

strongly about the death penalty that they said their views would prevent or substantially impair the performance of their duties as a juror in a capital case. Consequently, these venirepersons were classified as Witt excludables.

The distribution of sentence showed no evidence of ceiling or floor effects. Twenty-eight percent of venirepersons recommended the death penalty; 72% suggested a sentence of life in prison without the possibility of parole.

Level of Mitigation

Level of mitigation was significantly related to evaluations of mitigating circumstances ($F[5, 234] = 2.53, p = .03$). Specifically, participants presented with the combination of "strong + weak" mitigation were less likely to evaluate the mitigation as valid ($F[1, 238] = 7.97, p = .005$), important ($F[1, 238] = 3.35, p = .07$), relevant ($F[1, 238] = 9.18, p = .003$), credible ($F[1, 238] = 4.07, p = .05$), and high-quality ($F[1, 238] = 4.38, p = .04$). Level of mitigation was also significantly related to sentence preference ($\chi^2[1] = 8.21, p = .004$). Further examination revealed that participants presented with the combination of "strong + weak" mitigation were more likely to sentence the defendant to death.

Level of Support for the Death Penalty

Level of support for the death penalty was significantly related to evaluations of mitigating circumstances ($F[15, 702] = 3.58, p < .001$). Specifically, participants who exhibited more support for the death penalty were less likely to evaluate the mitigation as valid ($F[3, 236] = 5.60, p = .001$), important ($F[3, 236] = 5.45, p = .001$), relevant ($F[1, 236] = 5.11, p = .002$), and high-quality ($F[1, 236] = 3.42, p = .02$).

Level of support for the death penalty was also significantly related to attitudes toward the death penalty ($F[3, 236] = 57.34, p < .001$). Specifically, participants who supported the death penalty were more likely to have positive attitudes toward the death penalty.

In addition, level of support for the death penalty was significantly related to scores on the RLAQ ($F[3, 236] = 7.36, p < .001$). Specifically, participants who supported the death penalty were more likely to be legal authoritarians.

Finally, level of support for the death penalty was significantly related to sentence preference ($\chi^2[3] = 39.35, p < .001$). Further examination revealed that venirepersons who exhibited more support for the death penalty were more likely to sentence the defendant to death.

Death-Qualification Status

Death-qualification status was significantly related to evaluations of mitigating circumstances ($F[5, 234] = 8.43, p < .001$). Specifically, death-qualified venirepersons were less likely to evaluate the mitigation as valid ($F[1, 238] = 14.68, p < .001$), important ($F[1, 238] = 26.01, p < .001$), relevant ($F[1, 238] = 25.79, p < .001$), credible ($F[1, 238] = 8.97, p = .003$), and high-quality ($F[1, 238] = 6.23, p = .013$).

Death-qualification status was also significantly related to attitudes toward the death penalty ($F[1, 238] = 66.36, p < .001$). Specifically, death-qualified participants were more likely to have positive attitudes toward the death penalty.

In addition, death-qualification status was also significantly related to scores on the RLAQ ($F[1, 238] = 19.98, p < .001$). Specifically, death-qualified participants were more likely to be legal authoritarians.

Finally, death-qualification status was significantly related to sentence preference ($\chi^2[1] = 16.12, p < .001$). Further examination revealed that death-qualified participants were more likely to sentence the defendant to death.

Level of Support for the Death Penalty x Death-Qualification Status

There also appeared to be evidence of an interaction between level of mitigation and death-qualification status on evaluations of mitigation ($F[5, 232] = 6.00, p < .001$). Univariate tests demonstrated death-qualified venirepersons were less likely to evaluate the mitigation as important ($F[1, 236] = 25.45, p = .005$) and relevant ($F[1, 236] = 26.87, p = .005$) when a combination of "strong + weak" mitigation was presented than when only "strong" mitigation was presented.

Attitudes Toward the Death Penalty

Attitudes toward the death penalty were significantly related to evaluations of mitigation ($F[5, 234] = 2.74, p = .02$). Specifically, as level of sup-

port for the death penalty increased, venirepersons were less likely to evaluate the mitigation as relevant ($t = -1.82, p = .07$), credible ($t = -2.08, p = .04$), and high-quality ($t = -1.71, p = .09$). Attitudes toward the death penalty were also significantly related to sentence ($F[1, 238] = 65.36, p < .001$). Specifically, as level of support for the death penalty increased, venirepersons were more likely to sentence the defendant to death.

Revised Legal Attitudes Questionnaire

Scores on the RLAQ were significantly related to evaluations of mitigation ($F[5, 234] = 2.16, p = .05$). Specifically, legal authoritarians were less likely to evaluate the mitigation as relevant ($t = -1.77, p = .08$) and credible ($t = -2.90, p = .04$). Scores on the RLAQ were also significantly related to sentence ($F[1, 238] = 19.98, p < .001$). Specifically, legal authoritarians were more likely to sentence the defendant to death.

Attitudes Toward the Death Penalty x Revised Legal Attitudes Questionnaire

Attitudes toward the death penalty were correlated with scores on the RLAQ ($r = .563, p < .001$). Specifically, as legal authoritarians were more likely to have positive attitudes toward the death penalty than their civil libertarian counterparts.

DISCUSSION

The findings of this study appear to demonstrate that level of mitigation, level of support for the death penalty, death-qualification status, attitudes toward the death penalty, and legal authoritarianism play an important role in jurors' decision-making processes in capital trials. As hypothesized, jurors presented with a combination of strong and weak mitigation were more likely to sentence the defendant to death and exhibit lower evaluations of mitigating circumstances than jurors presented with only strong mitigation. In addition, participants with high levels of support for the death penalty were more likely to sentence the defendant to death and exhibit lower evaluations of mitigating circumstances. Also as hypothesized, death-qualified venirepersons were more likely to sentence the defendant to death and exhibit lower evaluations of mitigating circumstances. In addition, participants with positive attitudes for the death penalty were more likely to sentence the defendant to death and exhibit lower evaluations of mitigating cir-

cumstances. Finally, legal authoritarians were more likely to sentence the defendant to death and exhibit lower evaluations of mitigating circumstances.

Of course, the current study is not without its limitations. The way mitigation operates in actual capital trials is complex, dynamic, and intertwined. Ideally, it is presented as a social history; a narrative of a capital defendant's life. Since capital jurors aren't required to justify how they came to a life-or-death decision, the way jurors weigh individual mitigating factors is largely a mystery. Although the legal system attempts to make the process as clinical as possible, it stands to reason that decision-making in capital trials is, by far, more multifaceted than addition and subtraction in a mathematical model.

Also, most capital defense attorneys do not choose their clients (and, in like fashion, their respective social histories). The purpose of this article is not to recommend that defense attorneys fail to present specific mitigators. Rather, the rationale of the current study is to illustrate the nuances in jury decision-making in capital trials that are consistent with prior research with respect to how jurors perceive certain mitigating factors.

Previous research has found that jurors view evidence of drug and alcohol addiction as a reason to give a capital defendant the death penalty, as opposed to a sentence of life in prison without the possibility of parole (3, 9). Ironically, addiction (i.e., a mitigating factor categorized as "weak") is found to be present in over 95% of all capital cases in Florida (9). Clearly, capital defense attorneys would be remiss—if not highly negligent—if they did not present such evidence during the penalty phase of a capital trial. However, the results of the present research demonstrate that the bias against mitigating factors (like addiction) is so salient that it actually detracts from mitigating factors that previous studies have demonstrated to be persuasive arguments for a life sentence. In essence, the present research presents an initial picture of how combinations of arguments might be perceived by capital jurors.

The current study represents a preliminary empirical glimpse into the impact of different types of mitigating circumstances on capital jurors' decision-making processes. Future research, employing a wide variety of methodologies in a wide variety of jurisdictions, should be conducted in order to gain a more comprehensive picture of this complex phenomenon.

In conclusion, the current findings replicate social scientific conclusions about the detrimental impact that death qualification has on death-penalty trials (3, 9, 14, 19-24). The present study also extends preexisting knowledge about capital jurors' decision-making processes by suggesting that jurors tend to average, as opposed to add, mitigation of varying strengths. In other words, "more" is not necessarily better with respect to mitigation in capital cases. In fact, the presentation of additional mitigation may actually make a death sentence more likely. Defense attorneys involved in capital cases now appear to be in a significant dilemma: On one hand, they are frequently encouraged to present all mitigation available to them. On the other hand, doing so may ensure a defendant's death sentence.

Unfortunately, the U.S. Supreme Court has a habit of ignoring the results of social scientific findings (25, 26). Why are the ultimate policy-makers ignoring the growing body of research that suggests that our capital sentencing scheme is in violation of defendants' rights to due process? Perhaps this is an area of study that requires the most exploration.

AUTHOR NOTES

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