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UNIVERSITY OF NEW HAVEN
HONORS PROGRAM

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Race and Social Class as Factors Associated
with Sentence Disparities: A Survey of
Potential Jurors

Amanda Rickett

A thesis presented in partial fulfillment of the requirements of the Undergraduate Honors Program at the University of New Haven.

Student:

 Amanda Rickett

(Signature)

Thesis Advisor:

 Maria Tcherni-Buzzeo

(Signature)

Department Chair:

 David L. Myers

(Signature)

Honors Program Director:

(Signature)

5/10/2021

Date

UNIVERSITY OF NEW HAVEN

RACE AND SOCIAL CLASS AS FACTORS
ASSOCIATED WITH SENTENCE DISPARITIES:
A SURVEY OF POTENTIAL JURORS

By:

AMANDA G. RICKETT

A THESIS

submitted in partial fulfillment of

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RACE AND SOCIAL CLASS AS FACTORS
ASSOCIATED WITH SENTENCE DISPARITIES:

A SURVEY OF POTENTIAL JURORS

APPROVED BY



[Dr. Maria Tcherni-Buzzeo]



[Dr. David Myers]

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DEDICATION

To my parents, Jeffrey and Valerie

Thank you for giving me unconditional support and believing in me.

I would not be the person I am today without you.

Table of Contents

Abstract.....7

Introduction.....8

Literature Review.....10

Present Study.....16

Methodology.....17

Results.....21

Discussion.....26

Implications.....28

References.....30

Appendix.....34

List of Tables

Table 1. Survey Participants

Table 2. Race and Socioeconomic Status of the Defendant in Relation to Perceived Dangerousness and Suggested Sentence Length

Table 3. Race and Perceived Level of Dangerousness: t test of statistical significance of the difference between the means

Table 4. Socioeconomic Status and Perceived Level of Dangerousness: t test of statistical significance of the difference between the means

Table 5. Perceptions of the Defendant Based on Race and Socioeconomic Status

List of Figures

Figure 1. Perceived Innocence by Perceived Dangerousness, by race and SES.

Figure 2. Perceived Dangerousness by Recommended Sentence Length

Figure 3. Association of Race, Socioeconomic Status, and Perceived Level of Dangerousness

Abstract

Prior research has found that bias, along with other extralegal factors, leads to the sentencing disparities in the criminal justice system throughout the United States. The criminal justice system has implemented reforms to address these disparities. Furthering research on this issue, I analyze previous studies that tried to determine the effects of bias on the decisions made by judges and juries. Most importantly, the present study aimed to determine the effects of race and socioeconomic class of the defendant on the decisions on potential jurors using a vignette-based survey with randomized assignment. The results suggest that the potential jurors' decisions regarding the level of dangerousness, guilt or innocence of the defendant, and recommended sentence are indeed impacted by the race and socioeconomic status of the defendant. The study results demonstrate that extralegal factors influence potential jurors' decisions, inducing disparity. This indicates the need for more reform, specifically, more bias education and training.

Introduction

The role of jurors in the criminal justice system is important. They ensure that the rights and liberty of the defendants are protected by deciding whether the defendant is innocent or guilty based on the evidence presented. However, jurors' personal biases can cloud their judgement on the innocence or guilt of the defendant in question. Jurors seldomly question whether they have carried themselves with what Edmund Burke referred to as the "cold neutrality of an impartial judge" (Nugent, 1994). Federal judges have imposed sentences that are 12% longer for people of color compared to white defendants for similar offenses (Rachlinski, 2009). Additionally, the United States is the world "leader" with 2.1 million of incarcerated people, which has increased more than 500% in the last thirty years. African Americans make up 35% of the people incarcerated in state and federal prisons (Johnson, 2011). This figure is almost three times higher than the proportion of African Americans in the population (13% according to the last census count, as stated in Johnson, 2011), which clearly indicates the disparity.

Juries tend to be the deciding factor in most trials. It is the goal of *voir dire* to assemble an unbiased panel of jurors, producing an unbiased decision. However, research has made it clear that extralegal factors influence jurors, along with the evidence presented in court (Anderson & Kling & Stith, 1999; Atkins & Alpert & Ziller, 1980; Freiburger, 2009; Levinson & Bennett & Hioki, 2017; Maeder & Yamamoto, 2019; Nugent, 1994; Rodriguez & Agtarap & Boals & Kearns & Bedford 2019). Defendants are not receiving a true chance at justice if extralegal variables are distorting the perceived image of the defendant.

Jurors are supposed to be objective and impartial to their individual opinions about a defendant; however, research shows the opposite: characterizing a defendant by their low socioeconomic status and non-white race leads to the jury's harsher sentence (Freiburger, 2009;

Singh, & Sprott, 2017). At the same time, there are studies that show defendants of a non-white race receive more lenient sentences (Maeder, & Yamamoto, 2019). The current study clarifies this conflicting research and answers the following research question: Do race and low socioeconomic status of the defendant cause jurors to perceive the defendant as more dangerous and guilty, resulting in harsher punishments?

The current study assesses two important sources of bias among potential jurors: race and social class. For this purpose, a survey has been designed and administered to students to examine how these factors are associated with disparities in sentencing. The students, asked to put themselves into the position of jurors, are given one of four case vignettes (2 race options by 2 socioeconomic status levels, with the rest of the case information identical for all 4 vignettes) and asked to assess the threat level and guilt or innocence of the defendant and determine the sentencing length appropriate for the defendant. Following the collection of survey responses, the respondents' ratings of the defendant's dangerousness, guilt/innocence, and the average recommended sentence length are compared in relationship to the defendant's race and socioeconomic status.

The survey produced some expected results, as well as some surprising ones. Race and socioeconomic status were found to be influential factors in jurors' decisions. However, the socioeconomic status seemed to have a greater influence for black than for white defendants. Moreover, the influence of race depended on the socioeconomic status.

Literature Review

A theoretical correlation between perceptions and judicial decisions has been hypothesized by several authors. Jerome Frank's judicial hunch theory (as described in Capurso, 1998) provides an explanation of the judges' decisions being based on a perspicacious flash (a hunch) instead of analysis of fact and law. A similar idea can be found in Richard Posner's theory (Shepherd, 2006). This theory states that discrimination due to broad discretion enables judges to base a penalty on characteristics of the defendants (as described in Shepherd, 2006). Lastly, Glendon Shubert's attitude theory suggests that judicial decision making is related to personality-based characteristics (as described in Atkins, 1980).

There are several past empirical studies that analyze explanatory factors for judicial disparities in decision making. Austin and Williams (1977) analyzed judges' decisions in simulated legal cases. Their study used the survey method, providing 47 Virginian judges with a survey of four cases to sentence, concluding there was an agreement on verdict but variance in the choice of sentencing mode and the magnitude of penalty within some modes (Austin, 1997). Another study by English and Mussweiller (2001) involved the distribution of a questionnaire given to judges. It found that even with more than fifteen years of judicial experience, sentence decisions are influenced by what they judge to be an irrelevant sentencing demand (English & Mussweiller, 2001). Furthermore, sentencing decisions correlate with the sentence demanded by the prosecutor, which was independent from the perceived relevance of the demand (English & Mussweiller, 2001).

Similarly, in 2006, English and colleagues conducted another study, providing questionnaires to 23 judges and 19 prosecutors. Their findings indicate that irrelevant sentencing anchors influence sentencing decisions (English et al., 2006). For instance, in Study 3 and Study 4 the participants were instructed to roll a dice to ensure the irrelevance of the sentencing demand, dramatically influencing their sentence decisions (English et al., 2006). The sentencing demands were irrelevant to the crime committed, yet they still impacted the ultimate decision.

A more recent survey on the public's ideas of judicial decision making was analyzed by Allyson Avant in her honors thesis (Avant, 2020). Avant utilized an anonymous survey to gather the perceptions that Mississippi residents had of the court (Avant, 2020). The survey included demographic questions, including race, education level, and gender, that represented the different people that participated (Avant, 2020). The analysis of responses to these demographic questions, along with the knowledge-based questions, concluded that race was an important factor in perceptions of the judiciary (Avant, 2020).

Another study that utilized the survey method tested biased judicial decisions pertaining to demographics, perception, and psychological characteristics (Rodriguez et al., 2019). 905 participants who acknowledged they had watched the Netflix documentary *Making a Murderer* were recruited online through a variety of social media platforms (Rodriguez et al., 2019). Most of them deemed the defendants to be innocent; however, there were disparities between the backgrounds of the people selecting innocence versus guilt in characterizing the defendants (Rodriguez et al., 2019). The study found that females gave higher ratings of guilt compared to males. On the other hand, high SES, religious involvement, posttraumatic stress, and negative attitudes toward the judicial system among the respondents were associated with lower ratings of guilt of the defendants (Rodriguez et al., 2019).

Similarly, Freiburger's 2009 survey results indicated that defendants who were depicted as performing caretaker roles had a significantly decreased likelihood of incarceration. The study also examined the effects of race, ethnicity, age, and gender on sentencing decisions (Freiburger, 2009). She retrieved sentencing decisions from the Milwaukee County District Attorney's Office as well as the Wisconsin Circuit Court of defendants who had a current misdemeanor or felony on their record (Freiburger, 2009). Milwaukee County is the most populous counties, consisting of over eight-hundred residents. Further analysis found that the reduction in the likelihood of incarceration for being a caretaker was larger for males than for females (Freiburger, 2009). Examination of the interactions of familial roles with race and gender found that familial roles equally reduced the likelihood of incarceration for black and white females while the situation was different for males: black men experienced a significantly greater decrease in the likelihood of incarceration than white men due to the caretaker role (Freiburger, 2009).

In 2017, Anne-Marie Singh and Jane B. Spratt conducted a similar study to gain a better understanding of the public opinion on sentencing and race. They utilized a convenience sample of adult Canadians and four vignettes to see how race affects sentencing (Singh, & Spratt, 2017). They compared the sentencing decisions of a black and a white defendant in two different scenarios (Singh, & Spratt, 2017). Their results showed that, in the same scenario, the black offender was rated as being significantly more dangerous than the white offender, as well as received a significantly more punitive sentence (Singh, & Spratt, 2017). However, the strongest predictor of the sentence appeared to be the level of dangerousness the respondents associated with the offender (Singh, & Spratt, 2017). Hence, perception of dangerousness and endorsing harsh punishments are likely related (Singh, & Spratt, 2017).

Other methods have been implemented as well, such as psychological tests. Levinson, Bennett, and Hioki (2017) administered such tests to 239 judges. They also collected self-reports of bias throughout the study (Levinson et al., 2017). The tests concluded that automatic biases and cognitions influence a broad range of judicial decisions (Levinson et al., 2017). Moreover, the study showed that judges harbored strong-to-moderate negative implicit stereotypes against privileged minorities, such as Asians and Jews, with implied immoral traits (Levinson et al., 2017).

In most cases, bias was found to have a negative effect on judicial decisions, threatening individuals' due process. Additionally, researchers found that judge characteristics also play a role in the disparities. Some judges are found to be liberal while others are conservative, resulting in more focus on rehabilitation or harsher sentences, respectfully (Hofer, 1999). This study also found that prosecutors have the greatest influence on the final guideline sentence given by the judge.

Evelyn Maeder and Susan Yamamoto (2019) performed a similar study; however, they focused on the jury's perspective instead of the judge's perspective. The participants included 90 black, 92 Indigenous, and 94 white mock jurors (Maeder & Yamamoto, 2019). Their responses were compared in order to determine if they would make harsher decisions in trials involving other-race defendants. Their findings contradicted many of the others mentioned above. They found that personal stereotypes that were positive predicted leniency among white jurors judging indigenous defendants (Maeder, & Yamamoto, 2019). Overall, the defendants of color received significantly more lenient punishments as compared to white defendants (Maeder, & Yamamoto, 2019).

In response to the large amount of disparity within judicial decisions, a few solutions have been recommended to lower the disparities. One recommendation is sentencing guidelines. Comparing the effects on sentencing disparity, researchers found a difference between the decisions of judges with sentencing guidelines and of judges without sentencing guidelines (Anderson, 1999). Accordingly, this study focused on the difference between judges within a time period, specifically the mean of prison sentences for each judge relative to the mean level of prison sentence length in the district. In this study, randomly assigned cases were compared, along with their average sentencing outcomes, to test inter-judge disparities. The average sentence length for judges with guidelines was 4.9 months, while the sentence length for judges without guidelines was 3.9 months (Anderson, 1999).

Researchers Stolzenberg and D'Alessio (1994) conducted a study that showed an increase in the neutrality of sentencing in response to the guidelines. The authors calibrated the pre-guideline and post-guideline data, using stratified sampling. In evaluating the Minnesota Sentencing Guidelines, sentencing inequality was found to decrease by 60% and the disparity between the number of people who received a prison sentence and those who did not decreased by 18% (Stolzenberg & D'Alessio, 1994).

A similar review of Alabama's sentencing guidelines displayed a decrease in sentence length between 31% and 44% with presumptive guidelines and between 8% and 18% decrease with voluntary guidelines (Edwards, 2019). This study explored both voluntary and presumptive effects on judicial behavior, analyzing sentence lengths, racial disparity, and inter-judge disparity. (Edwards, 2019). According to Ilene Nagel and Stephen Schulhofer, federal sentencing guidelines under the Sentencing Reform Act decreased sentence reductions, resulting in more uniformity among the judges' decisions (Nagel & Schulhofer, 1992). Lastly, a meta-analysis of

sentencing guidelines reported a 1.08% decrease in sentence variations among the judges (Crow & Bales, 2006). In their study, they analyzed sentences before and after the guidelines, corresponding to the year of the sentencing.

Another tactic to reduce disparity addresses the psychological aspect of the disparity issue. For instance, social constructs, such as race, tend to be the basis of many individuals' decisions (Coker, 2003). In order to diminish negative bias, Lueke and Gibson found mindfulness has a positive effect on judgement (Lueke & Gibson, 2014). Their study consisted of the Implicit-Association Test, which they randomly distributed to 124 white college undergraduate students studying psychology at a Midwestern university (Lueke & Gibson, 2014). They were randomly assigned to one of the three conditions using a random number generator. Once assigned, the participants were asked to complete a mindfulness questionnaire and a trust game in order to determine the presence of a mindfulness trait and the presence of bias. The study showed that mindfulness groups showed less implicit bias (Lueke & Gibson, 2014).

Limitations continue to exist despite the significant amount of research on this topic. First and foremost, there is little to no consideration of the role of prosecution in sentencing (Edwards, 2019). This was true for the studies involving judges and those involving jurors (Anderson, 1999; Shepherd, 2006; Maeder, & Yamamoto, 2019; Singh, & Spratt, 2017). The majority of the experiments solely consider the judge's or jurors' role in the disparity of sentencing. Second, the omission of plea or elect sentencing has an impact on sentences (Crow, 2006). However, these factors are generally not considered in addition to personal biases (Levinson et al., 2017; Avant, 2020). Most of the existing studies are not true experiments, instead they have relied on quasi-experimental designs. Studies have provided valuable insights; however, they stay liable to

unmanageable factors such as the character traits of jurors and judges who decide on the guilt of the defendant and sentence decided upon, along with the character traits of the offenders and processes happening in court.

Present Study

The current study's focus is on race and social class of the defendant as possible extralegal factors affecting juror decision making. This study investigates if there is a bias associated with race and social class when judging a defendant. While juror decisions can be affected by other influential variables (e.g., personal demographics, character witnesses, expert testimony), the primary focus of the vignettes and survey questions in the current study is on race and social class.

The main research hypothesis is:

Biases, specifically the ones related to race and socioeconomic status of the defendant, account for sentence disparities in the decision making by potential jurors.

The following are secondary hypotheses:

- 1) The race of the defendant will be the most influential factor in juror decision making, with the defendant's socioeconomic status (SES) as the second most influential impact on juror decision making.*
- 2) The perceived guilt of the defendant will increase with the higher perceived dangerousness.*
- 3) The scenarios with the black defendant will receive harsher punishments compared to the same scenarios with the white defendant.*

4) The defendants with a low SES will be perceived as more dangerous and receive harsher sentences.

Methodology

The methodology this research employs is a true experimental design, including an anonymous survey with vignettes. The survey has been IRB-approved as exempt and administered to students in an online format to examine the factors associated with disparities in sentencing. In a systematic random assignment procedure, full classes of students were assigned to one of four case vignettes (the defendant is either black or white and either low SES or high SES, see details below). Each respondent was then asked four associated questions to determine their perceptions of the defendant's guilt, dangerousness, and proposed sentencing length. Average recommended sentence lengths, as well as proportions of respondents who found the defendant guilty vs innocent and assigned the level of perceived dangerousness are then compared based on the vignette defendant's race and socioeconomic status.

Vignettes

The vignettes were fictionalized true crime in order to meet the purposes of the study. However, the participants were not told it was a fictionalized crime, so that they would take it more seriously. There were four versions of the vignettes: a voluntary manslaughter, identical for all 4 vignettes, with two versions of race (African American and White) and two versions of SES (high – doctor, and low – construction worker).

Vignette #1 is listed below (the two key variables are shown in bold font):

You are a member of the jury in a criminal trial.

*Tyree Jackson is a 30-year-old **African American** male who has been charged with one count of first-degree murder. On October 31, 2015, Tyree Jackson had a confrontation with his wife, Janice Jackson. Their neighbor reported hearing shouting at the Jackson residence and seeing Tyree and Janice Jackson arguing on the front porch while their two sons, Tyree Jr. and Daniel, sat on the step. Both the victim and the defendant, along with their children, walked inside the house.*

The neighbor began to hear banging and the yelling continued, so she called the police. The police arrived and the oldest son Tyree Jr. answered the door. Upon entry they heard a loud scream and thud, and then all the sounds subsided. The police asked the child where his father was, and he directed them to the bathroom. There they found Janice motionless and bleeding in the bathtub. The ambulance arrived at the scene and announced her dead upon arrival.

The responding officers then proceeded to restrain the defendant. The officers testify that the defendant resisted arrest and stated, "it was an accident."

*Tyree Jackson is a **well-known doctor**. He has no prior convictions and several character witnesses. He is described as a hardworking and loving man. A few witnesses also mention that he is a family-oriented person. When he is not working, it was stated that he is typically relaxing at home, landscaping, at his sons' sports games, or going out on dates with his wife.*

Sample

This sampling method and the study vignettes and questionnaires were approved by the Institutional Review Board (IRB #2017-032), and all ethical guidelines and standards were followed as outlined by the University of New Haven's IRB and mandated by the federal guidelines on human subject research.

A diverse convenience sample was obtained through the distribution of the survey in an anonymous online format among students in a mid-size private non-profit university in the Northeast. Students in each class that was approached received the same vignette, distribution of the 4 vignettes to classes followed the systematic random sampling rules. The resulting sample consisted of 302 students (see Table 1 for number of participants in each vignette category).

TABLE 1. Survey Participants

Vignette #	SES	Race	# of Participants
1	High	Black	73
2	High	White	69
3	Low	White	41
4	Low	Black	119

Measures

After reading the vignettes, participants were asked to answer four questions based on their perception of the defendant (the corresponding dependent variables are in parentheses in bold):

1) Participants were asked to rank their perceived dangerousness of the defendant on a scale of 1 to 10 (**level of dangerousness**).

2) They were then asked to give their initial impression of the defendant's innocence or guilt (**perceived guilt or innocence**).

3) Following, they were to choose a disposition: probation, treatment program, mental institution, prison sentence, or death penalty. They also had an option to choose "not applicable" if they found the defendant innocent or "none of the above" if they did not think any of the choices fit the crime (**sentence**).

4) Lastly, they indicated their suggested sentence length if applicable. It was broken into seven categories, starting at "6 months or less" and ending with "10+ years or life sentence" (see Appendix for more details). An additional category of "None of the above/ Not applicable" was again available (**recommended sentence length**).

Jurors adjudicating guilt don't generally make decisions relating to the defendant's sentence. This study included the "suggested sentence" within the survey queries with the understanding that this is not a practical duty generally assigned to jurors. Instead, the suggested sentence served as a tool to measure the potential juror's perception of the defendant's guilt. Moreover, this defendant's sentence decided on by the potential jurors was implemented to measure the perceived degree of guilt of the defendant instead of the literal practice of jurors selecting sentencing.

The race and SES of the defendant are the independent variables that were manipulated in the study by being randomly assigned to study participants. The participants' judgements regarding the level of dangerousness, perceived guilt or innocence, appropriate sentence, and recommended sentence length are the dependent variables in the study. The dependent variables are then compared among the 4 conditions of independent variables by calculating averages for

the level of dangerousness (mean, since it is measured on a 10-point scale), for recommended sentence and sentence length (mode, since both are measured as ordinal variables) and percentages for the perceived innocence or guilt (nominal level variable).

Results

The data analysis focused on whether race and social class would affect the respondents (potential jurors) decision making regarding the perceived dangerousness of the defendant in the vignettes and his recommended sentencing (see Table 2). It was hypothesized that the scenarios with the black defendant will receive harsher punishments compared to the same scenarios with the white defendant.

Additionally, the perceived dangerousness was clearly related to the sentence length. As the perceived dangerousness increased, the recommended sentence length increased as well (see Table 2). The defendant in Vignette #3 (white, low SES) had the lowest perceived average dangerousness (5.40) and the average sentence length was between 6 months and 2 years. Contrarily, the defendant in Vignette #4 (black, low SES) had the highest perceived level of dangerousness (6.32), and the average recommended sentence length was between ten years and life in prison (see Table 2).

TABLE 2. Race and Socioeconomic Status of the Defendant in Relation to Perceived Dangerousness and Suggested Sentence Length

Vignette	# of Participants	Race	SES	Perceived Dangerousness Level (mean and standard deviation)	Recommended Sentence Length (mode)
1	73	Black	High	5.84 (1.85)	2-3 Years
2	69	White	High	5.95 (1.95)	4-5 Years

3	41	White	Low	5.40 (1.59)	6 Months- 2 Years
4	119	Black	Low	6.32 (1.73)	10+ Years or Life Sentence

The most interesting result is the fact that the defendant in the vignette is perceived differently based on his race and SES. Using the t test to assess the difference between the means in the perceived level of dangerousness for the black vs white defendant, we find a statistically significant difference between the perceived dangerousness of different races (see Table 3). The black defendant is perceived as about 7% more dangerous on average than the white defendant: $(6.08 - 5.68)/5.68 = 0.07$.

TABLE 3. Race and Perceived Level of Dangerousness: t test of statistical significance of the difference between the means

Group	White Dangerousness	Black Dangerousness
Mean	5.68	6.08
SD	0.389	0.339
N	110	192
t = 9.46 (df=300), two-tailed p<0.0001		

At the same time, when there was no significant difference between the average perceived level dangerousness between the defendant with high versus low SES (see Table 4).

TABLE 4. Socioeconomic Status and Perceived Level of Dangerousness: t test of statistical significance of the difference between the means

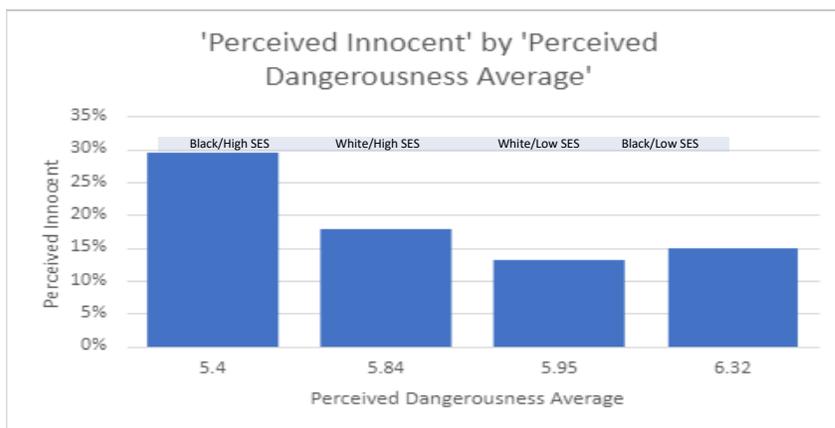
Group	High SES Dangerousness	Low SES Dangerousness
Mean	5.89	5.86
SD	0.078	0.651
N	142	160
t = 0.64 (df=300), two-tailed p=0.525		

Looking at Table 2 again, we see that the highest difference is between the perceived level of dangerousness for white versus black defendant of low SES: the dangerousness of white low SES defendant is rated as 5.4 out of 10 while the black low-SES defendant gets perceived dangerousness of 6.3 out of 10 (17% higher). Their corresponding sentence lengths are in stark contrast as well: “6 Months- 2 Years” versus “10+ Years or Life Sentence”.

Thus, the hypothesis that the defendant with a low socioeconomic status will be perceived more dangerous and receive harsher recommended sentences was wrong. Only the black defendant with a low socioeconomic status evoked a significantly higher danger perception. The white defendant with a low socioeconomic status had the lowest perceived dangerousness.

Perceived innocence versus guilt was in similarly stark contrast for the white vs black defendant of low SES (see Figure 1).

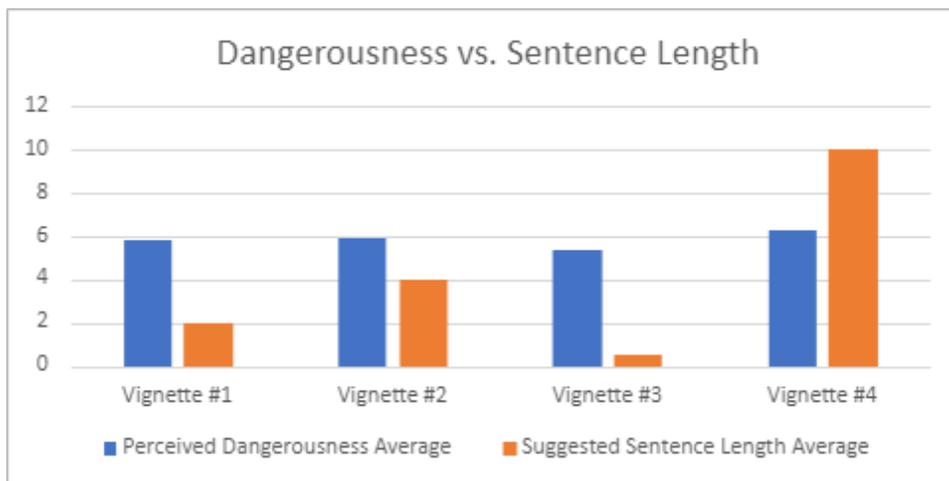
FIGURE 1. Perceived Innocence by Perceived Dangerousness, by race and SES.



It can be seen in Figure 1 that the perceived level of dangerousness is related to the verdict of guilt or innocence: almost 30% of respondents perceived the white low-SES defendant as innocent while only 15% perceived the black low-SES defendant as innocent. At the same time, the correspondence is not perfect: the white high-SES defendant was perceived as innocent by the lowest percentage of respondents (13%), yet his perceived level of dangerousness was second highest (5.95 out of 10).

Another expected correlation has been found between the perceived level of dangerousness and recommended sentence length, as seen in Figure 2 below. The defendants with the highest perceived dangerousness, received sentences of four or more years on average. Contrarily, the defendants with the lowest perceived dangerousness received sentences of two years or less.

FIGURE 2. Perceived Dangerousness by Recommended Sentence Length



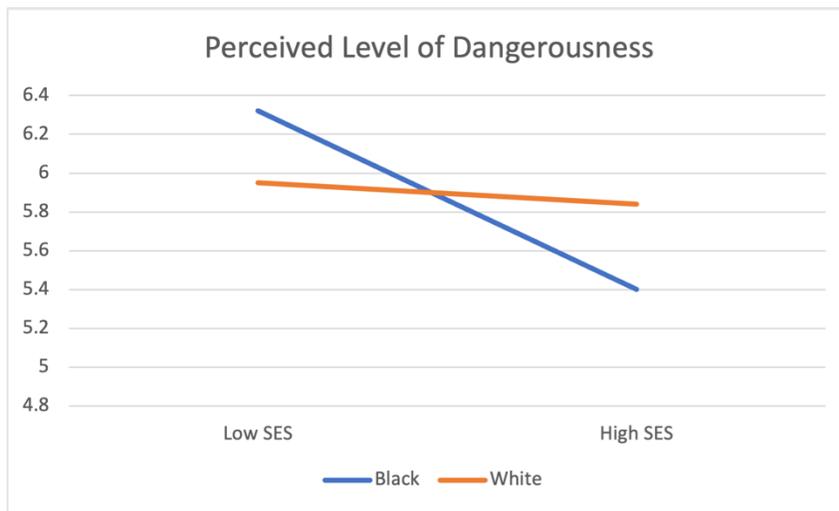
The perceived guilt also corresponded with the rankings of dangerousness. The more dangerous the defendant was perceived to be, the lower the percentage of people who perceived

the defendant to be innocent; the less dangerous the defendant was perceived to be, the lower number of potential jurors who perceived the defendant to be guilty (see Table 5).

TABLE 5. Perceptions of the Defendant Based on Race and Socioeconomic Status

Vignette #	Perceived Dangerousness Level (mean)	Perceived Innocent (percent of respondents)	Perceived Guilty (percent of respondents)
3 (white, low SES)	5.40	29.4%	70.6%
1 (black, high SES)	5.84	17.8%	82.2%
2 (white, high SES)	5.95	13.2%	86.8%
4 (black, low SES)	6.32	15.0%	85.0%

FIGURE 3. Association of Race, Socioeconomic Status, and Perceived Level of Dangerousness



The three factors of race, socioeconomic status, and perceived dangerousness are associated with each other in an interesting way. For white defendants, SES does not make much difference in how people perceive their dangerousness (see Figure 3). Contrarily, low SES black defendants are perceived as much more dangerous than whites, while high SES black defendants are perceived as much less dangerous than whites (see Figure 3). Therefore, the race of the defendant made a huge difference in how SES affected the perceived dangerousness.

Discussion

Our study revealed that race and socioeconomic status do in fact have an effect on a defendant's perceived dangerousness and guilt or innocence, along with the recommended sentence potential jurors suggest for the defendant. This agrees with the results of similar research on influential factors in decision making (Hofer, 1999). Moreover, the statistical analyses of the impact of various factors on potential jurors' decisions about the sentencing and dangerousness of the defendant in the vignette essentially confirm that the jurors are rather consistent in their decisions, at least in situations where they make decisions based on trial vignettes. This consistency coincided with the previous findings of earlier research (Anderson & Kling & Stith, 1999; Atkins & Alpert & Ziller, 1980; Freiburger, 2009; Levinson & Bennett & Hioki, 2017; Maeder & Yamamoto, 2019; Nugent, 1994; Rodriguez & Agtarap & Boals & Kearns & Bedford 2019).

On average, potential jurors seemed to be influenced by the race and social class of the defendant. This finding is definitely concerning as these characteristics are not synonymous with higher recidivism rates (Freiburger, 2009). Freiburger found the race of the defendant to be related to the perceived dangerousness, along with the sentence length recommended. Our study revealed similar results, but in our case, the perceptions of potential jurors are also clearly affected by the defendant's SES. Race and socioeconomic status are considered to be extralegal variables that should not determine jurors' decisions.

Race appears to be an influential factor, but how it influences decisions depends on the socioeconomic status in surprising ways. If the defendant has a high socioeconomic status, then the black race conferred a more lenient sentence. Similar results were found by Maeder and Yamamoto (2019), as non-white defendants received more lenient sentences in some situations

and harsher sentences in others. Contrarily, if the socioeconomic status was low, then the black defendant receives a significantly longer recommended sentence. Moreover, the black defendant with a low income is seen as more dangerous, resulting in a higher perception of guilt and a harsher sentence. Another previous study produced somewhat similar results, where a high SES was associated with lower ratings of guilt (Rodriguez et al., 2019).

Limitations

Limitations exist within this study regarding the unrealistic nature of the presentation of evidence. The trial vignettes presented case details, character statements, and conviction history in a very brief format; however, they did not include any aspects of the judge's presence or interaction within the courtroom. The adversarial trial process within the courtroom is difficult to depict in a vignette, and other factors that add to the courtroom experience may create a more cohesive decision-making process than what was accomplished in this study.

Furthermore, the sentencing guidelines were unknown, which could have been provided otherwise by the judge, guiding the jurors' decisions. This limitation was purposefully included in order to get their initial perceptions of guilt. It was hoped that providing the potential jurors with an option of a guilty verdict would allow them to exercise their biases in the following questions.

The lack of deliberation between the potential jurors poses a significant limitation to the present study as well. While collaborative consideration and discussion before a final decision is a vital part of the jury process, this study aimed to analyze the individual's decision-making and perceptions rather than the effects of group influence. Accordingly, it should be recognized that

actual jury group discussion can sway individual jurors away from their original choices. The lack of consideration and the brevity of the vignette also may have resulted in the respondents' lack of sincerity in their responses to the questions. At the same time, this problem is made less likely by the anonymous nature of the survey.

The utilization of students as the sample group can also be considered a limitation. This could also be seen as a strength as students are a versatile sample group and come from a variety of backgrounds. However, jurors are not solely students and having a sample group that represented a wider diversity in age, educational background, and life experiences could have changed the results.

At the same time, the study was able to accomplish the random assignment of the independent variable categories of race and SES, and this true experimental design has enhanced the importance of and confidence in the study results.

Implications

The biases of race and social status will likely always exist in the criminal justice system, as everyone has biases. However, all personnel in the judicial system, including jurors, should be made aware of and educated on biases. A better system of selecting jurors who have undergone bias education will help recognize and diminish the influence that bias has on the deliberation process.

As for future research, continued studies on the effects of extralegal characteristics should remain a focus to determine flaws in the judicial and jurors' decision-making processes. Because mock jurors do pose some generalizability restrictions, efforts to utilize actual jury

pools may benefit future studies. Ideally, participation in a full mock trial and subsequent deliberation would produce the most realistic results when studying jurors. The influence of exposure to the adversarial system in court and the shifts of decision-making when deliberating in a group are difficult to replicate in vignette research but would likely prove vital when studying real-life decision-making processes.

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Appendix

Survey questions

Please answer the following questions about the story:

1. On a scale of 1-10 (1=not dangerous; 10=extremely dangerous) how dangerous do you believe this defendant is? (circle one number)

1 2 3 4 5 6 7 8 9 10

2. If you were asked your initial impression of the defendant's innocence or guilt, which one would you tend to choose?

- a) Innocent
- b) Guilty

3. If you were asked which disposition of the case seems most appropriate, what would you choose?

- a) Probation
- b) Treatment program
- c) Mental institution
- d) Prison sentence
- e) Death penalty
- f. None of the above/ Not applicable

4. If you were asked which sentence is the most appropriate, which would you choose?

- a) 6 months or less
- b) 6 months – 2 years
- c) 2-3 years
- d) 4-5 years
- e) 6-7 years
- f) 8-10 years
- g) 10+ years or life sentence
- h. None of the above/ Not applicable

Links to the online survey

Vignette #1 (Black, High SES)

https://docs.google.com/forms/d/e/1FAIpQLSc1Ho9wyRuNWWIjfkE_9JggbLkogoTvPnavuR-NAah3n4UqLA/viewform?usp=sf_link

Vignette #2 (White, High SES)

https://docs.google.com/forms/d/e/1FAIpQLSfpXtiOW3ZDHO3pjKJ1Mi6EFjXqZqk4Q55inLV3hb3OE5hHHg/viewform?usp=sf_link

Vignette #3 (White, Low SES)

https://docs.google.com/forms/d/e/1FAIpQLSdABmvqMi-V3SH8wYlSCDwBXA3jSGgX1p9FqrmgkIwbe9Cikg/viewform?usp=sf_link

Vignette #4 (Black, Low SES)

https://docs.google.com/forms/d/e/1FAIpQLSerJFDmGvxnmLOY2LmYimF0Q4mDTP6uLcy5oSAIyeiEC8jMA/viewform?usp=sf_link