Title: Neural support for contributions of utility and narrative processing of evidence in juror decision making

Short Title: Narrative and utility processing in juror decisions

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Abstract : Efforts to explain complex human decisions have focused on competing theories emphasizing utility and narrative mechanisms. These are difficult to distinguish using behavior alone. Both narrative and utility theories have been proposed to explain juror decisions, which are among the most consequential complex decisions made in a modern society. Here, we use patterns of brain activation derived from large neuroimaging databases to look for signatures of the cognitive processes associated with different models of juror decision making. We asked jury-eligible subjects to rate the strength of a series of criminal cases while recording the resulting patterns of brain activation. We identified cognitive processes associated with the cumulative evidence presented. Evidence accumulation correlated with multiple narrative processes, including reading and recall. Of the cognitive processes traditionally viewed as components of utility, activation patterns associated with uncertainty, but not value, were more active with stronger evidence. Independent of utility and narrative, activations linked to reasoning and relational logic also correlated with increasing evidence. Formal comparison of narrative and utility models supported a central role for narrative in integrating evidence in complex decisions.

Significance Statement: The last decade has seen a sharply increased interest in narrative as a central cognitive process in human decision making and as an important

factor in the evolution of human societies. However, the roles of narrative versus utility models of decision making remain hotly debated. While available models frequently produce similar behavioral predictions, they rely on different cognitive processes and so their roles can be separated using the right neural tests. Here, we use brain imaging during mock juror decisions to show that cognitive processes associated with narrative, and to a lesser extent utility, were engaged while subjects evaluated evidence. These results support a role for narrative in complex decisions.

Introduction

Narrative models have gained traction as an alternative to traditional utility models in economics (Shiller, 2017), psychology (Tuckett and Nikolic, 2017), and evolutionary biology (Gottschall et al., 2005; Wiessner, 2014) as a way of understanding real-world human decisions (Cialdini and Goldstein, 2004; Thaler and Sunstein, 2009; Shiller, 2017; Tremblay et al., 2017; Menon, 2018). While both narrative and utility models describe a process in which people evaluate evidence to reach a decision, the two models differ in the cognitive processes that underlie evidence evaluation. Neuroimaging provides a means of distinguishing cognitive mechanisms of evidence-based reasoning that are not easily resolved by behavioral studies alone.

Narrative and utility models differ significantly in the way they explain how people evaluate evidence and the influence of personal experience, emotional state, and biases in complex decisions. Utility models of decision making historically view the synthesis of evidence as primarily a quantitative process (von Neumann and Morgenstern, 1944) incorporating additional factors to explain deviations from optimality (Kahneman, 2003). Alternatively, the emerging narrative framework characterizes decision making as a “goodness-of-fit” operation that depends on how well choice options match personal experience, emotional state, and biases (Simon, 2004; Shiller, 2017; Hastie, 2019). Substantial behavioral evidence supports variants of both utility and narrative explanations of decision making. However, distinguishing behavioral

predictions from the two models remains challenging. Here, we instead use neural evidence to resolve the cognitive mechanisms supporting evidence processing.

Juror decisions are an important example of complex decisions in which narrative models have been especially prominent as an alternative to utility (Arkes and Garske, 1982; Devine, 2012; Allen and Pardo, 2019; Hastie, 2019). Lawyers have largely adopted the narrative framework for trial practice (Lubet and Lore, 2015), and mock juror studies have provided a substantial body of behavioral evidence supporting a narrative model (Pennington and Hastie, 1986; Hastie, 2019). Nonetheless, psychologists and legal scholars continue to debate the relative roles of narrative and utility models (Connolly, 1987; Simon, 2004; Arkes et al., 2012; Devine, 2012; Hastie, 2019). Juror decisions therefore provide an excellent opportunity to test the relative contributions of narrative and utility mechanisms to an important class of complex social decisions.

In the context of criminal trials, utility theory assumes that jurors assess the cumulative weight of the evidence to estimate the probability that the defendant committed the crime, and compare that probability to a threshold based on expected harms or benefits (Kaplan, 1968; Connolly, 1987; Arkes et al., 2012; Devine, 2012). Narrative models, by contrast, propose that evidence integration relies on the extent to which the evidence can be assembled into a cohesive, compelling, and credible story (Pennington and Hastie, 1986; Shiller, 2017). For jury decisions, narrative explanations are based on the extent to which the total body of information about a case can be structured into a coherent account and how closely the competing narratives offered by

prosecution and defense match the juror's background knowledge, experience, and beliefs (Arkes and Garske, 1982; Devine, 2012; Allen and Pardo, 2019; Hastie, 2019).

Here, we use neural data to test for the involvement of cognitive processes. To interpret the cognitive processes identified, we operationalize utility, narrative, and social-affective models as sets of underlying cognitive processes. We then use these to quantify the relative contributions of these sets of processes to complex decisions involving evidence and other factors. By relying on non-overlapping sets of cognitive processes to characterize the two models (and not any common processes like early visual cognition) we preserve the ability to weigh evidence in favor of each model. Using whole brain decoding (Li et al., 2017), we then compare patterns of brain activation associated with those cognitive processes to those observed during the processing of evidence in a criminal case. Finally, we extend the whole-brain decoding approach by comparing the goodness of fit for each model of juror decision making. This new approach allows us to resolve the contributions of each psychological model to a given decision.

Materials and Methods

Subjects, recruitment, and sampling

This manuscript analyzes different models of evidence accumulation for a dataset previously reported in (Castrellon et al., 2021); the previous study examined models of evidence-independent bias in juror decision making. Thirty-three healthy

jury-eligible adults between the ages of 18 and 52 were recruited from the Durham, NC community and underwent a single-session fMRI scan. All participants were screened for significant health or neurological problems and had normal or corrected-to-normal vision, and all gave written informed consent before the start of the experiment. Neuroimaging data from four participants were excluded from the analysis because of technical issues. Twenty-nine participants (mean age = 30.6 ± 9.58 years, 15 women and 14 men) remained for neuroimaging analyses. The experiment was approved by the local ethics committee at Duke University Medical Center.

Experimental procedures

The mock-juror task (Fig. 1A), answering a call to use engaging narratives in neuroscience (Willems et al., 2020), was adapted from earlier work (Pearson et al., 2018) for use in the fMRI scanner. The task used a 33 x 3 x 2 x 3 experimental design. Subjects viewed 33 scenarios that each describe accusation of a specific crime that span shoplifting to rape, murder and child sexual abuse. The task was split into three runs with 10-12 trials (scenarios) per run. For each scenario, participants first viewed a textual description of a crime type (a ‘scenario’) presented for 5-30s. This initial description contains no evidence of who committed the crime. While type of crime is the primary difference between scenarios, the scenarios also differ in other details, including names of defendants and victims, and the circumstances of the crime. Varying these other details is designed to keep subjects engaged throughout the task and to encourage participants to treat each scenario as a distinct crime. At the same time, the

varied descriptions raise the potential for differences other than crime type to influence effects of the crime scenario on judgments of guilt. However, our large number of scenarios and the range of crime seriousness across those scenarios allows us to test specifically for a main effect of crime seriousness on judgments of guilt (for scenario and evidence text see (Pearson et al., 2018)).

After viewing the crime scenario description, participants are shown three types of evidence implicating the named suspect (text presented one sentence at a time across multiple screens for 2-12s). Subjects viewed evidence that was: (1) physical evidence, (2) eyewitness, and (3) criminal history. The order of presentation for these evidence types were randomized. Evidence possibilities that link the accused to the crime included (1) one of three options of physical evidence (no physical evidence, DNA evidence or non-DNA physical evidence such as fingerprint or ballistic evidence); (2) either of two levels of eyewitness (eyewitness or a non-eyewitness), and (3) one of three options of criminal history (no prior convictions, prior conviction for a related crime, or prior conviction for an unrelated crime). This results in 18 unique evidence combinations (3 × 2 × 3) for each crime scenario. Participants viewed all 33 crime scenarios paired with only one randomized combination of evidence. Although each participant saw only one randomized combination of evidence for each crime scenario, we can test each of the 33 crime scenarios with all 18 evidence combinations (594 unique combinations) using a computational modelling approach. Following presentation of the scenario and evidence, participants were asked to rate the strength of the case and recommend a degree of punishment (on a scale of 0-100) for 6s each.

Computational modelling

We used a hierarchical Bayesian model to estimate scenario-level and evidence-level effects on case strength and punishment ratings. Since this model has the advantage of accounting for sparsely sampled data, we can estimate effects for all scenarios even though participants did not view all possible combinations of scenarios and evidence types. We previously applied this model to a large online sample of participants (Pearson et al., 2018) and show here that the model generally replicates case strength and punishment effects (Castrellon et al., 2021).

To account for both case strength and punishment ratings for a given scenario, we model the resulting vector of ratings, R_r, $r = 1 \ldots N_r$, similarly:

$$R_i \sim \left[\mathcal{N}(\theta_i, \sigma^2_{r(i)})\right]_0^{100} \tag{1}$$

$$\theta_i = X_{i\cdot} \cdot \beta_{s(i)c(i)\cdot r(i)} \tag{2}$$

$$\beta_{scpr} = \mu_{p,r} + \gamma_{cpr} + \epsilon_{spr} \tag{3}$$

$$\gamma_{cp\cdot} \sim \mathcal{T}_\nu(0, \Sigma_p) \tag{4}$$

$$\epsilon_{spr} \sim \mathcal{T}_{\nu'}(0, \tau^2 pr) \tag{5}$$

$$\Sigma_p = L_p \mathrm{diag}(\eta_p) L_p^\top \tag{6}$$

$$\Omega_p = L_p L_p^\top \sim \mathrm{LKJ}(1) \tag{7}$$

$$\mu_{pr} \sim \mathcal{N}(50, 50) \tag{8}$$

$$\eta_{pr} \sim \mathrm{Ca}^+(0, 50) \tag{9}$$

$$\tau_{pr} \sim \mathrm{Ca}^+(0, 50) \tag{10}$$

$$\sigma_r \sim \mathrm{Ca}^+(0, 5) \tag{11}$$

$$\nu, \nu' \sim \mathcal{N}^+(0, 100) \tag{12}$$

Here, we have used a "long" or "melted" representation of R in which each index i corresponds to a single observation of a single rating scale $r(i)$. This allows us to more easily handle missing data in the model fitting procedure (see below). Here, (4) and (7) involve a multivariate t-distribution on the population effects specific to each case (γ). That is, we allow for covariance among the ratings for each effect at the population level, where the magnitudes of the variances are again controlled by η and the correlations $\Omega = LL^\top$ are modeled according to the LKJ distribution (Lewandowski et al., 2009) through their Cholesky factorization (7). Second, in order to more accurately estimate variances in the presence of missing data, we have restricted this model to a single value of τ across all cases (for each outcome and regressor) (3).

We calculated posterior distributions and credible intervals for each variable of interest using Markov Chain Monte Carlo methods as implemented in the Stan probabilistic programming language (Carpenter et al., 2017). Full code for all analyses is available at https://github.com/jcastrel/juror_fmri_bias. Models were fitted by running 4 chains of 2000 samples with a thinning fraction of 2. The first half of samples were discarded as burn-in. This resulted in 2000 total samples for each variable, for which we report means as well as 95% equal-tailed credible intervals (bounded by the 2.5% and 97.5% samples from the distribution). We assessed convergence via effective sample size and the Gelman-Rubin statistic, for which all runs had $\hat{R} < 1.1$ (Gelman et al., 2014).

Since the model weights for crime-type bias (case strength and punishment for scenario) across the 33 scenarios were highly correlated in this sample ($r = 0.904$, $p < 0.001$) inclusion of both weights as parametric fMRI regressors would weaken our ability to separate both effects during scenario viewing. To compensate for this challenge, we ran a principal components analysis (PCA) to derive a common metric that explained sufficient shared variance of case strength and punishment (PC1) and orthogonal residual shared variance (PC2). Therefore, PC1 represents a general measure of crime-type bias. In a separate dataset, we previously reported that crimes rated as deserving higher punishment were rated as having a higher case strength (regardless of evidence). In that sample of Amazon mTurk participants (N = 360), case strength and punishment weights were also correlated ($r = 0.389$, $p = 0.025$). Prior to PCA, case strength and punishment weights were standardized (z-scored). In the fMRI sample,

PC1 explained 95.2% of the variability and PC2 explained 4.80% of the variability. Similarly, in the mTurk sample, PC1 explained 69.5% of the variability and PC2 explained 30.5% of the variability.

fMRI data acquisition

Brain images were collected using a 3T GE MR750 with an 8-channel head coil. For each of the 3 runs of the mock juror task, we acquired a T2*-weighted spiral-in sensitivity-encoding sequence (acceleration factor = 2) with slices parallel to the axial plane connecting the anterior and posterior commissures to acquire 488 volumes of 37 ascending interleaved slices, in-plane resolution = 3.75 x 3.75 x 3.75 mm, acquisition matrix = 64 x 64 and FOV = 243 x 243 mm, flip angle = 60°, TR = 1580 ms, TE = 30 ms. Before preprocessing these functional data, we discarded the first 7 volumes of each run to allow for stabilization of the T2* signal. To facilitate coregistration and normalization of these functional data, we also acquired whole-brain high-resolution anatomical scans (T1-weighted fast spoiled gradient echo sequence, in-plane resolution 1 × 1 × 1 mm; acquisition matrix = 256 × 256, FOV = 256 x 256 mm; 206 axial slices; flip angle = 12°, TR, 8.16 ms; TE, 3.18 ms).

fMRI data preprocessing

Preprocessing was performed using FSL software (version 5.0.1). Functional data were motion-corrected with MCFLIRT and aligned to the middle volume in the time series (Jenkinson et al., 2002). Non-brain tissue from anatomical and functional data

was removed using BET (Smith, 2002). Functional data were high-pass filtered with a cutoff of 100 seconds, spatially-smoothed with a 6 mm FWHM Gaussian kernel, and grand-mean intensity normalized. Functional images from each run were coregistered to subject's anatomical images using FLIRT with 6 degrees of freedom and nonlinearly transformed to a standard MNI space 2-mm^3 template using FNIRT with 12 degrees of freedom (Jenkinson and Smith, 2001).

Univariate fMRI analysis

Statistical modeling of fMRI data was performed using FSL FEAT (v 6.0.0) (Smith et al., 2004; Woolrich et al., 2009). First-level analyses used FILM prewhitening for autocorrelation correction. Event variables and parametric regressors were convolved with a double-gamma hemodynamic response function. For each subject, a general linear model was fit to the data with event regressors for 1.) scenario viewing, 2.) evidence viewing, 3.) case strength rating, and 4.) punishment rating. To identify regions associated with modulation of BOLD signal with crime-type bias, we included two parametric regressors for loading scores on the principal components (crime-type bias/PC1 and PC2) from the PCA described above between case strength and punishment model weights. Evidence accumulation during evidence viewing was modeled with a parametric regressor as the within-trial successive cumulative sum of evidence weights for case strength with each additional piece of evidence. Additional parametric regressors included the scenario-level case strength model weights during the case strength rating phase and scenario-level punishment model weights during the

punishment rating phase. Second-level analyses averaged within-subjects' data across runs using a fixed-effects model. Higher-level analysis used a mixed-effects model (FLAME1) to average data across subjects. Statistical maps were thresholded using a cluster-forming threshold with a height of $Z > 2.3$, and cluster-corrected significance threshold of $p < 0.05$.

Neurosynth Similarity Analysis

To evaluate the quality of our topic models in an unbiased and data-driven fashion, we followed up the linear regression with topic-based spatial correlation analysis. Here, we estimated the spatial voxelwise Pearson correlation between our parametric fMRI maps and each of all the possible 200 topic maps in the Neurosynth database. We visualized these correlations using histograms for the thresholded map (Fig. 3). We expected the specific topics with the strongest associations would match those from our a priori models. As a followup, a series of a priori models was constructed which consisted of groups of cognitive processes associated with the utility, narrative, social-affective model families and more refined submodels. We grouped meta-analytic reverse-inference fMRI statistical maps from the Neurosynth database (version 5, 200 topics release: https://neurosynth.org/analyses/topics/v5-topics-200/) (Yarkoni et al., 2011) that reflect cognitive features associated with distinctive models of juror decision making. For example, a moral judgment model included Neurosynth maps from topic 112 ("context", "empathy", "prosocial", etc.), topic 135 ("moral", "guilt", "harm", etc.), topic 145 ("mind", "mental", "social", etc.), and topic 154 ("social", "interactions",

“interpersonal”, etc.). We grouped maps according to a hierarchical structure with primary models and nested submodels. For the moral judgment model, for example, topic maps 112 and 135 contributed to a moral submodel and topic maps 145 and 154 contributed to a social submodel. To limit user degrees of freedom while defining model structure, we preregistered the list of topics associated with each model and submodel of decision making (details at https://osf.io/rk92x/) prior to analysis. The list of topics included in each model is provided in Extended Data 2. We defined 6 primary models that include 2 social-affective models (affect and moral judgment) and 4 evidentiary models of two types (utility or narrative). For the utility model, we included core cognitive topics associated with value, the consideration of risk, and mathematical calculation. For the narrative model, we included a series of submodels: 1. Experience, culture, and recall narrative (meant to encompass models associated with the consistency of a story and past experiences). This model was further subdivided into: 1a. culture and ideation bias and 1b. recall; 2. Working memory narrative (meant to capture the process of holding the pieces of a story together); and 3. Reading narrative (meant to capture models associated with processing fluency). For social-affective models, we considered both affect and moral judgment. Within moral judgment, we included submodels for the process of applying morality and, separately, broader studies of social cognition. After defining the models, we ran spatial linear regression using the topic maps as predictors of each model’s similarity to our parametric statistical maps for evidence accumulation using the form $\hat{Y}(fMRI\ map) = \beta 0 + \beta_1(topic_A) + \beta_2(topic_B) + \ldots + \epsilon)$for *i* topics included in each model. We used unthresholded z-statistic maps from our results and

unthresholded z-statistic Neurosynth topic maps provided by the Neurosynth developer Tal Yarkoni (since the viewable maps on the Neurosynth website are thresholded). We restricted inclusion to voxels that survived cluster-based thresholding for positive parametric effects (Fig. 2). This prevents describing a cognitive process as being involved in a decision if it was suppressed rather than activated. FMRI spatial maps were vectorized into one-dimensional arrays using the ‘nibabel’ package. We ran linear regressions using the ‘OLS’ and ‘fit’ functions from the ‘statsmodels’ Python package and extracted bayesian information criterion (BIC) scores. Lower BIC scores indicate greater similarity of the fMRI spatial maps to the decision-making models.

To identify meaningful associations, we estimated a model-specific lower bound threshold of BIC scores by comparing each decision making model BIC score to a null model that consisted of topic maps that were not included in any a priori model (177/200 remaining topic maps). The number of topic maps included in a null model matched the number of topic maps in a given model. We resampled 5,000 combinations of the randomly selected topic maps without replacement. Our lower bound threshold was defined as the 95 percentile of null model BIC scores (indicating a model fit was higher than 4,750 null models ($p < .05$). Model fit and regression coefficients are presented in Extended Data 3.

Post-hoc analysis of evidence accumulation

The model-based analysis suggested that a reading model explained a significant amount of the variability in neural activation associated with evidence accumulation. We considered the possibility that the association with reading reflects processing of low-level textual features, such as word count or reading complexity, as opposed to the meaning and coherence of the narrative interpretation of the text.

Using FSL FEAT, we performed a least-squares analysis (Jenkinson et al., 2002; Smith, 2002) on the preprocessed fMRI data such that each participant's data was modelled with a design matrix composed of 132 columns for each trial's event period with a single event in each column (33 scenarios x 4 event types: scenario, evidence (which includes all 3 evidence presentations), case strength rating, and punishment rating). These single-trial estimates were modeled with a double-gamma hemodynamic response function and the contrast representing the mean effect was extracted as a Z-statistic image. We then estimated the mean activation associated with the evidence reading events for each trial from a mask of the significant clusters associated with evidence accumulation (Fig 2A).

To rule out the possibility that neural activation associated with evidence accumulation is driven by low-level textual features, we applied a mixed-effects model with a random intercept for each participant using the "lme4" and "lmerTest" packages in R to test the trial-level effect of summed word count from evidence pieces on fMRI activation. Using the "quanteda" R package, we calculated the number of words,

syllables, and sentences for each crime scenario. We estimated reading complexity using the Flesch-Kincaid formula (F-K = (0.39*words per sentence) + (11.8*syllables per word) - 15.59) (Kincaid et al., 1975).

Data and code availability

Unthresholded fMRI statistical maps can be viewed/downloaded from Neurovault: https://neurovault.org/collections/UADNVKNI/. Code and fMRI analysis pre-registration for hypothesis grouping can be viewed and downloaded from OSF: https://osf.io/rk92x/ and Github: https://github.com/jcastrel/juror_fmri.

Results

Jury-eligible participants viewed a series of simplified crime scenarios that vary in the type of crime and amount of evidence supporting guilt (Pearson et al., 2018) during functional magnetic resonance imaging (fMRI). Following each scenario, participants rated the strength of the case against the defendant and the punishment deserved for the crime. We used a hierarchical Bayesian model to estimate the effects of each type of evidence on participant ratings of case strength and punishment, controlling for the effects of different crime scenarios. Overall strength of the case reflected the sum of the weights of the individual pieces of evidence presented (Fig. 1). Here, we examine

cognitive processes associated with evidence accumulation. We address the effects of different crime scenarios in a separate manuscript (Castrellon et al., 2021).

Neural activations associated with evidence accumulation

To identify the patterns of brain activation associated with evidence accumulation, we modeled the neuroimaging data using separate parametric regressors for the effects of each item of evidence presented. We observed a constellation of activations associated with evidence accumulation, including distinct regional activations that were positively and negatively correlated with the cumulative weight of the evidence presented for each scenario (Fig. 2A). Increasing strength of evidence evoked activation in the posterior temporal-parietal junction, dorsal-lateral prefrontal cortex, dorsal medial prefrontal cortex, ventral striatum, middle caudate, entorhinal cortex, hippocampus and amygdala. Decreasing strength of evidence was associated with activation in somatosensory, motor, early visual, and insular cortex as well as superior temporal sulcus. The unthresholded statistical map for evidence accumulation is accessible on Neurovault (https://neurovault.org/collections/UADNVKNI/).

The brain regions identified in this analysis have been linked to many different cognitive processes. To clarify the cognitive processes linked to evidence accumulation, we employed a data-driven approach, comparing the pattern of brain activations associated with evidence accumulation to the activations associated with each of 200 topics defined in the Neurosynth database (version 5, 200 topics release: https://neurosynth.org/analyses/topics/v5-topics-200/) (Yarkoni et al., 2011). Neurosynth

topic maps reflect meta-analyses of more than 14,000 fMRI studies (Yarkoni et al., 2011). We used a spatial voxelwise linear regression to compare activations associated with evidence accumulation to the map of activations associated with each Neurosynth topic (Fig. 3). For this analysis, we considered only brain regions positively correlated with evidence accumulation because our current task varies the amount of affirmative evidence of guilt. Exonerating evidence would be necessary to distinguish a role for negative correlations in evidence processing from energy minimization in the brain. Topics with the strongest correlations for evidence accumulation included language comprehension topics (Topic 9 - semantic, word, knowledge; Topic 95 - verbs, nouns, syntactic; Topic 162 - words, lexical, meaning), memory topics (Topic 72 - pairs, associative, accuracy; Topic 28 - memory, retrieval, episodic; Topic 65 - recognition, correct, familiarity), a quantitative reasoning topic (Topic 2 - problems, mathematics, calculation), and a reasoning topic (Topic 23 - reasoning, relational, logic). These topics appear to align with aspects of both utility and narrative models. To formally compare which models are supported by these topics, we preregistered groups of topics relevant for each psychological model.

Neural support for two aspects of a narrative framework

We preregistered a list of cognitive topics associated with utility, narrative, and social-affective models and submodels (https://osf.io/rk92x/) to limit user degrees of freedom while defining model structure. To compare these models, we used a spatial voxelwise linear regression to compare activations associated with evidence

accumulation to the map of activations associated with each Neurosynth topic (Fig. 4A). For the utility model, we included core cognitive topics associated with value, the consideration of risk, and mathematical calculation. For the narrative model, we included a series of submodels: 1. Experience, culture, and recall narrative (meant to encompass models associated with the consistency of a story and past experiences). This model was further subdivided into: 1a. culture and ideation bias and 1b. recall; 2. Working memory narrative (meant to capture the process of holding the pieces of a story together); and 3. Reading narrative (meant to capture models associated with processing fluency). We have separated these utility and narrative processes according to a split between quantitative and qualitative reasoning. However, we note that modern efforts have proposed the integration of features of recall into utility models of decision making (Shadlen and Shohamy, 2016; Zhang et al., 2021). To preserve the ability to compare these models, we maintain the sets of cognitive processes as two, non-overlapping, groups of cognitive processes. To consider the impact of factors outside of narrative and utility, we also tested a social-affective model, including affect and moral judgment. Within moral judgment, we included submodels for the process of applying morality and broader studies of social cognition. Hereafter, a model is described as significant if it explains more variance than 95% of models composed of randomly drawn topics from the 177 topics not associated with one of the a priori models. The null distribution for each test was defined for a number of topics matched to each model (e.g., 5 drawn topics if the model being evaluated contained 5 topics).

If evidence accumulation is largely a matter of quantitative reasoning regarding the likelihood that an event occurred, we would expect that patterns of brain activation associated with evidence accumulation would be similar to topic maps from the utility model. On the other hand, if evidence accumulation relies on non-quantitative processes, like the coherence and plausibility of a narrative, then we would expect brain activation for evidence accumulation to correspond to topic maps from the narrative models. For example, the recall of past experiences and events is more likely to be necessary when evaluating narrative plausibility.

Patterns of brain activation during evidence accumulation were significantly correlated with topic maps from the narrative model (BIC = 40285, $p = 0.014$, resampled null, Fig. 4B) but not utility (BIC = 41550 , $p = 0.24$, resampled null, Fig. 4B) or social-affective (BIC = 41947, $p = 0.72$, resampled null, Fig. 4B) topic sets. Of the narrative submodels, both the narrative recall and narrative reading topic maps explained a significant percentage of the variance (Fig. 4B, BIC = 41436, $p = 0.019$, resampled null and BIC = 40975, $p = 0.020$, resampled null, respectively). The reading topic model included cognitive processes associated with both the reading of individual words and sentences and the integration of words and sentences to interpret the meaning of the text, driven by a significant association with 3 of the 4 preregistered topics in the reading model (see above) . The fourth topic (topic 93 - language, comprehension, narrative) was not in the top 5% of the 200 topics tested (Fig. 3), but was closely grouped with the other three (unlabeled red dot in Fig. 3). In our analysis, the activation of brain regions associated with the reading submodel correlated

parametrically with the cumulative weight of the evidence (Fig. 4B), and not with the cumulative number of words or complexity/readability in the evidence text (Ext. Data 1). Specifically, our post-hoc ROI analysis indicated that low-level textual features did not drive observed evidence accumulation patterns of activity in reading-processing regions. Neither word count ($F(1,932.42) = 0.063$, $p = 0.802$) nor reading complexity ($F(1,932.89) = 0.322$, $p = 0.571$) were associated with fMRI activation during evidence viewing.

This suggests that the activation of brain regions associated with reading is related to the interpretation rather than the length or complexity of the text. The correlation between patterns of brain activation observed with increasing evidence and patterns associated with recall provides support for the role of narrative in weighing evidentiary contributions to case strength.

Reading activation is specific to evidence accumulation

To better understand the correlation of reading topics maps with evidence accumulation, we tested for a similar correlation with reading the crime scenarios, which appear before the presentation of evidence (Fig. 1). The type of crime described in each scenario has an independent effect on case strength ratings, even though it does not logically inform whether the defendant committed the crime. If the relationship between reading topics and evidence accumulation is a matter of simply reading any text that affects case strength regions, we would expect to find a significant relationship between

the reading topic maps and increasing activation with crime type. In a separate analysis, we identified brain activation patterns associated with a bias in case strength rating due to crime severity (Castrellon et al., 2021). That analysis showed a significant relationship of crime-type bias with brain regions associated with social cognition. Here, we compared activation for crime-type bias to the same reading topic maps used in our models of evidence accumulation. Topic maps associated with the reading submodel showed no significant correlation with the effect on case strength driven by reading the initial scenario describing each crime. We found no significant relationship between increasing activation patterns associated with reading different crime scenarios and the reading topic maps (R^2 = 0.013, p=0.646).

Discussion

We have used neuroimaging to quantify the contributions of utility and narrative models to jury decision making, an example of complex human decisions. To do that, we extended a novel method for inferring cognitive processes from patterns of brain activation. Increasing levels of evidence evoked brain activation patterns associated with reading, recall, calculating uncertainty, and logic and reason. This set of cognitive processes include aspects of both narrative and utility models. In addition, the activation associated with logic and reason could be viewed as supporting both narrative or utility models, or as an entirely separate process. Nevertheless, our findings suggest a

prominent role for the narrative model in juror decision making that could be extended to other complex decisions.

Recall and reading processes track evidence accumulation

In addition to providing evidence of the importance of the narrative model, we were able to identify specific cognitive processes from the narrative model that significantly contributed to evidence accumulation in this task. We note that our analysis examined only the pattern of activity positively correlated evidence accumulation and does not address the negative correlated regions (Fig. 2A). Recall of past experiences (Baldassano et al., 2018) and reading are the only significant submodels that contribute to the explained variance. Recall allows the comparison of the current evidence to past experiences, stories, or schema (Baldassano et al., 2018), which can serve as a basis for assessing the plausibility and cumulative weight of the evidence.

Involvement of the reading submodel in evidence accumulation likely reflects the cohesion of the individual items of evidence rather than lower-level reading processes. The reading submodel includes not only the processes associated with reading individual words and sentences, but also the cognitive processes involved in integrating the content of words and sentences over time to assign meaning to the text. Consistent with this interpretation, imaging studies of subjects listening to stories have found that the integration of stories over increasing temporal windows shifts the pattern of brain activation from areas near auditory cortex to brain regions overlapping with those in our reading submodel (Lerner et al., 2011).

Previous work has shown that the familiarity and ease of processing a particular idea, including how easily it is read, is strongly associated with confidence in the validity of a statement (Hasher et al., 1977; Arkes et al., 1989; Fazio et al., 2015). Mentally, reading engagement might serve as an index of familiarity or the ease of understanding evidence that comprises a coherent account, and therefore confidence in the story presented, as proposed in the Story Model of juror decisions (Pennington and Hastie, 1986). Neuroimaging work comparing brain activation between true and false sentences generally supports this account, finding greater activation in the temporal parietal junction for true compared to false statements (Marques et al., 2009).

For this analysis, we focused on narrative as a mechanism for determining the likelihood that a particular story occurred (e.g., the story model (Pennington and Hastie, 1986)). As our models were formulated here, we find support for the narrative model in juror decision making. However, a significant body of research has studied narrative as an individual language process (Scholes, 1980; Britton and Pellegrini, 2014; Paulus et al., 2021), assembling information into memory schema (Baldassano et al., 2018; Chang et al., 2021), and communicating those schema to others (Shiller, 2017; Smith et al., 2017; Nguyen et al., 2020). Studies of narratives in juror decision making would benefit from connecting the aspects of evidence processing examined here to measures of narrative cohesion and how narrative schemas are encoded in the brain.

Support for aspects of the utility model

We note that our findings do not exclude a role for quantitative reasoning in evidence accumulation. In fact, while the set of topics included in our utility model do not meet our statistical threshold, the model-independent analysis finds that arithmetic/quantitative terms are ranked third in terms of the variance in evidence accumulation explained (Fig. 3). This topic map overlaps with activation for evidence accumulation primarily in the intraparietal sulcus, an area associated with assessing uncertainty (Huettel et al., 2006; Levy et al., 2010). Topic maps associated with valuation overlap with activation for evidence accumulation only in the ventral striatum and not in the orbital frontal or ventral medial cortex, explaining why we find little support for the calculation of value in evidence accumulation. We note that activation in the ventral striatum is consistent with aspects of the utility (e.g. valuation (Bartra et al., 2013)) and narrative model (related to the probability of an event and prediction error (Abler et al., 2006; Rodriguez et al., 2006)).

Although we find little support for the direct calculation of value in evidence accumulation, work integrating memory and value posits a role for recall in utility calculations (Shadlen and Shohamy, 2016; Zhang et al., 2021). In this framework, recalling a memory is part of the process of constructing a value. Interpreting our findings in this light, the association between memory topic maps and activation to increasing evidence could be seen as supporting a utility model. The role of recall could be to recall value or to recall the likelihood of an event, both of which are components of

utility calculation. When faced with uncertainty, both value and probability feed into the calculation of expected utility. The value of a stimulus, option, and/or decision are primarily associated with activation in the ventral medial and orbital frontal cortex (Hare et al., 2008; Bartra et al., 2013; Shadlen and Shohamy, 2016). We did not observe activation to increasing evidence in any of these areas.

The absence of activation in these areas limits the role of the utility model in our experiment to the likelihood an event occured. Activation in ventral striatum is associated with both value and uncertainty (Knutson et al., 2005). The activation of the ventral striatum in our study is therefore consistent with a role in calculating the likelihood the crime occurred. In fact, the majority of the topic maps that overlap with increasing evidence, including reading, recall, and numeric calculation could be interpreted as supporting the estimation of the likelihood an event occurred. Considering recall as a means of calculating likelihood would make it possible to reconfigure the utility model away from the conscious calculation of primarily numerical value to a more qualitative interpretation of utility. Such a shift might provide a means to merge the utility and narrative frameworks. A similar proposal has been made to bridge utility and narrative frameworks by relying on processes associated with logic and reasoning (Johnson-Laird et al., 2015). For now, we conclude that the primarily qualitative nature of recall observed is most consistent with a narrative model.

Are evidence and bias mechanisms distinct?

We previously found that bias in this same dataset was associated with social cognition, including culture and ideation bias (Castrellon et al., 2021). Regions of the brain associated with bias occurred in patches of cortex neighboring those described here for the accumulation of evidence. The proximity of these representations could allow bias and evidence to be easily compared. This is consistent with a narrative framework for integration of evidence, in which the accumulation of evidence is compared to prior experience and beliefs as a basis for decision (Pennington and Hastie, 1986; Shiller, 2017; Hastie, 2019).

Broader significance of narrative as a mechanism of decision making

Beyond the longstanding interest in narrative models in the context of juror decisions and trial practice (Pennington and Hastie, 1986; Lubet and Lore, 2015), narrative models have been offered as an alternative to standard utility models of decision making to help explain deviations from optimal behavior in a wide range of complex decisions from asset pricing to market bubbles (Shiller, 2017). Narrative models attempt to explain unusual behaviors like the nonlinear spread of preferences and the role of affect in decision making by assessing the cohesiveness of a story and comparing it to previous experiences. Work in anthropology and evolutionary biology

suggest that storytelling has played an important role in human evolution as means of communicating plausibility based on past experience from generation to generation (Smith et al., 2017; Bietti et al., 2019; Hitchcock, 2019). In fact, recent work on the estimation of risk has found that human subjects are better at estimating risk when it is described as part of a story than when asked to do so numerically (Sinclair et al., 2021). This alternative means of assessing future (and past) likelihood represents a potentially significant transformation of how risk and uncertainty is treated in complex decisions.

Figures

Fig. 1. A mock-juror task separates evidence accumulation and crime-type bias. During the task (**A**), participants read a criminal scenario paired with variable evidence from each of three types and rated the strength of the case and the recommended punishment severity. (**B**) Case-strength contributions from scenario independent of evidence and case-strength contributions from evidence independent of scenario. Symbols represent mean effect size (scale 0-100); error bars represent 95% credible intervals. Scenario and evidence types depicted in panel B are distinguished with triangles. Scenario effects are shown in rank order. (**C**) An example combination of scenario and evidence types is plotted as individual filled triangles for the accumulation of mean case-strength ratings (scale 0-100).

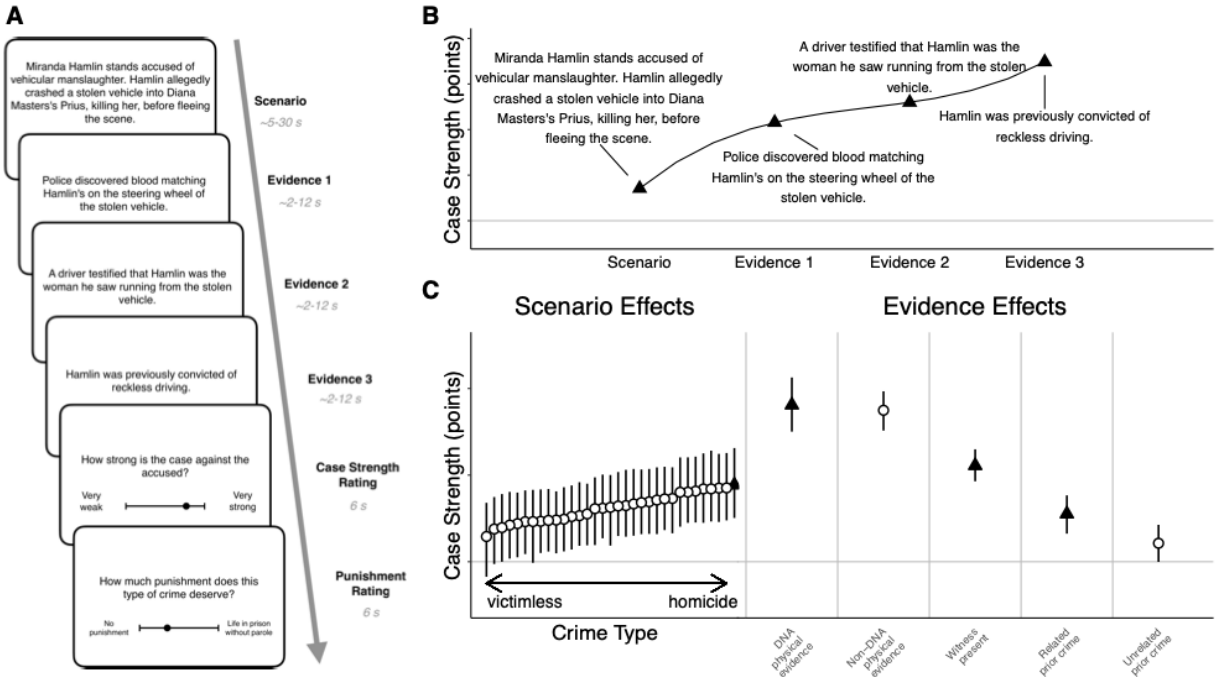


Fig. 2. Variability in evidence accumulation modulates neural activity patterns. Univariate fMRI patterns are shown for the effect of evidence accumulation during evidence presentation. Results shown are corrected for multiple comparisons using a whole brain cluster-forming threshold $Z > 2.3$, cluster-corrected $p < 0.05$.

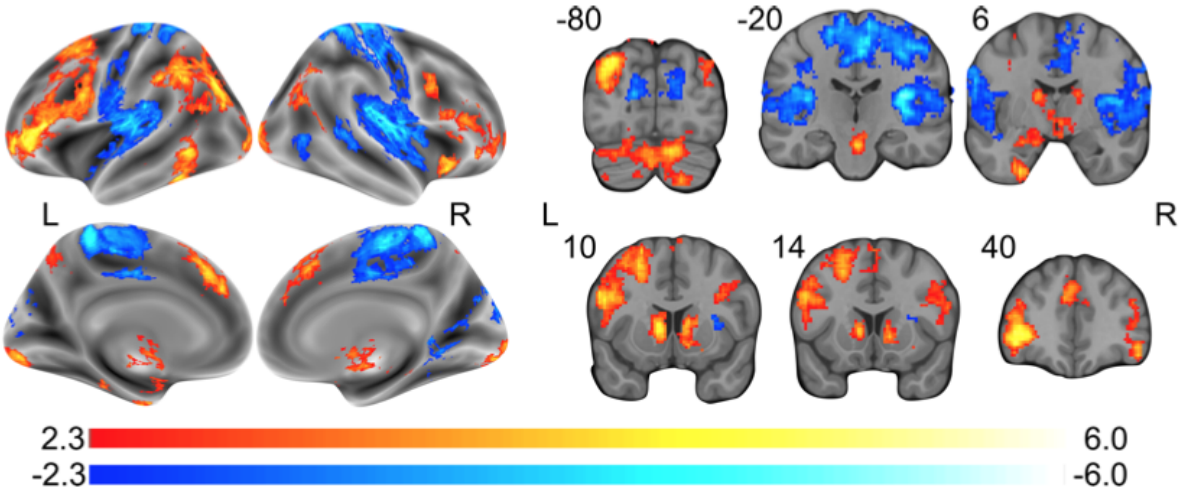


Fig. 3. Brain activation patterns associated with evidence accumulation are associated with different cognitive processes.

Histogram represents the distribution of spatial correlations between 200 Neurosynth topic maps and fMRI maps for evidence accumulation. Below the histogram are points that correspond to the location of the correlation coefficients in the histogram for each topic included in each of the indicated decision-making models. The top and bottom 10 correlated topics from the entire set of 200 topics are indicated beside the histograms (top panels) and topics within each model that appear in the top 10 list are labeled beside their associated point for each model (bottom panel). Within the reading model, the dots for topics 95 and 162 overlap.

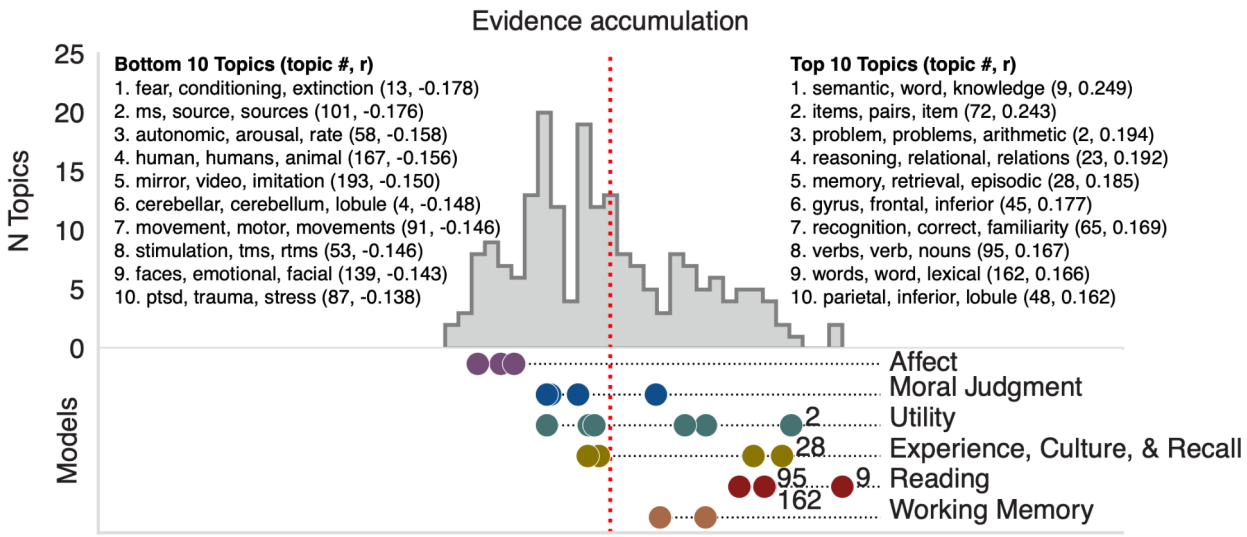
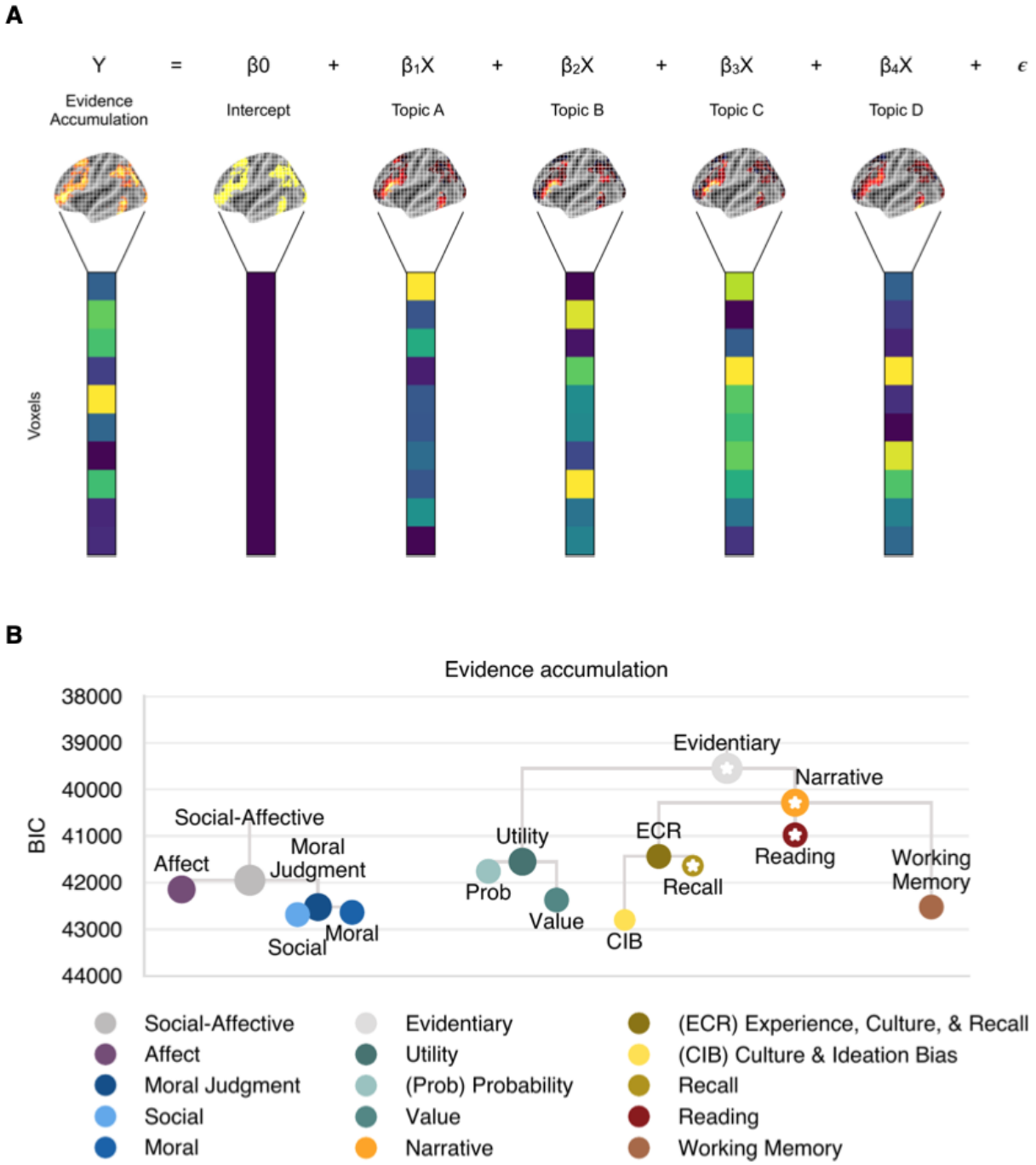


Fig. 4. Patterns of brain activation associated with evidence accumulation support narrative-based processing. (A) Illustration of model comparison using spatial similarity analysis. To determine which proposed models of juror decision making best explain evidence accumulation, we performed a spatial voxelwise linear regression between evidence accumulation and Neurosynth topic maps associated with a given decision making model. Meta-analytic fMRI activation maps and the parametric map for evidence accumulation were each vectorized into one-dimensional arrays and entered into a linear regression. An inclusion mask specified Neurosynth topic map voxels that fell within the clusters that were significantly associated with evidence accumulation. **(B)** Height of dendrograms shows relative differences in fit (BIC) of Neurosynth topic models and submodels to the parametric fMRI evidence accumulation map. Lower BIC scores indicate better model fit. Stars indicate models with BIC scores that are lower than the 95 percentile of equally-sized random models.


A
Y = β0 + β1X + β2X + β3X + β4X + ϵ
Evidence Accumulation
Intercept
Topic A
Topic B
Topic C
Topic D
Voxels
B
Evidence accumulation
BIC
38000
39000
40000
41000
42000
43000
44000
Social-Affective
Affect
Moral Judgment
Social
Moral
Evidentiary
Narrative
Utility
Prob
Value
ECR
Recall
CIB
Reading
Working Memory
Social-Affective
Affect
Moral Judgment
Social
Moral
Evidentiary
Utility
(Prob) Probability
Value
Narrative
(ECR) Experience, Culture, & Recall
(CIB) Culture & Ideation Bias
Recall
Reading
Working Memory

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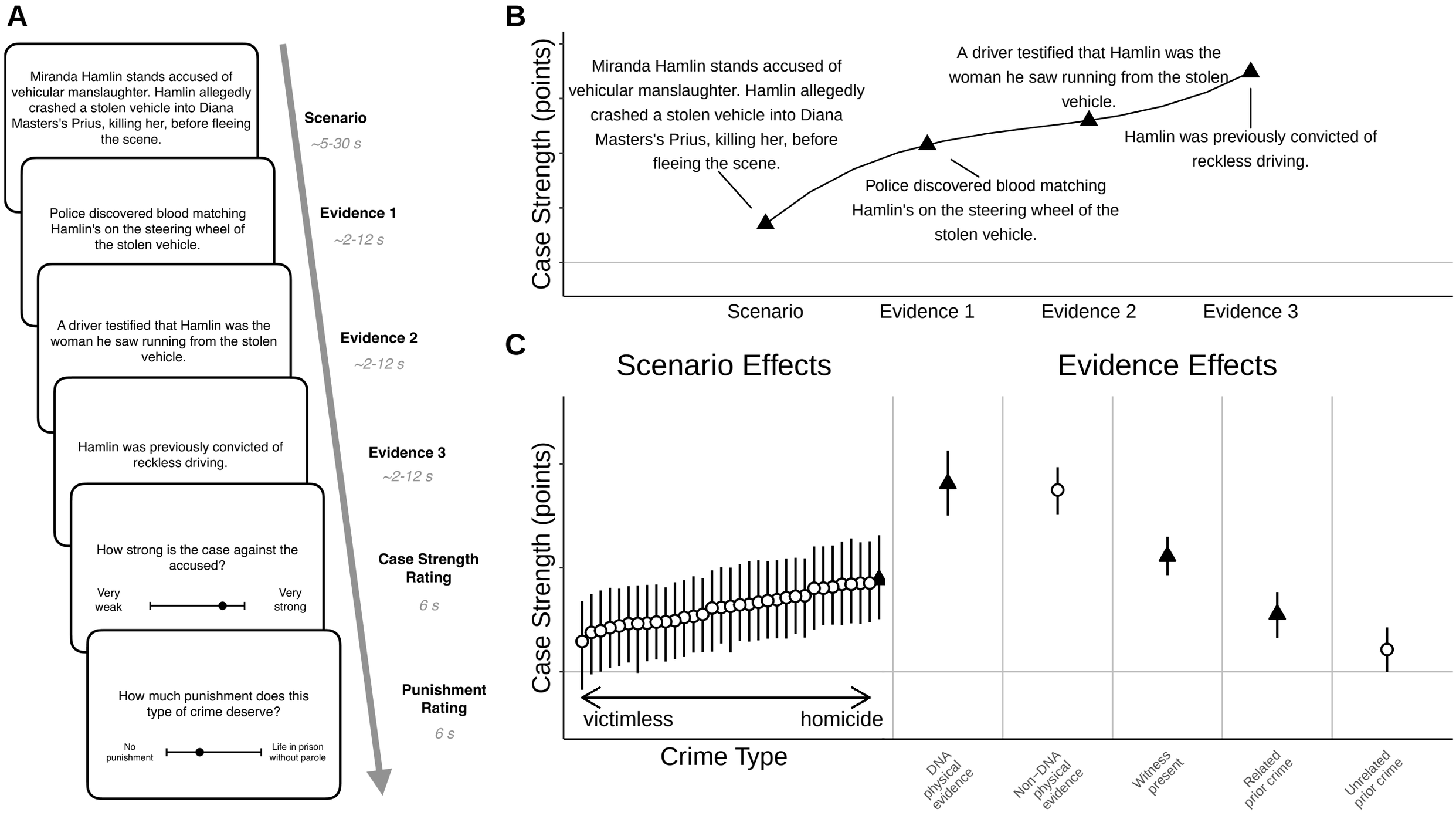
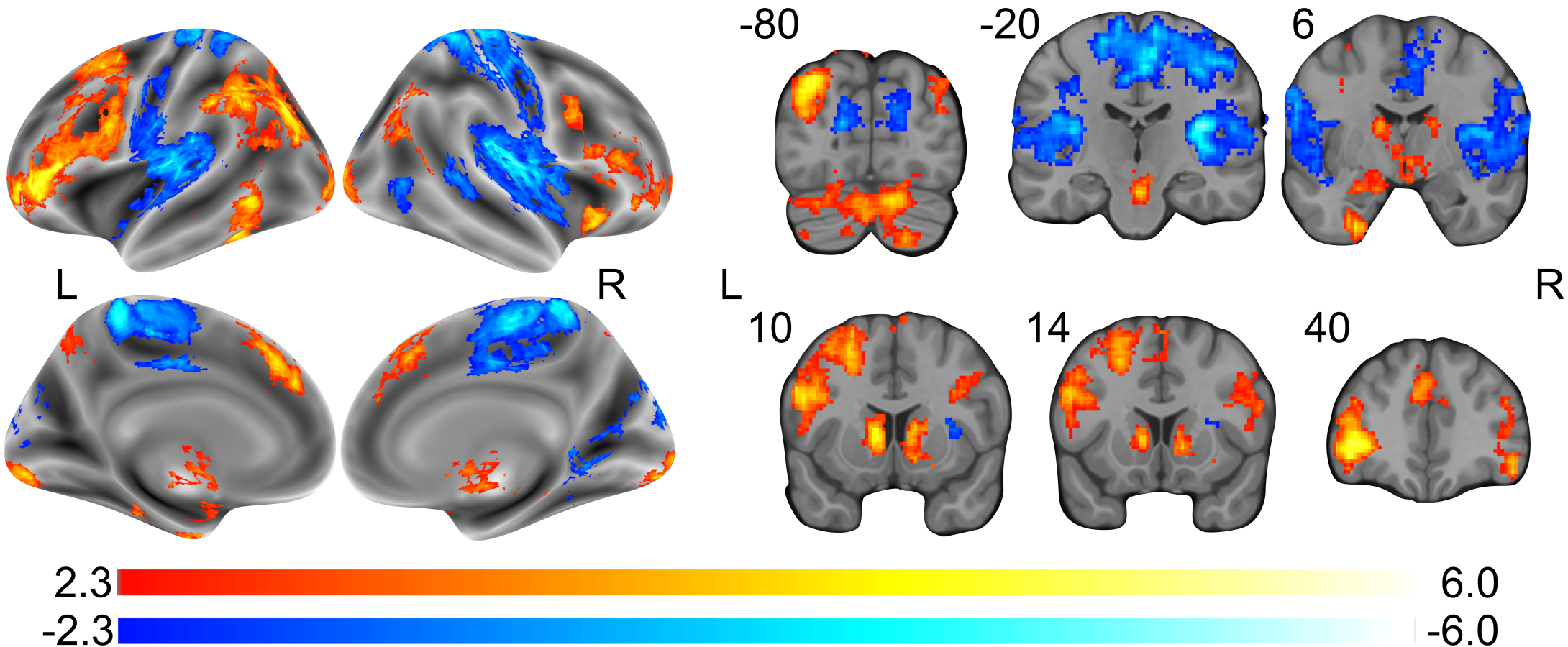

A
Miranda Hamlin stands accused of vehicular manslaughter. Hamlin allegedly crashed a stolen vehicle into Diana Masters's Prius, killing her, before fleeing the scene.
Police discovered blood matching Hamlin's on the steering wheel of the stolen vehicle.
A driver testified that Hamlin was the woman he saw running from the stolen vehicle.
Hamlin was previously convicted of reckless driving.
How strong is the case against the accused?
Very weak
Very strong
How much punishment does this type of crime deserve?
No punishment
Life in prison without parole
Scenario
~5-30 s
Evidence 1
~2-12 s
Evidence 2
~2-12 s
Evidence 3
~2-12 s
Case Strength Rating
6 s
Punishment Rating
6 s
B
Case Strength (points)
Miranda Hamlin stands accused of vehicular manslaughter. Hamlin allegedly crashed a stolen vehicle into Diana Masters's Prius, killing her, before fleeing the scene.
Police discovered blood matching Hamlin's on the steering wheel of the stolen vehicle.
A driver testified that Hamlin was the woman he saw running from the stolen vehicle.
Hamlin was previously convicted of reckless driving.
Scenario
Evidence 1
Evidence 2
Evidence 3
C
Scenario Effects
Evidence Effects
Case Strength (points)
victimless
homicide
Crime Type
DNA physical evidence
Non-DNA physical evidence
Witness present
Related prior crime
Unrelated prior crime


L
R
-80
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6
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14
40
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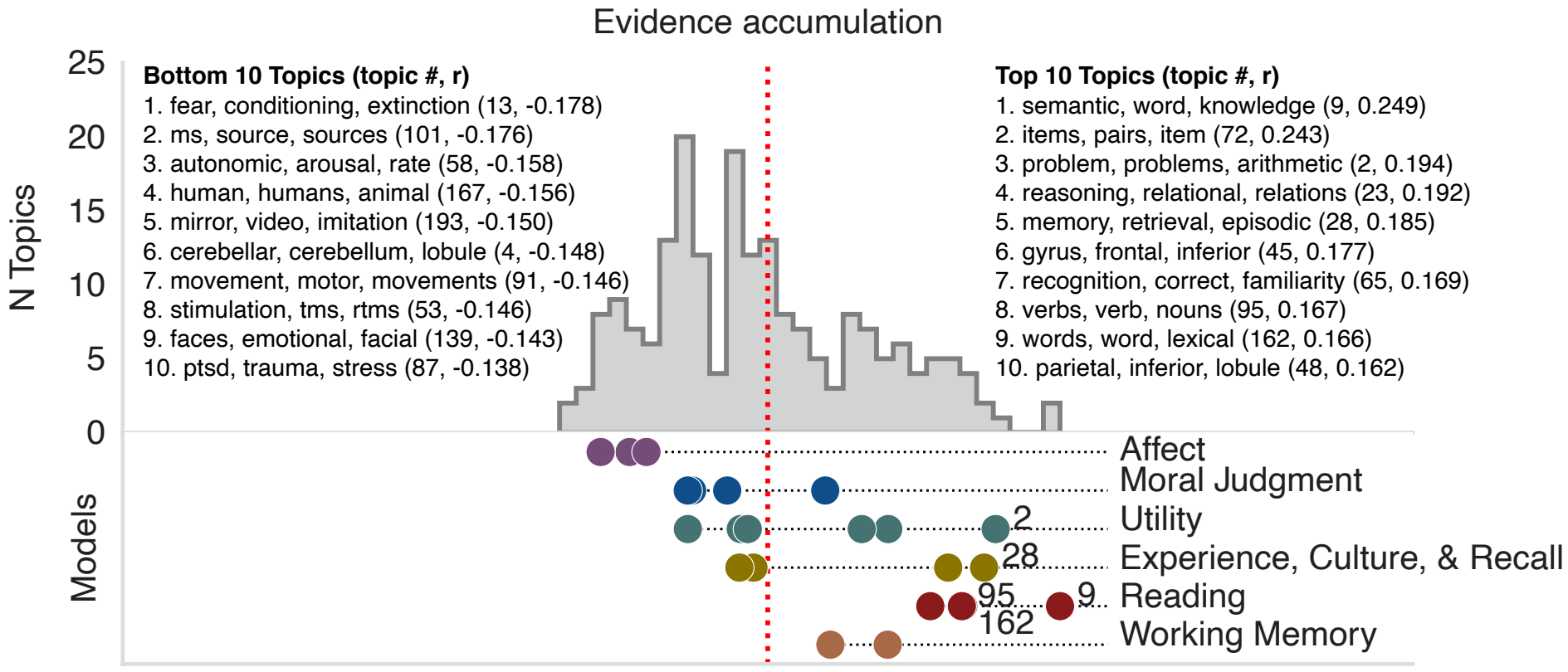
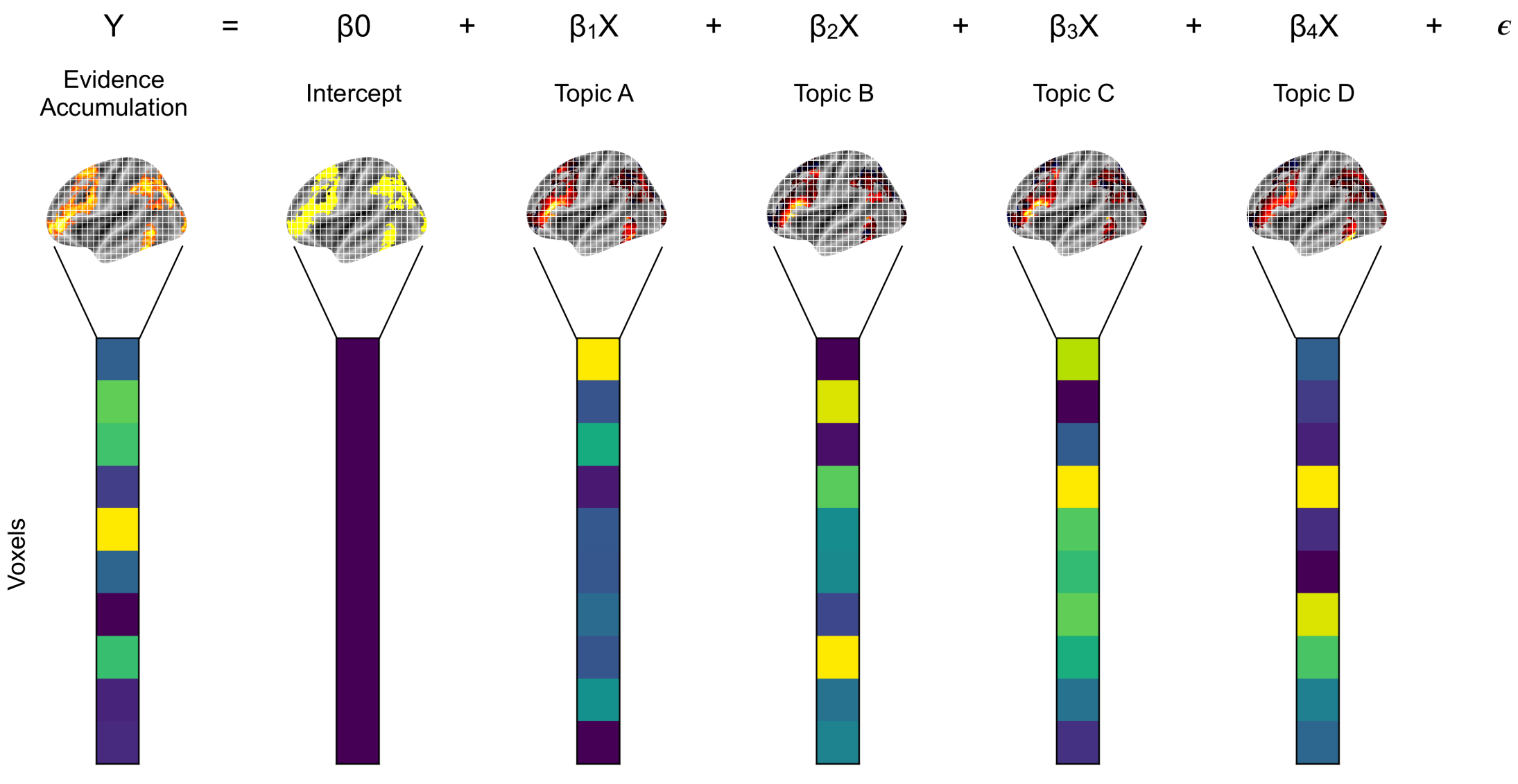
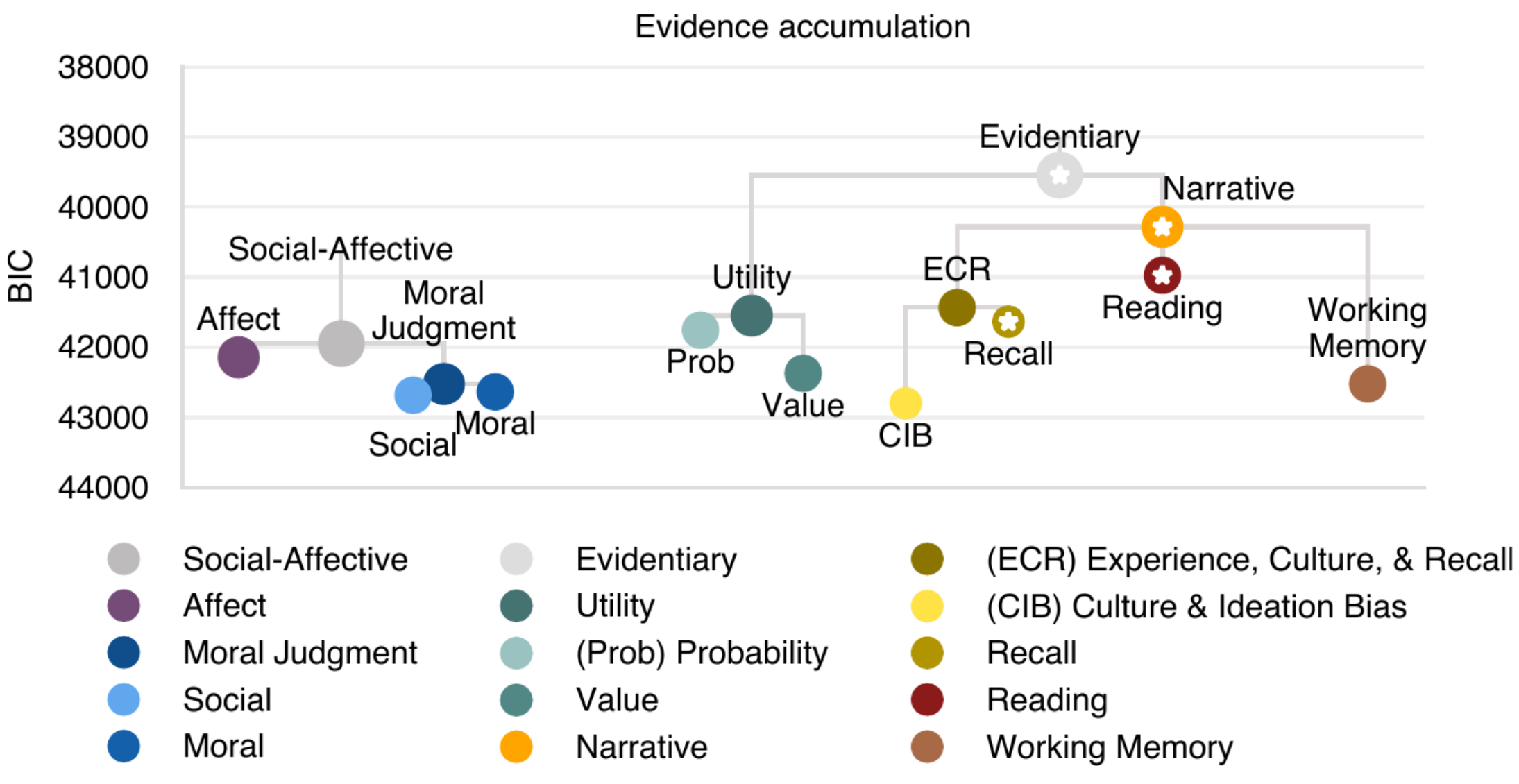

Evidence accumulation
N Topics
25
20
15
10
5
0
Bottom 10 Topics (topic #, r)
1. fear, conditioning, extinction (13, -0.178)
2. ms, source, sources (101, -0.176)
3. autonomic, arousal, rate (58, -0.158)
4. human, humans, animal (167, -0.156)
5. mirror, video, imitation (193, -0.150)
6. cerebellar, cerebellum, lobule (4, -0.148)
7. movement, motor, movements (91, -0.146)
8. stimulation, tms, rtms (53, -0.146)
9. faces, emotional, facial (139, -0.143)
10. ptsd, trauma, stress (87, -0.138)
Top 10 Topics (topic #, r)
1. semantic, word, knowledge (9, 0.249)
2. items, pairs, item (72, 0.243)
3. problem, problems, arithmetic (2, 0.194)
4. reasoning, relational, relations (23, 0.192)
5. memory, retrieval, episodic (28, 0.185)
6. gyrus, frontal, inferior (45, 0.177)
7. recognition, correct, familiarity (65, 0.169)
8. verbs, verb, nouns (95, 0.167)
9. words, word, lexical (162, 0.166)
10. parietal, inferior, lobule (48, 0.162)
Models
Affect
Moral Judgment
Utility
2
Experience, Culture, & Recall
28
Reading
95
9
162
Working Memory

A


Y = β0 + β1X + β2X + β3X + β4X + ϵ
Evidence Accumulation
Intercept
Topic A
Topic B
Topic C
Topic D
Voxels

B


Evidence accumulation
BIC
38000
39000
40000
41000
42000
43000
44000
Evidentiary
Narrative
Social-Affective
Utility
ECR
Affect
Moral Judgment
Reading
Working Memory
Prob
Recall
Value
CIB
Social
Moral
Social-Affective
Affect
Moral Judgment
Social
Moral
Evidentiary
Utility
(Prob) Probability
Value
Narrative
(ECR) Experience, Culture, & Recall
(CIB) Culture & Ideation Bias
Recall
Reading
Working Memory