ABSTRACT

Exploring Psychological Mechanisms Underlying Plea Bargain Decisions

by

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According to an economic model of plea bargaining, defendants’ plea decisions are based on their estimated trial prospects (i.e. likelihood of conviction and severity of sentence). However, information communicated during interrogations may provide defendants with misinformation about trial prospects, thus biasing their subsequent plea decisions. Furthermore, the model fails to address why innocent individuals plead guilty less often than guilty individuals even when trial prospects are identical. I investigated whether Reid-style interrogation techniques increase the likelihood of a guilty plea by inflating suspects’ estimates of the severity of the outcomes should they go to trial. I also examined whether anxiety moderates or mediates the relationship between guilt and plea decisions to better understand the psychological mechanisms underlying plea disparities. Study 1 participants listened to anxiety-inducing or neutral audio tracks, read case summaries in which guilt and interrogation techniques varied, and made a hypothetical plea decision. Reid-style interrogation techniques increased guilty pleas by increasing estimates of trial prospects, but only among guilty participants. Manipulated anxiety did not moderate the effect of guilt on plea decisions. Study 2 participants engaged in the cheating paradigm (Russano et al., 2005) in which participant guilt and interrogation techniques were varied. Maximization
(but not minimization) increased guilty pleas among guilty defendants, but this effect was not mediated by trial prospects. State anxiety did not mediate the relationship between guilt and guilty pleas. These findings provide evidence of the detrimental effect of Reid-style interrogation techniques on suspects’ legal outcomes, even in the absence of a confession.