WITNESS UNCERTAINTY AND ITS EFFECT ON JURORS’ DECISIONS

A thesis submitted to the
Kent State University Honors College
in partial fulfillment of the requirements
for University Honors

by

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December, 2012
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I would like to thank the following individuals for their participation as my oral defense committee: Dr. Kathryn Kerns, Dr. Manfred van Dulman, and Dr. Katherine Orr. I would also like to express my appreciation for Dr. Maria Zaragoza and Patrick Rich, for their time and continued assistance in this study.
CHAPTER I

INTRODUCTION

Time and time again, empirical evidence has shown us that jurors are heavily swayed by confident witnesses (i.e., those witnesses who provide their testimony quickly, with strong voices and statements of certainty such as “I know,” or “I am sure”); however, it has also been shown in the literature that witness confidence is not always a good indicator of accuracy, as it may be affected by variables unrelated to veracity (Hanba & Zaragoza, 2006; Lindsay, Wells & O’Connor, 1989; Wells, Lindsay & Ferguson, 1981; Brewer & Burke, 2002; Bradfield & Wells, 2000; Whitley & Greenberg, 1986). For example, in their study, Lindsay, Wells and O’Connor (1989) had mock jurors listen to the testimony of eyewitnesses to a staged robbery. What they found was that mock jurors believed the testimony of accurate and inaccurate witnesses who had the same level of confidence at roughly the same rate. Witnesses who confidently identified an innocent party as the perpetrator were just as likely to convince the jurors to vote guilty as those witnesses who confidently identified the actual perpetrator.

However, it is not solely jurors who put so much trust in the confidence of the witness—in the case of Neil vs. Biggers (1972), five criteria were selected by the United States Supreme Court system to determine whether or not a witness’s testimony should be believed. Of these criteria, the confidence of the witness is number one. It should also be noted that the court puts so much faith in the witness’s confidence, that it is used to imply accurate identification of a suspect, even if highly suggestive methods were used
during the witness’s questioning. This reliance on eyewitness confidence poses a serious issue in today’s court system, as witness confidence is very easily inflated by factors such as repetition and rehearsal (Wells, Lindsay & Ferguson, 1981), and confirmatory interviewer feedback (Wells & Bradfield, 1998). In their study, Wells, Lindsay and Ferguson (1981) staged a court case, wherein some witnesses were briefed before providing their testimony to the jury (told by a lawyer what sort of questions to expect, how the other lawyer might interrogate them, and told to rehearse their answers), and others were not briefed at all. It was shown that regardless of whether or not the witness was providing accurate testimony, if they had been briefed before the case, the jurors were much more likely to find them credible. This is because participants who had been briefed seemed more confident in their testimony and their own accuracy than those who went into the courtroom without briefing.

Confirmatory interviewer feedback has also been shown to increase witness confidence, regardless of their accuracy (Wells & Bradfield, 1998; Hanba & Zaragoza, 2006). Hanba and Zaragoza (2006) showed that when witnesses were pressed to speculate about events they had never seen, only to receive confirmatory interviewer feedback from the interviewer (“That’s right!”), they became much more confident in their speculations. When witnesses were interviewed for a second time a few days later, they remembered their speculations as though they had actually witnessed the events, insofar as they reported them with the shortened latency and lack of hedges seen in their reports of the non-speculations. What this suggests is that confirmatory interviewer
feedback increases confidence for items that were knowingly confabulated, even if witnesses were coerced into giving the answer.

Whereas most of these studies have drawn comparisons between mock jurors’ belief in highly confident witnesses and highly unconfident witnesses (Lindsay, Wells & O’Connor, 1989; Wells, Lindsay & Ferguson, 1981; Brewer & Burke, 2002; Bradfield & Wells, 2000; Whitley & Greenberg, 1986), the present study aimed to see how jurors would treat confident and unconfident information presented by a single witness. Instead of presenting mock jurors with a witness who reported all of their testimony in a confident or unconfident manner, in the current study, I presented a witness who answered some questions with neutral confidence (an immediate answer with no hedges or statements of confidence), and answered other questions with varying degrees of uncertainty. I was interested in determining whether or not mock jurors were sensitive to this variation of certainty within a single witness. Of most import was whether mock jurors would doubt the information reported with uncertainty, and still trust the information reported confidently by the same witness.

As these past studies have compared very confident and unconfident witnesses, it is possible that mock jurors’ beliefs in the highly confident witnesses may just be a reflection of trusting high confidence. What is less clear is to what extent mock jurors mistrust testimony provided with low confidence. Hence, a second goal of the present study was to assess more directly how sensitive mock jurors are to low confidence, per se, by eliminating a high confidence comparison. To this end, I compared jurors’ beliefs in low confidence testimony versus testimony provided with no indications of high
confident. Witnesses either exhibited low confidence or neutral confidence in their answers, but never high confidence. This removed the possibility of jurors simply trusting a high confidence response, and instead, allowed me to assess whether mock jurors distrust low confidence.

A third question addressed by the present study was whether mock jurors would be more sensitive to some indicators of uncertainty than others. Previous studies have shown that, when experiencing uncertainty, witnesses tend to respond to interviewers’ questions in two manners: with overt, verbal expressions of uncertainty (hedges or statements like “I don’t know” or “I’m not sure”) or less overt indicators of uncertainty, such as pauses or hesitations in responding (Hanba & Zaragoza, 2006; Zaragoza, Payment, Ackil, Drivdahl & Beck, 2001; Whitley & Greenberg, 1986). In the present study, I assessed whether participant/jurors are more sensitive to overt verbal expressions of uncertainty as opposed to less overt expressions of uncertainty, such as hesitation or unwillingness to respond. Whitley and Greenberg (1986) suggested that verbal indicators of uncertainty affected jurors’ perceptions of witness believability more than less overt indicators of uncertainty. In their study, they brought in mock jurors to watch a videotape of an eyewitness testifying about a convenience store robbery. To illustrate the relationship between witness confidence and juror belief in witness credibility, both verbal confidence (statements such as “It was” vs. “It might have been”) and paralinguistic cues (hedges and pausing in testimony) were manipulated to make high confidence and low confidence witnesses. After watching the taped testimony, the jurors answered a set of questions regarding their opinions of the witness’s accuracy, as well as
whether or not the suspect was guilty. They found that verbal confidence had a larger, causal effect on juror belief in witness credibility—namely, if the witness made statements high in verbal confidence, they were more likely to be believed than those who made statements low in verbal confidence. The paralinguistic cues were shown to have a smaller effect on jurors’ beliefs. Based on these findings, one might expect jurors to be more sensitive to verbal indicators of uncertainty than less overt indicators.

In the present study, participant/jurors listened to a fictional eyewitness interview that consisted of six interview questions where the witness always produced a response with “neutral” confidence, as well as five “critical” questions where the response provided by the witness varied in uncertainty. Two indicators of uncertainty were manipulated, (1) overt verbal expressions of uncertainty (e.g., statements such as “I don’t know” or “I don’t remember”), and (2) non-overt expressions of uncertainty, in this case reluctance in responding that led the interviewer to repeatedly prompt the witness to respond. After listening to the testimony, jurors were given a cover task, followed by a questionnaire wherein they rated their belief that each event listed in the witness’s testimony actually happened. This measure of juror belief was the main dependent variable of the study, and as such, the intent was to assess whether participant/jurors’ belief in the witness’s testimony varied as a function of the uncertainty associated with the witness’s responses. Finally, jurors were brought back after a short retention interval of two days, and given a free recall task, where they were asked to write all of the details they could remember from the case and testimony they had had previously heard. This measure of juror recall was obtained to assess to what extent mock jurors reported
testimony delivered with uncertainty, and whether they freely reported which aspects of
the witness’s testimony were reported with uncertainty.
CHAPTER II

METHOD

Participants. Participants of the study were 108 undergraduate students at Kent State University, who took part in the study to fulfill a psychology course requirement. This sample was made up of 80 females and 28 males, with mean ages of 19.5 and 21.1, respectively. Participants were at least 18 years of age, as well as native English speakers.

Materials and procedure. Participants were brought into the study in groups of no more than six at a time. They were given a short synopsis of a fictitious lawsuit involving a missing persons case at a summer camp, and told they would be acting as a jury to reach a final verdict (see Appendix A). Participants were told that they would hear an audio-recorded police interrogation of a witness (played from a computer’s speakers). Participants then heard an interview consisting of 11 questions that were purportedly answered by a witness. (To ensure that all participants were attending to the interview, they were also given a written transcript to read along with, as they listened.)

Six of these questions and their responses were the same for all participants, and were answered with no indications of uncertainty (see Appendix B). The remaining five critical interview questions (referred to as Hat, Neck, Stolen, Warm, and Trading Post; see Appendix C) were answered with varying degrees of uncertainty. In this study, uncertainty was manipulated on two dimensions: number of prompts necessary after the interviewer’s initial question (one or three), and whether or not the witness verbally expressed lack of certainty in his response (overt verbal expressions of uncertainty vs. no
overt verbal indicators of uncertainty). A factorial combination of these variables resulted in four uncertainty conditions: no overt verbal indicators/one prompt, overt verbal indicators/one prompt, no overt verbal indicators/three prompts, overt verbal indicators/three prompts (see Tables 1 and 2). In each interview, one of the five critical question/answer pairs served in each of the four uncertainty conditions, while the fifth was assigned to a control condition where the witness was not prompted after the initial question, and offered no overt verbal indicators of uncertainty (see Table 1). Across participants, each of the five interview question/response pairs served equally often in each of the five uncertainty conditions.

After being presented with the witness’s testimony, a cover task was given to the participants to imitate the traditional juror task of deliberation. Participants were prompted by the questionnaire to explain why or why not they felt the summer camp was liable for the brothers’ disappearance, as well as whether or not the case presented was solid enough for a prosecution to be made (see Appendix D). These questions replaced the traditional “Guilty” or “Not Guilty” jury decision while simultaneously suggesting whether or not the participant had paid attention during the witness’s interrogation. Upon completing the questionnaire given to them, participants were given a recognition test. The test included eleven items, five of which directly referenced the critical interview items (Hat, Neck, Stole, Warm, Trading Post), and six which referenced events the witness had reported without any indications of doubt. Participant/jurors were asked to rate their confidence that each event reported by the witness actually happened. Confidence ratings were made on a Likert scale of 1-7, where 1 represented a confidence
rating of “extremely unsure,” 7 represented a confidence rating of “extremely sure,” and 4 represented a confidence rating of “neither unsure nor sure” (see Appendix E). These confidence ratings served as the primary dependent measure of mock jurors’ belief in the witness’s testimony. After completing this task, participants were thanked for their time, and excused.

After a retention interval of two days, participants were brought back to the lab and presented a free recall task. They were asked to write everything they remembered of the eyewitness interrogation and the missing persons case in as much detail as possible (see Appendix F). The purpose of this task was simply to assess whether participants would remember those aspects of the testimony that had been provided with low confidence, and in particular, whether they would freely comment on which aspects of the testimony were offered with low confidence. The time allotted for this task was fifteen minutes—if participants finished the task before this time, they were asked to sit quietly and wait for their peers to finish. In this way, they were given ample time to think back to the testimony they had heard, and there was no benefit to simply rushing through the task to leave early. Once participants finished this final task, they were awarded lab credit, thanked for their time, and excused. At the end of the semester, a debriefing email was sent to all participants, explaining the study’s purpose and findings.
CHAPTER III

RESULTS

Participant/juror’s ratings of belief in the witness’s testimony are illustrated in Figure 1. For comparison, the mean overall belief in the six items reported without any indicators of doubt was ($M = 5.22$). Preliminary analyses revealed that belief in the control condition ($M = 3.2$) did not differ from belief in the no overt verbal indicators/one prompt condition ($M = 3.08$), suggesting that one prompt did not affect jurors’ trust in the testimony; $t(107) = -.82$, $p = .41$. Hence, subsequent analyses were conducted on the experimental conditions only.

Participant/jurors’ ratings of belief were submitted to a 2 (prompts: 1 vs. 3) x 2 (overt verbal indicators of uncertainty: yes or no) repeated measures ANOVA. The results revealed both a main effect of number of prompts $F(1,106) = 19.41$, $\eta^2 = .15$ as well as a main effect of verbal indicators of uncertainty $F(1,106) = 11.62$, $\eta^2 = .09$ with both effects significant at the $p < .001$ level. However, the interaction of prompts and overt verbal indicators was not reliable $F(1,106) = .114$, $p = .74$, $\eta^2 = .001$. Hence, there was no evidence that jurors were more sensitive to overt verbal indicators of uncertainty relative to reluctance to respond, nor was there an interactive effect of having both indicators of uncertainty in a single witness’s testimony.

I next assessed whether there were differences in participant/jurors’ free recall of the elements of the witness’s testimony as a function of uncertainty condition. Each jurors’ free recall was coded to determine whether the five critical items in the witness’s
testimony were remembered. Mean recall of critical items in the five conditions are shown in Table 3. This information was submitted to a McNemar’s within-subjects chi-square test. It was found that participants were more likely to remember critical items reported following three prompts than those reported with one prompt, both when accompanied by overt verbal indicators of uncertainty $\chi^2(1) = 3.8, \phi = .19, p = .05$, and when there were no overt indicators of uncertainty $\chi^2(1) = 6.4, \phi = .25, p = .01$. However, the presence of overt indicators of uncertainty had no effect on whether items reported with one prompt were remembered $\chi^2(1) = .13, p = .72$, nor whether items reported with three prompts were remembered $\chi^2(1) = 1.6, p = .30$. The parenthetical numbers in Table 3 indicate that when participants freely recalled the critical items, they also spontaneously reported that these items had been reported with low confidence at a high rate (i.e., between 65% and 72% of the time).
CHAPTER IV
DISCUSSION

My study had three goals: (1) to examine whether or not mock jurors would distrust testimony provided with uncertainty more than information provided without doubt, even if presented by the same witness; (2) to assess how sensitive mock jurors are to testimony provided with low confidence, by eliminating a high confidence comparison, and (3) to examine whether mock jurors would be more sensitive to some indicators of uncertainty than others.

The findings of this study build on past research showing that mock jurors trust testimony provided by high confidence witnesses more than testimony provided by low confidence witnesses (Hanba & Zaragoza, 2006; Lindsay, Wells & O’Connor, 1989; Wells, Lindsay & Ferguson, 1981; Brewer & Burke, 2002; Bradfield & Wells, 2000; Whitley & Greenberg, 1986), by showing that mock jurors are also sensitive to variations in uncertainty among the elements of a single eyewitness’s testimony. In the present study, participant/jurors believed those items presented without doubt at a much higher rate than they believed the critical items that were accompanied by uncertainty. The present study also found that, unlike the findings of Whitley and Greenberg (1986), overt verbal expressions of uncertainty did not have a significantly greater effect on mock jurors’ credibility judgments than did less overt indications of uncertainty (in this case, reluctance to respond). However, the manipulation of non-overt cues to uncertainty used in the present study were quite different from that used by Whitley and Greenberg
(1986), which involved mere hedges and hesitations. The manipulations of less overt indicators of uncertainty were more extreme in my study than those used by Whitley and Greenberg, in that the witness was so reluctant to respond that he had to be prompted, sometimes repeatedly, to respond. This cue to uncertainty appears to be highly salient. In fact, after a retention interval of two days, mock jurors were more likely to recall a critical item with uncertainty when it had been reported with three prompts than those reported with only one prompt (see Table 3).

While it may immediately seem that mock jurors’ distrust of uncertain testimony is a good thing, it could very well mean that witnesses who give accurate testimony may be discredited for appearing uncertain. In much the same way that short latencies and overt expressions of certainty may make jurors believe an eyewitness (regardless of accuracy), prompts and overt expressions of uncertainty may make jurors doubt eyewitnesses. This is troubling, as there are many factors unrelated to accuracy that may make a witness appear uncertain or hesitant in their testimony. Personality traits such as shyness or social anxiety, for example, could make a witness seem entirely unconfident in what they are reporting, regardless of whether or not they are providing accurate information. Similarly, the pressure of an interrogative or interview situation could create anxiety or stress in the witness, creating hesitation or uncertainty in their responses. As such, there should not be an over-reliance in witness confidence or uncertainty, since it can be greatly influenced by factors other than accuracy.

It should be noted that a limitation of this study was its slightly contrived nature. Participants were given only a brief summary of a fictional court case, followed by a
scripted audio recording of an eyewitness interrogation. A future direction this study could take would be to replace the fictionalizations with actual courtroom transcripts, to give the participants a more realistic juror experience. Similarly, a video of the witness interview could be substituted for the audiotape used in the present study, since being able to see the witness as they provide their testimony may influence mock jurors’ decisions about their confidence differently. More importantly, a limitation of this study was the time constriction. Participants were asked to rate their confidence in each item mentioned in the witness’s testimony almost immediately after they had listened to it. And while their mean confidence ratings for those items reported with uncertainty were significantly lower than those reported without uncertainty, it has been shown that memories pertaining to uncertain information fade over time (Zaragoza et al., 2001). In my own experience with forced fabrication studies, I have witnessed participants provide testimony wrought with uncertainty and hesitance, only to entirely forget their lack of confidence when brought back to the lab, a week later. If a participant can forget their own uncertainty over that span of time, then it is quite possible that lengthening the retention interval between listening to the interview and rating confidence to a week or more may result in participant/jurors forgetting any uncertainty they had heard during the witness’s testimony.

The present study aimed to examine the effects of uncertainty in witness testimony on mock jurors’ assessment of the credibility of that testimony, as much of the current literature focuses on witness confidence. This study showed that mock jurors can
detect uncertainty, much as they can detect high confidence, and use it in making judgments of veracity over the short-term.
REFERENCES


FIGURE 1

PARTICIPANT/JURORS’ MEAN CONFIDENCE IN WITNESS TESTIMONY AS A FUNCTION OF NUMBER OF PROMPTS (1 OR 3) AND OVERT VERBAL INDICATORS OF UNCERTAINTY (YES OR NO)

Both Prompts and Indicators of Uncertainty Reduce Confidence

Mean Confidence Rating

0 0.5 1 1.5 2 2.5 3 3.5

Control 1 3

Number of Prompts

No Overt Overt
### TABLE 1

**EXAMPLE OF OVERT VERBAL EXPRESSIONS OF UNCERTAINTY VS. NO OVERT VERBAL EXPRESSIONS OF UNCERTAINTY**

**Control**

(Original) Interviewer: “While giving the ladies a tour on the canoes, we believe that Josh was wearing a hat, and this information could help us to locate him. Can you remember what type of hat Josh was wearing?”

Witness: “Maybe a baseball cap.”

**Overt verbal expression of uncertainty (one prompt)**

(Original) Interviewer: “While giving the ladies a tour on the canoes, we believe that Josh was wearing a hat, and this information could help us to locate him. Can you remember what type of hat Josh was wearing?”

Witness: “No, I don’t remember him wearing a hat.”

(1) I: “It’s essential that you try and remember this. This information could help us identify him.”

W: “Maybe a baseball cap.”

**No overt verbal expression of uncertainty (one prompt)**

(Original) Interviewer: “While giving the ladies a tour on the canoes, we believe that Josh was wearing a hat, and this information could help us to locate him. Can you remember what type of hat Josh was wearing?”

Witness: “What hat Josh was wearing?”

(1) I: “It’s essential that you try and remember this. This information could help us identify him.”

W: “Maybe a baseball cap.”
TABLE 2

EXAMPLE OF OVERT VERBAL EXPRESSIONS OF UNCERTAINTY VS. NO OVERT VERBAL EXPRESSIONS OF UNCERTAINTY (THREE PROMPTS)

**Overt verbal expressions of uncertainty**

(Original) Interviewer: “While giving the ladies a tour on the canoes, we believe that Josh was wearing a hat, and this information could help us locate him. Can you remember what type of hat Josh was wearing?”

Witness: “No, I don’t remember him wearing a hat.”

(1) I: “It’s essential that you try and remember this. This information could help us identify him.”
W: “I don’t remember any hat.”

(2) I: “Take your time.”
W: “I really don’t know what kind of hat he was wearing.”

(3) I: “What kind of hat could it have been?”
W: “Maybe a baseball cap.”

**No overt verbal expressions of uncertainty**

(Original) Interviewer: “While giving the ladies a tour on the canoes, we believe that Josh was wearing a hat, and this information could help us locate him. Can you remember what type of hat Josh was wearing?”

Witness: “What hat Josh was wearing?”

(1) I: “It’s essential that you try and remember this. This information could help us identify him.”
W: “Oh, um...what kind of hat?”

(2) I: “Take your time.”
W: “Hmm...it might’ve...no...”

(3) I: “What kind of hat could it have been?”
W: “Maybe a baseball cap.”
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<th>Overt indicators</th>
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<tr>
<td>Yes</td>
<td>0.46 (.69*)</td>
<td>0.57 (.67*)</td>
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<tr>
<td>No</td>
<td>0.48 (.72*)</td>
<td>0.63 (.65*)</td>
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*For freely recalled critical items, the proportion of times participants also mentioned that the witness had reported the item with low confidence.*
APPENDICES

APPENDIX 1

SYNOPSIS OF CASE

As you read in the consent forms, our study is focusing on how jurors process witness testimony. Today, you will be listening to eyewitness testimony in regards to the events leading up to a missing persons case.

The case concerns two brothers who were away at summer camp—the older brother Josh, who was a camp counselor, and the younger brother Timmy, who was attending the camp. One afternoon, the camp was visited by a group of ladies, who were considering donating money to the camp. Josh and the other counselors took the ladies on a tour of the camp, while Timmy and the other campers watched. Once the ladies left, there was a scuffle near the lake, involving the boys, and they were not seen by anyone in the camp, after that.

After this event, the boys’ parents decided to take legal action against the summer camp, suing them for negligence. The testimony you will be listening to is a police interrogation of an eyewitness to the events leading up to the boys’ disappearing. It is up to you, as the jury, to listen carefully and make your own decisions about the information you will be hearing.
APPENDIX 2

TRUE ANSWER QUESTIONS AND RESPONSES

1. Interviewer: On the day in question, there was some event going on at the camp. Can you remember what was happening, that morning?
Witness: Yeah, a group of ladies came to visit. Uh, they were gonna give money to the camp.

2. I: Once the ladies arrived, the head of the camp, Chief, asked Josh and the other counselors to do something. What was it that he had asked them to do?
W: Oh yeah, he wanted them to give the ladies a boat tour. To show them the camp.

3. I: Did anything out of the ordinary happen, during the tour on the lake?
W: Yeah, they found a snake on the boat, and the ladies started to freak out. Some of them even jumped out of the boat.

4. I: So after the snake was found, and the group of women reacted to it, what happened?
W: Uh, the ladies swam to another boat, and then Josh killed the snake.

5. I: Did anything else happen while the group of women was there? Anything else at all?
W: Um...well...oh, right! After Josh killed the snake, the ladies clapped and said he was a hero. And Chief let him start a wrestling program, because he was proud.

6. I: Okay, did anything happen between the boys, after that?
W: Moose shoved Timmy into the water and started dunking his head under.

7. I: Now, would you say that sort of behavior is characteristic of Moose? The fighting, and even dunking Timmy’s head under the water?
W: Oh yeah. Moose gets into fights with other people all the time.

8. I: All right. And when was it discovered that Josh and Timmy were missing?
W: The next morning. Neither of them showed up for breakfast or roll call, and then we realized that they’d gone missing.
APPENDIX 3

FALSE ANSWER QUESTIONS AND EVENTUAL RESPONSES

Hat

I: While giving the ladies a tour on the canoes, we believe that Josh was wearing a hat, and this information could help us to locate him. Can you remember what type of hat Josh was wearing?
W: Maybe a baseball cap.

Neck

I: Now, we know that Timmy was on the dock with all the other young campers while the ladies were taking the tour on the water. We also have reason to believe that he was wearing something around his neck. Again, this information could help us identify him. Can you remember what Timmy was wearing?
W: A bandana, I guess.

Stolen

I: After the group of ladies left, that night Timmy was seen on the docks with a few other boys. They seemed to be getting into a scuffle, when one of the boys, Moose, accused Timmy of stealing something of his. What did he accuse him of stealing?
W: His watch, maybe.

Warm

I: We know that Josh saw the fight going on, and ran down to the dock. He then yelled at the other boys, and they ran away. After that, he pulled Timmy out of the water. Josh was worried, and gave Timmy something to keep him warm. Knowing what Timmy might be wearing could help us identify him, so can you remember what Josh gave him to keep him warm?
W: Josh could’ve given him a blanket.

Trading Post

I: Later that night, Josh and Timmy were seen at the camp’s trading post. Do you know what they were doing there?
W: They might’ve been buying a pocketknife.
APPENDIX 4

COVER TASK—FINAL DECISION QUESTIONS

1. Why do you think the parents are suing the camp for negligence?

___________________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________

2. From what you’ve heard, do you think the parents have a solid case?

___________________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________

___________________________________________________________________
APPENDIX 5

RECOGNITION TASK

Eyewitness memory can be incomplete because people forget or are not paying enough attention. Sometimes, eyewitnesses make mistakes. Below, you will find statements that were provided in the testimony you read two days ago. We will now ask you to rate your confidence that the events described in each statement actually happened. Please circle one number to best represent your certainty that each item actually took place.

1. A group of women visited the camp with the intention to donate money.

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<td>Moderately unsure</td>
<td>Slightly unsure</td>
<td>Neither unsure nor sure</td>
<td>Slightly sure</td>
<td>Moderately sure</td>
<td>Extremely sure</td>
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2. The camp counselors took the ladies on a tour of the camp, on canoes.

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<td>Neither unsure nor sure</td>
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3. Josh was wearing a baseball cap, while he gave the tour.

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<td>Extremely unsure</td>
<td>Moderately unsure</td>
<td>Slightly unsure</td>
<td>Neither unsure nor sure</td>
<td>Slightly sure</td>
<td>Moderately sure</td>
<td>Extremely sure</td>
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4. Nothing out of the ordinary happened during the boat tour.

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<th>6</th>
<th>7</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Extremely unsure</td>
<td>Moderately unsure</td>
<td>Slightly unsure</td>
<td>Neither unsure nor sure</td>
<td>Slightly sure</td>
<td>Moderately sure</td>
<td>Extremely sure</td>
</tr>
</tbody>
</table>

5. Josh killed a snake.

<table>
<thead>
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<th></th>
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<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
</tr>
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<td>Extremely sure</td>
</tr>
</tbody>
</table>
6. Timmy was wearing a bandana around his neck, when he was on the dock.

7. The camp started up a wrestling program.

8. Timmy was accused of stealing Moose’s watch.

9. Moose dunked Timmy in the lake, when he got angry at him.

10. Josh gave Timmy a blanket to keep warm.

11. Timmy and Josh bought a pocketknife at the camp’s trading post.
APPENDIX 6

FREE RECALL TASK

Two days ago, you listened to an eyewitness interrogation regarding a missing persons case at a summer camp. We will now ask you to recall as much about the interrogation and the eyewitness’s testimony as possible, going into as much detail and specificity as you can. You have fifteen minutes to complete this task: if you finish before the time allotted, please sit quietly until all those around you have finished as well.