ORIGINAL ARTICLE

The reasonably prudent person, or me?

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Abstract

Abundant research concerning the role of the self in social judgment suggests that people have a strong tendency to evaluate others' actions, preferences, and values with regard to their own. Reliance on self-standards contrasts with the legal standard of the reasonably prudent person (RPP) standard, which presumably represents the behavior of the average person in the community. In three studies that investigated judgments of harmful actions, we compared the influence of self-standards ("How likely would I behave in this manner?") and RPP estimates ("How likely would the average, reasonable person in the community behave in this manner?"). In each study, self-standards influenced participants' judgments of guilt and the acceptability of the defendant's actions more than did judgments about what a RPP would do. Studies 2a and 2b also investigated attitudinal differences in susceptibility to RPP consensus manipulations. Participants judged a target who committed murder in self-defense, and also projected their own hypothetical behavior in the scenario. When the manipulated RPP disapproved of the murder, the target was deemed more culpable, but only among participants who themselves were unwilling to commit the hypothetical act. Participants who expressed willingness to murder in self-defense were unaffected by RPP information, regardless of whether or not it was consistent with their own stance. Hence, RPP information at best exerted minimal influence on juridical judgments, and only among certain participants. Implications of these findings for legal applications of the RPP, and for the role of the self in social judgment, are discussed.

1 | INTRODUCTION

Moral judgments frequently entail competing evaluative standards. For example, imagine that Bob's religious values lead him to disapprove of his friend, Jim's, enthusiasm for casual sex, but after considering how common this behavior is in their culture, Bob refrains from moral condemnation. Conversely, suppose that Jim disapproves of Bob inculcating his children with creationist beliefs, but after recognizing that such beliefs are normative among Bob's conservative Christian crowd, he refuses to allow his disapproval to influence his friendship with Bob, who is a fine fellow in most respects.

Of course, people are not always so willing to place cultural norms above their personal beliefs. Previous research suggests that individuals rely heavily on personal values when making morality-related judgments (e.g., Alicke, 1993). Furthermore, perceived moral transgressions can elicit disgust, outrage, blame, and the desire to punish, even among neutral third parties, if these actions violate personal moral standards (e.g., DeScioli & Kurzban, 2009).

Relying on self-standards in moral judgment is part of the more general effect that personal habits, beliefs, preferences, and values have on social judgment (for a general review, see Alicke, Dunning, & Kruger, 2005). A large literature, for example, on social projection and false consensus shows that people use their own preferences to predict others' behavior, especially when similarity between self and other is assumed (Kruger, 2000). Research

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on self-standards actually extends as far back as Thurstone and Chave's (1929) work on attitude scaling. In trying to develop items to represent equal intervals on an attitude scale, Thurstone observed that people were unable to evaluate the favorableness of an attitude statement independently of their own position. Since then, a sizable research literature has demonstrated that people assimilate attitude positions that are similar to their own and contrast divergent ones (Stapel & Suls, 2007), and similar assimilation and contrast effects occur in the performance domain (Dunning, 2003). Finally, studies in moral psychology show that political liberals and conservatives exaggerate the extremity of each other's positions on the core moral values that differentiate the two groups (concerns with Care and Fairness for liberals; concerns for Loyalty, Authority, and Sanctity for conservatives) (Graham, Nosek, & Haidt, 2012).

Placing personal values over group norms is often defensible, and even laudable. The hallmark of integrity is promoting one's beliefs in the face of obstacles and social pressure. At times, however, adhering to personal rather than group norms might be unfair, prejudicial, or counterproductive. One example is failing to consider one's advantages and others' disadvantages (Phillips & Lowery, 2018). Another is using one's own cultural practices as a normative standard for evaluating people from a foreign culture with very different habits and practices, such as believing that the food they eat is disgusting, or that their spiritual pursuits are sacrilegious. Yet another is when self-standards clash with accepted norms, such as when decision-makers ignore well-established base-rates in favor of their own hunches and predilections (Alicke, 1993).

An important context in which personal standards may be at variance with prescribed norms is in legal applications of the "reasonably prudent person" (RPP). In legal settings, jurors are sometimes instructed to base their decisions on how they believe a person of ordinary prudence in the community would have behaved in the same circumstances as the defendant. In tort law, the RPP is applied most frequently to assess negligence, whereas in criminal law, it is deployed most often to assess the self-defense excuse (Scalet, 2003). When juries represent perfectly the community from which they were selected, the self and the RPP are identical. There are numerous reasons, however, why these ideal circumstances might not prevail. First, juries are relatively small samples from much larger populations, which provides an opportunity for bias. Second, during voir dire (i.e., pretrial examination of witnesses or jurors to determine competency), attorneys may influence representativeness by eliminating jurors whom they believe are predisposed to exculpate or exonerate. Also, some jurors may disproportionately influence the outcome, which allows one or a few self-views to override the others.

Although the influence of the self in social judgment is well-established, self-standards have rarely been directly compared to salient competing ones, including the RPP standard that is prevalent in Anglo-American law. Our goal in the studies reported herein was to compare the relative influence of self and RPP standards in evaluations of behavior that was either socially censurable, accessible to legal sanctions, or both. We were primarily interested in pitting the

self against a prescribed alternative standard. Although we did not attempt to create situations of optimal legal realism, we did, especially in Studies 2a and 2b, try to create scenarios that were at least suggestive of how these relative standards might fare in such contexts. In all but the first study, we included concrete legal definitions of the RPP (see Appendix A and Supplementary Materials).

1.1 | The reasonably prudent person standard

The RPP standard originated in English tort law, and by the mid-19th century was the predominant standard for assessing reasonable care in almost every field of American law (Scalet, 2003). Although it has been subject to many interpretations and continues to be debated by legal scholars (Miller & Perry, 2012), the RPP was originally defined statistically as "conformity with statistically prevalent norms of conduct" (Hurd & Moore, 2002). As Miller and Perry note in their review, this strictly statistical definition has been abandoned, but "the idea of an average person with whom an actual person can be compared has survived and forms the basis of the positive definition of the reasonable person" (p. 370).

Beginning most prominently with Oliver Wendell Holmes's (1881) classic analysis of the common law, the RPP was thought of as an "objective" standard for assessing liability, and a departure from subjective moralizing. The distinction between objective and subjective legal standards, particularly in cases of negligence, was elaborated in an influential paper by Seavey (1927), who also recognized the inherent difficulty in deciding what qualities or characteristics should be ascribed to the hypothetical RPP. This vagueness or ambiguity in estimating a RPP's beliefs and actions is what, in our view, leads people, consciously or unconsciously, to superimpose their own characteristics or values onto the RPP. Ironically, this self-standard transforms a purportedly objective standard into a primarily subjective one.

The potential problem of promoting one's own views over the RPP is well known to legal scholars. As Heller (1998) states: "A juror who allows her biases to influence her application of the reasonable person test cannot determine whether *anyone* in the defendant's situation would have committed the defendant's self-defensive or provoked act; she can only determine whether *individuals with the same biases as she* would have committed the act" (p. 50). In fact, the main purpose of the RPP standard is to steer jurors *away* from relying on their own opinions about what they would have done in the defendant's circumstances (Scalet, 2003). The supposed virtue of the standard is that it provides a concrete, realistic reference point for jurors, as in the following definition: "… [the reasonable person] focuses attention on our dealing with the conduct of some actual person; he emphasizes that we must judge a human being with human failings." This person (i.e., the hypothetical "reasonable person") is then placed in the position of the actor at the time and place of injury, and we are left to decide what he would have done" (Reynolds, 1970, p. 14).

Although research has not yet compared self to RPP standards, studies on sexual harassment provide the groundwork for this comparison. A difficult issue in applying the RPP standard concerns adapting it

to the particularities of individual cases. This is especially problematic in sexual harassment, in which men and women may be expected to see things differently. Accordingly, some jurisdictions use a reasonably prudent *woman* standard rather than a gender-neutral, RPP standard. The reasonably prudent woman standard asks jurors to assess how the average, reasonable woman would have viewed the situation that the plaintiff confronted. In general, however, research that experimentally manipulates these standards(e.g., Gutek et al., 1999; Wiener, Hurt, Russell, Mannen, & Gasper, 1997) has found that this distinction does not particularly matter: Instructions to consider the RPP or the reasonably prudent woman tend to yield little to no difference in harassment judgments (Perry, Kulik, & Bourhis, 2004). Although instructions to adopt the perspective of the woman who was sexually harassed (O'Connor, Gutek, Stockdale, Geer, & Melançon, 2004) have yielded effects in some complex mediational analyses, the general conclusion from sexual harassment research is simply that women tend to ascribe harassment more than men do. Similar findings extend to recent research on sexual objectification: Men tended to view only severe sexual objectification as unprofessional, whereas women considered such behavior unprofessional regardless of whether it was mild or severe. These findings suggest that self-standards (i.e., whether a man or a woman is the judge), rather than standards of the "reasonable person/ woman," may have a stronger effect on social or juridical judgments.

2 | OVERVIEW OF THE STUDIES

We used various methodologies in the three studies described in this article to assess the relative influence of self and RPP standards on evaluations of a target person who negligently, recklessly, or intentionally harmed another individual. In Study 1, participants provided their own estimates of how they thought the RPP would behave in the situation, whereas, in Studies 2a and 2b, we provided them with consensus information regarding how people generally *do* behave in the situation. To increase the generalizability of the findings, we used both college and online populations, and various offenses that could result in civil or criminal charges and that might be countered by legal excuses such as self-defense and provocation. Finally, we included an additional study in the supplementary document that not only resembles Study 1, but also addresses the possible role of individual differences in social attitudes. Data and materials for all studies can be accessed here: https://osf.io/z9dh4/.

3 | STUDY 1

Participants in the first study were presented with eight hypothetical situations in which an actor's behavior resulted in injuries or death to a victim. In each scenario, the behavior was described as being constrained by various types of internal (incapacity) or external (situational) constraints (Alicke, 2000). Our goal in the first study was simply to compare the relative influence of participants' self-standards versus their estimations of RPP standards when predicting

culpability judgments of a perpetrator. The eight scenarios varied whether the perpetrator acted out of intent or negligence, the perpetrator had sufficient control of his/her actions, and whether the action was provoked.

3.1 | Method

Participants were 263 undergraduate psychology students (177 females) who received extra course credit. The experiment was conducted in one large group setting. Each participant was randomly assigned to read four out of the eight scenarios (see Appendix A): 142 participants read scenarios 1–4, and 121 read scenarios 5–8. Sample size was not predetermined; rather, we recruited as many participants as possible in an undergraduate course. With 142 [121] participants and $p < .05$, to detect as significant a correlation of $r = .22$ (the estimated average effect size of 100 years of social psychological research; Richard, Bond, & Stokes-Zoota, 2003) there was 76% [70%] power for two-tailed correlations and 85% [79%] power for one-tailed correlations.

The scenarios were described as brief summaries taken from actual legal cases. In the first scenario, a war veteran suffering from post-traumatic stress disorder (PTSD) physically attacked another passenger on a bus. In the second scenario, a babysitter left a baby unattended in a bathtub, which resulted in the child's death. The third case described a man charged with assault in a bar fight, and the fourth a deadly car accident that occurred while the driver was using a cellphone. The fifth scenario depicted a fraternity member who died as a result of his fraternity's hazing ritual. In the sixth scenario, a woman with bipolar disorder was charged with domestic violence. The seventh scenario described a man whose son found the key to his father's gun cabinet and shot his friend. The final scenario involved a domestic violence victim who argued that she killed her husband in self-defense.

After reading each scenario, participants made four scale ratings. The first two asked them to rate the likelihood that (a) they themselves, or (b) the RPP in the community, would have behaved in the same way as the actor if they/the prudent person were in the same situation. These two questions were presented in randomized order across participants, and ratings were made on 11-point scales from 0 (*Extremely Unlikely*) to 10 (*Extremely Likely*). We refer to them as *Self-Standard* and *RPP-Standard*, respectively. Participants were then asked to place themselves in the role of jurors and to indicate the likelihood that they would find the defendant guilty of the relevant charge. Ratings were also made on an 11-point scale (0 = *I would definitely find him/her not guilty*, 10 = *I would definitely find him/her guilty*). Finally, participants indicated how severely they thought the defendant should be punished for their actions (0 = *Not at all*, 10 = *Very Severely*).

3.2 | Results

Descriptive statistics are reported in Table 1. Within each scenario, judgments pertaining to guilt and punishment were strongly

correlated (all *r*s = .58-.84, *p*s < .0001), so we collapsed them (per scenario) into a single measure of *Culpability*. The zero-order correlations presented in Table 2 indicate that, in general, the more participants believed that they (Self), as well as the RPP, would behave in the same manner as the defendant, the less severely they judged the defendant. Associations between Culpability and Self were typically (i.e., in six of the eight scenarios) stronger than correlations between Culpability and RPP estimates (statistical comparisons are reported below). However, there were several significant correlations between Culpability and *both* Self and RPP estimates, warranting further tests for unique effects.

We ran multiple regression analyses (one per scenario) in which we regressed Culpability onto both Self and RPP estimates (see Table 3). We also controlled for gender in each model; however, it was at best only a marginally significant unique predictor of Culpability (βs < .153, *p*s > .065). The one exception was in the fifth scenario (Frat initiation), in which females were more likely to judge the target

as culpable (β = .290, *p* = .001). However, including gender in the models had no impact on the direction or significance of any effect.

Similar to the zero-order correlations, Self-Standard was a stronger predictor of Culpability than was RPP in six of the eight scenarios. There were significant (or marginally significant) effects of Self-Standard in five of the scenarios, but effects of the RPP estimates were significant in only two scenarios. In fact, in one of these (Domestic battery), the effect of RPP was actually *positive*; that is, participants who believed that the RPP was likely to act in the same way as the target were *more* likely to judge the target harshly.

Then, to assess general patterns of effects, for each measure (Culpability, Self-Standard, and RPP-Standard), we collapsed scores across the four scenarios (recall that participants only saw scenarios 1–4 or 5–8) (these are also displayed in Tables 1-3). First, we looked at zero-order correlations. Among the first group of participants (who completed scenarios 1–4), Culpability was more strongly associated with Self-Standard (*r*(140) = −.321, *p* < .001) than with

TABLE 1 Means (and standard deviations) (Study 1)

Scenario	Self-Standard (how likely would the participant commit the same action?)	RPP-Standard (how likely would a RPP commit the same action?)	Culpability
1 (Aggression on subway)	4.99 (2.54)	3.33 (2.86)	3.78 (1.77)
2 (Baby drowning in bathtub)	3.00 (2.85)	4.71 (2.37)	7.58 (1.59)
3 (Drunken fistfight in bar)	4.84 (2.97)	6.16 (1.98)	5.76 (2.13)
4 (Texting & driving)	7.82 (2.55)	8.27 (1.85)	5.18 (2.35)
5 (Frat initiation)	2.98 (2.85)	3.99 (2.48)	6.13 (2.00)
6 (Domestic battery)	4.36 (5.37)	3.28 (2.31)	4.62 (1.97)
7 (Accidental shooting)	2.51 (2.77)	4.19 (2.62)	4.53 (2.36)
8 (Murder in self-defense)	3.24 (2.74)	4.29 (2.40)	5.36 (2.44)
1–4	5.16 (1.60)	5.63 (1.40)	5.58 (1.31)
5–8	3.27 (1.91)	3.94 (1.58)	5.16 (1.26)

Note: Self-Standard and *RPP-Standard* were measured on a 0 *(extremely unlikely)* to 10 *(extremely likely)* scale. *Culpability* scores vary on a *0–10* scale and reflect each participant's average of two variables: judgment of target guilt and judgment of level of punishment appropriate for the target to receive.

TABLE 2 Zero-order correlations between Self-standard, RPP-standard, and Culpability (Study 1)

Scenario	Correlations between...		
	Self-Standard & Culpability	RPP Standard & Culpability	Self-Standard & RPP standard
1 (Aggression on subway)	−0.29***	−0.17*	0.43***
2 (Baby drowning in bathtub)	−0.24**	−0.21*	0.64***
3 (Drunken fistfight in bar)	−0.45***	−0.34***	0.63***
4 (Texting & driving)	−0.11	−0.15^	0.72***
5 (Frat initiation)	−0.26**	−0.25**	0.61***
6 (Domestic battery)	−0.25**	0.09	0.35***
7 (Accidental shooting)	−0.43***	−0.24**	0.62***
8 (Murder in self-defense)	−0.42***	−0.47***	0.79***
1–4	−0.32***	−0.19*	0.59***
5–8	−0.28**	−0.01	0.52***

^*p* ≤ .085; **p ≤ .05; ***p ≤ .01; ****p ≤ .001.

TABLE 3 Standardized weights from models regressing Culpability onto Self-Standard and RPP-Standard, controlling for Gender (Study 1)

Scenario	F-value (and R^2) from full model	Effect of Self-estimates	Effect of RPP-estimates
1 (Aggression on subway)	6.10** (0.081)	−0.25** [−0.29, −0.05]	−0.07 [−0.15, 0.07]
2 (Baby drowning in bathtub)	4.79** (0.064)	−0.19^ [−0.23, 0.01]	−0.09 [−0.21, 0.07]
3 (Drunken fistfight in bar)	17.88*** (0.205)	−0.35** [−0.40, −0.10]	−0.10 [−0.33, 0.09]
4 (Texting & driving)	1.49 (0.021)	−0.01 [−0.22, 0.22]	−0.14 [−0.49, 0.12]
5 (Frat initiation)	5.23** (0.081)	−0.08 [−0.21, 0.10]	−0.14 [−0.31, 0.04]
6 (Domestic battery)	6.06** (0.093)	−0.32*** [−0.18, −0.05]	0.20* [.00, 0.32]
7 (Accidental shooting)	13.07*** (0.181)	−0.45*** [−0.57, −0.21]	0.04 [−0.16, 0.22]
8 (Murder in self-defense)	17.17*** (0.225)	−0.14 [−0.37, 0.10]	−0.36*** [−0.63, −0.10]
1–4	6.07*** (0.117)	−0.29** [−0.40, −0.08]	−0.03 [−0.21, 0.16]
5–8	6.36*** (0.140)	−0.36***	−0.19^

Note: [95% confidence intervals in brackets].

^$p \leq .081$; *$p \leq .05$; **$p \leq .01$; ***$p \leq .001$.

RPP-Standard ($r(140) = −.194$, $p = .021$), and this difference was significant (using the method outlined by Lee & Preacher, 2013), $z = 1.73$, p (one-tailed) = 0.042. In a multiple regression (controlling for gender, which was nonsignificant: β = .12 [95% CI −0.12, 0.76], $p = .154$), Self-Standard significantly and negatively predicted Culpability (β = −0.29 [95% CI −0.40, −0.08], $p = .004$) but RPP-Standard did not (β = −0.03 [95% CI −0.21, −0.16], $p = .778$). In the second participant group (who completed scenarios 5–8), Culpability was more strongly associated with Self-Standard ($r(119) = −.280$, $p = .008$) than with RPP-Standard ($r(119) = −.01$, $p = .948$), and this difference was significant, $z = 3.11$, p (one-tailed $p = .001$). In a multiple regression (controlling for gender, which was significant, β = .19 [95% CI 0.05, 1.00], $p = .029$; females typically gave harsher judgments than males), Self-Standard (β = −.36 [95% CI −0.37, −0.11], $p < .001$) significantly predicted Culpability, whereas RPP-Standard was only marginally significant and, intriguingly, *positively* predicted Culpability (β = .192 [95% CI −0.01, 0.31], $p = .057$). (Note: When the Self × RPP interaction term was added to the above two models, it was nonsignificant in both, βs < .164, ps > .706, and the abovementioned main effect coefficients exhibited negligible change.)

Across the board, therefore, results indicate that participants' estimates of how they would have behaved in the same situation as the defendant were stronger predictors of Culpability than estimates of how they believed a RPP would have behaved. (For additional evidence, please see Study S1 in the supplementary document.) These findings generalized across diverse situations that included harms involving diminished capacity and situational pressures, or what has been generally referred to as capacity and situational control (Alicke, 2000). Interestingly, in one scenario (domestic battery) the RPP standard *positively* predicted Culpability judgments: The more likely it was that participants thought the RPP would behave in the same way as the defendant (the bipolar woman who assaulted her husband), the more punitive they were toward her. At least in some circumstances, therefore, believing that an offender's behavior is relatively common or reasonable increases negative reactions to that behavior, perhaps representing participants' aversion to what they perceive as a widespread tendency to act aggressively in certain situations.

4 | STUDY 2

As we noted in the introduction, one reason why the self-standard might dominate the RPP is that people rarely have adequate data upon which to estimate the RPP's behavior. The main questions we pursued in Study 2, therefore, were (a) whether self-estimates would still be influential even when participants had a solid evidential base for estimating typical behavior, and (b) whether susceptibility to RPP information depends on one's own self-estimates (e.g., participants who predict they would vs. would not behave in the same way as the defendant might be more concerned with RPP/consensus information). To this end, we provided participants with information that varied whether a majority of individuals purportedly indicated that they would have behaved similarly to or differently from the defendant in the same situation.

Specifically, we presented participants with scenarios in which a man who lived in a dangerous neighborhood defended himself against a presumed attacker (Study 2a), or in which a woman fought back against an abusive spouse (Study 2b). Participants judged the culpability of the target, and also indicated their own hypothetical behavior in the scenario.

We first hypothesized that participants would show more [less] lenience in their judgments of the defendant when given consensus information in support of [in opposition to] the defendant's actions, compared to a control. In other words, we hypothesized that RPP information would elicit the effect to be expected based on legal arguments for the efficacy of RPP instructions. Nevertheless, we also hypothesized that self-standard would account for more variability in judgment of the defendant than the RPP manipulation. Finally, we explored Self-RPP interactions, that is, whether RPP information affects judgments of target culpability differently depending on participants' self-standards. It is possible that RPP information yields different effects when comparing those who would versus would not act in the same way as the defendant.

Using the issue of murder in self-defense provided a stringent test of our hypotheses, because in Study 1 (Table 3), murder in

self-defense was the only scenario in which estimates of the RPP standard significantly predicted culpability judgments, whereas estimates of self-standard did not. Hence, if self-standard dominates an experimentally manipulated RPP standard, even in the context of murder in self-defense, this would provide stronger evidence that jurors' self-standards (and individual differences more generally) might limit the efficacy of RPP instructions in actual jury settings.

We recruited only males in Study 2a and only females in Study 2b because the events in question (self-defense in a dangerous neighborhood, and self-defense in response to domestic abuse, respectively) may seem somewhat gender-specific to our participants, and we sought to avoid floor and ceiling effects. For example, we may find that most participants blame males who claim self-defense in response to domestic abuse, and excuse females who claim self-defense in a dangerous neighborhood. Also, because these are issues for which participants' value orientations might play a significant role, we ran each study in two waves, recruiting only conservatives in the second wave to balance the mostly liberal sample that we obtained in the first wave, thereby improving the political representativeness of our sample.

4.1 | Method

4.1.1 | Participants

All participants were recruited online in the United States via Amazon's Mechanical Turk. Participants indicated their gender in a prescreening session and were then directed to the survey. As stated above, we recruited only males in Study 2a ($N = 240$) and only females in Study 2b ($N = 217$). Five cases from each study failed the comprehension check (described below), and six cases in Study 2b failed to sufficiently complete the survey. In addition, Study 2a [and Study 2b] included 20 [16] participants who failed an attention-check item ("just click very likely so that we know you're paying attention"), 15 [zero] participants who completed the survey outside of U.S. territory (according to MTurk's latitude/longitude data), and 20 [12] observations with a nonunique IP address. We removed these participants to better ensure data integrity, leaving final samples of 193 males ($M_{age} = 33.8$, $SD = 11.6$) and 183 females ($M_{age} = 35.9$, $SD = 11.2$). With 193 [183] participants and $p < .05$, to detect as significant an effect size of $\eta_p^2 = .048$ (roughly equivalent to $r = .22$, the estimated average effect size of 100 years of social psychological research; Richard et al., 2003) there was 82% [79%] power.

4.1.2 | Materials and procedure

Scenarios and RPP manipulation

Participants in each study read a scenario in which an individual encountered a violent assailant. The scenario in Study 2a depicted a man walking alone through a dangerous neighborhood. The man was carrying a licensed handgun for safety and was suddenly accosted by an unarmed, yet, aggressive male stranger. The scenario in Study 2b depicted a woman in an abusive relationship that she was afraid to leave. Her male partner returned home and was more drunk and abusive than usual. She genuinely believed that her life was in danger; also, there was a loaded gun nearby.

Participants, in counterbalanced order, (a) imagined themselves in the scenario as the person being confronted by the assailant, and (b) read about an event (described as having actually occurred recently in the United States), in which an unspecified target individual was placed in the very same situation. (We refer to these as *self*-scenario and *target* scenario, respectively.)

Self-Scenario

In the *self*-scenario, participants indicated how likely they would be to shoot the assailant. As in Study 1, we refer to this measure as *Self-Standard*. Specifically: After reading the *self*-scenario, participants in Study 2a were then asked to respond to the following statement: "In such an extreme situation, I would pull out my gun and shoot the man." The corresponding item in Study 2b was: "In such an extreme situation, I would retrieve the gun and shoot my partner." All participants responded on a 1 *(totally disagree)* to 6 *(totally agree)* scale.

Target Scenario and RPP Manipulation. The experimental manipulation pertained to the *target* scenario. This scenario ended with the target individual shooting and killing the assailant. The target was later charged with manslaughter and pled guilty, citing reasons of self-defense. After reading this scenario, all participants read: (a) a standard legal definition of self-defense; (b) a statement that the acceptability of the self-defense excuse depends on whether a RPP would have behaved in the same way as the defendant; and (c) a statement that jurors are expected to base their guilt verdict on their beliefs about how the RPP would have behaved under the same circumstances (see Supplementary Materials for full details).

In the *RPP-Approve* condition, participants read that residents (we specified female residents in Study 2b) of the town in which the event occurred were polled, and that 82% indicated that they *would have* shot the assailant themselves, whereas in the *RPP-Disapprove* condition, participants read that 82% of the residents *would not have* shot the assailant. Participants in the control condition did not read any information about community consensus. Participants in the two experimental conditions then completed a comprehension check to ensure that they had properly read the consensus information.

Participants then answered a series of questions about the target's action. These included: (a) how reasonable they believed the defendant's action was, given the situation (1 = *very unreasonable*, 6 = *very reasonable*); (b) whether, in general, it is reasonable for the typical person to behave this way in such situations (1 = *very unreasonable*, 6 = *very reasonable*); (c) how likely they think it is that a RPP, under the same circumstances, would have felt an immediate need to defend him/herself (1 = *very unlikely*, 6 = *very likely*); and (d) how likely they would be to find the defendant guilty of manslaughter (1 = *definitely not guilty*, 6 = *definitely guilty*). After reverse-coding item (d), these four measures were reliable (all αs> 0.92, all rs = 0.69-0.93, per study), so in both studies we collapsed them to form a general measure that we refer to as *Leniency* (high scores indicate

perceived acceptability of the target's act of manslaughter). (We note that, although these four measures reflect somewhat different concepts, statistically they behaved almost identically. Regardless of which specific item was used as the dependent measure, results varied negligibly.)

Demographics

Participants then provided demographic information. Because the action depicted in each experimental vignette (namely, murder in self-defense) may sometimes evoke political disagreement, we included two questions about political ideology: "What is your political stance on [social] [economic] issues?" Participants self-identified on each measure using an 11-point scale (1 = *extreme left*, 6 = *centrist*, 11 = *extreme right*). These two measures were strongly correlated (rs = .50–.73, per study, per condition), so we collapsed them to form a single measure of political ideology (high scores indexing political conservatism). Each sample was on average politically centrist and revealed a normal distribution of political ideology: $M_{Study-2a}$ = 6.16, SD = 2.75; $M_{Study-2b}$ = 6.01, SD = 2.75. Study 1 also included measures of religious attendance, attitudes toward gun control, and attitudes about the police's ability to make decisions that are right for the community. Importantly, these measures, and also age and ideology, did not significantly differ across conditions in either study, Fs < 1.50, ps > .227. In Study 2b, we also asked participants if they had ever been abused, using a binary measure. Responses did not differ across conditions, χ^2 (2) = 2.08, p = .354.

Finally, participants were debriefed. We assured them that the *target* scenario was actually fictitious, and we provided participants in Study 2b with links to Websites that provide support for domestic abuse victims.

4.2 | Results and discussion

We hypothesized that (a) the RPP manipulation would affect Leniency judgments (such that participants in the RPP-Approve condition would show higher Leniency scores), but that (b) Self-Standard would exert a stronger effect. Regarding (a), a one-way ANOVA yielded a marginally

significant of the consensus manipulation on Leniency in Study 2a, $F(2, 190)$ = 2.53, p = .081, η_p^2 = 0.026, and a significant effect in Study 2b, $F(2, 180)$ = 6.17, p = .003, η_p^2 = 0.064. The predicted pattern of results was obtained (see Table 4), such that those who read that most people claimed they *would* have shot the assailant judged the target more leniently than did those who read that most people claimed they would *not* have shot the assailant. A post hoc contrast (1 -2 1) comparing the RPP-would not condition against the control and RPP-would conditions was significant in both studies, $F(1, 190)$ = 4.35, p = .038, η_p^2 = 0.022, and $F(1, 180)$ = 11.45, p = .001, η_p^2 = 0.060, respectively (the remaining 1 0 –1 contrast was nonsignificant in both studies, Fs < 1; in other words, the control did not significantly differ from the RPP-would condition).

Then, regarding (b), we reran the above ANOVA but now included both Condition and the continuous Self-Standard variable as main effects (both as fixed factors), as well as their interaction term. The effect of Condition increased slightly (Study 2a: $F(2, 175)$ = 4.33, p = .015, η_p^2 = 0.047; Study 2b: $F(2, 165)$ = 3.73, p = .001, η_p^2 = 0.080. Importantly, the Self-Standard effect was far larger in both studies: $F(5, 175)$ = 57.30, p < .001, η_p^2 = 0.621; and $F(5,165)$ = 30.53, p < .001, η_p^2 = 0.481. (Note: Coefficients and effect sizes were not affected by including political ideology as a covariate in the model, which itself yielded a significant effect in both Study 2a—$F(1, 174)$ = 4.13, p = .044, η_p^2 = 0.023—and Study 2b—$F(1, 164)$ = 5.42, p = .005, η_p^2 = 0.047: Conservative participants were slightly more likely to judge the action of self-defense with leniency.) In sum: In each study, variability across participants in Self-Standard uniquely accounted for far more of the total variance in Leniency judgments than did the consensus manipulation. (Zero-order correlations between Self-Standard and Leniency were $r(191)$ = 0.76 and $r(181)$ = 0.74 in Study 2a and 2b, respectively, ps < 0.0001.)

4.3 | Who is affected by RPP information?

In the preceding models, the Condition x Self-Standard interaction exerted a strong (although nonsignificant) effect in Study 2a—$F(10, 175)$ = 1.39, p = .188, η_p^2 = 0.074—and Study 2b—$F(10, 165)$ = 1.29, p = .238, η_p^2 = 0.073. (With the samples combined, the effect was

TABLE 4 Mean ratings (and standard deviations) of Leniency judgments (Study 2)

Condition	Study 2a (Dangerous Neighborhood) M (SD)	Study 2b (Domestic Abuse) M (SD)
RPP-Disapprove	4.01[a] (1.47) [3.64, 4.39]	4.36[a] (1.55) [3.97, 4.75]
RPP-Approve	4.54[b] (1.25) [4.23, 4.86]	5.13[b] (0.96) [4.89, 5.38]
Control	4.34[ab] (1.28) [4.03, 4.49]	4.92[b] (1.21) [4.60, 5.24]

Note: Scale: 1 = *murder in self-defense not at all acceptable*, 6 = *murder in self-defense totally acceptable*.

95% confidence intervals in brackets.

Within each column, coefficients *not* sharing a common superscript are significantly different in post hoc comparisons (ps < .05).

significant: $F(10, 358) = 1.96$, $p = .037$, $\eta_p^2 = 0.052$.) This warrants further analysis to observe, which participants (i.e., those willing vs. not willing to shoot the assailant themselves) were most affected by the RPP manipulation.

We first converted Condition into two dummy variables, one comparing RPP-Approve against the remaining two conditions, and one comparing RPP-Disapprove against the remaining two conditions. Then, using Hayes's (2013) PROCESS macro (model-1: basic moderation) and 5,000 bootstrapped samples, we ran one model per study. Each model included both dummy predictors, Self-Standard entered as moderator, the RPP-Disapprove dummy entered as a covariate (plus its interaction with Self-Standard), and presentation order (Self-Standard measured before [0] vs. after [1] Target-scenario judgments) entered as a covariate, all predicting the dependent variable Leniency.

Study 2a revealed a main effect of Self-Standard ($\beta = 0.57$ [95% CI 0.44, 0.70], $SE = 0.07$, $t = 8.69$, $p < .001$): Participants who themselves were relatively willing to shoot the assailant typically judged the target more leniently. There was also a main effect of the RPP-Disapprove dummy ($\beta = -1.20$ [95% CI −1.90, −0.50], $SE = 0.35$, $t = 3.40$, $p = .001$): Participants who read that most people would *not* shoot the assailant typically judged the target with much less leniency. The main effect of the RPP-Approve dummy was nonsignificant ($\beta = -0.21$ [95% CI −0.92, 0.49], $SE = 0.36$, $t = 0.60$, $p = .550$). Presentation order was nonsignificant ($\beta = -0.06$, $t = 52$, $p = .607$; Leniency scores were not affected by presenting the target scenario before vs. after measuring self-standard). Finally, the Self-Standard x RPP-Disapprove interaction was significant ($\beta = 0.20$ [95% CI 0.01, 39], $SE = 0.10$, $t = 2.06$, $p = .041$), but the Self-Standard x RPP-Approve interaction was nonsignificant ($\beta = 0.04$ [95% CI −0.15, 0.22], $SE = 0.10$, $t = 0.37$, $p = .714$). Decomposing the former interaction, the RPP-Disapprove manipulation reduced Leniency scores among participants with middling Self-Standard scores ($\beta = -0.41$ [95% CI −0.73, −0.09], $SE = 0.16$, $t = 2.51$, $p = .013$) and participants 1SD below the Self-Standard mean ($\beta = -0.80$, [95% CI −1.19, −0.42], $SE = 0.20$, $p<.001$), but did not significantly affect Leniency scores of participants 1SD above the Self-Standard mean ($\beta = -0.21$ [95% CI −0.65, 0.22], $SE = 0.22$, $t = 0.98$, $p = .330$).

Study 2b also revealed a main effect of Self-Standard ($\beta = 0.59$ [95% CI 0.46, 0.72], $SE = 0.07$, $t = 8.70$, $p<.001$) and a marginally significant main effect of the RPP-Disapprove dummy ($\beta = -0.77$ [95% CI −1.57, 0.03], $SE = 0.40$, $t = 1.90$, $p = .059$). Unlike in Study 2a, there was also a main effect of the RPP-Approve dummy ($\beta = 1.27$ [95% CI 0.34, 2.21], $SE = 0.47$, $t = 2.67$, $p = .008$). Presentation order was only trending toward significance ($\beta = -0.21$ [95% CI −0.45, 0.04], $SE = 0.13$, $t = 1.65$, $p = .102$; participants who read the target-scenario first before providing their own self-estimates were typically slightly less lenient when judging the target). Finally, the Self-Standard x RPP-Disapprove interaction was nonsignificant ($\beta = 0.12$ [95% CI −0.06, 0.30], $SE = 0.09$, $t = 1.32$, $p = .189$), but the Self-Standard x RPP-Approve interaction was significant ($\beta = -0.24$ [95% CI −0.44, −0.03], $SE = 0.10$, $t = 2.27$, $p = .025$). Decomposing the latter interaction, only participants with low Self-Standard scores were affected:

That is, among participants who were predisposed to *not* shoot in self-defense, the RPP-Approve manipulation *increased* their leniency when judging the target who did shoot in self-defense ($\beta = 0.80$ [95% CI 0.24, 1.36], $SE = 0.28$, $t = 2.82$, $p = .005$). Otherwise, participants with middling or high Self-Standard scores tended to *not* be affected by *either* RPP manipulation ($-0.15 < \beta s > 0.09$, $ps > .530$).

In short, only participants with relatively low Self-Standard scores (i.e., those relatively unwilling to shoot the assailant) were affected by RPP information. In Study 2a, reading evidence to suggest that a RPP would *not* defy the law for sake of preemptive self-defense typically made such participants *less* lenient toward the target who did defy the law for self-defense. In Study 2b, reading evidence to suggest that a RPP *would* defy the law for sake of preemptive self-defense made such participants *more* lenient toward the target who did defy the law for self-defense. In contrast, participants with middling to high Self-Standard scores (i.e., those relatively *willing* to shoot the assailant) were generally not affected by RPP information. This suggests that individuals who—if placed in the defendant's situation—are themselves committed to the action under criminal investigation are relatively impervious to influence from consensus information.

5 | GENERAL DISCUSSION

The present studies revealed a consistent pattern of results: When a self-standard was pitted against either a measured (Study 1) or manipulated (Studies 2a and 2b) standard of the "reasonable" or "average" person, the self-standard consistently emerged as the strongest predictor of social judgment, across a wide range of scenarios. Below, we discuss these findings with reference to related research as well as legal conceptions of "reasonable" standards of social judgment.

That people's personal values, beliefs, and preferences influence their perceptions of others is a bedrock finding in social and cognitive psychology. Most of the studies on this topic have been devoted to establishing the effect of self-standards and assessing moderators of self-in-social-judgment effects (Alicke et al., 2005). In many circumstances, however, cultural prescriptions endorse competing standards such as moral absolutes, consensus, or subcultural values. For example, even if Joe is repulsed by his brother's gay lifestyle, his inclinations might be countered by the belief that same sex orientations are morally blameless, by his knowledge that most people he knows accept same sex orientations, or by his church's recent acceptance of such practices.

Asserting the priority of one's values and beliefs can be a sign of moral integrity and self-confidence. This would be the case if, in the former example, Joe was perfectly accepting of his brother's lifestyle although everyone around him believed that it was reprehensible. However, moral beliefs can be idiosyncratic: Arguably, one of the most fundamental problems in world affairs is the difference in cultural, and especially religious, beliefs among people with incompatible views, or at least views that they believe are incompatible. Beyond differences in moral beliefs, individuals can differ in their

opinions about practical matters, such as whether a behavior was culpably negligent, or whether an act of self-defense was warranted. To address this problem in legal settings, Anglo-American law has evolved a RPP standard, in which, rather than their own standards, jurors are enjoined to evaluate a defendant according to the presumed standard of the typical, reasonable person in the community.

There are at least two major pitfalls, however, in trying to apply the RPP standard. The first is in estimating what the average person would do: Few jurors who are charged with this task neither have experienced similar situations, nor do they have access to a representative sample from which to estimate the RPP's behavior. The second problem is related to the first: The strong tendency to rely on one's own actions and projections in judging others is likely to be exacerbated when there is no evidential basis for estimating the RPP. Of course, the tendency to rely on self-standards is no problem when the self- and RPP-standards coincide, which occurs when the juror is a representative member of the community. Problems arise, however, when these standards diverge: Although we did not specifically vary whether the self and RPP standards were aligned or misaligned in the first study, there was no doubt that across a wide range of decision dilemmas, the self consistently predicted evaluative judgments more powerfully than did RPP estimates.

In Studies 2a and 2b, in which we did pit participants' own estimates against community standards, we found that self-estimates accounted for over six times more of the variance in target judgments than did information about how most people think they would have behaved in the same situation. An interesting addendum to these effects, however, was obtained in analyses that observed the effects of RPP information at different levels of Self-Standard (i.e., at various degrees of participant willingness to behave as the defendant did and kill their hypothetical assailant). Participants in both Studies 2a and 2b who scored low on this variable (thereby expressing that they would *not* have killed the assailant, themselves) were influenced by consensus information. The effect varied across studies such that in Study 2a, learning that others—and by inference, the RPP—shared their views led them to be more punitive toward the defendant relative to the control group, whereas in Study 2b, learning that others did *not* share their views led them to be less punitive toward the defendant. This inconsistency across studies may be due to the nature of the different scenarios or to the fact that Study 2a included only male participants and Study 2b included only females. In contrast, however, what *was* consistent across studies was that participants who were relatively *willing* to shoot the assailant in their hypothetical scenario were generally not affected by RPP information. This suggests that consensus information, or RPP instruction, may have little to no impact on individuals who, if placed in the defendant's situation, would themselves be committed to the action under criminal investigation.

This difference points the way to research that addresses individual differences in adhering to self versus normative standards, but at this point, our explanations are necessarily speculative. One possibility is that people with extreme views are less susceptible to revision based on community standards. Assuming that killing is a

more extreme response than not killing, this would have broad implications for social judgment, indicating that people with extreme views in any domain are less likely to alter their views after learning that they are in the minority. Or, it could be something about advocating violence in particular, such that those who endorse physical aggressiveness forge ahead regardless of social norms. Future research should further investigate the various factors that interact with RPP information to see whether this pattern generalizes across participant samples and legal scenarios.

Another even more general interpretation is that minority views per se are less susceptible to normative influence, which would be both interesting and counterintuitive, since one would assume that the support of the majority, or at least of the perceived majority, would foster intransigence.

A final explanation for these findings is that participants who are reluctant to commit the morally controversial act are less certain of their positions. Because we did not measure certainty, this interpretation is speculative, but is supported by the fact that in the domestic violence study (Study 2b), *both* RPP manipulations led to the expected effect, such that learning that others *would* have behaved aggressively led those who tended to oppose behaving aggressively to be more lenient toward the defendant, *and* learning that others would *not* have behaved aggressively led such participants to be less lenient. This is further supported by the fact that the other participants (i.e., those who said they *would* kill), in contrast, *did* demonstrate an apparent sense of certainty: Such participants were unaffected by RPP information, regardless of whether it was or was not consistent with participants' willingness to kill. This interpretation is consistent with Skitka's (2010) perspective on moral conviction, such that individuals who endorsed the target's legally controversial actions might be committed to viewing self-defense as a righteous cause.

5.1 | Caveats and conclusions

Research on the self in social judgment has concentrated on social projection (using one's own preferences, habits, and values to make predictions about others) (Robbins & Kruger, 2005), and on assimilation and contrast of other's positions to one's own (Bless & Schwarz, 2010). The present studies demonstrate that the self is not only a pervasive judgment standard, but also it is a dominant one. In particular, in judging the harmful choices and behaviors of others, people rely on their own projected behavior in the situation more than the projected behavior of an average or typical person, or of a statistical consensus of people. This tendency can be valiant when one's projected behavior is morally superior to the majority's, but assuming that good behavior is normative, people who adhere to this policy consistently will fall outside the heroic category.

Legal scholars have long suspected the dominance of the self-standard and the possibility that individual values and propensities will override the RPP standard. We did not, at this initial stage

of our research, test our findings in a mock jury context, and further research is needed to ascertain whether they hold up in more realistic legal settings. Assuming that these findings replicate in the legal context, they have significant implications for the instructions that jurors receive regarding excuses in cases of provocation, self-defense, and negligence. Courts might need to consider eliminating the RPP standard altogether, or alternatively, deliver specific instructions to jurors regarding the influence of personal beliefs and values on verdicts. As the present studies show, the influence of such personal beliefs can be strong enough to overwhelm the impact of explicit RPP standards.

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REFERENCES

Alicke, M. D. (1993). Egocentric standards of conduct evaluation. *Basic and Applied Social Psychology*, *14*, 171–192. https://doi.org/10.1207/s15324834basp1402_4

Alicke, M. D. (2000). Culpable control and the psychology of blame. *Psychological Bulletin*, *126*, 556–574. https://doi.org/10.1037/0033-2909.126.4.556

Alicke, M. D., Dunning, D. A., & Krueger, J. I. (Eds.) (2005). *The self in social judgment*. New York: Psychology Press.

Bless, H., & Schwarz, N. (2010). Mental construal and the emergence of assimilation and contrast Effects: The Inclusion/Exclusion Model. *Advances in Experimental Social Psychology*, *42*, 319–373. https://doi.org/10.1016/s0065-2601(10)42006-7

DeScioli, P., & Kurzban, R. (2009). Mysteries of morality. *Cognition*, *112*(2), 281–299. https://doi.org/10.1016/j.cognition.2009.05.008

Dunning, D. (2003). The relation of self to social perception. In M. R. Leary, & J. P. Tangney (Eds.), *Handbook of self and identity* (1st Edition, pp. 421–441). New York: Guilford Press.

Graham, J., Nosek, B. A., & Haidt, J. (2012). The moral stereotypes of liberals and conservatives: Exaggeration of differences across the political spectrum. *PLoS ONE*, *7*, e50092. https://doi.org/10.1371/journal.pone.0050092

Heller, K. J. (1998). Beyond the reasonable man? A sympathetic but critical assessment of the use of subjective standards of reasonableness in self-defense and provocation cases. *American Journal of Criminal Law*, *26*, 1–120.

Holmes, O. W. Jr (1881). *The common law*. Boston: Little, Brown, and Co.

Hurd, H. M., & Moore, M. S. (2002). Negligence in the air. *Theoretical Inquiries in Law*, *3*(2). https://doi.org/10.2202/1565-3404.1054

Kruger, J. (2000). The projective perception of the social world: A building block of social comparison processes. In J. Suls, & L. Wheeler (Eds.), *Handbook of social comparison: Theory and research* (pp. 323–351). New York: Kluwer Academic Publishers.

Lee, I. A., & Preacher, K. J. (2013). Calculation for the test of the difference between two dependent correlations with one variable in common [Computer software]. Available from http://quantpsy.org.

Miller, A. D., & Perry, R. (2012). The reasonable person. *New York University Law Review*, *87*, 323.

O'Connor, M., Gutek, B. A., Stockdale, M., Geer, T. M., & Melançon, R. (2004). Explaining sexual harassment judgments: Looking beyond gender of the rater. *Law and Human Behavior*, *28*(1), 69–95. https://doi.org/10.1023/B:LAHU.0000015004.39462.6e

Perry, E. L., Kulik, C. T., & Bourhis, A. C. (2004). The reasonable woman standard: Effects on sexual harassment court decisions. *Law and Human Behavior*, *28*(1), 9–27. https://doi.org/10.1023/B:LAHU.0000015001.07732.8e

Phillips, L. T., & Lowery, B. S. (2018). Herd Invisibility: The Psychology of Racial Privilege. *Current Directions in Psychological Science*, *27*(3), 156–162. https://doi.org/10.1177/0963721417753600

Reynolds, O. M. Jr (1970). The reasonable man of negligence law: A health report on the odious creature. *Oklahoma Law Review*, *23*, 410.

Richard, F. D., Bond, C. F. Jr, & Stokes-Zoota, J. J. (2003). One hundred years of social psychology quantitatively described. *Review of General Psychology*, *7*(4), 331–363. https://doi.org/10.1037/1089-2680.7.4.331

Robbins, J. M., & Krueger, J. I. (2005). Social projection to ingroups and outgroups: A review and meta-analysis. *Personality and Social Psychology Review*, *9*, 32–47. https://doi.org/10.1207/s15327957pspr0901_3

Scalet, S. P. (2003). Fitting the people they are meant to serve: Reasonable persons in the American legal system. *Law and Philosophy*, *22*, 75–110.

Seavey, W. A. (1927). Negligence—Subjective or objective? *Harvard Law Review*, *41*, 1–28. https://doi.org/10.2307/1330404

Skitka, L. J. (2010). The psychology of moral conviction. *Social and Personality Psychology Compass*, *4*(4), 267–281. https://doi.org/10.1111/j.1751-9004.2010.00254.x

Stapel, D. A., & Suls, J. (Eds) (2007). *Assimilation and contrast in social psychology*. London, UK: Psychology Press.

Thurstone, L. L., & Chave, E. J. (1929). *The measurement of attitude*. Chicago: University of Chicago Press.

Wiener, R. L., Hurt, L., Russell, B., Mannen, K., & Gasper, C. (1997). Perceptions of sexual harassment: The effects of gender, legal standard, and ambivalent sexism. *Law and Human Behavior*, *21*(1), 71–93. https://doi.org/10.1023/A:1024818110678

SUPPORTING INFORMATION

Additional Supporting Information may be found online in the Supporting Information section.

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APPENDIX A

Study 1 Scenarios

Scenario 1

Mr. Albright boarded the 422 subway at 4:55 p.m. Witnesses' stated that Mr. Albright was quiet, did not interact with the other passengers, and did not appear to be distraught. However, as passengers exited the subway at the Union stop, Mr. Albright began shouting and physically attacked another passenger, Mr. O'Donnell. Mr. Albright pinned Mr. O'Donnell to the ground and broke his right arm. Mr. Albright had been recently discharged from the war in Iraq and had been diagnosed with post-traumatic stress disorder (PTSD). PTSD is a mental illness that can cause extremely vivid flashbacks of the traumatic event.

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Scenario 2

Julia Glaston was a 19 year-old who occasionally did some babysitting for people who lived in her neighborhood. On Sept. 16, 2005, she was babysitting for some people who had recently purchased a house in the neighborhood. She had just filled up the bathtub to give the child a bath before putting her to bed when her cell phone rang. The call was from her boyfriend. She told him that she could not talk but he told her that he was breaking up with her. She then talked to him for 5 minutes and sat for a couple of minutes afterward. When she went to get the child she found that she had climbed in the bathtub. She took the child out and immediately called 911 but the child had already drowned and was dead.

Scenario 3

Mr. Frey was having a drink with a group of friends at a local bar. Mr. Frey had been at the bar for approximately 3 hours and had roughly seven drinks. At approximately 1:05 a.m., Mr. Raz, another patron of the bar, approached Mr. Frey's party and began making derogatory comments to Mr. Frey. Witnesses report that Mr. Frey began shouting at Mr. Raz. Mr. Raz pushed Mr. Frey and Mr. Frey then physically attacked Mr. Raz with a closed fist. The police were called and arrived on the premises at 1:30 a.m. Mr. Frey was arrested and charged with assault and battery.

Scenario 4

Edward Stanton had just begun a two-hour drive to pick up a friend whose car had broken down on his way home from school. The area Stanton was driving in had laws that prohibited cell phone use while driving. At 2 p.m., Stanton was scheduled to find out via text message which medical schools he had been accepted into. At about 2:10, Stanton's phone made the sound telling him that a text message had arrived. There was no place to pull off the road, and there were no cars anywhere near, so Stanton took a quick look at the message. As he was looking at it, his car veered into the next lane and sideswiped a driver who was speeding. The driver lost control of his car and he crashed into the median and was killed. Upon autopsy, it was found that the driver was legally intoxicated.

Scenario 5

Joseph Brawnson was a recent pledge in a large fraternity at a University in the southwest. As part of the initiation, two members of the fraternity drove Brawnson up into the mountains in the late afternoon on a sunny day and left him to hitchhike his way back to the university. The weather in the mountains suddenly changed and became freezing cold. Brawnson fell over a rock on his way down and broke his leg. Before a search party found him, he suffered frostbite and had to have two toes amputated on his left foot.

Scenario 6

The police arrived at the Brookover residence at 10:05 p.m. because the neighbors had called complaining of a domestic dispute. Mr. Brookover told the police that he and his wife had gotten into an argument over their financial situation. Mr. Brookover claimed that his wife became extremely upset during the argument and began hitting him repeatedly with a closed fist. Mr. Brookover suffered from several facial bruises as a result of the altercation. The police arrested Mrs. Brookover and charged her with domestic battery. Mrs. Brookover had been diagnosed with bipolar disorder as a teenager. Bipolar disorder is a mental illness that causes periods of mania and depression. An individual experiencing a manic episode may experience intense mood swings that cause strong feelings of anger, hostility, or irritability.

Scenario 7

Mr. Matt was a hunter who owned several hunting rifles. On a Thursday afternoon, Mr. Matt's son, Chris, found the key to his rifle cabinet in Mr. Matt's jacket which had been hanging in the very back of a hall closet of his home. Chris told the police that he and a friend Barry opened the cabinet and began playing with one of the rifles. While Chris was holding one of the rifles, he accidently discharged the gun and shot his friend Barry. Barry suffered a shot to his shoulder and was taken to the hospital for treatment. Mr. Matt was arrested for criminal negligence.

Scenario 8

Two years previously, Franklin Justin spent 4 months in jail for physical abuse of his wife, Nadia Justin. For a while, their relationship improved, but recently, Nadia Justin had to go to the emergency room for cuts and bruises after her husband hit her repeatedly while he was drunk. Nadia, however, did not press charges on this occasion. A week later, Franklin Justin came home in an extremely intoxicated state and began screaming at Nadia and told her he was going to kill her someday. He then left the room. Nadia took the loaded, licensed revolver that her husband kept in his night table and took it with her to the kitchen. When her husband came back, Nadia claimed that she thought he was going to attack her. She shot him and he died in the hospital 3 hours later.