Introduction

Despite gains in race relations since the civil rights movement, racial bias in juror decision making still exists in this post-civil-rights era. Mock jury studies continue to show that both Black and White juries often make decisions in interracial cases that are more lenient towards defendants of their own race and more punitive of defendants of a different race. A social identity (Summers & Elsesser, 2000) and social-cognitive explanation (Elbavi, 1999) have been put forth to address racially biased juror decisions. A social identity explanation for mock jurors’ racial bias suggests that a same-race tendencyline occurs because mock jurors are consciously favoring members of their ingroup. A social-cognitive explanation suggests that Black and White mock juries have different experiences with and beliefs about racism in this country. Consequently, Black and White mock jurors may unconsciously interpret interracial conflicts differently, due to their different experiences with race in this country, and subsequently rely on these different interpretations as they decide cases. In comparison to the social identity explanation, the social-cognitive explanation for racial bias in jurors’ decisions has received very little empirical attention.

The purpose of the present study is to empirically examine whether racial differences in interpretations of evidence occur as a function of juror’s race and defendant’s race in an interracial dispute. Black and White mock jurors read one of four versions of a trial summary that described an interracial domestic abuse case. They responded to several open-ended questions that measured their interpretations of the evidence. On the basis of past social and legal research, we hypothesized that racial differences in interpretations of evidence would occur as a function of the defendant’s race and mock juror’s race.

Method

Participants

• 48 men recruited from introductory psychology and sociology courses
• 22 Black men from Howard University
• 26 White men from the University of Kansas.
• Average age was 19.60 years

Procedure

A female experimenter always conducted the experiment, however she was a Black at Howard University and a White at the University of Kansas. Participants were told that they would be interested in their impressions of legal trials. They read and evaluated a trial summary and responded to several open-ended questions, manipulation checks, and demographic measures. Once participants finished responding to these items, the experiment concluded and participants were debriefed.

Materials

Participants were given the following trial summary of the domestic abuse case, which included arguments made by the prosecution and defense. Participants who were randomly assigned to the racial conflict salience condition read:

“Ms. Simmons testified that before Mr. Smith slapped her, the defendant yelled, ‘You know better than to talk that way about a White (or Black) man in front of his friends.’”

Participants who were randomly assigned to the control condition read:

“Ms. Simmons testified that before Mr. Smith slapped her, the defendant yelled, ‘You know better than to talk that way about a man in front of his friends.’”

Dependent Measures

Perceptions of racial conflict salience. To measure mock juries’ perceptions of racial conflict salience, we asked them to respond to the following question: “To what extent do you believe that the incident was a result of a racial conflict?” Participants’ responses were measured on a 10-point scale, with response options ranging from 0 (not at all) to 9 (a great deal).

Perceptions of situational factors that played a role in the incident. Participants were asked to indicate what role they believed the race, institutional racism, gender, socioeconomic status, and trial unfairness played in the incident. Furthermore, we asked them to indicate what other factors they believed played a role in the incident. Responses to these open-ended questions were coded in terms of whether participants mentioned explicitly each of the following: race, gender, socioeconomic status, and trial unfairness.

Perceptions of the defendant’s and victim’s personality. Participants were asked to indicate what role they believed the defendant’s and victim’s personality played in the incident. Trials that were explicitly mentioned by participants in response to the question were recorded. Defendant traits were coded according to whether they fell into each of the following categories: aggressive, sexist, overly sensitive, a drunk, racist, egotistical, frustrated, proud, and remorseful. Victim traits were coded, according to whether they fell into each of the following categories: instigator, a drunk, social/outgoing, immature, victimized/submissive, egotistical, and proud.

Results

Racial Differences in Perceptions of Situational Factors that Played a Role in the Incident

We found that White and Black mock juries differed in their perceptions of the roles of institutional racism and alcohol. Figure 1 shows that Black mock juries were more likely to perceive that institutional racism played a role; whereas White mock juries were more likely to perceive that it did not play a role, χ²(1) = 4.49, p < .05. This difference was only significant in the Black defendant condition.

Conclusions

Our hypothesis was supported; juries’ interpretations of evidence do differ significantly as a function of both mock juror’s and defendant’s race. Black and White male juries’ interpretations of the situational factors leading up to the incident and the disparities they attributed to the defendant and victim differed significantly, and these racial differences depended on the defendant’s race. Our findings do suggest that a social-cognitive explanation for racially-biased juror decision making is a viable one. Further empirical research needs to be conducted in order to test the social-cognitive explanation against other explanations for racially-biased decision making.

References