

DEFENDING YOURSELF THROUGH SOMEONE ELSE: FOREIGN LANGUAGE
INTERPRETERS IN THE COURTROOM

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DEFENDING YOURSELF THROUGH SOMEONE ELSE: FOREIGN LANGUAGE
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ABSTRACT

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Defendants who cannot speak English will require a courtroom interpreter, which, research suggests, may influence how the defendant is perceived by jurors. The present study used video-recorded mock testimony of a defendant to determine how testimony given through an interpreter is perceived by jurors compared to testimony given in English directly by a defendant. Both the type of crime (i.e., sexual assault versus robbery) and interpreter gender were manipulated. Participants were asked to give their perceptions of the defendant and his testimony, provide a rating of guilt on a seven-point scale, and provide a verdict. Results did not support hypotheses that interpreted testimony would alter mock juror perceptions; however, the gender of the interpreter influenced how attitudinal variables affected perceptions.

KEY WORDS: Jury, Interpretation, Testimony, Spanish, Gender

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CHAPTER I

Introduction

How jurors come to their decisions during trial has been a question of great importance in the legal system for decades. Defendants are expected to have a fair trial, thus the extralegal factors (i.e., any situation or action not regulated by the law) that may bias or sway a jury's verdict have been of particular interest to researchers (Mazzella & Feingold, 1994). Many studies have been conducted to investigate the extralegal factors that affect juror perceptions of witness testimony (e.g., Hale, Bond, & Sutton, 2011; Spohn & Holleran, 2000). Ideally, analysis of these issues yields results allowing us to control for these factors and ensure everyone who participates in our justice system receives a fair trial.

Variability in conviction and sentencing is largely accounted for by legally relevant case characteristics (e.g., severity of the offense, criminal history, number of charges, plea bargaining). However, extralegal factors, such as the defendant's ethnicity, gender, and age, also influence the legal process even after controlling for case characteristics (Doerner & Demuth, 2010; Spohn & Holleran, 2000). Regarding ethnicity, some studies have found little to no effect (e.g., Abwender & Hough, 2001; Taylor & Hosch, 2004), whereas others suggest ethnicity is a significant, if relatively small, factor in how the jury perceives the witness (Mitchell, Haw, Pfeifer, & Meissner, 2005).

One reason many researchers have examined the influence of ethnicity in the legal system is the increasing diversity of the United States. The U.S. census data predict non-Hispanic Caucasians will no longer comprise a majority of Americans in about three

decades (U.S. Census Bureau, 2012a). Hispanics are both the largest and one of the fastest growing minority groups in the United States, representing 13% of the population (35.3 million people) in 2000 and growing to 17% of the population (52.4 million people) in 2012 (U.S. Census Bureau, 2012b).

A further consideration that has received less attention in the literature compared to ethnicity is the influence of foreign language. Approximately 21% of the U.S. population speaks a language other than English at home, with 62% (i.e., over 37.5 million) of these residents speaking Spanish in the home (Ryan, 2013). Of this Spanish-speaking group, 16.9% (6.4 million people) report they do not speak English well, and 9% (3.4 million people) report they do not speak English at all (Ryan, 2013). Clearly, as the population of Hispanic residents continues to increase in the United States, so too will the proportion of the population that speaks primarily (or exclusively) Spanish rather than English. Such shifting demographics have a number of implications for United States society as a whole, but there are particularly significant considerations within the legal system.

The proportion of Hispanic inmates in prisons and jails throughout the U.S. has been steadily increasing (West, 2010). It is possible that language spoken is an even greater extralegal variable influencing perceptions of Hispanic defendants than ethnicity alone; however, few studies have specifically examined the effect of language as an influence on juror perceptions of credibility. Should a defendant who is unable to speak English be brought to trial the defense must make use of a court interpreter. While some researchers have sought to examine the accuracy of foreign language interpretation in the courtrooms (e.g., Hale, 2002), there is a conspicuous lack of data regarding the impact of

interpreted testimony on jurors' perceptions of criminal defendants. The present study seeks to investigate how the use of a foreign language interpreter by a Spanish-speaking defendant affects juror perceptions of the defendant.

Hispanics and the Criminal Justice System

One cannot rightly investigate the influence of the Spanish language without considering the influence of Hispanic ethnicity. The current psychological literature suggests that being of a racial minority correlates with biased proceedings within the legal system. For example, there may be a link between a defendant's race and notions of dangerousness and recidivism (Doerner & Demuth, 2010). This body of literature has often focused on African-Americans and given little attention to other minority groups (Willis Esqueda, Espinoza, & Culhane, 2008).

Hispanic defendants may be considered more culpable for a crime than European-Americans (Willis Esqueda, Espinoza, & Culhane, 2008). Hispanic defendants have received harsher judgments of guilt and punishment in mock trials and have been viewed as more likely to commit future violent crimes than European-American defendants (Hurwitz, 1995). Hispanic defendants receive sentences of higher severity in federal courts compared to European-Americans when analyzing actual sentencing records, even after controlling for legally relevant factors (Everett & Wojtkiewicz, 2002). In Arizona, Hispanics were more likely than European-Americans to receive the death penalty (Thomson, 1997). Young Hispanic male defendants were the group most likely to be sentenced to prison according to data gathered from the United States Sentencing Commission (Doerner & Demuth, 2010). An analysis of 77,256 defendants sentenced in federal courts under the United States Sentencing Commission Guidelines found that,

even after crime seriousness was controlled, Hispanic defendants received longer sentences than White defendants (Mustard, 2001).

Such disparity may be due to the tendency of Hispanic offenders to evoke greater attributions of dangerousness, aggressiveness, violence, deviance, and dysfunctionality when compared to European-Americans (Anderson & Enberg, 1995). Illegal immigration is currently a contentious social issue as well, which may serve to exacerbate negative perceptions of Hispanics. Compared to African-Americans, Hispanic offenders are often at risk of being perceived as more culturally dissimilar from the majority population in the United States because they are often associated with immigrants (Steffensmeier & Demuth, 2000). In sum, the evidence that suggests Hispanic defendants are disadvantaged within the United States criminal justice system is noteworthy.

Court Interpretation

In addition to negative perceptions based on ethnicity, Spanish-speaking Hispanic defendants face the additional hurdle of needing an interpreter in court. In order to understand the influence of courtroom interpretation, it is important to understand what courtroom interpretation entails. Interpretation, as defined by the National Association of Judiciary Interpreters and Translators (NAJIT), is “the transfer of meaning from a source language to a receptor or target language, [and] allows oral communication between two or more persons who do not speak the same language” (National Association of Judiciary Interpreters and Translators, n.d.). Interpretation usually involves an on-going dialogue, in contrast to translation which usually involves a static document and only one transformation of language (National Association of Judiciary Interpreters and

Translators, n.d). Court interpreting, also known as legal, judiciary, or forensic interpreting, refers to any interpreting services provided in courts of law or legal cases (Mikkelsen, 2010). According to the NAJIT, court interpreters must be knowledgeable about the structure of the court system, be familiar with the jargon of the justice system, and possess an extensive vocabulary ranging from formal speech to slang (National Association of Judiciary Interpreters and Translators, n.d.).

It is common for a judge or attorney to erroneously expect, or even demand, that an interpreter simply “translate” their words directly as if the interpreter is a machine into which one can input data and then receive an output of the same data in a different format, i.e., in another language (Morris, 1995). In truth, interpretation is a complex and difficult process and interpreters have a variety of approaches to interpreting speech, all of which have a variety of merits and limitations. *Consecutive* interpretation is the method most commonly used for witness-stand testimonies and colloquies (Berk-Seligson, 1990). An interpreter will wait for a lawyer to finish a question or wait for the witness to finish an answer before interpreting the meaning out-loud (Berk-Seligson, 1990). The *consecutive* method is contrasted with the *simultaneous* method, which involves interpreting words immediately, as one may see at a United Nations conference (Tribe, 2005). Interpreters in the court system are also generally asked to employ a *linguistic* mode of interpreting (Cushing, 2003). While truly word-for-word interpretation is impossible, the *linguistic* mode has interpreters attempt as close to a “word-for-word” interpretation as possible (Tribe, 2005). The *linguistic* mode requires the interpreter take a neutral and distal position to the client and serve only to make the words of those in the courtroom understandable to the defendant and vice versa (Tribe,

2005). The linguistic mode is contrasted with the *psychotherapeutic/constructionist* mode, in which the interpreter is most concerned with the meaning or feeling of the words, the *cultural broker/bicultural worker* mode, in which the interpreter focuses mainly on relevant cultural or contextual factors, and the *adversarial/community interpreter* mode, in which the interpreter acts as his or her client's advocate and aims to represent the client's best interest beyond interpreting language (Tribe, 2005).

Since the enactment of the Court Interpreters Act in 1978, the use of interpreters during court proceedings has increased dramatically (Berk-Seligson, 1990). The Court Interpreters Act recognized that denying the non-English speaking and hearing-impaired the use of a court-appointed interpreter would be tantamount to denying them their basic constitutional rights (Berk-Seligson, 1990). According to the Administrative Office of the Courts, the number of federal court events requiring interpretation increased from 223,996 in Fiscal Year 2004 to 357,171 in Fiscal Year 2010 (Administrative Office of the US Courts, 2012).

How Court Interpretation May Influence a Jury

The literature has justifiably highlighted practical difficulties involved in providing properly trained interpreters and ensuring accurate interpretation (e.g., Shulman, 1993; Hale, 2002); however, few studies have addressed potential differences in juror decision-making when a defendant simply employs an interpreter, regardless of the interpreter's accuracy. Stephan and Stephan (1986) found that their sample of college students was more likely to provide a guilty verdict when the testimony of simulated defendants was presented in a language other than English. Hosch, Culhane, Tubb, and Granillo (2011) found that mock juror verdicts were not influenced by language spoken,

but participants in the community were more lenient regarding sentencing and fines when the defendant spoke Spanish when compared to student participants, who were more punitive.

Although scientific inquiry into the influence of an interpreter in the courtroom is sparse, the published literature suggests a number of potential reasons why the presence of an interpreter may influence juror perceptions of the defendant. Perhaps most straightforwardly, the use of an interpreter can highlight that a witness is foreign and activate latent schemas regarding immigrants (Bucholtz, 1995). Secondly, when an interpreter is present, the jury tends to pay more attention to the interpreter rather than the witness delivering the actual testimony (Hale, Bond, & Sutton, 2011). When the jury is more focused on a third party, as opposed to the actual defendant, the non-English speaking defendant's already very limited opportunity to defend himself or herself may be further limited. A third potential risk, and perhaps less obvious, is that jurors may become bored and lose interest. Because court interpreters nearly always use the consecutive style of interpreting, the defendant's time on the witness stand is necessarily about twice as long as it would have been otherwise (Berk-Seligson, 1990). Considering jurors will also not be able to understand over half of what is being said during this time, boredom is a real possibility. Moreover, once juror attention is lost it can be very difficult to recapture, likely undermining the case (Sand, 1990).

One might come to the conclusion that the presence of an interpreter would be detrimental to the defendant; however, the effect may be more complex. Lawrence and Varela (2015), sought to determine directly if the use of a courtroom interpreter had any influence on the jury. The study employed audio-recorded testimony from a mock sexual

assault trial in which the defendant was either presented as a Caucasian male, an unaccented English-speaking Hispanic male, an English-speaking Hispanic male with a Spanish accent, and a Spanish-speaking Hispanic male employing a female interpreter. Contrary to hypotheses, when the defendant was interpreted the participants perceived him in a significantly less negative manner and were significantly less likely to give a verdict of guilty compared to all other conditions (Lawrence & Varela, 2015).

The Gender of the Interpreter

Another important consideration is that not all interpreters are the same. Just as extralegal factors may influence a jury's final decision-making, so too may variables related to the interpreter. One of the most notable variables to consider is the gender of the interpreter. As Hale and colleagues (2011) noted, one significant issue with using an interpreter in the courtroom is that jurors tend to pay more attention to the interpreter than the witness. One may extrapolate that it is therefore important to match the characteristics of the interpreter to the person providing the testimony. Indeed, Lawrence and Varela (2015) postulated that their unexpected findings may have been due, at least in part, to the participants hearing the interpreted testimony were hearing it through a female. In practice, however, such considerations are not prioritized. Although most criminal defendants are male, most courtroom interpreters are female (Mason, 2008). Therefore, a female interpreting for a male defendant is not uncommon and may actually be the norm.

Although studies examining interpreter gender were not located, it has been well-documented that female defendants are perceived less negatively and receive less severe punishments than male defendants do (e.g., Pozzulo, Dempsey, Maeder, & Allen, 2010;

Steffenmeier, & Demuth, 2000). Women have often been perceived as more compassionate, gentle, and caring compared to men (Okun & Rappaport, 1980).

Research in the arena of mass communication and multimedia suggests that female voices are more likely to result in improved learning and that respondents tend to prefer female voices (Linek, Gerjets, & Scheiter, 2010). In the legal arena, expert witness and attorney gender has been demonstrated to influence juror perceptions and decision-making (Hahn & Clayton, 1996; Neal & Brodsky, 2008).

Juror Characteristics

In addition to interpreter variables such as gender, there are aspects of the jurors themselves that may influence how specific jurors react to a defendant speaking through an interpreter. As previously mentioned, a defendant being incapable of speaking English may activate latent schemas regarding immigrants in jurors (Bucholtz, 1995). Accordingly, a juror predisposed to having negative attitudes towards immigrants may also be predisposed to prejudicial decision-making towards defendants requiring an interpreter. Negative attitudes towards immigrants have been associated with a number of attitudinal variables, including prejudice against out-group members in general (Varela, Gonzalez Jr., Clark, Cramer, & Crosby, 2013).

More general attitudes towards race and race relations may also prove to have influence on juror decision-making when a defendant cannot speak English. The Modern Racism Scale (MRS; McConahay, 1986) has historically received a great amount of empirical attention (Neville, Lily, Duran, Lee, & Browne, 2000). McConahay developed the scale in 1986 to assess what was then seen as a new type of racism in which individuals expressed that aversive racism such as racial segregation was wrong, but

nonetheless believed that racism was now a thing of the past and minorities had become too pushy in asking for equal rights (Neville et al., 2000). McConahay acknowledged that expressions of racism change along with society and that even his Modern Racism Scale would eventually become outdated and new theories would have to be developed (Neville et al., 2000).

Neville and colleagues (2000) introduced the concept of color-blind racial attitudes as a construct useful in characterizing “ultramodern” forms of racial attitude expressions. *Color-blindness* is essentially a legal concept which forwards the notion that if race can no longer be used as a legal basis for discrimination, race therefore has no relevance to law at all (Brewer & Heitzeg, 2008). As a measure of racial attitudes, “color-blindness” refers to the belief that race does not and should not matter (Neville et al., 2000). While such a belief may seem admirable at first glance, color-blind attitudes deny the existence of modern day institutional racism and thus actively reject attempts to address such issues, thus unwittingly supporting racial prejudice (Kestner, 2009). While not precisely the same construct as racism, color-blindness has been correlated with measures of racial prejudice (Neville et al., 2000). Furthermore, those with greater color-blind beliefs have shown greater racial and gender intolerance, racism against Blacks, greater fear of racial minorities, and less empathy and more blame for minorities (Kestner, 2009). Since the use of an interpreter may highlight the out-group status of a defendant, color-blind racial attitudes may influence juror perceptions of defendants testifying through an interpreter.

The Present Study

The present study examined the influence of a defendant requiring an interpreter on juror perceptions. The aim was to parse out the mechanisms responsible for the unexpected influence of interpreted testimony in Lawrence and Varela's (2015) previous study, as well as address some of their study's limitations. The study focused on how the presence of an interpreter affected juror perceptions and whether the type of crime or gender of the interpreter altered this influence. Participants were asked to view video-recorded mock testimony of a defendant being charged with either sexual assault or robbery. The sexual assault trial served as a replication of Lawrence and Varela (2015), including the same testimony and background information but shifting to a video format. In both scenarios, participants were either shown testimony given directly by the defendant in English, testimony given in Spanish with a male interpreter, or testimony delivered in Spanish with a female interpreter. After viewing the material, participants were asked to provide their perceptions of the defendant and the defendant's testimony in areas of dangerousness, credibility, honesty, trustworthiness, blameworthiness, persuasiveness, and guilt. Additionally, participants filled out questionnaires to measure modern racism against Latino/as, color-blind racial attitudes, attitudes towards immigrants, and nationalism. Results were analyzed to determine if testimony being heard through an interpreter had an effect on perceptions of the defendant, ratings of guilt, and final verdict, and whether this effect changed depending on the type of crime, the gender of the interpreter, or personal attitudes regarding race, immigration, and country.

Hypothesis 1. Despite the results of my previous study, I hypothesize that interpreted testimony will result in greater negative perceptions of the defendant, higher guilt ratings, and a greater number of guilty verdicts. I am basing this hypothesis on the sparse existing literature on mock juror perceptions of non-English speaking defendants, and the literature regarding perceptions of accents and immigrants, which would suggest that the perceived inability to speak English results in greater negative perceptions of the speaker (e.g., Bucholtz, 1995; Hale, Bond, & Sutton, 2011).

Hypothesis 2. I hypothesize that, similar to our first study, using a female interpreter will result in less negative perceptions of the defendant and less guilty verdicts, but only in the case of sexual assault. Essentially, I predict that there will be an interaction between interpreter gender and type of crime. Between the three sexual assault conditions we will see an effect such that a defendant with a male interpreter will receive the greatest negative evaluations and greatest number of guilty verdicts, but a female interpreter will result in the least negative evaluations and the least number of guilty verdicts. I am basing this prediction on both the literature suggesting the inability to speak English may be a hindrance, the literature suggesting females are often viewed more positively in similar situations, as well as the results of the first study (e.g., Hale, Bond, & Sutton, 2011; Pozzulo et al., 2010). In the first study, I believe that the gendered nature of the sexual assault trial resulted in the participants lending more credibility to the defendant when he had a woman “speaking for him.” I predict that in the non-gendered crime scenario of a robbery, the interpreted defendants will receive greater negative evaluations and greater guilty verdicts, but there will be no significant difference between the female interpreter and the male interpreter conditions.

Hypothesis 3. Based on the research indicating both attitudes towards immigrants and a color-blind attitude towards race and relations are positively correlated with prejudice against out-group members (e.g., Kestner, 2009; Varela et al., 2013), I hypothesize that participants with higher respective scores on the updated MRS, CoBRAS, NATIS, and P-NQ will tend to have greater negative perceptions of the defendant and give more verdicts of guilty than those participants with lower scores across all conditions. Further, I predict that the negative effects of interpreted testimony will be exacerbated by negative attitudes towards immigrants, modern racism towards Latino/as, a color-blind racial attitude, and nationalistic attitudes. Essentially, participants with higher respective scores on these attitudinal scales will be more prejudicial of an interpreted defendant compared to an English-speaking defendant than those participants with lower scores.

CHAPTER II

Methods

Participants

A national sample ($N = 810$) from the United States was obtained through Amazon's Mechanical Turk. A total of 319 respondents failed the manipulation check and were omitted from the sample. An additional 102 respondents were removed for completing the survey in less time than it would take to watch the video stimuli or taking longer than three hours to complete the survey. Three hours was chosen as a cut-off point as it was the maximum time allotted on Mechanical Turk to complete the survey. The remaining sample consisted of 390 participants. A breakdown of participant demographics can be found in Table 1. The mean age of the sample was 39.78 ($SD = 12.94$) years old.

Table 1

Sample Demographics

Variables	<i>n</i> (% of sample)
Gender	
Male	146 (37.6%)
Female	240 (61.9%)
Other Gender	2 (0.5%)
Race/Ethnicity	
Black	27 (7.0%)
White	295 (76.4%)
Hispanic	22 (5.7%)
Asian	19 (4.9%)

Simulated Case and Testimony

Participants were first asked to review background information (see *Appendix B & C*) related to a researcher–developed hypothetical criminal trial; they were then provided with the defendant’s testimony (direct and cross examination) related to the alleged offense (see *Appendix D & E*). The background information included a description of the defendant and victim (including pictures of each), as well as a synopsis of facts related to the case such as a description of the alleged offense and witness statements. The direct examination involved testimony regarding the defendant’s background, his relationship with the victim prior to his arrest, and the defendant’s version of the events of the day the victim was attacked. The cross examination involved testimony demonstrating a history of animosity between the defendant and victim, inconsistencies in the defendant’s version of the events of the day the victim was attacked, motive, and opportunity to commit the crime against the victim.

To ensure the accuracy of translation between the English and Spanish versions of the testimony I utilized both forward and back translations. Specifically, the English version of the script was translated into Spanish by two different translators. A third translator then reviewed both translations and created one composite translated text. This composite text was then back-translated into English by a separate pair of interpreters. Discrepancies in the English back-translations of the text were reviewed and addressed by myself and the translator who had created the composite Spanish script.

The hypothetical trial varied across two dimensions – crime (robbery or sexual assault), and testimony delivery method (directly in English, in Spanish through a male interpreter, or in Spanish through a female interpreter). Thus, there were six

experimental conditions in the present study. Three conditions involved testimony regarding a scenario wherein the defendant has been charged with sexual assault. In the *Sexual Assault – English* condition, the defendant gave his testimony regarding the alleged sexual assault in English. In the *Sexual Assault – Male Interpreter* condition, the defendant gave his testimony in Spanish and was consecutively interpreted by a male. In the *Sexual Assault – Female Interpreter* condition, the defendant gave his testimony in Spanish and was consecutively interpreted by a female. The victim in the sexual assault crime scenario was a 29-year-old Caucasian female. The remaining three conditions involved testimony regarding an entirely different scenario wherein the defendant has been charged with robbery. In the *Robbery – English* condition the defendant gave his testimony in English. In the *Robbery – Male Interpreter* condition the defendant gave his testimony in Spanish and was consecutively interpreted by a male. In the *Robbery – Female Interpreter* condition the defendant gave his testimony in Spanish and was consecutively interpreted by a female. The victim in the robbery scenario was a 62-year-old Caucasian male. The defendant was a 30-year-old Hispanic man across all six conditions.

The mock testimonies were based upon a sample of testimony procured from an actual trial transcript, with parts of the proceedings being translated into Spanish when needed. The mock testimonies and background information were pilot tested with undergraduate students at Sam Houston State University to ensure sufficient ambiguity in the evidence provided and to avoid floor or ceiling effects in the analysis. Actors portraying the defendant, the interpreters, the judge, and the lawyers, remained constant across all six conditions. Due to the nature of consecutive interpretation, the video

recording of the *English* conditions was approximately 15 minutes long and the video recording of the *Interpreter* conditions was approximately 30 minutes long.

Measures

Demographics Questionnaire. Participants completed a short, researcher-developed demographics questionnaire. In addition to basic demographic information needed to describe the sample, participants were asked to rate their political orientation using a seven-point scale. They were also asked about any previous experience as a juror. Lastly, participants were asked to rate their receptive and expressive language skills in Spanish using a 7-point scale.

Voir Dire Questionnaire. Participants completed a short, researcher-developed questionnaire based on common questions asked of potential jurors in the voir dire process of jury selection. Items were created based on collaboration with legal professionals.

Modern Racism Scale (MRS; Abad-Merino et al., 2013). The 7-item MRS (McConahay, 1986) originally assessed modern forms of racist attitudes toward Blacks. The scale was modified by Son Hing and colleagues (2008) to a 9-item scale with updated item content to reflect attitudes regarding people of Asian descent in Canada. Respondents agree with statements on a 9-point scale ranging from -4 (*very strongly disagree*) to 4 (*very strongly agree*). Abad-Merino and colleagues (2013) maintained the integrity of Son Hing and colleagues' (2008) measure but modified the item content to address attitudes towards Latino/as in the US. The test creators reported a Cronbach's alpha score of .84 for their modified version (see *Appendix H*).

Color-Blind Racial Attitudes Scales (CoBRAS; Neville et al., 2000). The CoBRAS is a 20-item measure assessing respondents' color-blind attitudes towards race and race relations in the United States. Respondents rate their agreement with 20 statements on a six-point scale with response options ranging from 1 (*Strong Disagree*) to 6 (*Strongly Agree*). The developers identified three factors within the 20-item measure: Racial Privilege (Cronbach's alpha = .83), Institutional Racism (Cronbach's alpha = .81), and Blatant Racial Issues (Cronbach's alpha = .76). Intercorrelations between the three factors ranged from .42 to .59. The test developers noted a Cronbach's alpha score of .91 for the CoBRAS total score (see *Appendix I*).

Negative Attitudes Toward Immigrants Scale (NATIS; Varela et al., 2013). The NATIS is a general measure of attitudes towards immigrants. Respondents rate their agreement with 12 statements using a five-point scale with response options ranging from 1 (*completely disagree*) to 5 (*completely agree*). The scale score is derived from summing across all items, with the first item reverse-scored. The internal consistency was documented by the test developers, who reported a Cronbach's alpha of .86 and item total correlations ranging from .30 to .65 (see *Appendix J*).

Patriotism-Nationalism Questionnaire (P-NQ; Kosterman and Feshbach, 1989). A 20-item scale that measures an individual's level of affection for country (e.g., "I am proud to be an American") and belief in the superiority of country (e.g., Other countries should try to make their government as much like ours as possible) using a five-point scale with responses ranging from *Strongly agree* to *Strongly disagree*. The scale has a documented internal validity (Cronbach's alpha = .88) and factor reliability (Coefficient alphas: Patriotism = .88, Nationalism = .78) (see *Appendix K*).

Verdict and Guilt Ratings Questionnaire. Participants were asked to make a verdict decision (guilty or not guilty). They were also asked to rate the defendant's guilt using a 7-point scale with higher ratings indicating more guilt. Participants were given the opportunity to provide up to three open-ended responses identifying which aspects of the case were the most influential in their decision-making (see *Appendix G*).

Perceptions of the Defendant Questionnaire. Participants were asked to rate the defendant's dangerousness, honesty, trustworthiness, and blameworthiness, as well as his testimony's credibility and persuasiveness using a 7-point scale for each respectively. Higher scores will indicate a greater amount of the trait/quality (see *Appendix G*).

Procedure

Participants were recruited through Amazon's Mechanical Turk national sampling service and compensated \$1.00 for their time. After consenting to participate participants were oriented to the research (see *Appendix A*) and randomly assigned to one of the six experimental conditions. Participants were then presented with the background information of the case and a video of the defendant's testimony. Participants were presented with multiple manipulation check questions to ensure viewing and comprehension of the materials (see *Appendix F*). After completing the manipulation check questions, participants completed the perceptions of the defendant questionnaire and the verdict and guilt ratings questionnaire. Participants subsequently completed the MRS, CoBRAS, NATIS and P-NQ. After completing these final measures, participants were debriefed and the survey ended. Monetary compensation was automatically delivered through Amazon's Mechanical Turk service.

CHAPTER III

Results

Preliminary Analyses

Data reduction. High intercorrelations were observed among the seven rating ratings items related to the defendant in the trial vignette (see Table 2). Principal components analysis was used to examine the associations among the items. This analysis revealed all seven variables loaded onto one-factor explaining 77.35% of the variance (factor loadings ranged from .83 to .91). This factor was named *perceptions of the accused*, with higher scores indicating greater negative impressions.

Table 2

Intercorrelations among Perception Rating Items (n = 390)

Variable	1	2	3	4	5	6	7
1. Dangerousness	-						
2. Honesty	-.76**	-					
3. Trustworthiness	-.70**	.87**	-				
4. Blameworthiness	.70**	-.65**	-.64**	-			
5. Credibility	-.71**	.79**	.77**	-.70**	-		
6. Persuaded Guilty	-.74**	-.68**	-.64**	.70**	-.67**	-	
7. Persuaded Innocent	-.74**	.77**	.78**	.71**	.78**	-.78**	-

Note. ** $p < .01$.

Associations among study variables. The associations among the continuous variables are shown in Table 3. Guilt ratings were significantly correlated with perceptions of the accused, modern racism against Latino/as, color-blind racial attitudes, negative attitudes towards immigrants, and high patriotism/nationalism. Perceptions of the accused was similarly correlated with three of the attitudinal scales, with the

exception being patriotism/nationalism. The updated MRS, CoBRAS, and NATIS were all strongly intercorrelated ($rs = .70$ to $.83$, $p < .01$) while the P-NQ was moderately correlated the other three scales ($rs = .48$ to $.58$, $p = .01$). The associations between verdict and the study variables are presented in Table 4. As would be expected, guilt ratings [$F(1, 389) = 420.37$, $p < .00$] and perception of the accused [$F(1, 389) = 568.12$, $p < .00$] were strongly related to verdict decisions. Among attitude variables, only the NATIS [$F(1, 389) = 6.89$, $p = .01$] had a significant relation to verdict decision, although the MRS trended towards significance [$F(1, 389) = 3.44$, $p = .06$]. Levene's test of homogeneity of variance revealed variance in NATIS scores were not homogenous; however, a Brown-Forsythe robust test of equality of means revealed the relation of NATIS score to verdict decision remained significant.

Table 3

Intercorrelations among Study Variables (n = 390)

Variable	1	2	3	4	5	6
1. Guilt Rating	-					
2. Perceptions of Accused	.83**	-				
3. MRS	.17**	.13*	-			
4. CoBRAS	.15**	.14*	.80**	-		
5. NATIS	.18**	.14*	.83**	.70**	-	
6. P-NQ	.12*	.07	.54**	.58**	.48**	-

Note. MRS = Modern Racism Scale; CoBRAS = Colorblind Racial Attitudes Scale; NATIS = Negative Attitudes Towards Immigrants Scale; P-NQ = Patriotism-Nationalism Questionnaire

* $p < .05$. ** $p < .01$.

Table 4

Means and Standard Deviations for Study Variables for Verdict Decisions

Variable	Verdict		<i>d</i>
	Not Guilty	Guilty	
Guilt Rating	2.44 (1.14)	5.32 (.98)	2.71**
Perceptions of Accused	17.58 (6.59)	37.30 (6.48)	3.01**
MRS	32.17 (14.11)	35.49 (14.68)	.23
CoBRAS	61.20 (22.18)	65.27 (21.33)	.18
NATIS	24.54 (10.19)	28.04 (11.94)	.32*
P-NQ	67.67 (17.14)	69.81 (16.74)	.13

Note. MRS = Modern Racism Scale; CoBRAS = Colorblind Racial Attitudes Scale; NATIS = Negative Attitudes Towards Immigrants Scale; P-NQ = Patriotism-Nationalism Questionnaire
 * $p < .05$. ** $p < .01$.

Influence of Testimony on Mock Juror Decisions (Hypothesis 1 and Hypothesis 2)

Table 5 presents participant verdict decisions across the six experimental conditions (i.e. number and percent of participants who found the defendant guilty or not guilty). Chi-squared analysis revealed no significant difference in the proportion of jurors who found the defendant guilty within either the three *Robbery* conditions [$\chi^2(2) = .63, p = .73$] or the three *Sexual Assault* conditions [$\chi^2(2) = .76, p = .68$].

Table 6 presents means and standard deviations for the guilt ratings, perceptions of the accused, and the attitudinal variables across conditions. To test my hypotheses, two-way analyses of variance was employed to examine the effect of crime type (i.e., *Robbery* or *Sexual Assault*) and manner of testimony delivery (i.e., English, Female Interpreter, or Male Interpreter) on guilt rating and perception of the accused. The interaction between *Robbery* and *Sexual Assault* conditions were nonsignificant for both

guilt rating [$F(2, 384) = 0.54, p = .57$] and perception of the accused [$F(2, 384) = 1.32, p = .27$]. Crime type had a significant effect on both guilt ratings [$F(1, 389) = 4.99, p = .03, d = .23$] and perception of the accused [$F(1, 389) = 18.67, p < .00, d = .44$]. Testimony delivery was nonsignificant for both guilt ratings [$F(2, 384) = 1.42, p = .24$] and perception of the accused [$F(2, 384) = 1.16, p = .32$].

Table 5

Verdict Decisions for Crime and Testimony Conditions

Condition	Not Guilty <i>n</i> (%)	Guilty <i>n</i> (%)
Robbery (all conditions)	168 (84%)	33 (16%)
English Testimony	71 (86%)	12 (14%)
Female Interpreter	50 (80%)	12 (20%)
Male Interpreter	47 (84%)	9 (16%)
Sexual Assault (all conditions)	143 (76%)	46 (24%)
English Testimony	58 (73%)	22 (27%)
Female Interpreter	40 (78%)	11 (22%)
Male Interpreter	45 (78%)	13 (22%)

Table 6

Means and Standard Deviations for Guilt Ratings and Perceptions of the Accused for Crime and Testimony Conditions

Scenario	Guilt Rating	Perceptions of the Accused
Robbery (all conditions)	2.84 (1.60)	19.45 (9.77)
English Testimony	2.90 _a (1.66)	19.25 _a (9.58)
Female Interpreter	2.87 _a (1.63)	19.81 _a (10.41)
Male Interpreter	2.75 _a (1.53)	19.30 _a (9.47)
Sexual Assault (all conditions)	3.18 (1.59)	23.62 (10.39)
English Testimony	3.46 _a (1.58)	25.55 _b (10.16)
Female Interpreter	3.08 _a (1.61)	23.55 _{ab} (11.16)
Male Interpreter	2.98 _a (1.56)	21.76 _{ab} (9.75)

Note. Values within a column with different subscripts are significantly different ($\alpha = .05$) using Tukey HSD procedures.

Influence of Attitudinal Variables on Juror Perceptions (Hypothesis 3)

Hierarchical multiple regression and logistic regression were used to examine the relations among juror perceptions/decisions, testimony condition, and attitudinal variables. Specifically, guilt ratings, perceptions of the accused, and verdict decisions were each regressed on to the testimony condition, MRS scores, CoBRAS scores, NATIS scores, P-NQ scores, and the interactions.

Robbery conditions. For guilt ratings, testimony condition (dummy coded with English testimony as the reference condition) was entered in the first model, which did not achieve statistical significance [$R = .04$, $R^2 = .00$, $F(2,198) = .16$, $p = .85$]. Attitude measure scores were entered for the second model, which also was nonsignificant [$R = .22$, $R^2 = .05$, $F(6,194) = 1.56$, $p = .16$], although the change in variance accounted for trended towards significance [$\Delta R^2 = .04$, $F(4,194) = 2.25$, $p = .06$]. The interaction terms were added in the third model (see Table 7). This model was statistically significant [$R = .35$, $R^2 = .12$, $F(14,186) = 1.79$, $p = .04$] and the change in variance accounted for trended towards significance [$\Delta R^2 = .07$, $F(8,186) = 1.93$, $p = .06$]. The interaction involving testimony condition and MRS scores was significant and is presented in Figure 1. There was an overall positive relation between experimental condition and MRS scores, strongest within the *Male Interpreter* condition [$R^2 = .09$] compared to the *English* condition [$R^2 = .03$] and the *Female Interpreter* condition [$R^2 = .01$]. The main effect of the P-NQ was significant, with no significant interactions. The interaction between testimony condition and NATIS scores was also significant (see Figure 2). The relation between testimony condition and NATIS scores was positive, but in contrast strongest

within the *English* condition ($R^2 = .08$) compared to the *Male Interpreter* condition ($R^2 = .02$) and *Female Interpreter* condition ($R^2 = .00$).

Table 7

Guilt Ratings Regressed on to Robbery Testimony Conditions and Attitudinal Variables (Final Model)

Variables	B (SE)	<i>t</i>	<i>p</i>	<i>r</i> _{sp}
Robbery – Female Interpreter (R-FI) ¹	.01 (.27)	.04	.97	.00
Robbery – Male Interpreter (R-MI) ²	-.05 (.28)	-.19	.85	-.01
Modern Racism Scale	-.91 (.44)	-2.05	.04	-.14
Colorblind Racial Attitudes Scales	-.05 (.30)	-.17	.87	-.01
Negative Attitudes Towards Immigrants Scale	1.04 (.35)	2.95	.00	.20
Patriotism-Nationalism Questionnaire	.48 (.22)	2.17	.03	.15
R-FI x MRS	1.42 (.65)	2.18	.03	.15
R-MI x MRS	1.44 (.65)	2.21	.03	.15
R-FI x CoBRAS	-.38 (.48)	-.80	.43	-.06
R-MI x CoBRAS	.54 (.50)	1.08	.28	.07
R-FI x NATIS	-1.23 (.53)	-2.33	.02	-.17
R-MI x NATIS	-1.63 (.55)	-3.00	.00	-.22
R-FI x P-NQ	-.21 (.34)	-.63	.53	-.04
R-MI x P-NQ	-.58 (.34)	-1.72	.09	-.12

Note. ¹ Dummy coded as Robbery – Female Interpreter = 1 and all other conditions = 0.

² Dummy coded as Robbery – Male Interpreter = 1 and all other condition = 0.

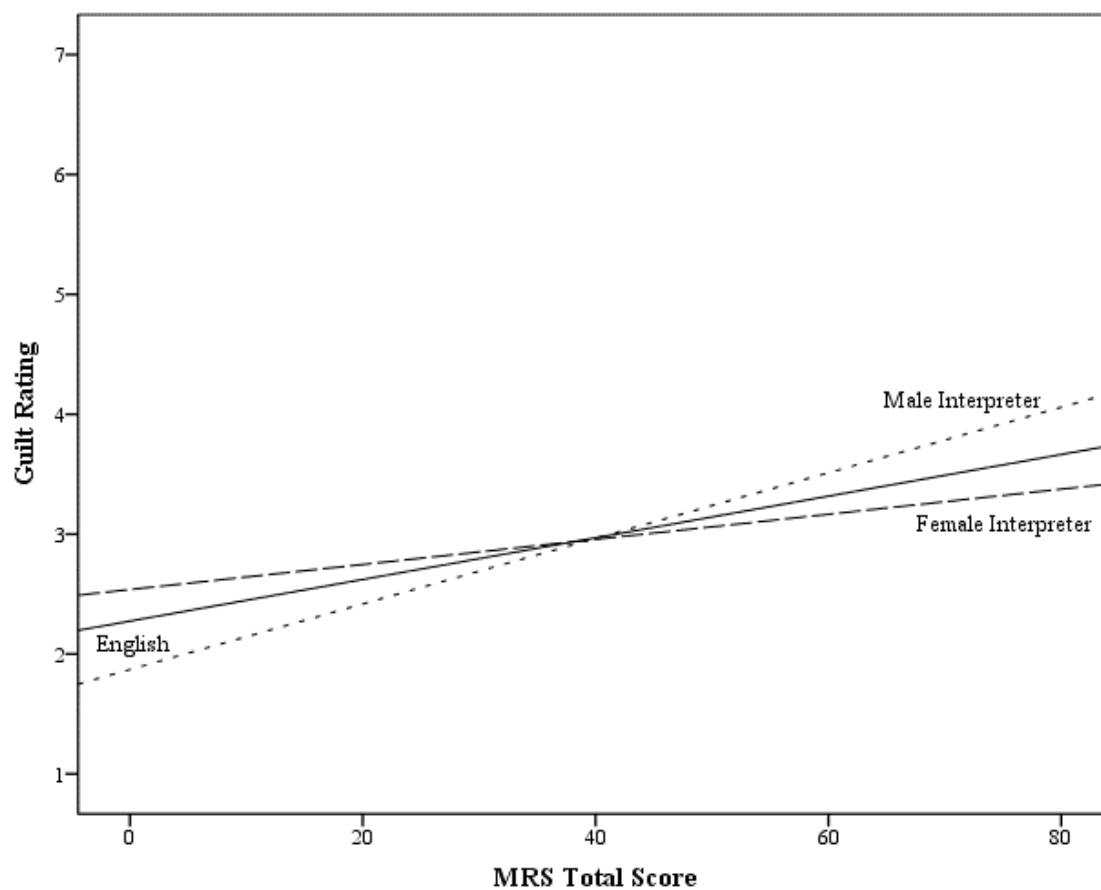


Figure 1. Scatterplot of guilt rating by Modern Racism Scale scores separated by testimony delivery method within *Robbery* conditions.

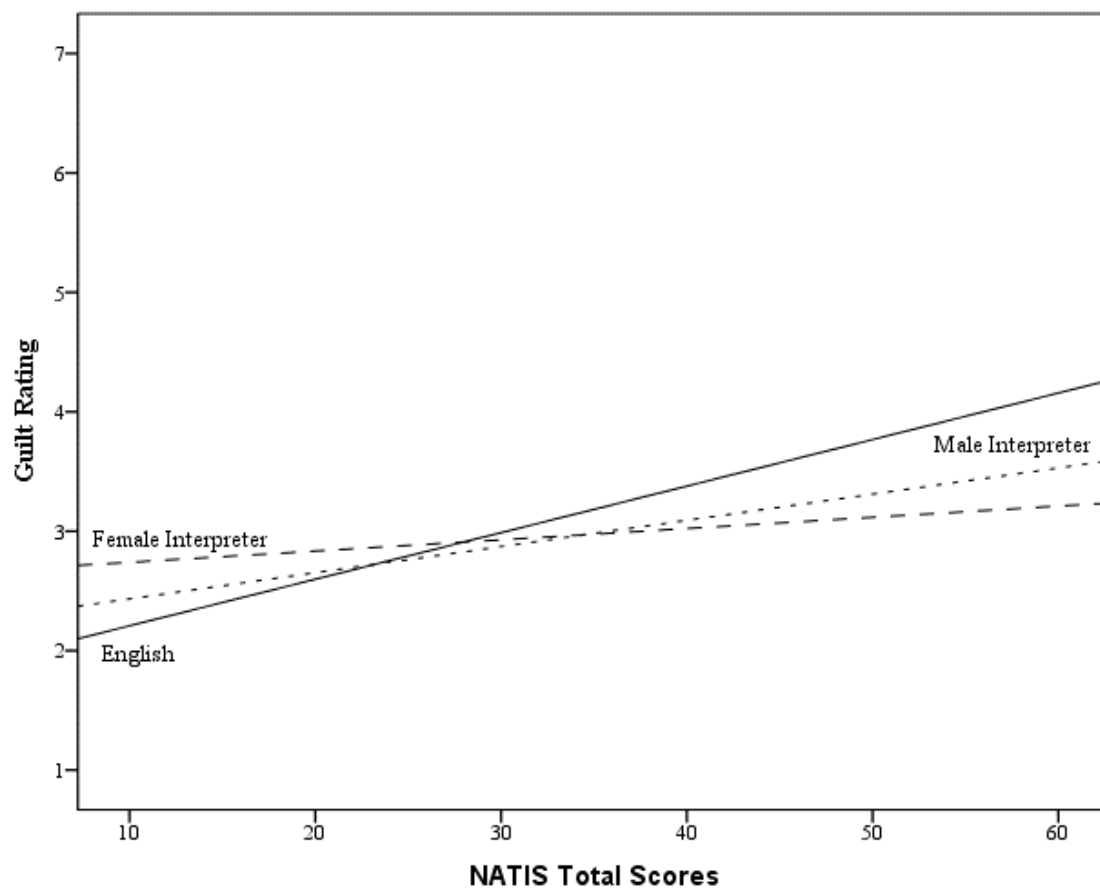


Figure 2. Scatterplot of guilt rating by Negative Attitudes Towards Immigrants Scale scores separated by testimony delivery method within *Robbery* conditions.

Regarding perceptions of the accused, testimony condition was entered in the first model, which did not achieve statistical significance [$R = .02$, $R^2 = .00$, $F(2,197) = .05$, $p = .95$]. In the second model, the attitudinal variable scores were entered, but the model remained nonsignificant [$R = .21$, $R^2 = .04$, $F(6,193) = 1.47$, $p = .19$], although the change in variance accounted for trended towards significance [$\Delta R^2 = .04$, $F(4,193) = 2.18$, $p = .07$]. The interaction terms were added in the third model (see Table 8). This model was also nonsignificant [$R = .27$, $R^2 = .07$, $F(14,185) = 1.06$, $p = .39$], as was the change in variance accounted for [$\Delta R^2 = .03$, $F(8,185) = .77$, $p = .67$]. The interaction between MRS scores and testimony condition approached significance and for completeness is presented in Figure 3. There was an overall positive relation between MRS and perceptions of the accused, with the strongest association observed in the *Male Interpreter* condition ($R^2 = .09$) and weaker associations for the *English* ($R^2 = .01$) and the *Female Interpreter* ($R^2 = .00$) conditions.

Table 8

Perceptions of the Accused Regressed on to Robbery Testimony Condition and Attitudinal Variables (Final Model)

Variables	B (SE)	T	p	r_{sp}
Robbery – Female Interpreter (R-FI) ¹	.74 (1.70)	.44	.66	.03
Robbery – Male Interpreter (R-MI) ²	.64 (1.70)	.38	.71	.03
Modern Racism Scale	-5.95 (2.77)	-2.15	.03	-.15
Colorblind Racial Attitudes Scales	3.38 (1.87)	1.81	.07	.13
Negative Attitudes Towards Immigrants Scale	3.34 (2.20)	1.52	.13	.11
Patriotism-Nationalism Questionnaire	1.29 (1.40)	.92	.36	.07
R-FI x MRS	5.51 (4.05)	1.36	.18	.10
R-MI x MRS	7.68 (4.06)	1.89	.06	.13 (continued)

Variables	B (SE)	T	p	r_{sp}
R-FI x CoBRAS	-3.87 (2.97)	-1.30	.19	-.09
R-MI x CoBRAS	-.98 (3.11)	-.32	.75	-.02
R-FI x NATIS	-2.38 (3.30)	-.72	.47	-.05
R-MI x NATIS	-4.89 (3.41)	-1.43	.15	-.10
R-FI x P-NQ	-.22 (2.10)	-.10	.92	-.01
R-MI x P-NQ	-1.01 (2.09)	-.49	.63	-.03

Note. ¹ Dummy coded as Robbery – Female Interpreter = 1 and all other conditions = 0.

² Dummy coded as Robbery – Male Interpreter = 1 and all other condition = 0.

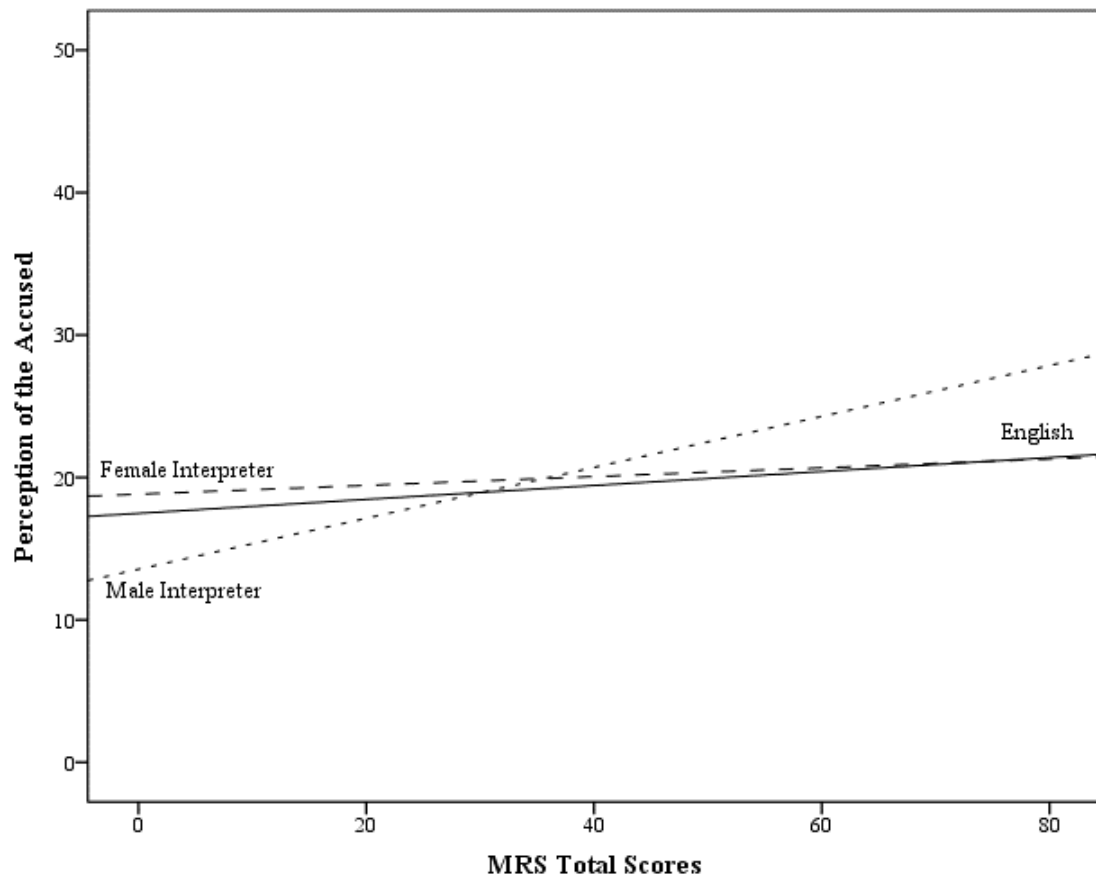


Figure 3. Scatterplot of guilt rating by Modern Racism Scale scores separated by testimony delivery method within *Robbery* conditions.

For verdict decisions, a hierarchical logistic regression was employed. Testimony condition was entered in the first model, which did not achieve statistical significance [$\chi^2(2) = .69$, Nagelkerke $R^2 = .01$, $p = .71$]. In the second model, the attitudinal variable scores were entered but the model remained nonsignificant [$\chi^2(6) = 5.57$, Nagelkerke $R^2 = .05$, $p = .47$]. The interaction terms were added in the third model (see Table 9), which also was nonsignificant [$\chi^2(14) = 18.25$, Nagelkerke $R^2 = .15$, $p = .20$]. As shown in the table, the P-NQ had a significant interaction with the *Male Interpreter* condition. Mean P-NQ scores separated by verdict within each testimony delivery type are illustrated in Figure 4. Results suggest the P-NQ was more predictive of guilty verdicts in the *English* condition compared to the *Female Interpreter* or *Male Interpreter* conditions.

Table 9

Verdict Decisions Regressed on to Robbery Testimony Conditions and Attitudinal Variables (Final Model)

Model	B (SE)	p	OR
Robbery – Female Interpreter (R-FI) ¹	-.72 (.55)	.19	.49
Robbery – Male Interpreter (R-MI) ²	-.30 (.61)	.63	.74
Modern Racism Scale	-2.03 (1.01)	.04	.13
Colorblind Racial Attitudes Scales	-.25 (.55)	.65	.78
Negative Attitudes Towards Immigrants	1.71 (.78)	.03	5.50
Patriotism-Nationalism Questionnaire	1.03 (.52)	.05	2.80
R-FI x MRS	1.46 (1.29)	.26	4.30
R-MI x MRS	1.83 (1.31)	.16	6.24
R-FI x CoBRAS	.03 (.83)	.97	1.03
R-MI x CoBRAS	1.43 (.95)	.13	4.20
R-FI x NATIS	-1.06 (1.03)	.30	.35

(continued)

Model	B (SE)	p	OR
R-MI x NATIS	-1.54 (1.04)	.14	.21
R-FI x P-NQ	-.91 (.67)	.17	.40
R-MI x P-NQ	-1.40 (.68)	.04	.25

Note. Verdict coded as Not Guilty = 0 and Guilty = 1. ¹Dummy coded as Robbery – Female Interpreter = 1 and all other conditions = 0. ²Dummy coded as Robbery – Male Interpreter = 1 and all other condition = 0.

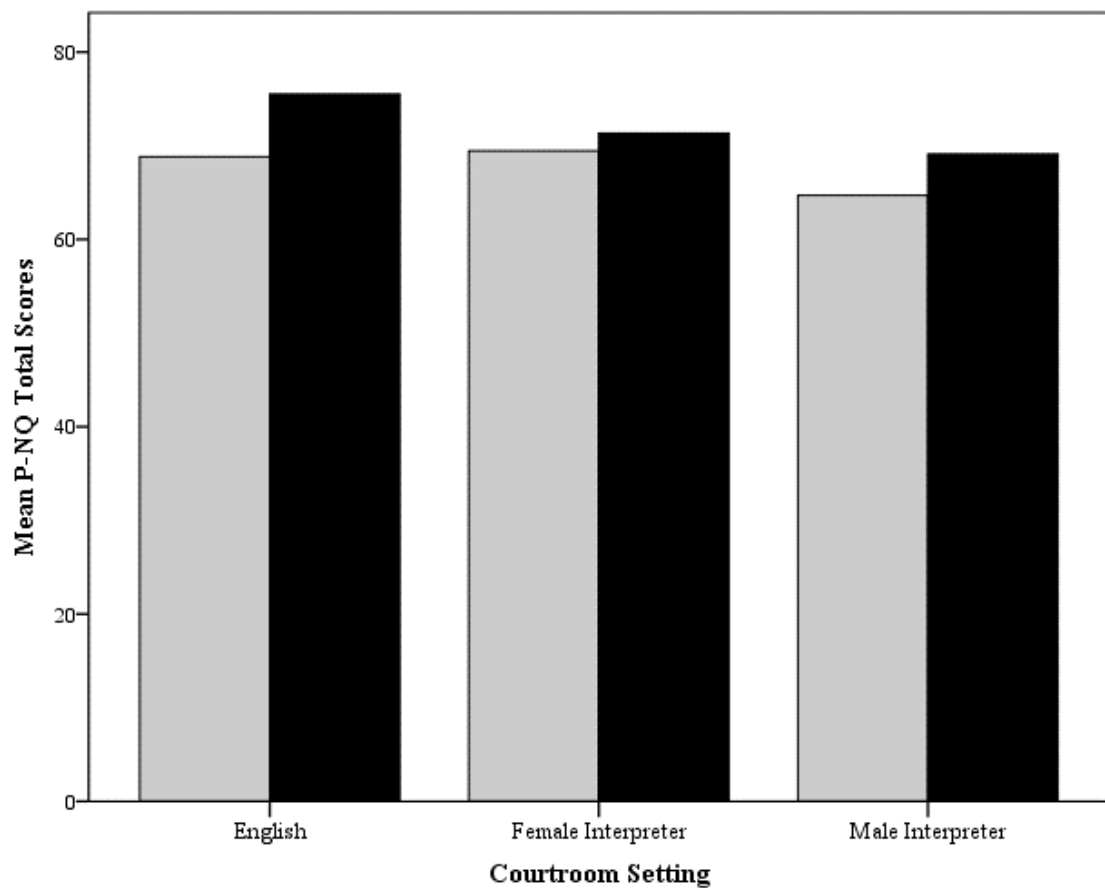


Figure 4. Mean Patriotism-Nationalism Questionnaire scores by testimony delivery clustered by verdict within *Robbery* conditions. Grey = Not Guilty verdict, Black = Guilty verdict.

Sexual Assault conditions. The same procedures as detailed above were used for analyses within *Sexual Assault* conditions. Regarding guilt ratings, testimony condition (dummy coded with English testimony as the reference condition) was entered in the first model, which did not achieve statistical significance [$R = .13$, $R^2 = .02$, $F(2,185) = 1.63$, $p = .20$]. In the second model, the attitudinal variable scores were entered, but both the model [$R = .23$, $R^2 = .05$, $F(6,181) = 1.66$, $p = .13$] and the change in variance accounted for [$\Delta R^2 = .04$, $F(4,181) = 1.66$, $p = .16$] were nonsignificant. The interaction terms were added in the third (and last) model. The change in variance accounted for was nonsignificant [$\Delta R^2 = .07$, $F(8,173) = 1.67$, $p = .11$], but the model trended towards statistical significance [$R = .35$, $R^2 = .12$, $F(14,173) = 1.69$, $p = .06$]. None of the interactions reached statistical significance. This final model is presented in Table 10.

Table 10

Guilt Ratings Regressed on to Sexual Assault Testimony Condition and Attitudinal Variables (Final Model)

Variables	B (SE)	<i>t</i>	<i>p</i>	<i>r</i> _{sp}
Sexual Assault – Female Interpreter (SA-FI) ¹	-.34 (.29)	-1.20	.24	-.08
Sexual Assault – Male Interpreter (SA-MI) ²	-.54 (.28)	-1.95	.05	-.14
Modern Racism Scale	.37 (.34)	1.07	.29	.08
Colorblind Racial Attitudes Scale	-.35 (.34)	-1.04	.30	-.07
Negative Attitudes Towards Immigrants Scale	-.15 (.30)	-.51	.61	-.04
Patriotism-Nationalism Questionnaire	-.03 (.25)	-.14	.89	-.01
SA-FI x MRS	-.75 (.56)	-1.35	.18	-.10

(continued)

Variables	B (SE)	<i>t</i>	<i>p</i>	<i>r</i> _{sp}
SA-MI x MRS	-.01 (.55)	-.02	.99	.00
SA-FI x CoBRAS	.53 (.54)	.98	.33	.07
SA-MI x CoBRAS	.72 (.46)	1.56	.12	.11
SA-FI x NATIS	.77 (.47)	1.66	.10	.12
SA-MI x NATIS	.45 (.48)	.95	.35	.07
SA-FI x P-NQ	-.02 (.42)	-.05	.96	.00
SA-MI x P-NQ	-.46 (.35)	-1.30	.20	-.09

Regarding perceptions of the accused, experimental condition was entered in the first model, which did not achieve statistical significance [$R = .15$, $R^2 = .02$, $F(2,185) = 2.18$, $p = .12$]. In the second model, the attitudinal variable scores were entered and both the model [$R = .25$, $R^2 = .06$, $F(6,181) = 1.95$, $p = .08$] and the change in variance accounted for [$\Delta R^2 = .04$, $F(4,181) = 1.81$, $p = .13$] were nonsignificant. The interaction terms were added in the third model (see Table 11). This model was nonsignificant [$R = .34$, $R^2 = .11$, $F(14,173) = 1.56$, $p = .09$] as was the change in variance accounted for [$\Delta R^2 = .05$, $F(8,173) = 1.26$, $p = .27$]. A significant interaction between testimony condition and NATIS score was observed and is shown in Figure 5. There was an overall positive relationship between experimental condition and NATIS, strongest within the *Male Interpreter* condition ($R^2 = .10$) and weaker in both the *Female Interpreter* condition ($R^2 = .03$) and the *English* condition ($R^2 = .00$).

Table 11

Perceptions of the Accused Regressed on Sexual Assault Testimony Condition and Attitudinal Variables (Final Model)

Variables	B (SE)	<i>t</i>	<i>p</i>	<i>r</i> _{sp}
Sexual Assault – Female Interpreter (SA-FI) ¹	-1.40 (1.90)	-.74	.46	-.05
Sexual Assault – Male Interpreter (SA-MI) ²	-4.24 (1.82)	-2.34	.02	-.17
Modern Racism Scale	3.05 (2.26)	1.35	.18	.10
Colorblind Racial Attitudes Scale	-1.73 (2.22)	-.78	.44	-.06
Negative Attitudes Towards Immigrants	-1.31 (1.95)	-.67	.50	-.05
Patriotism-Nationalism Questionnaire	-.17 (1.63)	-.11	.92	-.01
SA-FI x MRS	-5.17 (3.68)	-1.41	.16	-.10
SA-MI x MRS	-.41 (3.59)	-.11	.91	-.01
SA-FI x CoBRAS	2.21 (3.54)	.63	.53	.05
SA-MI x CoBRAS	3.92 (3.01)	1.30	.20	.09
SA-FI x NATIS	5.95 (3.06)	1.94	.05	.14
SA-MI x NATIS	2.63 (3.15)	.83	.41	.06
SA-FI x P-NQ	-2.08 (2.76)	-.75	.45	-.05
SA-MI x P-NQ	-3.57 (2.32)	-1.54	.13	-.11

Note. ¹ Dummy coded as Sexual Assault – Female Interpreter = 1 and all other conditions = 0.
² Dummy coded as Sexual Assault – Male Interpreter = 1 and all other condition = 0.

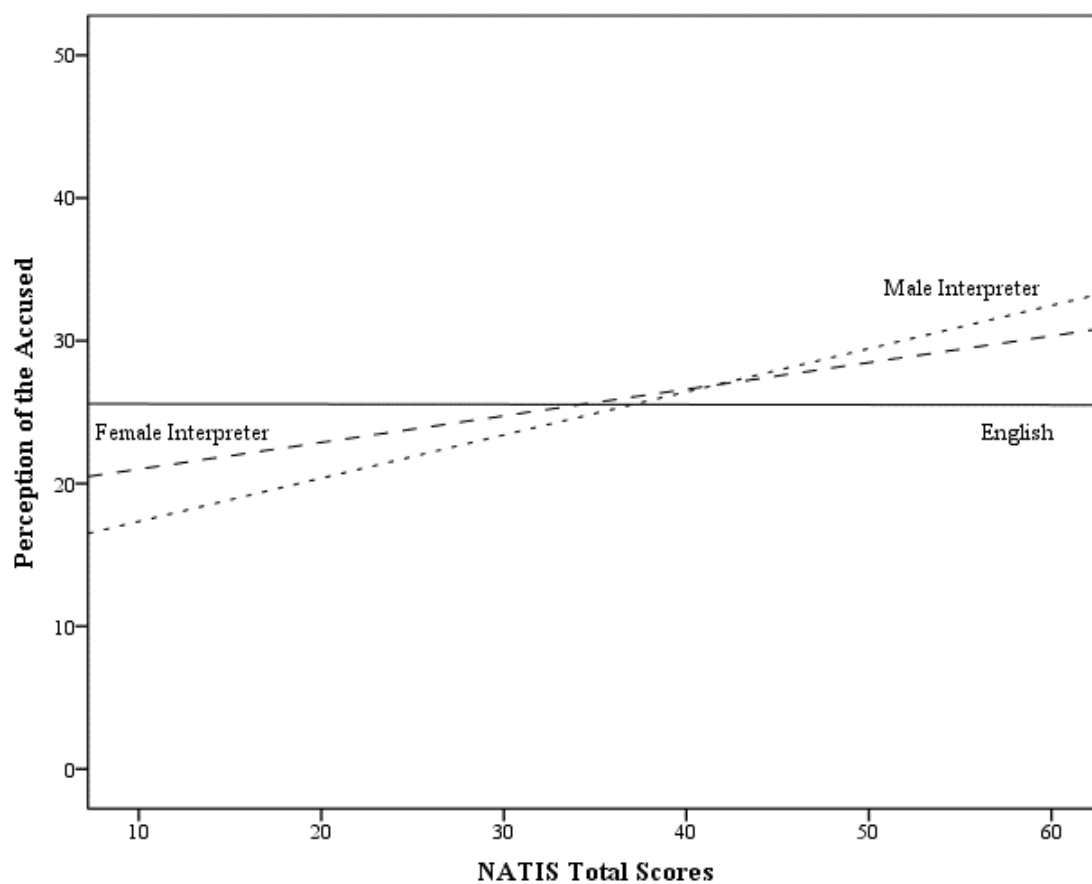


Figure 5. Scatterplot of perception of the accused by Negative Attitudes Towards Immigrants Scale scores separated by testimony delivery method within *Sexual Assault* conditions.

Hierarchical logistic regression was used to examine verdict decisions.

Experimental condition was entered in the first model, which did not achieve statistical significance [$\chi^2(2) = .85$, Nagelkerke $R^2 = .01$, $p = .65$]. In the second model, the attitudinal variable scores were entered and the model remained nonsignificant [$\chi^2(6) = 9.23$, Nagelkerke $R^2 = .07$, $p = .16$]. The interaction terms were added in the third model (see Table 12), which trended towards statistical significance [$\chi^2(14) = 22.31$, Nagelkerke $R^2 = .17$, $p = .07$]. As shown in the table, the NATIS had an interaction trending towards significance with the *Sexual Assault – Female Interpreter* condition, and the P-NQ had an interaction trending towards significance with the *Sexual Assault – Male Interpreter* condition. Mean NATIS and P-NQ scores separated by verdict within each testimony delivery type are illustrated in Figure 6 and Figure 7. Results suggest the NATIS was most predictive of verdict decision in the *Male Interpreter* condition, followed by the *Female Interpreter* and then *English* conditions. The P-NQ appears to have been influenced by a difference in overall mean score between conditions, rather than differing effects on verdict decision between conditions.

Table 12

Verdict Decisions Regressed on to Sexual Assault Testimony Condition and Attitudinal Variables (Final Model)

Model	B (SE)	p	OR
Sexual Assault – Female Interpreter (SA-FI) ¹	-.26 (.45)	.56	.77
Sexual Assault – Male Interpreter (SA-MI) ²	-1.04 (.61)	.09	.35
Modern Racism Scale	.63 (.49)	.20	1.88
Colorblind Racial Attitudes Scale	-.07 (.49)	.88	.93
Negative Attitudes Towards Immigrants	-.34 (.43)	.42	.71
Patriotism-Nationalism Questionnaire	-.02 (.36)	.95	.98

(continued)

Model	B (SE)	p	OR
			SA-FI x MRS
			-1.35 (.87)
			.12
			.26
SA-MI x MRS	.70 (.96)	.46	2.02
SA-FI x CoBRAS	.25 (.85)	.77	1.28
SA-MI x CoBRAS	.21 (.74)	.78	1.24
SA-FI x NATIS	1.44 (.76)	.06	4.23
SA-MI x NATIS	.95 (.75)	.20	2.59
SA-FI x P-NQ	-.40 (.67)	.55	.67
SA-MI x P-NQ	-1.38 (.74)	.06	.25

Note. Verdict coded as Not Guilty = 0 and Guilty = 1. ¹Dummy coded as Sexual Assault – Female Interpreter = 1 and all other conditions = 0. ²Dummy coded as Sexual Assault – Male Interpreter = 1 and all other condition = 0.

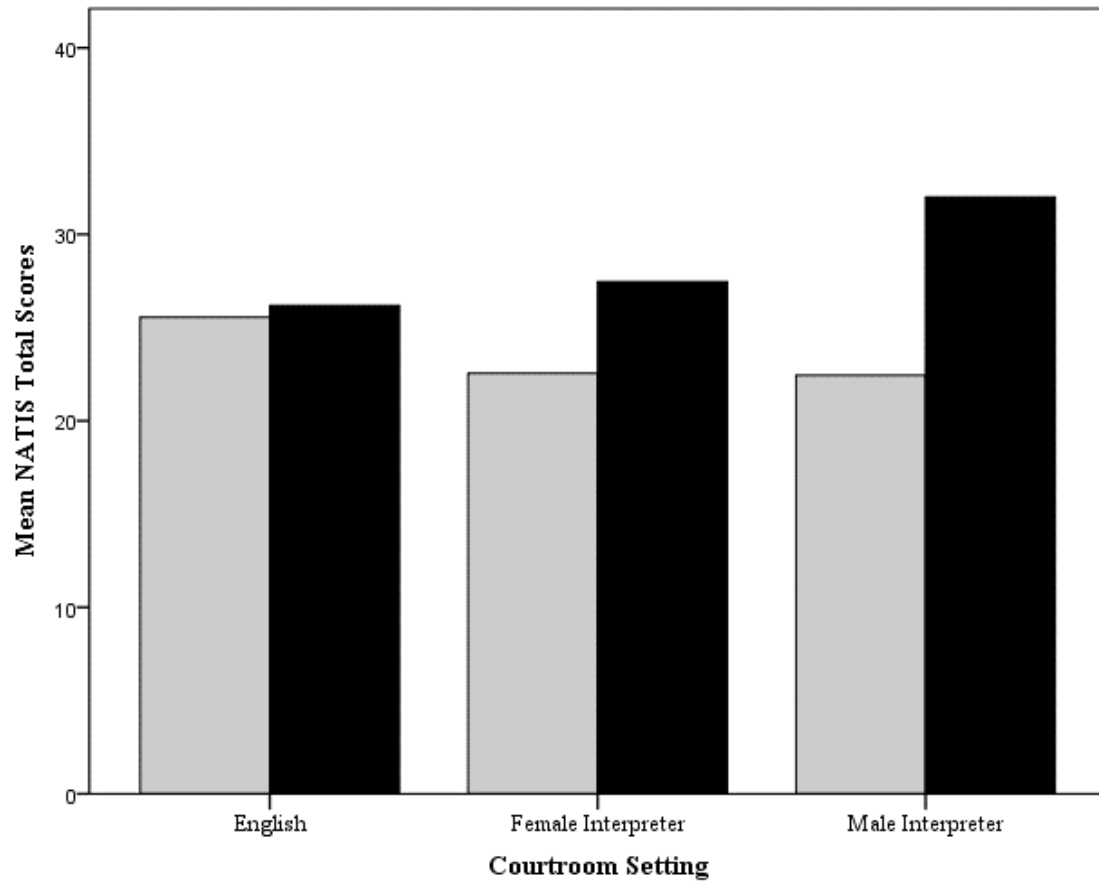


Figure 6. Mean Negative Attitudes Towards Immigrants Scale scores by testimony delivery clustered by verdict within *Sexual Assault* conditions. Grey = Not Guilty verdict, Black = Guilty verdict.

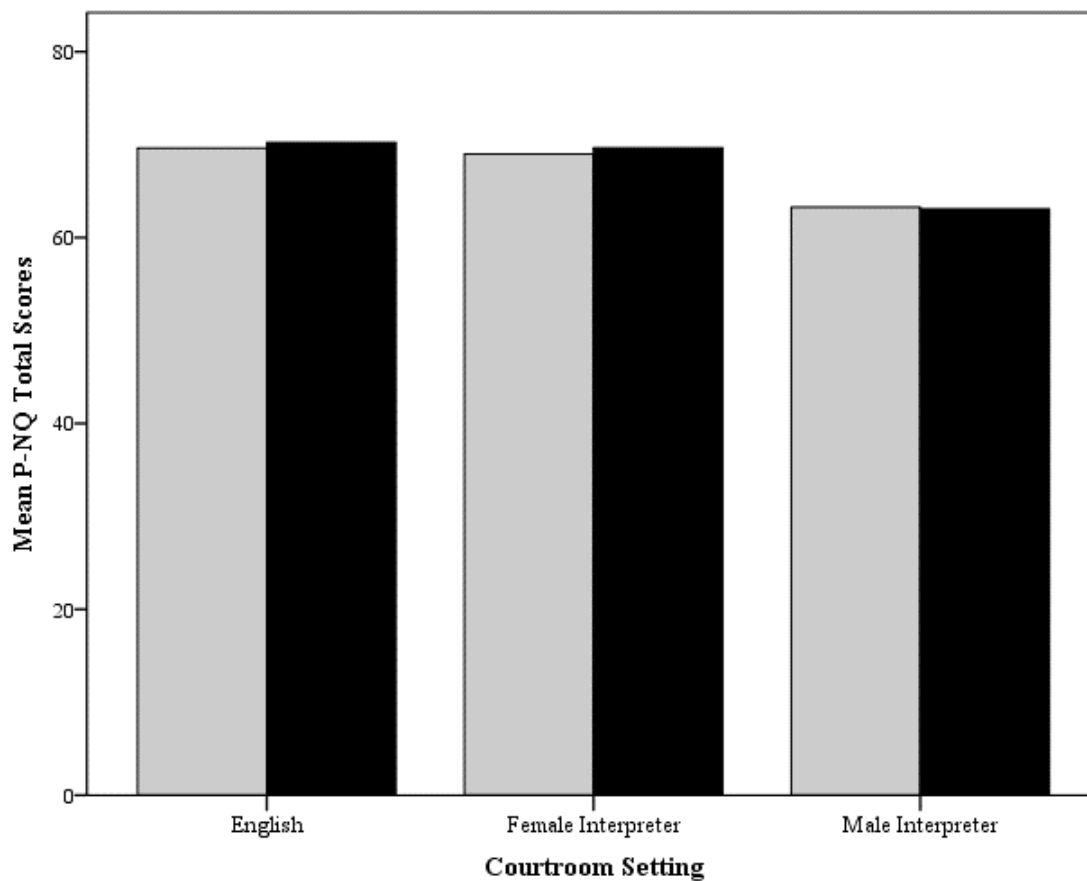


Figure 7. Mean Patriotism-Nationalism Questionnaire scores by testimony delivery clustered by verdict within *Sexual Assault* conditions. Grey = Not Guilty verdict, Black = Guilty verdict.

CHAPTER IV

Discussion

I hypothesized that interpreted testimony would result in greater negative perceptions of the accused, higher guilt ratings, and a greater number of guilty verdicts (Hypothesis 1) and that, similar to our first study, using a female interpreter would result in less negative perceptions of the accused and less guilty verdicts, but only in the case of sexual assault (Hypothesis 2). Additionally, I hypothesized that participants with higher respective scores on the updated MRS, CoBRAS, NATIS, and P-NQ will tend to have greater negative perceptions of the accused across conditions and will be more prejudicial of an interpreted defendant compared to an English-speaking defendant relative to those participants with lower scores (Hypothesis 3).

Two mock transcripts were employed, along with mock case information, and participants' perceptions were collected in six experimental conditions: *Sexual Assault – English* and *Robbery – English*, wherein the defendant provided testimony regarding an alleged sexual assault or robbery in English, respectively; *Sexual Assault – Male Interpreter* and *Robbery – Male Interpreter*, wherein testimony was provided in Spanish and consecutively interpreted by a male; as well as *Sexual Assault – Female Interpreter* and *Robbery – Female Interpreter*, wherein testimony was provided in Spanish and consecutively interpreted by a female. The content of the testimony and trial information was kept consistent in all conditions. Participants were asked to provide their perceptions of the accused, rate the defendant's guilt (on a 1 to 7 scale), and provide a verdict decision.

Preliminary analyses revealed that both guilt ratings and perceptions of the accused were significantly correlated with modern racism, color-blind racial attitudes, and negative attitudes toward immigrants within the sample as a whole. Only guilt ratings were significantly correlated with patriotic/nationalistic attitudes.

Did Manner of Testimony Influence Juror Perceptions and Decision-Making?

The manner in which testimony was delivered did not have a main effect on juror perceptions or decision-making. As shown in Table 5, juror verdict preferences did not vary significantly across experimental conditions. Similarly, guilt ratings and perceptions of the accused did not vary significantly within either the *Sexual Assault* experimental conditions or the *Robbery* experimental conditions.

One possible explanation for these findings is that a ceiling effect influenced the results. Despite pilot testing of the evidence presented in the form of a written script suggesting the testimony and background evidence presented was sufficiently ambiguous (i.e., samples provided a relatively even split between participants leaning guilty or not guilty), none of the experimental conditions resulted in a Guilty verdict proportion higher than 27% (the *Sexual Assault – English* condition). Additionally, Lawrence and Varela (2015) presented the same background information and testimony regarding a mock sexual assault case in their study and approximately 60% of participants in the congruent experimental condition (i.e., a Hispanic male providing testimony in English) provided a Guilty verdict.

There are two notable differences between Lawrence and Varela (2015) and the present study which may have influenced the results. First, the two samples were markedly different. Lawrence and Varela's (2015) sample consisted entirely of

undergraduate college students at a university in southeast Texas, whereas the present sample was collected online. As such, Lawrence and Varela's (2015) sample was both younger on average and geographically limited compared to the present sample, which consisted of participants from throughout the United States. Additionally, although results are mixed, the literature suggests there may be differences in how undergraduate student samples react to mock testimony compared with community mock jurors (e.g., Hosch et. al, 2011). Undergraduate students were employed for pilot testing the stimuli in both the present study and Lawrence and Varela's (2015); however, the latter's sample was more similar to the pilot test sample when compared to the present study. It is possible that a pilot test sample of community participants collected online may have produced different results from the pilot test used, thus potentially capturing any ceiling effects before the study was conducted. It is recommended that, in the future, researchers take extra care to pilot test materials with a sample similar to the target sample.

A second notable difference is the method in which the stimuli were presented. Lawrence and Varela (2015) presented their stimuli as audio-recordings to small groups of participants. The present study employed video-recordings and participants viewed stimuli completely independently online. Although video-recording was initially intended to increase the external validity of the study, a video-recording also introduces extra variables which may influence participant perceptions. Whereas Lawrence and Varela (2015) presented only a photograph of the mock defendant, participants in the present study had the opportunity to judge the mock defendant's and the interpreters' nonverbal behaviors. Thus, results from the present study may only apply to defendants and interpreters with similar nonverbal behavior and presentation to the actors employed

in the present study. Additionally, although Lawrence and Varela (2015) did not include deliberation in their study, participants may have different reactions to mock testimony when it is presented in a group at a university conference room as opposed to an online presentation when the participant is likely alone in his/her own home.

Do Attitudinal Variables Influence Juror Perceptions Based on Manner of Testimony?

As shown in Tables 6 through 12, attitudinal variables and their interactions with manner of testimony appeared to influence participants' views of the hypothetical defendant in a variety of ways. The combined effect of attitudinal variables and their interactions with manner of testimony was a broadly useful predictor of guilt ratings within both the *Robbery* experimental conditions and the *Sexual Assault* experimental conditions. However, individual predictors changed depending on the type of crime. Higher ratings of modern racism were more positively associated with higher guilt ratings in the *Robbery – Male Interpreter* condition when compared to other situations, and greater negative attitudes towards immigrants were more positively associated with guilt ratings in the *Robbery – English* condition compared to conditions employing interpreters. Within the *Sexual Assault* conditions, however, no interactions or main effects of attitudinal variables were observed for guilt ratings. Rather, the addition of attitudinal variables and their interactions resulted in experimental condition becoming a useful predictor such that lower guilt ratings were observed in the *Sexual Assault – Male Interpreter* condition compared to the *Sexual Assault – English* category. Attitudinal variables and their interactions taken together were not observed to be a useful predictor of perceptions of the accused or verdict. However, individual predictors did vary

significantly depending on type of crime and dependent variable being analyzed (as detailed in Table 6 through Table 12).

Altogether, these findings do not allow for easy interpretation. One point to take away is that participants' attitudes in many cases did interact with experimental condition, suggesting the influence of individual attitudes may change depending on the manner in which testimony is presented. As in Lawrence and Varela (2015), attitudinal variables did not appear to have a direct effect in a case involving sexual assault; however, in the present study their addition was required for the effects of conditions to be considered significant. In cases involving a robbery, attitudinal variables frequently interacted with manner of testimony delivery to become useful predictors. It is recommended that future studies continue to examine this relationship between individual attitudes and interpreters in courtrooms. Future studies may do well to narrow the focus of their investigation to one or two individual attitudes, potentially allowing for a clearer picture to be illustrated regarding the precise nature of influence of attitudes on perceptions of an interpreted defendant.

Limitations and Future Directions

The present study had a number of limitations warranting consideration. Firstly, as touched upon earlier in this section, there are limitations regarding the generalizability of the present sample. Although the present sample was relatively diverse regarding age and geographic location, over 75% of participants identified as White. Considering the language used in the stimuli as well as the ethnicity of the mock defendant, the sample had a particularly low representation of participants identifying as Hispanic (5.7%). Low representation of minority ethnicities in the sample creates limitations in making

statistical comparisons of perceptions of the accused between ethnic groups within each experimental condition. Future experiments would do well to have a more ethnically diverse sample, as there may be significant differences in how members of different groups ethnic respond to interpreted testimony.

Another limitation is the analogue design of the study. Participants received limited amounts of information compared to an actual trial. A more realistic manipulation, such as a mock trial, could make results more easily comparable to an actual trial situation. Participants were also presented with the stimuli on an individual basis from the participants' own computers. This design allowed for a more geographically diverse sample; however, actual jurors are not presented with evidence and asked to make decisions individually. Being presented with the stimuli in small groups with researchers present may be a more realistic simulation and would allow for greater control of stimulus presentation (e.g., ensuring the testimony is only heard once). An online design also prohibited participants from deliberating with other mock jury members in this study. Allowing group members to deliberate and come to a group decision would increase the external validity of the manipulation, and perhaps change the effect of the testimony as well.

As noted earlier, although the use of a video-recording was intended to increase external validity relative to Lawrence and Varela (2015), the format provided more extralegal variables which may have influenced participant perceptions (e.g., body language). The roles of the defendant and interpreters were played by trained actors; however, practical limitations resulted in the hiring of student actors rather than professional actors. Due to practical limitations I was also unable to pilot test and control

for mock juror reactions to actor variables. The literature on mock jury research reflects participants react differently to similar evidence depending on personal traits of the defendant, such as attractiveness (Ahola, Hellström, & Christianson, 2010), body weight (Schvey, Puhl, Levandoski, & Brownell, 2013), or other features lending to an impression of untrustworthiness (Porter, ten Brinke, & Gustaw, 2010). As I was unable to control for such potentially confounding factors, the results of this study are potentially only generalizable to defendants, and perhaps interpreters, with similar physical features and mannerisms as the actors in the stimuli. Future studies should be sure to control for individual actor variables when conducting mock jury research. Future researchers should also consider that, short of having the ability to control for such factors, audio-recordings may actually be a more useful approach as it allows for jurors to fill in the gaps of body language and appearance themselves. Although this approach is less externally valid, it may allow for attitudinal juror factors to play a larger role, rather than individual actor variables.

Conclusions

The present study examined the effects of interpreted testimony on juror perceptions of a defendant. Although results from this study did not support hypotheses that interpreted testimony would influence mock juror decision-making and perceptions, results did suggest that the interaction between manner of testimony delivery and individual attitudes plays a part in how jurors provide ratings of guilt and their perceptions of the accused. Additionally, the limitations of the present study's design preclude broader generalization, particularly the lack of control for individual actor variables when presenting the stimuli. However, these results certainly suggest that

interpreter factors influence how juror attitudes play into the juror's perception of a defendant. Further endeavors into this area of study may assist lawyers during *voir dire* jury selection with determining how potential juror attitudes may influence their perception of a defendant unable represent him or herself in English. Particularly considering the increasing diversification of the United States, interpreted testimony is a potentially rich area of study with wide-ranging implications for legal and clinical practices.

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APPENDIX A

Orientation to the Research

Today you will be a juror in a criminal case. It will be your duty to find from the evidence what the facts are. You and you alone will be the judges of the facts. The evidence from which you will find the facts will consist of testimony of the defendant, who is the one being accused of committing a crime, a description of the defendant, a description of the victim, and a description of details relevant to the crime. After viewing the background information and testimony, you will be asked to render a verdict and answer some questions about what you heard. It will be up to you to decide if you believe the defendant, and how much of the defendant's testimony to accept or reject. All of your answers will remain completely confidential and there will be no way of knowing which answers are yours. The whole process should take no longer than thirty minutes. Please be sure to view the testimony closely and answer the follow-up questions honestly. You will not be able to return to previous pages once you have chosen to continue.

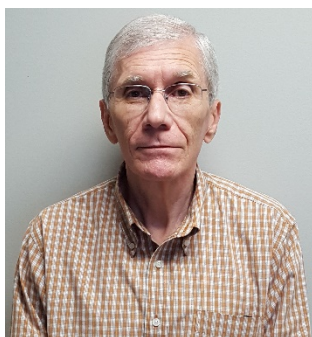
APPENDIX B

Robbery Trial Background Information

Defendant:

Pedro Hernandez - 32 years old, 5'10", Hispanic male. Has lived in Scarsdale, NY, for 12 months. Moved to Scarsdale with family seeking employment. His boss testified he is a dedicated employee and always on time. Mr. Hernandez has a prior conviction of assault in the third degree, a class A misdemeanor.

Victim:



William Jones - 62 years old, Caucasian male, native of Scarsdale. On the night of Friday, October 11, he was robbed and physically assaulted outside his workplace. The robber brutally assaulted Mr. Jones, giving him a concussion, multiple large bruises, and four broken ribs. Mr. Jones stated he believed he was going to be killed. The robber stole Mr. Jones's suitcase and left him on the side of the street. Mr. Jones used his cellphone and immediately called 911 to report the robbery.

Evidence:

Security camera footage revealed a man wearing a black and green New York Jets cap, jeans, a black winter coat, and black winter gloves. The man was seen loitering in the alley between the bank and the neighboring building. The cap and angle of the camera obstructed a full view of the man's face. Internal security footage from earlier that day show Mr. Hernandez was also wearing a New York Jets cap when he visited the bank, but he was not wearing a black winter coat or gloves. Analysis of the footage showed the attacker was between 5' 9" and 6' 1", had a slender build, and medium complexion, but forensic experts could not say with certainty the attacker was Mr. Hernandez.

Footage shows Mr. Jones walk out of the bank at 7:04 pm. When he passes by the alleyway the robber steps out and immediately punches Mr. Jones in the head, knocking Mr. Jones to the ground and onto his stomach. Mr. Jones attempts to get up but the robber is seen to kick Mr. Jones multiple times in the head and ribs and preventing Mr. Jones from getting up. The robber picks up Mr. Jones's suitcase and flees. The entire incident lasted only about fifteen seconds. Mr. Jones called 911 immediately after the attack.

Police and paramedics quickly arrived and brought Mr. Jones to the closest hospital. The suitcase and its contents were found in a dumpster a few blocks away from the incident. No viable identifying materials were found.

There were no witnesses to the attack. After he recovered police interviewed him about the incident. Mr. Jones reported the robber "said nothing" and Mr. Jones "barely got a chance to look at him." Mr. Jones stated "he came out of nowhere and sucker punched" him then brutally assaulted him and stole his suitcase. When asked to describe the robber Mr. Jones responded "I'll do better, I'll tell you exactly who did it." Mr. Jones implicated his neighbor, Pedro Hernandez, as the robber. Mr. Jones refused to see a line-up or suspect photos and only stated "I saw him. It was that bastard."

Mr. Jones contends that Mr. Hernandez regularly harasses him and vandalizes his property. Mr. Jones stated he never witnessed the vandalism first hand but "knows that spic did it." Mr. Jones stated Mr. Hernandez regularly came into the bank and "made a ruckus." He stated Mr. Hernandez became angry with him every time "things didn't go his way." Mr. Jones added he hears yelling from the Hernandez home and stated "I hope he doesn't beat his wife the way he attacked me." The defense attorney immediately objected and assured the jury Mr. Hernandez has no prior convictions of domestic abuse.

APPENDIX C

Sexual Assault Trial Background Information

Defendant:

Pedro Hernandez - 32 years old, 5'10", Hispanic male. He has been living in El Paso, TX, for 4 months. He moved to El Paso seeking employment. This is Mr. Hernandez's first time being charged with a criminal offense. He has no record of criminal activity or interaction with the legal system.

Victim:



Brittany Williams - 29 years old, Caucasian female, native of El Paso. On the night of Friday, October 11, she was assaulted and raped in her apartment. The attacker picked the lock on her apartment door and snuck in while she was sleeping. The attacker blindfolded Ms. Williams with a dish-towel from her kitchen and demanded to know where she kept her money. After Ms. Williams told him, the attacker gagged her with another dish towel and raped her. The victim was knocked unconscious during the attack. Upon regaining consciousness, the attacker was gone and Ms. Williams immediately called 911 at 1:17 am to report her assault.

Evidence:

The assault occurred sometime between 9:30 and 10:45. Due to having been asleep and subsequently blind-folded and knocked unconscious, Ms. Williams was unable to tell police precisely when she had been assaulted. The attacker raped Ms. Williams and stole approximately \$500 in cash. He wore gloves and used a condom. No fingerprints or identifying materials were obtained. Ms. Williams did not see her attacker and could not provide a physical description, though she said he was probably drunk or high by the way he was acting. Ms. Williams' neighbors were interviewed and gave alibis. One couple stated they saw a man they did not recognize leaving the apartment complex sometime between 10:30 pm and 11:00 pm, but they did not get a good look at him. The couple stated he was average height and weight, had short hair, and was probably Hispanic. Locals out on the street that night only reported seeing a variety of people as there are a number of popular bars in the neighborhood and night life is common.

Ms. Williams was unaware of anyone who would want to assault or harm her. Mr. Hernandez came under investigation when she mentioned the construction workers working on the new library near her residence had a history of harassing her. She stated one of them had followed her down the street a couple of times for about a block, though she never turned back or acknowledged him. The police discovered this same group of construction workers were at a popular bar in the neighborhood that night. After re-interviewing locals who were out that night with photos of the construction workers, a few people did report having witnessed Mr. Hernandez wandering around the area. They all noted they recognized him from the photo because he was noticeably drunk and stumbling around, though that was not a particularly rare sight in the area. After interviewing co-workers and discovering Mr. Hernandez had “cat-called” at Ms. Williams and followed her twice, the police arrested Mr. Hernandez at the construction site. The couple who saw someone leaving the apartment complex around the time of the attack were asked if they could identify the person they saw through photographs. The couple agreed the man they saw was similar to Mr. Hernandez, but could not be sure. Ms. Williams was asked to try and identify her attacker by voice, but she was unable to identify anyone in the line-up.

APPENDIX D

Robbery Testimony Script

JUDGE. Defense, please call your next witness.

DEFENSE. At this time, we call the defendant, Pedro Hernandez, Your Honor.

JUDGE. All right. Mr. Hernandez, step up on the witness stand. Turn and face the jury please. Raise your right hand. Do you solemnly swear the testimony you are about to give this jury is the truth, the whole truth, and nothing but the truth, so help you God, and subject to the pains and penalties of the laws of perjury of the State of New York?

WITNESS. Yes.

JUDGE. You may be seated.

Direct Examination

DEFENSE: Mr. Hernandez, where do you currently reside?

WITNESS. On Burnside, right off Main.

DEFENSE. And who are you currently living with?

WITNESS. With my girlfriend and my parents.

DEFENSE. And how long have you been living at your current residence?

WITNESS. About twelve months.

DEFENSE. Are you currently working?

WITNESS. Yes.

DEFENSE. What type of work do you do?

WITNESS. I'm a janitor at the high school.

DEFENSE. Is that full time employment or part-time employed?

WITNESS. Full-time.

DEFENSE. Let's get straight to the point Mr. Hernandez, before the incidents that led us here today, how would describe your relationship with Mr. Jones?

WITNESS. Mr. Jones and I did not get along.

DEFENSE. So you knew him?

WITNESS. Yes, we live in the same neighborhood.

DEFENSE. And did you know where he worked?

WITNESS. Yeah, he worked at the bank down the street from me.

DEFENSE. Did you frequent this bank?

WITNESS. Yeah I was there pretty often. I cashed my paychecks there.

DEFENSE. So you went to this bank even though you knew Mr. Jones worked there?

WITNESS. Well sure. I don't like him but I'm not about to go out of my way to cash my checks just because of him. That's extra time and gas money.

DEFENSE. Could you describe your relationship with Mr. Jones?

WITNESS. I wouldn't really call it a relationship. Mr. Jones was always harassing me on the street. I don't know what his problem is, he just didn't like me. Any time I walked outside my house, if he was out there he'd be calling me "spic" or something. I think he was just trying to get me angry. Sometimes he'd yell stuff in Spanish just to annoy me more.

DEFENSE. Mr. Hernandez, in their opening statement the prosecution told the jury that on the day of the incident you had a bit of a conflict with Mr. Jones. Could you explain that to us all please?

WITNESS. Sure. I had just gotten my paycheck so I went to the bank to cash it. Jones just happened to be the guy working the desk I walked up to. Anyway, it had been a long day. The students can be pretty hard on me sometimes. So I was just looking forward to getting my paycheck, buying some groceries for my family, and heading home. I wait in line and when I get up to the desk sure enough I end up with Mr. Jones. He started harassing me pretty much right away. He started telling me that something was wrong with my check and I'd have to go get a new one. He has done this kind of thing before, he's always trying to make my life hard. So I admit I started yelling at him to quit playing around and just let me cash the check and get on with my day. I told him I was tired and just wanted to get home. He just laughed though and told me to come

back another time or else he would call the police. He said he'd be happier if I went back where I came from.

DEFENSE. And what did you do after this?

WITNESS. I left. I just couldn't deal with him that day. I figured I would try again the next day and hope I had better luck not to get him.

DEFENSE. Weren't you angry?

WITNESS. Of course I was. But like I said, he does this kind of stuff all the time. I just wanted to get out of there.

DEFENSE. Did you have any desire to assault Mr. Jones?

WITNESS. No, of course not. I was angry, but I don't fight people. I was raised better than that.

DEFENSE. Mr. Hernandez, when the officers came to arrest you did you resist in any way?

WITNESS. To be honest I did a little bit. I was really embarrassed and confused. I had no idea why I was being arrested and I didn't want my parents or my girlfriend to see me like that. I felt really violated.

DEFENSE. Did the officers tell you what you were being charged with?

WITNESS. Yes. They said I robbed Mr. Jones. I had no idea what they were talking about and I tried to explain that I didn't do nothing to him.

DEFENSE. When you were brought to the department and interviewed, did you cooperate throughout the whole process?

WITNESS. Yes, absolutely.

DEFENSE. And at every time during the interrogation, did you deny any type of improper conduct with Mr. Jones?

WITNESS. Well, we had definitely been pretty rude to each other before.

DEFENSE. Okay. But during the interrogations, regarding the allegations with Mr. Jones, at all times did you deny any improper contact with him?

PROSECUTION. Your Honor, I object to the leading; suggesting an answer to the witness.

JUDGE. Overruled.

WITNESS. Yes, I told them I didn't do anything wrong.

DEFENSE. Could you describe the events of the day of Friday, October 11th?

WITNESS. Yeah. I got up around five in the morning to get ready to get to work at seven. After showering and eating breakfast I left to walk over to the school. I was at the school all day. Some of the kids started making a mess in the cafeteria. I tried cleaning up but they started pushing food off the tables just to mess with me. They called it an accident but I know they just like messing with me. Anyway, it took a while to clean up so I got out a bit later than normal. I was just happy the week was finally over and I could go home. I got my paycheck and managed to make it to the bank before it closed to cash it. But like I said earlier Jones was working the desk and he started harassing me, telling me I couldn't cash it cause it was messed up or something. I was just sick of all the bullshit and I kind of snapped at him. He just laughed in my face and told me to leave. I didn't feel like dealing with this stuff anymore so I did. I went back home a while but my parents and my girlfriend were all still gone. We all got jobs and they usually end up working late shifts. I ended up leaving again to go take a walk and cool off before they got back. I was out for a while I guess because I don't think I got home again until about 8 pm.

DEFENSE. And how do you feel now that you've been held in jail, arrested in front of your family and neighborhood, and now put on trial because a man who has a history of targeting you decided to falsely accuse you of a crime?

WITNESS. It's terrible. I feel like I'm losing everything. It doesn't matter if I get cleared, I know the school will fire me. I don't know what Mr. Jones's problem is. I didn't do this but I bet everyone is going to think I did now. I just don't want to move all over again.

DEFENSE. Pass the witness, Your Honor.

Cross-Examination

PROSECUTION. Mr. Hernandez, you said you work as a janitor at the high school in town?

WITNESS. Yes.

PROSECUTION. Okay. And how long have you been working there?

WITNESS. About seven months, I think. I started working there after I moved.

PROSECUTION. And how is the work?

WITNESS. It's alright. Glad to get a paycheck.

PROSECUTION. But you testified earlier that the students "can be pretty hard on you sometimes" correct?

WITNESS. Yeah, so what?

PROSECUTION. So, isn't that incredibly aggravating?

WITNESS. I guess so.

PROSECUTION. Have you ever gotten angry with the students?

WITNESS. Sure, they can be pretty annoying, but they're just kids.

PROSECUTION. And what do you do when you get angry?

WITNESS. I don't know. I just keep to myself. I don't go hitting people if that's what you are trying to say.

PROSECUTION. Mr. Hernandez you did testify earlier that you "don't fight people," is that correct?

WITNESS. Sure.

PROSECUTION. And yet, you have a record of a conviction on an assault charge isn't that right?

WITNESS. That was a long time ago, I don't get angry and hurt people.

PROSECUTION. It was three years ago correct?

WITNESS. Yeah.

PROSECUTION. Mr. Hernandez doesn't this conviction demonstrate that clearly you do have a history of fighting?

WITNESS. No, no. That was different. That was just a bar fight ok? My lawyer even told me it wasn't that serious. It was a misdemeanor and not a felony. The fight just broke out, I didn't start it. I don't do that.

PROSECUTION. How did the fight "break out?"

- WITNESS. I don't know how it started. I wasn't even with those guys. The dudes were just drunk and started fighting. Then other guys got dragged in. It wasn't my fault, I didn't start it. But I needed to protect myself so I did.
- PROSECUTION. Well if it was self-defense how did you end up with an assault conviction?
- WITNESS. I don't know man. The fight broke out and when the cops came in they just started arresting everybody involved. They didn't even try to figure out who started it and who was just protecting themselves. I took a deal for some probation time. My lawyer said back then that self-defense would be hard to prove in a trial so taking a deal was the better option. I don't know, I just trusted him. But I didn't start the fight. It was bullshit. The cops had never done anything like that any of the other times.
- PROSECUTION. Other times? Are you saying that despite having only one conviction you have actually been involved in multiple bar fights?
- WITNESS. What? No, no I didn't mean that. I mean, I just mean that other times when fights broke out in bars the cops tried to figure out what happened before they started arresting people. I told you already I don't start fights with people.
- PROSECUTION. Mr. Hernandez, could you tell us again about your relationship with Mr. Jones?
- WITNESS. Jones? I've told you already. He's my neighbor.
- PROSECUTION. Right. And what do you think of him?
- WITNESS. I didn't attack him, it wasn't me.
- PROSECUTION. Where were you at 7:04 pm when the incident took place?
- WITNESS. I told you I was out walking.
- PROSECUTION. Right, but where were you at 7:04 pm?
- WITNESS. I don't know. Not exactly. I was taking a walk to cool off, I didn't pay attention to the time. I know I walked around the park for a long time, and I didn't get back home until about 8.
- PROSECUTION. And who could verify your whereabouts at this time?

- WITNESS. I don't know! I walked by a couple people at some point I'm sure but I didn't know any of them or talk to any of them. Can you remember who saw you at exactly 7:04 pm that night?
- PROSECUTION. Mr. Hernandez do you own a New York Jets cap?
- WITNESS. You guys went through my house already; you know I do. And yes, I was wearing it that day. You already showed everyone here that video from the bank showing me trying to cash my check.
- PROSECUTION. Well then you know from the second video I showed to the jury that the attacker was also wearing a Jets cap?
- WITNESS. A lot of people wear Jets caps.
- PROSECUTION. And how about black gloves? And a black coat?
- WITNESS. Yeah, I own both of those. Just like anyone else here. It's October in New York. It's cold and I just own some winter clothes, like everyone else.
- PROSECUTION. Mr. Hernandez isn't it true that you have vandalized Mr. Jones's home on multiple occasions?
- DEFENSE. Objection your honor, absolutely no foundation for that and my client has never been convicted of such charges.
- JUDGE. Sustained.
- WITNESS. So, Mr. Hernandez, you claim Mr. Jones is the one who harasses you?
- WITNESS. Jones is crazy. He's a mean guy, no one likes him. Someone else he pissed off must have messed with his house. He harasses me all the time, I'm sure I'm not the only guy he does it to.
- PROSECUTION. Have you ever seen Mr. Jones harass anyone else?
- WITNESS. I don't like seeing him if I don't have to. I don't watch him to see how he acts with other people.
- PROSECUTION. So you believe he targets only you?
- WITNESS. No, no I don't. I bet he targets a bunch of people. He's a hateful guy.
- PROSECUTION. But you've never see him do this and can provide no names of others whom Mr. Jones may have harassed?

WITNESS. No, I cannot.

PROSECUTION. And you can provide no witness to verify your whereabouts at the time of the attack?

WITNESS. No, I cannot.

PROSECUTION. And you own a Jets cap and were wearing one the day Mr. Jones was attacked?

WITNESS. A lot of people wear those. That video you showed shows Jones got hit immediately and fell down. He never even had a chance to look at the guy who robbed him. Jones hates me.

PROSECUTION. So you believe Mr. Jones just made up seeing your face and is now falsely accusing you for no reason?

WITNESS. Maybe Jones saw the cap as he was getting hit and assumed it was me because he's seen me wearing one before. I don't know. Jones is crazy.

PROSECUTION. So you believe Mr. Jones, a man you have testified that you cannot stand, was just coincidentally assaulted a mere three hours after he harassed you, as you put it, at the bank?

WITNESS. Yes, that is exactly what happened. I don't rob people. I don't fight people. I bet whoever attacked him just wanted the suitcase.

PROSECUTION. You think he just wanted the suitcase even though officers found the suitcase dumped just a few blocks away with everything in it emptied out?

WITNESS. I don't know why the guy dumped the suitcase. Maybe he just realized he'd be on the bank security camera and chickened out. Maybe he thought there'd just be straight cash in there. I don't know. I don't do that to people, I don't hurt people.

PROSECUTION. Even though you have been convicted of assault in the past?

WITNESS. That was three years ago. Everyone was fighting. I told you I didn't start that fight.

PROSECUTION. Sure. So, is it not possible that you were already angry and tired from your long day, got angry with Mr. Jones turning you away from cashing your paycheck once again, and decided to go home, grab some gloves and a coat, and finally give that man whom you have described as "crazy" and "hateful" the treatment he deserved for harassing you so often?

WITNESS. No! Yeah I don't like Jones. But I don't hurt people. You saw how bad he got hurt, I wouldn't want anyone to get hurt that bad. I'm not going to cry about it, but I'm sure not happy someone I know got hurt so bad so close to where we live. It's a scary world.

PROSECUTION. No further questions, your Honor.

JUDGE. Very well. Mr. Hernandez, you may step down and take your seat.

APPENDIX E

Sexual Assault Testimony Script

JUDGE. Defense, please call your next witness.

DEFENSE. At this time, we call the defendant, Pedro Hernandez, Your Honor.

JUDGE. All right. Mr. Hernandez, step up on the witness stand. Turn and face the jury please. Raise your right hand. You may place your left hand on that Bible if you wish. Do you solemnly swear the testimony you are about to give this jury is the truth, the whole truth, and nothing but the truth, so help you God, and subject to the pains and penalties of the laws of perjury of the State of Texas?

WITNESS. Yes.

JUDGE. You may be seated.

Direct Examination

DEFENSE: Mr. Hernandez, where do you currently reside?

WITNESS. At Northside Apartments.

DEFENSE. And who are you currently living with?

WITNESS. With my friend, we rent an apartment together.

DEFENSE. And how long have you been living with your friend?

WITNESS. For approximately four months.

DEFENSE. Are you currently working?

WITNESS. Yes.

DEFENSE. What type of work do you do?

WITNESS. Construction.

DEFENSE. Is that full time employment or part-time employed?

WITNESS. Full-time.

DEFENSE. Let me ask you, Mr. Hernandez, before the incidents that led us here today, how would describe your relationship with Ms. Williams?

WITNESS. I had none.

DEFENSE. So you had no idea who she was?

WITNESS. None.

DEFENSE. And you had no idea where she lived?

WITNESS. No idea.

DEFENSE. Where she worked?

WITNESS. I didn't know.

DEFENSE. Did you know her name?

WITNESS. No.

DEFENSE. Do you recognize Ms. Williams though?

WITNESS. I do recognize her.

DEFENSE. Could you describe how it is you recognize her?

WITNESS. She had walked by my construction site a number of times since I began work there.

DEFENSE. Mr. Hernandez, in their opening statement the prosecution told the jury that you had a history of "harassing" Ms. Williams. Could you explain that to us all please?

WITNESS. Okay, but I'm really ashamed. It can be really tough working all day outside, sometimes you just want to fool around a bit. Me and the boys would often sit out on lunch break and talk about people going by on the street. If a girl walked by we all thought was really beautiful, sometimes we could get a little rowdy. One or two of us would start calling out to the girl, asking for a date, or her number, or just telling her she was hot. All the guys did it, and we always pushed each other to do it. Ms. Williams walked by during lunch a lot, so a lot of us would recognize her and start yelling out stuff. I'm not proud of it, it was stupid guy stuff, but I didn't mean to really make her feel that bad. I'm sorry if she felt harassed.

DEFENSE. So, did you have any reason to assault her?

WITNESS. No, not at all.

DEFENSE. Did you have any desire to assault her?

WITNESS. None, I would never do something like that.

DEFENSE. Did you harbor any ill-will toward Ms. Williams at all?

WITNESS. None at all.

DEFENSE. Mr. Hernandez, when the officers came to arrest you did you resist in any way?

WITNESS. Not at all. But I was really embarrassed and confused. I had no idea why I was being arrested and I could see everyone looking at me while they put the handcuffs on me.

DEFENSE. Did the officers tell you what you were being charged with?

WITNESS. Yes. They said I raped someone. But I didn't know the person they said so I was still really confused. It was only once I saw her that I recognized her, since I didn't know her name.

DEFENSE. And when you were brought to the department and interrogated, did you cooperate throughout the whole process?

WITNESS. Yes, absolutely.

DEFENSE. And at every time during the interrogation, did you deny any type of improper conduct with Ms. Williams?

WITNESS. We had never had a conversation.

DEFENSE. Okay. But during the interrogations, regarding allegations with Ms. Williams, at all times did you deny any improper contact?

PROSECUTION. Your Honor, I object to the leading; suggesting an answer to the witness.

JUDGE. Overruled.

WITNESS. Yes, I did deny everything.

DEFENSE. Could you describe the events of the day of Friday, October 11th?

WITNESS. Sure. I got up around 6:00 in the morning to get ready to get to work at 8:00. After showering and eating breakfast I left to take the bus to where they are building the new office tower on Tenth St. I was at the worksite all day except for a lunch break around noon. I had brought a sandwich with me so I stayed in the break area with some of my co-workers. Work finally let off at 5:00 so some coworkers and I decided to go grab a few drinks after work since it

was Saturday tomorrow. We went over to Gene's Place a few blocks away. I left around 9 pm because I was getting tired from the long day and still had to catch a bus back to my apartment. After I left, I went straight to a bus stop and went back home to wash up and get to bed. I got home around 11:30 at night.

DEFENSE. And how do you feel now that you've been held in jail, unable to post bail because you cannot work and you have no family in the state who can help?

WITNESS. Real bad, I feel like I've lost everything. My friends no longer trust me, my family is too embarrassed to even be here, I'm scared I will have to move all over again 'cause I won't be able to get a job with everyone knowing I got arrested for rape. If word gets around that I was arrested for raping someone there's no way another construction site in the area will hire me.

DEFENSE. Pass the witness, Your Honor.

Cross-Examination

PROSECUTION. Mr. Hernandez, you worked in construction back before all this came out, you were working construction every day; is that right?

WITNESS. Yes.

PROSECUTION. Okay. And how long have you been working at your current site?

WITNESS. About three months, I think. I started working there after I moved to the area.

PROSECUTION. And where is your worksite?

WITNESS. On the corner of Tenth and Louisiana Ave.

PROSECUTION. So that's downtown?

WITNESS. Yes.

PROSECUTION. Would it be fair to say many people work in that area?

WITNESS. I guess so.

PROSECUTION. Do you see a lot of people on the streets walking by your worksite?

WITNESS. I guess so. I'm usually focusing on working. But I guess it depends on the time of day.

PROSECUTION. How about during your lunch break?

WITNESS. I'm sorry, I don't really understand.

PROSECUTION. Were there many people walking by your worksite during your lunch break?

WITNESS. Well yeah, usually a lot of people around that time.

PROSECUTION. And how many of those people could you recognize if you saw them here?

WITNESS. I don't know; not a lot.

PROSECUTION. But you've testified that you do recognize Ms. Williams?

WITNESS. Yes.

PROSECUTION. Why exactly is it that you can recognize her in particular?

WITNESS. Well, as I said earlier I remember 'cause she was one of the women me and my buddies would call out to when she passed.

PROSECUTION. And was she the only woman you ever cat-called during your lunch break?

WITNESS. Well, no she wasn't the only one, there were a bunch of others over the three months I was working there.

PROSECUTION. I see, so there are many women whom you have harassed over your time working there?

WITNESS. I told you, we weren't trying to harass them. We were just messing around, having a little fun. We're stuck working outside all day, we're just letting off some steam. All the guys there do it.

PROSECUTION. So would you be able to recognize every single one of the women you cat-called over your lunch breaks?

WITNESS. Well, no, probably not.

PROSECUTION. Then, there must be some reason in particular that you recognize Ms. Williams, correct?

WITNESS. No, no. She was just one of the girls me and my buddies would start calling out at when she walked by. I don't know why I happened to recognize her, it's just a coincidence.

- PROSECUTION. So you're saying there's no reason you would remember Ms. Williams specifically?
- WITNESS. Right, it's just a coincidence. We were all just messing around with whoever walked by. All the guys there do it.
- PROSECUTION. And do all the guys there start following these women down the street, calling out for their number or making lewd comments about their body?
- WITNESS. Well, I mean, sometimes I guess. Like I said, we would get pretty rowdy. I'm not proud of it.
- PROSECUTION. I see. Well, Mr. Hernandez, we have sworn testimony from Ms. Williams that you indeed have a history of not only harassing her from your seat, but that on more than one occasion you would get up and follow her. Is Ms. Williams lying?
- WITNESS. Well, look, no, alright? But like I said, me and the guys would get kind of rowdy sometimes. I was new to the job so they'd push me harder, dare me to get a girl's number or something you know? You gotta do that kind of thing to get along with everyone else. If she walked by so often, then yeah, I probably got up and followed her a few times when the guys told me to do it. But it wasn't just her, and the other guys would do it too sometimes. If she felt like she was in danger or something I'm sorry, but we were just horsing around. There's no way I would rape someone.
- PROSECUTION. Did Ms. Williams ever give you her number?
- WITNESS. I don't really remember her specifically, but I know I've never called her. So I would guess not.
- PROSECUTION. Did she ever say anything to you?
- WITNESS. No, no I don't think so. Like I said I was pretty much always ignored. I doubt she ever even turned around.
- PROSECUTION. Well, her ignoring you on so many occasions must've been pretty frustrating, no?
- WITNESS. I mean, I didn't care. It didn't bother me at all.
- PROSECUTION. I see. Mr. Hernandez, just earlier you testified that you had no idea where Ms. Williams lived correct?
- WITNESS. That's right.

- PROSECUTION. Well she lives only a couple of blocks away from your worksite, so you could have easily seen where she lives on one of the many occasions you followed and harassed her, correct?
- WITNESS. No! I only ever followed girls a little ways down, I never saw anyone enter any buildings or houses. I had no idea she lived so close, for all I knew she could have been heading to a bus-stop or something.
- PROSECUTION. And the bar you visited on the night of the incident, you testified that it's located a few blocks away from your worksite?
- WITNESS. Yes.
- PROSECUTION. And am I correct that it is located a few blocks down Tenth Ave.?
- WITNESS. Yeah.
- PROSECUTION. Indeed, Gene's Place is located a few blocks down from your worksite in the same direction that you would follow Ms. Williams. Which means that Gene's Place, where you went to have a drink on the night of October 11th, is located only about a block from Ms. Williams's home, correct?
- WITNESS. I had no idea where she lived! One of my co-workers just liked the place and it was close. We had been there a couple times before, too. It's just a coincidence.
- PROSECUTION. I see. Mr. Hernandez, you also testified that you left Gene's Place at 9:00 pm correct?
- WITNESS. Yes. I was very tired. It had been a long day and I had a lot to do tomorrow as well so I thought I should head back and get some sleep.
- PROSECUTION. And you arrived home at about 11:30 pm, as you testified and which your landlord corroborated, correct?
- WITNESS. Yes, that's right.
- PROSECUTION. So is it also a coincidence that the home invasion and subsequent rape of Ms. Williams happened between 9:30 and 10:45 pm?
- WITNESS. Yes, yes, it is. It was just night-time and I was going home.
- PROSECUTION. Mr. Hernandez, on average, how long does your commute to work take?

- WITNESS. Well it depends on if the buses are on time but, usually about an hour or so.
- PROSECUTION. And yet you testified that you left Gene's Place at 9:00 pm and then didn't arrive home until 11:30 pm, meaning it took you a full two and a half hours to get home that night, correct?
- WITNESS. Yes, but, look, I had a hard time finding the right bus-stop.
- PROSECUTION. You couldn't find the right bus-stop even though this pub is only located a few blocks away from where you work?
- WITNESS. Yes. Look I was pretty buzzed alright? I had been drinking ever since I got off work at 5:00 pm. Plus, I was still pretty new to the area. I started heading out the wrong way and then I got all confused. I never really had a good sense of direction to begin with. Anyway I made a few wrong turns trying to find my stop, got frustrated, and waited a couple times at some other stops just hoping my bus would pass by. Once I finally found the right stop I still had to wait for the bus to come by so all that time added up.
- PROSECUTION. And did anyone see you walking around the streets or stopping at the bus-stop between 9:30 and 10:45?
- WITNESS. I have no idea. I mean probably some people, yeah, there were plenty of people on the streets during that time. But I would've just been some drunk guy to them and I sure don't remember any faces myself. I was just trying to find my bus.
- PROSECUTION. I see. So, is it not possible that you indeed had seen her enter her home while following and harassing her one day, and then that night, being drunk and having worked all day, you saw that house located so close to Gene's Place and decided to release some stress at the expense of that woman who ignored you every time you cat-called her?
- WITNESS. No! It's not possible because I didn't do anything like that. I wouldn't. I just got drunk and went home that night. The next day I got up and went grocery shopping and did a bunch of other things I needed to get done that day. I'm just trying to work, make a living, and get by.
- PROSECUTION. No further questions, your Honor.
- JUDGE. Very well. Mr. Hernandez, you may step down and take your seat.

APPENDIX F**Manipulation Check Questions**

1. What is the name of the defendant?
 - a. Peter Jones
 - b. Pedro Hernandez
 - c. Pedro Gonzales
 - d. Brittany Williams
 - e. Enrico Hernandez
 - f. Peter Williams

2. What is the name of the victim?
 - a. Brittany Williams
 - b. Pedro Hernandez
 - c. Enrico Hernandez
 - d. Peter Jones
 - e. Melissa Jones
 - f. Pedro Gonzales

3. With what crime is the defendant being charged?
 - a. First degree murder
 - b. Manslaughter
 - c. Sexual assault
 - d. Physical assault
 - e. Theft
 - f. Robbery

4. In what city did the crime take place?
 - a. El Paso
 - b. Scarsdale
 - c. Portland
 - d. Philadelphia
 - e. Tallahassee
 - f. Brownsville

APPENDIX G

Perceptions of the Defendant

Instructions: Please answer the following questions about Mr. Hernandez, the man accused of committing a crime.

- | | | | | | | | |
|--|---|---|---|---|---|---|---|
| 1. How dangerous is Mr. Hernandez? | <i>Not at all</i>
Dangerous | | | | | | <i>Extremely</i>
Dangerous |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | | |
| 2. How blameworthy is Mr. Hernandez? | <i>Not at all</i>
Blameworthy | | | | | | <i>Completely</i>
Blameworthy |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | | |
| 3. How credible was Mr. Hernandez's testimony? | <i>Not at all</i>
Credible | | | | | | <i>Completely</i>
Credible |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | | |
| 4. How honest was Mr. Hernandez? | <i>Not at all</i>
Honest | | | | | | <i>Completely</i>
Honest |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | | |
| 5. How trustworthy is Mr. Hernandez? | <i>Not at all</i>
Trustworthy | | | | | | <i>Completely</i>
Trustworthy |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |

Please rate your agreement with the following statements:

- | | | | | | | | |
|--|--------------------------------------|---|---|---|---|---|-----------------------------------|
| 6. "Mr. Hernandez's testimony led me to believe he is innocent." | <i>Do not at all</i>
Agree | | | | | | <i>Completely</i>
Agree |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | | |
| 7. "Mr. Hernandez's testimony led me to believe he is guilty." | <i>Do not at all</i>
Agree | | | | | | <i>Completely</i>
Agree |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |

Instructions: Please imagine you are on the jury at Mr. Hernandez's trial and answer the following questions.

1. To what extent do you consider Mr. Hernandez to be guilty?

1	2	3	4	5	6	7
<i>Not at all</i>						<i>Definitely</i>
<i>Guilty</i>						<i>Guilty</i>

2. In a full trial, you would be given significantly more evidence from both sides. However, considering the information you have been presented with today, are you currently leaning towards finding Mr. Hernandez *guilty* or *not guilty*?

<i>NOT</i>	<i>GUILTY</i>
-------------------	----------------------

3. Please provide up to three reasons for your verdict decision:

- a. _____
- b. _____
- c. _____

APPENDIX H

Modern Racism Scale (MRS)

Instructions: Please indicate your reaction to each of the statements by circling the appropriate number on each scale. There are no correct answers so please respond as accurately as possible. You will probably find that you agree with some of the statements, and you disagree with others, to varying degrees. Number responses range from “Very Strongly Disagree” to “Very Strongly Agree.”

1. There are too many foreign students of Hispanic descent being allowed to attend university in the U.S.	-4	-3	-2	-1	0	1	2	3	4
2. The U.S. should open its doors to more Latino immigration from the poorer countries.	-4	-3	-2	-1	0	1	2	3	4
3. It's good to live in a country where there are so many Latinos.	-4	-3	-2	-1	0	1	2	3	4
4. Intermarriage between Latinos and Whites is a good thing for the U.S.	-4	-3	-2	-1	0	1	2	3	4
5. It is not fair that so many scholarships and awards are awarded to Latino students.	-4	-3	-2	-1	0	1	2	3	4
6. It is too easy for Latinos to illegally arrive in the U.S.	-4	-3	-2	-1	0	1	2	3	4
7. Many Latinos do not bother to learn proper English.	-4	-3	-2	-1	0	1	2	3	4
8. Discrimination against Latinos is no longer a problem in the U.S.	-4	-3	-2	-1	0	1	2	3	4
9. White Americans do not get treated very well in places dominated by Latinos.	-4	-3	-2	-1	0	1	2	3	4

APPENDIX I

Color-Blind Racial Attitudes Scale (CoBRAS)

Directions. The following is a set of questions that deal with social issues in the United States (U.S.). Using the 6-point scale, please give your honest rating about the degree to which you personally agree or disagree with each statement. Please be as open and honest as you can; there are no right or wrong answers.

	<i>Strongly Disagree</i>					<i>Strongly Agree</i>
1. Everyone who works hard, no matter what race they are, has an equal chance to become rich.	1	2	3	4	5	6
2. Race plays a major role in the type of social services (such as type of healthcare or daycare) that people receive in the U.S.	1	2	3	4	5	6
3. It is important that people begin to think of themselves as American and not African American, Mexican American or Italian American.	1	2	3	4	5	6
4. Due to racial discrimination, programs such as affirmative action are necessary to help create equality.	1	2	3	4	5	6
5. Racism is a major problem in the U.S.	1	2	3	4	5	6
6. Race is very important in determining who is successful and who is not.	1	2	3	4	5	6
7. Racism may have been a problem in the past, but it is not an important problem today.	1	2	3	4	5	6
8. Racial and ethnic minorities do not have the same opportunities as White people in the U.S.	1	2	3	4	5	6
9. White people in the U.S. are discriminated against because of the color of the skin.	1	2	3	4	5	6
10. Talking about racial issues causes unnecessary tension.	1	2	3	4	5	6
11. It is important for political leaders to talk about racism to help work through or solve society's problems.	1	2	3	4	5	6
12. White people in the U.S. have certain advantages because of the color of their skin.	1	2	3	4	5	6

13. Immigrants should try to fit into the culture and adopt the values of the U.S.	1	2	3	4	5	6
14. English should be the only official language in the U.S.	1	2	3	4	5	6
15. White people are more to blame for racial discrimination in the U.S. than racial and ethnic minorities.	1	2	3	4	5	6
16. Social policies, such as affirmative action, discriminate unfairly against White people.	1	2	3	4	5	6
17. It is important for public schools to teach about the history and contributions of racial and ethnic minorities.	1	2	3	4	5	6
18. Racial and ethnic minorities in the U.S. have certain advantages because of the color of their skin.	1	2	3	4	5	6
19. Racial problems in the U.S. are rare, isolated situations.	1	2	3	4	5	6
20. Race plays an important role in who gets sent to prison.	1	2	3	4	5	6

APPENDIX J

Negative Attitudes Towards Immigrants Scale (NATIS)

Instructions: Please rate your agreement with the following statements.

	<i>Completely Disagree</i>	<i>Disagree</i>	<i>Neutral</i>	<i>Agree</i>	<i>Completely Agree</i>
1. Immigrants should be given the same rights as native citizens.	1	2	3	4	5
2. Immigrants do not have valid reasons for leaving their native country.	1	2	3	4	5
3. Immigrants in large groups are dangerous	1	2	3	4	5
4. Immigrants bring the problems of their native country to America.	1	2	3	4	5
5. Immigrants are a burden on American tax payers.	1	2	3	4	5
6. Allowing people to immigrate to the United States is a bad idea.	1	2	3	4	5
7. Immigrants never want to return to their native/home country.	1	2	3	4	5
8. Immigrants' culture(s) dilutes American culture.	1	2	3	4	5
9. Immigrants are a threat to national security.	1	2	3	4	5
10. Immigrants are not as smart as Americans.	1	2	3	4	5
11. Immigrants get preferential treatment compared with citizens.	1	2	3	4	5
12. There are too many immigrants in the United States.	1	2	3	4	5

APPENDIX K

Patriotism-Nationalism Questionnaire (P-NQ)

Instructions: Please rate your agreement with the following statements.

	<i>Strongly Disagree</i>				<i>Strongly Agree</i>
1. I love my country.	1	2	3	4	5
2. The important thing for the U.S. foreign aid program is to see to it that the U.S. gains a political advantage.	1	2	3	4	5
3. In general, I have very little respect for the American people.	1	2	3	4	5
4. The fact that I am an American is an important part of my identity.	1	2	3	4	5
5. It bothers me to see children made to pledge allegiance to the flag or sing the national anthem or otherwise induced to adopt such strong patriotic attitudes.	1	2	3	4	5
6. When I see the American flag flying I feel great.	1	2	3	4	5
7. I am proud to be an American.	1	2	3	4	5
8. In view of America's moral and material superiority, it is only right that we should have the biggest say in deciding United Nations policy.	1	2	3	4	5
9. It is not that important for me to serve my country.	1	2	3	4	5
10. It is important that the U.S. win in international sporting competition like the Olympics.	1	2	3	4	5
11. Although at times I may not agree with the government, my commitment to the U.S. always remains strong.	1	2	3	4	5
12. Foreign nations have done some very fine things but it takes America to do things in a big way.	1	2	3	4	5
13. It is not constructive for one to develop an emotional attachment to his/her country.	1	2	3	4	5
14. The U.S. is really just an institution, big and powerful yes, but just an institution.	1	2	3	4	5
15. It is really not important that the U.S. be number one in whatever it does.	1	2	3	4	5

16. In a sense, I am emotionally attached to my country and emotionally affected by its actions.	1	2	3	4	5
17. Other countries should try to make their government as much like ours as possible.	1	2	3	4	5
18. The first duty of every young American is to honor the national history and heritage.	1	2	3	4	5
19. Generally, the more influence America has on other nations, the better off they are.	1	2	3	4	5
20. I feel great pride in that land that is our America.	1	2	3	4	5

VITA

Jason M. Lawrence

Education

Sam Houston State University: Huntsville, Texas (August 2012 – present)

Clinical Psychology Doctoral Student

Dissertation: *Defending Yourself Through Someone Else: Courtroom Interpretation and Juror Decision-Making*

(Proposed: September 2016; Expected Defense: June 2018)

Master of Arts in Clinical Psychology

Thesis: *The Influence of Interpreted Testimony on Mock Jurors' Decisions and Perceptions of Criminal Defendants*

(Defended: September 2014)

University of Pittsburgh: Pittsburgh, PA (August 2008 – May 2012)

Bachelor of Science in Psychology

Bachelor of Arts in Japanese

Clinical Experience

August 2017 – *present*

Site: Center for Behavioral Medicine (Kansas City, MO):

Clinical Psychology Doctoral Intern – Forensic Track

Supervisors: Lisa Witcher, PsyD; Christopher Robertson, PhD; Rhiannon Adams, PsyD; Coral Muñoz, PsyD

Duties: Complete pre-trial forensic evaluations under supervision (e.g., competence to stand trial, not guilty by reason of insanity defense).

Complete risk for re-offense evaluations under supervision (e.g., sexually violent predator evaluations).

Evaluate competency restoration progress for an in-patient population.

Provide Illness Management and Recovery therapy to an inpatient legally-involved population.

Run competency restoration groups for an inpatient population
Found not competent to stand trial.

Provide individual competency education services using standardized protocols.

Present for hospital-wide case conference.

Population: Adult outpatient and inpatient legally involved individuals.

August 2016 – May 2017

Site: UTHealth – Harris County Psychiatric Center (Houston, TX):
Advanced Clinical Psychology Doctoral Practicum Student
Supervisor: Margaret Wardle, PhD; Elaheh Ashtari, PsyD
Duties: Co-facilitated adult DBT skills group sessions.
 Assisted in completing competency to stand trial evaluations.
 Provided assessment for the competency to stand trial restoration program.
 Provided brief inpatient psychotherapy.
 Conducted psychological assessments and assessment report writing.
Population: Adult inpatient with severe mental illness.

September 2014 – May 2017

Site: Psychological Services Center (Huntsville, TX):
Assistant Forensic Evaluator
Supervisor: Mary Alice Conroy, PhD, ABPP
Duties: Conducted court-ordered evaluations (e.g., competency to stand trial, mental state at the time of the offense, fitness to proceed for juveniles) under the supervision of a board-certified evaluator.
 Discussed case and case formulation with primary supervisor.
 Provided treatment recommendations.
 Co-authored reports to be presented in court proceedings.
Population: Adult and juvenile legally-involved individuals.

May 2013 – May 2017

Site: Psychological Services Center (Huntsville, TX):
Student Clinician
Supervisors: Lisa Kan, PhD; Darryl Johnson, PhD
Duties: Provided psychotherapy using empirically supported treatments.
 Engaged in treatment planning, discharge planning, and suicide and violence risk management.
 Consulted with community providers and agencies to ensure client safety and continuity of care.
 Conducted comprehensive psychological assessments.
 Engaged in case conceptualization and provision of diagnoses.
 Documented evaluations with integrated reports.
 Provided clients with feedback and recommendations.
Population: A diverse, low-income, multi-ethnic population of adults, adolescents, and children.

August 2015 – August 2016

Site: Private Practice office of Dr. Rebecca Hamlin, PhD (Spring, TX):

Graduate Assistant*Supervisor:* Rebecca Hamlin, PhD

Duties: Conducted ex parte forensic psychological evaluations (e.g., competency to stand trial, mental status at the time of the offense) and co-authored reports under supervision. Participated in inter-professional discussions on disaster relief efforts and legal considerations with mental health and medical professionals and Red Cross first-responders. Participated in individual, family, and couples' co-therapy. Performed psychological testing and wrote assessment reports.

Population: Adults, adolescents, and children from a suburban community. Incarcerated inmates awaiting trial in Harris County jails.

November 2015

Site: Psychological Services Center (Huntsville, TX)**Assistant Forensic Evaluator***Supervisor:* Jorge G. Varela, PhD

Duties: Conducted a behavioral abnormality and risk assessment of a prisoner being considered for civil commitment as a Sexually Violent Predator.

Discussion of case and case formulation with primary supervisor.

Assisted in writing of report to be presented in court proceedings.

Population: Incarcerated adult with repeat sexual offenses.

August 2014 – August 2015

Site: Walker County Community Service and Supervision Probation Department (Huntsville, TX):**Student Clinician***Supervisor:* Darryl Johnson, PhD

Duties: Led court-ordered anger management group sessions. Completed court-ordered psychological assessments. Provided therapy services.

Population: Adult probationers in multiple Texas counties.

August 2011 – July 2012

Site: Services for Adolescent & Family Enrichment (SAFE) Program (Pittsburgh, PA):**Undergraduate Student Intern***Supervisor:* Eunice Torres, MS.

Duties: Observed and participated in group CBT treatment for juvenile sex offenders.

Conducted intake interviews with adolescents and their families.

Population: Adolescent probationers convicted of a sexual offense.

May 2011 – August 2011

Site: Office of Dr. Eric Bernstein, PsyD (Pittsburgh, PA):
Undergraduate Student Intern
Supervisor: Eric Bernstein, PsyD
Duties: Observed child custody evaluations.
 Accompanied Dr. Bernstein to court and observed his testimony
 about specific child custody evaluations.
Population: Urban and suburban families with separated parents seeking
 custody of their children.

Previous Experience with the Following Assessment Tools

Competency Assessment for Standing Trial for Defendants with Mental Retardation
 (CAST-MR)
 Evaluation of Competency to Stand Trial – Revised (ECST-R)
 Miller Forensic Assessment of Symptoms Test (M-FAST)
 Minnesota Multiphasic Personality Inventory – Second Edition (MMPI-2)
 Montreal Cognitive Assessment (MoCA)
 Personality Assessment Inventory (PAI)
 Psychopathy Checklist Revised (PCL-R)
 Static-99R
 Static-2002R
 Structured Interview of Reported Symptoms – Second Edition (SIRS-2)
 Tests of Memory Malingering (TOMM)
 Test of Nonverbal Intelligence – 4 (TONI-4)
 Wechsler Abbreviated Scale of Intelligence – Second Edition (WASI-II)
 Wechsler Adult Scale of Intelligence – Fourth Edition (WAIS-IV)
 Wechsler Memory Scale – Fourth Edition (WMS-IV)
 Wide Range Achievement Test – Fourth Edition (WRAT-4)

Supervisory Experience

August 2017 – *present*

Site: Center for Behavioral Medicine (Kansas City, MO):
Clinical Psychology Doctoral Intern – Forensic Track.
Supervisor: Coral Muñoz, PsyD
Duties: Serve as primary supervisor for doctoral practicum students.
 Provide feedback and assist with progress evaluation.
Population: Counseling psychology doctoral students.

May 2016 – August 2016

Site: Psychological Services Center (Huntsville, TX):

Doctoral Student Peer Supervisor

Supervisor: Mary Alice Conroy, PhD, ABPP
Duties: Discussed recorded therapy sessions.
 Provided feedback and assisted with progress evaluation.
Population: First-year clinical psychology doctoral students.

January 2016 – May 2016

Site: Psychological Services Center (Huntsville, TX):
Doctoral Student Peer Supervisor
Supervisor: Craig Henderson, PhD
Duties: Supervised over and provided feedback during live mock therapy sessions.
 Provided education on a variety of psychotherapy perspectives.
Population: First-year clinical psychology doctoral students.

Teaching Experience

August 2017 – present

Site: Center for Behavioral Medicine (Kansas City, MO):
Clinical Psychology Doctoral Intern – Forensic Track
Supervisor: Shawn Anderson, PhD
Duties: Instruct seminars on psychological issues in hospital settings.

May 2016 – August 2016

Site: Psychological Services Center (Huntsville, Texas):
Doctoral Teaching Assistant
Supervisor: Mary Alice Conroy, PhD, ABPP
Duties: Assisted in instructing an Introduction to Practicum class.
 Provided detailed feedback on case conceptualizations.

August 2015 – May 2016

Site: Sam Houston State University (Huntsville, Texas):
Instructor
Supervisor: Christopher Wilson, PhD
Duties: Instructed an Introduction to Psychology class, including lecturing, creating PowerPoint slides for lectures, creating and grading exams, and holding office hours.

Research Experience

August 2017 – present

Site: Center for Behavioral Medicine (Kansas City, MO):
Clinical Psychology Doctoral Intern – Forensic Track
Supervisor: Steve Mandracchia, Ph.D.; Jon Torres-Bodman, PsyD
Duties: Create, conduct, and present results of program evaluation of inpatient hospital treatment tracks.
 Conduct a survey of forensic examiners throughout the state of Missouri to examine current practice issues in the field

May 2016 – August 2017

Site: Sam Houston State University (Huntsville, TX):
Doctoral Research Assistant
Supervisor: Jorge Varela, PhD
Duties: Research on multi-cultural issues in psychology and law.
 Conducted experiments, collected and analyzed data.

August 2012 – August 2013

Site: Sam Houston State University (Huntsville, TX):
Doctoral Research Assistant
Supervisor: David Nelson, PhD
Duties: Research on fibromyalgia and widespread body pain.
 Conducted experiments, collected and analyzed data.

Professional Experience

July 2017 – *present*

Site: Center for Behavioral Medicine
Liaison for Crisis Intervention Team
Duties: Led tours at Center for Behavioral Medicine for law enforcement officers seeking specialized training in interacting with the severely mentally ill.

January 2017 – *present*

Site: American Psychology-Law Society (AP-LS) Minority Affairs Committee
Student Member Liaison
Duties: Foster communication and assist in the development of joint projects between the Minority Affairs Committee and the Student Affairs Committee of AP-LS.

October 2017

Site: American Psychology-Law Society (AP-LS) Annual Conference

(Memphis, TN):

Submission Reviewer

Duties: Reviewed paper and poster submissions for acceptance to be presented at the annual conference.

August 2014 – August 2016

Site: American Psychology-Law Society Student Committee:

Sam Houston State University Campus Representative

Duties: Distribute information regarding AP-LS (e.g., conference information and student committee webinars).
Increase campus participation and membership in AP-LS.

May 2013 – August 2016

Site: Veritas Research, L.P. (Houston, Texas):

Trial Consulting Graduate Assistant

Supervisor: Robert Ray, JD, PhD

Duties: Assist with litigation consultation and mock jury trial research.
Assist in the development of scientific voir dire jury questionnaires.
Review scientific jury questionnaires for voir dire.

October 2014

Site: American Psychology-Law Society (AP-LS) Annual Conference (San Diego, CA):

Submission Reviewer

Duties: Reviewed paper and poster submissions for acceptance to be presented at the annual conference.

Specialized Didactics

Fall 2017

Competency Series

Topics: Practical considerations in competency to stand trial evaluations.

Instructor: Shawn Anderson, PhD

Fall 2017

Psychopharmacology Series

Topics: Practical considerations working with patients prescribed psychotropic medication.

Instructors: Jenna Gilbert, PharmD; Taylor Kelsey, PharmD

Spring 2016

Mental Health Law

Topics: Legal standards and implications for mental health practice.

Instructor: Phillip Lyons, JD, PhD

Fall 2015	Multicultural Psychology
Topics:	Multicultural considerations in mental health treatment and assessment.
Instructor:	Jorge G. Varela, PhD
Spring 2014	Forensic Assessment II
Topics:	Civil and juvenile forensic evaluations; expert witness testimony.
Instructor:	Mary Alice Conroy, PhD, ABPP
Fall 2013	Forensic Assessment I
Topics:	Emphasis on criminal forensic evaluations.
Instructor:	Mary Alice Conroy, PhD, ABPP
Summer 2013	Trial Consultation
Topics:	Jury selection, witness preparation, conducting mock trials.
Instructor:	Robert J. Cramer, PhD

Workshops and Seminars

April 2018	<i>Adversarial Allegiance</i> Webinar Daniel Murrie, PhD
October 2017	<i>Advanced Topics in Competency to Stand Trial Evaluations</i> Webinar Patricia Zapf, PhD
July 2016	<i>Criminal Responsibility and Forensic Report Writing Workshop</i> Sam Houston State University Brittany Bate, MA; Kelsey Laxton, MA
February 2014	<i>Clinical Conceptual Problems in the Attribution of Malingering in Forensic Evaluations</i> Sam Houston State University Richard Frederick, PhD, ABPP, ABAP
November 2013	<i>The Impact of DSM-5 on Psychology Practice</i> Sam Houston State University Jorge G. Varela, PhD; Lisa Kan, PhD
August 2013 – May 2014	<i>Monthly Seminar on Clinical Supervision</i> Sam Houston State University

Mary Alice Conroy, PhD, ABPP; Jorge G. Varela, PhD

Conference Presentations

Lawrence, J. (March 2018). *Foreign language interpreters and forensic mental health*. Oral presentation at the annual Missouri Forensic Conference (Columbia, MO).

Lawrence, J., Varela, J. (March 2018). *Defending yourself through someone else: Courtroom interpretation and juror perceptions*. Paper presentation presented at the annual meeting of the American Psychology-Law Society (Memphis, TN).

Laxton, K., Varela, J., Bryson, C., Mattos, L., Reinhard, E., Holdren, S., **Lawrence, J.,** & Minor, B. (March 2018). *Content and quality of forensic reports of competency to stand trial evaluations*. Paper to be presented at the annual conference of the American Psychology-Law Society (Memphis, TN).

Damnjanovic, T., Miller, R., Ryan, L., **Lawrence, J.** (March 2018). *Can death qualification reduce bias in sentencing decisions? Exploring factors impacting capital sentencing*. Paper to be presented at the annual conference of the American Psychology-Law Society (Memphis, TN).

Bryson, C., Boccaccini, M., Gowensmith, N., Laxton, K., Mattos, L., Reinhard, E., Holdren, S., & **Lawrence, J.** (March 2018). *Time matters in competency to stand trial evaluations*. Poster presented at the annual convention of the American Psychology-Law Society (Memphis, TN).

Damnjanovic, T., Miller R., **Lawrence J.,** Waymire, K. (March 2017). *Sentencing goals, the death penalty, and jury decision making*. Poster presented at the annual meeting of the American Psychology-Law Society (Seattle, WA).

Jeon, H., **Lawrence, J.,** Varela, J. (March 2017). *The use of interpreters in clinical and forensic settings*. Poster presented at the annual meeting of the American Psychology-Law Society (Seattle, WA).

Damnjanovic, T., Miller, R., **Lawrence, J.,** Waymire, K., & Bailey, C. (August, 2016). *Does an eye for an eye leave the jury blind? Vengefulness and jurors' decision making*. Poster presented at the Annual Convention of the American Psychological Association (Denver, CO).

Lawrence, J., Varela, J., Laxton, K., Colbourn, S., Arellano, M., Munoz, C., & Barrera, H. (June, 2015). *The influence of interpreted testimony on mock jurors' decisions and perceptions of criminal defendants*. Poster presented at the Annual Meeting of the American Society of Trial Consultants (Nashville, TN).

Lawrence, J., Varela, J., Laxton, K., Colbourn, S., Arellano, M., Munoz, C., & Barrera, H. (March, 2015). *The influence of interpreted testimony on mock jurors'*

decisions and perceptions of criminal defendants. Poster presented at the Conference of the American Psychology-Law Society (San Diego, CA).

Manning, J., Henderson, C., Munoz, C., **Lawrence, J.**, Wen Wang, H., Dakof, G., & Liddle, H. (March 2015). *Hispanic subgroup differences as a moderator of treatment effects in multidimensional family therapy.* Paper presented at the Conference of the American Psychology-Law Society (San Diego, CA).

Lawrence, J. (June 2014). *The cost of interpretation: Working with court interpreters.* Poster presented at the Conference of the American Society of Trial Consultants (Asheville, NC).

Fraser, T., Henderson, C., Greenbaum, P., Wang, W., **Lawrence, J.**, Wen, H., Gharagozloo, L., Burks, A., Mena, C., Warren, C., Munoz, C., & Liddle, H. (March 2014). *Changes in family functioning may differentially affect outcomes for male and female adolescents in substance use and delinquency treatment.* Paper presented at the Conference of the American Psychology-Law Society (New Orleans, LA).

Gonzales Jr., E., Varela, J., Boccaccini, M., Damjanovic, T., & **Lawrence, J.**, (March 2014) *Risk assessment and cultural diversity: A study space analysis.* Paper presented at the Conference of the American Psychology-Law Society (New Orleans, LA).

Kan, L., Simpler, A., **Lawrence, J.**, Wang, H., Hamilton, A., & Sauvagnat, C. (March 2013). *Characteristics of non-English speaking defendants referred for evaluation of competency to stand trial.* Poster presented at the Conference of the American Psychology-Law Society (Portland, OR).

Professional Memberships

American Psychology-Law Society, 2012 – Present

American Psychological Association, 2012 – Present