Legal Authoritarianism and Need for Cognition Questions as Predictors of Guilty and Death Penalty Biases

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Introduction

- Jury selection based on demographics is largely ineffective (e.g., Balda et al., 2001). However, several personality traits can predict important juror attitudes and behaviors.
  - According to Butler (2008), the following traits can be useful predictors of guilty bias (Hodder, 2011, 2012), guilty verdicts (Butler, 2007), and death qualification (Butler, 2008, 2012).
  - High legal authoritarianism (Skinner & Golding, 2001)
  - Low need for cognition (Bost, 2007; Ruva et al., 2007)
  - Belief in a just world (Butler & Moreau, 2007)
  - Internal locus of control (Butler & Moran, 2007)

- Unfortunately, judges are reluctant to allow the use of entire scales in jury surveys, let alone in court-ordered selection based on demographics.

Method

- Participants: 100 jury-eligible adults recruited in the Kentucky county where the murders took place.
- Table set up at local businesses and parks.
- Qualifica survey administered on laptops and iPads.
- Revised Legal Attitude Questionnaire (RLAQ) and Need for Cognition Scale (NFC).

Results

- We ran correlations between individual items from the two scales, RLAQ with Guilty Bias, NFC with Guilty Bias, NFC with Death Penalty Bias. We then tried combinations of the highest-correlating 2, 3, 4, and 5 scale items. Our goal was to ascertain how much stronger, if at all, specific combinations of items would be as predictors of bias than the individual items were.
- Figures 1-5 show results for individual items and the best combination of items for each scale. The figures contain shorthand versions of the items. All correlations are graphed in the same direction for ease of strength comparisons. A negative sign indicates a reverse-scored item.
- For all figures *indicates p < 0.01; **indicates p < 0.05.

Discussion

- Top RLAQ items correlated with Death Penalty Bias items in the .50 range. Combining the Top 5 raised the correlation to .70.
- Top NFC items correlated with Guilty Bias items in the .3-4 range. Combining the Top 3 raised the correlation to .5.

Summary

- Top RLAQ items correlated with Death Penalty Bias items in the .50 range. Combining the Top 5 raised the correlation to .70.
- Top NFC items correlated with Guilty Bias items in the .3-4 range. Combining the Top 3 raised the correlation to .5.

Guidelines

- Use Qualtica survey.
- Use top items from each scale, if possible.
- Combine RLAQ and NFC items for best results.

References