Evaluating and Sentencing a Defendant as a Function of His Salience and the Perceiver's Set

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Abstract. A videotaped mock trial was employed to examine the effects of perceivers' cognitive set and the salience of a defendant upon perceivers' evaluations and sentencing of him. Cognitive set influenced both the range and the direction of salience effects. The defendant was seen as more responsible for the crime by perceivers who were set to watch a trial and to determine his guilt than by those who were set to watch a social interaction and to form an impression of him. Given a trial set, the more visibly salient the defendant, the more negatively he was evaluated. However, the defendant's salience did not influence the recommended sentence. Given an impression set, the more visibly salient the defendant, the more positively he was evaluated, and the more lenient the recommended sentence.

Recent research has revealed that salient stimulus persons create more evaluatively extreme impressions than do less salient persons. More specifically, when behavior is neutral to positive, a salient person is evaluated more positively than a non-salient one and when behavior is negative, a salient person is evaluated more negatively (McArthur & Solomon, Note 1; Taylor & Fiske, 1978). The perceivers' set has also been found to influence impressions of a stimulus person. In particular, considerable research has shown that perceivers' impressions move in the direction of what they expect to observe on the basis of labels applied to stimulus persons or situations (Kelley, 1950; Langer & Abelson, 1974; Zadny & Gerard, 1974).

The present study was designed to investigate the joint influence on impression formation of a perceivers' set and a stimulus person's salience. A videotaped mock trial was employed to provide an absorbing social interaction with the potential for generalizability to a natural setting. To the extent that the labels 'trial' and 'defendant' create a set to look for evidence of criminal responsibility in a stimulus person, it was expected that perceivers given a 'trial set' would evaluate an obviously guilty defendant more negatively and recommend a harsher sentence for him when he was salient than when he was not. On the other hand, to the extent that the labels 'impression task' and 'character' create a set to look for evidence of personality attributes, it was expected that perceivers given an 'impression set' would evaluate the same rather likeable, albeit guilty defendant more positively and recommend a more lenient sentence for him when he was salient than when he was not.

Method

Subjects. Sixty-four introductory psychology students participated in an experiment on 'social judgments' to fulfill a course requirement. An equal number of males and females were randomly assigned to one of two set conditions (trial, impression) and one of two salience conditions (environment, defendant). Subjects were run in groups of three to five by one of two female experimenters.

Videotapes. Based on an actual criminal trial, a 20-minute videotape was prepared for four characters: a victim, a prosecutor, a defendant and a defense attorney. The testimony revealed that the defendant had stabbed and seriously injured the knife following an argument in a bar. It also had threatened the defendant with a straight razor. The defense team argued that the stabbing was justifiable, therefore, not a crime. Although the defendant was presented very sympathetically devoted to his wife and six children. Consiste was found guilty by 8 to 1 of the subjects, with traits were rated as highly positive (Mean = 0.93). The salience of the defendant was manipulated amount of time he appeared in the videotape. Manipulation of salience was chosen over manipulations past research because it would provide more general manipulation of a particular attention-getting reason why jurors or a judge may look more than others — e.g., attention-getting clothes, novel hair color have all been shown to increase salience. Moreover, recent research (McArthur shown that these salience manipulations increase subjects spend looking at the stimulus person, ation of salience reveals the effects of such less of its origin.

Two black and white videotapes were made with videotape cameras and recorders so that the tape except for the amount of time during which the camera. In the environment salient condition, for five minutes, the victim for five minutes of total salience. In the defendant salient appeared for ten minutes, the victim for five minutes for a total of five minutes. The addition which the defendant appeared in this tape was which the lawyers had appeared in the environment should be noted that any differences in the able in the two videotapes would produce main effects cannot account for the predicted set x salience.

Procedure. Trial set subjects were told in the judicial decision-making process, and a videotaped re-enactment of a criminal trial actors, Mr. Caldwell, the 'plaintiff' and Mr. They were further told that they should pay ca testimony of both men because they would be as dict and to recommend a just prison sentence, were told that we were interested in the proce tion, and that they would be shown a videotape two main characters, Mr. Caldwell and Mr. John told that they should pay careful attention to men because they would be asked to fill out questionnaires about their impressions of them. All subjects were videotape was prepared in advance with actors characters, the interaction was based upon an

Dependent measures. All subjects gave a v sentence, rated the extent to which the victim set the tone of the interaction on the night to which each had been responsible victim's 'responsibility' was phrased in terms his behavior on the night of the crime was res The net culpability of the defendant on each c was computed by subtracting ratings of the de
defendant had stabbed and seriously injured the victim with a fishing knife following an argument in a bar. It also revealed that the victim had threatened the defendant with a straight razor earlier in the day. The defense team argued that the stabbing was in self-defense and, therefore, not a crime. Although the defendant's action was not in dispute, he was presented very sympathetically as a hardworking man, devoted to his wife and six children. Consistent with this portrayal, he was found guilty by 84% of the subjects, while his personality traits were rated as mildly positive (Mean=6.03 on 9 point scales).

The salience of the defendant was manipulated by varying the amount of time he appeared in the videotape. This time-on-camera manipulation of salience was chosen over manipulations employed in past research because it would provide more generalizability than the manipulation of a particular attention-drawing attribute. There are many reasons why jurors or a judge may look more at some defendants than others—e.g. attention-getting clothes, physical handicaps and novel hair color have all been shown to increase a stimulus person's salience. Moreover, recent research (McArthur & Ginsberg, Note 2) has shown that these salience manipulations increase the amount of time subjects spend looking at the stimulus person. The present manipulation of salience reveals the effects of such looking behavior regardless of its origin.

Two black and white videotapes were made simultaneously with two videotape cameras and recorders so that the tapes would be identical except for the amount of time during which the defendant appeared on camera. In the environment salient condition, the defendant appeared for five minutes, the victim for five minutes and the lawyers for a total of ten minutes. In the defendant salient condition the defendant appeared for ten minutes, the victim for five minutes, and the two lawyers for a total of five minutes. The additional five minutes in which the defendant appeared in this tape was taken from the time in which the lawyers had appeared in the environment salient tape. It should be noted that any differences in the actual information available in the two videotapes would produce main effects for salience and cannot account for the predicted set x salience interaction effects.

Procedure. Trial set subjects were told that we were interested in the judicial decision-making process, and that they would be shown a videotaped re-enactment of a criminal trial involving two main characters, Mr. Caldwell, the 'plaintiff' and Mr. Johnson, the defendant. They were further told that they should pay careful attention to the testimony of both men because they would be asked to arrive at a verdict and to recommend a just prison sentence. Impression set subjects were told that we were interested in the process of impression formation, and that they would be shown a videotaped interaction involving two main characters, Mr. Caldwell and Mr. Johnson. They were further told that they should pay careful attention to the behavior of both men because they would be asked to fill out questionnaires reporting their impressions of them. All subjects were told that although the videotape was prepared in advance with actors playing the roles of the characters, the interaction was based upon an actual event.

Dependent measures. All subjects gave a verdict, recommended a sentence, rated the extent to which the victim and the defendant had set the tone of the interaction on the night of the crime, and rated the extent to which each had been responsible for the stabbing. The victim's 'responsibility' was phrased in terms of the extent to which his behavior on the night of the crime was responsible for the stabbing. The net culpability of the defendant on each of the latter two measures was computed by subtracting ratings of the defendant from ratings of
the victim. Subjects also rated the sincerity, nervousness, cooperativeness, hostility and submissiveness of the defendant's courtroom behavior and the extent to which each of these behaviors was caused by the defendant's personality and by the situation. All ratings were made on 9 point scales. An open-ended question asked subjects to describe the defendant as they would to a friend. Three coders, blind to subjects' experimental condition, sorted every descriptive word or phrase used by subjects into a positive or negative category. An index of the negativity of each subject's evaluation was computed by subtracting the sum of the positive descriptors from the sum of the negative ones. A descriptor was included in the final index only if two out of the three coders agreed on the appropriate category, which occurred for 100% of them. The order of the dependent measures was counterbalanced.

**Results**

A set (2) x salience (2) x subject sex (2) analysis of variance was performed on each dependent measure. As predicted, the defendant was seen as relatively more responsible for the staggering and for setting the tone of the interaction on the night of the crime given a trial set than an impression set (F = .81 vs. 2.16 for set responsibility and -2.16 vs. -3.41 for setting the tone), Fs(1, 56) = 4.70 and 4.98 respectively, both ps < .05. Contrary to expectations, the recommended sentence was no longer in the trial than the impression set (F = 4.69 vs. 4.47) F < 1, and there was no significant set effect on subjects' closed question ratings of the defendant's courtroom behavior. However, there was a significant set effect on causal attributions for this behavior which revealed that the defendant's courtroom behavior was perceived as being caused more by his personality given an impression set than a trial set (F = 32.87 vs. 29.28, F(1, 56) = 5.12, p < .05). There were no significant effects of salience on causal attributions for courtroom behavior.

The open-ended negativity index and the recommended sentence both yielded the predicted set x salience interactions, F(1, 56) = 8.33 and 6.47, p < .01 and < .02, respectively. Trial set subjects gave more negative descriptions of the defendant when he was salient than when he was not (X = 1.12 vs. 3.11), t(30) = 2.48, p < .02, while impression set subjects showed a trend in the opposite direction (X = 3.31 vs. 4.62), t(30) = 1.62, p = .11. Consistent with their evaluations, impression set subjects recommended a lighter sentence when the defendant was salient than when he was not (X = 7.19 vs. 6.75 years), t(24) = 2.17, p < .01. However, trial set subjects did not recommend a significantly more severe sentence when the defendant was salient (X = 4.81 vs. 4.56 years), t < 1.

Intercorrelations among the dependent measures within each set were examined in an attempt to explore the mediation of the set x salience effects on the open-ended evaluations and sentencing. The negativity of trial set subjects' open-ended evaluations was significantly correlated with the extent to which they saw the defendant as responsible for the staggering, r(30) = .36, p < .05, but was unrelated to how negatively they rated his courtroom behavior, r(30) = .24, p > .10. Negativity ratings of the defendant's courtroom behavior were assessed by summing subjects' ratings of his insincerity, uncooperativeness and hostility. On the other hand, the negativity of impression set subjects' open-ended evaluations was significantly correlated with how negatively they rated the defendant's courtroom behavior, r(30) = -4.48, p < .05, but was unrelated to how responsible they thought he had been for the staggering, r(30) = -2.7, p > .10. It thus appears that the increased negativity of trial set subjects' open-ended evaluations of the defendant when he is salient, reflects his criminal behavior. On the other hand, the positivity of impression set subjects' open-ended evaluations reflects more positive evaluations of the defendant's courtroom behavior, while trial set subjects' ratings were not significant, r(30) = -.13, p > .10. Rather, trial set, sentence was related to the extent perceived as responsible for the staggering while this variable was not significantly related to impression set subjects, r(30) = .25, p > .10.

**Discussion**

The present research has revealed that a social judgment task has an important function. More specifically, a perceivers's set and the direction of salience effects. The salience on the open-ended evaluations of the set conditions may be explained in terms of subjects were set to process. A trial set predicts criminal responsibility in the defendant's behavior, and the more they saw of him, the more they seem to have discovered. This is logical testimony was designed to produce a guilty verdict of salience might be expected when the trial was toward a verdict of not guilty. An impression set focuses on personality dispositions in the behavior, and the more they saw of him, the more they seem to have discovered. This too is significant for the legal proceedings, as well as for the legal system that they are supposed to be just.

The pattern of intercorrelations obtained variables in consistent with what Taylor and the 'top of the head' phenomenon. Overall mean and recommended sentences were related to the criminal vs. courtroom—which were more 'available' of the cognitive set (Kahneman & Tversky, 1973). The trial set subjects did not succumb to this 'availability' heuristic to the extent that they did. While the defendant's salience influenced evaluations of him, it did not influence the finding. This finding may reflect a tendency for the subjects to focus on different behaviors than those of the defendant. It also to invoke more careful and critical processing.
of the defendant when he is salient, reflects more negative evaluations of his criminal behavior. On the other hand, the increased positivity of impression set subjects' open-ended evaluations of him, reflects more positive evaluations of his courtroom behavior.

Further evidence that impression set subjects focused on the defendant's courtroom behavior, while trial set subjects focused on his criminal behavior, is provided by the intercorrelations of recommended sentence with evaluations of his courtroom and criminal behavior. The more negatively impression set subjects evaluated the defendant's courtroom behavior, the longer was their recommended sentence, $r(30) = .43, p < .05$, while for trial set subjects this correlation was not significant, $r(30) = -.13, p > .10$. Rather, for subjects in the trial set, sentence was related to the extent to which the defendant was perceived as responsible for the stabbing, $r(30) = .43, p < .05$, while this variable was not significantly related to sentence among impression set subjects, $r(30) = .25, p > .10$.

**Discussion**

The present research has revealed that the set which people bring to a social judgment task has an important influence on their perceptions. More specifically, a perceiver's set influences both the range and the direction of salience effects. The differential impact of salience on the open-ended evaluations of the defendant in the two set conditions may be explained in terms of the information which subjects were set to process. A trial set predisposed them to focus on criminal responsibility in the defendant's behavior on the night of the crime, and the more they saw of him, the more negative information they seem to have discovered. This is logical inasmuch as the trial testimony was designed to produce a guilty verdict. An opposite effect of salience might be expected when the trial testimony is weighted toward a verdict of not guilty. An impression set predisposed subjects to focus on personality dispositions in the defendant's courtroom behavior, and the more they saw of him, the more positive information they seem to have discovered. This too is logical, since the defendant's background and demeanor painted him in a relatively positive light even though the facts of the case pointed to a guilty verdict. The failure of the closed questions to yield set $X$ salience effects paralleling those obtained on the open-ended measure is puzzling, but may be attributable to a choice of behavioral dimensions which did not tap the most important aspects of the defendant's courtroom behavior.

The pattern of intercorrelations obtained among the dependent variables is consistent with what Taylor and Fiske (1978) have called the 'top of the head' phenomenon. Overall evaluations of the defendant and recommended sentences were related to the particular behaviors—criminal vs. courtroom—which were more 'available' to observers by virtue of their cognitive set (Kahneman & Tversky, 1973). However, trial set subjects did not succumb to this 'top of the head' or 'availability' heuristic to the extent that impression set subjects did. While the defendant's salience influenced trial set subjects' evaluations of him, it did not influence their recommended sentence. This finding may reflect a tendency for the trial set not only to focus attention on different behaviors than the impression set, but also to invoke more careful and critical processing of the available evidence.
Evidence for the Self as a Cognitively Structured Object: The "False Alarms Effect"

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Abstract. In a recognition memory study involving the number of false alarms was four times the degree of self-reference of the adjectives. Therefore, the evidence that the self is an important personal information, and (2) that the self is a prototype. The self can be seen to be a large totem that imparts a bias in processing because it is self-descriptive and previously seen, has import for theory of self information processing.

There can be little doubt that the self is a cognitive or the human information processing system. Not only our intuitions and considerable theorizing (e.g., James, being demonstrated in empirical, experimental studies and Kirker, 1977). An important question arising from this is: What is the exact nature of this structure? Three types of structures that could describe the self (e.g., optimal networks, prototypes, lists of behaviors etc.) are properties and processing involvement. Clearly, an integrative self research is to establish which of these kinds of the self.

The present study represents a beginning to this line of possibility that the self functions like a prototype. It is because an extensive amount of research in the cognitive fails to test whether a given structure is indeed a prototype. A prototype is a "collection of the most typical associated with a category label" and is thought to be "the one which a body of input is compared and in relation to it into the set of items remembered about a given experience" (p. 39).

One of the most stringent requirements of a structure is the presence of a "false alarms effect" (FAE). An FAE study, there is an increase in false alarms for a function of similarity of an object typical novel items are prone to being confused with the prototype category, whereas non-protoypical are less likely to be confused with the prototype. For a large number of varying kinds of prototypes (e.g., Posner & Keele, 1970).

In the present study the degree of self-reference (using self-ratings) was used to calculate the degree to which would-be self prototype. An FAE is demonstrated if information memory task tend to commit more false alarms. Such a result would support the hypothesis that the cognitive prototype.