INVESTIGATING PREDICTORS OF TRUE AND FALSE GUILTY PLEAS

By

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INVESTIGATING PREDICTORS OF TRUE AND FALSE GUILTY PLEAS

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An estimated 90-95% of convictions are obtained via guilty pleas; roughly 10% of individuals exonerated with the help of the Innocence Project falsely pled guilty (innocenceproject.org). Despite the prevalence of guilty pleas (and the existence of false guilty pleas), relatively little scholarship has examined what influences whether a defendant will plead guilty (Redlich, 2010). In this dissertation, I examined guilty pleas in a student sample by investigating factors that affected whether guilty and innocent students who were accused of cheating plead guilty or took their case before the Student Conduct Committee (analogous to a trial). Using social psychological literature on social influence to drive the research (Cialdini, & Goldstein, 2004), I focused on two legally and theoretically relevant factors that may affect likelihood of pleading guilty: the attorney’s presence and advice and the guilt of the defendant. Social influence theory explains why social forces, like the advice of an advocate in our study, are likely to affect a defendant’s decisions, even when the advice given is not in the defendant’s best interest (Cialdini, & Goldstein, 2004). Advocate advice significantly affected innocent (but not guilty) participants’ decisions. Innocent participants advised to go to trial were less likely to falsely plead guilty (M = 4%) compared to those without an advocate (M = 35%), given both...
plea and trial options ($M = 47\%$), or advised to plea ($M = 58\%$). Qualitative and scalar results are discussed, followed by a discussion of implications and possible avenues for future research.
CHAPTER 1
INTRODUCTION

The issues of wrongful conviction go beyond individual cases; wrongful conviction is more about system failure. One of the failures of the system is the idea that innocent individuals might be incentivized to plead guilty because of their perceptions of the risks of going to trial versus the costs of accepting a plea bargain. While much literature is devoted to examining evidentiary factors contributing to wrongful conviction and jury decision-making, relatively less scholarship has examined what influences whether a defendant will plead guilty to a crime or take his/her case to trial (Redlich, 2010). False guilty pleas are a problem in our system (Redlich, 2010), but only a few studies have examined factors that may lead to a false guilty plea (Redlich, Summers, & Hoover, 2010; Dervan & Edkins, 2013). In this dissertation, I examined guilty pleas by investigating factors that affect whether guilty and innocent students accused of cheating would accept a lab punishment (analogous to a plea offer) or take their case before the Student Conduct Committee (analogous to trial).

Using a paradigm that allowed me to measure actual behavior rather than measuring intentions based on participants’ reactions to a scenario (Russano, Narchet, & Meissner, & Kassin, 2005), I manipulated whether participants were guilty or innocent of cheating (analogous to committing a crime); thus, I was able to examine both true and false guilty pleas. Using social psychological literature on social influence to drive the research (Cialdini, & Goldstein, 2004), I also manipulated the advice an advocate (analogous to an attorney) gave the student. Thus, this study represents a novel area of research examining the antecedents of true and false guilty pleas. This research contributes to the growing body of research on wrongful conviction and false guilty pleas because it offers some insight into why people plead guilty. Understanding why people falsely plead guilty may help us develop better safeguards against false guilty pleas, with
the idea of limiting the number of innocent defendants who falsely accept guilt while not
significantly affecting the number of guilty defendants who plead guilty. Below, I review
information on the practice and legal background of plea bargaining, followed by an exploration
of the literature on false guilty pleas.

The Practice of Plea Bargaining

Plea bargaining involves an arrangement between the State and a defendant in which the
defendant pleads guilty to a crime, typically in exchange for some type of leniency in sentencing.
There are many components of our courts and criminal justice system that promote the use of
plea bargaining. Perhaps most relevant are the large number of cases in the system and the scarce
resources to try all the cases in court. Many would argue that plea bargaining is keeping our
court system afloat; the courts could not handle the caseload if all of these cases were to go to
trial (Alschuler, 1986). Over 14,000 defendants per day choose whether to accept a plea or take
their case to trial (Lynch, 2003), and research suggests that between 90-95% of those defendants
will take the plea (Redlich & Summers, 2012; Cohen & Reaves, 2006). Thus, the practice of plea
bargaining encompasses the majority of criminal convictions, undercutting the ideology of
convictions coming from a jury of one’s peers at trial.

Plea bargaining is not a recent development in our criminal justice system. In some way,
accepting guilt in exchange for some type of leniency has existed for at least over a century, if
not for most of our country’s history (Friedman, 1979). From the beginning, the practice of plea
bargaining has been a source of controversy within the system (Smith, 1986). Critics of the plea
bargaining system do not have to search far for the potential harmful effects that come with the
majority of individuals in the criminal justice system waiving their constitutional rights and
accepting an incentivized, negotiated punishment.
One such criticism is that sentencing disparities may exist in the plea bargaining system (Spohn, 2000; Zatz, 1984). Research suggests that “plea discounts” (shorter sentences as a result of accepting a plea offer) may not be equally distributed across offenders with similar charges (Zatz, 1984; Albonetti, 1997; Ulmer, 1997); and that pleading guilty produces larger sentencing discounts for white defendants compared to Hispanic defendants (Zatz, 1984). Other research suggests Black and Hispanic drug offenders received harsher sentences than White drug offenders (Albonetti, 1997). In this case, racial minorities did not receive similar sentences or “plea discounts” as their white counterparts for similar offenses. This research collectively suggests extra-legal variables may influence plea sentencing outcomes, thereby undermining the defendant’s constitutional rights (to be discussed more below).

While controversial, the practice and outcome of plea bargaining does have benefits for both the defendant and the State. For prosecutors, plea bargaining results in a large rate of guilty convictions without the necessary time, resources, and energy needed to try all of those cases in court (Smith, 1986). This gives prosecutors time to pursue more cases and theoretically reserves the courtroom for those cases with more equivocal possible outcomes. Guilty defendants also may benefit from a guilty plea if the likelihood of conviction at trial is high and the plea-bargained sentence is less than the likely sentence after a guilty verdict at trial. For defendants, going to trial may be a game of uncertainty, and accepting a guilty plea may consist of a rational means for solving an uncertain problem. There may be a number of reasons and situations in which there is evidence to support a rational plea decision, and the attorney’s role is to point out the strength of evidence against the defendant and how that will likely affect his/her outcome at trial (Bibas, 2004). Thus, situations exist in which it may be extraordinarily rational to plea from an economic perspective. The problem arises if defendants make irrational plea decisions
because of a lack of quality representation, they feel the system is biased against them, or they are coerced or pushed into accepting a plea.

**Legal Background: Waiver of 5th Amendment Rights**

While the practice of plea bargaining is not a component of our criminal justice system likely to disappear anytime soon, critics argue that the system has unduly incentivized accepting a plea versus going to trial (Alschuler, 1970). Aside from possible threats of rejecting a plea offer, implicit promises can be given to the defendant in exchange for accepting the offer, such as promises of shorter sentences or specialized treatment. Critics argue the practice of plea bargaining infringes on the defendant’s 6th amendment right to a speedy and fair trial by a jury of his/her peers and also the defendant’s 5th amendment right against self-incrimination (Alschuler, 1970). One could argue that pleading guilty is the grandest form of self-incrimination. Thus, the biggest problem stemming from the incentivized nature of plea bargaining is the undercutting of the defendant’s 5th amendment right not to self-incrimination oneself. Waiver of the defendant’s 5th amendment right against self-incrimination renders the defendant’s 6th amendment rights unnecessary.

*Boykin v. Alabama* (1969) reviewed the requirements for waiver (voluntary, knowingly, and intelligent waiver) and left the question of whether plea bargaining was a constitutional practice unanswered. In this case, Boykin was charged with a series of robberies that carried a death sentence. Boykin was appointed counsel and plead guilty to the crimes. The United States Supreme Court (USSC) rejected Boykin’s original plea and determined that plea was constitutionally flawed because it was not clear the trial court ensured Boykin’s plea was voluntary, knowing, and intelligent (*Boykin v. Alabama*, 1969). Based on this, constitutionally, a silent record (lack of an affirmative response from the defendant indicating the guilty plea was voluntary and the defendant knowing waived his rights) does not meet the requirements of a
voluntary, knowing, and intelligent waiver of one’s 5th amendment rights (Boykin v. Alabama, 1969). Because a guilty plea is technically more than a confession, the above-mentioned requirements must be met for a constitutionally accepted plea.

If defendants feel incentivized to plead guilty, can a plea really be voluntary? Are these incentives (i.e. discounts in sentencing) distributed equally amongst all defendants? Research suggests this is not the case (Zatz, 1984; Albonetti, 1997; Ulmer, 1997, Edkins, 2010). If a silent record does not constitute evidence of a knowing, voluntary, and intelligent plea than what does?

Shortly following the Boykin decision, the USSC decided Santobello v. New York, putting to rest questions regarding the constitutionality of plea bargaining (1971). In this decision, the USSC recognized the plea bargaining practice as legitimate as long as it was done fairly; if it was not done fairly, that would be considered a violation of due process and a remedy would be needed (though the remedy was not specified in the decision) (Santobello v. New York, 1971). In this case, Santobello argued that the prosecution did not live up to the original bargain and failure to do so was unfair and the defendant’s due process rights (under the 14th amendment) were violated as a result. The decision in this particular case was that Santobello could withdraw his guilty plea and start negotiations again (or forgo plea-negotiations and go to trial). However, in some circumstances, a court may order that the prosecution must honor the original bargain struck (even if it’s a new prosecutor, not the original bargainer). By reaching the decision in this case, the USSC gave legitimacy to the practice of plea bargaining. The Court focused on fundamental fairness under the due process clause, in terms of living up to bargains that are made. So while the nagging doubts about the fairness of plea bargaining may have originated in Boykin and the argument surrounding a defendant’s waiver of his 5th amendment rights, this case focused on due process and fundamental fairness rather than 5th amendment violations.
Santobello gave credibility and legitimacy to the practice of plea bargaining by ensuring plea bargaining will function fairly because parties are required to follow through with their deals.

One of the major components of our adversarial system is the belief in competitive advocacy; attorneys act as an extension of their client and theoretically fight to ensure the best outcome possible for their client. In Boykin, the USSC required that self-incrimination be rational and the defendant must voluntarily, knowingly, and intelligently waive his/her 5th amendment rights (Boykin v. Alabama, 1969). In such a system, the role of the attorney is to help the defendant make rational decisions. Theoretically, the role of the defense attorney in an adversarial system is to offset any irrationality on the defendants’ part. The responsibility attorneys have to their clients extends to plea negotiations as well. The defense attorney should assist the defendant in making a rational decision to accept a plea or take his/her case to trial. The attorney can advise the defendant of a “better” option, based on case-specific information or knowledge of the legal system, and influence his or her decision. But the decision is still the defendant’s decision to make. Regardless of the specific advice given, we can expect that the attorney will influence defendant decision-making. Because attorneys can play such an influential role for their clients, it begs the question—what should counsel look like in the plea bargaining arena?

**Legal Background: The Issue of Counsel in Plea Bargaining**

One of the controversies surrounding the practice of plea bargaining is how well the defendant is represented during plea negotiations and the context in which individuals are provided that representation. One of factors exacerbating the problem of plea bargaining is that ineffective counseling goes largely undetected because the system is characterized by secrecy and a lack of written rules governing the process (Alschuler, 1986). Below I review a number of federal and state court decisions that have addressed the issue of necessity of counsel for indigent
defendants (*Gideon v. Wainwright*, 1963; *Betts v. Brady*, 1942), and what constitutes effective

In the landmark case, *Gideon v. Wainwright*, the Court extended the right to appointed
counsel for indigent defendants to state courts (1963), overturning the decision of an earlier case
(*Betts v. Brady*, 1942). The issue in *Betts* was whether the 6th amendment right to appointed
counsel was a protection of not only federal cases (implied under the 6th amendment right to
counsel for defendants in federal cases in 1938 in *Johnson v. Zerbst*), but state cases as well
(1942). In the *Betts* decision, appointed counsel was not required for state courts under the 14th
amendment protection of the due process clause (1942). The *Gideon* decision reconsidered the
earlier *Betts* decision and established that the federal standard under the 6th amendment for right
to effective counsel (appointed if need be) should be incorporated to the states as part of the due
process protection of the 14th amendment (1963). The decision showed how the court depicted
effective counsel as fundamental to fairness.

How does the effectiveness of counsel argument translates to fundamental fairness—was
counsel’s performance so deficient to have undermined the goals of the adversarial system
enough to question whether the trial process produced a just result? *Strickland v. Washington*
(1984) addressed this and offered a two-prong test to inquire if the outcome was fair: (1) Was
counsel’s performance deficient, defined in terms of falling below an objective standard of
reasonableness; and (2) If there was deficiency, is there a reasonable likelihood that, but for
counsel’s deficient performance, the outcome would have been different? These prongs are used
as a guideline to examine if counsel’s performance fell below a reasonable standard in ways to
allow the probability of a different outcome. While the 6th amendment right to counsel is implied
to mean effective counsel, “effective” counsel might not equate to good counsel, or counsel that
is equal to the opposing side’s counsel. That is, the standard of effective counsel does not mean that attorneys can be ranked or their performance falls somewhere on a spectrum; this is a simple pass-fail system of judging counsel’s effectiveness. Thus, to prove ineffective counsel is difficult because even if the counsel’s performance was proven to be deficient, it doesn’t mean it prejudiced the outcome.

More recently, in a pair of cases, Lafler v. Cooper and Missouri v. Frye, the USSC addressed the issue of adequacy of representation in plea decision-making deals (2012). In these cases, the defendants raised claims of ineffective counsel during the plea bargaining phase, claiming the attorney did not advise the client of plea offer (Missouri v. Frye, 2012), or that the attorney gave flawed advice (Lafler v. Cooper, 2012). The Court acknowledged that with such a high proportion of cases resolved through plea bargaining, the defense attorney has a responsibility to meet the standards of effective counsel not only at trial, but during the pretrial process as well (Missouri v. Frye, 2012). The Court mandated that attorney influence in the plea bargaining process be regulated, however they left the specific regulations and constraints to be addressed by future legislation. In citing the high number of guilty pleas, Lafler v. Cooper and Missouri v. Frye represent a possible change in addressing ineffective counsel during plea bargaining practices (2012). The decisions in these two cases suggest that the Court is becoming increasingly cognizant of the high proportion of guilty pleas and the implications of this high proportion for lawyering; the Court stated that effective representation is a necessity during the plea bargaining phase, arguably “the most critical point for the defendant”…“because ours is for the most part a system of pleas, not a system of trials” (Missouri v. Frye, 2012, pp.7-8).

These two decisions mark a shift in the USSC agenda in regards to plea bargaining; suggesting that the Court has acknowledged that plea bargaining dominates our system and
effectiveness of counsel during the plea bargaining phase must meet the standards set by the 6th Amendment. It is likely that attorney recommendation influences both innocent and guilty individuals’ plea decisions, and the Court has determined that counsel must provide effective counsel during this phase, indicating that any advice given to the client must not be deficient, and if it is deficient, it must not have affected the outcome of the plea (Lafler v. Cooper, 2012; Missouri v. Frye, 2012). Having a better understanding of how this influence affects plea decision-making for innocent and guilty individuals will help contribute to our knowledge of true and false guilty pleas in light of possible future regulation of the plea bargaining system.

**False Guilty Pleas**

Roughly 90-95% of convictions in the United States are obtained through guilty pleas (Cohen & Reaves, 2006). Unfortunately, calculating the precise number of false guilty pleas is impossible because if legal actors knew what a false guilty plea looked and sounded like, there would not be a wrongful conviction problem (Redlich et al., 2010). In addition, trying to estimate the prevalence of false guilty pleas presents a problem because self-reports are likely unreliable and provide inflated estimates. Further, much research to date combines false confessions and false guilty pleas into a “false admission” category. Despite these limitations, estimates of the prevalence of false guilty pleas range anywhere from 5% to 11% of pleas (innocenceproject.org; Drizin & Leo, 2004). These estimates are based on the number of post-conviction DNA exonerees who plead guilty to a crime they did not commit and were later exonerated. Given the large number of guilty pleas in the United States today, the actual number of false guilty pleas could be quite large.

To date, much of the research on decision-making and guilty pleas has primarily examined dispositional characteristics that increase the likelihood of a defendant accepting a guilty plea, and if sentencing disparities exist in plea bargaining similar to sentencing disparities
for those who go to trial (Spohn, 2000; Zatz, 1984). Another focus of decision-making and false guilty plea research has been to examine motives and factors that influence an individual’s decision to accept a guilty plea. Possible motives for accepting a false guilty plea are: to protect another individual, feelings of being pressured by an attorney, judge, and/or police, feelings of being in a futile situation due to inadequate representation, prior record, and because trial is too risky (Redlich, et al., 2010). Much less scholarship has been devoted to gaining a better understanding of what influences decision-making for guilty and innocent defendants in the plea bargaining setting. This dissertation explores the latter issue.

**Specific Aims of the Study**

In this research, I focused on two legally and theoretically relevant factors that may affect likelihood of pleading guilty: the attorney's presence and advice and the guilt of the defendant. According to Redlich and colleagues, people claiming they falsely plead guilty indicated feeling pressured by their attorneys to take a plea offer (2010). In this study, I used an advocate to give a participant advice that would be analogous to an attorney giving a client advice. Thus, I expect an advocate’s advice to affect whether people accept a plea.

For this study, I adapted a paradigm from previous research examining true and false confessions (Russano, et al., 2005). Participants were randomly assigned to be guilty or innocent of the crime of academic dishonesty by having a lab confederate initiate a cheating incident with some students during an academic test. This allowed me to examine true and false guilty pleas. After the test, I accused all students of cheating and offered two choices: a lab punishment in exchange for admitting guilt (analogous to a plea bargain) or to take the case before the Student Conduct Committee (analogous to a trial). I manipulated whether students were offered advice from an advocate (analogous to an attorney) and the content of that advice in pertinent conditions (i.e., to accept the ‘plea’, to take the case to trial, or the merits of both options). I measured
participants’ final decisions and the motivations behind their decision-making. Thus, the specific aim of this study was to examine whether advocate advice affects guilty and innocent participants’ decisions to accept a plea bargain to resolve a situation of academic dishonesty.

The specific research questions are: What is the ratio of innocent and guilty individuals accepting a guilty plea? How does attorney presence and advice affect both innocent and guilty individuals’ decisions to accept a plea or go to trial?

To address how often innocent and guilty individuals accept a guilty plea offer and how attorney advice influenced this decision, I will first explore social psychological theory on social influence to account for why individuals might comply or conform to the advice of their attorney (Cialdini & Goldstein, 2004). Then I discuss the relevant literature conducted on dispositional and situational characteristics that may influence plea decision-making (Redlich, et al., 2010; Malloy, Shulman, & Cauffman, 2014; Redlich, 2010; Shteynberg & Redlich, 2013; Viljoen, Klaver, Roesch, 2005; Redlich, 2010b; Gregory, Mowen, & Linder, 1978; Dervan & Edkins, 2013). Finally, I move into a discussion about the influence of the attorney and the likely impact the attorney’s recommendation to accept a plea or go to trial has on the defendant (Kramer, Wolbransky, & Heilbrun, 2007; McAllister, & Bregman, 1986; Edkins, 2010).
CHAPTER 2
THEORETICAL FRAMEWORK

Social Influence Theory

The attorney’s influence is likely an important factor that affects the defendant’s perception of the plea and ultimately the defendant’s decision about whether to accept the plea or go to trial (Kramer, et al., 2007; McAllister, & Bregman, 1986; Edkins, 2010). Thus, it is important to explore how the attorney’s recommendation may affect these outcome decisions. Social influence can help account for why individuals may be likely to comply with the advice of their attorneys (Cialdini & Goldstein, 2004).

Social influence occurs when explicit social forces affect one’s emotions, decisions, or behaviors (Cialdini & Goldstein, 2004). These changes in behavior can occur through one’s willingness to comply with the requests of others or willingness to conform to the behaviors of others. Providing sound and helpful advice is one of the attorney’s main tasks; therefore, it is reasonable for a defendant to follow the advice of his/her attorney, who presumably, has more knowledge and experience with the legal system, a better idea of how the case might play out in court, and possible knowledge of how the jury might handle the case at trial. We can look to the principles of conformity and compliance to help elucidate why defendants might follow the advice of their attorneys (Cialdini & Goldstein, 2004).

The principle of compliance can be either an explicit request (e.g., directly soliciting for your vote for a particular candidate) or an implicit request (e.g., political advertisements endorsing a particular candidate or smearing another candidate without directly asking for a vote); however, regardless of the type of request, the individual recognizes that he or she is expected to respond in a particular manner (Cialdini & Goldstein, 2004). In the case of the criminal defendant who is advised by his attorney on the best course of action in his or her case,
the defendant might be influenced by the attorney’s recommendation and yield to the attorney’s opinion. The explicit request of the attorney to accept a guilty plea or take the case to trial could be met with compliance from obedient defendants who trust their attorneys’ judgment and experience. The attorney could also implicitly suggest that the defendant should accept a guilty plea or take the case to trial based on the suggestions, tone, and information the attorney shares with the defendant.

The principle of conformity differs from compliance, in that conformity refers to an individual changing his/her behavior to match the responses from others (Cialdini & Goldstein, 2004). In the case of the criminal defendant, who might have formed a decision in his mind regarding his options (trial vs. plea), the defendant might change that decision after meeting and discussing options with his attorney. That is, the attorney may advise a different response to the situation than the defendant initially had decided. Research suggests defendants’ opinions regarding trial and plea bargaining often are not in line with their attorneys’ opinions (with attorneys more likely to recommend pleading guilty) (Kramer, et al., 2007). Given the possible difference in opinion, the defendant could conform to the opinions or responses of his/her attorney, especially if the defendant is considering the expertise of the attorney in his or her decision-making.

The principles of conformity and compliance to external influences must be considered in the context of peoples’ general need to make accurate decisions (Cialdini & Goldstein, 2004). This goal of accuracy is one of the three goals essential to human functioning; the other two goals, affiliation and maintaining a positive self-concept, are not as relevant to this research (Cialdini & Goldstein, 2004). The goal of accuracy suggests that individuals are motivated to achieve goals in the most effective way possible (Cialdini & Goldstein, 2004). In this case, an
accurate decision would be defined as one that is in the best interest of the defendant. It is likely that the defendant’s goal is to be acquitted or serve the most lenient sentence possible.

So, for example, it might be in a defendant’s best interest to plead guilty if there is a high probability the defendant will be found guilty at trial and will receive a longer sentence. In this case, if the defendant pleads guilty, it likely means he or she will get out of prison faster than if he or she risks going to trial and is found guilty there. In making these important decisions, research suggests the defendant will likely look to the advice and recommendation of his/her attorney, who likely knows more about case relevant factors than the defendant (e.g. knowing all the evidence, the strength of that evidence, characteristics of the juror district (or judge)).

Individuals look to authority figures when making decisions of paramount importance and are often rewarded for acting in line with that advice, even when that advice is incorrect or against one’s own best interests. For example, one can look to the pivotal Milgram’s obedience study as an example of individual’s willingness to comply; in this study, authority figures asked participants to administer shocks to others (no shocks were actual given) and the results suggest individuals cooperate with authority figures, even when it goes against their better judgment or beliefs (Milgram, 1974). An example of individuals’ willingness to conform is Asch’s classic social psychological line experiment; in this study, participants conformed to the incorrect judgments made by their fellow participants (actual confederates of the lab) when making judgments about the length of line drawings (Asch, 1956). In a laboratory setting, research on accuracy as a motivation for conformity has shown that study participants look to the confederates to supply information in reconstructing memories (Meade & Roediger, 2002). Regardless of the setting, if uncertain in making a decision, individuals will most likely look to a
knowledgeable individual for help. In the case of the criminal defendant, his/her attorney is most likely the individual who will have the most influence on the defendant’s decisions.

**How Social Influence Theory Informs this Research**

In addition, in this study, I also examined how actual guilt or innocence factors into one’s decision to plea, and whether the same factors that affected a guilty person’s decision to plea also affected an innocent person’s decision-making. Other legal actors might not know of a defendant’s factual innocence or guilt, but the defendant most likely will make decisions based on knowledge of this fact.

Research suggests that the decision to plea or go to trial is very much motivated by one’s factual innocence or guilt (Tor, Gazal-Ayal, & Garcia, 2010; Gregory, et al., 1978; Bordens, 1984; Dervan & Edkins, 2013). Guilty individuals are more likely accept a guilty plea than innocent individuals (Gregory, et al., 1978; Bordens, 1984; Dervan & Edkins, 2013). If guilty individuals are more likely to plead guilty because of the knowledge that they committed the crime, they may be less subject to social influence in the plea decision-making process. Innocent individuals are more likely to take their case to trial than guilty individuals because they perceive a conviction as too unfair and unjust (Tor, et al., 2010). With the knowledge of their factual innocence, innocent individuals may be more likely than guilty individuals to perceive their probability of conviction at trial as lower and therefore more likely to take their case to trial. Innocent individuals may also believe that trial will ultimately uncover their innocence; similar results have been reported for why innocent individuals are more likely than guilty individuals to waive their Miranda rights – they believe their innocence will protect them (Kassin, 2005).

Guilty individuals might be aware of incriminating evidence in their case, whereas innocent individuals may be more uncertain of how their case will play out in court than guilty individuals in the same situation. Therefore it is more likely that innocent individuals will be more persuaded
by the attorney’s advice than guilty individuals and more likely to follow that advice. In line with social influence theory, innocent participants would be most likely to accept a false guilty plea when their attorney advises them to accept the plea versus going to trial. Thus, social influence theory can help elucidate how attorney recommendations may affect decision-making processes in plea bargaining for guilty and innocent individuals.
CHAPTER 3
LITERATURE REVIEW: PLEA BARGAINING & FALSE GUILTY PLEAS

False guilty plea research is often coupled with false confession research for many reasons. The first is because false confessions and false guilty pleas are theoretically similar; both involve an individual accepting culpability for an act they did not commit (Redlich, 2010). The second reason is that the underlying motivations for individuals’ willingness to falsely confess or plead guilty are likely similar. Both false confessions and false guilty pleas involve the defendant making a proximate decision to extradite himself from the situation (Redlich, 2010); false confessors might confess to have the interrogation end and those who accept a false guilty plea are likely trying to find a quick solution to an uncertain problem (ability to receive “time served” and leave the jail, accept a lenient sentence without jail time, avoid spending time in jail awaiting trial). The third similarity is the likelihood that dispositional characteristics that put individuals at risk of falsely confessing are also relevant for individuals accepting a false guilty plea (Redlich, 2010). Research suggests that both false confessions and false guilty pleas are more likely to occur with members of susceptible populations; juveniles and individuals with mental illness and mental retardation are at a heightened risk for falsely confessing or pleading guilty (Sigurdsson, & Gudjonsson, 1996; Gudjonsson, Sigurdsson, Bragason, Einarsson, & Valdimarsdottir, 2004; Redlich, et. al., 2010; & Grisso, Steinberg, Woolard, Cauffman, Scott, Graham, Lexcen, Reppucci, & Schwartz, 2003). A fourth likely similarity between false confessions and false guilty pleas is that they are theoretically similar. Both false confessions and false guilty pleas are dependent somewhat on social influence. This may account for why research on false guilty pleas consistently points to the influence of an attorney (or police officer or judge) as a factor in plea decisions (Malloy et al., 2014; Redlich et al., 2010). False
confessions and false guilty pleas share many similarities and often, a false confession precipitates a false guilty plea and both are present for the same crime.

Despite the similarities, there are differences between false confessions and false guilty pleas. One of the differences between false confessions and false guilty pleas is perceived versus actual leniency (Redlich, 2010). Innocents who plead guilty are likely to receive a reduced sentence (actual leniency) versus individuals who falsely confess. Those who falsely confess often perceive leniency to be forthcoming in exchange for their cooperation but are actually treated quite harshly at trial (Redlich, 2010). Another difference between false confessions and false guilty pleas is the willful acceptance of guilt and punishment. When a suspect falsely confesses, that confession is used as evidence; when a suspect falsely pleads guilty, that individual is giving up his/her 6th Amendment protections and adversarial system procedures (e.g. burden of proof, cross-examination, expert testimony). It is likely that the lack of safeguards in the plea process results in a larger number of false guilty pleas than estimates suggest (Redlich, 2010). A false confessor has the potential of the confession being judged false at trial; the individual who falsely pleads guilty bypasses court and proceeds directly to sentencing.

Understanding the factors that influence defendants’ decisions to waive these rights rather than go to trial can inform our knowledge of true and false guilty pleas. Given the legal and practical distinctions between false confessions and false guilty pleas and the prevalence of guilty pleas in our criminal justice system, we cannot assume that confession research generalizes to guilty pleas. Thus, researchers have started to explore guilty pleas as a distinct concept.

The primary research questions explored thus far have examined how characteristics of individuals relate to the likelihood of accepting a false guilty plea (Redlich, 2010b), the factors individuals’ report having influenced their decision to falsely plead guilty plea (Redlich et al.,
2010), and estimating of the percentage of false guilty pleas out of all guilty pleas accepted (Drizin & Leo, 2004). One of the goals of this field of research is to better estimate the prevalence of false guilty pleas in a particular situation and understand the causes of false guilty pleas.

**Estimating the Prevalence of False Guilty Pleas**

One of the first tasks of examining plea decisions is to accurately estimate the prevalence of false guilty pleas and identify if the likelihood of falsely pleading guilty is greater for vulnerable populations (Redlich, et al., 2010). Redlich and colleagues conducted one of the first self-report studies on false confessions and false guilty pleas among individuals with mental illness; over 1,200 offenders (from different sites) with mental illness self-reported about false confessions and false guilty pleas (Redlich, et al., 2010). Of those surveyed, self-reports of false confessions ranged from 9 to 28%, and false guilty pleas ranged from 27 to 41% depending on the location of survey. Of those who claimed they falsely plead guilty, 17% claimed to have accepted the plea to protect another, 18% claimed to feeling pressured into the situation by their attorney, the police, or the judge, and 27 to 39% felt they were in a futile situation and saw the plea as the only option in a no-win situation given their past criminal history, inadequate representation, or because trial was too risky (Redlich, et al., 2010). Aside from estimates of false guilty pleas, this study also provided information of possible motivations and factors that influenced individuals to falsely plead guilty.

**Susceptible Populations and Motivations for Plea Decisions**

Other work has explored possible motivations for true and false guilty plea decisions; one study explored the prevalence of youths’ true and false admissions (confessions and guilty pleas), the youths’ interrogation experience and their impression of police and lawyers, and whether the interrogation experience served as a situational risk factor of youths’ true and false
admissions (Malloy, et al., 2014). In this study, 193 youths who were incarcerated between the ages of 14 and 17 were interviewed and asked about their interrogation and legal experience (Malloy, et al., 2014). These individuals were asked if they ever confessed to a crime they did or did not commit and if so, who they confessed to (admissions to police were considered a confession and admissions to the judge were considered a guilty plea). The youths were asked to provide their motivation for the true or false admission and these responses were coded and categorized. Roughly 18.1% ($N = 35$) of youths reported having made a false admission of guilt to the judge (considered a guilty plea) and 37.3% ($N = 72$) reported having made a true admission of guilt (Malloy, et al., 2014). Instrumental reasons (e.g., lessen the punishment, avoid a more serious consequence) were reported as a main motivation for false guilty pleas (51.4%, respectfully) and true guilty pleas (36%, respectfully). Of those individuals who reported having truthfully accepted a guilty plea, only 15% reported their motivation for accepting the guilty plea as their factual guilt and wanting to be honest (Malloy et al., 2014).

Because these interviews included asking the youths their experiences with their attorney, it was possible to investigate the effect the attorney had on youths’ decision-making. When youths’ reported that their attorney befriended, deceived, or threatened them their odds of reporting having made a false guilty plea were greater (3.09, 3.29, 3.70 times greater) than those who did not report such treatment from their attorneys (Malloy et al., 2014). This study points to the influence of the attorney as a motivation for decision-making, even worse, suggests that for youths, different manipulative behavior on the part of the attorney can substantially influence decisions to falsely plead guilty. Social influence theory suggests that individuals will look to a more knowledgeable individual in times of decision-making; in this study, the behavior of an attorney significantly influenced youths’ false guilty plea rates.
Other research with juvenile populations suggests that juveniles have lower levels of legal understanding than adults and therefore might be more uncertain about whether they should accept a guilty plea (Viljoen et al., 2005). Further, research has shown that juveniles have a greater difficulty in understanding their *Miranda* rights compared to adults and that their age influences willingness to accept a guilty plea at a greater rate than adults charged with the same crime (Grisso, et al., 2003). Other findings suggest that 70-75% of 11-15 year olds accepted a plea bargain offer compared to 50% of adults when charged with similar crimes (Grisso, et al., 2003).

Further, recent research suggests that innocent juveniles given a hypothetical scenario are twice as likely as adults to say they would falsely plead guilty (Shteynberg & Redlich, 2013). These findings lend support to a large body of literature suggesting that juveniles have a lower level of legal understanding and poorer decision-making capabilities than adults (Redlich, 2010b). Thus, the literature shows that juveniles and persons with mental illness are more at risk for falsely accepting a guilty plea than the average adult population, and therefore, safeguards such as adequate representation are crucial during the plea bargaining phase.

Collectively, these studies suggest that susceptible populations are at risk for falsely pleading guilty; in addition, attorney influence seems to be a factor that influences a defendant’s decision to plead guilty, at least with a juvenile population. This dissertation was designed to help us better understand the role of attorney recommendations in true and false guilty pleas. By understanding how an attorney’s advice influences defendants’ decisions, we may be able to better design safeguards for individuals that protect against false guilty pleas. Once we establish how an attorney’s advice can influence adult decision makers, we can expand to examine
whether that attorney influence is greater with susceptible populations. The research reviewed here suggests that it may be.

**Estimating False Guilty Pleas Using Experimental Paradigms**

In the past, plea bargaining research has largely relied on self-reports from those who plead guilty (Redlich et al., 2010) or examined false guilty pleas in conjunction with false confessions, making it difficult to separate mechanisms and causes between the two (Redlich, 2010). To understand causal mechanisms in false guilty pleas (and to truly test how guilt or innocence affects one’s decision to plea), another approach is to use experimental design. This gives researchers the ability to manipulate the innocence of the individual, characteristics of the plea offer and expected outcome at trial, and possible motivations for accepting guilty pleas rather than going to trial.

Obviously, it is not possible to assign individuals to be guilty or innocent of actual crimes and then charge them through the U.S. Criminal Justice System. However, it is possible to simulate this process, on a much smaller scale by creating an artificial situation with undergraduate students in which they are accused of an academic dishonesty crime and must choose between various academic sanctions and consequences. For this research study, I adapted a paradigm in which I induced students to cheat on an academic task (Russano et al., 2005). This paradigm was initially used in the context of false confession research and is an improvement on previous methods. Despite the large difference between academic dishonesty and being accused of a crime carrying the possibility of incarceration, students consider cheating to be serious, the act of cheating will require intention on the student's part (similar to committing a crime), and some students will be guilty and others innocent. So while using this experimental paradigm overcomes some of the limitations with previous methods, to make the claim that any results are directly generalizable to a defendant's actions in court would be too far of a stretch. Using an
The experimental paradigm, such as the one used in this dissertation, is a first-step in exploring various predictors of true and false guilty pleas. Similar efforts have been made in the past, which I will discuss below.

One of the first attempts investigating the possibility of innocent individuals falsely accepting a guilty plea was conducted in the 1970s. In this study, researchers assigned participants to play a guilty or innocent role and then recorded their decisions and motivations for accepting or rejecting the plea offer (Gregory, et al., 1978). In the first part of the two-part study, researchers manipulated the number of charges (hypothetically, the number of charges should reflect the severity of the charges), the level of evidence against the defendant, and the guilt or innocence of the individual (Gregory, et al., 1978). Participants listened to a tape recording of their defense attorney’s summation of the charges against them and evidence to be presented by the defense and the prosecution, then read a vignette indicating the pending charges, severity of punishment if convicted, and the plea offer (Gregory, et al., 1978).

Study one results suggested that innocent individuals were less likely than guilty individuals to believe they would be convicted at trial and believed the judge would discover their factual innocence (Gregory, et al., 1978); consistent with other research suggesting that innocent individuals believe their innocence will protect them (Tor, Gazal-Ayal, & Garcia, 2010; Kassin, 2005). Participants were more likely to accept the plea offer if they believed there were numerous potential charges (vs. fewer charges against them) or the possible punishment if convicted at trial was more severe (vs. low in severity) (Gregory et al., 1978). In this study, only 18% of the innocent individuals accepted the guilty plea offer versus 83% of guilty individuals (Gregory et al., 1978). The results of this study point to the importance of actual guilt or innocence in decision-making, and also suggest that some innocent individuals view accepting a
guilty plea as a preferred option over going to trial, depending on their perceived outcome at trial and the potential sentence (Gregory, et al., 1978).

Study two used a similar paradigm to the one used in this dissertation project (to be discussed in detail below). Participants were given an exam, half of the participants were given prior information regarding the answers to the exam (guilty condition) and the other half of participants received no information regarding the exam (innocent condition) (Gregory, et al., 1978). All students were then accused of cheating and told they would have to go before the ethics committee at the university or accept a lab punishment (analogous to a plea offer), in exchange for admitting they had prior knowledge of the exam. Unfortunately, only 16 individuals were included in the final analysis; of the 8 innocent individuals, 0 accepted the guilty plea offer, whereas 6 of the 8 guilty individuals accepted the plea bargain (Gregory, et al., 1978). While there are too few individuals in this sample to draw any firm conclusions, the results suggest that whether someone is actually guilty or innocent plays an important role in accepting a plea deal. In addition, this study showed methodological advancement in that the researchers manipulated the actual guilt or innocence of the participant through an experimental paradigm.

Following this work suggesting that innocent individuals might be willing to accept a guilty plea, Bordens conducted research analyzing if individuals make a conscious decision to plea based on the plea-bargain sentence, the likelihood of conviction at trial, and the value of the sentence that would be received in relation to the plea offer (1984). Participants read a vignette and were asked to act the role of innocent or guilty of a negligent homicide crime. Overall, 20.3% of innocent participants and 79.6% of guilty participants chose to accept the plea bargain (Bordens, 1984). For innocent individuals: 10% perceived conviction rate- 10.95% accepted a
guilty plea, 50% perceived conviction rate- 15.06%, 90% perceived conviction rate- 31.58%; for guilty individuals: 10% perceived conviction rate- 57.14% accepted a guilty plea; 50% perceived conviction rate- 88.89%; and 90% perceived conviction rate- 94.37%. Results suggest that individuals are more likely to accept a plea offer if they perceive their chance at trial as being too risky.

Many years later, another study examined willingness to accept a plea using a similar design to part one of the above-mentioned Gregory et al. study. In this study, individuals were told to read a vignette of academic cheating in which they were instructed to reach decisions as if they were innocent or guilty of the cheating incident (Tor, et al., 2010). In the vignette, participants were told based on their case, they had roughly a 60% chance of being found culpable and suspended from school and a 40% chance of being acquitted of the cheating charge before the Ethics Committee. Further, they had an alternative to going before the committee, in that they could appeal their case before it goes to the Committee and receive a fail in their course, however they did not risk the chance of suspension with this option. Following the vignette, participants answered a questionnaire and chose to either go before the Ethics Committee (simulating trial) or appeal the case and receive a fail (simulating acceptance of a plea offer). Among those told they were guilty, 67% accepted the plea offer versus 20% of those who were told they were innocent of cheating (Tor, et al., 2010). The second-part of this study analyzed risk-preferences of innocent and guilty defendants. In this part, researchers controlled for the effect of the expected sanction at trial by making the plea offer equal to the expected sanction; therefore, testing the risk-seeking behavior of innocent and guilty participants. Because the expected sanction at trial and plea offer were equal, theoretically participants shouldn’t have been making decisions based on the perception of a shorter plea sentence or being penalized at
trial for rejecting a plea offer, but instead on how willing they were to risk being found guilty versus accepting a plea. The results suggest that participants told they were innocent of the cheating incident exhibited more risk-seeking behavior and individuals told they were guilty were more risk-averse in their behavior (Tor, et al., 2010). Innocent individuals were viewed as being more risk seeking; they were more likely to believe they would be found innocent at trial because conviction would be too unfair an outcome. This is consistent with past research suggesting that innocent individuals feel protected by their innocence (Kassin, 2005) and might be more willing to go to trial than their guilty counterparts. Collectively, these studies suggest that innocent individuals will accept a guilty plea, but at lower rates than guilty individuals. Further, innocent individuals are likely motivated to make a final outcome decision differently than guilty individuals.

Later, Russano and her colleagues developed a paradigm similar to the design used in the Gregory piece; however, the research focused on true and false confessions (2005). In the paradigm, students were recruited to participate in a research task; in each session there was one actual participant and one confederate from the lab participating. The participants were instructed to complete a series of problem-solving tasks. The experimenter instructed participants to work together on the “team-building” portion, but to work individually and not discuss solutions on the “individual problems” portion (Russano et al., 2005).

In the guilty condition, the confederate asked the participant for help on a problem in the individual section. This resulted in the large majority of participants engaging in cheating behavior. In the innocent condition, the confederate did not ask for help. After students completed the problem-solving tasks, the experimenter (blind to condition to ensure the experimenter’s actions were not influenced by the participant’s guilt) stated that both participants
answered the same wrong answer on a target problem in the individual portion section, indicating that the participants engaged in academic dishonesty. The experimenter then said that s/he contacted the professor in charge, who was very upset, and the professor needed documentation of the incident for record keeping. So, the student needed to sign something admitting they shared responses. In the original Russano piece, students were interrogated and eventually asked if they would sign a confession. I used a modified version of this paradigm for the current research project. Instead of interrogating students and asking them to sign a confession, I offered students a plea to resolve the situation, varying the advice the students got from an advocate from the Dean of Students Office. The major benefit of this paradigm is that it elicits both true and false confessions from participants, allowing researchers to examine the diagnosticity of various interrogation techniques in distinguishing true from false confessions (Russano et al., 2005). Thus, in my study, it theoretically should induce both true and false guilty pleas, allowing me to examine whether attorney advice similarly influences true and false guilty pleas.

Another study has used the same paradigm in a plea bargaining context (Dervan & Edkins, 2013). In this study, instead of asking students to sign a confession, students were asked if they would accept a plea offer (losing all participation points) to avoid having the cheating incident go before the Academic Review Board (analogous to trial) (Dervan & Edkins, 2013). To mimic trial, the participants were told they could go before the Academic Review Board and tell their version of events, present any evidence, and argue for their position (Dervan & Edkins, 2013). Rather than going before the Academic Review Board, the participant could accept a ‘plea’; the strength of the plea offer remained constant- lose all compensation points for participating in the study. Dervan and Edkins manipulated the participants’ guilt and the strength
of the sentencing offer (2013). In the harsh sentencing condition, possible punishments at trial were much harsher than the lenient condition, and the chances of being found guilty at trial were extremely high. Overall, 9 out of 10 guilty participants and 6 out of 10 innocent participants took the plea. Over half of the innocent participants, regardless of being in the lenient or harsh sentencing condition, were willing to falsely admit guilt in return for a reduced punishment and to avoid going in front of a review board (Dervan & Edkins, 2013). Thus, this research showed that innocent suspects were willing to take a guilty plea regardless of whether the plea offered was in their best interest. One of the questions stemming from this study is what could influence the innocent individual to falsely admit guilt and accept a plea bargain?
CHAPTER 4  
LITERATURE REVIEW: ATTORNEY INFLUENCE ON PLEA DECISIONS

Influence of the Attorney

Every day, defendants entrust their liberty to their attorney and the consequences of that trust fall squarely on the shoulders of the defendant (Smith, 2007). The attorney is charged with assisting, advising, and defending the defendant throughout the plea and trial processes. What does attorney advice look like in these situations? Are there disparities in quality of advice? Are attorneys advising their client to make specific decisions, even if it’s against the client’s wishes? Does this advice exchange border on pressuring the client? The role of the attorney’s advice is integral to the defendant’s decision; thus I chose to manipulate the content of that advice in this current research project.

Research suggests the assumptions of effective counsel and what passes as “effective counsel” are not necessarily approaching equally good counsel (Williams, 2013; Anderson & Heaton, 2012) and that plea bargaining promotes bad lawyering. One indicator of bad lawyering may be the significant difference in case outcomes for defendants represented by public defenders versus private counsel. Research examining the effectiveness of public defenders in Florida suggests that defendants who are represented by public defenders are more likely than defendants represented by private attorneys to be detained pretrial, convicted at trial, and are less likely to have their case dismissed (Williams, 2013).

Another indicator of bad lawyering may be the significant difference between guilty pleas for clients of public defenders and private attorneys. Plea bargaining possibly highlights disparities between hired counsel and public defenders; a survey of attorneys suggests that only 8% of the attorneys said the likelihood of a guilty plea did not factor in to their determination of fees and the amount of fee collected sometimes determined the amount of energy they put
towards their client’s case (Petty, 1973 as cited in Alschuler, 1975). It is a systematic breakdown that the small minority able to hire counsel and pay for service may receive better counsel and an attorney who will devote more time and energy to their case. The majority of individuals will receive a public defender, who might not be as likely to be a hero to his/her client compared to a privately hired attorney (Alschuler, 1975). Research suggests that defendants represented by public defenders are more likely to accept a guilty plea than those represented by privately retained attorneys (Anderson & Heaton, 2012). The authors point out that in this study, given that individuals represented by private attorneys and public defenders appeared largely similar in terms of case characteristics and prior record, the differences in plea rates between public and private attorneys suggest that public defenders may be more likely to recommend accepting a guilty plea versus going to trial. It is possible that other differences between the two groups could account for the difference in plea bargaining rates (possibly socioeconomic status and case load). Differences in case outcomes, not based on legally relevant factors, but instead based on the type of attorney (or other variables like socioeconomic status), would suggest that the assumptions of effective counsel and fairness in Strickland might not be met by our current system.

In 2013, the Florida Supreme Court decided a landmark case allowing public defenders in Florida to withdraw from counsel on the basis of excess caseloads, work restrictions, or inadequate funding (Public Defender, Eleventh Judicial Circuit of Florida, et al. v. State of Florida, 2013). Citing the rights allowed under the 6th Amendment, the plaintiff argued that due to the above-mentioned issues, public defenders were not able to provide effective counsel or meet their legal and ethical obligations to their clients (Public Defender, Eleventh Judicial Circuit of Florida, et al. v. State of Florida, 2013). The plaintiff, the 11th District Court of
Florida (Miami-Dade County) had been cited as routinely assigning 400 plus cases per attorney with roughly 50 cases set for trial in a week, despite the fact that 200 cases per attorney is the recommendation from most professional legal organizations (Public Defender, Eleventh Judicial Circuit of Florida, et al. v. State of Florida, 2013). This case represents a win for public defenders and their clients; but if these attorneys are able to withdraw from cases, it is unclear what happens to the defendant’s case at that point and what type of representation they receive in the future.

The Effects of the “Courtroom Workgroup”

Because defense attorneys operate with the pressures of their role and organizational obligations, they may ultimately favor strategies targeted at gaining a guilty plea (Blumberg, 1967). The courtroom work group creates an atmosphere of “court regulars” (public defenders, prosecutors, assistants, judges) and “outsiders” (the client and privately retained counsel); the “regulars” are generally interested in “shortcuts” to keep the court organization flowing and those who suffer most may be the client (Blumberg, 1967). The “court regular” attorney may prioritize his/her commitment and obligation to the court and the courtroom workgroup over his/her client. Because of the restriction of resources and common goal mentality, the court adopts “bureaucratically ordained work crimes,” such as shortcuts or rule violations to meet the production norms of the court (Blumberg, 1967, pg. 22). This is the environment in which public defenders (who are considered court regulars) must function. Thus it is possible that due process violations may be institutionalized, but the court regulars deny that such violations exist. The court regulars might not even realize that such violations exist because it may not be a conscious decision to prioritize the workgroup over the client.

Time and resource constraints extend to public defenders, who work within this courtroom work group and must conform to organizational obligations and consider their entire
caseload in the litigation of each case. One of the possible results of this structure is a potential loss in the traditional legal concept of a defense attorney; instead the system exerts pressure to push clients to plead guilty and avoid trial. The relationship between the public defender and the district attorney extends far beyond any single case; therefore, the best interests of the attorney in maintaining that relationship drives the proceedings and “reasonable” bargaining often replaces the fierce plea negotiating that theoretically should be coming from the defense attorney (Blumberg, 1967). The public defender carries the responsibility of meeting organization obligations and conforming to norms of the courtroom-working group (Feeley, 1992); because of this reason, it is possible that public defenders may take shortcuts to meet all of their obligations (Blumberg, 1967). In that, of those obligations, the duty to the defendant may be the most likely to be inadequately met because of the brevity of the relationship in the scope of the larger courtroom workgroup and the larger scope of the duties required of the attorney. Thus, the quality of recommendations or advice given to the defendant may suffer. This is particularly problematic given the weight likely ascribed to those recommendations.

However, other research suggests that defendants may benefit from the attorney’s role in the courtroom workgroup. A common thought in regards to quality of counsel is—“you get what you pay for” (Hartley, Miller, & Spohn, 2010). That is, privately retained counsel might be able to devote more time, energy, and money to his/her client’s case than a public defender. However, contrary to this common thought, more recent research suggests that there are few differences in quality of representation based on how the lawyer is getting paid, and that public defenders might actually fair better than private counsel (Roach, 2014). It is possible that the “courtroom workgroup” might work to the advantage of those individuals represented by public defenders (Hartley et al., 2010; Roach, 2014). That is, because privately retained counsel are often see as
“outsiders” of the courtroom workgroup, they may struggle in the system more than the “regulars.”

Two different studies analyzed differences in various case outcomes as a function of type of counsel (public defender vs. private counsel vs. assigned counsel) (Hartley et al., 2010; Roach, 2014). The first analyzed differences in defendant and case outcomes between public defenders and assigned counsel (Roach, 2014). Public defenders generated significantly better defendant outcomes than assigned counsel regarding the likelihood of being acquitted for the most serious charge, sentence length, and the speed in which the case is resolved (Roach, 2014). Arguably, because the assigned counsel flip back and forth between outside employment (the cases they bring in and solicit) and those they are assigned to work as public service, they are less likely than those assigned solely to public service to be seen as part of the courtroom workgroup or function as well within it.

Another study analyzed the effect of type of counsel (public defender versus private counsel) at four different stages: bail decisions, plea bargaining decisions, and two sentencing decisions (Hartley et al., 2010). The overall results suggest there were no significant differences between public defenders and private counsel on case outcomes. Furthermore, legally relevant factors were the biggest predictor of case outcomes (Hartley et al., 2010). Collectively, this research suggests that there are little or no differences in the quality of counsel provided by public defenders and private counsel (Hartley et al., 2010; Roach, 2010).

So while some research suggests there may be disparities in counsel based on type of attorney (Blumberg, 1967; Williams, 2013), other research suggests that there are little differences based on the type of attorney (Hartley et al., 2010; Roach, 2010). Regardless of if the
attorney is a “regular” or “outsider” of the courtroom workgroup, it’s likely that the content of the attorney’s advice plays an important factor in the defendant’s decision-making.

**Attorney Advice**

Research suggests that defendants who planned to accept a plea deal were more likely to have been advised to do so by their attorney than those who did not plan to plead guilty (Viljoen et al., 2005). In one study, defendants were asked what influenced their decision to accept a guilty plea, the majority of defendants pointed to their defense attorney (Blumberg, 1967). The defense attorney’s advice is likely one of the greatest influences on a defendant’s decision to plea. Arguably, defense attorneys might have alternative motives in making a recommendation about accepting a plea.

Research suggests that attorney advice may differ based on the characteristics of the defendant; that is, there may be racial disparities in adequate representation. Specifically, Edkins tested whether strength of the evidence and race of the defendant affected the recommendation defense attorneys gave their clients (2010). Defense attorneys recommended plea bargains that included longer jail/prison time for African American defendants than they did for the Caucasian defendants under equal conditions (Edkins, 2010). Defense attorneys might give their clients different recommendations based on the defendant’s race, potentially because they feel their client will be treated unfairly at trial or might be stereotyped by the jury (i.e., they may envision different plea discount for defendants who are racial minorities vs. racial majorities). The attorney has considerable influence on the defendant’s choice to plea, however the defense attorney may make recommendations based on non-legally relevant factors, such as race of the client.

It’s also possible that the attorney’s recommendation may not match with the client’s preferences (Kramer, et al., 2007. If the attorney’s recommendation and the defendant’s
preferences are not in line, the defendant could perceive a heftier trial penalty if he does not believe his defense attorney wants to the case to trial and will zealously defend the case. The defendant might be more willing to accept a guilty plea rather than risk possible repercussions at trial for rejecting the offer. In one study examining attorney recommendations, defense attorneys were given information about their client’s potential sentence, the defendant’s wishes, the likelihood of conviction, and were asked to make a recommendation to their client (Kramer, et al., 2007). Results suggest that in most conditions, if the defendant’s preference was to go to trial, the defense attorney was more likely to disagree with the defendant compared to if the defendant wanted to plead guilty. In only one condition (weak evidence and short possible sentence) was the defense attorney likely to recommend going to trial or taking a plea in line with the defendant’s wishes (Kramer et al., 2007). This research suggests that defense attorneys and their client’s preferences for trial or accepting plea are not always consistent and attorneys are more likely to recommend taking a plea rather than going to trial, despite their client’s preferences. However, ultimately, the decision about whether to go to trial rests with the defendant. Based on this research, there appears to be a disconnect between attorney and defendant preferences, which may compromise the effectiveness of attorney representation. It also indicates that attorney recommendations may potentially influence defendants away from their initial decision preferences, especially if those preferences were to go to trial.

If the defendant does not plan to follow the attorney’s recommendation, it is likely that the attorney will try to persuade the defendant that one option is in his/her best interests (Amsterdam, 1988). Attorneys believe it is their responsibility to convince a defendant to accept a favorable guilty plea rather than take their case to trial (Smith, 2007). Today’s system “leads even able, conscious, and even highly motivated attorneys to make decisions that are not really
in their clients’ interest” (Alschuler, 1975, pg. 1180). Everyone feels the pressures of the system, but it seems the client is the most likely to suffer.

Attorneys must develop strategies to persuade their clients to make the best of a bad situation and make the choice deemed by the attorney to be the correct one (Smith, 2007). If the normal client-centered strategies of persuasion are not effective, “devoted lawyers should consider the following techniques: pestering and hocking, bullying and manipulation, and facilitating the five stages of grief” (Smith, 2007, pg. 24). Attorneys are willing to push their client to make specific choices during the plea negotiation phase to potentially avoid a trial that the attorney does not consider a safe bet for the client.

It is also possible that the attorney will try to double-team the defendant by bringing in friends and family of the defendant to put pressure on him to make the right decision (Smith, 2007; Alschuler, 1975). Attorneys often consider this to be “arm-twisting” rather than “arm-breaking” strategies of advising a difficult client (Smith, 2007). To most, the defense attorney’s role is to advise his/her client about the best possible choice and ultimately attempt to persuade the client to accept this option; other defense attorneys have noted, “a lawyer shirks his duty when he does not coerce his client” (Smith, 2007, pg. 26). An attorney may have to employ other strategies to persuade his/her client to make the “right choice”, even playing on the defendant’s emotions, vulnerabilities, and fears (Smith, 2007).

In some cases, it seems exerting too much pressure is not the concern; not exerting enough pressure is the concern (Smith, 2007). Some attorneys may even lie about case facts (e.g. lying about strength of the prosecutor’s case, misinformed the client of threats from the judge or prosecutor), all in an attempt to have their client accept a guilty plea (Alschuler, 1975). And lastly, if the client does not follow the attorney’s advice, the attorney can even threaten to
withdraw himself from the case (Alschuler, 1975). It has even been noted that attorneys could learn something from interrogators about how to “successfully manipulate” clients to influence and persuade them into making a specific choice (Smith, 2007, pg. 28).

To better protect the attorney in these situations, advising the client on the likely shorter sentence with the plea offer and having made an erroneous prediction does not make the plea involuntary or violate the client’s right (Alschuler, 1975). Making a prediction that does not turn out to be true is not a fault of the attorney; it’s the variable nature of the criminal justice and courts systems. The fact that the most important service to the client is done behind closed doors without supervision, allows the attorney a wide range of discretion and lack of review (Alschuler, 1975). This type of system subjects even the best attorney to temptations that should not be present in the system of administering justice for wrongdoing.

Research collectively suggests that attorney recommendations may be affected by the defendant’s race (results from Edkins, 2010, where race was varied), that attorneys are likely to recommend plea bargaining (regardless of defendant preference) (Kramer et al., 2007), and that attorneys may pressure clients to follow their recommendation (Smith, 2007). However, from the research discussed thus far, it is unclear how the attorney’s advice (and the different types of advice attorneys may give) plays a role in the defendant’s decision-making processes. That is, we know that defense attorneys are likely to recommend plea bargaining, and defendants report that these recommendations affected their decision-making. However, we do not know: 1) Whether the attorney’s advice actually affects the defendant’s decision-making (i.e., the studies so far have used self-report from those who took plea deals), 2) Whether variations in the attorney’s advice affects the defendant’s decision-making; and most importantly, 3) Whether the attorney’s advice can cause innocent individuals to plead guilty?
This study was designed to answer those questions. My goal was to capture the interaction between the client and attorney in an experimental paradigm that allowed me to manipulate whether the participant was actually guilty. It was my intent to expand upon prior research by investigating the influence of attorney advice on a defendant’s decision to accept or reject a plea offer. Research suggests that having felt pressured by an attorney is a motivating factor in accepting a false guilty plea (Redlich et al., 2010). In manipulating the presence of an advocate and the content of his/her recommendation, I examined whether innocent and guilty individuals chose to accept a plea or choose to go to trial, and how that recommendation might have influenced those decisions.
CHAPTER 5
OVERVIEW AND HYPOTHESES

In this project, I investigated the influence of attorney recommendations on innocent and guilty individuals’ decisions to accept a plea offer using a cheating paradigm adapted from previous research (Russano et al., 2005). After accusing participants of cheating, I called the “professor” in charge of the experiment (no call was placed) and then presented the participant with our lab punishment, per the professor’s instruction: receive a zero for the research participation and attend 4 weekend sessions of a class on Ethical Behavior. Next, in pertinent conditions, I called the Student Conduct Committee hotline and an ‘advocate’ advised the student of how to best handle the situation. In reality, the call was placed to a confederate from our lab acting as an advocate for the student. Participants were randomly assigned to one of four possible advocate conditions: 1) the advocate recommended to go before the Student Conduct Committee (i.e., advice to go to trial), 2) the advocate recommended to accept the lab punishment (i.e., advice to accept the plea bargain), 3) the advocate presented both options (i.e., advice about going to trial and accepting the plea bargain), or 4) no call was placed (i.e., the control condition). Thus, I manipulated the innocence of the participant and the presence of an attorney and content of attorney recommendations regarding going to trial or accepting a plea.

Hypothesis 1: Main effect of participant guilt on perception of strength of evidence, probability of conviction, perception of conviction, perception of punishment at trial, plea decisions, perceived fairness, trust in the Student Conduct Committee, influence of the advocate, and absence of advocate ratings. I expected to see a main effect for participant guilt on perception on strength of evidence, probability of conviction, perception of conviction, perception of punishment at trial, plea decisions, perceived fairness, and trust in the Student Conduct Committee. Those participants who were guilty of cheating would be more likely to
accept a plea than those who were innocent. Further, guilty participants would perceive the strength of evidence, probability of conviction, perception of conviction, punishment at trial, and perceived fairness higher than innocent participants. Guilty participants would also rate their trust in the Student Conduct Committee lower than innocent participants.

In those cells containing an advocate, I expected to see a main effect of participant guilt on participants’ ratings of the influence of the advocate, in that those participants who were innocent of cheating would be more likely to rate the influence of the advocate higher than those who were guilty of cheating.

In those cells without an advocate, I expected to see a main effect of participant guilt on absence of the advocate ratings (participants’ ratings of how helpful assistance would have been, how they wished someone had helped them make a decision, etc.), in that those participants who were innocent of cheating would be more likely to rate the absence of the advocate as higher than those who were guilty of cheating.

Hypothesis 2: Effect of the interaction between participant guilt and advocate recommendation (trial information and plea information) on plea decisions, probability of conviction ratings, strength of evidence ratings, and advocate ratings. In those cells containing an advocate, I expected to see an effect of the interaction between participant guilt and advocate recommendation on plea decisions, probability of conviction, and strength of evidence. I expected that innocent participants who were advised by their advocate to take the plea would perceive their probability of conviction and the strength of evidence against them higher and be more likely to falsely plead guilty than innocent participants who were advised to go to trial, were given both options by their advocate, or had not advocate. I expected that guilty participants would be more likely to go to trial when advised to do so by their advocate than
those given both options by their advocate, in the advocate absent condition, or when advised by their advocate to accept the guilty plea.

In those cells containing an advocate, I expected to see an effect of the interaction between participant guilt and advocate recommendation on influence of the advocate ratings. I expected that innocent participants who were advised by their advocate to take the plea would be more likely to rate the influence of the advocate as lower than innocent participants who were advised to go to trial or who were given both options by their advocate. I expected that guilty participants advised to go to trial would rate the influence of the advocate lower than guilty participants advised to plea or given both options by their advocate. I also tested whether participants rated the characteristics of the advocate differently based on conditions, although I made no formal hypotheses about these relationships.

**Hypothesis 3: Interaction effect of trial information and plea information on participants’ perception of knowledge.** I expected to see an effect of the interaction of trial information and plea information on participants’ perception of knowledge, in that those participants in that those participants who received both types of advice would rate their perception of knowledge higher than those advised by the advocate to take the plea, advised to go to trial, and those who did not have an advocate. I also predicted that those participants in the advocate absent condition would rate their perception of knowledge lower than participants who were advised to go to trial, advised to take the plea, and those given both options by their advocate.
CHAPTER 6
METHODS

Study Methodology

Research Design

I used a 2 (student cheating: innocent vs. guilty) X 2 (plea information: present vs. absent) X 2 (trial information: present vs. absent) between subjects factorial design. Participants were randomly placed into one of the 8 conditions.

By crossing trial information and plea information conditions, I created the following 4 conditions of advocate advice: plea information present/trial information present (advised of both options), plea information present/trial information absent (advised to accept guilt and plea only), plea information absent/trial information present (advised to go before the Student Conduct Committee only), plea information absent/trial information absent (no advocate).

Participants and Power

To ensure enough power to analyze data, a power analysis was conducted using G*Power 3.1 (Faul, Erdfelder, Buchner, & Land, 2009; Faul, Erdfelder, Land, & Buchner, 2007). In line with statistical recommendations, I used a small effect size for ANOVA analyses ($f = .20$) with $\alpha = .05$ and power = .80 (recommended by Cohen, 1988). Using these criteria, I needed at least 199 participants (roughly 25 per cell).

To ensure adequate power, I recruited 199 participants who passed manipulation checks and did not have suspicions about the true nature of the study. This ensured the strongest test of my hypotheses. 227 undergraduates participated in the research study; 28 were excluded from the final sample. Participants were not included in the final sample of 199 useable participants for the following reasons: participants who dropped out due to excess stress or inability to make a final decision ($N = 3$), those with a past history of cheating at UF ($N = 4$), those who were
randomly assigned to guilty conditions and failed to engage in cheating behavior with the confederate \( (N = 9) \), those who were suspicious of the true purpose of the experiment \( (N = 8) \), those who failed the punishment manipulation check question \( (N = 2) \), and experimenter error \( (N = 2) \).

I recruited an undergraduate sample from my department’s participant pool and undergraduate courses. The final sample was 71.4% female, 28.1% male, and 0.5% transgender. 52.5% of participants reported their race as White, 13.6% Black/non-Hispanic, 20.6% Hispanic, 11.1% Asian, and 2% reported “other”. The average age of the sample was 19 years old \( (\text{min} = 18 \text{ years old and } \text{max} = 30 \text{ years old}) \). 3% of the sample had been involved with the criminal justice system in the past and 21.6% reported that someone in their immediate family had been involved with the criminal justice system.

**Pilot Study**

Prior to data collection on the current study, I conducted a pilot study to investigate students’ perceptions of possible punishments for academic dishonesty. I was primarily interested in assessing students’ perceptions of the “harshness” or “leniency” of possible punishment options and which punishment options they felt were fair considering the severity of the crime. The goal in conducting the pilot study was to ensure that the manipulations in the current study would actually manipulated what I intended to, that is, that the plea offer would be somewhat ambiguous in severity and will not be considered too lenient or too harsh (i.e., losing research point is less severe than receiving a zero for final grade, etc.). That is, if the plea offered was perceived as too harsh by most participants, it is possible that participants would have perceived the risk of accepting the plea greater than the risk of going to trial. Similarly, if the plea was perceived as too lenient, it is possible participants would have perceived the risk of going to trial as too great given the leniency of the sure punishment. Therefore, it was important
to ensure the plea offered was somewhat ambiguous to try to avoid floor or ceiling effects due to the severity of the plea offered. These data were then used to formulate the plea offer measure for the current study.

Thirty-six undergraduate students were recruited in exchange for course extra-credit. Students signed up to participate in the study via a participant pool and were redirected to the Qualtrics website to complete the survey. If they chose to participate they were given an informed consent (Appendix B). Next participants read a vignette about a student who was caught cheating while participating in a research study on campus (this scenario was identical to the proposed research study’s procedure) (Appendix C). After reading the vignette all participants completed the survey questionnaire (Appendix D). After finishing the questionnaire participants were fully debriefed and thanked for their participation (Appendix E).

Students read a vignette about a target participant who cheated during a research study and was accused of academic dishonesty. Following the vignette participants answered questions pertaining to the possible punishment scenarios for the target and rated the severity and appropriateness of each option on a 6-point Likert scale with 1 indicating not at all severe and 6 indicating very severe. The punishment options were taken from the University’s Academic Review Board website and also a question and answer session with laboratory research assistants. The punishment options were: (a) [the target] is asked to leave the lab and will not receive participation points; (b) [the target] is asked to leave the lab, will receive no participation points, and will not be allowed to participate in research studies in the future; (c) [the target] will receive a zero for the research percentage of his final grade in class; (d) [the target] will have to attend 9 hours of an Ethical Behavior course on campus; (e) [the target] is asked to leave the lab, will receive no participation points, and will have to attend 9 hours of an Ethical Behavior
course; (f) [the target] will have to attend 4 weekend sessions of Ethical Behavior on campus; (g) [the target] will have to enroll in 3 credit hours of Ethical Behavior next semester at full cost; (h) [the target] is asked to leave the lab, will receive no participation points, and will have to enroll in 3 credit hours of Ethical Behavior next semester at full cost; (i) A note will be filed on [the target’s] university record; (j) [the target] will be dropped from his course and receive an “Incomplete” and a note will be filed on his university record; (k) [the target] will be dropped from his course and will receive an “Incomplete” for the course; and (l) [the target] will receive a zero for the research and will have to attend 4 weekend session of Ethical Behavior on campus.

Students ranked the most two severe punishment options as: [the target] is asked to leave the lab, will receive no participation points, and will have to enroll in 3 credit hours of Ethical Behavior next semester at full cost ($M = 5.53$); and [the target] will be dropped from his course and receive an “Incomplete” and a note will be filed on his university record ($M = 5.57$). Students ranked the least two severe punishment options as: [the target] is asked to leave the lab and will not receive participation points ($M = 2.47$); and [the target] is asked to leave the lab, will receive no participation points, and will not be allowed to participate in research studies in the future ($M = 3.81$). Students ranked the most appropriate punishment option as: [the target] is asked to leave the lab and will not receive participation points ($M = 4.67$). Students ranked the least appropriate punishment option as: [the target] will be dropped from his course and receive an “Incomplete” and a note will be filed on his university record ($M = 1.81$). These responses were on extreme sides of the spectrum; too harsh or inappropriate. The two options that students ranked towards the center of the spectrum were: [the target] will have to attend 4 weekend sessions of Ethical Behavior on campus ($M = 4.53$) and [the target] will receive a zero for the research and will have to attend 4 weekend session of Ethical Behavior on campus ($M = 4.31$).
Because the plea offer in this study remained constant, I chose to pick a punishment that fell in the middle of the spectrum. Thus participants should not find the punishment too lenient and chose the plea for that reason alone; nor find the punishment too harsh and unfair and not consider accepting the plea for that reason alone. The plea offer should be ambiguous in nature, allowing for participants to weigh their options.

Thus, the results from this pilot study suggested the following plea option was appropriately ambiguous: the participant would receive a zero for this research project in class and would have to attend 4 weekend sessions of Ethical Behavior on campus.

**Procedure and Operationalization of Key Concepts**

**Manipulation of innocence**

I adopted a cheating paradigm originally used in confession research to study guilty pleas in this study (Russano et al., 2005). After consenting (Appendix K), a confederate acting as a participant and the target participant were told they were to complete a difficult quiz on criminological knowledge. Both participants were given the same quiz, including a group section and individual section. The experimenter instructed students that they were able to work together on the group portion, but required to work individually on the individual portion. While the experimenter stepped out of the room, the confederate asked half of the participants to cheat on the individual work section (Russano, et al., 2005). Past research has shown that most participants in the guilty condition do cheat with the confederate (95% of students conformed to the manipulation) (Russano, et al., 2005). Similarly, in this study, 91% of individuals assigned to a guilty condition cheated; participants who did not cheat were excluded ($N = 9$).

After the participants completed the quiz, the experimenter (who was blind to innocence condition) came back into the room and asked the participants to wait a few minutes while their responses were recorded (similar to Dervan & Edkins, 2013). After a few minutes, the
experimenter came into the room and said to the participants “there appears to be a serious issue because according to our analysis of your responses, both students responded with the same incorrect answer for multiple questions and the chances of that happening by chance are very small- like 4%.” Dervan and Edkins reported that explaining to students the statistical probability of both students answering incorrectly helps students understand how that is indicative of guilt, not merely coincidence (Dervan & Edkins, 2013). The experimenter then informed the participants that she was required to report this incident to her professor and that the professor would determine the repercussions of incident. The experimenter stepped out of the room and the participants were led to believe she was calling the professor in charge of the project (no call was placed). After the fictitious call, the experimenter returned to the lab and informed the participants that the professor had given authorization to handle the incident in the lab rather than referring to the Dean of Students Office. The participants were told that they had the option of accepting the lab’s consequences or to taking the case to the Dean of Students Office. The participants were then informed about the lab consequences (plea option). Following this, the experimenter indicated that she needed to speak to each of the students individually. She then stated the target participant would be questioned first and asked the confederate to wait in the other room (following this, the confederate’s role in the study concluded).

**Plea information**

In this study, the plea option remained constant; all participants were given the same plea offer. The experimenter said that the professor in charge of the project was very upset, but didn’t want the issue to get blown out of proportion, but also has to be in line with what would be a proper consequence in this situation. So in exchange for admitting that the participant did indeed cheat, the lab’s punishment was that the participant would receive a zero for this research project in class and would have to attend 4 weekend sessions of an Ethical Behavior class on campus.
Advocate recommendation

After explaining the plea, the experimenter explained that the participant would have the choice of accepting the plea or going before the Student Conduct Committee in the Dean of Students Office. In conditions with an advocate, the experimenter then explained that she called the Dean of Students Office after she graded the tests to see what to do about the situation. She explained that the Dean of Students Office recommended that a student advocate talk to the student to help them through the process. The experimenter explained that the advocate was there to serve as a sounding board and source of advice for the student in what to do in this situation, and that every student who is accused of cheating had the right to talk to the advocate, who is obligated to give advice in the student’s best interest and keep communications between the student and advocate confidential. The experimenter then explained that the advocate had already been briefed on the situation by the Dean of Students Office so was ready to talk to the student. The experimenter then called the advocate (another confederate) and gave the phone to the student once the confederate answered.

Participants were placed into one of four conditions manipulating the advice given by the advocate. In the plea information present/trial information absent condition (i.e., participants only received advice to take the plea/lab punishment), the advocate said, “I am unsure about your chances at trial, but this is a good option. You don’t know what would happen in front of the Conduct Committee – it can be pretty unpredictable in situations like this. I think this a good offer. I would just take what they are offering you and put this behind you.”

In the plea information absent/trial information present condition (i.e., the participant only received advice to take the case to the trial/Conduct Committee), the advocate said, “I am unsure about your chances at a Conduct Committee hearing, but I don’t think what they are offering you is a good outcome for you. There’s a good chance that the Conduct Committee
could find that you had nothing to do with this incident, and I don’t think what they are offering you is a good offer. Plus, at the Conduct Committee hearing you would get the chance to make your side of the story known, and they are pretty sympathetic to students who have been in these types of situations. I would take your chances at going in front of the board.”

In the plea information/trial information condition (i.e., the participant received information about both taking the plea and going to trial), the advocate said, “I am unsure about your chances at a Conduct Committee hearing, but it is your right to take your case before them. The benefit of going in front of them is that you could be found not guilty, and you’ll have a chance to present your side of the story. The drawback is that if you’re found guilty, the punishments are typically harsher than the punishments offered in a lab setting like this, so you also have the option of accepting the laboratory punishment and not taking your case before the Conduct Committee, too. It is my duty to inform you of both of your options and to help you, whichever path you take. Honestly, I don’t think there really is a right answer here – I will support whatever you would like to do, and I don’t think either way is a better option at this point – it is really 100% up to you. You should weigh the possible benefits and drawbacks carefully and decide which route is the best for you. Again, it is ultimately your decision to make.” If participants were assigned to the condition with no advocate, this part of the procedure was omitted.

After hanging up with the hotline, the student was asked by the experimenter, “Okay. Now you have talked to an advocate and have a better idea of your options and how we can best handle this situation. If you would like to accept the lab’s required punishment (plea), my professor will not take this up in front of the committee and that phone call will be as far as it goes in the Conduct Committee’s eyes. Or if you prefer, you can take your case to the Conduct
Committee and face a range of punishments if they determine that you were guilty of cheating, or face no punishment at all if the Conduct Committee finds you not guilty. What is your decision: the laboratory punishment or the Conduct Committee?” The experimenter then wrote down the students’ response (Appendix L).

Participants were asked if they had ever been accused of a cheating violation before at UF. If the participant answered affirmatively, the experimenter immediately stopped the study and debriefed the participant for two reasons ($N = 4$). First, participants with a past cheating violation may experience undue stress because of the repeated accusation of cheating. Asking those participants not to sign up for the study or asking this question at the beginning of the study would indicate the purpose of the study to the participants, and would likely change the results. So, this is the first opportunity we had to ask this question without affecting the main dependent measure in the study. Second, participants with a past cheating offense are not of interest in the current research question, as their decision to accept or reject the plea could have been based on their experiences with past discretions.

The experimenter then verbally asked the participant a series of questions regarding the specific dependent measures (delineated below). After gathering that data, participants were made aware that they were not in any trouble, are not being accused of cheating, and would be fully debriefed following the written questionnaire. Notifying participants that they were not being accused of cheating allowed participants to complete the questionnaire without experiencing undue stress, but shouldn’t have affected the outcome of our dependent measures (asked verbally and recorded prior to the disclosure). The experimenter said, “Sometimes in research, it is necessary to not tell participants the hypothesis and to create an artificial situation in which we observe how people respond when they are put into specific situations. In this study,
we created a situation in which you were accused of cheating on an assignment for the participant pool. In reality, you are NOT being accused of cheating – it was all part of the experiment. You are not being accused of academic dishonesty, you will not be going before the student conduct committee, and you are not in any trouble with your course, the participant pool, or this lab. You are not really being accused of cheating. We did this only to test our research question. We have one more questionnaire for you in which we want to know a bit more about your decision processes, and after that, we have a full explanation of our research questions and what happened in this experiment. Are you okay to proceed with the questionnaire?” If participants answered affirmatively, they were then given a questionnaire (Appendix M) assessing the influence of their advocate and questions regarding perception of trial outcomes (explained below).

After completing the questionnaire, all participants were fully debriefed regarding the purpose of the study and necessity of deception (Appendix N). At this point it was stressed to participants that they were at no point in trouble. If at any point, participants became over-stressed or had any visible signs of emotional distress, the experimenter stopped the experiment immediately and debriefed the participant (N = 3).

**Dependent Measures**

Dependent measures were gathered in two ways. First, participants’ verbal responses to questions from the experimenter were recorded regarding their outcome decision, their innocence, their motivation for the decision, and whether they perceived the manipulations correctly (manipulation checks). Then, participants were partially debriefed and given a questionnaire assessing their perceived probability of conviction, their perception of whether they would be convicted, their perception of the possible punishment from the Student Conduct Committee, their assessment of the fairness of the outcome in the situation, their perception of
their knowledge of options in the situation, their perception of the strength of evidence against them, motivations for decision-making, trust in the Student Conduct Committee, and in pertinent conditions, the influence and rating of the advocate. Finally, all participants completed demographic measures and manipulation checks designed to assess the believability of the study. All dependent variables are explained below.

**Final decision, innocence, and motivation for decision**

Following the participant’s discussion with the advocate (or after the experimenter returned from discussing the case with the professor in pertinent conditions), the experimenter verbally asked the participant a series of questions. The experimenter asked these questions prior to debriefing the participant and giving the participant a questionnaire assessing various outcomes to increase the likelihood of getting accurate responses from the participant, without raising suspicions. The experimenter first asked participants their final outcome decision (whether to take the ‘plea’ or go before the Conduct Committee); this was recorded on the Experimenter Questionnaire (Appendix L). Participants were asked to indicate whether they were innocent or guilty of the accused crime; this was recorded on the Experimenter Questionnaire (Appendix L). Participants were also asked an open-ended question of why they made the decision that they did; this was recorded on the Experimenter Questionnaire (Appendix L).

**Probability of conviction**

Participants were asked to rate their probability of being found guilty by the Conduct Committee on an 11-point interval scale ranging from 0% to 100% (Appendix M).

**Perception of conviction measure**

Participants were asked their perception of conviction before the Conduct Committee (Appendix M). Participants indicated agreement with a series of statements on 6-point Likert-
type scales with 1 indicating strongly disagree and 6 indicating strongly agree; items followed by an (R) are reverse coded and were recoded so that higher numbers indicate a greater perception of conviction. I first conducted a maximum likelihood extraction factor analysis and after ensuring the responses weighed together in the factor analysis I created a perception of conviction scale ($\alpha = .86$): (a) I would have been found guilty by the Student Conduct Committee; and (b) I would not have been found guilty by the Student Conduct Committee (R).

**Perception of punishment measure**

Participants were also asked questions assessing their perceptions of punishment should they go to the Student Conduct Committee (Appendix M). Participants indicated agreement with a series of statements on 6-point Likert-type scales with 1 indicating strongly disagree and 6 indicating strongly agree; items were recoded so that higher numbers indicated perception of a more severe punishment. Items followed by an (R) are reverse coded. I first conducted a maximum likelihood extraction factor analysis and after ensuring the responses weighed together in the factor analysis I created a perception of punishment scale ($\alpha = .51$): (a) My punishment would have been more severe if found guilty by the Student Conduct Committee; and (b) My punishment would have been less severe if found guilty by the Student Conduct Committee (R).

It should be noted that the Cronbach’s alpha level for this scale is low; possibly violating the assumption of the ‘tau equivalent model’, which assumes that each item is measuring the same latent trait on the same scale (Green & Thompson, 2005). Because alpha levels are also related to the length of the test, and the value of alpha is reduced if the test is too short (such as in this measure) (Tavakol & Dennick, 2011), I chose to keep the scale; future research should attempt to develop a more unidimensional scale.
**Perceived fairness measure**

Participants were also asked questions assessing their attitudes about how fair the process is (Appendix M). Participants indicated agreement with a series of statements on 6-point Likert-type scales with 1 indicating strongly disagree and 6 indicating strongly agree; items were recoded so that higher numbers indicated a higher level of perceived fairness. Items followed by an (R) are reverse coded. I first conducted a maximum likelihood extraction factor analysis and after ensuring the responses weighed together in the factor analysis I created a perceived fairness scale ($\alpha = .54$): (a) I would not have been found not guilty because that would be too unfair (R); (b) It would be fair if I was found guilty by the Student Conduct Committee; (c) The outcome to this situation was fair; and (d) The outcome to this situation was not fair (R). It should be noted that the Cronbach’s alpha level for this scale is low; possibly violating the assumption of the ‘tau equivalent model’, which assumes that each item is measuring the same latent trait on the same scale (Green & Thompson, 2005). Because alpha levels are also related to the length of the test, and the value of alpha is reduced if the test is too short (such as in this measure) (Tavakol & Dennick, 2011), I chose to keep the scale; future research should attempt to develop a more unidimensional scale.

**Perception of knowledge measure**

Participants were also asked questions assessing how well they understood their options in the situation (Appendix M). Participants indicated agreement with a series of statements on 6-point Likert-type scales with 1 indicating strongly disagree and 6 indicating strongly agree; items were recoded so that higher numbers indicated a higher perception of knowledge. Items followed by an (R) are reverse coded. I first conducted a maximum likelihood extraction factor analysis and after ensuring the responses weighed together in the factor analysis I created a knowledge of
options scale (\( \alpha = .90 \)): (a) I feel like I understood my options; and (b) I do not feel like I understood my options (R).

**Perception of strength of evidence measure**

Participants were also asked questions regarding their perception of the strength of the evidence (Appendix M). Participants indicated agreement with a series of statements on 6-point Likert-type scales with 1 indicating strongly disagree and 6 indicating strongly agree; items were recoded so that higher numbers indicated a higher strength of evidence. Items followed by an (R) are reverse coded. I first conducted a maximum likelihood extraction factor analysis and after ensuring the responses weighed together in the factor analysis I created a strength of evidence scale (\( \alpha = .68 \)): (a) The evidence against me was damaging; (b) The evidence against me was not damaging (R); (c) The other participant would probably admit what we did (d); The researcher has our responses and can tell we cheated; (e) The researcher cannot tell we cheated based on our responses (R); and (f) I took the plea because of the evidence against me.

**Motivations for decision-making**

Participants were also asked questions regarding their motivation to accept a plea or go to trial (Appendix M). Participants indicated agreement with a series of statements on 6-point Likert-type scales with 1 indicating strongly disagree and 6 indicating strongly agree; items were recoded so that higher numbers indicated a stronger agreement that this motivation influenced their decision. Items followed by an (R) are reverse coded. I first conducted a maximum likelihood extraction factor analysis and after ensuring the responses weighed together in the factor analysis I created 3 scales: lack of notification scale, instrumental motivation scale, and best option scale. Participants’ responses to the following items were averaged to create a lack of notification scale (\( \alpha = .84 \)): (a) I made my decision because I did not want to get into trouble
with my professor; and (b) I made my decision because I did not want my parents to be notified. Participants’ responses to the following items were averaged to create an instrumental motivations scale (\(\alpha = .76\)): (a) I made my decision because I wanted to end the process as quickly as possible; (b) I made my decision because I did not know what else to do; (c) I made my decision because I felt that the situation was a lost cause; (d) I wish I had more time to make my decision; and (e) I made my decision because I wanted to avoid the possibility of a harsher punishment. Participants’ responses to the following items were averaged to create a best option scale (\(\alpha = .50\)): (a) I made my decision because it was the best option available; and (b) I made the best decision. It should be noted that the Cronbach’s alpha level for the best option scale is low; possibly violating the assumption of the ‘tau equivalent model’, which assumes that each item is measuring the same latent trait on the same scale (Green & Thompson, 2005). Because alpha levels are also related to the length of the test, and the value of alpha is reduced if the test is too short (such as in this measure) (Tavakol & Dennick, 2011), I chose to keep the scale; future research should attempt to develop a more unidimensional scale.

**Trust in the Student Conduct Committee**

Participants were also asked questions regarding their perception of the Student Conduct Committee (Appendix J). Participants indicated agreement with a series of statements on 6-point Likert-type scales with 1 indicating strongly disagree and 6 indicating strongly agree; items were recoded so that higher numbers indicated more trust in the Student Conduct Committee. Items followed by an (R) are reverse coded. I first conducted a maximum likelihood extraction factor analysis and after ensuring the responses weighed together in the factor analysis I created a trust in the Student Conduct Committee scale (\(\alpha = .89\)): (a) The Student Conduct Committee insures that only guilty parties will be convicted; (b) The Student Conduct Committee is fair; (c) The
Student Conduct Committee is unfair (R); (d) I trust the Student Conduct Committee; and (e) I do not trust the Student Conduct Committee (R).

**Advocate influence**

Participants in pertinent conditions were asked questions in regards to the influence of the advocate (Appendix M). Participants indicated agreement with a series of statements on 6-point Likert-type scales with 1 indicating strongly disagree and 6 indicating strongly agree; items were recoded so that higher numbers indicated a stronger agreement that the advocate influenced their decision. Items followed by an (R) are reverse coded. I first conducted a maximum likelihood extraction factor analysis and after ensuring the responses weighed together in the factor analysis I created an influence of the advocate scale. Items included ($\alpha = .81$): (a) This person’s advice influenced my decision; (b) This person’s advice had no influence over my decision (R); (c) This person’s advice is the reason for my decision; (d) I made my decision before this person gave any advice (R); (e) I agree with this person’s recommendation; (f) I disagree with this person’s recommendation (R); (g) Without this person I would have made a different decision; (h) This person did not offer advice in my best interest (R); (i) I believe this person was biased (R); (j) Receiving advice from this person helped ease the pressure I was under; (k) This person was not helpful (R); (l) I made my decision because I felt pressured by this person (R); (m) This person was helpful; (n) This person’s advice was in my best interest; (o) This person did not listen to me (R); (p) This person seemed to have his own agenda (R); (q) This person cared about my situation; (r) This person seemed to be most interested in a quick resolution (R); and (s) Without this person’s advice, I would have probably made a bad decision.

Participants were also asked to rate the advocate on a series of bipolar adjective pairs (similar to those used in previous research, see Levett & Kovera, 2008). All items were on a 7-
point scale, with higher levels associated with a more positive rating of the advocate. I first conducted a maximum likelihood extraction factor analysis and after ensuring the responses weighed together in the factor analysis I created 3 scales: likability of the advocate, believability of the advocate, and trustworthiness of the advocate. Participants’ responses to the following items were averaged to create a likability of the advocate scale ($\alpha = .79$): unlikable-likable, immoral-moral, and good-not good (R). Participants’ responses to the following items were averaged to create a believability of the advocate scale ($\alpha = .85$): not believable-believable, not credible-credible, accurate-inaccurate (R), certain-uncertain (R) and convincing-unconvincing (R). Participants’ responses to the following items were averaged to create a trustworthiness of the advocate scale ($\alpha = .87$): trustworthy-untrustworthy (R), sincere-insincere (R), intelligent-unintelligent (R), respectable-not respectable (R), competent-incompetent (R), and honest-dishonest (R).

Participants in the advocate absent condition were also asked a series of questions regarding the absence of assistance in their decision-making process. Participants indicated agreement with a series of statements on 6-point Likert-type scales with 1 indicating strongly disagree and 6 indicating strongly agree; items were recoded so that higher numbers indicated a stronger agreement that the participant would have preferred assistance in making his/her decision. Items followed by an (R) are reverse coded. I first conducted a maximum likelihood extraction factor analysis and after ensuring the responses weighed together in the factor analysis I created an absence of assistance scale ($\alpha = .87$): (a) I feel that this decision was too difficult to make on my own; (b) I had no trouble making this decision on my own (R); (c) I would feel more comfortable if someone had helped me make this decision; (d) My decision would be
different if an advocate assisted me; (e) My decision would have been different if someone had assisted me; and (f) I needed help in making this decision.

**Manipulation check information**

Participants were asked a series of manipulation check questions about specific information within their condition (Appendix L). These questions served as manipulation check questions to insure that the participant was fully aware of the plea and advocate information presented in their particular condition. These questions were asked verbally by the experimenter prior to the participant receiving the questionnaire to increase the likelihood of getting accurate responses from the participant, without raising suspicions. Responses to the manipulation check questions were recorded on the ‘Experimenter Questionnaire’ (Appendix L). To measure the plea offer information, participants were verbally asked by the experimenter: “Do you remember what our laboratory punishment was? What was it?” (I would not receive research participation points and will enroll in 4 weekend sessions of Ethical Behavior, or I do not remember). To measure the strength of the advocate manipulation, participants were asked by the experimenter: (a) “Did you talk to someone at the Dean of Students Office?” (yes or no); and (b) “What did they tell you? (The lab punishment is a good option and I should take the offer; the lab punishment is a bad option and I should take my chances in front of the board; they informed me of my options, but that it’s my decision to make; or other). These questions were asked orally and recorded at the end of the Experimenter Questionnaire (Appendix L). These questions served as manipulation check questions for our plea offer information and advocate recommendation manipulations.

To measure how believable participants’ found our manipulations, participants were also asked to indicate their agreement with the following statements on a 6-point Likert type scale with 1 indicating strongly disagree and 6 indicating strongly agree (Appendix M). Statements
assessing the believability of our manipulations were: (a) I found the manipulation regarding my guilt/innocence to be believable; and (b) I found the manipulation regarding the advocate from the Student Conduct Committee to be believable.

**Demographic information**

Participants were asked a series of demographical questions (Appendix M). Questions included: (a) What is your gender? (female or male); (b) What is your age? (fill in); (c) What is your racial/ethnic background? (white/non-Hispanic; black/non-Hispanic; Asian, Hispanic; other); (d) Have you ever been involved with the criminal justice system? (yes, no, prefer not to answer); (e) If so, was the issue resolved via a plea bargain? (yes, no, prefer not to answer); (f) If so, do you believe the outcome was fair? (yes, no, prefer not to answer); (g) Has anyone in your immediate family ever been involved with the criminal justice system? (yes, no, prefer not to answer); (h) If so, was the issue resolved via a plea bargain? (yes, no, prefer not to answer); and (i) If so, do you believe the outcome was fair? (yes, no, prefer not to answer).

**Research Assistant Training**

All research assistants received extensive training on the logistics of the research project (i.e., being a confederate, how to respond to participants). Due to the possibly stressful nature of the experiment for participants, research assistants involved with the project completed a training session conducted with a counseling or clinical psychologist (through the University’s Counseling and Wellness Center). The training involved presenting research assistants with hypothetical situations with differing participant stress levels and demonstrating at what point it is advisable to stop the experiment. Training also included instructions to observe for signs of excess stress. If a participant appeared to be too emotionally distressed, the researcher stopped the experiment and fully debriefed the participant.
CHAPTER 7
QUANTITATIVE RESULTS

Quantitative Results

The final sample consisted of 199 participants who passed manipulation checks and did not have suspicions about the true nature of the study. Recall participants were not included in the final sample for failing manipulation checks or deviating from the protocol. Again, participants were excluded for the following reasons: participants who dropped out due to excess stress or inability to make a final decision (N = 3), those with a past history of cheating at UF (N = 4), those who were randomly assigned to guilty conditions and failed to engage in cheating behavior with confederate (N = 9), those who were suspicious of the true purpose of the experiment (N = 8), those who failed the punishment manipulation check question (N = 2), and experimenter error (N = 2). Included at the end of the participant questionnaire (Appendix M), participants were asked: (a) I found the manipulation regarding my guilt/innocence to be believable; and (b) I found the manipulation regarding the advocate from the Student Conduct Committee to be believable. However, I chose to use the verbal manipulation check questions (exclusions explained above) to exclude participants, because anecdotally, participants made comments that led me to believe these scales (included after the debriefing) were not reliable measures and did not match up with the above exclusions.

The Effect of Guilt and Advocate Recommendation on Plea Decisions

I first expected to see a main effect of guilt on participants’ plea decisions (hypothesis one). I expected that guilty participants would be more likely to accept the plea than innocent participants. I also expected to see an effect of the interaction between participant’s guilt and advocate recommendation (trial information and plea information) on plea decisions (hypothesis two). I expected that innocent participants who were advised by their advocate to take the plea
and not given information about trial would be more likely to falsely plead guilty than innocent participants who were advised to go to trial and not given information about the plea, given both options by their advocate, or in the advocate absent condition. I expected that guilty participants would be more likely to go to trial when advised to do so by their advocate and not given information about the plea, given both options by their advocate, or in the advocate absent condition, than those advised by their advocate to accept the guilty plea and given no information about the trial.

To test the effect of plea information, trial information and participants’ guilt on participants’ final choice (lab punishment or Student Conduct Committee hearing) I ran a series of logistic regressions. Prior to running the logistic regressions, I centered all predictor variables (plea information, trial information, and guilt) involved in the interaction. This allows any potential main effects to represent the effects of each predictor at the mean level of the other predictor variables, thereby increasing the interpretability of regression coefficients as well as reducing multicollinearity between lower and higher-order predictor variables (Aiken & West, 1991).

I first ran a logistic regression including all three IVs (plea information, trial information, and guilt), all three pairs of two-way interaction terms (guilt X trial information, guilt X plea information, and trial information X plea information), and the three-way interaction term (trial information X plea information X guilt). The overall model was significant, $\chi^2 (7, N = 199) = 53.55, p < .01$. There was a significant three-way interaction between trial information, plea information, and guilt on students’ final choices, $B = -0.47, SE = 0.20$, Wald’s $\chi^2 = 5.36, p < .05$, $OR$ (odds ratio) $= 0.63$, 95% CI [0.42, 0.93].
There was also a main effect of guilt on participants’ final decision, which specifically addresses one of the main research questions and hypotheses: *What is the ratio of innocent and guilty individuals accepting a guilty plea?* I predicted that guilty participants would be more likely to accept the plea than innocent participants. Guilty participants were more likely to accept guilt/lab punishment (*M* = 71%) than innocent participants (*M* = 36%), *B* = 1.67, *S.E* = 0.63, *Wald’s χ²* (1, *N* = 199) = 7.12, *p* < .01, *OR* = 5.35, 95% *CI* [1.56, 18.36].

There were also two significant main effects (for both trial information and plea information) that I did not interpret because it was qualified by the three-way interaction and the interaction of these variables within guilt condition is interpreted below. For the clearest understanding of the data below; means are presented in Table 6-1.

After determining the three-way interaction was significant (Figure 6-1), I performed a second set of logistic regression models to determine the effect of the two-way interaction of plea information and trial information on plea decisions within each guilt condition.

The first regression model estimated the effect of the two-way interaction of plea information and trial information on plea decisions for guilty participants (Figure 6-2). The two-way interaction between trial information and plea information was not significant, *B* = -0.43, *SE* = 0.27, *Wald’s χ²* = 2.57, *p* = .11, *OR* = 0.65, 95% *CI* [0.39, 1.10]. In guilty conditions, participants’ final choices were not significantly different based on advocate advice; when advised to go to trial (*M* = 64%), accept guilt/lab punishment (*M* = 91%), both types of advice (*M* = 55%), or no advocate (*M* = 74%).

The second regression model estimated the effect of the two-way interaction between plea information and trial information on plea decisions for innocent participants (Figure 6-3). The two-way interaction between trial information and plea information was moderately
significant, \( B = 0.51, \ SE = 0.31, \ Wald's \chi^2 = 2.81, \ p = .09, \ OR = 1.67, \ 95\% \ CI \ [0.92, 3.05] \). The next step was to test what might be driving this significant trend in the data.

I then ran a series of post-hoc regression models for innocent participants to determine what was driving the significant three-way interaction and moderately significant two-way interaction of plea information and trial information for innocent participants. The three-way interaction was driven by significant differences, for innocent participants, between conditions in which the participant was given information about the trial (and not the plea) and each of the other advocate conditions. Trial information affected decisions in innocent conditions, such that innocent participants were significantly less likely to falsely plead guilty if they received information from the advocate about going to trial and not accepting the plea \( (M = 4\% \) compared to if they did not have an advocate \( (M = 35\% \), \( B = 1.25, \ SE = 0.55, \ Wald's \chi^2 = 5.15, \ p < .05, \ OR = 3.49, \ 95\% \ CI \ [1.19, 10.27] \), if they received information about both going to trial and accepting the plea \( (M = 47\% \) \( B = 1.50, \ SE = 0.54, \ Wald's \chi^2 = 7.65, \ p < .01, \ OR = 4.49, \ 95\% \ CI \ [1.55, 12.99] \), and if they received information about accepting the plea and not about going to trial \( (M = 58\% \), \( B = 1.72, \ SE = 0.55, \ Wald's \chi^2 = 9.89, \ p < .01, \ OR = 5.60, \ 95\% \ CI \ [1.91, 16.39] \). This was not significant for guilty participants.

For innocent participants, there was a significant difference between being advised to go to trial and each of the other three advocate advice conditions. Innocent participants were significantly less likely to falsely plead guilty when advised to go to trial than if they were advised to accept the plea, given both options, or had no advocate. This effect was not significant for guilty participants.
Analytic Plan for Testing Hypotheses and Remaining Dependent Measures

I expected to see a main effect of guilt on participants’ probability of conviction ratings, strength of evidence, perception of punishment at trial, perception of conviction, perceived fairness, and trust in the Student Conduct Committee ratings (hypothesis one). In that, guilty participants would rate their probability of conviction, strength of evidence, severity of the punishment, likelihood of conviction at trial, and fairness of the situation higher and trust in the Student Conduct Committee lower than innocent participants.

In those cells containing an advocate, I also expected to see an effect of the interaction between participant’s guilt and advocate recommendation on probability of conviction and strength of evidence ratings (hypothesis two). I expected that innocent participants who were advised by their advocate to take the plea would perceive their probability of conviction and strength of evidence higher than those who were advised to go to trial or who were given both options by their advocate.

I also expected to see an effect of the interaction of plea information and trial information on participants’ perception of knowledge (hypothesis three), in that that those participants who heard both pieces of advice from the advocate would rate their perception of knowledge higher than those advised by the advocate to take the plea, those advised to go to trial, and those who did not have an advocate. I also expected that those participants in the advocate absent conditions would rate their perception of knowledge lower than participants who were advised to plea, advised to go to trial, and those who heard both types of advice.

To test these hypotheses, I ran a series of analyses for the various DVs. I first ran an ANOVA testing the effect of the guilt, plea information, and trial information and the interactions between these variables on participants’ perception of the probability of conviction. Then I grouped together several related DVs and ran a MANOVA with guilt, trial information,
plea information, and the interactions between these variables as IVs and participants’ ratings of
the strength of evidence, perception of punishment, perception of conviction, perceived fairness,
trust in the Student Conduct Committee, and perception of knowledge of options as DVs.

In those cells containing an advocate, I also expected to see an effect of the interaction
between participant’s guilt and advocate recommendation on participants’ ratings of the
influence of the advocate (hypothesis two). I expected that innocent participants who were
advised by their advocate to take the plea would be more likely to rate the influence of the
advocate as lower than innocent participants who were advised to go to trial or who were given
both options by their advocate. I expected that guilty participants advised to go to trial would rate
the influence of the advocate lower than guilty participants advised to plea or given both options
by their advocate. I also tested whether participants’ rating of the advocate differed by condition.

In those cells without an advocate, I expected to see a main effect for participant guilt on
absence of assistance ratings (hypothesis one), in that those participants who were innocent of
cheating would be more likely to rate the absence of assistance as higher (more influential) than
those who were guilty of cheating.

To test the effect of the influence of the advocate, I excluded participants in the advocate
absent conditions (plea information absent/trial information absent) and ran a 2 (guilt: innocent
or guilty) X 3 (advocate information: plea information present/trial information absent, plea
information absent/trial information present, and plea information present/trial information
present) ANOVA with participants’ ratings of the influence of the advocate as the DV. Next, I
ran a MANOVA with guilt, advocate advice, and the interaction between these two variables as
IVs, and participants’ three-scaled ratings of the advocate as the DVs (likability, believability,
trustworthiness). Then, to test whether participants rated the absence of assistance (absence of an
advocate) differently based on whether they were guilty or innocent, I selected only participants in advocate absent conditions and ran a t-test with the guilt manipulation as the IV and participants’ scaled rating of the absence of assistance as the DV.

To then explore participants’ motivation for their decisions, I ran a MANOVA with guilt, plea information, trial information, and the interactions between these variables as IVs and participants’ three scaled motivation ratings as DVs (lack of notification, instrumental reasons, and best option).

To explore for any differences in plea decision-making based on demographic characteristics, I ran a series of exploratory regression models to test the effects of gender, race, guilt, plea information, trial information, and a combination of these variables on participants’ final decisions.

And lastly, I used cross-tabulation to examine the difference in self-reported guilt or innocence versus factual guilt or innocence (this was purely exploratory as the present design allowed for us to know participants’ factual innocence or guilt of the accused crime).

For a summary of all univariate dependent measure results see Table 2.

**The Effect of Guilt and Advocate Recommendation on Probability of Conviction Ratings**

Participants were asked to rate their perception of the probability of being found guilty by the Conduct Committee on an 11-point interval scale ranging from 0% to 100%. I ran an ANOVA to test the effect of the guilt, plea information, and trial information and the interactions between these variables on participants’ perception of the probability of conviction. There was a main effect of guilt on participants’ probability of conviction ratings, $F(1, 196) = 1.96, p < .01, \eta^2 = .07$ (Table 6-3). Guilty participants rated their probability of conviction higher than innocent participants, $M_{\text{guilty}} = 35.77, SD = 29.40, SE = 2.81, 95\% \ CI [30.22, 41.31]$ v. $M_{\text{innocent}} = 20.93, SD = 23.86, SE = 2.62, 95\% \ CI [15.77, 26.09], d = 0.56, 95\% \ CI [0.27, 0.84].
All other effects were not significant (main effect of trial information, $F(1, 196) = 1.96, p = .16, \eta^2 = .01$; main effect of plea information, $F(1, 196) = 0.21, p = .65, \eta^2 < .01$; the effect of the interaction between guilt and trial information, $F(1, 196) = 0.34, p = .56, \eta^2 < .01$; the effect of the interaction between guilt and plea information, $F(1, 196) = 0.58, p = .45, \eta^2 < .01$; the effect of the interaction between trial information and plea information, $F(1, 196) = 0.14, p = .71, \eta^2 < .01$; the effect of the interaction between all three IVs, $F(1, 196) = 0.17, p = .68, \eta^2 < .01$).

Guilty participants rated their perception of the probability of being found guilty at a Student Conduct Committee trial higher than innocent participants. There were no differences in participants’ perception of the probability of conviction at trial ratings as a function of advocate recommendation.

**The Effect of Guilt and Advocate Recommendation on Related DVs**

I ran a MANOVA with guilt, trial information, plea information, and the interactions between these variables as IVs and participants’ ratings of the strength of evidence, perception of punishment at trial, perception of conviction, perceived fairness, trust in the Student Conduct Committee, and perception of knowledge of options as DVs. At the multivariate level there was a significant main effect of guilt on the DVs, $\lambda = .81, F(6, 175) = 6.82, p < .01, \eta^2 = .19$; a significant main effect of trial information on the DVs, $\lambda = .88, F(6, 175) = 4.17, p < .01, \eta^2 = .13$; and a significant effect of the interaction between trial information and plea information on the DVs, $\lambda = .93, F(6, 175) = 2.36, p < .05, \eta^2 = .08$. Univariate results (for univariate dependent variables) informing these multivariate effects are presented below, broken down by the individual scale.
All other multivariate effects were not significant (main effect of plea information, $\lambda = 0.95$, $F(6, 175) = 1.42, p = .21, \eta^2 = .05$; the effect of the interaction between guilt and trial information, $\lambda = .98$, $F(6, 175) = 0.49, p = .81, \eta^2 = .02$; the effect of the interaction between guilt and plea information, $\lambda = .98$, $F(6, 175) = 0.57, p = .76, \eta^2 = .02$; the effect of the interaction between all three IVs, $\lambda = .99$, $F(6, 175) = 0.40, p = .88, \eta^2 = .01$).

The effect of guilt and advocate recommendation on strength of evidence ratings

At the univariate level, there was a significant effect of guilt on participants’ ratings of the strength of evidence against them, $F(1, 188) = 32.40, p < .01, \eta^2 = .15$ (Table 6-3). Guilty participants rated the strength of evidence against them higher than innocent participants, $M_{\text{guilty}} = 3.18, SD = 0.98, SE = .09, 95\% CI [3.00, 3.36]$ v. $M_{\text{innocent}} = 2.46, SD = 0.71, SE = .09, 95\% CI [2.29, 2.63], d = 0.85, 95\% CI [0.55, 1.14]$. Participants in the trial information present conditions did not rate the strength of evidence differently than those in the trial information absent conditions, $F(1, 188) = 0.59, p = .44, \eta^2 < .01$. The effect of the interaction between the trial information and plea information on participants’ strength of evidence ratings was not significant, $F(1, 188) = 0.02, p = .90, \eta^2 < .01$.

Guilty participants rated the strength of evidence against them higher than innocent participants. There were no differences in strength of evidence ratings as a function of advocate recommendation.

The effect of guilt and advocate recommendation on perception of punishment at trial ratings

At the univariate level, there was a significant effect of the interaction between trial information and plea information on participants’ perception of punishment ratings, $F(1, 188) = 4.75, p < .05, \eta^2 = .03$ (Table 6-4). Within trial information present conditions, there was a significant difference between participants in the plea information present and plea information
absent conditions. Participants in the plea information present/trial information present condition rated their perception of punishment higher than participants in the trial information present/plea information absent condition, $M_{\text{present}} = 4.99$, $SD = 0.80$, $SE = 0.14$, 95% CI [4.72, 5.27] v. $M_{\text{absent}} = 4.38$, $SD = 1.22$, $SE = 0.15$, 95% CI [4.09, 4.67], $d = 0.60$, 95% CI [0.18, 1.01].

However, participants in the trial information absent condition did not view their perception of punishment differently based on the presence or absence of information about a plea ($p = .98$).

Participants in the trial information present conditions did not view their perception of punishment differently than those in the trial information absent conditions, $F (1, 188) = 0.80$, $p = .37$, $\eta^2 < .01$. And guilty participants did not view their perception of punishment differently than innocent participants ($F (1, 188) = 0.77$, $p = .38$, $\eta^2 < .01$).

Participants given both options rated their perception of punishment higher than those only advised to go to trial. Thus, participants given both options were more likely to believe their punishment if convicted at trial to be more severe than those only advised to go to trial. There were no differences in perception of punishment as a function of participant guilt.

**The effect of guilt and advocate recommendation on perception of conviction ratings**

At the univariate level, there was a significant effect of guilt on participants’ perception of conviction ratings, $F (1, 188) = 20.79$, $p < .01$, $\eta^2 = .10$ (Table 6-3). Guilty participants rated their perception of conviction higher than innocent participants, $M_{\text{guilty}} = 2.62$, $SD = 1.28$, $SE = 0.12$, 95% CI [2.39, 2.87] v. $M_{\text{innocent}} = 1.87$, $SD = 1.00$, $SE = 0.11$, 95% CI [1.65, 2.10], $d = 0.66$, 95% CI [0.36, 0.95].

At the univariate level, there was also a significant effect of trial information on participants’ perception of conviction ratings, $F (1, 188) = 5.63$, $p < .05$, $\eta^2 = .03$ (Table 6-4). Participants in the trial information absent conditions rated their likelihood of conviction higher than participants in the trial information present conditions, $M_{\text{absent}} = 2.45$, $SD = 1.23$, $SE = 0.12$, $M_{\text{present}} = 2.60$, $SD = 1.21$, $SE = 0.12$, 95% CI [2.37, 2.83] v. 95% CI [2.31, 2.89], $d = 0.52$, 95% CI [0.10, 0.94].
95% CI [2.22, 2.68] v. $M_{\text{present}} = 2.05$, $SD = 1.14$, $SE = 0.12$, 95% CI [1.82, 2.29], $d = -0.34$, 95% CI [-0.62, -0.05].

The effect of the interaction between trial information and plea information on participants’ perception of conviction ratings was not significant, $F (1, 188) = 0.40$, $p = .53$, $\eta^2 < .01$.

Guilty participants rated their perception of conviction higher than innocent participants. Thus, guilty participants were more likely to believe the Student Conduct Committee would find them guilty than innocent participants. Also, participants advised to go to trial rated their perception of conviction lower than those not advised to go to trial.

**The effect of guilt and advocate recommendation on perceived fairness ratings**

At the univariate level, there was a significant main effect of guilt ($F (1, 188) = 11.66$, $p < .01$, $\eta^2 = .10$), a significant main effect of trial information ($F (1,188) = 12.26$, $p < .01$, $\eta^2 = .06$), and a significant effect of the interaction between trial information and plea information ($F (1, 188) = 5.91$, $p < .05$, $\eta^2 = .03$), on participants’ ratings of the fairness of the situation. Innocent participants rated the fairness of the situation lower than guilty participants (Table 6-3), $M_{\text{innocent}} = 3.06$, $SD = 0.80$, $SE = 0.08$, 95% CI [2.90, 3.23] v. $M_{\text{guilty}} = 3.48$, $SD = 0.90$, $SE = 0.09$, 95% CI [3.31, 3.65], $d = 0.50$, 95% CI [0.20, 0.79].

Participants in the trial information present conditions rated the fairness of the situation lower than participants in the trial information absent conditions (Table 6-5), $M_{\text{present}} = 3.06$, $SD = 0.88$, $SE = 0.09$, 95% CI [2.89, 3.23] v. $M_{\text{absent}} = 3.48$, $SD = 0.82$, $SE = 0.09$, 95% CI [3.32, 3.65], $d = -0.49$, 95% CI [-0.78, -0.20].

There was also a significant effect of the interaction between trial information and plea information on participants’ perceived fairness ratings (Table 6-4). In the trial information present conditions, there was a significant difference between participants in the plea information
present and plea information absent conditions. Participants in the plea information present/trial information present condition rated the fairness of the situation higher than participants in the plea information absent/trial information present condition, $M_{\text{present}} = 3.28$, $SD = 0.94$, $SE = 0.12$, 95% CI [3.04, 3.51] v. $M_{\text{absent}} = 2.85$, $SD = 0.75$, $SE = 0.12$, 95% CI [2.60, 3.09], $d = 0.50$, 95% CI [0.09, 0.91]. Participants in the trial information absent condition did not view the fairness of the situation differently based on the presence or absence of information about a plea ($p = .36$).

Innocent participants were more likely to rate the fairness of the outcome to be less fair than guilty participants. Participants given both options rated the fairness of the situation higher than those only advised to go to trial; and participants advised to go to trial rated the fairness of the process lower than those not advised to go to trial. Thus, participants given both options rated the fairness of the situation higher than those given only one recommendation (trial vs. no trial).

**The effect of guilt and advocate recommendation on trust in the Student Conduct Committee ratings**

At the univariate level, there were no significant main or interaction effects of guilt, plea information, trial information, or the interaction between these variables on participants’ trust in the Student Conduct Committee ratings (all $p$s > .12).

Guilty participants did not rate their trust in the Student Conduct Committee differently than innocent participants $F (1, 188) = 0.52$, $p = .47$, $\eta^2 < .01$. Participants in the trial information present conditions did not rate their trust in the Student Conduct Committee differently than those in the trial information absent conditions, $F (1, 188) = 2.45$, $p = .12$, $\eta^2 = .01$. The effect of the interaction between trial information and plea information on participants’ trust in the Student Conduct Committee ratings was not significant, $F (1, 188) = 0.35$, $p = .56$, $\eta^2 < .01$.

There were no effects of guilt or advocate recommendation on participants’ trust in the Student Conduct Committee. Guilty participants did not rate their trust in the Student Conduct
Committee differently than innocent participants. And, the content of the advocate’s recommendation did not influence trust in Student Conduct Committee ratings.

**The effect of advocate recommendation on perception of knowledge ratings**

At the univariate level, there was a significant main effect of trial information \((F(1, 188) = 4.59, p < .05, \eta^2 = .03)\), and a significant effect of the interaction between trial information and plea information \((F(1, 188) = 4.05, p < .05, \eta^2 = .02)\), on participants’ perception of knowledge ratings. However, the effect of plea information was not significantly different for participants in either the trial information present or absent conditions \((ps > .14)\).

Participants in the trial information absent conditions rated their knowledge of options higher than those in the trial information present conditions (Table 6-4), \(M_{absent} = 4.51, SD = 1.25, SE = 0.13, 95\% CI [4.26, 4.77] \) v. \(M_{present} = 4.12, SD = 1.25, SE = 0.13, 95\% CI [3.86, 4.38], d = -0.31, 95\% CI [-0.60, -0.02]\).

Guilty participants did not rate their knowledge of options differently than innocent participants \((F(1, 188) = 0.18, p = .67, \eta^2 < .01)\).

There were no effects of guilt on participants’ knowledge of the options ratings. Participants advised to go to trial rated their knowledge of the options available to them lower than those not advised to go to trial.

**The Effect of Guilt and Advocate Advice on Advocate Ratings**

**The effect of guilt and advocate advice on influence of the advocate ratings**

To test the effect of the influence of the advocate, I excluded participants in the advocate absent conditions (plea information absent/trial information absent); thus the analysis was a 2 (guilt: innocent or guilty) X 3 (advocate information: plea information present/trial information absent, plea information absent/trial information present, and plea information present/trial information present) design. I ran an ANOVA with participants’ ratings of the influence of the
advocate as the DV. There was a main effect of guilt on participants’ ratings of the influence of the advocate, $F(1, 148) = 5.27, p < .05, \eta^2 = .04$ (Table 6-3). Innocent participants rated the influence of the advocate higher than guilty participants, $M_{\text{innocent}} = 3.75, SD = 0.63, SE = 0.07, 95\% CI [3.62, 3.89]$ v. $M_{\text{guilty}} = 3.52, SD = 0.62, SE = 0.07, 95\% CI [3.37, 3.67], d = -0.37, 95\% CI [-0.69, -0.04].

The effect of advocate advice had a moderate overall effect on participants’ ratings of the influence of the advocate, although this result only approached statistical significance, $F(2, 148) = 2.76, p = .07, \eta^2 = .04$. Participants who heard advice about both the trial and the plea rated the influence of the advocate lower ($M_{\text{both}} = 3.54, SD = 0.61, SE = 0.09, 95\% CI [3.36, 3.71]$) than those who only heard information about the trial ($M_{\text{trial}} = 3.81, SD = 0.66, SE = 0.09, 95\% CI [3.63, 3.98]$), $d = -0.43, 95\% CI [-0.82, -0.03], SE = .13, p < .05, 95\% CI [0.02, 0.52]$ (Table 6-6). Participants who just heard information about the trial from the advocate rated the influence of the advocate higher ($M_{\text{trial}} = 3.81, SD = 0.66, SE = 0.09, 95\% CI [3.63, 3.98]$) than those who just heard information about the plea ($M_{\text{plea}} = 3.56, SD = 0.62, SE = 0.09, 95\% CI [3.39, 3.74]), $d = 0.39, 95\% CI [-0.01, 0.79], SE = .13, p = .05, 95\% CI [-0.01, 0.49]$ (Table 6-7).

The effect of the interaction between the IVs on participants’ ratings of the advocate’s influence was not significant, $F(2, 148) = 0.83, p = .44, \eta^2 = .01$.

To further explore participants’ perceptions of the advocate, I examined whether participants’ competency ratings were related to their overall influence of the advocate ratings. Likely, participants who viewed the advocate as more competent would rely on that individuals’ advice more and rate the influence of the advocate higher as a result. I ran a bivariate correlation to test the relationship between participants’ competency of the advocate ratings and influence of the advocate ratings. Due to the skewed distribution of the data, which violates the assumption of
normality, I used the Spearman’s rho coefficient rather than the Pearson’s correlation coefficient. There was a strong positive relationship between participants’ competency of the advocate ratings and influence of the advocate ratings, \( r_s = .37, p < .01 \). The more competent the participants viewed the advocate the higher they rated the influence of that individuals’ advice.

Innocent participants rated the influence of the advocate higher than guilty participants. Participants who heard advice both options rated the influence of the advocate lower than advised to go to trial; and participants advised to go to trial rated the influence of the advocate higher than those advised to plea. Thus, being advised to plea or given both options resulted in lower influence of the advocate ratings than being advised to go to trial. Also, as competency of the advocate ratings increased so did participants’ influence of the advocate ratings; thus, participants were using an accurate tool (how competent they felt the advocate was) in their perception of the influence of the advocate.

**The effect of guilt and advocate advice on ratings of the advocate**

I ran a MANOVA with guilt, advocate advice, and the interaction between these two variables as IVs, and participants’ three-scaled ratings of the advocate as the DVs (likability, believability, trustworthiness). I found no main or interaction effects on the DVs at the multivariate level (main effect of guilt, \( \lambda = .995, F (3, 143) = 0.24, p = .87, \eta^2 = .01 \); main effect of advocate advice, \( \lambda = .93, F (6, 143) = 1.62, p = .14, \eta^2 = .04 \); interaction, \( \lambda = .93, F (3, 135) = 1.58, p = .15, \eta^2 = .03 \)).

There were no effects of guilt or advocate advice on participants’ ratings of the likability, believability, and trustworthiness of the advocate. Guilty participants did not rate the likability, believability, or trustworthiness of the advocate differently than innocent participants. And, the content of the advocate’s advice did not influence participants’ perceptions of the advocate.
The effect of guilt and advocate advice on absence of assistance ratings

To test whether participants rated the absence of assistance (absence of an advocate) differently based on whether they were guilty or innocent, I selected only participants in advocate absent conditions and ran a t-test with the guilt manipulation as the IV and participants’ scaled rating of the absence of assistance as the DV.

Participants did not rate the absence of assistance differently based on guilt ($M_{\text{guilty}} = 2.76$, $SD = 1.12$, $SE = 0.23$ vs. $M_{\text{innocent}} = 2.67$, $SD = 0.96$), $SE = 0.19$, $t (47) = 0.32$, $p = .51$.

There were no effects of guilt on participants’ absence of the advocate ratings; guilty participants did not view the absence of an advocate or counsel differently than innocent participants.

Exploratory Analysis of Motivations for Decisions

To explore participants’ motivation for their decisions, I ran a MANOVA with guilt, plea information, trial information, and the interactions between these variables as IVs and participants’ three scaled motivation ratings as DVs (lack of notification, instrumental reasons, and best option). There was a significant effect of guilt on the DVs, $\lambda = .94$, $F (3, 187) = 3.68$, $p < .05$, $\eta^2 = .06$, and a significant effect of the interaction between guilt and trial information on the DVs, $\lambda = .94$, $F (3, 187) = 3.76$, $p < .05$, $\eta^2 = .06$.

All other effects were not significant (main effect of trial information, $\lambda = 0.98$, $F (3, 187) = 1.62$, $p = .19$, $\eta^2 = .03$; main effect of plea information, $\lambda = 0.99$, $F (3, 187) = 0.66$, $p = .58$, $\eta^2 = .01$; the effect of the interaction between guilt and plea information, $\lambda = 1.00$, $F (3, 187) = 0.06$, $p = .999$, $\eta^2 < .01$; the effect of the interaction between trial information and plea information, $\lambda = 0.99$, $F (3, 187) = 0.89$, $p = .45$, $\eta^2 = .01$; the effect of the interaction between all three IVs, $\lambda = 1.00$, $F (3, 187) = 0.02$, $p = .995$, $\eta^2 < .01$). Results for the univariate dependent variables are presented below.
At the univariate level, I found a main effect of guilt on participants’ lack of notification and instrumental motivations ratings, $F(1, 187) = 10.46, p < .01, \eta^2 = .06; F(1, 197) = 4.66, p < .05, \eta^2 = .02$, respectively (Table 6-3). Participants who were guilty of cheating were more likely to rate lack of notification as a motivation for their decision ($M_{guilty} = 3.63, SD = 1.47, SE = 0.16, 95\% CI [3.32, 3.95]$) than participants innocent of cheating ($M_{innocent} = 2.92, SD = 1.59, SE = 0.15, 95\% CI [2.62, 3.22]$) $d = 0.46, 95\% CI [0.18, 0.75]$. The effect of the interaction between guilt and trial information on participants’ lack of notification motivation ratings was not significant, $F(1, 187) = 0.93, p = .76, \eta^2 < .01$.

Guilty participants were also more likely to rate instrumental reasons as a motivation for their decision ($M_{guilty} = 3.73, SD = 1.11, SE = 0.12, 95\% CI [3.49, 3.96]$) than participants innocent of cheating ($M_{innocent} = 3.37, SD = 1.15, SE = 0.11, 95\% CI [3.15, 3.59]$) $d = 0.32, 95\% CI [0.04, 0.60]$. The effect of the interaction between guilt and trial information on participants’ instrumental motivation ratings was not significant, $F(1, 187) = 0.06, p = .81, \eta^2 < .01$.

At the univariate level, there was also a significant interaction effect between guilt and trial information on participants’ best option ratings, $F(1, 187) = 11.12, p < .01, \eta^2 = .06$, respectively. Within guilty conditions, participants in the trial information present condition were less likely to note “a better option” as the motivation for their final decision than participants in the trial information absent condition (Table 6-8), $M_{present} = 4.67, SD = 0.86, SE = 0.12, 95\% CI [4.45, 4.92]$ v. $M_{absent} = 5.07, SD = 0.64, SE = 0.12, 95\% CI [4.83, 5.30], d = -0.53, 95\% CI [-0.94, -0.11]$.

Within innocent conditions, participants in the trial information present condition were more likely to note “a better option” as the motivation for their final decision than participants in the trial information absent condition (Table 6-9), $M_{present} = 5.06, SD = 0.73, SE = 0.11, 95\% CI$
Guilt affected participants’ lack of notification, instrumental, and best option motivation scales. Guilty participants were more likely to note that they didn’t want anyone to know of the incident and instrumental motivations (wanting to end the situation, avoid a harsher punishment, etc.) as reason for their decision than innocent participants. Guilty participants advised to go to trial were less likely to note “a better option” as the motivation for their final decision than those not advised to go to trial. And, innocent participants advised to go to trial were more likely to note “a better option” as the motivation for their final decision than those not advised to go to trial. Thus, the ‘better option’ motivation was likely influenced by participants’ preconceived opinions about going to trial or not based on their factual guilt.

**Exploratory Analysis of Gender and Race**

I first ran a logistic regression to test the effect of participants’ guilt, gender, and the interaction of these variables on students’ final choices. The overall model was significant, $\chi^2 (3, N = 198) = 30.33, p < .01$. There was a main effect of gender on students’ final choices, $B = -1.10, SE = 0.55$, Wald’s $\chi^2 = 4.06, p < .05$, $OR = 0.33, 95\% CI [0.11, 0.97]$. Female participants were more likely to accept guilt/lab punishment ($M = 58\%$) than male participants ($M = 41\%$) (Figure 6-4). There was also a main effect of guilt (reported above in the main analysis). All other effects were not significant.

I then ran a logistic regression to test the effect of participants’ guilt, gender, plea information, trial information, and the interactions of these variables on students’ final choices. The overall model was significant, $\chi^2 (5, N = 198) = 48.18, p < .01$. There was a main effect of each of the four IVs on students’ final choices (the effect of gender reported directly above and
the other three IVs reported in the main analysis). But these variables did not significantly interact with participants’ gender, suggesting no differences between males and females in regards to the effect of guilt or advocate recommendation. All other effects were not significant.

Because the sample was roughly half White, non-Hispanic and half Hispanic; Black, non-Hispanic; Asian; and other, I collapsed Black, non-Hispanic, Hispanic, Asian, and other into a “minority” category (coded as 0). I ran the logistic regression to test the effect of participants’ race (recoded), guilt, and the interaction of these variables on students’ final choices. The overall model was significant, \( \chi^2 (3, N = 199) = 28.99, p < .01 \). There was a significant interaction effect of guilt and race on students’ final choices, \( B = 1.27, SE = 0.62, Wald’s \chi^2 = 4.15, p < .05, OR = 3.56, 95\% CI [1.05, 12.04] \). Innocent, minority participants were more likely to accept guilt/lab punishment \((M = 44\%)\) than innocent, White, non-Hispanic participants \((M = 29\%)\), \( B = 0.84, SE = 0.43, z = 1.94, p < .06, 95\% CI [-0.01, 1.68] \) (Figure 6-5). Guilty, minority participants were less likely to accept guilt/lab punishment \((M = 64\%)\) than guilty, White, non-Hispanic participants \((M = 77\%)\), \( B = 2.10, SE = 0.45, z = 4.68, p < .01, 95\% CI [1.22, 2.99] \). For White participants, guilt seemed to play a factor in their decisions making; there were large differences in probability of accepting guilt/lab punishment based on factual guilt \((M_{guilty} = 77\% \text{ v. } M_{innocent} = 29\%)\). For minority participants, the probability of accepting guilt/lab punishment did not differ much based on factual guilt \((M_{guilty} = 64\% \text{ v. } M_{innocent} = 44\%)\). There was also a main effect of guilt (reported in the main analysis). All other effects were not significant.

Lastly, I ran a logistic regression to test the effect of participants’ race, guilt, plea information, trial information, and the interactions of these variables on students’ final choices. The overall model was significant, \( \chi^2 (5, N = 199) = 42.65, p < .01 \). There was a main effect of trial information, plea information, and guilt on students’ final choices (reported above in the
main analysis). But these variables did not significantly interact with participants’ race (nor was the effect of race significant). All other effects were not significant.

**Participant Self-report of Guilt/Innocence**

Because this paradigm allowed me to know with certainty the actual guilt or innocence of the participant, I asked participants, “Are you guilty of cheating?” I used cross-tabulation to examine the difference in self-reported guilt or innocence versus factual guilt or innocence. Of the innocent participants \((N = 106)\), 100% reported they were innocent of cheating. Of the guilty participants \((N = 93)\), 54.8% reported they were innocent of cheating, while 45.2% reported they were actually guilty of cheating. There was a strong association between actual guilt/innocence and self-report of guilt/innocence, \(\chi^2 (2) = 199.00\), \(p < .01\).

In this study 100% of innocent participants reported their innocence, despite this, many were still willing to accept guilt and the lab punishment. In looking at guilty participants only, I used cross-tabulation to examine the different percentages of guilty individuals who reported they were innocent (versus guilty) and their final decision (plea vs. trial). Of the participants who admitted they were guilty of cheating, 78.6% chose to accept guilt and the lab punishment, and 21.4% chose to take their case before the Student Conduct Committee. Of the participants who claimed to be innocent of cheating (but were factually guilty), 64.7% chose to accept guilt and the lab punishment, and 35.3% chose to take their case before the Student Conduct Committee.

To explore these differences a bit further, I ran a logistic regression to test the effects of participants’ self-report of guilt and the advocate’s advice. Thus, the analysis was a 3 (guilt response: innocent and claim innocent vs. guilty but claim innocent vs. guilty and admit guilt) X 4 (advocate advice: go to trial vs. accept the plea vs. both options vs. no advocate) design. I ran a logistic regression including guilt response, advocate advice, and the interaction between these
variables on students’ final choices. The overall model was significant, $\chi^2 (3, N = 199) = 18.33$, $p < .01$. There was a significant main effect of guilt response on students’ final choices, $B = 1.03$, $SE = 0.32$, Wald’s $\chi^2 = 10.32$, $p < .01$, OR (odds ratio) = 2.81, 95% CI [1.50, 5.27]. Guilty participants who admitted their factual guilt were the most likely to accept the plea ($M = 79\%$) compared to those who were guilty but claimed to be innocent ($M = 63\%$) and those who were factually innocent ($M = 36\%$).

All other effects were not significant (main effect of advocate advice, $B = 0.28$, $SE = 0.17$, Wald’s $\chi^2 = 2.74$, $p = .10$, OR (odds ratio) = 1.33, 95% CI [0.95, 1.85], and the interaction effect, $B = -0.22$, $SE = 0.17$, Wald’s $\chi^2 = 1.71$, $p = .19$, OR (odds ratio) = 0.80, 95% CI [0.58, 1.12]).

I then looked at participants’ perception of the probability of being found guilty by the Student Conduct Committee as a function of their self-report of guilt. I ran an ANOVA to test the effect of the guilt response, advocate advice, and the interaction between these variables on participants’ perception of the probability of conviction. There was a main effect of guilt response on participants’ probability of conviction ratings, $F (1, 196) = 13.47$, $p < .01$, $\eta^2 = .13$. Guilty participants who admitted their factual guilt rated their probability of conviction higher than guilty participants who claimed to innocent, $M_{\text{admitguilt}} = 46.04$, $SD = 32.75$, $SE = 4.11$, 95% CI [37.94, 54.14] v. $M_{\text{claiminnocent}} = 27.57$, $SD = 23.65$, $SE = 3.72$, 95% CI [20.23, 34.91], $d = 0.64$, 95% CI [0.21, 1.06]. Guilty participants who admitted guilt rated their probability of conviction higher than factually innocent participants, $M_{\text{admitguilt}} = 46.04$, $SD = 32.75$, $SE = 4.11$, 95% CI [37.94, 54.14] v. $M_{\text{innocent}} = 20.93$, $SD = 23.86$, $SE = 2.56$, 95% CI [15.87, 25.98], $d = 0.93$, 95% CI [0.58, 1.28].
All other effects were not significant (main effect of advocate advice, $F(3, 196) = 1.05, p = .37, \eta^2 = .02$, and the interaction effect, $F(6, 196) = 0.33, p = .92, \eta^2 = .01$).
Figure 6-1. Probabilities of Accepting the Plea for All Participants across Conditions

Note: I= Innocent, G= Guilty, TP= Trial Info Present, TA= Trial Info Absent, PP= Plea Info Present, PA= Plea Info Absent
Figure 6-2. Probability of Accepting the Plea by Trial Information and Plea Information for Guilty Participants
Figure 6-3. Probability of Accepting the Plea by Trial Information and Plea Information for Innocent Participants
Table 6-1. Plea Rates (reported as a percentage)

<table>
<thead>
<tr>
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<th>Innocent Participants</th>
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<th>Guilty Participants</th>
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<tbody>
<tr>
<td></td>
<td>Trial Information</td>
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<td>Trial Information</td>
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<tr>
<td></td>
<td>Present</td>
<td></td>
<td>Present</td>
<td></td>
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<tr>
<td>Plea Information</td>
<td>47%</td>
<td>58%</td>
<td>55%</td>
<td>91%</td>
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<tr>
<td>Present</td>
<td></td>
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<td></td>
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<tr>
<td>Plea Information</td>
<td>4%</td>
<td>35%</td>
<td>64%</td>
<td>74%</td>
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<tr>
<td>Absent</td>
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Table 6-2. Summary of Results

<table>
<thead>
<tr>
<th>Dependent Measure</th>
<th>Key Findings</th>
<th>Discussion</th>
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<tbody>
<tr>
<td>Perception of Probability of Conviction</td>
<td>Main effect of guilt, $F_{(1, 196)} = 1.96, p &lt; .01, \eta^2 = .07$</td>
<td>Guilty participants rated their probability of conviction higher than innocent participants, $M_{guilty} = 35.77$ v. $M_{innocent} = 20.93$.</td>
</tr>
<tr>
<td>Perception of Conviction</td>
<td>Main effect of guilt, $F_{(1, 188)} = 20.79, p &lt; .01, \eta^2 = .10$</td>
<td>Guilty participants rated their perception of conviction higher than innocent participants, $M_{guilty} = 2.62$ v. $M_{innocent} = 1.87$.</td>
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<tr>
<td></td>
<td>Main effect of trial information, $F_{(1, 188)} = 5.63, p &lt; .05, \eta^2 = .03$</td>
<td>Participants not advised to go to trial rated their perception of conviction higher than those advised to go to trial, $M_{absent} = 2.45$ v. $M_{present} = 2.05$.</td>
</tr>
<tr>
<td>Perceived Fairness</td>
<td>Main effect of guilt, $F_{(1, 188)} = 11.66, p &lt; .01, \eta^2 = .10$</td>
<td>Innocent participants rated the fairness of the situation lower than guilty participants, $M_{innocent} = 3.06$ v. $M_{guilty} = 3.48$.</td>
</tr>
<tr>
<td></td>
<td>Main effect of trial information, $F_{(1, 188)} = 12.26, p &lt; .01, \eta^2 = .06$</td>
<td>Participants advised to go to trial rated the fairness of the situation lower than participants not advised to go to trial, $M_{present} = 3.06$ v. $M_{absent} = 3.48$.</td>
</tr>
<tr>
<td></td>
<td>Trial information X plea information interaction, $F_{(1, 188)} = 5.91, p &lt; .05, \eta^2 = .03$</td>
<td>Participants given both options rated the fairness of the situation higher than those only advised to go to trial, $M_{both} = 3.28$ v. $M_{trial} = 2.85$.</td>
</tr>
<tr>
<td>Perception of Knowledge</td>
<td>Main effect of trial information, $F_{(1, 188)} = 4.59, p &lt; .05, \eta^2 = .03$</td>
<td>Participants not advised to go to trial rated their knowledge of options higher than those advised to go to trial, $M_{absent} = 4.51$ v. $M_{present} = 4.12$.</td>
</tr>
<tr>
<td></td>
<td>Trial information X plea information interaction, $F_{(1, 188)} = 4.05, p &lt; .05, \eta^2 = .02$</td>
<td></td>
</tr>
</tbody>
</table>
Table 6-2. Continued

<table>
<thead>
<tr>
<th>Dependent Measure</th>
<th>Key Findings</th>
<th>Discussion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perception of Punishment at Trial</td>
<td>Trial information X plea information interaction, ( F (1, 188) = 4.75, p &lt; .05, \eta^2 = .03 )</td>
<td>Participants given both options rated their perception of punishment higher than those only advised to go to trial, ( M_{both} = 4.99 ) v. ( M_{trial} = 4.38 ).</td>
</tr>
<tr>
<td>Perception of Strength of Evidence</td>
<td>Main effect of guilt, ( F (1, 188) = 32.40, p &lt; .01, \eta^2 = .15 )</td>
<td>Guilty participants rated the strength of evidence against them higher than innocent participants, ( M_{guilty} = 3.18 ) v. ( M_{innocent} = 2.46 ).</td>
</tr>
<tr>
<td>Lack of Notification Motivation</td>
<td>Main effect of guilt, ( F (1, 187) = 10.46, p &lt; .01, \eta^2 = .06 )</td>
<td>Guilty participants were more likely to rate lack of notification as a motivation for their decision than innocent participants, ( M_{guilty} = 3.63 ) v. ( M_{innocent} = 2.92 ).</td>
</tr>
<tr>
<td>Instrumental Motivation</td>
<td>Main effect of guilt, ( F (1, 197) = 4.66, p &lt; .05, \eta^2 = .02 )</td>
<td>Guilty participants were more likely to rate instrumental reasons as a motivation for their decision than innocent participants, ( M_{guilty} = 3.73 ) v. ( M_{innocent} = 3.37 ).</td>
</tr>
<tr>
<td>Best Option Motivation</td>
<td>Guilt X trial information interaction, ( F (1, 187) = 11.12, p &lt; .01, \eta^2 = .06 )</td>
<td>Guilty participants advised to go to trial were less likely to note “a better option” as the motivation for their final decision than those not advised to go to trial, ( M_{present} = 4.67 ) v. ( M_{absent} = 5.07 ). Innocent participants advised to go to trial were more likely to note “a better option” as the motivation for their final decision than those not advised to go to trial, ( M_{present} = 5.06 ) v. ( M_{absent} = 4.68 ).</td>
</tr>
<tr>
<td>Trust in the Student Conduct Committee</td>
<td>No significant main or interaction effects of guilt, plea information, trial information (all ( ps &gt; .12 ))</td>
<td></td>
</tr>
</tbody>
</table>
Table 6-2. Continued

<table>
<thead>
<tr>
<th>Dependent Measure</th>
<th>Key Findings</th>
<th>Discussion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Influence of the Advocate</td>
<td>Main effect of guilt, $F(1, 148) = 5.27, p &lt; .05, $\eta^2 = .04$</td>
<td>Innocent participants rated the influence of the advocate higher than guilty participants, $M_{\text{innocent}} = 3.75$ v. $M_{\text{guilty}} = 3.52$.</td>
</tr>
<tr>
<td></td>
<td>Moderate effect of the content of advice, $F(2, 148) = 2.76, p = .07, \eta^2 = .04$</td>
<td>Participants who heard both options rated the influence of the advocate lower than advised to go to trial, $M_{\text{both}} = 3.54$ v. $M_{\text{trial}} = 3.81$. Participants advised to go to trial rated the influence of the advocate higher than those advised to plea, $M_{\text{trial}} = 3.81$ v. $M_{\text{plea}} = 3.56$.</td>
</tr>
<tr>
<td>Likability of the Advocate (bi-polar adjective scale)</td>
<td>No significant main or interaction effects of guilt and advocate advice at the multivariate level (all $ps &gt; .14$)</td>
<td></td>
</tr>
<tr>
<td>Believability of the Advocate (bi-polar adjective scale)</td>
<td>No significant main or interaction effects of guilt and advocate advice at the multivariate level (all $ps &gt; .14$)</td>
<td></td>
</tr>
<tr>
<td>Trustworthiness of the Advocate (bi-polar adjective scale)</td>
<td>No significant main or interaction effects of guilt and advocate advice at the multivariate level (all $ps &gt; .14$)</td>
<td></td>
</tr>
<tr>
<td>Absence of Assistance</td>
<td>No significant effect of guilt ($p = .51$)</td>
<td></td>
</tr>
</tbody>
</table>
Table 6-3. Means, (Standard Deviations), Standard Errors, and [95% Confidence Intervals], for Probability of Conviction, Strength of Evidence, Perception of Conviction, Perceived Fairness, Influence of the Advocate, and Motivation Ratings as a Function of the Main Effect of Guilt

<table>
<thead>
<tr>
<th>Measure</th>
<th>Innocent</th>
<th>Guilty</th>
<th>Univariate Effect of Guilt</th>
<th>$d$</th>
<th>$p$</th>
<th>$[95% \text{ CI}]$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Probability of Conviction</td>
<td>20.93 (23.86)</td>
<td>35.77 (29.40)</td>
<td>14.93 (1, 196)</td>
<td>.56</td>
<td>&lt;.01</td>
<td>[0.27, 0.84]</td>
</tr>
<tr>
<td></td>
<td>2.36 [15.77, 26.09]</td>
<td>2.81 [30.22, 41.31]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strength of Evidence</td>
<td>2.46 (0.71)</td>
<td>3.18 (0.98)</td>
<td>32.40 (1, 188)</td>
<td>.85</td>
<td>&lt;.01</td>
<td>[0.55, 1.14]</td>
</tr>
<tr>
<td></td>
<td>0.09 [2.29, 2.63]</td>
<td>0.09 [3.00, 3.36]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perception of Conviction</td>
<td>1.87 (1.00)</td>
<td>2.62 (1.28)</td>
<td>20.079 (1, 188)</td>
<td>.66</td>
<td>&lt;.01</td>
<td>[0.36, 0.95]</td>
</tr>
<tr>
<td></td>
<td>0.11 [1.65, 2.10]</td>
<td>0.12 [2.39, 2.87]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perceived Fairness</td>
<td>3.06 (0.80)</td>
<td>3.48 (0.90)</td>
<td>11.66 (1, 188)</td>
<td>.50</td>
<td>&lt;.01</td>
<td>[0.20, 0.79]</td>
</tr>
<tr>
<td></td>
<td>0.08 [2.90, 3.23]</td>
<td>0.09 [3.31, 3.65]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Influence of the Advocate</td>
<td>3.75 (0.63)</td>
<td>3.52 (0.62)</td>
<td>5.27 (1, 148)</td>
<td>-.37</td>
<td>&lt;.05</td>
<td>[-0.69, -0.04]</td>
</tr>
<tr>
<td></td>
<td>0.07 [3.62, 3.89]</td>
<td>0.07 [3.37, 3.67]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lack of Notification</td>
<td>2.92 (1.59)</td>
<td>3.63 (1.47)</td>
<td>10.46 (1, 197)</td>
<td>.46</td>
<td>&lt;.01</td>
<td>[0.18, 0.75]</td>
</tr>
<tr>
<td></td>
<td>0.15 [2.62, 3.22]</td>
<td>0.16 [3.32, 3.95]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Instrumental reasons</td>
<td>3.37 (1.15)</td>
<td>3.73 (1.11)</td>
<td>4.66 (1, 197)</td>
<td>.32</td>
<td>&lt;.05</td>
<td>[0.04, 0.60]</td>
</tr>
<tr>
<td></td>
<td>0.11 [3.15, 3.59]</td>
<td>0.12 [3.49, 3.96]</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>
Table 6-4. Means, (Standard Deviations), Standard Errors, and [95% Confidence Intervals], for Perception of Punishment & Perceived Fairness Ratings as a Function of the Interaction between Plea Information and Trial Information

<table>
<thead>
<tr>
<th>Measure</th>
<th>Plea Information Present</th>
<th>Plea Information Absent</th>
<th>Univariate Effect of Plea Information</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>F</td>
<td>df</td>
</tr>
<tr>
<td>Perception of Punishment</td>
<td>4.99 (0.80)</td>
<td>4.38 (1.22)</td>
<td>4.75</td>
</tr>
<tr>
<td></td>
<td>0.14</td>
<td>0.15</td>
<td></td>
</tr>
<tr>
<td></td>
<td>[4.72, 5.27]</td>
<td>[4.09, 4.67]</td>
<td></td>
</tr>
<tr>
<td>Perceived Fairness</td>
<td>3.28 (0.94)</td>
<td>2.85 (0.75)</td>
<td>5.91</td>
</tr>
<tr>
<td></td>
<td>0.12</td>
<td>0.12</td>
<td></td>
</tr>
<tr>
<td></td>
<td>[3.04, 3.51]</td>
<td>[2.60, 3.09]</td>
<td></td>
</tr>
</tbody>
</table>
Table 6-5. Means, (Standard Deviations), Standard Errors, and [95% Confidence Intervals], for Perception of Conviction & Perceived Fairness Ratings as a Function of the Main Effect of Trial Information

<table>
<thead>
<tr>
<th>Measure</th>
<th>Trial Information Present</th>
<th>Trial Information Absent</th>
<th>$F$</th>
<th>$df$</th>
<th>$p$</th>
<th>$d$</th>
<th>[95% CI]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perception of Conviction</td>
<td>2.05 (1.14)</td>
<td>2.45 (1.23)</td>
<td>5.63</td>
<td>(1, 188)</td>
<td>&lt;.05</td>
<td>-0.34</td>
<td>[-0.62, -0.05]</td>
</tr>
<tr>
<td></td>
<td>0.12</td>
<td>0.12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>[1.82, 2.29]</td>
<td>[2.22, 2.68]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perceived Fairness</td>
<td>3.06 (0.88)</td>
<td>3.48 (0.82)</td>
<td>12.26</td>
<td>(1, 188)</td>
<td>&lt;.01</td>
<td>-0.49</td>
<td>[-0.78, -0.20]</td>
</tr>
<tr>
<td></td>
<td>0.09</td>
<td>0.09</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>[2.89, 3.23]</td>
<td>[3.32, 3.65]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perception of Knowledge</td>
<td>4.12 (1.25)</td>
<td>4.51 (1.25)</td>
<td>4.59</td>
<td>(1, 188)</td>
<td>&lt;.05</td>
<td>-0.31</td>
<td>[-0.60, -0.02]</td>
</tr>
<tr>
<td></td>
<td>0.13</td>
<td>0.13</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>[3.86, 4.38]</td>
<td>[4.26, 4.77]</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>
Table 6-6. Means, (Standard Deviations), Standard Errors, and [95% Confidence Intervals], for Influence of the Advocate Ratings as a Function of the Main Effect of Advocate Advice

<table>
<thead>
<tr>
<th>Measure</th>
<th>PP/TP (both options)</th>
<th>PA/TP (trial advice only)</th>
<th>$F$</th>
<th>$df$</th>
<th>$p$</th>
<th>$d$</th>
<th>[95% CI]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Influence of the Advocate</td>
<td>3.54 (0.61)</td>
<td>3.81 (0.66)</td>
<td>2.76</td>
<td>(2, 148)</td>
<td>.07</td>
<td>-0.43</td>
<td>[-0.82, -0.03]</td>
</tr>
<tr>
<td></td>
<td>0.09</td>
<td>0.09</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>[3.36, 3.71]</td>
<td>[3.63, 3.98]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: TP= Trial Info Present, TA= Trial Info Absent, PP= Plea Info Present, PA= Plea Info Absent
Table 6-7. Means, (Standard Deviations), Standard Errors, and [95% Confidence Intervals], for Influence of the Advocate Ratings as a Function of the Main Effect of Advocate Advice

<table>
<thead>
<tr>
<th>Measure</th>
<th>Univariate Effect of Advocate Advice</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PP/TA (plea advice only)</td>
</tr>
<tr>
<td>Influence of the Advocate</td>
<td>3.56 (0.62)</td>
</tr>
<tr>
<td></td>
<td>0.09</td>
</tr>
<tr>
<td></td>
<td>[3.39, 3.74]</td>
</tr>
</tbody>
</table>

Note: TP= Trial Info Present, TA= Trial Info Absent, PP= Plea Info Present, PA= Plea Info Absent
Table 6-8. Means, (Standard Deviations), Standard Errors, and [95% Confidence Intervals], for Motivations for Decision Ratings as a Function of the Interaction between Guilt and Trial Information for Guilty Participants

<table>
<thead>
<tr>
<th>Measure</th>
<th>Trial Information Present</th>
<th>Trial Information Absent</th>
<th>$F$</th>
<th>$df$</th>
<th>$p$</th>
<th>$d$</th>
<th>[95% CI]</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Better Option”</td>
<td>4.67 (0.86) 0.12</td>
<td>5.07 (0.64) 0.12</td>
<td>11.12</td>
<td>(1, 197)</td>
<td>&lt;.01</td>
<td>-0.53</td>
<td>[-0.94, -0.11]</td>
</tr>
</tbody>
</table>
Table 6-9. Means, (Standard Deviations), Standard Errors, and [95% Confidence Intervals], for Motivations for Decision Ratings as a Function of the Interaction between Guilt and Trial Information for Innocent Participants

<table>
<thead>
<tr>
<th>Measure</th>
<th>Trial Information Present</th>
<th>Trial Information Absent</th>
<th>F</th>
<th>df</th>
<th>p</th>
<th>d</th>
<th>95% CI</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Better Option”</td>
<td>5.06 (0.73)</td>
<td>4.68 (0.90)</td>
<td>11.12</td>
<td>1, 197</td>
<td>&lt;.01</td>
<td>0.46</td>
<td>[0.08, 0.85]</td>
</tr>
<tr>
<td></td>
<td>0.11</td>
<td>0.11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>[4.85, 5.28]</td>
<td>[4.47, 4.90]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Figure 6-4. The Effect of Gender on Participants’ Probability of Accepting the Plea
Figure 6-5. The Interaction between Guilt and Race on Participants’ Probability of Accepting the Plea
Qualitative Results

Participants were asked an open-ended question of why they made the decision that they did; “Why do you want to take our lab punishment” or “Why do you want to take the case before the Student Conduct Committee?” I included likert scales measuring potential motivations for decision-making in the final questionnaire, but wanted to include an open-ended question, asked verbally and prior to the debriefing to allow for a free range of responses. These open-ended questions were coded for content by two independent coders who were blind to condition. A third independent coder resolved discrepancies between the two coders. Cohen's $\kappa$ was run to determine if there was agreement between the two coders on participants’ motivations for their decision. There was high agreement between the two coders' judgments, $\kappa = 0.85$, $SE = 0.02$, $95\% CI [0.82, 0.88]$, $z = 53.06$, $p < .01$. Agreement percentage between the two coders = 86.13%. Traditionally, values of Kappa from 0.40 to 0.59 are a considered moderate level, 0.60 to 0.79 an adequate level, and 0.80 a high level of agreement (Landis & Koch, 1977).

Participants’ responses were coded in two categories – either motivations for taking the case to the Student Conduct Committee or motivations to accept the lab punishment. The summary of themes and results is included in Tables 7-1 - 7-4, and the description of the results follows below.

Motivations for Taking Case to Student Conduct Committee (trial)

Overall, 47.2% ($N = 94$) of participants chose to take their case before the Student Conduct Committee rather than accepting the lab punishment. Participants’ responses of why they chose to take their case before the Student Conduct Committee were coded; responses fit into nine categories and five overall themes (Table 7-1). Participant responses could fit into more
than one category or theme (Table 7-2). The $N$ values reported below reflect the number of times a response was given that fit into that particular theme.

**Innocence**

45.2% ($N = 61$) of responses from participants who took their case before the Student Conduct Committee referenced their innocence as the motivating factor for their decision. These participants stated they were innocent or didn’t do anything wrong (37.0%) and/or didn’t want to accept or admit guilt for something they didn’t do (8.1%). Examples of responses include:

- “I know I didn't do anything wrong. I know I'm innocent.”
- “I don't want to accept a punishment for something I didn't do.”
- “I didn't cheat. The student conduct committee will believe me.”

49.0% ($N = 50$) of responses from innocent participants referenced innocence as a motivating factor in deciding to take their case before the Student Conduct Committee. Examples of innocent participants’ responses include:

- “I would hope that they would find me not guilty, because I didn't do anything.”
- “I don't want people to assume I'm guilty.”
- “If I accept the lab punishment that is like admitting I did something I didn't do.”

33.3% ($N = 11$) of responses from guilty participants referenced innocence as a motivating factor in deciding to take their case before the Student Conduct Committee. Examples of guilty participants’ responses include:

- “I have a legit case. I didn't cheat.”
- “There was no cheating.”
- “I'm not going to accept a punishment for something I didn't do.”

**Advocate recommendation**

9.6% ($N = 13$) of responses from participants who took their case before the Student Conduct Committee referenced the influence of the advocate as a motivating factor for their decision. These participants stated that they wanted to follow the advocate’s advice, going to trial
was what the advocate told them to do or said was the best option in their situation. Examples of responses include:

- “I want to explain my side of the story. The advocate seemed to think the student conduct committee was a better idea.”
- “I would follow the advocate's advice, she told me that was the better option.”
- “I didn't cheat. That's what the advocate said was best.”

8.8% (N = 9) of responses from innocent participants referenced the advocate as a motivating factor in deciding to take their case before the Student Conduct Committee. Examples of innocent participants’ responses include:

- “I didn't cheat, so I don't want to accept a punishment. That's what the advocate thought I should do.”
- “I don't know anything about the process and that's what the advocate told me to do.”
- “The advocate suggested it and I don't really know any better.”

12.1% (N = 4) of responses from guilty participants referenced the advocate as a motivating factor in deciding to take their case before the Student Conduct Committee. Examples of guilty participants’ responses include:

- “The advocate said I would maybe be found not guilty.”
- “The advocate is affiliated with the university, so I want to follow his advice.”
- “Because that is what the guy [advocate] told me to do.”

Better option

3.7% (N = 5) of responses from participants who took their case before the Student Conduct Committee noted that the Student Conduct Committee seemed like the better or more preferable option for various reasons. Examples of responses include:

- “This will take less time than accepting a punishment.”
- “I would follow the advocate's advice; she told me that was the better option.”
2.9% \( (N = 3) \) of responses from innocent participants referenced going before the Student Conduct Committee as the better option for various reasons. Examples of innocent participants’ responses include:

- “That seems easier. I don't have time for the Ethical Behavior class.”
- “The Student Conduct Committee seems quicker (the course is 4 times).”

6.1% \( (N = 2) \) of responses from guilty participants referenced going before the Student Conduct Committee as the better option for various reasons. Examples of guilty participants’ responses include:

- “This seems easier.”

**Lab punishment**

17.8% \( (N = 24) \) of responses from participants who took their case before the Student Conduct Committee referenced the lab punishment as a motivating factor for their decision. These participants stated that they did not want to accept the lab’s punishment for cheating \( (17.0\%) \) and/or not wanting to lose the research credits for participating \( (0.7\%\); losing research participation credit was part of the lab punishment). Examples of responses include:

- “I need the research points. I lose them by accepting the lab punishment.’
- “I don't deserve a punishment.”
- “I don't want to accept the lab's punishment.”

19.6% \( (N = 20) \) of responses from innocent participants referenced the lab punishment as a motivating factor for their decision to go before the Student Conduct Committee. Examples of innocent participants’ responses include:

- “I didn't do anything. I shouldn't have to accept a punishment.”
- “I don't want to accept this punishment /I don’t have time.”
- “I'm following her [advocate] advice. The lab punishment is extra work.”
12.1% (N = 4) of responses from guilty participants referenced the lab punishment as a motivating factor for their decision to go before the Student Conduct Committee. Examples of guilty participants’ responses include:

- “I don't want to take the lab punishment.”
- “I don't want to accept this punishment. I could explain my side of the story.”
- “I'm not going to accept a punishment for something I didn't do.”

**Instrumental**

23.7% (N = 32) of responses from participants who took their case before the Student Conduct Committee referenced instrumental reasons as a motivating factor for their decision. These participants referenced wanting to plead their case/tell their side of the story (14.1%), and/or felt their chances were better in front of the Student Conduct Committee (5.2%), and/or that they might be found not guilty before the Student Conduct Committee (4.4%). Examples of responses include:

- “They would not find me guilty.”
- “They are not biased. They will believe me.”
- “So I can tell my side of the story.”
- “I would rather go before the Board and explain things to them.”
- “I would tell them what happened.”

19.6% (N = 20) of responses from innocent participants who took their case before the Student Conduct Committee referenced instrumental reasons as a motivating factor for their decision. Examples of innocent participants’ responses include:

- “I can contest it. I'm innocent.”
- “I didn't cheat. I would like the opportunity to tell my side of the story.”
- “I want to prove I'm innocent.”
- “I didn't cheat. I believe my odds are favorable in front of Student Conduct Committee.”
36.4% \((N = 12)\) of responses from guilty participants who took their case before the Student Conduct Committee referenced instrumental reasons as a motivating factor for their decision. Examples of guilty participants’ responses include:

- “I could tell them my side of things. I don't think I did anything wrong.”
- “There is a chance we could be found not guilty.”
- “I think they will be sympathetic. It was a harmless mistake.”

**Motivations for Accepting the Lab Punishment (plea)**

Overall, 52.8% \((N = 105)\) of participants chose to accept the lab punishment rather than take their case before the Student Conduct Committee. Participants’ responses of why they chose to accept the lab punishment were coded; responses fit into 17 categories and nine overall themes (Table 7-3). Participant responses could fit into more than one category or theme (Table 7-4). The \(N\) values reported below reflect the number of times a response was given that fit into that particular theme.

**Instrumental**

19.4% \((N = 27)\) of responses from participants who accepted the lab punishment referenced instrumental reasons as a motivating factor for their decision. These participants referenced the possibility of conviction before the Student Conduct Committee (2.1%), and/or the possibility of a more severe punishment if found guilty before the Student Conduct Committee (3.6%), and/or the fact that the lab punishment is a known outcome and the Student Conduct Committee is not (6.5%), and/or a lack of knowledge of the Student Conduct Committee (2.9%) and/or the likelihood that the Student Conduct Committee wouldn’t believe their story (4.3%). Examples of responses include:

- “There could be a worse punishment at the Dean of Students Office.”
- “I don't know what to expect at the Dean of Students.”
- “The Student Conduct Committee is unpredictable (don't know what will happen).”
• “I don't think the Student Conduct Committee will care about me.”
• “I am new to the process. I don't know anything about the Student Conduct Committee.”

19.6% (N = 11) of responses from innocent participants who accepted the lab punishment referenced instrumental reasons as a motivating factor for their decision. Examples of innocent participants’ responses include:

• “I don't want anything on my record. Being found guilty would have carried a harsher punishment.”
• “I am worried the evidence could be used against me (your word versus mine).”
• “The Student Conduct Committee will likely believe you and your advisor over me.”
• “I didn't do anything wrong, but I am worried the Student Conduct Committee might not believe me. I have nothing to prove my innocence.”

19.3% (N = 16) of responses from guilty participants who accepted the lab punishment referenced instrumental reasons as a motivating factor for their decision. Examples of guilty participants’ responses include:

• “The Student Conduct Committee might find me guilty.”
• “I don't want to be found guilty by the committee.”
• “I know it was a harmless mistake, but we did share answers so I would probably be found guilty.”
• “I did cheat (I cannot really dispute that fact). The Student Conduct Committee is more unknown/uncertain.”

**Advocate recommendation**

9.4% (N = 13) of responses from participants who accepted the lab punishment referenced the influence of the advocate as a motivating factor for their decision. These participants stated that they wanted to follow the advocate’s advice, going to trial was what the advocate told them to do or said was the best option in their situation. Examples of responses include:

• “The guy [advocate] said that would be easier.”
• “Because the advocate told me to.”
• “The guy [advocate] said that was smarter because the Student Conduct Committee was unpredictable.”

8.9% \( (N = 5) \) of responses from innocent participants who accepted the lab punishment referenced the influence of the advocate as a motivating factor for their decision. Examples of innocent participants’ responses include:

• “The advocate seemed to think the Dean of Students was a hassle and the outcome was unknown.”
• “The advocate said the Student Conduct Committee was unpredictable.”
• “He told me to do that [advocate].”

9.6% \( (N = 8) \) of responses from guilty participants who accepted the lab punishment referenced the influence of the advocate as a motivating factor for their decision. Examples of guilty participants’ responses include:

• “The advocate said the committee might not believe me.”
• “The Student Conduct Committee seems serious. The advocate said the Student Conduct Committee might give a harsher punishment.”
• “He [advocate] advised me to. Also, that was my plan anyway to accept the lab punishment-- the Student Conduct Committee is too risky.”
• “The guy [advocate] said that was the best choice and he thought it was in my best interest to accept the lab punishment.”

**Better option**

2.2% \( (N = 3) \) of responses from participants who accepted the lab punishment noted that the lab punishment seemed like the better or more preferable option. Examples of responses include:

• “I don't want to go to Student Conduct Committee. This is the best option.”
• “Best option.”
“The Ethical Behavior Class sounds more interesting/ I guess don't mind taking the class.”

0% of responses from innocent participants and 3.6% ($N = 3$) of responses from guilty participants who accepted the lab punishment noted that the lab punishment seemed like the better or more preferable option.

**Future**

18.0% ($N = 25$) of responses from participants who accepted the lab punishment referenced their future as a motivating factor for their decision. These participants referenced their future career goals/loss of possibilities (1.4%) and not wanting anything on their permanent record (16.5%). Examples of responses include:

- “It seems like a safer bet. I don't want anything on my record.”
- “I am applying to grad school and don't want this on my transcripts.”

21.4% ($N = 12$) of responses from innocent participants who accepted the lab punishment referenced their future as a motivating factor for their decision. Examples of innocent participants’ responses include:

- “I don't want this on my record.”
- “I don't want this to go on my record, I'm here on scholarship.”
- “This is ridiculous, I didn't cheat. I don't want anything on my record.”

15.7% ($N = 13$) of responses from guilty participants who accepted the lab punishment referenced their future as a motivating factor for their decision. Examples of guilty participants’ responses include:

- “I'd rather not go in front of Dean of Students. I don't want this on my record.”
- “I don't want anything on my record. Especially not for something I didn't do.”
- “With this there is no possibility of it showing on my permanent record.”
Quieter

7.9% \((N = 11)\) of responses from participants who accepted the lab punishment referenced wanting to keep the incident contained as the motivating factor for their decision. These participants stated they didn’t want anyone to know about the incident \((2.9\%)\) and/or not wanting any more attention brought to the incident \((5.0\%)\). Examples of responses include:

- “I work for the Student Conduct Committee. So even though I didn’t do anything wrong, I would be embarrassed.”
- “Don't want to deal with Student Conduct. No more attention brought to incident.”
- “I don't want to make the incident any bigger.”

7.1% \((N = 4)\) of responses from innocent participants who accepted the lab punishment referenced wanting to keep the incident contained as the motivating factor for their decision. Examples of innocent participants’ responses include:

- “I don't want this to go further.”
- “This is easier and I don't want to make this into a bigger deal.”
- “I work at Student Conduct Committee office and I don't want them to know.”

8.4% \((N = 7)\) of responses from guilty participants who accepted the lab punishment referenced wanting to keep the incident contained as the motivating factor for their decision. Examples of guilty participants’ responses include:

- “I don't need this getting out and I don't want this issue to get any bigger than it already is. I want to keep it here.”
- “The Student Conduct Committee seems like a much bigger deal than just a lab punishment.”
- “It's quieter than the Student Conduct Committee to deal with it here.”

Confederate

0.7% \((N = 1)\) of responses from participants who accepted the lab punishment referenced the confederate as the motivating factor for their decision. These participants stated they didn’t
want to go before the Student Conduct Committee because they didn’t want the other participant
to get in trouble. Examples of responses include:

- “I don't want anything on my record. I don't want the other participant to get in trouble.”

0% of responses from innocent participants and 1.2% \((N = 1)\) of responses from guilty
participants who accepted the lab punishment referenced the confederate as the motivating factor
for their decision.

**Getting it over with**

33.8% \((N = 47)\) of responses from participants who accepted the lab punishment
referenced getting the situation over with as a motivating factor for their decision. These
participants referenced the expedited nature (3.6%), and/or ease of the lab punishment (12.2%),
and/or that the Student Conduct Committee was too complicated and they didn’t want to deal
with the hassle (18.0%). Examples of responses include:

- “Less involved process. Not as complicated.”
- “I don't want the hassle of Dean of Students.”
- “Dean of Students seems like a big deal.”
- “I don't have time to go before the committee.”

30.4% \((N = 17)\) of responses from innocent participants who accepted the lab punishment
referenced getting the situation over with as a motivating factor for their decision. Examples of
innocent participants’ responses include:

- “I just want to get this over with.”
- “This is easier. I don’t want to deal with the Student Conduct Committee.”
- “I didn't want to go through the Student Conduct Committee process.”
- “The Student Conduct Committee sounds serious.”

36.1% \((N = 30)\) of responses from guilty participants who accepted the lab punishment
referenced getting the situation over with as a motivating factor for their decision. Examples of
guilty participants’ responses include:
• “This is easier. This is quicker.”
• “I would rather do whatever I need to do to be done with this.”
• “This seems easier. The Student Conduct Committee seems like a hassle.”
• “I don't want a trial like thing. The Student Conduct Committee seems less time-consuming.”

Innocence

5.8% (N = 8) of responses from participants who accepted the lab punishment referenced their innocence as the motivating factor for their decision. Examples of responses include:

• “I don't want anything on my record. I didn't do anything wrong.”
• “I didn't do anything wrong, but I am worried the Student Conduct Committee might not believe me. I have nothing to prove my innocence.”

12.5% (N = 7) of responses from innocent participants who accepted the lab punishment referenced their innocence as the motivating factor for their decision. Examples of innocent participants’ responses include:

• “I didn't do anything wrong. But, I don't want to go through the school or Student Conduct Committee.”
• “I don't want to go before a Dean for something I didn't do.”
• “This is ridiculous, I didn't cheat. I don't want anything on my record.”

1.2% (N = 1) of responses from guilty participants who accepted the lab punishment referenced their innocence as the motivating factor for their decision. Examples of guilty participants’ responses include:

• “I don't want anything on my record. Especially not for something I didn't do.”
Guilt

2.9% (N = 4) of responses from participants who accepted the lab punishment referenced their guilt as the motivating factor for their decision. These participants stated they were guilty and deserved the lab punishment. Examples of responses include:

- “I don't know where to go for Dean of Students. I broke the rules of the lab- I should deal with it here.”
- “I could use the Ethical Behavior class as a learning opportunity.”
- “I did cheat (I cannot really dispute that fact). The Student Conduct Committee is more unknown/uncertain.”

0% of responses from innocent participants and 4.8% (N = 4) of responses from guilty participants who accepted the lab punishment referenced their guilt as the motivating factor for their decision.

**Transformation of Qualitative to Quantitative Data**

With the qualitative data, I had hoped to examine if participants’ motivations for accepting a plea or taking their case to trial differed as a function of the IVs (guilt, trial information, and plea information) or their interaction. Participants’ responses were separated into either motivations for accepting the plea (nine possible themes) or motivations for taking their case to trial (five possible themes). I transformed each theme into its own dichotomous variable (1 coded as the presence of a response; 0 coded as the absence of a response). To test the effects of participant guilt, trial information, plea information, I examined whether the dependent measures differed as a function of the three IVs (plea information, trial information, and guilt), all three pairs of two-way interaction terms (guilt X trial information, guilt X plea information, and trial information X plea information), and the three-way interaction term (trial information X plea information X guilt).
Similar to the other analyses, prior to running the logistic regression, I centered all predictor variables (plea information, trial information, and guilt). Also, prior to running analyses, I corrected for zero count cells in the results by adding 1 case (2 half cases; one .5 response present condition and one .5 response absent condition) to each cell in the factorial design (Goodman, 1970). By adding a case to each cell, I solved the problem of inflated standard errors with the dichotomous dependent variables due to zero count cells.

Unfortunately, due to an overall low sample size in the dependent variables and zero and low cells counts, most models did not converge or were not significant (thus I was not able to interpret any results). There were no significant findings. Participants’ qualitative responses complement our quantitative data presented above, however future research could attempt to draw on a larger sample, thus allowing for tests of significance to be performed with the qualitative responses.

**Discussion of Qualitative Results**

From these qualitative results, we can see that instrumental motivations, actual innocence, and “wanting to get the situation over with” were the three main factors influencing participants’ final decisions.

Roughly 24% of responses from participants who took their case before the Student Conduct Committee and 20% of responses from participants who accepted the lab punishment referenced instrumental reasons as the influencing factor for their decision. This is consistent with past guilty plea research suggesting that instrumental motivations are a main motivation for both true and false guilty pleas (Malloy, et al., 2014). Along similar lines, roughly 34% of responses from participants who accepted guilt and the lab punishment referenced “wanting to get the situation over with” as their motivation. Similar to accepting a plea in the criminal justice
system, the lab punishment in this experiment seemed to present a quick, quiet, and incentivized resolution option compared to going before the Student Conduct Committee.

In this study, 49% of responses from innocent participants referenced their actual innocence in their decision to take their case before the Student Conduct Committee, compared to 12.5% of responses from innocent participants who accepted guilt and the lab punishment. This is in conjunction with the lower false guilty plea rate (compared to true guilty pleas) in this study suggesting that innocent individuals are more likely to want to take their case to trial, arguably because they believe their innocence to be a mitigating factor. This is also consistent with past research suggesting innocent individuals are more willing to take their case to trial because they believe their innocence will protect them from conviction (Tor, et al., 2010).

33.3% of responses from guilty participants referenced ‘innocence’ as the motivation for taking their case before the Student Conduct Committee (only 1.2% of responses from guilty participants referenced innocence as a factor in their decision to accept the lab punishment), this is in conjunction with the 54.8% of guilty participants who said they were innocent suggests that claims of innocence aren’t only used by factually innocent individuals.

Roughly only 10% of responses from participants’ who chose to take their case before the Student Conduct Committee and 9.4% of responses from participants who accepted guilt and the lab punishment referenced the influence of the advocate as a motivating factor for their final decision. Recall that for innocent individuals, the advocate had a clear influence in the overall pattern of whether students chose to pursue the trial option with the Student Conduct Committee or to take the plea/lab punishment, however very few students actually cited the advocate as a reason as to why they made the decision they did (N = 5 innocent and N = 8 guilty participants who accepted the lab punishment; N = 9 innocent and N = 4 guilty participants who chose the
This suggests that even though students may be influenced by the advocate’s recommendation, they are not likely to state that the advocate’s recommendation was key in their decision making. Instead, they are more likely to cite instrumental reasons. Thus, participants might not be aware of the influence of the advocate or might not think it is as important as the other factors that might be shaped by the advocate’s advice (e.g., perceptions of instrumental reasons for making decisions). Future reference should attempt to quantify these influences, perhaps through using a rating scale to better capture the many factors that influenced decision making, including ranking of those factors. Overall, the qualitative results provide insight into why innocent and guilty individuals make the decisions to either plea or go to trial.
<table>
<thead>
<tr>
<th>Category</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Innocence</td>
<td>Referenced innocence and/or reluctance to accept/admit guilt (agree to having cheated)</td>
</tr>
<tr>
<td>Advocate</td>
<td>Referenced desire to follow the advocate’s advice/ this is what the advocate suggested or thought was best option</td>
</tr>
<tr>
<td>Better Option</td>
<td>The SCC seems like a better option</td>
</tr>
<tr>
<td>Instrumental</td>
<td>Referenced wanting to plead their case/tell their side of the story, and/or felt their chances were better in front of the SCC, and/or they might be found not guilty</td>
</tr>
<tr>
<td>Lab Punishment</td>
<td>Referenced not wanting to accept the lab’s punishment and/or needing the lab credits</td>
</tr>
</tbody>
</table>

SCC = Student Conduct Committee
<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage of Responses</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(N = 94)</td>
<td></td>
</tr>
<tr>
<td>Innocence</td>
<td>45.2%</td>
<td>“I know I didn't do anything wrong. I know I'm innocent.”</td>
</tr>
<tr>
<td></td>
<td>(N = 61)</td>
<td>“I don't want to accept a punishment for something I didn't do.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“I didn't cheat. The Student Conduct Committee will believe me.”</td>
</tr>
<tr>
<td>Advocate</td>
<td>9.6%</td>
<td>“I want to explain my side of the story. The advocate seemed to think the Student Conduct Committee was a better idea.”</td>
</tr>
<tr>
<td></td>
<td>(N = 13)</td>
<td>“I would follow the advocate's advice; she told me that was the better option.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“I didn't cheat. That's what the advocate said was best.”</td>
</tr>
<tr>
<td>Better Option</td>
<td>3.7%</td>
<td>“This will take less time than accepting a punishment.”</td>
</tr>
<tr>
<td></td>
<td>(N = 5)</td>
<td>“I would follow the advocate's advice; she told me that was the better option.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“That seems easier. I don't have time for the Ethical Behavior class.”</td>
</tr>
<tr>
<td>Instrumental</td>
<td>23.7%</td>
<td>“They would not find me guilty.”</td>
</tr>
<tr>
<td></td>
<td>(N = 32)</td>
<td>“They are not biased. They will believe me.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“So I can tell my side of the story.”</td>
</tr>
<tr>
<td>Lab Punishment</td>
<td>17.8%</td>
<td>“I need the research points. I lose them by accepting the lab punishment.”</td>
</tr>
<tr>
<td></td>
<td>(N = 18)</td>
<td>“I don't deserve a punishment.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“I don't want to accept the lab's punishment.”</td>
</tr>
</tbody>
</table>
Table 7-3. Coding Motivations for Accepting the Lab Punishment (plea): Categories and Definitions from Participant Responses

<table>
<thead>
<tr>
<th>Category</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Getting it Over With</td>
<td>Referenced the expedited nature and ease of the lab punishment, and/or the SCC is too complicated, and/or don’t want to deal with the hassle</td>
</tr>
<tr>
<td>Better Option</td>
<td>The lab punishment seems like a better option</td>
</tr>
<tr>
<td>Future</td>
<td>Referenced future career goals/loss of possibilities and/or not wanting anything on permanent record</td>
</tr>
<tr>
<td>Instrumental</td>
<td>Referenced possibility of conviction before the SCC, and/or the lab punishment is a known outcome, and/or the possibility of a higher punishment before the SCC, and/or lack of knowledge of the SCC, and/or the likelihood that the SCC won’t believe their story</td>
</tr>
<tr>
<td>Advocate</td>
<td>Referenced desire to follow the advocate’s advice/ this is what the advocate suggested or thought was best option</td>
</tr>
<tr>
<td>Guilt</td>
<td>Referenced actual guilt and punishment</td>
</tr>
<tr>
<td>Innocence</td>
<td>Referenced innocence</td>
</tr>
<tr>
<td>Quieter</td>
<td>Referenced not wanting anyone to know and/or not wanting any more attention brought to the incident</td>
</tr>
<tr>
<td>Confederate</td>
<td>Not wanting to get the other participant in trouble by going before the SCC</td>
</tr>
</tbody>
</table>

SCC = Student Conduct Committee
Table 7-4. Motivations for Accepting the Lab Punishment (plea): Categories, Percentages, and Examples from Participant Responses

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage of Responses</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>Getting it Over With</td>
<td>33.8% (N = 47)</td>
<td>“Less involved process. Not as complicated.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“I don't want the hassle of Dean of Students.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“Dean of Students seems like a big deal.”</td>
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<tr>
<td></td>
<td></td>
<td>“I don't have time to go before the committee.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“The Student Conduct Committee seems pretty severe.”</td>
</tr>
<tr>
<td>Better Option</td>
<td>2.2% (N = 3)</td>
<td>“I don't want to go to Student Conduct Committee. This is the best option.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“Best option.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“The Ethical Behavior Class sounds more interesting/I guess don't mind taking the class.”</td>
</tr>
<tr>
<td>Future</td>
<td>18.0% (N = 25)</td>
<td>“It seems like a safer bet. I don't want anything on my record.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“I am applying to grad school and don't want this on my transcripts.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“I don't want this on my record.”</td>
</tr>
<tr>
<td>Instrumental</td>
<td>19.4% (N = 27)</td>
<td>“There could be a worse punishment at the Dean of Students Office.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“I don't know what to expect at the Dean of Students.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“The Student Conduct Committee is unpredictable (don't know what will happen).”</td>
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<tr>
<td></td>
<td></td>
<td>“I don't think the Student Conduct Committee will care about me.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“I am new to the process. I don't know anything about the Student Conduct Committee.”</td>
</tr>
<tr>
<td>Advocate</td>
<td>9.4% (N = 13)</td>
<td>“The guy [advocate] said that would be easier.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“Because the advocate told me to.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“The guy [advocate] said that was smarter because the Student Conduct Committee was unpredictable.”</td>
</tr>
<tr>
<td>Guilt</td>
<td>2.9% (N = 4)</td>
<td>“I don't know where to go for Dean of Students. I broke the rules of the lab- I should deal with it here.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“I did cheat (I cannot really dispute that fact). The Student Conduct Committee is more unknown/uncertain.”</td>
</tr>
<tr>
<td>Category</td>
<td>Percentage of Responses</td>
<td>Examples</td>
</tr>
<tr>
<td>-----------</td>
<td>-------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Innocence</td>
<td>5.8% ((N = 8))</td>
<td>“I didn't do anything wrong, but I am worried the Student Conduct Committee might not believe me. I have nothing to prove my innocence.” “I didn't do anything wrong. But, I don't want to go through the school or student conduct committee.” “I don't want to go before a Dean for something I didn't do.”</td>
</tr>
<tr>
<td>Quieter</td>
<td>7.9% ((N = 11))</td>
<td>“I work for the Student Conduct Committee. So even though I didn't do anything wrong, I would be embarrassed.” “Don't want to deal with Student Conduct. No more attention brought to incident.” “I don't want to make the incident any bigger.”</td>
</tr>
<tr>
<td>Confederate</td>
<td>0.7% ((N = 1))</td>
<td>“I don't want anything on my record. I don't want the other participant to get in trouble.”</td>
</tr>
</tbody>
</table>
CHAPTER 9
DISCUSSION

Despite the high percentage of guilty convictions resolved via plea bargaining, little research has examined the social psychological processes that influence plea decision-making. To our understanding this was the first experimental study, manipulating actual guilt, to examine the effects of attorney advice and presence on defendants’ plea decisions. This was also one of a limited number of studies to examine plea decisions using a paradigm that manipulates actual guilt (Gregory, et al., 1978; Dervan & Edkins, 2013). To guide this research, I used social influence theory to inform why individuals might be willing to comply or conform to the advice or recommendation of an attorney, whose advice likely affects defendants’ perception of the strength of evidence against them, their perception of probability of conviction, and decision to accept a plea or go to trial.

The specific aims of this dissertation were to extend our understanding of how defendants make the important decision of whether to accept a plea or take their case to trial and how the attorney’s advice plays a role in this decision. Past research suggests guilty individuals are much more likely to accept a plea than innocent individuals (Gregory, et al., 1978; Bordens, 1984; Dervan & Edkins, 2013), and this was supported by my research. Other research has suggested that the attorney plays an important role in defendant’s decisions (Redlich, et al., 2010; Malloy, et al., 2014), and this was also supported by my research. Overall there were three key findings from this dissertation: (1) actual guilt and advocate recommendation significantly affected participants’ plea decisions, (2) actual guilt significantly affected participants’ decisions; (3) and advocate recommendation significantly affected participants’ decisions. I discuss each of these findings below.
The Impact of Actual Guilt and Advocate Recommendation on Plea Decisions

First, participants’ decisions to accept guilt and the lab punishment or go before the Student Conduct Committee were affected by both their actual guilt and the presence/content of an advocate’s advice.

In this study, guilty participants were more likely to accept guilt and the lab punishment (71%) than innocent participants (36%); this corresponds with past research suggesting that guilty individuals are more likely to plead guilty than innocent individuals (Gregory, et al., 1978; Bordens, 1984; Dervan & Edkins, 2013). It is important to note that our false guilty plea rate was 36%; roughly a third of innocent participants in this study were willing to admit they cheated and accept a punishment for an academic dishonesty incident that never occurred.

There was also a significant interaction effect between participant guilt, trial information, and plea information; this effect was driven by a difference in innocent participants’ decisions as a result of the recommendation given by the advocate. Similar to defendants within the criminal justice system, guilty participants in this study had their mind made up about accepting a plea and were less likely to be influenced by the advocate’s advice. For innocent participants, they were least likely to falsely plead guilty when the advocate advised them to take their case before the Student Conduct Committee (M = 4%). So for innocent participants, being told by an advocate that the lab punishment was not a good offer, the committee could find them not guilty, and they should take their chances before the committee, resulted in the lowest number of innocent individuals accepting guilt and the lab punishment. Innocent individuals were most likely to falsely plead guilty when the advocate advised them to accept the plea (M = 58%). In line with social influence theory, for innocent participants, being told by an advocate that their chances before the Student Conduct Committee were unknown, the lab punishment was a less severe punishment than what the committee would offer if they were found guilty, and that the
lab punishment was a better offer and they should just accept it, resulted in the highest number of false guilty pleas. Receiving advice to go to trial was significantly different that all other advice conditions: no advice, $M = 36\%$; advised to plea, $M = 58\%$; or both types of advice, $M = 47\%$.

Thus, participants advised to plea were the most likely to falsely plead guilty and participants advised to go to trial were the least likely to falsely plead guilty (although this effect was not significant for guilty participants).

For guilty participants, their final choice did not significantly differ based on advocate presence/recommendation. Although it's important to note that guilty participants advised by the advocate to accept the plea resulted in the highest number of true guilty pleas ($M = 91\%$). Guilty participants given both options resulted in the lowest percentage of true guilty pleas ($M = 55\%$).

For guilty participants, receiving both the plea information and trial information advice, being told by an advocate the pros and cons of taking their case before the Student Conduct Committee or accepting the lab punishment, and that the advocate supported their decision and would stand by them, resulted in the lowest number of true guilty pleas. For guilty participants, 74\% of participants given no advice by an advocate plead guilty and 64\% of participants advised to go before the Student Conduct Committee plead guilty. Unlike innocent participants, for guilty participants, the content of an advocate’s recommendation did not significantly affect final decisions.

These findings support the hypothesis of social influence theory that individuals will look to another for advice, who they perceive to be more knowledgeable or experienced, and can also elucidate why innocent individuals were more susceptible to the advocate’s recommendation than guilty individuals. Research suggests that guilty individuals are much more likely to accept a guilty plea than innocent individuals (Gregory, et al., 1978; Bordens, 1984; Dervan & Edkins,
2013), who likely want to tell their side of the story. So it’s understandable that guilty individuals would not be persuaded by the advocate’s recommendation like innocent individuals would; innocent individuals are likely perceiving the advocate as one of their best chances of proving their actual innocence. Likely, guilty individuals are more motivated to plead guilty because of their perceptions of the evidence against them (affecting their perception of conviction at trial). Guilty individuals are also likely affected by internal feelings of guilt, accountability, and responsibility for committing the crime (Houston, Meissner, & Evans, 2014). Guilty individuals likely have a preconceived opinion regarding accepting a guilty plea or going to trial that is largely affected by their actual guilt. In comparison to guilty individuals, innocent individuals likely have a harder time imagining how their case would play out in court and are more susceptible to external social pressures (e.g. the influence of the advocate) (Houston, et al., 2014). In this situation, innocent individuals look and feel more uncertain, and when we’re uncertain, we look toward social influence and others to guide decision-making.

**The Impact of Actual Guilt**

Another important aspect of this study was the impact of participant guilt. In this study, guilty participants rated their probability of conviction, perception of conviction, and the strength of the evidence against them higher than innocent participants. From an economic perspective, the decision to plea for guilty participants is likely a rational choice. In terms of the shadow of trial theory, individuals make the decision to plea or take their case to trial based on their perceived outcome at trial, which is determined by the strength of evidence in the case (Mnookin & Kornhauser, 1979). Guilty individuals are probably aware of the possibility of inculpatory evidence and therefore perceive the strength of evidence higher and as a result the probability of conviction higher. Conversely, innocent individuals likely don’t perceive the presence of much
aggravating evidence and therefore perceive their probability of conviction much lower than guilty individuals.

Participant guilt affected participants’ perceived fairness rating; in line with our hypotheses, innocent participants rated the fairness of the situation lower than guilty participants. I also expected that innocent participants would trust the Student Conduct Committee more than guilty participants, but I did not see that effect in this study. There were no significant differences in trust in the Student Conduct Committee ratings as a result of participant guilt. Past research suggests innocent individuals are more likely to feel that a conviction or punishment (accepting guilt and a punishment for something they didn’t do) is unfair given their factual innocence (Tor, et al., 2010). So it’s understandable that innocent participants felt a stronger sense of injustice at the current situation than guilty participants, which could result in innocent individuals feeling defeated and possibly hinder rational decision-making. It’s likely that guilty participants would view the situation from a rational/economic perspective, weighing their factual guilt and the higher probability of conviction against the lab punishment.

In looking at why participants made their final decision, guilty participants rated the lack of notification and instrumental motivations more influential than innocent participants (there was no significant main effect for the best option motivation). Guilty participants were more likely to indicate that they didn’t want anyone to know about the incident (lack of notification scale) than innocent participants. Guilty participants were also more likely to indicate instrumental reasons as a motivating factor than innocent participants: wanting to end the situation as quickly as possible, avoid a harsher punishment, or that the situation was a lost cause.
This is consistent with past research suggesting that instrumental reasons are a motivating factor in both true and false guilty pleas (Malloy, et al., 2014). Although I did not see this effect for innocent participants with this quantitative measure, in looking at qualitative responses, roughly 20% of innocent individuals who accepted the lab punishment indicated instrumental reasons as their motivation.

There was also an interaction between guilt and trial information on participants’ “better option” motivation option. Guilty participants were likely to state their final choice was the “better option” when they were not advised to go to trial compared to when they were advised to go to trial. Thus, for guilty participants, not hearing advice regarding going to trial resulted in higher ratings than being advised to go to trial. Again, for guilty participants, we had a high rate of true guilty pleas (ranging from 55% to 91%), so likely hearing advice to go to trial was not in line with their preconceived opinions. Conversely, innocent participants were likely to state their final choice was the “better option” when advised to go to trial versus not advised to go to trial. For innocent participants, receiving advice to go to trial resulted in higher ratings than not hearing that advice. For innocent individuals, being advised to go to trial was likely consistent with their opinion and hopes for resolving the issue.

I also expected that influence of the advocate ratings would depend largely on the interaction between participant guilt and advocate recommendation (trial information and plea information). I expected innocent participants who were advised to accept guilt and the lab punishment would rate the influence of the advocate lower than innocent participants advised to go before the Student Conduct Committee or those who received both types of advice. I also expected guilty participants advised to go to trial would rate the influence of the advocate lower than those advised to accept guilt and the lab punishment or those who received both types of
advice. I did not see an effect of the interaction; instead I saw an effect of guilt on participants’
ratings of the influence of the advocate. Innocent participants rated the influence of the advocate
higher than guilty participants. This is in line with social influence theory, which would posit
that innocent individuals, without any idea of how their case would be perceived at trial would
rely more on their advocate than guilty individuals.

However, in looking at those participants in the advocate absent conditions, I expected
innocent participants would also rate the absence of the advocate higher (more influential) than
guilty participants, but I did not see this effect. It’s possible that individuals in this study who did
not receive advice from an advocate simply didn’t know of that option or how an advocate could
have helped in the situation. Theoretically, individuals within the criminal justice system are
aware that they will need an attorney; however in this study, students wouldn’t know that they
would be provided with advice from an advocate, as this was manipulated in this study, but it is
not customary.

I also did not see the expected effect of participant guilt on participants’ perception of
punishment ratings; I expected that guilty participants would perceive the punishment at a
Student Conduct Committee hearing to be more severe than innocent participants. It’s possible
that participants weren’t very knowledgeable about the Student Conduct Committee and
therefore did not have any preconceived opinions about the severity of possible punishments if
found guilty by the committee. Regardless, actual guilt did not affect participants’ perception of
punishment ratings in this study. Future research should attempt to explore this possible effect
further.

Because actual guilt or innocence was manipulated, I included a question in the initial
verbal questioning (before the debriefing) asking participants if they cheated on the exam. 100%
of innocent participants said they were innocent and 54.8% of guilty participants said they were innocent. Innocent participants clung to their actual innocence throughout the entire study, not one innocent participant actually said they were guilty of cheating. They had to admit guilt in order to accept the lab punishment (to make the lab punishment analogous to a guilty plea), but when asked later before the debriefing if they actually cheated, not one participant said they did. Thus, innocent participants were willing to admit guilt in order to accept the plea (similar to how defendants must plead guilty in court to accept a guilty plea), but maintained their innocence in all other settings.

In this study, roughly half of guilty participants said they were innocent of cheating, while half admitted they truthfully cheated. That is, there were essentially 3 different groups of guilty/innocent individuals: those who claim innocence but are factually guilty, those who are guilty and admit guilt, and those who are innocent and proclaim innocence. So far, research has not examined whether a defendant’s decision making differs on where he/she falls in these three categories; instead, research has mainly focused on factual guilt or innocence. It is possible that this is an artifact of the paradigm that uses student cheating as a mechanism for inducing students to commit a crime; students who are factually guilty might not actually think they are guilty. Conversely, students who are factually guilty might also be motivated to lie when asked if they actually did cheat.

One can imagine certain types of crimes in which a defendant might not believe that what he or she did was wrong, but he or she did actually violate the law (e.g., physician assisted suicide, some drug crimes, etc.). Indeed, jury nullification, or cases in which the jury finds the defendant not guilty because they jury believes that the defendant violated the letter, but not the spirit of the law exists (in part) for such circumstances. In any case, to address this additional
category of factually guilty participants who maintained innocence in this study, I conducted exploratory analyses examining whether these three groups of participants behaved differently on the main dependent measures.

I found a main effect of participants’ guilt response on their final decision to take their case before the Student Conduct Committee or accept the lab punishment. Participants who were factually guilty and admitted their guilt were the most likely to accept the lab punishment ($M = 79\%$); more so than those who were guilty but claimed to be innocent ($M = 63\%$) and those who were factually innocent and claimed to be innocent ($M = 36\%$). Guilty participants who admitted their factual guilt also rated their perceived probability of conviction at trial higher ($M = 46.04$) than guilty participants who claimed to be innocent ($M = 27.57$) and factually innocent participants ($M = 20.93$).

Thus, innocent individuals cling to their innocence as a protective factor and are less likely to accept a false guilty plea as a result. Whereas for guilty individuals, some might think they’re going to get away with the act, expect to plead not guilty initially so stick to that story, etc. Other guilty individuals are willing to acknowledge their involvement and accept the consequences. This could help explain the differences in true guilty plea rates for participants who admitted their guilt and those who claimed to be innocent of the incident. It’s also possible in this study that some guilty participants didn’t view their sharing of test answers with the confederate as wrong (don’t view themselves to be culpable because the confederate initiated the cheating incident), which could account for the differences in perceived probability of conviction at trial ratings. It is also possible that students did not perceive cheating as wrong, especially given the prevalence of cheating on college campuses (estimated to be as high as 75% of students engaging in some form of cheating behavior) (Bowers, 1964; McCabe, & Treviño, 2001).
Future research could examine these populations further to explore how these individuals’ plea decisions might differ.

**The Impact of Advocate Presence and Recommendation**

And lastly, the presence and content of the advocate’s recommendation (trial information and plea information) affected participants’ decisions and ratings. Following the *Strickland v. Washington* decision, the court noted that effective counsel was fundamental to fairness and therefore fell under the 6th and 14th Amendments (1984). However, effective counsel does not necessarily imply adequate or even satisfactory advice. The quality and content of attorney advice can fall on a wide spectrum. One of the main goals of this study was to demonstrate how advice from a knowledgeable individual (advocate, attorney, etc.) could influence important legal decisions. I expected that advocate advice would influence participants’ decisions, similar to the long line of research suggesting the attorney influences defendants’ decisions to accept a guilty plea (Redlich, et al., 2010; Malloy, et al., 2014). In this study, advocate presence and recommendation affected participants’ perception of conviction, perception of punishment at trial, perceived fairness, perception of knowledge, and influence of the advocate ratings.

I did not see the expected interaction of guilt and advocate presence and recommendation on participants’ probability of conviction (rating scale between 0-100%) and strength of evidence ratings. I expected that innocent participants who were advised by their advocate to take the plea would perceive their probability of conviction and the strength of evidence against them higher than innocent participants who were advised to go to trial or who were given both options by their advocate. Theoretically, if the participant were advised to go to trial, they would perceive their chances of acquittal to be worth the risk of conviction. I did see an effect of trial information on participants’ perception of conviction ratings; participants advised to go to trial rated their perception of conviction lower than those not advised to go to trial. Perception of
conviction measured if participants felt the Student Conduct Committee would find them guilty if they took their case before them. This in line with social influence theory in that depending on the content of the advocate’s advice, participants’ perception of their chances at trial differed. Participants who were told to go to trial perceived their chance of conviction lower than those who were told not to go to trial. Thus, the advice of the advocate affected one of the main predictors of plea decision-making: perception of conviction. This gives support to the hypothesis that attorney advice carries great weight for defendants in making important legal decisions.

In this study, advocate presence and recommendation affected participants’ perception of punishment a trial ratings; there was a significant interaction between trial information and plea information on participants’ perception of punishment at trial ratings. Participants who heard both types of advice rated their perception of punishment higher than those who were just advised to go to trial. It seems that participants rated their perception of punishment at trial lower when they were told to go to trial. From an economical perspective this makes sense because individuals advised to go to trial would be more likely to believe their punishment to be less severe if found guilty (again a cost benefit ratio between a known sentence and an unknown outcome).

Advocate presence and recommendation affected participants’ perceived fairness ratings. There was a significant interaction between trial information and plea information on participants’ perceived fairness ratings. Participants who heard both types of advice rated the fairness of the situation higher than those who were only advised to go to trial. Thus, hearing both types of advice resulted in higher fairness of the situation ratings than simply being advised to go to trial. Remember, in the plea information present/trial information present conditions the
advocate gave trial information and plea information advice, as well as the pros and cons of both, and told the participant that they were there to support them in whatever decision they made. It’s possible that the more supportive tone of this condition, as well as knowing of both options, resulted in participants feeling that the situation was fairer. Also, those advised to go to trial rated the fairness of the situation lower than those not advised to go to trial. It seems being advised to go to trial resulted in overall low perceived fairness ratings.

I saw the expected effect of advocate presence and recommendation on participants’ perception of knowledge ratings, but surprisingly, the only significant difference was between those in the trial information absent versus trial information present condition. Participants advised to go to trial rated their knowledge of options lower than those not advised to go to trial. I expected those participants who heard both types of advice would have the highest rating of perception of knowledge across all other conditions. When participants were told they should go before the Student Conduct Committee they rated their perception of knowledge lower than when they did not hear that advice. Future research should explore why participants who were told neutral, non-biased advice, and given all options didn’t rate their knowledge of options higher than those given option-specific advice (trial v. plea).

I expected to see an interaction between participant guilt and advocate advice on participants’ ratings of the influence of the advocate. However in this study, there was a moderate effect of advocate advice, such that participants advised to go to trial rated the influence of the advocate higher than those heard both types of advice. Also, those advised to go to trial rated the influence of the advocate higher than those advised to plead guilty. Participants only given the advice of going to trial rated the influence of the advocate higher than all other advice conditions. It’s possible that being told the plea is a bad offer and there’s a good chance
of being acquitted at trial leaves the individual feeling like the advocate is on his/her side, believes them, and will fight for a positive solution at trial. Participants told to simply accept the plea and be done with the situation rated the influence of the advocate lowest. It seems that individuals might be aware that a guilty plea offers a quick and easy solution for the attorney and rate his/her influence lower as a result.

**Limitations**

My goal in this study was to simulate, in the lab, how individuals make the important decision of accepting a plea or taking their case to trial and how an attorney’s advice influences this decision. For this study, I adapted a research paradigm measuring how people respond to an accusation of academic dishonesty. While this paradigm improves on self-report studies and survey questionnaires, conceptually it has its limitations. As mentioned earlier, this study extends our knowledge of why individuals plead guilty within the criminal justice system, but it does not directly measure those specific variables. So while half of the students in this study were actually guilty of cheating and an accusation of academic dishonesty carries heavy weight in a university setting, it’s not comparable to threatening a person’s freedom. It’s also possible that cheating is not seen as a serious offense or that those who cheat (but didn’t induce the cheating) believed they were actually innocent. This is especially possible considering the prevalence of cheating on college campuses. Again, estimates suggest 75% or more of students report having engaged in one or more incidents of academic dishonesty (Bowers, 1964; McCabe, & Treviño, 1997); it’s possible that this behavior has become somewhat normalized on campus.

Naturally, some students would take the situation very seriously and others not as much. This is evidenced by the fact that some students were excluded for excess distress and others for being suspicious of the experiment’s true intentions. Most students fell somewhere along the spectrum, in-between being extremely upset or not taking the situation seriously. Because of
these issues, the results of this study have to be interpreted with caution. Based on these results we can deduce that culpability and knowledgeable advice from an authority figure matters in decision-making. This forms the basis for our understanding of how the content of an attorney advice likely plays into defendant decision-making regarding accepting a plea or going to trial. Future research should attempt to build off this and examine these issues within the criminal justice system.

Another limitation of this study was the gender and racial breakdown in our final sample. Roughly 70% of our final sample was female and 52.5% White, 13.6% Black/non-Hispanic, 20.6% Hispanic, 11.1% Asian, and 2% “other”. In the Criminal Justice system, female criminality is often seen as a less serious problem than male criminality, as females are more likely to commit minor offenses and account for roughly a fifth of all arrests (http://www.bjs.gov/content/pub/pdf/wo.pdf). Today, African Americans constitute roughly 1 million of the total 2.3 million incarcerated peoples and African Americans and Hispanics combined account for roughly 58% of the prison population, while only making up one quarter of the total U.S. population (http://www.naacp.org/pages/criminal-justice-fact-sheet). Thus our sample was skewed in a direction that does not demonstrate an accurate portrait of the typical offender in the criminal justice system. Future research should account for possible gender and race differences and attempt to sample a pool more reflective of the typical arrestee.

Future Directions

In this study, I chose to focus on the rationality and decisions of the accused individual, rather than the rationality and decisions of the prosecutor. Future research might consider incorporating the prosecutorial dimension that is arguably a very important element in plea decisions. The prosecutor has a plethora of decision-making points that have to be considered: doing justice, functioning within the courtroom-working group, thinking of other evidence, and
even other cases. These provide a basis for future research examining prosecutorial decision-making in plea negotiating and bargaining.

In this study, I made the assumption that the largest source of social influence would come from the defendant’s attorney. But it’s likely that social influence comes in many shapes and sizes and that other inmates could also serve as a source of social influence; these individuals could share information coming from their attorney, and current and past experiences with prosecutors, judges, and other legal actors, etc. Individuals have reported wanting to leave jail or the lack of bail money as a motivation for accepting a plea, logically these individuals are spending the interim time before making this final decision with other prisoners (Redlich, et al., 2010). Future research should explore how other arrestees’ advice or information may also influence defendant decision-making.

Exploratory findings from this study showed differences in guilty plea rates based on demographic variables (gender and race). Regardless of guilt and advocate advice, female participants were significantly more likely to accept guilt and the lab punishment (58%) than male participants (41%). In this study, females were more willing to admit guilt regardless of the predictive factors. Future research could tease apart these effects to better understand the role gender, guilt, and attorney advice play in plea decisions.

In this study, innocent minority participants were more likely to falsely plead guilty (44%) than innocent White, non-Hispanic participants (29%). Also, guilty minority participants were less likely to accept a true guilty plea (64%) than guilty White, non-Hispanic participants (77%). Guilt seems to play more of a role for White participants than minority participants; minorities appear to be following an inaccurate decision-making rule. Research suggests Hispanic and Black defendants are treated differently in the plea bargaining system than White
Defendants (Zatz, 1984; Albonetti, 1997; Ulmer, 1997). Do minorities perceive that they will experience bias within the legal system and that drives their decision to plea or go to trial? Are minority individuals following an inaccurate decision-making rule? Why this discrepancy in true and false guilty plea rates between Whites and non-Whites? In this study, I did not see any differences in probability of accepting guilt/lab punishment rates based on the interaction between advocate recommendation and race. Future research could also examine for any potential differences regarding susceptibility to attorney advice based on race.

The goal of this research was to better elucidate the factors that affect how defendants make important legal decisions (i.e., how attorney recommendations influence defendant’s plea bargaining or trial choices). This dissertation helps to contribute to our knowledge of why innocent individuals decide to plead guilty, ultimately leading to their wrongful conviction. In addition, this dissertation hopefully also contributes to our knowledge of attorney influence in light of recent Supreme Court decisions (Missouri v. Frye, 2012; Lafler v. Cooper, 2012). The Supreme Court stated the 6th Amendment right to counsel extends beyond the courtroom and into the plea negotiation phase as well. This begs the question- what does effective representation look like? People make rational and good plea decisions every day; the ethical issue lies when those decisions are coerced, based on unfair/biased advice, or the threat of low quality representation. One of the hopeful situations of this line of research is to better understand why people plead guilty so that we can develop safeguards to limit the number of defendants falsely accepting guilt to a crime they did not commit while not significantly affecting the number of true guilty pleas.
# UFIRB 02 – Social & Behavioral Research

## Protocol Submission Form

*This form must be typed. Send this form and the supporting documents to IRB02, PO Box 112250, Gainesville, FL 32611. Should you have questions about completing this form, call 352-392-0433.*

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<tr>
<th>Title of Protocol:</th>
<th>Decisions about campus experiences</th>
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<th>Principal Investigator:</th>
<th>Kelsey Henderson</th>
<th>UFID #: 0486-6082</th>
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<tr>
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<td>Graduate Student</td>
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<tr>
<td>Mailing Address: (If on campus include PO Box address):</td>
<td>PO Box 117330</td>
<td>Gainesville, FL 32611</td>
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<tr>
<td>Email:</td>
<td><a href="mailto:kelseyhenderson@ufl.edu">kelseyhenderson@ufl.edu</a></td>
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<th>Supervisor (If PI is student):</th>
<th>Lora Levett</th>
<th>UFID#: 4248-5813</th>
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| Source of Funding | (A copy of the grant proposal must be submitted with this protocol if funding is involved): | None |

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<th>Scientific Purpose of the Study:</th>
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<td>In this study, we are investigating student's perceptions of possible punishments for academic dishonesty. We are attempting to assess the “harshness” or “leniency” of possible punishments options. We are interested in what punishments student feel are fair for cheating on a research study by providing multiple punishment scenarios and have students rank the severity of these punishments. In this study, participants will read a trial vignette about a student who is caught cheating while participating in a research study on campus. Participants will then answer questions about possible punishments for the subject's academic dishonesty.</td>
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Describe the Research Methodology in Non-Technical Language: (Explain what will be done with or to the research participant.)

Students will be recruited from online-based criminology classes and the online participant pool in the department of Sociology and Criminology & Law. After signing up, students will be directed to an online site and will be given an informed consent form (attached in Appendix A). If they consent, participants will read a fictional story about academic dishonesty (attached in Appendix B). After reading the vignette, they will fill out a questionnaire, asking them to rate possible punishments for academic dishonesty (attached in Appendix C). After completing the questionnaire, participants will be debriefed using the debriefing form attached in Appendix D. Alternative assignments are available in case students do not want to participate in research.

Describe Potential Benefits:

The benefits for the participants in this study will be knowledge gained about the research process through their participation.

Describe Potential Risks: (If risk of physical, psychological or economic harm may be involved, describe the steps taken to protect participant.)

There are minimal risks to participating in the study. Participating in this study is no different than hearing about a student who is accused of academic dishonesty or hearing about different punishments for academic honesty.

Describe How Participant(s) Will Be Recruited:

Participants will be recruited through online-based criminology classes and the Sociology and Criminology & Law Participant Pool. Participants will sign up for the study online, and then participate in the study online. Credit will be awarded through the Participant Pool to count toward students’ class grades.

| Maximum Number of Participants (to be approached with consent) | 75 | Age Range of Participants: | Participants must be 18 years old or older | Amount of Compensation/ course credit: | 1 credit through the participant pool. |

Describe the Informed Consent Process. (Attach a Copy of the Informed Consent Document. See http://irb.ufl.edu/irb02/samples.html for examples of consent.)

When are directed to the Qualtrex website, they will receive an informed consent document that describes the process that they will undergo in the study. Participants will read through the informed consent document and decide whether they want to participate in the study. If participants click ‘consent’ they will be directed to the study. No identifying information will be gathered on the qualtrix website; thus, those who sign up for the study will be awarded credit. There is no penalty for not participating in the study, and alternative assignments are available for those who do not wish to participate in research. Participants will be instructed to print a copy of the informed consent document to keep, and it is attached in Appendix A.

(SIGNATURE SECTION)

Principal Investigator(s) Signature: ____________________________ Date: ____________________________
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<td><strong>Department Chair Signature:</strong></td>
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Informed Consent

Protocol Title: Decisions about Campus Experiences

Please read this consent document carefully before you decide to participate in this study.

Purpose of the research study:
The purpose of this study is to assess your perception of an incident on campus.

What you will be asked to do in the study:
If you choose to participate, you will read a vignette about a fictional scenario of academic dishonesty. After reading the vignette, you will fill out a questionnaire, asking you to rate specific punishment options. After completing the questionnaire, you will be debriefed.

Time required:
20 minutes

Risks and Benefits:
There are minimal risks to participating in the study. Participating in this study is no different than hearing about a student accused of academic dishonesty. There are no direct benefits to you for participating in the study.

Compensation: You will be awarded 1 credit through the Criminology and Law Participant Pool.

Confidentiality:
Your information will be assigned a code number and you will not ever be identified by name. Thus, your participation is anonymous. Your name or your individual data will not be used in any report.

Voluntary participation:
Your participation in this study is completely voluntary. There is no penalty for not participating.

Right to withdraw from the study:
You have the right to withdraw from the study at any time without consequence.

Whom to contact if you have questions about the study:
Kelsey Henderson, Principle Investigator, Department of Sociology, Criminology & Law, kelseyhenderson@ufl.edu.
Dr. Lora Levett, Supervisor, Department of Sociology, Criminology, & Law, llevett@ufl.edu, 352-294-7181.

Whom to contact about your rights as a research participant in the study:
IRB02 Office, Box 112250, University of Florida, Gainesville, FL 32611-2250; phone 392-0433.

Agreement:
I have read the procedure described above. I voluntarily agree to participate in the procedure and I have received a copy of this description.

Participant: ___________________________________________ Date: _________________
Principal Investigator: _______________________________ Date: _________________
APPENDIX C
PILOT STUDY VIGNETTE

At a large Southeastern University, undergraduate students are required to participate in research
as part of their course grades in particular classes. Alex, a junior at this University, is enrolled in
a Law and History course that requires such research participation. In the middle of semester,
with law school applications and course work mounting, Alex can think of a million places he’d
rather be than sitting in a laboratory taking part in a study. Alex shows up for the study and sits
down next to another student from his course, who is also participating in research. Both students
are given the same test on legal history and instructed that there is a group section to work on
together and also an individual section to be completed individually. The researcher tells them to
answer each question to the best of their ability, hands out the quizzes, and walks back into the
computer lab where he will wait while they complete the quiz.

Alex and his fellow participant begin by working on the group session, which assesses
specific patterns of legal trends throughout history. Alex recognizes his partner from class, Chris,
and they discuss the research participation component of class along with next week’s looming
test. They work well together on the group section, each contributing equally to the overall
session. They finish the group session and begin working on the individual portion of the quiz,
which consists of open-ended responses. Alex answers a couple of the questions without trouble
because they seem very generally related to laws that are commonly known. Alex has trouble
with some of the more specific questions, but remembers that the researcher’s instructions: if he
had to, he could skip over a question or two. All of a sudden, Chris taps on Alex’s shoulder and
points to Question 13, shrugging his shoulders as if he doesn’t understand what the question is
asking or the correct response. Chris grudgingly acknowledges Chris and whispers, “What’s
up?” Chris asks for help with this question, saying that he thinks he knows the right response but

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just wants to verify. Alex, not wanting to continue the conversation with the risk of the researcher overhearing, whispers what he wrote for that question. Alex doesn’t see anything wrong with sharing his response with Chris because Chris probably knew the right response if he had really thought about it. Both Alex and Chris finish the quiz, notify the researcher of their completion and wait for the researcher’s response. After a few minutes, the researcher comes into the laboratory looking a bit stressed. The researcher tells Chris and Alex that there’s only a 10% chance of getting the correct response to each question on the individual portion of the quiz and both of them got one of the questions right. The researcher explains that the quiz is meant to be difficult and the fact that both Chris and Alex performed similarly on the individual portion made him believe that they cheated on the quiz. The researcher explains that academic dishonesty is a serious matter and cheating on grant-funded project hinders the data results and the integrity of the research project and lab. The researcher seems to be unaware of how to proceed with the study and tells Alex and Chris that the supervisor of the lab will have to be notified, who will figure out how to rectify the problem and what the boys’ punishments will be. The researcher then leaves the room to call his advisor in a separate room. Alex looks over to Chris in disbelief. After several long minutes, the researcher finally walks back into the lab and explains that he talked to his professor about how to handle the situation. The researcher explains the punishment for academic dishonesty to both Alex and Chris. At this point, you may skip the next section of the readings and proceed down to the questions. Please proceed down to Question #9, which asks, “What is your favorite novel?” To indicate that you read this prompt and were paying attention to the details of the vignette, you must answer, “The Red Scarf.” This stopping point is included to detect those students who are paying attention versus just skipping the text.
Alex leaves the lab and walks through Plaza of the Americas on his way to class. He decides to sit and have lunch after the long stint in lab. He waits in line for Krishna lunch and observes the Krishna singing and dancing before finally getting his plate. Alex sits down in the grass and eats his lunch. He then walks to his next class in Keen-Flint Hall. Social Psychology is one of Alex’s favorite classes, but today he is distracted by the recent events in the lab during the research study. His professor asks for last night’s assignment, which Alex passes to the front of class. His thoughts slip between today’s lecture and what the researcher said about academic dishonesty. He never really thought of academic dishonesty too in-depth because he never considered his actions to be wrong. However, he did help his classmate Chris when instructed to do the work individually. Could something like that really cause so much trouble? Alex begins to get angry with the researcher for making such a big deal. He could have easily just let it go, Alex thinks. His attention returns to the lecture, and the professor begins to discuss the Stanford Prison Experiment and how people’s identity transforms with authority. Alex puts the thoughts about the research study out of his head and watches the video explaining the study’s methodology and what the findings suggest about human behavior. “That’s it!” Alex thinks to himself. That researcher got to use a clipboard and give out instructions, which made him think he had more authority than everyone else and it probably got to his head. “That researcher was probably just a student who volunteered to work in that lab and now thought he ran the place,” Alex thinks. That researcher had no right to accuse Alex and Chris of doing anything wrong and should have just minded his own business. Alex justifies his behavior and brushes the ordeal off. He decides to let it go and concentrate on class.

After class, Alex catches up with a group of friends from class and asks for everyone’s plans for the big game on the weekend. Everyone throws out some recommendation about
whether they should tailgate before the game or just go downtown or midtown after the game. Alex doesn’t really care, telling them he’s up for anything as long as it gets him out of his dorm and out with a group of friends. Alex has to run off to catch the bus and tells his friends to send a Facebook message about the plan. He runs off in the other direction.
APPENDIX D
PILOT STUDY QUESTIONNAIRE

Instructions: Alex has been accused of academic dishonesty for his actions in the research laboratory. Please answer the following questions regarding possible punishments for Alex. Please do not leave any questions blank.

Please indicate how appropriate the following punishments are clicking the box corresponding with your belief. Please evaluate each as independent punishment options.

1. Alex is asked to leave the lab and will not receive participation points.

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2. Alex is asked to leave the lab, will receive no participation points, and will not be allowed to participate in research studies in the future.

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3. Alex will receive a zero for the research percentage of his final grade in class.

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4. Alex will have to attend 9 hours of an Ethical Behavior course on campus.

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5. Alex is asked to leave the lab, will receive no participation points, and will have to attend 9 hours of an Ethical Behavior course.

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6. Alex will have to attend 4 weekend sessions of Ethical Behavior on campus.

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7. Alex will have to enroll in 3 credit hours of Ethical Behavior next semester at full cost.

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8. Alex is asked to leave the lab, will receive no participation points, and will have to enroll in 3 credit hours of Ethical Behavior next semester at full cost.

9. What is your favorite novel?

10. A note will be filed on Alex’s university record.

11. Alex will be dropped from his course and receive an “Incomplete” and a note will be filed on his university record.

12. Alex will be dropped from his course and will receive an “Incomplete” for the course.

13. Alex will receive a zero for the research percentage of his final grade in class and will have to attend 4 weekend sessions of Ethical Behavior on campus.

Please indicate how severe the following punishments are clicking the box corresponding with your belief. Please evaluate each as independent punishment options.
1. Not at all
2. Not Severe
3. Slightly
4. Fairly
5. Severe
6. Very Severe

3. Alex will receive a zero for the research percentage of his final grade in class.

1. Not at all
2. Not Severe
3. Slightly
4. Fairly
5. Severe
6. Very Severe

4. Alex will have to attend 9 hours of an Ethical Behavior course on campus.

1. Not at all
2. Not Severe
3. Slightly
4. Fairly
5. Severe
6. Very Severe

5. Alex is asked to leave the lab, will receive no participation points, and will have to attend 9 hours of an Ethical Behavior course.

1. Not at all
2. Not Severe
3. Slightly
4. Fairly
5. Severe
6. Very Severe

6. Alex will have to attend 4 weekend sessions of Ethical Behavior on campus.

1. Not at all
2. Not Severe
3. Slightly
4. Fairly
5. Severe
6. Very Severe

7. Alex will receive a zero for the research percentage of his final grade in class and will have to attend 4 weekend session of Ethical Behavior on campus.

1. Not at all
2. Not Severe
3. Slightly
4. Fairly
5. Severe
6. Very Severe

8. Alex will have to enroll in 3 credit hours of Ethical Behavior next semester at full cost.

1. Not at all
2. Not Severe
3. Slightly
4. Fairly
5. Severe
6. Very Severe

9. Alex is asked to leave the lab, will receive no participation points, and will have to enroll in 3 credit hours of Ethical Behavior next semester at full cost.

1. Not at all
2. Not Severe
3. Slightly
4. Fairly
5. Severe
6. Very Severe

10. Alex will be dropped from his course and will receive an “Incomplete” for the course.

1. Not at all
2. Not Severe
3. Slightly
4. Fairly
5. Severe
6. Very Severe
11. A note will be filed on Alex’s university record.

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12. Alex will be dropped from his course and receive an “Incomplete” and a note will be filed on his university record.

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Please rank the following punishments in regards to their severity. Rank the most lenient punishment (1) to the harshest punishment (8).

- _____ Leave lab and will not receive participation points
- _____ Attend 9 hours of Ethics Course
- _____ Attend 4 weekends of Ethics Course
- _____ Leave lab and not allowed to participate in research studies in the future
- _____ Dropped from course and receive an “Incomplete”
- _____ Receive a zero for the research participation portion of grade
- _____ Enroll in 3 credit hours of Ethics Course at full cost
- _____ A note filed on University record

What is the appropriate punishment? Please check as many as apply (i.e., create your own punishment by selecting as many options as you believe are appropriate).

Leave lab and will not receive participation points
Attend 9 hours of Ethics Course
Attend 4 weekends of Ethics Course
Leave lab and not allowed to participate in research studies in the future
Dropped from course and receive an “Incomplete”
Receive a zero for the research participation portion of grade
Enroll in 3 credit hours of Ethics Course at full cost
A note filed on University record

If you were Alex, what punishment would be acceptable to you? Please check as many as apply (i.e., again, create your own punishment by selecting as many options as you think are appropriate from the perspective of Alex).
Leave lab and will not receive participation points
Attend 9 hours of Ethics Course
Attend 4 weekends of Ethics Course
Leave lab and not allowed to participate in research studies in the future
Dropped from course and receive an “Incomplete”
Receive a zero for the research participation portion of grade
Enroll in 3 credit hours of Ethics Course at full cost
A note filed on University record
APPENDIX E
PILOT STUDY DEBRIEFING

In this study we are attempting to examine the severity of possible punishments for academic dishonesty. The vignette was a hypothetical scenario of academic dishonesty occurring during a research study and you were given questions to gauge your perceptions of differing punishments for this action. We are particularly interested in punishments that are perceived as “too lenient” or “too harsh.” We are attempting to rank all of the possible punishment options to determine the most lenient, most severe punishment and how other options fall along a continuum in the middle. Please do not discuss this study with any other person who could potentially participate as it could change our results. We have lots of people participating in this study or similar studies both during this semester and across the next few semesters. The success of this study requires that the people who participate have no idea in advance what the study. If you talk to others about the purpose of the study it would be the same as I told them at the beginning all about the purpose of the study. Their responses wouldn't be spontaneous and natural. So if you discuss this study with others, we wouldn't have enough valid data to draw any conclusions about how people naturally behave in this situation. In short, the study would be wasted; your time would be wasted and our time would be wasted. Thank you again for your participation.
**UFIRB 02 – Social & Behavioral Research**

Protocol Submission Form

This form must be typed. Send this form and the supporting documents to IRB02, PO Box 112250, Gainesville, FL 32611. Should you have questions about completing this form, call 352-392-0433.

<table>
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<tr>
<th>Title of Protocol:</th>
<th>Investigating Predictors of True and False Guilty Pleas</th>
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<tr>
<td>Principal Investigator:</td>
<td>Kelsey Henderson</td>
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| Mailing Address: (If on campus include PO Box address): | PO Box 117330  
Gainesville, FL 32611 |
| Email: | kelseyhenderson@ufl.edu |
| Degree / Title: | Graduate Student |
| Mailing Address: (If on campus include PO Box address): | PO Box 117330  
Gainesville, FL 32611 |
| Email: | kelseyhenderson@ufl.edu |
| Department: | Sociology and Criminology & Law |
| Telephone #: | 386-365-4624 |
| Co-Investigator(s): | |
| UFID#: | |
| Email: | |
| Supervisor (If PI is student): | Lora Levett |
| Mailing Address: (If on campus include PO Box address): | PO Box 117330  
Gainesville, FL 32611 |
| Email: | levett@ufl.edu |
| Degree / Title: | PhD |
| Department: | Sociology and Criminology & Law |
| Telephone #: | 352-294-7181 |
| Date of Proposed Research: | June 2014- April 2015 |
| Source of Funding (A copy of the grant proposal must be submitted with this protocol if funding is involved): | None |

**Scientific Purpose of the Study:** In this study we are investigating guilty pleas using an innovative paradigm in which we manipulate the advocate’s advice to the suspect and the leniency of the plea. We adapted the paradigm from previous research examining true and false confessions (Russano, Meissner, Narchet, & Kassin, 2005). We will measure whether suspects take the plea deal offered and the motivations behind their decision-making. We will randomly assign participants to be guilty or innocent of the academic dishonesty, allowing us to examine true and false guilty pleas. All students will be accused of cheating on a participant pool project for which the student gets course points and will
then have the option of taking the plea offer or taking their case before the Conduct Committee. Thus, the specific aim of this study is to examine what affects whether guilty and innocent people accept a plea bargain to resolve a situation of academic dishonesty.

In this research, we are going to adapt a realistic experimental paradigm to investigate the factors that influence whether an innocent or guilty defendant will falsely plead guilty. In this study, we will focus on two legally and theoretically relevant factors: the attorney’s counsel and the leniency of the plea offer.

**Purpose #1. The proposed research will expand our understanding of false guilty pleas.** While much literature is devoted to examining several factors contributing to wrongful conviction, false confessions, and jury decision-making, relatively less scholarship has examined what influences whether a defendant will plead guilty to a crime (Redlich, 2010). We know that false guilty pleas are a problem in our system (Redlich, 2010), but only a few studies have examined what factors may lead to a false guilty plea (Redlich, Summers, & Hoover, 2010; Dervan & Edkins, 2013). Although a precise number of false guilty pleas is unattainable (Redlich et al., 2010), estimates of the prevalence of false guilty pleas range anywhere from 5% to 11% of pleas given (innocenceproject.org; Drizin & Leo, 2004). Given the large number of guilty pleas given in the United States today, the actual number of false guilty pleas could be enormous.

Research has documented that susceptible populations: juveniles, mentally retarded, and individuals with mental illnesses are the most likely individuals to falsely accept guilt for a crime they did not commit (Kassin, Drizin, Grisso, Gudjonsson, Leo, & Redlich, 2010) and as individuals who falsely plead guilty have noted, they feel themselves to be in a “no-win” situation (Redlich, Summers, & Hoover, 2010). Research has also suggested that defendants who accept a guilty plea claim to have made a knowing plea decision, but plea comprehension is low (Redlich & Summers, 2012). This research suggests that it is the most vulnerable and susceptible populations who are the most likely to accept a false guilty plea; research on this topic is needed to inform policy to better protect these populations.

This research has the potential to contribute to the growing body of research on wrongful conviction; one of the hopeful outcomes of this field is to better understand why people plead guilty so that we can develop safeguards to limit the number of defendants falsely accepting guilt to a crime they did not commit while not significantly affecting the number of true guilty pleas. This project has the potential to better elucidate the mechanisms in which defendants make important legal decisions (i.e., how attorney recommendations influence defendant’s plea-bargaining or trial choices). As an estimated 90-95% of convictions are obtained via guilty pleas, understanding the influence of attorney recommendations on true and false guilty pleas is an integral part of research on plea-bargaining. Thus, this study represents a novel area of research examining the antecedents of true and false guilty pleas.

In this study, we will examine guilty pleas by investigating factors that affect whether guilty and innocent students who are accused of cheating will plead guilty or take their “case” to trial. We will test this by manipulation by assigning participants to be either guilty of innocent of a cheating on a participant pool project for which the student gets course points. We will use a paradigm that allows us to measure actual behavior (Russano, et al., 2005), we will manipulate whether participants are guilty or innocent of cheating on a participant pool project for which the student gets course points; thus, we will be able to examine both true and false guilty pleas. In the guilty condition, the confederate asks the participant for help on a problem in the individual section; in the innocent condition, the confederate does not ask for help. Using this paradigm allows us to manipulate whether the participants are factually guilty or innocent, and then examine their responses to various scenarios and manipulations.

**Purpose #2. The proposed research project will expand our understanding of the ‘Shadow of the Trial’ theory and how individuals make important legal decisions.** When applied to plea-bargaining, the theory posits that the decision to plea-bargain is based on the defendant’s perceived outcome at trial, which is determined by the strength of evidence (Mnookin & Kornhauser, 1979). The defendant has two choices, the unknown trial outcome versus the known plea outcome. The theory introduces the idea of “plea discounts” or “trial penalties,” such that defendants who plead guilty are sentenced to significantly shorter sentences than had they gone to trial and decision-making will be based on the defendant’s perceived outcome at trial (Mnookin & Kornhauser, 1979). The trial penalty suggests that defendant’s who reject a plea offer and instead go to trial will be penalized if found guilty by the judge.
Theoretically, an attorney might recommend that his client take a plea because his chance at trial is unknown or too risky. So, the attorney may influence the defendant’s perception of the “plea discount” and encourage the defendant to accept a plea because they will receive a longer sentence if found guilty at trial. Conversely, an attorney could advise their client to reject a plea offer because the plea offer is comparable to the estimated sentence at trial, if found guilty.

We will test this theory by manipulating the ‘plea offer’ the participant receives: either a lenient plea offer or a harsher plea offer. In line with the shadow of the trial theory, participants in the ‘lenient plea’ condition might be more likely to take a plea than participants in the ‘harsher plea’ condition. This will allow us to gain a better understanding if the mechanisms through which individuals make a decision to accept a plea or go to trial are supportive of the ‘bargaining in the shadow of trial’ theory.

**Purpose #3. The proposed research project will expand our understanding of the impact of attorneys and the influence of their recommendations on plea bargaining decisions.**

Research suggests that attorney recommendations have an influence on defendant’s decision; in one study, defendant’s who planned to accept a plea deal were more likely to have been advised to do so by their attorney than those who did not plan to plead guilty (Viljoen, Klaver, & Roesch, 2005). Literature suggests that the absence of the adequate representation is a factor in accepting false guilty pleas (Redlich, et al., 2010), suggesting that the attorney influences the outcome in these types of cases. It is possible that one way the attorney may do so is through making a recommendation to the client based on plea discounts and perceived outcomes at trial. Those who are unable to afford adequate representation (represented by a public defender) or are low in legal understanding might more likely to accept a false guilty plea, if they are advised to do so by their attorney. Research suggests that defense attorneys and their client’s preferences for trial or accepting plea are not always consistent and attorneys a more likely to recommend taking a plea rather than going to trial, despite their client’s preferences (Kramer, Wolbransky, & Heilbrun, 2007). Other research suggests that attorney advice may also differ based on the characteristics of the defendant; that is, there may be racial disparities in adequate representation (Edkins, 2010). This study is designed to help us better understand the role of attorney recommendations in guilty pleas. By understanding how an attorney’s advice influences defendants’ decisions, we may be able to better design safeguards for individuals that protect against false guilty pleas, especially if susceptible populations are the most at risk for such flawed decision making.

However, from the research discussed thus far, it is unclear how the attorney’s advice plays a role in the defendant’s decision making processes. That is, we know that defense attorneys are likely to recommend plea bargaining, and defendants report that these recommendations affected their decision making. However, we do not know: 1) Whether the attorney’s advice actually affects the defendant’s decision making (i.e., the studies so far have used self report from those who took plea deals), 2) Whether variations in the attorney’s advice affects the defendant’s decision making; 3) Whether the defendant’s perception of the leniency of the plea (or the plea discount) is affected by the attorney’s advice; and most importantly, 4) Whether the attorney’s advice can cause innocent individuals to plead guilty. This study is designed to answer those questions.

We will explore the influence of attorney’s recommendation by assigning participants to one of four conditions: advocate present and makes a recommendation to accept the plea, advocate present and makes the recommendation to go to before the Student Conduct Committee, advocate present and educates on both options without giving a firm recommendation, and advocate absent.

**References**


Describe the Research Methodology in Non-Technical Language:  *(Explain what will be done with or to the research participant.)*

Students will be recruited from undergraduate classes and the online participant pool in the department of Sociology and Criminology & Law. Alternative assignments are available in case students do not want to participate in research. Students will be randomly assigned to one of 16 conditions. The design of the study is: the design is a 2 (student cheating: innocent vs. guilty) X 2 (plea strength: lenient vs. harsher) X 4 (advocate: advocate present and makes a recommendation to accept the plea vs. advocate present and makes the recommendation to go to a formal student conduct committee hearing vs. advocate present and educates on both options without giving a firm recommendation v. advocate absent). So, the experiment manipulates whether the student is guilty or innocent of the cheating accusation by using a manipulation developed in previous research. This manipulation typically results in a 90% successful manipulation of guilt. Even though half of the students will be innocent, all students will be accused of cheating. The second manipulation is that we will offer students a lenient or harsh plea bargain to resolve the accusation of cheating. The third manipulation is whether they receive advice from an advocate who is educated about the student conduct process and is designed to help them. The student will receive either no advice from an advocate, advice that they should accept the plea, advice that they should ask for the formal student conduct committee hearing, or advice about both accepting the plea and asking for a formal student conduct committee hearing.

Upon signing up for the study, the participant will go to the lab and be paired with another “participant” who is a confederate. The experimenter will then give the participant and the confederate informed consent sheets. If the participant indicates consent, the participant will be randomly assigned to one of the 16 conditions. The experimenter will then give the participants the instructions regarding completing the exam. Specifically, that some of the questions should be answered as a pair and others of which that must be answered individually. The questions will be criminological knowledge questions that are possible to be solved, but should require effort from participants to answer correctly.
For participants assigned to the innocent condition, both participants will fully follow the research assistant’s instructions, by working on the group section together and the individual sections separately. For participants assigned to the guilty condition, the participants will work on the group section together, but the confederate will then ask the real participant to answer questions on the individual section. Previous research has shown that 94.5% of individuals will comply with the confederate’s request to provide assistance during the individual portion of the test – if the participant does not, their results will be collected and analyzed separately, but will not be included in the truth telling or lying analysis (Russano et al., 2005). This is consistent with previous research that has used this paradigm.

The researcher will then leave the room to grade the tests and after about 5 minutes will come back to the lab and say, “there appears to be a serious issue because according to our analysis of your responses, both students responded with the same incorrect answer for multiple questions and the chances of that happening by chance are very small—like 4%.” Dervan and Edkins (using this paradigm) report that explaining to students the statistical probability of both students answering incorrectly helps students understand how that is indicative of guilt, not merely coincidence (Dervan & Edkins, 2013). The experimenter will inform the participants that she is required to report this incident to her professor and she will determine the repercussions of incident. The experimenter will step out of the room to “call” the professor in charge of the project (no call is placed). The experimenter will return to the lab after “calling the professor in charge” and inform the student that the professor has given authorization to handle the incident in the lab rather than referring to the dean of students office. The student will be told that they will have the option whether to accept the lab’s consequences or to take the case to the dean of students office. The participants will then be informed about what the lab consequences will be (lenient or harsher plea). We anticipate that explaining the accusation and the plea will take no longer than 5 minutes.

**Lenient plea** - The experimenter will say that the professor in charge of the project was very upset, but does not want the issue to get blown out of proportion, but also has to be in line with what would be a proper consequence in this situation. So in exchange for admitting that the participant did indeed cheat, the lab’s punishment will be: the participant is asked to leave the lab and will not receive participation points for the study.

**Harsher plea** - The experimenter will say that the professor in charge of the project was very upset, but does not want the issue to get blown out of proportion, but also has to be in line with what would be a proper consequence in this situation. So in exchange for admitting that the participant did indeed cheat, the lab’s punishment will be: the participant is asked to leave the lab, will receive no participation points, and will have to enroll in 3 hours of Ethical behavior course.

After explaining the plea, the experimenter will explain that the participant will have the choice of accepting the plea or going before the Student Conduct Committee in the dean of students office. In conditions with an advocate, the experimenter will then explain that she called the Dean of Students Office after she graded the tests to see what to do about the situation. She will explain that the Dean of Students Office recommended that we have a student advocate talk to the student to help them through the process. The experimenter will explain that the advocate is there to serve as a sounding board and source of advice for the student in what to do in this situation, and that every student who is accused of cheating has the right to talk to the advocate, who is obligated to keep communications between the student and advocate confidential. The experimenter will explain that the advocate has already been briefed on the situation by the Dean of Students Office so is ready to talk to the student. The experimenter will then call the advocate (another confederate) and will give the phone to the student once the confederate answers. We anticipate the time to explain and call the advocate will take no longer than 5 minutes. The confederate will say one of the following responses based on the condition:

**Advocate present plea recommendation condition** - the advocate will say, “I am unsure about your chances at a conduct committee hearing, and this sound like a good alternative to going through that process. You don’t know what would happen in front of the Conduct Committee – it can be pretty unpredictable in situations like this. I think this a good offer – really fair and likely a lot better than what
you would get from the conduct committee. I would just take what they are offering you and put this behind you.”

**Advocate present trial recommendation condition**- the advocate will say, “I am unsure about your chances at a conduct committee hearing, but I don’t think what they are offering you is a good outcome for you. There’s a good chance that the Conduct Committee could find that you had nothing to do with this incident, and I don’t think what they are offering you is a good offer. Plus, at the conduct committee hearing you would get the chance to make your side of the story known, and they are pretty sympathetic to students who have been in these types of situations. I would take your chances at going in front of the board.”

**Advocate present educational conditional**- the advocate will say, “I am unsure about your chances at a conduct committee hearing, but it is your right to take your case before them. The benefit of going in front of them is that you could be found not guilty, and you’ll have a chance to present your side of the story. The drawback is that if you’re found guilty, the punishments are typically harsher than the punishments offered in a lab setting like this, so you also have the option of accepting the laboratory punishment and not taking your case before the Conduct Committee, too. It is my duty to inform you of both of your options and to help you, whichever path you take. Honestly, I don’t think there really is a right answer here – I will support whatever you would like to do, and I don’t think either way is a better option at this point – it is really 100% up to you. You should weigh the possible benefits and drawbacks carefully and decide which route is the best for you. Again, it is ultimately your decision to make.”

After hanging up with the advocate, the student will be asked by the experimenter, “Okay. Now you have talked to an advocate and have a better idea of your options and how we can best handle this situation. If you would like to accept the lab’s required punishment (plea), my professor will not take this up in front of the committee and that phone call will be as far as it goes in the Conduct Committee’s eyes. Or if you prefer, you can take your case to the Conduct Committee and face a range of punishments if they determine that you were guilty of cheating, or face no punishment at all if the Conduct committee finds you not guilty. What is your decision: the laboratory punishment or the Conduct Committee?” The experimenter will then write down their response (Appendix B).

At the beginning of the questions that we will proceed to ask, participants will be asked if they have ever been accused of a cheating violation before at UF. If the participant answers affirmatively, we will immediately stop the study and debrief the participant for two reasons. First, participants with a past cheating violation may experience undue stress because of the repeat accusation of cheating. Asking those participants not to sign up for the study or asking this question at the beginning of the study would indicate the purpose of the study to the participants, and would likely change the results. So, this is the first opportunity we have to ask this question without affecting the main dependent measure in the study. Second, participants with a past cheating offense are not of interest in the current research question, as their decision to accept or reject the plea could have been based on their past discretions. The experimenter will also ask them questions regarding our manipulations and also their reasoning and motivations behind making the decision to accept the lab punishment or go to ‘trial’ (these responses will be used to test the ‘Shadow of the Trial’ theory (Appendix B). The experimenter will also ask participants how believable they found our manipulations to be (appendix B). We anticipate these questions will take no longer than 5 minutes.

After answering the verbal questions, we will tell participants the situation is contrived, they are not being accused of cheating, and that we will fully debrief them after a written questionnaire. The experimenter will say:

“Sometimes in research, it is necessary to not tell participants the hypothesis and to create an artificial situation in which we observe how people respond when they are put into specific situations. In this study, we created a situation in which you were accused of cheating on an assignment for the participant pool. In reality, you are NOT being accused of cheating – it was all part of the experiment. You are not being accused of academic dishonesty, you will not be going before the student conduct committee, and you are not in any trouble with your course, the participant pool, or this lab. You are not
really being accused of cheating. We did this only to test our research question. We have one more questionnaire for you in which we want to know a bit more about your decision processes, and after that, we have a full explanation of our research questions and what happened in this experiment. Are you okay to proceed with the questionnaire?"

If participants answer affirmatively, they will then be given a questionnaire assessing the influence of their ‘advocate’ and questions regarding to trust in the jury system and plea-bargaining system. We anticipate that answering the questions will take no longer than 15 minutes.

After completing the questionnaire, all participants will be fully debriefed regarding the purpose of the study and necessity of deception. The debriefing protocol is included in the appendix. At this point it will be stressed to participants that they were at no point in trouble. If at any point, participants become over-stressed or have any visible signs of emotional distress, the experimenter will stop the experiment immediately and debrief the participant.

Describe Potential Benefits:
The benefit to students for participating will be credit for their courses. The benefit to society is large given that the ultimate goal of the research is to reduce the rate of wrongful convictions while not reducing the rate of convictions of true perpetrators. As most cases are settled through plea bargaining, it is important to understand what influences whether a person will accept a guilty plea, especially if they are innocent.

Describe Potential Risks: (If risk of physical, psychological or economic harm may be involved, describe the steps taken to protect participant.)
First and foremost, the experimenter will be trained to err on the side of caution. If at any point, a participant seems to be too emotionally or psychologically disturbed, the experimenter will immediately stop the experiment--No data is worth upsetting a student.
We propose the following:
All RAs will receive extensive training on the logistics of the proposed research project (ie. being a confederate, how to respond to participants). Due to the stressful nature of the experiment, we also propose that RAs involved with the project have a training session that is conducted with a counseling or clinical psychologist (through the university’s Counseling and Wellness Center). The training will involve presenting RAs with hypothetical situations with differing participant stress levels and demonstrating at what point it is advisable to stop the experiment. Training will also include instructions to observe for signs of excess stress. If a participant appears to be too emotionally distressed at any point, all RAs will be advised to stop the experiment and fully debrief the participant.
In addition, the PI will be present and participating in all data collection sessions. Thus, she will have the ability to observe the participant’s behavior to ensure that if the participant is exhibiting signs of stress, the experiment will stop and the participant will be debriefed.
To further reduce any potential risks, at the end of the experiment, it will be made very clear that the participant did nothing wrong, nobody is upset with their behavior, and nobody outside the experiment was contacted. Participants will be encouraged to ask questions following their participation, and will be given contact information for the researchers and the UF Wellness Center in case they have any further concerns or questions. These safeguards should greatly reduce any chance of an adverse event occurring.

Describe How Participant(s) Will Be Recruited:
Participants will be recruited through undergraduate classes and the Sociology and Criminology & Law Participant Pool. Participants will sign up for the study online, and then come in to the lab to participate. Credit will be awarded through the Participant Pool to count toward students’ class grades.

<table>
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<tr>
<th>Maximum Number of Participants (to be approached with consent)</th>
<th>500</th>
<th>Age Range of Participants:</th>
<th>Participants must be 18 years old or older</th>
<th>Amount of Compensation/course credit:</th>
<th>3 credits</th>
</tr>
</thead>
</table>

Describe the Informed Consent Process. (Attach a Copy of the Informed Consent Document. See [http://irb.ufl.edu/irb02/samples.html](http://irb.ufl.edu/irb02/samples.html) for examples of consent.)

At the beginning of the study, participants will be given an informed consent explaining their involvement in testing a new Criminological Exam (Appendix A). Participants will read through the informed consent document and decide whether they want to participate in the study. After the study is completed, they will be given an extensive debriefing form explaining the true purpose of the study and why deception had to be used (Appendix D). At that point, participants will be asked if they wish to have their data included in the project. There is no penalty for not participating in the study, and alternative assignments are available for those who do not wish to participate in research.

(SIGNATURE SECTION)

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<thead>
<tr>
<th>Principal Investigator(s) Signature:</th>
<th>Date:</th>
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<tr>
<td>Co-Investigator(s) Signature(s):</td>
<td>Date:</td>
</tr>
<tr>
<td>Supervisor’s Signature (if PI is a student):</td>
<td>Date:</td>
</tr>
<tr>
<td>Department Chair Signature:</td>
<td>Date:</td>
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PROTOCOL REVISION FORM FOR ALREADY APPROVED STUDIES

Institutional Review Board: Office 02 (Social and Behavioral Research)

UFIRB NUMBER: UFIRB #2014-U-440

PROTOCOL TITLE: Investigating Predictors of True and False Guilty Pleas

PI'S NAME: Kelsey Henderson  PHONE: (386) 355-4624  EMAIL: kelseyhenderson@ufl.edu

REVISON / AMENDMENT TO PROTOCOL

State the revision(s) you are making to the study: (If adding additional investigators, include the UFID#, Department, mailing address, and email.)

The original design of the study was a 2 (student cheating: innocent vs. guilty) x 2 (plea strength: lenient vs. harsher) x 4 (advocate: advocate present and makes a recommendation to accept the plea vs. advocate present and makes the recommendation to go to a formal student conduct committee hearing vs. advocate present and educates on both options without giving a firm recommendation vs. advocate absent). The purpose of this revision is that we have decided to omit the plea strength manipulation altogether after the dissertation proposal meeting. The revised design is a 2 (student cheating: innocent vs. guilty) x 2 (advocate trial info: present vs. absent) x 2 (advocate plea info: present vs. absent) between subjects factorial design. Participants will be randomly placed into one of the 8 conditions.

The lab punishment (plea) will remain constant and more moderate than the original “harsh plea offer”; the new lab punishment will be: Alex will receive a zero for the research percentage of his final grade in class and will have to attend 4 weekend session of Ethical Behavior on campus. The advocate will still either advise the student to take their case before the Student Conduct Committee, accept the lab punishment, educate them about both options, or no advocate will be present.

We have also revised the two questionnaires used in this study; both the questionnaire filed out by the investigator and participants have been revised. Revisions to the experimenter questionnaire involved adding “other” options to the open-ended questions (pages 1-2 of Appendix A). Revisions to the participant questionnaire involved adding more questions pertaining to attitudes assessing procedural justice measures (pages 1, 2, & 3 of Appendix B) and rearranging questions.

JUSTIFICATION FOR REVISION
Provide reason / justification for this change:

We decided to omit the plea strength manipulation because it did not seem relevant to our overall research question and by omitting the manipulation, less participants will be needed to complete the study.

To the experimenter questionnaire, we added “other” options to the open-ended questions to allow participants to indicate a response option other than the ones provided.

To the participant questionnaire, we added questions pertaining to attitudes of procedural justice to better assess participants’ views of the fairness of the process. We also rearranged questions so students could not notice reverse-coded questions as easily.

Does this change affect the following? Please attach revised copy.

<table>
<thead>
<tr>
<th>Informed Consent</th>
<th>Questionnaire</th>
<th>Flyer</th>
<th>Number of Participants</th>
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<tr>
<td>____Yes</td>
<td>____X_Yes</td>
<td>____Yes</td>
<td>____Yes</td>
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<td>____X__No</td>
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<td># Added ______</td>
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Signature Section

Principal Investigator: ____________________________ (Date)

Supervisor’s Signature (if PI is student): ____________________________ (Date)

Reviewer Comments:

Signature: IRB Chair ____________________________ Approval Date: ____________________________
## APPENDIX H
### DISSERTATION STUDY RENEWAL FORM

**IRB02: Continuing Review / Study Closure Review**

To help us keep our records current, please complete the following and return it to the UFIRB Office, PO Box 112250, Gainesville, FL 32611-2250. Should you have questions, please call 352-392-0433.

<table>
<thead>
<tr>
<th>UFIRB #</th>
<th>TITLE: Investigating Predictors of True and False Guilty Pleas</th>
</tr>
</thead>
<tbody>
<tr>
<td>PI Name:</td>
<td>Kelsey Henderson</td>
</tr>
</tbody>
</table>

1. **On what date did data collection begin?** 10/2/14

2. **Please indicate the statement that best describes the status of the protocol:**
   - [ ] a. I have not begun study activities or data collection. I plan to start on: 
   - [x] b. Study activities have started and I wish to continue:
     - Recruiting and enrolling subjects. I have attached three clean copies of the informed consent.

3. **Have there been additions or deletions to the list of researchers involved with this protocol?** If yes, describe the change(s).
   - [ ] YES  
   - [x] NO

4. **Please indicate:**
   - a. The total number of participants recruited during the past year 136

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172
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<tr>
<td>b. The total number of participants recruited to date (include prior years)</td>
<td>136</td>
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<td>c. The total number of participants to be recruited in the upcoming year</td>
<td>150</td>
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<td>d. If you recruited or plan to recruit more participants than originally estimated, provide a justification for the increase.</td>
<td>N/A</td>
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<tr>
<td>e. If you have not recruited participants please state why.</td>
<td>N/A</td>
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<tr>
<td>5. Was written informed consent required by the IRB and obtained from each participant? (Attach copy of the last signed consent) <strong>YES</strong> □NO □ If consent was required by IRB but not obtained, please attach an explanation of the circumstances.</td>
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<td>6. Were changes, however minor, made to the protocol last year?</td>
<td>YES □NO □</td>
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<td>□YES</td>
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<td>If yes, were those changes approved by the IRB prior to being implemented?</td>
<td>YES □NO</td>
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<td>If changes were made to the protocol that were not submitted to and approved by the IRB, please describe the changes and give an explanation why it was not submitted.</td>
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<tr>
<td>7. Did the procedures as implemented deviate in any way from those described in the protocol? □YES X NO</td>
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<td>If the deviation was potentially major (possibly affecting participants’ rights, welfare or willingness to continue in the study; or research data integrity), submit the NONCOMPLIANCE/DEVIATION form to the IRB. Otherwise, describe here:</td>
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<td>8. Did any participant(s) withdraw from this research project during the past year? If YES, provide the reason for EACH participant’s withdrawal.</td>
<td>YES □NO</td>
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<td>9. The research participants in this protocol include the following:</td>
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<td>10. If the protocol is externally funded, and the information about the funding was not disclosed in the protocol, please indicate the correct sponsor.</td>
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11. The IRB, the University of Florida, and the Federal Regulatory agencies consider continuing reviews to be extremely important. Research studies are approved based on an estimated ratio of potential benefits to possible risks. Based on this, please complete the following:

- Comment on how your participants responded to the study and your procedures. *(This item may be omitted only if no data were collected on research participants last year.)*

Overall, students have commented that this was one of the more exciting research experiments that they have participated in. Students comment how interesting the study is and that they are happy they were able to participate. They have made comments about how they never believed that people would falsely confess or plead guilty, and are shocked that they would also take blame for something they did not do (one of the main goals of the research project is to better examine how innocent and guilty individuals respond to being accused of cheating). They have made comments about how concepts from class are better explained after their participation. Aside from this, the study was stopped for two participants who appeared to want to leave the lab or were becoming upset (reported and approved by IRB on 10/15/14 and 1/26/15). Following IRB protocol, the experimenter stopped and debriefed the participants immediately.

- Give your opinion about any changes in the risk-benefit ratio. Is there any new information (e.g. alternative procedures, new information published in the literature) that might affect the risk-benefit ratio?

I do not believe the cost/benefit ratio has changed.

- If data from your study have been reported, attach one copy of each published report.

N/A
### SIGNATURE SECTION

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<thead>
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<th>Role</th>
<th>Date</th>
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<tr>
<td>Principal Inv.</td>
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<td>Spvr. (if PI student)</td>
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<td>Dept. Chair</td>
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#### *****THIS SECTION FOR IRBO2 USE ONLY*****

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**Comments:**

**Approved By:**

**Date:**
**APPENDIX I**

**DISSERTATION STUDY CLOSURE FORM**

**IRB02: Continuing Review / Study Closure Review**

To help us keep our records current, please complete the following and return it to the UFIRB Office, PO Box 112250, Gainesville, FL 32611-2250. Should you have questions, please call 352-392-0433.

<table>
<thead>
<tr>
<th>UFIRB #</th>
<th>2014-U-440</th>
<th>TITLE:</th>
<th>Investigating Predictors of True and False Guilty Pleas</th>
</tr>
</thead>
</table>

**PI Name:**

**Co-PI(s):**

12. On what date did data collection begin? 10/2/2014

13. Please indicate the statement that best describes the status of the protocol:

- □ a. I have not begun study activities or data collection. I plan to start on: ___________

- □ b. Study activities have started and I wish to continue:

- □ (1). Recruiting and enrolling subjects. I have attached three clean copies of the informed consent.

- □ (2). No additional subjects will be recruited and enrolled, but study activities / data collection continue on at least one participant.

- □ (3). No additional subjects will be recruited and enrolled, study interventions are complete, but data collection / long term follow up continue to be conducted as described in the informed consent. **Please attach a description of the follow-up activities.**

- □ (4). No additional subjects will be recruited or enrolled, all study interventions/interactions/data collection are complete, and all that remains is data analysis. Data to be analyzed contains identifiers or is linked to a data set that contains identifiers (identifiable).

- □ (5). No additional subjects will be recruited or enrolled, all study interventions/interactions/data collection are complete, and all that remains is data analysis. Data to be analyzed no longer contains any identifiers and is not linked to any data sets that contain identifiers (de-identified).

- **X** c. All study activities, including data analysis, are complete and I would like to close this study.

14. Have there been additions or deletions to the list of researchers involved with this protocol? If yes, describe the change(s). □ YES  **X** NO

15. Please indicate:

- f. The total number of participants recruited during the past year  198
g. The total number of participants recruited to date (include prior years) | 248  

h. The total number of participants to be recruited in the upcoming year | 0  

i. If you recruited or plan to recruit more participants than originally estimated, provide a justification for the increase.  
   N/A  

j. If you have not recruited participants please state why.  

| 16. Was written informed consent required by the IRB and obtained from each participant? (Attach copy of the last signed consent) | YES ☐ NO | If consent was required by IRB but not obtained, please attach an explanation of the circumstances.  

| 17. Were changes, however minor, made to the protocol last year? | YES X NO  

| If yes, were those changes approved by the IRB prior to being implemented? | YES NO  

| If changes were made to the protocol that were not submitted to and approved by the IRB, please describe the changes and give an explanation why it was not submitted. |  

| 18. Did the procedures as implemented deviate in any way from those described in the protocol? | Yes_______ No  

| If the deviation was potentially major (possibly affecting participants’ rights, welfare or willingness to continue in the study; or research data integrity), submit the NONCOMPLIANCE/DEVIATION form to the IRB. Otherwise, describe here: |  

| 19. Did any participant(s) withdraw from this research project during the past year? If YES, provide the reason for EACH participant’s withdrawal. | YES X NO  

| 10/15/14- researcher stopped the study and debriefed the participant (adverse event form filed). Participant seemed confused and had difficulty making a final decision (the study required participants’ decide how to resolve an alleged incident of cheating). |  

| 1/26/15- researcher stopped the study and debriefed the participant (adverse event form filed). Participant seemed upset after accusation of cheating (possibly due to past history with juvenile justice system). |  

| 177 |
7/13/15- researcher stopped the study and debriefed the participant (adverse event form filed). Participant started crying after allegation of cheating.

20. The research participants in this protocol include the following (Check ALL that Apply):

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<td>Infants</td>
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<td>Children</td>
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<td>Adolescents</td>
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<td>Prisoners</td>
<td>______</td>
<td>Mentally or emotionally challenged individuals</td>
<td>______</td>
<td>Pregnant Women</td>
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21. If the protocol is externally funded, and the information about the funding was not disclosed in the protocol, please indicate the correct sponsor.

22. The IRB, the University of Florida, and the Federal Regulatory agencies consider continuing reviews to be extremely important. Research studies are approved based on an estimated ratio of potential benefits to possible risks. Based on this, please complete the following:

- Comment on how your participants responded to the study and your procedures. (This item may be omitted only if no data were collected on research participants last year.)

After completing the study, I do believe the risk-benefit ratio is still acceptable. Overall, participants seemed to really enjoy the study and commented about how they felt this was one of the best research studies they had the opportunity to participate in. Many students commented about how the experiment was something like they read about in their textbooks or had seen on television and they were happy to have been a part of the experiment. Many students asked if they would be able to see the final report, because they would like to know the overall results of the study. The overall reaction regarding the study was extremely positive.

Most participants responded calmly to the accusation of cheating. The researcher erred on the extreme side of caution and stopped any study if she felt a participant was getting upset, scared, or agitated. The couple participants who were excluded from the final sample (N=3) all reported in the debriefing that their overall reaction to the event was either: “neutral, I neither enjoyed nor did not enjoy my experience” or “positive, I enjoyed my experience.” The overwhelming majority of participants indicated that their overall reaction to the experiment was “positive, I enjoyed my experience.”

248 students participated in the study. Three adverse events occurred and were reported (roughly <1% of participants).

No student ever contacted the researcher after the study to report any issues, concerns, or problems. No student was interested in taking pamphlet information on the UF Counseling & Wellness Center or having the researcher call them (offered in the debriefing).
• Give your opinion about any changes in the risk-benefit ratio. Is there any new information (e.g. alternative procedures, new information published in the literature) that might affect the risk-benefit ratio?

I do not believe the cost/benefit ratio has changed.

• If data from your study have been reported, attach one copy of each published report.

N/A

SIGNATURE SECTION

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<thead>
<tr>
<th>Principal Inv.</th>
<th>Date</th>
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<tr>
<td>Spvr. (if PI student)</td>
<td>Date</td>
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<tr>
<td>Dept. Chair</td>
<td>Date</td>
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</table>

*****THIS SECTION FOR IRBO2 USE ONLY*****

Continue________ Close________ NHS________

Comments:

Approved By: Date:
APPENDIX J
DISSERTATION STUDY PROTOCOL

Investigating Predictors of True and False Guilty Pleas

You need to arrive at least 10 minutes before the study is set to begin. Before participants arrive, make sure to get all papers ready in the order participants will need them. Be sure to write the participant numbers (+C for the confederate too - ex. 180 and 180C) at the top right corner of all their papers (not the ICs). Once the participant arrives, it is important for the confederate to ‘play the part’ – that is, act as if you were just showing up for the study as well. This involves keeping your book bag with you, not talking too much with the experimenter, taking your time filling out the questionnaires as if you were actually completing them, etc.

Design Conditions:
2 (student cheating: innocent vs. guilty) X 2 (advocate trial info: present vs. absent) X 2 (advocate plea info: present vs. absent) between subjects factorial design.

<table>
<thead>
<tr>
<th>Condition</th>
<th>Student Cheating</th>
<th>Advocate Trial Info</th>
<th>Advocate Plea Info</th>
</tr>
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<tbody>
<tr>
<td>1</td>
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<td>Trial Present</td>
<td>Plea Present</td>
</tr>
<tr>
<td>2</td>
<td>Innocent</td>
<td>Trial Present</td>
<td>Plea Absent</td>
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<td>3</td>
<td>Innocent</td>
<td>Trial Absent</td>
<td>Plea Present</td>
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<tr>
<td>4</td>
<td>Innocent</td>
<td>Trial Absent</td>
<td>Plea Absent</td>
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<tr>
<td>5</td>
<td>Guilty</td>
<td>Trial Present</td>
<td>Plea Present</td>
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<tr>
<td>6</td>
<td>Guilty</td>
<td>Trial Present</td>
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<td>7</td>
<td>Guilty</td>
<td>Trial Absent</td>
<td>Plea Present</td>
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<tr>
<td>8</td>
<td>Guilty</td>
<td>Trial Absent</td>
<td>Plea Absent</td>
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</tbody>
</table>

Once the participant arrives:
1. Provide the participant/confederate with the Informed Consent document and then read this:
   “Welcome to our study. For this first part, please read through the informed consent document and sign your name at the bottom of the page if you want to give consent to continue your participation in this study.”

2. After the participant accepts the IC, read this:
   “Thank you. Now you will be asked to take a test to measure your knowledge of varying subjects in criminology. I realize that some of you might not be criminology students, and that’s okay! There will be a group portion of the exam, clearly marked, for you to work with your partner or partners. However, there is an individual portion of the test for you to complete on your own, also clearly marked. Please answer each question as best as possible. You may not use outside resources to help you answer any question and please only work together and speak to each other during the group portion. When you complete the survey please let me know.”
3. The confederate will work together with the participant during the group portion of the exam. During the individual portion of the exam, the confederate will:

**IN CONDITIONS 1, 2, 3, 4:** Do nothing! Work on individual portion alone and do not talk to the participant.

**IN CONDITIONS 5, 6, 7, 8:** (confederate will whisper to participant) “Hey, I’m pretty sure I know #4, but am not sure. What did you get? I’ll give the answer to #3 it’s ********.”

The confederate and participant will then finish the individual portion and submit their responses.

4. Come back into the room **and say:** “Okay cool, you both are done? Awesome! I am going to step into the other room and grade your tests. This should take just a few minutes. After that, you will be done.”

5. The experimenter will come into the room and **say the following:** “There appears to be a serious issue because according to our analysis of your responses, both students responded with the same incorrect answer for this question and the chances of that happening by chance are very small—like 4%. There is evidence to suggest that you guys shared responses on the individual portion, which is cheating on the study. The fact that it’s nearly impossible for both of you to have similar responses constitutes enough cause for me to have to do something. I am just the researcher on this project, I am actually going to have to call my professor and ask what to do about the incident. I don’t know what he is going to want me to do to you guys or how to fix the problem. I’m going to step in the other room and call him.” (grab phone and walk into other room)

6. Come back into the room **and say:** “Okay so I talked with my professor and he seems pretty upset. This is actually a government grant funded project and any incident of academic dishonesty involved with the collection of this data is a big issue. He has the authority to deal with the incident in lab rather than going through the Dean of Students Office. I had to check with him because I don’t have that authority, but it is his lab. You have the option of our lab punishment or going before the Dean of Students. The professor in charge of the project was very upset, but does not want the issue to get blown out of proportion, but also has to be in line with what would be a proper consequence in this situation. So in exchange for admitting that you did indeed cheat, the lab’s punishment will be: you will receive a zero for this
research project in class and will have to attend 4 weekend session of Ethical Behavior on campus.”

7. Then say: “So this is what my professor said was the lab’s punishment for cheating, but you do have the right to not deal with our lab punishment and instead take this matter up before the Student Conduct Committee.

IN CONDITIONS 4, 8 (advocate absent): Stop here and proceed to #11

IN CONDITIONS 1, 2, 3, 5, 6, 7: Continue to reading dialogue (below).

“I called the Dean of Students Office after I graded the tests to see what to do about the situation. The Dean of Students Office recommended that we have a student advocate talk to you to help you through the process. The advocate is there to serve as a sounding board and source of advice for you and what to do in this situation, and that every student who is accused of cheating has the right to talk to the advocate, who is obligated to keep communications between the student and advocate confidential. The advocate has already been briefed on the situation by the Dean of Students Office so is ready to talk to you.”

8. Then call advocate and give phone to participant. Confederate RA will serve as Advocate.

9. The advocate will then say to the student one of the following:

IN CONDITIONS 3, 7: “I am unsure about your chances at a conduct committee hearing, and this sound like a good alternative to going through that process. You don’t know what would happen in front of the Conduct Committee – it can be pretty unpredictable in situations like this. I think this a good offer – really fair and likely a lot better than what you would get from the conduct committee. I would just take what they are offering you and put this behind you.”

IN CONDITIONS 2, 6: “I am unsure about your chances at a conduct committee hearing, but I don’t think what they are offering you is a good outcome for you. There’s a good chance that the Conduct Committee could find that you had nothing to do with this incident, and I don’t think what they are offering you is a good offer. Plus, at the conduct committee hearing you would get the chance to make your side of the story known, and they are pretty sympathetic to students who have been in these types of situations. I would take your chances at going in front of the board.”

IN CONDITIONS 1, 5: “I am unsure about your chances at a conduct committee hearing, but it is your right to take your case before them. The benefit of going in front of
them is that you could be found not guilty, and you’ll have a chance to present your side of the story. The drawback is that if you’re found guilty, the punishments are typically harsher than the punishments offered in a lab setting like this, so you also have the option of accepting the laboratory punishment and not taking your case before the Conduct Committee, too. It is my duty to inform you of both of your options and to help you, whichever path you take. Honestly, I don’t think there really is a right answer here – I will support whatever you would like to do, and I don’t think either way is a better option at this point – it is really 100% up to you. You should weigh the possible benefits and drawbacks carefully and decide which route is the best for you. Again, it is ultimately your decision to make.”

The advocate will then say, “This is as far as I can go on the phone. Please give the phone back to the researcher.” The researcher will say thank you and hang up.

10. After hanging up with the hotline, the researcher will say: “Okay. Now you have talked to an advocate and have a better idea of your options and how we can best handle this situation.”

11. The experimenter will then say: “If you would like to accept the lab’s required punishment (plea), my professor will not take this up in front of the committee and that phone call will be as far as it goes in the Conduct Committee’s eyes. This is kinda the informal offer just to forget the whole thing happened...you can take it or leave it... Or if you prefer, you can take your case to the Conduct Committee and face a range of punishments if they determine that you were guilty of cheating, or face no punishment at all if the Conduct committee finds you not guilty. What is your decision: the laboratory punishment or the Conduct Committee?” (write response).


13. Ask: Have you ever been accused of a cheating violation at UF, if so is it on record with the college? (write response). If the answer is yes to either, stop experiment immediately and move to debriefing.

14. Next ask one of the following:

   If they chose to accept the lab punishment, say: “Why do you want to take the lab punishment versus going before the Student Conduct Committee?” (write response)

   If they chose the Student Conduct Committee, say: “Why do you want to take the case before the Student Conduct Committee versus accepting the lab punishment?” (write response)
15. **Then ask:** (manipulation questions, everyone receives) “Do you remember what our lab punishment was? We need to make sure that you understand your options. What was the punishment my professor offered?” (write response)

16. **Then ask:** (manipulation questions, everyone receives) “Did you talk to someone at the Dean of Students Office?” (write response)

17. **Then ask:** (manipulation questions, everyone receives) “What did they tell you to do?” (write response)

18. After asking verbal questions, **say the following:** “Sometimes in research, it is necessary to not tell participants the hypothesis and to create an artificial situation in which we observe how people respond when they are put into specific situations. In this study, we created a situation in which you were accused of cheating on an assignment for the participant pool. In reality, you are NOT being accused of cheating – it was all part of the experiment. You are not being accused of academic dishonesty, you will not be going before the student conduct committee, and you are not in any trouble with your course, the participant pool, or this lab. You are not really being accused of cheating. We did this only to test our research question. We have one more questionnaire for you in which we want to know a bit more about your decision processes, and after that, we have a full explanation of our research questions and what happened in this experiment. Are you okay to proceed with the questionnaire?” If participant answers affirmatively, give them the questionnaire.

19. When the participant is finished, take the questionnaire and **read this:**

   “Okay, thanks again for helping with this study. The last thing to do is debrief you about what actually happened during the study.” Complete debriefing statement with participant.
APPENDIX K
DISSERTATION STUDY INFORMED CONSENT

Informed Consent
Protocol Title: Decisions about Campus Research Experiences

Please read this consent document carefully before you decide to participate in this study.

Purpose of the research study:
The purpose of this study is to assess your understanding of criminological terms and theories. You will complete an exam measuring your understanding of criminological information. This is a statewide criminological exam that has been proposed to measure your knowledge of criminological information upon your exit from the university.

What you will be asked to do in the study:
If you choose to participate, you will complete a short exam asking questions regarding your knowledge of criminological information. After you complete the test, you will be fully debriefed about the purpose of the study.

Time required:
45 minutes

Risks and Benefits:
There are minimal risks to participating in the study. There are no direct benefits to you for participating in the study.

Compensation: You will be awarded 3 credits through the Criminology and Law Participant Pool.

Confidentiality:
Your information will be assigned a code number and you will not ever be identified by name. Thus, your responses will not be connected to your name. Your name or your individual data will not be used in any report.

Voluntary participation:
Your participation in this study is completely voluntary. There is no penalty for not participating.

Right to withdraw from the study:
You have the right to withdraw from the study at anytime without consequence.

Whom to contact if you have questions about the study:
Kelsey Henderson, Principle Investigator, Department of Sociology, Criminology & Law, kelseyhenderson@ufl.edu.
Dr. Lora Levett, Supervisor, Department of Sociology, Criminology, & Law, llevett@ufl.edu, 352-294-7181.

Whom to contact about your rights as a research participant in the study:
IRB02 Office, Box 112250, University of Florida, Gainesville, FL 32611-2250; phone 392-0433.

Agreement:
I have read the procedure described above. I voluntarily agree to participate in the procedure and I have received a copy of this description.

Participant: ___________________________________________ Date: _________________

Principal Investigator: ________________________________ Date: _________________
APPENDIX L
DISSERTATION STUDY EXPERIMENTER QUESTIONNAIRE

Participant Number/Condition: ______________________

1. “What is your final choice?” _____ Accept Lab Punishment _____Student Conduct Committee (indicate one)

2. “Are you guilty of cheating?” _____ Guilty _____ Not Guilty (indicate one)

3. Condition: _____ Guilty _____ Not Guilty (indicate one)

4. “Have you ever been accused of academic dishonesty at UF?” _____ No _____ Yes (indicate one)

If yes, “it is on record with the college?” _____ No _____ Yes (indicate one)

5. “Why do you want to take the lab punishment?” Participant’s reason for accepting lab punishment? (write response in exact words)

________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________

OR

6. “Why do you want to take the case before the Student Conduct Committee?”

Participant’s reason for taking case to Student Conduct Committee? (write response in exact words)

________________________________________________________________________________________
________________________________________________________________________________________

7. “Did you remember what our lab punishment offer was? What was it?”

_____ I would not receive participation points and will enroll in 4 weekend sessions of Ethical Behavior.
8. “Did you talk to someone at the Dean of Students Office?”  _____ No  _____ Yes
   (indicate one)

Other? 

   If yes, “What did they tell you to do?”:
   _____ The lab punishment is a good option and I should take the offer
   _____ The lab punishment is a bad option and I should take my chances in front of the board
   _____ They informed me of my options, but that it’s my decision to make

Other? 

9. “Do you have any suspicions about this experiment?”  _____ No  _____ Yes (indicate one)

10. “If so, what were they?”

__________________________

Kelsey- Post-Study Information

Is the student participating for course credit _____ OR extra credit _____? (indicate one)

Did the student initiate cheating? Yes _____ OR No _____? (indicate one)
APPENDIX M
DISTRIBUTION STUDY PARTICIPANT QUESTIONNAIRE

Section I

Page One Instructions: Please indicate your selection to the following questions by circling the choice that best represents your response. When you’re finished with this page, continue on to the following page. Please do not leave any questions blank.

1. What do you believe is the probability that you would be found guilty by the Student Conduct Committee? Please indicate your response by circling a percentage on the following scale to select the percentage corresponding to your belief:

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Instructions: Please indicate your agreement with the statements below by circling your level of agreement with each statement.

2. I would have been found guilty by the Student Conduct Committee.

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<th>4</th>
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<tr>
<td>Strongly Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
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</table>

3. My punishment would have been more severe if found guilty by the Student Conduct Committee.

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4. It would be fair if I was found guilty by the Student Conduct Committee.

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<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
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5. The evidence against me was not damaging.

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6. The outcome to this situation was fair.

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<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
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</table>
7. My punishment would have been less severe if found guilty by the Student Conduct Committee.

<table>
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<tr>
<th>Strongly</th>
<th>Disagree</th>
<th>Somewhat</th>
<th>Agree</th>
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<tbody>
<tr>
<td>Strongly</td>
<td>Disagree</td>
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8. The other participant would probably admit what we did.

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<tr>
<th>Strongly</th>
<th>Disagree</th>
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<th>Agree</th>
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<tr>
<td>Strongly</td>
<td>Disagree</td>
<td>Agree</td>
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9. The researcher can not tell we cheated based on our responses.

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<tr>
<th>Strongly</th>
<th>Disagree</th>
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<tbody>
<tr>
<td>Strongly</td>
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10. I would not have been found guilty because that outcome would be too unfair.

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11. I would not have been found guilty by the Student Conduct Committee.

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<tr>
<td>Strongly</td>
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12. The outcome to this situation was not fair.

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<th>Strongly</th>
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<td>Strongly</td>
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13. It is unfair to accept a punishment for a crime you did not commit.

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<th>Strongly</th>
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14. I don’t feel like I understood my options.

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15. I took the plea because of the evidence against me.

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16. The researcher has our responses and can tell we cheated.

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17. The evidence against me was damaging.

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18. It is not unfair to accept a punishment for a crime you did not commit.

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19. I would be penalized by the Student Conduct Committee for not accepting the lab punishment.

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<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

20. I feel like I understood my options.

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
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<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

The following questions are regarding your final decision to either take your case before the Student Conduct Committee or accept the lab punishment. Please indicate your agreement with the statements below by circling your level of agreement with each statement.

21. I made my decision because I wanted to end the process as quickly as possible.

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Strongly Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

22. I made my decision because the offered punishment was not fair.

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
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<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>
23. I made my decision because I did not want to get into trouble with my professor.

<table>
<thead>
<tr>
<th>1</th>
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<th>4</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Strongly Agree</td>
<td>Agree</td>
<td>Somewhat Agree</td>
<td>Disagree</td>
<td>Strongly Disagree</td>
<td>Disagree</td>
</tr>
</tbody>
</table>

24. I made my decision because I did not want my parents to be notified.

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Strongly Agree</td>
<td>Agree</td>
<td>Somewhat Agree</td>
<td>Disagree</td>
<td>Strongly Disagree</td>
<td>Disagree</td>
</tr>
</tbody>
</table>

25. I made my decision because it was the best option available.

<table>
<thead>
<tr>
<th>1</th>
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</thead>
<tbody>
<tr>
<td>Strongly Agree</td>
<td>Agree</td>
<td>Somewhat Agree</td>
<td>Disagree</td>
<td>Strongly Disagree</td>
<td>Disagree</td>
</tr>
</tbody>
</table>

26. I made my decision because I did not know what else to do.

<table>
<thead>
<tr>
<th>1</th>
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<th>4</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Strongly Agree</td>
<td>Agree</td>
<td>Somewhat Agree</td>
<td>Disagree</td>
<td>Strongly Disagree</td>
<td>Disagree</td>
</tr>
</tbody>
</table>

27. I made my decision because I felt that the situation was a lost cause.

<table>
<thead>
<tr>
<th>1</th>
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<th>4</th>
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<tbody>
<tr>
<td>Strongly Agree</td>
<td>Agree</td>
<td>Somewhat Agree</td>
<td>Disagree</td>
<td>Strongly Disagree</td>
<td>Disagree</td>
</tr>
</tbody>
</table>

28. I wish I had more time to make my decision.

<table>
<thead>
<tr>
<th>1</th>
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<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Agree</td>
<td>Somewhat Agree</td>
<td>Disagree</td>
<td>Strongly Disagree</td>
<td>Disagree</td>
</tr>
</tbody>
</table>

29. I felt pressured by the experimenter to make a decision.

<table>
<thead>
<tr>
<th>1</th>
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</tr>
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<tbody>
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<td>Strongly Agree</td>
<td>Agree</td>
<td>Somewhat Agree</td>
<td>Disagree</td>
<td>Strongly Disagree</td>
<td>Disagree</td>
</tr>
</tbody>
</table>

30. I made my decision because I wanted to avoid the possibility of a harsher punishment.

<table>
<thead>
<tr>
<th>1</th>
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<th>3</th>
<th>4</th>
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<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly Agree</td>
<td>Agree</td>
<td>Somewhat Agree</td>
<td>Disagree</td>
<td>Strongly Disagree</td>
<td>Disagree</td>
</tr>
</tbody>
</table>

31. I made the best decision.

<table>
<thead>
<tr>
<th>1</th>
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<th>3</th>
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<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly Agree</td>
<td>Agree</td>
<td>Somewhat Agree</td>
<td>Disagree</td>
<td>Strongly Disagree</td>
<td>Disagree</td>
</tr>
</tbody>
</table>
32. The Student Conduct Committee insures that only guilty parties will be convicted.

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

33. The Student Conduct Committee is fair.

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
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<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

34. The Student Conduct Committee is unfair.

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

35. I do not trust the Student Conduct Committee.

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

36. I made my decision because the offered punishment was fair.

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
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<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

38. I trust the Student Conduct Committee.

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
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<tbody>
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<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

** Advocate Absent Condition will not receive Section II of the questionnaire regarding the influence of the advocate. Instead the following question (advocate absent) will be included with Section I. All conditions will receive Section I, III, and IV.

39. I feel that this decision was too difficult to make on my own.

<table>
<thead>
<tr>
<th>1</th>
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<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

40. I had no trouble making this decision on my own.

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>
41. I would feel more comfortable if someone had helped me make this decision.

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Strongly Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

42. My decision would be different if an advocate assisted me.

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Strongly Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

43. I needed help in making this decision.

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Strongly Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

44. My decision would have been different if someone had assisted me.

<table>
<thead>
<tr>
<th></th>
<th>1</th>
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<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Strongly Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Strongly Agree</td>
</tr>
</tbody>
</table>

Section II

Please describe your impressions of the person who you talked to on the phone, from the Dean of Students Office, using a series of adjective pairs. The scales are designed so that you can express the degree to which the this person’s assistance that you are rating seem to fit one end of the scale or the other. Which space you select should depend on the degree to which the word describes this individual. For example, if you thought that Jane was *slightly* tall, you would mark the item as follows:

```
Tall  X  Short
```

However, if you thought that Jane was *extremely* short, you should place the “X” across “short”:

```
Tall  X  Short
```

Based on your experience, carefully rate your impressions of the person you talked to from the Dean of Students Office as best as you can on each of the following dimensions:

<table>
<thead>
<tr>
<th></th>
<th>1</th>
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<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Immoral</td>
<td>Moral</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Respectable</td>
<td>Not respectable</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intelligently</td>
<td>Unintelligent</td>
<td>Good</td>
<td>Bad</td>
<td>Unlikable</td>
<td>Likable</td>
<td>Trustworthy</td>
<td>Untrustworthy</td>
</tr>
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</tbody>
</table>

Instructions: Please indicate your agreement with the statements below by circling your level of agreement with each statement. **These questions are regarding the person you talked to at the Dean of Students Office.**

39. This person’s advice influenced my decision.
   - 1 Strongly Disagree
   - 2 Disagree
   - 3 Somewhat Disagree
   - 4 Somewhat Agree
   - 5 Agree
   - 6 Strongly Agree

40. This person’s advice is the reason for my decision.
   - 1 Strongly Disagree
   - 2 Disagree
   - 3 Somewhat Disagree
   - 4 Somewhat Agree
   - 5 Agree
   - 6 Strongly Agree

41. I disagree with this person’s recommendation.
   - 1 Strongly Disagree
   - 2 Disagree
   - 3 Somewhat Disagree
   - 4 Somewhat Agree
   - 5 Agree
   - 6 Strongly Agree

42. Without this person I would have made a different decision.
   - 1 Strongly Disagree
   - 2 Disagree
   - 3 Somewhat Disagree
   - 4 Somewhat Agree
   - 5 Agree
   - 6 Strongly Agree

43. This person did not offer advice in my best interest.
   - 1 Strongly Disagree
   - 2 Disagree
   - 3 Somewhat Disagree
   - 4 Somewhat Agree
   - 5 Agree
   - 6 Strongly Agree

44. I believe this person was biased.
   - 1 Strongly Disagree
   - 2 Disagree
   - 3 Somewhat Disagree
   - 4 Somewhat Agree
   - 5 Agree
   - 6 Strongly Agree
45. Receiving advice from this person helped ease the pressure I was under.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Somewhat Disagree</th>
<th>Somewhat Agree</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

46. This person was not helpful.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Somewhat Disagree</th>
<th>Somewhat Agree</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

47. I made my decision because I felt pressured by this person.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Somewhat Disagree</th>
<th>Somewhat Agree</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

48. This person was helpful.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Somewhat Disagree</th>
<th>Somewhat Agree</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
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<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

49. This person’s advice was in my best interest.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Somewhat Disagree</th>
<th>Somewhat Agree</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
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<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

50. This person did not listen to me.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Somewhat Disagree</th>
<th>Somewhat Agree</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
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<td>1</td>
<td>2</td>
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<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

51. This person seemed to have his own agenda.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Somewhat Disagree</th>
<th>Somewhat Agree</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

52. This person cared about my situation.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Somewhat Disagree</th>
<th>Somewhat Agree</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

53. This person seemed to be most interested in a quick resolution.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Somewhat Disagree</th>
<th>Somewhat Agree</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>
54. Without this person’s advice, I would have probably made a bad decision.

1. Strongly Disagree
2. Disagree
3. Somewhat Disagree
4. Somewhat Agree
5. Agree
6. Strongly Agree

55. This person’s advice had no influence over my decision.

1. Strongly Disagree
2. Disagree
3. Somewhat Disagree
4. Somewhat Agree
5. Agree
6. Strongly Agree

56. I agree with this person’s recommendation.

1. Strongly Disagree
2. Disagree
3. Somewhat Disagree
4. Somewhat Agree
5. Agree
6. Strongly Agree

57. I made my decision before this person gave any advice.

1. Strongly Disagree
2. Disagree
3. Somewhat Disagree
4. Somewhat Agree
5. Agree
6. Strongly Agree

Section III

Regarding general details:
Please answer the following questions:

58. What is your gender (circle one) FEMALE MALE

59. What is your age? (write) _____________

60. What is your racial/ethnic background? (circle one)

- White, Non-Hispanic
- Black, Non-Hispanic
- Asian
- Hispanic
- Other _____________

61. What is your major? (write) ______________

62. Have you ever taken a criminology class?

- Yes
- No
- Prefer Not to Answer

63. Have you taken a psychology and law class? Circle one:
64. Have you ever been involved with the criminal justice system? (circle one)

Yes  No  Prefer Not to Answer

If so, was the issue resolved via a plea bargain? (circle one)

Yes  No  Prefer Not to Answer

If so, do you believe the outcome was fair?

Yes  No  Prefer Not to Answer

65. Has anyone in your immediate family ever been involved with the criminal justice system? (circle one)

Yes  No  Prefer Not to Answer

If so, was the issue resolved via plea bargain? (circle one)

Yes  No  Prefer Not to Answer

If so, do you believe the outcome was fair? (circle one)

Yes  No  Prefer Not to Answer

SECTION IV
The following questions are regarding your perception of the manipulations in our study. Please indicate your agreement with the statements below by circling your level of agreement with each statement.

66. I found the manipulation regarding my guilt/innocence to be believable?

1  2  3  4  5  6
Strongly Disagree  Disagree  Somewhat Disagree  Somewhat Agree  Agree  Strongly Agree

67. I found the manipulation regarding the advocate from the Student Conduct Committee to be believable?

1  2  3  4  5  6
Strongly Disagree  Disagree  Somewhat Disagree  Somewhat Agree  Agree  Strongly Agree
Debriefing for Investigating Predictors of True and False Guilty Pleas Study:

Please read along with this as I read it to you and answer the questions in the space provided below.

A. Sometimes in research it’s important not to tell the participant the specific hypothesis, and we cannot always tell them about the full purpose of the experiment. We cannot always tell the participant about the purpose of the experiment because:

1. It might affect our results--If we tell people the purpose of the experiment or how we predict people will act in the experiment, they may deliberately do whatever it is they think we want them to do, just to help us out and give us the results that they think we want. Or, it is also possible that the opposite might occur. That is, if we tell people our predictions; they might deliberately act in the opposite direction to show us that we can't figure them out. Either way, we would not have a very good indication of how they would act in situation in everyday life.

2. Do you understand why sometimes we cannot reveal the full purpose of the experiment at the onset?

B. Now I would like to tell you the purpose of the study.

1. You are not really being accused of cheating on a participant pool project for which you get course points. We only did this to test our research question. You will not get into any trouble in the lab or outside of the lab. We will not tell your instructor anything about your participation here today other than to award you credit for participation, and we will not be notifying anyone about the staged incident.
   i. This was an artificial and contrived situation so people’s reactions may not be indicative of how they would respond to real-world events. Please do not feel bad or guilty if you were rude or said anything negative to the confederate or the experimenter. We accused you of a very serious thing and are aware that emotions may be high as a result.
   ii. Also, please do not have any hard feelings towards the experimenter or the lab in general. We are attempting a large-scale project to hopefully gain a better understanding of why people might falsely plead guilty. We are truly sorry if we caused you any undue stress.

2. Obviously, if we tell people outright what we are studying, it might affect their behavior. Thus we had to conceal the real purpose of the experiment until now. Do
you understand now why I didn’t tell you the real purpose of the experiment at the outset? Do you have any questions? Do you feel distressed after participating in the study? If so, may I contact the Counseling and Wellness Center for you? The information for contacting them will also be provided to you to take home at the end of this study.

3. The rationale behind this study is to investigate the likelihood of individuals falsely pleading guilty to cheating; in some circumstances individuals who are innocent might accept guilt, even though they did not cheat. The purpose for this study was whether advocate recommendations would influence an innocent or guilty individual would accept a guilty plea. Basically, we were examining whether innocent individuals falsely plead guilty and if so, how does the content of an advocate’s recommendation or the parameters of the plea influence that decision?

   i. In this study, we used two confederates, or people who were part of the experiment. The roles of the confederates are specified in the following points.

   ii. To manipulate whether students were guilty or innocent, we manipulated whether they were induced to cheat on the test you were given at the beginning of the study. This manipulation that was adopted from past research. To induce cheating, we used a confederate. This confederate was the person who took the initial test with you. The confederate asked half of the participants to cheat on the test; past research has shown that this results in cheating behavior approximately 90% of the time. So, you should not feel bad if you helped the confederate – most students in your situation would do the same thing.

   iii. To manipulate the advice of the advocate, we used another confederate. The second confederate was the advocate you may have spoken with on the phone. 75% of students in this study received advice from a student conduct committee advocate; this person was actually a person in our lab who was acting according to a script.

4. We hypothesize that guilty individuals will accept a guilty plea at a greater rate than innocent individuals. We hypothesize that if an advocate recommends to the client to accept a guilty plea, both innocent and guilty individuals will accept the plea.

5. We tested this by accusing you of cheating on a participant pool project for which you get course points. Half of participants were prompted by the confederate to cheat and the other half were not. One of the things that sets this experiment apart from others is that we can actually manipulate your guilt or innocence of cheating on a participant pool project for which you get course points. In investigating motivations for accepting a guilty plea, you could probably imagine why we could not walk into a prison and ask people if they are innocent and why they accepting a plea. The responses would not be reliable.
6. All participants were accused of cheating on a participant pool project for which you get course points. From there you were placed into one of 8 conditions by varying the following 2 manipulations:
   i. Your guilt or innocence.
   ii. The person from the Dean’s Office’s recommendation regarding taking the punishment or going before the Student Conduct Committee (positive to take the lab punishment; negative to the lab punishment/go to trial; no advocate; or educational-only advocate)

C. There are some final things I need to talk to you about.
   1. We have lots of people participating in this study or similar studies both during this semester and across the next few semesters. The success of this study requires that the people who participate have no idea in advance what the study is about and that we are really interested in whether the audience affects the goals people set. What this means is that I need you not to say anything about the study to anyone else. Why?
      i. If you talk to others about the purpose of the study it would be the same as I told them at the beginning all about the purpose of the study. Their responses wouldn't be spontaneous and natural. So you discuss this study with others, we wouldn't have enough valid data to draw any conclusions about how people naturally behave in this situation. In short, the study would be wasted; your time would be wasted and our time would be wasted.
      ii. We want everyone to get some educational value out of being in this experiment and so I am telling you what our true hypothesis was. However, if you tell someone else what happened and they or a friend of theirs participates in this study, then they won't get the same experience from this experiment that you do. Part of your requirement is based on learning a deeper understanding of how research is done and the importance of aspects of research (like deception and debriefing, like this one), if a person enters the study knowing the true hypothesis, he or she would be robbed of this aspect.
      iii. You may wonder what difference it makes to tell a friend or roommate or boyfriend or girlfriend because they will never be in the study. But they may say something to someone else who will be in the study. Or they may be in the study or a similar study down the road. I realize you may have an urge to tell people about what happened in this experiment. However, I am going to ask you to keep what happened and the purpose of the experiment secret.
      iv. In short what this means, is after you leave this door I am asking you to not discuss the details of this experiment. We have, in the past, overheard students talking around campus, in the building, waiting for a T.A, or in the
Reitz Union talking about studies. Keep in mind one reason we ask you not to tell anyone, is you never know who else is hearing you. An the experimenter’s efforts would be ruined if others knew the true purpose of the experiment.

2. If anybody asks you about the experiment, just tell them that it was an experiment testing your knowledge of criminological information. Don't make a big mystery about the study. Just say that you were in such and such experiment and that you are not at liberty to discuss the nature of the experiment.
   i. I hope you see why it is important not to tell anyone the purpose of the experiment.
   ii. We have tried to make this experiment as interesting as possible for you. Please resist any temptation to talk about this experiment.

3. So will you promise not to say anything about the experiment?

4. Do you have any questions? Comments? Suggestions?

The Institutional Review Board (IRB) is concerned that this study may cause some adverse reactions or trauma in some participants, so please fill out the following questions as fully and honestly as you can to better assess the effects this study had on you during your participation.

Was there anything about this study that made you upset, distressed, anxious, or uncomfortable?  
Yes  No
(if yes, please explain what) __________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

(If you answered yes to this question, please do not hesitate to ask the researcher for information about the student counseling center or to further explain the need for deception in this study).

Do you currently feel upset, distressed, anxious, or uncomfortable?  
Yes  No
(if yes, please explain if you desire to do so) __________________________________________
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
(Again, if you answered yes to this question, please do not hesitate to ask the researcher for information about the student counseling center or to further explain the need for deception in this study).

Do you think the procedures we used were justified to investigate this topic, given what you know now?

Yes
No

(if no, please explain why not) __________________________________________________________

_________________________________________________________

_________________________________________________________

_________________________________________________________

Please rank the amount of stress you felt during this study (circle one)

<table>
<thead>
<tr>
<th>No Stress</th>
<th>A little Stress</th>
<th>Moderate Stress</th>
<th>A lot of Stress</th>
<th>Extreme Stress</th>
</tr>
</thead>
</table>

Please rank the amount of stress you feel right now regarding the study (circle one):

<table>
<thead>
<tr>
<th>No Stress</th>
<th>A little Stress</th>
<th>Moderate Stress</th>
<th>A lot of Stress</th>
<th>Extreme Stress</th>
</tr>
</thead>
</table>

Overall, what was your reaction to the study like? (circle one)

<table>
<thead>
<tr>
<th>Positive, I enjoyed my experience</th>
<th>Neutral, I neither enjoyed nor did not enjoy my experience</th>
<th>Negative, I did not enjoy my experience</th>
</tr>
</thead>
</table>

D. To reiterate, you are not in trouble and were at no point in trouble. When you walk out of the lab this experience is over.

I have read aloud and discussed all of these points with the participant and allowed him/her to ask questions:

_________________________________________________________

Researcher Date
I have had all the points on this form explained to me, and I had the opportunity to ask questions about the purpose and experimental manipulations that took place in this study:

_________________________________
Participant          Date

Research participant,

Now that you have learned the true and full purpose of the current study and know about the actual manipulations that took place as part of this study, will wish to have your data to be included in this research project? Your data will never be identified; you will be assigned a code. The data will only be reported as a group, nothing will reported regarding individual results.

**PLEASE SIGN ONLY ONE OF THE LINES BELOW**

**YES, I DO want my data to be included in this study**

_________________________________
Participant          Date

**OR**

**NO, I DO NOT want my data to be included in this study**

_________________________________
Participant          Date

Thank you for participating in our study. If you feel distress after participating today or if you feel stress in the future, please contact the Student Counseling and Wellness Center using the information below:

**Counseling and Wellness Center**
**www.counseling.ufl.edu/cwc**
**Phone: (352) 392-1575**
**3190 Radio Rd.**
**PO Box 112662**
**Gainesville, FL 32611-2662**
DISSERTATION STUDY CODING

Coders MUST be blind to condition

**Final Decision: Lab Punishment (plea)**

1. **Partnum**: Participant Number
2. **plea_quicker**:  
   a. 1 = Quicker option – the lab punishment is a quicker option than the student conduct committee  
   b. 0 = Quicker option – no mention of quickness or speed of resolution as a concern
3. **plea_easier**:  
   a. 1 = Easier option – the lab punishment is an easier option than the student conduct committee  
   b. 0 = Easier option – no mention of easiness as a concern
4. **plea_better**:  
   a. 1 = Better/preferred option – the lab punishment seems like a better option/more preferred option  
   b. 0 = Better/preferred option – no mention of better option as a concern
5. **plea_record**:  
   a. 1 = Record – I don’t want anything on my record  
   b. 0 = Record – No mention of record.
6. **plea_advoc**:  
   a. 1 = Advocate advice – This is inline with the advocate’s advice/ what the advocate told me to do/ what the advocate thought was my best option  
   b. 0 = Advocate advice – No mention of the advocate or his/her advice  
   c. 2= Advocate advice – Felt the advocate was unreliable/ did NOT use the advocate’s advice (eg. This is NOT inline with the advocate’s advice/ what the advocate told me to do/ OR what the advocate thought was my best option)
7. **plea_poss_convic**:  
   a. 1 = Possibility of conviction – I would probably be found guilty at trial/before the student conduct committee  
   b. 0 = Possibility of conviction – no mention of possibility of conviction at trial
8. **plea_high_punish**:  
   a. 1 = Higher punishment – If found guilty at trial, the punishment would probably be worse/more severe  
   b. 0 = Higher punishment – No mention of the possible punishment at trial
9. **plea_less_att**:  
   a. 1 = Less attention – I don’t want more attention brought to the incident/ don’t want to make the incident bigger/Don’t want this to go further/Get any worse  
   b. 0 = Less attention – No mention of bringing attention to the incident
10. **plea_deserving**:  
    a. 1 = Deserving – I cheated and should accept my punishment  
    b. 0 = Deserving – No mention of being deserving of punishment
11. **plea_known**:  
    a. 1 = Known outcome – I know the outcome with the plea/lab punishment/ trial is unknown and don’t know what to expect/safer bet
b. 0 = Known outcome – no mention of uncertainty of trial and known outcome of lab punishment

12. plea_scc:
   a. 1 = Student conduct committee – The student conduct committee won’t care about me/ won’t believe me
   b. 0 = Student conduct committee – no mention of the student conduct committee not believing the participant as a concern

13. plea_future:
   a. 1 = Reference to future/loss of possibilities – I am going to law school/grad school and this won’t look good/ lose possible scholarships
   b. 0 = Reference to future/loss of possibilities – no mention of concern for future plans and/or loss of possibilities

14. plea_quieter:
   a. 1 = Quieter option – I don’t want people to know (anyone)
   b. 0 = Quieter option – no mention of concern of people finding out about incident

15. plea_lack_know:
   a. 1 = Lack of knowledge– I don’t know anything about the student conduct committee or the process (where to go)
   b. 0 = Lack of knowledge– no mention of not understanding the student conduct committee process as a concern

16. plea_confederate:
   a. 1 = Confederate– Don’t want other participant to get into trouble/other participant cheated/reference the confederate
   b. 0 = Confederate– no mention of other participant or confederate

17. plea_hassle:
   a. 1 = Hassle – I don’t want to deal with the student conduct committee(or Dean of Students)/less involved/too complicated/too much trouble
   b. 0 = Hassle – No mention of hassle/trouble of student conduct committee

18. plea_innocence:
   a. 1 = Innocence – I am innocent/ I didn’t do anything
   b. 0 = Innocence – no mention of innocence as a concern

**Final Decision: Student Conduct Committee (trial)**

1. Partnum: Participant Number
2. trial_innocence:
   a. 1 = Innocence – I am innocent/ I didn’t do anything
   b. 0 = Innocence – no mention of innocence as a concern
3. trial_advoc:
   a. 1 = Advocate advice– This is inline with the advocate’s advice/ what the advocate told me to do/ what the advocate thought was my best option
   b. 0 = Advocate advice – No mention of the advocate or his/her advice
   c. 2= Advocate advice – Felt the advocate was unreliable/ did NOT use the advocate’s advice (eg. This is NOT inline with the advocate’s advice/ what the advocate told me to do/ OR what the advocate thought was my best option)
4. trial_better:
a. 1 = Better/preferred option – the student conduct committee seems like a better option/more preferred option
   b. 0 = Better/preferred option – no mention of better option as a concern

5. trial_prove_case:
   a. 1 = Prove my case – I want to plead my case/ prove my case/ tell my side of the story
   b. 0 = Prove my case – no mention of wanting to prove case/ tell their side of the story as a concern

6. trial_chances:
   a. 1 = Good chances – My chances are good in front of the student conduct committee/ the student conduct committee will believe me/understand
   b. 0 = Good chances – no mention of feeling the student conduct committee might be understanding as a concern

7. trial_acc_guilt:
   a. 1 = Accept guilt – I do not want to accept/admit guilt or agree to having cheated
   b. 0 = Accept guilt – no mention of not wanting to accept/admit guilt as a concern

8. trial_poss_conv:
   a. 1 = Possibility of conviction – I might be found not guilty
   b. 0 = Possibility of conviction – no mention of possibility of acquittal as a concern

9. trial_lab_punish:
   a. 1 = Lab punishment – I do not want to accept the lab’s punishment (ie. don’t want to accept lab’s punishment and not get research credit points)
   b. 0 = Lab punishment – no mention of not wanting to accept the lab punishment as a concern

10. trial_credit
    a. 1 = Credit – I need the lab credit
    b. 0 = Credit – No mention of the lab credit

Enter 999 for variables that are not part of the participant’s final choice (ie. 999 for all variables for final decision: trial if participant chose final decision: lab punishment).

APPENDIX P
The principal investigator of research approved for the use of human subjects is responsible for reporting any adverse events. An adverse event is defined as: Any significant untoward or unfavorable occurrence in a human subject, including any abnormal sign, symptom, or disease, temporally associated with the subject’s participation in the research, whether or not considered related to the subject’s participation in the research (the event can be physical and/or psychological).

Use the following form to report all adverse events. A report should be submitted for each individual participant experiencing an adverse event as soon as possible to the IRB Administrator, but no later than 7 calendar days after first awareness of the problem. The investigator should respond to the adverse event immediately, providing care in accordance with the protocol. The investigator should provide his/her opinion and support for any proposed changes in the protocol and/or consent form.

<table>
<thead>
<tr>
<th>Name of Principal Investigator:</th>
<th>Kelsey Henderson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Title of Protocol:</td>
<td>Investigating Predictors of True and False Guilty Pleas</td>
</tr>
<tr>
<td>Protocol #:</td>
<td>2014-U-440</td>
</tr>
<tr>
<td>Phone #:</td>
<td>386-393-4874</td>
</tr>
<tr>
<td>E-mail Address:</td>
<td><a href="mailto:kelseyhenderson@utah.edu">kelseyhenderson@utah.edu</a></td>
</tr>
<tr>
<td>Date and Time of Adverse Event:</td>
<td>10/9/14</td>
</tr>
<tr>
<td>Date of Report:</td>
<td>10/13/14</td>
</tr>
</tbody>
</table>

### 1. Adverse Event Information

<table>
<thead>
<tr>
<th>Location of event:</th>
<th>Walker Hall 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participant's name:</td>
<td>Lanie Allen</td>
</tr>
<tr>
<td>Age, if available:</td>
<td>28</td>
</tr>
</tbody>
</table>

- To what extent is this event related to the study?  
  - □ Define  
  - X □ Probable  
  - □ Possible  
  - □ Unrelated  
  
  *The IRB defines “possible” as a causal relationship that cannot reasonably be ruled out.*

- Was the event expected?  
  - X□ Yes  
  - □ No**

- Is this kind of event described in the consent form?  
  - □ Yes X□ No

Participants cannot know the true purpose of the study before beginning. Per IRB, we notify students of the true purpose of the experiment, shortly after verbally asking questions pertaining to our dependent measures. Undescribed events may require revision of the consent form.

- Has this type of event been reported before?  
  - □ Yes X□ No

- If yes, how often and on what date(s)?  
  - □ Yes X□ No

- Is this type of event likely to occur again?  
  - X□ Yes □ No

*Explain*: It is possible that other students may react in a similar manner, if so, the experimenters will immediately stop the study, just as she did in this situation.
II. Describe the nature and results of the event and your response.

The participant and lab confederate acting as a participant indicated consent and then completed a criminological knowledge exam with together. During this, the confederate initiated cheating on the individual portion of the exam. Following protocol for the condition, I then accused both students of cheating on the exam and asked the confederate to step into another room in the lab. Normally, I would then verbally ask the participant a few questions to ascertain how they would like to handle the situation and then debrief them about the true nature of the study before asking them to fill out a questionnaire. Before I was able to verbally ask the participant questions, she kept asking me questions about why she was being accused of cheating, and how I knew that she and the other participant cheated. She stated that she was confused. She was going in circles with her questions and then stated, “I’m just really scared.” At this point, I immediately stopped the study and debriefed the participant. She seemed calm after realizing that she was not in any trouble and that it was all part of the experiment. I continuously asked the participant how she was feeling and she said she was fine. I provided her with information about the Counseling and Wellness Center. I gave her my contact information in case she felt upset at a later time, she has not contacted me. She indicated on the debriefing form that she felt upset and distressed during the study, but after being told the true purpose of the experiment she did not feel upset or distressed. She indicated that she felt the procedures used were justified to investigate this topic. She reported feeling moderately stressed during the experiment and having no stress after the experiment. She marked her overall reaction to the study as “positive, I enjoyed the experience.” After confirming the participant was okay and not upset or distressed, she left the lab. Her data has been pulled from the analysis.

III. Changes as a Result of the Event

Will you be making any changes to the protocol as a result of this event?  □ Yes  □ No
If yes, provide a brief description of the changes and fill out the “Request for Protocol Revision Form.”

Will you be making any changes to the consent form as a result of this event?  □ Yes  □ No
If yes, provide a brief description of the changes and fill out the “Request for Protocol Revision Form.”
If no, explain why revisions of the consent form are not needed.

Will you be informing current participants about any of this new safety information?  □ Yes  □ No
If no, explain why participants need not be informed of the new information.

In your judgment, is the overall risk-benefit of the research still acceptable considering the new information regarding this event?  □ Yes  □ No
You must explain the rationale for your response.
I do believe the risk-benefit ratio is still acceptable. Per IRB, we moved the debriefing of the participant up in the study so the participant didn’t think they were being accused of cheating for an undue amount of time. The time between being accused and revealing the true purpose of the study is no more than 10-15 minutes. I immediately stopped the study when I felt the participant was upset to prevent an adverse reaction.
Social, Behavioral & Educational Research IRB(02)
ADVERSE EVENT REPORTING FORM
This Form Must be Typed and All Sections Must be Fully Completed

Principal Investigator's Signature

Printed Name of Principal Investigator Date

________________________

Faculty Advisor’s Signature (Necessary if PI is a student) Oct. 15, 2014

Lora M Levett
Printed Name of Faculty Advisor (Necessary if PI is a student) Date

____________________________________________________________________

For Office Use Only

This event has been classified as an unanticipated problem: □ Yes □ No

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APPENDIX Q
DISSERTATION AVERSE EVENT 1/26/15

The principal investigator of research approved for the use of human subjects is responsible for reporting any adverse events. An adverse event is defined as: Any significant untoward or unfavorable occurrence in a human subject, including any abnormal sign, symptom, or disease, temporally associated with the subject’s participation in the research, whether or not considered related to the subject’s participation in the research (the event can be physical and/or psychological).

Use the following form to report all adverse events. A report should be submitted for each individual participant experiencing an adverse event as soon as possible to the IRB Administrator, but no later than 7 calendar days after first awareness of the problem. The investigator should respond to the adverse event immediately, providing care in accordance with the protocol. The investigator should provide his/her opinion and support for any proposed changes in the protocol and/or consent form.

<table>
<thead>
<tr>
<th>Name of Principal Investigator:</th>
<th>Kelsey Henderson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Title of Protocol:</td>
<td>Investigating Predictors of True and False Guilty Pleas</td>
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<tr>
<td>Protocol #:</td>
<td>2014-U-440</td>
</tr>
<tr>
<td>Phone #:</td>
<td>386-365-4624</td>
</tr>
<tr>
<td>E-mail Address:</td>
<td><a href="mailto:kelseyhenderson@uid.edu">kelseyhenderson@uid.edu</a></td>
</tr>
<tr>
<td>Date and Time of Adverse Event:</td>
<td>1/26/15</td>
</tr>
<tr>
<td>Date of Report:</td>
<td>1/26/15</td>
</tr>
</tbody>
</table>

### I. Adverse Event Information

<table>
<thead>
<tr>
<th>Location of event:</th>
<th>Walker Hall 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participant’s name:</td>
<td>Jay Graves</td>
</tr>
<tr>
<td>Age, if available:</td>
<td></td>
</tr>
</tbody>
</table>

To what extent is this event related to the study?

- [ ] Definite
- [ ] Probable
- [X] Possible
- [ ] Unrelated

The IRB defines “possible” as a causal relationship that cannot reasonably be ruled out.

Was the event expected?

- [X] Yes
- [ ] No**

Is this kind of event described in the consent form?

- [ ] Yes
- [X] No

Participants cannot know the true purpose of the study before beginning. Per IRB, we notify students of the true purpose of the experiment, shortly after verbally asking questions pertaining to our dependent measures. Undescribed events may require revision of the consent form.

Has this type of event been reported before?

- [X] Yes
- [ ] No

If yes, how often and on what date(s)?

Yes, there was an adverse event on 10/15/14 - we stopped the study for a different reason than reported in this adverse event.

Is this type of event likely to occur again?

- [X] Yes
- [ ] No

Explain. It is possible that other students may react in a similar manner, if so, the experimenter will immediately stop the study, just as she did in this situation.
II. Describe the nature and results of the event and your response.
The participant and lab confederate acting as a participant indicated consent and then completed a criminological knowledge exam with together. During this, the confederate initiated cheating on the individual portion of the exam. Following protocol for the condition, I then accused both students of cheating on the exam and asked the confederate to step into another room in our lab. Normally, I would then verbally ask the participant a few questions to ascertain how they would like to handle the situation, if they had ever been accused of cheating in the past (if so, the study is immediately stopped), and debrief them about the true nature of the study before asking them to fill out a questionnaire. Before I was able to verbally ask the participant questions, he appeared agitated and asked if he could “just go.” I said to the participant, “excuse me.” And he replied that, “this study was wasting enough of his time...he had been in the lab for 30 minutes...and he just wanted to go.” At this point, I immediately stopped the study and debriefed the participant. The participant repeatedly put the headphones on and was playing on his iPad. I asked him to take the headphones off, as we would go through the debriefing. He replied that there was no volume. The participant was not speaking very much and I repeatedly asked the participant if he was okay or distressed and if he wanted to talk (at least 3 times). He replied that he was fine and okay. I asked him if he would like me to contact the Counseling and Wellness Center (or information) and he said no. We then went through the debriefing document together. When asked if there was anything about this study that made him upset, distressed, anxious, or uncomfortable, the student responded, “internalized, upset due to being accused while a juvenile and pressured by the other participant. Nothing directly related to the study. Anger from experience with juvenile justice system.” When asked if he currently felt upset, distressed, anxious, or uncomfortable, the student responded, “current upset because of constantly defending myself (outside of this experiment). Naturally aggressive and distant.” He indicated that she felt the procedures used were justified to investigate this topic. He reported feeling a lot of stress during the experiment, and having a little stress after the experiment. He marked his overall reaction to the study as “neutral, I neither enjoyed nor did not enjoy my experience.” After confirming the participant was okay and not upset or distressed and offering to contact the Counseling and Wellness Center, he left the lab. His data has been pulled from the analysis and will not be used in the dissertation.

III. Changes as a Result of the Event
Will you be making any changes to the protocol as a result of this event?  Yes  No
If yes, provide a brief description of the changes and fill out the “Request for Protocol Revision Form”

Will you be making any changes to the consent form as a result of this event?  Yes  No
If yes, provide a brief description of the changes and fill out the “Request for Protocol Revision Form.”
If no, explain why revisions of the consent form are not needed.

Will you be informing current participants about any of this new safety information?  Yes  No
If no, explain why participants need not be informed of the new information

In your judgment, is the overall risk-benefit of the research still acceptable considering the new  Yes  No
ADVERSE EVENT REPORTING FORM
This Form Must be Typed and All Sections Must be Fully Completed

Information regarding this event?
You must explain the rationale for your response.
I do believe the risk-benefit ratio is still acceptable. The student’s response was likely a result of a past experience, and not directly related to the study. When I felt the student was being agitated and asked to leave, I immediately stopped the experiment and debriefed the participant.

Principal Investigator’s Signature

Printed Name of Principal Investigator

Faculty Advisor’s Signature (Necessary if PI is a student)

Lora M Levett

Printed Name of Faculty Advisor (Necessary if PI is a student)

Jan 29, 2015

Date

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This event has been classified as an unanticipated problem: ☐ Yes ☐ No
The principal investigator of research approved for the use of human subjects is responsible for reporting any adverse events. An adverse event is defined as any significant untoward or unfavorable occurrence in a human subject, including any abnormal sign, symptom, or disease, temporally associated with the subject’s participation in the research, whether or not considered related to the subject's participation in the research (the event can be physical and/or psychological).

Use the following form to report an adverse event as soon as possible to the IRB Administrator, but no later than 7 calendar days after first awareness of the problem. The investigator should respond to the adverse event immediately, providing care in accordance with the protocol. The investigator should provide his/her opinion and support for any proposed changes in the protocol and/or consent form.

| Name of Principal Investigator: | Kelsey Henderson |
|---------------------------------|-----------------
| Full Title of Protocol:         | Investigating Predictors of True and False Guiltless |
| Protocol #:                     | 2014.U.440     |
| Phone #:                        | 385-265-4624   |
| E-mail Address:                 | kelseyhenderson@arl.edu |
| Date and Time of Adverse Event: | 7/13/15 11:00 am |
| Date of Report:                 | 7/14/15        |

I. Adverse Event Information

Location of event: Walker Hall 3

Participant’s ID: No Access to ID. Jacqueline Phillips

Age, if available: Not available

To what extent is this event related to the study?
- [ ] Define
- [ ] Probable
- [x] Possible
- [ ] Unrelated

The IRB defines “possible” as a causal relationship that cannot reasonably be ruled out.

Was the event expected?
- [x] Yes
- [ ] No

Is this kind of event described in the consent form?
- [x] Yes
- [ ] No

If Yes, participants were informed of the possibility of this event at the beginning of the study.

Was the event described in the consent form?
- [ ] Yes
- [ ] No

If Yes, participants were informed of the possibility of this event at the beginning of the study.

Has this type of event been reported before?
- [x] Yes
- [ ] No

If yes, on what date?
- Twice, 1-26-15 (study stopped for a different reason) and 10-15-14 (study stopped for a different reason).

Is this type of event likely to occur again?
- [x] Yes
- [ ] No

Explain. It is possible that other participants may react in a similar manner. If so, the experimenter will stop the study immediately (just as she did in this study).

II. Describe the nature and results of the event and your response.

The participant and lab confederate acting as a participant indicated consent and then completed a criminological knowledge exam with together. During this, the confederate initiated cheating on the individual portion of the exam. Following protocol for the condition, I then accused both students of cheating and asked the confederate to step into another room in our lab. Normally, I would then verbally ask the participant a few questions to ascertain how they would like to handle the situation and then debrief them about the true nature of the study before asking them to fill out a questionnaire. Before I was able to verbally ask the participant questions, the participant started crying. I asked the participant if she was okay and she replied that she was "fine." I paused for a moment and the participant kept crying. I then asked again if she was okay. Participant replied, "I didn’t do anything wrong. I am sorry..."
for crying. I am just really sensitive and don’t like being put in these types of situations." At that point I immediately stopped the study and debriefed the participant. After debriefing the participant, she seemed to calm down a bit and was very talkative (asking me questions about the study, etc.). I asked the participant if she would like me to contact the Counseling & Wellness Center, and she replied, "no that’s not necessary." She indicated on the debriefing form that she felt upset and distressed during the study. When asked how she currently felt, participant responded, "I feel much better now that I know I am not in trouble. I often worry and since I was so afraid of getting in trouble I got very upset. I now feel embarrassed by my reaction but overall, I feel much better." She indicated that she felt the procedures used were justified to investigate this topic. She reported feeling extreme stress during the experiment, and having a little stress after the experiment. She marked her overall reaction to the study as "negative, I did not enjoy the experience." She wrote next to response, "I found this study very interesting but I did not like feeling like I did." I asked her again repeatedly if she was okay and she replied that she was fine and that she enjoyed the study. After confirming the participant was okay and not upset or distressed, she left the lab. I gave her my contact information in case she felt upset at a later time, she has not contacted me. Her data has been pulled from analysis.

III. Changes as a Result of the Event

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will you be making any changes to the protocol as a result of this event?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>If yes, provide a brief description of the changes and fill out the &quot;Request for Protocol Revision Form.&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Will you be making any changes to the consent form as a result of this event?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>If yes, provide a brief description of the changes and fill out the &quot;Request for Protocol Revision Form.&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If no, explain why revisions of the consent form are not needed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Will you be informing current participants about any of this new safety information?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>If no, explain why participants need not be informed of the new information.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>In your judgment, is the overall risk-benefit of the research still acceptable considering the new information regarding this event?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>You must explain the rationale for your response.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I do believe the risk-benefit ratio is still acceptable. The participant admitted that she was sensitive about such issues and after debriefing, the participant immediately calmed down and started chatting with the experimenter. When the participant started crying, I immediately stopped the study and debriefed the participant.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Principal Investigator's Signature

Printed Name of Principal Investigator _______________________________ Date __________________________

Faculty Advisor’s Signature (Necessary if PI is a student)

Lora M. Lovett
Printed Name of Faculty Advisor (Necessary if PI is a student) _______________________________ Date __________________________

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</tbody>
</table>
LIST OF REFERENCES


http://www.bjs.gov/content/pub/pdf/wo.pdf


I nnocenceproject.org


http://www.naacp.org/pages/criminal-justice-fact-sheet


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BIOGRAPHICAL SKETCH

Kelsey was born in Jasper, Fl. She received her Ph.D. in Criminology & Law from the University of Florida in 2016. Her research interests lie at the intersection of psychology and the law, and utilize various methods and theories to explore aspects of decision-making in our legal system. Her work covers a range of topics including line-up decision-making, juror decision-making with and without the assistance of system variables, and plea-bargaining decision-making. Much of her research explores the law and legal concepts from a multi-disciplinary approach. Her goal in research is to understand the factors that affect decision-making and to develop methods that help legal actors make the most educated and informed decisions possible.