

Jury Selection Simulation Handbook

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PSY 484: Lab in Forensic Psychology

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Jury Selection Activity Overview (100 total points)

Pre - Day 1

- Assignment: Current Criminal Cases or Popular College Criminal Cases
- Link to case & Summary **(5 points)**

April 4: Jury Selection Lesson

- Last presentations and questions
- Rank Cases

April 9 & 11: Activity Prep (15 points)

- Assign case and groups (prosecution/defense)
- Plan roles for the trial and how you will keep track of information
- Question generation
- Juror Card
- Submission
 - 10 points – questions
 - 5 points – explanation of planned group operations

Three Days of Jury Selection:

4/16	Greek Life
4/18	Homicide
4/23	Trump Hush Money

When Defense/Prosecution (50 points)

- Asking Questions to Jury & Follow-ups (10 Points)
- Excusing jurors with cause (10 points)
- Write up with rationales (25 points)
 - This will be due **during finals week – this is basically your final**
 - This should include what kind of challenge was used
 - If with cause – why
- Groupwork (5 points)

When Juror (2 x 10 points)

- Zero points if you do not come
- 5 points – answering questions & maintaining persona
- 5 points – Discussion during deliberations

Activity & Semester Debrief (10 points)

Daily Schedule during Simulation

Prosecution question: 10 minutes

Defense question: 10 minutes

Deliberation: 10 minutes

Excuse any Jurors: 10 minutes

Prosecution: 5 minutes

Defense: 5 minutes

Deliberation: 10 minutes

Excuse any jurors: 10 minutes

Wrap up

Activity Prep Instructions (15 points)

Task List:

- Plan roles for the trial and how you will keep track of information
 - Who will ask which questions?
 - Who will take notes?
 - Who will watch non-verbal cues?
 - What is your style going to be for keeping track of the information?
- Ideal Juror versus Worst Juror
 - What is your case theory? I.E. how will you get the result you want?
 - Who could you not stand to have on your jury? What certain biases or life experiences would they have?
 - Who would you want on your jury? What certain biases or life experiences would they have?
- Question preparation
 - How will you get at these biases and life experiences?
 - What questions must you ask?

Submission due April 15 @ 11:59PM:

You can all submit the same worksheet. However, you must all contribute to the process. In this submission you should include 1) the biases/life experiences you are trying to suss out; 2) the questions you plan to ask to get at that; 3) an explanation of how your group will operate during the simulation (roles, keeping track of information, etc.).

Point Breakdown:

- 10 points for the biases & questions
- 5 points for group operation explanation

Prosecutor/Defense Expectations and Grading Schema (50 points)

Instructions: During the simulation day when you are in the role of prosecutor OR defense, you and your group will be asking the prepared questions and any necessary follow-up questions to your panel of jurors (your classmates). The prosecution will ask questions for 10 minutes, followed by the defense. Each group will then deliberate with each other to determine any jurors they would like to excuse and why. After 10 minutes of deliberation, you will come back and explain which jurors you are excusing with cause and why. The other side will then make a case (if they like) to refute that cause. Then the judge (myself) will grant or not grant the cause. We will then repeat with 5 minutes of questioning per side.

Each person in the group should ask at least 1 question with follow-ups and excuse one juror with causal explanation. Group members may assist in any further explanation and rebuttal of cause from the other side (i.e. the prosecution has cause to remove juror 5 – anyone on the defense can explain why that cause is not sufficient).

Asking Questions to Jury & Follow-ups (10 Points)

Each person should ask at least 1 planned question and ask follow-ups of specific jurors.

Excusing jurors with cause (10 points)

Each person should excuse at least 1 juror and explain why.

Write up with rationales (25 points) ** This is your “final.” **

As a group, you should write up 1) a paragraph about your ideal juror and your worst nightmare juror, 2) at least three jurors you would want to excuse using a with cause challenge, and 3) select **one juror** that you would use a peremptory challenge for and explain why you do not have a specific cause for it.

Write up Point Breakdown:

- 5 points – ideal juror & worst nightmare juror paragraph
- 15 points – with cause challenge selection and explanation (3 x 5 points)
 - **What bias/life** experience you detected.
 - **What evidence** you have for that bias/life experience.
 - **Why** that bias/ life experience would hurt your case.
- 5 points – peremptory challenge selection and explanation
 - Why there is no cause but want to remove anyway.

Groupwork (5 points)

As always, you will score each of your group members on their participation in the group preparation and in-class simulation.

Submission due May 3rd at 12:15pm:

Submission includes the entire write up and groupwork point ratings for each person. Everyone must submit, as you will not get points if you do not submit it.

Juror Expectations (20 points)

Instructions: You will be a juror the other two days you are not the prosecution/defense. I am leaving it up to you on what persona you want to take on. You can be 100% you and answer from your experience to being totally different. I am allowing for this because there might be traumatic events that occurred in your life that you do not want to disclose – which is 100% okay. I do not expect that.

There is ONE twist on this, however. During class, I am going to give each of you a notecard, and you will be instructed to write one characteristic that might affect someone's ability to be on a jury for a particular case. Or, you can write one characteristic that will either be beneficial to one of the sides of the case. These cards will then be randomly assigned to the jurors for the day. The purpose of this is so that there are relevant characteristics to the case.

Grading for each day of juror:

- Zero points if you do not come
- 5 points – answering questions & maintaining persona
- 5 points – Discussion during deliberations

No submission is needed. Your grade will be determined based on your participation in the jury questioning and discussion time.

Activity & Semester Debrief (10 points)

This will be the last day of class (April 25). We will start by debriefing the three days of jury selection simulation. Some potential questions we will discuss:

1. What were similarities/differences between each case in asking questions? What was unique for each case in how to frame questions/biases needed to be addressed?
2. How did you feel while doing it? What was your favorite/least favorite part?
3. What was the most difficult part? What was easiest?

Once this discussion wraps up, we will debrief the entire semester with an activity and discussion.

Appendix: Jury Selection Activity Case Descriptions

Greek Life

Stone Foltz was a 20-year-old sophomore at Bowling Green State University, who was required to attend a party that was hosted by a house off campus in 2021. At this house, the new members of the fraternity Pi Kappa Alpha were paired with their big brothers, or “biggs” who were there to help guide new members. The new members, including Foltz, were then given a 750 mL bottle of Evan Williams Bourbon in which they were forced to drink that night. Foltz consumed almost the whole bottle, and then was taken home by members of the fraternity, including his “big” Jacob Krinn. He then was left there alone. Later, Foltz’s roommates found him nonresponsive, and Foltz passed away three days later after being on life support in the hospital. They found his blood alcohol level was 0.35, which is more than four times higher than the legal limit.

Following this, it was alleged that the members of the fraternity misled the investigation and disposed of evidence to protect themselves and their fraternity from the legal standards that would follow after the crime. Foltz’s big, Krinn, faced the charge of first-degree manslaughter, as well as third degree manslaughter and a hazing charge. Following this, five other men were charged with manslaughter and two men were charged with hazing. Another member was charged with tampering of evidence and obstructing official business. The chapter of Pi Kappa Alpha at Bowling Green State University was expelled, and in the university’s statement “would never be recognized on campus again.”

Links: <https://www.nbcnews.com/news/us-news/8-people-charged-hazing-death-stone-foltz-bowling-green-state-n1265884>

Homicide, Kidnapping, and Robbery

Eve Carson was a 22-year-old student body president at the University of North Carolina. On March 4, 2008, Eve and her friend attended a basketball game at UNC and after the game, she went back home to study. Around 3 am Eve last used her computer and two transactions of \$700 were taken from Eve’s bank account until it was maxed past the daily maximum. Her roommate returns home around 4:30 am to the door open, all the lights on, and Eve’s car and herself missing. At 5 am, a 911 call was made after hearing gunshots and police found Eve shot 5 times and dead about a mile away from UNC campus. Police found and released surveillance videos from the ATMs where the suspects attempted to continue withdrawing money from her account. One of the suspects arrested, Laurence Lovette Jr., was a minor when he committed this homicide. Once he turned 18, he was sentenced to life in prison without the possibility of parole. Demario Atwater is the second offender who took a plea deal on federal charges for Eve Carsons’s kidnapping, carjacking, robbery, and murder and is currently serving a life sentence.

Link: <https://www.wral.com/news/local/page/2596473/>

Trump Hush Money Case

Trump has been indicted on NY business fraud charges, for illegally portraying “hush money” sent to adult film star Stephanie Clifford (Stormy Daniels) days before the 2016 election to supposedly help him with the 2016 election. Trump allegedly obscured reimbursements (\$130,000) and falsified business records as a way to keep Stormy Daniels quiet about their alleged affair. It is alleged that he reimbursed his lawyer for the payments the lawyer made to keep her quiet. This is not the only instance of hush money paid prior to the 2016 election (see link for more details). He is facing 34 felony counts just in this case.

Link: <https://abcnews.go.com/Politics/timeline-manhattan-district-attorney-case-donald-trump/story?id=98389444>