Socioeconomic Status Affects Perceptions of Juvenile Defendants Tried in Adult Criminal Court

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Personal Relevance Preface

After receiving my degree from the University of Evansville, I plan on attending graduate school to pursue a Ph.D. in either Experimental Psychology or Social Psychology. Regardless of which degree I pursue, I want to focus my research and studies on the intersection of psychology and the law. This is a very broad field which continues to expand every year. My experiences at the University of Evansville have allowed me to be a part of several research studies examining how extra-legal factors (such as race, abuse history, and socioeconomic status) affect how juvenile defendants are perceived by mock jurors. This research has fostered in me a passion to continue to examine such important issues within juvenile justice. I also aspire to research other areas within the field, especially as it pertains to victims of crime. After graduate school I hope to have a career that is research oriented in either an academic setting or for the federal government.

The purpose of my thesis is to further explore extra-legal factors that affect juvenile defendants tried in adult court. Specifically, I am examining how the socioeconomic status of a juvenile defendant will influence the way they are perceived and treated by mock jurors. There is very little research on the effects of SES on adult defendants, and until my study, there was no research on the effects of SES on juvenile defendants. I will discuss previous research on adult defendants, present my results, and discuss the implications of my study for the current criminal justice system and how it could lead to further research.
Abstract

I investigated the influence of a juvenile defendant’s socioeconomic status (SES) on mock jurors’ perceptions of a juvenile tried in adult court. In line with the similarity-leniency hypothesis and stereotypes regarding the relationship between poverty and crime, I predicted that the low SES defendant would be found guilty more often and receive more punitive case judgments than a middle or high SES defendant. Many hypotheses were supported. Specifically, participants found the low SES defendant guilty more often than the middle/high SES defendant. Stereotypes about the criminality of low SES juvenile defendants, not a lack of perceived similarity, partially drove this effect. Explanations and implications are discussed.
Socioeconomic Status Affects Perceptions of Juvenile Defendants

Tried in Adult Criminal Court

Movements in state legislatures to try juveniles in adult court, instead of juvenile court, might have been spurred by a belief that the restorative nature of juvenile court is too often an ill-fitted punishment for severe juvenile crime (Bishop, 2000). Proponents of this legislative trend view transfers to adult court (which result in harsher punishments) as more proportionate to severe crime, more effective at facilitating deterrence, and more effective at incapacitating juvenile defendants (Bishop, 2000). These views are held despite various studies showing that juveniles tried in adult court receive harsher punishments than comparable juveniles tried in juvenile court as well as young adults tried for similar crimes in adult court (Kurlychek & Johnson, 2004). For instance, not only do juveniles receive harsher punishments in adult courts, but they also tend to receive harsher punishments than adults charged with a similar crime, perhaps because jurors are biased to assume that a juvenile transferred to adult court must be particularly deviant (Snyder & Sickmund, 2006). Unfortunately, the severity of the punishment in adult court does not deter juvenile offenders from committing future crimes, nor does it deter juvenile crime in general (Rudman, Hartstone, Fagan, & Moore, 1986; Bishop, 2000). Instead, prosecution in the adult system may actually increase the likelihood that a juvenile will recidivate, as it can expose them to adult offenders, often chronic offenders, which may exacerbate future crime by teaching the juvenile new methods of committing crime (Bishop, 2000).

Very little research has been done to examine how jurors perceive juvenile defendants (for a review, see Stevenson, Najdowski, Bottoms, & Haegerich, 2009). Existing research presents mixed results: In some studies, the public views juvenile defendants as committing
serious offenses who deserve severe punishments, while in others the public views juvenile defendants as less serious offenders who are capable of rehabilitation (Crosby, Britner, Jodl, & Portwood, 1995; Haegerich, 2002; Levesque, 1996; Moon, Sundt, Cullen, & Wright, 2000). Specifically, Moon et al. (2000) found that people still believe in “child saving” and think that rehabilitation should continue to be an integral part of the juvenile justice system. In contrast, Crosby et al. (1995) examined participants’ decision to execute a juvenile in a capital case based upon the juvenile’s age (10, 15, 16, or 19). A majority of participants voted to execute the defendant regardless of age, an indication that rehabilitation is not foremost in the minds of society. It is difficult to determine where the majority of society stands on how punitively juveniles should be treated within the criminal justice system. Differences in public opinion and mock juror sentencing may involve the consideration of extralegal—legally irrelevant—factors. Past research has also shown that extralegal factors, particularly race, influences jurors’ perceptions of juvenile offenders (Stevenson & Bottoms, 2009; Stevenson et al., 2009). Specifically, non-Black men, but not women, convicted a Black juvenile defendant are more often than a White juvenile defendant convicted of the same crime. Similarly, when the victim of a crime is White, non-Black jurors are more likely to treat the defendant harsher than if the victim is Black — this was true for men, but not for women (Stevenson & Bottoms, 2009). These studies show that race does affect how jurors perceive juvenile defendants, which illustrates that extra-legal factors play a role in the trials of juvenile defendants. No studies have examined the effect of socioeconomic status (SES) on the perceptions of juvenile defendants. Thus, this study explores the influence of an extralegal factor, specifically SES, on mock jurors’ perceptions of juveniles offenders tried in adult criminal court.

**Extra-legal Factors: Socioeconomic Status**
To be judged by a fair and impartial jury of one’s peers is a right given to every citizen of the United States. During a trial, the jury is asked to listen to and weigh all legally relevant information given to them concerning the case for which they are judging. As a fair and impartial jury, they must only consider legally admissible matters (i.e., evidence presented in court, testimonies) when determining whether or not the defendant is guilty or not guilty of the crime for which they are accused. In a fair and impartial world, legally admissible factors would be the only considerations in jury deliberations; however, many studies have found that extralegal factors, which are legally irrelevant, play a significant role in how people choose to judge and sentence a defendant (for a review, see Devine et al., 2001). Just as juvenile defendant race (an extralegal factor) influences jurors’ perceptions of juvenile offenders (Stevenson et al., 2009; Stevenson & Bottoms, 2009), it is also possible that the socioeconomic status (SES) of the defendant influences jurors’ perceptions of juvenile offenders. Those who are from lower income areas, such as inner cities, are overrepresented in the jails and courts (Entner Wright, Caspi, Moffit, Miech & Silva 1999; Evans, 2004). Decreases in arrest rates of juveniles who move from neighborhoods that are low versus high in socioeconomic status suggest a recognizable influence of SES on crime (Ludwig, Duncan & Hirschfield, 2001). That is, when a family is given the opportunity to move from a high-poverty to a low-poverty area, juvenile arrests for violent crime diminish for the individual juvenile; however, when a family is moved from a low-poverty area to a high-poverty area, arrest rates for the individual juvenile increases (Ludwig, Duncan & Hirschfield, 2001).

From 2007 to 2008 there has been an overall decrease in both violent and property crimes for juveniles; however, there have been significant increases in certain areas of crimes for juveniles under the age of 18. Most notably is the modest increase (as indexed by the Uniform
Crime Report) of juvenile arrests for robbery by 2.3%, representing 27% of all robberies occurring during the year (Uniform, 2008). Even though the overall trend for manslaughter/murder decreased by 5.1% in juveniles under the age of 18 from 2007-2008, there were still a higher percentage of juveniles arrested in cities (11%) than in suburban areas (8%) for non-negligent manslaughter/murder. A limitation of the UCR (Uniform Crime Report), however, is under-reporting of crimes committed, which may lead to an overrepresentation of criminals within the lower SES groups because they might be arrested more often than higher SES juveniles (Ruby & Brigham, 1996).

Might the overrepresentation of lower income individuals in the prison system contribute to negative stereotypes about the criminality of low income individuals? Some research supports this possibility: On average, people view lower SES individuals, compared to middle or high SES individuals, as more blameworthy, guiltier, and more likely to fit the stereotype of the typical criminal (Mazzella & Feingold, 1994). Does the knowledge of a person’s SES then unfairly bias individuals toward a conviction? Unfortunately, there appears to be some evidence that the SES of a person is an influential extralegal factor in legal decisions. Juveniles who come from families that receive welfare assistance have been found to receive more severe dispositions in courts as compared to juveniles that do not receive welfare assistance, even when controlling for case severity and crime type (Armstrong & Rodriguez, 2005). Those juveniles who received a more severe disposition in juvenile court are more likely to be convicted and given a lengthier sentence, thus creating a disparity in the sentencing of juveniles based on their SES (Armstrong & Rodriguez, 2005). In 2002, the Federal Bureau of Prisons conducted their latest census of the prison inmates and trends. In terms of educational level (a factor many find imperative to identifying a person’s SES), 12.3% had an 8th grade education or less, 31.6% of inmates had
completed only some high school, 25.9% had a high school diploma, and only 2.9% had a college degree (Bureau, 2004). By looking at education level, it is easy to see that the lower the degree of education, the higher the representation in jails, which points to more people of low SES in jail than those of higher SES. The wages of prison inmates before incarceration indicates a disparity in economic status as well; 59.1% made less than $1,000 in the month before their arrest (if they worked full time their average per hour wage would be less than $6.25), 24.4% made between $1,000-$1,999, and 16.4% made $2,000 or more (Bureau, 2004).

Currently there is no research that has directly explored the effects of SES on perceptions of juvenile offenders using a true experimental design. With no empirical research on this issue, it is imperative to explore the possibilities that juveniles of lower SES might receive longer sentences and more convictions than their higher SES counterparts. Two possible theoretical approaches might explain this disparity in sentencing. First, negative stereotypes about the criminality of low SES individuals might lead to discriminatory treatment within the justice system. Second, the perceived similarity many jurors have toward middle or high SES individuals might cause discriminatory treatment towards individuals of low SES, known as the similarity-leniency bias. Although no research has explored the effects of SES on juveniles, I will review research on the effects of SES on adult defendants. First, I review studies revealing a consistent bias against low SES adult criminals, followed by competing psychological theories explaining this bias (i.e., negative stereotypes vs. the similarity-leniency bias).

**Studies Illustrating Bias against Low SES Defendants in the Criminal Justice System**

**Vignette Studies Exploring Effects of Adult Defendant SES**
When the severity of a crime (armed robbery versus petty larceny) and the socioeconomic status of the defendant (determined by the defendant’s social class—low, middle, or high) were varied within a newspaper clipping vignette, the typicality of the offender was significantly associated with the defendant’s SES (Hoffman, 1981). The typicality of the offender was constituted by how closely the defendant resembled the typical criminal, on a scale from 0 (did not resemble the typical criminal at all) to 100 (the defendant exactly resembled the typical criminal). Participants also indicated that defendants of low SES were less physically attractive than defendants of high SES, despite no pictures being used to indicate any physical appearance. Thus the defendants of low SES were seen as being a more typical criminal and even less attractive due to their economic status and their physical attractiveness in instances of petty larceny and armed robbery (Hoffman, 1981). This presents evidence of the general bias, based upon criminal stereotypes, given towards low SES individuals in the justice system.

Loeffler and Lawson (2002) varied whether a defendant was either 25 or 60 years-old and whether the defendant was a bank manager (high SES) or a convenience store clerk (low SES). The severity and type of crime—assault—was held constant. Participants rated the older defendant with a higher SES as having a brighter future than anyone else. Overall, the high SES defendants were rated as having a better potential future than the defendants of low SES. No effects SES were found regarding the sentence severity or the likelihood of the defendant to recidivate.

Given that juries are to be impartial and fair, one would expect law enforcement officers to be the same way when they investigate crimes. Ruby and Brigham (1996) examined the differences between how law enforcement officers and students viewed defendants that were either White or Black and of either high or low SES. Each participant was given a vignette and a
dialogue that occurred between the defendant and another person. Within the dialogue was both exculpatory (the defendant complied with the police and his neighbor vouched for him) and incriminating (the defendant was nervous and had tools which closely resembled those used in the crime) information. Law enforcement officers paid less attention to exculpatory information and saw the defendant as more deceptive when he was Black as compared to when he was White. The students paid more attention to exculpatory evidence and were more likely to view the defendant more innocent of the crime than the law enforcement officers. Law enforcement officers also estimated that approximately 67% of burglars are from low SES; however, there were no significant effects of SES. If law enforcement officers are viewing criminals as being more commonly low SES, then it is possible that they will more often arrest a person that fit these characteristics, which then brings more defendants of low SES to the juries for deliberation. This could reinforce negative stereotypes of low SES criminals which are pervasive in people’s views of crime.

Mock Jury Studies and Adult Defendant SES

Mock jurors given information on the seriousness of a crime (premeditated or non-premeditated murder) and the race (White or Black) and SES (Low or High) of the defendant were asked to give a sentence length for the defendant (Osborne & Rappaport, 1985). Those defendants labeled as being a janitor (low SES) received much longer sentences than the advertising executives (high SES), showing that again the lower the SES, the longer the sentence that is given. A defendant’s SES was the only variable that showed an effect, there was no effect of defendant race.

In the studies I have already presented where race is manipulated, the race is usually either black or white. Two studies examined a different demographic of citizens, Mexican
Americans. In these studies, the defendant was either white or Hispanic and of high or low SES (Esqueda, Espinoza, & Culhane, 2008). When the participants were all white undergraduate students from a small town, they rated the Hispanic, low SES defendant as guiltier and they gave the defendant a lengthier sentence as compared to a white defendant of either low or high SES. Regardless of race, however, participants stated they had higher confidence in the guilt, greater confidence in the likelihood of a repeated crime, and greater confidence in the likelihood of a similar crime commission in the past for the defendant of low SES as compared to the defendant of high SES. When they repeated this experiment on a primarily Mexican American campus, they found that participants showed no bias towards either defendant in terms of both race and SES (Esqueda et al, 2008).

**Correlational Studies of Defendant SES**

The majority of studies available on the effects of SES on mock jurors’ perceptions suggest a negative correlation between the two. The lower the SES, the more likely the defendant is to be found guilty and receive a lengthier sentence (Ellis & McDonald, 2001). Mazzella and Feingold (1994), in a review of the literature, noted that when the defendant was described as being of low SES, mock jurors rated them as guiltier than defendants from high SES and allocated greater punishments and longer sentences — this was especially true for crimes involving rape.

There are very few studies that have examined juvenile crime and SES. The few studies which do inspect this relationship focus on how many crimes are committed by juveniles from certain SES (low or high) backgrounds (Ellis & McDonald, 2001), but none examined how jurors’ perceptions are influenced by a juvenile defendant’s SES.
I expect that the findings from research on the influence of SES on perceptions of adult defendants will generalize to juvenile defendants such that low SES juvenile defendants will be found guilty more often and given harsher punishments as compared to juvenile defendants from a middle or high SES.

What might drive mock jurors to allocate more punitive sentences to juvenile defendants of lower SES than to middle or high SES juvenile defendants? What are the underlying psychological mechanisms driving participants to give longer sentences and less lenient convictions to low SES defendants than defendants of high SES, despite the severity and type of crime being held constant? Next, I review two competing theories that might explain the influence of SES on participants’ perceptions of juvenile offenders: negative stereotypes regarding the criminality of low SES juveniles versus the similarity-leniency bias.

Stereotypes Concerning the Criminality of Low SES Juvenile Offenders

Stereotypes are most effectively described as beliefs and expectations held about social groups regarding distinct characteristics and traits that the people within the groups are expected to share (Baron, Bryne, & Branscombe, 2007). The traits believed to be shared among groups may be viewed as either positive or negative. Most people are capable of easily creating a list or description of the common traits of groups for which they may have little to no contact with. Schemas are mental frameworks used every day by people that center on a specific theme which aids in organizing social information. Often schemas remain unchanged throughout a person’s life, even if contradictory information is presented, which presents biased impressions of groups or types of people (Baron et al, 2007). Stereotypes are a type of schema that is centered on a specific group of people. Many contemporary theories have linked the inevitability of prejudice formation to the creation of stereotypes used to categorize groups of people (Devine, 1989).
Stereotypes influence information-processing by triggering implicit social cognition: Stereotypes unconsciously affect the way in which a person will respond to a label or subject. For example, because criminals are often portrayed in the news and entertainment media as coming from poor, inner city homes (Barak, 1994), exposure to these portrayals might create a stereotype that people from low SES neighborhoods and backgrounds are more likely to be criminals. Due to the implicit nature of stereotypes, they can be activated automatically and effortlessly when a person encounters something for which they have a set schema already formed; for instance, the low SES criminal (Greenwald & Banaji, 1995).

Studies concerning how people view criminals have found several common traits seen in the “typical” criminal such as low physical attractiveness, low SES, being male, and African American (Hoffman, 1981; Mazzella & Feingold, 1994; Ruby & Brigham, 1996). Of course, notably within this stereotype is the notion that criminals are of low SES. The way in which the media reports crimes and the portrayal of most criminals in television and movies as being from poor inner city areas (Barak, 1994), and the fact that low SES criminals are overrepresented in the justice system (Ruby & Brigham, 1996), may be part of the reason people associate criminality with low SES.

Interestingly, prior research has documented existing stereotypes regarding juvenile offenders (Haegerich & Bottoms, 2005). Haegerich and Bottoms found that people endorse one of two possible existing stereotypes about juvenile offenders: (a) the Superpredator stereotype – an adolescent who is mature, calculating and who cannot be rehabilitated, and (b) the Wayward Youth stereotype – an adolescent who does not understand the implications of their actions, is immature, and can be rehabilitated (Haegerich & Bottoms, 2005). Endorsement of the Superpredator Stereotype increases the punitive treatment of a juvenile defendant (e.g. verdict,
confidence in guilt), while endorsement of the Wayward Youth stereotype tends to decrease the punitive treatment of a juvenile defendant.

It is possible that people faced with sentencing a juvenile from low SES might view him/her as being more of a Superpredator because they might already have this idea that low SES juveniles are more likely to become involved in crime and might not be capable of rehabilitation. Similarly, they might view a middle or high SES as being less likely to commit a crime and view their actions as resulting from immaturity, thus endorsing the wayward youth stereotype.

Alternatively, it is possible that participants might view the high SES juvenile offenders as more like Supredators because they might be perceived as more mature and knowledgeable of the legal system and do not have any situational factors contributing to committing the crime (i.e. they have a good home, can afford what they need). Participants might also, in turn, view the low SES defendant as a Wayward youth who is immature, does not understand the legal system, and committed the crime due to situational factors (i.e. poverty).

Perceived Similarity toward Individuals of High or Low SES

The negative stereotype of the criminality of low SES individuals is, however, not the only social psychological factor that may influence discriminatory treatment of juvenile offenders: The perceived similarity a person has to an individual also affects how they will sentence and perceive a defendant (Gleason & Harris, 1976). The more similar a juror perceives a defendant to be to themselves, the more the juror likes the defendant and the greater the chances that the juror will give the defendant preferential treatment and judge them more leniently (Davis, Bray, & Holt, 1977). This similarity-leniency bias has been well documented in cases of racial bias in criminal court (Davis, Bray, & Holt, 1977; Mitchel, Haw, Pfeifer &
Meissner, 2005); Specifically, research has shown that when a juror is White they are significantly more likely to treat a White defendant more leniently and a Black defendant more punitively. Similarly, Black jurors have been found to treat black defendants more leniently than White defendants (Mitchel, Haw, Pfeifer & Meissner, 2005). These findings also hold true for the race of the victims, participants are more likely to treat a defendant more punitively when the victim is the same race as the participant. However, very little information has been collected on the effects of the similarity-leniency hypothesis as it applies to SES.

One study which focused on the perceived similarity of the defendant to the juror described a case in which Thomas Thayer, the defendant, committed an armed robbery of a bank (Gleason & Harris, 1976). In the two conditions Thomas was a white male who either had the education level of a tenth grade student and worked as a janitor or was a college graduate employed as the assistant manager of a brokerage firm. Participants rated Thomas as being more blameworthy for the crime when he was described as the janitor than when he was the assistant manager of a brokerage firm. Thus, the low SES defendant is viewed as being more at blame than the high SES defendant. Participants also rated the high SES defendant as less blameworthy and less guilty was related to participants’ perceived similarity to the high SES defendant. Similarly, the low SES defendant was rated as more blameworthy and guiltier when participants showed a diminished perceived similarity to the defendant. However, other research shows that sometimes the opposite effect can happen (McGowen & King, 1982). That is sometimes participants might treat the more similar defendant more punitively in an attempt to distance themselves from the negative aspects of the crime committed by the defendant. Also, participants might give the less similar defendant a lesser sentence because his behavior was expected, whereas the more similar defendant’s behavior was not expected.
Due to the effects of perceived similarity on judgments by jurors, it can be hypothesized that because many jurors perceive themselves as belonging to middle or high SES (Taylor et al., 2008), they might be more likely to view a defendant of low SES as more blameworthy and give them a harsher sentence. The effects of the similarity-leniency hypothesis in studies might have been found due to the characteristics of the participants. Because many studies use undergraduate students, who are primarily from middle to high levels of SES, they may be more inclined already to judge a low SES defendant more harshly which would result in the trends seen in judgments of low SES individuals. Research has yet to pull apart these competing underlying psychological explanations, which have thus far been not fully tested in mock jury research.

**Overview and Hypotheses**

In the present study, I propose to test competing hypotheses concerning the influence of a juvenile defendant’s SES on mock jurors’ judgments in a novel domain. Although there is research studying the effects of these extralegal factors on adult offenders, there are currently no studies examining the effects of SES on mock jurors’ perceptions of juvenile offenders. Community members served as mock jurors and read a case involving a juvenile defendant (high, middle, or low SES) charged with aggravated robbery and felony murder of an elderly man. Participant’s endorsement of juvenile stereotypes was measured using the Juvenile Offender Stereotype Scale (JOSS), which examines how much participants view the defendant as a Superpredator or a Wayward Youth. Perceived defendant similarity was assessed using a scale which examines how similar or dissimilar participants rate themselves to the defendant.

**Hypothesis 1.** There will be a main effect of SES on case-related judgments such that participants will make more pro-prosecution judgments for the low SES defendant as compared
to the middle or high SES defendants. That is, participants will find the low SES defendant guilty more often, be more confident in their verdicts, assign a higher degree-of-guilt, give longer sentences, and be more likely to endorse the Superpredator stereotype.

This bias in judgments will result from the negative attitudes that result from stereotypes that typical criminals are from low SES backgrounds (Mazzella & Feingold, 1994), which will cause participants to view the low SES juvenile more negatively than the middle or high SES juvenile.

**Hypothesis 1, Alternative Theory.** The similarity-lenience hypothesis is an alternative theory that might explain the results. Participants who see themselves as middle or high SES might feel more similar to the middle and high SES defendants and less similar to the low SES defendant. This perceived similarity might lead to participants treating the middle and high SES defendants more leniently, while the diminished perceived similarity to the low SES might lead to more punitive treatment. In order to test this theory I measured participants’ perceived similarity to the defendant.

**Hypothesis 2.** The degree to which participants endorse stereotypes will significantly mediate the effect of SES on case judgments such that participants will endorse the Superpredator stereotype (the juvenile is cold and calculating, mature, and few or no morals) more for the low SES than the high SES juvenile and thus make more pro-prosecution judgments for the low SES juvenile. In contrast, participants will view the middle and high SES defendants as immature and not capable of fully understanding the crime and the legal system, thus endorsing the Wayward Youth stereotype. Research has shown that the endorsement of the Superpredator stereotype lead to more pro-prosecution case judgments than the endorsement of the Wayward Youth stereotype (Haegerich, 2002). Thus, my theory is that participants will
endorse the Superpredator stereotype more for the low SES juvenile, which will lead to more pro-prosecution judgments.

**Alternative hypothesis 2.** In contrast, due to the perceived maturity of the middle/high SES defendants, participants will view the middle/high SES defendants as more of a Superpredator. Similarly, participants will view the low SES as more of a Wayward Youth due to the juvenile’s immaturity and lack of knowledge concerning the criminal justice system and his crime.

**Method**

**Participants**

Participants were 128 ethnically diverse community members recruited using StudyResponse – an on-line service that recruits nationally representative participant samples using small incentives ($5.00 participant compensation). I had a 70% response rate. All participants were jury-eligible, which means they were all U.S. Citizens over 18-years-old ($M$ Age = 45). Thirteen participants suspected that the study was examining the influence of defendant SES on case judgments and were excluded from analyses. This resulted in a sample of 115 community members. Participants were 88% Caucasian, 3% African American, 3% Hispanic, 5% Asian, and 1% Other; and 48% were women).¹ Nineteen percent of participants had at least some college experience and 21% had at least a Bachelors degree. The average combined salary (includes both participant and spouse income) was $70,000-$79,999. Thus, only 7% of participants’ salaries constituted a low SES household according to the U.S. Census Bureau (Denavas-Walt, Proctor, & Smith, 2009).

**Materials**
Informed Consent. Participants received an email prior to completing the survey that introduced them to the study. The email also contained an ID number for each participant to use as well as the link to the survey (See Appendix A).

Case vignette. A short vignette describes a case of a juvenile defendant charged with aggravated robbery and felony murder (i.e., robbing and shooting an elderly man) (see Appendix B). This crime was based off of two real cases and reviewed for ecological validity by a prosecuting attorney. To manipulate the SES of the defendant, I embedded SES demographic information into the vignette. For example, participants in the low SES condition read the following: “Justin Smith is a 15-year-old Caucasian from a low-income family. His mother is a janitor and his father is unemployed (their average annual salary is $20,000).” For the middle SES condition, participants read “Justin Smith is a 15-year-old Caucasian from a middle-income family. His mother is a real estate agent and his father is a high school gym teacher (their average annual salary is $65,000.” For the high SES condition participants read “Justin Smith is a 15-year-old Caucasian from a high-income family. His mother is a dentist and his father is a plastic surgeon (their average annual salary is $200,000).” The income level (low, middle, or high), parental occupations, and average annual income constituted the SES manipulation. Thus there were three versions of the vignette.

Case judgments. After reading jury instructions, modeled after real Illinois Pattern Jury instructions, participants rendered a verdict (guilty or not guilty of aggravated robbery and, separately, felony murder) and confidence in their verdict (ranging from 0% to 100% confidence), which were combined to form a 22-point degree-of-guilt scale for each charge ranging from 1 (not guilty, 0% confident) to 22 (guilty, 100% confident), and made other
judgments described below (see Appendix C). I also created a 3-point guilt score variable where 0 = not guilty, 1 = guilty of robbery, and 2 = guilty of murder.

**Defendant similarity scale.** Perceived similarity toward the defendant was assessed using a modified 2-item measure used by Stevenson and Bottoms (2009) in which items were rated on a 7-point Likert scale ranging from -3 (strongly disagree) to +3 (strongly agree). The two items on this measure included: “I feel similar to Justin Smith, the defendant,” and “I think I have a lot of things in common with Justin Smith, the defendant.” Thus higher numbers indicated greater perceived similarity by the participant. This scale had acceptable internal reliability (Cronbach’s α = .921). (See Appendix D).

**Juvenile offender stereotype scale.** Participants completed a shortened version of the Juvenile Offender Stereotype Scale (JOSS), developed by Haegrich (2002), to assess the degree to which they endorse the superpredator or wayward youth stereotypes of juvenile offenders. The scale consists of a series of statements that assess participants’ perceptions of the juvenile’s decision-making abilities, comprehension of the law, morality, pattern of criminal activity, rehabilitation potential (all items are detailed below). Participants rated the degree to which they agreed with the statements on a 7-point scale ranging from -1 (totally disagree) to +3 (totally agree). This scale had acceptable internal reliability (Cronbach’s α = .819). (See Appendix E).

Next, I conducted a principle components factor analysis to determine subscales of the JOSS. I subjected all items of the JOSS to varimax rotation, which forces the factors to be independent of one another, as I expected they would be psychologically. Inspection of the scree plot and eigenvalues (>1) revealed evidence of four factors; accounting for 67.42% of the covariance of the items. The first factor accounted for 33% of covariance (eigenvalue = 6.59), is labeled the “Immaturity Scale” (coefficient α = .90), and consisted of 10 items, including:
“Justin cannot understand the consequences of his actions” (factor loading = .82), “Justin should be held less responsible for any action he may have taken because of his immaturity” (factor loading = .75), “Justin probably is not able to understand the court process” (factor loading = .78), “Justin probably could not understand his different legal options, such as plea bargaining vs. pleading guilty” (factor loading = .84), “Justin is a wayward youth who has just strayed down the wrong path” (factor loading = .58), “Justin probably is not able to understand the court process” (factor loading = .82), “Justin is a wayward youth who has just strayed down the wrong path” (factor loading = .58), “Justin probably is not able to understand the court process” (factor loading = .82), “Justin is a wayward youth who has just strayed down the wrong path” (factor loading = .58). The second factor (eigenvalue = 3.79) accounted for 19% of covariance and consisted of 4 items, including “Justin probably understood his Miranda rights (that he had a right to be silent, that he had the right to an attorney, etc.)” (factor loading = .60), “Justin could probably communicate information about himself and the crime he was charged with to his defense attorney effectively” (factor loading = .75), “Justin is able to weigh the costs and benefits of being involved in crime” (factor loading = .78), and “It would be possible to rehabilitate (reform) Justin if he committed a crime” (factor loading = .67). However, because the item regarding rehabilitation loaded poorly, did not fit conceptually with this factor, and contributed to an overall unacceptable alpha for this factor (coefficient $\alpha = .56$), this item was dropped and this factor was labeled the “Potential Ability to Cope with the Criminal Justice System Scale” (coefficient $\alpha = .80$). The third factor accounted for 9% of the covariance (eigenvalue = 1.71), is labeled the “Superpredator Scale” (coefficient $\alpha = .76$), and consisted of 3 items: “Justin should be tried in criminal court, just as adults are” (factor loading
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= .67), “Justin should be sentenced, if guilty, as if he were an adult” (factor-loading = .86), and “Justin is a cold and calculating superpredator” (factor-loading = .61). The fourth factor accounted for 7% of the covariance (eigenvalue = 1.40) and consisted of 2 items, including “Justin has poor abstract reasoning and problem-solving skills” (factor-loading = .76) and “Justin has sophisticated reasoning abilities” (factor-loading = .68). Although the final item reached an appropriate eigenvalue, it only accounted for 7% of the covariance and reliability analyses revealed poor internal consistency (coefficient \(\alpha = .55\)). Thus, this scale will not be considered further in analyses.

**Defendant responsibility scale.** Participants were asked to answer the following questions on a 6-point Likert scale ranging 1 (No-Not at all) to 6 (Yes-Completely): “Do you blame the defendant, Justin, for the crime,” “Do you think the crime was the defendant’s fault,” and “Do you believe the defendant was responsible for the crime?” I created a defendant responsibility scale, modeled after the one developed by Stevenson and Bottoms (2009), from these three items which was highly reliable (Cronbach’s \(\alpha = .90\)).

**Defendant sympathy scale.** I created a defendant sympathy scale, modeled after Stevenson and Bottoms (2009) and Haegerich and Bottoms (2005), of high reliability (Cronbach’s \(\alpha = .808\)) which consisted of 3 questions: “I feel sorry for Justin, the defendant,” “I have sympathy for Justin, the defendant,” and “I feel pity for Justin, the defendant.”

**Defendant empathy scale.** Participants were asked to answer the following questions on a 7-point Likert scale ranging from 1 (strongly disagree) to 7 (strongly agree): “I think I have a lot of things in common with Justin, the defendant,” “I have empathy for Justin, the defendant,” “I can experience the same feelings that Justin, the defendant, experienced,” “I know what it would be like to be Justin, the defendant,” “I can take the perspective of Justin, the defendant, and
understand why the incident occurred,” “I can really see myself in Justin’s, the defendant’s, shoes,” “I can really feel what Justin, the defendant, must have been feeling the night of the incident,” “I can really imagine the thoughts running through Justin’s, the defendant’s, head,” and “I feel pity for Justin, the defendant.” I created a defendant empathy scale, modeled after Stevenson and Bottoms (2009) and Haegerich and Bottoms (2005), that reached a high level of reliability (Cronbach’s α = .934).

**Manipulation checks.** As a manipulation check, participants were asked to state the income level of the defendant’s family (See Appendix H). To determine if participants were suspicious of my manipulations or hypothesis, participants were asked, “As you were completing this study, what did you think the study was about? Explain” (See Appendix G)

**Demographics.** I assessed participants’ age, gender, U.S. citizenship, political orientation, level of education, and SES information (See Appendix F). To assess for political orientation, participants were asked to rate themselves on a scale ranging from 1 (extremely liberal) to 7 (extremely conservative) in response to the question, “When it comes to politics, how liberal or conservative are you?” To assess for level of education, participants were asked to indicate “Which of the following degree(s) do you have”, on the following scale: 1 (some high school), 2 (high school diploma), 3 (some college), 4 (associates degree), 5 (bachelors degree), 6 (masters), 7(J.D.), and 8 (doctorate). To assess participant SES, participants were asked to indicate “What is your salary range” and an additional question, “Only answer this question if you currently have a spouse or partner with whom you share income. What is the salary range of your spouse?” on the following scale: 1 ($0—stay-at-home spouse), 2 ($0—currently unemployed), 3 (19,000 or less), 4 ($20,000-$29,999), 5 ($30,000-$39,999), 6 ($40,000-
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$49,999, 7 ($50,000-$59,999), 8 ($60,000-$69,999), 9 ($70,000-$79,999), 10 ($80,000-$89,999), 11 ($90,000-$99,999), and 12 ($100,000 or above).

Procedure

Community members were randomly selected from the participant pool provided by StudyResponse, and sent an email containing an invitation to complete the study and the link to take the survey online. Participants were given a brief introduction to the research which included informed consent followed by the survey. Participants read a vignette describing a case of a juvenile defendant charged with aggravated robbery and felony murder (i.e., robbing and shooting an elderly man); participants were randomly assigned into one of three vignette conditions (low, middle, or high SES). After reading the case and jury instructions, participants completed the case judgments, Defendant Similarity Scale, Juvenile Offender Stereotype Scale, the manipulation checks, and the background questionnaire, respectively. After all measures were completed, participants were thanked for their participation and those who fully completed the survey were given a small incentive of $5.00. The incentive was used because small financial incentives have been shown to increase participants’ perceptions of the legitimacy and importance of the study (Tourangeau, Rips, & Rasinski, 2000).

Results

Case Judgments

Because there were no significant differences between the middle and high SES condition on any case judgments (all $F$s < .48 ns), I collapsed these two levels and conducted all analyses using only two conditions: low SES versus middle/high SES.

Binary logistic regressions revealed no effect of SES on dichotomous verdicts for robbery (Wald = .00, ns), $LR \chi^2 (1, N = 115) = .00, ns$. However, as hypothesized, participants voted
guilty for murder significantly more often for the low SES than the middle/high SES defendant (Wald = 6.97), $LR \chi^2 (1, N = 115) = 7.81, p < .01.$

There was no SES effect on degree-of-guilt for robbery ($\beta = -.05, ns$), $R^2 = .00, F(1, 99) = .20, ns.$ There was, however, a significant effect of SES on degree-of-guilt for murder such that participants rated the defendant of low SES as more guilty than the defendant of middle/high SES ($\beta = -.24, p < .05$), $R^2 = .06, F(1, 98) = 6.19, p < .05.$

Participants’ guilt score verdicts were marginally harsher for the low SES defendant than the middle/high SES defendant ($\beta = -.17, p < .10$), $R^2 = .03, F(1, 106) = 3.18, p < .10.$

**Sentence.** To test the effect of SES on sentence for only those who voted guilty, I excluded all twenty-one participants who voted not guilty. There was still no effect of SES on sentence ($\beta = -.12, ns$), $R^2 = .01, F(1, 91) = 1.11, ns.$

**Defendant responsibility scale.** There was no SES effect on the defendant responsibility scale ($\beta = -.03, ns$), $R^2 = .00, F(1, 113) = .10, ns.$

**Defendant credibility.** There was no SES effect of defendant credibility ($\beta = -.03, ns$), $R^2 = .00, F(1, 112) = .10, ns.$

**Similarity scale.** There was no SES effect on perceived similarity toward the defendant ($\beta = -.11, ns$), $R^2 = .01, F(1, 113) = 1.50, ns.$

**JOSS.** Contrary to hypotheses, participants perceived the low SES defendant as marginally more like a wayward youth than the middle/high SES defendant ($\beta = .16, p < .10$), $R^2 = .02, F(1, 113) = 2.82, p < .10.$

**Immaturity scale.** Participants rated the low SES defendant, as compared to the middle/high SES defendant, as being significantly more immature and unable to understand his actions ($\beta = .55, p < .02$), $R^2 = .05, F(1, 111) = p < .02.$ That is, participants were more likely to
view the middle/high SES defendant as more mature and more capable of understanding the wrongness of his actions.

**Potential Ability to Cope with the Criminal Justice System Scale.** There was no SES effect on the Potential ability to cope with the criminal justice system scale ($\beta = .13, \text{ ns}$), $R^2 = .00, F(1, 113) = .62, \text{ ns}$.

**Superpredator scale.** There was no SES effect on the superpredator scale ($\beta = -.17, \text{ ns}$), $R^2 = .00, F(1, 113) = .53, \text{ ns}$.

**Mediation Analyses**

Next I conducted mediation analyses to understand the underlying psychological processes driving participants to convict the low SES defendant more than the middle/high SES defendant. The JOSS was not considered for mediation because the effect of SES on the JOSS was opposite of the effect of SES on guilt; therefore, according to Baron and Kenny (1986) there is no possibility of mediation and thus it was not tested.

**Mediation analyses understanding the effect of SES on guilt.** To test whether or not the endorsement of the Superpredator stereotype mediated the effect of SES on guilt, I chose to examine the individual “superpredator item” from the JOSS scale. I chose this item because it best represents the underlying psychological construct that participants would perceive the low SES juvenile as more stereotypically “criminal-like” than the middle/high SES juvenile. That is, the item itself “Justin is a cold and calculating superpredator” makes the stereotype of the typical criminal particularly salient and thus might cause participants to perceive the low SES as a superpredator to satisfy the stereotype of low SES criminals. In fact, the superpredator item satisfied the first requirement of mediation, according to Baron and Kenny (1986): participants
believed the low SES juvenile was more of a superpredator than the middle/high SES juvenile ($\beta = -0.18, p < 0.05$), $R^2 = 0.04$, $F (1, 113) = 3.77, p < 0.05$.

To test whether the superpredator item mediated the significant effects of SES on guilt judgments, I conducted a series of regressions in line with Barron and Kenny’s (1986) recommendations.

The first step of their mediation model is to show that the independent variable (SES) predicts the dependent variable (Guilt Score), as illustrated by the regressions. The second step is to show that the independent variable (low SES) predicts the proposed mediator ($Justin is a cold and calculating superpredator$), which my regressions confirmed.

The third step is to show that the potential mediator (superpredator item) is significantly related to the dependent variable (Guilt Score), and regressions indicate they are related ($\beta = 0.35$, $p < 0.001$), $R^2 = 0.18$, $F (2, 98) = 10.36, p < 0.001$. The final step is to show that when both the independent variable and the proposed mediator are entered into a regression equation simultaneously that the mediator beta coefficient is significant and that the independent variable (i.e. defendant SES) is no longer significant (full mediation) or is reduced significantly (partial mediation). This would illustrate that the mediator accounts for the same variance in guilt judgments as the independent variable (defendant SES).

Mediation analyses revealed that whether participants view the defendant as a superpredator mediated the effect of guilt judgments for the low SES defendant. Specifically, the first step of the mediation analyses showed that the low SES defendant was treated more punitively on guilt judgments. In the second step, a separate regression showed that the superpredator item significantly predicted guilt judgments ($\beta = 0.35, p < 0.001$). Third, when SES and the superpredator item were simultaneously entered into separate regressions predicting (a)
verdict for murder, (b) degree-of-guilt for murder, and (c) guilt score, the effect of SES on
degree-of-guilt for murder and the guilt score variable became not significant, all $\beta$s < -.14, $ns$
(see Figure 1). Although the effect of SES on the dichotomous verdict for murder variable was
still significant ($Wald = 4.01, p < .05$), a Sobel test confirmed that the change in significance on
all guilt variables was marginally significant, all Sobels > 1.77, $ps < .10$ (see Figure 1). This
illustrates that participants treated the low SES defendant more punitively because they thought
that he, more than the middle/high SES defendant, was more of a cold and calculating
superpredator.

![Diagram showing the relationship between SES, Superpredator belief, and Guilt Score]

**Note.** SES was coded as 1 (*low SES*) and 2 (*middle/high SES*).

† $p < .10$, *$p < .05$, **$p < .001$

**Figure 1.** Belief that Justin is a superpredator as a mediator of the effect of SES on guilt score.

**Discussion**

This study represents the first examination of how the SES of a juvenile defendant affects
mock jurors’ perceptions and judgments of juvenile defendants in adult court. A number of
effects have been found that will contribute to the very limited amount of literature on this topic.

**Case Judgments**
Recall that I predicted based upon theories of stereotypes concerning juvenile defendants and the similarity-leniency hypothesis, that the low SES defendant would be convicted more often and treated harsher than the middle/high SES defendant. Although there was no significant effect of SES on case judgments for the charge of robbery, participants were significantly more likely to find the low SES defendant guilty of the charge of murder than the middle/high SES defendant. Not only was the low SES defendant convicted of murder more often, but participants also were marginally more likely to assign a higher guilt score and significantly more likely to assign a higher degree-of-guilt to the low SES as compared to the middle/high SES defendant. That is, participants were more likely to convict the low SES defendant of one or both of the charges (robbery and murder) and be more confident in their convictions for the low SES more often than the middle/high SES juvenile. There were, however, no significant effects of SES on sentence length, defendant responsibility, defendant credibility, and the similarity scale. Further it was not perceived similarity to the defendant that drove these effects, but instead stereotypes about the criminality of low SES defendants that drove these effects.

It is clear from these analyses that participants are doling out differential treatment to the low SES defendant on some, but not all case judgments, but why? It is important to note that I found significant effects of SES on guilt, which is the most ecologically valid case judgment because it most directly relates to the real life decisions of jurors. However, there was no effect of SES on several remaining variables, which is inconsistent with research on perceptions of adult defendants (Mazzella & Feingold, 1994; Gleason & Harris, 1976). For instance, prior research showed that participants rated the low SES defendant as more responsible than middle/high SES defendants for the crime committed (Mazzella & Feingold, 1994; Gleason & Harris, 1976). It is possible that because my study is examining juvenile defendants instead of
adult defendants that participants are less likely to hold a juvenile defendant, regardless of SES, responsible for the crime committed. Similarly, participants did not rate either the low or middle/high SES defendant significantly on credibility. That said, the mean scale score collapsed across all conditions was 4.15, indicating a medium level of responsibility. It is interesting that SES does not influence perceived responsibility, yet it influences perceived guilt. Research on attribution theory shows that perceived responsibility influences sentence severity, with higher levels of responsibility corresponding with more severe sentences (Weiner, 2006). Yet, in this case, the defendant was not described as ambiguously guilty and thus sentence was not the primary dependant variable of interest. Instead, participants had to make guilt decisions, which might interfere with perceived responsibility. That is, just as sentence severity is dependent upon guilt judgments, so too is perceived defendant responsibility, thus perhaps interfering with the possibility of finding significant effects due to reduced meaningfulness in responsibility judgments. That is, meaningful responses on both sentence and responsibility judgments are contingent upon whether participants convicted the defendant. In fact, Diamond (1997) discussed the problems associated with these types of variables in mock jury research — problems that likely help explain the lack of effects on these dependant variables. It is possible that because the case was presented as a short vignette without any direct testimony from the defendant that participants felt they did not have adequate information to determine the credibility of the defendant. Future research should use more extensive trial transcripts.

**Similarity-Leniency Hypothesis**

According to the similarity-leniency hypothesis, I expected participants to treat the low SES juvenile defendant more punitively than the middle/high juvenile defendant due to their diminished perceived similarity to the defendant. That is, because most participants had incomes
constituting middle to high SES, they should view themselves as more similar to the middle/high SES defendant and less similar to the low SES defendant. Due to this diminished perceived similarity to the low SES defendant, participants should be more likely to treat the low SES defendant more punitively than high the high SES defendant (Gleason & Harris, 1976). It was also possible that perceived similarity to the middle/high SES defendant might cause the black sheep effect, which occurs when people will treat a member of their ingroup harsher when they commit a crime in order to distance themselves from this potential blemish on their group image (McGowen and King, 1982). Analyses, however, revealed no effect of SES on similarity and thus were contrary to the aforementioned studies (Gleason & Harris, 1976; McGowen & King, 1982). Instead there was no link between perceived defendant similarity and guilt judgments. It is apparent then, that the similarity-leniency hypothesis did not drive the effect SES on guilt judgments.

Why did perceived similarity fail to drive the effects of SES on guilt judgments? It is possible that participants may have experienced more perceived similarity to the victim (a 64-year-old man). Because the victim was closer in age to most of the participants (Mean Age = 45) than the 15-year-old defendant, it is more possible that they would have felt more similar to the victim and simply not at all similar to the defendant. Yet, in support, mean similarity ratings toward the defendant were quite low collapsed across all conditions (M = 2.49), indicating low similarity. That is, it is possible that community members simply categorized the juvenile as an “out-group” member because he was much younger than the average participant (M age = 45). There was, unfortunately, no measure in the study to assess possible perceived similarity to the victim. It is also possible that even though participants may not have perceived themselves as similar to the defendant, they may have children or relatives who they perceive as being more
similar to the middle/high SES defendant. That is, if participants have a son who is similar to the middle/high SES defendant, they may be less likely to convict the defendant because it would be akin to convicting their own child. Future research should test this possibility by including questions concerning if they feel the defendant is similar to someone they themselves know, such as their child.

**Stereotypes Concerning Juvenile Offenders**

I predicted that negative stereotypes concerning the criminality of low SES defendants would affect how participants perceived and treated the defendant. Specifically, participants were expected to find the low SES defendant guilty more often than the middle/high SES defendant because the low SES defendant fits with stereotypes of criminality. I also predicted that participants would endorse the Superpredator stereotype more for the low SES than the middle/high SES defendant. It was also possible that, due to the perceived intelligence and maturity of the middle/high SES defendant, participants would rate the low SES defendant as more of a wayward youth on the JOSS scale. Because stereotypes are often automatic, implicit, and extremely pervasive within society they may play a large role in how jurors examine a case and determine the outcome (Devine, 1989). Many studies have explored the stereotype of the “typical criminal” and have found that one persistent factor in this stereotype is a low SES (Hoffman, 1981; Mazzella & Feingold, 1994; Ruby & Brigham, 1996). There are also two stereotypes which people tend to place juvenile offenders into: the wayward youth and the superpredator (Haegerich, 2002). Because the suprepredator stereotype elicits the image and idea of a youth who is mature, cold and calculating, and unable to be rehabilitated, I predicted that participants would be more likely to view the low SES defendant as a superpredator more than the middle/high SES defendant.
The JOSS produced significant effects; however, the effects were contrary to my hypothesis. Participants were more likely to rate the low SES defendant as a wayward youth on the JOSS than the middle/high SES defendant, indicating that they thought he is immature, does not understand the implications of his action, and can be rehabilitated. Further exploration of the JOSS revealed that this effect was driven by perceived immaturity. Specifically, factor analysis on the JOSS created three valid sub-scales: potential ability to cope with the criminal justice system scale, superpredator scale and immaturity scale.

The potential ability to cope with the criminal justice system sub-scale of the JOSS included items which evaluated whether the defendant understood his Miranda rights, his abilities to weigh the costs and benefits of his actions, and his ability to communicate important information about his case. The superpredator sub-scale included items about whether the defendant should be tried in adult court, if he should be sentenced as an adult, and if he is a superpredator. There was no significant effect of SES on the potential ability to cope with the criminal justice system subscale and the superpredator subscale. Although there was no statistically significant effect of SES on the potential ability to cope with the criminal justice system scale, the beta value was in the expected direction, mirroring our significant effect of SES on the immaturity scale. Perhaps this factor about coping in the legal system is less directly tied to stereotypes about the immaturity or low intelligence of low SES juvenile defendants. It is possible that because most of these items dealt with the “adultness” of the juvenile, participants must not relate SES to the perceived “adultness” of the defendant. Instead, the single item of “superpredator” showed an effect of SES in that participants rated the low SES juvenile defendant as more of a “cold and calculating superpredator” than the middle/high SES juvenile defendant.
The immaturity sub-scale consisted of questions dealing with whether the defendant was inadequately supervised by his parents, whether he should be held less responsible due to immaturity, whether his ability to understand the consequences of his actions, whether he understood basic court process, and whether or not he had any morals. All of these items in the immaturity scale highlight the maturity and cognitive abilities of the defendant. Because participants rated the low SES juvenile as more immature on the immaturity scale, this explains the effect of SES on the JOSS. That is, they were more likely to think that the low SES individual did not understand court processes, implications of his actions, and how to effectively speak and understand his case, whereas the middle/high SES defendant was thought to be more mature and perfectly capable of understanding the legal system and the implications of his crime.

In support of the direction of effects for the JOSS analyses, on the immaturity sub-scale, participants rated the low SES defendant as being more immature and unable to cognitively process information about his situation and his actions than the middle/high SES defendant. Thus, participants thought the middle/high defendant was more mature, understood his options, and has less, or even no, morals. This presents a paradox as to why participants would then convict the low SES defendant more often than the middle/high SES defendant. According to my hypothesis, participants should treat the “superpredator” harsher and convict him more often, yet participants rated the middle/high SES defendant as more of a superpredator. It is possible that, due to the nature of the crime (aggravated robbery and felony murder) participants may have viewed the middle/high SES defendant as having less of a “reason” to commit such a crime. That is, due to the economic situation of the low SES, participants may have viewed his actions as being primarily situational. Yet, participants still treated the low SES defendant more punitively on ultimate guilt judgments.
Even though the effect of SES on the superpredator sub-scale was not significant, the individual item “Justin is a cold and calculating superpredator” represents the exact underlying psychological construct to test the theory regarding stereotypes associating criminality with poverty. Further, SES significantly predicted the belief the juvenile was a superpredator on this item such that participants rated the low SES defendant as more of a superpredator than the middle/high SES defendant. Mediation analyses revealed that the superpredator item did marginally mediate effects of SES on guilt judgments. Specifically, participants perceived the low SES defendant as more of a stereotypical superpredator than the middle/high SES defendant, and in turn, participants found him guilty of murder more often, were more confident in their murder verdicts, and assigned him a higher guilt score. Despite the fact that participants rated the low SES on the JOSS scale as more of a wayward youth, on this single item, they viewed the low SES as a superpredator.

My results support the theory that common stereotypes associating criminals with poverty caused participants to rate the low SES juvenile as “a cold and calculating superpredator” more than the middle/high SES juveniles, and in turn, convicted him more often. Thus, even though participants consistently viewed the middle/high SES defendant as more mature, participants still convicted the low SES juvenile more often because poverty was consistent with their stereotypes associating criminality with poverty. That is, because low SES is often tied to the idea of the typical criminal, participants were more likely to view the low SES juvenile as the typical criminal and thus assume that he committed the crime. Stereotypes have been found to shape how we perceive ambiguous information (Sagar & Schofield, 1980). Specifically, when people are faced with ambiguous information, they are more apt to rely upon preconceived stereotypes in order to process the information. Therefore, because this was an
ambiguous case, stereotypes about SES and the law may have caused the participants to interpret the case in ways consistent with the stereotype of low SES and criminality. Ultimately, participants relied upon this stereotype to judge the case and thus, treated the low SES juvenile harsher than the middle/high SES juvenile defendant.

**Limitations**

Future research should continue to examine the underlying psychological processes explaining how the SES of a juvenile defendant affects the ways in which mock jurors perceive juvenile defendants in other types of crime, for example, rape, negligent homicide, and theft. Future studies should also use more ecologically valid materials to assess these effects, such as lengthier and more realistic trial transcripts and videotaped trials. Although I have provided a partial test of the similarity-leniency hypothesis, further research should include items assessing perceived similarity to the victim as well as whether or not participants have children who they may perceive as being similar to the defendant. Future research should also call for more truly low SES participants for a more complete test of the similarity-leniency hypothesis.

**Conclusion**

This research presents the first study examining how SES affects mock jurors’ perceptions of juvenile defendants. It also expands upon the limited field investigating how SES in general influences the perceptions of defendants by exploring the underlying psychological constructs that drive these effects. This topic is important because waiver of juvenile defendants into adult court is still a commonly used practice (Snyder & Sickmund, 2006). Due to the increased exposure of low SES juveniles to the legal system in general (Entner, Wright, Caspi, Moffit, Miech & Silva 2006; Evans, 2004), it is crucial to examine whether their SES affects how they are treated within the criminal court system. I found that a juvenile defendant’s low
SES (as compared to middle/high SES) increased participants’ likelihood to believe that he is a “cold and calculating superpredator,” which in turn, marginally increased participants’ likelihood to convict him. Perceived similarity, however, did not explain the effects of SES on verdicts, suggesting instead that negative stereotypes about the “criminality” of low SES defendants is, at least in part, driving this discriminatory treatment. Thus, I have revealed evidence of discriminatory treatment of juvenile defendants based on their SES.

Though this study was done with mock jurors, jurors are not the only entity within the legal system that these SES effects may influence. Ruby and Brigham (1996) found that police officers estimate that most burglaries are committed by low SES people, which suggests that officers may view most criminals as being low SES and thus patrol low income neighborhoods more often. Similarly, in order for a juvenile to be waived to adult court, a juvenile court judge must make this decision (Snyder & Sickmund, 2006); therefore, judges are also susceptible to the influence of extra-legal factors, such as SES, in their decision-making. Understanding the ways in which SES affects the treatment and perceptions of juvenile defendants in adult court is important because it has been shown that juveniles sentenced in adult court, especially those sent to jail or prison, are negatively affected by these experiences as compared to their counterparts tried and sentenced in juvenile court (Snyder & Sickmund, 2006; Kurlychek & Johnson, 2004, Rudman, Hartstone, Fagan, & Moore, 1986; Bishop, 2000). In conclusion, this study provides the first steps in understanding how juvenile defendant SES can lead to biased decisions among jurors. By revealing biases, such as these, that negatively impact the treatment of juveniles in adult court and the legal system as a whole, it may lead to a better understanding of how to reach justice and fair treatment for juveniles who enter our legal system.
Footnotes

1 Twenty-five participants missed the manipulation check regarding parental occupation. I conducted all analyses excluding these participants and found few differences in results. Surprisingly, there were fewer effects of SES when excluding these participants. Specifically, excluding these participants reduced the significant effect of degree of guilt for murder to marginally significant $F (1, 95) = .12, p < .10$; and the marginally significant effect of guilt score to not significant $F (1, 100) = .36, \text{n.s.}$ There were no other differences in the results. Because there were so few differences, and when we excluded these participants the effects were weaker, participants’ responses on the manipulation check probably did not accurately reflect their psychological interpretations of the case. It is possible, for instance, that because the manipulation check was at the end of the study, and included several options, the participants’ incorrect responses do not reflect how they actually understood the defendant’s SES. Therefore I present results including all participants.
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Appendix A
Informed Consent

Participant [ID]: New Direct Payment Survey Invitation

Dear StudyResponse Project Participant:

We are requesting your assistance with a study conducted by a researcher at University of Evansville on the topic of “Perceptions of Justice”. To be eligible for this project, you must be at least 18 years of age and you must be a US citizen. The study will take you approximately 30 minutes to complete. If you choose not to respond within the first week, we will send you a reminder in one week.

This study is anonymous, so please do not enter any identifying information into the research instrument except your StudyResponse ID, which is [ID]. The researchers have pledged to keep your data confidential and only to report aggregated results in any published scientific study.

Please note that upon receiving your completed survey (*as per the conditions specified by the researcher), we will issue a $5 gift certificate to Amazon of your choice. StudyResponse will start issuing the certificates approximately a week after the researcher receives the completed survey.

Note that your StudyResponse ID number is [ID] (also shown in the subject line of this message) and that you must enter that number into the survey to be eligible for the direct payment.

Follow this link to participate:

http://

Participation in this study is voluntary and you may withdraw from participation at any time. If you have any questions you may contact the following:

Katlyn Sorenson
University of Evansville
ks187@evansville.edu
317-696-6457

We very much appreciate your participation in the StudyResponse project and your willingness to consider completing this study.
Appendix B
Case Vignette

PLEASE READ CAREFULLY!!!!
Please read the following scenario and answer the questions below. Please take this study seriously and try to make the same judgments you would make in a real case. To increase realism, visualize and create a mental image of each person described in the case.

**Defendant:** The defendant, Justin Smith, is a 15-year old Caucasian male from a low-income family. His mother is a janitor and his father is unemployed (their average annual salary is $20,000).

Justin Smith has been charged with aggravated robbery and felony murder of Adam Jones (a 64-year old Caucasian male). Justin testified that he and his friend Jeff (14-years-old) were persuaded by an older friend, Ryan, (16-years-old) to steal an old man’s wallet for “fun.” Justin testified that he, Jeff, and Ryan were in the hallway of the apartment building prior to the crime and that they all followed Adam when he left the building to steal his wallet. Justin and his friend (Jeff) testified that Ryan shot and killed Adam throughout the course of the robbery and took his wallet before fleeing the scene of the crime. Ryan, however, testified that Justin robbed, shot, and killed Adam. A firearm’s examiner testified that the bullet found in the victim came from a gun that was discovered in Justin’s bedroom and with Justin’s fingerprints on it. The victim’s wallet was also found outside Justin’s bedroom window.

Although Ryan insisted that Justin robbed and killed the victim, upon cross-examination, Ryan testified that he had been convicted of gang-related crimes. He also admitted that he agreed to testify for the prosecution in exchange for a lesser charge and sentence in the current case. He admitted that his gang nickname is “the Machine” because he shows no emotion when witnessing or participating in violence. But, Ryan argued that Justin was not scared of him, and that Justin even looked up to him.

Jeff (Justin’s friend) testified that he and Justin feared Ryan. Upon cross examination, however, Jeff admitted that he is motivated to appear innocent (as a co-offender). In addition, although Jeff stated that he was afraid of Ryan, he admitted that Ryan had never physically hurt him before. Jeff also conceded that he and Justin did have the choice to not go with Ryan to commit the robbery.

Justin testified that he had nothing to do with the murder and that it was all committed by Ryan (whom he feared). Justin insisted that Ryan or the police planted the evidence of the gun and wallet in his apartment to frame him for the crime.
### Appendix C

**Guilt Judgments**

1.) Do you find the defendant, Justin Smith, GUILTY or NOT GUILTY of aggravated robbery?: CIRCLE ONE

<table>
<thead>
<tr>
<th>GUILTY of aggravated robbery</th>
<th>NOT GUILTY of aggravated robbery</th>
</tr>
</thead>
</table>

1a. How confident are you in this verdict that you selected for AGGRAVATED ROBBERY? (In other words, how sure are you that your verdict judgment was the correct one for this case?)

<table>
<thead>
<tr>
<th>0%</th>
<th>10%</th>
<th>20%</th>
<th>30%</th>
<th>40%</th>
<th>50%</th>
<th>60%</th>
<th>70%</th>
<th>80%</th>
<th>90%</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not at all confident</td>
<td>Completely confident</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2.) Do you find the defendant, Justin Smith, GUILTY or NOT GUILTY of felony murder? CIRCLE ONE

<table>
<thead>
<tr>
<th>GUILTY of felony murder</th>
<th>NOT GUILTY of felony murder</th>
</tr>
</thead>
</table>

2a. How confident are you in this verdict that you selected for FELONY MURDER? (In other words, how sure are you that your verdict judgment was the correct one for this case?)

<table>
<thead>
<tr>
<th>0%</th>
<th>10%</th>
<th>20%</th>
<th>30%</th>
<th>40%</th>
<th>50%</th>
<th>60%</th>
<th>70%</th>
<th>80%</th>
<th>90%</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not at all confident</td>
<td>Completely confident</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3.) IF YOU FOUND THE DEFENDANT GUILTY OF EITHER CHARGE, what do you think is the appropriate sentence for the defendant (please circle one)? (If you did not find the defendant guilty of either charge, skip this question and go on to the next one.)

Probation 5 yrs. 10 yrs. 15 yrs. 20 yrs. 25 yrs. 30 yrs. 35 yrs. 40 yrs. 45 yrs. 50 yrs. 55 yrs. 60 yrs. 65 yrs. Life in only prison prison prison prison prison prison prison prison prison prison prison prison prison

4. How believable was Justin’s (the defendant’s) testimony?

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Totally Not Believable</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. Do you blame the defendant, Justin, for the crime?

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO: Not at all</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>YES: Completely</td>
</tr>
</tbody>
</table>

6. Do you think that the crime was the defendant’s fault?

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO: Not at all</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>YES: Completely</td>
</tr>
</tbody>
</table>
7. Do you believe the defendant was responsible for the crime?

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO: Not at all</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>YES: Completely</td>
</tr>
</tbody>
</table>

8. Do you think the defendant should have been tried in adult criminal court or in juvenile court?

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definitely tried in</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Definitely tried in</td>
</tr>
<tr>
<td>criminal court</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>juvenile court</td>
</tr>
</tbody>
</table>
Appendix D
Defendant Similarity Scale

**DIRECTIONS:** Read each item CAREFULLY and indicate your level of agreement or disagreement by circling only ONE number, using the scale below:

<table>
<thead>
<tr>
<th>-3</th>
<th>-2</th>
<th>-1</th>
<th>0</th>
<th>+1</th>
<th>+2</th>
<th>+3</th>
</tr>
</thead>
<tbody>
<tr>
<td>strongly disagree</td>
<td>somewhat disagree</td>
<td>neutral</td>
<td>somewhat agree</td>
<td>agree</td>
<td>strongly agree</td>
<td></td>
</tr>
</tbody>
</table>

1. I feel similar to Justin Washington, the defendant.  
   -3  -2  -1  0  +1  +2  +3

2. I think I have a lot of things in common with Justin Washington, the defendant.  
   -3  -2  -1  0  +1  +2  +3
Appendix E
Juvenile Offender Stereotype Scale

DIRECTIONS: Given what you have read about, read the following statements about the defendant, Justin Smith, and indicate your level of agreement or disagreement with each statement. There are no right or wrong answers, we are interested in your opinion based on the information you have been given thus far and your intuitions in general. When making your ratings of agreement, please use the following scale:

<table>
<thead>
<tr>
<th>3</th>
<th>2</th>
<th>1</th>
<th>0</th>
<th>1</th>
<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Totally Disagree</td>
<td>Disagree</td>
<td>Somewhat Disagree</td>
<td>Somewhat Agree</td>
<td>Agree</td>
<td>Totally Agree</td>
<td></td>
</tr>
</tbody>
</table>

-3 -2 -1 +1 +2 +3 Justin has poor abstract reasoning and problem-solving skills. (R)
-3 -2 -1 +1 +2 +3 Justin got himself into this situation because he has no morals.
-3 -2 -1 +1 +2 +3 Justin probably understood his Miranda rights (that he had a right to be silent, that he had the right to an attorney, etc.).
-3 -2 -1 +1 +2 +3 Justin got himself into this situation because his parents rejected him and did not adequately supervise him. (R)
-3 -2 -1 +1 +2 +3 Justin cannot understand the consequences of his actions. (R)
-3 -2 -1 +1 +2 +3 If Justin committed the crime, he would be able to respond to treatment and become a better citizen. (R)
-3 -2 -1 +1 +2 +3 Justin has sophisticated reasoning abilities.
-3 -2 -1 +1 +2 +3 Justin should be tried in criminal court, just as adults are.
-3 -2 -1 +1 +2 +3 Justin should be held less responsible for any action he may have taken because of his immaturity. (R)
-3 -2 -1 +1 +2 +3 Justin probably is not able to understand the court process. (R)
-3 -2 -1 +1 +2 +3 Justin probably could not understand his different legal options, such as plea bargaining vs. pleading guilty. (R)
-3 -2 -1 +1 +2 +3 Justin should be sentenced, if guilty, as if he were an adult.
-3 -2 -1 +1 +2 +3 Justin is a cold and calculating superpredator.
-3 -2 -1 +1 +2 +3 Justin probably does not understand the criminal trial process. (R)
-3 -2 -1 +1 +2 +3 Justin is able to weigh the costs and benefits of being involved in
Justin is a wayward youth who has just strayed down the wrong path.

-3 -2 -1 +1 +2 +3 (R)

It would be possible to rehabilitate (reform) Justin if he committed a crime.

-3 -2 -1 +1 +2 +3 (R)

Justin got himself into this situation because he was failed by the system.

-3 -2 -1 +1 +2 +3 (R)

Justin is not able to comprehend the risk involved in engaging in criminal activity.

-3 -2 -1 +1 +2 +3 (R)

Justin could probably communicate information about himself and the crime he was charged with to his defense attorney effectively.

3 -2 -1 +1 +2 +3

**Note:** Items noted by (R) are reverse scored.
Appendix F
Demographic Questionnaire

Your Gender:  Male  Female.  Your Age:_______  Are you a U.S. Citizen?  YES  NO

What ethnicity are you? SELECT ONE: White  Black  Hispanic  Asian  Other:_________

What is your salary range? SELECT ONE:
$0 (stay-at-home spouse)
$0 (currently unemployed)
$19,000 or less
$20,000-$29,999
$30,000-$39,999
$40,000-$49,999
$50,000-$59,999
$60,000-$69,000
$70,000-$79,000
$80,000-$89,000
$90,000-$99,000
Above $100,000

Only answer this question if you currently have a spouse or partner with whom you share income. What is the salary range of your spouse? SELECT ONE:
$0 (stay-at-home spouse)
$0 (currently unemployed)
$19,000 or less
$20,000-$29,999
$30,000-$39,999
$40,000-$49,999
$50,000-$59,999
$60,000-$69,000
$70,000-$79,000
$80,000-$89,000
$90,000-$99,000
Above $100,000

When it comes to politics, how liberal or conservative are you? SELECT ONE
Extremely Liberal  Slightly Liberal  Moderate  Slightly Conservative  Extremely Conservative

Which of the following degrees do you have? SELECT ALL THAT APPLY:
Some High
High School Diploma
Some College
Associates Degree
Bachelors Degree
Masters
J.D.
Doctorate
Other: __________

What is your current religion? That is, what is your current denominational preference?
SELECT ALL THAT APPLY
Fundamentalist Christian
Christian
Catholic
Jewish
Muslim
Hindu
Buddhist
Agnostic
Atheist/Not Religious
Appendix G
Manipulation Check

As you were completing this study, what did you think the study was about? Explain:
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
Appendix H
Manipulation Check

NOW THAT YOU HAVE GOTTEN TO THIS PAGE, PLEASE DO NOT TURN BACK TO LOOK AT PREVIOUS PAGES. THAT IS, ANSWER THIS INFORMATION BASED ON YOUR MEMORY ALONE.
These questions are designed to test memory of case-related information.

How old was the defendant, Justin? ________
What was Justin’s race? CIRCLE ONE:
White        Black

How old was the victim, Adam? ________
What was Adam’s race? CIRCLE ONE:
White        Black

What were Justin’s parents’ occupations? CHECK ONE:
_____Mother was a dentist; Father was a plastic surgeon
_____Mother was a real estate agent; Father was a high school gym teacher
_____Mother was a janitor; Father was unemployed.

What was the alleged crime? SELECT ALL THAT APPLY:
Assault    Aggravated Robbery    Burglary    Felony Murder    Voluntary Manslaughter