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Economically disadvantaged juvenile offenders tried in adult court are perceived as less able to understand their actions, but more guilty

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We investigated the influence of a juvenile defendant's socioeconomic status (SES) on mock jurors' perceptions of a juvenile tried in adult court. As predicted, participants convicted the low SES juvenile defendant of felony murder significantly more than the middle or high SES juvenile defendant. Yet, participants also rated the low SES juvenile as less mature than the middle or high SES juvenile—a belief that past research shows predicts leniency in verdicts (i.e., not guilty judgments). Finally, stereotypes about the criminality of low SES juvenile defendants, not a lack of perceived similarity, partially mediated the effect of SES on guilt.

Keywords: stereotypes; guilty and responsibility; juror decision-making; juvenile offenders; socioeconomic status

Introduction

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 serious 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). Yet, research shows that transferring juveniles to adult court often negatively affects those developmentally vulnerable offenders (for a review, see Bottoms, Reppucci, Tweed, & Nysse-Carris, 2002). Even further, some theorize that jurors wrongly assume that a juvenile transferred to adult court must be particularly deviant, relative to a similar juvenile tried in juvenile court (Rudman, Hartstone, Fagan, & Moore, 1986; Snyder & Sickmund, 1999). In support, 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). Unfortunately, adult court punishments do not deter juvenile offenders from committing crime (Bishop, 2000; Rudman et al., 1986). Instead, prosecution in the adult court system may actually increase the likelihood that juveniles will recidivate by exposing them to chronic adult offenders (Bishop, 2000).

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Because more and more juveniles' cases are being tried in adult court and decided by jurors, it has become increasingly important to examine jurors' perceptions of juvenile offenders. Currently, there is a small, but growing body of research on perceptions of juvenile offenders (for a review, see Stevenson, Najdowski, Bottoms, & Haegerich, 2009). The current trend to transfer juveniles to adult court has serious ramifications for marginalized juvenile offenders, and in particular, those in poverty and ethnic minorities, who are overrepresented in the juvenile justice system (Sealock & Simpson, 1998). For instance, African-American juvenile offenders are more likely than White juveniles to be detained, transferred to adult court, and given more severe sentences, even when controlling for offense severity and prior offenses (Engen, Steen, & Bridges, 2002; Wordes, Bynum, & Corley, 1994). Why? Stevenson and Bottoms (2009) theorized that negative stereotypes about the criminality of Black juvenile offenders might drive legal decision-makers to treat them more punitively than similar White juvenile offenders. In support, by experimentally manipulating the race of a juvenile defendant tried in adult court (Black or White), Stevenson and Bottoms found that men (but not women) voted guilty more often when the juvenile defendant was Black than White.

Just as juvenile defendant race influences jurors' perceptions of juvenile offenders (Stevenson & Bottoms, 2009; Stevenson et al., 2009), so too might the socioeconomic status (SES) of a juvenile defendant. No research, however, has explored this possibility. The present study addresses this question by experimentally manipulating the SES (low, middle, or high) of a juvenile defendant tried in adult court. We expect that a low SES juvenile defendant will be found guilty more often and perceived more negatively (e.g., as a superpredator) than a middle or high SES juvenile defendant. Next, we review research and theory supporting our hypotheses.

**Juvenile offenders' socioeconomic status**

Low SES juveniles face special challenges; for instance, low SES juveniles are overrepresented in jails and courts (Bishop, 2000; Evans, 2004; Wright, Caspi, Moffitt, Miech, & Silva, 1999). Even though the overall trend for adolescent perpetrated manslaughter/murder decreased by 5.1% from 2007 to 2008, a higher proportion of juveniles were arrested in lower-income cities (11%) than in higher-income suburban areas (8%) for these crimes. In fact, among juveniles with arrest histories, when juveniles' families are given the opportunity to move from a high-poverty to a low-poverty area, the juveniles' arrest rates for violent crime diminish. In contrast, when juveniles' families are moved from a low-poverty area to a high-poverty area, the juveniles' arrest rates increase (Ludwig, Duncan, & Hirschfeld, 2001).

It is unclear, however, whether the overrepresentation of low SES juveniles in the justice system is because they commit more crimes, or because their crimes are particularly likely to be reported and successfully prosecuted (Ruby & Bigliam, 1996). Negative stereotypes about low-income juvenile offenders might contribute to their overrepresentation in the justice system. Although little research has examined this possibility for juvenile offenders, some research on perceptions of adult offenders supports this possibility: on average, people view low SES adults, compared to middle or high SES adults, as more blameworthy, more guilty, and more likely to fit the stereotype of the typical criminal (Mazzei & Feingold, 1994).
Although limited, some research suggests that bias against low SES offenders may extend to juvenile offenders as well: juveniles from families on welfare are given more severe dispositions in juvenile courts than juveniles whose families are not on welfare, even when controlling for case severity and crime type (Armstrong & Rodriguez, 2005).

But what happens to economically disadvantaged juveniles after they are transferred to adult criminal court? Currently, no research has experimentally explored the effects of SES on perceptions of juvenile offenders tried in adult court. Yet, more and more juveniles are being transferred to adult court (Bishop, 2010) and economically disadvantaged youth are significantly more likely to be transferred to adult court than economically advantaged youth (Tapia, 2010). Thus, it is particularly important to examine the potential for bias against economically disadvantaged juvenile offenders in adult criminal court where the stakes are the highest: Youth risk the possibility of much more severe sentences in adult court than in juvenile court.

By experimentally manipulating juvenile offender SES, we test two possible theoretical explanations for discriminatory treatment of lower-income juvenile offenders. First, negative stereotypes about the criminality of low SES juveniles might lead mock jurors to convict low SES juveniles more than middle or high SES juveniles. Alternatively, mock jurors (most of whom come from middle or high SES backgrounds) might feel more similar to a middle or high SES juvenile as compared to a low SES juvenile, which in turn might drive discriminatory treatment against low SES juveniles—a theoretical possibility known as the similarity-leniency bias. Next, we review research and theory supporting these theoretically derived hypotheses. Because there is no research on the effects of defendant SES on perceptions of juvenile offenders, we turn to research on the effects of SES on perceptions of adult offenders.

Understanding effects of offender SES
Ellis and McDonald (2001) conducted a review of all mock jury studies in which an adult defendant's SES was experimentally manipulated; they found that mock jurors rated low SES adult defendants as guiltier than high SES adult defendants and allocated greater punishments and longer sentences (see also Mazzella & Feingold, 1994).

Stereotypes about the criminality of low SES defendants
Stereotypes regarding the criminality of low SES individuals might cause participants to perceive low SES defendants as more likely to have committed a crime than middle or high SES defendants. Documented stereotypes (i.e., cognitive representations of groups of people) about criminals are that they are of low SES, physically unattractive, male, and African-American (Hoffman, 1981; Mazzella & Feingold, 1994; Ruby & Brigham, 1996). Media portrayals of criminals on television and in movies depict them as being from poor inner city areas (Barak, 1994). The overrepresentation of low SES criminals in the justice system (Ruby & Brigham, 1996) may also contribute to these stereotypes.

Demonstrating empirical evidence of these stereotypes, Hoffman (1981) varied the SES of a defendant (low, middle, or high) within a newspaper clipping vignette
describing either an armed robbery or a petty larceny and asked participants to rate the extent to which the defendant represents a typical offender. Participants rated the low SES defendant as resembling a typical criminal significantly more than the middle or high SES defendants. In a similar study, Osborne and Rappaport (1985) manipulated the seriousness of a crime (premeditated or non-premeditated murder) and the SES of the defendant (low or high) in the context of a case in which the defendant was convicted of murder. Low SES defendants received much longer sentences than high SES defendants.

Esqueda, Espinosa, and Culhane (2008) manipulated the defendant’s ethnicity (White or Hispanic) and SES (low or high) and found that White undergraduates rated the Hispanic, low SES defendant as more likely to be guilty and rendered lengthier sentences compared to all other conditions. Regardless of race, however, participants had more confidence in their guilt judgments, were more confident that the defendant would repeat the crime, and had greater confidence that the defendant had committed a similar crime in the past when the defendant was of low SES than of high SES. When they replicated this experiment on a primarily Mexican American campus, however, participants were unaffected by race and SES (Esqueda et al., 2008).

Although stereotypes regarding the criminality of low SES individuals might be one explanation for the effects of SES on jurors’ case judgments, it is possible that another factor – perceived similarity – might account for biased judgments. Next, we examine this possibility.

**Similarity-leniency bias**

Myriad research shows that the more similar jurors perceive defendants to be to themselves, the more jurors treat them leniently (Davis, Bray, & Holt, 1977; for a review, see Mitchel, Haw, Pfeifer, & Meisner, 2005). This well-established phenomenon has been coined the similarity-leniency bias, and has been demonstrated in mock jury simulations in which both defendant and juror race are included as manipulated variables (Davis et al., 1977; Mitchel et al., 2005). Specifically, White jurors treat White defendants more leniently than Black defendants, and Black jurors treat Black defendants more leniently than White defendants (Mitchel et al., 2005). However, little research has explored the possibility that the similarity-leniency bias explains the effects of SES on jurors’ case judgments.

One study provides some evidence that the similarity-leniency bias might, in part, account for the effects of SES on jurors’ judgments. Gleason and Harris (1976) manipulated an adult defendant’s SES (low or high) in a mock bank robbery trial. Participants in this study (male undergraduates from primarily middle to high SES backgrounds) rated themselves as more similar to the high SES defendant than the low SES defendant and also rated the low SES defendant as more blameworthy and as more likely to be found guilty than the high SES defendant. Yet, they did not conduct the necessary mediation analyses to test the possibility that perceived similarity explained the effects of SES on guilt judgments. This study does, however, provide some evidence that perceived similarity might, in part, explain SES effects, at least in studies including participants who perceive themselves to be middle or high SES, as many studies do (for a review, see Ellis & McDonald, 2001).
Understanding how defendant SES affects perceptions of juvenile offenders

Using the adult mock jury literature as a guide, we have uncovered evidence of bias against low SES adult defendants. We anticipate that similar biases will exist for low SES juvenile defendants as well, and we have proposed two competing theoretical explanations to explain such biases: negative stereotypes versus the similarity-leniency bias. In the present study, we test the extent to which these competing underlying psychological mechanisms (negative criminal stereotypes versus perceived similarity) drive discriminatory treatment of low SES juvenile defendants. To fully apply these theories to juvenile offenders we next turn to research delineating specific attitudes and beliefs about juvenile offenders.

Prior research has documented two existing stereotypes that specifically apply to juvenile offenders: (1) the superpredator stereotype — the belief that adolescent offenders are mature, calculating, and cannot be rehabilitated and (2) the wayward youth stereotype — the belief that adolescent offenders do not understand the implications of their actions, are immature, and can be rehabilitated (Haegerich, 2002). Further, Haegerich found that the more participants endorse the superpredator stereotype, the more punitively they treat a juvenile defendant (e.g., the more they convict). In contrast, the more participants endorse the wayward youth stereotype, the more leniently they treat a juvenile defendant.

It is possible that participants might perceive a low SES juvenile offender as more of a superpredator than a middle or high SES juvenile due to the stereotype that low SES offenders are more likely to become involved in crime and might not be capable of rehabilitation (Mazzella & Feingold, 1994; Spencer & Castano, 2007). Thus, we test the possibility that the superpredator stereotype drives the effects of SES on case judgments (i.e., guilt). Alternatively, participants might view middle or high SES juvenile offenders as more like superpredators than low SES juvenile offenders due to stereotypes that higher SES individuals are more intelligent (Spencer & Castano, 2007), and in turn, more mature and more knowledgeable of the legal system. Even further, the middle or high SES juveniles might be perceived as having no reason for committing the robbery, as compared to a low SES juvenile who may have needed the money for food. Finally, people might perceive low SES juvenile offenders as not knowing any better, and in turn, hold them less accountable for their actions. In support, children and young adults from impoverished families are perceived as less intelligent, less likely to succeed in the classroom, and less likely to have been taught right from wrong (Alvidrez & Weinstein, 1999; Auwarter & Aragüete, 2008; Solomon, Battistich, & Hom, 1996).

The current study tests these competing possibilities by varying a juvenile offender's SES (low, middle, or high) and measuring the extent to which they perceive the juvenile as a superpredator or as a wayward youth.

Study overview

Our study conformed to a one-way, between-subjects design in which juvenile defendant SES (low, middle, or high) was experimentally manipulated. Mock jurors were presented with a vignette portraying a juvenile defendant accused of robbing and murdering an elderly man. After reading the vignette and jury instructions, participants made a series of case judgments assessing verdict, confidence in verdict,
perceived similarity judgments, defendant immaturity, defendant comprehension, and belief the defendant is a superpredator.

Method

Participants

Participants were 115 community members recruited through StudyResponse—an online service that recruits participants who are approximately nationally representative. The StudyResponse panelist pool consists of roughly 50,000 individuals (average age = 34, 65% women). Panelists, on average, have some college education but no degree, and have about 14 years work experience (Stanton, 2006; Stanton & Weiss, 2002).

All 115 participants in the present study were jury-eligible (US Citizens, 18 years old or older, M Age = 45).\textsuperscript{1} Participants were 48% women, 88% Caucasian, 3% African-American, 3% Hispanic, 5% Asian, and 1% “other.” Nineteen percent of participants had at least some college experience and 21% had at least a Bachelor’s degree. The average combined salary (including both participant and spouse income) was $70,000–$79,999. Only 12% of participants’ salaries constituted a low SES household, 58% constituted a middle SES household, and 30% constituted a high SES household according to the US Census Bureau (Denavas-Walt, Proctor, & Smith, 2008).\textsuperscript{2}

Materials

Case vignette

A short vignette described a case of a 15-year-old juvenile defendant charged with aggravated robbery and felony murder (i.e., robbing and shooting an elderly man). This vignette was modified after the trial transcript used by Haegerich and Bottoms (2000) and Stevenson and Bottoms (2009), which was originally based off of two real cases and reviewed for ecological validity by a prosecuting attorney. In the vignette, the defendant argued that he was unwillingly coerced into being involved in the crime by threats and intimidation from an older gang leader. The older gang leader, however, testified that the defendant robbed and murdered the victim, that the defendant was not afraid of him and, instead, that he actually looked up to him. A firearm’s examiner testified that the bullet in the victim was from the same gun that was discovered in the defendant’s bedroom with the defendant’s fingerprints on it. The defendant testified that the older gang leader or the police purposely left the gun in his bedroom to try to frame him for the crime and that it was the gang leader who actually shot the victim.

To manipulate defendant SES, we 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 average annual salaries in this manipulation were determined using statistics compiled by the US Census Bureau of median and poverty-level incomes of households in the USA (Denavas-Walt et al., 2008) as well as income levels that are perceived by the general population to represent middle and upper-class households (Taylor et al., 2008).

Pattern jury instructions

Jurors received jury instructions that were modified after actual Illinois Pattern jury instructions and originally developed by Haegerich and Bottoms (2000). The jurors were informed via the instructions that they could choose one of three verdicts: (1) not guilty, (2) guilty of aggravated robbery, or (3) guilty of both aggravated robbery and felony murder (the most severe verdict). Jurors were told that if they found the defendant guilty of felony murder, they also must find the defendant guilty of aggravated robbery.

Guilt judgments

After reading the jury instructions, participants rendered a verdict (guilty or not guilty of aggravated robbery and, separately, felony murder). Participants also rated their confidence in their verdict selection separately for each verdict on an 11-point scale ranging from 0% confident to 100% confident in intervals of 10. We combined verdict and confidence in verdict to form a 22-point degree-of-guilt scale separately for each charge (robbery and murder) ranging from 1 (not guilty, 100% confident) to 22 (guilty, 100% confident) (Kassin & Wrightsman, 1983). We also created a 3-point guilt score variable such that greater values corresponded with a more severe verdict. Specifically, guilt score values included 0 (not guilty of robbery and murder), 1 (guilty of robbery, but not guilty of murder), and 2 (guilty of both robbery and murder). All guilt measures were also originally developed and used by Haegerich (2002) and Stevenson and Bottoms (2009).

Defendant Similarity Scale

Perceived similarity toward the defendant was assessed using a modified 2-item measure developed by Haegerich and Bottoms (2000) in which items were rated on a 7-point Likert scale ranging from 1 (strongly disagree) to 7 (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 on this scale indicated greater perceived similarity to the defendant. This scale had very high internal reliability (Cronbach’s α = 0.92).

Belief the juvenile defendant is a superpredator

To assess the superpredator stereotype, participants answered the following item developed by Haegerich (2002) on a 6-point Likert scale ranging from 1 (strongly disagree) to 6 (strongly agree): ‘Justin is a cold and calculating superpredator.’
Juvenile defendant immaturity

We assessed perceived juvenile defendant immaturity by including the following item originally developed by Haegerich (2002): 'Justin should be held less responsible for any action he may have taken because of his immaturity.' Participants responded on a 6-point Likert scale ranging from 1 (strongly disagree) to 6 (strongly agree). We reverse-coded this item so that higher numbers indicate greater perceived maturity.3

Ability to comprehend risks

Participants rated whether they believed that 'Justin is not able to comprehend the risk involved in engaging in criminal activity' on a 6-point Likert scale ranging from 1 (strongly disagree) to 6 (strongly agree). This item was originally developed by Haegerich (2002) and it was reverse-coded so that higher numbers indicate greater perceived comprehension of risk.

Ability to understand criminal justice system

Participants were asked to rate their belief that 'Justin probably does not understand the criminal trial process' on a 1 (strongly disagree) to 6 (strongly agree) Likert scale. This item was originally developed by Haegerich (2002) and was reverse scored so that higher numbers indicated greater belief that the juvenile defendant was able to understand the criminal trial process.

Manipulation checks

As a manipulation check, participants were asked to state the occupations of the defendant's mother and father and were given the following three options: (1) 'Mother was a dentist; Father was a plastic surgeon,' (2) 'Mother was a real estate agent; Father was a high school gym teacher,' and (3) 'Mother was a janitor; Father was unemployed.' To determine if participants were suspicious of our manipulations or hypotheses, participants were asked, 'As you were completing this study, what did you think the study was about? Explain.' Participants were also asked 'How old is the defendant, Justin.'

Demographics

We assessed the participants' age, gender, and US citizenship. To assess the 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 participants' SES, participants were asked to indicate 'What is your salary range' and the following 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?' with the following response options: (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 -- $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.' To establish participants' household income, we summed together the individual participant salary and the salary of their partner, if a partner salary was reported.

Procedure
Community members were recruited from the participant pool provided by Study-Response, an online service that recruits individuals interested in participating in research and provides researchers access to this database. Participants were sent an email containing an invitation to complete the online study and offered an incentive of $5.00 for their participation. Participants were given informed consent, providing them with a brief description of the study, 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 all case judgments (e.g., guilt, Defendant Similarity Scale, and beliefs about the defendant items), the manipulation checks, and the demographic questions, respectively. After all measures were completed, participants were thanked for their participation and given $5.00 as compensation.

Results
Because there were no significant differences between the middle and high SES condition on any case judgments (all Fs < 0.48, ns), we collapsed these two levels and conducted all analyses using only two conditions: low SES versus middle/high SES. For the purposes of analyses, the low SES condition was scored as '0' and the middle/high SES condition was scored as '1.' To preview, we first conducted a series of logistic and linear regressions on all dependent variables, followed by mediation analyses.

Guilt judgments.
Regarding guilt judgments, 13% voted not guilty of either robbery or murder, 29% voted guilty of only robbery (not murder), and 58% voted guilty of both robbery and murder. Next, we present the results of binary logistic regressions on our dichotomous guilt judgments separately for robbery and for murder, as well as linear regression analyses for our continuous guilt judgment variables.

Robbery guilt judgments
A binary logistic regression revealed no significant effect of defendant SES on the dichotomous verdict of robbery (Wald = 0.00, ns), LR \( \chi^2 \) (1, \( N = 115 \)) = 0.00, ns (see Table 1). Likewise, a linear regression revealed no significant defendant SES effect on degree-of-guilt for robbery (\( \beta = -0.05, ns \)), \( R^2 = 0.00, F(1, 99) = 0.20, ns. \)
Murder guilt judgments

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, $p < 0.01$ (see Table 1). Also as expected, there was a statistically significant effect of defendant SES on degree-of-guilt for murder such that participants rated the low SES defendant as more guilty of murder than the middle/high SES defendant ($\beta = -0.24$, $p = 0.02$), $R^2 = 0.06$, $F(1, 98) = 6.19$, $p = 0.02$.

Guilt score

As hypothesized, participants' guilt score verdicts were marginally higher for the low SES defendant than the middle/high SES defendant ($\beta = -0.17$, $p = 0.08$), $R^2 = 0.03$, $F(1, 106) = 3.18$, $p = 0.08$ (see Table 1).

Beliefs about the defendant

Defendant similarity scale

There was no significant defendant SES effect on the Defendant Similarity Scale ($\beta = -0.11$, ns), $R^2 = 0.01$, $F(1, 113) = 1.50$, ns (see Table 1).

Belief the juvenile defendant is a superpredator

In line with our hypothesis, the low SES defendant was viewed as marginally more of a superpredator than the middle/high SES defendant, ($\beta = -0.18$, $p = 0.055$), $R^2 = 0.03$, $F(1, 112) = 3.77$, $p = 0.055$ (see Table 1).

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Table 1. Mean case decisions as a function of defendant socioeconomic status (SES).

<table>
<thead>
<tr>
<th>Defendant SES</th>
<th>Low SES</th>
<th>Middle/high SES</th>
<th>Marginal mean</th>
</tr>
</thead>
<tbody>
<tr>
<td>Verdict for robbery</td>
<td>0.86 (0.35)</td>
<td>0.85 (3.35)</td>
<td>0.86 (0.35)</td>
</tr>
<tr>
<td>Verdict for murder$^a$</td>
<td>0.80 (0.41)</td>
<td>0.52 (0.50)</td>
<td>0.62 (0.49)</td>
</tr>
<tr>
<td>Degree-of-guilt for robbery</td>
<td>18.42 (5.35)</td>
<td>17.92 (5.34)</td>
<td>18.10 (5.32)</td>
</tr>
<tr>
<td>Degree-of-guilt for murder$^a$</td>
<td>17.03 (6.8)</td>
<td>13.20 (7.61)</td>
<td>14.54 (7.53)</td>
</tr>
<tr>
<td>Guilt score$^c$</td>
<td>2.62 (0.71)</td>
<td>2.36 (0.71)</td>
<td>2.45 (0.72)</td>
</tr>
<tr>
<td>Defendant Similarity Scale</td>
<td>2.73 (1.77)</td>
<td>2.35 (1.48)</td>
<td>2.49 (1.60)</td>
</tr>
<tr>
<td>Belief the juvenile is a superpredator$^b$</td>
<td>4.19 (1.85)</td>
<td>3.51 (1.76)</td>
<td>3.76 (1.82)</td>
</tr>
<tr>
<td>Defendant immaturity$^a$</td>
<td>3.56 (1.83)</td>
<td>4.20 (1.59)</td>
<td>3.97 (1.70)</td>
</tr>
<tr>
<td>Ability to comprehend risks$^a$</td>
<td>3.27 (1.61)</td>
<td>4.10 (1.55)</td>
<td>3.79 (1.62)</td>
</tr>
<tr>
<td>Ability to understand the criminal justice system$^a$</td>
<td>2.86 (1.29)</td>
<td>3.86 (1.55)</td>
<td>3.51 (1.54)</td>
</tr>
</tbody>
</table>

Note: Standard deviations appear in parentheses.

$^a$Significant defendant SES effect, $p < 0.05$.

$^b$Marginally significant defendant SES effect, $p < 0.10$. 

$^c$Marginal significant defendant SES effect, $p < 0.10$. 

Juvenile defendant immaturity

In line with our alternative hypotheses, compared to the middle/high SES juvenile, participants believed the low SES juvenile should be held marginally less responsible for the crime due to his immaturity ($\beta = 0.18, p = 0.06$), $R^2 = 0.03$, $F(1, 108) = 3.58$, $p = 0.06$ (see Table 1).

Ability to comprehend risks

Participants viewed the low SES juvenile as significantly less capable of comprehending the risks involved in criminal activity as compared to the middle/high SES juvenile, ($\beta = 0.25, p = 0.01$ $R^2 = 0.06$, $F(1, 108) = 7.19$, $p = 0.01$ (see Table 1).

Ability to understand criminal justice system

Participants viewed the low SES juvenile as significantly less able to understand the criminal court process as compared to the middle/high SES juvenile, ($\beta = 0.31, p = 0.001$), $R^2 = 0.10$, $F(2, 105) = 11.03$, $p = 0.001$ (see Table 1).

Mediation analysis

Next we conducted mediation analyses to explore the underlying psychological processes that may be driving participants to convict the low SES defendant of murder more than the middle/high SES defendant. Note that the effect of defendant SES on degree-of-guilt for robbery was not significant and therefore degree-of-guilt for robbery and guilt score will not be considered for mediation. Instead, we seek to explain only the statistically significant effect of defendant SES on degree-of-guilt for murder (the more sensitive measure of murder verdict, as compared to the dichotomous murder verdict variable). The Defendant Similarity Scale was not considered for mediation because there was no effect of defendant SES on this measure. Although there were effects of SES on perceived immaturity, ability to comprehend risks, and ability to understand the criminal court process, these effects were in the opposite direction as the effects of defendant SES on guilt. That is, although the low SES defendant was given a harsher verdict (i.e., a pro-prosecution judgment), he was perceived as less mature, less able to understand risks, and less able to understand the criminal court process (i.e., all pro-defense judgments that predict less guilty verdicts, see Haegerich, 2002).5

Because less maturity and less ability to comprehend important information are pro-defense judgments, and the low SES juvenile was rated as less mature and less able to comprehend information, these beliefs logically cannot explain why the low SES juvenile was rated as more guilty (a pro-prosecution argument). Thus, according to Baron and Kenny (1986), these items logically cannot explain (i.e., mediate) the effects of defendant SES on guilt, and so they will no longer be considered.

We were, however, able to test our hypothesis that negative stereotypes about the criminality of low SES juveniles drive the effects of defendant SES on guilt judgments by exploring the belief the juvenile is a superpredator as a potential mediator. Indeed, the belief the defendant is a superpredator significantly predicted degree-of-guilt for murder, $\beta = 0.38, p = 0.01$. Furthermore, when defendant SES
and the superpredator item were simultaneously entered into a regression predicting degree-of-guilt for murder; the effect of defendant SES on degree-of-guilt for murder, although still significant, dropped to $\beta = -0.19$, $p = 0.05$. Supporting mediation, the effect of the belief the juvenile is a superpredator on degree-of-guilt for murder remained statistically significant ($f = 0.35$, $p = 0.001$). A Sobel test confirmed the evidence of marginally significant mediation (Sobel = $-1.71$, $p = 0.08$) (see Figure 1).}

**Discussion**

This study represents the first experimental examination of possible bias against low SES juvenile defendants tried in adult court. Not only have we uncovered evidence of bias against low SES juvenile defendants, but we also tested and found support for one of two competing theoretical explanations for such bias, thereby contributing to the limited body of psychological research and theory on this topic.

**Understanding effects of juvenile defendant SES on case judgments**

Although there was no significant effect of SES on case judgments for robbery, participants were significantly more likely to find the low SES defendant guilty of murder than the middle/high SES defendant. In fact, this effect was quite strong: participants were 7 times more likely to convict a low SES juvenile of murder than a high SES juvenile. This finding bears practical significance because a murder charge is more serious and typically receives more severe sentences than a robbery charge. Participants were also marginally more likely to assign a higher guilt score and significantly more likely to assign a higher degree-of-guilt for murder to the low SES as compared to the middle/high SES defendant. Discrimination against the low SES juvenile in verdict judgments occurred despite the finding that jurors actually perceived the low SES juvenile (compared to the middle/high SES juvenile) as less responsible due to his immaturity, less capable of understanding the risks of criminal activity, and less able to understand court processes — all pro-defense judgments that our data and past research show to predict leniency in verdicts (Haegerich, 2002). There were, however, no significant effects of defendant SES on the similarity scale. Yet mediation analyses revealed that stereotypes about the criminality of the low SES
defendant (i.e., belief that the juvenile is a superpredator) partially explained the effects of defendant SES on degree-of-guilt for murder.

Thus, participants have treated the low SES juvenile defendant differently from the middle/high SES defendant on most, but not all, case judgments. Why? It is possible that we found effects of SES on murder but not on robbery because there was more variance in the murder judgments (54% voted guilty for murder) than in the robbery judgments (86% voted guilty for robbery). Regardless, the effects of SES on murder verdicts arguably warrant considerable attention: murder verdicts are among the most interesting case judgments because they directly correspond to the real-life decisions of jurors and the most serious accompanying outcomes for defendants. These effects are also in line with research on the effects of adult defendant SES on jurors’ verdicts (Mazzella & Feingold, 1994; Osborne & Rappaport, 1983).

Perceived defendant similarity

According to the similarity-leniency hypothesis, we expected participants to treat the low SES juvenile defendant more punitively than the middle/high SES juvenile defendant due to their diminished perceived similarity to the defendant. That is, because most participants (88%) had incomes constituting middle to high SES, they should view themselves as more similar to the middle/high SES defendant than the low SES defendant, and in turn, treat the low SES defendant more punitively (Gleason & Harris, 1976). Analyses, however, revealed no effect of defendant SES on perceived defendant similarity, and thus were not in line with the similarity-leniency hypothesis. This was true even when we excluded low SES participants from our analyses. Why did perceived similarity fail to drive effects of defendant SES on guilt judgments? Because most participants (M age = 45) were much older than the 15-year-old defendant, it is possible that participants simply felt very little similarity to the defendant. In fact, mean similarity ratings toward the defendant, scored on a 7-point scale with greater numbers indicating greater perceived similarity, were relatively low collapsed across all conditions (M = 2.49).

Criminal stereotypes about low SES juvenile offenders

In line with our hypotheses, participants rated the low SES juvenile defendant as marginally more of a superpredator than the middle/high SES defendant. Further, mediation analyses revealed that the belief the juvenile was a superpredator partially drove effects of juvenile defendant SES on degree-of-guilt for murder. Yet, this effect occurred despite our findings that participants rated the low SES juvenile (as compared to the middle/high SES juvenile) as less mature, less able to comprehend risks of crime, and less able to understand court processes – beliefs typically associated with leniency in case judgments (Haegerich, 2002). Even so, these findings are in line with previous research illustrating that individuals of low SES are generally perceived as less intelligent and less knowledgeable in general than individuals of higher SES (Bullock, Wyche, & Williams, 2001; Lott, 2002). Thus, these results uncover a paradox when juxtaposed with our finding that participants convicted the low SES defendant of murder more than the middle/high SES defendant. At least in this instance, the belief that the low SES juvenile is ignorant and immature (relative to the middle/high SES juvenile) did not translate into
leniency in guilt judgments. Instead, the belief that the low SES juvenile is particularly criminal-like (i.e., a superpredator) drove participants to convict him of murder, even though they felt he was less mature and unable to understand the consequences of his behavior.

Limitations and future directions

Future research should continue to examine the underlying psychological processes explaining how juvenile defendant SES affects the ways in which mock jurors perceive juvenile defendants in other types of crime including, for example, rape and negligent homicide. Another important factor to consider in future research is the influence of defendant age on perceptions of juvenile offenders. Future studies should also use more ecologically valid methods, such as lengthier and more realistic trial transcripts, videotaped trials, and jury deliberation. Although we have provided a partial test of the similarity-leniency hypothesis, further research should include more low SES participants for a more complete test of the similarity-leniency hypothesis.

Although this study examined mock jurors’ perceptions of juvenile defendants, jurors are not the only persons within the legal system that might be influenced by juvenile defendant SES. Rubin and Brigham (1996) found that police officers estimate that low SES individuals commit most burglaries, suggesting that officers may view criminals as typically being of low SES and thus patrol low-income neighborhoods more often. Similarly, juvenile court judges and prosecutors often determine whether or not a juvenile should be waived to adult court (Snyder & Sickmund, 2006). It is possible that judges and prosecutors are also susceptible to the influence of extra-legal factors, such as juvenile offender SES, in their decision-making. In fact, Stevenson (2009) expressed concern that juveniles who come from chaotic families with limited resources might be at particular risk for severe treatment within the juvenile justice system because they are perceived as less amenable to treatment. It is possible that juvenile court officials perceive low SES as yet another barrier to successful juvenile rehabilitation, and in turn, treat disadvantaged juvenile offenders from low-income families more severely in juvenile court, unfortunately contributing to even greater disadvantage. Future research should explore the potential for biases against low SES youth to manifest among various other relevant legal decision-makers.

Conclusion

Because economically disadvantaged juveniles are more likely to be transferred to adult criminal court (Tapia, 2010), it is crucial to examine jurors’ perceptions of them within the criminal court system. Unfortunately, juveniles sentenced in adult court, especially those sent to jail or prison, are negatively affected by these experiences in ways that ironically increase their likelihood to reoffend (Bishop, 2000; Kurielchak & Johnson, 2004; Rudman et al., 1986; Snyder & Sickmund, 2006). Thus, transferring juveniles to adult court where they face such sentences exerts atrogenic effects on juvenile justice goals of rehabilitation, particularly for low-income juvenile offenders who are already disadvantaged in many other ways (e.g., fewer resources to afford a quality attorney). Uncovering biases against marginalized young offenders from impoverished backgrounds puts us closer toward developing and implementing
policy aimed at eliminating discrimination against developmentally vulnerable adolescent offenders.

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Notes
1. Thirteen participants suspected that the study was examining the influence of defendant SES on case judgments and were excluded from analyses, reducing the total sample of 128 to 115.
2. Although most participants were middle to high SES, a small minority (12%) were of low SES and therefore might perceive themselves as more similar to the low SES defendant. Thus, one could argue that these participants should be excluded. To test this possibility, we conducted an ANOVA to examine whether the SES of a participant (either low or middle/high) would interact with defendant SES on how similar participants felt to the defendant. For this analysis, we categorized participants according to how similar their own total family income was to either the low or middle/high defendant SES condition. Those participants with total combined incomes of less than $30,000 were labeled as 'low SES,' while those with total combined incomes of more than $30,000 were labeled as 'middle/high SES.' An ANOVA revealed no significant interaction of participant SES and defendant SES on how similar participants felt to defendant, F(2, 101) = 0.60, ns. Because there was no relationship or interaction between participant and defendant SES on perceived defendant similarity, we included all participants in analyses. We also replicated all analyses excluding all low SES participants (12% of participants) and found no differences in the results, further supporting our decision to include all participants in analyses to help preserve statistical power.
3. One limitation of this item is that it references both maturity and responsibility (not maturity alone).
4. Twenty-five participants missed the manipulation check regarding parental occupation. We conducted all analyses excluding these participants and found few differences in results. Surprisingly, there were slightly fewer effects of SES when excluding these participants. Specifically, excluding these participants reduced the significant effect of defendant SES on degree-of-guilt for murder to marginally significant, F(1, 95) = 0.12, p < 0.1, and the marginally significant effect of defendant SES on guilt score to not significant, F(1, 100) = 0.36, ns. There were no other differences in the results. Because there were so few differences in results, and when we excluded these participants the effects of defendant SES were weaker, we present results including all participants, thereby maintaining the integrity of our sample and preserving statistical power.
Ten participants missed the manipulation check regarding defendant age and believed the defendant to be an adult. We conducted all analyses excluding these participants and found no differences in the results. Because there were no differences in results, we present results including all participants.
5. There are different degrees of freedom within the analyses because some participants chose to skip certain questions, and therefore, some data are missing.
6. Indeed, our research confirms that these judgments are pro-defense judgments. Specifically, greater perceived maturity and greater ability to comprehend risks both predicted greater degree-of-guilt judgments for robbery and for murder (all βs > 0.20, all ps < 0.05).
7. We also conducted mediation analyses using the dichotomous murder verdict as the dependent variable. The results were almost identical to the mediation analysis using the continuous degree-of-guilt variable (Sobel z = –1.62, p = 0.09).
8. All analyses were replicated controlling for participant race (coded as White vs. non-White) and revealed no differences in the results as compared to not controlling for race.
References


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