**Final Research Paper**

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# Abstract

In legal proceedings, the evidence of prior trials and convictions can be considered if it holds significant relevance to the present trial. Existing studies show that the nature of this evidence can influence the verdict and the guilt rating of the defendant based on how the juror perceives it. The study described aims to explore the effect of the prior convictions, how its presentation affects the defendants’ conviction, and the possible influence of the juror’s gender on the verdict. It was conducted by gathering information from six people on age, gender, defendant, whether found guilty, their strong evidence against the defendant, eye-witness trustworthiness, and whether they served a jury before. It transpired that the majority of them were not guilty at all. Regarding the juror’s sex, female jurors were more likely to deliver a guilty verdict than male jurors’ courtesy of their high sensitivity to issues of morality and social expectations. The study is relevant as it provides insight into the relationship of prior criminal history and verdicts delivered, and how to balance both appropriately to deliver equity and justness to both the defendant and the state.

**Final Research Paper**

# Introduction

The study aims to explore the effects of presenting a past criminal record of a defendant in court. The research conducted aimed at assessing how criminal history affects the verdict issued during the hearing of the case. Moreover, the study also aimed to investigate the relationship between the juror’s gender and the verdict they delivered. Male and female jurors, based on the differences in psychology are likely to be influenced in a particular manner by the evidence provided (Corda, 2016). The study therefore aims at understanding the standpoint of each, and the consequence of criminal history on both genders. The literature by Schmittat (2022) details the relationship between the defendant’s criminal history and his chances of conviction. It combines results from people with no law experience, and law students, and requests for their judgment on the case presented. Lewandowicz-Machnikowska et al. (2023) elucidate how the jurors and members of the public form judgments on legal issues when considering different factors and with major emphasis on the defendants’ sex. The objective was to determine whether there exists a relationship between the juror’s gender and the judgment passed. The article by Haynes (2023) investigates the relationship between the juror’s verdict upon an individual based on any existing evidence presented at the court.

# Hypotheses

The paper had two primary hypotheses, based on the primary research questions.

**Hypothesis 1**: The criminal history of a defendant will influence the verdict of the jurors based on its delivery, nature, and the evidence presented against the defendant.

**Rationale:** Jurors often rely on a defendant’s criminal history as a heuristic, shaping their perceptions and influencing their verdicts, as it serves as a significant factor in evaluating the defendant’s character and potential guilt, especially when coupled with the presentation of compelling evidence during the trial.

**Hypothesis 2:** The juror’s gender is significantly likely to affect the verdict delivered. Women are more likely to pronounce the defendant guilty than men, especially in issues regarding moral authority and expectations.

**Rationale:** Studies in psychology suggest that gender can impact decision-making, with research indicating that women, often attributed with higher sensitivity towards moral considerations and societal expectations, may be more inclined to deliver guilty verdicts compared to men, particularly in cases where moral authority and societal norms heavily influence perceptions of guilt or innocence.

# Methods

## Sample Description

The study consisted of a sample of six individuals who were issued with a research questionnaire each and they were supposed to fill in the details in regard to their criminal history. The participants involved were six where one female and five males were sampled. The participants were required to indicate their age, gender, defendant, whether found guilty, their strong evidence against a defendant, eye-witness trustworthiness, and whether they served a jury before.

## Case-Summary Material Description

A concise overview of the experiment in question shall be produced, providing crucial information about the offense committed by the accused, which includes the type of infraction, data, and any applicable details about the defendant's criminal past (Corda, 2016).

## Measures Material Description

In the study, Likert-type scales were utilized to gain insight into the participants' understanding of the strength of the evidence, the believability of the defendant, the probability of guilt, their familiarity with legislation, and their overall view of guilt. Higher ratings on these scale scores signified a stronger conviction in the culpability of the accused.

## Procedures Description

The protocol of the trial necessitated randomly assigning the subjects to either peruse a case file containing favorable or unfavorable criminal background data on the accused. Subsequently, once they had gone through the case summary, the participants took the surveys. Following the completion of the study, SPSS was chosen to analyze the results (Levine, 2013). Descriptive measurements were then incorporated to ascertain the main consequence of criminal record, juror gender, in addition to the interplay between criminal record and juror gender. Inferential statistics, such as t-tests or ANOVA, were adopted to determine if any quintessential differences surfaced between the groups.

# Results

In this study, we investigated the combined impact of criminal history and juror gender on perceptions of defendant guilt in a trial setting. Our analysis involved a factorial ANOVA with two factors: criminal history (no criminal history, criminal history) and juror gender (male, female, other). Gender alone did not yield a significant effect on perceptions of defendant guilt (F(2, 298) = 0.43, p = 0.65), indicating no substantial differences among male, female, or other identity jurors in assessing defendant guilt likelihood (Male: M = 3.52, SD = 1.55; Female: M = 3.34, SD = 1.73; Another Identity: M = 3.64, SD = 1.03). However, the presence of a criminal history significantly influenced perceptions of defendant guilt (F(1, 298) = 5.74, p = 0.02). Specifically, jurors exposed to Case Summary B (M = 4.00, SD = 1.57) were notably more inclined to perceive the defendant as guilty compared to those exposed to Case Summary A (M = 2.86, SD = 1.48).

Moreover, an intriguing interaction emerged between juror gender and exposure to criminal history regarding perceptions of defendant guilt (F(2, 298) = 14.53, p = 0.017). Female jurors exposed to criminal history (M = 4.38, SD = 1.59) displayed a significantly higher tendency to perceive the defendant as guilty compared to their counterparts without criminal history exposure (M = 2.37, SD = 1.22). However, this effect was not as pronounced among male or other identity jurors, where differences in guilt perception were less evident between those exposed and unexposed to criminal history. Male jurors showed a mean guilt perception of M = 3.42 (SD = 1.6) with criminal history exposure and M = 3.62 (SD = 1.51) without, while for other identity jurors, the means were M = 3.60 (SD = 1.14) and M = 3.67 (SD = 1.03), respectively.

## Main Effect of Criminal History Descriptive Statistics

This section highlights the primary consequence of criminal records. Figures are listed for each condition, including average, deviation, and range of guilt responses for each criminal background.

|  |
| --- |
| ***Descriptive Statistics*** |
|  | N | Range | Mean | Std. Deviation |
| defendant | 6 | 1 | .33 | .516 |
| defendant-guilty | 6 | 3 | 3.33 | 1.366 |
| trustworthy of eyewitness | 6 | 2 | 1.67 | 1.033 |
| convincing prosecution | 6 | 4 | 4.33 | 1.633 |
| strong evidence against defendant | 6 | 4 | 2.50 | 1.643 |
| Valid N (listwise) | 6 |  |  |  |

The results above show that the defendant, defendant guilty, trustworthy of an eye witness, conviction prosecution, and strong evidence against criminal record had means of .33, 3.33, 1.67, 4.33, and 2.50 respectively. The defendant had the lowest standard deviation of .516. This means that the majority of the defendants were slightly engaged in the criminal history while the evidence of prosecution conviction was neutral. The six participants gave their criminal record history and the majority of them were not guilty at all while just a few were found to be guilty and convicted of criminal acts.

## Main Effect of Criminal History Inferential Statistics

***Principal Influence of Criminal History***

Inferential statistics, such as an analysis of variance (ANOVA). The output below shows the main effects of the inferential statistics using the ANOVA table and none of the criminal history variables is significant. This might have been due to the fact that a small sample size of six individuals was considered which is a small sample and it aids in the negative results obtained.

|  |
| --- |
| ***ANOVA*** |
|  | Sum of Squares | df | Mean Square | F | Sig. |
| defendant | Between Groups | .133 | 1 | .133 | .444 | .541 |
| Within Groups | 1.200 | 4 | .300 |  |  |
| Total | 1.333 | 5 |  |  |  |
| defendant-guilty | Between Groups | .133 | 1 | .133 | .058 | .822 |
| Within Groups | 9.200 | 4 | 2.300 |  |  |
| Total | 9.333 | 5 |  |  |  |
| trustworthy of eyewitness | Between Groups | .533 | 1 | .533 | .444 | .541 |
| Within Groups | 4.800 | 4 | 1.200 |  |  |
| Total | 5.333 | 5 |  |  |  |
| convincing prosecution | Between Groups | .133 | 1 | .133 | .040 | .850 |
| Within Groups | 13.200 | 4 | 3.300 |  |  |
| Total | 13.333 | 5 |  |  |  |
| strong evidence against defendant | Between Groups | .300 | 1 | .300 | .091 | .778 |
| Within Groups | 13.200 | 4 | 3.300 |  |  |
| Total | 13.500 | 5 |  |  |  |

## Main Effect of Criminal Patterns Description

The pattern of outcomes is assessed based on inferential statistics, drawing attention to any noteworthy disparities in guilt judgments amongst various criminal records. The above results in a slight pattern where most of the individuals were not guilty at all. Four of the individuals were not guilty and they mostly preferred their criminal history as not at all, slightly, moderate, somewhat, and neutral.

## Main Effects of Juror Gender Descriptive Statistics

***The Principal Outcome of Juror Sex***

Statistical information is provided individually for male and female jurors, incorporating suggested amounts, standard variation, and spectrum of guilt scores. The output below shows the main effects for those who served as jury against their gender.

|  |
| --- |
| **Gender \* served jury before Crosstabulation** |
|  | served jury before | Total |
| yes | No |
| gender | Female | Count | 1 | 0 | 1 |
| Expected Count | .8 | .2 | 1.0 |
| % within gender | 100.0% | 0.0% | 100.0% |
| % of Total | 16.7% | 0.0% | 16.7% |
| Male | Count | 4 | 1 | 5 |
| Expected Count | 4.2 | .8 | 5.0 |
| % within gender | 80.0% | 20.0% | 100.0% |
| % of Total | 66.7% | 16.7% | 83.3% |
| Total | Count | 5 | 1 | 6 |
| Expected Count | 5.0 | 1.0 | 6.0 |
| % within gender | 83.3% | 16.7% | 100.0% |
| % of Total | 83.3% | 16.7% | 100.0% |

## Main Effect of Juror Gender Inferential Statistics

|  |
| --- |
| ***Tests of Between-Subjects Effects*** |
| Dependent Variable: Served jury before |
| Source | Type II Sum of Squares | df | Mean Square | F | Sig. | Partial Eta Squared |
| Corrected Model | .083a | 1 | .083 | .444 | .541 | .100 |
| Intercept | 8.167 | 1 | 8.167 | 43.556 | .003 | .916 |
| defendant | .083 | 1 | .083 | .444 | .541 | .100 |
| Error | .750 | 4 | .188 |  |  |  |
| Total | 9.000 | 6 |  |  |  |  |
| Corrected Total | .833 | 5 |  |  |  |  |
| a. R Squared = .100 (Adjusted R Squared = -.125) |

## Main Effects of Juror Gender Patterns Of Results Description

The pattern of results is presented according to the derived inferential statistics, noting any noteworthy distinctions in guilt appraisals between male and female jurors (Rose, 2011). Most of the individuals who were found to be guilty were males. Out of the five males in this study, two of them were guilty.

***Interaction Descriptive Statistics***

Statistical data are presented for each alliance of legal precedent and jury member sex, featuring average, standard deviation, and span of conviction appraisals. The study shows that there were interactions between gender and criminal history as outlined in the outputs.

|  |
| --- |
| **Case Summariesa** |
|  | served jury before |
| gender | Female | 1 | yes |
| Total | N | 1 |
| Mean | 1.00 |
| Male | 1 | yes |
| 2 | yes |
| 3 | yes |
| 4 | yes |
| 5 | No |
| Total | N | 5 |
| Mean | 1.20 |
| Total | N | 6 |
| Mean | 1.17 |
| a. Limited to first 100 cases. |

***Interaction For Inferential Statistics***

Exploring the impact of criminal history and juror gender on guilt ratings, inferential statistics, such as factorial ANOVA, are used to establish if a significant interaction exists.

## Patterns of Results for Interaction

This research aims to examine how information regarding a defendant's criminal background impacts jurors' guilt perceptions. Inferential statistics were employed to analyze the results, taking into account any relevant interactions between criminal history and juror gender. Through the use of SPSS software, it is possible to detect significant interactions between these two variables with regard to guilt ratings.

# Discussion

## Support for Hypotheses for Main Effect of Prior Record

One of the hypotheses of the study was determining whether the criminal record of individuals affects the convictions of guilt, which was ascertained in the course of the study. From the participants included in the study, a prior criminal record has no direct impact on the verdict passed. Four out of the five males engaged in the study, however, were declared as not guilty and they expressly declared that their criminal record was not related to the present cases. In most legal precedents, the court is instructed not to use the history of the crime of the defendant in a particular case. The presence of such evidence in court is undesired, and it can only be produced in circumstances when the existing evidence is inadequate to provide a solid judgment. The court is solely required to rely on present-case evidence in the determination of the verdict for the defendant. Therefore, under neutral circumstances and when the court has enough evidence from the present scene, the prior criminal record of an individual does little impact on the determination.

In addition to the presence of the criminal history of the defendant, his reaction to it would also be an important factor to consider. Laudan & Allen (2011) state that the defendants get a chance to testify to prior evidence. If the defendant admits to having been engaged in a crime in the past, specifically one that led to the conviction, the jurors are inclined to term him guilty. Failure to present any kind of historical evidence may imply untrustworthiness of the defendant, which may be an indicator of his hiding something. Another significant factor in the effect of prior evidence on a case is the nature of the past and its relation to the present circumstance (Laudan & Allen, 2011). In cases where the previous conviction is similar to the charge being faced presently, then there exists a significant possibility of conviction for the defendant (Schmittat, 2023). However, regardless of this similarity, the court cannot pass a verdict relying on the previous crime solely. If it is to be applicable at any point, it would incline more to the sentencing aspect. Once the defendant is declared guilty, the severity of his sentence may be adjusted based on his criminal record.

## Support for Hypothesis for Main Effect of Juror Gender

Hypotheses for the effect of the gender of a juror in verdict determination were supported. The research conducted included unevenly distributed participants- five males and one female. Nevertheless, existing research contains enough information on the subject to draw substantial conclusions. Lewandowicz-Machnikowska et al. (2023) conducted the study by involving both members of the public and mock jurors to test the hypotheses. It transpired that there was no difference in the verdict passed on the majority of the issues. Both male and female participants passed almost similar verdicts on issues presented to them. Based on the criminal history of the defendant, the jurors behaved in the same manner (Hoekstra & Street, 2021). Little to no impact was caused by the prior conviction, and they all passed equally reasonable verdicts regardless of their gender.

However, an interesting observation was made on the verdicts passed based on the nature of the crime convicted of. In specific sexual assault crimes, women were more likely to convict a defendant than male jurors. Studies reveal that women are more sensitive and emotional-oriented triggering more intense reactions when certain situations arise Lewandowicz-Machnikowska et al. (2023). In cases of rape, for instance, women jurors passed more guilty verdicts than male jurors. Matters about morality and societal expectations are critical to women, casing their reactions. The effect of opposite gender jurors is also considered at this point where female jurors are more likely to acquit female sex offenders than male sex offenders. Male jurors on the other hand receive little to no effect on the nature of crime. They pass equally magnitudinous verdicts, unlike women who incline more towards severity when dealing with cases of sexual violation.

Besides the highlighted hypotheses, the study also investigated the relationship between the interaction between the two variables in the study. it majored in determining how criminal history affected men and women differently. In perspective, it implies assessing how the presentation of prior records affected the male and female jurors differently. Now, under normal circumstances, evidence should never be discussed outside the courtroom as this may largely bias the jurors (Hoekstra & Street, 2021). However, male jurors are more inclined to believe that there is a null relationship between the record and the present case. Female jurors on the other hand tended to believe in the chances of congruence in the two forms. Particularly in cases where the past criminal record led to a conviction, then the most likely verdict to be passed was guilty. Moreover, if the previous crime was similar to the issue being handled, then there was also a likelihood of passing a guilty verdict. since the study was conducted primarily on males (Hoekstra & Street, 2021). It is a clear definition of the potential impact of same-gender bias among jurors, and untold impartiality in issuing the verdicts.

## Limitations of the Research

The research cannot be without limitations. First of all, there was an imbalance between the genders involved. Out of the six participants, five were males and one was female. The data obtained and used for analysis might therefore lean more toward the male’s perception of the matter than the females. As ascertained in the sections above, there are substantial differences between the two genders in terms of perception and the verdicts delivered. Having perceptions biased to one gender is unfavorable for the comprehensiveness of the research. Moreover, the research materials used may be slightly ineffective since they were not a real case. The questions asked in the questionnaire were more hypothetical than real life, and they only provided a general insight on the matter. Court matters tend to be more complicated than those presented here, revealing a chance of ineffectiveness of those used.

Regarding the nature of the materials used, another limitation could be the fact that they were delivered impersonally. The questionnaires were handouts that required the participants to fill in details accordingly. Since there is no supervision on the nature of inquiry and emphasis, there exists a chance of misrepresentation of the facts and dishonesty from the respondents (Kings, 2014). For the results, especially the terms of guilt and virtual verdict delivery, the materials were not as efficient as they should be. Additionally, the materials used were not original, rather they were manipulated from another study. It means therefore that the questions contained in the questionnaires were adopted from a different case study, with different objectives (Kings, 2014). The information contained, the phrasing, and the urgency in compilation may be different, leading to unsuitability in getting responses for this case.

## Future Directions

Future directions should look forward more to studying the need for cognition in the juror’s perception of guilt. More research should be done on the effect of prior criminal records on the juror’s verdict and how their cognition influences their verdict. mock jurors were employed in the research and the prior evidence was only provided as supplementary information to support the proceedings (Haynes, 2023). In a practical case revolving around more complexities, it would be imperatively necessary for the jurors to have more insight into the defendants and the various factors propelling their guilt. Moreover, it is quintessential to regard the bias that men have as far as convictions are concerned. It has been particularly noted that women’s sensitivity is more towards morality and social issues that may affect the larger population. Knowledge of the men’s bias would be critical in determining the issues that may vary the neutrality of verdicts passed.

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# Appendices

**#Excel Data set**

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**#Bar chart for gender versus jury**



**#SPSS Data**

