Jurors' Perceptions of the Mentally Ill
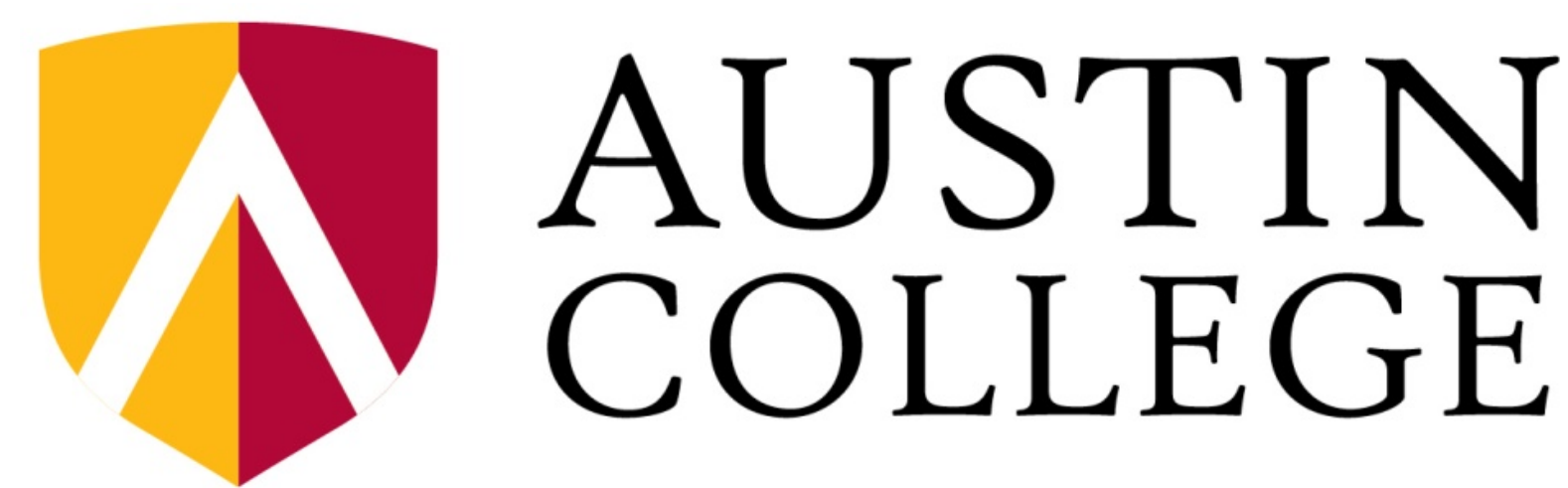
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Introduction

Mental health within the court system has been a highly controversial topic in the United States ever since NGRI (not guilty by reason of insanity) verdicts were adopted by various states throughout the U.S. In the literature about mental health, one consistent pattern is the issue of the negative stigma surrounding the mental health community. This is especially relevant to the legal system because every defendant is entitled to a fair trial. This study investigates potential jurors' perceptions of a defendant with schizophrenia who is employing a NGRI defense in Texas. We hypothesized that negative stigma associated with mental illnesses would make people less willing to give a not guilty verdict when NGRI was claimed compared to an accident. We also hypothesized that the more severe the consequences to the victim, the more likely jurors would find the defendant guilty. Lastly, we hypothesized that jurors would be less likely to return a not uilty verdict if the defendant was not on medication.

Method

- Participants: We recruited Austin College students who are currently enrolled in a Psychology course by email. The survey was sent out to 399 students and 98 students responded (24.6%). Participants were compensated 30 minutes of extra credit to contribute to their overall grade in a Psychology course.
- Independent variables: Defense (psychotic vs. accident), on medication vs. not on medication, and severity of the victim's condition (bullet grazing arm vs. paralysis).
- The participants were 67.7% female, 56.6% White, and 46% Freshman.
- Instrument: After providing informed consent, the questionnaire contained a series of (9 or 12) questions designed for the present study. The questionnaire was designed so that each participant received 1 of 8 scenarios regarding a mentally ill individual on trial for committing a criminal act. Each scenario was roughly 4 pages long and was set up like a court scene and included: an opening statement by both the prosecutor and defense attorneys, a testimony from the defendant, a testimony from an expert witness, and closing statements from both the prosecutor and the defense attorneys. Scenarios were parallel to one another, however, each scenario differed depending on the 3 independents variables presented.
- For example:

Grazed Arm Condition

Yes, Mr. Powell got lucky with the bullet only hitting his left arm, but the reality is the bullet struck just a few inches from his heart. A few inches difference and 3 children would have lost their father, a wife would have lost her husband, and Steven's parents would have lost their son

Paralysis Condition

Yes, Mr. Powell got lucky and survived the attack, but when the bullet passed through his stomach it hit his spine. Steven Powell has lost the use of his legs for the rest of his life, and could have easily been killed if authorities did not arrive on time. A few minutes difference and 3 children would have lost their father, a wife would have lost her husband, and Steven's parents would have lost their son.

Table 1.
Descriptive Statistics

Variable	*n*	Min	Max	*M*	*SD*
Verdict Confidence	98	1	4	3.04	0.67
Mr. Brinkman is remorseful	98	1	4	2.56	0.92
Mr. Brinkman needs to be punished for what he's done	96	1	4	2.06	0.56
Mr. Brinkman is lying to avoid punishment	98	1	4	1.73	0.44
The severity of the crime is more important than Mr. Brinkman's explanation for why he did it	97	1	4	2.09	0.63
I could easily put myself in Mr. Brinkman's shoes	98	1	4	2.19	0.76
Mental Illness is never an excuse for a crime	98	1	4	1.86	0.50

Table 2.
Logistical Regression Predicting Guilty Verdict Based on Independent and Demographic Variables

Predictor	*B*	*S.E*	Wald's *z*	*p*	*OR*
Accident	2.02	0.52	14.6	< .001	7.57
No Meds	-0.75	0.52	2.08	.15	0.47
Grazed Arm	-0.53	0.53	1.03	.31	0.59
Not White	0.31	0.50	.383	.54	1.36
Freshman	-0.08	0.85	.008	.93	0.93
Sophomore	0.84	0.96	.782	.38	2.32
Junior	0.23	0.90	.067	.80	1.26
Female	0.05	0.90	.008	.93	1.05
Constant[a]	-1.41	1.09	1.69	.19	0.24

Note: [a]The comparison group is White, male seniors who viewed the scenario with the psychotic defendant who was not on medication and paralyzed the victim.
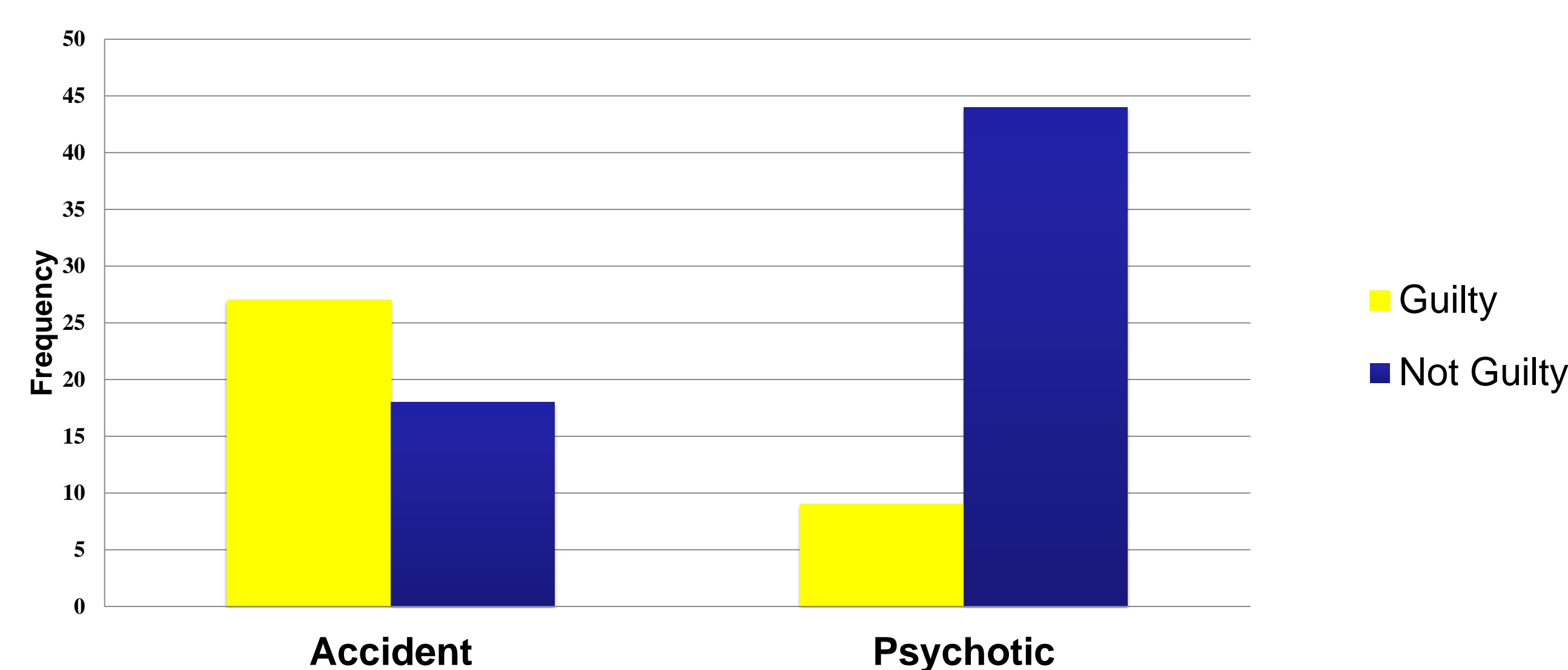

Figure 1. Breakdown of verdicts by defense condition.

Table 3.
MANOVA Table for Scenario Questions

Source	
e X Medication X Severity	.961

Results

Descriptive statistics are presented in Table 1. A logistic regression analysis explored the effect of the independent variables on participants' verdicts, when controlling for demographic variables. When the defendant was using the NGRI defense instead of claiming it was an accident, he was 7.57 times more likely to be found innocent ($p < .001$; see Figure 1). Severity of the crime and whether or not his disorder was controlled by medication were not significant predictors of verdict ($p = .31$ and .15), respectively (Nagelkerke's $R^2 = .30$; see Table 2). A MANOVA found no statistically significant differences on the six questions regarding perceptions of the defendant or the participants' confidence in their verdicts for any of the independent variables or their interactions (see Table 3).

Conclusions

The findings of this study do not align with prior literature which finds the stigma of mental illnesses affects judgments about those who are mentally ill. This is especially interesting given participants on average rated themselves as somewhat unable to empathize the defendant. Participants were 7.6 times more likely to find the defendant not guilty when he claimed he was psychotic than when he claimed it was an accident, even though there was equally strong support for the defense in both conditions. This strong effect is notable as it went in the opposite direction of our hypothesis. It is also interesting that whether or not the defendant was on medication did not make a difference when reaching a verdict. These results suggest that mentally ill defendants may be getting fair trials, to the extent that the participants in the study are similar to typical jurors. Given that our sample only includes 98 psychology participants from Austin College, it is likely additional factors influence actual courtroom decisions. Future studies should investigate this phenomenon in more diverse samples. It is important that research continues in this area because we need to protect Americans' rights to a fair trial, and we need to determine if factors other than the facts of the case are influencing how jurors respond the way they do.

Future Directions

- Investigate whether or not educational background or other demographic variables are predictors of a juror's outcome verdict.
- Investigate juror's outcomes using multiple disorders, looking at which disorders are more likely than others to be granted NGRI.
- Additional manipulations within the scenarios could refine the understanding of what is causing the differences in verdicts.