

Bias in Jury Selection: Justifying Prohibited Peremptory Challenges

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ABSTRACT

The United States Supreme Court has restricted attorneys from considering the gender and race of potential jurors in their use of peremptory challenges—the practice by which jurors may be removed from a jury without explanation or evidence of potential bias. We propose that forbidding peremptories based on social category information not only fails to decrease biased jury selection, but also encourages attorneys to search—successfully—for neutral justifications for their biased decisions. In Study 1, participants who acted as prosecutors in a jury selection paradigm eliminated female jurors more often than male jurors, but then justified these biased choices by citing gender-neutral information. Troublingly, Study 2 showed that explicit instructions against the use of gender failed to eliminate selection bias, and in fact resulted in even more elaborate justifications. Copyright © 2007 John Wiley & Sons, Ltd.

KEY WORDS jurors; biases; prosecutors; gender bias

INTRODUCTION

The 6th Amendment to the Constitution of the United States guarantees defendants the right to a trial by a fair and impartial jury. There are two stages designed to ensure this process, each with inherent difficulties. First, the pool from which juries are drawn must be representative of the community (e.g., *Lockhart v. McCree*, 1986); the jury selection process (*voir dire*)—in which attorneys for both the prosecution and defense can excuse individual jurors—is then intended to identify and remove jurors who cannot be impartial in a given case (see *Holland v. Illinois*, 1990; *Taylor v. Louisiana*, 1975). Creating jury pools that are representative of their communities is a task typically left to policymakers, an objective that remains elusively difficult to achieve (see Cohn & Sherwood, 1999). The challenging task of ensuring the impartiality of individual jurors, on the other hand, is left up to those who interview prospective jurors during jury selection: judges and attorneys. Because attorneys are expected to win cases, however, their motivation to select unbiased jurors is

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Behavioral Decision Analysis Florian M. Federspiel, Gilberto Montibeller, Matthias Seifert, 2024-05-30 This book lays out a foundation and taxonomy for Behavioral Decision Analysis featuring representative work across various domains Traditional research in the domain of Decision Analysis has focused on the design and application of logically consistent tools to support decision makers during the process of structuring problem complexity modeling uncertainty generating predictions eliciting preferences and ultimately making better decisions Two commonly held assumptions are that the decision maker's cognitive belief system is fully accessible and that this system can be understood and formalized by trained analysts However in past years an active line of research has emerged studying instances in which such assumptions may not hold This book unites this community under the common theme of Behavioral Decision Analysis The taxonomy used in this book categorizes research based on task focus prediction or decision and behavioral level individual or group Two theoretical lenses that lie at the interface between 1 normative and descriptive research and 2 normative and prescriptive research are introduced The book then proceeds to highlight representative works across the two lenses focused on individual and group level decision making Featuring various methodologies and applications the book serves as a reference for researchers students and professionals across different disciplines with a common interest in Behavioral Decision Analysis

Decision Analysis for Management Judgment Paul Goodwin, George Wright, 2014-05-12 Decision Analysis for Management Judgment is unique in its breadth of coverage of decision analysis methods It covers both the psychological problems that are associated with unaided managerial decision making and the decision analysis methods designed to overcome them It is presented and explained in a clear straightforward manner without using mathematical notation This latest edition has been fully revised and updated and includes a number of changes to reflect the latest developments in the field

Handbook of Decision Making Paul C. Nutt, David C. Wilson, 2010-09-07 HANDBOOK OF DECISION MAKING This handbook offers a state of the art overview of research and theories on decision making in organizations at the strategic level of analysis Chapters are authored by leading international scholars with some illustrative case vignettes from practitioners Each contributor was selected for his/her special knowledge of the field The Handbook addresses key questions confronting the decision making research of the past and the present offers critiques and suggests future research directions Topics covered emphasize the classic decision theory perspectives while also incorporating recent insights from the fields of strategic choice risk uncertainty scenario planning and complexity theory with a broad social science perspective on the disciplinary roots of decision theory in economics politics and social theory This is a landmark reference volume for the field offering scholars and practitioners Comprehensive but accessible coverage of classic and recent developments Chapters by established international experts Case analyses illustrating practical consequences of theories Guide to new research directions and theory

The Wiley Blackwell Handbook of Judgment and Decision Making, 2 Volume Set Gideon Keren, George

Wu,2016-02-16 A comprehensive up to date examination of the most important theory concepts methodological approaches and applications in the burgeoning field of judgment and decision making JDM Emphasizes the growth of JDM applications with chapters devoted to medical decision making decision making and the law consumer behavior and more Addresses controversial topics from multiple perspectives such as choice from description versus choice from experience and contrasts between empirical methodologies employed in behavioral economics and psychology Brings together a multi disciplinary group of contributors from across the social sciences including psychology economics marketing finance public policy sociology and philosophy 2 Volumes *Emerging Trends and Innovations in Financial Services: A Futurology Perspective*

Ali, Muhammad,Raza, Syed Ali,Puah, Chin-Hong,2025-06-25 The financial services industry is undergoing a major transformation driven by rapid technological advancements and evolving consumer expectations Innovations are reshaping how financial institutions operate make decisions and engage with customers These changes have far reaching implications for market structures personal finance management and the overall accessibility of financial services Understanding these emerging trends is essential for ensuring that financial systems remain efficient inclusive and resilient in an increasingly digital future *Emerging Trends and Innovations in Financial Services A Futurology Perspective* explores the state of the art advancements influencing the financial industry heading forward It offers a thorough grasp of how technology is altering the financial services industry and offers insight into the opportunities and problems that lie ahead by looking at these developing trends Covering topics such as archival data market dynamics and sustainability this book is an excellent resource for researchers academicians industry professionals policymakers regulators and more Perspectives on Framing

Gideon Keren,2011-02-11 A major characteristic of any natural language is that the same communication idea or intention can be articulated in different ways in other words the same message can be framed differently In this book contributors from a variety of disciplines come together to better understand the mechanisms underlying framing effects and assess their impact on the communication process **Persuasive Communication** Richard Young,2016-07-15 This updated and expanded edition of *Persuasive Communication* offers a comprehensive introduction to persuasion and real world decision making Drawing on empirical research from social psychology neuroscience business communication research cognitive science and behavioral economics Young reveals the thought processes of many different audiences from investors to CEOs to help students better understand why audiences make the decisions they make and how to influence them The book covers a broad range of communication techniques richly illustrated with compelling examples including resumes speeches and slide presentations to help students recognize persuasive methods that do and do not work A detailed analysis of the emotions and biases that go into decision making arms students with perceptive insights into human behavior and helps them apply this understanding with various decision making aids Students will learn how to impact potential employers clients and other audiences essential to their success This book will prove fascinating to many and especially useful for students of

persuasion rhetoric and business communication *Handbook of Psychology, Forensic Psychology* Irving B. Weiner, Randy K. Otto, 2012-10-23 Psychology is of interest to academics from many fields as well as to the thousands of academic and clinical psychologists and general public who can't help but be interested in learning more about why humans think and behave as they do This award winning twelve volume reference covers every aspect of the ever fascinating discipline of psychology and represents the most current knowledge in the field This ten year revision now covers discoveries based in neuroscience clinical psychology's new interest in evidence based practice and mindfulness and new findings in social developmental and forensic psychology **Artificial Intelligence and Financial Behaviour** Riccardo Viale, Shabnam Mousavi, Umberto Filotto, Barbara Alemanni, 2023-06-01 Following rapid technological advancements that have taken place throughout the late twentieth and early twenty first centuries this intriguing book provides a dynamic agenda for the study of artificial intelligence AI within finance Through an in depth consideration of the use of AI it utilizes case study examples to investigate AI's effectiveness within investment and banking *AI*IA 2009: Emergent Perspectives in Artificial Intelligence* Roberto Serra, Rita Cucchiara, 2009-11-30 This book constitutes the refereed proceedings of the 11th International Conference of the Italian Association for Artificial Intelligence AI IA 2009 held in Reggio Emilia Italy in December 2009 The 50 revised full papers presented together with 3 invited talks were carefully reviewed and selected from 83 submissions The papers are organized in topical sections on knowledge representation and reasoning machine learning evolutionary computation search natural language processing multi agent systems and application *Global Logistics and Supply Chain Strategies for the 2020s* Rico Merkert, Kai Hoberg, 2022-12-08 Logistics and supply chain management is facing disruptive economic technological and climate change developments that require new strategies New technologies such as the Internet of Things digital manufacturing or blockchain are emerging quickly and could provide competitive advantage to those companies that leverage the technologies smartly while managers that do not adopt and embrace change could be left behind Last but perhaps most important for mankind sustainability aspects such as low carbon transportation closed loop supply chains or socially responsible supply chain setups will become essential to operate successfully in the future All these aspects will affect logistics and supply chains as a whole as well as different functional areas such as air cargo maritime logistics or sourcing procurement This book aims to dive into several of these functional topics to highlight the key developments in the next decade predicted by leading global experts in the field It features contributions and key insights of globally leading scholars and senior industry experts Their forward looking perspectives on the anticipated trends are aimed at informing the reader about how logistics and supply chain management will evolve in the next decade and which academic qualities and skills will be required to succeed in the new normal environment that will be characterized by volatile and increasingly disrupted business eco systems Future scenarios are envisaged to provide both practitioners and students with insights that will help them to adapt and succeed in a fast changing world *High Frequency Trading and Limit Order Book Dynamics*

Ingmar Nolte, Mark Salmon, Chris Adcock, 2016-04-14 This book brings together the latest research in the areas of market microstructure and high frequency finance along with new econometric methods to address critical practical issues in these areas of research Thirteen chapters each of which makes a valuable and significant contribution to the existing literature have been brought together spanning a wide range of topics including information asymmetry and the information content in limit order books high frequency return distribution models multivariate volatility forecasting analysis of individual trading behaviour the analysis of liquidity price discovery across markets market microstructure models and the information content of order flow These issues are central both to the rapidly expanding practice of high frequency trading in financial markets and to the further development of the academic literature in this area The volume will therefore be of immediate interest to practitioners and academics This book was originally published as a special issue of European Journal of Finance

The Oxford Handbook of Advice Erina L. MacGeorge, Lyn M. Van Swol, 2018-05-01 Advice defined as a recommendation for action in response to a problem is a common form of interpersonal support and influence Indeed the advice we give and receive from others can be highly consequential not only affecting us as recipients and advisors but shaping outcomes for relationships groups and organizations Some of those consequences are positive as when advice promotes individual problem solving or enhances workgroup productivity Yet advice can also hide ulterior motives threaten identity damage relationships and promote inappropriate action The Oxford Handbook of Advice provides a broad perspective on how advice succeeds and fails systematically reviewing and synthesizing theory and research on advice from multiple disciplines such as communication psychology applied linguistics business law and medicine Several chapters explore advice at different levels of analysis focusing on advisor and recipient roles advising interactions and relationships and advice as a resource and connection in groups and networks Other chapters address advice in particular types of personal relationships romantic family and professional contexts workplace health education therapy Contributing authors also consider cultural differences advice online and the ethics of advising For scholars concerned with supportive communication interpersonal influence decision making social networks and related communication processes at work at home and in society at large this Handbook offers historical perspective contemporary theoretical framing methodological recommendations and directions for future research It also emphasizes practical application offering clear concise and relevant advice for advising based on theory and research

Contrarian Investment Strategies David Dreman, 2012-01-10 In this major revision of his investment classic one of the premier investment managers introduces vitally important new findings in psychology that show why most investment strategies are fatally flawed and his contrarian strategies are the best way to beat the market The need to switch to a new approach for investing has never been more urgent The crash of 2008 revealed in dramatic fashion that there are glaring flaws in the theory that underlies all of the prevailing investment strategies efficient market theory This theory and all of the most popular investing strategies fail to account for major systematic errors in human judgment that the powerful new

research in psychology David Dreman introduces has revealed such as emotional over reactions and a host of mental shortcuts in judgment that lead to wild over and under valuations of stocks bonds and commodities and to bubbles and crashes It also leads to horribly flawed assessments of risk Dreman shows exactly how the new psychological findings definitively refute those strategies and reveals how his alternative contrarian strategies do a powerful job of accounting for them He shows readers how by being aware of these new findings they can become savvy psychological investors crash proofing their portfolios and earning market beating long term returns He also introduces a new theory of risk and substantially updates his core contrarian strategies with a number of highly effective methods for facing the most pressing challenges in the coming years such as greatly increased volatility and the prospect of inflation This is every investor's essential guide to optimal investing

The Jury Under Fire Brian H. Bornstein, Edie Greene, 2017-01-23 Although the jury is often referred to as one of the bulwarks of the American justice system it regularly comes under attack Recent changes to trial procedures such as reducing jury size allowing non unanimous verdicts and rewriting jury instructions in plain English were designed to promote greater efficiency and adherence to the law Other changes such as capping damages and replacing jurors with judges as arbiters in complex trials seem designed to restrict the role of laypeople in trial outcomes Whether these innovations are implemented to facilitate the administration of justice or due to the belief that juries have excessive power and make irrational decisions they raise a host of questions about their effects on juries judgments and about justice Policymakers sometimes make incorrect assumptions about jury behavior with the result that some reform efforts have had surprising and unintended consequences The Jury Under Fire reviews a number of controversial beliefs about juries as well as the implications of these views for jury reform It reviews up to date research on both criminal and civil juries that uses a variety of research methodologies simulations archival analyses field studies and juror interviews Each chapter focuses on a mistaken assumption or myth about jurors or juries critiques these myths and then uses social science research findings to suggest appropriate reforms Chapters discuss the experience of serving as a juror jury selection and jury size and the impact of evidence from eyewitnesses experts confessions and juvenile offenders The book also covers the process of deciding damages and punishment and the role of emotions in jurors decision making and it compares jurors and judges decisions Finally it reviews a broad range of efforts to reform the jury including the most promising reforms that have a solid backing in research Featuring highly visible trials to illustrate key points The Jury Under Fire will interest researchers in psychology and the law practicing attorneys and policymakers as well as students and trainees in these areas

Handbook of Research on Behavioral Finance and Investment Strategies: Decision Making in the Financial Industry Copur, Zeynep, 2015-01-31 In an ever changing economy market specialists strive to find new ways to evaluate the risks and potential reward of economic ventures by assessing the importance of human reaction during the economic planning process The Handbook of Research on Behavioral Finance and Investment Strategies Decision Making in the

Financial Industry presents an interdisciplinary comparative and competitive analysis of the thought processes and planning necessary for individual and corporate economic management This publication is an essential reference source for professionals practitioners and managers working in the field of finance as well as researchers and academicians interested in an interdisciplinary approach to combine financial management sociology and psychology

Emerging Markets and the Global Economy Mohammed El Hedi Arouri, Sabri Boubaker, Duc Khuong Nguyen, 2013-12-26 Emerging Markets and the Global Economy investigates analytical techniques suited to emerging market economies which are typically prone to policy shocks Despite the large body of emerging market finance literature their underlying dynamics and interactions with other economies remain challenging and mysterious because standard financial models measure them imprecisely Describing the linkages between emerging and developed markets this collection systematically explores several crucial issues in asset valuation and risk management Contributors present new theoretical constructions and empirical methods for handling cross country volatility and sudden regime shifts Usually attractive for investors because of the superior growth they can deliver emerging markets can have a low correlation with developed markets This collection advances your knowledge about their inherent characteristics Foreword by Ali M Kutan Concentrates on post crisis roles of emerging markets in the global economy Reports on key theoretical and technical developments in emerging financial markets Forecasts future developments in linkages among developed and emerging economies

Investment Strategies in the Age of Technological Innovation and Emerging Markets Faxing, Liao, Kok Loang, Ooi, 2024-12-04 In the age of technological innovation and the rise of emerging markets investment strategies are evolving to capitalize on new opportunities and navigate complex risks As technologies like artificial intelligence AI blockchain and renewable energy reshape industries investors are looking for ways to use these advancements for long term growth At the same time emerging markets offer potential for returns but also present challenges including political instability currency fluctuations and regulation uncertainties Successful investment strategies require a blend of traditional financial understanding and an awareness of current technological and global market dynamics Further exploration may help businesses and investors to take advantage of the transformative potential of these landscapes while mitigating risks and maximizing value Investment Strategies in the Age of Technological Innovation and Emerging Markets explores the relationship between technological advancements emerging market opportunities and equity investment strategies It offers a comprehensive analysis of their combined effects on the investment landscape This book covers topics such as investor psychology stock markets and behavioral finance and is a useful resource for economists business owners investors psychologists scientists academicians and researchers

The Psychology Behind Design Jeongmin Lee, Wujin Chu, Chris Baumann, 2024-07-05 This book explains the psychology theory behind design using plain language The inspiration came from the democratic design philosophy of IKEA This book attempts to help people enjoy designs more by explaining consumer psychology that lurks behind designs of everyday things Another

purpose of the book is to aid designers and marketers in understanding consumer behavior and to help them leverage this knowledge in their respective fields. Marketers and designers often find it hard to communicate effectively due to their disparate fields. However, this book aims to bridge this gap by showing that activities in both design and marketing can be better understood through the lens of design psychology, promoting better communication and collaboration. Although the book contains more than a hundred psychology theories that can affect design, it is structured in a reader-friendly manner, and chapters are segmented such that each chapter contains about 7-15 theories. Despite the large amount of academic research behind the theories, the application of these theories comes from commonplace consumer behaviors and daily design examples, promising an easy, relatable read.

Strategic Thinking in Complex Problem Solving Arnaud

Chevallier, 2016-07-06 Whether you are a student or a working professional, you can benefit from being better at solving the complex problems that come up in your life. *Strategic Thinking in Complex Problem Solving* provides a general framework and the necessary tools to help you do so. Based on his groundbreaking course at Rice University, engineer and former strategy consultant Arnaud Chevallier provides practical ways to develop problem-solving skills, such as investigating complex questions with issue maps, using logic to promote creativity, leveraging analogical thinking to approach unfamiliar problems, and managing diverse groups to foster innovation. This book breaks down the resolution process into four steps: 1. frame the problem, identifying what needs to be done; 2. diagnose it, identifying why there is a problem or why it hasn't been solved yet; 3. identify and select potential solutions, identifying how to solve the problem; and 4. implement and monitor the solution, resolving the problem. For each of these four steps, the book explains techniques that promote success and demonstrates how to apply them on a case study and in additional examples. The featured case study guides you through the resolution process, illustrates how these concepts apply, and creates a concrete image to facilitate recollection. *Strategic Thinking in Complex Problem Solving* is a tool kit that integrates knowledge based on both theoretical and empirical evidence from many disciplines and explains it in accessible terms. As the book guides you through the various stages of solving complex problems, it also provides useful templates so that you can easily apply these approaches to your own personal projects. With this book, you don't just learn about problem solving, but how to actually do it.

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