat hesitant
_____ hesitant
_____ very hesitant

101.
_____ very bold
_____ bold
_____ somewhat bold
_____ undecided
_____ somewhat timid
_____ timid
_____ very timid

102.
_____ very active
_____ active
_____ somewhat active
_____ undecided
_____ somewhat passive
_____ passive
_____ very passive

This Witness Was. . . . (Continued)

103.
_____ very energetic
_____ energetic
_____ somewhat energetic
_____ undecided
_____ somewhat tired
_____ tired
_____ very tired

104.
_____ very confident
_____ confident
_____ somewhat confident
_____ undecided
_____ somewhat unconfident
_____ unconfident
_____ very unconfident

105.
_____ very tense
_____ tense
_____ somewhat tense
_____ undecided
_____ somewhat relaxed
_____ relaxed
_____ very relaxed

106.
_____ very attentive
_____ attentive
_____ somewhat attentive
_____ undecided
_____ somewhat inattentive
_____ inattentive
_____ very inattentive

107.
_____ very assertive
_____ assertive
_____ somewhat assertive
_____ undecided
_____ somewhat nonassertive
_____ nonassertive
_____ very nonassertive

108.
_____ very nervous
_____ nervous
_____ somewhat nervous
_____ undecided
_____ somewhat poised
_____ poised
_____ very poised

109.
_____ very calm
_____ calm
_____ somewhat calm
_____ undecided
_____ somewhat anxious
_____ anxious
_____ very anxious

110.
_____ very truthful
_____ truthful
_____ somewhat truthful
_____ undecided
_____ somewhat untruthful
_____ untruthful
_____ very untruthful

111.
_____ very uncomfortable
_____ uncomfortable
_____ somewhat uncomfortable
_____ undecided
_____ somewhat comfortable
_____ comfortable
_____ very comfortable

112.
_____ very hesitant
_____ hesitant
_____ somewhat hesitant
_____ undecided
_____ somewhat unhesitant
_____ unhesitant
_____ very unhesitant

113.
_____ very reserved
_____ reserved
_____ somewhat reserved
_____ undecided
_____ somewhat outgoing
_____ outgoing
_____ very outgoing

FOR THE FOLLOWING QUESTIONS, PLEASE PLACE A CHECK MARK (✓) IN THE SPACE BESIDE THE ANSWER THAT BEST DESCRIBES YOUR OPINION.

114. While watching this witness, I was:

_____ very interested
_____ interested
_____ somewhat interested
_____ undecided
_____ somewhat uninterested
_____ uninterested
_____ very uninterested

115. While watching this witness, my mind wandered:

_____ all of the time
_____ most of the time
_____ quite often
_____ some of the time
_____ occasionally
_____ rarely
_____ never

116. I found the testimony presented by the witness:

_____ very easy to follow
_____ easy to follow
_____ somewhat easy to follow
_____ undecided
_____ somewhat difficult to follow
_____ difficult to follow
_____ very difficult to follow

117. What did you like most about this trial? _____

118. What did you like least about this trial? _____

Now we would like to know a few things about you. . . .

119. Sex: Female _____ Male _____

120. Age: _____

121. What is your year in school? Fr. ____ Soph. ____ Jr. ____ Sr. ____

122. Marital status: Single _____
Married _____

123. What do you consider your ethnic affiliation to be? _____

124. Have you any defects in your hearing? YES _____ NO _____
If yes, please explain: _____

125. Have you any defects in your vision? YES _____ NO _____
If yes, please explain: _____

126. Have you ever served as a juror? Yes _____ No _____

127. Have you ever been a party to any suit, either civil or criminal?
Yes _____ No _____
If yes, please explain what the nature of each suit was and how you were involved: _____

THANK YOU VERY MUCH FOR YOUR COOPERATION

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