

The Effects of Mitigating Circumstances on
Attributions of Responsibility

A Thesis

Presented to

The Faculty of the Department of Psychology
The College of William & Mary in Virginia

In Partial Fulfillment
Of the Requirements for the Degree of
Master of Arts

by

Charles Huff

APPROVAL SHEET

This thesis is submitted in partial fulfillment of
the requirements for the degree of

Master of Arts

Approved, June, 1983

Kelly A. Shaver

Dr. Kelly Shaver

Peter L. Derks

Dr. Peter Derks

Ingo Keilitz

Dr. Ingo Keilitz

John Nezlek

Dr. John Nezlek

TABLE OF CONTENTS

ACKNOWLEDGEMENTS..... iv
LIST OF TABLES..... v
LIST OF FIGURES..... vi
ABSTRACT..... vii
INTRODUCTION..... 2
METHOD..... 17
RESULTS..... 22
DISCUSSION..... 36
REFERENCES..... 46

ACKNOWLEDGEMENTS

I would like to express my appreciation to Professor Kelly Shaver for his consistent efforts to make me see the problem of excuses in a psychological light in addition to a philosophical one. It is my belief that his efforts were successful.

John Nezlek gave advice on the final draft of this paper that was essential to its coherence. It was because of an insight that Peter Derks had during a King's Mill discussion that the internal - external locus of causality of excuses first occurred to me. Ingo Keilitz kept me from stumbling into many and various legal pitfalls. Virgil McKenna provided inspiration that the question of excuses was worth investigating. Finally, thanks to all those participants at the King's Mill discussion for their willingness to help me translate philosophical jargon into psychological jargon.

LIST OF TABLES

| | |
|---|----|
| 1. Frequency distributions for all variables in the control group..... | 50 |
| 2. Cell means for manipulation checks..... | 51 |
| 3. Cell means for responsibility measures..... | 52 |
| 4. Cell means for the remaining variables..... | 53 |

LIST OF FIGURES

1. Excuse x Strength interaction for perceived personal sense of responsibility..... 55
2. Excuse x Strength x Intent interaction for perceived personal sense of responsibility..... 57
3. Excuse x Intention interaction for perceived choice..... 59

Abstract

This experiment was a first inquiry into the area of excuses. What excuses are is unclear, but evidence indicates (Jones & Berglas, 1978; Snyder, 1980) that people make excuses in order to evade responsibility. There has not been any research that directly faces the question @To what extent do people perceive and take into account excuses for behavior?@ Excuses are usually thought to be environmental factors (Austin, 1961) which can be cited as alternate causes for the negative effects of an action. The literature concerning the fundamental attribution error (Ross, 1977; Nisbett & Ross, 1980; Jones & Nisbett, 1972) indicates that observers are unwilling to take into account situational factors that may have influence on an actor.

An alternate explanation of this tendency to ignore environmental influences has been given by Harvey (1976) and Hamilton (1980). It may be the case, they claim, that the @threshold@ for the perception of environmental influence is higher when subjects are deciding about the responsibility of an actor than it is when the same subjects are deciding about the causal antecedents of the effects of an actor's action. This is because attribution of responsibility is based on a more restrictive rule (@could have done otherwise@ for Hamilton, 1980, and perceived freedom to choose the action for Harvey, 1976). Both of these rules refer to the strength of the environmental influence or excuse.

There are many different excuses, and one of the dimensions that excuses, for the sake of this experiment, were assumed to vary on was that of the internal or external locus of the excuse. Coercion is, presumably, an externally located excuse, Insanity is a presumably internally located excuse, while drug use is an excuse that has a questionable locus.

The perceived intention of the actor is another factor that influences the perceived strength of the external influence (Fincham & Jaspars, 1980). For this reason, a 3(type of excuse) x 2(strength of excuse) x 2(intention) factorial design was used. A control group was included in order to assess the effect of the mere presence of an excuse. Subjects watched a videotape in which a news announcer described a murder scene in which Mike Johnson had shot several students of Central State University by firing at them from a rooftop. After the news announcement, the videotape showed Mike engaged in a dialogue with his lawyer. It was during this dialogue that the manipulations of type of

excuse, strength of excuse, and intent of the actor took place. The control subjects saw only the news announcement.

The intent manipulation was successful, but the success of the strength manipulation was spotty, and not statistically reliable. There were no effects on attributed legal or moral responsibility. Nevertheless, there were significant differences among the excuses on probability of conviction, severity of recommended sentence, and prediction of the future similar behavior on the part of the accused. Coercion was the excuse that offered the most mitigation of probability of conviction and severity of sentence. Drugs and Insanity were undifferentiated on these two measures. Those subjects in the insane condition perceived the actor as significantly more likely to commit a similar crime in the future than those subjects in both the coercion and drugs conditions. These results combined indicate that the external excuse (coercion) was the most effective excuse, while the internally located excuse (insanity) was used more than the two others to predict future similar behavior.

The Effects of Mitigating Circumstances on
Attributions of Responsibility

The Effects of Mitigating Circumstances on
Attributions of Responsibility

"If someone, who is plainly mad to all the world, acts from an ordinary motive in the perpetration of an offence, he is presumed to have acted sanely, and with full capacity of responsibility. No greater mistake could well be made."

(Henry Maudsley, Responsibility in Mental Disease, 1897)

For as long as people have been accusing each other of wrongful acts, people have been excusing each other (and themselves) for their actions. The great English psychiatrist, Henry Maudsley, rightly recognized that some factors will change observers' attitudes about responsibility. By identifying a motive or a desirable effect of an action, an observer can increase his confidence that the act was intended (Jones & Davis, 1965). Or, by introducing an excuse, an actor can presume to alter the balance between personal causality and environmental (or impersonal) causality (Heider, 1958), thus hopefully changing the assigned responsibility for the negative effects of the action (Jones & Berglas, 1978). Excuses are important not only because of their widespread use by the layman, but also because the law will accept certain excuses as valid mitigators of responsi-

bility, conviction, and sanction. For both these reasons, it is surprising that excuses have been neglected in research on the assignment of responsibility (Brewer, 1977; Fincham & Jaspars, 1980).

There is, however, a long tradition of work on excuses in philosophy (Anscombe, 1957; Austin, 1961; Davidson, 1966; Nowell-Smith, 1966; Strawson, 1974). In an important article dedicated exclusively to this subject, Austin (1961) states that excuses are used to deny responsibility for an action by relating extenuating circumstances that relieve (if only partially) the actor from blame. Excuses, according to Austin, run the gamut from full pardon - "My arm was bumped" - to little, if any, relief - "I'm so clumsy".

What exactly excuses are is unclear, and in part, this paper is intended to explore this issue. It might be better to begin with a look at what people expect excuses to do and to then speculate about common traits all excuses may share. Excuses are made, Austin proposes, in order to evade responsibility. This proposition has been tested (Jones & Berglas, 1978; Snyder, 1980) under the heading of "self-handicapping strategies". According to these authors, people present excuses for their actions - sometimes even in advance of their actions - in order to evade full responsibility. For example, hypochondriacs, when told that their

performance on a task could be affected by their health, reported significantly more health problems than hypochondriacs who were told their health was unrelated to their performance on the task (Snyder, 1980). Some evidence indicates, then, that people do try to avoid responsibility by offering excuses. This research is concerned, however, only with the offering of excuses and not the acceptance of them. The success of self-handicapping strategies as evidenced by reductions in observer's attributions of responsibility has not been addressed in this literature. The process by which attributions of responsibility are mitigated in the presence of excuses is still unclear.

An indication of the possible types of process is given by another philosopher. Strawson (1974) makes a connection between a victim's feelings of resentment at being wronged or an observer's vicarious resentment of a wrong perpetrated upon another, and the attributions of responsibility that we make toward those who perpetrate those wrongs. A person's need to attribute responsibility to others is a function of our moral (by which Strawson means "emotive") reactions to the wrong. A victim of a crime can react in at least two ways to the offending person. The victim may analyze the reasons and motives of the offender, and take account of the mitigating circumstances, thereby coming to a conclusion

about the antecedent sources of the crime. On the other hand, the victim will certainly feel some resentment that his or her rights have been violated. The two modes of reaction to a wrongful act, the rational analytic mode and the reactive moralistic mode, may well be simultaneous reactions or one may occur without the other. Strawson states that attribution of responsibility is based largely on "reactive" processes that differ from scientific assessment of the situation. By contrast, acceptance of an excuse implies not a reactive process, but a process that seeks environmental influences, alternative causes, and mitigating circumstances.

What, then, makes excuses effective mitigators of responsibility and its counterparts? The perceived sources of an action's effects are divided into two broad categories by Heider (1958) - personal causality (the effect is caused by the person) and impersonal causality (the effect is caused by something other than the person. It is in impersonal causality - which, disregarding difficult cases, may be called environmental influence - that we may find the source of excuses. The levels of responsibility attribution are said by Heider to be "successive stages in which attribution to the person decreases and attribution to the environment increases" (Heider, 1958, p. 113). A look at the

five levels of responsibility attribution proposed by Shaw & Sulzer (1964) will show that as the level of attribution increases from association, through causality, foreseeability, intentionality, and finally to justifiability, the number and variability of acceptable excuses that could be offered also increases. An ascription of responsibility that relies on association will allow for little or no excuse. If the accused was in any way associated with the action, he or she is responsible regardless of extenuating circumstances. An ascription of responsibility that relies on foreseeability allows the accused to plead that the action's consequences were not foreseeable. An ascription of responsibility that relies on justifiability allows the accused to cite a host of environmental influences to excuse him or herself (Heider, 1958). This implies that the effectiveness of excuses lies in their modification of the perceived "relative contribution of environmental factors to the action outcome" (Heider, 1958, p. 113). That is, the more environmental influence an observer perceives to operate in the production of an effect, the more that environmental influence should "excuse" the actor from being considered the sole producer of the effect. This is very similar to a discounting effect (Kelley, 1973) in that the presence of an environmental explanation should reduce the

credence given to the actor as the sole cause of the effect.

An empirical question that could, at this point, be asked, is "To what extent do people perceive and take into account situational factors?" The answer to this question should incorporate the value and mode of operation of excuses. Experimental evidence indicates that the observers of an actor are more likely to identify something about the actor as the source of the action, while actors are more likely to identify something about the situation as the source for their action (see Jones and Nisbett, 1971, for an early review and Nisbett & Ross, 1980, for a more recent one). A study by Nisbett and Caputo (cited in Jones & Nisbett, 1971) is a good example of the tendency of observers to overattribute the sources of an action to the actor. In this study subjects were asked to describe why they and their best friends had chosen their respective majors. When explaining their own actions, the subjects listed about the same number of stimulus reasons (something about the major) as person reasons (something about themselves); when explaining the behavior of their friends, the subjects listed three times as many person reasons as stimulus reasons. Other studies (Bierbrauer, 1973; Jones & Harris, 1967; Jones, Rock, Shaver, Goethals, & Ward, 1968; Nisbett, Caputo, Legant, & Maracek, 1973; Storms, 1973) also

substantiate the effect.

The tendency of observers to ignore powerful situational determinants of behavior has been called the "fundamental attribution error" by Ross (1977) because he thinks a disregard for situational factors is not an accurate representation of the true determinants of the actor's behavior. He proposes that the tendency to attribute actions to personal reasons is an error in judgement and not what a truly rational man would do. The experimental evidence, then, answers "Not much." to the question "To what extent do people take into account situational factors?" and most experimenters propose that this disregard for situational explanations is an error on the part of the observers. The weight of the evidence suggests that dispositional sources are still more salient to observers than are situational factors, while the reverse is true for actors' perceptions of their own behavior.

Other theorists (Hamilton, 1980; Harvey, 1976) state that what Ross (1977) calls overattribution to the actor is not an error, but is actually an alternative decision rule that is different in process from assigning sources of behavior. When subjects "overattribute" an action to the actor, Hamilton claims that, in many instances, they are actually deciding whether or not the actor "could have done

otherwise" and mainly engaged in assigning responsibility to the actor on the basis of this rule.

In order to make this point, Hamilton describes two models of the attribution process, the scientific, "intuitive psychologist" model (based on Kelley's 1973 covariation principle) and the legal "intuitive lawyer" model (based on Jones & Davis' 1965 correspondent inference theory). This distinction is not unlike the one made by Strawson (1974) between scientific and reactive models of behavior. When subjects are attempting to infer the causes of behavior, states Hamilton, then one may speak truthfully of a fundamental attribution error, but when subjects are deciding about responsibility and sanctions, the fundamental attribution error is not applicable. When subjects are making judgments about responsibility, they are interested, says Hamilton, in what the rational man would do. They are concerned with whether the rational man could have done otherwise in the situation than did the real actor. If the rational man could have done otherwise, then the actor should be expected to have done otherwise also. Therefore, if observers are ascribing responsibility, the tendency to overattribute to the actor is not an error. The rule of "could have done otherwise" is only concerned with environmental influences if they could conceivably override the

choice of the person. If these external causal forces are not irresistible, if a rational man could have been expected to ignore or overcome them, then they are not counted as significant influences on the action and will therefore not be acceptable excuses. Mere influence is not enough. A "scientific" analysis of an action, states Hamilton, should take into account small influences by the environment, but a "legal" analysis need not be concerned with environmental influence until it is overwhelming. The stronger a perceived causal force the excuse is, the more effective mitigator of responsibility it should be. However, the perceived causal force of the excuse need not be linearly related to mitigation of responsibility, mitigation could occur only at high levels of perceived causal force and low levels of causal force could be ineffective in producing mitigation. It could be that the threshold for the perception of environmental influence is lower for subjects doing causal attribution than it is for subjects doing responsibility attribution. Conceivably then, the perceived strength of the excusing circumstance should affect its ability to mitigate responsibility attributed to the actor.

Social psychologists should, states Hamilton, be more careful in assuming what it is subjects are attempting to do when they interpret a social situation. Often, subjects are

lay scientists and are attempting to make veridical statements about the dispositions of other persons. On the other hand, observers may well be attempting to determine the responsibility of an actor for an effect the actor has already produced. When this is the case, subjects may be correctly interested in the valence of the act and less interested in environmental forces. Certainly if the external, environmental forces are so great that the actor was forced to commit the act, an observer should not hold the actor responsible. But, if the actor could have chosen another action, and instead picked this one, the observer can, with some degree of confidence, hold him responsible. It would seem, then, that the more choices an individual has in a situation, the more responsible that individual can be held for his action.

An objection to the idea of a fundamental attribution error was made before Hamilton's (1980) paper in an article by Harvey (1976). It is surprising that Hamilton does not refer to Harvey's theoretical or experimental work, for both writers seem to be saying much the same thing. Simply put, Harvey states that actors will claim little freedom in order to avoid sanctions, while observers will attribute perceived freedom in order to apply sanctions. Thus, actors will state that they felt they had little choice in deciding to

perform an action (in order to avoid sanctions) while observers will state that the actor had much freedom of choice (in order to apply sanctions). This difference in perception of freedom will result in the same sort of difference that Ross (1977) calls an attributional error, and is eminently rational when viewed from this perspective. In order to test this proposition, Harvey, Harris, & Barnes (1975) had actors give "shocks" to accomplices of the experimenter while observers watched. They found that observers attributed more freedom to refuse, and more choice in completing the job (shocking the accomplice) than did actors. Harvey reasons that this difference is the result of the observer's desire to apply sanctions to the actors and the actor's desire to avoid those sanctions. Here again there is an alternative interpretation of the actor - observer difference that is not based on causal analysis, but is concerned with the application of sanctions. These results imply that observers may be less receptive to excuses for actions than are actors in that observers perceive more ability to choose on the part of the actor and less influence of the environment.

The attributional behavior of subjects can be explained in terms of the desire of observers to ascribe responsibility and apply sanctions and the corresponding desire of

actors to avoid both responsibility and sanctions. The attribution of responsibility and the application of sanctions are, though related, two different things and they may vary as a function of the stimulus situations that evoke them (Fincham & Jaspars, 1980). Their status as alternative explanations for a fundamental attribution error is one factor among many that they share in common.

Both Hamilton (1980) and Harvey (1976) offer alternative explanations of the actor observer differences that do not imply a cognitive error on the part of the observers. The concept of "could have done otherwise" certainly seems similar to the concept of freedom of choice. As the number of perceived options is reduced, the perceived amount of choice should be curtailed and along with it the perceived freedom of the actor to do as he or she chooses. Can one then conclude that the two alternative explanations are speaking of the same concept? It certainly seems so, but two logically related concepts may or may not be related phenomenally to each other. Perceived freedom, (i.e. phenomenal freedom) may not be the same thing as the perception of whether or not the actor could have done otherwise. If they vary independently of one another, they could respond differentially to the perceived intent of the actor and the perceived strength of environmental factors.

The ability to choose one action rather than another ("could have done otherwise"), the perceived freedom of an individual, and the balance of power between the individual and the environment are all interrelated. The balance of power between the environment and the person is the basis for Heider's (1958) scale of levels of responsibility attribution. This balance, in turn, should affect the amount of perceived freedom and the perceived ability to choose one action instead of another. Perceived freedom and perceived ability to choose the action, should, in turn, affect the salience and mitigating power of an excuse. The experimental evidence (Harvey, 1976; Harvey, Harris & Barnes, 1975) indicates that this effect is attenuated by the desire of observers to apply sanctions, but if, as philosophers imply, excuses do have some effect, this effect should be mediated through the strength of the environmental force exerted on the actor. Thus, it appears that the strength of the environmental force is a major consideration in the effectiveness of an excuse.

A look at Austin's (1961) examples of excuses will show another characteristic of excuses that might affect their ability to mitigate responsibility. The two excuses mentioned above were "My arm was bumped" and "I'm so clumsy". One difference between these two excuses is that one has an

external, environmental source, and the other has an internal, dispositional source. It seems reasonable to suppose that excuses which are more externally based will have greater effect in changing the balance of personal (internal) and impersonal (external) causality. An excuse that finds its source in an internal disposition (clumsiness, stupidity, emotional weakness, etc.) may be harder for observers to identify as an impersonal cause for an action than an excuse that calls on external sources (coercion by another person, being pushed, etc.). There are, of course, gray areas: alcohol abuse or drug abuse, provocation (He hit me first), etc. It is possible that the usefulness of an excuse will depend partially on whether the excuse originates from an internal or an external source.

This paper has concentrated so far on attributes of the environment that might affect perceptions of responsibility. And rightly so, for the basis of an excuse is in the environmental force that it could exert on the actor. There is, however, another variable that is mentioned by Fincham & Jaspars (1980) that may affect the perceptions of the strength of the excuse. They state that as the perceived intention of an actor increases, the perceived influence or strength of effect of any environmental factors should decrease. They have gleaned this prediction from the legal

understanding of the condition of mens rea, or guilty mind. A person with a guilty mind is one who has "purposely, knowingly, recklessly, or negligently" (Fincham & Jaspars, 1980) committed an act. This is established, according to Fincham & Jaspars, using a discounting procedure. In other words, the perceived intentionality of an action is the inverse of the perceived environmental influence. It is not certain, and Fincham & Jaspars give no hints about, whether it is intentionality that is discounted because of environmental influence, or if rather, environmental influence is discounted because of perceived intention. In this case, then, it would pay to manipulate both perceived environmental influence and perceived intention and observe their effects on attributions of freedom, ability to choose, and responsibility.

This experiment was concerned with manipulating both perceived intention of the actor and the perceived strength of the excuse (the proposed environmental influence). As mentioned above, the type of excuse used for an action may well alter the effectiveness of that excuse. For this reason, three types of excuses were used - an excuse with a presumably external locus of causality (coercion), an excuse with a questionable locus of causality (drugs), and an excuse with a presumably internal locus of causality (insan-

ity). There was also a manipulation of strength of the environmental influence (strength of the excuse) in which the excuse was presented as either overwhelmingly strong or as weak. In order to control for the intent of the actor (Fincham & Jaspers, 1980), perceived intent of the actor was also manipulated, so that the actor appeared to have either intended the action or to have not intended it.

It was hypothesized that the pattern of responses to questions about responsibility would differ from the pattern of responses to questions concerning dispositional attributions (in this case measured by predicted future actions of the actor). This would indicate that attributing responsibility and attributing dispositions involve different processes. Further, those subjects in the high strength of excuse condition should attribute less responsibility, less probability of conviction, and recommend less severe sentencing than those in the low strength condition. Those subjects in the high intent condition should attribute more responsibility, more probability of conviction, and recommend more severe sentencing than those in the low intent condition. It was also hypothesized that the externally located excuse would produce more mitigation of responsibility, conviction, and sentencing than the internally located excuse, while also producing less perceived probability that

the actor would commit a similar act in the future.

Most of the other predictions that can be found in the literature can be phrased as correlational predictions. Perceived strength of the excuse and perceived intent of the actor should be negatively correlated (Fincham & Jaspars, 1980). Perceived freedom of the actor to choose and perceived amount that the actor "could have done otherwise" should both correlate positively with responsibility, conviction, and severity of sentencing.

Method

Subjects

Subjects were 68 males and 76 females enrolled in an Introductory Psychology class at the College of William & Mary. They received class credit for their participation. Subjects were run in groups according to which cell of the experiment they had been assigned. Each cell was run only once, and the size of each cell ranged from 8 to 14.

Independent Variables

As mentioned above, three types of excuses were used - an excuse with an assumed external locus of causality (coercion), an excuse with an assumed questionable locus of causality (drugs), and an excuse with an assumed internal locus of causality (insanity). Insanity was chosen as the inter-

nal locus excuse because, though it is presumably inflicted on an unwilling person, it may prove difficult for subjects to separate the insanity from the insane person. Coercion by another person was chosen as the external locus excuse because, though it is separate from the actor, it requires some overt action on the part of the actor. Drugs were chosen as the questionable locus excuse because, in an informal pretest, that excuse was believed more readily than the excuse of alcohol. Crossed with this type of excuse factor was a manipulation of the strength of the excuse. This strength factor had two levels, strong and weak. Within each cell of these conditions, half of the subjects learned that the actor had contemplated the action before (high intention) while half of the subjects heard the actor deny any premeditation of the act (low intention). Finally, a control group was also included that received none of these manipulations in order to determine if there were any mitigating effects for just the presence of an excuse. This resulted in a 3 x 2 x 2 factorial design with a control group.

Stimulus Materials

Stimulus materials were videotapes of an interview, ostensibly between a lawyer and his client. The viewer looked over the lawyer's shoulder and at the accused. There

was only one light on the set, and that was behind the accused, creating a silhouette so that the actor's facial features could not be easily discerned. The videotapes were in color, and were from four to five minutes in length. The first section of the film contained a news announcement by a commentator. The commentator informed the viewers that the accused was a computer programmer for Central State University, and had been fired from his job about two weeks before the interview occurred. He also explained that the accused had, two days before the present interview, climbed atop one of the campus buildings of Central State University and begun firing into the students changing classes.

The commentator then stated that the forthcoming interview was between the accused Mike Johnson and his lawyer. The interview began with a monologue by Mike Johnson that contained the manipulation of the type of excuse and its strength. During this monologue, Mike mentioned his wife and also indicated that he thought that he should not have been fired from his job. In the coerced condition, Mike stated that he was forced to shoot the people by the "People's Liberation Front" who had either threatened to bomb his house (low strength) or kidnapped his wife (high strength). In the drugs condition, Mike pleaded that because of his depression he had taken a few drugs, but

still remembered his actions (low strength) or that he had taken "I don't know how many or what kind" of drugs and could remember very little of the incident (high strength). In the insane condition, Mike stated that he had suffered a "mental break" but was "perfectly fine now" (low strength) or that his mental break was so severe as to impede his present functioning (high strength). In the ensuing dialogue, the manipulation of intent took place. In the high intention condition, Mike showed little regret for his action and stated that "the bastards in the administration need something to shake them up". In the low intent condition, Mike was obviously contrite and said that he would "never think of doing something like that just to get back at the administration". Other responses of Mike varied across the conditions, and the complete scripts can be found in Appendix A. The dialogue was, except for the intent manipulation, substantially the same for each cell of the design.

Dependent Measures

The dependent measures consisted of eleven questions about the following perceptions or judgments: perceived strength of the excuse, perceived intention of the actor, possibility that the actor "could have done otherwise", perceived freedom of the actor to decide, moral and legal

responsibility of the actor, probability that the actor would "do the same sort of thing again", likelihood that the subject would convict that actor of the crime, recommended severity of the sentence, amount of responsibility that the actor felt for the action, and the likelihood that the actor would have done the action if the excuse not had any effect. The subjects provided their responses to the questions on nine point scales with higher scores in each case indicating more of the variable measured. The actual measures used can be found in Appendix B.

Procedure

When all the subjects had arrived for a session, Experimenter 1 told them that the purpose of the study was to investigate perceptions of televised courtroom situations, and the subjects were asked to sign forms indicating their voluntary consent to participate. After all the consent forms were collected, the tape was presented. Again, the tape consisted of a short introductory news comment and then the interview. Subjects in the control condition received only the news comment and therefore did not receive any of the manipulations of type of excuse, strength of excuse, or intent. The order of presentation of the tapes was randomly determined. When the tape was over, Experimenter 2 (who was blind to the hypotheses of the study) turned the tape off,

explained the dependent measures, and told the subjects to begin filling them out. When the subjects had given their responses, the questionnaires were collected, and the subjects were thoroughly debriefed by Experimenter 1.

Results

Data were analyzed with a 3 (excuse) x 2 (intent) x 2 (strength) analysis of variance with a control group. Further analysis was done within each excuse as a 2 (intent) x 2 (strength) analysis of variance. This method of analysis will slightly inflate the error rate in each 2 x 2 analysis (Kirk, 1968) as a function of the number of F tests performed. There are several ways to correct for this increase of Type I error, but none that is universally accepted. One method involves lowering alpha from .05 to a smaller value, but this method is indiscriminate in selection of those differences considered significant. For this reason, the .05 level of significance will be used, but exact probability levels will be reported with the F values so that the reader may judge the reliability of the reported F value. Average correlations (Guilford & Fruchter, 1973) were also computed between each pair of the eleven dependent measures. Fisher's r to z' transformation was used to test for selected

differences between these correlations (see Kirk, 1978).

Control Group

All the dependent measures reported here are on a scale of 1 to 9. Given this as the largest possible range, it is interesting that many of the ranges of the measures were high (5 to 9). Table 1 shows the frequency distributions of the nine dependent measures given to the control group.

Insert Table 1 about here

Two of the original eleven measures (strength of excuse and excuse effect) were omitted because the stimuli shown to the control group contained no information about any possible excuses available to the actor.

The standard deviations of the measures in the control condition were: perceived intent of the actor (SD = 2.33), amount of choice (SD = 1.84), perceived freedom (SD = 2.31), moral responsibility (SD = 2.12), prediction of a future similar action (SD = 1.86), conviction (SD = 1.07), sanction (SD = 1.27), personal sense of responsibility (SD = 1.65), legal responsibility (SD = 0.75).

The control condition was tested against the combined means of all the experimental groups and no significant dif-

ferences were found on the nine dependent variables that could be tested.

Manipulation Checks

Intent. In order to check for perceived intent of the actor, the subjects were asked "How likely is it that Mike intended to do what he did?" The main effect for the intent condition was significant, $F(1, 121) = 5.90, p = .017$. The high intent subjects perceived the stimulus person as having intended the action more ($M = 4.86$) than the low intent subjects ($M = 3.89$). The interaction between excuse and intent was not significant, $F(1, 38) = 1.45, p = .239$. The means for the manipulation checks can be found in Table 2.

Insert Table 2 about here

Strength. Subjects were also asked to rate the strength of the excuse by answering the question "How much influence did the drugs (insanity, or fear of the terrorists) have over Mike's actions?" The difference among these means was not significant, $F(1, 121) = 2.04, p = .156$. Normally, when there is no main effect, it is considered improper to test for simple effects (Kirk, 1968). But since the strength manipulation was central to this study,

and also since the strength manipulations for each excuse were different, the 2 x 2 analyses within excuses were still performed. It should be remembered that any significant differences in these post hoc tests may be due to random variation. In the subsequent analyses, the difference for strength was significant in the coerced condition, $F(1, 38) = 5.75$, $p = .022$, with the subjects in the strong excuse condition rating the influence of the excuse as higher ($M = 7.75$), than did those subjects in the low strength condition ($M = 6.63$).

This same difference held for the drugs condition (high strength: $M = 5.60$, low strength: $M = 5.13$). The difference in the insane conditions was not in the same direction, but was negligible: (high strength: $M = 7.10$; low strength: $M = 7.20$). The excuse x strength interaction was not significant, $F(2, 121) = 1.19$, $p = .306$.

Strength Index. A strength index was computed by subtracting the excuse effect from the perceived strength of the excuse. The excuse effect is the perceived likelihood that the actor would have performed the action if the excuse not had any effect. The excuse effect was obtained by having the subjects respond to the question "Assuming that Mike had not been at all afraid of the terrorists (emotionally unsta-

ble, or had not taken any drugs at all) what is the likelihood that Mike would have shot the people anyway?" There were no significant effects on the strength index in the overall analysis. Again, because of the importance of the strength manipulation in this study, a 2 x 2 analysis was done within each excuse. There were significant differences in the strength index in subsequent analyses in the drugs condition, $F(1, 45) = 4.21, p = .046$, and in the insanity condition, $F(1, 38) = 6.59, p = .014$. In the coerced condition, the mean for the high strength group was -1.53, while that of the low strength group was -1.93. The same direction held for the insanity condition, with the mean for the high condition being -.62 and that of the low condition being -2.05. The drugs condition did not evidence the same direction (high strength: $M = -2.40$; low strength: $M = -3.56$). The strength x excuse interaction, however, was not significant, $F(2, 121) = 1.04, p = .308$.

Responsibility Measures

Moral and Legal Responsibility. In light of the differences to be reported for conviction, severity of sanction, and prediction of the actor's future behavior, it is interesting that there were no significant effects for either moral or legal responsibility in either the overall

analysis or the subsequent 2 x 2 analyses.

The overall means for each of these measures were above the midpoint of the possible range with the mean for moral responsibility = 6.64, and the mean for legal responsibility = 7.35. The overall standard deviations for the two measures were: moral responsibility (SD = 2.22) and legal responsibility (SD = 2.06). There was a dramatic difference between the two variables in the shape of the distribution, with the kurtosis for legal responsibility being 2.07 and the kurtosis for moral responsibility being only .33 (the higher the kurtosis value, the more sharply peaked the distribution of scores). This suggests that moral responsibility varied more widely among the conditions than did legal responsibility.

Personal sense of responsibility. When subjects were asked "How responsible do you think Mike feels for shooting the people?" there were several significant differences. This appeared as a significant main effect in the intention factor, $F(1, 121) = 22.09, p = .000$, with subjects in the high intent condition perceiving that the stimulus person felt less responsible than did those subjects in the low intent condition. These means were 4.71 for low intent (higher numbers mean more perceived sense of personal responsibility) and 2.97 for high intent. This dependent

variable was also involved in an excuse x strength interaction, $F(2, 121) = 3.30, p = .040$. The subjects perceived that the accused felt less responsible under the high strength condition than under the low strength condition, but only for the person who pleaded insanity. This interaction is pictured in Figure 1.

Insert Figure 1 about here

This difference did not show up in any of the other excuses. There was also a significant excuse x strength x intention interaction in this variable, $F(2, 121) = 4.53, p = .013$. Most of this interaction can be seen to occur within low intent and across the three excuse conditions. This three way interaction is pictured in Figure 2.

Insert Figure 2 about here

For the low intent, high strength condition, there was a steady decrease in perceived sense of responsibility from coercion to drugs to insanity. The low intent, high strength means, across the excuse conditions were: coercion

(5.55), drugs (4.09), and insanity (2.75). This trend was reversed in the low intention, low strength condition - but only for insanity. These means were: coercion (4.72), drugs (4.23), and insanity (6.70). Only in the condition in which the accused pleaded insanity, the low strength of excuse and low intention conditions led to more perceived consciousness of personal responsibility than did high strength of excuse and low intention. The means for perceived personal sense of responsibility, legal and moral responsibility can be found in Table 3.

Insert Table 3 about here

Sanctions

Conviction. Subjects were also asked "If you were a jury member, how likely would you be to convict Mike?" There was a main effect for excuse on probability of conviction, $F(2, 121) = 3.60, p = .030$. Coercion was perceived as the best excuse ($M = 6.63$), while drugs and insanity were undifferentiated: $M = 7.62$ and $M = 7.20$ respectively (higher numbers mean higher probability of conviction). A test between means collapsed across the other 2 conditions substantiates this, yielding a significant difference between coercion and the combined effect of drugs and insan-

ity, $F(1,120) = 17.00$, $p = .000$ (see Winer, 1962, p. 209), while the test between drugs and insanity was not significant, $F(1,120) = 1.24$, $p = .268$. These two tests were orthogonal to each other. Interestingly, there was not a difference between the low intent, high strength, insane, and the low intent, low strength, insane, to correspond to the large difference mentioned above in sense of personal responsibility.

Sentencing. Subjects were also asked "How severe a sentence would you recommend for Mike?" For severity of sentence applied, there was, again, a main effect for type of excuse, $F(2, 121) = 3.98$, $p = .021$. In parallel with the results on probability of conviction, the excuse producing the least severity of sentence was coercion, $M = 5.27$, while drugs and insanity were not differentially effective, with means of 6.33 and 5.95 respectively. This claim is substantiated by the nonsignificance of the test for a difference between the drugs and insanity condition, $F(1,120) = .97$, $p = .327$, and the significance of the test of the combined means for drugs and insanity against the mean of the coerced condition, $F(1,120) = 15.82$, $p = .000$. These tests were orthogonal to each other. The means for conviction, severity of sentence, amount of perceived choice, and prediction of future behavior may be seen in

Table 4.

Insert Table 4 about here

Predictability Measures

Could have done otherwise. There were also some significant differences in response to the question "How possible is it that Mike could have done something other than shoot the people?". For this dependent measure, there was an interaction, $F(2, 121) = 3.32, p = .039$, between type of excuse and amount of intention. For both insanity and coercion, the subjects perceived more availability of choice in the low intention condition than in the high intention condition. The pattern for drugs, however, was different. In the drugs condition, the pattern was reversed, so that subjects in the low intention condition perceived more availability of choice and subjects in the high intention condition perceived less. Means for this group were 7.87 and 6.66 respectively. This interaction is pictured in Figure 3.

Insert Figure 3 about here

Prediction measure. There were relatively strong effects across type of excuse and intent when subjects were asked "How probable is it that Mike would do the same sort of thing again?" The effect in the excuse condition, $F(2, 121) = 5.90, p = .004$, was mainly due to a large increase in prediction for the insane condition ($M = 6.20$) in contrast to the small difference between coercion and drugs: $M = 4.51$ and 4.81 respectively. This is substantiated by the nonsignificance of the test between the means of coercion and drugs, $F(1, 120) = .416, p = .520$, and the significance of the test of the combined means of coercion and drugs against that of insanity, $F(1, 120) = 7.58, p = .007$. These tests were orthogonal to each other. Thus, the person pleading insanity was perceived as more likely to commit a similar crime than those pleading either coercion or intoxication. The effect for intention, $F(1, 121) = 10.30, p = .002$, was such that subjects in the low intention group perceived the person to be less likely to commit a similar crime again ($M = 4.45$) than did those subjects in the high intention condition ($M = 5.79$). It is interesting in light of the strong effects for prediction, conviction, and sanction, that there were no significant differences in either moral or legal responsibility.

Excuse effect. This was a measure of the likelihood

that the accused would have committed the act without the effect of the excuse. In order to assess this, subjects were asked "Assuming that Mike had not been at all afraid of the terrorists (emotionally unstable, or had not taken any drugs at all) what is the likelihood that Mike would have shot the people anyway?" There were main effects on this measure for both type of excuse and intent. The main effect for excuse, $F(2, 121) = 10.70, p = .000$, was concentrated in the difference between the drugs condition and the other two levels. The mean value for drugs was 4.49, while coerced was 3.21 and insane was 2.80. That the difference was mainly because of the drugs condition is substantiated by the significance of the test between the combined means of coercion and insanity against the mean of the drugs condition, $F(1, 120) = 38.78, p = .000$. In addition to this test, its orthogonal pair, the difference between the coerced and the insane condition, was not significant, $F(1, 120) = .32, p = .523$.

There was also a main effect for intent, $F(1, 121) = 25.5, p = .000$. Those subjects in the high intent condition perceived the accused as more likely to have committed the act ($M = 4.30$) than did those in the low intent condition ($M = 2.73$).

Relationships among measures

Because most of the hypotheses forwarded by theorists in this area are correlational in nature, it was of interest to inspect correlations among the dependent measures. All of the correlations reported in this section were computed on the entire sample ($N = 144$). The only exceptions to this case were those correlations involving the perceived strength of the excuse ($N = 133$), because this question could not be asked of the control group. Average correlations are reported (Guilford & Fructer, 1973) because they more correctly represent the overall correlations without regard to experimental effects. These average correlations retained the same pattern evidenced by the unmodified overall correlations, but most of the correlations improved. Probabilities associated with these correlations are reported conventionally, because most of them were below the .01 level of significance, and would be unaffected by a lowering of the alpha to .03. Perceived strength of excuse and perceived intent were negatively correlated, $r = -.43$, $p < .001$, as Fincham and Jaspars (1980) predict. As Harvey (1976) predicts, perceived freedom to choose was positively correlated with moral and legal responsibility, $r = .44$, $p < .001$ and $r = .49$, $p < .001$ respectively. Freedom to choose the action was also positively correlated with probability

of conviction and severity of sentencing, $\underline{r} = .52$, $\underline{p} < .001$ and $\underline{r} = .50$, $\underline{p} < .001$ respectively. Whether or not the accused "could have done otherwise" (Hamilton, 1980) was also correlated with probability of conviction, $\underline{r} = .64$, $\underline{p} < .001$, and with severity of sentencing, $\underline{r} = .43$, $\underline{p} < .001$, but was less strongly related to moral and legal responsibility, $\underline{r} = .26$, $\underline{p} < .01$ and $\underline{r} = .23$, $\underline{p} < .01$. These two dependent measures of freedom to choose and "could have done otherwise" could be considered as the same concept (though their correlation was low: $\underline{r} = .38$, $\underline{p} < .01$). It would be helpful, then, to determine whether they correlated differently with moral and legal responsibility. The correlation of perceived freedom with legal responsibility was significantly greater than that of "could have done otherwise" with legal responsibility, $\underline{z} = -1.84$, $\underline{p} < .05$. The correlation of perceived freedom with moral responsibility was greater than that of "could have done otherwise" with moral responsibility, but the difference was not significant, $\underline{z} = -1.30$, $\underline{p} = .095$.

The most startling result was the complete lack of correlation between either of the responsibility measures and the prediction measure. Moral responsibility failed to correlate with prediction that the accused would do similar acts in the future, $\underline{r} = -.06$, $\underline{p} > .15$. Legal responsibility

also had no correlation with predictions that the accused would commit similar acts in the future, $r = .09$, $p > .15$.

Discussion

It is evident from these results that different excuses are differentially effective in mitigating probability of conviction and severity of punishment. For both of these measures, coercion was perceived as the excuse offering the largest amount of mitigation. This is in line with the predictions stated earlier that excuses that are externally located are the best mitigators. Given the lack of significant difference between the control condition and the experimental group, it cannot be said that giving any excuse will reduce probability of conviction or reduce severity of punishment. The frequency distributions of the variables in the control condition (see Table 1) evidenced wide variation of response for each measure. It might, therefore, be possible to identify people (depending upon attitudinal factors) that are more willing to accept excuses than others.

The central question of this study may be phrased "To what extent do observers take into account situational factors in the form of excuses, and what is it about excuses that mediates this effect?" Given the significant differences in conviction, sentencing, and prediction of future

behavior, it is obvious that there were different effects of the excuse depending upon which excuse was invoked. The mediating factor may well be what Heider (1958, p. 113) calls the "relative contribution of environmental factors to the action outcome". Less responsibility, and therefore supposedly less sanction, is attributed as the balance between personal and environmental force tips in the favor of the environment. It should be remembered that one of the excuses in this study (coercion) was externally located, while another (insanity) was internally located. Excuses that find their source in the external environment should "distance" the action and its effects from the actor better than those excuses whose source is internal to the actor. This study provides experimental evidence to that effect. Probability of conviction, predictions that the accused would do a similar action again and severity of sentencing responded in accordance with the predictions made concerning the effectiveness of externally located excuses as opposed to internally located excuses. Those excuses that are "inseparable" from the actor should provide the least excuse, increase predictions that the actor would commit the action again, and do the least to mitigate probability of conviction and severity of sanction.

The large difference in predictions of future similar

actions for actors pleading insanity when compared to either drugs or coercion certainly suggests subjects had difficulty separating the insanity from the insane person. This difference indicates that there may be some truth in the notion that there are differential effects for different excuses dependent upon the degree of separation of the excuse from the actor. It certainly seems that the subjects considered insanity (strong or weak) to be a stable disposition that would lead the accused to commit the crime again, given the chance. Predictions that an actor will commit a similar act again in the future are indications that a disposition to commit similar acts has been inferred (Jones & Davis, 1968). It appears that the subjects perceived insanity to be an internal, stable disposition that will be effective in the determination of future actions.

In fact, lay opinion of insanity may well be the paradigmatic case of a lasting, stable, internal disposition. If this is so, it points up a difficulty with the conception of what a disposition actually is and how it is effective in producing behavior. Is it the insanity that produces the behavior, or is it the insane person? If the two are separable, one could hold the insanity "responsible" for the behavior and excuse the person. This would hold true if a disposition is a cause of behavior, but would not be true if

a disposition were considered to only "predispose" the person to the action. If this latter interpretation of dispositions is correct, it is the person that performs the behavior, and therefore the person who is held responsible for the action.

Excuses exert their effect by providing another causal explanation for the outcome of the action. Therefore, if insanity causes behavior, it is an excuse for that behavior; if, however, insanity only "predisposes" the person to do the behavior, then insanity is not a direct cause of the behavior and therefore a poor excuse - if any at all. Finally, one may speculate from the results that if insanity is a disposition (which the large differences in prediction indicate) and insanity is not an excuse (which the lack of difference in the responsibility measures seems to indicate), then dispositions do not cause behavior in at least the strict sense of the term "cause" required for something to be an excuse.

Both probability of conviction and severity of sanction respond to the difference in excuses dependent upon the source (internal, external) of the excuse. For both conviction and sanction, the drugs condition was slightly higher than the insane condition and much higher than the coerced condition. This increase for conviction and sanction in the

drugs condition may be a function of a confound of valence of the invoked excuse. Drug abuse is a negatively valenced action and its valence may well extend to the person abusing the drug. And, as Heider (1958) notes, a person who is negatively valenced will receive higher levels of punishment than one who is neutral with respect to valence. If this valence effect could be partialled out, it would be interesting to see whether or not a steady increase in both probability of conviction and severity of sanction would be established.

In the introduction to this study two different explanations of the mediating factor in responsibility were reported - Harvey's (1976) perceived freedom principle and Hamilton's (1980) "could have done otherwise" principle. Are these two different views of the same process, competing explanations, or different explanations for different processes?

The failure of the strength manipulation, which was specifically designed to test for these two principles, will make a concrete conclusion difficult to obtain, but there is something to be gained from correlational results. The correlations of perceived freedom with moral and legal responsibility, probability of conviction, and severity of sentencing were all significant at .001, with legal

responsibility having a significantly higher correlation with perceived freedom than with "could have done otherwise" and the difference between the correlations of moral responsibility with the two measures being marginally significant. In addition to this, the intercorrelation between perceived freedom and "could have done otherwise" was not as high as expected, being only .38. This would lead one to suspect that if "could have done otherwise" responds to anything in the stimulus situation, it does so with a fair amount of independence from the fluctuation of perceived freedom. So, if indeed "could have done otherwise" is a factor in attributing responsibility etc., its effects may well differ from those of perceived freedom. Again, these conclusions are tentative at best, and a clear manipulation of the strength of an excuse will be needed to establish some connection.

It is interesting in the light of the big differences found for recommended sentencing, predicted future action, and probability of conviction, that there were no differences in amount of legal or moral responsibility ascribed to the accused. The reason behind this may also explain the failure of the strength manipulation. It is possible that the severity of the crime (mass murder is deplored by most in our society) tended to wash out any effects that would have otherwise been found. This particular type of crime

was chosen in the first place because it seemed the only type of crime for which an excuse as desperate as insanity would be used. Because of the nature of the crime, subjects may well have been insensitive to a situation that would mitigate responsibility - but could have been receptive to mitigating probability of conviction or severity of punishment. These latter two measures may be more "flexible" to mitigating circumstances than is responsibility. The reaction to a crime of such gravity is such that very little can overcome the indignation of the observer and excuse the person. In alleviating one problem, we may well have caused another. An approach that would eliminate this difficulty - and possibly take advantage of it at the same time - would be to manipulate the severity of the offense. A difference that is evident at a lower severity of offense may disappear when a more severe crime is perpetrated. An excuse that will work when I have spilled coffee on your couch will not have the same effect if I have wrecked your car.

Another difficulty that was noted during the debriefing of the subjects was their disbelief in the truth of the accused's testimony. This was reflected in the odd pattern of responses to the question "How responsible do you think Mike feels for shooting the people?" This was mostly a function of the medium used. When the subjects reported

those cues to which they responded most, tonal, postural, and gestural cues were invariably reported as more important than verbal ones. These cues, when added to the subject's tendency to be skeptical in the first place, merely created error variance that had nothing to do with the theoretical variables being investigated. This particular study is an example of the attempt at ecological validity producing difficulty with the instantiation of the theoretical variable. A better instantiation (which could even save ecological validity) would be the use of newspaper articles to present the information about the actor.

Another question that needs answering is one raised by Hamilton (1980), "Are there two different processes - assigning responsibility and assigning causal status - or is one derived from the other?" It seems that the answer from this study would be yes; there are two processes and they are at least not identical. The complete lack of any correlation between the prediction variable and the two responsibility measures lends credence to this assertion. The two outcomes - assigned responsibility and prediction of future action - do not at all covary, and this suggests that different factors affect the different outcomes. Also the experimental evidence lends credence to this suggestion. There were large differences in the subject's predictions of

future similar action by the actor, but no significant differences in either perceived moral or perceived legal responsibility. Those factors that affected predictions by the subjects had no affect on the subject's ascription of responsibility to the actor. And if we assume that prediction is a type of causal attribution, these two processes are at least differentially affected by certain types of evidence.

Finally, we should gain some perspective on the "fundamental attribution error" from the results of this experiment. The lack of significant difference between the control group and the experimental group was in line with the predictions of Nisbett & Ross (1980) that subjects will pay more attention to the action of the actor and less attention to the situational factors (whence come excuses). There were, however, differences in the relative effectiveness of the different excuses, so it cannot be said that the subjects entirely ignored the situational excusing factors. For a crime of this magnitude, they may well have considered the excusing situational factors less relevant, but one cannot doubt that they were attended to. We may safely conclude that situational factors may be important, but their importance hinges on their salience, and, if they are excuses, their effectiveness depends on their ability to

"distance" the actor from the action.

References

- Anscombe, G. E. M. Intention, Oxford: Basil Blackwell, 1957.
- Austin, J. L. Philosophical papers. London: Oxford University Press, 1961.
- Bierbrauer, G. Effect of set perspective and temporal factors in attribution. Unpublished doctoral dissertation, Stanford University, 1973.
- Brewer, M. B. An information processing approach to attribution of responsibility. Journal of Experimental Social Psychology, 1977, 13, 58-69.
- Davidson, D. Actions, reasons, and causes. In B. Berofsky (Ed.), Free will and determinism. New York: Harper & Row, 1966.
- Fincham, F. D. & Jaspars, J. M. Attribution of responsibility: From man the scientist to man as lawyer. In L. Berkowitz (Ed.) Advances in experimental social psychology. Vol. 13. New York: Academic Press, 1980.
- Guilford, J. P., & Fruchter, B. Fundamental statistics in psychology and education. New York: McGraw-Hill, 1973.
- Hamilton, V. L. Intuitive psychologist or intuitive lawyer? Alternative models of the attribution process. Journal of Personality and Social Psychology, 1980, 39, 767 -

772.

- Harvey, J. H. Attribution of freedom. In J. H. Harvey, W. J. Ickes, & R. F. Kidd (Eds.), New directions in attribution research. Vol. 1. New York: Lawrence Erlbaum Associates, 1976.
- Harvey, J. H., Harris, B., & Barnes, R. D. Actor observer differences in the perceptions of responsibility and freedom. Journal of Personality and Social Psychology, 1975, 32, 22 - 28.
- Heider, F. The psychology of interpersonal relations. New York: Wiley, 1958.
- Jones, E. E., & Berglas, S. Control of attributions about the self through self-handicapping strategies. Personality and Social Psychology Bulletin, 1978, 4, 200-206.
- Jones, E. E., & Davis, K. E. From acts to dispositions, In L. Berkowitz (Ed.), Advances in experimental social psychology. Vol. 2, New York: Academic Press, 1965.
- Jones, E. E., & Harris, V. A. The attribution of attitudes. Journal of Experimental Social Psychology, 1967, 3, 1-24.
- Jones, E. E., & Nisbett, R. E. The actor and the observer: Divergent perceptions of the causes of behavior. In E. E. Jones, D. E. Kanouse, H. H. Kelley, R. E. Nisbett, S. Valins, & B. Weiner (Eds.), Attribution: Perceiving the causes of behavior. Morristown, New Jersey: General

- Learning Press, 1972.
- Jones, E. E., Rock, L., Shaver, K. G., Goethals, G. R., & Ward, L. M. Pattern of performance and ability attribution: An unexpected primacy effect. Journal of Personality and Social Psychology, 1968, 10, 317-340.
- Jones, E. E., & McGillis, D. Correspondent inferences and the attribution cube: A comparative reappraisal. In J. H. Harvey, W. J. Ickes, & R. F. Kidd (Eds.), New directions in attribution research. Vol. 1., Hillsdale, N.J.: Lawrence Erlbaum Associates, 1976.
- Kelley, H. H. The processes of causal attribution. American Psychologist. 1973, 28, 107 - 128.
- Kirk, R. L. Experimental design: Procedures for the behavioral sciences. Belmont, California: Brooks/Cole Publishing Co., 1968.
- Kirk, R. L. Introductory statistics. Belmont, California: Brooks/Cole Publishing Co., 1978.
- Nisbett, R. E., & Caputo, C. Personality traits: Why other people do the things they do. Unpublished manuscript. Yale University, 1971.
- Nisbett, R. E., Caputo, C., Legant, P., & Maracek, J. Behavior as seen by the actor and as seen by the observer. Journal of Personality and Social Psychology, 1973, 27, 154 - 164.

- Nisbett, R. E., & Ross, L. Human inference: Strategies and shortcomings of social judgement. Englewood Cliffs, New Jersey: Prentice-Hall, 1980.
- Nowell-Smith, P. H. Ifs and cans. In B. Berofsky (Ed.), Free will and determinism, New York: Harper & Row, 1966.
- Ross, L. The intuitive psychologist and his shortcomings: Distortions in the attribution process. In L. Berkowitz (Ed.), Advances in experimental social psychology (Vol. 10). New York: Academic Press, 1977.
- Shaw, M. E., & Sulzer, J. L. An empirical test of Heider's levels in attribution of responsibility. Journal of Abnormal and Social Psychology, 1964, 69, 39-46.
- Snyder, C. Hypochondriasis as a self-handicapping strategy. Unpublished manuscript, University of Kansas, 1980.
- Storms, M. D., Videotape and the attribution process: Reversing actor's and observer's point of view. Journal of Personality and Social Psychology, 1973, 27, 165 - 175.
- Strawson P. F. Freedom and resentment and other essays. London: Methuen, 1974.
- Winer, B. J. Statistical principles in experimental design. New York: McGraw-Hill, 1962.

Table 1
Frequency distributions for control condition

| Scale: | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|-------------------------|---|---|---|---|---|---|---|---|---|
| Measure: | | | | | | | | | |
| Intent | - | 1 | 2 | 1 | - | 2 | 3 | 1 | 1 |
| Choice | - | - | 1 | 1 | - | 1 | 1 | 4 | 1 |
| Free | 1 | - | - | - | 1 | 3 | - | 4 | 2 |
| Moral Resp. | - | - | 1 | 1 | 1 | - | 2 | 4 | 2 |
| Legal Resp. | - | - | - | - | - | - | 2 | 5 | 4 |
| Personal sense of Resp. | - | - | 1 | - | - | 1 | 5 | 2 | 2 |
| Prediction | - | 3 | 1 | 1 | 1 | 4 | 1 | - | - |
| Conviction | - | - | - | - | - | 2 | 2 | 5 | 2 |
| Sentence | - | - | - | 1 | 2 | 2 | 4 | 2 | - |

Table 2
Mean scores for manipulation checks

| Excuse: | Coercion | | Drugs | | Insanity | |
|----------------|----------|------|-------|-------|----------|------|
| | Low | High | Low | High | Low | High |
| Intent: | | | | | | |
| Strength: | Low | High | Low | High | Low | High |
| n: | 11 | 10 | 13 | 11 | 10 | 12 |
| Intent | 3.95 | 4.35 | 3.53 | 3.55 | 3.65 | 4.63 |
| Strength | 7.05 | 8.55 | 5.69 | 6.27 | 7.40 | 6.88 |
| Strength Index | 5.23 | 5.90 | 2.38 | 2.36 | 5.35 | 4.50 |
| | | | | -1.41 | 0.23 | 3.25 |
| | | | | | | 4.46 |

Table 3
Mean scores for responsibility measures

| Excuse: | Coercion | | Drugs | | Insanity | |
|-------------------------------|----------|------|-------|------|----------|------|
| | Low | High | Low | High | Low | High |
| Intent: | | | | | | |
| Strength: | Low | High | Low | High | Low | High |
| n: | 11 | 10 | 13 | 12 | 10 | 12 |
| Moral Resp. | 7.05 | 5.65 | 6.69 | 7.73 | 7.10 | 6.25 |
| Legal Resp. | 7.40 | 7.35 | 7.00 | 7.73 | 7.80 | 6.70 |
| Personal Sense of Resp. | 4.73 | 5.55 | 4.23 | 4.09 | 6.70 | 3.25 |
| | | | | 2.45 | 2.75 | 3.54 |
| | | | | 2.73 | 6.70 | 3.25 |
| | | | | 2.45 | 2.75 | 3.54 |

Figure 1
Excuse x intent interaction
for Perceived Choice

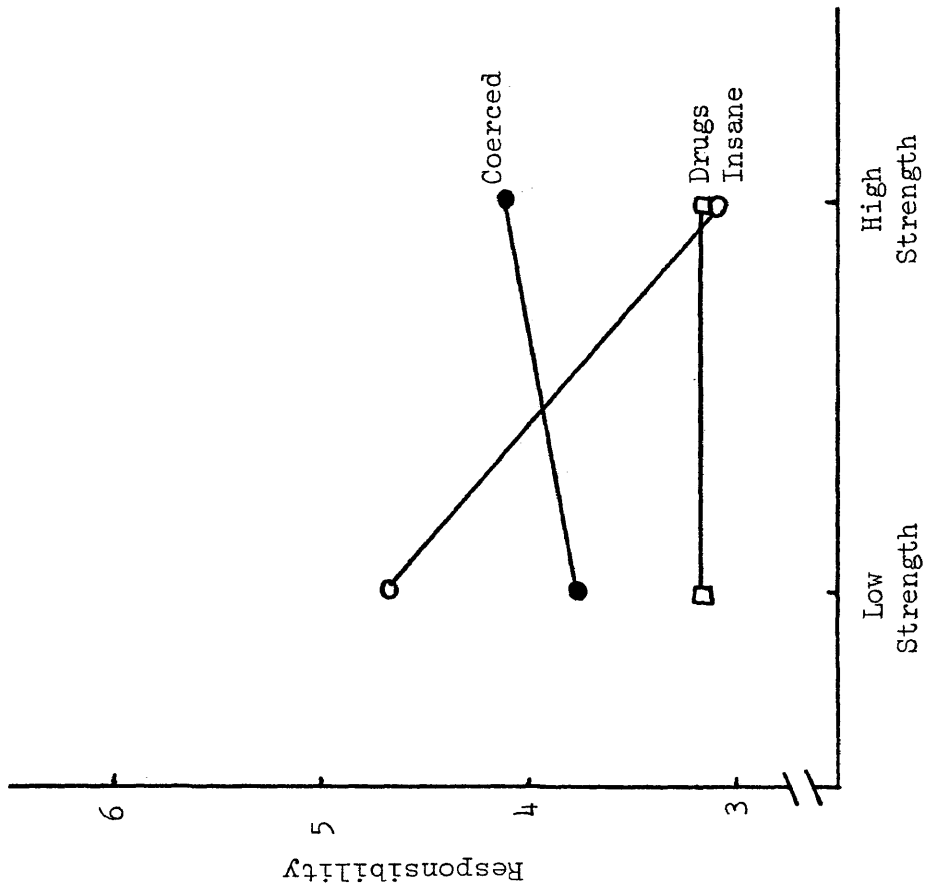


Figure 2

Excuse x strength x intent interaction
for perceived personal sense of responsibility

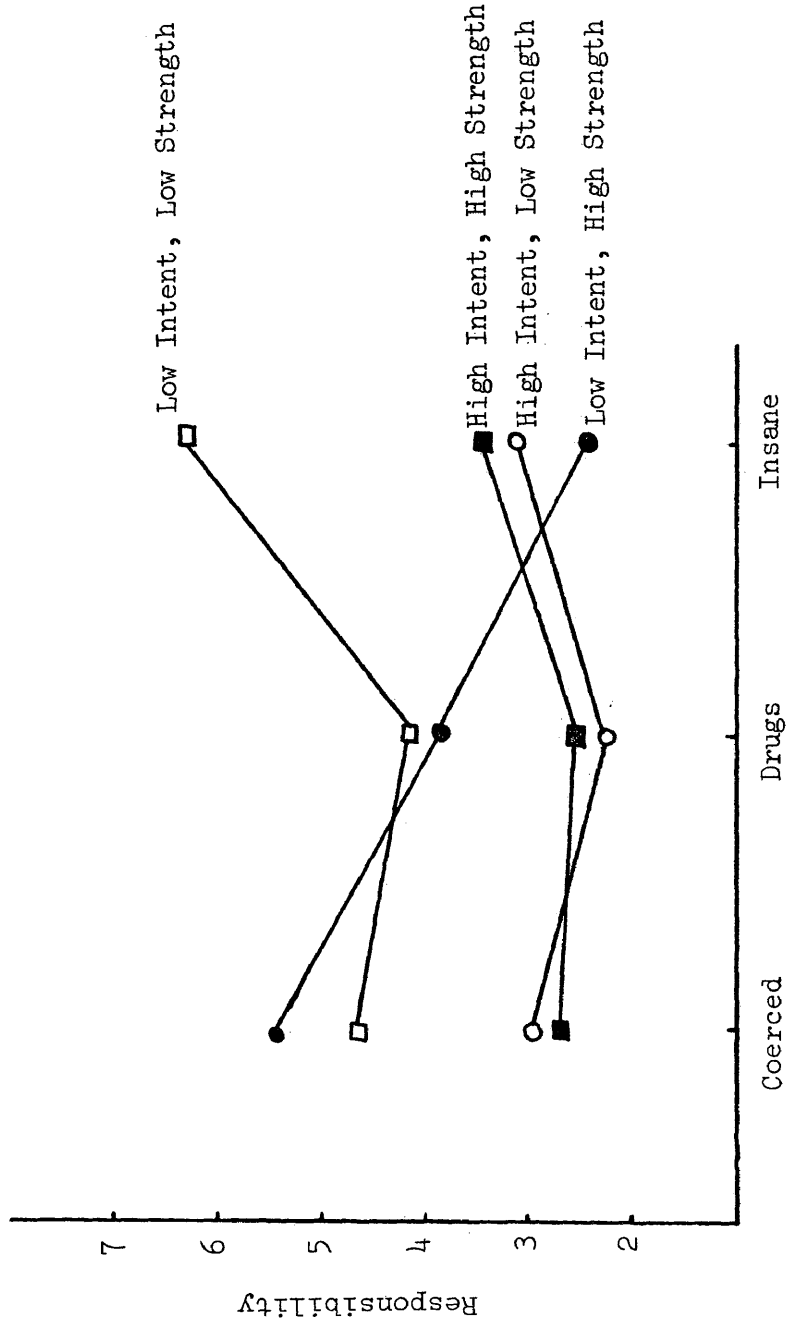
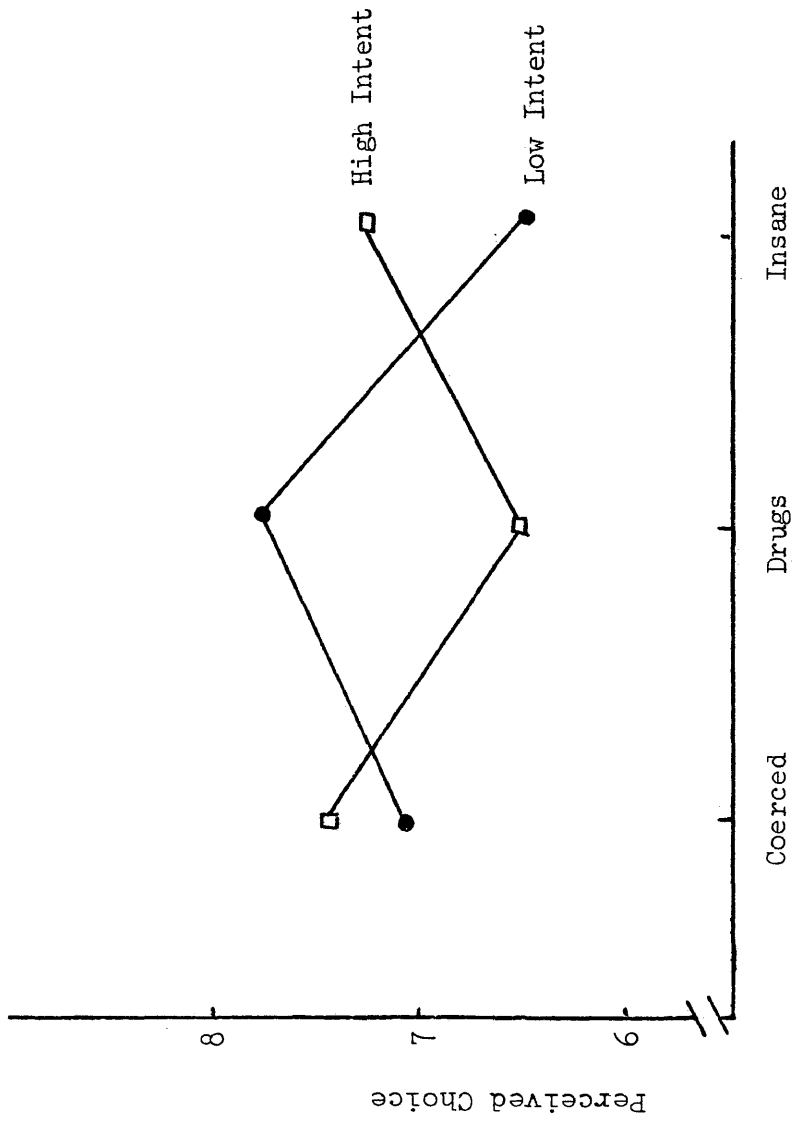


Figure 3

Excuse x Intention interaction for
perceived personal sense of responsibility



Vita

Charles Huff was born in Tampa, Florida, on October, 9, 1955. He graduated from Riverside Military Academy in 1973, and received his B.S. degree in Psychology from Georgia Southern College in 1977. After studying theology for a year at Asbury Theological Seminary, he enrolled in a Master's degree program in Philosophy at the University of South Florida. After completing the course work for that degree, he attended the Master's degree program in Psychology at the College of William and Mary in Virginia. He will receive both Master's degrees in August, 1983. He is presently a student in the Doctoral Program in Psychology at Princeton University.

APPENDIX ACoercion, Low Strength, Low intention

Commentator:

A week ago, Mike Johnson was a computer programmer for Central State University. Mike was fired from his job, and two days later, in what some have described as "an attempt to retaliate at the school", climbed atop one of the classroom buildings of the University at noon and began firing into the crowds of students changing classes. He kept up a steady rate of fire for 10 minutes until a local SWAT team arrived and the negotiator began to engage him in conversation. At this point he ceased fire and began to talk with the SWAT team. Twenty tense minutes passed while the police cleared the area and the ambulances took care of the victims. Finally, Mike Johnson surrendered in tears. When a toll was taken of the damage, it was found that 3 had been fatally injured, another 5 were in serious condition at a local hospital, and 2 persons were released from the emergency room after treatment for minor flesh wounds.

Mike is being charged with multiple counts of both murder and manslaughter. He was detained by the police and is

now under security at the state prison. The filmclip that you are about to see is a portion of a discussion between Mike and his lawyer, John Gordon. They are preparing for Mike's first court appearance by reviewing the kinds of questions that the prosecution will be sure to ask.

Gordon:

OK, Mike, its almost time for us to go to the courtroom, but we have enough time to go over your testimony about what happened and also review some of the questions you'll be asked. One of the first things I'll ask you is to give a description about what happened. Tell me again what you'll say, as if you are talking to the judge.

Johnson:

As I am sure you all know, on the day that the shootings occured, I was contacted by the 'People's Liberation Front' and told that if I did not conform exactly to their specifications they would have one of their members bomb my house. The man on the phone said that this action was forced upon them by the backward policies of the university. The school had cut off funding to the group and removed their status as a campus organization. They told me that I should climb onto the roof of classroom building (A) at twelve noon and shoot at the passing crowds. I thought it was a joke, until

someone showed up at the house about 11 AM. When I opened the door, he forced his way into the house and told me that he had come to escort me to classroom building (A). He then pulled a pistol on me and forced me to get into his car. He drove me to the building, got a suitcase out of the trunk, and led me up to the roof. After giving me the suitcase, he told me that it contained a high power gun. He then left, locking the door to the roof behind him. It was obvious to me that I had no choice left but to do as he said.

Gordon:

Okay, that's good. Now for some of the questions that the prosecution is bound to ask.

Have you had any connection with the People's Liberation Front before?

Johnson:

NO!, of course not. I didn't even know that they were in existence until they started calling me.

Gordon:

Wait a minute, wait a minute. You are implying that they have called you several times. Do you want to make that public knowledge?

Johnson:

Well -- no, but they had called me several times before.

G:

Well then, if you don't want them to know, you shouldn't give any hint that you've been contacted before. I think that you should place stress on the fact that the front's choice of you was arbitrary. Be sure you tell them that. A spokesman from the People's Liberation Front has already released a press statement to that effect and you should be sure to not contradict it.

J:

Do you think I want to? I know that their choice of me was arbitrary. I didn't know they existed and don't know much more now - don't want to know anymore.

G:

Allright, what about the statements that you were 'retaliating at the university'? Are those true?

J:

Oh come on! Of course not. I wouldn't think of shooting all those people just to get back at the administration. If anything, I'd shoot an administrator.

G: (quickly)

You don't want to say that either.

J:

Yeah, right. But everybody knows I wouldn't do something like that.

G:

Nope. Everyone doesn't know. Besides, the prosecution isn't looking to portray you as a nice guy, they want a conviction.

J:

Allright, allright, so I've never thought of shooting people for any reason and I can't make jokes in court.

G:

That's right. It won't seem like a joke when it becomes testimony. What about the possibility that you could have called the police to get you out of the situation.

J:

Well I sure couldn't call the cops when the man had a pistol to my back! Besides, I thought it was a joke until he showed up.

G:

But you still didn't have to start shooting, you could have avoided that.

J:

How? And have my house blown to bits? These guys were serious!

G:

Surely you value other people's lives more than you do your house?

J:

Yeah, sure I do, but I was under pressure then. I had just spent forty five minutes with a gun pointed at me. I didn't have time to think.

G:

Okay, just make sure the court realizes the extent of the pressure that you were under. (looks at watch) Its time. All you need to do is to be calm and answer the questions as honestly as possible. If someone asks a dangerous question, I'll catch it before you have to say anything.

(They both get up and walk out the door of the office.)

Coercion, Low Strength, High Intention

Commentator:

A week ago, Mike Johnson was a computer programmer for Central State University. Mike was fired from his job, and two days later, in what some have described as "an attempt to retaliate at the school", climbed atop one of the classroom buildings of the University at noon and began firing into the crowds of students changing classes. He kept up a steady rate of fire for 10 minutes until a local SWAT team arrived and the negotiator began to engage him in conversation. At this point he ceased fire and began to talk with the SWAT team. Twenty tense minutes passed while the police cleared the area and the ambulances took care of the victims. Finally, Mike Johnson surrendered in tears. When a toll was taken of the damage, it was found that 3 had been fatally injured, another 5 were in serious condition at a local hospital, and 2 persons were released from the emergency room after treatment for minor flesh wounds.

Mike is being charged with multiple counts of both murder and manslaughter. He was detained by the police and is now under security at the state prison. The filmclip that you are about to see is a portion of a discussion between Mike and his lawyer, John Gordon. They are preparing for a

Mike's first court appearance by reviewing the kinds of questions that the prosecution will be sure to ask.

Gordon:

OK, Mike, its almost time for us to go to the courtroom, but we have enough time to go over your testimony about what happened and also review some of the questions you'll be asked. One of the first things I'll ask you is to give a description about what happened. Tell me again what you'll say, as if you are talking to the judge.

Johnson:

As I am sure you all know, on the day that the shootings occured, I was contacted by the People's Liberation Front and told that if I did not conform exactly to their specifications they would have one of their members bomb my house. The man on the phone said that this action was forced upon them by the backward policies of the university. The school had cut off funding to the group and removed their status as a campus organization. They told me that I should climb onto the roof of classroom building (A) at twelve noon and shoot at the passing crowds. I thought it was a joke, until someone showed up at the house about 11 AM. When I opened the door, he forced his way into the house and told me that he had come to escort me to classroom building (A). He then

pulled a pistol on me and forced me to get into his car. He drove me to the building, got a suitcase out of the trunk, and led me up to the roof. After giving me the suitcase, he told me that it contained a high power gun. He then left, locking the door to the roof behind him. It was obvious to me that I had no choice left but to do as he said.

Gordon:

Okay, that's good. Now for some of the questions that the prosecution is bound to ask.

Have you had any connection with the People's Liberation Front before?

Johnson:

NO!, of course not. I didn't even know that they were in existence until they started calling me.

Gordon:

Wait a minute, wait a minute. You are implying that they have called you several times. Do you want to make that public knowledge?

Johnson:

Well -- no, but they had called me several times before.

G:

Well then, if you don't want them to know, you shouldn't give any hint that you've been contacted before. I think that you should place stress on the fact that the front's

choice of you was arbitrary. Be sure you tell them that. A spokesman from the People's Liberation Front has already released a press statement to that effect and you should be sure to not contradict it.

J:

Do you think I want to? I know that their choice of me was arbitrary. I used to not know they existed and don't know much more now - don't want to know anymore.

G:

~~All~~right, what about the statements that you were 'retaliating at the university'? Are those true?

J:

Well, I wish I had thought of doing something like that. The bastards in the administration need something to shake them up.

G: (quickly)

You don't want to say that either.

J:

Yeah, right. But everybody knows I was fired without reason. And I'm not sure people would believe me if I said I wanted to do it. I had thought about it - really. Maybe now somebody will wonder why I was fired.

G:

Nope. Noone wants to know. Besides, the prosecution isn't

looking to portray you as a victim of the school, they would rather show you as an accomplice of a terrorist group.

J:

Alright, alright, so I've never thought of shooting people for any reason and I can't make jokes to the court.

G:

That's right. It won't seem like a joke when it becomes testimony. What about the possibility that you could have called the police to get you out of the situation.

J:

Well I sure couldn't call the cops when the man had a pistol to my back! Besides, I thought it was a joke until he showed up.

G:

But you still didn't have to start shooting, you could have avoided that.

J:

How? And have my house blown to bits? These guys were serious!

G:

Surely you value other people's lives more than you do your house?

J:

Yeah, sure I do, but I was under pressure then. I had just

spent forty five minutes with a gun pointed at me. I didn't have time to think.

G:

Okay, just make sure the court realizes the extent of the pressure that you were under. (looks at watch) Its time. All you need to do is be calm and answer the questions as honestly as possible. If someone asks a dangerous question, I'll catch it before you have to say anything.

(They both get up and walk out the door of the office.)

Coercion, High Strength, Low Intention

Commentator:

A week ago, Mike Johnson was a computer programmer for Central State University. Mike was fired from his job, and two days later, in what some have described as "an attempt to retaliate at the school", climbed atop one of the classroom buildings of the University at noon and began firing into the crowds of students changing classes. He kept up a steady rate of fire for 10 minutes until a local SWAT team arrived and the negotiator began to engage him in conversation. At this point he ceased fire and began to talk with the SWAT team. Twenty tense minutes passed while the police cleared the area and the ambulances took care of the victims. Finally, Mike Johnson surrendered in tears. When a toll was taken of the damage, it was found that 3 had been fatally injured, another 5 were in serious condition at a local hospital, and 2 persons were released from the emergency room after treatment for minor flesh wounds.

Mike is being charged with multiple counts of both murder and manslaughter. He was detained by the police and is now under security at the state prison. The filmclip that you are about to see is a portion of a discussion between Mike and his lawyer, John Gordon. They are preparing for

Mike's first court appearance by reviewing the kinds of questions that the prosecution will be sure to ask.

Gordon:

OK, Mike, its almost time for us to go to the courtroom, but we have enough time to go over your testimony about what happened and also review some of the questions you'll be asked. One of the first things I'll ask you is to give a description about what happened. Tell me again what you'll say, as if you are talking to the judge.

Johnson:

As I am sure you all know, on the day that the shootings occured, I was contacted by the People's Liberation Front and told that Melissa, my wife, had been kidnapped. He said that I was to do exactly as they said or she would be killed. At first I didn't believe them. I thought that it was a sick joke by someone. Then Melissa spoke with me on the phone and assured me they were serious. I was sure it was her because she told me some things that only we two are supposed to know. Then the man grabbed the phone from her and told me that if I ever wanted to see her again, I would not call the police and do exactly as he said. He told me to wait for someone to show up at my house. That person would take me to the roof of classroom building(A) and sup-

ply me with a gun. I was to use the gun to fire on the crowds below. The man on the phone said that this action was forced upon them by the backward policies of the university. The school had cut off funding to the group and removed their status as a campus organization. There was nothing I could do but wait. About 11 AM someone drove up in the driveway and walked to the door. When I opened the door, he forced his way into the house and told me that he had come to escort me to classroom building (A). He then pulled a pistol on me and forced me to get into his car. He drove me to the building, got a suitcase out of the trunk, and led me up to the roof. After giving me the suitcase, he told me that it contained a high power gun. He then left, locking the door to the roof behind him. It was obvious to me that if I wanted to see my wife again, I had no choice left but to do as he said.

Gordon:

Okay, that's good. Now for some of the questions that the prosecution is bound to ask.

Have you had any connection with the People's Liberation Front before?

Johnson:

NO!, of course not. I didn't even know that they were in existence until they started calling me.

Gordon:

Wait a minute, wait a minute. You are implying that they have called you several times. Do you want to make that public knowledge?

Johnson:

Well -- no, but they had called me several times before.

G:

Well then, if you don't want them to know, you shouldn't give any hint that you've been contacted before. I think that you should place stress on the fact that the front's choice of you was arbitrary. Be sure you tell them that. A spokesman from the People's Liberation Front has already released a press statement to that effect and you should be sure to not contradict it.

J:

Do you think I want to? I know that their choice of me was arbitrary. I used to not know they existed and don't know much more now - don't want to know anymore.

G:

Alright, what about the statements that you were 'retaliating at the university'? Are those true?

J:

Oh come on! Of course not. I wouldn't think of shooting all those people just to get back at the administration. If

anything, I'd shoot an administrator.

G: (quickly)

You don't want to say that either.

J:

Yeah, right. But everybody knows I wouldn't do something like that.

G:

Nope. Everyone doesn't know. Besides, the prosecution isn't looking to portray you as a nice guy, they want a conviction.

J:

Alright, alright, so I've never thought of shooting people for any reason and I can't make jokes to the court.

G:

That's right. It won't seem like a joke when it becomes testimony. What about the possibility that you could have called the police to get you out of the situation.

J:

Well I sure couldn't call the cops when the man had a pistol to by back!

G:

But you still didn't have to start shooting, you could have avoided that.

J:

How? And have my my wife killed? These guys were serious!

G:

That's a hard choice, but couldn't you have tried to miss everyone?

J:

Yeah, sure I could have, but the guy told me I was supposed to hit people -- they wouldn't have given me my wife back if I hadn't. Besides, I had just spent 45 minutes with a gun at my back, was under too much pressure to spend a lot of time thinking. And I'm not a good shot - I had to hit someone and I couldn't control where I hit them.

G:

Okay, just make sure the court realizes the extent of the pressure that you were under. (looks at watch) Its time. All you need to do is be calm and answer the questions as honestly as possible. If someone asks a dangerous question I'll catch it before you have to say anything.

(They both get up and walk out the door of the office.)

Coercion, High Strength, High Intention

Commentator:

A week ago, Mike Johnson was a computer programmer for Central State University. Mike was fired from his job, and two days later, in what some have described as "an attempt to retaliate at the school", climbed atop one of the classroom buildings of the University at noon and began firing into the crowds of students changing classes. He kept up a steady rate of fire for 10 minutes until a local SWAT team arrived and the negotiator began to engage him in conversation. At this point he ceased fire and began to talk with the SWAT team. Twenty tense minutes passed while the police cleared the area and the ambulances took care of the victims. Finally, Mike Johnson surrendered in tears. When a toll was taken of the damage, it was found that 3 had been fatally injured, another 5 were in serious condition at a local hospital, and 2 persons were released from the emergency room after treatment for minor flesh wounds.

Mike is being charged with multiple counts of both murder and manslaughter. He was detained by the police and is now under security at the state prison. The filmclip that you are about to see is a portion of a discussion between Mike and his lawyer, John Gordon. They are preparing for

Mike's first court appearance by reviewing the kinds of questions that the prosecution will be sure to ask.

Gordon:

OK, Mike, its almost time for us to go to the courtroom, but we have enough time to go over your testimony about what happened and also review some of the questions you'll be asked. One of the first things I'll ask you is to give a description about what happened. Tell me again what you'll say, as if you are talking to the judge.

Johnson:

As I am sure you all know, on the day that the shootings occured, I was contacted by the People's Liberation Front and told that Melissa, my wife, had been kidnapped. He said that I was to do exactly as they said or she would be killed. At first I didn't believe them. I thought that it was a sick joke by someone. Then Melissa spoke with me on the phone and assured me they were serious. I was sure it was her because she told me some things that only we two are supposed to know. Then the man grabbed the phone from her and told me that if I ever wanted to see her again, I would not call the police and do exactly as he said. He told me to wait for someone to show up at my house. That person would take me to the roof of classroom building(A) and sup-

ply me with a gun. I was to use the gun to fire on the crowds below. The man on the phone said that this action was forced upon them by the backward policies of the university. The school had cut off funding to the group and removed their status as a campus organization. There was nothing I could do but wait. About 11 AM someone drove up in the driveway and walked to the door. When I opened the door, he forced his way into the house and told me that he had come to escort me to classroom building (A). He then pulled a pistol on me and forced me to get into his car. He drove me to the building, got a suitcase out of the trunk, and led me up to the roof. After giving me the suitcase, he told me that it contained a high power gun. He then left, locking the door to the roof behind him. It was obvious to me that if I wanted to see my wife again, I had no choice left but to do as he said.

Gordon:

Okay, that's good. Now for some of the questions that the prosecution is bound to ask.

Have you had any connection with the People's Liberation Front before?

Johnson:

NO!, of course not. I didn't even know that they were in existence until they started calling me.

Gordon:

Wait a minute, wait a minute. You are implying that they have called you several times. Do you want to make that public knowledge?

Johnson:

Well -- no, but they had called me several times before.

G:

Well then, if you don't want them to know, you shouldn't give any hint that you've been contacted before. I think that you should place stress on the fact that the front's choice of you was arbitrary. Be sure you tell them that. A spokesman from the People's Liberation Front has already released a press statement to that effect and you should be sure to not contradict it.

J:

Do you think I want to? I know that their choice of me was arbitrary. I used to not know they existed and don't know much more now - don't want to know anymore.

G:

Allright, what about the statements that you were 'retaliating at the university'? Are those true?

J:

Well, I wish I had thought of doing something like that. The bastards in the administration need something to shake

them up.

G: (quickly)

You don't want to say that either.

J:

Yeah, right. But everybody knows I was fired without reason. And I'm not sure people would believe me if I said I wanted to do it. I had thought of it - really. Maybe now somebody will wonder why I was fired.

G:

Nope. Noone wants to know. Besides, the prosecution isn't looking to portray you as a victim of the school, they would rather show you as an accomplice of a terrorist group.

J:

Allright, allright, so I've never thought of shooting people for any reason and I can't make jokes to the court.

G:

That's right. It won't seem like a joke when it becomes testimony. What about the possibility that you could have called the police to get you out of the situation.

J:

Well I sure couldn't call the cops when the man had a pistol to by back!

G:

But you still didn't have to start shooting, you could have

avoided that.

J:

How? And have my my wife killed? These guys were serious!

G:

That's a hard choice, but couldn't you have tried to miss everyone?

J:

Yeah, sure I could have, but the guy told me I was supposed to hit people -- they wouldn't have given me my wife back if I hadn't. Besides, I had just spent 45 minutes with a gun at my back, was under too much pressure to spend a lot of time thinking. And I'm not a good shot - I had to hit someone and I couldn't control where I hit them.

G:

Okay, just make sure the court realizes the extent of the pressure that you were under. (looks at watch) Its time. All you need to do is be calm and answer the questions as honestly as possible. If someone asks a dangerous question, I'll catch it before you have to say anything.

(They both get up and walk out the door of the office.)

Insanity, Low strength, High Intention

Commentator:

A week ago, Mike Johnson was a computer programmer for Central State University. Mike was fired from his job, and two days later, in what some have described as "an attempt to retaliate at the school", climbed atop one of the classroom buildings of the University at noon and began firing into the crowds of students changing classes. He kept up a steady rate of fire for 10 minutes until a local SWAT team arrived and the negotiator began to engage him in conversation. At this point he ceased fire and began to talk with the SWAT team. Twenty tense minutes passed while the police cleared the area and the ambulances took care of the victims. Finally, Mike Johnson surrendered in tears. When a toll was taken of the damage, it was found that 3 had been fatally injured, another 5 were in serious condition at a local hospital, and 2 persons were released from the emergency room after treatment for minor flesh wounds.

Mike is being charged with multiple counts of both murder and manslaughter. He was detained by the police and is now under security at the state prison. The filmclip that you are about to see is a portion of a discussion between Mike and his lawyer, John Gordon. They are preparing for

Mike's first court appearance by reviewing the kinds of questions that the prosecution will be sure to ask.

Gordon:

OK, Mike, its almost time for us to go to the courtroom, but we have enough time to go over your testimony about what happened and also review some of the questions you'll be asked. One of the first things I'll ask you is to give a description about what happened. Tell me again what you'll say, as if you are talking to the judge.

Johnson:

As I am sure you all know, just a few days before the shootings occured, I was fired from my job. My entire career was destroyed by this unjust action, and I was thrown into a deep depression. I did nothing for an entire day and would neither eat nor sleep. My wife could do nothing with me and told me I should go see a psychiatrist. That was on the morning of the shootings. It appeared to me as though my entire life had gone down the drain. I guess it was about 11 AM that I finally broke. I don't remember much except going to the gun cabinet. I had at that time intended to commit suicide. I must have been at that moment that the break occured. I am told that I drove my car to classroom building (A) and, hiding the gun, mounted the stairs to the

roof. It was when I heard the man from the police talking to me that I realized what I was doing and threw down my gun. It took me several minutes after that to see that the door to the roof was locked. I then went over to the door and let the police in. As you can see from this description of the facts, I was not aware of the actions I performed.

Gordon:

Okay, that's good. Now for some of the questions that the prosecution is bound to ask.

What about the statements that you were 'retaliating at the university'? Are those true?

J:

Well, I wish I had thought of doing something like that. The bastards in the administration need something to shake them up.

G: (quickly)

You don't want to say that either.

J:

Yeah, right. But everybody knows I was fired without reason. And I'm not sure people would believe me if I said I wanted to do it. I had thought about it - really. Maybe now somebody will wonder why I was fired.

G:

Nope. Noone wants to know. Besides, the prosecution isn't

looking to portray you as a victim of the school, they would rather show you as a scheming psychopath who likes to shoot people.

J:

Alright, alright, So I've never thought of shooting people for any reason and I can't joke with the press.

G:

That's right. It won't seem like a joke when it becomes testimony. What about the possibility that you could have called a doctor or a psychiatrist to get you out of the situation?

J:

Well I sure couldn't call a doctor before I knew it would happen. And while it was happening I didn't know what I was doing.

G:

But you still didn't have to start shooting, you could have avoided that.

J:

How? I told you that I wasn't in control!

G:

You know that, but you have to convince these people. Surely you value other people's lives enough that you could realize that you were shooting at innocent people.

J:

Yeah, sure I value people's lives. But I was under so much pressure about my financial situation that I couldn't think. And when it all finally broke, I didn't have time to think.

G:

Okay, just make sure the court realizes the extent of the pressure that you were under. (looks at watch) Its time. All you need to do is to be calm and answer the questions as honestly as possible. If someone asks a dangerous question, I'll catch it before you have to say anything.

(They both get up and walk out the door of the office.)

Insanity, Low Strength, Low Intention

Commentator:

A week ago, Mike Johnson was a computer programmer for Central State University. Mike was fired from his job, and two days later, in what some have described as "an attempt to retaliate at the school", climbed atop one of the classroom buildings of the University at noon and began firing into the crowds of students changing classes. He kept up a steady rate of fire for 10 minutes until a local SWAT team arrived and the negotiator began to engage him in conversation. At this point he ceased fire and began to talk with the SWAT team. Twenty tense minutes passed while the police cleared the area and the ambulances took care of the victims. Finally, Mike Johnson surrendered in tears. When a toll was taken of the damage, it was found that 3 had been fatally injured, another 5 were in serious condition at a local hospital, and 2 persons were released from the emergency room after treatment for minor flesh wounds.

Mike is being charged with multiple counts of both murder and manslaughter. He was detained by the police and is now under security at the state prison. The filmclip that you are about to see is a portion of a discussion between Mike and his lawyer, John Gordon. They are preparing for

Mike's first court appearance by reviewing the kinds of questions that the prosecution will be sure to ask.

Gordon:

OK, Mike, its almost time for us to go to the courtroom, but we have enough time to go over your testimony about what happened and also review some of the questions you'll be asked. One of the first things I'll ask you is to give a description about what happened. Tell me again what you'll say, as if you are talking to the judge.

Johnson:

As I am sure you all well know, just a few days before the shootings occured, I was fired from my job. My entire career was destroyed by this unjust action, and I was thrown into a deep depression. I did nothing for an entire day and would neither eat nor sleep. My wife could do nothing with me and told me I should go see a psychiatrist. That was on the morning of the shootings. It appeared to me as though my entire life had gone down the drain. I guess it was about 11 AM that I finally broke. I don't remember much except going to the gun cabinet. I had at that time intended to commit suicide. I must have been at that moment that the break occured. I am told that I drove my car to classroom building (A) and, hiding the gun, mounted the

stairs to the roof. It was when I heard the man from the police talking to me that I realized what I was doing and threw down my gun. It took me several minutes after that to see that the door to the roof was locked. I then went over to the door and let the police in. As you can see from this description of the facts, I was not aware of the actions I performed.

Gordon:

Okay, that's good. Now for some of the questions that the press is bound to ask.

What about the statements that you were 'retaliating at the university'? Are those true?

J:

Oh come on! Of course not. I wouldn't think of shooting all those people just to get back at the administration. If anything, I'd shoot an administrator.

G: (quickly)

You don't want to say that either.

J:

Yeah, right. But everybody knows I wouldn't do something like that.

G:

Nope. Everyone doesn't know. Besides, the prosecution isn't looking to portray you as a nice guy, they want a convic-

tion.

J:

Allright, altright, I've never thought of shooting people for any reason and that's true! My friends would think it was a joke if I told them I wanted to shoot anyone.

G:

That may be right. It won't seem like a joke when it becomes testimony. What about the possibility that you could have called a doctor or a psychiatrist to get you out of the situation?

J:

Well I sure couldn't call a doctor before I knew it would happen. And while it was happening I didn't know what I was doing.

G:

But you still didn't have to start shooting, you could have avoided that.

J:

How? I told you that I wasn't in control!

G:

You know that, but you have to convince these people. Surely you value other people's lives enough that you could realize that you were shooting at innocent people.

J:

Yeah, sure I value people's lives. But I was under so much pressure about my financial situation that I couldn't think. And when it all finally broke, I didn't have time to think.

G:

Okay, just make sure the court realizes the extent of the pressure that you were under. (looks at watch) Its time. All you need to do is be calm and answer the questions as honestly as possible. If someone asks a dangerous question, I'll catch it before you have to say anything.

(They both get up and walk out the door of the office.)

Insanity, High Strength, Low Intent

Commentator:

A week ago, Mike Johnson was a computer programmer for Central State University. Mike was fired from his job, and two days later, in what some have described as "an attempt to retaliate at the school", climbed atop one of the classroom buildings of the University at noon and began firing into the crowds of students changing classes. He kept up a steady rate of fire for 10 minutes until a local SWAT team arrived and the negotiator began to engage him in conversation. At this point he ceased fire and began to talk with the SWAT team. Twenty tense minutes passed while the police cleared the area and the ambulances took care of the victims. Finally, Mike Johnson surrendered in tears. When a toll was taken of the damage, it was found that 3 had been fatally injured, another 5 were in serious condition at a local hospital, and 2 persons were released from the emergency room after treatment for minor flesh wounds.

Mike is being charged with multiple counts of both murder and manslaughter. He was detained by the police and is now under security at the state prison. The filmclip that you are about to see is a portion of a discussion between Mike and his lawyer, John Gordon. They are preparing for

Mike's first court appearance by reviewing the kinds of questions that the prosecution will be sure to ask.

Gordon:

OK, Mike, its almost time for us to go to the courtroom, but we have enough time to go over your testimony about what happened and also review some of the questions you'll be asked. One of the first things I'll ask you is to give a description about what happened. Tell me again what you'll say, as if you are talking to the judge.

Johnson:

As I am sure you all know, just a few days before the shootings occured, I was fired from my job. My entire career was destroyed by this unjust action, and I was thrown into a deep depression. I did nothing for an entire day and would neither eat nor sleep. My wife could do nothing with me and told me I should go see a psychiatrist. That was on the morning of the shootings. It appeared to me as though my entire life had gone down the drain. I guess it was about 11 AM that I finally broke. I don't remember much except going to the gun cabinet. I had at that time intended to commit suicide. I must have been at that moment that the break occured. I am told that I drove my car to classroom building (A) and, hiding the gun, mounted the stairs to the

roof. It was when I heard the man from the police talking to me that I realized what I was doing and threw down my gun. It took me several minutes after that to see that the door to the roof was locked. I then went over to the door and let the police in.

Gordon:

Okay, that's good. Now for some of the questions that the press is bound to ask.

What about the statements that you were 'retaliating at the university'? Are those true?

J:

Why, would I do that? Come on John. I wouldn't think of shooting all those people. all those kids----- some of them-no, noone. An administrator?

G: (quickly)

You don't want to say that either.

J:

Yeah, right. But everybody knows I wouldn't do something like that.

G:

Nope. Everyone doesn't know. Besides, the prosecution isn't looking to portray you as a nice guy, they want a conviction.

J:

Alright. But I'm making a joke - to poke fun - a pun - but its not.

G:

It won't seem like a joke when it becomes testimony. What about the possibility that you could have called a doctor or a psychiatrist to get you out of the situation?

J:

Well sure I couldn't call a doctor before I knew it would happen. And while I was happening I didn't know what I was happening.

G:

But you still didn't have to start shooting, you could have avoided that.

J:

How? I told you that I was happening! My me was doing it. She was ---

G: (breaking in)

You know that, but you have to convince these people. Surely you value other people's lives enough that you could realize that you were shooting at innocent people.

J:

Yeah, sure I value people's lives. But I was under so much pressure about my me - my my - my, my, my- I couldn't think. And when it all finally broke, I didn't -- I don't-- have

time to think.

G:

Okay, just make sure the court realizes the extent of the pressure that you were under. (looks at watch) Its time. All you need to do is be calm and answer the questions as honestly as possible. If someone asks a dangerous question, I'll be before you have to say anything.

(They both get up and walk out the door of the office.)

Insanity, High Strength, High Intention

Commentator:

A week ago, Mike Johnson was a computer programmer for Central State University. Mike was fired from his job, and two days later, in what some have described as "an attempt to retaliate at the school", climbed atop one of the classroom buildings of the University at noon and began firing into the crowds of students changing classes. He kept up a steady rate of fire for 10 minutes until a local SWAT team arrived and the negotiator began to engage him in conversation. At this point he ceased fire and began to talk with the SWAT team. Twenty tense minutes passed while the police cleared the area and the ambulances took care of the victims. Finally, Mike Johnson surrendered in tears. When a toll was taken of the damage, it was found that 3 had been fatally injured, another 5 were in serious condition at a local hospital, and 2 persons were released from the emergency room after treatment for minor flesh wounds.

Mike is being charged with multiple counts of both murder and manslaughter. He was detained by the police and is now under security at the state prison. The filmclip that you are about to see is a portion of a discussion between Mike and his lawyer, John Gordon. They are preparing for

Mike's first court appearance by reviewing the kinds of questions that the prosecution will be sure to ask.

Gordon:

OK, Mike, its almost time for us to go to the courtroom, but we have enough time to go over your testimony about what happened and also review some of the questions you'll be asked. One of the first things I'll ask you is to give a description about what happened. Tell me again what you'll say, as if you are talking to the judge.

Johnson:

As I am sure you all well know, just a few days before the shootings occured, I was fired from my job. My entire career was destroyed by this unjust action, and I was thrown into a deep depression. I did nothing for an entire day and would neither eat nor sleep. My wife could do nothing with me and told me I should go see a psychiatrist. That was on the morning of the shootings. It appeared to me as though my entire life had gone down the drain. I guess it was about 11 AM that I finally broke. I don't remember much except going to the gun cabinet. I had at that time intended to commit suicide. I must have been at that moment that the break occured. I am told that I drove my car to classroom building (A) and, hiding the gun, mounted the

stairs to the roof. It was when I heard the man from the police talking to me that I realized what I was doing and threw down my gun. It took me several minutes after that to see that the door to the roof was locked. I then went over to the door and let the police in.

Gordon:

Okay, that's good. Now for some of the questions that the prosecution is bound to ask.

What about the statements that you were 'retaliating at the university'? Are those true?

J:

(this should be one of the few lucid statements)

Well, I wish I had thought of doing something like that. The bastards in the administration need something to shake them up.

G: (quickly)

You don't want to say that either.

J: (psychosis should reassert itself here)

Yeah, right. But everybody knows I was fired without reason. And I'm not sure people would believe me if I said I wanted to do it. I had thought about it - really I had. Maybe now somebody will wonder why I was fired - I'm tired- uh-wired.

G:

No, no, no. The prosecution isn't looking to portray you as

a victim of the school, they would rather show you as a florid psychotic who wants to kill people.

J:

Allright. But I'm making a joke - to poke fun - a pun - but its not.

G:

It won't seem like a joke when it becomes testimony. What about the possibility that you could have called a doctor or a psychiatrist to get you out of the situation?

J:

Well sure I couldn't call a doctor before I knew it would happen. And while I was happening I didn't know what I was happening.

G:

But you still didn't have to start shooting, you could have avoided that.

J:

How? I told you that I was happening! My me was doing it. She was ---

G: (breaking in)

You know that, but you have to convince these people. Surely you value other people's lives enough that you could realize that you were shooting at innocent people.

J:

Yeah, sure I value people's lives. But I was under so much pressure about my me - my my - my, my, my- I couldn't think. And when it all finally broke, I didn't -- I don't-- have time to think.

G:

Okay, just make sure the court realizes the extent of the pressure that you are under. (looks at watch) Its time. All you need to do is be calm and answer the questions as honestly as possible. If someone asks a dangerous question, I'll catch it before you have to say anything.

(They both get up and walk out the door of the office.)

Drugs, Low Strength, High Intention

Commentator:

A week ago, Mike Johnson was a computer programmer for Central State University. Mike was fired from his job, and two days later, in what some have described as "an attempt to retaliate at the school", climbed atop one of the classroom buildings of the University at noon and began firing into the crowds of students changing classes. He kept up a steady rate of fire for 10 minutes until a local SWAT team arrived and the negotiator began to engage him in conversation. At this point he ceased fire and began to talk with the SWAT team. Twenty tense minutes passed while the police cleared the area and the ambulances took care of the victims. Finally, Mike Johnson surrendered in tears. When a toll was taken of the damage, it was found that 3 had been fatally injured, another 5 were in serious condition at a local hospital, and 2 persons were released from the emergency room after treatment for minor flesh wounds.

Mike is being charged with multiple counts of both murder and manslaughter. He was detained by the police and is now under security at the state prison. The filmclip that you are about to see is a portion of a discussion between Mike and his lawyer, John Gordon. They are preparing for

Mike's first court appearance by reviewing the kinds of questions that the prosecution will be sure to ask.

Gordon:

OK, Mike, its almost time for us to go to the courtroom, but we have enough time to go over your testimony about what happened and also review some of the questions you'll be asked. One of the first things I'll ask you is to give a description about what happened. Tell me again what you'll say, as if you are talking to the judge.

JOHN:

As I am sure you all know, just a few days before the shootings occured, I was fired from my job. My entire career was destroyed by this unjust action, and I was thrown into a deep depression. I did nothing for an entire day and wouldn't even eat. That was the day before the shootings. It appeared to me as though my entire life had gone down the drain. I decided to get stoned so I could forget about it for a while. The drugs only exaggerated my depression. I felt worse than I had before and decided that my life wasn't worth living. I remember going to the gun cabinet. I had at that time intended to commit suicide. It must have been then that the I decided to act. I drove my car to classroom building (A) and, hiding the gun, mounted the stairs to the

roof. It was when I heard the man from the police talking to me that I realized what I was doing and threw down my gun. It took me several minutes after that to see that the door to the roof was locked. I then went over to the door and let the police in. As you can see from this description of the facts, I was not fully aware of the actions I performed.

Gordon:

Okay, that's good. Now for some of the questions that the prosecution is bound to ask.

What about the statements that you were 'retaliating at the university'? Are those true?

J:

Well, I wish I had thought of doing something like that. The bastards in the administration need something to shake them up.

G: (quickly)

You don't want to say that either.

J:

Yeah, right. But everybody knows I was fired without reason. And I'm not sure people would believe me if I said I wanted to do it. I had thought about it - really. Maybe now somebody will wonder why I was fired.

G:

Nope. Noone wants to know. Besides, the prosecution isn't looking to portray you as a victim of the school, they would rather show you as a drug addict that likes to shoot people.

J:

Alright, alright, so I've never thought of shooting people for any reason. My friends would think it was a joke if I told them I wanted to shoot anyone.

G:

That may be right. It won't seem like a joke when it becomes testimony. What about the possibility that you could have called a friend or someone to get you out of the situation?

J:

Well I sure couldn't call anyone before I knew it would happen. And while it was happening I didn't know what I was doing.

G:

But you still didn't have to start shooting, you could have avoided that.

J:

How? I told you that I was stoned!

G:

You know that, but you have to convince these people. Surely you value other people's lives enough that you could realize that you were shooting at innocent people.

J:

Yeah, sure I value people's lives. But I was under so much pressure about my financial situation that I couldn't think. And when it all finally broke, I didn't have time to think.

G:

Okay, just make sure the court realizes the extent of the pressure that you were under. (looks at watch) Its time. All you need to do is be calm and answer the questions as honestly as possible. If someone asks a dangerous question, I'll catch it before you have to say anything.

(They both get up and walk out the door of the office.)

Drugs, Low Strength, Low Intention

Commentator:

A week ago, Mike Johnson was a computer programmer for Central State University. Mike was fired from his job, and two days later, in what some have described as "an attempt to retaliate at the school", climbed atop one of the classroom buildings of the University at noon and began firing into the crowds of students changing classes. He kept up a steady rate of fire for 10 minutes until a local SWAT team arrived and the negotiator began to engage him in conversation. At this point he ceased fire and began to talk with the SWAT team. Twenty tense minutes passed while the police cleared the area and the ambulances took care of the victims. Finally, Mike Johnson surrendered in tears. When a toll was taken of the damage, it was found that 3 had been fatally injured, another 5 were in serious condition at a local hospital, and 2 persons were released from the emergency room after treatment for minor flesh wounds.

Mike is being charged with multiple counts of both murder and manslaughter. He was detained by the police and is now under security at the state prison. The filmclip that you are about to see is a portion of a discussion between Mike and his lawyer, John Gordon. They are preparing for

Mike's first court appearance by reviewing the kinds of questions that the prosecution will be sure to ask.

Gordon:

OK, Mike, its almost time for us to go to the courtroom, but we have enough time to go over your testimony about what happened and also review some of the questions you'll be asked. One of the first things I'll ask you is to give a description about what happened. Tell me again what you'll say, as if you are talking to the judge.

JOHN:

As I am sure you all well know, just a few days before the shootings occured, I was fired from my job. My entire career was destroyed by this unjust action, and I was thrown into a deep depression. I did nothing for an entire day and wouldn't even eat. That was the day before the shootings. It appeared to me as though my entire life had gone down the drain. I decide to get stoned so I could forget about it for a while. The drugs only exaggerated my depression. I felt worse than I had before and decided that my life wasn't worth living. I remember going to the gun cabinet. I had at that time intended to commit suicide. It must have been then that I decided to act. I drove my car to classroom building (A) and, hiding the gun, mounted the stairs to the

roof. It was when I heard the man from the police talking to me that I realized what I was doing and threw down my gun. It took me several minutes after that to see that the door to the roof was locked. I then went over to the door and let the police in. As you can see from this description of the facts, I was not aware of the actions I performed and should not be considered liable for those actions.

Gordon:

Okay, that's good. Now for some of the questions that the prosecution is bound to ask.

What about the statements that you were 'retaliating at the university'? Are those true?

J:

Oh come on! Of course not. I wouldn't think of shooting all those people just to get back at the administration. If anything, I'd shoot an administrator.

G: (quickly)

You don't want to say that either.

J:

Yeah, right. But everybody knows I wouldn't do something like that.

G:

Nope. Everyone doesn't know. Besides, the prosecution isn't looking to portray you as a nice guy, they want a convic-

tion.

J:

Allright, al~~r~~ight, I've never thought of shooting people for any reason - and that's true. My friends would think it was a joke if I told them I wanted to shoot anyone.

G:

That may be right. It won't seem like a joke when it becomes testimony. What about the possibility that you could have called a friend or someone to get you out of the situation?

J:

Well I sure couldn't call anyone before I knew it would happen. And while it was happening I didn't know what I was doing.

G:

But you still didn't have to start shooting, you could have avoided that.

J:

How? I told you that I was stoned!

G:

You know that, but you have to convince these people. Surely you value other people's lives enough that you could realize that you were shooting at innocent people.

J:

Yeah, sure I value people's lives. But I was under so much

pressure about my financial situation that I couldn't think. And when it all finally broke, I didn't have time to think.

G:

Okay, just make sure the court realizes the extent of the pressure that you were under. (looks at watch) Its time. All you have to do is be calm and answer the questions as honestly as possible. If someone asks a dangerous question, I'll catch it before you have to say anything.

(They both get up and walk out the door of the office.)

Drugs, High Strength, Low Intention

Commentator:

A week ago, Mike Johnson was a computer programmer for Central State University. Mike was fired from his job, and two days later, in what some have described as "an attempt to retaliate at the school", climbed atop one of the classroom buildings of the University at noon and began firing into the crowds of students changing classes. He kept up a steady rate of fire for 10 minutes until a local SWAT team arrived and the negotiator began to engage him in conversation. At this point he ceased fire and began to talk with the SWAT team. Twenty tense minutes passed while the police cleared the area and the ambulances took care of the victims. Finally, Mike Johnson surrendered in tears. When a toll was taken of the damage, it was found that 3 had been fatally injured, another 5 were in serious condition at a local hospital, and 2 persons were released from the emergency room after treatment for minor flesh wounds.

Mike is being charged with multiple counts of both murder and manslaughter. He was detained by the police and is now under security at the state prison. The filmclip that you are about to see is a portion of a discussion between Mike and his lawyer, John Gordon. They are preparing for

Mike's first court appearance by reviewing the kinds of questions that the prosecution will be sure to ask.

Gordon:

OK, Mike, its almost time for us to go to the courtroom, but we have enough time to go over your testimony about what happened and also review some of the questions you'll be asked. One of the first things I'll ask you is to give a description about what happened. Tell me again what you'll say, as if you are talking to the judge.

JOHN:

As I am sure you all know, just a few days before the shootings occured, I was fired from my job. My entire career was destroyed by this unjust action, and I was thrown into a deep depression. I did nothing for an entire day and wouldn't even eat. That was the day before the shootings. It appeared to me as though my entire life had gone down the drain. I decided to get stoned so I could forget about it for a while. The drugs only exaggerated my depression. Once I started I couldn't stop and I have no idea of the amount or kind of drugs I took. I felt worse than I had before and decided that my life wasn't worth living. I don't remember anything after going to the gun cabinet. I had at that time intended to commit suicide. It must have

been in that stupor that the break occurred. I am told that I drove my car to classroom building (A) and, hiding the gun, mounted the stairs to the roof. It was when I heard the man from the police talking to me that I realized what I was doing and threw down my gun. It took me several minutes after that to see that the door to the roof was locked. I then went over to the door and let the police in. As you can see from this description of the facts, I was not aware of the actions I performed and should not be considered liable for those actions.

Gordon:

Okay, that's good. Now for some of the questions that the prosecution is bound to ask.

What about the statements that you were 'retaliating at the university'? Are those true?

J:

Oh come on! Of course not. I wouldn't think of shooting all those people just to get back at the administration. If anything, I'd shoot an administrator.

G: (quickly)

You don't want to say that either.

J:

Yeah, right. But everybody knows I wouldn't do something like that.

G:

Nope. Everyone doesn't know. Besides, the prosecution isn't looking to portray you as a nice guy, they want a conviction.

J:

Allright, alright, I've never thought of shooting people for any reason - and that's true. My friends would think it was a joke if I told them I wanted to shoot anyone.

G:

That may be right. It won't seem like a joke when it becomes testimony. What about the possibility that you could have called a friend or someone to get you out of the situation?

J:

Well I sure couldn't call anyone before I knew it would happen. And while it was happening I didn't know what I was doing.

G:

But you still didn't have to start shooting, you could have avoided that.

J:

How? I told you that I wasn't in control!

G:

You know that, but you have to convince these people. Surely you value other people's lives enough that you could

realize that you were shooting at innocent people.

J:

Yeah, sure I value people's lives. But I was under so much pressure about my financial situation that I couldn't think. And with all those drugs in me I didn't have time to think.

G:

Okay, just make sure the court realizes the extent of the pressure that you were under. (looks at watch) Its time. All you have to do is be calm and answer the questions as honestly as possible. If anyone asks a dangerous question, I'll catch it before you have to say anything.

(They both get up and walk out the door of the office.)

Drugs, High Strength, High Intention

Commentator:

A week ago, Mike Johnson was a computer programmer for Central State University. Mike was fired from his job, and two days later, in what some have described as "an attempt to retaliate at the school", climbed atop one of the classroom buildings of the University at noon and began firing into the crowds of students changing classes. He kept up a steady rate of fire for 10 minutes until a local SWAT team arrived and the negotiator began to engage him in conversation. At this point he ceased fire and began to talk with the SWAT team. Twenty tense minutes passed while the police cleared the area and the ambulances took care of the victims. Finally, Mike Johnson surrendered in tears. When a toll was taken of the damage, it was found that 3 had been fatally injured, another 5 were in serious condition at a local hospital, and 2 persons were released from the emergency room after treatment for minor flesh wounds.

Mike is being charged with multiple counts of both murder and manslaughter. He was detained by the police and is now under security at the state prison. The filmclip that you are about to see is a portion of a discussion between Mike and his lawyer, John Gordon. They are preparing for

Mike's first court appearance by reviewing the kinds of questions that the prosecution will be sure to ask.

Gordon:

OK, Mike, its almost time for us to go to the courtroom, but we have enough time to go over your testimony about what happened and also review some of the questions you'll be asked. One of the first things I'll ask you is to give a description about what happened. Tell me again what you'll say, as if you are talking to the judge.

JOHN:

As I am sure you all know, just a few days before the shootings occured, I was fired from my job. My entire career was destroyed by this unjust action, and I was thrown into a deep depression. I did nothing for an entire day and wouldn't even eat. That was the day before the shootings. It appeared to me as though my entire life had gone down the drain. I decided to get stoned so I could forget about it for a while. The drugs only exaggerated my depression. Once I started I couldn't stop and I have no idea of the amount or kind of drugs I took. I felt worse than I had before and decided that my life wasn't worth living. I don't remember anything after going to the gun cabinet. I had at that time intended to commit suicide. It must have

been in that stupor that the break occurred. I am told that I drove my car to classroom building (A) and, hiding the gun, mounted the stairs to the roof. It was when I heard the man from the police talking to me that I realized what I was doing and threw down my gun. It took me several minutes after that to see that the door to the roof was locked. I then went over to the door and let the police in. As you can see from this description of the facts, I was not aware of the actions I performed and should not be considered liable for those actions.

Gordon:

Okay, that's good. Now for some of the questions that the prosecution is bound to ask.

What about the statements that you were 'retaliating at the university'? Are those true?

J:

Well, I wish I had thought of doing something like that. The bastards in the administration need something to shake them up.

G: (quickly)

You don't want to say that either.

J:

Yeah, right. But everybody knows I was fired without reason. And I'm not sure people would believe me if I said I wanted

to do it. I had thought about it - really. Maybe now somebody will wonder why I was fired.

G:

Nope. Noone wants to know. Besides, the prosecution isn't looking to portray you as a victim of the school, they would rather show you as a drug addict who likes to shoot people.

J:

~~Alright~~, ~~alright~~, so I've never thought of shooting people for any reason. And I can't make jokes in court.

G:

That's right. It won't seem like a joke when it becomes testimony. What about the possibility that you could have called a friend or someone to get you out of the situation?

J:

Well I sure couldn't call anyone before I knew it would happen. And while it was happening I didn't know what I was doing.

G:

But you still didn't have to start shooting, you could have avoided that.

J:

How? I told you that I wasn't in control!

G:

You know that, but you have to convince these people.

Surely you value other people's lives enough that you could realize that you were shooting at innocent people.

J:

Yeah, sure I value people's lives. But I was under so much pressure about my financial situation that I couldn't think. And with all those drugs in me I couldn't think.

G:

Okay, just make sure the court realizes the extent of the pressure that you were under. (looks at watch) Its time. All you have to do is be calm and answer the questions as honestly as possible. If anyone asks a dangerous question, I'll catch it before you have to say anything.

(They both get up and walk out the door of the office.)

How probable is it that Mike would do the same sort of thing again?

Not at all _____:_____:_____:_____:_____:_____:_____:_____ Extremely
Probable Probable

If you were a jury member, how likely would you be to convict Mike?

Not at all _____:_____:_____:_____:_____:_____:_____:_____ Extremely
Likely Likely

How severe a sentence would you recommend for Mike?

Not at all _____:_____:_____:_____:_____:_____:_____:_____ Extremely
Severe Severe

How responsible do you think Mike feels for shooting the people?

Not at all _____:_____:_____:_____:_____:_____:_____:_____ Extremely
Responsible Responsible

Assuming that Mike had not been at all afraid of the terrorists, what is the likelihood that Mike would have shot the people anyway?

Not at all _____:_____:_____:_____:_____:_____:_____:_____ Extremely
Likely Likely

If you were a jury member, how likely would you be to convict Mike?

Not at all _____:_____:_____:_____:_____:_____:_____:_____Extremely
Likely _____Likely

How severe a sentence would you recommend for Mike?

Not at all _____:_____:_____:_____:_____:_____:_____:_____Extremely
Severe _____Severe

How responsible do you think Mike feels for shooting the people?

Not at all _____:_____:_____:_____:_____:_____:_____:_____Extremely
Responsible _____Responsible

Assuming that Mike had not taken any drugs at all, what is the likelihood that Mike would have shot the people anyway?

Not at all _____:_____:_____:_____:_____:_____:_____:_____Extremely
Likely _____Likely

If you were a jury member, how likely would you be to convict Mike?

Not at all _____:_____:_____:_____:_____:_____:_____:_____ Extremely
Likely _____ Likely

How severe a sentence would you recommend for Mike?

Not at all _____:_____:_____:_____:_____:_____:_____:_____ Extremely
Severe _____ Severe

How responsible do you think Mike feels for shooting the people?

Not at all _____:_____:_____:_____:_____:_____:_____:_____ Extremely
Responsible _____ Responsible

Assuming that Mike had not been at all emotionally unstable, what is the likelihood that Mike would have shot the people anyway?

Not at all _____:_____:_____:_____:_____:_____:_____:_____ Extremely
Likely _____ Likely