

STUDIES 1 & 2: RECRUITMENT NOTICE AND SURVEY

Reward: \$0.25 Duration: 20 minutes

Answer a psychological survey: "Punishment Survey"

We are looking for participants to complete an academic study on punishment. Participants will be asked to answer 1 opinion questionnaire about punishment. They will also be asked to respond to 2 hypothetical moral dilemmas. The study will take approximately 5 minutes and participants will be awarded \$0.25. At the end of the survey, you will receive a code to paste into the box below to receive compensation.

The link will appear only if you accept this HIT

Informed Consent

The purpose of an informed consent is to make sure that you understand the purpose of the study and your involvement as a participant. The informed consent must include enough information regarding the study for you to be able to make a well-informed decision regarding whether or not you would like to partake in the study.

Title: Punishment Study

Purpose: This is a study to evaluate punishment intuitions.

Task Requirements: You have been asked to participate in a study concerning punishment intuitions. During this study, you are asked to answer 1 questionnaire, some demographics questions, and to read 2 hypothetical moral dilemmas and answer multiple choice questions about the dilemmas. You will be asked about your attitudes toward certain sensitive topics (e.g. causing the death of another person). This study will take you approximately 5 minutes to complete and you will be compensated with \$0.25. You will receive a completion code at the end of the study to paste into Mechanical Turk in order to receive compensation.

Potential Risk/Discomfort: Since you will be asked to answer questions regarding your attitudes about certain sensitive topics (e.g. punishing another person), you may become uncomfortable with the nature of the questions. You may refrain from answering any questions on the questionnaire if you are uncomfortable or otherwise do not want to.

Right to Withdraw: In addition, at any time, you may discontinue your involvement in this study and you will still be paid for your participation.

Anonymity/Confidentiality: The data collected in this experiment are strictly confidential. Your Mechanical Turk worker ID is not associated with the responses you provide. However, if you contact the researchers by email or through Mechanical Turk, your name and Mechanical Turk worker ID will be identified to the researcher; this information cannot be linked to your responses in any way. We collect data through the software Qualtrics, which uses servers with multiple layers of security to protect the privacy of the data (e.g., encrypted websites and password protected storage). Please note that Qualtrics is hosted by a server located in the USA. The United States Patriot Act permits U.S. law enforcement officials, for the purpose of an anti-terrorism investigation, to seek a court order that allows access to the personal records of any person without that person's knowledge. In view of this we cannot absolutely guarantee the full confidentiality and anonymity of your data. With your consent to participate in this study you acknowledge this. Your Mechanical Turk worker ID will be kept in our participant database and within Mechanical Turk so that we can keep track of who has completed our study. This database will be kept for two years, and then destroyed. Your Mechanical Turk worker ID cannot be matched to your individual responses.

☐ *I have read the above form and understand the conditions of my participation. My participation in this study is voluntary, and I understand that if at any time I wish to leave*

*the experiment, I may do so without having to give an explanation and with no penalty whatsoever. Furthermore, I am also aware that the data gathered in this study are confidential and anonymous with respect to my personal identity. **By checking this box, I'm indicating that I agree to participate in this study.***

☐ *I have read the above form and understand the conditions of my participation. My participation in this study is voluntary, and I understand that if at any time I wish to leave the experiment, I may do so without having to give an explanation and with no penalty whatsoever. Furthermore, I am also aware that the data gathered in this study are confidential and anonymous with respect to my personal identity. **By checking this box, I'm indicating that I disagree to participate in this study.***

The Punishment Orientation Questionnaire (POQ)

In this section you will find statements about punishment in the *criminal justice system*. We would like to know how much you agree or disagree with each of these statements. You may interpret the five points on this scale as follows:

1 2 3 4 5
Strongly disagree Neutral Strongly agree

1. Punishment is only justified when it benefits society.
2. Punishment should be about looking forward to improve society, not backward to address the criminal's misdeeds.
3. Once a criminal has done his time, the system should ensure that he can reintegrate into the community so that society can benefit.
4. When considering an appropriate punishment, the potential benefit to society is more important than the need to avenge the particular injustice.*
5. Punishment is inherently wrong and should only be administered when the benefit of doing so outweighs the harm it causes.*
6. Punishment is more about addressing society's needs than serving out justice to a single individual.*
7. It is better to let 10 guilty criminals go free than to punish 1 innocent person.
8. It is better to let one dangerous criminal go unpunished than it is to punish an innocent person.
9. It is more important to keep innocent people free from punishment than it is to ensure that all guilty persons are punished for their crimes.
10. We should never punish people as a means to an end; we can only do harm to a person if he has committed a crime.*
11. It is our duty to ensure that only people who commit crimes are punished.*
12. Criminals deserve to be publicly identified and shamed.
13. Punishment is a necessary evil.
14. The goal of punishment should be to give the guilty person what he deserves.
15. Even if society would not benefit at all from punishing a guilty person, he should still be punished because he deserves it.
16. Criminals are in prison because they deserve to be there.
17. Criminals are bad people and deserve punishment.
18. Punishment is necessary because it restores the balance of justice.
19. It is more important to punish a guilty person because he deserves it than it is to punish him to benefit society.
20. Criminals are in prison to keep the community safe.
21. Making sure that a criminal is punished appropriately for the crime he committed is more important than making sure that the punishment addresses societal needs such as deterrence.*
22. I feel emotionally satisfied when a criminal gets what he deserves.*
23. An overly harsh punishment may be necessary to prevent others from committing the same crime.

24. If a crime has a low detection rate (i.e. it is difficult to catch criminals who commit this particular crime), we should punish those who are caught harshly to prevent others from thinking they can get away with it.
25. Crimes that receive a great deal of publicity should be punished severely, even if the crime was not severe, so that society knows there is a strong response.
26. It is sometimes permissible to over-punish criminals if it will benefit the community.*
27. It is sometimes permissible to punish people who have not committed a crime in order to benefit the community.*
28. It is inevitable that the justice system will “misfire”; we should just accept that sometimes people are accidentally punished.*
29. If a crime receives little publicity, and is relative unknown to have occurred, it is not necessary to punish the crime harshly.**
30. If a crime has a high detection rate, it is not necessary to punish the crime harshly.**
31. Punishment should match the crime- if you commit a serious crime, you should receive a serious punishment.**
32. If a person hits someone with the intent to slightly harm him, but causes significant harm, he should be punished for the significant harm that he caused.**
33. ‘Innocent until proven guilty’ is essential to the functioning of the criminal justice system.**
34. The standard of reasonable doubt should be very high in criminal trials, to prevent innocent persons from being convicted.**
35. The goal of punishment should be to make society a better place.**
-

*Appeared only in IRT study

**Appeared only in pilot study

☐ I wish to withdraw from this study.

The next set of questions ask you to respond to 2 hypothetical moral dilemmas, and to choose the solution you agree with most.

Do you support the death penalty? Please select 'Yes' or 'No' and explain your choice in one or two sentences.

- ☐ Yes. _____
- ☐ No. _____

Now imagine you have been called for jury duty in a death penalty case. During the juror selection phase, the court poses the following question: Do you hold any beliefs about the death penalty that would prevent or substantially impair the performance of your duties as a juror in accordance with your instructions and your oath?

- ☐ Yes.
- ☐ No.

☐ I wish to withdraw from this study.

Kevin and Bernard are twins. A recent string of sexual assaults has occurred, and DNA evidence proves that one or both twins are responsible. However, current advancements in DNA are unable to determine which twin is the assailant (or whether both twins have committed sexual assaults). No other evidence is available, as the victims are unable to tell the twins apart and indicate which one assaulted them. What should be done?

- ☐ Imprison both twins. It is most important to make sure no one else gets hurt.
- ☐ Do not imprison either twin. It is wrong to imprison a potentially innocent person.
- ☐ Imprison both twins. The guilty party must be punished, even if it means his innocent twin will be punished as well.
- ☐ Do not imprison either twin. The harm inflicted upon both twins outweighs the potential harm to society.

☐ I wish to withdraw from this study.

Finally, we would like to ask you a few questions about yourself, so that we can get a sense of who the people in our study are.

1. What is your age? _____

2. What is your gender?

___ Man

___ Woman

___ Trans

___ Or please specify: _____

3. What is your racial/ethnic background?

___ Asian

___ Black/African-American

___ Middle Eastern

___ East Indian

___ Hispanic/Latino

___ White/Caucasian

___ American Indian

___ Or please specify: _____

4. What is your occupation? _____

5. What is your highest level of education?

___ Doctoral or professional degree

___ Master's degree

___ Bachelor's degree

___ Associate's degree

___ Postsecondary non-degree award

___ Some college, no degree

___ High school diploma or equivalent

___ Less than high school

Debriefing Form

Thank you for your participation in this study. This is a debriefing form that will clarify the purpose of our study and why we are interested in this issue.

What are we trying to learn in this research and how was this study designed?

The purpose of this research was to understand attitudes about punishment and to create a valid and reliable way to measure those attitudes using a questionnaire. We asked you to answer questions regarding beliefs about whether punishment should be for the purpose of righting a past wrong (called 'retribution') or whether it should be for the purpose of preventing future crimes (called 'utilitarianism'). This questionnaire has only been tested three times prior to this study. You were then asked to respond to two hypothetical moral dilemmas; we hope to investigate whether the above attitudes toward punishment will predict how people respond to those dilemmas.

What are our hypotheses and predictions?

We expect that some people will strongly prefer statements suggesting that innocent people should never be punished, some people will strongly prefer that punishment have some positive societal impact, while some believe it is essential that offenders are punished. While we do not have specific predictions regarding how these beliefs will predict each moral dilemma, we do expect that people who prefer a more 'utilitarian' (usefulness) approach to punishment will be more willing to indicate that it is sometimes acceptable to punish people who do not deserve punishment, while those who hold attitudes strongly against that approach will not be willing to do so.

Where can I learn more?

Vidmar, N., & Miller, D. (1980). Socialpsychological processes underlying attitudes toward legal punishment. *Law & Society Review*, 14(3), 565-602.

STUDY 3 RECRUITMENT NOTICE AND SURVEY

We are recruiting U.S. jury-eligible participants for a study “Juror Decision-Making in a Capital Trial”. Participants must be U.S. citizens, at least 18 years of age, who have no felony convictions (i.e., serious offenses such as assault, burglary etc.) without receiving an official pardon. Participants will first be asked to complete a brief screening questionnaire. They will then be asked to answer some questions about general attitudes, as well as to respond to a death penalty trial scenario. There is a possibility you may feel uncomfortable while reading the trial scenario, which involves a description of murder and a decision regarding the execution of another person. At any time, you may discontinue your involvement without penalty.

This study is being conducted by _____

Participation will take approximately 30 minutes and participants will receive \$2.00.
This study has received clearance from _____ Research Ethics Board (#xxxxxx).

Interested participants should click the link below. Please note that if you are ineligible to participate you will be asked to return this HIT, which will not affect your worker statistics.

[Click here to begin.](#)

Thank you for your interest in our study! Before we can begin, we just need to make sure that you are eligible to participate. Please answer the following questions:

- Are you a U.S. citizen?
Yes___ No___
- Are you 18 years of age or older?
Yes___ No___
- Have you ever been convicted of a felony? If you have been convicted but you received a formal pardon, please select 'No'. Felony offenses (which can carry sentences greater than one year) are different from more minor "misdemeanor" offenses. Examples of felony offenses include murder, assault, and burglary.
Yes___ No___

Title: Juror Decision-Making in a Capital Trial

Date of ethics clearance:

Ethics Clearance for the Collection of Data Expires:

This study aims to understand how jurors make decisions in death penalty trials, and to understand punishment attitudes more generally. The researcher for this study _____

Task Requirements: Participants must be U.S. citizens, at least 18 years of age, who have no prior felony convictions without receiving an official pardon. This study will take you approximately 30 minutes to complete. You will receive a completion code at the end of the study to paste into Mechanical Turk to receive compensation. If you agree to participate in this study, then following this consent form you will be asked to answer some demographics questions to ensure eligibility. Please note that participants found to be ineligible for the study will not receive compensation, and will be asked to return the HIT. Returning the task will not affect your worker statistics. Eligible participants will be asked to complete several opinion questionnaires (e.g., beliefs about the death penalty, more general life experiences) and to read a death penalty scenario then make sentencing recommendations.

Potential Risk/Discomfort: There is a possibility you may feel uncomfortable while reading the trial scenario, which involves a description of murder and a decision regarding the execution of another person. At any time, you may discontinue your involvement without penalty. You may refrain from answering any items on the questionnaire if you are uncomfortable or otherwise do not want to.

Right to Withdraw: You have the right to end your participation in the study at any time, for any reason. You can withdraw by selecting the “I wish to withdraw from this study” option on any page. If you withdraw from the study, all information you have provided will be immediately destroyed. At the end of the survey, you will also be asked if you would like to withdraw your data from the study and will have the option of doing so immediately if you should so wish.

As a token of appreciation, you will receive a \$2.00. This is yours to keep, even if you withdraw from the study.

Anonymity/Confidentiality: All research data will be encrypted. Research data will only be accessible by the researcher, the research supervisor, and trusted colleagues. The data collected are strictly confidential. Your name is not associated with the responses you provide. We collect data through the software Qualtrics, which uses servers with multiple layers of security to protect the privacy of the data (e.g., encrypted websites and pass-word protected storage). The United States Patriot Act permits U.S. law enforcement officials, for an anti-terrorism investigation, to seek a court order that allows access to the personal records of any person without that person's knowledge. In view of this we cannot absolutely guarantee the full confidentiality and anonymity of your data. With your consent to participate in this study you acknowledge this. These data will only be used for research at _____, and may be shared anonymously in publications,

presentations, or with colleagues. Your Mechanical Turk worker ID will be kept in our participant database and within Mechanical Turk so that we can keep track of who has completed our study. This database will be kept for two years, and then destroyed. Your Mechanical Turk worker ID cannot be matched to your individual responses.

Once the project is completed, all research data will be kept indefinitely and potentially used for other research projects on this same topic.

The ethics protocol for this project was reviewed by _____ Research Ethics Board, which provided clearance to carry out the research (**Clearance # XXXXXXXX**). If you have any ethical concerns with the study, please contact _____

Researcher contact information:

- ☐ *I have read the above form and understand the conditions of my participation. My participation in this study is voluntary, and I understand that if at any time I wish to leave the experiment, I may do so without having to give an explanation and with no penalty whatsoever. Furthermore, I am also aware that the data gathered in this study are confidential and anonymous with respect to my personal identity. **By checking this box, I'm indicating that I agree to participate in this study.***
- ☐ *I have read the above form and understand the conditions of my participation. My participation in this study is voluntary, and I understand that if at any time I wish to leave the experiment, I may do so without having to give an explanation and with no penalty whatsoever. Furthermore, I am also aware that the data gathered in this study are confidential and anonymous with respect to my personal identity. **By checking this box, I'm indicating that I do not agree to participate in this study.***

Attitudes Toward the Death Penalty

(Neil, Patry, & Penrod, 2004)

Please rate the following statements using a scale from 1 to 5, where 1 = Strongly Disagree, 3 = Neutral, and 5 = Strongly Agree.

1. I think the death penalty is necessary.
2. It is immoral for society to take a life regardless of the crime the individual has committed.
3. No matter what crime a person has committed executing them is a cruel punishment.
4. The death penalty should be used more often than it is.
5. The desire for revenge is a legitimate reason for favoring the death penalty.
6. Society has a right to get revenge when murder has been committed.
7. There are some murderers whose death would give me a sense of personal satisfaction.
8. The death penalty is the just way to compensate the victim's family for some murders.
9. The death penalty does not deter other murderers.
10. The death penalty makes criminals think twice before committing murder.
11. Executing a person for premeditated murder discourages others from committing that crime in the future.
12. It is more cost efficient to sentence a murderer to death rather than to life imprisonment.
13. Executing a murderer is less expensive than keeping him in jail for the rest of his life.
14. Even when a murderer gets a sentence of life without parole, he usually gets out on parole.
15. There is no such thing as a sentence that truly means "life without parole."

Need for Cognition Scale

(Cacioppo, Petty, & Kao, 1984)

Please rate the following statements using a scale from 1 to 5, where 1 = Strongly Disagree, 3 = Neutral, and 5 = Strongly Agree.

1. I would prefer complex to simple problems.
2. I like to have the responsibility of handling a situation that requires a lot of thinking.
3. Thinking is not my idea of fun.
4. I would rather do something that requires little thought than something that is sure to challenge my thinking abilities.
5. I try to anticipate and avoid situations where there is likely chance I will have to think in depth about something.
6. I find satisfaction in deliberating hard and for long hours.
7. I only think as hard as I have to.
8. I prefer to think about small, daily projects to long-term ones.
9. I like tasks that require little thought once I've learned them.
10. The idea of relying on thought to make my way to the top appeals to me.
11. I really enjoy a task that involves coming up with new solutions to problems.
12. Learning new ways to think doesn't excite me very much.
13. I prefer my life to be filled with puzzles that I must solve.
14. The notion of thinking abstractly is appealing to me.
15. I would prefer a task that is intellectual, difficult, and important to one that is somewhat important but does not require much thought.
16. I feel relief rather than satisfaction after completing a task that required a lot of mental effort.
17. It's enough for me that something gets the job done; I don't care how or why it works.
18. I usually end up deliberating about issues even when they do not affect me personally.

The Balanced Time Perspective Scale

(Webster, 2011)

Please rate the following statements using a scale from 1 to 5, where 1 = Strongly Disagree, 3 = Neutral, and 5 = Strongly Agree.

1. Reviewing events from my past helps give my life meaning.
2. I Look forward to my future.
3. I get a renewed sense of optimism when I remember earlier life experiences.
4. Looking ahead really gets me energized.
5. Reminiscing about my past gives me a sense of purpose in life.
6. I enjoy thinking about where I'll be a few years from now.
7. Seeing how the pieces of my past come together gives me a sense of identity.
8. I have many future aspirations.
9. The joy of life is strengthened for me when I recall the past.
10. Achieving future dreams is something that motivates me now.
11. Reliving earlier times in my life helps give me a sense of direction.
12. I get excited when I think about the future.
13. The pattern of my life makes more sense to me when I reflect on my past.
14. Anticipating my later life fills me with hope.
15. Tapping into my past is a source of comfort to me.
16. Imagining my future makes me feel optimistic.
17. Remembering happier times from my past helps energize me in the present.
18. I Like to fantasize about what is down the road for me.
19. I feel my past is a resource upon which I can draw.
20. Creating a positive future is something I often think about.
21. Thinking about when I was younger helps me understand my lifestory.
22. My future development is something I frequently think about.
23. Reflecting on earlier triumphs helps me identify personal strengths.
24. I enjoy thinking about goals that are yet to come.
25. Recalling previous successes helps motivate me now.
26. I have some very specific future goals.
27. Important memories fill my past.
28. The kind of person I want to be is brought into focus when I think about the future.

Part II: Death Penalty Sentencing Phase Scenario

Now imagine you have been called for jury duty in a death penalty case. During the juror selection phase, the court poses the following question:

Do you hold any beliefs about the death penalty that would prevent or substantially impair the performance of your duties as a juror in accordance with your instructions and your oath?

Yes.

No.

(Trial stimulus borrowed from Miller & Bornstein, 2006)

The Positive and Negative Affect Scales

(Watson, Clark, & Tellegen, 1988)

This scale consists of a number of words that describe different feelings and emotions. Read each item and then mark the appropriate answer in the space next to that word. Indicate to what extent [you generally feel this way, that is, how you feel on average *or you feel this way right now, that is at the present moment.*]

Use the following scale to record your answers.

1	2	3	4	5
Very Slightly or Not at All		Moderately		Extremely

- _ interested
- _ distressed
- _ excited
- _ upset
- _ strong
- _ guilty
- _ irritable
- _ alert
- _ ashamed
- _ inspired
- _ nervous
- _ determined
- _ attentive
- _ jittery
- _ active
- _ afraid
- _ scared
- _ hostile
- _ enthusiastic
- _ proud

Demographics

Finally, we would like to ask you a few questions about yourself, so that we can get a sense of who the people in our study are.

1. What is your age? _____

2. What is your gender?

___ Man

___ Woman

___ Trans

___ Or please specify: _____

3. What is your racial/ethnic background?

___ Asian

___ Black/African-American

___ Middle Eastern

___ East Indian

___ Hispanic/Latino

___ White/European-American

___ American Indian

___ Or please specify: _____

4. What is your occupation? _____

5. What is your highest level of education?

___ Doctoral or professional degree

___ Master's degree

___ Bachelor's degree

___ Associate's degree

___ Postsecondary non-degree award

___ Some college, no degree

___ High school diploma or equivalent

___ Less than high school

6. What (if applicable) is your religious affiliation? _____

7. Using the sliding scale below, please indicate where your political beliefs fall.

Liberal-----Conservative

8. What (if applicable) is your political affiliation? _____

Debriefing and Consent-to-Keep-Data Forms

What are we trying to learn in this research?

The purpose of this research is to understand attitudes about punishment and to create a valid and reliable way to measure those attitudes using a questionnaire. We asked you to answer questions regarding beliefs about whether punishment should be to right a past wrong (called ‘retribution’) or whether it should be to prevent future crimes (called ‘utilitarianism’). This questionnaire has only been tested four times prior to this study. You then responded to several general attitude questionnaires that measured your tendency/desire to experience various thoughts and emotions, whether you are more future or past oriented, and whether you tend to conceptualize things more concretely or abstractly. You were also asked to respond to a death penalty scenario. In this scenario, we systematically varied the case facts. In some versions, there was stronger mitigating or aggravating evidence. Informing you of this at the outset might have prompted speculation about the “correct” response. However, there is no right or wrong answer; we simply hope to understand whether your general attitudes meaningfully relate to your willingness to vote for the death penalty in different contexts.

Why is this important to scientists or the public?

To serve on a capital jury, citizens must answer questions regarding their opinions about the death penalty. If general punishment beliefs are meaningfully related to capital juror decisions, then lawyers could use this information to foster a fair trial for the defendant.

What are our hypotheses and predictions?

We expect that some people will strongly prefer statements suggesting that innocent people should never be punished, some people will strongly prefer that punishment have some positive societal impact, while some believe it is essential that offenders are punished. We predict that the latter group will be most willing to vote for the death penalty. We do not have specific predictions about how your general attitudes will relate to juror decisions, but rather hope to better understand the various viewpoints that guide punishment orientations.

Where can I learn more?

<https://deathpenaltyinfo.org/about-dpic>

<https://plato.stanford.edu/entries/justice-retributive/#Pun>

<https://plato.stanford.edu/entries/utilitarianism-history/>

Is there anything I can do if I found this experiment to be emotionally upsetting?

Yes. If you feel any distress or anxiety after participating in this study, please feel free to call 1-800-273-TALK (8255) to connect to a skilled, trained counselor, available 24/7.

What if I have questions later?

If you have any remaining concerns, questions, or comments about the experiment, please feel free to contact _____.

The ethics protocol for this project was reviewed by the _____ Research Ethics Board, which provided clearance to carry out the research (**Clearance # XXXXXXXX**). If you have any ethical concerns with the study, please contact _____.

Thank you for participating in this research! On the next page, there is a data consent form followed by the completion code on the final page of the survey.

Study Consent-to-keep-data Form

The purpose of a consent-to-keep-data form is to make sure that you can make an informed decision regarding whether you would like your data included in this study. We include this form after explaining the true purpose of our study and the reasons for which deception was necessary. This form is meant to give you an opportunity to withdraw your data from the study, now that you are aware of its purpose. If you wish to withdraw your data, it will be deleted. After this point, it will not be possible to withdraw your data from the study. You will still be compensated for your participation.

By signing this form, you indicate that you understand that you were not informed of the true purpose of this study prior to completing your participation in the study, and that you understand the reasons regarding the necessity of the use of deception in this study.

Please indicate whether you **do** / **do not** continue to consent to the use of your data.

☐ I consent to the use of my data

☐ I do not consent to the use of my data