

The Jury Selection Survey

Topic: Marketing Research (Researcher Bias, Unethical Uses of Data)

Characters: John, Assistant Project Coordinator for a regional marketing research firm
Helen Nesbitt, Director of Survey Research for the marketing research firm
Jim Williams, John's immediate supervisor

As an assistant project coordinator for a regional marketing research firm, most of the projects John has worked on--under very close supervision--have dealt with measuring consumer product brand awareness and preference. He enjoys his work, but he is anxious to be active in other types of studies and to have more responsibility.

John is excited when Jim Williams, his immediate supervisor, and Helen Nesbitt, Director of Survey Research, gives him the task of developing a telephone survey questionnaire for an attitude, opinion, and demographic profile study of a nearby city. He is especially intrigued because the survey is being conducted for a well-known criminal trial attorney.

The attorney is representing a financial planner charged with fraudulent acts. She believes the data provided by the survey will help her during the jury selection process. It is her opinion that a properly designed survey will yield valuable insights about the kinds of people who are more likely to be sympathetic to her client and who thus would make "better" jurors. Also, after the final jury is selected, she plans to study the attitudes and opinions of survey respondents whose demographic profiles are similar to those of the jurors to help her formulate arguments and appeals that will strike favorable chords with the jury.

It wasn't until John was telling his wife about the project that evening that he began to have an uncomfortable feeling. He had been following the case in the local newspaper and knew that many people who had participated in the investment plan had lost their life savings. This reminded John of an incident in college when all of a fraternity brother's college fund was lost because of a fraudulent investment scheme. From what he had read, John believed that there was a good chance that the financial planner was guilty.

That night John is unable to sleep, wonders what he should do. He knows that as long as there is no jury tampering, surveys such as this are legal. Because the jury selection process will begin in four weeks, work on the questionnaire must begin immediately.

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