

STACK AND SWAY



The New
Science
of Jury
Consulting

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Stack And Sway The New Science Of Jury Consulting

**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**

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

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

Social Psychology Saul Kassin, Steven Fein, Hazel Rose Markus, 2024-02-13 Social Psychology Twelfth Edition engages students with the dynamic field of social psychology encouraging exploration of personal passions from sports to politics while providing insights into the scientific principles that underpin daily interactions and behaviors dispelling misconceptions and demonstrating social psychology's real world relevance

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 s 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 *The Handbook of Forensic Psychology* Irving B.

Weiner,Randy K. Otto,2013-12-16 A revised new edition of one of the top references for forensic psychologists This top professional and academic reference in forensic psychology is an established presence as both a professional reference and graduate text This Fourth Edition is completely revised and updated for the new and rapidly growing demands of the field to reflect the new tools available to and functions required of present day practitioners The new edition expands coverage of neuropsychological assessment eyewitness testimony ad jury competence and decision making including selection process and authority In addition the new ethics guidelines approved by the American Psychological Association APA are included and interpreted Updated to include reframed content and the introduction of new chapter topics and authors Ideal for professional forensic psychologists and graduate students Written by experts in the field a clinical professor of psychiatry and an associate professor of mental health policy **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

Forensic and Legal Psychology Mark Costanzo, Daniel Krauss, 2010-12-24 Using research in clinical cognitive developmental and social psychology Forensic and Legal Psychology shows how psychological science can enhance the gathering and presentation of evidence improve legal decision making prevent crime rehabilitate criminals and promote justice Although the emphasis is on psychological research the textbook makes extensive use of actual cases and real trials to engage students and to illustrate the relevance of research findings Written in a clear student friendly style Forensic and Legal Psychology is designed for both the psychology and law AND forensic psychology class Visit the preview site for more information www.worthpublishers.com/costanzokrausspreview

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 **The Psychology of Police Deadly Force Encounters** Laurence Miller, 2020-02-11 The Psychology of Police Deadly Force Encounters Science Practice and Police is a fascinating look into the reality of police work The author integrates noted theories into a street wise understanding of being a police officer The focus of this book is on the use of deadly force by officers a topic of considerable importance The author discusses the psychosocial aspects of deadly force use stemming from the individual officer the situation organizational influences and the police culture Expanding further into social issues the controversial topic of race and use of deadly force is discussed This depiction looks at both sides that of racial victimization and that of the police which helps to provide a rather unique perspective on this important issue Of interest the author breaks down the different dimensions of cognition as a factor in decision making among police including the perception of the situation the action taken depending on that perception and the role of present and past memory This will make for a useful training topic to alert officers to the cognitive processes that go into deadly force use processes that they have the control to change to make a better decision Next the book delves into the biological factors that may be involved in police decision making again where deadly force is involved The various negative psychological impacts that a deadly force situation may bring about are identified and explained This book will be useful as a tool for both law enforcement practitioners and researchers to better understand the intricacies of deadly force by the police For researchers the book has a multitude of references available for further exploration It will prove to be a useful guide and reference volume for police managers and supervisors mental health clinicians investigators attorneys judges law enforcement educators and trainers rank and file police officers including expert witnesses **The SAGE Handbook of Persuasion** James Price Dillard, Lijiang Shen, 2012-09-19 The Second Edition of The SAGE Handbook of Persuasion Developments in Theory and Practice provides readers with logical comprehensive summaries of research in a wide range of areas related to persuasion From a topical standpoint this handbook takes an interdisciplinary approach covering issues that will be of interest to interpersonal and mass communication researchers as well as to psychologists and public health practitioners Persuasion is presented in this volume on a micro to macro continuum moving from chapters on cognitive processes the individual and theories of persuasion to chapters highlighting broader social factors and phenomena related to persuasion such as social context and larger scale persuasive campaigns Each chapter identifies key challenges to the area and provides research strategies for addressing those challenges **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 **Trial Consulting** Amy J.

Posey, Lawrence S. Wrightsman, 2005-07-07 In its roughly 25 years of existence the trial consulting profession has grown dramatically in membership recognition and breadth of practice What began as a small activist group of social scientists volunteering their expertise to assist in the defense of Vietnam War protestors has evolved into a diverse set of professionals from a range of educational and professional backgrounds In spite of such enormous growth the work of trial consultants has gone largely unexamined Trial Consulting takes an in depth look at the primary activities of trial consultants including witness preparation focus groups and mock trials jury selection change of venue surveys and attorney presentation style It also examines the profession s struggle to define itself resisting certification and licensure requirements and settling instead for a set of practice standards The authors draw upon empirical and other scholarly work in the social sciences recommended best practices from trial lawyers and the written and spoken recommendations and reflections of the trial consultants themselves Addressing a broad spectrum of topics ranging from handwriting analysis to medical malpractice cases they also suggest reforms for improving the profession and the efficacy of the trial consultant in the courtroom The result is a critical analysis of what trial consulting truly adds to and detracts from the administration of justice This book is an indispensable guide for practicing and aspiring trial consultants as well as the judges attorneys and psychologists who work with them Trial Consulting provides a thought provoking statement on the state of the profession and students and professionals alike will benefit from the challenges it offers **Introduction to Forensic Psychology** Bruce A.

Arrigo, Stacey L. Shipley, 2005 Suitable for course adoption in a variety of undergraduate and graduate curricula instructors will find this book most useful as primary source reading in classes exploring psychology and the legal system criminal behavior psychology public policy and the law the criminal offender topics in criminal justice and psychology and introduction to forensic psychology Complete in its coverage and concise in its analysis this book is a must read for anyone wishing to learn about the fascinating and complex world of law psychology and crime **BOOK JACKET** **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

Counter Terrorism Issues James Ottavio Castagnera,2013-03-15 The American legal profession and judicial system bear a unique responsibility to set and maintain the balance between defending homeland security and protecting the civil liberties outlined in the Bill of Rights These competing interests will continue to collide as the threats to our safety grow Exploring the most significant terrorist cases of

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

The Rule of Lawyers Walter K. Olson,2002-03-06 Big ticket litigation is a way of life in this country But something new is afoot something typified by the 246 billion tobacco settlement and by courtroom assaults that have followed against industries ranging from HMOs to gunmakers from lead paint manufacturers to factory farms Each massive class action suit seeks to invent new law to ban or tax or regulate something that elected lawmakers had chosen to leave alone And each time the new process works as intended the new litigation elite reaps billions in fees which they invest in fresh rounds of suits as well as political contributions The Rule of

Lawyers asks Who picks these lawyers and who can fire them Who protects the public s interest when settlements are negotiated behind closed doors Where are our elected lawmakers in all this The answers may determine whether we slip from the rule of law to the rule of lawyers Relevance in Mind Tim Wharton,Didier Maillat,Caroline Jagoe,Kate Scott,2024-02-09 In 1992 shortly after the publication of the first edition of Relevance communication and cognition David Trotter wrote Relevance theory is not only the most elegant version of pragmatics currently available but the most uncompromising in its view that inference cannot be assimilated to a code model of communication It asks questions which literary criticism has never been able to ask let alone answer Thirty years on new questions continue to be asked and answered in linguistic pragmatics cognitive science literary theory as foreseen by Trotter experimental psychology affective science communication studies etc The theory also appears in quite unexpected places recent applications of relevance theory include the analysis of internet mediated discourse clinical practice and even museum curation First and foremost however relevance theory is an inferential model of communication and cognition which is theoretically and empirically testable The approach still has a huge amount of potential in psychology and beyond potential this Research Topic seeks to tap into

Unveiling the Magic of Words: A Review of "**Stack And Sway The New Science Of Jury Consulting**"

In some sort of defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their capability to kindle emotions, provoke contemplation, and ignite transformative change is really awe-inspiring. Enter the realm of "**Stack And Sway The New Science Of Jury Consulting**," a mesmerizing literary masterpiece penned by way of a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve to the book is central themes, examine its distinctive writing style, and assess its profound affect the souls of its readers.

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Stack And Sway The New Science Of Jury Consulting Introduction

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