

TO FLATTER THE JURY: INGRATIATION
EFFECTS DURING CLOSING
ARGUMENTS

by

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A THESIS

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ABSTRACT

The current study investigated the effect of defense attorney ingratiation during closing arguments of criminal trials. Previous research has shown ingratiation to be a powerful tool of social persuasion across many different settings. In the current study, participants read a vignette of a criminal case and then saw a videotaped presentation of closing arguments from actors portraying the prosecutor and defense attorneys. The defense attorney's closing argument contained either no, low, moderate or high levels of ingratiation. Results revealed that ingratiation had a significant effect on juror ratings of attorney attractiveness, trustworthiness, likeability, confidence, and overall credibility. As ingratiation increased ratings of attractiveness, trustworthiness, likeability and credibility increased whereas ratings of confidence decreased.

Ingratiation did not significantly affect ratings of guilt directly; however, the relationship between ingratiation and guilt was significantly mediated by ratings of attorney attractiveness, trustworthiness, and confidence. Higher levels of these traits significantly lowered mock-jurors' ratings of the defendant's guilt.

Finally, contrary to expectations, analyses revealed that self-esteem, self-efficacy, and the personality domains of extraversion and neuroticism were unrelated to ratings of attorney characteristics. The personality domains of openness, conscientiousness, and agreeableness were able to significantly predict ratings of several attorney characteristics. Implications for the use of ingratiation during closing arguments of trials are discussed.

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LIST OF ABBREVIATIONS AND SYMBOLS

ANOVA	Analysis of Variance
B	Computed value of the unstandardized regression coefficient
df	Degrees of freedom: number of values free to vary after certain restrictions have been placed on the data
F	Fisher's F Ratio
LSD	Least significant difference
M	Mean (arithmetic average)
MANOVA	Multivariate Analysis of Variance
p	Probability
p.	Page number
q	Computed value of a q -statistic test
r	Measure of effect size (strength of a relation)
SD	Standard deviation
t	Computed value of t test
<	Less than
=	Equal to

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1. Introduction

Ingratiation is a complex social process studied in many different areas. The construct involves one actor in an exchange attempting to become more attractive to the other actor. This increased attraction is thought to make favorable attitudes and actions towards the individual more likely in the future (Jones, 1964). Alternately, ingratiation may be used in an effort to avoid negative outcomes in future interactions, rather than to inspire positive outcomes (Jones, 1964). In either instance, ingratiation is used as a means to influence or change the course of potential future events.

In his seminal work on ingratiation, Jones defined ingratiation as “those episodes of social behavior that are designed to increase the attractiveness of the actor to the target” (Jones, 1964, p. 2). This definition of ingratiation is clearly inclusive of many social interactions. Jones (1964) goes on to explain that the ingratiator may attempt to minimize the cost of rewards while falsely informing the target individual that the costs are high, falsify his or her investments in the endeavor, or attempt to increase the value of the reward his behavior has on the target person.

An important difference exists between ingratiation and its sister term: flattery. While the goal of ingratiation is to increase overall attraction from the target individual, the goal of flattery is to secure an immediate benefit (Jones, 1964). Flattery tends to involve more overly generous praise than ingratiation and is therefore often more obvious to the target individual. However, both these terms have negative connotations in the common vernacular. For example, *Rogert's 21st Century Thesaurus* (2005) lists the terms “blandish,” “grovel,” “insinuate oneself,”

and “hand a line” as synonyms for ingratiation. These connotations stem from the sense that ingratiation and flattery involve devious or deceptive means used to dupe another person.

Ingratiation has been studied in a wide variety of social situations, from work relationships and selection interviews to inaugural addresses by presidents (Bohra & Pandey, 1984; McFarland et al., 2002; Wayne et al., 2007; Whitehead & Smith, 1999). However, only one study has examined the effects of ingratiation in the courtroom setting (Brodsky & Cannon, 2006). The impact of this ingratiation should be studied further. Information gleaned from such work could play helpful roles in understanding the behaviors of attorneys during trial. The current study seeks to contribute to the knowledge base by examining differing levels of ingratiation during closing arguments. Juror personality, self-esteem, and self-efficacy were also examined as moderators of susceptibility to ingratiation.

Pathways to Ingratiation

People today use a variety of different methods to ingratiate. Jones (1964) identified three methods of ingratiation: other enhancement, opinion conformity, and self-presentation. Since his work in the 1960’s, researchers have added four more methods to that list: self-deprecation, instrumental dependency, name dropping, and situation-specific behaviors (Bohra & Pandey, 1984). Other enhancement involves making highly positive evaluations of the target individual (Bohra & Pandey, 1984; Jones, 1964). This method comes closest to the common definition of flattery. Using “other enhancement,” ingratiators try to increase their attraction by complimenting the target person. Similarly, using “opinion conformity” ingratiators attempt to validate and empathize with the target’s attitudes, opinions, and beliefs (Bohra & Pandey, 1984; Jones, 1964). Ingratiators may simply state that they agree with the target even if they do not,

in fact, share a common opinion. In doing this, ingratiation seek to increase their attractiveness by becoming more similar to the target.

“Self presentation” uses slightly different means to increase attractiveness. Rather than complimenting or agreeing with the target, ingratiation using the “self presentation” method to seek to increase their attractiveness by presenting themselves in the most positive light (Bohra & Pandey, 1984; Jones, 1964). Conversely, “self deprecation” involves demeaning or lowering oneself in the eyes of the target individual (Bohra & Pandey, 1984). “Instrumental dependency” is similarly used when ingratiation seek to make the target individual think that the ingratiation is entirely dependent on them (Bohra & Pandey, 1984). Both “self deprecation” and “instrumental dependency” involve attempts on the part of the ingratiation to reduce their perceived power or status. In addition, “name dropping” is a common technique used in many situations. This involves the ingratiation using the name of, or making reference to, a third party that is generally well known or well liked (Bohra & Pandey, 1984). Often times this third party is of a higher status than the ingratiation and the target individual. Finally, situation-specific behaviors involve ingratiation finding out personal information about the target and using this information to curry favor. This category is similar to gift-giving or doing favors as a way to increase attraction (Bohra & Pandey, 1984).

Given these various pathways to ingratiation, it is easy to imagine many of these methods being used in the courtroom. However, the current study focused mainly on the methods of other enhancement and the opinion conformity. These methods seem to be more applicable to courtroom situations than the remaining methods.

Does Ingratiation Work?

As previously mentioned, ingratiation is used in a wide range of social situations. One can imagine ingratiation being used in any situation where someone has something to gain from another individual. Yet, it is reasonable to question the efficacy of ingratiation. Are people really susceptible to these types of social pressures? The short answer is yes. The body of ingratiation research shows that people tend to respond to ingratiation positively. Kipnis and Vanerveer (1971) found that ingratiating subordinates received more than their fair share of rewards from the boss as compared to hostile, inept, or no-problem subordinates. Orpen (1996) furthered this line of study by showing that employee use of ingratiation was positively and significantly related to their receiving promotions and increases in salary. These studies show that ingratiation can be effective in a work situation (Kipnis & Vanerveer, 1971; Orpen, 1996).

A meta-analysis of the literature found that ingratiation leads to increased liking of ingratiating individuals (Gordon, 1996). However, this analysis also found that this increased liking did not necessarily translate into increased acquisition of rewards (Gordon, 1996). Additional research on organizational ingratiation found that higher levels of ingratiation led to increased ratings of competence, motivation, leadership abilities, and promotional appeal (Watt, 1993).

Ingratiation has also received attention in the area of selection interviews. Several studies have shown that ingratiation is related to positive evaluations during selection and structured interviews (Ellis, West, Ryan, & DeShon, 2002; McFarland, Ryan, & Kriska, 2002, Varma, Toh, & Pichler, 2006). These findings help to support the idea that ingratiation is used and is effective in a variety of different settings. McFarland and colleagues (2002) used a field study to examine ingratiation during selection interviews of fire fighters whereas Ellis et al. (2002) examined ingratiation in a laboratory setting. The fact that both studies found the same pattern of

ingratiation increasing positive evaluation gives us a greater ability to generalize laboratory experiments to less controlled situations. Further, Varma et al. (2006) examined what form of ingratiation led to the greatest increase in ratings of applicants. They found that self enhancement led to higher ratings of applicants than other enhancement (Varma et al., 2006).

Westphal and Stern (2007) recently examined the use of ingratiation with high level business executives. Their study examined whether directors of U.S. companies would be placed on the boards of additional corporations (Westphal & Stern, 2007). They found that the chances of multiple board appointments increased when directors used ingratiating behaviors with their fellow directors (Westphal & Stern, 2007). However, the effect of the same ingratiating behaviors was smaller for women and ethnic minorities than for the white male majority (Westphal & Stern, 2007). This difference could be caused by the perceived lower status of the women and minorities, and their dependence on their white male peers for advancement.

These studies show ingratiation at work in many different social situations and strata. From the traditional office setting to selection interviews and even corporate boardrooms, ingratiation plays an important role (Gordon, 1996; McFarland et al., 2002; Westphal & Stern, 2007). These different situations show ingratiation at different levels of power; however the ingratiation in the literature reviewed is always occurring laterally (among equal status peers) or upward (from a lower status to a higher status individual). This begs the question: does the nature of the ingratiator/target relationship affect the outcome?

The Ingratiator/Target Relationship

The relationship of the two actors in the ingratiation exchange is very complex and research has produced conflicting findings. Wayne, Kacmar, and Ferris (1995) examined subordinate ingratiation to a superior and found positive effects on supervisor satisfaction. The

same pattern held for lateral ingratiation among coworkers (Wayne et al., 1995). This suggests that upward and lateral ingratiation can be effective (Wayne et al., 1995). However, Yukl and Tracey (1992) found slightly different results. They found that ingratiation was moderately effective when used with peers and subordinates; however it was ineffective when used with superiors (Yukl & Tracey, 1992).

Ingratiation itself has also been found to alter the dynamics of the ingratiation/target relationship (Pandey, 1981). Pandey (1981) found that ingratiation reduces the freedom of the target and increases the power of the ingratiation. By using ingratiation, the individual appears to gain a level of control over the situation that the target lacks. This increase in control leads to the increase in favorable results that is desired from the ingratiation interaction.

The nature of the ingratiation changes, however, when the target individual realizes that the ingratiation has something to gain from the exchange (Jones, 1964). Jones (1964) hypothesized that when the target realizes that the ingratiation has something to gain from the interaction, the target will be more suspicious of behavior that could be interpreted as ingratiation. He suggests that if the ingratiation is dependent on the target, the dependence and ingratiation should be as covert as possible to increase the chances of success; greater overt dependence and ingratiation would lead to greater suspicion (Jones, 1964). Providing empirical support for Jones' hypothesis, Treadway, Ferris, Duke, Adams, and Thatcher (2007) found that when supervisors perceived their subordinates as engaging in more ingratiation behaviors they rated the subordinates as lower on measures of interpersonal facilitation.

Treadway et al. (2007) also examined the skill with which ingratiation was used by subordinates. They found that subordinates high in political skill were less likely than those low in political skill to have their ingratiation behavior interpreted as an attempt at manipulating the

superior (Treadway et al., 2007). This suggests that more covert forms of ingratiation would be preferable to blatant ingratiation attempts.

Why Does Ingratiation Work?

Reviewing the literature raises the question of why this relatively simple interactional technique can produce such well replicated results. Why are people so susceptible to ingratiation? Research has provided a simple answer to this question. People like to feel good about themselves and are willing to interpret even excessive praise as accurate (Vonk, 2002). Studies suggest that people are likely to respond to ingratiation because self interest leads them to agree with the ingratiation comments (Pandey & Singh, 1986; Vonk, 2002). Even though individuals are blinded to ingratiation by their egos, outside observers often see through the ingratiation attempts and judge the ingratiation harshly (Vonk, 1998, 2002). Following from these findings, it makes sense that self-esteem is associated with susceptibility to ingratiation (Jones, 1964). Individuals with lower self-esteem and higher need for approval tend to accept ingratiation behaviors more readily than individuals with higher self-esteem (Jones, 1964).

Other individual factors have been linked to susceptibility to ingratiation as well. Males and people with higher self-efficacy have been shown to react more negatively to ingratiation from peers (Zellars & Kacmar, 1999). Interestingly, personality variables have not been studied in depth with ingratiation. No research has examined possible links between Five-Factor Model (Costa & McCrae, 1992) personality traits (neuroticism, extraversion, agreeableness, conscientiousness, and openness to experience) and susceptibility to ingratiation.

Is More Ingratiation Better?

Having shown that ingratiation is effective at producing favorable future outcomes, it is of practical concern to know just how much ingratiation to use to produce the desired effect.

This question has been termed “the ingratiation’s dilemma” by Jones (1964). Too much ingratiation can alert the target individual to possibly ulterior motives and cause increased suspicion; however, too subtle ingratiation might go unnoticed.

Jones (1964) proposed a curvilinear model for ingratiation that could be used to solve this “ingratiator’s dilemma.” This model suggests that low and moderate levels of ingratiation produce the increases in attraction across all conditions (Jones, 1964). When the ingratiating person is dependent on the target, high levels of ingratiation are thought to provoke suspiciousness from the target individual. Hence, attractiveness is thought to decrease between moderate and high levels of ingratiation (Jones, 1964). This has been termed the boomerang effect. When dependence upon the target is high, the target is thought to be more aware of possible ulterior motives (e.g., a subordinate being ingratiating to a boss in order to get a raise or promotion) (Jones, 1964).

Jones’ model of ingratiation has received empirical support (Gordon, 1996). This meta-analysis examined the effects that ingratiation had over many studies. Gordon (1996) rated the level of transparency of ingratiation across the different studies and found that liking did indeed increase across low and moderate levels of transparency. However, when the transparency reached a high level liking decreased, demonstrating the proposed boomerang effect described by Jones (Gordon, 1996).

Ingratiation in the Courtroom

The courtroom can serve as a prime environment for ingratiating behavior. Each attorney in a trial engages in trying to be as attractive as possible to the jury or judge. Ingratiation can serve as a useful tool in this hunt for likeability. The assumption being made is that the more a juror likes the attorney and finds him or her attractive, the more that juror will find the attorney’s

client appealing and demonstrate a bias in their favor. However, attorneys must be aware of the ingratiation's dilemma in this situation. Too much ingratiation and the jurors may become suspicious of the attorney and judge the client more negatively. Too little ingratiation and the jurors may not notice the attempt. Attorneys must seek a middle ground of effectiveness without being perceived as coming on too strong.

A body of legal research speaks to the importance of a good closing argument (Easton, 1998; Levin, Papantonio, & Levin, 2003; Maher, 1996; Wallace, 1995). Levin et al. (2003) speaks to the importance of closing arguments, stressing that cases can be won or lost during a closing argument. Wallace (1995) similarly states that closing arguments are "a trial lawyer's final and often most powerful opportunity to shape jurors' views of the case." Maher (1996) explains that during the closing argument, the attorney has the opportunity to integrate the information from the trial into a unified case theme, which is designed to elicit the desired verdict. This is the time when the lawyers can put their spin on the facts and then tell the jury why their view is correct. Amsterdam and Hertz (1992) hypothesized that, especially during ambiguous cases, closing arguments can be crucial in persuading the jury to vote one way or the other.

Considering the high stakes of the courtroom and the relative importance of the closing argument, it is surprising that only one study has examined the impact that ingratiation can have during a trial (Brodsky & Cannon, 2006). This study examined the effect of ingratiation during the voir dire process. Brodsky and Cannon (2006) found that moderate levels of ingratiation increased attorney likeability for female jurors. Male jurors were unaffected by the ingratiation manipulation (Brodsky & Cannon, 2006). Additionally, there was no effect of ingratiation on ratings of guilt (Brodsky & Cannon, 2006).

The Current Study

The current study expanded and clarified the existing literature on ingratiation. This study also sought to provide additional support for the curvilinear model of ingratiation proposed by Jones (1964) and partially supported by Gordon (1996). The current study examined different personality characteristics that may predispose a person to be more susceptible to ingratiation attempts. The study attempted to replicate the previous findings on self-esteem and self-efficacy as well as use a Five-Factor Model (Costa & McCrae, 1992) of personality to examine the relation between other personality traits and ingratiation.

The current study expanded the literature on ingratiation in the courtroom to the closing arguments of the trial. Closing arguments are the attorneys last chance to make an impression on the jury, so ingratiation attempts may occur here as a last-ditch effort to curry favor. Ingratiation during the closing arguments is also likely to be fresh in the jurors' minds when they begin their deliberations. This study examined whether this ingratiation had an impact on decisions that jurors made.

Hypotheses

Only a limited amount of prior research has manipulated ingratiation as an independent variable; most have been correlational in nature. Even when ingratiation has been manipulated, it has been given only two conditions (absence and presence of ingratiation). The current study used four conditions of ingratiation: none, low, moderate, and high. It was hypothesized that levels of attorney liking would increase from none to low to moderate ingratiation. However, in line with the boomerang effect, it was predicted that liking would decrease from the moderate to high conditions. Moreover, it was predicted that, contrary to the findings of Brodsky and Cannon (2006), ingratiation would affect the jurors' findings of guilt. These contrary results

were expected because the current study examined ingratiation in a different context which is more closely related to the guilt finding stage of the trial than the Brodsky and Cannon (2006) study. Findings of guilt were predicted to be least frequent and severe when moderate levels of ingratiation were present.

Furthermore, the current study examined the relation between juror personality traits and ingratiation. In line with previous findings, it was hypothesized that jurors with low self-esteem would respond more favorably to all levels of ingratiation than jurors with high self-esteem. Similar results were expected on juror measures of self-efficacy. Finally, the relation between Five-Factor Model (Costa & McCrae, 1992) personality traits and ingratiation were examined. These analyses were exploratory, as prior research has not examined this variable, however it was expected that jurors high on the agreeableness and openness to experience scales would be more susceptible to ingratiation.

The hypotheses for the current study were:

1. Juror ratings of attorney characteristics, particularly likeability, would show a positive linear pattern for no, low, and moderate levels of ingratiation.
2. Juror ratings of attorney characteristics, particularly likeability, would decrease from moderate to high levels of ingratiation.
3. Juror ratings of guilt would be least frequent under moderate levels of ingratiation
4. Jurors with low levels of self-esteem would rate attorneys more favorably than jurors with high self-esteem across the low, moderate, and high levels of ingratiation.
5. Jurors with low levels of self-efficacy would rate attorneys more favorably than jurors with high self-efficacy across the low, moderate, and high levels of ingratiation.
6. Juror personality variables would be unrelated to ratings of attorney characteristics.

2. Method

Design

The current study utilized a randomized between-subjects design. The independent variable for the primary analyses was level of ingratiation and had four levels (none, low, moderate, and high). The dependent measures of interest were ratings of attorney characteristics and client guilt. Participant variables such as gender, self-esteem, self-efficacy, and scores on a Five Factor Model personality inventory were examined in supplementary analyses using the dependent measures that are found to be significant during the primary analyses.

Participants

Participants consisted of 249 undergraduates at a large, southeastern university in the United States who were at least 18 years of age (mean age = 18.63, SD = 1.21). Participants were approximately evenly distributed across experimental condition. The sample was 77% female and 23% male, 86% percent of whom were Caucasian, 10% of whom were African American, and 4% of whom were from a different racial background. Participants were recruited through a research website and received credit in partial completion of a course requirement. The research website summarized the study as well as allowed participants to select times for data collection sections. Composition of experimental groups is presented in Table 1.

Materials

Demographic questionnaire. Participants were asked to complete a questionnaire asking about their gender, age, ethnicity, year in school, and previous experience serving on a jury

(Appendix A). Gender and ethnicity information was used in supplemental analyses. Other data was used as descriptive figures on the groups.

Trial outcome. Trial outcome was assessed using the Trial Results Form (TRF; Appendix A) developed by Brodsky and Cannon (2006). This is a five item scale that assesses guilt as both a dichotomous (guilty vs. not guilty) and continuous variable (using a seven-point Likert-type scale ranging from “definitely guilty” to “definitely not guilty”). Confidence of their verdict and level of punishment for guilty verdicts was also assessed using a similar Likert-type scale.

Attorney likeability. Attorney likeability was assessed using the Counselor Rating Form (CRF; Barak & LaCrosse, 1975) and the Witness Credibility Scale (WCS; Griffin, Brodsky, Blackwood, Abboud, & Flanagan, 2004). The CRF (Appendix B) is a thirty-six-item scale that assesses scores on the domains of expertness, attractiveness, and trustworthiness. This scale has been used in prior research examining these qualities (Barak & LaCrosse, 1975; Brodsky & Cannon, 2006; LaCrosse, 1975). This scale uses adjectives and their antonyms on either side of several blank spaces used to collect responses. Each blank space reflects the extent to which the participant scores the attorney as appearing much, quite, slightly, or neutral with respect to the adjectives. For example, two adjective pairs that appear on the scale are likeable-unlikeable and confident-unsure. Alpha coefficients for the three scales were .93 for expertness, .86 for attractiveness, and .88 for trustworthiness.

The WCS (Appendix C) uses twenty items that are rated on a ten-point Likert scale. These items provided scores on the four separate domains: confidence, likeability, trustworthiness, and knowledge (Griffin et al., 2004). Though originally designed to assess witness credibility, the constructs measured by this scale apply to a wide variety of individuals

including attorneys. Confidence, likeability, trustworthiness, and knowledge are all traits that jurors could perceive in an attorney, particularly during closing statements; therefore, this scale served as a suitable measure for attorneys for the purpose of this study. This scale had participants rank the attorney on a ten-point scale anchored on either side by an adjective and its antonym. Two examples of adjective pairs are unkind-kind and unpleasant-pleasant. Alpha coefficients for each subscale and are as follows: confidence (.87), likeability (.92), trustworthiness (.85), and knowledge (.89). All four subscales were totaled to get an overall credibility score. The alpha coefficient for the total score was .95. The current study assessed attorney credibility on all domains as well as the full scale; however the primary area of interest was the scale measuring likeability.

Personality traits. Personality traits were measured using the Mini-Markers scale (Saucier, 1994; Appendix D). Mini-Markers measure the Five-Factor Model personality domains of neuroticism, extraversion, openness to experience, conscientiousness, and agreeableness (Costa & McCrae, 1992; Saucier, 1994). Participants were asked to rate themselves on forty adjectives (eight items for each scale) using a nine-point Likert-type scale ranging from “extremely inaccurate” to “extremely accurate.” Examples of adjectives on the scale are bashful, rude, and energetic. Alpha coefficients for each subscale and are as follows: openness (.75), conscientiousness (.77), extraversion (.82), agreeableness (.80), and neuroticism (.77).

Self-Esteem. Self-esteem was measured using the Rosenberg Self-Esteem Scale (Rosenberg, 1989; Appendix E). This scale consists of ten statements that relate to self-esteem such as, “On the whole, I am satisfied with myself.” Participants read each of the ten items and rated themselves on a four-point Likert-type scale ranging from “strongly disagree” to “strongly

agree.” Five items were reverse scored. All items were totaled for an overall self-esteem score. The alpha coefficient for this scale was .81.

Self-Efficacy. Self-efficacy was measured using the Self-Efficacy Scale (Sherer, Maddux, Mercadante, Prentice-Dunn, Jacobs, & Rogers, 1982; Appendix F). This scale consists of thirty items that provided scores on two subscales: general self-efficacy (seventeen items) and social self-efficacy (six items) (Sherer et al., 1982). The remaining seven items were filler items and were not scored. Participants read the items about their behavior and rated themselves on a five-point Likert-type scale ranging from “disagree strongly” to “agree strongly.” Two examples of items included in this measure are, “When I make plans, I am certain I can make them work,” and “It is difficult for me to make new friends.” Cronbach’s alpha coefficients were .83 for the general self-efficacy scale and .62 for the social self-efficacy scale. Due to the low alpha coefficient for the social self-efficacy scale it was not included in any statistical analyses.

Manipulation Check. Several pieces of information were gathered by a final questionnaire developed by the experimenter (Appendix G). Participants were asked to rate how much they thought the prosecution and defense attorneys were trying to influence them. These items were rated on seven-point Likert-type scales ranging from “not at all” to “very much.” This questionnaire also asked participants to report any reactions they had to the attorneys, what they thought the hypothesis of the study was, whether they had heard anything about the study prior to participating, and whether or not they took their participation seriously.

Case vignette. The case vignette was based on the case *New York v. Kaplan*. This case was already in the public domain and the legal literature (Brodsky & Cannon, 2006; Hahn & Clayton, 1996). Additionally, Hahn and Clayton (1996) have shown that this case elicits a guilty verdict approximately 50% of the time. The vignette (Appendix H) consisted of a description of

the facts of a case in which two men were assaulted in the evening on their way home by another group of men as well as a transcript of the witnesses and victim being questioned. One of the assaulters was identified by one of the victims and an eyewitness. At trial, the victim was unsure of his identification of the defendant while the second eyewitness remained confident in his identification. However, the second eyewitness had consumed alcohol before witnessing the crime, thus throwing his identification under suspicion. As in Brodsky and Cannon (2006), the location of the crime was moved from a New York City rail station to a rail station in Atlanta in order to enhance the applicability to southern participants.

Manipulation

A script of closing arguments was used as the manipulation in the current study. The researcher adapted the summary of the closing argument from the *New York v. Kaplan* case into a usable closing argument. The researcher used the same prosecution closing argument as used in Brodsky and Cannon (2006) (Appendix I). The researcher produced four different versions of this closing argument for the defense to represent the four different levels of ingratiation (Appendices J-M). Ingratiating comments were adapted from the Brodsky and Cannon (2006) and other relevant legal literature (Baldwin, 1983; Amsterdam & Hertz, 1992). Additional ingratiation comments were pulled from transcripts of closing arguments. The content of each script only differs in the amount of ingratiation used. The scripts contain zero, four, eight, and twelve ingratiation comments, corresponding to no, low, moderate, and high levels of ingratiation. The ingratiation comments in each script consist of 75% other enhancing and 25% opinion conforming comments to the jury.

After the scripts were produced, one male actor portrayed the prosecuting attorney delivering the prosecution closing argument and one male actor portrayed the defense attorney

delivering the closing argument containing the four different levels of ingratiation. These actors were matched on appearance variables such as clothing, build, facial hair, etc. and shared the same approximate age and physical characteristics (similar height, weight, hairstyle, etc.). The actors received feedback from the primary investigator and colleagues until the scripts could be performed flawlessly. Counterbalancing procedures were used to control for differences between actors so that roughly half of the participants saw each actor in the role of the prosecuting and defense attorneys.

Procedure

The primary investigator administered each session of data collection. The data were collected from groups of up to 30 participants in available classrooms in Gordon Palmer Hall. The sessions began with a brief greeting and with each participant being given a participant information sheet that gave a brief description of the study, the rights of the participant, confidentiality, risks and benefits, and withdrawal without penalty (Appendix N). The form was discussed before administration of the study materials.

Next, the experimenter told the participants a cover story in order to prepare them for reading the case vignette and viewing the video. Participants were told that the study was going to examine the prospect of using shortened trials in some criminal cases to save the justice system time and money. They were told that they were going to see a shortened version of a real criminal trial while other groups would see the entire trial. This cover story was used in order to convince the participants that the attorneys in the videos they saw are actual attorneys speaking directly to them as study participants rather than jurors. It also laid the ground work for several of the ingratiating comments the defense attorney used. Finally, the cover story was designed to convince the participants that the study had important real-world ramifications and that they

should take their participation seriously. The experimenter followed a script while collecting the data. This script covered informed consent, the cover story, participant instructions, and debriefing (Appendix O).

After the cover story was delivered, participants read the previously described case vignette (Appendix H). After reading the vignette, the participants were told that they would see the attorneys deliver their closing arguments live from the courthouse via an internet webcam. In actuality, they viewed a randomly assigned video of actors delivering closing arguments for the prosecution and the defense. The same closing argument for the prosecution was be used in all conditions; however, four versions of the closing argument for the defense were used with varying levels of ingratiating comments (none, low, moderate, and high). The start of the video involved a brief segment in which the experimenter pretended to call someone who was allegedly at the courthouse and told them to aim the camera so that the attorney was in view (covered in Appendix O). This was done to convince the participants that they are viewing a live delivery of the closing arguments rather than a video. At the completion of the approximately ten-minute video, participants filled out the TRF (Brodsky & Cannon, 2006), CRF (Barak & LaCrosse, 1975), WCS (Griffin et al., 2004) Mini-Markers (Saucier, 1994), RSES (Rosenberg, 1989), SES (Sherer et al., 1982), and the manipulation check in that order. They were instructed not to put their names or identifying information anywhere on the packet to ensure anonymity.

After all the questionnaires were filled out, participants were debriefed. Debriefing took the form of a document that was handed out to each participant (Appendix P) as well as a verbal debriefing. The cover story and its purpose were fully explained and any questions concerning it, or anything else in the experiment, were fully addressed. Each session of data collection lasted approximately one hour.

Data Analyses

Data were entered into SPSS for analysis. Hypotheses one and two, regarding attorney characteristics, were tested using MANOVAs. A MANOVA was conducted on the three scales of the CRF. If the overall MANOVA was significant, univariate ANOVAs were conducted and LSD post-hoc tests were examined to determine the nature of the relation. Another MANOVA was conducted examining data from the CRF. Again, if the overall MANOVA was significant, univariate ANOVAs and LSD post-hoc tests were conducted.

A one-way ANOVA was conducted to test hypothesis three. For this hypothesis guilt was assessed as a continuous variable, as collected using the TRF. Planned post-hoc *t*-tests were conducted if the overall ANOVA test is significant. Cohen's *d* was calculated to measure effect size.

To assess hypotheses four through seven, General Linear Model analyses were conducted. These analyses examined all dependent measures that were found to be significantly related to the ingratiation manipulation in hypotheses one through three. Juror self-esteem, self-efficacy, and scores on the Five Factor Model (Costa & McCrae, 1992) were treated as continuous moderators. Planned post-hoc *t*-tests were conducted if the overall model was significant. Cohen's *d* was calculated as a measure of effect size for these analyses.

Finally, demographic variables that correlate with other measures were controlled for statistically to rule out their possible confounding effects. Demographics such as sex, age, and ethnicity were treated as moderating variables during statistical analyses.

Table 1

Composition of Experimental Groups

	Ingratiation Condition			
	None	Low	Moderate	High
N	62	64	62	61
Males	12	17	15	14
Females	50	47	47	47
Caucasian	52	59	48	54
African American	7	4	11	4
Other Race	3	1	3	3

3. Results

Statistical Analyses

Before conducting any analyses, the parametric assumptions, including equal variance, normal distribution, and independence were checked to ensure that the assumptions were not violated. For all analyses described here the ingratiation manipulation was treated as a categorical variable. Two multivariate analyses of variances (MANOVAs) were then conducted to assess the effect of attorney ingratiation on ratings of the CRF (scales: expertness, attractiveness, and trustworthiness) and the WCS (scales: confidence, likeability, trustworthiness, knowledge, and overall credibility score). Any effects of age, sex, and race were examined and controlled for in these analyses. LSD post-hoc comparisons were conducted for any significant main effects. Additionally, a univariate analysis of variance (ANOVA) was conducted to examine the effect of attorney ingratiation on ratings of client guilt. Finally, univariate ANOVAs including self-esteem, self-efficacy, and personality variables as continuous moderators were conducted on all scales of the CRF and WCS which were found to be significantly affected by ingratiation by the previous MANOVAs.

Primary Analyses

Findings from the primary analyses are summarized in Table 2. The test of the overall MANOVA with CRF scales as the dependent variables was found to be significant, allowing us to look into the main effects, $F(3, 223) = 2.91, p = .002$. A main effect was found for the effect of ingratiation on defense attorney attractiveness, $F(3, 225) = 6.30, p < .001$. LSD post-hoc comparisons revealed that participants rated the attorney as significantly less attractive in the no

($M = 4.42$, $SD = .86$) and low ($M = 4.66$, $SD = .84$) ingratiation conditions as compared to the moderate ($M = 5.19$, $SD = .87$) or high ($M = 5.11$, $SD = .99$) ingratiation conditions. There were no significant differences between ratings of attractiveness in the no and low ingratiation conditions or in the moderate and high ingratiation conditions.

There was a main effect of ingratiation on ratings of attorney trustworthiness as measured by the CRF, $F(3, 225) = 2.93$, $p = .04$. Despite the overall significant effect of ingratiation on ratings of trustworthiness, LSD post-hoc comparisons failed to reveal any significant differences between experimental conditions. There was also a significant main effect of gender on ratings of attorney trustworthiness such that women ($M = 4.88$, $SD = .97$) rated the attorney significantly more trustworthy than men ($M = 4.60$, $SD = 1.04$), $F(1, 225) = 4.09$, $p = .04$. A significant main effect was not found for ingratiation on ratings of attorney expertness.

The test of the overall MANOVA with WCS scales as the dependent variables was also significant, $F(4, 229) = 2.77$, $p = .001$. A main effect was found for the effect of ingratiation on defense attorney confidence, $F(3, 232) = 3.44$, $p = .02$. LSD post-hoc comparisons showed that participants rated the attorney as significantly more confident in the no ingratiation condition ($M = 3.15$, $SD = 1.10$) than in the moderate ($M = 2.70$, $SD = 1.04$) or high ($M = 2.60$, $SD = 1.09$) ingratiation conditions. There was no significant difference between ratings of confidence in the low ingratiation condition ($M = 2.85$, $SD = .91$) and any other condition.

Another main effect was found for the effect of ingratiation on defense attorney likeability, $F(3, 232) = 8.93$, $p < .001$. LSD post-hoc comparisons revealed that participants rated the attorney as significantly less likeable in the no ingratiation condition ($M = 6.46$, $SD = 1.41$) than in the low ingratiation condition ($M = 7.29$, $SD = 1.60$). Additionally, participants rated the attorney as significantly more likeable in the moderate ($M = 7.84$, $SD = 1.75$) and high

($M = 7.96$, $SD = 1.52$) ingratiation conditions than in the other conditions. There was no significant difference between ratings of attorney likeability in the moderate and high ingratiation conditions.

There was also a main effect of ingratiation on ratings of defense attorney trustworthiness, $F(3, 232) = 3.03$, $p = .03$. Similar to the results on the CRF trustworthiness scale, LSD post-hoc comparisons again failed to reveal significant differences between experimental groups despite the overall significant effect of ingratiation on ratings of trustworthiness

A final main effect was found for the effect of ingratiation on overall ratings of defense attorney credibility, $F(3, 232) = 3.76$, $p = .01$. LSD post-hoc analyses showed that participants rated the attorney as significantly less credible in the no ingratiation condition ($M = 5.74$, $SD = .83$) than in the moderate ($M = 6.13$, $SD = .94$) or high ($M = 6.13$, $SD = .93$) ingratiation conditions. There was no significant difference between ratings of credibility in the low ingratiation condition ($M = 5.86$, $SD = .77$) and any other condition. A significant main effect was not found for ingratiation on ratings of attorney knowledge.

A univariate ANOVA was used to examine the effect of attorney ingratiation on ratings of client guilt. The main effect of ingratiation on client guilt was not significant, $F(3, 245) = .85$, $p = .47$.

Next, univariate ANOVAs were conducted on the CRF attractiveness and trustworthiness and WCS confidence, likeability, trustworthiness, and credibility scales including self-esteem, self-efficacy, and personality variables as continuous moderators. Analyses revealed that the personality domains of openness and conscientiousness had significant main effects on CRF ratings of attorney attractiveness, $F(1, 211) = 9.16$, $p = .003$ and $F(1, 211) = 4.83$, $p = .03$,

respectively. No personality variables had significant effects on the CRF ratings of attorney trustworthiness.

Analyses additionally revealed that the personality domain of openness had a significant main effect on WCS ratings of attorney confidence, $F(1, 217) = 5.45, p = .02$. Another univariate ANOVA revealed that the personality domain of agreeableness had a significant main effect on WCS ratings of attorney likeability and trustworthiness, $F(1, 216) = 9.72, p = .002$ and $F(1, 215) = 4.22, p = .04$, respectively. Finally, analyses showed that the personality domain of agreeableness also had a significant main effect on the attorney's overall WCS credibility score, $F(1, 213) = 11.47, p = .001$.

The first hypothesis was that ratings of attorney characteristics would increase from no to low to moderate levels of ingratiation. This hypothesis was fully supported by the analyses of the likeability scale. Ratings increased in the predicted manner from no to low to moderate levels of ingratiation. Additionally, this hypothesis was partially supported for ratings of attorney attractiveness and credibility. On these scales, the attorneys were rated as having significantly more of the measured characteristic when they used moderate levels of ingratiation than when they used no ingratiation; however, there were no differences between using no and low levels of ingratiation or using low and moderate levels of ingratiation. Though ingratiation produced an overall significant main effect on both CRF and WCS ratings of trustworthiness, post-hoc analyses did not reveal any significant differences between experimental conditions. Contrary to expectations, ratings of attorney confidence showed the opposite pattern. The attorneys were rated as having significantly less confidence in the moderate than in the no ingratiation condition. No significant results were obtained for the expertness or knowledge scales.

The second hypothesis was that, in accordance with the boomerang effect, ratings of attorney characteristics would decrease from moderate to high levels of ingratiation. This hypothesis was not supported. High levels of ingratiation did not significantly differ from moderate levels on any scale where a significant effect of ingratiation was found.

The third hypothesis addressed the effect of ingratiation on finding of client guilt. It was hypothesized that finding of guilt would be least frequent in the moderate ingratiation condition. This hypothesis was not supported; no significant effect of ingratiation on findings of guilt was found.

The last three hypotheses dealt with the relationship of self-esteem, self-efficacy, and personality variables to ratings of attorney characteristics. Hypotheses four and five posited that participants with low self-esteem and/or self-efficacy would rate attorneys more favorably than participants with high self-esteem and/or self-efficacy. These hypotheses were not supported. Self-esteem and self-efficacy were found to be unrelated to all ratings of attorney characteristics. Hypothesis six stated that juror personality variables would be unrelated to ratings of attorney characteristics. This hypothesis was supported for the personality domains of extraversion and neuroticism. These domains were unrelated to ratings of attorney characteristics. However, the domains of conscientiousness and openness were significantly related to ratings of attractiveness. The domain of openness was also significantly related to ratings of confidence. Finally, the domain of agreeableness was significantly related to ratings of attorney likeability, trustworthiness (as measured by the WCS), and credibility.

Additional Analyses

After conducting the primary analyses and seeing that the results did not support the hypotheses made in line with the boomerang effect, the experimenter decided to conduct

additional analyses. Original analyses were unable to probe the nature of the effect of the continuous moderators (self-esteem, self-efficacy, and personality variables) on the dependent variables. Regression analyses allowed the experimenter to examine the relationship between these continuous variables and the dependent variables found to be significant in the prior analyses. Additionally, regression procedures allowed the experimenter to examine possible mediational effects of these significant independent variables on findings of guilt. For the regression analyses, the experimental ingratiation manipulation was treated as a continuous variable. This shift from treating ingratiation as a categorical to a continuous variable was done because of regression's special ability to examine the effect of continuous independent variables. Also, the experimental manipulation was well suited to continuous properties as it existed on a ratio scale (had a true zero point and equal distance between points). Finally, it was also beneficial to the external validity of the analyses to look at ingratiation as a continuous variable as ingratiation in the real world exists on a continuum rather than in fixed categories.

Findings from regression analyses are summarized in Table 3. Hierarchical linear regressions were conducted on each scale of the CRF and WCS. The first step in the model included the demographic variables of age, gender, and race. These were included in the first level so they would be controlled for statistically at subsequent levels. The second step of the regression examined the ingratiation manipulation as the independent variable. If this step was significant subsequent steps were examined which include personality variables as the third step, self-esteem and self-efficacy as the fourth step, and the interaction between ingratiation and personality, self-esteem, and self-efficacy variables as the final step. Figure 1 depicts the regression lines of the effect of ingratiation on CRF Scales. Linear regression showed that the amount of ingratiation used significantly predicted ratings of defense attorney attractiveness on

the CRF, $B = .25$, $t(217) = 4.52$, $p < .001$. Mock-juror openness was also able to significantly predict ratings of defense attorney attractiveness, $B = .16$, $t(212) = 3.05$, $p = .003$. Moreover, mock-juror conscientiousness was also able to significantly predict ratings of defense attorney attractiveness, $B = .11$, $t(212) = 1.94$, $p = .05$. As ingratiation and mock-juror openness and conscientiousness increased ratings of defense attorney attractiveness also increased. No other variables or interactions in the model were able to significantly predict ratings of defense attorney attractiveness.

Linear regression also showed that the amount of ingratiation used significantly predicted ratings of defense attorney trustworthiness on the CRF, $B = .12$, $t(220) = 2.00$, $p = .05$. As ingratiation increased, ratings of attorney trustworthiness also increased. For this analysis, gender also significantly predicted ratings of defense attorney trustworthiness, $B = -.36$, $t(221) = -2.25$, $p = .03$. Women rated the attorney as significantly more trustworthy than men. No other variables or interactions in the model were able to significantly predict ratings of defense attorney trustworthiness. Ingratiation was not able to significantly predict CRF attorney ratings of expertness.

Figure 2 depicts the regression lines of the effect of ingratiation on WCS Scales. Linear regression also revealed that the amount of ingratiation used significantly predicted ratings of defense attorney confidence on the WCS, $B = -.17$, $t(223) = -2.83$, $p = .005$. Mock-juror openness also significantly predicted ratings of defense attorney confidence, $B = -.17$, $t(218) = -2.80$, $p = .006$. As ingratiation and mock-juror openness increased ratings of defense attorney confidence decreased. No other variables or interactions in the model were able to significantly predict ratings of attorney confidence.

Moreover, linear regression showed that the amount of ingratiation used significantly predicted ratings of defense attorney likeability on the WCS, $B = .49$, $t(222) = 5.11$, $p < .001$. Additionally, mock-juror agreeableness also significantly predicted ratings of defense attorney likeability, $B = .36$, $t(217) = 2.93$, $p = .004$. As ingratiation and mock-juror agreeableness increased ratings of defense attorney likeability also increased. No other variables or interactions in the model were able to significantly predict ratings of defense attorney likeability.

Finally, linear regression showed that the amount of ingratiation used significantly predicted ratings of defense attorney credibility, $B = .15$, $t(219) = 2.77$, $p = .006$. Additionally, mock-juror agreeableness also significantly predicted ratings of defense attorney credibility, $B = .20$, $t(214) = 3.02$, $p = .003$. As ingratiation and mock-juror agreeableness increased ratings of defense attorney credibility also increased. No other variables or interactions in the model were able to significantly predict ratings of defense attorney credibility. Significant main effects were not found for the effect of ingratiation on WCS ratings of attorney trustworthiness or knowledge.

Mediation Analyses

A final set of analyses were conducted to examine possible mediating effects of CRF and WCS measures on the relationship between ingratiation and ratings of client guilt. These analyses were conducted on the scales of the CRF and WCS that were shown to be significantly predicted by ingratiation in the previous analyses. A significant mediating effect of attorney attractiveness was found for the relationship between ingratiation and client guilt (Figure 3). First, to explore possible mediation of ingratiation by attorney attractiveness, following Preacher and Hayes (2004), we obtained the unstandardized regression coefficient for the effect of ingratiation on attorney attractiveness ($B = .26$, $t(239) = 4.98$, $p < .001$). When ingratiation and attorney attractiveness were entered simultaneously, the impact of ingratiation was not

significant, whereas the effect of attorney attractiveness on ratings of guilt was significant ($B = -.23, t(238) = -2.29, p = .02$). To test the indirect effect of this mediational pattern, we employed bootstrapping procedures outlined by Shrout and Bolger (2002; see also Preacher & Hayes, 2004). Bootstrap methods produce greater statistical power when examining indirect effects when the sampling distribution is positively or negatively skewed. In the event that the distribution is not skewed, bootstrapping procedures produce the same results as standard procedures and are not more powerful. The analysis revealed that the bootstrapped estimate of the indirect effect ($M = -.06$) was significantly different from zero ($p < .05$, CI 95: between $-.12$ and $-.01$). As defense attorney ingratiation increased ratings of defense attorney attractiveness also increased. As this rating of attractiveness increased jurors rated the defendant as less guilty.

Additionally, another significant mediating effect of attorney trustworthiness (as measured by the CRF) was found for the relationship between ingratiation and client guilt (Figure 4). Again, to explore possible mediation of ingratiation by attorney trustworthiness, following Preacher and Hayes (2004), we obtained the unstandardized regression coefficient for the effect of ingratiation on attorney trustworthiness ($B = .12, t(243) = 2.12, p = .04$). When ingratiation and attorney trustworthiness were entered simultaneously, the impact of ingratiation was not significant, whereas the effect of attorney trustworthiness on ratings of guilt was significant ($B = -.28, t(242) = -3.12, p = .002$). To test the indirect effect of this mediational pattern, we employed bootstrapping procedures outlined by Shrout and Bolger (2002; see also Preacher & Hayes, 2004). The analysis revealed that the bootstrapped estimate of the indirect effect ($M = -.03$) was significantly different from zero ($p < .05$, CI 95: between $-.09$ and $-.0002$). As defense attorney ingratiation increased ratings of defense attorney trustworthiness also increased. As this rating of trustworthiness increased, jurors rated the defendant as less guilty.

Finally, a significant mediating effect of attorney confidence was found for the relationship between ingratiation and client guilt (Figure 5). To explore possible mediation of ingratiation by attorney confidence, following Preacher and Hayes (2004), we obtained the unstandardized regression coefficient for the effect of ingratiation on attorney confidence ($B = -.18, t(246) = -3.02, p = .003$). When ingratiation and attorney confidence were entered simultaneously, the impact of ingratiation was not significant, whereas the effect of attorney confidence on ratings of guilt was significant ($B = .20, t(245) = 2.29, p = .02$). To test the indirect effect of this mediational pattern, we employed bootstrapping procedures outlined by Shrout and Bolger (2002; see also Preacher & Hayes, 2004). The analysis revealed that the bootstrapped estimate of the indirect effect ($M = -.04$) was significantly different from zero ($p < .05$, CI 95: between $-.09$ and $-.0006$). As defense attorney ingratiation increased ratings of defense attorney confidence decreased. As this rating of confidence decreased jurors rated the defendant as more guilty. No other CRF or WCS scales acted as significant mediators of the relationship between ingratiation and client guilt.

Table 2

Means (and Standard Deviations) for Attorney Ratings by Experimental Condition

Scale		Ingratiation Condition			
		None	Low	Moderate	High
CRF	Expertness	4.53 (.84)	4.51 (.85)	4.56 (.75)	4.44 (.98)
	Attractiveness	4.42 _a (.86)	4.66 _a (.84)	5.19 _b (.87)	5.11 _b (.99)
	Trustworthiness	4.63 (.98)	4.76 (.82)	4.95 (1.03)	4.96 (1.10)
WCS	Confidence	3.15 _a (1.10)	2.85 _{ab} (.91)	2.70 _b (1.04)	2.60 _b (1.09)
	Likeability	6.46 _a (1.41)	7.29 _b (1.60)	7.84 _c (1.75)	7.96 _c (1.52)
	Trustworthiness	6.27 (1.72)	6.22 (1.58)	6.68 (1.75)	6.72 (1.85)
	Knowledge	7.14 (1.49)	7.09 (1.34)	7.30 (1.55)	7.15 (1.64)
	Credibility	5.74 _a (.83)	5.86 _{ab} (.77)	6.13 _b (.94)	6.13 _b (.93)

Note. Means in the same row that do not share subscripts differ significantly.

Table 3

Standardized Regression Coefficients for the Effect of Ingratiation on Dependent Measures Controlling for Age, Gender, and Ethnicity

	Scale	β	t	df	p
CRF	Expertness	-.04	-.64	219	.52
	Attractiveness	.29	4.52	217	< .001
	Trustworthiness	.13	2.00	220	.05
WCS	Confidence	-.19	-2.83	223	.005
	Likeability	.32	5.11	222	< .001
	Trustworthiness	.11	1.70	223	.09
	Knowledge	.03	.48	224	.63
	Credibility	.18	2.77	219	.006

Figure 1

CRF Scale Scores as a function of Ingratiation

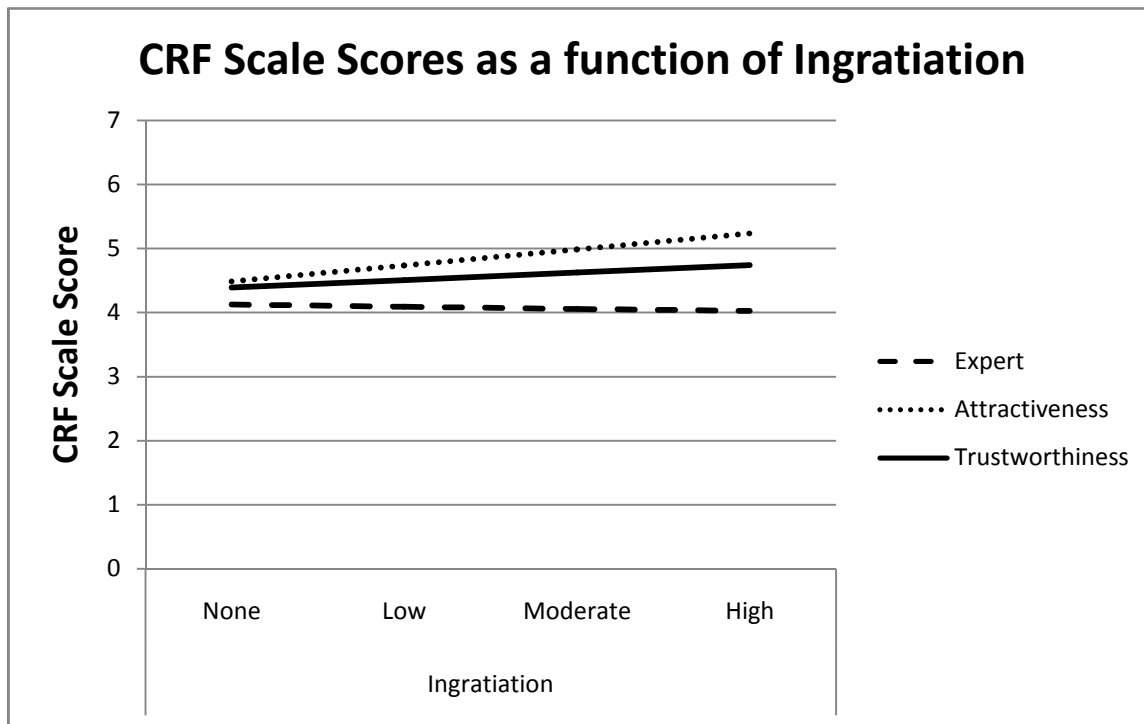


Figure 2

WCS Scale Scores as a function of Ingratiation

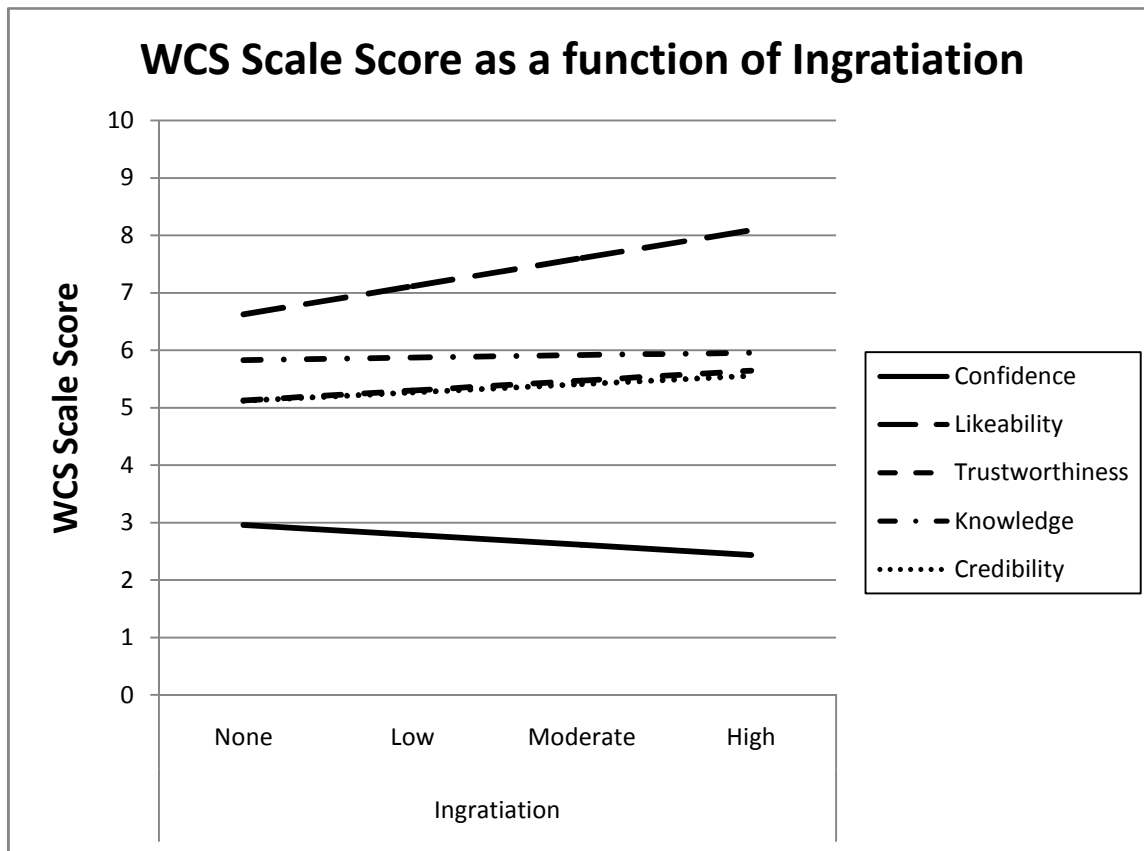
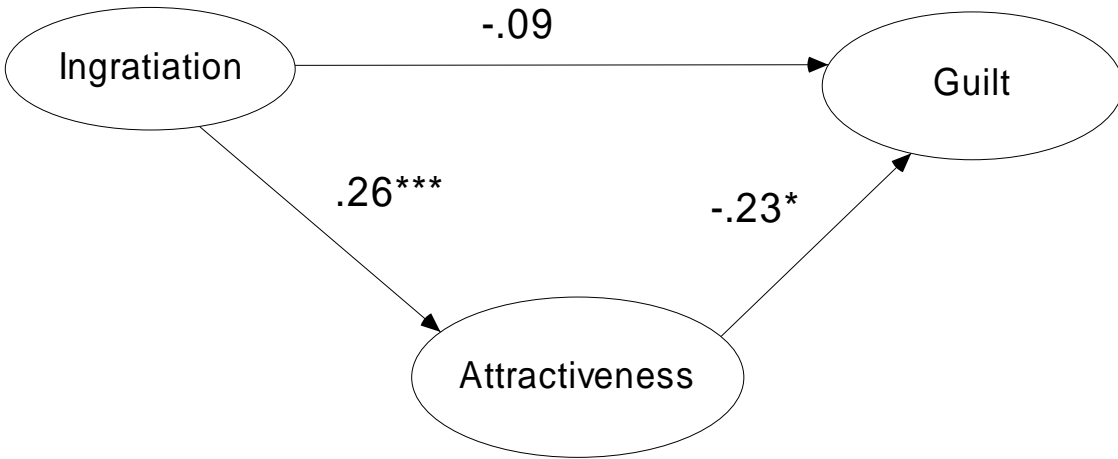


Figure 3

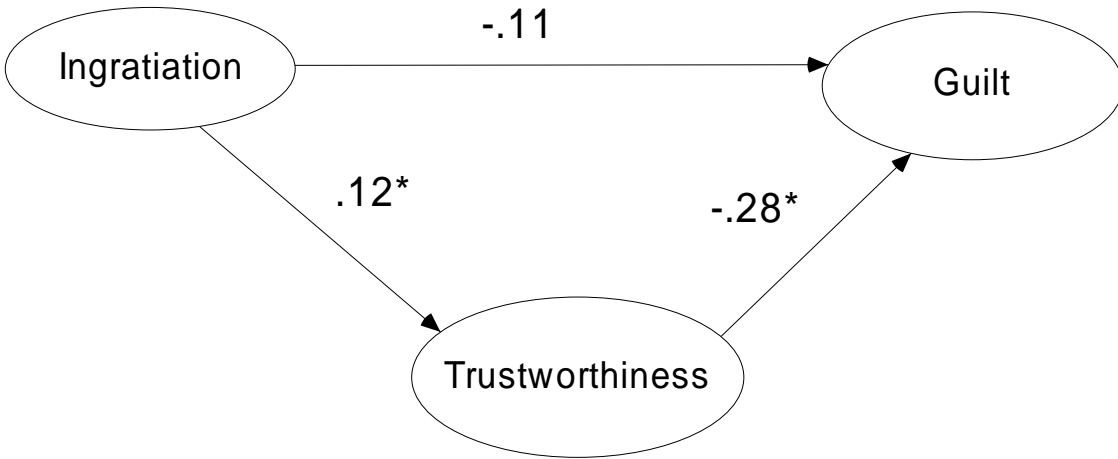
Relation of Ingratiation and Guilt Mediated by Attractiveness



Note. $*p < .05$, $***p < .001$

Figure 4

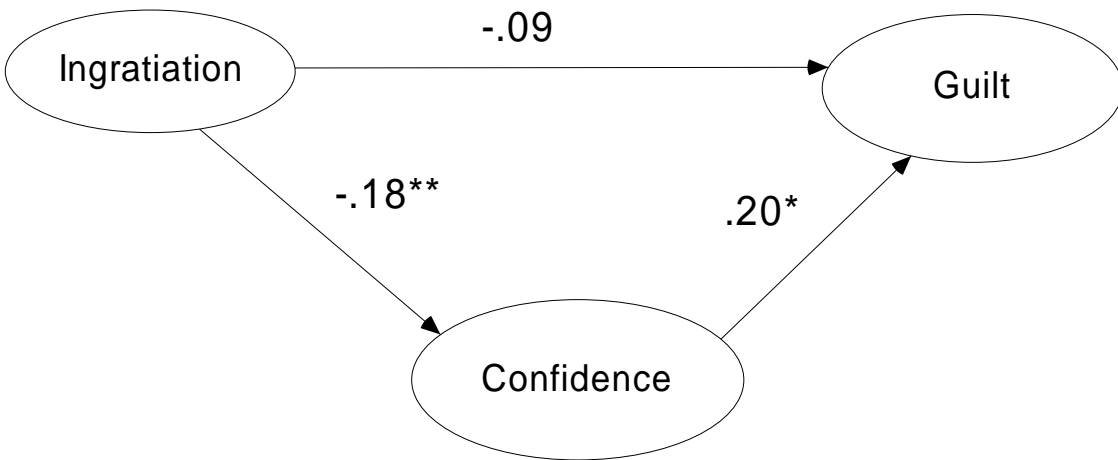
Relation of Ingratiation and Guilt Mediated by Trustworthiness



Note. * $p < .05$

Figure 5

Relation of Ingratiation and Guilt Mediated by Confidence



Note. * $p < .05$, ** $p < .01$

4. Discussion

Ratings of Attorney Characteristics

The Counselor Rating Form and Witness Credibility Scale were used to assess mock-juror's ratings of attorney characteristics. The boomerang effect, posited by Jones (1964) suggested that, while low to moderate levels of ingratiation should produce more positive ratings, high levels of ingratiation should seem transparent to the target and therefore produce less favorable ratings for the ingratiation. In line with this boomerang effect, I predicted that mock-juror ratings of attorney characteristics would increase (become more favorable) from no to low to moderate levels of ingratiation and decrease from moderate to high levels of ingratiation.

This hypothesis was not supported by the data. When ingratiation did affect ratings of attorney characteristics, the effect did not reverse direction from moderate to high levels of ingratiation as I predicted. In all cases where there was an effect of ingratiation there was no significant difference between ratings on the given scale at moderate or high levels of ingratiation. One explanation for this finding is that there may have been something qualitatively different about the ingratiating statements in the moderate and high condition as opposed to the no and low ingratiation conditions. Perhaps one of the statements added to the moderate ingratiation condition produced the stated differences while other statements had smaller effects.

This failure of the data to support the boomerang effect could arise because of several factors. First, it may be that the boomerang effect does not exist in the trial setting. Though the

boomerang effect has been shown to exist by a meta-analysis of studies examining ingratiation, none of the included studies were conducted in a legal setting (Gordon, 1996). This explanation seems less likely, however, when one considers the wide range of settings in which the boomerang effect has been shown to be effective.

Second, Jones (1964) stated that highly ingratiating individuals would be rated less favorably only when the targets of the ingratiation suspected an ulterior motive. Hence, the ingratiation-attractiveness relationship is only curvilinear when ulterior motives are suspected, in other cases a linear relationship would exist. It is possible that participants in this study failed to see the ulterior motive of the defense attorney. Participants could have accepted the praise from the attorney as valid and rated him accordingly. This explanation also seems less likely. This explanation would suggest that mock-jurors would have rated the attorney more favorably in high than in moderate ingratiation conditions. This was not found by the data. It also seems unlikely that mock-jurors would fail to see possible ulterior motives from an attorney they know is trying to convince them to vote in his favor.

Finally, the most likely explanation for the lack of a boomerang effect in the data is the specific manipulation used. One possibility is that the manipulation in the current study was not strong enough. In the current study, there was a difference of four ingratiating comments between each level of the manipulation. It is possible that this amount of ingratiation was not sufficient to produce differences between all levels of the manipulation. Additionally, it is possible that the high ingratiation condition did not contain enough over the top ingratiating comments to trigger the boomerang effect. While the conditions was labeled “high ingratiation” for the purpose of the study it is possible that I actually only achieved a moderate level of ingratiation. Moreover, the current study only manipulated the number of ingratiating comments

between conditions; the quality of the ingratiating comments themselves were not manipulated or measured. Manipulating the intensity of ingratiating comments could possibly lead to support for the boomerang hypothesis in future studies. Future studies should examine the boomerang hypothesis using more levels of stronger ingratiation manipulations.

Though I did not find support for the boomerang effect, the first part of my hypothesis regarding the linear increase in favorable ratings from no to moderate levels of ingratiation was supported in several cases. The data showed that there was a significant difference on ratings of attorney attractiveness between no ingratiation and high ingratiation conditions. Attorneys were rated as more favorable at the high level of ingratiation. Here, attractiveness does not refer to physical attributions; rather, it refers to likeable characteristics such as agreeableness, cheerfulness, friendliness, and warmth. The fact that there were no differences between no and low levels of ingratiation and moderate and high levels of ingratiation suggests that the strength of the manipulation was not sufficient to produce these effects. It is necessary to note here that, for all ratings of attorney characteristics, the mean differences between ingratiation conditions were relatively small; hence, the significance found was partly due to the large sample size.

The data showed similar significant differences between ingratiation conditions and ratings of attorney likeability. For the likeability scale on the WCS, participants rated attorneys more likeable at moderate and high levels of ingratiation than at low levels. Furthermore, participants rated attorneys more likeable at low levels of ingratiation than when no ingratiation was used. These significant differences imply that ingratiation may have diminished returns at higher levels. While the increased ingratiation was enough to produce a significant difference from no to low and from low to moderate levels, the same increase failed to produce a significant difference from moderate to high levels. This could be interpreted in two different ways. First,

it could be interpreted as reaching a plateau in likeability. Perhaps once this heightened level of likeability is achieved more ingratiation is simply irrelevant. Second, this finding could point to a tapering off of the effect of ingratiation before a decline due to the boomerang effect. It is possible that if more levels of ingratiation were used in the experiment that higher levels would have showed the decrease in likeability predicted by the boomerang effect.

A similar pattern of results was shown for the effect of ingratiation on ratings of attorney trustworthiness. Regression analyses showed that mock-jurors rated attorneys more trustworthy at higher levels of ingratiation than at lower levels. This finding would support the second explanation offered for the failure to find support for the boomerang hypothesis. Rating a lawyer as more trustworthy at higher levels of ingratiation suggests that mock-jurors failed to see that the attorney had an ulterior motive for his ingratiating comments. Interestingly, though trustworthiness scales exist on both the CRF and the WCS, significant results were only found for the CRF trustworthiness scale when the more appropriate regression analyses were conducted. There are several possible explanations for this finding. First, though the WCS was thought to be a good measure of attorney characteristics it was originally designed for use with expert witnesses whereas the CRF was designed specifically for use with attorneys. It is possible that the CRF captures more traits that apply specifically to attorneys. Additionally, whereas the WCS trustworthiness scale contains five items the same scale on the CRF contains 12 items. This increased amount of information may have given participants a greater opportunity to describe the attorney as trustworthy. Finally, it is possible that the effect of trustworthiness dropped to non-significance in the regression analyses because this procedure was better able to statistically control for the effect of gender and other demographic variables than the ANOVA

procedure. It is possible that the effect of gender encompassed any effect that ingratiation had on trustworthiness.

Moreover, ingratiation was also shown to affect overall ratings of attorney credibility. Mock-jurors rated attorneys to be significantly more credible when they used moderate or high levels of ingratiation than when no ingratiation was used. The same issues regarding the strength of the manipulation exist for this scale as those previously discussed. Here, there were no differences between low levels of ingratiation and any other levels. This suggests that either low levels of ingratiation are ineffective at producing changes in ratings of credibility or that the manipulation was not strong enough to examine such effects.

Finally, another pattern of results emerged regarding the effect of ingratiation on ratings of attorney confidence. Whereas ratings on other scales increased with higher levels of ingratiation, ratings on the confidence scale decreased as ingratiation increased. Attorneys were rated as significantly less confident when using moderate and high levels of ingratiation than when using no ingratiation. In hindsight, these results make intuitive sense. As the attorney used more ingratiation it appears that mock-jurors may have interpreted this increased ingratiation as a desperate attempt to influence them. This also could suggest another reason for the failure of the boomerang hypothesis. Instead of sensing an ulterior motive on the part of the attorney, it is possible that participants interpreted the use of ingratiation as desperate and pathetic rather than sly and scheming. Another explanation for these findings relating to attorney confidence is the placement of the ingratiating comments in the closing arguments. In the no ingratiation closing argument, the last statement participants heard from the attorney was a statement of fact. The gist of the final sentence was that there was not enough evidence for a conviction. Alternately, in all of the ingratiation conditions the final statement that participants

heard was an ingratiating comment. It is possible that this difference in the last comment the attorney made accounted for the difference in ratings of confidence. Participants rated the attorney as most confident when he ended his closing argument with a strong statement of fact as opposed to an ingratiating comment. It should also be noted that this confidence scale was one part of the broader credibility scale. It is interesting to note that in spite of the negative results on this scale, the overall credibility measure proved to be significant in the positive direction.

Ingratiation was also shown to not have a significant effect on ratings of attorney expertness and knowledge. Again, in hindsight, these results make sense. The expertness scale measured characteristics that pertained more to the presentational style of the attorney than the substance of the presentation. This scale included items such as clear, experienced, intelligent, and logical. Likewise the knowledge scale, originally intended for use with expert witnesses, measures overall perceived intelligence using items such as scientific, wise, educated, and informed. These terms may not be as applicable to lawyers as they are to experts testifying about a specific area.

Mock-Juror Characteristics

Unexpectedly, analyses showed no significant effect of mock-juror characteristics on ratings of attorney characteristics. None of the hypotheses regarding the interactions of ingratiation and any mock-juror characteristics were supported. In this dataset, no interactions existed between ingratiation and any other variable. Additionally, only the personality domains of openness, conscientiousness, and agreeableness were shown to have any effect on ratings of attorney characteristics. Openness was able to significantly predict ratings of attorney attractiveness and confidence. As mock-juror openness increased ratings of attorney attractiveness increased whereas ratings of attorney confidence decreased. The finding regarding

attractiveness can be interpreted that the more open a person is the more he or she is willing to rate another person as attractive. However, the finding of the effect of openness on ratings of confidence is more paradoxical. The findings show that increased levels of mock-juror openness led to decreased ratings of attorney confidence. Further research is needed to explore the relationship between openness and ratings of attorney confidence.

Mock-juror conscientiousness also significantly predicted ratings of attorney attractiveness. As mock-juror conscientiousness increased, their ratings of the attorney's attractiveness also increased. This makes sense in that the more conscientious a person is, the less likely they are to rate another person harshly.

Finally, Mock-juror agreeableness significantly predicted ratings of attorney likeability and credibility. As mock-juror agreeableness increased, ratings of attorney likeability and credibility also increased. These findings make sense in that the more agreeable a person is, the more favorably he or she is likely to rate another person.

Mock-juror gender was also able to significantly predict ratings of attorney trustworthiness. Women rated the attorney as significantly more trustworthy than males. This could be due to the fact that both of the attorneys were slightly older Men. Women may have rated these well-educated, well-dressed, and well-spoken men more trustworthy simply because of the sex difference between them.

Most unexpected regarding mock-juror characteristics was the failure to find any interactions between mock-juror characteristics and ingratiation. Previous research suggested that interactions would exist between self-esteem and self-efficacy and ingratiation (Jones, 1964; Zellars & Kacmar, 1999). One explanation for the lack of significant interactions is that in the group mock-jury setting participants may not have taken ingratiating comments personally.

Ingratating comments were made towards the group rather than individual mock-jurors. This procedure may have failed to trigger the predicted interaction. Further research could examine possible interactions between self-esteem and personally targeted ingratating comments. Clearly, more research is needed to understand the relationship between self-esteem, self-efficacy, personality, and ingratiation.

The Ingratiation-Guilt Relationship

The theory of ingratiation put forth by Jones (1964) states that increased ratings of favorable characteristics are only the first part of ingratiation. The true purpose of ingratiation is to achieve another more salient goal (Jones, 1964). In the legal arena, this would mean securing an acquittal for the defense or a conviction for the prosecution. It was hypothesized that, in line with the boomerang effect, mock-jurors would rate the defendant as least guilty under moderate levels of ingratiation. This finding was not supported. Analyses showed that ingratiation had no direct effect on ratings of client guilt.

However, additional mediational analyses revealed a more complicated picture. These analyses showed that ratings of attorney attractiveness, trustworthiness, and confidence mediated the relationship between ingratiation and ratings of guilt. Specifically, ingratiation increased ratings of attorney attractiveness and trustworthiness. These increases in ratings then led to decreased findings of guilt for the defendant. Alternately, ingratiation decreased ratings of attorney confidence. These reduced levels of confidence then led to increased ratings of guilt for the defendant. Simply put, high ratings of attractiveness, trustworthiness, and confidence were related to lower ratings of defendant guilt. These findings make sense as the most attractive, trustworthy, and confident lawyer would probably be seen by most jurors to be more effective than an unattractive, untrustworthy, and not confident competitor.

These findings both support and clarify some of the existing research on ingratiation. The findings in the current analyses also serve to clarify some of the non-significant findings in previous literature. For example, Gordon (1996) showed that, although ingratiation did lead to higher ratings of the ingratiator's likeability, it failed to result in an increased acquisition of rewards from the target. Brodsky and Cannon (2006) also found a significant effect of ingratiation on ratings of likeability, but failed to find a significant relation between ingratiation and findings of guilt. The findings from the current study suggest that the relationship between ingratiation and increased acquisition of rewards is actually mediated by other variables such as attractiveness, trustworthiness, and confidence. Future research concerning the relationship between ingratiation and increased rewards could employ similar techniques to find any possible mediating patterns.

General Discussion

The primary purpose of this study was to extend the research on ingratiation to closing arguments of trials. Prior research has shown ingratiation to be related to positive outcomes in a variety of situations (Kipnis & Vanerveer, 1971; Gordon, 1996; Orpen, 1996). The current study showed that ingratiation can increase ratings of attorney attractiveness, trustworthiness, likeability, and credibility. These findings fall in line with previous research which has shown that ingratiation leads to greater levels of liking (Gordon, 1996). This also furthers the findings of Brodsky and Cannon (2006) from voir dire to closing arguments of trials. Additionally, the current study showed that increased ingratiation leads to decreased ratings of attorney confidence. Clearly, these results show that ingratiation can be an important tool of social influence across many different settings, including courtrooms.

The current study showed that the relationship between ingratiation and guilt is more complex than hypothesized. Instead of a direct effect of ingratiation on guilt, this relationship was mediated by the ratings of the attorney's attractiveness, trustworthiness, and confidence. More research is needed to replicate the existence of these findings; however, they do offer an interesting suggestion for practicing attorneys. These findings suggest that defense attorneys could use ingratiation as a tool to decrease findings of guilt for their clients. A word of caution would be advised, however, in that attorneys should make sure that they appear confident even when using ingratiating techniques, as low confidence leads to increased findings of guilt. These findings also offer a new technique of data analysis that could also be used in other studies of ingratiation. At the current time, the researcher was unable to find any published work examining a mediated relationship between ingratiation and increased acquisition of rewards.

The current study did have several strengths. First, the study developed an ingratiation manipulation that included four levels. Most research concerning ingratiation only looks at the presence or absence of ingratiation or at most uses three levels. The inclusion of four levels of ingratiation allowed the researcher to examine differences and similarities between differing levels of ingratiation that otherwise could not have been examined. Additionally, the study had a large sample size. Data were collected from 249 participants which, based on the estimated effect size, easily met the required sample size for statistical power. The study also had good internal and external validity. To increase internal validity, the experimenter followed standardized scripts to ensure all participants were exposed to comparable testing conditions and procedures. Several techniques were employed to enhance external validity. The video-taped conditions were set in the Witness Research Lab to provide an authentic courtroom context. In addition, the selected case was based on an actual trial. Finally, for the regression and mediation

analyses, ingratiation was treated as a continuous variable. This increases the generalizability of the findings because ingratiation exists on a continuum rather than in discrete categories in the real world.

There were also limitations to the current study. Although external validity was enhanced by the previously mentioned methods, several important components of a trial were not included. First, the dynamic of jury deliberation and group decision-making was not accounted for in the study. Second, the findings can only be generalized to male defense attorneys. Future research should examine possible differing effect of ingratiation when used by female attorneys or when used by the prosecution. Additionally, the current study had a predominantly female and Caucasian sample. Future research could examine whether or not ingratiation is perceived similarly by male jurors when delivered by female attorneys. A third weakness is that the current study defined low, moderate, and high ingratiation on an arbitrary scale that had four ingratiating comments between each level. This manipulation may not have been strong enough to produce some of the hypothesized effects. Future research should consider using a stronger manipulation to examine the effect of higher levels of ingratiation as well as more intensely ingratiating statements. Additionally, the current study utilized a manipulation in which the number of ingratiating comments varied by condition. No attempt was made to vary the intensity of ingratiating comments. Finally, the current study presented the courtroom stimuli via videotape rather than through live administration and was conducted on undergraduates rather than actual jurors. However, it should be noted that research has found few differences between various trial media or mock juror samples (Bornstein, 1999; Dunn, 2003). Bornstein and Dunn separately concluded that using students as mock jurors in jury-simulation research is not necessarily a cause for concern.

Future research should be conducted to verify the existence of the mediated relationship between ingratiation and guilt that was found in the current study as well as to verify the existence of the effect of ingratiation on the attorney characteristics noted above. Additionally, future research should seek to expand the current findings from male to female attorneys, from the defense to the prosecution, and from a predominantly female to a predominantly male sample. Future work could also consider manipulating the intensity of ingratiating comments instead of simply changing the number of comments made. Future studies could examine the differences in reactions to high and low intensity ingratiating comments. Additional study is also required to determine the relationship between self-esteem, self-efficacy, and personality characteristics and ingratiation.

Finally, ingratiation has been shown to be a valuable tool that attorneys can use to increase their positive characteristics, but it does not come without danger. The current study suggests that ingratiation can lead mock-jurors to rate attorneys as less confident. This begs the question: is it possible to be ingratiating and perceived as confident at the same time? Future research should examine the link between ingratiation and confidence in greater detail. These possible future findings, along with the findings from the current study, may have valuable implications for attorneys as they prepare and deliver their closing arguments.

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Appendices

Appendix A

Demographic Information

1. Please indicate your age: _____
2. Please indicate your sex (please circle response): Male Female
3. Please indicate your race (please circle response): African American Asian Caucasian
Hispanic
Native American Pacific Islander Other
4. School Status (please circle response): Fresh. Soph. Jr. Sr. Grad Other
5. Have you ever consulted a lawyer (please circle response): Yes No
6. Do any members of your immediate family work as lawyers (please circle response): Yes
No
7. Please identify the part of the United States that you are from: South North Midwest
West
Not from the United States

Trial Results Form

Please answer the following questions by circling the one answer that best represents your opinion.

What is your verdict?

Guilty Not Guilty

Is the defendant guilty?

1-----2-----3-----4-----5-----6-----7

Definitely no Neutral Definitely yes

How confident are you about that verdict?

1-----2-----3-----4-----5-----6-----7

Not at all Neutral Very much

If you decided guilty (a rating of 5, 6, or 7), what should the level of punishment be?

1-----2-----3-----4-----5-----6-----7

As lenient Neutral As harsh
as possible as possible

How committed to your sentencing decision are you?

1-----2-----3-----4-----5-----6-----7

Not at all Neutral Very much

Appendix B

Attorney Questionnaire

Directions

For the following scales, please mark (with a check or an X) the point on each scale which best describes the **prosecuting/defense attorney** you have just observed on videotape. The direction toward which you check depends upon which end of the scale better describes the lawyer. Please put your check marks in the **middle of the spaces**, not on the boundaries.

Below is an example of how to fill out the scales. If you feel that your judgment of the lawyer is **quite closely related** to one of the other ends of the scale (but not extremely), you would place your mark as follows:

	Much	Quite	Slightly	Neutral	Slightly	Quite	Much_____	
Alert	_____	<u> X </u>	_____	_____	_____	_____	_____	Unalert

OR (slightly related to the other end)

	_____	_____	_____	_____	_____	<u> X </u>	_____	
Alert								Unalert

Please rate the defense attorney on the following characteristics:

	Much	Quite	Slightly	Neutral	Slightly	Quite	Much	
Selfless	_____	<u> </u>	_____	_____	_____	_____	_____	Selfish
Reliable	_____	<u> </u>	_____	_____	_____	_____	_____	Unreliable
Unbiased	_____	_____	_____	_____	_____	_____	_____	Biased
Agreeable	_____	_____	_____	_____	_____	_____	_____	Disagreeable
Friendly	_____	<u> </u>	_____	_____	_____	_____	_____	Unfriendly
Alert	_____	<u> </u>	_____	_____	_____	_____	_____	Unalert
<hr/>								
	Much	Quite	Slightly	Neutral	Slightly	Quite	Much	
Compatible	_____	_____	_____	_____	_____	_____	_____	Incompatible
Cheerful	_____	_____	_____	_____	_____	_____	_____	Depressed
Likable	_____	_____	_____	_____	_____	_____	_____	Unlikable
Analytic	_____	<u> </u>	_____	_____	_____	_____	_____	Diffuse
Enthusiastic	_____	<u> </u>	_____	_____	_____	_____	_____	Indifferent
Respectful	_____	<u> </u>	_____	_____	_____	_____	_____	Disrespectful
<hr/>								
	___Much	Quite	Slightly	Neutral	Slightly	Quite	Much_____	
Open	_____	_____	_____	_____	_____	_____	_____	Closed
Genuine	_____	_____	_____	_____	_____	_____	_____	Not Genuine
Straight-forward	_____	<u> </u>	_____	_____	_____	_____	_____	Deceitful
Appreciative	_____	<u> </u>	_____	_____	_____	_____	_____	Unappreciative
Warm	_____	<u> </u>	_____	_____	_____	_____	_____	Cold
Informed	_____	_____	_____	_____	_____	_____	_____	Ignorant

	Much	Quite	Slightly	Neutral	Slightly	Quite	Much	
Prepared	_____	_____	_____	_____	_____	_____	_____	Unprepared
Experienced	_____	_____	_____	_____	_____	_____	_____	Inexperienced
Confident	_____	_____	_____	_____	_____	_____	_____	Unsure
Expert	_____	_____	_____	_____	_____	_____	_____	Inexpert
Close	_____	_____	_____	_____	_____	_____	_____	Distant
Confidential	_____	_____	_____	_____	_____	_____	_____	Revealing
	_____Much	_____Quite	_____Slightly	_____Neutral	_____Slightly	_____Quite	_____Much_____	
Logical	_____	_____	_____	_____	_____	_____	_____	Illogical
Intelligent	_____	_____	_____	_____	_____	_____	_____	Stupid
Casual	_____	_____	_____	_____	_____	_____	_____	Formal
Honest	_____	_____	_____	_____	_____	_____	_____	Dishonest
Attractive	_____	_____	_____	_____	_____	_____	_____	Unattractive
Sociable	_____	_____	_____	_____	_____	_____	_____	Unsociable
	_____Much	_____Quite	_____Slightly	_____Neutral	_____Slightly	_____Quite	_____Much_____	
Skillful	_____	_____	_____	_____	_____	_____	_____	Unskillful
Clear	_____	_____	_____	_____	_____	_____	_____	Vague
Insightful	_____	_____	_____	_____	_____	_____	_____	Insightless
Dependable	_____	_____	_____	_____	_____	_____	_____	Undependable
Trustworthy	_____	_____	_____	_____	_____	_____	_____	Untrustworthy
Responsible	_____	_____	_____	_____	_____	_____	_____	Not Responsible

Appendix C

WCS

Instructions: Please rate the prosecuting/defense attorney for the following items on the scale provided.

If you are unsure, please take your **BEST GUESS**.

Example:

1	2	3	4	5	6	7	8	9	10
<i>Dressed Formally</i>			✓						<i>Dressed Informally</i>

1	2	3	4	5	6	7	8	9	10
Unfriendly					Friendly				

1	2	3	4	5	6	7	8	9	10
Disrespectful					Respectful				

1	2	3	4	5	6	7	8	9	10
Unkind					Kind				

1	2	3	4	5	6	7	8	9	10
Ill-mannered					Well-mannered				

1	2	3	4	5	6	7	8	9	10
Unpleasant					Pleasant				

1	2	3	4	5	6	7	8	9	10
Untrustworthy					Trustworthy				

1	2	3	4	5	6	7	8	9	10
Untruthful					Truthful				

1	2	3	4	5	6	7	8	9	10
Undependable					Dependable				

1	2	3	4	5	6	7	8	9	10
Dishonest					Honest				

1	2	3	4	5	6	7	8	9	10
Unreliable					Reliable				

1	2	3	4	5	6	7	8	9	10
Not confident					Confident				

1	2	3	4	5	6	7	8	9	10
Inarticulate					Well-spoken				

1	2	3	4	5	6	7	8	9	10
Tense					Relaxed				

1	2	3	4	5	6	7	8	9	10
Shaken					Poised				

1	2	3	4	5	6	7	8	9	10
Not Self-Assured					Self-Assured				

1	2	3	4	5	6	7	8	9	10
Uninformed					Informed				

1	2	3	4	5	6	7	8	9	10
Illogical					Logical				

1	2	3	4	5	6	7	8	9	10
Uneducated					Educated				

1	2	3	4	5	6	7	8	9	10
Unwise					Wise				

1	2	3	4	5	6	7	8	9	10
Unscientific					Scientific				

Appendix D

Mini-marker set

How accurately can you describe yourself?

Please use this list of common human traits to describe yourself as accurately as possible. Describe yourself as you see yourself at the present time, not as you wish to be in the future. Describe yourself as you are generally or typically, as compared with other persons you know of the same sex and of roughly your same age.

Before each trait, please write a number indicating how accurately that trait describes you, using the following rating scale:

Inaccurate		?			Accurate			
Extremely	Very	Moderately	Slightly	5	Slightly	Moderately	Very	Extremely
1	2	3	4		6	7	8	9

- | | |
|--|---|
| <input type="checkbox"/> Bashful
<input type="checkbox"/> Bold
<input type="checkbox"/> Careless
<input type="checkbox"/> Cold
<input type="checkbox"/> Complex
<input type="checkbox"/> Cooperative
<input type="checkbox"/> Creative
<input type="checkbox"/> Deep
<input type="checkbox"/> Disorganized
<input type="checkbox"/> Efficient
<input type="checkbox"/> Energetic
<input type="checkbox"/> Envious
<input type="checkbox"/> Extraverted
<input type="checkbox"/> Fretful
<input type="checkbox"/> Harsh
<input type="checkbox"/> Imaginative
<input type="checkbox"/> Inefficient
<input type="checkbox"/> Intellectual
<input type="checkbox"/> Jealous
<input type="checkbox"/> Kind | <input type="checkbox"/> Moody
<input type="checkbox"/> Organized
<input type="checkbox"/> Philosophical
<input type="checkbox"/> Practical
<input type="checkbox"/> Quiet
<input type="checkbox"/> Relaxed
<input type="checkbox"/> Rude
<input type="checkbox"/> Shy
<input type="checkbox"/> Sloppy
<input type="checkbox"/> Sympathetic
<input type="checkbox"/> Systematic
<input type="checkbox"/> Talkative
<input type="checkbox"/> Temperamental
<input type="checkbox"/> Touchy
<input type="checkbox"/> Uncreative
<input type="checkbox"/> Unenvious
<input type="checkbox"/> Unintellectual
<input type="checkbox"/> Unsympathetic
<input type="checkbox"/> Warm
<input type="checkbox"/> Withdrawn |
|--|---|

Appendix E

RSES

Instructions: Below is a list of statements dealing with your general feelings about yourself. If you strongly disagree, circle **SA**. If you agree with the statement, circle **A**. If you disagree, circle **D**. If you strongly disagree, circle **SD**.

- | | | | | |
|--|-----------|----------|----------|-----------|
| 1. On the whole, I am satisfied with myself. | SA | A | D | SD |
| 2. At times, I think I am no good at all. | SA | A | D | SD |
| 3. I feel that I have a number of good qualities. | SA | A | D | SD |
| 4. I am able to do things as well as most other people. | SA | A | D | SD |
| 5. I feel I do not have much to be proud of. | SA | A | D | SD |
| 6. I certainly feel useless at times. | SA | A | D | SD |
| 7. I feel I am a person of worth, at least on an equal
plane with others. | SA | A | D | SD |
| 8. I wish I could have more respect for myself. | SA | A | D | SD |
| 9. All in all, I am inclined to feel I am a failure. | SA | A | D | SD |
| 10. I take a positive attitude toward myself. | SA | A | D | SD |

Appendix F

Instructions. This questionnaire is a series of statements about your personal attitudes and traits. Each statement represents a commonly held belief. Read each statement and decide to what extent it describes you. There are no right or wrong answers. You will probably agree with some of the statements and disagree with others, Please indicate your own personal beliefs about each statement below by marking the letter that best describes your attitude or feeling. Please be truthful and describe yourself as you really are, not as you would like to be.

Mark:

- A** If you **DISAGREE STRONGLY** with the statement
- B** If you **DISAGREE MODERATELY** with the statement
- C** If you **neither agree or disagree** with the statement
- D** If you **AGREE MODERATELY** with the statement
- E** If you **AGREE STRONGLY** with the statement

1. I like to grow houseplants. ____
2. When I make plans, I am certain I can make them work. ____
3. One of my problems is that I cannot get down to work when I should. ____
4. If I can't do the job the first time, I keep trying until I can. ____
5. Heredity plays the major role in determining one's personality. ____
6. It is difficult for me to make new friends. ____
7. When I set important goals for myself, I rarely achieve them. ____
8. I give up on things before completing them. ____
9. I like to cook. ____
10. If I see someone I would like to meet, I go to that person instead of waiting for him or her to come to me. ____
11. I avoid facing difficulties. ____
12. If something looks too complicated, I will not even bother to try it. ____
13. There is some good in everybody. ____
14. If I meet someone interesting who is very hard to make friends with, I'll soon stop trying to make friends with that person. ____
15. When I have something unpleasant to do, I stick to it until I finish it. ____
16. When I decide to do something, I go right to work on it. ____
17. I like science. ____
18. When trying to learn something new, I soon give up if I am not initially successful. ____
19. When I 'm trying to become friends with someone who seems uninterested at first, I don't give up very easily. ____
20. When unexpected problems occur, I don't handle them very well. ____
21. If I were an artist, I would like to draw children. ____
22. I avoid trying to learn new things if they look too difficult for me. ____
23. Failure just makes me try harder. ____
24. I do not handle myself well in social gatherings. ____
25. I very much like to ride horses. ____
26. I feel insecure about my ability to do things. ____
27. I am a self-reliant person. ____
28. I have acquired my friends through my personal abilities at making friends. ____
29. I give up easily. ____
30. I do not seem capable of dealing with most problems that come up in my life. ____

5. Did you take this study seriously when you were filling out the items and watching the video? Please be honest.

6. Had you heard anything about this study from friends or classmates prior to participating? If yes, what exactly did you hear?

7. Do you have any other thoughts, feelings, or questions about this study?

Appendix H

Case Vignette

On the night after Christmas, John White and David Lewis, friends since college, were on their way back to Lewis's apartment in Suburban Atlanta. At the entrance to the Peachtree Center MARTA train station, White and Lewis found their way blocked by three young men who appeared hostile. White smiled and said hello to each of the three, looking each directly in the eyes. Then he and Lewis walked around the men and into the station, ignoring the obscene threats that followed them down the stairs.

Toward the bottom of the stairway, they were attacked from behind. Both men were knocked to the ground and repeatedly punched and kicked. Both fought back, to little effect. White remembered yelling, "Enough! Enough!" and seeing something shiny – a knife, he thought – in the hand of Lewis's main assailant. Eventually, one of the attackers headed back up the stairs – according to an eye-witness, Gary Wilder, who had already called 911. On a tape recording of that call, shouts and blows could be heard in the background; Wilder was obviously close to the scene. When the 911 dispatcher asked Wilder to describe the assailants, Wilder yelled, "White! All white! Five guys! Quick, get somebody here!" Before Wilder even got off the phone, the police were on the scene.

Lewis and White were treated by paramedics at the scene. They, along with the eye-witness, were then driven to the police station at St. Mark's Place and Second Avenue to file reports. By the time they had arrived, police already had a suspect in custody: Martin Stone, a twenty-three-year-old white male. Stone did not have a knife nor did he have Lewis's wallet, but his hands were bloody and his boots were spattered with something that looked like blood.

After filing reports, each of the three men were asked to look at potential suspects in a police line-up, one of which was Stone. White, whose eye was still swollen, was not able to identify his attacker, and admitted that his face was shoved on the ground for most of the attack, and blood from his forehead had distracted his vision. Lewis and Wilder, however, both pointed at Stone and stated, without a doubt, that he was one of the five at the MARTA station that night. After the line-up, Stone was charged with assault and robbery.

Several weeks later, the case was brought to trial. Only three individuals were called to the witness stand: the victims, John White and David Lewis, and an eye-witness, Gary Wilder. Following are excerpts from the testimony during the trial and parts of the closing argument from the prosecuting attorney.

On the stand, White described the attack exactly how it occurred, but was able to provide only sketchy details about his attacker.

PROSECUTING ATTORNEY: Can you describe for us what the attacker looked like?

WHITE: Well, I didn't see any of them during the attack, but I did make eye contact with them before. I know they were all white, medium build, and I recall that most or all of them were wearing black clothing. That's all I can tell you.

PROSECUTING ATTORNEY [Pointing at Stone]: Did any of the men look like the defendant?

WHITE: I cannot say for sure, but I cannot rule him out.

Although Lewis identified Stone in a line-up, he admits that he is not as confident about his identification of the defendant, and that he may have just made a lucky guess at the line up.

PROSECUTING ATTORNEY: Please describe in detail what your attacker looked like.

LEWIS: Well... he was... all I can say is that he was medium build, white, and was wearing black boots with steel on them, but I can't get more specific than that.

Later in the trial, the defense attorney questions Lewis...

DEFENSE ATTORNEY: If you can describe your attacker only in general terms, how were you able to identify the defendant in a line-up?

LEWIS: I don't know, he probably matched my general idea of the attacker.

DEFENSE ATTORNEY: You're not positive, then?

LEWIS: No, I was more concerned about my safety and John's safety and my wallet and stuff like that.

The only eye-witness who was able to make a positive identification is Gary Wilder, who was not involved in the attack but saw the entire event. Following is the complete transcript of his interrogation by both the prosecuting and defense attorneys.

PROSECUTING ATTORNEY: The State calls Mr. Gary Wilder to the stand.

[Mr. Wilder is sworn in]

PROSECUTING ATTORNEY: Please state and spell your name.

WILDER: Gary Wilder. G-A-R-Y W-I-L-D-E-R

PROSECUTING ATTORNEY: Would you please tell us where you were on the evening of December 26th?

WILDER: I was at my sister's place until early evening, then I took the MARTA train home.

PROSECUTING ATTORNEY: On what station were you going to board the train?

WILDER: The Peachtree Center MARTA station.

PROSECUTING ATTORNEY: Did you board the train that night?

WILDER: No, I did not.

PROSECUTING ATTORNEY: Please tell us why...

WILDER: After I had passed through the turnstile, I walked down the stairs to the boarding area. The southbound train was due to arrive in about four minutes, so I waited at the yellow line beside the track. Suddenly I heard a lot of grunts and shuffling-loud voices and ruckus...

PROSECUTING ATTORNEY: What did you see?

WILDER: There were two men on the ground, and three above them hitting and kicking them. There were two other men standing right by encouraging the three men to get the wallets and let's get out of here.

PROSECUTING ATTORNEY: So there were a total of five men?

WILDER: Yes.

PROSECUTING ATTORNEY: Then what did you do?

WILDER: There was a pay-phone against the wall right behind me. I immediately dialed 9-1-1.

PROSECUTING ATTORNEY: Your honor, we'd like to play the tape of that 9-1-1 call...

[The tape is played]

PROSECUTING ATTORNEY: Did you get a good look at the attackers?

WILDER: I got a good look at the three men standing behind the action, the three men who were yelling at the attackers to get the wallets, but I got a good look at only one of the two attackers.

PROSECUTING ATTORNEY: Are any of the attackers you saw on that evening sitting in this courtroom right now?

WILDER: Yes... One of them is here.

PROSECUTING ATTORNEY: Would you point to that person please...

[Wilder points to Stone]

PROSECUTING ATTORNEY: Let the record show that Mr. Wilder identified the defendant, Mr. Stone. I have no other questions.

JUDGE: Okay, so go ahead with the cross-examination.

DEFENSE ATTORNEY: Okay, Mr. Wilder, you say you spent the evening at your sister's house, right?

WILDER: Yes...

DEFENSE ATTORNEY: About what time did you arrive at her house?

WILDER: It was about 3:30 or a quarter-to-four.

DEFENSE ATTORNEY: And how did you get to your sister's house that day?

WILDER: I drove my car there.

DEFENSE ATTORNEY: You drove your car? And you testified earlier that you were going to take the MARTA home, right?

WILDER: Yes, I was going to.

DEFENSE ATTORNEY: Why weren't you going to drive your car home?

WILDER: My sister didn't want me to.

DEFENSE ATTORNEY: Why not?

WILDER: Night time driving in the city... she didn't feel comfortable...

DEFENSE ATTORNEY: Your sister didn't want you to drive home because it was dark? Come on, Mr. Wilder why else did she not want you driving home that night?

WILDER: Uhhh...

DEFENSE ATTORNEY: Had you been drinking alcohol that evening?

WILDER: Yes, we had been –

DEFENSE ATTORNEY: Did your sister want you to take the MARTA train because she felt you weren't safe to drive?

WILDER: But I felt fine.

DEFENSE ATTORNEY: Mr. Wilder, is that why your sister asked you not to drive home?

WILDER: [Pause] Yes, that's what she said.

DEFENSE ATTORNEY: What type of alcohol were you drinking that night?

WILDER: We started with beer, then had wine with dinner.

DEFENSE ATTORNEY: How many bottles of beer would you say you consumed that evening?

WILDER: [Thinking] About four.

DEFENSE ATTORNEY: Maybe five?

WILDER: Maybe.

DEFENSE ATTORNEY: What time did you have your first beer?

WILDER: Oh, I can't remember...

DEFENSE ATTORNEY: Give us an approximate time.

WILDER: Probably shortly after I got there.

DEFENSE ATTORNEY: So, what, 3:30? Quarter-to-four?

WILDER: Around 4:00.

DEFENSE ATTORNEY: And about what time did you have dinner?

WILDER: Around 6:30.

DEFENSE ATTORNEY: Did you have any beer with dinner?

WILDER: No.

DEFENSE ATTORNEY: So you consumed four-maybe-five beers between 4:00 and 6:30... in just two-and-a-half hours.

WILDER: I guess so.

DEFENSE ATTORNEY: Did you feel impaired by the alcohol?

WILDER: Huh?

DEFENSE ATTORNEY: Were you drunk?

WILDER: Not drunk.

DEFENSE ATTORNEY: But four or five beers in under three hours... surely you felt somewhat impaired...?

WILDER: Well, I don't know. I wasn't planning on jumping right in a car and driving for several hours.

DEFENSE ATTORNEY: Do you feel it would have been safe for you to drive at that point?

WILDER: I don't know.

DEFENSE ATTORNEY: Mr. Wilder, have you ever been arrested for driving while under the influence of alcohol?

WILDER: Yes.

DEFENSE ATTORNEY: When did this incident take place?

WILDER: About a year and a half ago.

DEFENSE ATTORNEY: Do you remember enough about the incident to answer a few questions?

WILDER: Probably, I don't know.

DEFENSE ATTORNEY: You attended a bar that night, is that correct?

WILDER: Yes, I did.

DEFENSE ATTORNEY: How long were you there?

WILDER: [Thinking] I can't remember, maybe four or five hours.

DEFENSE ATTORNEY: Perhaps this will help your memory. I have here a copy of the police statements taken that night, which includes statements from the bar personnel. Take a few minutes to look it over and refresh your memory.

WILDER: [After a few seconds] Okay, it appears that I was there from 10:00 to 1:00.

DEFENSE ATTORNEY: Okay, three hours. What did you drink that night?

WILDER: [Without looking at the sheet] Beer.

DEFENSE ATTORNEY: Anything else, Mr. Wilder?

WILDER: No.

DEFENSE ATTORNEY: And how many beers did you drink in that time span?

WILDER: [Laughing] I can't remember.

DEFENSE ATTORNEY: The report, Mr. Wilder...

WILDER: Oh yes... it says four.

DEFENSE ATTORNEY: Four. Why did you stop there?

WILDER: [Reading on] They cut me off at four.

DEFENSE ATTORNEY: You drove home that night, right Mr. Wilder?

WILDER: Yes.

DEFENSE ATTORNEY: Why? Did you know you were driving drunk?

WILDER: No, I felt fine – just like I was at my sister's.

DEFENSE ATTORNEY: But you weren't fine, were you? You were pulled over by the police because you were swerving all over the highway and your blood alcohol content was over the legal limit, wasn't it?

WILDER: I guess it was.

DEFENSE ATTORNEY: How far over the limit, Mr. Wilder? What was your blood alcohol level?

WILDER: [Reading] Point 3.

DEFENSE ATTORNEY: Three times the legal limit. You weren't okay, were you?

WILDER: [Pause]

DEFENSE ATTORNEY: Mr. Wilder?

WILDER: No.

DEFENSE ATTORNEY: So, at your sisters... four, maybe five beers in two-and-a-half hours.

Were you okay there, too, Mr. Wilder?

WILDER: No, I guess not.

DEFENSE ATTORNEY: Okay. [Pause] But you didn't stop there did you? At 6:30, four or five beers later, you sat down for dinner, where you had some wine, right?

WILDER: Yes, that is correct.

DEFENSE ATTORNEY: How many glasses of wine?

WILDER: About the same amount.

DEFENSE ATTORNEY: About the same amount of wine as you had beer?

WILDER: Yes.

DEFENSE ATTORNEY: So four or five?

WILDER: Four or five.

DEFENSE ATTORNEY: How long did dinner last?

WILDER: I can't really remember.

DEFENSE ATTORNEY: Well, the attack you witnessed occurred just after 9:00, and it takes, what, about twenty minutes to get to the station? Did you have a lot of time to sit around after dinner?

WILDER: No, I left shortly after dinner, so we were done around 8:15.

DEFENSE ATTORNEY: So, is it true then that you consumed four or five glasses of wine in just under two hours?

WILDER: It looks like that.

DEFENSE ATTORNEY: And you testified that you felt fine? In light of what you just told us in the last few statements, would you care to revise that statement?

WILDER: [Firmly] I felt fine.

DEFENSE ATTORNEY: Would you say you were drunk?

WILDER: I don't know.

DEFENSE ATTORNEY: Mr. Wilder, after four drinks in three hours, you were three times past legally drunk. You consumed over twice that in under five hours and you're not sure if you were drunk-impaired? You had perfect reflexes?

WILDER: I'm telling you, I felt fine.

DEFENSE ATTORNEY: But your sister didn't agree, did she? She felt your judgment was impaired by the alcohol so she requested that you ride the train home instead of drive home, right?

WILDER: Right.

DEFENSE ATTORNEY: Okay, moving on... At the police station that evening, you talked about a particular article of clothing that stuck out in your memory of the attack. Do you remember what that article was?

WILDER: Yes, it was a pair of boots.

DEFENSE ATTORNEY: Whose boots?

WILDER: The defendant's boots.

DEFENSE ATTORNEY: Would you please describe what the boots looked like?

WILDER: They were black leather, high – just under knee-high – and they had steel toes and steel shins.

DEFENSE ATTORNEY: Is that how you described the boots to the police that night?

WILDER: Yeah, I think so.

DEFENSE ATTORNEY: Okay, I have a copy here of a statement taken at the police station about the attack. Do you recognize the signature at the bottom of this statement?

WILDER: Yes, it is my signature.

DEFENSE ATTORNEY: Is this the statement that you made to the police that night?

WILDER: Yes it is.

DEFENSE ATTORNEY: Would you please read the second paragraph...

WILDER: [Reading] "One of the attackers kept kicking the two guys in the head. He had heavy boots on. They looked like combat boots, about ankle high, all leather, all black."

DEFENSE ATTORNEY: Why didn't you mention anything about the shiny steel plates and buckles all over the boots? And only ankle high? You just said they were almost knee-high...

WILDER: Well, maybe, I didn't see them as clearly as I thought...

DEFENSE ATTORNEY: That's understandable... you had a significant amount of alcohol in your system. It would be easy to confuse something so specific. How sure are you now about who the attacker was?

WILDER: Oh, I'm definitely sure.

DEFENSE ATTORNEY: You mistook the appearance of the boots, admitting that maybe you didn't see them as clearly as you thought, but you don't question your memory of the attacker?

WILDER: I got a pretty good look at him.

DEFENSE ATTORNEY: Mr. Wilder, there are hundreds of people in Atlanta that meet the attacker's description... hundreds of whites who wear black leather jackets and shiny black boots. Doesn't it take a close, discerning look to be able to separate one from many?

WILDER: He was only a few feet from me.

DEFENSE ATTORNEY: But you were drunk – incoherent.

WILDER: I saw him.

DEFENSE ATTORNEY: All you saw was a white man with black boots. That's not good enough. That's all, Mr. Wilder, you may sit down.

Appendix I

Prosecution Closing Argument

Ladies and gentlemen, Martin Stone was found three blocks from the scene of the assault and robbery. He had blood on his hands and blood on his boots. He was brought to the station, placed in a line-up with seven other men, and identified by an eye-witness... an eye-witness who watched the entire scene from a pay phone just twenty feet away, relaying information to the 9-1-1 dispatcher. He was without a doubt in the best position to view the attackers. You heard yourself how confident Mr. Wilder was in his identification of the defendant. "I saw him," he stressed in his testimony, pointing at the defendant.

We're not charging Mr. Stone because we need someone to blame and he is convenient... we are charging Mr. Stone because he mauled two innocent men and took their wallets. Someone saw him do it. He had blood all over him. He matched the description of a medium-build young white man wearing all black and big boots.

We also have the identification by Lewis. Now, Lewis isn't as absolutely sure that he had identified the right guy, as you heard in testimony. But something compelled him to point out Stone in the line-up... he had a gut feeling, and he was right.

So, we have a positive identification, a pretty-sure identification, black clothes, steel boots, bloody hands and boots, medium-build, white man... strong, strong evidence. Ladies and gentlemen, this is the man who mauled Mr. Lewis and Mr. White. This is the man who severely beat the two, young, innocent men for a little bit of cash. The evidence supports this, and you should make your decision accordingly. Thank you.

Appendix J

Defense Closing Argument – No Ingratiation

Ladies and gentlemen of the jury, there is nothing more horrifying in human events than being charged with a crime that you did not commit. I don't think that any of us could think of anything that would give us nightmares more than that – to be arrested by the police, to be incorrectly identified – but it happens.

We have a horrible crime. Two people were attacked and robbed for no reason. Naturally, we want the guilty parties caught and punished. Sometimes, we stop at nothing to be able to place blame; sometimes, we even blame the wrong people. Somehow, this makes us feel better. However, being the wrong person blamed is absolutely terrifying and unfair.

Let's consider for a moment the testimony of Mr. Wilder. He admitted during questioning that maybe he didn't see the boots as clearly as he thought, yet he is absolutely sure that my client, Mr. Stone, was there that night kicking Mr. White and Mr. Lewis! We see every day that the more people seem to be pressed about something in their memory, the more positive they get about their own accuracy, even when it is suggested that they might be mistaken. There was no videotape of the event to review, yet Mr. Wilder becomes surer and surer of his identification. Now, nobody's perfect – everybody makes mistakes. Even Wilder admitted to making a mistake with the identification of the boots, perhaps the most significant article of clothing at the scene!

As Mr. Wilder admitted under oath, he had had a lot to drink that night. His judgment was impaired so much that his sister refused to let him drive home. His judgment was so impaired that he could not accurately describe the boots that did all the damage! It is up to you to decide, ladies and gentlemen, whether his judgment was so impaired that he also identified the wrong person.

My client, Mr. Stone, deserves the best of an eye-witnesses' memory. Mr. Wilder could not offer that. Can you feel comfortable finding someone guilty based on the partial memory of an intoxicated individual. I should hope not.

Appendix K

Defense Closing Argument – Low Ingratiation

Ladies and gentlemen, first I want to take this opportunity to thank you for your participation in this study. I understand that there are many other studies that you could have participated in and I want to let you know that I appreciate you choosing this very important study. (Other enhancement)

Ladies and gentlemen, there is nothing more horrifying in human events than being charged with a crime that you did not commit. I don't think that any of us could think of anything that would give us nightmares more than that – to be arrested by the police, to be incorrectly identified – but it happens.

We have a horrible crime. I appreciate that the details of this crime are upsetting, and I understand that some of you may have been upset by them. I'm sorry that we had to talk about them so much, I wish we didn't have to (Opinion conformity), but two people were attacked and robbed for no reason. Naturally, we want the guilty parties caught and punished. Sometimes, we stop at nothing to be able to place blame; sometimes, we even blame the wrong people. Somehow, this makes us feel better. However, being the wrong person blamed is absolutely terrifying and unfair. Friends, you can all understand how terrible it would be for anyone to be blamed for something they didn't do, and you all can appreciate how terrible that must be from experiences in your own lives. You can see that this is exactly what has happened in this case (Other enhancement).

Let's consider for a moment the testimony of Mr. Wilder. He admitted during questioning that maybe he didn't see the boots as clearly as he thought, yet he is absolutely sure that my client, Mr. Stone, was there that night kicking Mr. White and Mr. Lewis! We see every day that the more people seem to be pressed about something in their memory, the more positive they get about their own accuracy, even when it is suggested that they might be mistaken. There was no videotape of the event to review, yet Mr. Wilder becomes surer and surer of his identification. Now, nobody's perfect – everybody makes mistakes. Even Wilder admitted to making a mistake with the identification of the boots, perhaps the most significant article of clothing at the scene!

As Mr. Wilder admitted under oath, he had had a lot to drink that night. His judgment was impaired so much that his sister refused to let him drive home. His judgment was so impaired that he could not accurately describe the boots that did all the damage! It is up to you to decide, ladies and gentlemen, whether his judgment was so impaired that he also identified the wrong person.

My client, Mr. Stone, deserves the best of an eye-witnesses' memory. Mr. Wilder could not offer that. Can you feel comfortable finding someone guilty based on the partial memory of an intoxicated individual. I should hope not. I know that you're all caring and fair individuals, and I know that when you make your decision you will do the caring and fair thing. Thank you very much. (Other enhancement)

Appendix L

Defense Closing Argument – Moderate Ingratiation

Ladies and gentlemen, first I want to take this opportunity to thank you for your participation in this study. I understand that there are many other studies that you could have participated in and I want to let you know that I appreciate you choosing this very important study. (Other enhancement)

I'm aware that your task will be more difficult than that of an actual jury, because you don't have the benefit of seeing the entire jury. However, you're all intelligent college students so I'm sure you're up to the challenge (Other enhancement).

Ladies and gentlemen, there is nothing more horrifying in human events than being charged with a crime that you did not commit. I don't think that any of us could think of anything that would give us nightmares more than that – to be arrested by the police, to be incorrectly identified – but it happens.

We have a horrible crime. I appreciate that the details of this crime are upsetting, and I understand that some of you may have been upset by them. I'm sorry that we had to talk about them so much, I wish we didn't have to (Opinion conformity), but two people were attacked and robbed for no reason. Naturally, we want the guilty parties caught and punished. Sometimes, we stop at nothing to be able to place blame; sometimes, we even blame the wrong people. Somehow, this makes us feel better. However, being the wrong person blamed is absolutely terrifying and unfair. Friends, you can all understand how terrible it would be for anyone to be blamed for something they didn't do, and you all can appreciate how terrible that must be from experiences in your own lives. You can see that this is exactly what has happened in this case (Other enhancement).

Let's consider for a moment the testimony of Mr. Wilder. I know that you all are very busy with school and have other important things to do, so I'll be brief in my explanation (Other Enhancement). He admitted during questioning that maybe he didn't see the boots as clearly as he thought, yet he is absolutely sure that my client, Mr. Stone, was there that night kicking Mr. White and Mr. Lewis! We see every day that the more people seem to be pressed about something in their memory, the more positive they get about their own accuracy, even when it is suggested that they might be mistaken. There was no videotape of the event to review, yet Mr. Wilder becomes surer and surer of his identification. Now, nobody's perfect – everybody makes mistakes – you all are smart people and you know that (Other enhancement). Even Wilder admitted to making a mistake with the identification of the boots, perhaps the most significant article of clothing at the scene!

Now I feel sorry for Mr. Wilder, he didn't ask to be a part of all this. We can all appreciate what it's like to be out spending an evening with a relative. We can all think about what it would be like to stumble into this mess, but as (Opinion conformity) Mr. Wilder admitted under oath, he had had a lot to drink that night. His judgment was impaired so much that his sister refused to let him drive home. His judgment was so impaired that he could not accurately describe the boots that did all the damage! It is up to you to decide, ladies and gentlemen, whether his judgment was so impaired that he also identified the wrong person.

My client, Mr. Stone, deserves the best of an eye-witnesses' memory. Mr. Wilder could not offer that. Can you feel comfortable finding someone guilty based on the partial memory of an intoxicated individual. I should hope not. I know that you're all caring and fair individuals, and I know that when you make your decision you will do the caring and fair thing. Thank you very much. (Other enhancement)

Appendix M

Defense Closing Argument – High Ingratiation

Ladies and gentlemen, first I want to take this opportunity to thank you for your participation in this study. I understand that there are many other studies that you could have participated in and I want to let you know that I appreciate you choosing this very important study (Other enhancement). In my opinion, part of what makes America the greatest country on the earth is our system of trial by a jury of your peers. You have all elected to try and make that system better than it already is by participating in this study and we all appreciate that very much. (Other Enhancement).

I'm aware that your task will be more difficult than that of an actual jury, because you don't have the benefit of seeing the entire jury. However, you're all intelligent college students so I'm sure you're up to the challenge (Other enhancement).

Ladies and gentlemen, there is nothing more horrifying in human events than being charged with a crime that you did not commit. I don't think that any of us could think of anything that would give us nightmares more than that – to be arrested by the police, to be incorrectly identified – but it happens.

We have a horrible crime. I appreciate that the details of this crime are upsetting, and I understand that some of you may have been upset by them. I'm sorry that we had to talk about them so much, I wish we didn't have to (Opinion conformity), but two people were attacked and robbed for no reason. Naturally, we want the guilty parties caught and punished. Sometimes, we stop at nothing to be able to place blame; sometimes, we even blame the wrong people. Somehow, this makes us feel better. I understand that we can all feel that way at times (Opinion conformity). However, being the wrong person blamed is absolutely terrifying and unfair. Friends, you can all understand how terrible it would be for anyone to be blamed for something they didn't do, and you all can appreciate how terrible that must be from experiences in your own lives. You can see that this is exactly what has happened in this case (Other enhancement).

Let's consider for a moment the testimony of Mr. Wilder. I know that you all are very busy with school and have other important things to do, so I'll be brief in my explanation (Other Enhancement). He admitted during questioning that maybe he didn't see the boots as clearly as he thought, yet he is absolutely sure that my client, Mr. Stone, was there that night kicking Mr. White and Mr. Lewis! We see every day that the more people seem to be pressed about something in their memory, the more positive they get about their own accuracy, even when it is suggested that they might be mistaken. There was no videotape of the event to review, yet Mr. Wilder becomes surer and surer of his identification. Now, nobody's perfect – everybody makes mistakes – you all are smart people and you know that (Other enhancement). Even Wilder admitted to making a mistake with the identification of the boots, perhaps the most significant article of clothing at the scene! You can all see what a vital piece of evidence and testimony this is, and you deserve our great admiration for being able to do so (Other enhancement).

Now I feel sorry for Mr. Wilder, he didn't ask to be a part of all this. We can all appreciate what it's like to be out spending an evening with a relative. We can all think about what it would be like to stumble into this mess, but as (Opinion conformity) Mr. Wilder admitted under oath, he had had a lot to drink that night. His judgment was impaired so much that his sister refused to let him drive home. His judgment was so impaired that he could not accurately describe the boots that did all the damage! It is up to you to decide, ladies and gentlemen, whether his judgment was so impaired that he also identified the wrong person. I know that you

will all use your great common sense and intelligence to arrive at the just decision (Other enhancement).

My client, Mr. Stone, deserves the best of an eye-witnesses' memory. Mr. Wilder could not offer that. Can you feel comfortable finding someone guilty based on the partial memory of an intoxicated individual. I should hope not. I know that you're all caring and fair individuals, and I know that when you make your decision you will do the caring and fair thing. Thank you very much. (Other enhancement)

Appendix N

Research Study Information Sheet

Title of Research Project: Criminal Trial: You Decide The Verdict

Investigators: Mitchell H. Ziemke, B.A., Stanley L. Brodsky, PhD

It is important that you read the following explanation of this research study. This document describes the purpose, procedures, possible benefits and risks, and confidentiality of this study.

Purpose and Procedures

The current study is examining various aspects of criminal trials including factors that affect the finding of guilt by a juror. If you decide to serve as a juror in this study, you will read a case vignette describing a crime and the trial, watch a videotape of the prosecution and defense attorneys delivering their closing arguments, rate the attorneys on adjectives, and complete a few questionnaires by paper and pencil. Being in this study will take about 1 hour.

Benefits and Risks

There are no direct benefits to you for participating in the study, but you will receive 1 research credit. Potential benefits to you are gaining insight into your personal beliefs regarding justice and receiving information about the judicial process. This study will help psychologists and lawyers better understand important aspects of criminal trials that could affect the outcome. There are no foreseeable risks or discomforts involved with participating in this study.

Confidentiality

Your name will only be recorded to ensure you receive credit in your course for your participation and will be kept separate from the other study materials. The documents containing the names of participants will be destroyed once all credit has been given for participation. There will be no identifying information of any kind on the demographic sheet or questionnaires that would allow the researcher, or anyone else, to determine which person completed the materials.

Withdrawal Without Prejudice

Your participation is voluntary. You may choose not to take part at all. If you decide to participate, you are free to withdraw at any time. Leaving the study will not result in any penalty, and you will still receive the 1 research credit.

Cost of Participation

There will be no cost to you for participating in the current research study.

Alternative Procedures

Please see your class professor for any alternative procedures or assignments you can complete if you choose not to participate in this study.

Questions

If you have any questions regarding the research study or any possible research related injuries, please contact Mitchell H. Ziemke at mhziemke@bama.ua.edu, or Dr. Stanley Brodsky (faculty advisor for the current study) at sbrodsky@bama.ua.edu or 348-5083. If you have any questions about your rights as a research participant, you may contact Ms. Tanta Myles, The University of Alabama Research Compliance Officer, at 348-5152.

Appendix O

Experimenter Script and Procedures

Is everyone here to participate in the study “Criminal Trial: You Decide The Verdict”? Before we get started I’m going to go over some information with you regarding your participation in this study. (Participant Information Sheet will be handed out.) You can keep this sheet for your records; it has contact information on it if you need to get in touch with anyone after the study is over. Let me explain a little about your rights as participants. Your names will be recorded to ensure that you receive credit for your participation. The sheet with your names on it will be kept separate from all other study materials. Your responses to questionnaires will be kept confidential. After credit has been granted for your participation the sheet containing your names will be destroyed. Your participation in this study is completely voluntary. You may choose not to participate at all or you can decide to withdraw from the study at any time if you do decide to participate. There are no foreseeable risks to you for participating in this study; however, you will receive research credit for your participation and you could gain a greater insight into the process of criminal trials. If you have concerns about this study you can speak to me after we are through today, or you may contact me, my adviser Dr. Brodsky, or the research compliance officer at any point in the future. Our contact information is on your information sheet. Does anyone have any questions about any of this? (Researcher will address any questions.)

Before we get started I’m going to explain what this experiment is about. As you all are probably aware of, our criminal justice system is being overwhelmed by the number of cases that come before it. Additionally, the costs of trials are soaring and putting a strain on the budgets of many cities and states, as well as the federal system. The experiment that you are part of today is focused on examining the prospect of using shortened trials, which will save time and be more cost effective, as opposed to the traditional full trial. This study will use a real criminal case. Today, we will be using a shortened version of the trial. Other groups have used the full version. After all the data is collected, I will see whether or not there is a difference between using the full vs. shortened versions. Does anyone have questions about the purpose of this study? (Researcher will address any questions.)

Next, I’m going to pass out a transcript of witnesses being questioned at the trial. After you have all read this, we have a live video feed set up to the Tuscaloosa County Courthouse where a prosecutor and a defense attorney will deliver live closing arguments to you over the internet. After you have heard from them I have questionnaires for you to fill out concerning the verdict, the attorneys, and some information about yourselves. Any questions? (Researcher will address any questions.)

Now I’m going to pass out the transcript. Read through it carefully and once you’re done turn it face down on your desk so I know when everyone is finished. (Transcript will be passed out and read by the participants.)

Is everybody finished? Ok, now I’m going to call over to the courthouse to make sure everything is ready over there. (Researcher will take out his cell phone and pretend to call the courthouse.)

Hello, this is Mitch. Is everything ready to go? Ok, good. (Video will start, camera will be aimed to the left of the prosecutor.)

Could you aim the video camera a little to the right, we're not getting all of him in the shot? (Camera will move to get all of the prosecutor in view.)

Ok, we're good on our end. Go ahead whenever you're ready.

(Video will play.)

Now that we've heard everything about the case, I'm going to pass out the questionnaires. Take your time and fill them out carefully. On the questionnaires regarding the attorneys please make sure that your thinking of the correct attorney. The first set of two will deal with the prosecutor, the attorney you saw first, and the second set of two will deal with the defense attorney, the last attorney you saw. If you have any questions as you fill them out raise your hand and I will come and address the issue. When you're finished, please bring the questionnaire packet and the transcript back up to me.

(Questionnaires will be filled out and returned to the experimenter. When everyone is finished the experimenter will proceed with the debriefing.)

Is anyone still working on the questionnaires? Now I'm going to go over the debriefing. (Debriefing form will be handed out.) This study was not actually concerned with shortening criminal trials. No study of this sort is taking place, as far as we know. I want to be absolutely clear, there is no initiative underway to shorten criminal trials. The real purpose of this study was to examine the effect of attorney ingratiation on the outcome of the trial. Ingratiation is defined as "those episodes of social behavior that are designed to increase the attractiveness of the actor to the target." Basically, ingratiation involves using techniques similar to flattery to achieve the desired result. In this experiment, different groups of participants saw four different videos of the defense attorney using various levels of ingratiation in his closing argument. It was hypothesized that findings of guilt and sentencing severity would be lowest under moderate levels of ingratiation. Also, this study was concerned with how personality variables may affect the perception of ingratiation, which is why you answered questionnaires concerning some of your characteristics. The closing arguments you watched were not actually live but videotaped in advance (experimenter will demonstrate that they were videos). This deception was used because I felt that without it college students would figure out the true nature of the experiment, which could have affected the results. The results of this study will help to show whether or not jurors are affected by attorney ingratiation, and if they are, what level of ingratiation is the most effective at eliciting a desired outcome. Does anyone have any questions about the experiment? (Researcher will address any questions.) I have one final request before you go that is crucial to this study. I need to ask all of you to make sure that you do not talk about the true nature of this study with any friends, roommates, colleagues, etc. If future participants know what this study is actually about it will invalidate the entire study. This is absolutely crucial to the validity of the study. Does anyone have any questions? (Researcher will address any questions.) If you have any questions in the future feel free to contact anyone on the information sheets that you have. Thank you very much for your time and your cooperation in not revealing the true goals of this study.

Appendix P

Debriefing Form

To the Participant:

If you have any questions or concerns following this session you may contact the primary investigator, Mitchell Ziemke, at mhziemke@bama.ua.edu. You may also contact the faculty supervisor, Stanley Brodsky, Ph.D., at SBrodsky@bama.ua.edu. If you have any questions about your rights as a participant, you may contact Ms. Tanta Myles, The University of Alabama Research Compliance Officer, at 348-5152.

The overall purpose of the current study is to examine the effects of attorney ingratiation during closing arguments on mock-juror perceptions of attorney likeability and client guilt. Ingratiation is defined as “those episodes of social behavior that are designed to increase the attractiveness of the actor to the target.” Basically, ingratiation involves using techniques similar to flattery to achieve the desired result. Different groups of participants saw four different videos of the defense attorney using different levels of ingratiation (none, low, moderate, and high). This study was conducted to examine if these levels of ingratiation had an effect on the outcome of the trial. It was hypothesized that findings of guilt and sentencing severity would be lowest under moderate levels of ingratiation. Also, this study was concerned with how personality variables may affect the perception of ingratiation, which is why you answered questionnaires concerning some of your characteristics. This study was not concerned with the effects of shortened trials as you were initially told. This deception was used in order to divert participants from the actual goal of the study, so it could be examined more purely. If you have any concerns about the deception used in this study feel free to contact any of the above listed individuals.

Please refrain from discussing this study with any friend, roommates, colleagues, etc. It is absolutely critical that other participants do not know the true nature of the study before they participate in it.

If you want to obtain the results of the study once data analysis is complete, you may email the primary investigator. He will keep your contact information on file and send the results once data has been analyzed.

Thank you for taking the time to participate in this study. Your cooperation is appreciated.

Sincerely,

Mitchell H. Ziemke, B.A.
Department of Psychology
The University of Alabama
Gordon Palmer Hall 404
mhziemke@bama.ua.edu