Trivial Persuasion in the Courtroom: The Power of (a Few) Minor Details

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Investigated the influence of trivial testimonial detail on judgments of 424 undergraduates who served as mock jurors. Ss read a summary of a court case involving robbery and murder. In Experiment 1, detailed testimony influenced judgments of guilt, even when the detail was unrelated to the culprit. In Experiment 2, detailed testimony was especially powerful when an opposing witness testified that she could not remember the trivial details. Subsequent analyses suggest that the impact of detailed testimony on guilt judgments is mediated by inferences about the eyewitnesses. When eyewitnesses provided more detail, they were generally judged to be more credible, to have a better memory for the culprit’s face and for details, and to have paid more attention to the culprit.

John Dean, former counsel to President Richard Nixon, testified before the Watergate committee of the United States Senate in 1973. Dean’s testimony contained details about dozens of meetings and conversations that took place over a period of several years. Some of Dean’s testimony was specific and concrete, as, for example, in the following description of a conversation with Robert Haldeman:

I felt I should tell Haldeman that I was going to meet with the prosecutors personally so I called him in California on the morning of April 8 before they departed for Washington. I made the call from Mr. Shaffer’s office and when I told him this he said that I should not meet with the prosecutors because, as he said, “once the toothpaste is out of the tube, it’s going to be very hard to get it back in.” (Select Committee on Presidential Campaign Activities, 1973, 1010)

When Dean first testified, some writers were so impressed by his memory for detail that they called him the “human tape recorder” (Neisser, 1981). This anecdote about John Dean raises several important questions. Does the amount of detail a person provides influence listeners’ decisions? If so, why are people impressed by detail? The present research addresses these questions using a jury simulation paradigm.

Recent research suggests that people are persuaded by testimony that contains trivial details. In one experiment (Bell & Loftus, 1988, Experiment 2) subjects read a summary of a court case involving a man who was accused of murdering a store clerk during a robbery. Two eyewitnesses to the shooting testified at the trial. The prosecution eyewitness was positive that the defendant had shot the clerk, while the defense eyewitness was positive that the defendant had not. As part of their testimony, each eyewitness described the store items that the culprit took with them as either “a few store items” (low detail), or “Kleenex, Tylenol, and a six-pack of Diet Pepsi” (high detail). The study involved a 2 × 2 design in which the detail in the prosecution testimony was either high or low and the detail in the defense testimony was either high or low. One important effect on judgments of guilt was found: Mock jurors who read highly detailed prosecution testimony were more likely to find the defendant guilty than those who read the less detailed prosecution testimony.

The power of detailed information in the context of mock trials has also been investigated by researchers who couched their findings in terms of “vividness” (Reyes, Thompson, & Bower, 1980; Shedler & Manis, 1986). In the experiment of Reyes et al., subjects read a summary of a drunk driving trial. Ten summaries of arguments (both circumstantial evidence and witness accounts) were provided for each side. Each argument had a vivid version (more detailed) and a pallid version (less detailed). For example, in a pallid version of a prosecution argument, the defendant was described as staggering against a serving table, knocking a bowl to the floor. In the vivid version, the defendant was described as staggering against a serving table and knocking a “bowl of guacamole dip to the floor, splattering guacamole all over the white shag carpet.” Some subjects read the vivid versions of the prosecution arguments and the pallid versions of the defense arguments, while other subjects read the pallid versions of the prosecution arguments and the vivid versions of the defense arguments. The trivial details in the vivid versions were designed to be irrelevant to the issue of the defen-
Johnson’s mother sees to it that her child washes and brushes after a delay of 2 days. Shedler and Manis (1986) used a similar design as that used by Reyes et al. (1980), but subjects heard a tape recording of a child custody case. The vivid versions in their study included colorful details that were designed to be irrelevant to the issue of the mother’s fitness as a parent. For example, some subjects read the following pallid version of a favorable argument: “Mrs. Johnson [mother] sees to it that her child washes and brushes his teeth before bedtime.” The vivid version added, “He uses a Star Wars toothbrush that looks like Darth Vader.” Shedler and Manis found that the vividness of the arguments influenced mock judge decisions immediately after the case was read, and also two days later.

We refer to the persuasive impact of trivial details on decisions as trivial persuasion. The phenomenon suggests that communicators should choose their words very carefully, because the minor details that a communicator reports might be as influential as information that has genuine significant value.

Why does trivial persuasion occur? Several studies have addressed this question. One possibility is that information is easier to remember when it contains trivial details. This may be because details make information vivid. Nisbett and Ross (1980) have suggested that vividly presented information has a greater impact on judgments than pallidly presented information because it is easier to remember. Although Shedler and Manis (1986) also found that vividness (degree of detail) influenced subjects’ memory for arguments, their causal modeling results indicated that the influence of vividness was not mediated by subjects’ memory for the arguments.

Could the power of trivial detail be due to inferences about the person reporting these details? Some empirical evidence suggests that the answer is yes. The results of Bell and Loftus (1988) suggest that the persuasive impact of highly detailed testimony on judgments of a defendant’s responsibility was due to inferences about the credibility of the witnesses. Witnesses were generally perceived to be more credible when they provided more trivial detail.

What general beliefs related to eyewitness credibility might mediate the impact of testimonial detail on judgments of a defendant’s guilt? We hypothesize that general beliefs about memory and attention (e.g., an eyewitness who remembered trivial details must have really been paying attention) mediate the impact of testimonial details on jurors’ judgments about a defendant. Unfortunately, in our prior work we did not have subjects rate the witnesses on dimensions other than credibility. Consequently, we did not obtain a conclusive answer to the proposed hypothesis. In the present research we addressed this hypothesis. Jurors may infer that the amount of detail reported reflects a witness’s memory for details. The juror may, in turn, reason that a witness who remembers details must have a good memory for central objects. Having a good memory for trivial details may imply a good memory for central objects because the witness is perceived to have paid a substantial amount of attention to the central objects (perhaps because the trivial details are perceived to be more difficult to remember). On the basis of this inferential model, we hypothesize that a witness who provides more trivial detail will be judged to be more credible (as previously demonstrated), to have a better memory for a central object (culprit) and for details, and to have paid more attention to the central object.

Trivial persuasion might be characterized as involving what Chaiken (1980) called heuristic information processing. In this mode of persuasion people rely primarily on simple and general rules (e.g., about source credibility) that may be based on past experiences or unfounded assumptions, and they de-emphasize detailed processing of the message content. This mode of persuasion contrasts with what Chaiken (1980) referred to as systematic information processing, in which people engage in detailed processing of the message content. This distinction between heuristic and systematic information processing is similar to the distinction made by Petty and Cacioppo (1981) between the peripheral route and central route to persuasion.

It can be argued, however, that trivial persuasion in the courtroom may not be completely characteristic of the heuristic mode of persuasion. The difference between the two modes of persuasion has to do with the degree of issue-relevant thinking. Systematic information processing involves substantial issue-relevant thinking, whereas heuristic information processing does not. In a courtroom, the evaluation of a witness’s credibility is a natural and important component in evaluating the message and making a decision. In order to determine the validity of the message, the juror must often evaluate the witnesses’ honesty, memory, and attention paid to the crime or accident. This is especially true when there is contradictory testimony. It can be argued that drawing inferences about the witnesses’ memory and attention paid is issue-relevant thinking because the substance of the witnesses’ testimony is their memory for an event. Thus, in the courtroom communicator-associated thoughts and message-associated thoughts are closely related. In short, trivial persuasion in the courtroom might be best characterized as a blend of systematic and heuristic information processing.

There is some evidence that trivial persuasion may involve overgeneralized and fallacious reasoning. Although the results of Schooler, Gerhard, and Loftus (1986) suggest that a good memory for sensory details of an object (yield sign) is more likely to be characteristic of a real, as opposed to an unreal, memory for the object, other evidence suggests that this relation is not always true. A good memory for details may not imply that a witness is highly credible or has a good memory for a culprit’s face. In the experiment of Wells and Leippe (1981), people were exposed to a staged theft and were later asked to

1 In our prior research (Experiment 2) the specificity of detail was varied on both sides of a criminal court case. In two cells the specificity of detail was equivalent on each side. Subjects were asked to give reasons for their judgments of the relative credibility of the eyewitnesses (they divided 100 points between the eyewitnesses). Subjects mostly gave reasons for why they gave more points to one witness than the other. Consequently, in two of the cells subjects did not mention anything related to the details in the testimony. For these subjects we had no indication of subjects’ inferences about the relation between detail specificity and memory. Moreover, we found that subjects gave reasons related to memory for defense witnesses even though defense detail had no effect on judgments.
make an identification of the culprit. People who were less likely to remember peripheral details (e.g., pictures on the wall) were more likely to have made an accurate identification. Interestingly, mock judges evaluated the credibility of the subject—witnesses to the theft as though they believed the opposite to be true. Moreover, other research has found no significant relation between identification accuracy and accuracy of prior descriptions about a suspect (Pigott & Brigham, 1985).

It is important to gain an understanding of the generality of trivial persuasion. In our prior work, the details were related to a central person involved in the crime or accident. For example, in one study (Bell & Loftus, 1988, Experiment 2), the details pertained to the store items that the culprit requested. In the present Experiment 1, we varied the relatedness of the detailed information to the culprit. The details were either related to the culprit (store items the culprit dropped) or unrelated to him (store items a customer dropped prior to the crime). Our prior mock jurors might have inferred that a witness who gave a highly detailed account paid a substantial amount of attention to the culprit at this particular time but was not necessarily the kind of person who paid a great deal of attention to people or who had an exceptional memory ability. If this was what our prior mock jurors inferred, it stands to reason that trivial details unrelated to the culprit may not have any influence on judgments of guilt. This would be true because the amount of attention paid to another person would not necessarily be indicative of memory for, and attention paid to, the culprit.

On the other hand, if people draw inferences about a witness’s abilities or dispositions from the degree of detail in the testimony, then unrelated detail should also have an impact on judgments of guilt. People may infer that a witness who pays close attention to an insignificant prior event, such as a customer dropping a box of Milk Duds and a can of Diet Pepsi, is the kind of person who pays close attention to people in general and who is therefore likely to have paid a considerable amount of attention to the culprit. People may also infer that having a good memory for unrelated details implies a good memory in general, particularly when the details remembered are rather insignificant. We predicted that unrelated detail would influence judgments because people would draw inferences about the witness’s abilities and dispositions from the amount of reported detail in the witness’s testimony.

Another concern of ours was whether trivial persuasion would be limited to a particular type of witness testimony. In our prior work the specificity of defense testimonial detail did not significantly affect judgments of a defendant’s guilt. We suspected that there might have been a floor effect. In the present research, we attempted to remedy this problem. We wished to demonstrate that trivial persuasion occurs regardless of whether the trivial details are contained in the testimony of a prosecution witness or a defense witness.

Experiment 1

The purpose of Experiment 1 was (a) to find out whether trivial details unrelated to the culprit would have an influence on judgments similar to trivial details related to the culprit, (b) to address the plausibility of the inferential model proposed, and (c) to find out whether the degree of detail in defense testimony can influence judgments of a defendant’s guilt. In order to confirm that the persuasive impact of highly detailed testimony was not due to the information in the testimony’s being easier to remember, we had subjects recall the information in the testimony and we performed analyses that ruled out this possibility.

Method

Subjects. Subjects were 302 students from lower division psychology courses at the University of Washington (129 males and 173 females). They received course credit upon completion of the experiment. Subjects participated in groups of 15 to 32 and were randomly assigned to conditions.

Design. The experiment involved a 2 × 2 × 2 between-subjects design. We varied the degree of detail of the prosecution eyewitness testimony (high vs. low), the degree of detail of the defense eyewitness testimony (high vs. low), and the relatedness of the critical detailed information to the culprit (related vs. unrelated). The detail was the same for prosecution and defense witnesses. There were 37 or 38 subjects in each of the eight cells.

Materials and procedure. At the beginning of the experiment subjects received a four-page booklet containing a synopsis of a criminal court case. The case was presented in the third person narrative. The entire case (excluding jury instructions and introductory paragraph) contained about 800 words. Subjects worked on the materials individually. Subjects were instructed to assume the role of a juror and to read the materials in the order presented. Finally, subjects were informed that they would make judgments on the case and that they should read through the materials as many times as needed.

The court case was the same as that used by Bell and Loftus (1988), with a few exceptions. Certain details pertaining to the culprit’s clothing were added to the eyewitness testimony. The clothing of the culprit, described by both eyewitnesses, matched the clothing that the defendant was wearing when he was stopped by the police on the night of the crime. This was done to make the case more evenly balanced in terms of guilt versus innocence than it had been shown to be in our prior work.

Subjects first read a few paragraphs describing the events leading to the defendant’s arrest. Subjects learned that a man walked into a small grocery store, pulled out a handgun, and demanded that the clerk give him the money in the cash register. The man shot and killed the clerk and then fled. The police stopped a car that matched the description given by the eyewitnesses. The man was positively identified by the prosecution eyewitness in a lineup.

Following the description of the events leading to the defendant’s arrest, subjects read brief jury instructions. They were informed that the prosecution must prove each element of the crime beyond a reasonable doubt. Moreover, they were informed that they were to find the defendant “not guilty” if they had reasonable doubt about any of the elements of the crime.

The prosecution’s case was presented first. Each side had seven or eight summaries of circumstantial evidence and one eyewitness account. The eyewitness account provided by each side was similar in length and wording. The primary difference was that the prosecution eyewitness testified that she was positive that the defendant was the man who shot the clerk, whereas the defense eyewitness was positive that defendant did not do it. Each eyewitness stated her age, occupation, vision and hearing ability, distance from the culprit when he shot the clerk, and the events that took place on the night of the crime.

The manipulations involved one sentence contained in each eyewitness description. The precise wording and location of the sentence depended upon the condition of the experiment in which the subject participated. Each eyewitness description contained a variation of a sentence that ended with “and stumbled and dropped them on his way out the door.” In related—high-detail versions, the sentence began with the
words "The man went and got a box of Milk Duds and a can of Diet Pepsi." In unrelated−high-detail versions, the sentence began with the words "She saw a boy purchase a box of Milk Duds and a can of Diet Pepsi." In all low-detail versions the words "a box of Milk Duds and a can of Diet Pepsi." were replaced with the words "a few store items." The sentences for the related and unrelated conditions were placed in the appropriate temporal sequence of events described by each eyewitness. The unrelated sentence preceded the description of the culprit and his actions, because the boy came into the store and left prior to the robbery.

After a subject finished reading the court case, the booklet was taken away and a response booklet was provided. On the first page subjects made judgments about the defendant's guilt and the credibility of the eyewitnesses. Subjects rendered a verdict in the case by circling not guilty or guilty. Subjects next made a judgment of the defendant's guilt in a more detailed fashion by circling a number on an 11-point scale anchored at not guilty beyond doubt (1) and guilty beyond doubt (11). After that, subjects rated the relative credibility of the two eyewitnesses by dividing 100 points between them. Finally, subjects judged the credibility of each eyewitness separately on an 11-point scale anchored at low (1) and high (11).

On the second page, subjects rated the memory and attention of the eyewitnesses on 11-point scales. Subjects first rated the memory of each eyewitness for the culprit's face. The scale was anchored at very poor (1) and very good (11). Subjects judged the memory of each eyewitness for details (in general) on a scale anchored in the same way as for the other memory judgments. The last two judgments on the second page pertained to the attention paid by each eyewitness to the culprit and his actions on the night of the crime. The scale for these judgments was anchored at a very small amount and a very large amount.

On the third page, subjects wrote down, in any order, all they could recall about the testimony of the eyewitnesses. After each remembered item, they had to place in parentheses the source (prosecution and/or defense) of that item. Next, subjects provided reasons for their relative credibility judgments.

On the last page of the response booklet, subjects made judgments about the description of the crime given by each eyewitness. Subjects made judgments of the amount of information, followed by concreteness and then vividness, on 11-point scales. Finally, subjects were debriefed and dismissed.

**Results**

Although 302 subjects participated in the experiment, several subjects failed to complete the set of dependent measures. These subjects were retained for other analyses to which they contributed data.

**Judgments of guilt.** We hypothesized that greater detail in prosecution testimony would result in higher judgments of guilt and more guilty verdicts and that greater detail in defense testimony would lead to lower judgments of guilt and fewer guilty verdicts. Analyses showed that the main effects of prosecution detail and defense detail on the guilt measures supported the hypothesized pattern (see Table 1). Overall, subjects were more likely to select the guilty verdict option when the prosecution detail was high, as opposed to low, 33% versus 21%; logistic regression, \( z = 2.2, p < .05 \). Moreover, they were more likely to give a rating of the defendant's guilt in the direction of being guilty beyond doubt when the prosecution detail was high, rather than low, 5.6 versus 5.1, \( F(1, 293) = 4.4, p < .05 \). When the defense eyewitness gave a highly detailed account, as opposed to a less detailed account, subjects were marginally less likely to believe that the defendant was guilty. Overall, they were marginally less likely to select the guilty verdict option, 23% versus 31%; logistic regression, \( z = 1.7, p = .10 \). Moreover, they were marginally less likely to give a rating of the defendant's guilt in the direction of guilty beyond doubt, 5.2 versus 5.6, \( F(1, 293) = 2.6, p = .107 \).

No other main effects or two-way interactions were significant (all \( p s > .25 \)). The absence of a Prosecution Detail × Relatedness interaction indicates that the size of the impact of related prosecution detail was not larger than that of unrelated prosecution detail.

There was, however, a three-way interaction between prosecution detail, defense detail, and the relatedness of the detail on both judgments of guilt, \( F(1, 293) = 4.1, p < .05 \); logistic regression, \( z = 2.0, p < .05 \). As Table 1 shows, related prosecution detail influenced judgments of guilt when defense detail was high, whereas unrelated prosecution detail influenced judgments of guilt when defense detail was low.

**Mediation: Mock juror's memory for the testimony.** Subjects were asked to write down all the information that they could recall from the testimony of the prosecution eyewitness and defense eyewitness, indicating whether the source was the prosecution, defense, or both. Each of the 12 sentences in the eyewitness testimony contained a basic idea, and thus each sentence was counted as an item of recall. Because the volume of recall protocols was large, each of three independent raters scored a separate sample of the 302 recall protocols. Interrater correlations were computed for the total number of correct items (prosecution + defense) for the data of 28 subjects. These correlations were .86, .93, and .97. Although each rater did not score an equal number of recall protocols from each cell, the differences were minor.

We examined the recall of the manipulated sentence concerning the store items. Separate measures of recall of the manipulated sentence in the prosecution and defense testimony were used. Finally, we computed the proportion of total items that were correctly indicated by the subject as being from the prosecution eyewitness testimony, number of prosecution items/(number of prosecution items + number of defense items).

Analyses of variance (ANOVAs) performed on the three recall measures yielded only two significant effects. Subjects who read
highly detailed prosecution testimony were more likely to recall the manipulated sentence in the prosecution testimony than subjects who read a prosecution account of low detail, 70% versus 56%, \(F(1, 288) = 6.3, p < .02\). Moreover, there was a significant Defense Detail \(\times\) Relatedness interaction on the recall of the manipulated sentence in the defense testimony, \(F(1, 288) = 4.9, p < .03\). This interaction indicated that high defense-detail subjects were more likely to recall the manipulated sentence than low defense-detail subjects when the detail was related (74% vs. 59%). When the detail was unrelated, the opposite pattern was observed (56% vs. 66%).

Analyses of covariance (ANCOVAs) were performed on judgments of guilt (11-point) with each recall measure used as a covariate in a separate analysis. None of the recall covariates were significant when controlling for the condition effects \((p_s > .14)\). Moreover, the main effect of prosecution detail and the three-way interaction still remained at least marginally significant when controlling for each recall covariate \((p_s < .07)\). Thus, no conclusive evidence was obtained for the notion that subjects’ memory for the testimony mediated the detail effects observed.

**Mediation: Inferences about the witnesses.** Next, we examined the possibility that the effects of detail on judgments of guilt were mediated by inferences about the eyewitnesses. First we asked what effect the detail manipulations had on these mediational measures. The means for each judgment for each cell are listed in Tables 2 and 3. As expected, there were significant main effects of prosecution detail and defense detail on judgments. When the prosecution detail was high, as opposed to low, the prosecution witness was judged (a) to have higher relative credibility, 52.8 versus 46.3, \(F(1, 294) = 25.4, p < .001\); (b) to be more credible, 7.1 versus 6.5, \(F(1, 293) = 11.9, p < .001\); (c) to have a better memory for details in general, 7.3 versus 6.3, \(F(1, 291) = 19.3, p < .001\); (d) to have a better memory for the culprit’s face, 6.5 versus 5.8, \(F(1, 291) = 9.3, p < .01\); and (e) to have devoted more attention to the culprit and his actions, 7.2 versus 6.5, \(F(1, 291) = 11.3, p < .001\).

The degree of detail in the testimony of one witness also influenced judgments about the opposing witness. Several main effects were found on these judgments. When the defense detail was high, as opposed to low, the prosecution witness was judged (a) to be less credible, 6.4 versus 7.0, \(F(1, 293) = 6.6, p < .05\); (b) to have a poorer memory for details, 6.4 versus 7.3, \(F(1, 291) = 16.8, p < .001\); (c) to have devoted less attention to the culprit, 6.6 versus 7.3, \(F(1, 291) = 11.6, p < .001\); and (d) to have a poorer memory for the culprit’s face, 6.0 versus 6.5, \(F(1, 291) = 4.2, p < .05\). When the prosecution detail was high, rather than low, the defense witness was judged (a) to be less credible, 6.5 versus 7.0, \(F(1, 293) = 6.6, p < .05\); (b) to have a poorer memory for details, 6.5 versus 7.2, \(F(1, 291) = 11.6, p < .001\); and (c) to have devoted less attention to the culprit, 6.6 versus 7.0, \(F(1, 291) = 3.8, p < .05\). The main effect of prosecution detail on judgments of the defense witness’ memory for the face of the culprit was not significant \((6.0 \text{ vs. 6.2, } F < 1)\).

A few unexpected interactions emerged. There was a significant interaction between prosecution detail and detail relatedness for judgments of the attention paid by the prosecution eyewitness, \(F(1, 291) = 7.1, p < .01\). Moreover, there was a significant interaction between defense detail and detail relatedness on judgments of the attention paid by the defense eyewitness, \(F(1, 291) = 6.6, p < .01\). These interactions basically demonstrate that a witness who provided more detail was judged to have paid more attention to the culprit only when the detail was related. No other interactions were significant.2

In determining a defendant’s guilt, jurors must compare the strength of the prosecution’s case against that of the defense’s case. Thus, relative measures comparing the prosecution witness against the defense witness were computed for each of the four judgments about the witnesses. Relative measures of credibility, memory for the face of the culprit, attention paid, and memory for detail were computed for each subject by subtracting the defense witness rating from the prosecution witness rating. The ANOVAs performed on these four relative measures yielded expected main effects of prosecution detail and defense detail. When the prosecution detail was high, as opposed to low, the prosecution witness was judged (a) to have relatively higher

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2 There were marginal interactions between prosecution detail and relatedness for judgments of both prosecution and defense witnesses’ credibility and memory for the face of the culprit \((p < .10)\). The interactions for the prosecution witness indicate that the effect of prosecution detail was attenuated when the detail was unrelated. The interactions for the defense witness indicate that the effect of prosecution detail was attenuated when the detail was related. The lack of interactions with relatedness on the relative measures of credibility and memory for the culprit’s face suggests that related detail did not have a greater influence on judgments of the two witnesses overall. Rather, related detail primarily influenced judgments about the prosecution witness, whereas unrelated detail primarily influenced judgments about the defense witness.
credibility, \( F(1, 294) = 20.5, p < .001 \); (b) to have a relatively better memory for details, \( F(1, 294) = 90.2, p < .001 \); (c) to have a relatively better memory for the face of the culprit, \( F(1, 294) = 15.3, p < .001 \); and (d) to have paid relatively more attention to the culprit, \( F(1, 294) = 50.3, p < .001 \). When the defense detail was high, rather than low, the defense witness was judged (a) to have relatively higher credibility, \( F(1, 294) = 26.4, p < .001 \); (b) to have a relatively better memory for details, \( F(1, 294) = 83.1, p < .001 \); (c) to have a relatively better memory for the culprit’s face, \( F(1, 294) = 23.2, p < .001 \); and (d) to have paid relatively more attention to the culprit, \( F(1, 294) = 54.3, p < .001 \). There was a significant Defense Detail \( \times \) Relatedness interaction on the relative attention paid measure, \( F(1, 294) = 4.3, p < .05 \). This interaction indicates that the effect of defense detail was greater when the detail was related. No other interactions were significant.

To further explore whether the significant effects of detail on judgments of guilt (main effect of prosecution detail and three-way interaction) were mediated by inferences about the eyewitnesses, ANCOVAs were performed on the 11-point judgments of guilt. The results of Experiment 1 demonstrate that the degree of detail in prosecution eyewitness testimony had a modest, but reliable, main effect on judgments of guilt. This finding is consistent with our prior research (Bell & Loftus, 1988).

Conclusions about the influence of defense detail on judgments of guilt must be made more cautiously, however, because the main effect only approached significance. In our prior work the main effect of defense detail on judgments of a defendant’s guilt was not significant. One possible reason for the weaker effects of defense detail is that the strength of the case for the prosecution in the present research and our prior research was low to begin with. Some mock jurors may have been sufficiently convinced that the burden of proof had not been met without the added detail. Alternatively, the prosecution eyewitness testimony may have received more weight in the judgment of guilt than the defense eyewitness testimony because it was presented first. Some subjects may have assumed that the defense witness simply heard the details provided by the prosecution witness and did not remember the details on her own. It should be pointed out, however, that differences in the size of the effect of prosecution detail versus defense detail were small for judg-

### Table 3

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<th>Judgments</th>
<th>Low-detail prosecution</th>
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*Note.* Higher numbers indicate better memory or more attention paid.

remained at least marginally significant when controlling for each witness judgment and relative measure (all \( ps < .09 \), except for the relative measures of credibility and memory for the face of the culprit \( ps = .12 \) and .13). In summary, these results are compatible with the notion that inferences about the eyewitnesses, particularly the prosecution witness, contributed to the main effect of prosecution detail on judgments of guilt.

### Discussion

The results of Experiment 1 demonstrate that the degree of detail in prosecution eyewitness testimony had a modest, but reliable, main effect on judgments of guilt. This finding is consistent with our prior research (Bell & Loftus, 1988).

Conclusions about the influence of defense detail on judgments of guilt must be made more cautiously, however, because the main effect only approached significance. In our prior work the main effect of defense detail on judgments of a defendant’s guilt was not significant. One possible reason for the weaker effects of defense detail is that the strength of the case for the prosecution in the present research and our prior research was low to begin with. Some mock jurors may have been sufficiently convinced that the burden of proof had not been met without the added detail. Alternatively, the prosecution eyewitness testimony may have received more weight in the judgment of guilt than the defense eyewitness testimony because it was presented first. Some subjects may have assumed that the defense witness simply heard the details provided by the prosecution witness and did not remember the details on her own. It should be pointed out, however, that differences in the size of the effect of prosecution detail versus defense detail were small for judg-
ments of guilt and most of the judgments about the eyewitnesses (see Tables 1, 2, and 3).

The significant three-way interaction on judgments of guilt suggests that related detail and unrelated detail influenced juror judgments in different situations. The three-way interaction is difficult to interpret because there were no other significant three-way interactions on any of the judgments about the eyewitnesses or on any of the recall measures. Moreover, the pattern found for related detail on judgments of guilt is inconsistent with our prior research (Bell & Loftus, 1988), in which prosecution detail had the same impact on judgments of guilt regardless of whether defense detail was high or low. However, we speculate that the three-way interaction might be partly due to differences in whether the judgment of guilt is primarily based on weaknesses in the prosecution testimony or defense testimony. Mock jurors exposed to related prosecution detail may have made their decision primarily on the basis of whether the prosecution witness appeared to have a poorer memory than the defense witness and not on whether the defense witness appeared to have a poorer memory than the prosecution witness. This would explain why related prosecution detail had an effect only when defense detail was high. Only when defense detail was high did the prosecution witness report less detail than the defense witness. Moreover, mock jurors exposed to unrelated detail may have made their decision primarily on the basis of whether the defense witness, but not the prosecution witness, had a poorer memory than the opposing witness. Only when the defense detail was low was there an influence of unrelated prosecution detail on judgments of guilt. It is unclear, however, why the relatedness of the detail should shift the decision rule from weaknesses in the prosecution testimony to weaknesses in the defense testimony. At best, the three-way interaction suggests that a reliable impact of testimonial detail on inferences about the eyewitnesses may not always lead to a concomitant effect on judgments of guilt.

The influence of detailed testimony on judgments of guilt appeared not to be due to subjects' being better able to remember testimony that is detailed. Previous research has not found conclusive support for the notion that the influence of detailed testimony is mediated by subjects' memory for the testimony (e.g., Shedler & Manis, 1986). This finding suggests that perhaps judgments were made on-line (see Hastie & Park, 1986). Memory for and judgments about information are more likely to be related when there is a substantial demand on people's attention (Bargh & Thein, 1985) or when people are not aware that a judgment will be requested (Hastie & Park, 1986). Neither of these situations was present in Experiment 1.

Our mediational analyses support the notion that the effects of detail specificity on judgments of guilt were partly due to inferences about the eyewitnesses. The results of our prior research suggest that the effects of detail were mediated by judgments about the credibility of the eyewitnesses. The present research extends this finding by showing specifically that inferences about the attention an eyewitness paid to the culprit and an eyewitness's memory for the face of the culprit contributed to the persuasive impact of detailed testimony on judgments of guilt. Witnesses were generally judged to have paid more attention to the culprit and to have a better memory for the culprit's face when they provided more detail.

In some situations, unrelated detail influenced judgments about the eyewitnesses' memory and attention paid. In some cases, there were main effects of testimonial detail on these judgments, but no interaction with relatedness. This suggests that it is likely that our mock jurors drew inferences about the eyewitnesses' dispositions and abilities from the degree of detail in the testimonies.

It is unclear how our mock jurors interpreted the low-detail report of "a few store items." The testimony in Experiment 1 was presented in third person narrative. Subjects were informed that the eyewitness "testified to the following." They then read a paragraph description of the crime without any explicit indication of questions asked by the attorneys. Some subjects may have wondered about the specific questions that were asked at the trial. Some mock jurors may have inferred that the low-detail witness was probably asked to be explicit about the details of the crime or related events, and thus the report of low detail implied that the witness could not remember the store items. Other mock jurors may have inferred that the low-detail witness was probably not asked to be explicit about the details and might possibly be able to recall them if asked. Perhaps the effects of detail on judgments of guilt were weak because some mock jurors had doubts about what the low-detail witness could remember. Perhaps if our mock jurors were explicitly informed that a low-detail witness could not remember the details provided by the high-detail witness, trivial persuasion would be substantially more significant. Experiment 2 addressed this hypothesis.

Experiment 2

In Experiment 2 some mock jurors learned that a low-detail witness (prosecution witness) was never asked if she could remember the specific store items reported by the high-detail witness (store items that the culprit dropped on his way out). Other mock jurors were informed that a low-detail witness was asked about the store items but could not remember them. We chose to manipulate only the detail in the defense witness testimony (as opposed to the prosecution witness testimony) because we felt that it was important to demonstrate a significant effect of defense detail (which had not been demonstrated previously). Thus, the detail in the prosecution witness testimony was always low (a few store items), but this witness was either explicitly asked or not asked about these store items (and the defense witness was never asked).

This manipulation of the verification of a low-detail witness's memory for details allowed us to determine conditions in which the detail in defense testimony would have a substantial or a minimal impact on judgments. It also allowed us to garner stronger evidence for the notion that inferences about the eyewitnesses' memory mediates the effects of degree of detail on judgments of guilt. Specifically, if the effects of detail on these judgments are mediated by inferences about the eyewitnesses' memory, defense detail should have a greater effect when the prosecution witness specifically testifies that she cannot remember the store items than when she does not. This would be borne out if mock jurors were less certain that the prosecution witness actually has a poor memory for details when she is not asked about the store items than when she is asked. Such uncertainty regarding the
judgments, relative credibility, and judgments of guilt were opposite on these dimensions. The main effects of defense detail on these judgments were rendered (logistic regression, \(z = 2.3, p < .05\); fewer guilty verdicts were found in Experiment 1 (see Table 4). Specifically, when the defense witness gave a highly detailed, as opposed to a less detailed, account of high detail, the defendant was judged to be less guilty on the 11-point scale, \(F(1, 118) = 13.0, p < .001\); 11-point guilt judgments, \(F(1, 118) = 10.8, p < .001\); judgments of attention paid to the culprit, \(F(1, 118) = 5.0, p < .05\); and relative credibility judgments, \(F(1, 118) = 4.5, p < .05\). The interaction effects were marginally significant for judgments about the prosecution witness’s memory for details, credibility, and memory for the face of the culprit (all \(p < .09\)).

Further analyses of simple effects revealed that there were no significant effects of defense detail on judgments of guilt and judgments about the prosecution witness in the no-verification condition (all \(p > .20\)). The simple main effect of defense detail did, however, approach significance for judgments of relative credibility and memory for the culprit’s face (.10 < \(p < .12\)). In contrast, the effects of defense detail in the verification condition were significant for all judgments (all \(p < .05\), except for the interaction of defense detail in the face of the culprit (all \(p > .20\)).

As in Experiment 1, relative measures of credibility, memory for the culprit’s face, attention paid, and memory for details were computed for each subject by subtracting the rating for the defense witness from the rating for the prosecution witness. ANOVAs performed on these measures yielded expected main effects of defense detail. When the defense witness provided an account of high detail, as opposed to low, the defense witness was judged to have relatively higher credibility, \(F(1, 118) = 16.9, p < .001\); to have a relatively better memory for the culprit’s face, \(F(1, 118) = 4.8, p < .05\); to have paid relatively more attention to the culprit, \(F(1, 118) = 35.8, p < .001\); and to have a relatively better memory for details, \(F(1, 118) = 54.4, p < .001\). The Defense Detail \(\times\) Verification interaction was significant for the relative measure of memory for the culprit’s face, \(F(1, 118) = 5.8, p < .05\); marginally significant for the relative measure of memory for details, \(F(1, 118) = 3.6, p = .06\); and nonsignificant for the other relative measures (.11 < \(ps < .15\)). The effect of defense detail was larger in the verification condition than the no-verification condition.

### Table 4

<table>
<thead>
<tr>
<th>Judgments</th>
<th>Verification</th>
<th>No verification</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>High detail</td>
<td>Low detail</td>
</tr>
<tr>
<td>Verdict</td>
<td>.06</td>
<td>.47</td>
</tr>
<tr>
<td>11-point</td>
<td>4.0</td>
<td>6.1</td>
</tr>
<tr>
<td>guilt</td>
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<td>.08</td>
</tr>
<tr>
<td>Relative</td>
<td>40.3</td>
<td>54.4</td>
</tr>
<tr>
<td>credibility</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prosecution</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Credibility</td>
<td>5.5</td>
<td>7.3</td>
</tr>
<tr>
<td>Memory for</td>
<td>5.3</td>
<td>5.7</td>
</tr>
<tr>
<td>face</td>
<td>.05</td>
<td>.05</td>
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<tr>
<td>Attention</td>
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<td>6.9</td>
</tr>
<tr>
<td>paid</td>
<td>.05</td>
<td>.05</td>
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<td>Memory for</td>
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<td>6.5</td>
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<tr>
<td>details</td>
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<tr>
<td>Defense</td>
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<tr>
<td>Credibility</td>
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<td>6.7</td>
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<td>Memory for</td>
<td>6.5</td>
<td>5.0</td>
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Note. The scales are the same as for Tables 1, 2, and 3.
The ANCOVAs were performed on the 11-point judgments of guilt with each of the nine judgments about the eyewitnesses and four relative measures used as a covariate in a separate analysis. When controlling for the condition effects, all judgments about the eyewitnesses and relative measures were reliably related to judgments of guilt (all ps < .01), except for judgments about the defense witness' memory for details and memory for the face of the culprit (Fs < 1). When controlling for judgments of relative credibility, prosecution credibility, the two judgments about memory for details, and the four relative measures, the main effect of defense detail was nonsignificant (all ps > .20, except for defense memory for details). The main effect of defense detail was marginally significant or significant when controlling for the two judgments of memory for the culprit's face, the two attention paid judgments, and defense credibility (all ps < .10). Finally, the Defense Detail X Verification interaction remained significant when controlling for each witness judgment and relative measure (all ps < .05). These results are compatible with the notion that the main effect of defense detail on judgments of guilt was mediated by judgments of the eyewitnesses' relative credibility, memory, and attention paid.

In light of the finding that memory for a culprit's face can be negatively related to memory for peripheral details (Wells & Leippe, 1981), correlations were computed between judgments of memory for a culprit's face and memory for details to see how these correlations compared with this finding. Correlational analyses revealed that judgments of the prosecution witness's memory for details and memory for the culprit's face were positively related in the verification condition (r = .38, p < .001) and the no-verification condition (r = .43, p < .001). Moreover, judgments of the defense witness's memory for details and memory for the face of the culprit were positively correlated in the verification condition (r = .46, p < .001) and the no-verification condition (r = .52, p < .001).

Discussion

The results of Experiment 2 are important for several reasons. First, they demonstrate that the specificity of defense detail can actually have a substantial effect on judgments of guilt when there is a definite weakness in the testimony of the prosecution witness (e.g., cannot remember store items the culprit dropped). It stands to reason that if the defense witness could not remember details, the degree of detail in the prosecution testimony would also have a substantial impact. Second, the difference in the impact of defense detail in the two verification conditions may help explain the weak effects on judgments of guilt in Experiment 1. It is possible that some mock jurors who participated in Experiment 1 simply were not sure that the opposing witness's report of "a few store items" indicated that the witness could not remember the store items. Third, the results of Experiment 2 provide stronger evidence that the effects of testimonial detail on judgments of a defendant's guilt are partly mediated by inferences about the eyewitnesses' memory. Only when subjects explicitly learned that the prosecution witness could not remember the store items was there a reliable and substantial impact of defense detail on judgments of guilt.\(^3\)

In Experiment 2, the impact of reporting trivial details on judgments of guilt and on the prosecution witness judgments was generally smaller (and nonsignificant) in the no-verification condition than in the comparable condition in Experiment 1. This may have been because subjects in Experiment 2, but not Experiment 1, explicitly learned that the prosecution witness was never asked whether she could remember the store items. It must be noted, however, that Experiment 2 also differed from Experiment 1 in that subjects had their case materials with them while making judgments. It is not entirely clear what role this difference played in contributing to the nonsignificant results in the no-verification condition. In our prior research (Bell & Loftus, 1988), however, subjects also had their court case summaries with them while making the judgments, and there still were some reliable effects of testimonial detail on judgments. Thus, it seems unlikely that the fact that subjects had their case summaries with them while making their judgments led to an attenuation of the effect in the no-verification condition.

General Discussion

This jury simulation research provides further support for a phenomenon we call trivial persuasion. We have shown that detailed information need not be related to persons directly involved in the incident in question in order to be powerful. Thus, even seemingly insignificant and irrelevant information, such as the store items a customer dropped prior to a crime, can influence mock juror judgments. The effect of reporting trivial details appears to be especially powerful when an opposing witness testifies that he or she cannot remember the same details. In the context of a jury trial, trivial persuasion seems to be mediated by inferences about the eyewitnesses' credibility, memory, and attention paid.

Systematic Versus Heuristic Information Processing

Prior work suggests that source cues play a major role in persuasion when people are relatively uninvolved in their task, but they play a minor or negligible role when people are highly involved in their task (e.g., Chaiken, 1980; Petty, Cacioppo, & Goldman, 1981). Chaiken interpreted her findings in terms of a systematic versus heuristic information-processing view of persuasion. In the heuristic mode of persuasion, people primarily rely on simple and general rules (e.g., about source credibility) and de-emphasize detailed processing of the message content. In contrast, systematic information processing involves considerable processing of the message content. Chaiken's results suggest that highly involved people are more likely to engage in systematic information processing, whereas less in-

\(^3\) An alternative explanation for the Defense Detail X Verification interaction is that subjects who learned that the prosecution witness was asked about the store items were more aware of differences in the detailed descriptions provided by the two eyewitnesses than subjects who did not read the question about the store items. If this explanation were true, there should have been a greater effect of defense detail on the defense witness judgments. However, there was no Defense Detail X Verification interaction on the defense witness judgments, which argues against this explanation.
volved people are more likely to engage in heuristic information processing.

Trivial persuasion resembles the heuristic information processing model in that it seems to involve the utilization of simple and general rules about source credibility. Our results suggest that trivial persuasion might involve the heuristic "people who remember trivial details have a really good memory." However, trivial persuasion may not be completely compatible with the heuristic information-processing model. Our mock jurors may have been fairly involved in their task and engaged in detailed processing of the message content. Several arguments can be made in support of this notion. First, subjects would need to read each testimony carefully to notice the minor differences in the amount of detail reported. Second, it appears that the effects of reporting trivial details were mediated by issue-relevant inferences. It seems that our subjects drew inferences about the witnesses' memory for the culprit and crime. Third, in Experiment 1, most subjects appeared to have fairly adequate recall of the eyewitness testimony.

We speculate that our findings suggest a situation in which superficial source cues may have a substantial impact on persuasion regardless of how involved people are in the task. Thus, these superficial source cues may play a role even when people engage in considerable processing of the message content. In our experiments, subjects received a two-sided communication with contradictory information provided by an opposing communicator. The prosecution eyewitness testified that the defendant was the man who shot the clerk, whereas the defense witness testified to the contrary. It may be difficult to predicate a judgment on the basis of argumentation alone when presented with conflicting or contradictory information. Under such conditions, people may feel that it is necessary to resolve the contradiction by evaluating the relative credibility of the communicators. The minimal impact of source factors (e.g., expertise) among high-involvement subjects in the experiments of Chaiken (1980) and Petty et al. (1981) might be attributed to the fact that their subjects received a one-sided communication presented by a single communicator. Highly involved people may be substantially affected by source-related factors when presented with two-sided communications involving conflicting or contradictory information.

In short, we suggest that trivial persuasion may best be characterized as a blend of systematic and heuristic information processing. Trivial persuasion can be characterized as involving appreciable issue-relevant thinking and the utilization of simple and general rules about source credibility. Other research has found that both message-related thoughts and perceptions of the communicator (expertise) were significant predictors of persuasion in some situations (Chaiken & Eagly, 1983).

Validity of Juror Beliefs

We found that mock jurors believe that memory for trivial detail is positively related to memory for the culprit's face. Is this belief warranted? The answer may be no. Although memory for details of a face has been shown to be positively related to identification accuracy (Wells, 1985), this does not appear to be true for peripheral details. In fact, the relation between memory for peripheral details and a culprit's face can be negative (Cutler, Penrod, & Martens, 1987; Wells & Leippe, 1981). If processing resources are limited, then allocating attention to the processing of peripheral details may result in insufficient resources allocated to the culprit's face (see Kahneman, 1973).

It is conceivable that a witness who has a good memory for the store items that a robber picked up may be less likely to accurately remember the culprit's face. This could occur if the attention paid to what the culprit had in his hands took away from attention paid to the culprit's face. This notion would not, however, apply to a witness who had a better memory for details unrelated to the crime, because the unrelated details would not be in competition for resources with the encoding of the culprit's face. Thus, we still need to learn whether people who are better at remembering trivial details in general are better, or not better, at remembering a culprit's face. We need to learn more about the relation between eyewitness memory for the culprit's face and details that pertain to another event. This line of research would better allow us to assess the validity of the notion that jurors make inaccurate inferences about the memorial processes involved in eyewitness events.

**Future Research**

The present experiments involved contradictory information provided by opposing witnesses. It seems reasonable to ask whether trivial persuasion is limited to conditions in which people are presented with two-sided communications involving contradictory information. It would be interesting to find out whether the effect of trivial details is attenuated when people receive only a one-sided communication, or no contradictory information.

To what extent does trivial persuasion depend on the vividness of the detailed information? In the vividness studies of Reyes et al. (1980) and Shedler and Manis (1986), the vivid versions contained more detail than the pallid versions. Thus, it is unclear whether the effects found were due to the amount of detail or the vividness of the detailed information (see Taylor & Thompson, 1982, for a review of the vividness effect). Subsequent research could address whether testimony that was equivalent in amount of detail would be more persuasive if the detail in the testimony was vivid than if it was pallid.

The assessment of an eyewitness's credibility involves two inferences: perceived honesty and perceived memory. It could be that inferences about honesty also mediate the influence of reporting trivial details. It is possible that in contexts outside the courtroom, perceived honesty, rather than perceived memory, mediates trivial persuasion.

How powerful are trivial details that are completely irrelevant? If people draw inferences about a witness's abilities and dispositions from the degree of detail in the witness's testimony, it stands to reason that even detailed information that seems totally irrelevant may be persuasive. For example, if a witness interjected into an account of the crime some details about another crime that was previously witnessed, the witness could conceivably be perceived as highly credible because these details imply that the witness is one of those persons who has an exceptional memory. The notion that John Dean was a human tape recorder seems to suggest that people do draw inferences about
a witness's memory from the amount of detail reported. Future research could profitably address this issue.

**Concluding Remarks**

We believe that our findings demonstrate a general phenomenon: The specificity of trivial details in a communication can be an important variable for persuasion, and this persuasion may occur through a process in which people form inferences about the communicator. Trivial persuasion is most likely to occur when there is good reason to question the credibility of the communicator, for example, when there is contradictory information provided by an opposing communicator. Trivial details may be powerful in other decision contexts as well, such as employment or helping a stranger.

Our research not only adds to our knowledge of factors influencing perceived eyewitness credibility and memory (see Erickson, Lind, Johnson, & O'Barr, 1978; O'Barr & Conley, 1976; Wells, Lindsay, & Ferguson, 1979) but also suggests another case in which inferences about memory processes involved in eyewitness events are likely to be incongruent with actual memory processes (see Wells, 1984). We hope that future research will further illuminate the subject of trivial persuasion and its relation to inferred and actual memory processes.

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