



For Further Information, Please Contact:
Dr. Allan H. Colman
Senior Vice President
1.877.8DECISION

Scandals, trust and jury decision making

©2004 DecisionQuest

Purpose

This study was designed to explore how Americans' trust in leaders and institutions has been impacted by the events and scandals of the last four years. Among the events examined were the 2000 election controversy, white-collar crime scandals, sexual abuse allegations against the clergy, and the Abu Graib prisoner abuse reports, and several others. Trust in various leaders, groups and organizations was examined using a variety of questions, including "How trustworthy is this group?" and "How much do you trust this group to put your interests ahead of its own?" Respondents were also directly asked whether their trust has risen, fallen or stayed the same over the past four years and what events might have contributed to this change. Finally, the interviewees were presented with a series of questions describing several hypothetical court cases, both civil and criminal, and were asked what verdicts they might be inclined to render. Statistical relationships among the events, trust and verdicts questions allow an estimation of how events might have impacted trust in the past four years and how events and trust might have impacted jury decision-making.

Executive summary

While trust in firefighters seems to have risen over the past four years, Americans report their trust in other institutions and leaders has fallen. The decline in trust has mostly affected how Americans view corporate executives, but is also reflected in lowered trust ratings for public officials. Women, Democrats, and African-Americans express the greatest decreases in trust.

Survey respondents report a number of worries or concerns about issues, events and scandals that have appeared in the news in the last four years, especially healthcare and the war in Iraq and report that these events have contributed to a decline in trust in leaders and institutions. These concerns and this decrease in trust evince a small, but statistically significant relationship with jury verdicts, primarily making Americans appear to be more inclined to favor plaintiffs in various types of lawsuits.



Trust I-Basic trustworthiness

The participants were asked, *Q1. For each of the following groups, give them a grade from A+ to F on how trustworthy you think they are, with A+ being totally trustworthy and F being totally untrustworthy, of 20 different groups, institutions and individuals.*

Rank ordering the average grades for each group yields the following scores, from highest trust to lowest.

Group or individual	Average Grade
Q1A a. most people in your family?	A-
Q1D d. most firefighters in your area?	A-
Q1B b. most people in your neighborhood?	B
Q1C c. most police in your area?	B
Q1S s. most doctors?	B
Q1O o. most small businesses owners?	B-
Q1H h. most military leaders?	B-
Q1M m. most religious leaders?	B-
Q1E e. most city or county officials or politicians in your area?	C+
Q1J j. most Democrats?	C+
Q1F f. most state officials or politicians in your state?	C
Q1P p. most newspaper reporters?	C
Q1K k. President Bush?	C
Q1Q q. most television reporters?	C
Q1G g. most U.S. senators and congressmen?	C
Q1L l. Senator John Kerry ?	C
Q1I i. most Republicans?	C
Q1T t. most entertainment celebrities?	C-
Q1R r. most lawyers?	C-
Q1N n. most corporate executives?	C-



Trust II-Would they put your interests ahead of their own?

In order to examine the trust question in more detail, the respondents were also asked, *For each of the following groups, give them a grade from A+ to F on how much you trust them to put your interests ahead of their own, with A+ being “I totally trust them to put my interests ahead of their own,” and F being “I do not trust them at all to put my interests ahead of their own.”*

Group or individual	Average Grade
Q2A a. most people in your family?	A-
Q2D d. most firefighters in your area?	B+
Q2S s. most doctors?	B
Q2C c. most police in your area?	B
Q2B b. most people in your neighborhood?	B-
Q2O o. most small businesses owners?	B-
Q2H h. most military leaders?	B-
Q2M m. most religious leaders?	C+
Q2E e. most city or county officials or politicians in your area?	C
Q2J j. most Democrats?	C
Q2F f. most state officials or politicians in your state?	C
Q2K k. President Bush?	C
Q2L l. Senator John Kerry ?	C
Q2P p. most newspaper reporters?	C
Q2I i. most Republicans?	C
Q2G g. most U.S. senators and congressmen?	C
Q2Q q. most television reporters?	C-
Q2R r. most lawyers?	C-
Q2T t. most entertainment celebrities?	D+
Q2N n. most corporate executives?	D+



Trust III-Transparency

Since trust has also been found to be related to the transparency of a given organization, one final basic trust question asked the participants, *To what extent do you think each of the following groups is open and allow others to see what's going on inside their group? Give each a grade for openness with A+ being totally open and F being totally closed and secretive.*

Group or individual	Average Grade
Q7A a. most people in your family?	B+
Q7D d. most firefighters in your area?	B+
Q7B b. most people in your neighborhood?	B-
Q7C c. most police in your area?	B-
Q7S s. most doctors?	B-
Q7O o. most small businesses owners?	B-
Q7M m. most religious leaders?	C+
Q7H h. most military leaders?	C+
Q7J j. most Democrats?	C
Q7P p. most newspaper reporters?	C
Q7E e. most city or county officials or politicians in your area?	C
Q7F f. most state officials or politicians in your state?	C
Q7Q q. most television reporters?	C
Q7L l. Senator John Kerry ?	C
Q7I i. most Republicans?	C
Q7K k. President Bush?	C
Q7G g. most U.S. senators and congressmen?	C
Q7T t. most entertainment celebrities?	C-
Q7R r. most lawyers?	C-
Q7N n. most corporate executives?	C-

Thus, in all three categories of trust, one's family is the most trusted group, fairly closely followed by firefighters. Corporate executives, lawyers and entertainment celebrities are the least trusted groups. Politicians generally receive mediocre trust scores, Cs, while there is more disagreement about the trustworthiness of specific politicians like President Bush and Senator Kerry. Although both presidential candidates received C grades, a plurality of respondents gave the President Fs in all three trust categories (28.6% for trustworthiness, 29.2% for putting our interests before his own, and 28.1% for transparency trust). By contrast, almost 60% gave firefighters A grades (A+, A, or A-) in all three trust categories.



Concern over scandals, recent events and issues

The participants were asked, *How concerned or worried are you about each of the following issues on a scale of 0 to 10, with 10 being very concerned or worried and 0 being not at all concerned or worried?* Rank ordering the concern or worry scores for various issues yields the following average scores.

Event, Scandal, Issue	Concern Score
Q8M The cost of healthcare and medicine.	8.5
Q8P The war in Iraq.	8.2
Q8O Terrorism and homeland security.	8.1
Q8Q Public education.	8.0
Q8T Companies sending American jobs overseas.	7.9
Q8N The economy.	7.8
Q8K Crime.	7.8
Q8U The environment.	7.6
Q8S Taxes.	7.6
Q8H How corporations treat the environment.	7.5
Q8R Foreign policy or relations with other countries.	7.4
Q8L Unemployment.	7.3
Q8I How corporations treat their employees.	7.3
Q8D The sex abuse allegations in the church?	7.2
Q8B The accounting and financial misdeeds at Enron and other companies?	7.1
Q8G How corporations treat consumers.	7.1
Q8F Potential violations of civil rights under the Patriot act?	6.9
Q8C Negative advertising in politics?	6.9
Q8E Computerized voting machines that have no paper record?	6.5
Q8A The prisoner abuse in Iraq?	6.3
Q8J Lawsuits in general.	6.3

Survey participants report healthcare is their most pressing concern, closely followed by the war in Iraq and terrorism. The prisoner abuse in Iraq and lawsuits rank as the least worrisome events or issues.



Which Americans have been more affected?

By combining reactions to the various issues, events and scandals listed in the table above (Q8a to Q8u) we can calculate an overall, or global, worry/concern score for each participant. Doing this, we find that certain subgroups in the American jury-eligible population report greater worries or concerns, as measured in this survey at least.

Minorities, for example, report a slightly higher, but statistically significant global concern score (7.8 versus 7.3 on the 10 point scale). Similarly, women report greater concerns by a small, but significant margin (7.7 versus 7.1 for men). Republicans report significantly lower concern scores (6.7) than do Democrats (8.0), Independents (7.4) and “other political affiliation” (7.3). The global concern score is also significantly correlated with income and education, with more affluent and better educated respondents reporting lower concerns than less affluent or less educated survey participants. The concern score, on the other hand, is not correlated with frequency of attendance in religious services. For example, people who report they “never” attend religious services had a worry/concern score of 7.5, while those who go to services once a week had a 7.4 score. On the other hand, where one gets one’s national and international news also seems to be related to this global concern score. People who report getting most of their news from the radio report the lowest concerns (6.7 on this scale), while people who get their news from the newspaper (7.4) and TV (7.6) report somewhat higher concerns or worries. Finally, there does not appear to be any difference across geographic regions of the country in worries or concerns. Although the Middle Atlantic states (NY, NJ, PA) report somewhat higher worries or concerns than the West North Central states (NE, SD, NE, KS, MN, IA, MO), 7.6 versus 7.1, neither of these scores is sufficient different from the national average, 7.4, to be statistically significant.



The impact of scandals and recent events on trust

In order to understand how events had impacted the public’s trust, the participants were asked, *As a result of events in the last four years, the church sex abuse scandals, the white collar crime scandals like Enron and Martha Stewart, the controversy over the 2000 presidential election, and the Iraq prison abuse scandals, do you trust the following groups and individuals more, the same, or less?*

The following table ranks the groups and individuals by percent trusting less.

Group or individual	Percent trusting more	Percent trusting the same	Percent trusting less
Q3N n. most corporate executives?	2.2	34.5	63.3
Q3K k. President Bush?	22.2	30.3	47.5
Q3Q q. most television reporters?	6.6	49.7	43.8
Q3G g. most U.S. senators and congressmen?	5.2	54.1	40.7
Q3P p. most newspaper reporters?	6.0	54.6	39.4
Q3I i. most Republicans?	10.6	50.3	39.1
Q3M m. most religious leaders?	9.1	51.8	39.1
Q3R r. most lawyers?	3.8	57.2	39.0
Q3T t. most entertainment celebrities?	4.5	58.9	36.6
Q3L l. Senator John Kerry ?	18.0	45.6	36.4
Q3F f. most state officials or politicians in your state?	7.0	58.9	34.1
Q3J j. most Democrats?	12.5	57.2	30.4
Q3E e. most city or county officials or politicians in your area?	8.1	63.4	28.5
Q3H h. most military leaders?	22.8	51.7	25.5
Q3C c. most police in your area?	24.4	61.6	13.9
Q3S s. most doctors?	16.9	71.9	11.2
Q3B b. most people in your neighborhood?	19.5	70.6	9.8
Q3O o. most small businesses owners?	18.6	73.3	8.1
Q3A a. most people in your family?	32.7	63.4	3.9
Q3D d. most firefighters in your area?	37.4	60.7	1.9

Thus, as a result of the events and scandals of the last four years, trust in corporate executives has been hurt the most with over 63% of respondents reporting a decrease in trust in this group. Again, firefighters fare the best in this analysis, with 37.4% saying their trust in firefighters has increased. The President’s ratings reflect some degree of polarization in the sample, with a little under half saying their trust in him has decreased, but with a fairly high percentage saying their trust has increased.



Trust in leaders and institutions

The participants were asked, *Q4. Do you have less trust in leaders and institutions than you did 4 years ago?*

61% of the respondents reported that their trust in leaders and institutions has declined over the last four years.

When asked which particular events, scandals or issues had caused this decrease in trust, the respondents reported the single biggest factor to be the war in Iraq. The 2000 election controversy in Florida edges out White-collar crime and terrorism for second place among the events most impacting trust. The prisoner abuse scandal in Iraq was the least cited reason for a decline in trust with only 2% of the survey participants pointing to it.

These views, however, are not universally held by all Americans. For example, women report greater deterioration in their trust than do men: While 54.6% of men report less trust in leaders and institutions, 66.4% of women do so.

An even greater divide is seen across political affiliations: While 77.9% of Democrats, 61.7% of Independents and 66.7% of “others” report that their trust in leaders and institutions has declined, only 38.7% of Republicans do so.

A similar divide is seen across ethnic lines: While 57.1% of Whites report their trust in leaders and institutions has fallen, 83.6% of African-Americans report a decrease in trust as a result of the last four years.

On the other hand, there is no relationship between the decline in trust and where the respondent reports getting his or her news: 65.6% of those who get their news from the newspapers report a decrease in trust and 60.5% of those who get their news from TV report a decrease in trust.



Finally, have different regions of the country been differentially affected by a decline in trust? For this analysis we examine how respondents in nine Census divisions answered Q4 (*Do you have less trust...?*).

Census division (states included)	Percent reporting less trust as a result of last four years
New England (ME, NH, VT, MA, CT, RI)	76.7
Middle Atlantic (NY, NJ, PA)	66.7
South Atlantic (DE, MD, DC, WV, VA, NC, SC, GA, FL)	60.8
East North Central (WI, MI, IL, IN, OH)	62.6
East South Central (KY, TN, MS, AL)	56.9
West North Central (ND, SD, NE, KS, MN, IA, MO)	47.5
West South Central (OK, TX, AR, LA)	55.4
Mountain (MT, ID, WY, NV, UT, CO, AZ, NM)	59.2
Pacific (AK, WA, OR, CA, HI)	63.2
National average	60.9

There is a fairly wide range of responses to the “decline in trust” question depending on where one lives. These differences are, by the way, statistically significant. New England is slightly over 16% more likely to report a decline in trust than the national average, while the West North Central division is about 13% below the national average.



Events, trust and jury decision-making

The participants were also asked a number of questions concerning how they might decide a case were they to serve as jurors.

They were asked, for example, how trustworthy they perceived various groups and individuals to be were those groups or individuals to appear as witnesses in a courtroom. (Q43. *If you were a juror in a trial where each of the following was giving testimony, on a scale of 0 to 10 with zero being no trust at all and 10 being total trust, how much would you trust the testimony of this witness?*)

Group or individual	Witness trustworthiness
Q43D d. A firefighter?	7.8
Q43S s. A doctor?	7.0
Q43C c. A police officer?	6.9
Q43O o. A small businesses owner?	6.6
Q43H h. A military leader?	6.4
Q43M m. A religious leader?	6.4
Q43J j. A Democrat?	5.7
Q43P p. A newspaper reporter?	5.5
Q43Q q. A television reporter?	5.4
Q43L l. Senator John Kerry ?	5.4
Q43E e. An elected official or politician?	5.4
Q43I i. A Republican?	5.4
Q43K k. President Bush?	5.3
Q43R r. A lawyer?	5.1
Q43T t. An entertainment celebrity?	4.8
Q43N n. A corporate executive?	4.8

Again, firefighters, doctors and police officers are seen as more trustworthy as court witnesses, with lawyers, entertainers and corporate executives being the least trustworthy.



Focusing for a moment on corporate executives, participants were also asked to what extent the nationality of a corporate executive trial witness might impact trustworthiness. (Q44. *If you were a juror in a trial where each of the following were giving testimony, on a scale of 0 to 10 with zero being no trust at all and 10 being total trust, how much would you trust the testimony of this witness?*)

Ranked from most to least trustworthy, the nationalities were:

Nationality of corporate executive	Witness trustworthiness
Q44B A British corporate executive?	5.7
Q44F A Canadian corporate executive?	5.6
Q44A An American corporate executive?	5.6
Q44G An Indian corporate executive?	5.5
Q44C An Asian corporate executive?	5.5
Q44I A German corporate executive?	5.4
Q44H A Mexican corporate executive?	5.4
Q44E A French corporate executive?	5.0
Q44D A Middle Eastern corporate executive?	4.8

While all the ratings are fairly mediocre (about 5 or 6 on a 10-point scale), British corporate execs are seen as the most trustworthy, closely followed by Canadians and Americans. French and Middle Eastern execs would be seen as the least trustworthy as witnesses in a court of law.

The survey participants were also presented with a series of various legal matters and asked what verdict they would be inclined to render.

The next set of questions will give you a very brief description of a legal case. With just this very small amount of information, which way do you think you would lean in your verdict? In each case, both sides would present an equal amount of evidence to prove its case. We understand it is not much information to go on, but please tell us which way you think you would lean.

For example, the first case summary read: Q34. *If you were a juror in a case in which an employee was suing a large corporation for creating unsafe working conditions, which side would you tend to support?* Other cases involved a sexual harassment claim, a prison abuse claim brought by a convict, the Abu Graib prisoner abuse incident, a case of a large corporation destroying documents and falsifying its financial records, allegations of sexual abuse by a former preacher or priest, an injury involving a collision between an automobile and a semi-truck, and a case of racial discrimination against an employer.



In most of these hypothetical cases, the respondents displayed a significant preference towards the plaintiffs or the prosecution. This preference seems especially strong in a case of white-collar crime (Q38), where almost 93% would find against a corporation that destroyed financial records. Interestingly, 60.4% of the respondents would find in favor of the Iraqi prisoners at Abu Graib were that case to appear in an American court.

Central to this study is the question of how a decrease in trust in institutions and leaders as a result of recent events might impact jury’s verdicts. The next series of analyses shows trust does seem related to verdicts.

Case type	Percent finding for plaintiff	
	Yes trust has fallen	No trust has not fallen
Unsafe working conditions	90.5	81.3
Sexual harassment	78.7	69.2
Prison abuse	54.1	41.3
Iraqi prison abuse	66.3	51.0
Falsifying financial records	95.4	89.2
Church sexual abuse	85.2	77.1
Automobile/Semi-truck accident	82.0	70.4
Racial discrimination	72.8	57.4

So across the board, in these various case types, people who report their trust has declined over recent years are about 10-15% more likely to find for the plaintiff.

To give a few specific results:

1. While 90.5% of people who say their trust has decreased would find for the plaintiff against a corporation, slightly fewer, 81.3% of those who deny a decrease in trust would find for the plaintiff in this case. Said differently, those who would find in favor of the company are about twice as likely to deny a decrease in trust (18.7% vs. 9.5%).
2. Similarly, about 10% more people whose trust has fallen would find for the plaintiff in a sexual harassment case.



3. In a lawsuit involving allegations of abuse against prison guards brought by a convict, 54.1% of those whose trust has fallen would find for the plaintiff, while significantly fewer, 41.3%, of those whose trust has not fallen would do so.
4. The Iraqi prisoners would receive a more favorable hearing from those whose trust has fallen by a margin of 16.3% (66.3% versus 51%).
5. The racial discrimination suit seems to be most strongly related to the decline in trust. About 73% of those whose trust has declined would find in the plaintiff's favor in a racial discrimination case, while 57.4% of those whose trust has not declined would find for the plaintiff.

Summarizing analysis

One question that could be raised about the relationship between trust and verdicts in the various cases outlined above is, Is it really trust that is related to verdicts or some other factor that happens to overlap with trust. For example, note above that minorities report greater decreases in trust. Minorities are also often found to be more pro-plaintiff, all else being equal.

Statistically, we can remove the effect of ethnicity and any number of other factors that might be related to verdicts and examine what might be called a "purified" influence of trust on verdicts. This analysis, which combines the influence of various factors, like ethnicity, gender, education, income, etc., can also suggest which among them appears to exert the strongest influence on jurors' verdict preferences. For this analysis, all of the above verdicts were combined into one global pro-plaintiff versus pro-defense score. Also, trustworthiness ratings (Q1), worry and concern ratings (Q8), and trust increases/decreases as a result of recent events (Q3) were combined. These ratings, along with tort reform sentiments (reflected in whether the respondent thought damages today are too low, about right or too high), education, income, gender, and minority status (Whites in one group, all other ethnic groups in another) were examined in combination to statistically remove the effect of ethnicity, gender, etc., and to determine which exerted the strongest influence on verdicts.



From strongest to weakest, the following statistical relationships emerged:

1. Worries and concerns about the events, scandals and issues listed in Q8 (ranging from Abu Graib to the environment) exerted the strongest influence on verdicts. Those who had the highest combined worry or concern scores tended to be significantly more pro-plaintiff than those with lower worry/concern scores. Thus, worries and concerns emerged as the strongest single predictor of verdicts even when the influence of ethnicity, gender, income, tort reform sentiments, and education were statistically removed.
2. Annual household income was the next strongest factor predicting verdicts, with higher income respondents being significantly more pro-defense than lower income ones.
3. Gender had the next strongest statistical relationship to the combined verdict score. Women were significantly more pro-plaintiff than men.
4. Tort reform sentiments, i.e., the feeling that damages in lawsuits are too high these days, had the next strongest relationship to verdicts. Those who feel damages are too high tended to find for the defense, while those who said damages are about right or too low tended to find for the plaintiff.
5. The decrease in trust as a result of recent events (averaged across the groups and individuals listed in Q3a to Q3t) was the weakest predictor of verdicts, although still statistically significant.
6. Education and total trustworthiness scores (averaged across the groups and individuals listed in Q1a to Q1t) were not statistically related to verdicts.

Thus, even when we statistically remove the effects of several factors commonly associated with pro-plaintiff or pro-defense verdicts, concerns and worries over recent events, scandals and social issues emerged as the strongest single predictor of verdicts. Trust, per se, along with education, were not related to verdicts, but the respondents' total decrease in trust was predictive of pro-plaintiff verdicts.



Methodological notes

For this study 1097 participants were called using random digit dialing. Given the population of the United States 18 years old and older, about 209,000,000 as of the 2000 census, this yields a margin of error of $\pm 2.96\%$. All participants were jury-eligible, either by virtue of having a driver's license or being registered to vote. The survey lasted, on average, 25.3 minutes per call.

The survey was designed, written and analyzed by DecisionQuest. Telephone interviewing was conducted by Bernett Research between September 20th and 26th, 2004.

Some stratification of the sample was conducted to ensure the sample adequately reflected the characteristics of the jury-eligible population. Quotas were set for the nine Census divisions in order to ensure that each was represented proportionately: New England, Middle Atlantic, East North Central, West North Central, South Atlantic, East South Central, West South Central, Mountain, and Pacific. Further, quotas were set to ensure that within each Census division the sample reflected the gender and ethnic composition of that region.

Survey questions were grouped into logically cohesive blocks to facilitate comprehension on the part of the interviewees because it was judged that a totally randomized survey, with ever changing rating scales and topics, would be more difficult for the interviewees to follow. The order of blocks of questions was randomized and questions within blocks were also randomized. For example, one block of questions included: (*Q1. For each of the following groups, give them a grade from A+ to F on how trustworthy you think they are, with A+ being totally trustworthy and F being totally untrustworthy...*)

- Q1a. most people in your family?
- Q1b. most people in your neighborhood?
- Q1c. most police in your area?
- Q1d. most firefighters in your area?

And a second block included:

- Q1e. most city or county officials or politicians in your area?
- Q1f. most state officials or politicians in your state?
- Q1g. most U.S. senators and congressmen?
- Q1h. most military leaders?
- Q1i. most Republicans?
- Q1j. most Democrats?
- Q1k. President Bush?
- Q1l. Senator John Kerry ?



Some respondents heard block Q1a to Q1d before Q1e to Q1l, while others might have heard these blocks in reverse order, or with a different block interposed. Similarly, the questions within block Q1a to Q1d would be randomized differently for different interviewees.

Several exceptions to the randomization were implemented. First, respondents were always asked the age, jury-eligibility, gender and ethnic origin questions at the beginning of the survey to ensure suitability for the study and to facilitate meeting the quotas for those groups. Second, the block of jury decision-making questions was always administered after all the scandal and trust questions, although, again, in a randomized order within that block. Finally, the remaining demographics questions (marital status, employment status, household income, etc.) were always administered last.