

**Seminar: Psychology and the Law (Psychology 491)
Spring 2007**

Justice
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This page:

Barnard Classroom: 225 Milbank Hall

John Jay Classroom:

This seminar will survey the topic areas addressed by researchers interested in the interface between psychology and the law. Students will be expected to read the assigned articles closely, and come to class prepared to participate in a critical analysis of the research. We will evaluate this research from both a basic (e.g., What contributions has the research made to relevant theory in psychology, and what are the implications for future research?) and an applied (What contributions has the research made to our understanding of a psychological problem in a legal context, and what are the implications for social policy?) perspective.

Students will be expected to read the core articles prior to our weekly meetings, and to write a brief "reaction paper" about the readings (see note below about e-mailing reaction papers). Each week one or more students will be responsible for leading our discussion of that week's readings. The students responsible for a particular week's discussion will be expected to read more extensively than the rest of the class (additional articles or chapters designated in the syllabus) and to report to the class about those readings.

Final grades will be based on class participation and a final paper. There will be no exams.

Class participation:

(1) Students should be familiar with all assigned readings each week, and come to class prepared to discuss their thoughts on the material; If you're not prepared, or if you haven't turned in your reaction paper on time, don't come to class.

(2) Each week, you will be required to turn in a "reaction paper". Each paper should include at least *one or more thoughtful comments on at least two of the assigned articles for* that week. Comments might include criticisms of the research, ideas for future research, or general thoughts on integrating the current week's reading with other assigned materials. These papers must be delivered to either Heuer (Barnard students: LBH3@Columbia.edu) or Penrod (John Jay students: spenrod@jjay.cuny.edu) via e-mail no later than 10 a.m. on the day of class. The subject line of your email should indicate class date: *Heuer-Penrod Class 10/24*. Basically, these are notes of thoughts that occur to you as you read the materials, and that you might bring up in our class discussion. Failure to turn in the reaction paper by the designated hour

will be treated as an absence from that week's class.

(3) Students will be responsible for being a discussion leader at least once during the semester. Discussion leaders (who will work in pairs) will be assigned one additional article (A discussion leader article@) that is not assigned to the rest of the class. The discussion leader pairs are expected to come to class prepared to describe this article to the rest of the class. I do not expect your presentation to be rehearsed, but I do expect it to be well planned, organized, and thorough. You should complete your preparation before the Thursday preceding your designated class period, so that you may refer any questions to me during my office hours.

(4) Students will be allowed two absences during the semester. If you elect to miss a class period, you do not need to hand in that week's reaction paper. Each additional absence will be penalized by a reduction of 1 full letter in your final grade.

Class participation is a very important part of the learning process in this course. You will be evaluated on the quality of your contributions and insights. A quality comment possesses one or more of the following properties:

- Reflects a consideration of issues addressed in assigned readings and previous class discussions and lectures;
- Offers a unique, but relevant, perspective;
- Contributes to moving the discussion and analysis forward;
- Builds on other comments;
- Transcends the "I feel" syndrome. That is, it includes some evidence, argumentation, or recognition of inherent tradeoffs.

Final paper.

A central goal of this course is to identify areas in which the current state of theorizing and research on the interface between psychology and law leaves important theoretical issues unresolved or applied questions unanswered. Our discussions will be geared toward identifying fruitful avenues for future research which address these limitations. Consistent with this approach, each student will be required to write an extensive (approximately 10 page) paper in which some area of the research relevant to this class is reviewed, a problem is identified, and a study is proposed which addresses this problem. This paper should be written in a format consistent with the guidelines set out in the *Publication manual of the American Psychological Association* (5th Edition, 2001)--it should begin with an abstract, followed by an introduction, method section, and references. The following URL's are excellent guides to most of what you would need to know about APA style for your paper:

- <http://owl.english.purdue.edu/owl/printable/560/>
- <http://www.uwsp.edu/psych/apa4b.htm>
- http://www.vanguard.edu/faculty/ddegelman/index.aspx?doc_id=796
- http://www.dianahacker.com/resdoc/p04_c09_s1.html

Every research proposal must include **AT LEAST** 3 citations to research published in 2005 or later.

By April 19 every John Jay student must turn in an outline of their final paper (April 5 for Barnard students). Students are encouraged to

use my office hours and class time to discuss the development of their ideas and the methods they will employ to test them.

Everyone in class is responsible for the weekly **Required Readings**” Only those individuals responsible for leading a particular week's discussion are responsible for the **Discussion Leader Readings**. The “**Additional Readings**” are not assigned, they are provided as a resource for anyone who might be interested in reading additional articles on that week’s topic.

Grading.

Grades will be based on the following criteria: 20% classroom participation, 30% commentaries, 20% timely reading of assignments (assessed at end of semester), 30% final papers.

Class Schedule and Topics

Note: You will encounter papers which are password protected--the passwords for jury articles is: jury -- for eyewitness articles it is: eye -- in a few instances, try: rdp . In most other cases, the password is lbh3 .

18 January
Attending: Barnard
Meeting Location: Barnard

Juries: I

Required Readings:

[Mitchell, T. L., Haw, R. M., Pfeifer, J. E., & Meissner, C. A. \(2005\).](#) Racial Bias in Mock Juror Decision-Making: A Meta-Analytic Review of Defendant Treatment . *Law and Human Behavior*, 29, 621-637.

[Horowitz, I. A., Kerr, N. L., Park, E. S., & Gockel, C. \(2006\).](#) Chaos in The Courtroom Reconsidered: Emotional Bias and Juror Nullification. *Law and Human Behavior*, 30, 163-181.

[Heuer, L.B. & Penrod, S. \(1994\).](#) Juror notetaking and question asking during trials: A national field experiment. *Law and Human Behavior*, 18, 121-150.

Discussion Leader Readings:

[Bright, D. A., & Goodman-Delahunty, J. \(2006\).](#) Gruesome Evidence and Emotion: Anger, Blame, and Jury Decision-Making . *Law and Human Behavior*, 30, 183-202.

Additional Readings:

[Devine, D. J., Clayton, L. D., Dunford, B. B., Seying, R., Pryce, J. \(2001\).](#) Jury decision making: 45 years of empirical research on deliberating groups. *Psychology, Public Policy, & Law*, 7, 622-727.

[Adams, C. M. S., & Bourgeois, M. J. \(2006\).](#) Separating Compensatory and Punitive Damage Award Decisions by Trial Bifurcation . *Law and Human Behavior*, 30, 11-30.

[Sommers, S. R. \(2006\).](#) On Racial Diversity and Group Decision Making: Identifying Multiple Effects of Racial Composition on Jury Deliberations . *Journal of Personality and Social Psychology*, 90, 597-612.

25 January

Attending: Barnard

Meeting Location: Barnard

Juries: II

Required Readings:

[Kovera, M. B., Dickinson, J. J., & Cutler, B. L. \(2003\).](#) Voir dire and jury selection. In *Handbook of psychology: Forensic psychology*, Vol. 11. (pp. 161-175). New York, NY, US: John Wiley & Sons, Inc, New York, NY, US.

[Stebly, N., Hosch, H.M., Culhane, S. E. & McWethy, A. \(2006\).](#) The Impact on Juror Verdicts of Judicial Instruction to Disregard Inadmissible Evidence: A Meta-Analysis. *Law Human Behavior*, 30 469–492.

[Read, J. D., Connolly, D. A., & Welsh, A. \(2006\).](#) An Archival Analysis of Actual Cases of Historic Child Sexual Abuse: A Comparison of Jury and Bench Trials . *Law and Human Behavior*, 30, 259-285.

Discussion Leader Readings:

[Brewer, N., S. Harvey, et al. \(2004\).](#) "Improving Comprehension of Jury Instructions with Audio-Visual Presentation." *Applied Cognitive Psychology* 18(6): 765-776.

Additional Readings:

[English, B., Mussweiler, T., & Strack, F. \(2005\).](#) The Last Word in Court--A Hidden Disadvantage for the Defense . *Law and Human Behavior*, 29, 705-722.

[Kressel, N. J., & Kressel, D. F. \(2002\). Stack and sway: The new science of jury consulting. Boulder, CO, US: Westview Press.](#)

[Van Wallendael, L., & Cutler, B. \(2004\). Limitations to Empirical Approaches to Jury Selection. Journal of Forensic Psychology Practice, 4\(2\), 79-86.](#)

1 February

Attending: Barnard & John Jay

Meeting Location: John Jay

Lie Detection

Required Readings:

[Hartwig, M., Granhag, P.A., Strömwall, L.A., & Kronkvist, O. \(2006\). Strategic use of evidence during police interviews: When training to detect deception works. Law and Human Behavior, 30, 603-619.](#)

[Mann, S., Vrij, A., & Bull, R. \(2004\). Detecting true lies: Police officers' ability to detect deceit. Journal of Applied Psychology, 89, 137-149.](#)

[Meissner, C. A., & Kassin, S. M. \(2002\). "He's guilty!": Investigator bias in judgments of truth and deception. Law and Human Behavior, 26\(5\), 469-480.](#)

Discussion Leader Readings:

[Langleben, D. D., Loughead, J. W., Bilker, W. B., Ruparel, K., Childress, A. R., Busch, S. I., & Gur, R. C. \(2005\). Telling Truth From Lie in Individual Subjects With Fast Event-Related fMRI. Human Brain Mapping, 26\(4\), 262-272.](#)

[Hartwig, M., Granhag, P. A., Strömwall, L. A., & Andersson, L. O. \(2003\). Suspicious minds: Criminals' ability to detect deception. Psychology, Crime & Law, 10, 83-95.](#)

Additional Readings:

Akehurst, L., Bull, R., Vrij, A., & Kohnken, G. (2004). The Effects of Training Professional Groups and Lay Persons to use Criteria-Based Content Analysis to Detect Deception. Applied Cognitive Psychology, 18(7), 877-891.

Bond, C. F., DePaulo, B. M. (2006). Accuracy of Deception Judgments. Personality and Social Psychology Review, 10(3), 214-234.

- Edelstein, R. S., Luten, T. L., Ekman, P., & Goodman, G. S. (2006). Detecting lies in children and adults. *Law and Human Behavior*, 30, 1-10.
- Grubin, D., & Madsen, L. (2005). Lie detection and the polygraph: A historical review. *Journal of Forensic Psychiatry & Psychology*, 16(2), 357-369.
- Hartwig, M., Granhag, P. A., Stromwall, L. A., & Vrij, A. (2005). Detecting deception via strategic disclosure of evidence. *Law and Human Behavior*, 29(4), 469-484.
- Mann, S., Vrij, A., & Bull, R. (2002). Suspects, lies and videotape: An analysis of authentic high-stakes liars. *Law and Human Behavior*, 26, 365-376. (this is also a fun article, but perhaps most interesting for revealing how little is still known about lie detection Study with 16 actual suspects shows that liars blink less and pause more – contrary to conventional wisdom)
- Myers, B. Latter, R., & Addollahi-Arena, M. K. (2006). The court of public opinion: late perceptions of polygraph testing. *Law and Human Behavior*, 30 (509-523).
- Vrij, A., Mann, S., & Fisher, R.P. (2006). An empirical test of the Behaviour Analysis Interview. *Law and Human Behavior*, 30(3), 329-345.
- Vrij, A., Mann, S., Robbins, E., Robinson, M. (2006). Police Officers' Ability to Detect Deception in High Stakes Situations and in Repeated Lie Detection Tests. *Applied Cognitive Psychology*, 20(6), 741-755.

8 February
Attending: Barnard & John Jay
Meeting Location: Barnard

Confessions and Interrogations

Required Readings:

- [Kassin, S. M. & Gudjonsson, G. H. \(2004\). The Psychology of Confessions: A Review of the Literature and Issues. *Psychological Science in the Public Interest*, 5, 33-67.](#)
- [Kassin, S. M., Meissner, C. A., & Norwick, R. J. \(2005\). "I'd Know a False Confession if I Saw One": A Comparative Study of College Students and Police Investigators. *Law and Human Behavior*, 29\(2\), 211-227.](#)
- [Lassiter, G. D., P. J. Munhall, et al. \(2005\). Attributional complexity and the camera perspective bias in videotaped confessions. *Basic and Applied Social Psychology*, 27\(1\), 27-35.](#)

Discussion Leader Readings:

[Kassin, S. M., & Norwick, R. J. \(2004\). Why people waive their Miranda rights: The power of innocence. *Law and Human Behavior*, \(28\)2, 211-221.](#)

Additional Readings:

Horselenberg, R., Merckelbach, H., Smeets, T., Franssens, D., Peters, G. Y., & Zeles, G. (2006). False confessions in the lab: Do plausibility and consequences matter? *Psychology, Crime & Law*, 12(1), 61-75.

Kassin, S. M., & Kiechel, K. L. (1996). The social psychology of false confessions: Compliance, internalization, and confabulation. *Psychological Science*, 7(3), 125-128.

Kassin, S. M. (2006). A critical appraisal of modern police interrogations. (2006). In T. Williamson (Ed.), *Investigative interviewing: Rights, research, regulation*. (pp. 207-228). Devon, United Kingdom: Willan Publishing.

Lassiter, G. D., Geers, A. L., Handley, I. M., Weiland, P. E. & Munhall, P. J. (2002). [Videotaped interrogations and confessions: A simple change in camera perspective alters verdicts in simulated trials.](#) *Journal of Applied Psychology*, 87, 867-874.

Meissner, C. A., & Kassin, S. M. (2004). "You're guilty, so just confess!" Cognitive and behavioral confirmation biases in the interrogation room. In D. Lassiter (Ed.), *Interrogations, confessions, and entrapment*. New York: Kluwer Academic/Plenum Press.

Owen-Kostelnik, J., Reppucci, N. D., & Meyer, J. R. (2006). Testimony and interrogation of minors: Assumptions about maturity and morality. *American Psychologist*, 61(4), 286-304.

Ratcliff, J. J., Lassiter, G. D., Schmidt, H. C., & Snyder, C. J. (2006). Camera Perspective Bias in Videotaped Confessions: Experimental Evidence of Its Perceptual Basis. *Journal of Experimental Psychology: Applied*, 12(4), 197-206.

Russano, M. B., Meissner, C. A., Narchet, F. M., & Kassin, S. M. (2005). Investigating True and False Confessions Within a Novel Experimental Paradigm. *Psychological Science*, 16(6), 481-486.

15 February
Attending: Barnard
Meeting Location: Barnard

Daubert

Required Readings:

Groscup, J. L., Penrod, S. D., & Studebaker, C. A. (2002). [The effects of Daubert on the admissibility of expert testimony in state and federal criminal cases.](#) *Psychology, Public Policy, and Law*, 8, 339-372.

[The effects of peer review and evidence quality on judge evaluations of psychological science: Are judges effective gatekeepers?](#) (2000).
Kovera, M. Bull., & McAuliff, B. D. *Journal of Applied Psychology*, 85, 574-586.

[Gatowski, S. I., Dobbin, S. A., Richardson, J. T., Ginsburg, G. P., Merlino, M. L., & Dahir, V. \(2001\). Asking the gatekeepers: A national survey of judges on judging expert evidence in a post-Daubert world.](#) *Law and Human Behavior*, 25, 433-458.

Discussion Leader Readings:

[Michael J. Saks and David L. Faigman \(2005\). Expert Evidence After Daubert.](#) *Annual Review of Law and Social Science*, 1, 105–30

Additional Readings:

Krafka, C., Dunn, M. A., Johnson, M. T., Cecil, J. S., & Miletich, D. (2002). Judge and attorney experiences, practices, and concerns regarding expert testimony in federal civil trials. *Psychology, Public Policy, and Law*, 8, 309-332.

22 February
Attending: Barnard & John Jay
Meeting Location: John Jay

Eyewitnesses: I

Required Readings:

[Behrman, B. W., & Davey, S. L. \(2001.\) Eyewitness Identification in Actual Criminal Cases: An Archival Analysis.](#) *Law and Human Behavior*, 25, 475-491.

Wells, G.L., Small, M., Penrod, S., Malpass, R. S., Fulero, S. M., & Brimacombe, C. A. E. (1998). [Eyewitness identification procedures: Recommendations for lineups and photospreads.](#) *Law and Human Behavior*, 22, 603-647.

Stebly, N., Dysart, J., Fulero, S., & Lindsay, R. C. L. (2001). Eyewitness Accuracy Rates in [Sequential and Simultaneous Lineup Presentations:](#) A Meta-Analytic Comparison, *Law and Human Behavior*, 25, 459-473.

Discussion Leader Readings:

McQuiston

Additional Readings:

[Behrman, B. W., & Richards, R. E. \(2005\). Suspect/Foil Identification in Actual Crimes and in the Laboratory: A Reality Monitoring Analysis. *Law and Human Behavior*, 29, 279-301.](#)

Haw, R. M. & Fisher, R. P. (2004). [Effects of Administrator-Witness Contact on Eyewitness Identification Accuracy. *Journal of Applied Psychology*, 89, 1106-1112.](#)

Kassin, S. M. (1998). [Eyewitness identification procedures: The fifth rule. *Law & Human Behavior*, 22, 649-653.](#)

Phillips, M. R., McAuliff, B. D., Kovera, M. B., & Cutler, B. L. (1999). [Double-blind photoarray administration as a safeguard against investigator bias. *Journal of Applied Psychology*, 84, 940-951.](#)

[Yarmey, A. D. \(2004\). Eyewitness recall and photo identification: a field experiment. *Psychology, Crime & Law*, 10\(1\), 53-68.](#)

1 March

Attending: Barnard & John Jay

Meeting Location: John Jay

Eyewitnesses: II

Required Readings:

Meissner, C. A., & Brigham, J. C. (2001). [Thirty years of investigating the own-race bias in memory for faces: A meta-analytic review. *Psychology, Public Policy, & Law*, 7, 3-35.](#)

[Morgan, C. A., Hazlett, G., Doran, A., Garrett, S., Hoyt, G., Thomas, P., Baranoski, M., & Southwick, S. M. \(2004\). Accuracy of eyewitness memory for persons encountered during exposure to highly intense stress. *International Journal of Law & Psychiatry*, 27\(3\), 265-279.](#)

Kassin, S. M., Tubb, V. A., Hosch, H. M., & Memon, A. (2001). [On the "general acceptance" of eyewitness testimony research. *American Psychologist*, 56, 405-416.](#)

Cutler, B. L., Dexter, H. R., & Penrod, S. D. (1989). [Expert testimony and jury decision making: An empirical analysis. *Behavioral Sciences & the Law*, 7, 215-225.](#)

Discussion Leader Readings:

Penrod, S., & Cutler, B. (1995) [Witness confidence and witness accuracy: Assessing their forensic relation.](#) *Psychology, Public Policy, & Law*, 1(4), 817-845.

Additional Readings:

Deffenbacher, K. A., Bornstein, B. H., Penrod, S. D., & McGorty, E. K. (2004). A Meta-Analytic Review of the Effects of High Stress on Eyewitness Memory. *Law & Human Behavior*, 28(6), 687-706.

Stebly, N., Dysart, J., Fulero, S., & Lindsay, R. C. L. (2003). [Eyewitness accuracy rates in police showup and lineup presentations: A meta-analytic comparison.](#) *Law & Human Behavior*, 27(5), 523-540.

Valentine T. & Pamela Heaton (1999). [An Evaluation of the Fairness of Police Line-Ups and Video Identifications.](#) *Applied Cognitive Psychology* 13, S59-S72.

Weber, N., & Brewer, N. (2003). [The effect of judgment type and confidence scale on confidence-accuracy calibration in face recognition.](#) *Journal of Applied Psychology*, 88(3), 490-499.

8 March

Attending: Barnard & John Jay

Meeting Location: Barnard

Victims

Required Readings:

[Hoffmann, E. A. \(2004\). Selective sexual harassment: Differential treatment of similar groups of women workers. *Law & Human Behavior*, 28\(1\), 29-45.](#)

[Myers, B. & Greene, E. \(2004\). The Prejudicial Nature of Victim Impact Statements: Implications for Capital Sentencing Policy. *Psychology, Public Policy, & Law*, 10, 492-515.](#)

[Schuller, R., & Klippenstine, M. A. \(2004\). The Impact of Complainant Sexual History Evidence on Jurors' Decisions: Considerations From a Psychological Perspective . *Psychology, Public Policy, and Law*, 10, 321-342.](#)

Discussion Leader Readings:

[Weiner, R. L., Winter, R., Rogers, M., & Arnot, L. \(2004\). The effects of prior workplace behavior and subsequent sexual harassment judgments. *Law and Human Behavior*, 28\(1\), 47-67.](#)

Additional Readings:

- Brekke, N. & Borgida, E. (1988). Expert psychological testimony in rape trials: A social-cognitive analysis. *Journal of Personality and Social Psychology*, 55, 372-386.
- Frazier, P. A. & Borgida, E. (1992). Rape trauma syndrome: A review of case law and psychological research. *Law and Human Behavior*, 16, 293-312.
- Frazier, P., Borgida, E. (1985). Rape trauma syndrome evidence in court. *American Psychologist*, 40, 984-993.
- Frazier, P. A. & Haney, B. (1996). Sexual assault cases in the legal system: Police, prosecutor, and victim perspectives. *Law and Human Behavior*, 20 (6), 607-628.
- Hansen, K. L., Schaefer, E. G., & Lawless, J. J. (1993). Temporal patterns of normative, informational, and procedural-legal discussion in jury deliberations. *Basic & Applied Social Psychology*, 14(1), 33-46.
- Kinports, K. (1988). Defending battered women's self-defense claims. *Oregon Law Review*, 67, 393-465.
- Murphy, S. (1992). Assisting the jury in understanding victimization: Expert psychological testimony on battered woman syndrome and rape trauma syndrome. *Columbia Journal of Law and Social Problems*, 25, 277-312.
- Schuller, R. A. (1992). The impact of battered woman syndrome evidence on jury decision processes. *Law & Human Behavior*. 16(6), 597-620.
- Schuller, R. A. & Hastings, P. A. (1996). Trials of battered women who kill: The impact of alternative forms of expert evidence. *Law & Human Behavior*, 20(2), 167-187.
- Schuller, R. A., & Hastings, P. A. (2002). Complainant sexual history evidence: Its impact on mock jurors' decisions. *Psychology of Women Quarterly*, 26(3), 252-261.
- Schuller, R. A., McKimmie, B. M., & Janz, T. (2004). The Impact of Expert Testimony in Trials of Battered Women Who Kill . *Psychiatry, Psychology and Law*, 11, 1-12.
- Schuller, R. A., & Rzepa S. (2002). Expert testimony pertaining to battered woman syndrome: Its impact on jurors' decisions. *Law & Human Behavior*, 26(6), 655-673.
- Schuller, R. A; Smith, V. L. & Olson, J. M. (1994). Jurors' decisions in trials of battered women who kill: The role of prior beliefs and expert testimony. *Journal of Applied Social Psychology*, 24(4), 316-337.
- Schuller, R. A., & Stewart, A. (2000). Police responses to sexual assault complaints: The role of perpetrator/complainant intoxication. *Law and Human Behavior*, 24(5), 535-551.

Schuller, R. A. & Vidmar, N. (1992). Battered woman syndrome evidence in the courtroom: A review. *Law & Human Behavior*, 16(3), 273-291.

15 March
Attending: John Jay
Meeting Location: John Jay

Daubert

Required Readings:

[The effects of Daubert on the admissibility of expert testimony in state and federal criminal cases.](#) (2002). Groscup, J. L., Penrod, S. D., & Studebaker, C. A., *Psychology, Public Policy, and Law*, 8, 339-372.

[The effects of peer review and evidence quality on judge evaluations of psychological science: Are judges effective gatekeepers?](#) (2000). Kovera, M. B., & McAuliff, B. D., *Journal of Applied Psychology*, 85, 574-586.

[Gatowski, S. I., Dobbin, S. A., Richardson, J. T., Ginsburg, G. P., Merlino, M. L., & Dahir, V. \(2001\). Asking the gatekeepers: A national survey of judges on judging expert evidence in a post-Daubert world .](#) *Law and Human Behavior*, 25, 433-458.

Discussion Leader Readings:

[Michael J. Saks and David L. Faigman \(2005\). Expert Evidence After Daubert.](#) *Annual Review of Law and Social Science*, 1, 105–30.

Additional Readings:

Krafka, C., Dunn, M. A., Johnson, M. T., Cecil, J. S., & Miletich, D. (2002). Judge and attorney experiences, practices, and concerns regarding expert testimony in federal civil trials. *Psychology, Public Policy, and Law*, 8, 309-332.

22 March
Attending: Barnard & John Jay
Meeting Location: Barnard

Capital Punishment

Required Readings:

[Krauss, D. A., & Lee, D. H. \(2003\). Deliberating on dangerousness and death: Jurors' ability to differentiate between expert actuarial and clinical predictions of dangerousness. *International Journal of Law & Psychiatry*, 26\(2\), 113-137.](#)

[Lynch, M., & Haney, C. \(2000\). Discrimination and instructional comprehension: Guided discretion, racial bias, and the death penalty. *Law and Human Behavior*, 24, 337-358.](#)

[O'Neil, K. M., Patry, M. W., & Penrod, S. D. \(2004\). Exploring the Effects of Attitudes Toward the Death Penalty on Capital Sentencing Verdicts. *Psychology, Public Policy, & Law*, 10\(4\), 443-470.](#)

Discussion Leader Readings:

[Unnever, J. D., Cullen, F. T., & Roberts, J. V. \(2005\). Not everyone strongly supports the death penalty: Assessing weakly-held attitudes about capital punishment. *American Journal of Criminal Justice*, 29, 187-216.](#)

[Boots, D. P., Heide, K. M., & Cochran, J. K. \(2004\). Death Penalty Support for Special Offender Populations of Legally Convicted Murderers: Juveniles, the Mentally Retarded, and the Mentally Incompetent. *Behavioral Sciences & the Law*, 22, 223-238.](#)

Background

Additional Readings:

[Arndt, J., Lieberman, J. D., Cook, A., & Solomon, S. \(2005\). Terror Management in the Courtroom: Exploring the Effects of Mortality Salience on Legal Decision Making. *Psychology, Public Policy, and Law*, 11, 407-438.](#)

[Wiener, R. L., Rogers, M., Winter, R., Hurt, L., Hackney, A., Kadela, K., Seib, H., Rauch, S., Warren, L., & Morasco, B. \(2004\). Guided Jury Discretion in Capital Murder Cases: The Role of Declarative and Procedural Knowledge. *Psychology, Public Policy, and Law*, 10, 516-576.](#)

Antonio, M. E. (2006). Arbitrariness and the Death Penalty: How the Defendant's Appearance During Trial Influences Capital Jurors' Punishment Decision. *Behavioral Sciences & the Law*, 24, 215-234.

Dorland, M., & Krauss, D. (2005). The Danger Of Dangerousness In Capital Sentencing: Exacerbating The Problem of Arbitrary And Capricious Decision-Making. *Law & Psychology Review*, 29, 63-105.

Ackerson, K. S., Brodsky, S. L., & Zapf, P. A. (2005). Judges' and Psychologists' Assessments of Legal and Clinical Factors in Competence for Execution. *Psychology, Public Policy, and Law*, 11, 164-193.

Krauss, D. A., Lieberman, J. D., & Olson, J. (2004). The Effects of Rational and Experiential Information Processing of Expert Testimony in Death Penalty Cases . *Behavioral Sciences & the Law*, 22, 801-822.

29 March
Attending: Barnard & John Jay
Meeting Location: John Jay

Death Qualification

Required Readings:

[Cowan](#), C.L. & Thompson, W. & Ellsworth, P. (1984). The effects of death qualification on jurors' predisposition to convict and on the quality of deliberation. *Law and Human Behavior*, 8, 53-80. [file is 365k]

[Bersoff](#), D.N. (1987). Social science data and the Supreme Court. *Psychology and Law*, 42(1), 52-58.

[Lockhart](#) vs. *McCree* APA Amicus Brief. (1987). *American Psychologist*, 42, 59-68. [469k]

[Elliott](#), R. (1991). Social science data and the APA: The *Lockhart* brief as a case in point. *Law and Human Behavior*, 15, 59-76.

[Ellsworth](#), P. (1991). To tell what we know or wait for Godot? *Law and Human Behavior*, 15, 77-9. [222k]

Discussion Leader Readings:

[Gross](#), S. R. (1984). Determining the neutrality of death-qualified juries. *Law and Human Behavior*, 8, 7-30.

Additional Readings:

[Allen, M., Mabry, E., & McKelton, D.-M. \(1998\)](#). Impact of juror attitudes about the death penalty on juror evaluations of guilt and punishment: A meta-analysis. *Law & Human Behavior*, 22(6), 715-731.

[Butler, B. M., & Moran, G. \(2002\)](#). The role of death qualification in venirepersons' evaluations of aggravating and mitigating circumstances in capital trials. *Law & Human Behavior*, 26(2), 175-184.

Haney, C. (2005). *Death by design: Capitol punishment as a social psychological system* . New York, NY, US: Oxford University Press.

5 April
Attending: Barnard
Meeting Location: Barnard

Media Effects

Required Readings:

[Penrod 2006 NSF Pretrial Publicity Research Grant Proposal](#)

[Linz, D., Paul, B., & Yao, M. Z. \(2006\). Peep Show Establishments, Police Activity, Public Place, and Time: A Study of Secondary Effects in San Diego, California . *Journal of Sex Research*, 43, 182-193.](#)

[Anderson, C. A., Berkowitz, L., Donnerstein, E., Huesmann, L. R., Johnson, J. D., Linz, D., Malamuth, N. M., & Wartella, E. \(2003\). The influence of media violence on youth. *Psychological Science in the Public Interest*, 4, 81-110.](#)

[Linz, D., Blumenthal, E., Donnerstein, E., Kunkel, D., Shafer, B. J., & Lichtenstein, A. \(2000\). Testing legal assumptions regarding the effects of dancer nudity and proximity to patron on erotic expression. *Law and Human Behavior*, 24, 507-533.](#)

Discussion Leader Readings:

[Smith, B. K. \(2006\). The fight over video game violence: Recent developments in politics, social science, and law . *Law & Psychology Review*, 30, 185-199.](#)

Additional Readings:

[Studebaker, C. A. & Penrod, S. D. \(2005\). Pretrial Publicity and Its Influence on Juror Decision Making. In Brewer, N. & Williams, K. D. \(Eds.\), *Psychology and Law: An Empirical Perspective*. New York: Guilford Press.](#)

[Lisa Marie Chrzanowski. \(2005\). Rape? Truth? And The Media. Laboratory And Field Assessments Of Pretrial Publicity In A Real Case. CUNY Dissertation.](#)

Hope, L., Memon, A., & McGeorge, P. (2004). Understanding Pretrial Publicity: Predecisional Distortion of Evidence by Mock Jurors . *Journal of Experimental Psychology: Applied*, 10, 111-119.

Shaw, J. I., & Skolnick, P. (2004). Effects of Prejudicial Pretrial Publicity From Physical and Witness Evidence on Mock Jurors' Decision Making . *Journal of Applied Social Psychology*, 34, 2132-2148.

Kovera, M. B. (2002). The effects of general pretrial publicity on juror decisions: An examination of moderators and mediating mechanisms

. *Law and Human Behavior*, 26, 43-72.

Vidmar, N. (2002). Case studies of pre- and midtrial prejudice in criminal and civil litigation . *Law and Human Behavior*, 26, 73-105.

Carnagey, N. L., & Anderson, C. A. (2005). The Effects of Reward and Punishment in Violent Video Games on Aggressive Affect, Cognition, and Behavior . *Psychological Science*, 16, 882-889.

Anderson, C. A. (2004). An update on the effects of playing violent video games . *Journal of Adolescence*, 27, 113-122.

Carnagey, N. L., & Anderson, C. A. (2004). Violent video game exposure and aggression: A literature review . *Minerva Psichiatrica*, 45, 1-18.

Anderson, C. A., & Murphy, C. R. (2003). Violent Video Games and Aggressive Behavior in Young Women . *Aggressive Behavior*, 29, 423-429.

12 April

Attending: Barnard & John Jay

Meeting Location: Barnard

Procedural Fairness, Satisfaction, Legitimacy, and Compliance

Required Readings:

[Casper, J. D., Tyler, T. R., & Fisher, B. \(1988\). Procedural justice in felony cases. *Law and Society Review*, 22, 483-508.](#)

[Tyler, T. R. \(1989\). The psychology of procedural justice: A test of the group-value model. *Journal of Personality & Social Psychology*, 57\(5\), 830-838.](#)

[Tyler, T. R. \(2001\). Public trust and confidence in legal authorities: What do majority and minority group members want from the law and legal institutions? *Behavioral Sciences and the Law*, 19, 215-235.](#)

Discussion Leader Readings:

[Heuer, L., Blumenthal, E., Douglas, A., & Weinblatt, T. \(1999\). A deservingness approach to respect as a relationally based fairness judgment. *Personality & Social Psychology Bulletin*, 25\(10\), 1279-1292.](#)

Additional Readings:

Kitzmann, K. M., and Emery, R. E. (1993). Procedural justice and parents' satisfaction in a field study of child custody dispute resolution.

Law & Human Behavior, 17, 553-567.

MacCoun, R. J. & Tyler, T. R. (1988) The basis of citizens' perceptions of the criminal jury: Procedural fairness, accuracy, and efficiency. *Law and Human Behavior*, 12, 333-352.

Murphy, K. (2004). The role of trust and nurturing compliance: A study of accused tax of lawyers. *Law and Human Behavior*, 28(2), 187-209.

Tyler, T. R. (1984). The role of perceived injustice in defendant's evaluations of their courtroom experience. *Law and Society Review*, 18, 51-74.

Tyler, T. R. (1990). *Why citizens obey the law: Procedural justice, legitimacy, and compliance*. New Haven, CT: Yale University Press.

Wenzel, M. (2004). The social side of sanctions: Personal and social norms as moderators of deterrence. *Law and Human Behavior*, 28(5), 547-567.

19 April

Attending: Barnard & John Jay

Meeting Location: John Jay

Procedural Fairness: Beyond Group Values

Required Readings:

[Finkel, N. J. \(2006\). Moral Monsters and Patriot Acts: Rights and Duties in the Worst of Times. *Psychology, Public Policy, and Law*. 12\(2\), 242-277.](#)

[Heuer, L., Penrod, S., Kattan, A. \(In Press\). The role of societal benefits and fairness concerns among decision makers and decision recipients. *Law & Human Behavior*.](#)

[Skitka, L. & Houston, D. A. \(2002\). When due process is of no consequence: Moral mandates and presumed defendant guilt or innocence. *Social Justice Research*, 13\(3\), 305-326.](#)

Discussion Leader Readings:

[Skitka, L. J., Winkvist, J., & Hutchinson, S. \(2003\). Our outcome and fairness and outcome favorability distinguishable psychological constructs? A meta-analytic review. *Social Justice Research*, 16\(4\), 309-341.](#)

[Heuer, L., & Stroessner, S. J. \(2003\). Testing a multi-motivational model of procedural fairness. Paper presented at the Justice Pre-Conference of the Annual Meeting of the Society for Personality and Social Psychology, Los Angeles, CA.](#)

Additional Readings:

Heuer, L. Penrod, S., Hafer, C., & Cohn, I. (2002). The role of resource and relational concerns for procedural justice. *Personality and Social Psychology Bulletin*, 1468 – 1482.

Sunshine, J., & Heuer, L. (2002). Deservingness and perceptions of procedural justice in citizen encounters with the police. In M. Ross & D. T. Miller (Eds). *The justice motive in everyday life*. New York: Cambridge University Press.

26 April

Attending: Barnard & John Jay

Meeting Location: Barnard

ADR and Restorative Justice

Required Readings:

[Darley, J. M., & Pittman, T. S. \(2003\). The psychology of compensatory and retributive justice. *Personality and Social Psychology Review*, 7, 324-336.](#)

[Roberts, J.V., & Stalans, L. J. \(2004\). Restorative sentencing: Exploring the views of the public. *Social Justice Research*, 17, 315-334.](#)

[Tyler, T. R. \(2006\). Restorative justice and procedural justice: Dealing with rule breaking. *Journal of Social Issues*, 62\(2\), 307-326.](#)

Discussion Leader Readings:

[Skarlicki, D. P., Ellard, J. H., and Kelln, B. R. C. \(1998\). Third-party perceptions of a layoff: Procedural, derogation, and retributive aspects of justice. *Journal of Applied Psychology*, 83, 119-127.](#)

[Shestowsky, D. \(2004\). Procedural preferences in alternative dispute resolution: A closer, modern look at an old idea. *Psychology, Public Policy, and Law*, 10\(3\), 211-249.](#)

3 May

Attending: John Jay
Meeting Location: John Jay

Media Effects

Required Readings:

[Penrod 2006 NSF Pretrial Publicity Research Grant Proposal](#)

[Linz, D., Paul, B., & Yao, M. Z. \(2006\). Peep Show Establishments, Police Activity, Public Place, and Time: A Study of Secondary Effects in San Diego, California. *Journal of Sex Research*, 43, 182-193.](#)

[Anderson, C. A., Berkowitz, L., Donnerstein, E., Huesmann, L. R., Johnson, J. D., Linz, D., Malamuth, N. M., & Wartella, E. \(2003\). The influence of media violence on youth. *Psychological Science in the Public Interest*, 4, 81-110.](#)

[Linz, D., Blumenthal, E., Donnerstein, E., Kunkel, D., Shafer, B. J., & Lichtenstein, A. \(2000\). Testing legal assumptions regarding the effects of dancer nudity and proximity to patron on erotic expression. *Law and Human Behavior*, 24, 507-533.](#)

Discussion Leader Readings:

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[Lisa Marie Chrzanowski. \(2005\). Rape? Truth? And The Media. Laboratory And Field Assessments Of Pretrial Publicity In A Real Case. CUNY Dissertation.](#)

Hope, L., Memon, A., & McGeorge, P. (2004). Understanding Pretrial Publicity: Predecisional Distortion of Evidence by Mock Jurors. *Journal of Experimental Psychology: Applied*, 10, 111-119.

Shaw, J. I., & Skolnick, P. (2004). Effects of Prejudicial Pretrial Publicity From Physical and Witness Evidence on Mock Jurors' Decision Making. *Journal of Applied Social Psychology*, 34, 2132-2148.

Kovera, M. B. (2002). The effects of general pretrial publicity on juror decisions: An examination of moderators and mediating mechanisms. *Law and Human Behavior*, 26, 43-72.

Vidmar, N. (2002). Case studies of pre- and midtrial prejudice in criminal and civil litigation . *Law and Human Behavior*, 26, 73-105.

Carnagey, N. L., & Anderson, C. A. (2005). The Effects of Reward and Punishment in Violent Video Games on Aggressive Affect, Cognition, and Behavior . *Psychological Science*, 16, 882-889.

Anderson, C. A. (2004). An update on the effects of playing violent video games . *Journal of Adolescence*, 27, 113-122.

Carnagey, N. L., & Anderson, C. A. (2004). Violent video game exposure and aggression: A literature review . *Minerva Psichiatrica*, 45, 1-18.

Anderson, C. A., & Murphy, C. R. (2003). Violent Video Games and Aggressive Behavior in Young Women . *Aggressive Behavior*, 29, 423-429.

10 May
Attending: John Jay
Meeting Location: John Jay

Juries: I

Required Readings:

[Mitchell, T. L., Haw, R. M., Pfeifer, J. E., & Meissner, C. A. \(2005\)](#). Racial Bias in Mock Juror Decision-Making: A Meta-Analytic Review of Defendant Treatment . *Law and Human Behavior*, 29, 621-637.

[Horowitz, I. A., Kerr, N. L., Park, E. S., & Gockel, C. \(2006\)](#). Chaos in The Courtroom Reconsidered: Emotional Bias and Juror Nullification. *Law and Human Behavior*, 30, 163-181.

[Heuer, L.B. & Penrod, S. \(1994\)](#). Juror notetaking and question asking during trials: A national field experiment. *Law and Human Behavior*, 18, 121-150.

Discussion Leader Readings:

[Bright, D. A., & Goodman-Delahunty, J. \(2006\)](#). Gruesome Evidence and Emotion: Anger, Blame, and Jury Decision-Making . *Law and Human Behavior*, 30, 183-202.

Additional Readings:

[Devine, Dennis J.; Clayton, Laura D.; Dunford, Benjamin B.; Seying, Rasmy; Pryce, Jennifer. \(2001\). Jury decision making: 45 years of empirical research on deliberating groups. *Psychology, Public Policy, & Law*, 7, 622-727.](#)

[Adams, C. M. S., & Bourgeois, M. J. \(2006\). Separating Compensatory and Punitive Damage Award Decisions by Trial Bifurcation. *Law and Human Behavior*, 30, 11-30.](#)

[Sommers, S. R. \(2006\). On Racial Diversity and Group Decision Making: Identifying Multiple Effects of Racial Composition on Jury Deliberations. *Journal of Personality and Social Psychology*, 90, 597-612.](#)

17 May
Attending: John Jay
Meeting Location: John Jay

Juries: II

Required Readings:

[Kovera, M. B., Dickinson, J. J., & Cutler, B. L. \(2003\). Voir dire and jury selection. In *Handbook of psychology: Forensic psychology*, Vol. 11. \(pp. 161-175\). New York, NY, US: John Wiley & Sons, Inc, New York, NY, US.](#)

[Stebly, N., Hosch, H.M., Culhane, S. E. & McWethy, A. \(2006\). The Impact on Juror Verdicts of Judicial Instruction to Disregard Inadmissible Evidence: A Meta-Analysis. *Law Human Behavior*, 30 469–492.](#)

[Read, J. D., Connolly, D. A., & Welsh, A. \(2006\). An Archival Analysis of Actual Cases of Historic Child Sexual Abuse: A Comparison of Jury and Bench Trials. *Law and Human Behavior*, 30, 259-285.](#)

Discussion Leader Readings:

[Brewer, N., S. Harvey, et al. \(2004\). "Improving Comprehension of Jury Instructions with Audio-Visual Presentation." *Applied Cognitive Psychology* 18\(6\): 765-776.](#)

Additional Readings:

[Englich, B., Mussweiler, T., & Strack, F. \(2005\). The Last Word in Court--A Hidden Disadvantage for the Defense . Law and Human Behavior, 29, 705-722.](#)

[Kressel, N. J., & Kressel, D. F. \(2002\). Stack and sway: The new science of jury consulting. Boulder, CO, US: Westview Press.](#)

[Van Wallendael, L., & Cutler, B. \(2004\). Limitations to Empirical Approaches to Jury Selection. Journal of Forensic Psychology Practice, 4\(2\), 79-86.](#)