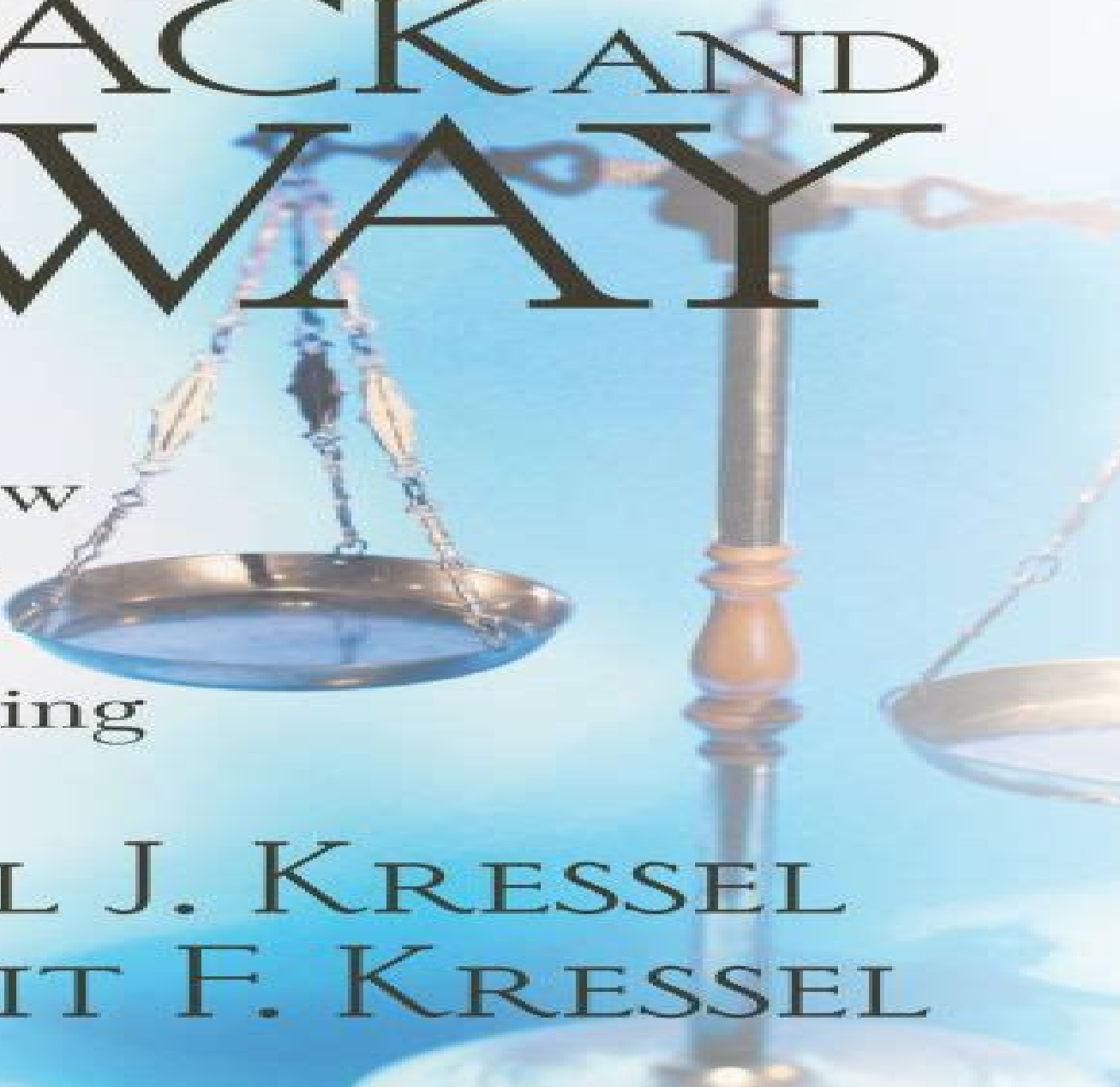


STACK AND SWAY

A pair of golden scales of justice is centered in the background. The scales are slightly out of focus, with the left pan hanging lower than the right. The background is a soft, light blue gradient.

The New
Science
of Jury
Consulting

NEIL J. KRESSEL
DORIT F. KRESSEL

Stack And Sway The New Science Of Jury Consulting

Michael Singer



Stack And Sway The New Science Of Jury Consulting:

Stack And Sway Neil Kressel, Dorit Kressel, 2001-10-05 A new and largely hidden profession has emerged during the past three decades Drawing on the techniques of modern social science psychology and market research its practitioners seek to remake the way we pursue justice in the United States Trial consultants help lawyers to pick some would say stack juries predisposed to render the right verdict And consultants apply sophisticated research methods to predict how jurors are likely to respond to arguments witnesses and evidence Based on the results of the research they craft case strategies help to prepare witnesses and test and retest arguments all before a single word is uttered in open court For fees that sometimes approach six or even seven figures the new jury experts offer attorneys and their clients what they most desire a way to remove uncertainty What are we to make of this new industry Do the techniques work Is this as some critics have argued a new form of high tech jury rigging not much more acceptable than cruder forms of jury tampering Or do the methods of jury consultants amount to little more than an extension of what attorneys have always done One thing is clear The profession is growing steadily Jury consultants have already made their mark in big money civil cases And they have played key roles in prominent criminal trials After hearing jurors acquit in the O J Simpson case the first person thanked by defense attorney Johnnie Cochran was his jury expert The burgeoning of the trial consulting industry seems destined to continue During the past few years firms have started to offer low cost consultations sometimes conducting research for as little as 2000 per case For better or worse the wares of the trial consultant are now within the reach of many who previously deemed them too expensive When a new trade roams the halls of our legal system aspiring to change America's road to justice we had all best pay attention This book will reveal the tricks of the trade and explore the many ways in which trial consultants have infiltrated the courtroom The authors a social psychologist and an attorney present cases where consultants arguably have been responsible for huge jury awards and controversial criminal verdicts However it is not their purpose to launch an all out attack on this growing industry Instead they aim to pull back the curtains allowing a fair and balanced assessment of a new phenomenon in American justice To achieve this objective the authors must address issues that lie at the very heart of the American jury system Are juries fickle Are they easily swayed Are jurors influenced as many have charged by their age gender race ethnicity occupation intellect personality or politics Here the authors sort through the work of many jury researchers arriving at conclusions that are balanced and credible They conclude with sensible and far reaching proposals for change

Battleground: Criminal Justice Gregg Barak, 2007-10-30 There are many controversial aspects of our criminal justice system and this encyclopedia examines the most significant controversies throughout American history with emphasis on current debates trends and issues Arranged alphabetically approximately 100 entries cover background explanations notable cases and events various sides of an issue and what to expect in the future Entries are objective and factual allowing readers to formulate their own conclusions Sidebars and case examples help to illustrate each entry and

sources for further reading point readers to other important materials Given the prevalence of controversial criminal justice topics in the news this timely reference is an important resource for anyone interested in crime and justice Entries include Boot Camps Corporal Punishment DNA Evidence Domestic Violence Expert Testimony Eye Witness Identifications Gun Control Homeland Security International Criminal Court Legalization of Marijuana Mental Health and Insanity Police Brutality Prison Violence Racial Profiling School Violence Sex Offender Laws Stalking Laws Supermax Prisons Three Strikes Treating Juveniles as Adults War on Drugs and more

Unfair Adam Benforado, 2016-06-14 NEW YORK TIMES
 BESTSELLER Unfair succinctly and persuasively recounts cutting edge research testifying to the faulty and inaccurate procedures that underpin virtually all aspects of our criminal justice system illustrating many with case studies The Boston Globe A child is gunned down by a police officer an investigator ignores critical clues in a case an innocent man confesses to a crime he did not commit a jury acquits a killer The evidence is all around us Our system of justice is fundamentally broken But it is not for the reasons we tend to think as law professor Adam Benforado argues in this eye opening galvanizing book Even if the system operated exactly as it was designed to we would still end up with wrongful convictions trampled rights and unequal treatment This is because the roots of injustice lie not inside the dark hearts of racist police officers or dishonest prosecutors but within the minds of each and every one of us This is difficult to accept Our nation is founded on the idea that the law is impartial that legal cases are won or lost on the basis of evidence careful reasoning and nuanced argument But they may in fact turn on the camera angle of a defendant's taped confession the number of photos in a mug shot book or a simple word choice during a cross examination In Unfair Benforado shines a light on this troubling new field of research showing for example that people with certain facial features receive longer sentences and that judges are far more likely to grant parole first thing in the morning Over the last two decades psychologists and neuroscientists have uncovered many cognitive forces that operate beyond our conscious awareness Until we address these hidden biases head on Benforado argues the social inequality we see now will only widen as powerful players and institutions find ways to exploit the weaknesses of our legal system Weaving together historical examples scientific studies and compelling court cases from the border collie put on trial in Kentucky to the five teenagers who falsely confessed in the Central Park Jogger case Benforado shows how our judicial processes fail to uphold our values and protect society's weakest members With clarity and passion he lays out the scope of the legal system's dysfunction and proposes a wealth of practical reforms that could prevent injustice and help us achieve true fairness and equality before the law

A Guide to Forensic Testimony Fred Chris Smith, Rebecca Gurley Bace, 2003 A technical expert and a lawyer provide practical approaches for IT professionals who need to get up to speed on the role of an expert witness and how testimony works Includes actual transcripts and case studies

Jury Ethics John Kleinig, James P. Levine, Jeffrey B. Abramson, B. Michael Dann, Shari Seidman Diamond, Norman J. Finkel, Paula Hannaford-Agor, Valerie P. Hans, Julie E. Howe, Nancy J. King, 2015-12-03 Trial by jury is one of the most

important aspects of the U S legal system A reflective look at how juries actually function brings out a number of ethical questions surrounding juror conduct and jury dynamics Do citizens have a duty to serve as jurors Might they seek exemptions Is it acceptable for jurors to engage in after hours research Might a juror legitimately seek to nullify the outcome to express disapproval of the law Under what conditions might jurors make a valid choice to hold out against or capitulate to their fellow jurors Is it acceptable to form alliances After trial are there problems with entering into publishing contracts Unfortunately questions such as these have received scant attention from scholars This book revives attention to these and other issues of jury ethics by collecting new and insightful essays along with responses from leading scholars in the field of jury studies Is it acceptable for jurors to engage in after hours research Might a juror legitimately seek to nullify the outcome to express disapproval of the law After trial are there problems with entering into publishing contracts Unfortunately questions such as these have received scant attention from scholars This book revives attention to these and other issues of jury ethics by collecting new and insightful essays along with responses from leading scholars in the field of jury studies Contributors Jeffrey Abramson B Michael Dann Shari Seidman Diamond Norman J Finkel Paula Hannaford Agor Valerie P Hans Julie E Howe Nancy J King John Kleinig James P Levine Candace McCoy G Thomas Munsterman Maureen O Connor Steven Penrod Alan W Schefflin Neil Vidmar Handbook of Trial Consulting Richard L. Wiener, Brian H. Bornstein, 2011-05-06 This volume will be a handbook that treats trial consulting as applied psychology The purpose of the volume will be to collect the viewpoints of leaders in the field of psychology and law who apply the discipline s theoretical models methods and ethics to assist litigators to try cases in the most effective way possible As a whole the collection of chapters will describe the theory business and mechanics of trial consulting for those interested in learning and practicing the profession However it will do so from the perspective of organized theories of jury decision making In other words the work of juror researchers will inform the recommendations and suggestions in the handbook The volume consists of six sections each pertaining to a different topic Multiple chapters with different authors will cover each topic The topics and corresponding seven sections will be 1 An Introduction to the Theory and Psychology of Jury Decision Making 2 Applied Research Methodologies for Trial Consultants 3 Education and Ethical Considerations for Trial Consultants 4 Preparing and Cross Examining Witnesses 5 Technology and Demonstrative Evidence at Trial and 6 Special Topics in Trial Consulting Each section will begin with the editors short introduction reviewing that section and explaining its goals objectives and content Separate individuals recognized as leaders in their areas will write the remaining chapters in each section These individuals come from the fields of both psychology and law and represent viewpoints on these topics from a practice oriented perspective but a perspective that is emerges from research results They are affiliated with a number of academic institutions including University of Nebraska John Jay College of Criminal Justice University of Texas University of Chicago Simon Fraser University and private law firms **Not Guilty** Daniel Givelber, Amy Farrell, 2012-06-11 As scores of death

row inmates are exonerated by DNA evidence and innocence commissions are set up across the country conviction of the innocent has become a well recognized problem But our justice system makes both kinds of errors we acquit the guilty and convict the innocent and exploring the reasons why people are acquitted can help us to evaluate the efficiency and fairness of our criminal justice system Not Guilty provides a sustained examination and analysis of the factors that lead juries to find defendants not guilty as well as the connection between those factors and the possibility of factual innocence examining why some criminal trials result in not guilty verdicts and what those verdicts suggest about the accuracy of our criminal process

Jury Duty Michael Singer,2012-07-06 Written by a legal scholar for the general reader this book demystifies the institution of the jury and validates its political power providing valuable insights for the more than 30 million Americans who receive a jury summons each year Jury Duty Reclaiming Your Political Power and Taking Responsibility presents an accessible account of the origins and development of the jury system as well as a comprehensive stage by stage description of a jury trial and of the sentencing procedure in a criminal trial The work also provides a unique estimate of the cost of the jury system which is particularly relevant in this continuing era of budget constraints Rejecting the justifications usually given for the jury system the work explains how the political roles of the jury constitute the chief value of the jury system The basis of these political roles is the unquestionable power of the jury to acquit even a guilty criminal defendant which allows juries to prevent the enforcement of unjust laws and the imposition of unjust punishments Accordingly the book challenges a range of practices that the judiciary has developed to obstruct the jury s exercise of this power Most people even including many lawyers remain unaware of these practices but they undermine the value of the jury system to our society Finally the book offers an original thought provoking analysis of the responsibilities imposed on criminal trial jurors in cases of compelling injustice

Juries in the 21st Century Jacqueline Horan,2012-11-28 This book provides a broad understanding of and critical thinking about the contemporary jury system It fills a void of easily accessible knowledge about how jury trials work and how jury research assists us to formulate new ways to improve the system Current issues challenging the jury system such as the impact that technology is having on jury trials are discussed Juries in the 21st Century is designed to inform jury practitioners judges barristers instructing solicitors and forensic experts about what constitutes best practice for them It details how other jurisdictions are dealing with issues within their jury systems and allows jury practitioners to understand which practices are based upon fact and which are based on habit anecdote and other misconceptions It encourages jury practitioners and law reformers to consider new approaches in order to improve jury communication Teachers and researchers in law psychology criminology and sociology should find this cross disciplinary book useful as it synthesises the current state of jury research To curious members of the public who have or would like to serve on a jury this book will provide you with insight into jury trials and jury room dynamics

The Jury in America Dennis Hale,2016-02-09 The jury trial is one of the formative elements of American government vitally important even when

Americans were still colonial subjects of Great Britain When the founding generation enshrined the jury in the Constitution and Bill of Rights they were not inventing something new but protecting something old one of the traditional and essential rights of all free men Judgment by an impartial jury would henceforth put citizen panels at the very heart of the American legal order And yet at the dawn of the 21st century juries resolve just two percent of the nation s legal cases and critics warn that the jury is vanishing from both the criminal and civil courts The jury s critics point to sensational jury trials like those in the O J Simpson and Menendez cases and conclude that the disappearance of the jury is no great loss The jury s defenders from journeyman trial lawyers to members of the Supreme Court take a different view warning that the disappearance of the jury trial would be a profound loss In *The Jury in America* a work that deftly combines legal history political analysis and storytelling Dennis Hale takes us to the very heart of this debate to show us what the American jury system was what it has become and what the changes in the jury system tell us about our common political and civic life Because the jury is so old continuously present in the life of the American republic it can act as a mirror reflecting the changes going on around it And yet because the jury is embedded in the Constitution it has held on to its original shape more stubbornly than almost any other element in the American regime Looking back to juries at the time of America s founding and forward to the fraught and diminished juries of our day Hale traces a transformation in our understanding of ideas about sedition race relations negligence expertise the responsibilities of citizenship and what it means to be a citizen who is good and true and therefore suited to the difficult tasks of judgment Criminal and civil trials and the jury decisions that result from them involve the most fundamental questions of right and so go to the core of what makes the nation what it is In this light in conclusion Hale considers four controversial modern trials for what they can tell us about what a jury is and about the fate of republican government in America today

Delve into the emotional tapestry woven by in Experience **Stack And Sway The New Science Of Jury Consulting** . This ebook, available for download in a PDF format (*), is more than just words on a page; itis a journey of connection and profound emotion. Immerse yourself in narratives that tug at your heartstrings. Download now to experience the pulse of each page and let your emotions run wild.

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