



Jury and the Defense of Insanity

Rita J. Simon

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Thirty years after it was first published, the issues raised in *The Jury and the Defense of Insanity* remain pertinent. Rita James Simon examines how motivated and competent juries are, how well jurors understand and follow judges' instructions, their understanding of expert testimony, and the extent to which their own backgrounds and experiences influence their decisions. Simon provides a rare opportunity to observe how jurors go about the process of deliberating and reaching a verdict by following them into the jury room and recording their deliberations. This pathbreaking study of jury room behavior provides compelling evidence of the effectiveness of our trial by jury system.

The Jury and the Defense of Insanity was the product of an experimental study conducted as part of the University of Chicago Jury Project. Over 1,000 jurors were chosen to participate, not as volunteers, but as part of their regular jury duty, in two experimental trials, one on a charge of housebreaking, the other of incest. In each the insanity defense was raised. Court judges instructed the jurors to consider the recorded trials they were about to hear with all the care and seriousness they would give to a real criminal prosecution, and the taped recordings of their deliberations make it clear that they did just that. These recordings, along with responses to detailed questionnaires, yielded significant data, equally applicable to civil as to criminal cases. We learn their reactions to their fellow jurors; personal evaluations of the quality and effectiveness of deliberations; the degree to which religion, sex, social status, education, and like factors affect participation in and influence on the course of the deliberation; and the recounting of and reliance upon personal experience in seeking to reach a verdict, among other insights furnished by this study.

This is an exact record—not a description or recollected account—of the struggle of a jury to weigh evidence and achieve a just verdict. For lawyers whose job it is to win civil and criminal cases, for behavioral scientists who study male and female reactions in their cultural environment to the circumstances that confront them, and to all who are interested in how people behave and why, in a dramatic, socially significant situation, this is a fascinating and revealing book.

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