



The Effects of Child Race, Age, and Defendant Race on CSA Case Decisions

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ABSTRACT

In the extant literature on mock jurors' perceptions of child sexual abuse (CSA) victims, little attention has been paid to the potential impact of child race on legal judgments. The present research investigated the influence of child race, age, and defendant race on mock jurors' legal judgments for a hypothetical teacher-student sexual abuse case. Cases that involved a 12-year-old child and a White defendant predicted mock jurors' conviction decisions. Child race did not solely impact mock jurors' verdict decisions, but did interact with defendant race to influence case outcomes. Interracial cases (i.e., Black/White defendant with a White/Black child) were more likely to result in a conviction than intraracial cases (i.e., Black/White defendant with a Black/White child). The results of this study suggest that race may affect child sexual abuse case outcomes.

INTRODUCTION

Interestingly, child victim race is one potential extralegal factor that has not received much attention from jury researchers. This gap warrants further examination since race is one of the first physical features that jurors are likely to notice and may possibly consider when adjudicating a CSA case.

Bottoms, Davis, and Epstein (2004) found evidence to suggest that non-White students were perceived to be more responsible for a mock sexual encounter between a student and teacher, regardless of the students' age. However, verdict decisions and defendant guilt ratings were not affected by student race. Bottoms and colleagues (2004) also found evidence to suggest that intraracial CSA cases (e.g., White defendant/White child) are viewed to be more plausible and believable compared to interracial CSA cases (e.g., White defendant/Black child). In the extant literature (see Bottoms et al., 2007), child age has been found to influence mock jurors' case decisions; cases involving younger children result in more convictions compared to cases involving older children (> 12 years). Further, Devine (1989) found evidence to suggest that Black males are viewed as being aggressive and deviant. Therefore, racial stereotypes may also be used to place judgment on the defendant charged with CSA.

The major aim of this research study was to examine whether child complainant race, age, and defendant race influence verdict decisions for a mock CSA case. Four hypotheses were posited based on the extant literature:

- **(H1) A main effect of child race was expected:** More conviction decisions when the case involved a White child versus a Black child complainant.
- **(H2) A main effect of child age was expected:** More conviction decisions when the case involved a younger child complainant (12 years old) vs. an adolescent complainant (17 years old), due to the extant literature on child age (see Bottoms et al., 2007).
- **(H3) A main effect for defendant race was expected:** the Black defendant was predicted to receive more guilty verdicts than the White defendant.
- **(H4) A two-way interaction was expected between child and defendant race:** A greater frequency of guilty verdict decisions was anticipated for an intraracial case (e.g., White/Black defendant, White/Black child complainant) compared to an interracial case (e.g., Black/White defendant, White/Black child complainant).

METHOD

Participants

244 (54.1% female, 71.3 % Caucasian) jury-eligible adults ($M = 38.32$ years, $SD = 12.41$ years) recruited from Amazon Mechanical Turk (MTurk).

Design

The present study used a 2 (child complainant race: Black vs. White) x 2 (defendant race: Black vs. White) x 2 (child complainant age: 12 years vs. 17 years) between-subjects factorial design.

Materials

All eight versions of the case and trial summaries were paired with corresponding character information and photographs of the defendant, child complainant, attorneys and judge involved in the trial. Photographs were matched on likability, attractiveness, race, and age. Participants reviewed jury instructions and then reported decisions using a juror verdict form.

Procedure

After consent was obtained, mock jurors read a fictional CSA case and trial summary, jury instructions, then rendered verdict decisions. All materials were presented and completed online. Individuals were paid \$2.00 for their participation.

Figure 1. Main effects of defendant race, child race, and child age.

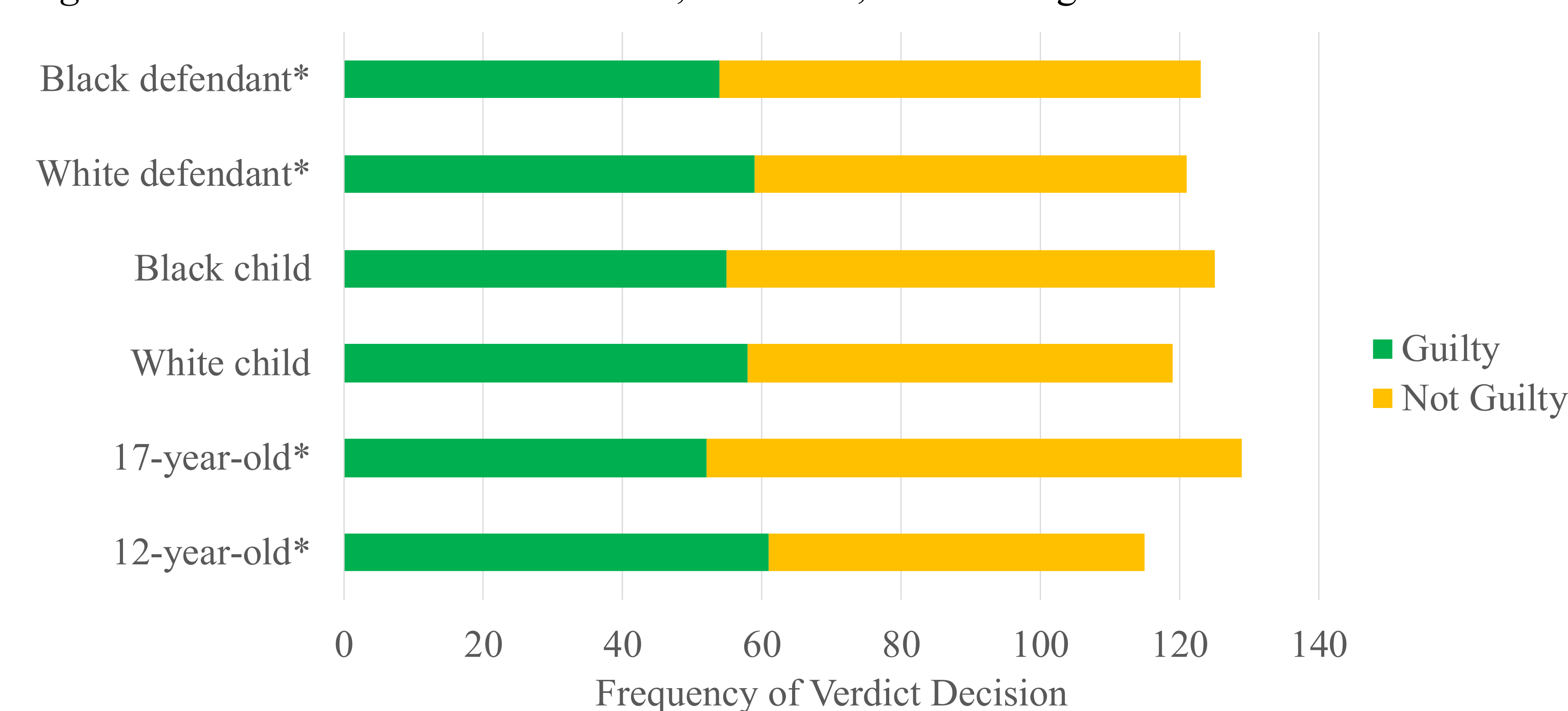
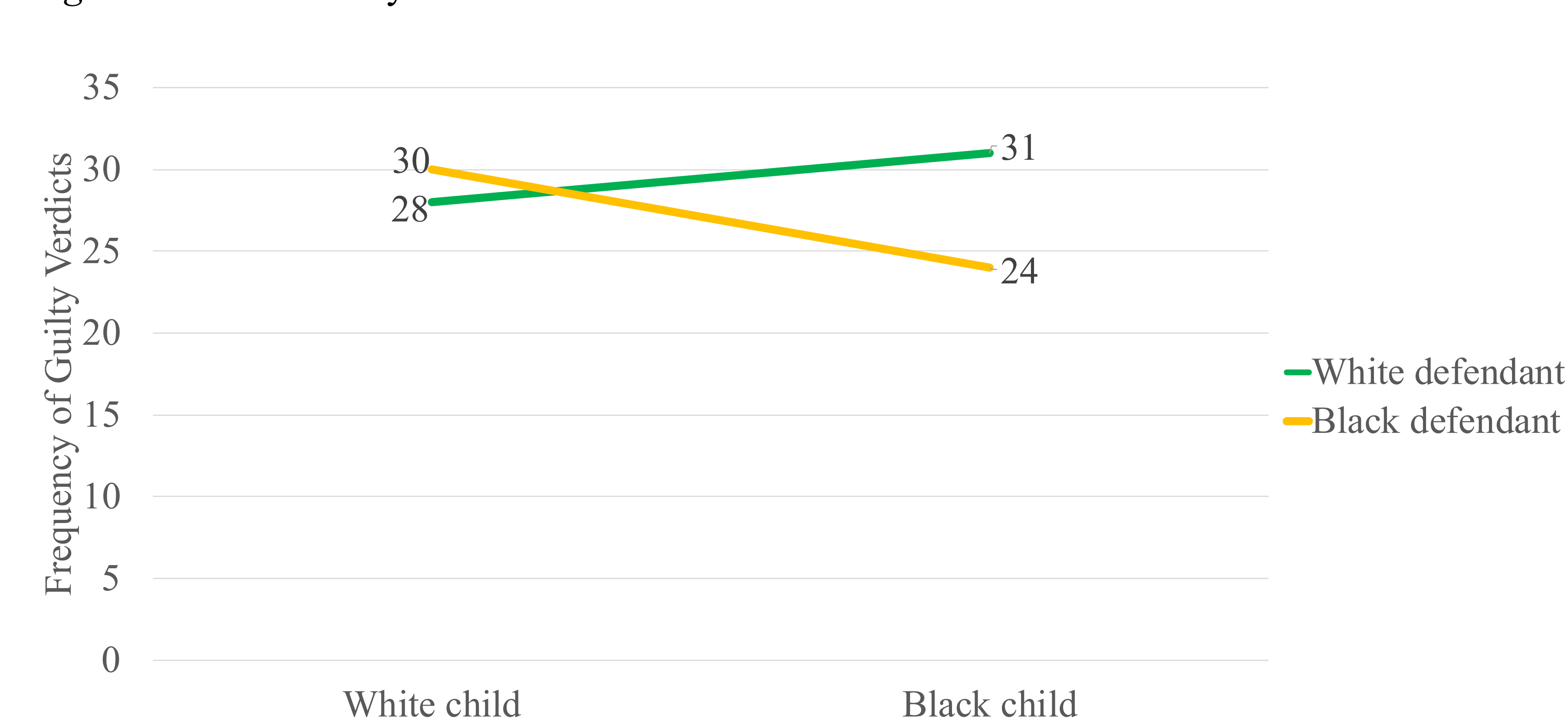


Figure 2. Child race by defendant race interaction.



RESULTS

Collapsed across all conditions, verdict decisions for the case were fairly even (46% guilty). A logistic regression analysis was conducted on dichotomous verdict decisions (coded as 0 = not guilty, 1 = guilty), as the criterion variable, and with child race, child age, and defendant race entered (as well as the interactions between these variables) as predictor variables.

The overall model was not significant ($\chi^2(7) = 10.17, p = .179, -2LL = 326.76, Nagelkerke R^2 = .06$). However, child age ($p = .032$) and defendant race ($p = .035$) emerged as significant predictors of conviction decisions (see Figure 1). Odds ratios indicated that conviction decisions were 3.20 times more likely to occur when the child was 12 years old vs. 17 years old and 3 times more likely to occur when the defendant was White vs. Black. Guilty verdicts were 2.80 times more likely to be rendered in cases that involved a White child, yet this result was not statistically significant ($p = .062$).

An interaction between defendant race and child race also emerged as a significant predictor of verdict decisions ($p = .034$). Contrary to my hypothesis, the odds of reaching a guilty verdict for the interracial case dyads were 4.83 times greater than the intraracial case dyad (see Figure 2). Finally, the greatest number of conviction decisions were rendered for the White defendant/Black child case dyad and the least number of convictions were rendered for the Black defendant/Black child case dyad (See Table 1 on handout).

DISCUSSION

Based on the results of this study:

- **(H1)** was supported but was not significant, more mock jurors voted guilty when the child was White.
- **(H2)** was supported, cases involving the 12-year-old resulted in more convictions.
- **(H3)** was not supported, instead mock jurors convicted more often when the case involved a White defendant.
- **(H4)** was not supported, interracial cases were convicted more often than intraracial cases.

In conclusion, mock jurors were more likely to vote guilty for cases that involved a younger child complainant (12-year-old) and for cases that involved a White defendant. Child complainant race did not directly impact mock jurors' verdict decisions, but instead interacted with defendant race to affect case outcomes. Cases involving a White defendant and child were more likely to result in a conviction vs. the Black defendant/child case dyad. Interestingly, interracial cases were more predictive of guilty verdicts than intraracial cases. Perhaps the political issues surrounding race were particularly salient at the time participants were involved in the study, where participants were more outraged that the defendant allegedly sexually abused a child of another race. Future researchers should examine this finding more closely to discern whether the effects were observed due to a cohort effect related to views of racially charged offenses. Additionally, future research should investigate individual attitudes (e.g., racial prejudice, color-blindness) that may mediate the effects of race on mock jurors' case decisions.

Table 1

Verdict Decision by Grouped Variable and Interaction Term

Grouped variable	Verdict	
	Guilty (n = 113)	Not Guilty (n = 131)
Child age*		
12 years old	61	54
17 years old	52	77
Child race		
White	58	61
Black	55	70
Defendant race*		
White	59	62
Black	54	69

Note. The significant differences detected for child age and for defendant race were specific to guilty verdict decisions.

* $p < .05$

Interaction term*

White defendant/White complainant	28	31
White defendant/Black complainant	31	31
Black defendant/Black complainant	24	39
Black defendant/White complainant	30	30

Note. The significant difference in guilty verdicts was found between intraracial (e.g., White defendant/child, Black defendant/child) and interracial (e.g., White/Black defendant, Black/White child) cases.

* $p < .05$

References

- Bottoms, B. L., Davis, S. L., & Epstein, M. A. (2004). Effects of victim and defendant race on jurors' decisions in child sexual abuse cases. *Journal of Applied Social Psychology, 34*, 1-33. doi:10.1111/j.1559-1816.2004.tb02535.x
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- Devine, P. G. (1989). Stereotypes and prejudice: Their automatic and controlled components. *Journal of Personality and Social Psychology, 56*(1), 5-18.
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- Quas, J. A., & Goodman, G. S. (2012). Consequences of criminal court involvement for child victims. *Psychology, Public Policy, and Law, 18*(3), 392-414.

Case and Trial Photographs



Mr. Noah Baker
Role: Defendant Race: White Age: 38 years



Mr. Darius Jones
Role: Defendant Race: Black Age: 38 years



Ms. Aisha Jackson
Role: Alleged Victim Race: Black Age: 12 years



Ms. Stephanie Miller
Role: Alleged Victim Race: White Age: 12 years



Ms. Stephanie Miller
Role: Alleged Victim Race: White Age: 17 years



Ms. Aisha Jackson
Role: Alleged Victim Race: Black Age: 17 years

Case Summary

Mr. [Darius Jones/Noah Baker], a 38-year-old English teacher and community league youth soccer coach, is being charged with statutory sexual battery of one of his students, Ms. [Aisha Jackson/Stephanie Miller]. [Aisha Jackson/Stephanie Miller] is [12/17] years old.

[Aisha Jackson/Stephanie Miller] first reported the alleged sexual contact to her mother who then made an official report to the authorities. [Aisha Jackson/Stephanie Miller] was then interviewed by a social worker with the Department of Human Services. [Aisha Jackson/Stephanie Miller] told the social worker, that she and [Darius Jones/Noah Baker] began having sex in March 2017, while she was in the [7th/12th] grade at Colima [Middle/High] School. [Darius Jones/Noah Baker] was also her community league youth soccer coach and had set up an arrangement with [Aisha Jackson's/Stephanie Miller's] parents to drive her to soccer practice after school.

According to [Aisha Jackson's/Stephanie Miller's] criminal complaint, the two allegedly had sexual intercourse twice in [Darius Jones's/Noah Baker's] classroom at the school and once in his car. [Aisha Jackson/Stephanie Miller] stated that the first time [Darius Jones/Noah Baker] forced her into having sexual intercourse with him after winning an important soccer game. [Aisha Jackson/Stephanie Miller] claimed that the defendant threatened to drop her from the soccer team if she did not comply with his demands to have sexual intercourse with him.

After [Aisha Jackson's/Stephanie Miller's] interview with the social worker, the prosecution moved forward with the case. [Darius Jones/Noah Baker] is being charged with three counts of sexual battery. The alleged episodes of sexual intercourse spanned over the course of three months. [Aisha Jackson's/Stephanie Miller's] formal criminal complaint against [Darius Jones/Noah Baker] was filed approximately five months after the last alleged episode of illicit sexual conduct. The court date for this case is set for February 2018.

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