The Impact of Race on Perceptions of Adolescent Sex Offenders

Margaret C. Stevenson, Katlyn M. Sorenson Farnum, Allison L. Skinner, and Rukudzo Amanda Dzwairo

Societal fear of dangerous sex offenders has not only been the legal impetus for sex offender registration policies for adults, but also for recently extending registration policies to juveniles who commit sex offenses (Caldwell, Ziemke, & Vitacco, 2008; SORNA, 42 U.S.C. § 16911). Although registration policies were created to protect society from sex offenders, evidence suggests that these laws might not be effective. To date, research has revealed no evidence that registration policies successfully reduce sex offenses (e.g., Letourneau & Armstrong, 2008). Instead, substantial research shows that sex offender registration harms the lives of those registered in ways that, ironically, might lead to further offending (Levenson & Cotter, 2005; Levenson, D'Amora, & Hern, 2007; Tewksbury, 2005; Tewksbury & Lees, 2006, 2007; for reviews, see Chaffin, 2008; Trivits & Reppucci, 2002).

How does the public react toward juvenile sex offenders? Although there is strong public support for registration laws applied to adult sex offenders (Levenson, D'Amora, & Hern, 2007; Phillips, 1998), research on perceptions of juvenile sex offenders tells a more complex story. Salerno, Najdowski, and colleagues (2010) revealed strong public support for registering juvenile sex offenders, but only when participants were asked
to consider juvenile registration laws in the abstract. When asked about specific, less serious juvenile sex offenses, such as harassment or nonforced sex (offenses for which juveniles are registered in several states), public support for registration was much lower. Even so, when asked to describe the typical juvenile sex offender, the majority of respondents described a juvenile who had committed a serious sex offense (e.g., forced rape), which might help explain why abstract support for juvenile sex offender registration policy is so high. Public support might explain why registration policies have been extended to juvenile offenders (Salerno, Stevenson, et al., 2010), even though juvenile sex offenders differ in important ways from adult sex offenders (e.g., juveniles are much less likely to recidivate). (For reviews, see Chaffin, 2008; Trivits & Reppucci, 2002.)

The trend toward increasingly severe treatment of juvenile sex offenders likely has serious ramifications for minority juvenile offenders, who are overrepresented in the juvenile justice system (Snyder & Sickmund, 2006). In fact, Black juveniles are more likely than White juveniles to be detained, transferred to criminal court, and given longer sentences, even when controlling for offense severity and prior offenses (Engen, Steen, & Bridges, 2002; Wordes, Bynum, & Corley, 1994).

Consider the case of Marcus Dixon, an 18-year-old African American high school senior with a college football scholarship (Dixon v. State of Georgia, 2004). Although Dixon claimed that he had consensual sex with a 15-year-old White girl from his high school, he was charged with sexual molestation and rape. The jury acquitted him of the rape charge due to a lack of evidence, yet found him guilty of aggravated child molestation—a crime that requires sex offender registration and a mandatory, minimum 10-year prison sentence (Dixon v. State of Georgia, 2004). Notably in this case, the issue of race was hotly contested: Dixon claimed that the victim’s rape allegations stemmed from her fear that her extremely racist father would kill them both if he discovered that they had consensual sex. Articulating such sentiments, civil rights activist Dr. Joseph Lowery argued during a rally opposing Dixon’s 10-year sentence that if “the young lady were Black and Marcus Dixon was White, I don’t think we would be here” (Jacobs, 2004, p. 1).

Only a few years later, a strikingly similar case emerged involving another African American teen—Genarlow Wilson, a 17-year-old high school senior, honors student, and star of his football team (Wilson v. State of Georgia, 2006). Wilson was receiving recruitment letters from Ivy League colleges, but just short of graduation, he was charged with aggravated child molestation. A videotaped recording of a New Year’s Eve party he attended had surfaced showing Wilson receiving consensual oral sex from a
15-year-old White girl. Because juveniles are automatically registered for adjudicated sex crimes in juvenile court, some juveniles attempt to avoid automatic registration by waiving their cases to adult criminal court, where they receive a trial by jury instead of a disposition rendered by a family court judge. A desire to avoid automatic registration (the standard juvenile court outcome) led Wilson to opt to waive his case from juvenile court to adult court, where he risked the possibility of a much harsher sentence—a possibility that came to fruition. In adult court, Wilson was convicted of aggravated child molestation, registered as a sex offender, and sentenced to 10 years in jail, the mandatory minimum sentence under Georgia law (Wilson v. State of Georgia, 2006). Again, the issue of race in this case was hard to ignore, and Wilson received support from several civil rights leaders. Former president Jimmy Carter even wrote a letter to the U.S. attorney general, requesting him to consider the possibility that race played a role in Wilson's harsh sentence (e.g., National Public Radio, 2007; Rome News Tribune, 2008).

Although Wilson served only 2 years and Dixon served 15 months in prison before their convictions and sentences were overturned on appeal, these cases inspire important questions about the role of ethnicity in the treatment of juvenile sex offenders and the fairness of these laws and judicial outcomes in general. These questions have been the topic of a good deal of journalistic debate. The Dixon case, for instance, was even featured by Oprah Winfrey on her television show (Rome News Tribune, 2004). Yet, the courts have continued to ignore social science evidence that sex offender registration policies are likely ineffective at best (e.g., Letourneau & Armstrong, 2008) and detrimental to society at worst (e.g., Chaffin, 2008). Indeed, policy aimed at increasingly punitive treatment of sex offenders has not slowed (Wright, 2009). Such trends have particularly unfortunate implications for juveniles because registration has been linked to various negative outcomes, including public harassment, social rejection, and depression (Levenson, Brannon, Fortney, & Baker, 2007; Levenson & Cotter, 2005; Tewksbury, 2005; Tewksbury & Lees, 2006)—all factors shown to increase the likelihood of suicide (Bridge, Goldstein, & Brent, 2006), the third-leading cause of death among adolescents (Xu, Kochanek, & Tejada-Vera, 2009). One particularly alarming case involved a 15-year-old boy who attempted suicide by walking into oncoming traffic because of constant harassment from high school students who had discovered that he was on the registry (Jones, 2007). Another adolescent, William Elliott, was placed on the sex offender registry at age 16 after engaging in consensual sex with his girlfriend, who was just weeks away from the legal age of consent (16).
Several years later, a vigilante who identified Elliott’s name and address from the registry shot him to death in his home (Ahuja, 2006). Although there are certainly many more shocking instances of brutality perpetrated against registered juveniles, more commonly, adolescents suffer social rejection and harassment as a result of registration. For instance, after being registered at age 11, one girl became the target of lewd phone calls and sexual advances from older men (Jones, 2007).

Thus, it has become increasingly important to study perceptions of developmentally vulnerable adolescent sex offenders, particularly racial minority youths who are susceptible to discriminatory treatment. This chapter represents an exploration of the influence of juvenile offender and victim ethnicity on perceptions of juvenile sex offenders, focusing primarily on perceptions of African American adolescents. Although it is certainly important to study perceptions of other racial minority groups, doing so is simply beyond the scope of this chapter. Even so, we believe that exploring perceptions of African American adolescents represents an important first step, particularly given the unique sociopolitical history of racism against African Americans in the United States.

First, we review relevant social psychological theory and research, drawing largely from research exploring the influence of race on perceptions of adult offenders. We then turn to research illustrating the effects of race on perceptions of juvenile offenders, where we also review the only existing research in which the races of juvenile sex offenders and victims are experimentally manipulated. Finally, we present the results of preliminary data testing our theory and conclude with directions for future research and implications for policy and law.

Effects of Defendant and Victim Race

Although the literature on effects of defendant and victim race paints a complex picture, a thorough review reveals compelling evidence of racial bias, such that Whites generally render more pro-prosecution case judgments for Black than for White adult defendants and when the victim is White rather than Black. (For a review, see Sommers & Ellsworth, 2006.) For example, a meta-analysis exploring the effects of adult defendant race on sentencing in 14 mock juror studies revealed that Black defendants, on average, receive longer sentences than White defendants (Sweeney & Haney, 1992; see also Mitchel, Haw, Pfeifer, & Meissner, 2005). Mock jury studies involving adult defendants accused of rape also tell a cohesive story: White mock jurors tend to be most punitive in reactions to mock rape cases when a Black defendant rapes a White victim than in
any other defendant-victim racial combination (e.g., Feild, 1979; Foley & Chamblin, 1982; Klein & Creech, 1982; Ugwuegbu, 1979). Using the adult mock jury literature as a guide, it appears likely that similar effects of racial bias will manifest for juvenile sex offenders.

Social Psychological Theory Explaining Effects of Race

Several social psychological theories help inform the issue of racial bias against minority offenders. First, well-documented negative stereotypes that African Americans are more violent, aggressive, and sexually deviant than Whites (e.g., Devine, 1989) likely drive discriminatory treatment. Myriad research reveals that people pay more attention to, and subsequently remember better, information that is consistent rather than inconsistent with their stereotypes (for a review, see Hilton & von Hippel, 1996). Stereotypes that Black men are more dangerous and criminal-like than White men likely cause mock jurors to perceive Black defendants as more likely to be guilty than White defendants accused of the same crime (for a review, see Sweeney & Haney, 1992). Similar stereotypes exist for minority juvenile defendants. Juvenile probation officers rated minority offenders as more criminal-like, dangerous, and likely to recidivate than similar White juvenile offenders (Bridges & Steen, 1998).

Although it is clear that stereotypes play a role in discriminatory treatment of minority offenders, stereotypes alone do not account for why some mock jury studies fail to find effects of defendant race on case outcomes (e.g., Conley, Turnier, & Rose, 2000; Mazzella & Feingold, 1994; Shaw & Skolnick, 1995; Skolnick & Shaw, 1997). To understand this mixed body of research on the effects of race, we next turn to the theory of aversive racism, which is the newer, modern form of racism that has replaced blatant old-fashioned racism (Gaertner & Dovidio, 1986). Although it is no longer socially acceptable to appear outwardly racist (in most social circles), according to aversive racism theory, individuals are still influenced by anti-Black attitudes, particularly when the motivation behind one's behavior is ambiguous and can be justified in non-racially motivated ways (Gaertner & Dovidio, 1986). Consistent with aversive racism theory, Sommers and Ellsworth (2001) argue that effects of defendant race can be eliminated simply by making the issue of race salient during a mock trial, or in other words, by highlighting the issue of race during the trial. Specifically, Sommers and Ellsworth experimentally manipulated race salience in the context of a mock trial through the presence or absence of a racially sensitive comment (i.e., the victim merely mentioned or did not mention the defendant's race during her testimony).
In support of their theory, White participants' sentence recommendations were unaffected by defendant race (Black or White) when race was made salient. But, when race was not made salient (i.e., when the victim did not mention the defendant's race), mock jurors convicted the Black defendant more frequently than the White defendant. The authors theorized that making jurors aware of the issue of race heightens their concern about being racist and, in turn, drives them to control their racial prejudice. Yet, when race is not made salient, participants let their guard down, and underlying racial biases manifest, resulting in more convictions for Black defendants than White defendants. Sommers and Ellsworth argue that these results help account for the mock trial studies that reveal null effects of defendant and victim race, suggesting that the methodology of those studies made race overly salient, which consequently eliminated race effects (see also Sommers & Ellsworth, 2003). Thus, aversive racism can, at least in part, drive discriminatory treatment of Black defendants, particularly when race is not salient throughout the course of the trial.

Another relevant psychological theory is the similarity-leniency bias: People simply like similar others more than nonsimilar others, and thus treat similar others preferentially (e.g., Davis, Bray, & Holt, 1977). Thus, because White jurors likely perceive themselves as more similar to White than Black defendants, they should therefore treat White defendants more leniently than Black defendants. Likewise, because Black jurors likely perceive themselves as more similar to Black than White defendants, they should, in turn, treat Black defendants more leniently than White defendants. In support, a meta-analysis by Mitchel and colleagues (2005) revealed that White people tend to treat White defendants more favorably than Black defendants, whereas Black people tend to treat Black defendants more favorably than White defendants.

The various theories reviewed thus far to explain bias against minority adult defendants can also be applied to understanding possible bias against minority juvenile defendants. Next, we review existing research examining this possibility.

**Effects of Juvenile Defendant and Victim Race**

Scott, Reppucci, Antonishak, and DeGennaro (2006) were the first to experimentally explore the effects of race on perceptions of juvenile offenders. Community member participants watched a video depicting a masked juvenile robbing a convenience store at gunpoint (Scott et al., 2006). The race of the juvenile was experimentally manipulated by showing participants a photo of the juvenile's face (either Black or White). They found
no effects of the juvenile's race on sentence judgments or ratings of the juvenile's culpability. Yet, it is possible that the method of manipulating race (the photo of a Black youth) enhanced suspicion that the study was about race and, in turn, increased participants' motivation to avoid racial prejudice. Such a possibility is consistent with Sommers and Ellsworth's (2001) research showing that participants tend to correct racial biases by treating White defendants no differently than Black defendants, but only when the issue of race is made salient.

In a similar study, Stevenson and Bottoms (2009) manipulated a juvenile defendant's race in a way that made it noticeable, yet not overly salient to participants. Their mock case transcript described a juvenile defendant (portrayed as Black or White) who was tried in adult court for the murder of an elderly man (Black or White). Although there were no main effects of defendant or victim race on guilt judgments, there were interactions of juror gender and defendant and victim race. Specifically, men, but not women, convicted more often when the juvenile defendant was Black than when he was White and when the victim was White rather than Black. These findings are consistent with research by Dovidio and colleagues (1997), who manipulated an adult defendant's race in a mock capital case. Again, men, but not women, recommended the death penalty more often for the Black adult defendant than for the White adult defendant. Perhaps partially explaining these results, men, compared to women, have higher levels of explicit racism and ethnocentrism (Carter, 1990; Kim, & Goldstein, 2005; for a review, see Ekehammar, Akrami, & Araya, 2003) and score lower in measures of general acceptance of others (Mills, McGrath, Sobkowiak, Stupec, & Welsch, 1995). Even so, controlling for participants' scores on the Modern Racism Scale did not change Stevenson and Bottoms's results, suggesting that men's racism alone might not fully explain why men (but not women) were more punitive toward the Black than the White defendant.

Alternatively, these results might be understood in the context of gender-related social categorization. Because the defendant and victim in this study were male, women may have classified them as out-group members more than men. Indeed, people generally pay more attention to in-group than out-group members (e.g., Bernstein, Young, & Hugenberg, 2007; MacLin & Malpass, 2001; for a review, see Meissner & Brigham, 2001). Thus, women might have simply paid less attention to the defendant's and victim's racial characteristics than did men. In turn, women might have been less influenced by defendant and victim race, primarily because they did not perceive a male defendant or male victim (Black or White) as part of their in-group. In support, women demonstrate strong positive implicit in-group associations toward women and negative
implicit associations toward men (Rudman & Goodwin, 2004). Although men also demonstrate positive implicit in-group associations toward men over women, this bias is less pronounced for men (Rudman & Goodwin, 2004). Thus, because men likely attended more than women to the male defendant and victim, men might have been more influenced by the defendant's and victim's racial characteristics.

In summary, a review of literature exploring the influence of defendant and victim race on perceptions of adult and juvenile offenders provides the necessary theoretical background to understand the influence of race on perceptions of juvenile sex offenders. Using the adult mock trial literature as a guide, we have uncovered evidence of discrimination against Black defendants accused of rape—bias that might extend toward minority adolescent offenders. Yet, not all sex crimes involve violent rape. In fact, only a minority (15%) of juvenile sex offenders are rapists (Uniform, 2007). Contrary to sensationalized stranger rape cases that frequently receive media attention, most sex crimes (76%) occur in the context of existing intimate relationships, friendships, etc. (Tjaden & Thoennes, 1998). In fact, several rape-victim crisis support groups have openly criticized sex offender registration policies, arguing that they are motivated by and designed to prevent highly sensationalized stranger rape crimes—crimes that simply are not experienced by the vast majority of their clients (e.g., Coombs, 2006). To understand how race might influence perceptions of less sensationalized, yet more common sex crimes, we turn next to literature exploring the influence of race on perceptions of domestic violence.

**Perceptions of Interracial Domestic Violence**

Recall the case of Genarlow Wilson—a nonviolent, statutory offense consisting of mutually desired, yet technically illegal sexual activity between two similarly aged minors. This type of crime carries a unique set of issues relevant to understanding the complex influence of juvenile defendant and victim race. Specifically, the defendant and victim were close in age and were alleged to have engaged in consensual sexual activity. To explore how race influences perceptions of these types of sex crimes, we turn to research on attitudes toward interracial romantic relationships.

Despite the progress we have made since the 1960s, when interracial marriage was still illegal in some states (Porterfield, 1982), we are far from full societal acceptance of interracial relationships (e.g., Ross, 2005). For instance, even though interracial couples can now legally marry, many are reluctant to do so: Only 32% of individuals without prior interracial dating experience indicated a willingness to date someone of a different
ethnicity (Knox, Zusman, Buffington, & Hemphill, 2000). Further, interracial couples continue to be viewed more negatively in general than same-race couples. For instance, as compared to same-race couples, interracial couples are perceived as less compatible and as less supported and accepted by family (Carrasco, 2007; Harrison & Esqueda, 2000; Lewandowski & Jackson, 2001; Mills, Daly, Longmore, & Kilbride, 1995; Ross, 2005). Lewandowski and Jackson (2001) experimentally manipulated a married couple’s racial composition and found that, relative to a White married man and woman, a White woman married to a Black man was perceived as less psychologically adjusted and less traditional, and a White man married to a Black woman was perceived as less professionally successful and less competent in general. Similarly, relative to a Black married couple, Black men or women married to Whites were considered less traditional and less compatible.

Societal lack of acceptance of interracial relationships might cause people to perceive sexual behavior between interracial teens as more dysfunctional and more deviant than if they were of the same race. In support, Harrison and Esqueda (2000) examined participants’ perceptions of a vignette describing a case of domestic violence. The male batterer’s race and the female victim’s race (Black or White) were experimentally manipulated. Although they found no main effects of race, there was an interaction of defendant and victim race such that the batterer was rated guiltier when he was in an interracial relationship than when he was in a same-race relationship. Thus, it is possible that interracial juvenile sex offenses might be perceived as more criminal-like than same-race juvenile sex offenses, particularly when the offender is not a stranger, but rather someone who has a relationship with the victim (as do most sex offenders; Tjaden & Thoennes, 1998).

Next, we turn to the only published study designed to experimentally test the influence of juvenile offender and victim race on perceptions of a juvenile convicted of statutory rape, followed by preliminary data testing the influence of defendant and victim race on perceptions of a juvenile accused of forced rape.

Effects of Juvenile Defendant and Victim Race on Registration Support for Statutory Rape

Stevenson, Sorensen, Smith, Sekely, and Dzwairo (2009) recruited 158 community members and presented them with a short vignette depicting the case of a 15-year-old boy convicted of aggravated child molestation of a similarly aged girl. For ecological validity, the case was based on the Wilson v. State of Georgia (2006) case: The defendant received consensual,
videotaped oral sex from a similarly aged girl victim. Victim and defendant race were fully experimentally manipulated (Black or White), resulting in four conditions of all possible victim-defendant race combinations. After reading the vignette, participants indicated their support for registering the juvenile as a sex offender and made several additional case judgments designed to explain registration support, including perceived likelihood that the defendant will reoffend (i.e., utilitarian concerns for society) and support for registration even if it is ineffective at reducing sex crimes (i.e., retributive goals of punishment).

Because the authors were interested in exploring possible participant gender by defendant and victim race interactions, the study conformed to a 2 (defendant race: Black, White) X 2 (victim race: Black, White) X 2 (participant gender) between-subjects design.

Although there were no main effects of any independent variables on registration support, there was a marginally significant interaction between defendant and victim race. The simple effects analyses did not reach statistical significance, yet a clear crossover trend emerged such that participants supported registration more when the juvenile offender and victim were of different races than when they were of the same race. Similarly, participants endorsed marginally greater retributive goals of punishment when the defendant and victim were of different races than of the same race. Further, mediation analyses revealed that retributive goals of punishment—not utilitarian goals to protect society—partially explained why participants supported registration more for the interracial than same-race crime (see Figure 4.1). This effect is in line with previous research revealing that retributive goals tend to be more influential than utilitarian goals in the context of legal decision making (Carlsmith, Darley, & Robinson, 2002; Darley, Carlsmith, & Robinson, 2000). Further, these results suggest that participants might have perceived an ambiguously serious sex act between two teens as more like a true crime when the teens were of different races. Such findings might reflect lingering societal lack of acceptance of interracial relationships and the belief that interracial couples are not compatible (Carrasco, 2007; Harrison & Esquedua, 2000; Lewandowski & Jackson, 2001; Mills, Daly, Longmore, & Kilbride, 1995; Ross, 2005). In other words, participants might have perceived teens of the same race as more likely to have been in a romantic relationship and, in turn, perceived the sex act to be more developmentally normative and consensual. In contrast, participants might have perceived teens of different races as less likely to have been in a romantic relationship and, in turn, perceived the sex act to be more like a true crime.
There was also a marginally significant interaction of gender and victim race on registration support and retributive goals of punishment, and a statistically significant interaction for the belief that the juvenile will recidivate. Follow-up analyses revealed that women, but not men, were significantly more likely to support registration, believe that the defendant would recidivate, and endorse retributive goals of punishment when the victim was White rather than Black. Mediation analyses showed that retributive goals of punishment—^not fear that the juvenile would recidivate—drove the effect of victim race on women's support for registration. In other words, a retributive desire to punish sex offenders, and not a utilitarian desire to protect society, explained registration support—an effect in line with previous research (Carlsmith et al., 2002; Darley et al., 2000).

These results support the hypothesis that gender-related social categorization (Rudman & Goodwin, 2004) might have caused women to pay attention to features of the female victim more than men did. In turn, women's greater attention toward the female victim might have caused them to be more influenced by her racial characteristics. Yet, men likely paid less attention to the female victim than women did because they categorized her as an out-group member, and consequently they were less influenced by her racial characteristics. Thus, at least for women, these results provide evidence that negative stereotypes about Black women drove them to devalue the worth of the Black victim by supporting sex offender
registration less often when the victim was Black than when she was White. Well-documented stereotypes that Black women are more sexually experienced, promiscuous, and perverse than White women may, in part, explain this effect (Devine, 1989; Powell, Wyatt, & Bass, 1983; Weinberg & Williams, 1988; Wyatt, 1982). In other words, negative stereotypes about the sexual deviance of Black women might have caused non-Black women to label the sex act as a less serious sexual offense and, in turn, support registration less when the victim was Black rather than White.

Finally, contrary to hypotheses, there were no main effects of defendant race. Why? On the one hand, although there certainly are negative stereotypes associating criminality with Black men (e.g., Devine, 1989), such stereotypes might not encompass the specific crime of sex offending. In support, Jackson and Nuttall (1993) found that clinicians perceived child sex offenders as more likely to be White than Black or Hispanic. On the other hand, perhaps there were no effects of defendant race because the sexual offense in this study was a nonviolent sexual act described as consensual. As described above, these findings are likely driven by a lack of societal acceptance of interracial relationships (e.g., Lewandowski & Jackson, 2001; Mills et al., 1995; Ross, 2005), which drove people to perceive an ambiguously criminal sex act as more like a true crime when the defendant and victim were of different races than when they were of the same race. Yet, how will defendant and victim race shape perceptions of a juvenile who commits an unambiguously criminal sex act—forced rape? We have recently started testing this question, and next we present the preliminary results of this new line of research.

Effects of Juvenile Defendant and Victim Race on Registration Support for Forced Rape

Recall that studies reviewed earlier reveal that participants tend to react more punitively when an adult rapist is Black and the victim is White than with any other victim-defendant racial combination (e.g., Feild, 1979). Aversive racism (Gaertner & Dovidio, 1986) and well-documented negative stereotypes that Blacks are more violent, aggressive, and sexually deviant than Whites (e.g., Devine, 1989) likely drive discriminatory treatment. Thus, it is possible that aversive racism and anti-Black stereotypes might lead participants to support registration more when the juvenile defendant convicted of forced rape is Black and the victim is White than with any other victim-defendant racial combination.

Alternatively, the stereotype that Black women are physically dominant, powerful, and aggressive (e.g., Donovan, 2007; Donovan & Williams, 2002; Esqueda & Harrison, 2005; West, 1995) supports a
competing hypothesis. To the extent that participants perceive Black women as particularly physically strong, they might also believe that Black women are either physically intimidating enough to deter a prospective rapist or strong enough to stop him. Thus, when a Black woman is raped, participants might perceive the rapist as especially dangerous and strong to have successfully raped her. In support, Willis (1992) experimentally manipulated victim race in a forced-rape case and found that participants were more confident in the defendant's guilt, perceived the defendant as more likely to reoffend, and found the victim to be less blameworthy when the victim was Black rather than White. These results support the possibility that participants perceived the rapist as particularly dangerous and strong to have raped a Black woman, compared to a White woman, possibly because they perceived the Black victim as physically powerful (e.g., Donovan, 2007; Donovan & Williams, 2002; Esqueda & Harrison, 2005; West, 1995).

We tested these competing theories by examining perceptions of a juvenile defendant (Black or White) convicted of forcibly raping a teenaged victim (Black or White).

Method

Participants were 250 community members (77% women; M age = 36) who participated in a computer-simulated survey. Participants volunteered to take the anonymous survey, which was posted on the www.craigslist .com volunteer section in various cities across the United States. African Americans were excluded from the data set because this was an examination of anti-Black bias. Eighty four percent of participants were White, 6% were Hispanic, 4% were Asian, 4% were from other racial groups, and 2% declined to state race.1

A brief vignette presented a case involving a 15-year-old boy convicted of forcibly raping a 15-year-old girl. Specifically, the defendant was described as attacking the victim in a park, pulling her into a wooded area, and raping her. This vignette was developed previously by Salerno, Najdowski, and colleagues (2010). Juvenile defendant and victim race were experimentally manipulated in a fully crossed between-subjects design. Demographic descriptors of "African American" or "Caucasian," and race-consistent names for the defendant (Jamal or David) and victim (Jennifer or Keisha) constituted the race manipulation.2 Participants indicated their support for registering the juvenile as a sex offender by responding to the following question on a 5-point scale ranging from 1 (strongly disagree) to 5 (strongly agree): "Public registration laws are too severe for the defendant's case."
This variable was reverse coded such that higher numbers indicated greater registration support. On the same scale, we assessed perceived defendant recidivism (i.e., “David/Jamal is at high risk for reoffending”) and the belief that the defendant is dangerous (i.e., “David/Jamal is a cold and calculating ‘superpredator.’”) Our item assessing defendant recidivism was previously developed and used by Salerno, Stevenson, and colleagues (2010) and Stevenson and colleagues (2009), and the item assessing the belief that the defendant is dangerous was developed by Haegerich (2002).

**Preliminary Results**

We conducted a series of 2 (defendant race: Black or White) X 2 (victim race: Black or White) analyses of covariance (ANCOVAs), including participant gender as a covariate. We controlled for gender because past research has revealed that gender interacts with defendant and victim ethnicity (Stevenson & Bottoms, 2009; Stevenson et al., 2009) and because our preliminary data did not have enough male participants \( n = 57 \) to include participant gender as an independent variable.

There were no main effects of defendant race on registration support, perceived likelihood of defendant recidivism, and belief that the defendant is dangerous, all \( F_s < .88, \# \). Supporting our alternative hypothesis, participants were more supportive of registration when the victim was Black \( (M = 3.79, SD = 1.14) \) rather than White \( (M = 3.46, SD = 1.25) \), \( F(1, 245) = 4.53, p < .05 \). Participants were also significantly more likely to believe that the defendant was dangerous when the victim was Black \( (M = 2.71, SD = 1.05) \) rather than White \( (M = 2.40, SD = 1.07) \), \( F(1, 244) = 5.28, p < .05 \), and marginally more likely to believe that the defendant would recidivate when the victim was Black \( (M = 3.99, SD = .92) \) rather than White \( (M = 3.75, SD = .90) \), \( F(1, 245) = 3.43, p = .07 \). There were no significant defendant race by victim race interactions for any dependant variables, \( F_s(1, 244 - 245) < 1.90, \# \).

Next, we conducted mediation analyses to understand the effects of victim race on registration support. In line with Baron and Kenny's (1986) recommendations, we first found that our potential mediators (i.e., perceived likelihood of recidivism and the belief that the defendant is dangerous) significantly predicted our primary dependant variable (i.e., registration support), \( \beta_s > .16, ps < .05 \). When victim race and the two potential mediators were simultaneously entered into a regression predicting registration support, the effect of victim race was no longer statistically significant, \( \beta = -.07, \# \) (see Figure 4.2). Perceived
Figure 4.2  Belief that the defendant is dangerous and perceived likelihood of recidivism as mediators of victim race on registration support.

Note. Victim race was coded as 0 (Black victim) and 1 (White victim). Greater values indicated greater belief that the defendant is dangerous, greater belief that the defendant will reoffend, and greater support for registration laws.

Sobel $z = -1.62, p = .05$, $^b$ Sobel $z = -1.86, p < .05$

$^a p < .10$, $^b p < .05$, $^{**} p < .001$

recidivism likelihood (Sobel $= -1.86, p < .05$) and the belief that the defendant is dangerous (Sobel $= -1.62, p = .05$) remained statistically significant, $\beta s > .16, ps < .05$. Thus, participants were more supportive of registration when the victim was Black rather than White because they believed that the defendant was more dangerous and likely to recidivate when he successfully raped a Black victim rather than a White victim.

Discussion of Preliminary Findings

The results of this research, although preliminary, provide a good first step toward understanding the influence of juvenile defendant and victim ethnicity on perceptions of juvenile sex offenders. Consistent with past research (Stevenson et al., 2009), we again found no effects of juvenile defendant race on registration support. Although it is possible that juvenile defendant ethnicity simply has no influence on registration support, we caution readers from endorsing this conclusion. This research constitutes preliminary data, and it included only 57 male participants. Thus, we simply did not have enough statistical power to include participant gender as a third independent variable in analyses. Because past research has shown that men, but not women, treat Black juvenile defendants more punitively than White juvenile defendants (Stevenson & Bottoms, 2009), it is possible that similar effects will emerge in this study as we increase the number of men in our sample.
We did, however, find support for a competing hypothesis regarding victim race: Participants were more supportive of registration when the victim was Black rather than White. This finding is contrary to effects of victim race found in several other studies, which reveal that Black victims often receive less retribution than White victims (e.g., Feild, 1979; Foley & Chamblin, 1982; Klein & Creech, 1982; Ugwuegbu, 1979). Yet, these findings support an alternative theory. To the extent that participants perceive Black women as more physically powerful than White women (Donovan, 2007; Donovan & Williams, 2002; Esqueda & Harrison, 2005; West, 1995), they might, in turn, have perceived a defendant who successfully raped a Black girl as more dangerous and likely to recidivate. In support, perceived defendant dangerousness and likelihood to recidivate drove effects of victim race on registration support. Further, Willis (1992) found similar effects: Participants perceived an adult rapist as more likely to recidivate and perceived the victim as less blameworthy when she was Black rather than White. Future research should continue to explore additional mediators of victim race effects, including perceived victim strength, to more fully test this theory.

Conclusions and Directions for Future Research

The theory and research reviewed in this chapter helps fill practical and theoretical gaps in the field of psychology and the law. This chapter also helps consolidate a complex body of research that highlights the various ways in which racial stereotypes influence marginalized groups of young sex offenders and their victims. Further, we presented novel preliminary data that extends the limited field of research on how race shapes perceptions of juvenile sex offenses—a topic that is particularly important and timely in light of the government’s recent extension of sex offender registration laws to juveniles (Caldwell et al., 2008).

Yet, it is clear that much work remains to be done before we can fully understand the complex influence of defendant and victim race on perceptions of juvenile sex offenders. Future research should continue to test the impact of race on perceptions of juveniles accused of other types of sex crimes including, for instance, sexting, date rape, etc. As called for by professionals in the field of psychology and the law (e.g., Diamond, 1997), this research should also strive for greater ecological validity by employing more detailed and realistic case scenarios or even including videotaped simulated trials. In addition, research on perceptions of juvenile sex offenders has begun to uncover a variety of factors that influence
registration support, including, for instance, age of offender (Salerno, Najdowski, et al., 2010), participant education level (Stevenson, Sekely, Smith, & Sorensen, 2010), and the juvenile's history of having been sexually abused as a child (Stevenson, Najdowski, Sorensen, 2010). Yet, it is possible that these factors might interact with juvenile offender and victim race—a possibility that deserves empirical research. For instance, a juvenile sex offender's history of having been sexually abused as a child might be used as a mitigating factor (e.g., reducing registration recommendations) only for White juvenile offenders and not for minority juvenile offenders. In support, Lynch and Haney (2000) found that jurors not only were more punitive toward a Black adult defendant than to a White adult defendant, but also that mitigating evidence of a history of child abuse elicited a lenient sentence more often for White defendants than for Black defendants.

Perhaps most importantly, although the research and theory reviewed in this article focuses on perceptions of African American defendants and victims, future research should explore perceptions of juvenile sex offenders of other racial minority groups, including Hispanic, Arabic, Asian, and Native American juvenile offenders and victims. Given our current sociopolitical climate and research revealing biases against Hispanic adult offenders (Demuth & Steffensmeier, 2004; Esqueda, 1997; Steffensmeier & Demuth, 2000), it is likely that racial biases against Hispanic juvenile sex offenders and victims will manifest. Consider, for instance, the case of Brandon Coronado, a 17-year-old Hispanic high school student with no prior criminal record (Coronado v. State of Texas, 2003). Although Coronado claimed he had consensual sex with a girl whom he believed was 16 years old, he was charged with aggravated child sexual assault because the girl was actually 12. Coronado waived his right to a trial by jury to avoid a possible life sentence, instead accepting a plea that resulted in 10 years of adjudicated probation and sex offender registration (Coronado v. State of Texas, 2003). Yet, his probation was soon revoked due to a violation, and he is currently serving a 60-year sentence (Crimes, 2010).

Understanding how defendant and victim race influence a juvenile's likelihood of being registered is important given that registering juveniles is not only ineffective at reducing sex offenses, but also negatively impacts the lives of those registered in ways that could contribute to future recidivism (e.g., Levenson, Brannon, et al., 2007). Understanding biases against racial minorities is one important step toward the development of future policy designed to combat discrimination against marginalized and vulnerable young offenders.
Notes

1. Because it is possible that the 2% (n = 4) of participants who failed to report their ethnicity were African American, we replicated all analyses excluding those 4 participants. Yet, there was only one difference in the results: The p-value of the victim race effect on registration support dropped from statistically significant (p < .05) to marginally significant (p = .06). Because there was just one difference in the results and the difference was such that our hypothesized effects were weaker when excluding these participants, we therefore present the analyses including participants who did not report ethnicity to preserve statistical power.

2. Victim and defendant socioeconomic status (SES) were also manipulated in this study. Yet, because we were uninterested in effects of SES for the purposes of this study, we do not report the SES effects. Instead, we have conducted all analyses collapsed across these independent variables.

References


