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Justifiable Bromide?

Exaggeration in Cartoons Reflects Public Perceptions of the Jury as a Big Joke

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Abstract

Research on how courtroom behavior is represented in film and on television in both dramatic and humorous depictions has failed to explicate how the caricature of American jurisprudence in cartoons correlates with ingrained public misconceptions of our system of justice. Despite the fact that most people have no real-world experience of the courtroom, most people *do* have precise, yet mistaken, notions of what the courtroom represents, how it looks, and what legal actors are expected to do and say within its walls. The public learns about these courtroom activities from numerous and varied media depictions of the justice system daily. Through an online survey ($N=255$), this study finds that youthfulness, a low level of attained education, and frequent exposure to crime- and legal-oriented cartoons are significant predictors of one's belief that the jury system is worthy of ridicule and that prior jury duty experience and advanced age are significantly predictive of one's willingness to serve on a jury. Out of five prominent publicly disseminated stereotypes found in such cartoons, two are discussed and exemplified in the cartoons of the study: (a) jurors are biased, and (b) citizens try to get out of jury duty.

Key words: jury, caricature, cartoon, misconceptions, courtroom, humor, public opinion

Nothing conveys a more inaccurate idea of a whole truth than a part of a truth so prominently brought forth as to throw the other parts into shadow. This is the art of caricature.

—Edward Bulwer-Lytton

Introduction

Despite the fact that most Americans have no experience of the courtroom outside of the impressions they derive from television, movies, and books, most people *do* have fairly precise notions of the courtroom and what is supposed to transpire within its walls (Surette, 2014; Pickett, Mancini, Mears, & Gertz, 2015). In fact, the public has well-defined attitudes about how the system works, how legal actors are expected to behave in the courtroom, and in which ways the system succeeds and fails (Sarapin & Sparks, 2009). Nevertheless, having precise notions does not mean that those notions are accurate.

Is there some good reason why we should care how realistic or skewed the public conception of the justice system, its agents, and the courtroom might be? David Harris (1993) offers an expert opinion on this point, which is highly germane to the ubiquity of mediated images of courtroom justice in American culture:

First, the accurate public perception of the system is basic to our form of government and to confidence in its laws. Second, whatever the importance of the appearance of the criminal justice system in the past, the pervasive portrayal of crime and associated issues on television magnifies the significance of such perceptions. Third, the appearance of justice in popular culture may influence legal culture, and in turn the law itself; thus, appearance may have substantive impact upon laws and legal institutions. (n.p.)

Though prevalent in our culture for decades through television programs and movies, the depictions of legal actors and processes in the media frequently deviate from the truth, most often for dramatic purposes (Papke, 2016). Bandura (2001), in his Social Cognitive Theory (SCT), theorizes that the more the public is exposed to these inaccurate mediated versions of lawyers in their professional settings, the more likely it is that the public will perceive the cartoon vignettes of courtroom behavior as cues for how to act in a real courtroom. Additionally, in Bandura, Ross, and Ross's (1963) concept of vicarious learning, the viewer will ascertain appropriate behavioral responses for novel situations, such as learning from mediated accounts of courtrooms how a juror is to act. Continued exposure to the worldview engendered through entertainment depictions without countervailing exposure to the actual world reinforces public ignorance of the law and the courtroom (Papke, 2016). Denvir (1996) explains that mediated representations of all dimensions of life, especially those of law and justice, "reflect powerful myths that influence our reactions to issues we meet in real life," (p. xi).

Tom Tyler (1998) expounds on a critical justification for listening to the public's uninformed beliefs. He states, "public views have important implications for the operation of the legal system...because people's views shape the basis of their behavior toward the law" (p. 855). He then lays out three critical behaviors influenced by public perceptions of the justice system: (a) obeying the law; (b) seeking appropriate legal assistance instead of taking the law into one's own hands; and (c) supporting legal authorities' discretion in their administration of the law, including activities such as "determining verdicts, establishing damages, or sentencing in particular cases" (p. 856). Tyler acknowledges that failure to perform these essential behaviors in tandem with citizen disapproval of and lack of confidence in the courts are fostered to a significant degree by erroneous mediated portrayals of the legal system. The fallacious cartoons, acting as trite yet humorous reminders, or bromides, of the false representations of justice system processes, placate viewers by reifying their own preconceived

misconceptions. There is something oddly soothing about “knowing” that others hold the same beliefs—that those beliefs may sound funny, but they are “true.” If they were not true, the viewer asks herself, then why would the notions appear so often in the media?

This study of the jury as projected in cartoons will investigate: (a) whether the themes in these cartoons correlate with survey respondents’ perceptions of the jury and jurors; (b) whether there is a relationship between crime- and legal-oriented media consumption and survey participants’ perceived reality of cartoons of the jury; and (c) whether the respondents perceive the American jury as a big joke, a completely failed enterprise. We continue with a more precise rationale for this exploration.

Why is it Important to be Aware of Mediated Distortions about Juries

Courtroom trials, both civil and criminal, are decreasing in number. Kritzer (2013) reports a steep decline in civil cases that go to trial (both bench and jury) from about 6,050 in 1962 to about 4,500 in 2002. Criminal trials (both bench and jury) have declined from about 7,600 in 1962 to about 2,750 in 2002 (Kritzer, 2013). Conrad and Clements (2018) attest to a 47% decline in jury trials from 2006 to 2016. However, Kritzer (2013) shows that the statistics are not as clear as they might seem, indicating that the “vanishing” jury may not be quite as severe a phenomenon as has been reported. It all depends on what one calls a “trial.” And yet, notwithstanding the fact that fewer juries are actually empaneled these days with a much greater percentage of cases relegated to plea bargaining and other methods for meting out justice without having to spend time in a courtroom in front of a jury or judge, there remains a persistent availability of courtroom dramas on television and in cinema. This gives TV and movie fans the inaccurate impression that most cases really do result in a trial. The repercussions of this shift are numerous and weighty. Conrad and Clements assert that our eschewing of the jury trial: (a) diminishes the transparency of our systems of justice and fails in “immortalizing the details of the case, the attorneys’ arguments, and the jury’s final decision,” (p. 162) keeping the defendants and public in the dark; (b) suppresses the growth of common law, significantly reducing precedents accessible to assist attorneys in the construction of arguments for their future court cases; (c) “could curtail the development of legal doctrine and perpetuate the gradual staling of case law” (p. 165), especially at a time such as this, when the Internet and new media present quickly emerging, challenging, new areas of law; (d) represents lost opportunities for our lawyers to develop their courtroom skills; and (e) deprives defendants of their day in court and citizens of their right and privilege to contribute to society and democracy through their jury service.

David Simon describes his year on the streets with the Baltimore police homicide investigators. He concludes that the media have rendered the jury system little more than a laughing stock, stating, “Television ensures that jurors are empaneled with ridiculous expectations,” (1991, p. 785). Simon reports that, unaware of the fact that fingerprints are recovered in only about 10% of cases, and that forensics are rarely responsible for the successful prosecution of a case, a juror “wants to see hairs and fibers and shoe prints and every other shard of science gleaned from *Hawaii Five-O* reruns,” (p. 785). The result is a jury composed of “a dozen brain-deads telling each other that the defendant seems like a nice, quiet young man, then laughing at the prosecutor’s choice of tie,” (p. 785) (see Figure 1).

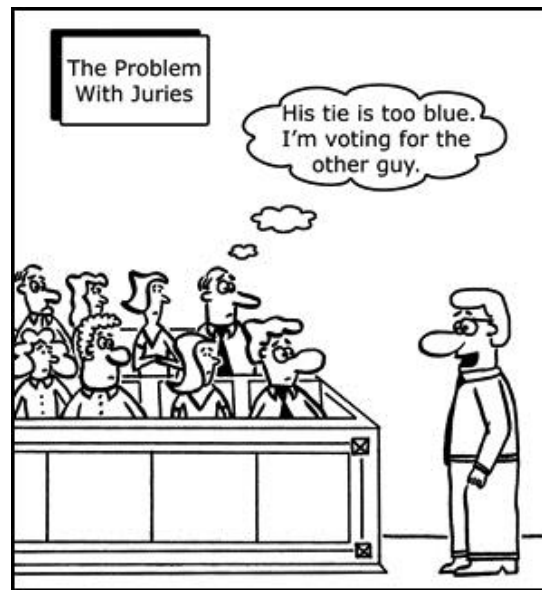


Figure 1. This cartoon illustrates the public perception of the juror as one whose decisions are influenced by stimuli not associated with case evidence or the law. Copyright © 2002. Stu. All rights reserved.

So much for America's *old* media that dealt with crime- and legal-oriented television (subsequently CLOTV) shows. Austin (1995) distinguishes the *new media* as those outlets created or reformatted for the dissemination of subjective and sensational perspectives on the goings on in the American justice system. Developed during the media maelstrom triggered by the O. J. Simpson criminal trial and others belonging to an "unprecedented cluster of bizarre trials" (Austin, 1995, n.p.), television programs such as *Sally Jessy Raphael*, *Geraldo*, *Donahue*, *CourtTV*, *Jenny Jones*, and even *CNN*, and print publications such as *The Star* and the *Enquirer*, best exemplified Austin's "new media culture of deviancy" (n.p.). Austin takes the criticism of the courtroom portrayals to a new level of derogation when he asserts that these new media sources were created for a special new "trailer park audience" (n.p.; [sic]). More than two decades later, Sally Jessy and Phil Donahue have disappeared from the small screen, only to have been replaced by the likes of Judge Judy, Tamron Hall, Keith Morrison, Lester Holt, and many more.

Aside from the public casting aspersions on jurors for supposedly being: (a) excessively and unreasonably demanding of hard, forensic evidence; (b) low-class people, who are more interested in sensational portrayals of criminal deviancy than in the facts; and (c) simpletons who are easily distracted from their fact-finding responsibilities by the heuristics of the courtroom drama and its actors, Vidmar (1998) is able to supplement this list of juror characteristics with a number of claims he has discovered about the civil jury:

Juries have been said, variously, to be incompetent, capricious, unreliable, biased, sympathy-prone, confused, hostile to corporate defendants and doctors, gullible, excessively generous in awarding compensatory damages, and out of control when awarding punitive damages. (p. 849)

The same common criticisms and misconceptions of the jury system, which have persisted for as long as scholars and pollsters have been asking people what they think, are summarized in Jonakait's (2003) book, *The American Jury System*:

The catalog of complaints is thick. Jurors cannot understand the evidence and issues in the complex matters that come to court...Jury verdicts are primarily determined not by the evidence, but by the tactics of attorneys, by a few strong-willed and biased jurors, or by hired psychologists and social scientists who determine which jurors to select and how to persuade them. (p. xx)

Indeed, in the analysis of cartoons described later (Methods, Part 1, Selection of Cartoons), these same themes were found. Reading Jonakait's comments could lead someone to believe in that other common perception of the jury as a Mickey Mouse enterprise, and, yes, we see that in a cartoon as well (see Figure 2).

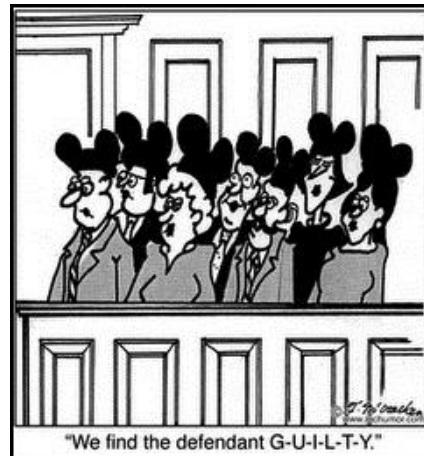


Figure 2. The perceived insignificant, trivial, or worthless activities of jurors are lumped together to characterize the group as a “Mickey Mouse” jury. Copyright © T. McCracken. All rights reserved.

Are newscasts and television shows and movies the only sources of these attitudes and beliefs about the jury? If the justice system has indeed become an object of derision, as Hans implies (2013), then it behooves scholars to explore just what everyone is laughing at. With those questions in mind, we now explain the medium under investigation.

Cartoons and Caraciture

If caricature in general as an object of academic research is scarce, then the research topic of the American courtroom jury as represented in graphic caricature in the form of cartoons is almost nonexistent. Scholars might surmise that the reason for this void in the literature is that there is nothing to learn from an exploration of how the jury and jurors are treated in cartoons. They would be incorrect. What we will see is that these cartoons, being conveyors of predominately humorous or satirical depictions of juries or individual jurors, tend to focus on false or exaggerated representations of jurors as: (a) too unintelligent to decide the cases before them; (b) bored and prone to zone out during testimony or attorneys' presentations; and/or (c) too prejudiced to be fair. There are no tests of juror intelligence nor are there efficient ways to tap into juror bias, and because we cannot prove these inaccurate impressions to be errant through personal experience, they tend to persist in the presence of pervasive media reinforcement. In law and communication journals, a good deal of attention has been paid to how lawyers and courtroom activities are represented in film and on television in news and fictional programming. Most of these investigations are content analyses of a television series, television newscasts, or a specific movie (Machura & Ulbrich, 2001; Stark, 1987; Reiner, 2007; Robbennolt &

Studebaker, 2003). They have addressed a variety of social themes, such as the treatment of female attorneys (Klein, 1998; Marek, 2004), and have considered, to some degree, what can be learned about public perceptions of the civil and criminal justice systems from mediated depictions (McNeely, 1995; Greer & Reiner, 2015). However, the literature has, for the most part, failed to explicate how cartoon treatment of American justice in general and of the jury in particular align with ingrained and possibly stereotypical public conceptions of our administration of justice. A cartoon is described as a condensed message conveyed through a “humorous representation of and comment on reality,” (Tsakona, 2009, p. 1171). Meaning-making in cartoons is accomplished via one of “two semiotic modes, the verbal and the visual, or solely via the visual mode.” (p. 1171).

Caricature is frequently confused with other literary or artistic genres, especially those of parody and satire. The distinctions between the three are often so difficult for the average person to discern that the styles are conventionally spoken of interchangeably. In fact, although the distinctions may be subtle, these words are not terms for precisely the same thing. Confounding the understanding of these nuanced terms are two main factors—the motivations of the creators or authors and the fact that some of these words have cultural meanings as well as dictionary definitions. In order to show just how difficult a task it can be to discriminate between these classifications, brief consideration will be given to parody as an example. Parodies are commonly thought of as pieces of literature or musical compositions that closely imitate the “style” of a specific literary author or musical composer, usually for comic effect (parody, n.d.1). The American cultural perspective of this phenomenon would be most accurately exemplified by humorous sketches seen on television’s *Saturday Night Live*, cartoons in *Mad* magazine, “news” articles in *The Onion*, and funny artistic take-offs on Grant Wood’s *American Gothic* in advertisements and on T-shirts. The parodies are normally constructed such that the people being mimicked could feel comfortable participating in the self-deprecatory experience or could at least appreciate the humor in the portrayals (parody, n.d.2). On the other hand, if the motivation behind the parody leans more toward the mean-spirited, the parody could appear humorous on its face, but come off as satire, whose purpose is derision or ridicule. Indeed, the genres obviously manifest some overlap in characteristics.

The focus of this paper is the genre of caricature alone in just one of its many forms. Caricatures are most often conceived of as humorous artistic portraits in which the subject’s most representative traits, both physical and behavioral, are exaggerated for comic effect. Among other applications, caricature is also prominent in widely disseminated editorial and political cartoons and used for the purpose of putting a humorous or satirical spin on well-known people, behavior, phenomena, and institutions. Furthermore, this investigation looks only at respondents’ perceptions of the reality of the messages in the cartoons.

Frequently in a drawn caricature, the proportions of an individual’s most striking or distinguishing facial or body features are doubled or tripled in comparative relation to their actual dimensions—almost always for the sake of humor and instant recognition. In those instances, when caricature is employed to convey disparagement or contempt, it could be claimed that caricature is the mode of graphic representation chosen to maximize the negatively persuasive influence of specific unflattering traits of the subject whereas satire, shame, or ridicule is the clear intent. W. A. Coupe (1969), clarifies this particular distinction in the simplest of terms: “Graphic art can be satirical without resorting to caricature, just as satirical writers frequently have recourse to caricature in order to achieve their effects” (p. 85). The working definition of caricature used throughout the current exploration is the cartoon-style, graphic exaggeration of the attributes of concepts, institutions, behaviors or people to the point of distortion for predominantly humorous but sometimes ironic purposes. Specifically, in this paper, the elements of interest that are caricatured are the procedures, entities, and actors of the American justice system as they intersect with the citizen jury.

Themes in Jury Cartoons

Bias Among Jurors

Close to 43% of the content of the cartoons randomly selected via the methodology described below were recorded as representing the perception that jurors make their decisions on the basis of preconceptions or are influenced by courtroom happenings that are not germane to the evidence being proffered by the prosecution/plaintiff or the defense (Table 1). In other words, either they bring with them biases about defendants or their crimes, judges, lawyers, or other jurors and/or they are persuaded one way or the other by heuristic cues, cognitive shortcuts or rules of thumb, such as a lawyer’s delivery or style of dress, the defendant’s open expression of emotion or total lack of affect, or perhaps the defendant’s celebrity status. The second most prominent category of cartoons (Table 1) presents the concept that a jury is or is not composed of one’s peers, which took center stage in less than 15% of the entire sample.

Table 1

Results of Coding Cartoons into Content Categories

CATEGORY	No.	Percent of Sample*	Rank Order
Jurors are biased and/or are influenced by things not associated with evidence.	46	42.60	1
Juries are/are not composed of one’s peers.	16	14.80	2
People will do/say almost anything to get out of jury duty and/or jury duty is an unpleasant experience.	15	13.90	3
Juries have difficulty coming to unanimous agreement.	13	12.00	4
Jurors are inept or unintelligent/stupid.	10	9.26	5
Jurors do not take their job seriously.	6	5.50	6
Civil juries are out of control regarding their compensatory and punitive award decisions.	2	1.85	7

*Percent figures are rounded to the nearest hundredth, so the column does not add up to exactly 100.00.

The gist of the cartoons’ caricature of the citizen jury as a group of our peers lies in its characterization of this time-honored American jurisprudential principle as a jury of clones (Figure 3). This is a perpetuation of a real-world, mistaken notion, a perspective that includes the belief that a jury of one’s true peers makes for a much greater likelihood of a favorable outcome. Essentially, this viewpoint implies jury bias. For this reason, we combined these two categories into one category for bias (see Methods, Part 2, Major Variables, Bias Scales).



Figure 3. A cartoon, which portrays an impression of a jury of one’s peers as one in which the jurors closely resemble the defendant physically. In this rendition of the classic “joke,” all jurors wear glasses similar to the defendant’s glasses, and even the female jurors sport moustaches. Copyright © T. McCracken. All rights reserved.

Bias among jurors can be demonstrated in a variety of ways. A poll taken by DRI Center for Law and Public Policy, found that only 23% of participants reported they believed they could be impartial as jurors (Rice & Sherman, 2013). In the same poll, almost 60% confirmed that in a hypothetical case with no facts presented, they would take the side of an individual over that of a large financial, pharmaceutical or oil corporation. Similarly, 52% of the respondents affirm a preference for some unknown entity over a litigant with whom they have had a negative experience. Rice and Sherman surmise, “Perhaps that attitude is what leads some of the same respondents to express little confidence that the courts will produce just and fair outcomes—because, as jurors, they might not be willing to provide one themselves,” (2013, p. 11).

Some biased jurors make it into the jury box by failing to reveal personal prejudices when asked about them during voir dire, the jury selection process, and some are not asked the questions that would tap into relevant predispositions. It is unrealistic to expect potential jurors to expose every detail of their lives and opinions in the presence of a courtroom full of strangers. As well, there is certainly not enough time to ask every conceivable question whose answer could have an impact on a juror’s ability to deliberate impartially. Thus, it is a recognized fact of life that bias finds its way into the jury box and then into deliberation (see Figure 4).



Figure 4. This illustration pokes fun at the real-life problem of juror bias not being uncovered by the voir dire process. Copyright © Stu. All rights reserved.

Another form of juror bias occurs when jurors ignore the evidence proffered through testimony, the facts as described by counsel during the opening and closing arguments, or the law. Disregarding the evidence opens the door to other biases, such as depending on the influence of media representations of crime and law, being influenced by the appearance or oratorical delivery of any of the courtroom actors, including that of the defendant, or evaluating the defendant's culpability on the basis of external stimuli. Again, there is little, if any, empirical corroboration of this presumed phenomenon, yet anecdotal evidence abounds.

An article by Hans (2013) investigating jury jokes addresses juror bias within a textual framework in which bias is "shown" narratively through a variety of humorous and/or ironic situations. Bias is but one of several juror attributes in any one of her sample of jokes. Belying Clover's account of the jury as portrayed in movies as a "visual and narrative blank" (1998, pp. 389–390), i.e., the jury is rarely even shown except for when it files into the courtroom or sits attentively and listens, cartoons, by the very nature of their physical construction and limitations, are monopolized by visuals. Even in news programs, we see jurors only as pastel-drawn illustrations. Above all else, cartoonists must convey their social critiques or jokes succinctly and effectively via detailed drawings in a strictly confined space using as few words as possible. Through this process, the cartoonist does much of the cognitive work for us, making the cartoon a quick study, a heuristically uncomplicated conveyance of a particular message about the jury that can be comprehended in a matter of seconds, if it, indeed, is understood. In keeping with Bandura et al.'s (1963) findings regarding people's behavior and attitudes being influenced by vicarious social cognitive learning of responses in unknown and novel situations, we arrive at our first three research questions:

- RQ1a:** What will be the effect of consuming a great deal of CLOTV (Crime-and-Legal-Oriented TV) and movies on respondents' perceived reality of cartoons about the jury system as biased or unbiased?
- RQ1b:** What will be the effect of the consumption of CLOC (Crime-and-Legal-Oriented Cartoons) on respondents' perceived reality of the cartoons addressing the jury system as biased or unbiased?
- RQ1c:** What is the relationship between the perceived reality of cartoons about jury bias and the measured respondents' perceptions of juries as biased?

Public Perceptions of Jury Duty

A second common theme associated with the public's view of the jury system, one which we explore in this study, is the topic of jury duty and the attempts to get out of jury duty. This is a topic that resonates with

millions of Americans and consequently brings a smile to one's face when "discussed" in the context of a cartoon. It is a recurrent theme of which we are reminded every time a friend, relative or co-worker remarks that he or she has received a summons for jury service, and it is one of the few perceptions that has a discoverable reality behind it. The perception is a double-barreled one: sitting on a jury is an unpleasant experience (see Figure 5) and all normal American citizens will do anything to get out of jury duty (see Figure 6).



Figure 5. Unfortunately, this jury found the trial so boring that they took things into their own hands and hanged themselves. Copyright © M. Baldwin. All rights reserved.



Figure 6. This is one of the more extreme measures taken to avoid the possibility of ever being required to serve as a juror. Copyright © T. McCracken. All rights reserved.

The Internet now helps us in our search for an excuse that will work on the judge. Simply go to the Google search engine and type in “excuses for getting out of jury duty.” At least 326,000 results will be displayed for “good,” “legitimate,” “valid,” “ethical,” and “perfect” excuses for not fulfilling one’s civic responsibility. In 2007, the total number of results from the same Google search was 105,000, showing that there was more than a 200% increase in a decade. This vast array of Web sites would give anyone the impression that the phenomenon is real—that every self-respecting American really does want to get out of jury duty. This widely accepted message may have been true at some point in American history, but, today, it is a misconception. Actually, 67% of Americans have said they would like to get the opportunity to serve their community by evaluating the evidence in a real courtroom (Shapiro, 2006; Gramlich, 2017). Approximately 15% of the adult American population receives a summons each year to report for jury service. Annually, between eight and 10 million of this group report for jury duty, and less than 5% who receive a summons are actually impaneled (Gramlich, 2017; National Center for State Courts, 2014). These figures and the assumptions of SCT, which make us wonder about the effect of crime- and legal-oriented media on participants’ perceived reality of cartoons, compel us to ask the next three research questions:

RQ2a: What will be the effect of consuming a great deal of CLOTV programs and movies on respondents’ perceived reality of the cartoons addressing jury duty?

RQ2b: What will be the effect of consuming a great deal of CLOC on respondents’ perceived reality of the cartoons addressing jury duty?

RQ2c: What is the relationship between the perceived reality of cartoons about jury duty and the measured respondents’ perceptions of jury duty?

Public Perceptions of the Jury as a Big Joke

In the U.S, when we refer to a concept, individual, or institution as a “big joke,” we are passing judgment of it as illegitimate in some major regard. Either the object of our disdain is laughable on its face or a

supposedly warranted, socially beneficial, and time-honored principle, person, or organization, which, upon scrutiny, is ironically shown to be not funny and yet simultaneously something no longer to be taken seriously. With regard to calling the jury system a big joke, one would mean that the jury system, as engaged in today, is diametrically opposed to Constitutional principles and public expectations pertaining to the jury process. Some of the perceptions aligned with this view are: (a) jurors are biased; (b) juries are unfair and ill-suited for their purpose; and/or (c) the jury system is not to be given due consideration or respect. Thus, ignoring a jury duty summons is, without a doubt, justifiable. This discernment of the jury as worthy of ridicule necessitated the following research questions:

RQ3a: What will be the effect of consuming a great deal of CLOTV programs and movies on respondents' perceptions that the jury is a big joke?

RQ3b: What will be the effect of consuming a great deal of CLOC on respondents' perceptions that the jury is a big joke?

RQ3c: Are there any demographic variables that affect the relationship between CLOC and respondents' perceptions that the jury is a big joke?

The Willingness to Serve on a Jury

There is sufficient investigation of jurors who have already performed their civic responsibility of sitting as triers of fact in civil and criminal juries and their evaluations of their experience (Bornstein, Miller, Nemeth, Page, & Musil, 2005; Miller & Bornstein, 2013). And yet, there is scant research on their willingness to serve again. Much of the extant research on the inexperienced public, 98% of the adult public who have not served jury duty (82% of our participants), studies their expectations and preconceptions of jury service. Almost no research explores how those attitudes affect their willingness to answer a summons and actually appear at the courthouse to subject themselves to the voir dire process and, possibly, to sit on a panel of jurors. In light of this void in the literature, we proposed the following:

RQ4: Are there any demographic variables that affect the relationship between CLOC and respondents' willingness to serve on a jury?

Method

Part 1, Selection of Cartoons

The purpose of Part 1 was to develop categories of jury cartoons to guide the selection of cartoons and the construction of statements for the survey. The Internet was searched for legal-themed cartoons and caricatures, and 175 were found. A sample of 113 illustrations that specifically dealt with juries and jurors was chosen. A meeting of five adults not associated with the legal system was held to develop a list of commonly expressed attitudes of the public toward juries and the jury process. The group came up with a list of eight attitudes or beliefs. They were: (a) juries are composed of or not composed of one's peers; (b) jurors are biased or are influenced by things not associated with evidence; (c) jurors are inept or unintelligent/stupid; (d) civil juries are out of control regarding their compensatory and punitive award decisions; (e) people will do and say almost anything to get out of jury duty and/or jury duty is an unpleasant experience; (f) juries have difficulty coming to unanimous agreement; (g) jurors do not take their job seriously; and (h) miscellaneous.

The coders independently categorized the cartoons into seven divisions (see Table 1). A final sample of 108 cartoons with jury-associated content were coded. A test of reliability was run resulting in a Cohen's kappa

of .89 and a Krippendorff’s alpha of .89. The coders conferred once again until 100% agreement was reached on all 108 cartoons. A final sample of 19 cartoons was selected from these seven categories for the current study’s survey (see Table 2).

Table 2

Perceived Reality Measures of M, SD, and N for 19 Cartoons in Survey in Descending Order, such that the Higher the Mean, the Truer the Respondents Think the Message Is

Cartoon Description	Type	Rank	M	SD	N
Jury box of 12 jurors. Each juror is giving a unique and unusual excuse for getting out of jury duty. Each one has a word bubble with the excuse in it.	JD	1	66.91	27.59	250
Dogbert and Dilbert are called for jury duty. Dogbert: “What a waste of my valuable time.” Dilbert: “It’s your civic duty. It’s the small dues you pay for living in a just and free society.” Dogbert: “Big whoopee.” Dilbert: “And you get to play God with other people’s lives.” Dogbert: “Well, they should say that in the letter.”	JD	2	60.43	26.95	249
Lawyer asks the jury, “How many of you comprehend the term ‘follicular’”? The jurors are thinking, “What does ‘comprehend’ mean”?	I	3	59.03	26.33	249
The defendant is a dog facing a jury box of 12 cats. The dog says, “I am in so much trouble.”	B	4	53.77	28.14	247
One juror asks: “What does ‘reasonable doubt’ mean?” Another juror answers: “Beady eyes, shifty looks, that sort of thing.”	I	5	52.27	27.45	246
Six jurors are injured from fighting each other. Lawyer says, “And are you all agreed upon this verdict?”	JD	6	51.85	26.66	246
Attorney’s final argument: “You’ve read the tabloids; you’ve seen the TV movie; you’ve watched the talk shows: It’s up to you.”	B	7	51.56	28.68	244
Judge, jurors, & attorney all dressed in KKK garb. Caption: “There shouldn’t be any doubt about this trial’s impartiality.”	B	8	51.46	28.99	253
Jury is made up of 12 mice. Cat says, “I don’t like the looks of that jury.”	B	9	50.35	28.00	246
All 12 jurors have hanged themselves due to boredom. Lawyer says to judge, “With all due respect, Your Honor, maybe this wouldn’t happen so often if you didn’t allow your trials to drag on and on.”	JD	10	49.74	27.75	247
Juror is texting. Judge says, “Bailiff, would you please send a text to Juror #2, and instruct him to put his phone away?”	I	11	45.66	30.18	243

Attorney’s final argument: “Ladies and gentlemen of the jury, we have hearsay evidence from the lady who told a friend of her hairdresser’s cousin Julie. What more do we need?”	B	12	45.39	26.84	242
Jurors wearing Mickey Mouse caps: “We find the defendant G-U-I-L-T-Y.”	I	13	40.92	27.02	236
In the infamous “porridge too hot” trial, foreperson says, “We, the jury, rule in favor of Papa Bear and order Mama Bear to pay the sum of \$15m.”	O	14	40.83	28.69	236
Jurors are astonished by the defendant’s poor grammar while on stand.	B	15	39.77	29.18	243
Jury foreperson reads, “We really weren’t paying attention, so based on a game of musical chairs, we find the defendant...”	I	16	37.35	26.93	237
Judge says to jury with only 11 members: “You were supposed to come back with a verdict, not vote someone off the jury.”	I	17	37.00	28.17	243
Defendant is dressed in prison striped garb. Jurors, all dressed in prison garb, walk into jury box. Defendant says to his attorney, “Way to go on that jury selection!”	B	18	35.61	27.80	242
Judge: “Foreman of the jury, have you reached a verdict?” Foreman: “Yes, prosecuting counsel is a bit of a hunk!”	B	19	33.05	25.12	236

Note: Cartoon types/categories legend—B = Bias; I = Incompetent; JD = Jury Duty; and O = Out of Control

Category Averages: JD = 57.23; I = 45.37; B = 45.18; O = 40.83

Part 2, Recruitment Procedure

Participants were recruited through an announcement on the Communication, Research, and Theory Network (CRTNET), which is an email listserv managed by the National Communication Association, a communication channel for scholars and practitioners in the field of communication, and through a snowball e-mail recruitment effort by the investigators. A total of 312 participants accessed the survey, and 56 surveys were deleted due to incomplete answers, yielding a final sample of 256.

Survey Instrument

The online survey instrument included several sections. In the first, respondents were presented with 19 one-panel cartoons about juries and asked to indicate what percent the meaning or point of the cartoon reflects the truth about the U.S. jury system on a scale from 0-100% (0 = Not at all like real life; 100 = Exactly like real life). Table 2 presents the resulting means and standard deviations for each cartoon in the sample. In the second section, respondents reacted to a series of 27 statements about juries, on a scale from 0-100% (0 = Total disagreement; 100 = Total agreement). The statements (respondents’ personal beliefs) regarding the major interests of this study represented the themes of: (a) jury bias ($n = 9$); (b) perceptions of jury duty ($n = 6$); (c) the jury as a joke ($n = 1$); and (d) willingness to serve on a jury ($n = 1$). Categories were obtained from the results

shown in Table 1. Examples of statements include “Trials are mostly boring for jurors,” “Civil juries are biased against business corporations and doctors,” and “Jurors are influenced by the appearance (physical attractiveness) of the defendant and/or the defense attorney.” The statements were consistent with the messages conveyed in the cartoons. Next, respondents gave information about their media use, in hours per week, specifically for each of the following: (a) legal drama (television); (b) legal- or crime-themed movies; (c) legal- or crime-themed books; and (d) crime- or legal-oriented cartoons (subsequently CLOC). Finally, relevant demographics were collected from respondents, as described below.

Participant Demographics

Age. The age of participants ranged from 18 to 78, with an average age of 37.6 years. For the 249 respondents who identified a gender, females made up 61.8% (154) of them. Regarding education, 6.3% (16) reported having a high school education, with an additional 23.4% (60) having taken some college courses, 8.6% (22) reporting an associate degree completed, 15.6% (40) a baccalaureate degree, 14.5% (37) a master’s degree, and 28.9% (74) a terminal graduate or professional degree. The self-reported racial/ethnic make-up of the sample was: (a) 79.7% (204) white; (b) 5.5% (14) black; (c) 4.3% (11) Asian; (d) 7.8% (20) mixed race/ethnicity or other.

Politics. Respondents were asked to indicate their political leanings on a scale of 0 (Extremely liberal) to 100 (Extremely conservative). The mean for this variable was 41.7 ($SD = 26.1$, $N = 251$). Respondents were asked how willing they were to serve on a jury, on a scale of 0 (not willing) to 100 (willing). The mean was 68.9 ($SD = 28.8$, $N = 251$). Respondents were asked whether they had ever served on a jury. Out of 250 respondents, 82% (205) had not served on a jury, 9.45 (24) had done so once, and 8.2% (21) had done so more than once. Respondents were asked whether they had attended a trial as an observer or spectator. Out of 251 who answered, 68.9% (173) had not, and 30.6% (78) said they had, one or more times.

Major Variables (See Table 3 for the correlation matrix of the main study variables).

Table 3

Bivariate Correlation Matrix of Demographic Variables, Exposure to CLOC, and Statement that the Jury Is a Big Joke

	1	2	3	4	5	6	7
1. Jury is a Big Joke	—						
2. Age	-.35**	—					
3. Gender	.12*	-.23**	—				
4. Level of Education	-.21**	.62**	-.08	—			
5. Family Income	-.05	.08	.29**	.02	—		
6. Political Leanings	-.05	-.16**	-.20**	-.31**	-.11	—	
7. Jury Service Experience	-.21**	.40**	-.15*	.24**	.06	-.11	—
8. Exposure to CLOC	.14*	.03	-.04	-.01	-.10	.00	.03

Note: * $p < .05$; ** $p < .01$. ** Means correlation is significant at the 0.01 level (2-tailed).
 Gender: (0 = Female; 1 = Male); Political Leanings: (0 = Extremely liberal to 100 = Extremely conservative)

Bias Scales. Bias-related cartoons and bias-related beliefs were scaled separately. A scale reliability analysis was run on all nine bias-oriented cartoons first. The reported responses for each cartoon representing bias were on a continuum from 0 to 100. After deleting from analysis the one whose removal would increase the alpha and improve the empirical value of the scale, eight cartoons remained. The alpha for internal consistency was .80 (Vaske, Beaman, & Sponarski, 2017).

Next, the nine bias-related statements (continuous variables) were analyzed in the same way as the cartoons were. Following removal of the three, which did not contribute to a higher scale reliability, six statements remained. The internal consistency value was an alpha of .75.

Jury Duty Scales. Jury-duty-related cartoons and jury-duty-related beliefs were scaled separately. A scale reliability analysis was run on all six jury-duty-oriented cartoons first. The reported responses for each cartoon portraying jury duty were recorded on a continuum from 0 to 100. After deleting from analysis, the one cartoon whose removal would increase the alpha and improve the empirical value of the scale, five cartoons remained. The alpha for internal consistency was .70, (Vaske, Beaman, & Sponarski, 2017).

Next, the six jury-duty-related statements (continuous variables) were analyzed in the same way as the cartoons were. All statements contributed to a higher scale reliability. The internal consistency alpha for the six-item scale was .75.

Table 4 illustrates the correlations between the scales. The table shows that all of the scales are highly correlated to respondents’ belief that the jury is an institution worthy of derision.

Table 4

Bivariate Correlation Matrix of Four Scales and Statement that the Jury Is a Big Joke

	1	2	3	4	5
1. Bias Cartoons	—				
2. Bias Statements	.47**	—			
3. Jury Duty Cartoons	.59**	.46**	—		
4. Jury Duty Statements	.42**	.61**	.52**	—	
5. Jury Is a Big Joke	.34**	.41**	.29**	.52**	—

Note: ** Means correlation is significant at the 0.01 level (2-tailed).

Cartoons represent how realistic respondents think the cartoons are; Statements represent actual respondent beliefs. Highly significant correlations between cartoon scales and statement scales mean that cartoons are very close to representing what respondents actually believe.

Results

All of the following research questions were analyzed using Pearson correlation. RQ1a inquired as to the effect of viewing CLOTV programs and movies on respondents’ perceived reality of the cartoons addressing the jury system as biased or unbiased. This analysis resulted in a non-significant finding. RQ1b asked whether there would be an association between CLOC exposure and the respondents’ perceived reality of the cartoons addressing bias in the jury system. The test of this research question resulted in a significant finding, $r = .19, p = .005$, a small-to-medium effect size, such that those who view more of this medium are significantly more likely than those who view less believe that the cartoon messages about juries being biased reflect reality. RQ1c queried the relationship between the perceived reality of cartoons about jury bias and the respondents’ perceptions of juries as biased. The significant result of this Pearson’s correlation was $r = .47, p < .001$. This finding verifies that the perception that juries are biased coincides with the interpretation of cartoons on this topic as realistic.

RQ2a asked about the effect of exposure to CLOTV and movies on respondents’ perceived reality of the cartoon messages about jury duty. This analysis found a significant yet small correlation, $r = .13, p = .046$. Analysis of RQ2b, asking about the effect of CLOC exposure on perceptions of the reality of jury duty cartoons, was non-significant. RQ2c explored the relationship between the perceived reality of cartoons about jury duty and the respondents’ perceptions of jury duty, which has a significant result of $r = .52, p < .001$. This finding confirms that perceptions about jury duty coincide with the interpretation of cartoons on this topic as realistic.

RQ3a queried the effect of viewing CLOTV programs and movies on respondents’ perceptions that the jury is a big joke. The analysis found that $r = .18, p = .004$, such that the more one watches CLOTV, the more one perceives the jury system to be a big joke. This was a small-to-medium-sized effect. RQ3b inquired about

the effect of viewing CLOC on perceptions that the jury is a big joke. The data showed a result of $r = .14, p = .022$, indicating that the more one is exposed to CLOC, the more one perceives the jury process as a source of amusement. This was a small-to-medium-sized effect. Thus, the more frequent the consumption of either traditional or cartoon media, the higher the belief that juries are a big joke. RQ3c queried the contribution of demographic variables to whatever effect CLOC has on respondents' perceived reality of our jury system as a laughingstock. Hierarchical multiple regression was the method of analysis used for this research question. After the contribution of four other (demographic) variables, CLOC was still a significant contributor to the variance in the respondents' perceived reality of our jury system as a big joke (see Table 5). The contribution of all 5 variables to the variance in the dependent variable equals 15.2%.

Table 5

Hierarchical Regression of Respondents' Perceived Reality of Our Jury System as a Big Joke Regressed onto Exposure to Crime- and Legal-Oriented Cartoons and Four Other Independent Variables

DV: Respondents' Perceived Reality of Our Jury System as a Big Joke						
	<i>R</i>	<i>R</i> ^{2a}	ΔR^2	β	<i>Sig.</i>	<i>N</i>
Block 1	.345	.119	.119			249
Age				-.538	.000****	
Block 2	.355	.126	.007			248
Served on Jury Duty				-6.486	.175	
Block 3	.355	.126	.000			247
Level of Education				.121	.921	
Block 4	.357	.127	.002			246
Gender				2.129	.513	
Block 5	.390	.152	.025			245
CLOC				7.091	.008**	

† Note: 2-tailed *p* values; **p* < .05, ***p* < .01, ****p* < .005, *****p* < .001

CLOC is the abbreviation for Crime- and Legal-Oriented Cartoons

^a Contribution of all 5 variables to the variance in the dependent variable equals 15.2%.

RQ4 questioned the potential contribution of any demographic variables to any effect of consuming CLOC on respondents' willingness to serve on a jury. This research question was also analyzed by hierarchical multiple regression. After the contribution of four other (demographic) variables, CLOC contributed nothing to the variance in the respondents' willingness to serve on a jury (see Table 6).

Table 6

Hierarchical Regression of Respondents' Willingness to Serve on Jury Duty Regressed onto Exposure to Crime- and Legal-Oriented Cartoons and Four Other Independent Variables

DV: Respondents' Willingness to Serve on Jury Duty						
	<i>R</i>	<i>R</i> ²	ΔR^{2a}	β	<i>Sig.</i>	<i>N</i>
Block 1	.309	.095	.095			249
Age				.489	.000****	
Block 2	.355	.113	.017			248
Served on Jury Duty				10.724	.029*	
Block 3	.339	.115	.002			247
Level of Education				.121	.419	
Block 4	.339	.115	.000			246
Gender				2.129	.960	
Block 5	.339	.115	.000			245
CLOC				.167	.952	

† Note: 2-tailed *p* values; **p* < .05, ***p* < .01, ****p* < .005, *****p* < .001

CLOC is the abbreviation for Crime- and Legal-Oriented Cartoons

^aContribution of all 5 variables to the variance in the dependent variable equals 11.5%.

Qualitative Results

The final question on the survey asked participants to, on a scale from 0-100% (0 = Total disagreement; 100 = Total Agreement), indicate their percent disagreement or agreement with the following statement: “People should not make fun of our jury system.” The mean answer was 49.01, implying that overall the participants were neutral on this statement. However, the standard deviation of 31.68 indicates instead that respondents’ opinions varied widely on this item on both sides of the agreement scale. Anticipating this, we followed the above item by a text field labelled: “Comments about this statement (optional).” We collected 95 usable responses varying from 5-6 words to 2-3 sentences. The qualitative data was analyzed using thematic analysis. Thematic analysis, according to Braun and Clarke (2006) “is a method for identifying, analyzing and reporting patterns (themes) within data,” allowing a researcher to organize and describe a data set (p. 82). We followed Braun and Clarke’s six-phase process for thematic analysis. The responses were analyzed without any pre-determined frames, except that they should relate in some way to the prompt statement. A total of 15 were removed due to this criterion, leaving 80 responses to be analyzed and coded.

From the analysis, four themes emerged. First, many comments articulated *why* the statement “making fun” was evaluated as positive, negative, or neutral/undecided. Second, there was a strong theme, particularly among the positive evaluative comments, about the use of “making fun” for critique and criticism. Third was the theme of freedom of speech. The fourth theme was the importance of the jury system. Often more than one theme occurred in a single response, so the numbers reported for each category are not mutually exclusive.

Overall there were 23 comments clearly indicating that “making fun” of the system is positive, 12 clearly indicating it had a negative effect, and 14 that were neutral or undecided. Positive responses indicated

that the use of humor was healthy and has the potential to create change. For example, “Making jokes about things tend to show the flaws,” and “Making fun can be a way to highlight inefficiencies or inequality in the system so it should be allowed.” A healthy sense of humor was indicated by this response: “Losing a sense of humor is not what will fix or improve any aspect of life. If something can be mocked, that means there are things about it that can be improved and thus shouldn’t be exempt from mockery.” Negative responses indicated that humor could be harmful. The importance of the system itself could be harmed, as in these responses: “We need to be careful not to de-legitimatize our jury system’ and “I feel that we could further improve our system if more people took the system seriously.” Some respondents further thought about the people in the system, and how their fates are no laughing matter: “I think people have the right to be critical of the system, but I don’t think it’s appropriate to joke about it (since it has significant impacts on the lives of those on trial),” and “(The) Jury system is who determines someone’s future so it should be taken very seriously.” The neutral or undecided responses often contained both positive and negative effects. For example, one undecided respondent said: “Humor making fun to point out flaws in systems is needed. Change hopefully will result. Humor undermining systems and not leading to possible constructive change may result in cynicism and disengagement.” Other responses in this category simply surmised that humor would be ineffective.

For the second theme, 18 respondents used words such as constructive feedback, critique, challenge, change, and criticism in their responses, indicating that the use of humor is on way to accomplish these key actions. For example, respondents wrote “We should be able to critique/challenge to spur change,” “There are definite problems with our jury system, and making fun of it is an entirely valid method of criticism,” and “Criticism sometimes will make people think.” One particularly well-thought out response was:

My neutral response is because I recognize that humor can be used to cause harm, but it can also be used as an effective means of opening a dialogue about aspects of our culture that need to be repaired. Our jury system needs to be repaired and therefore needs to be discussed more in everyday discourse.

It was not unexpected that 19 respondents stated or alluded to the freedom of speech, particularly because the right to criticize government entities is a key part of Americans’ concept of that right. For example, respondents said: “Freedom allows us to make fun of all things,” “People can critique social systems all they want,” and “Everything should be able to be critiqued.” One other memorable statement on this theme was: “People can make fun of our jury system just as they make fun of our judges, lawyers and our legal system in general.”

Regardless of how they felt about the use of humor, respondents repeatedly emphasized that the system is important (24 comments). A few chosen responses that fit into this theme include: “Juries are still the one way the People can influence our society.” “I think it’s fair to have a light-hearted laugh, but people should not always dismiss the jury system as a big joke,” and “...it is one of the hallmarks of living in a civil and free society.” The following analogy given by a respondent, however, indicates that humor and the importance of the jury system are not incommensurable:

People have the right to make fun of any system they want, however that doesn’t mean they don’t [need to] take seriously the civic responsibility of serving on juries. They are not mutually exclusive (i.e., I take driving seriously, but going to the DMV is still a comical experience).

Discussion

Summary

Cartoons that caricature the justice system are related to public perceptions and, possibly, stereotypes. This study found significant correlations between viewing CLOC and respondents' perceived reality of cartoons about jury bias, jury duty, and of the jury process as a whole. Although cause-and-effect is not tested here, greater exposure to cartoons that mock the jury is related, albeit minimally, to a greater propensity to see the American jury as an imperfect institution. Consumption of CLOC and the perceptions about its level of reality are in tune with actual perceptions. Thus, this genre of media is explicating, and possibly perpetuating, actual misconceptions that facilitate today's existential threat to the American jury system.

The justice system does not poll jurors for their IQ scores or for a list of their prejudices. We do not have the facts about such things as the predominant biases of our jurors. We do not have the numbers of people served with summons who try to avoid jury duty. All we have are polls, which give us opinions, not facts. For jurors unwilling or unable to attend to the facts of the case at hand, all they have is perception. For those of us in the public domain, who have never experienced the justice system for real as juror, plaintiff, witness, lawyer, judge, defendant, or spectator, perception is all we can cling to as our reality. And where do we go for those perceptions? We go to the movies, read a thrilling crime novel, watch any number of talk shows or crime dramas on television, listen to a friend's anecdotes about a personal experience with crime or justice, we read the comics, or...we look at cartoons. The results of this study show it is likely that the messages of crime- and legal-oriented cartoons will reflect, reinforce, and possibly contribute to our *misconceptions*.

Michael Saks (1998) opines about the illegitimacy of public opinion as it relates to the civil jury, declaring, "Public beliefs reflected in poll results are sometimes mistaken as being evidence bearing on the reality of the phenomenon at issue, rather than being merely statements of belief by people who may have no idea what they are talking about" (p. 223). And Saks is right—but does not go far enough. Public beliefs, whether reflected in poll results or in media created by ordinary people, do add much to our knowledge of public opinion, biases, and stereotypes. For it is public opinion, or perception, which bears on the faith that we as a nation of citizens and potential citizen-jurors put in our system of justice. We rely on fellow citizens having faith in the competence and seriousness of individual jurors for the system to work. In particular, our society depends on public trust in the jury to fill the seats in the jury box. As Conrad and Clements (2018) inform us:

Jurors often leave the jury-duty experience with a renewed sense of faith in the fairness and integrity of our government. However, as trials disappear, the risk of the public becoming increasingly disenchanting and distrustful of the American judicial system, and more importantly, of our democracy as a whole, becomes more real. (p. 168–169)

This study empirically confirms their claim. In an independent samples *t*-test, there was a significant difference between those, who have never served on a jury ($M = 65.69$, $SD = 29.75$, $N = 206$), and those who *have* served on a jury ($M = 83.91$, $SD = 17.84$, $N = 45$), such that people who have served on a jury at least once are significantly more willing to serve again, $t(105.30) = 5.41$, $p < .001$. In addition, when people learn about the justice system through the real, lived experience of serving on a jury, they become significantly less likely to believe the myths portrayed in the cartoons (see Table 3).

Limitations

The main limitation of this study is that it is fundamentally correlational. A study of this kind does not inform us about the actuality of those aspects we investigate; however, it does inform us about the impressions of the American jury our citizens derive from cartoons, and how much those impressions conform to public beliefs. Another limitation is the length of the online survey required to capture the multiple themes and misconceptions identified in the analysis of cartoons, necessitating a longer-than-optimal period of participation. The results of this investigation could guide other researchers in paring down the survey's number of questions or in choosing a subset of themes on which to focus.

Avenues of Future Exploration

With the findings reported herein, scholars could focus on a different type of jury perception—e.g., one could look into juror compliance with a judge's instructions and with courtroom behavior. Or, acknowledging the significant effects of age and media consumption habits, one could examine more variables associated with younger versus older adults. This type of experiment could assist in developing ways to persuade adolescents to respect the jury and be more willing to participate in civically beneficial activities, including voting.

Conclusion

Homicide is infrequently justifiable, but bromide usually is. Bromides, clichés, jokes, parodies, and caricature—they are some of the ways we laugh at our behavior, our opinions, our institutions, and ourselves. Our freedom of speech allows us this privilege, and as a culture, we thrive on it. We need not rein in the laughter, but perhaps it is time that we find a way to more effectively inform the public about the realities of American jurisprudence. Roberts (1992) weighs in on this point: “A priority for the criminal justice system is to dispel misperceptions of crime held by the public and misperceptions of public attitudes held by professionals and policymakers” (p. 99). We recommend that instruction about the jury system and participation as jurors in mock trials be introduced into the curricula of our schools and colleges. Introducing our young students to our institutions of justice and their agents just might lead to a greater appreciation and use of the real jury process and to the return to our citizens of their 6th, 7th, and 14th Amendment rights.

To this end, cartoons have much to tell us about where we need to focus our attention. As citizens and potential jurors, it is incumbent upon of us to learn and teach American citizens, beginning at an early age how the jury system really works and how each of us can contribute to its continued existence, use, effectiveness, and trustworthiness. Cartoons may always be with us to make fun of the “inevitable human foibles” within our institutions, as one respondent wrote. Nevertheless, by acknowledging these shortcomings, we can develop interventions to contravene cartoons' potential to erode trust in this critical system that Thomas Jefferson considered “the only anchor ever yet imagined by man, by which a government can be held to the principles of its constitution,” (Jefferson, 1859).

So, although the American jury may be great fodder for playful caricature, it is certainly no joke.

Notes

1. The author's name on the cartoon was illegible, so no citation can be given.
2. The defendant can expect to be judged by a jury of his or her peers. This unwritten "law" derives from the Equal Protection Clause of the 14th Amendment (Amendment XIV, 1868) and has been upheld on appeal in *Strauder v. West Virginia* (1880), 100 U.S. 303, which declared that the "defendant does have the right to be tried by a jury whose members are selected pursuant to nondiscriminatory criteria" (pp. 85-86).

References

- Amendment 6, Bill of Rights of the Constitution of the United States of America. U.S.C.S. Constitutional Amendment 6 (1791). Retrieved February 4, 2010, from <http://topics.law.cornell.edu/constitution/billofrights#amendmentvi>
- Amendment 14, Section 1, Equal Protection Clause of the Constitution of the United States of America. U.S.C.S. Constitutional Amendment 14 (1868). Retrieved February 4, 2010, from <http://topics.law.cornell.edu/constitution/amendmentxiv>
- Austin, A. (1995). The jury system at risk from complexity, the new media, and deviancy. *Denver University Law Review*.
- Bandura, A., Ross, D., & Ross, S. A. (1963). Vicarious reinforcement and imitative learning. *The Journal of Abnormal and Social Psychology*, 67(6), 601–07.
- Bandura, A. (2001). Social cognitive theory of mass communication. *Media Psychology*, 3(3), 265–299.
- Bornstein, B. H., Miller, M., Nemeth, Page, R. J., & Musil, S. (2005). Juror reactions to jury duty: Perceptions of the system and potential stressors. *Behavioral Sciences & the Law*, 23, 321–346.
- Bulwer-Lytton, E. (1884). In *Treasury of Thought: Forming an Encyclopedia of Quotations from Ancient and Modern Authors* (Ed., Maturin M. Ballou), p. 66. Boston: Houghton, Mifflin Company.
- Clover, C. J. (1998). Movie juries. *DePaul Law Review*, 48, 389, 389-90.
- Conrad, The Hon. R. J., & Clements, K. L. (2018). The vanishing criminal jury trial: From trial judges to sentencing judges. *The George Washington Law Review*, 861(2), 101-171.
- Coupe, W. A. (1969). Observations on a theory of political caricature. *Comparative Studies in Society and History*, 11(1), 79-95.
- Denvir, J. (1996). *Legal Reelism: Movies as Legal Texts*. Urbana, IL: University of Illinois Press.
- Gramlich, J. (2017). Jury duty is rare, but most Americans see it as part of good citizenship. Pew Research Center Factank. Retrieved on December 21, 2017 from <http://www.pewresearch.org/fact-tank/2017/08/24/jury-duty-is-rare-but-most-americans-see-it-as-part-of-good-citizenship/>
- Greer, C., & Reiner, R. (2015). Mediated mayhem: Media, crime, and criminal justice. (5th ed.) In: M. Maguire, R. Morgan & R. Reiner (Eds.), *Oxford Handbook of Criminology*. (pp. 245-278). UK: Oxford University Press. ISBN 978-0- 19959027-8 Retrieved on March 1, 2018 from <http://openaccess.city.ac.uk/4264/1/2012%20-%20Oxford%20Handbook%20-%20Mediated%20Mayhem.pdf>
- Hans, V. P. (2013). Jury jokes and legal culture. *DePaul Law Review*, 62(2), 391–413.
- Harris, D. A. (1993). The appearance of justice: CourtTV, conventional television, and public understanding of the criminal justice system. *Arizona Law Review*, 35, 785.
- Jefferson, T., & Washington, H. A. (1859). “The Writings of Thomas Jefferson: Correspondence.” New York: Derby & Jackson. (n.p.).
- Jonakait, R. N. (2003). *The American jury system*. New Haven, CT: Yale University Press.
- Klein, D. (1998). *Ally McBeal* and her sisters: A quantitative and qualitative analysis of representations of women lawyers on prime-time television. *Loyola of Los Angeles Entertainment Law Journal*, 18, 259.
- Kritzer, H. M. (2013). The trials and tribulations counting “trials.” *DePaul Law Review*, 62, 415-441.
- Machura, S., & Ulbrich, S. (2001). Law in film: Globalizing the Hollywood courtroom drama. *Journal of Law and Society*, 28(1), 117–132.
- Marek, J. G. (2004). *The Practice* and *Ally McBeal*: A new image for women lawyers on television? *The Journal of American Culture*, 22(1), 77–84.

- McNeely, C. L. (1995). Perceptions of the criminal justice system: Television imagery and public knowledge in the United States. *Journal of Criminal Justice and Popular Culture*, 3(1), 1-20. Retrieved on March 14, 2018 from <https://www.albany.edu/scj/jcpc/vol3is1/perceptions.html>
- Miller, M. K., & Bornstein, B. H. (2013). The experience of jurors: Reducing stress and enhancing satisfaction. *Stress, trauma, and wellbeing in the legal system*, 247-67.
- National Center for State Courts. (2014). Jury management. Retrieved December 21, 2017 from <http://www.ncsc.org/services-and-experts/areas-of-expertise/jury-management.aspx>
- Papke, D. R. (2016). American Lawyer and Courtroom Comedies. Retrieved January 13, 2019 from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2715766
- parody. (n.d.1). *The American Heritage® Dictionary of the English Language, Fourth Edition*. Retrieved February 06, 2018, from <http://dictionary.reference.com/browse/parody>
- Pickett, J. T., Mancini, C., Mears, D. P., & Gertz, M. (2015). Public (mis)understanding of crime policy: The effects of criminal justice experience and media reliance. *Criminal Justice Policy Review*, 26(5), 500-522.
- Reiner, R. (2007). Media-made criminality: The representation of crime in the mass media. In M. Maguire, R. Morgan, & R. Reiner (Eds.) *The Oxford handbook of criminology* (4th ed., pp. 302–340). Oxford, UK: Oxford University Press.
- Rice, J. C., & Sherman, W. (2013). Taking the pulse of the civil justice system. 2013 DRI National Poll on the Civil Justice System. Retrieved January 7, 2018 from <http://demo.dri.org/NewsPollResults2013>
- Robbennolt, J. K., & Studebaker, C. A. (2003). News media reporting on civil litigation and its influence on civil justice decision making. *Law and Human Behavior*, 27(1), 5–27.
- Roberts, J. V. (1992). Public opinion, crime, and criminal justice. *Crime and Justice*, 16(99-180).
- Saks, M. (1998). Perry Mason meets Sonny Crockett: The history of lawyers and the police as television heroes. *University of Miami Law Review*, 42, 229-283.
- Sarapin, S. H., & Sparks, G. G. (2009). Eyewitnesses to TV versions of reality: the relationship between exposure to TV crime dramas and perceptions of the criminal justice system. In *How Television Shapes our Worldview: Media Representations of Social Trends and Change*, 145-170.
- Shapiro, L. J. (2006). Public perceptions of the justice system: Findings from a national study. Retrieved February 2, 2010 from <http://www.cliffordlaw.com/abailinoisstatedelegate/public-perceptions-of-justice-11-17-06-final.pdf/view>
- Simon, D. (1991). *Homicide: A Year on the Killing Streets*. Boston, MA: Houghton Mifflin Harcourt.
- Stark, S. (1987). Perry Mason meets Sonny Crockett: The history of lawyers and the police as television heroes. *University of Miami Law Review*, 42, 229-283.
- Surette, R. (2014). *Media, crime, and criminal justice*. Nelson Education.
- Tsakona, V. (2009). Language and image interaction in cartoons: Towards a multimodal theory of humor. *Journal of Pragmatics*, 41, 1171–1188.
- Tyler, T. (1998). Public mistrust of the law: A political perspective. *University of Cincinnati Law Review*, 66, 847-875.
- Vaske, J. J., Beaman, J., & Sponarski, C. C. (2017) Rethinking internal consistency in Cronbach's alpha. *Leisure Sciences*, 39(2), 163-173, DOI: 10.1080/01490400.2015.1127189
- Vidmar, N. (1998). The performance of the American civil jury: An empirical perspective. *Arizona Law Review*, 40, 849-899.