POSITIVE AND NEGATIVE PRETRIAL PUBLICITY

The Roles of Impression Formation, Emotion, and Predecisional Distortion

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The authors investigated the effects of exposure to pretrial publicity (PTP) on impression formation, juror emotion, and predecisional distortion. Mock jurors read news articles containing negative (antidefendant) PTP or positive (prodefendant) PTP or unrelated articles. One week later, they viewed a videotaped murder trial and then made decisions about guilt. Jurors' emotions were measured three times during the experiment: before exposure to PTP, immediately after exposure to PTP, and immediately following the trial. Exposure to both positive and negative PTP significantly affected verdicts, perceptions of defendant credibility, emotion (anger and positive emotions), and predecisional distortion. Defendant's credibility, jurors' emotions, and predecisional distortion significantly mediated the effect of PTP on guilt ratings.

Keywords: juror decision making; juror bias; predecisional distortion; emotion; pretrial publicity

The conflict between the right of freedom of the press found in the First Amendment and the right to an impartial jury guaranteed in the Sixth Amendment of the U.S. Constitution has been the source of much controversy regarding the potentially biasing impact of pretrial publicity (PTP; Linz & Penrod, 1992; Studebaker & Penrod, 1997). That is, the people's right to be informed about criminal matters by the press makes it difficult to protect a defendant's right to an impartial jury and fair trial. In fact, several court decisions have been reversed as a consequence of PTP's potential to bias jury decisions (*Irvin v. Dowd*, 1961; *Sheppard v. Maxwell*, 1966; for reviews, see Posey & Wrightsman, 2005; Studebaker & Penrod, 1997). Extensive research supports the contention that negative PTP (N-PTP; antidefendant, or publicity that paints the defendant in a negative light) can bias juror decision making by rendering a juror incapable of determining a verdict based solely on trial evidence (for review, see Steblay, Besirevic, Fulero, & Jiminez-Lorente, 1999). Specifically, research has found that jurors who are exposed to N-PTP are more likely to find the defendant guilty and view the defendant as less credible than jurors who are exposed to neutral

or unrelated PTP (e.g., Kerr, Niedermeier, & Kaplan, 1999; Kramer, Kerr, & Carroll, 1990; Otto, Penrod, & Dexter, 1994; Ruva, McEvoy, & Bryant, 2007).

The majority of PTP tends to be negative or antidefendant (Dexter, Cutler, & Moran, 1992; Freedman & Burke, 1996; Imrich, Mullin, & Linz, 1995; Lieberman & Arndt, 2000; Lieberman & Sales, 2006; Moran & Cutler, 1991). Positive or prodefendant PTP (P-PTP) also exists, primarily in cases in which a defendant holds celebrity or high status in the community (e.g., Martha Stewart, Michael Jackson, Kobe Bryant). Only a small amount of research has explored the effects of P-PTP on juror decision making, and the results of this research have been inconsistent. For example, Kovera (2002) examined how general (or non-case-specific) PTP, having either a prodefense or proprosecution slant, affected juror decisions. She found that those in the prodefense story condition required more evidence to convict the defendant than did participants in the proprosecution or control condition. However, that study did not find a significant difference between prodefense and proprosecution PTP on verdict decisions. Ruva and McEvoy (2008) sought to more directly explore the effects of P-PTP on juror verdicts by using actual news stories related to the trial that mock jurors viewed. They found that mock jurors exposed to P-PTP were significantly less likely to render guilty verdicts than mock jurors in nonexposed and N-PTP conditions. That study indicates that P-PTP can bias juror decision making and, like N-PTP, makes it difficult for jurors to ignore extralegal information.

The courts have attempted to remedy the problem of juror bias associated with PTP exposure in several ways (e.g., judicial instructions, careful voir dire, continuance, change of venue; Steblay et al., 1999). These remedies are often ineffective, unavailable, or not easily obtained by a defendant (Deitz & Sissman, 1984; Dexter et al., 1992; Kramer et al., 1990; Moran & Cutler, 1991), resulting in prejudice against the defendant. However, Bruschke and Loges (2004) suggested that these remedies may be effective in combination, although not in isolation as predominantly studied.

The failure of judicial safeguards has been attributed to the courts' assessment of jurors' ability to disregard PTP if instructed to do so. These assessments are often based on judicial "common sense" and reflect misconceptions of human information processing, memory, and decision making (Studebaker & Penrod, 1997, p. 432). For example, a juror is defined by the courts as being free from prejudice if he or she reports the ability to set aside opinion and render a verdict based solely on the evidence presented in court (Imrich et al., 1995). Although much research attests to jurors' inability to do this (Steblay et al., 1999), both the courts and PTP researchers have indicated that social scientists do not have an adequate understanding of how PTP influences the thought processes of prospective jurors (Hope, Memon, & McGeorge, 2004; Moran & Cutler, 1991; Studebaker & Penrod, 1997). Therefore, more research exploring the mediational processes responsible for PTP's biasing effects on juror decision making is needed. With this purpose in mind, we investigated whether biased impression formation (defendant credibility), emotion, and predecisional distortion are possible mechanisms through which N-PTP and P-PTP impart their biasing effects on juror decision making. In addition, we explored the relationship among these cognitive and emotional factors and their relative contribution to PTP bias.

One possible explanation for how PTP influences verdict outcomes is that it affects jurors' impression of the defendant's credibility. N-PTP has been shown to affect jurors' perceptions of defendant credibility by causing them to form negative impressions of the

defendant (Dexter et al., 1992; Kramer et al., 1990, Ruva et al., 2007). P-PTP has also been shown to affect jurors' impressions of the defendant, with jurors exposed to P-PTP rating the defendant as more credible than jurors exposed to N-PTP or unrelated news stories (Ruva & McEvoy, 2008). Importantly, defendant credibility has been found to mediate the effects of both N-PTP and P-PTP on guilt ratings (Ruva & McEvoy, 2008). The research presented here expands on Ruva and McEvoy's (2008) and Ruva et al.'s (2007) research by exploring the relative contribution of defendant credibility in a multiple-mediation model.

Another possible explanation for how PTP influences verdict outcomes is that PTP elicits emotional responses that in turn affect jurors' decisions. Feigenson and Park (2006) proposed that emotion can influence legal decisions by affecting how the information is processed, biasing decisions in the direction of the emotion, and providing informational cues. Thus, negative emotions could negatively bias the probative information jurors process, which could be detrimental for a defendant (Salerno & Bottoms, 2009).

Research has demonstrated that negative emotional responses elicited by the defendant can affect juror (Kramer & Kerr, 1989) and jury (Kramer et al., 1990) decision making. Specifically, Kramer et al. (1990) exposed jurors to N-PTP that was either factual or emotional to explore the relative strength of bias that each created. Jurors provided emotional reactions to the PTP by completing four Likert-type scales during voir dire for manipulation check purposes. Results indicated that juries exposed to emotional PTP developed a stronger bias against the defendant and reported more negative emotion than those exposed to factual PTP. A time delay was unable to diminish the biasing effect of emotional PTP on verdicts. Ogloff and Vidmar (1994) found that mock jurors exposed to emotionally charged PTP were more guilt prone than jurors not exposed to PTP. However, emotional responses were not directly measured, and jurors were not exposed to trial stimuli. Therefore, it is unclear whether emotional responses would influence verdict decisions. Honess, Charman, and Levi (2003) asked mock jurors to recall real-life PTP and then interpreted their recalls as either factual or affective/evaluative. Mock jurors were then exposed to prosecution and defense opening statements along with the judge's introductory briefing. Jurors who recalled affective/evaluative PTP had increased antidefendant reasoning, lowered approval of the defense's argument, and increased confidence in guilt compared with those recalling factual PTP. In contrast, Wilson and Bornstein (1998) compared factual and emotional PTP and found that there was no significant difference between the PTP conditions in jurors' verdict options (murder vs. manslaughter).

Unfortunately, we were unable to uncover any PTP research that has explicitly examined the effects of positive emotions on juror decisions. Therefore, it is unclear what, if any, effect positive emotions would have on juror decisions. Additionally, none of the aforementioned studies directly measured participants' emotional states immediately following PTP or trial exposure. As such, it is unknown whether those exposed to "emotional" PTP actually had emotional reactions that differed from those exposed to factual PTP at the time of PTP or trial exposure (cf. Kramer et al., 1990). Moreover, none of these studies discriminated between types of negative emotions (e.g., depression, anger, anxiety) or whether these emotions would be experienced in response to PTP exposure. Distinguishing among the different types of negatively valenced emotions is necessary given that these various types have been found to have different effects on judgments (e.g., anger and disgust vs. anxiety or sadness; Loewenstein & Lerner, 2003; Zillmann, 1983; also see Feigenson & Park, 2006,

for review). As such, the inconsistent findings in this literature could be the result of these issues and/or varying methodology (e.g., differing operational definitions of emotional and factual PTP, the existence or absence of a true control group, and different verdict measures; see Wilson & Bornstein, 1998).

The Appraisal-Tendency Framework, as proposed by Lerner and Keltner (2000, 2001), states that certain emotions should have unique effects on both the content and process of judgments and decision making. This theory suggests that an emotion such as anger can be carried over to judgments and decisions regardless of whether the emotional state is related to the final decision (Loewenstein & Lerner, 2003; Zillmann, 1983). Anger was targeted in this study because it has been found to influence perceptions, beliefs, reasoning, choices, and punitiveness (Bodenhausen, Sheppard, & Kramer, 1994; Lerner, Goldberg, & Tetlock, 1998; Lerner & Tiedens, 2006).

Social science research has shown that participants who are made to feel angry are not as cautious in their decision making as those who feel other forms of negative affect, such as sadness (Bodenhausen et al., 1994; Tiedens, 2001). Furthermore, there is evidence that those who are angry will be more influenced by stereotypes. Past research has found that angry participants in comparison with neutral or sad participants were more likely to use racial stereotypes when deciding guilt in an assault case (Bodenhausen, et al., 1994; Tiedens & Linton, 2001). Such automatic, superficial, and heuristic processing could lead to a feeling of certainty that leads a person to feel more confident in his or her preconceived judgment and less likely to consider further information (Feigenson & Park, 2006; Lerner & Keltner, 2001; Lerner & Tiedens, 2006).

As a result of these studies, we propose that it is possible for anger to act as an emotional mechanism in the context of juror decision making. That is, jurors' anger may mediate the impact of PTP on decisions regarding guilt. For example, research has illustrated that anger (toward a defendant) mediates the influence of gruesome photographs on juror verdicts, specifically by increasing the weight of inculpatory evidence (Bright & Goodman-Delahunty, 2006). Another study involving a negligence case found that anger mediated the impact of the severity of victim injuries and blameworthiness on judgments of fault (Feigenson, Park, & Salovey, 2001). Therefore, anger may account for the influence of N-PTP on jurors' decisions.

Finally, it is possible that a cognitive mechanism, such as predecisional distortion, may also contribute to the biasing effects of PTP on juror decision making. Predecisional distortion theory (Carlson & Russo, 2001) proposes that early on, trial evidence is distorted in support of one side (as opposed to weighing evidence according to its actual probative value), resulting in biased decisions. After each new piece of evidence is received, jurors distort that evidence to support whichever side is currently leading (Carlson & Russo, 2001). Research has found that bias evaluation of new information in the direction of the leading side is at least partly due to a desire to see separate pieces of relevant information in a consistent manner (Russo, Carlson, Meloy, & Yong, 2008). Research has also shown that this distortion increases as confidence that the current leader will win increases (Carlson & Russo, 2001; Russo, Meloy, & Medvec, 1998; Russo, Meloy, & Wilks, 2000). As the trial proceeds, this distortion is compounded, ultimately influencing verdicts.

Hope et al. (2004), using Carlson and Russo's (2001) paradigm, examined whether predecisional distortion could be a mechanism through which N-PTP imparts its biasing effects on juror decisions. Their participants were exposed to either an N-PTP article or a

control article and then read trial transcripts during a single experimental session. The results indicated that there was a significant increase in the number of guilty verdicts for those exposed to N-PTP as well as higher levels of predecisional distortion (toward the prosecution). Additionally, those in the N-PTP condition were significantly more confident that the defendant was guilty compared with the nonexposed condition. Hope et al. concluded that order effects may play a role in that if the prosecution takes an early lead and one has been exposed to N-PTP, it will be very difficult for mitigating evidence to be weighed accurately against other evidence.

In summary, the mechanisms responsible for the biasing effects of PTP on jurors' decision are not fully understood. On the basis of the aforementioned research, we hypothesize that there are multiple mechanisms that independently contribute to the biasing effects of PTP. One possible mechanism is impression formation (defendant credibility), which prior research has found to mediate the effects of both N-PTP and P-PTP on guilt ratings (Ruva & McEvoy, 2008). Another potential mechanism, emotion, has limited research with inconsistent findings across studies. We focused specifically on anger, because the large majority of PTP is antidefendant, and anger has been found to mediate jurors' decisions (Feigenson et al., 2001). However, we realize that P-PTP could elicit positive emotions that may affect juror decision making, but no previous research can attest to this. Therefore, we explored the effect of positive emotions on jurors' decisions. Finally, Hope et al.'s (2004) study has provided support for the notion that predecisional distortion can serve as a mechanism through which N-PTP imparts its biasing effects on jurors' verdicts, but P-PTP has not been examined in this context. The study presented in this article adds to Hope et al.'s research and improves on its ecological validity by exposing mock jurors to actual PTP (both positive and negative), implementing a time delay between exposure to PTP and the trial, and having mock jurors view an actual videotaped trial (as opposed to written transcripts).

RESEARCH HYPOTHESES

In reference to the research and theory presented above we developed four research hypotheses:

Hypothesis 1A: Jurors exposed to N-PTP will be more likely to render guilty verdicts, provide higher guilt ratings, and rate the defendant as less credible than those in the P-PTP or non-exposed condition.

Hypothesis 1B: Jurors in the P-PTP condition will be more likely to render not-guilty verdicts, provide lower guilt ratings, and view the defendant as more credible than those in the N-PTP or nonexposed condition.

Hypothesis 2A: PTP will have a significant effect on jurors' emotions (see "Method" for description of the measures of emotion), with jurors exposed to N-PTP having greater anger than jurors in the P-PTP or nonexposed condition. Jurors exposed to P-PTP will indicate more positive emotions than jurors in the N-PTP or nonexposed condition.

Hypothesis 2B: Juror anger will be positively related to guilt ratings so that as anger increases, so will guilt ratings. Jurors' positive emotions will be negatively related to guilt ratings.

Hypothesis 3: Jurors exposed to either N-PTP or P-PTP are expected to have higher predecisional distortion scores than jurors in the nonexposed condition (see "Method" for description of the predecisional distortion measure). Specifically, jurors exposed to P-PTP will have increased distortion in favor of the defendant, and those exposed to N-PTP will have increased distortion in favor of the prosecution.

Hypothesis 4: Finally, a multiple mediational analysis was conducted to explore how PTP imparts its biasing effects on juror decision making. We proposed that the same mechanisms are at work for both N-PTP and P-PTP. Specifically, emotions (anger and positive emotions), predecisional distortion scores, and defendant credibility scores are expected to mediate the effects of PTP on guilt ratings. The coefficients for the mediational effects (indirect effects) of predecisional distortion and anger are expected to be positive, whereas those for credibility and positive emotions are expected to be negative.

METHOD

PARTICIPANTS

The participants were 201 university students (53 men and 148 women) who received extra course credit for participating in the experiment. They ranged in age from 18 to 41 years (*M* = 19 years, *SD* = 2.36 years). The racial composition of the sample was 70% White, 13% Hispanic, 11% African American, 5% Asian, and 1% other. Participants were randomly assigned to one of the PTP conditions (positive, negative, and nonexposed) at the beginning of Phase 1. There were 69 participants in the N-PTP condition, 68 in the P-PTP condition, and 64 in the nonexposed condition.

DESIGN

We used a between-subjects design (PTP exposure: negative, positive, or nonexposed). Both the N-PTP and P-PTP conditions received PTP about the defendant in the stimulus trial, and the nonexposed jurors read unrelated crime articles.

STIMULI

Trial. The stimulus materials consisted of a real videotaped criminal trial (*NJ v. Bias*, 1991) and written PTP based on actual news coverage of the case. The videotape depicting the trial of a man accused of murdering his wife was edited to run approximately 30 minutes and has been used in prior research (e.g., Hope et al., 2004; Pritchard & Keenan, 1999, 2002; Ruva & McEvoy, 2008; Ruva et al., 2007). The defendant pled not guilty and testified at trial that his wife accidentally shot herself when he tried to prevent her from committing suicide by shooting herself in the head. Both prior research (Hope et al., 2004; Pritchard & Keenan, 1999, 2002; Ruva et al., 2007) and pilot work indicated that the trial was ambiguous as to guilt and was perceived as being realistic and believable. A trial that is ambiguous as to guilt is more likely to be open to biasing influences than one that is unambiguous (i.e., in which evidence seems heavily weighted toward one side or the other).

The trial was segmented into nine sections, with Section 1 consisting of the opening arguments of both attorneys, Sections 2 through 8 the direct and cross-examination of seven witnesses (one of whom was the defendant), and Section 9 the attorneys' closing arguments and judicial instructions. The trial was segmented to allow the jurors to complete the predecisional distortion questionnaire after each witness' testimony.

PTP. All participants were given packets containing news articles about crimes that were taken from a Web-based archive for the *Morning Call* newspaper. Participants in the N-PTP

(antidefendant) and P-PTP (prodefendant) conditions received news stories that were modified from actual PTP from the *NJ v. Bias* trial. These news stories contained general information about the case (e.g., victim, when and where the crime took place, description of the crime) as well as information that was not presented at trial and that could have a biasing effect on juror verdicts (see Appendix B for a sample of each type of PTP information).

Participants in the nonexposed PTP conditions received actual news articles involving an unrelated crime in which a woman was accused of embezzling child support funds. These articles were similar in composition to the news articles in the PTP conditions (i.e., all three packets contained nine separate news articles of approximately the same length and consisted of 10 pages of text) and were negative (antidefendant) in nature.

MEASURES

Verdicts and guilt ratings. The participants were asked to indicate their verdicts (not guilty or guilty). Then they were asked to provide a guilt rating. The lowest possible guilt rating was 1, indicating that the participant rendered a "not guilty" verdict and was completely confident in the decision; the midpoint was 4, indicating that the participant was not sure whether the defendant was guilty or not guilty; the highest possible guilt rating was 7, indicating that the participant rendered a "guilty" verdict and was completely confident in the decision. Our guilt rating scale is similar to guilt measures used in previous mock jury research (e.g., Bottoms & Goodman, 1994; Hope et al., 2004; Hosman & Wright, 1987; Jones & Kaplan, 2003; Ruva et al., 2007; Schmidt & Brigham, 1996; Wilson & Bornstein, 1998). The guilt ratings provide a continuous measure of guilt allowing for greater variability and hence a more sensitive measure of guilt than a dichotomous verdict measure.

Credibility ratings. A number of characteristics relevant to the credibility of the defendant (e.g., memory accuracy, confidence, consistency of testimony, bias or objectivity, honesty) were assessed using a 7-point, Likert-type scale. This scale has been used in past research and has been found to have high internal consistency and convergent validity (Ruva & Bryant, 2004; Ruva & McEvoy, 2008; Ruva et al., 2007). The highest possible score on the defendant credibility scale was 81, with higher scores indicating higher credibility. Mock jurors' ratings of the defendant's credibility ranged from 20 (low credibility) to 78 (high credibility).

Anger. Spielberger's State-Trait Personality Inventory (STPI; Spielberger, 1983; Spielberger & Reheiser, 2003) consists of eight 10-item scales designed to measure the emotional states (defined as transitory) and traits (defined as relatively stable individual differences) of anxiety, anger, depression, and curiosity (Spielberger & Reheiser, 2009). The anxiety, anger, depression, and curiosity items are intermixed throughout the state and trait portions of the STPI. To protect against order effects, we administered four different item orders of this scale.

The main purpose of administering the STPI was to assess participants' state levels of anger (S-Anger). The STPI was completed twice: once at the beginning of Phase 1 and again immediately following the trial presentation during Phase 2. This allowed for an overall measure of a jurors' state anger after viewing the trial (S-Anger 2) as well as allowing for the calculation of S-Anger change scores (participants' Phase 2 scores minus their Phase 1 scores). The instructions at the beginning of Phase 1 asked jurors to "describe how

you feel right now, at this moment," while the instructions immediately following the trial asked jurors to "describe how you felt while watching the trial." The S-Anger scale of the STPI is further divided into two subscales: (a) feeling angry (i.e., "I feel irritated"; S-AgF) and (b) feeling like expressing anger (i.e., "I feel like hitting someone, or I feel like breaking things"; S-AgX). This distinction between angry feelings and expression (behavior) is what makes the STPI different from most psychometric measures of anger (including our emotional reaction measure, discussed next), which tend to confound feelings with behavior (Spielberger & Reheiser, 2009).

Emotional reactions to PTP. Jurors' emotional reactions to the PTP and unrelated news articles were also measured via a recall test and an emotion word list. Similar to Honess et al. (2003), we had participants recall PTP they were exposed to. Once participants finished reading the PTP or unrelated news articles, they were given 15 minutes to recall as much as they could about the articles they just read. Unlike Honess et al., who used independent coders to infer the emotionality of the recall, we had jurors read the information contained in their recalls and provide emotional responses using an emotion word list[1] (see Appendix A). Jurors were instructed to "write a single word from this list which best represents the *emotional response* you experienced when reading that particular piece of information. You don't need to do this for each line, but rather for each complete thought or statement."

As can be seen in Appendix A, the emotion words were divided into three categories (positive, neutral, and negative). The positive ($n = 14$) and negative ($n = 12$) emotion words were derived from two main sources: Watson, Clark, and Tellegen's (1988) Positive and Negative Affect Schedule scales and Spielberger's (1983) STPI. For analysis purposes only, the negative words were further divided into three subscales (anger, anxiety, and depression), which are consistent with the three STPI scales. The neutral words were derived from a thesaurus search and pilot testing. This piloting involved having participants ($n = 16$ research assistants) categorize all of the words (negative, positive, and neutral) into one of the three emotion valence categories. Disagreements were resolved through group discussion, resulting in the final list consisting of three valence categories. Although it was necessary to give participants the option of choosing from a variety of emotions, we only examined the impact of anger and positive emotions on juror decisions in the current study.

Predecisional distortion scale. The predecisional distortion scale and procedure used to measure it were developed by Carlson and Russo (2001) and have been used by other researchers (e.g., Hope et al., 2004). Following both Carlson and Russo's and Hope et al.'s (2004) methods, each of the seven witnesses' videotaped testimony was followed by the same three questions. This was done to measure whether jurors distort a witness's testimony in the direction of their current leader, thus demonstrating predecisional distortion (Carlson & Russo, 2001). The first question asked the participants to consider only the witness testimony they just viewed and decide which side it favored and how strongly it favored that side. The response options ranged from 1 (*strongly favored the defense*) to 9 (*strongly favored the prosecution*), with the midpoint, 5, indicating that it *favored neither party*. The second question asked the participants to consider all of the evidence presented in the trial and then indicate who they believed was the current leader (prosecution or defense). The third question asked participants to indicate how confident they were that their current

leader would eventually "win" the trial. The scale ranged from 50% (the parties have an equal chance of winning) to 100% (the current leader would definitely win).

The predecisional distortion scores were derived using Carlson and Russo's (2001) method, which was clearly explained by Hope et al. (2004) and briefly explained here. Predecisional distortion is demonstrated when jurors bias their evaluations of a witness's testimony in the direction of their current leader (Carlson & Russo, 2001) rather than on its true probative value (leader-free evaluation). Using an example similar to Carlson and Russo, if the leader-free value of a witness' testimony slightly favors the defense and the juror indicates that it slightly favors the defense, then this evaluation is unbiased (not distorted). In contrast, if this juror indicates that the testimony favors neither side, this evaluation is distorted in the direction of the prosecution. If the juror's current leader is the prosecution, this distortion would be scored as positive given its undersupportive evaluation of a prodefense witness that favored the current leader. To calculate distortion scores, we subtracted the leader-free diagnosticity (LeaderFree_j) from jurors' evaluative score of the witnesses (Eval_{ij}). These score were multiplied by $+1$ if the evaluation was in the direction of the current leader or by -1 if the direction was away from the leader. Distortion scores were calculated for each witness using the formula $(+1 \text{ or } -1) \times (\text{Eval}_{ij} - \text{LeaderFree}_j)$.

PROCEDURE

The experiment consisted of two phases, which are explained below.

Phase 1. During Phase 1, participants were run in groups of 12 or fewer and were randomly assigned to PTP conditions. They were told that the study involved examining how personality affects people's emotional reactions to stories about crime. This cover story was provided so that participants would be unaware that they were participating in a study involving juror decision making. During the debriefing at the end of Phase 2, participants were asked if they believed the cover story. The majority of the participants indicated that they had (P-PTP = 96%, N-PTP = 83%, and nonexposed = 89%).

Participants' first tasks during Phase 1 were to complete a demographic questionnaire and the STPI (Spielberger, 1983; Spielberger & Reheiser, 2003). Next, participants were given the news articles and were asked to read all of the articles thoughtfully. They were then given 15 minutes to write down as much information as they could remember from the news articles. After recall was completed, participants were asked to indicate their emotional responses to the information they had recalled by selecting words from the emotional word list (see Appendix A). Once this task was completed, participants were excused for the day and were reminded to return in 1 week for the second phase of the experiment.

Phase 2. One week after exposure to the news articles, participants viewed a videotaped murder trial that was divided into nine sections consisting of an introduction with opening arguments from both attorneys, the testimony from six witnesses and the defendant, and the closing arguments of the prosecution and the defense attorney. After each witness' testimony and the defendant's testimony the video was stopped, and the participants answered the three predecisional distortion questions (Carlson & Russo, 2001). After viewing the entire trial, the participants once again completed the STPI. This allowed us to measure state anger associated with trial exposure and provided scores needed to calculate S-Anger

TABLE 1:   Frequency Counts for Verdicts and Means and Standard Deviations for Guilt Ratings and
           Defendant Credibility Ratings

| PTP Condition | Verdict | | | Guilt Rating | Defendant Credibility |
	Not Guilty	Guilty	Total Verdicts		
Positive PTP	52 (76%)	16 (24%)	68 (34%)	3.15 (1.55)	53.62 (11.85)
Negative PTP	14 (20%)	55 (80%)	69 (34%)	5.67 (1.24)	37.27 (8.99)
Nonexposed	26 (41%)	38 (59%)	64 (32%)	4.73 (1.85)	42.78 (12.32)
Total	92 (46%)	109 (54%)	201 (100%)	NA	NA

Note. NA = not applicable; PTP = pretrial publicity. Percentages are presented in parentheses following their respective frequencies, and standard deviations are presented in parentheses following their respective means. The following scale was used for guilt ratings: 1 = *high confidence not guilty*, 4 = *unsure whether defendant is guilty or not guilty*, 7 = *high confidence guilty*. The highest possible score on the defendant credibility scale was 81. The higher the score, the more credible the defendant was rated.

change scores. Participants then rendered verdicts after being instructed to (a) only use information contained in the trial when making these decisions and (b) not use any of the information contained in the news articles when making verdict decisions. Participants then completed the credibility scale and debriefing questionnaire.

ANALYSES

For all analyses, the α level for significance was set at .05. Chi-square tests were used to analyze verdicts. Point biserial correlations were used for all correlation analyses that included the dichotomous verdict variable. Unless otherwise specified, all other dependent measures were analyzed using one-way analyses of variance (PTP: negative, positive, or nonexposed), and the follow-up test consisted of contrast statements. Effect sizes are reported as ω^2 values for analyses of variance and as Cramer's V values for χ^2 tests.

RESULTS

HYPOTHESES 1A AND 1B: GUILT MEASURES AND DEFENDANT CREDIBILITY

Exposure to PTP had a significant effect on juror verdicts, guilt ratings, and defendant credibility ratings, $\chi^2(2, N = 201) = 44.55$, $V = .47$, $p < .01$, and $F(2, 198) = 45.72$ and 38.34, $MSE = 2.42$ and 123.26, $p < .01$, $\omega^2 = .31$ and .27, respectively. As expected, jurors exposed to N-PTP were significantly more likely to vote guilty, indicate higher guilt ratings, and rate the defendant as less credible than jurors in the P-PTP and nonexposed conditions (see Table 1), $\chi^2(1, N = 137$ and 141) = 43.29 and 6.58, $p < .02$, $V = .56$ and .22, and $F(1, 198) = 55.62$ and 43.88, $MSE = 2.38$, and 123.26, $p < .01$, $\omega^2 = .19$ and .16, respectively.

Also as expected, jurors exposed to P-PTP were significantly more likely to vote not guilty, indicate lower guilt ratings, and rate the defendant as more credible than jurors in the N-PTP and nonexposed conditions (see Table 1), $\chi^2(1, N = 137$ and 132) = 43.29 and 17.52, $p < .01$, $V = .56$ and .36, and $F(1, 198) = 78.17$ and 67.46, $MSE = 2.42$ and 123.26, $p < .01$, $\omega^2 = .27$ and .24, respectively. Thus, P-PTP resulted in the expected prodefense bias, whereas N-PTP resulted in the expected proprosecution bias.

TABLE 2: **State-Trait Personality Inventory State Anger (Spielberger, 1983) and Emotion Word Means and Standard Deviations**

	PTP Condition		
Scale Name	Positive PTP	Negative PTP	Nonexposed
S-Anger 2	13.13 (3.52)$_a$	15.10 (4.07)$_b$	13.19 (3.45)$_a$
S-Anger change score	1.76 (3.65)$_a$	4.04 (5.24)$_b$	2.05 (3.99)$_a$
S-Anger–Feel Like Expressing 2	7.76 (2.77)$_a$	9.48 (3.46)$_b$	7.81 (2.77)$_a$
S-Anger–Feeling 2	5.37 (1.21)$_a$	5.62 (1.11)$_a$	5.38 (1.37)$_a$
S-Anger Expression change score	2.40 (2.76)$_a$	4.17 (3.87)$_b$	2.19 (3.20)$_a$
S-Anger Feeling change score	−0.63 (1.83)$_a$	−0.13 (2.21)$_a$	−0.14 (1.71)$_a$
Total number of emotion words	16.57 (7.33)$_a$	14.67 (7.42)$_a$	10.06 (3.75)$_b$
Positive word proportion	0.26 (0.16)$_a$	0.13 (0.11)$_b$	0.13 (0.13)$_b$
Negative word proportion	0.31 (0.20)$_a$	0.48 (0.20)$_b$	0.46 (0.24)$_b$
Anger word proportion	0.13 (0.11)$_a$	0.34 (0.16)$_b$	0.38 (0.22)$_b$

Note. PTP = pretrial publicity. Standard deviations are presented in parentheses following their respective means. Means with different subscript letters are significantly different at the .05 level. The means for S-Anger scores were either measured at Time 2 (after viewing the trial) or are change scores in which Time 1 score is subtracted from Time 2 score. The maximum score for S-Anger 2 is 40, and the maximum for each subscale is 20.

TABLE 3: **Correlations Among the Emotion Word Proportions, State-Trait Personality Inventory State Anger Change Scores, Two Guilt Measures, and Defendant Credibility**

	S-Anger	S-AgX	Posprop	Angprop	Verdict	Guiltrat	Defcred
S-Anger	1.00	0.91**	−0.01	0.13	0.20**	0.21**	−0.24**
S-AgX		1.00	−0.03	0.17*	0.19**	0.20**	−0.25**
Posprop			1.00	−0.33**	−0.22**	−0.29**	0.19**
Angprop				1.00	0.30**	0.37**	−0.37**
Verdict					1.00	0.88	−0.73**
Guiltrat						1.00	−0.82**
Defcred							1.00

Note. Angprop = proportion of anger words; Defcred = defendant credibility; Guiltrat = guilt rating; Posprop = proportion of positive words; S-AgX = expressing anger change; S-Anger = state anger change.
*p < .05. **p < .01.

HYPOTHESES 2A AND 2B: EMOTIONS

PTP had a significant effect on both S-Anger 2 scores (measured immediately following the trial) and S-Anger change scores, $F(2, 198) = 6.26$ and 5.53, $MSE = 13.67$ and 19.04, $p < .01$, $\omega^2 = .05$ and $.04$, respectively. As predicted, jurors exposed to N-PTP scored higher on state anger after viewing the trial and had significantly larger S-Anger change scores than jurors in the P-PTP and nonexposed conditions (see Table 2), $F(1, 198) = 14.15$ and 10.87, $MSE = 13.67$ and 19.04, $p < .01$, $\omega^2 = .05$ and $.05$, respectively. Also as expected, jurors' guilt and defendant credibility ratings were significantly correlated with jurors' state anger change scores (see Table 3), $r(199) = .21$, $p < .01$, so that as state anger change scores increased, guilt ratings also increased and defendant credibility ratings decreased.

The STPI anger scale consists of two subscales: feeling angry (S-AgF) and feeling like expressing anger (S-AgX). For these subscales, there were also overall measures of anger and change scores. Only the S-AgX subscale (measured after viewing the trial) and its change score significantly differ as a function of PTP condition, $F(2, 198) = 7.09$ and 7.35,

MSE = 9.13 and 10.97, *p* < .01, ω^2 = .06 and .06, respectively. Jurors exposed to N-PTP felt like expressing significantly more anger after viewing the trial and had significantly higher S-AgX change scores than jurors in the P-PTP and nonexposed conditions (see Table 2), *F*(1, 198) = 14.15 and 14.62, *MSE* = 9.14 and 10.97, *p* < .01, ω^2 = .06 and .06, respectively. Jurors' guilt ratings and defendant credibility ratings were significantly correlated with their S-AgX change scores (see Table 3), so that as S-AgX change scores increased, guilt ratings also increased and defendant credibility ratings decreased.

In addition to our planned analyses involving anger, we conducted exploratory analyses examining whether juror anxiety, depression, and curiosity (assessed by the STPI scale) significantly varied as a function of PTP exposure. PTP did not have a significant effect on the change scores for anxiety, depression, or curiosity, *F*(2, 198) = 1.44, 1.36, and 1.70, *MSE* = 27.33, 18.01, and 13.64, *p* > .18.

Jurors' emotions were also measured immediately following their exposure to the newspaper articles (PTP or unrelated articles). This involved jurors writing down as much information as they could recall from these articles and then providing emotion words from an emotion word list (see Appendix A) to indicate their emotional responses to the information they recalled. There was a significant effect of PTP on the total number of emotion words that jurors used to indicate how they felt while reading the news articles, *F*(2, 198) = 17.66, *MSE* = 41.58, *p* < .01, ω^2 = .14. Jurors who read either P-PTP or N-PTP used more emotion words than jurors who read the unrelated news stories (see Table 2), *F*(1, 198) = 32.40, *MSE* = 41.58, *p* < .01, ω^2 = .13.

The proportion of words used from an emotion category (e.g., negative or positive) was calculated by dividing the number of emotion words used from that category by the total number of words used, thus providing us with a measure of the emotional valence of jurors' recalls. As expected, PTP also had a significant effect on the valence of emotion words used by jurors. Jurors exposed to P-PTP used a greater proportion of positive emotion words and a smaller proportion of negative emotion words to describe their feelings than did jurors in the N-PTP or nonexposed conditions (see Table 2), *F*(1, 198) = 39.66 and 27.78, *MSE* = 0.02 and 0.04, *p* < .01, ω^2 = .16 and .12, respectively.

The negative emotion words were divided into three subscales (anger, anxiety, and depression). Because of theory (described in the introduction) and the fact that over half of the jurors did not use any depression or anxiety words (*n* = 104 and 126, respectively), we analyzed only the anger subscale. There was a significant effect of PTP on the proportion of emotion words that jurors used from the anger subscale (see Table 2), *F*(2, 198) = 41.07, *MSE* = 0.03, *p* < .01, ω^2 = .28. As predicted, jurors exposed to N-PTP used a significantly greater proportion of angry words than did P-PTP jurors (see Table 2), *F*(1, 135) = 50.77, *MSE* = 0.03, *p* < .01, ω^2 = .18, but contrary to our predictions, they did not use a significantly greater proportion than the nonexposed jurors, *F*(1, 131) = 1.97, *MSE* = 0.03, *p* = .16. This unexpected finding is most likely due to the fact that our unrelated news stories involved a woman who was accused of embezzling child support funds, and because these stories do involve a crime, they too elicited negative emotions.[2] Therefore, we did not have a PTP condition that could be considered emotionally neutral.

We expected that the proportion of angry words would be positively related to the guilt measures and negatively related to the defendant credibility. The positive emotion words were also expected to be significantly related to the same measures, but in the opposite direction. As can be seen in Table 3, the proportion of angry emotion words used, as well

as the proportion of positive words used, were significantly related (in the expected directions) to the guilt measures and defendant credibility. These analyses indicate that jurors who used a large proportion of angry words were also likely to provide higher guilt ratings and to view the defendant as low in credibility. In contrast, those who used a larger proportion of positive emotional words were likely to provide lower guilt ratings and view the defendant as a credible witness.

In summary, N-PTP jurors scored significantly higher on all of our anger measures than P-PTP jurors, and these anger measures were found to be positively related to jurors' guilt ratings and verdicts. In addition, jurors exposed to P-PTP scored significantly higher on the positive emotion measure than N-PTP and nonexposed jurors, and this positive emotion measure was found to be negatively related to guilt ratings and verdicts. These results suggest that our PTP manipulation elicited the expected emotional responses in our jurors.

HYPOTHESIS 3: PREDECISIONAL DISTORTION SCORES

Exposure to PTP had a significant effect on mean predecisional distortion scores (across all seven witness testimonies), $F(2, 198) = 5.36$, $MSE = 0.50$, $p < .01$, $\omega^2 = .05$. Contrary to our expectations, the mean distortion scores of jurors in the P-PTP and N-PTP conditions ($M = 0.34$ and 0.73, $SD = 0.56$ and 0.73) did not significantly differ from those in the nonexposed condition ($M = 0.55$, $SD = 0.54$), $F(1, 198) = 0.02$, $MSE = 0.50$, $p = .89$. However, jurors exposed to N-PTP had significantly larger mean distortion scores than jurors exposed to P-PTP, $F(1, 198) = 10.70$, $MSE = 0.50$, $p < .01$, $\omega^2 = .05$.

As Hope et al. (2004) indicated, the distortion scores do not distinguish the direction of the bias (i.e., proprosecution or prodefense) but instead indicate whether evaluation of subsequent information is biased in favor of a juror's preferred leader. Therefore, Hope et al. recoded their distortion scores so that each reflected either a proprosecution or prodefense bias. These scores are needed to examine whether N-PTP leads to a proprosecution bias and P-PTP leads to a prodefense bias. Following Hope et al.'s coding method, we multiplied each raw distortion score (i.e., not signed to indicate whether the score favored or did not favor the current leader) by +1 if it favored the prosecution and –1 if it favored the defense. This resulted in a scale in which negative values indicated a prodefense bias and positive values a proprosecution bias. These new scores will be referred to as directional distortion scores (see Table 4).

Exposure to PTP had a significant effect on the mean directional distortion scores (across all seven witnesses), $F(2, 198) = 14.87$, $MSE = 0.69$, $p < .01$, $\omega^2 = .12$. The N-PTP jurors' mean directional distortion score for all seven witnesses was significantly larger than the P-PTP and nonexposed jurors' mean scores (see bottom row of Table 4), $F(1, 198) = 21.70$, $MSE = 0.69$, $p < .01$, $\omega^2 = .09$, indicating a proprosecution bias. Although the P-PTP jurors' mean directional distortion score (across all seven witnesses) was significantly smaller than the mean for the N-PTP and nonexposed conditions, it was on the positive (proprosecution) side of the distortion scale (see Table 4), $F(1, 198) = 15.38$, $MSE = 0.69$, $p < .01$, $\omega^2 = .09$. These mean distortion scores were significantly related to guilt ratings, $r(199) = .60$, $p < .01$, indicating that as directional distortion scores increased, so did guilt ratings.

Examination of Table 4 suggests that the mean directional distortion scores (across the seven witnesses) do not tell the entire story in that they mask the P-PTP jurors' prodefense bias for the three defense witnesses. For the defense witnesses, the distortion scores for the

TABLE 4:   **Means, Standard Deviations, and *F* Tests for Directional Distortion Scores of the Seven Witnesses**

Witness Testimony	Positive PTP	Nonexposed	Negative PTP	Omnibus F Test (2, 198)		
				F	MSE	ω^2
1. Prosecution witness	0.86_a (1.61)	0.18_b (1.51)	1.06_a (1.60)	5.60**	2.49	.05
2. Prosecution witness	−0.02 (1.83)	0.27 (2.23)	0.35 (1.76)	0.68	3.77	NA
3. Prosecution witness	0.58 (1.53)	0.82 (1.67)	0.77 (1.54)	0.43	2.49	NA
4. Prosecution witness	0.59_a (1.37)	1.19_b (1.52)	1.18_b (1.63)	3.41*	2.29	.03
5. Defense witness	-0.35_a (1.37)	0.35_b (1.49)	0.10_b (1.37)	4.23*	1.98	.04
6. Defense witness	-0.17_a (1.98)	0.60_b (2.18)	1.27_c (1.87)	9.00**	4.04	.08
7. Defendant	-0.42_a (1.52)	0.44_b (1.89)	1.74_c (1.91)	25.55**	3.17	.20
M (SD)	0.15_a (0.74)	0.55_b (0.99)	0.92_c (0.73)	21.70**	0.69	.09

Note. NA = not applicable; PTP = pretrial publicity. When omnibus *F* test is significant, contrast statements were conducted, and means with the same subscript letter are not significantly different at .05 level.
*p < .05. **p < .01.

P-PTP jurors were negative (prodefense) and were significantly smaller than the distortion scores of the N-PTP and nonexposed jurors (see Table 4). In addition, the greatest effect sizes were observed for the last two defense witnesses (a medical expert for the defense and the defendant); these were the only witnesses for which all three of the PTP conditions differed significantly.

In summary, jurors exposed to N-PTP demonstrated a reliable proprosecution bias across all seven witnesses, whereas P-PTP jurors' prodefense bias was evident only for the defense witnesses. These results suggest that N-PTP and P-PTP differentially affect predecisional distortion, with N-PTP having a more reliable effect across both prosecution and defense witnesses.

MEDIATION ANALYSES

One purpose of this research was to explore whether jurors' perceptions of defendant credibility, emotion, and predecisional distortion may be mechanisms through which both N-PTP and P-PTP impart their biasing effects on juror decision making. Before conducting our mediational analyses, we explored whether any of our proposed mediators had interactive effects on guilt ratings, which would suggest that a moderated mediation model may be more appropriate (Hayes & Matthes, 2009). There were no significant interactive effects of any of our mediators on guilt ratings, *t*(128 and 196) < 1.33, *p* > .19. Therefore, we explored the parallel or additive effects of our mediators in our multiple mediation models. Because N-PTP and P-PTP appear to differentially affect emotions and predecisional distortion, we conducted two mediation analyses. The first mediation analysis included the N-PTP and nonexposed jurors and the following mediators: (a) defendant credibility ratings, (b) directional mean distortion scores[3] (across all seven witnesses), and (c) S-Anger Expression change scores (STPI).[4] The second mediation analysis included the P-PTP and nonexposed jurors and the following mediators: (a) defendant credibility ratings, (b) directional mean distortion scores, and (c) proportion of positive words. These potential mediators were simultaneously entered into our multiple mediation models of PTP Exposure → Mediators → Guilt Ratings (Baron & Kenny, 1986; Preacher & Hayes, 2004, 2008; Shrout & Bolger, 2002).
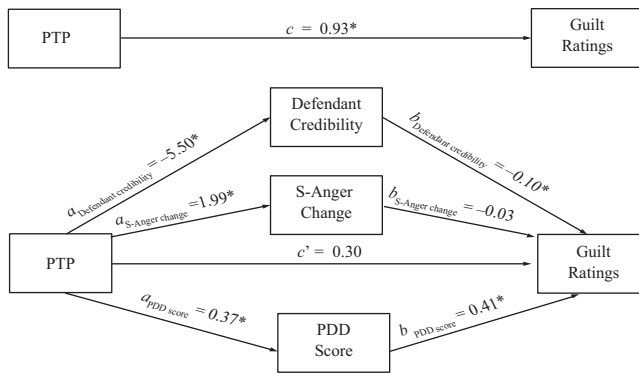
Figure 1:   Multiple Mediation Model for the Direct and Indirect Effects of Negative Pretrial Publicity (N-PTP) on Guilt Ratings

Note. Only the N-PTP and nonexposed conditions were included in these analyses. The three mediators were simultaneously entered. The bootstrapping method with bias-corrected confidence estimates (based on 5,000 bootstrap samples) was used to test our mediational hypotheses (Preacher & Hayes, 2008). The PDD scores are the directional predecisional distortion scores. The indirect effects (*ab*) were calculated by multiplying $a \times b$ paths and are in the text.
*Significant at the .05 level.

The bootstrapping method with bias-corrected confidence estimates was used to test our mediational hypotheses (Dearing & Hamilton, 2006; MacKinnon, Lockwood, & Williams, 2004; Preacher & Hayes, 2004, 2008). The bootstrapping method allowed us to enter all of our mediators into our models at once and test whether an overall indirect effect existed. It also allowed for testing the indirect effect of each mediator variable controlling for all other variables in the model, eliminating the omitted mediator problem that could lead to biased parameter estimates if several mediational hypotheses are tested with a set of simple mediation models (Judd & Kenny, 1981; Preacher & Hayes, 2008). The analyses and bootstrap estimates that follow are based on 5,000 bootstrap samples (Preacher & Hayes, 2008).

Figure 1 presents the results of our first mediation analysis (N-PTP model: N-PTP and nonexposed jurors), in which the total effect of PTP on guilt ratings was significant, $c = 0.93$, $t(198) = 3.44$, $p < .01$. The direct effect of N-PTP on guilt ratings was not significant, $c' = 0.26$, $t(198) = 1.63$, $p = .11$, while the total mediation effect was significant, point estimate (*ab* path) = 0.63, 95% confidence interval (CI) = 0.17 to 1.10, suggesting complete mediation. The directions of the model's *a* and *b* paths (see Figure 1) for the three mediators (except the *b* path for S-Anger change) are consistent with our hypotheses that exposure to N-PTP affects guilt ratings by influencing jurors' perceptions of the defendant and biasing jurors' interpretation of trial evidence. Specifically, we expected that N-PTP imparts its biasing effects by reducing defendant credibility ratings and increasing directional distortion scores (indicating proprosecution bias; see Figure 1), which results in higher guilt ratings. S-Anger change did not have a significant direct effect on guilt ratings, but all other mediators did (see Figure 1's *b* paths). An examination of the specific indirect effects (*ab*) revealed that defendant credibility and the mean directional distortion scores significantly mediated the effect of N-PTP on guilt ratings, with point estimates (*ab*) of 0.53 and 0.16 and 95% CIs of 0.19 to 0.94 and 0.03 to 0.37, respectively. The mediational effect of defendant credibility

was significantly larger than that of directional distortion (95% CI = –0.77 to –0.07). Contrary to our expectations, S-Anger change scores did not significantly mediate the effect of N-PTP on guilt ratings, point estimate (ab) = –0.21, 95% CI = –0.215 to 0.04.

Because anger has been found to mediate mock jurors' decisions in past research using simple mediation models (i.e., with only one mediator; Bright & Goodman-Delahunty, 2006; Feigenson et al., 2001), we ran a second mediation analysis for the N-PTP and non-exposed conditions in which S-Anger was the only mediator entered into the model. The total effect of N-PTP on guilt ratings was significant, c = 0.93, $t(198)$ = 3.44, $p < .01$. The direct effect of N-PTP on guilt ratings was also significant but smaller than the total effect, c' = 0.76, $t(198)$ = 2.74, $p < .01$, suggesting partial mediation. S-Anger change scores significantly mediated the effect of N-PTP on guilt ratings, point estimate (ab) = –0.21, 95% CI = –0.215 to 0.04. This suggests that although anger had a significant meditational effect in our simple mediation model, once defendant credibility ratings and mean directional distortion scores were entered into the multiple mediation model, the addition of S-Anger change scores did not contribute anything additional to the total indirect effect.

Figure 2 presents the results of our second multiple mediation analysis (P-PTP model: P-PTP and nonexposed jurors), in which the total effect of P-PTP on guilt ratings was significant, c = 1.59, $t(127)$ = 5.37, $p < .01$. The direct effect of P-PTP on guilt ratings was not significant, c' = 0.22, $t(198)$ = 1.28, $p = .26$, while the total mediation effect was significant, point estimate (ab path) = 1.37, 95% CI = 0.86 to 1.88, suggesting complete mediation. The directions of the model's a and b paths (see Figure 2) for the three mediators are consistent with our hypotheses that exposure to P-PTP affects guilt ratings by increasing defendant credibility ratings, increasing positive emotional responses to P-PTP (proportion of emotion words), and decreasing directional distortion scores, resulting in lower guilt ratings. An examination of the specific indirect effects (ab) revealed that defendant credibility, positive emotions, and mean directional distortion scores significantly mediated the effect of P-PTP on guilt ratings, with point estimates (ab) of 0.97, 0.18, and 0.22 and 95% CIs of 0.60 to 1.42, 0.06 to 0.38, and 0.06 to 0.45, respectively. Thus, all three of our variables significantly contributed to the overall meditational effect. That said, defendant credibility had a larger mediational effect than emotion and distortion scores (95% CI = –1.25 to –0.38 and –1.17 to –0.37, respectively). There was no significant difference between the size of the mediational effects of positive emotion and distortion scores (95% CI = –0.029 to 0.17).

DISCUSSION

As noted above, very little research has examined the effects of P-PTP on juror decision making, and the little research that has been conducted has resulted in mixed findings (e.g., Kovera, 2002; Ruva & McEvoy, 2008). The present study adds to the literature on P-PTP and suggests that, like N-PTP, it can have powerful effects on juror decisions. In addition, jurors' impressions of the defendant, as well as jurors' emotional responses to PTP and the trial, were found to play a role in juror decision making (verdicts and guilt ratings). Also, jurors who were exposed to PTP were found to distort witness testimony in the direction consistent with the PTP bias (i.e., N-PTP resulted in a proprosecution bias and P-PTP in a prodefense bias). Finally, this research suggests that defendant credibility, emotional responses
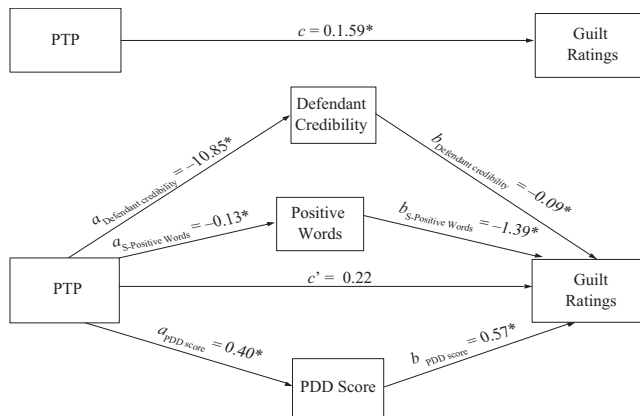
Figure 2:   Multiple Mediation Model for the Direct and Indirect Effects of Positive Pretrial Publicity (P-PTP) on Guilt Ratings

Note. Only the P-PTP and nonexposed conditions were included in these analyses. The three mediators were simultaneously entered. The bootstrapping method with bias-corrected confidence estimates (based on 5,000 bootstrap samples) was used to test our mediational hypotheses (Preacher & Hayes, 2008). The PDD scores are the directional predecisional distortion scores. The indirect effects (*ab*) were calculated by multiplying $a \times b$ paths and are in the text.
*Significant at the .05 level.

to PTP, and predecisional distortion may be mechanisms through which PTP imparts its biasing effects on juror decision making.

Consistent with past research, we found that both N-PTP and P-PTP had a significant effect on defendant's credibility ratings (Ruva & McEvoy, 2008). Jurors exposed to P-PTP had the highest credibility ratings, while jurors exposed to N-PTP the lowest. Defendant credibility was also significantly associated with guilt ratings in that as defendant credibility increased, guilt ratings decreased. For both of our multiple mediation models (N-PTP and P-PTP), defendant credibility was found to significantly mediate the effect of PTP on guilt ratings.

Both N-PTP and P-PTP were found to elicit emotional responses, and these emotional responses were found to be associated with juror decisions (verdicts and guilt ratings). For example, N-PTP jurors indicated that they were angrier than jurors in the other conditions after exposure to the trial (S-Anger). In addition, juror anger was positively related to guilt ratings (as anger increased, so did guilt ratings) and negatively related to defendant credibility ratings. Interestingly, PTP had a significant effect on jurors' S-Anger expression scores (S-AgX) but not their S-Anger feeling scores (S-AgF). This finding is important for two reasons. First, the expression of anger is anger directed toward others (e.g., the defendant) or objects in the environment and is defined as more extreme than generalized feelings of anger (Spielberger & Reheiser, 2009). Second, most measures of anger tend to confound feelings and behavior and thus do not allow for this important distinction (Spielberger & Reheiser, 2009). With regard to juror anger, it is important to note that S-Anger was only found to significantly mediate the effect of PTP on guilt ratings in our simple mediation model. This suggests that in our multiple mediation model, the other mediators (credibility and predecisional distortion) overshadowed the mediational effect

of S-Anger. Finally, the lack of a significant interactional effect of our three mediators on guilt ratings suggests that anger did not act as a moderator in the present study. Thus, a multiple mediation model examining the independent contributions of each mediator was appropriate. Clearly, more research is needed to examine the role of anger in juror decision making.

Jurors exposed to P-PTP expressed more positive emotion than jurors in the N-PTP and nonexposed conditions. Importantly, jurors' positive emotional responses were found to mediate the effect of PTP on guilt ratings. Thus, the emotional responses elicited by P-PTP may be one mechanism through which P-PTP imparts its biasing effects on jurors' decisions. These results add to the literature on emotion and decision making, specifically the findings related to P-PTP, by demonstrating that positive emotions can also be influential in juror decision making.

It is important to note that we also measured anxiety, depression, and curiosity. Although we did not find an effect of PTP on anxiety, depression, or curiosity, this does not suggest that other types of PTP might not elicit these emotions. What it does suggest is that the PTP stimuli we used did not appear to evoke these emotions, and thus we were unable to explore the role they may play in juror decision making.

In addition to emotion, the impact of predecisional distortion on juror decision making was also examined. The results indicate that there was a significant amount of predecisional distortion among jurors exposed to PTP. Specifically, consistent with Hope et al. (2004), we found a proprosecution bias for jurors exposed to N-PTP. We also found a prodefense bias for jurors exposed to P-PTP, but this bias was evident only for the three defense witnesses. This suggests that jurors may be unable to avoid the influence of extraneous information (PTP) and this renders them less able to determine the actual probative value of trial evidence. Accordingly, as directional distortion scores increased, so did guilt ratings. These directional distortion scores were also found to significantly mediate the effect of PTP on guilt ratings in both of our multiple mediation models. This suggests that jurors' biased interpretation of trial evidence may be yet another mechanism through which PTP imparts its biasing effect on juror decision making.

These findings are at odds with the belief on the part of many courts that jurors are capable of setting aside any personal biases or extraneous information and decide the verdict based solely on the evidence. Feigenson and Park (2006) proposed that judges need to attend to the influence of emotion in particular on jurors' decisions. Specifically, judges must acknowledge that extralegal information (e.g., PTP) can induce emotional responses and also distort the way that information is processed, which may lead to undesirable and incorrect verdicts (see Hastie, 2001).

LIMITATIONS AND FUTURE DIRECTIONS

As with all jury simulation research, this study had limitations pertaining to its ecological validity. For example, in an actual trial, exposure to PTP is likely to occur over time, as opposed to the single episode of exposure in the current study. Whether this difference in exposure would result in differences of practical importance is unknown. Also of potential concern, the stimulus trial was limited to 30 minutes, and immediately following the trial, mock jurors rendered individual verdicts (i.e., they did not deliberate). Actual trials can last hours if not days or weeks (Litras & Golmant, 2006; Sipes & Oram, 1988), and jurors deliberate before rendering verdicts. Courts believe that this deliberation can reduce or

eliminate the bias associated with PTP (see Studebaker & Penrod, 1997), but the majority of social science research suggests that this may be overly optimistic, and jury verdicts are often more biased than individual verdicts (e.g., because of group polarization; Kramer et al., 1990). However, Kerwin and Shaffer (1994) and London and Nunez (2002) demonstrated that deliberation reduces bias associated with inadmissible evidence. Also, Bruschke and Loges (2004) suggested that deliberations might be effective in reducing bias when combined with other court remedies (e.g., judicial instructions).

Additionally, the generalizability of our results may be limited because of our choice of sample (college students). Although juror research contrasting the decisions made by college students with those of community members at large has usually shown little if any difference (Bornstein, 1999; Cutler, Penrod, & Dexter, 1990), some researchers have suggested that a college sample may not generalize well to jury eligible adults because of cognitive and attitudinal differences (Diamond, 1997; Weiten & Diamond, 1979). In addition, Steblay et al.'s (1999) meta-analysis found that the effect of PTP on juror verdicts was attenuated with student samples. A predominately female sample may also be problematic for exploring the effects of emotion on decisions. For example, the selectivity hypothesis (Meyers-Levy, 1989; Meyers-Levy & Maheswaran, 1991) suggests that under certain conditions, women are more likely to be detailed (or systematic) processors and men are more likely to be heuristic processors. Putrevu (2001) and Dube and Morgan (1996) suggested that these gender differences in processing may result in women's overvaluing negative emotional information because of its greater informational value and men's overvaluing positive emotional information. Thus, our predominantly female sample may have overestimated the effect of negative emotion and underestimated the effect of positive emotions on juror decisions.

Another possible limitation is that all of our jurors completed the Phase 2 measures (STPI, verdicts, and guilt ratings) in the same order. Thus, caution should be taken when interpreting the direction of the causal path between guilt ratings and credibility. Last, there are multiple ways to measure emotion (e.g., valid and reliable psychometric measures, verbal response measures, written recalls). Our task of having jurors recall PTP and then list emotional responses to it lacks ecological validity but was necessary to measure jurors' emotional responses to PTP in a way that eliminated a second exposure or independent coders inferring emotionality. Thus, as with other studies examining emotions, we struggled not only with measuring and distinguishing between different types of emotion but also predicting how it would affect juror decision making.

Despite these limitations, there are several important implications to draw from this study. The findings add to the current research regarding the mechanisms that explain how PTP imparts its biasing effects on juror decisions. For instance, we found the impressions jurors formed about the defendant were able to account for how PTP affects guilt ratings. In addition, positive emotions mediated the effect of P-PTP on guilt ratings and anger mediated the effect of N-PTP on guilt ratings when examined in a simple mediation model. Last, predecisional distortion resulting from exposure to PTP makes it very difficult for a juror to accurately weigh the information presented at trial and, as such, can influence the final verdict.

Future research can extend the current study in several ways. First, it would be interesting to examine whether exposure to PTP over time would result in the same emotional responses and intensity of emotional reactions as we found in the current study. Research on the effect of emotional versus factual stimuli has found that emotional stimuli have a

greater effect over a delay (Kramer et al., 1990), but no research has examined how exposure over time affects emotions. Additionally, more specific emotions than just anger should be examined, but we understand that certain emotions are more likely to be aroused than others depending on the context of the trial. We urge future researchers to examine in greater detail positive emotions, specifically attending to the differences between various types of positive emotions (i.e., happiness and hope; see Feigenson & Park, 2006), as our findings suggest that they may be influential in juror decision making. We have also reviewed previous research that has attempted to distinguish between emotional and factual PTP (e.g., Kramer et al., 1990). We suggest that it is very possible that factual PTP can also be emotional in that it can elicit emotional responses. As such, it may be better to distinguish between whether the PTP is positive or negative (pro- or antidefendant) regardless of whether the information is factual and/or emotional and then measure jurors' emotional responses to this information.

Finally, regardless of the type of emotional response elicited by PTP, these responses are extralegal in nature. Obviously, these emotional responses become problematic when they bias juror decisions. Feigenson and Park (2006) reviewed literature suggesting that it is possible to reduce or eliminate such biases, but several conditions must be met for this to occur: (a) Decision makers must be aware such bias exist, (b) they must desire to correct such bias, (c) they must understand how this bias influences their decisions (size and direction), and (d) they must be able to properly correct such bias (i.e., not under- or overcorrect; see also Wilson & Brekke, 1994; Wilson, Centerbar, & Brekke, 2002). Research on emotional bias and predecisional distortion suggests that it is unlikely that all conditions will be met. Such discouraging conclusions only emphasize the importance of the courts to be aware that several mechanisms are responsible for the biasing effects of PTP on verdict decisions and that jurors may not be able to unring the PTP bell. That said, as social scientists gain a better understanding of these PTP mechanisms, the next generation of research should focus on ways of reducing or eliminating bias, which may ultimately lead to successful remedies.

APPENDIX A
Emotion Words

Negative Words			Positive Words	Neutral Words
Anger	Depression	Anxiety		
Upset	Sad	Worried	Good	Content
Aggravated	Depressed	Anxious	Interested	Curious
Mad		Afraid	Pleased	O.K.
Angry			Grateful	Normal
Disgusted			Happy	Usual
Horrified			Cheerful	Indifference
Pissed off			Enthusiastic	Skeptical
			Fantastic	Typical
			Excited	Bored
			Joyful	Calm
			Glad	
			Fine	
			Determined	
			Extraordinary	

APPENDIX B
Sample of Items From the PTP Articles

	Sample Items	
Item Type	Item 1	Item 2
Negative PTP	Friends and family reported that the couple frequently fought.	Dan stated that Lise was spoiled and chose her career over children.
Positive PTP	Dan and Lise were planning a second honeymoon. The second honeymoon had been Dan's idea.	Lise's family does not believe that Dan could have purposely killed Lise.
Unrelated crime stories	One reason the shortages weren't detected sooner was that domestic relations simply wasn't balancing its checkbook on time.	Godshalk took another $54,493 under another scheme in which she relied on a flaw in a computer program to cover missing money.

Note. PTP = pretrial publicity.

NOTES

1. The emotion word list was provided to ensure that participants would use emotion words to describe their emotional responses to PTP. This was deemed necessary on the basis of previous research by the first author in which participants were asked to recall PTP and then self-generate emotion words. This methodology resulted in participants' providing many words that were not emotions (e.g., *risky, liar, strange, psycho, waste, clever, intelligent*; Ruva et al., 2007), making these data difficult to analyze.

2. Although the unrelated news stories were found to elicit negative emotional responses, these emotions were not expected to carry over to verdict decisions or be related to S-Anger change scores. This is because the information in these stories was not related to the stimulus trial. In addition, the 1-week delay between reading these stories and viewing the trial should have ensured that this initial emotional response had dissipated. The STPI S-Anger change scores suggest that this was in fact the case (see Table 2). In addition, the correlation between the proportion of angry words and the S-Anger change scores was not significant for the nonexposed jurors ($r = -.04$, $p = .76$), but it was significant for the N-PTP jurors ($r = .32$, $p < .01$).

3. Directional distortion scores as opposed to the nondirectional or traditional distortion scores were used for the mediation analyses, because these scores were found to be significantly different across all three groups and were significantly related to guilt ratings (as distortion scores increased, so did guilt ratings). The nondirectional distortion scores do not measure the direction of juror bias (i.e., proprosecution vs. prodefense) and were found to significantly differ between jurors only in the negative and positive PTP exposed groups.

4. The proportion of angry words was omitted from the N-PTP model given that there was no difference between N-PTP and nonexposed jurors for this variable.

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