

THE IMPACT OF JUROR GENDER ON VERDICTS
IN SEXUAL AND NONSEXUAL CASES

By

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CHAPTER I

INTRODUCTION

A jury of one's peers is a basic right afforded to every person accused of committing a felonious offense. The jury has been relied upon to take on the great responsibility of determining the truth from evidence that is presented to it. In criminal trials, juries are given the right to impose sentences of years in prison or even death to defendants that the jury has decided are guilty of committing murder.

The confidence put in the verdict of the jury is so widespread that people accused of a crime will prefer to put their fate to the decision of 12 strangers than a judge. Jurors may, however, be inexperienced, disinterested, insensitive, or they may have extreme attitudes, prejudiced against the defendant. Judges, on the other hand, have been trained through years of experience to be impartial. The reason for this trust in the jury system may be that people feel that they have a better chance of convincing one person in 12 of their innocence, rather than convincing a single judge who they feel may be stern or perhaps prejudiced against them. However, the possibility also exists that a

prejudiced individual on a jury who is convinced of the defendant's guilt may be able to persuade the other 11 jurors of the person's guilt, even when there really is insufficient incriminating evidence.

A common assumption in the courts is that if a prospective juror says under oath that he/she can be fair, and not let personal attitudes cloud his/her decision, then that person will make a good, fair juror. Psychological literature, however, seems to disagree with this legal assumption. Although it is not possible to directly observe real jury deliberations, knowledge of jury behavior has been gained by observation of the deliberations of mock juries. Knowledge gained in observations of mock juries suggests that jurors' long-term personality factors and attitudes may influence their perceptions of the evidence and therefore influence their vote of guilt or innocence. Evidence shows that one important factor may be the sex of jurors, (e.g. Strodbeck & Mann, 1956) which should be even more salient in sexual criminal cases, such as rape.

Many psychologists agree that phenomena such as prevailing attitudes may be transient or time-bound. Gergen (1976) and Schlenker (1976) have had a long-standing debate on whether psychology is history or if it is a long range explanation of behavior. If one takes the perspective that psychology is only an account of historical events that may not persist through time because of changes in culture,

perhaps further study of the interaction between male and female jurors is due. The present experiment seeks to discover whether the sex differences in group interaction observed by Strodbeck and Mann (1956) exist today.

CHAPTER II

REVIEW OF THE LITERATURE

Sex Differences

Sex Differences in Interpersonal Interactions

There seems to be considerable evidence in the literature that sex differences exist when males and females interact in settings such as jury deliberations. Much of this research centers around the different behaviors that males and females have been observed performing when faced with certain tasks. Bond and Vinacke (1961) observed subjects in parcheezi games, and found that males had a tendency to form coalitions in order to win the game, while females had a tendency to form supportive alliances with the already winning side. This suggested that females tended to express supportive behaviors, instead of competitive behaviors. Christie (1970) found that males scored higher than females on the Machavellian Scale, which measures one's ability to achieve desired goals through bargaining. In a study done somewhat earlier, McClellan (1953) found that male college students were more task-oriented than females. High task individuals were seen as being more powerful in

decisions with high consequences, such as jury deliberations.

Evidence is also available showing that males and females behave differently in mixed-sex groups as compared to single-sex groups. Lockheed and Hull (1975) found no sex differences in verbal activity in single-sex groups. They explained this in terms of an absence of the sex-status discrepancy that exists in mixed-sex groups. This implies that in mixed-sex groups, traditional sexual roles may become salient. In other words, males are more likely to be dominant and females are more likely to be submissive in mixed-sex groups.

Sex Differences in the Jury Setting

In a study done by Strodbeck (1951), it was found that in mother-father-son relationships, fathers were more often task oriented, and mothers were more often socially oriented or emotionally oriented. Strodbeck interpreted these results as mirroring the pervasive pattern of family relationships of the time, and he also hypothesized that this type of male-female relationship exists in situations outside the home, as in jury deliberations for example. In 1956 Strodbeck and Mann tested this hypothesis. They studied persons of different ages and socioeconomic levels, whom they presumed were "fully established in their sex and occupational roles" (p. 3). In this classic study, subjects were given murder trial transcripts to read as jurors would

hear an actual case. After reading the transcripts, they were divided into twelve-person juries and asked to deliberate on the case. The deliberations were audio and video taped, and the content of the discussions were analyzed by the Bales (1950) Analysis method. The results were that males participated more than females in jury deliberations, males were more task oriented, and females were more supportive in their discussions. They also found that higher status jurors participated more in jury deliberations than low status persons. Status was measured by "activity level", which meant that since males had a higher activity level than females, they also enjoyed higher status in the jury than females. Verbal males were rated by the jury as most helpful to the group. Verbal males and silent females were rated as more helpful than silent males or verbal females. These results suggest that jurors who lived up to the sex-role expectations of the group were more attractive to the group than those who stepped out of their traditional sexual roles. The authors interpreted this finding to mean that there was a differentiation between roles in jury deliberations along traditional sexual lines. They also proposed that perceived juror competence was associated with the task oriented behaviors exhibited mostly by the males.

In a later study, Nemeth (1973) found similar results. She found that when deliberating on first degree murder cases, males were three times more likely to take the head

chair in the jury deliberation room than were females. This suggested that the male dominance pattern observed by Strodbeck and Mann in the fifties still existed in the seventies. Nemeth also found that males communicated more than females in deliberation, they gave more opinions, and brought up more information on evidence than did females. Males were also spoken to more than females, they received significantly more agreements than females, and they received more unfriendliness than females. No interaction between sex of initiator and sex of the person spoken to was observed. Another interesting finding was that when questioned later, males responded that they felt that females had been more able to fully express their opinions, while females felt that males had been more able to express their opinions than females.

Strodbeck, James, and Hawkins (1957) looked at mock juries deciding civil trials, and found that high status jurors were selected as foremen more than low status jurors. An interesting finding was that in almost all cases, males were chosen as foremen of the jury, suggesting that a high amount of status was associated with males instead of females. James (1959) found that in mock juries deciding criminal cases, males and college level jurors tended to speak more than female or lower educated jurors. More-verbal jurors, regardless of educational level, were rated more favorably by the jury than less-verbal jurors. Strodbeck

and Mann (1956) found that high status jurors were more persuasive than low status jurors in civil cases. James found no such relationship between status and persuasiveness in criminal trials. This implies that the nature of the crime has some influence on the persuasiveness or status of jurors. A study is needed to determine if certain cases, by virtue of the nature of the crime, allow some jurors to become more persuasive than other jurors.

Susceptibility to Peer Pressure

The literature suggests that females may also be more heavily influenced by peer pressure than males. Grey et al. (1974) found that males were more dominant and females were more submissive, and they concluded that submissive people were more likely to feel peer pressure to conform to the majority decision. This finding was strengthened when Kerr (1976) found that in mock jury deliberations, females tended to be more susceptible to group pressure than males.

Sex Role Attitudes

Research shows that males and females can differ on their attitudes toward rape (Rumsey, 1977). And, as suggested by the evidence cited above, one's attitudes toward sex roles may affect behavior. Sexually biased attitudes do indeed exist in our modern culture, although such attitudes may seem prejudicial and outdated. If a significant percentage of the population agrees with such attitudes, then what are the implications if such norms are carried over into

behavior? The present study administered an "attitudes toward victim" scale for rape, as well as an "attitudes toward victim" scale for robbery. The aim is to assess the extent of sex-biased attitudes, and then to test their effects on potential jurors' attributions of guilt to the defendant and to the victim for contrasting cases.

In observing mixed-sex groups, Hammin and Peplau (1978) found results suggesting that people with liberal and traditional sex roles interact differently. Traditional males tended to be more dominant than traditional females, but no significant differences in interaction behavior were observed in liberal males and females. They also found that males have more traditional sex role attitudes than females. This could mean that males tend to agree with the traditional norms because they give them power over women. Nemeth, Endicott, and Wachtler (1976) found on observing mock juries that male jurors were perceived by others on the jury as being more intelligent, independent, rational, strong, and confident, while female jurors were perceived as being more submissive, emotional, and dependent than males. The interesting factor in this study was that no differences were found in voting behaviors of males and females; it thus appeared that jurors were perhaps labeled "weak" or "strong", for example, not on the basis of behavior, but on the basis of sex.

Sexual stereotyping has been observed in persons of high intelligence as well as persons of low intelligence. Darrow (1936) reported that females were stereotyped as "bad jurors" because they were considered submissive and weak by attorneys. Similar results were later found by Appleman (1952). Goldberg (1968) found that women as well as men had a tendency to ascribe positive attributes to men and negative attributes to women by virtue of their sex instead of their behavior. The finding that women have a tendency to derogate members of their own sex suggests that women as well as men have internalized a norm of prejudicial attitudes toward women.

Sex Differences in Jurors

The literature suggests that males and females may have a tendency to perceive certain types of trial evidence differently. For example, Simon (1967) found in observing mock juries that housewives and women in general were more sympathetic than men for the defendant in a housebreaking case. Simon also found that in incest cases, housewives were more punitive than men or career women. This suggests that housewives have more traditional or conservative sexual attitudes than career women or men.

Nagel and Weitzman (1972) found that in civil mock juries, each sex tended to favor its own sex in terms of money awards. Stephan (1974) found similar results for mock juries deciding criminal trials. Thus jurors may tend to

identify with members of their own sex by virtue of their sex alone. Green (1967) found that female mock jurors identified with the plaintiff in a civil case involving the accidental death of a child falling into a swimming pool. It was also found that mock jurors who identified with the plaintiff voted for the plaintiff, and were less influenced by the circumstances surrounding the accident than jurors voting for the defendant.

Hoiberg and Stires (1973) found that female jurors attributed more guilt to defendants accused of more heinous crimes (brutal rape and murder) than crimes of less heinous nature (murder). Also, low IQ females attributed more guilt to the defendant as pretrial publicity increased. Females tended to identify less with the victim and rated the crime as less heinous than did males. Several problems, however, are evident in this experiment. First, there may not be large enough differences in the heinousness of the crimes of murder and of rape with murder. Secondly, subjects were not asked to disregard the pre-trial publicity as would have been the case in an actual courtroom.

Rose and Prell (1955) found that for criminal cases, members of each sex tended to give lower sentences to their own gender rather than to the opposite. Nemeth et al. (1976) found that males and females showed no differences in their initial verdicts for murder cases. This suggests no sex-related trends in jurors' attitudes toward murder, but a

study is needed to determine whether there are gender differences in attitudes toward sexual crimes, such as rape.

Attribution

Ross (1975) found that adults interpret responsibility in differing ways due to differing motivations. Therefore, subjects' attributions of responsibility may be influenced by their own desires and self-interest. Heider (1958) says that causal attribution depends on two factors. First, the reason has to fit the wishes of the person. Second, the datum has to be plausible from the reason. Walster (1966) found that subjects attributed more responsibility to victims of more serious crimes, thus using a more primitive attribution of responsibility (attributing more blame to the actor), because of a belief in a Just World.

Perception of responsibility has also been looked at in terms of perceptual-cognitive processes. Jones and Thibaut (1958) found results to suggest that the attribution process occurs in two phases. First, cues are selected or filtered from information (or evidence) provided. Second, inferences about responsibility are drawn from these cues. This suggests that subjects focus on only some of the information given to them, with their choice of focus depending on past experiences, perceptual sets, attitudes, or similarities to the actor. This is illustrated by the Hastorf and Cantril (1954) finding that students who watched a Princeton

vs. Dartmouth football game perceived more errors by the other team than by their own.

Research has also tested whether active observers attribute blame differently than passive observers. Jones and Thibaut (1958) found that active observers made more primitive attributions (just world attributions to the actor) than passive observers. If arousal as a reaction to rape occurs in some individuals, then arousal might make some jurors become more involved, and consequently more active in deciding who is to blame for the crime. Lerner (1966) found that emotional arousal is important in attribution of blame to the actor, in which observers tend to derogate innocent victims.

Authoritarianism

High authoritarianism has been associated with attribution of blame in certain situations. Mitchell and Byrne (1973) observed male and female mock jurors who read a case of a college student stealing an exam. All subjects were measured on authoritarianism. Authoritarian subjects were more influenced by perceived similarity to the defendant than were equalitarian subjects. Authoritarians were also harsher on dissimilar defendants, but authoritarians were less certain of the defendant's guilt than were the equalitarians. Centers, Shomer, and Rodrigues (1970) conducted a field study of 1170 people. They found that high authoritarians were more punitive toward a juvenile delinquent than

low authoritarians or equalitarians. High authoritarians were also more likely than low authoritarians to change their opinion when presented with contradictory evidence from an expert witness.

Boehm (1968) gave the Legal Attitudes Questionnaire to mock juries deciding manslaughter cases of either a pro-defense or pro-prosecution nature. She found in the pro-defense cases that authoritarians gave more severe sentences than the anti-authoritarians. Jurow (1971) stated that the best predictor of a subject's decision to acquit or convict was the authoritarian score on the Legal Attitudes Questionnaire; Jurow's authoritarians were significantly more likely to convict than anti-authoritarians or equalitarians.

Berg and Vidmar (1975) studied male and female mock jurors, and found that authoritarian subjects were more punitive, especially for low status defendants. After the experiment, subjects were asked to recall information relating to the trial. The results were that authoritarians could recall more trial information about the defendant's character, and less about the evidence than could the anti-authoritarians or equalitarians. These results could shed considerable light on the problem of the high acquittal rate of rape cases, since in many rape trials the focus may be more on the victim's character than on the defendant's. These results strengthen the hypothesis that authoritarians, equalitarians, and anti-authoritarians perceive and process

information differently by focusing on different types of information.

Just World

Lerner (1966) has done much research on the Just World hypothesis, and one of his findings is that when a person believing in a Just World observes a victim suffering, the observer has only two choices: either blame the victim for suffering, or derogate the victim. In Jones and Aronson (1973), mock jurors read a rape case transcript, decided the guilt or innocence of the defendant, and rated the responsibility of the victim. Married or virgin victims were blamed more for the crime than were divorced victims.

The Jones and Aronson study can be understood in the light of Lerner's results; subjects found it difficult to derogate a respectable victim, but easy to derogate a divorced victim, so they had to blame the respectable victim more than the divorced victim. These subjects also gave larger sentences to the defendant when the victim was a married woman than when a virgin or divorcee had been raped.

Zuckerman and Gerbasi (1974) had mock jurors read a rape transcript and fill out the Rubin and Peplau (1973) Just World Scale. Respectable victims were held less responsible than non-respectable victims. Subjects with high belief in a Just World assigned more responsibility to the rape victim than subjects with low belief in a Just World. Izzett (cited in Rubin & Peplau, 1975) found that high Just

World jurors deciding a negligent homicide case disliked the defendant and were more punitive than low Just World jurors. Gerbasi and Zuckerman (1975) administered the Just World Scale to subjects who were to read a murder transcript. High Just World jurors gave longer sentences than low Just World jurors.

Gerbasi, Zuckerman, and Reis (1977) state that a possible problem with the above studies is that they used "length of sentence" as a dependent variable instead of verdict (guilty or not guilty), as in actual trials. Another disadvantage of the preceding studies is that they measure individual decisions instead of group decisions. Because of these errors, the results of these studies cannot be conclusively generalized to actual jury verdicts. Studies that inject more realism into the experimental situation would be better. The present experiment attempts to accomplish this by using group verdicts of guilty or not guilty as one of the dependent variables.

Festinger (1954) found that there was an appropriate connection between behavior and consequences. Lerner (1966) stated that a person's security needs lead him/her to believe in a Just World, and that the person will occasionally deny justice to another person to maintain this belief. Lerner also found evidence that suggested to him that people must believe that there is an appropriate relationship between what they do and what happens to them, that if they do

the right things, bad things will not happen to them. If this relationship does not hold, then the person may not be able to cope with such an unpredictable world. This means that the observer of a suffering victim must believe that the victim deserved the negative consequences.

Lerner and Simmons (1966, p. 204) said that "People will arrange their cognitions so as to maintain the belief that people get what they deserve or, conversely, deserve what they get." People reject, derogate, or blame the victim to maintain belief in a Just World. They said that two necessary factors would make subjects derogate victims. The first necessity is that the observer believe that the victim's suffering is an ongoing thing. Secondly, the observer must feel powerless to help the victim, given the rules of the system in which punishment takes place. Lerner's (1966) idea of Just World is that victims must be responsible for the negative consequences they receive.

Defensive Attribution

The opposite of the Just World idea is the Defensive Attribution idea formulated by Shaver (1970). An example of defensive attribution would be the observer transferring more blame to the environment (external factors) than to the actor. Thus defensive attribution could be defined as being opposite to primitive Just World attributions described above.

Defensive attribution is a more sophisticated attribution of responsibility than Just World attribution because the observer empathizes with the actor, and blames outside forces instead of the actor. Shaver also found results that indicate that perceived similarity (by age or sex, for example) between the observer and the actor may reduce the observer's attribution of blame to the actor.

Chaikin and Darley (1973) found that for behaviors with possibly severe consequences, potential perpetrators attributed more blame on the circumstances than on the actor. Therefore, in the present study, males may blame the rape victim more than the robbery victim because the rape defendant is similar to male jurors by sex, and the male juror may wonder how he might feel if someday someone unjustly accused him of rape. Chaikin and Darley also found, in keeping with the Just World idea, that the victim was blamed as being responsible or disliked, to justify the harm done. Davis and Jones (1960) found that subjects who felt responsible for the suffering of others derogated their victim. Glass (1964) and Lerner (1965) have also found that when a person harms someone, he or she devalues the victim.

Walster (1966) found that the more severe the consequences of an act, the less responsibility would be attributed to chance. Shaver (1970) found that the more similar the observer and the actor, the less responsibility the observer attributes to the actor for the accident. This may

be dependent on situational relevance. For example, the more vulnerable an individual feels about being raped, the more personal relevance the crime of rape has for that individual. The Just World explanation may not apply to this phenomenon, as the potential victim would need to come close to derogating herself.

Chaikin and Darley (1973) proposed that if the defensive attribution hypothesis were valid, potential victims would not derogate innocent victims of even severe crimes. In their study, subjects chose to attribute blame to the object or person that was least threatening. It could be that jurors who find a defendant guilty on the final verdict attribute more responsibility to him than jurors who voted not guilty on the final ballot, because they need to convince themselves that the defendant brought his guilty verdict on himself.

Jury Studies

Foss in 1976 found evidence suggesting that the jury (group) decision process is much more complex than simple individual decisions. The work by Foss implies that a group decision is not simply the sum of six or twelve individual decisions, but rather a gestalt which includes a number of extralegal factors as well as jury decision processes.

Extralegal Factors

In recent years, it has become clear that many extralegal factors can influence jurors' decisions. Marston (1968) found that mock jurors were more influenced by the apparent sincerity of a witness than by the logical accuracy of the testimony. Mitchell and Byrne (1973) found that similarity or difference in attitudes of defendants and jurors may influence individual jurors' sentencing decisions. Vidmar (1972) found that mock jurors may consider the consequences of their individual decisions for the defendant when deciding on guilt or innocence. In 1966 Kalven and Zeisel observed that in cases where there was a possibility that the victim precipitated the crime, jurors were less likely to convict the defendant. Kalven and Zeisel found that juries tended to acquit defendants who had already suffered considerably, even though they thought the defendant was guilty. These studies imply that jurors inject popular norms into their decision. This also could mean that the jurors were probably not able to rise above prejudices internalized from the community.

Davis, Stasser, Spitzer, and Holt (1976) found that publicly accountable jurors moved much faster than private jurors away from guilty consensus at the end of deliberation. Asch (1952) found evidence suggesting that jurors may feel that they have a duty to convict the defendant. People have learned that rapists or robbers ought to be punished,

and jurors may feel guilty if they don't punish the defendant. Their reasoning may be that "he must be guilty, or why would the authorities bring him to trial?" Jurors may feel fear of punishment from friends if they acquit the defendant.

Kalven and Zeisel (1966) also found that many extra-evidential factors may influence the jury decision in the direction of leniency. They found that of all juries observed, 20 per cent disagreed with the judge's decision, mostly in the direction of leniency. They observed that some of the factors influencing jury leniency might be the type of crime, or the characteristics of the defendant or the victim. Thus if the community has stern norms about rape, for example, then, to a person who believes that there is no such crime as rape, the conduct of the victim during the attack may be more salient. The victim's character may be of more interest to a person who believes that there is no such crime as rape than to a person who holds no such belief. Wigmore (1929, p. 167) quoted Justice Holmes; "Jurors each contribute a certain amount of 'popular prejudice' to the group verdict, thus keeping the administration of the law in line with the attitudes of the community".

In 1976, Foss studied six-person juries reading a four page first degree murder transcript. The study suggested that extralegal factors such as the defendant's

attractiveness may not be a strong influence on juror's decisions. A problem was that the case had a strong guilt bias in the evidence.

Landy and Aronson (1969) found that the personal attractiveness of the defendant and victim may influence mock jurors' individual sentences for convicted defendants. Efran (1974) found similar results. In this study subjects were asked to judge a student accused of cheating charges. The results suggested that jurors may more often find attractive defendants not guilty than unattractive defendants. An interesting finding was that the subjects themselves were unaware that the attractiveness of the defendant had influenced their decisions.

Landy and Aronson found that subjects recommended shorter prison sentences for attractive defendants (described as happily married, employed, and friendly), and subjects recommended longer prison sentences for unattractive defendants (described as a divorced, ex-con, janitor). Kalven and Zeisel (1966), observing actual juries, found that jurors tended to find unattractive defendants guilty of more serious crimes than attractive defendants.

Gerbasi and Zuckermann (1975) showed mock juries five different types of trials, all of which involved a loss of life (euthenasia, auto accident, self-defense, business disagreement, and family argument). The defendant was either presented sympathetically or unsympathetically.

Subjects completed the Just World Scale and gave a verdict, prison sentence, and estimated certainty of verdict after viewing each of the five trials. Perceived similarity to the defendant was measured after all five trial tapes were shown. Earlier trials influenced the subjects' decisions on subsequent trials, "sympathetic" defendants got less severe verdicts than "unsympathetic" defendants, and there was also a significant negative relationship between severity of verdict and perceived similarity to the defendant. No significant differences were obtained between different types of crimes.

Sigall and Landy (cited in Gerbasi, et al., 1977), in a similar study, found that unlikable defendants received longer prison sentences than likable defendants. Very incriminating evidence produced higher guilty and punishment ratings than did mildly incriminating evidence. Defendants who were described negatively were attributed the most guilt and punished the most severely. Defendants described positively were treated more leniently than the negatively described or neutrally described defendants.

Dion (1972) found that subjects blamed unattractive female children of committing a more serious offense than an attractive child. The attractive defendant was punished more when her attractiveness facilitated the crime, and unattractive defendants were punished more when attractiveness was not a factor in the crime. Thus a female's

attractiveness may cause jurors to discriminate against her. In 1956, Reed studied actual Louisiana jurors, and found that high status defendants were treated more leniently than low status defendants. There may be sampling bias in this study, however, because only 56% of those jurors contacted agreed to participate in the survey. Nemeth and Sosis (1973) did mock jury research involving students from either a conservative or a liberal college, and found that students from the conservative school gave longer sentences to low status defendants than to high status defendants. No difference in sentencing was observed in subjects from liberal colleges. It was found that all subjects believed that the high status defendant felt more regret for his behavior than did the low status defendant. A problem in this study was that the different colleges might have been confounded with race or socioeconomic level.

Rose and Prell (1955) asked male and female mock jurors to assess fines and prison sentences on defendants of different socioeconomic classes. The results were that subjects gave higher fines to higher status defendants. Landy and Aronson (1969) varied the status of a victim of a drunk driving accident, and found that subjects tended to give more severe sentences to defendants convicted of killing high status victims. In the second study in this series, the status of the victim was either high or low, and the status of the defendant was varied as being high, medium, or

low. The results were that subjects were more punitive toward the defendant convicted of killing a high status victim. Low status defendants were given longer sentences than medium or high status defendants. An interesting finding here was that the attribution of guilt did not vary as a function of status of the defendant, while the actual sentencing did vary.

Izzett and Leginski (1974) found that group discussion lessens the effect of the defendant's status and the severity of prison sentences from individual jurors. On the first ballot, jurors were more punitive on low status defendants. On the second ballot, no difference in punitiveness was found for low or high status defendants. This means that shorter prison terms were given to low status defendants on the second ballot than on the first. The implications of these results are that the deliberation process lessens the effect of the defendant's status.

Jury Decision Processes

Davis (1973) stated that there are two types of jury decision rules. The first type is the explicit rule, which would be the court's requirement for a unanimous verdict. The second type of rule is implicit, and would include rules that the jury defines in order to reach a verdict. Davis also states that factors such as nature of the crime, the victim, etc. may influence the implicit rules formed by the jury. Thus juries can operate under different decision

rules than provided in the court's instructions. Weld and Danzig (1968) found evidence for the idea that subjects may not follow the judge's instructions to reserve judgment until they have heard all of the evidence. They found that 25% of the jurors had formed an opinion early in the trial with little change in that opinion occurring after the evidence was completed.

Foss (1976, p. 313) also found that "Juries seem to operate in an equalitarian manner, instead of a democratic autocratic, or oligarchic manner." If so, then the jury decision process would be consistent with a norm that jurors treat each other as equals. Equalitarian group decisions should guard against individual prejudices. Foss continued: "The decision process takes basically the same form regardless of the crime" (p. 313). However, although jurors may start out deliberating in an equalitarian manner with everyone's viewpoint being aired, in the process of agreement some factors have to make one point of view more favorable or attractive to the group. These factors might include the status of the particular person holding that view. Foss in 1975 stated that it would be logical, all other factors being equal, if jurors put more confidence in the opinion of the more respected higher status members of the jury. If this happens, perhaps the jury decision process is more oligarchic in nature than equalitarian. Since males may traditionally be given higher status in juries than females, it

is logical that male opinions may carry greater weight than females'. Also, as deliberation continues, conformity pressures increase, and those members of the jury most susceptible to peer pressure are very likely to succumb to this pressure. Since, as noted earlier, females are more likely to succumb to peer pressure than males, it seems clear that in many instances males may be the true decision-makers of the jury.

The results of Davis, Stasser, Spitzer, and Holt's (1976) research with mock juries suggest that the point at which deliberation is halted may influence the verdict. For the present study, instead of fixed intervals of polling, jurors are instructed to fill out final ballots only when they feel that there is unanimous agreement. This method allows for completion of the deliberation process, whereas time limits or timed periodic pollings may interfere with the decision process or misinterpret a premature decision as the final verdict. Davis (1969) found in working with mock jurors that jurors favoring a guilty verdict were less likely to give in to majority pressure than dissenters favoring not guilty. However, these findings may be due to error, such as guilt-biased evidence in the trial.

Conformity

The basic force in the process of agreement is "persuasiveness", which is the ability of group members to bring others to their point of view. Subgroups with one holdout

are very attractive and may be different than other group configurations. It may not be length or content of discussions, but conformity that causes holdouts to stop judging the merits of the majority opinion and instead respond entirely to social pressure from the majority.

Asch (1953) found in studying male and female college students that the individual subject could be persuaded to incorrectly estimate the length of stimulus lines to conform to the group's estimate. After the experiment, subjects were asked to explain the reasoning behind their obviously wrong estimates. Some subjects responded that they knew their personal estimates were incorrect, but because of the peer pressure to conform to the group's estimate, they publicly responded that they estimated the lines to conform to the group's estimate. Other subjects responded that they began to actually agree with the group estimate as more and more other subjects stated estimates conforming to the group estimate. Allport (1962) found that individuals in groups avoided expressing extreme opinions. He stated that the group decision was a product of the average or a compromise of individual opinions. The results of work done by Kelley and Thibaut (1954) agree strongly with Allport. They found that individuals in groups temper their opinions to conform to the group's opinion.

Majority vs. Minority Opinion

The impact of the majority opinion in group discussions has perhaps been underestimated. Kalven and Zeisel (1966) found that in 95% of the 225 cases they observed, the verdict was the same as the initial majority opinion. Hawkins (1962) looked at participation rates in mock jurors, and found that the majority took more deliberation time than did the minority, thus stifling the minority members' point of view. These results agreed with Kalven and Zeisel's (1966) statement that the purpose of the jury deliberation is not to find facts but rather to allow the majority of the jurors to persuade the minority to agree with them. Davis has observed a strong majority persuasion effect. He found that when two-thirds of the jury agrees, the majority opinion becomes very attractive to the minority, and it is most likely to be the final verdict. Walbert (1971) found that in small groups there is a strong majority persuasion effect. In complex judgments, it was also found that the minority tended to conform to the majority opinion. Kalven and Zeisel (1966) found that majority persuasion operated in 93% of all cases, the minority prevails in 3%, and 4% end up in hung juries.

Penrod and Hastie (1979) found evidence in observing mock juries that the first ballot virtually decided almost all cases. Moscovici and Zavalloni (1969) found that when consensus was reached in groups with great disagreement, consensus was generally unstable, and that some group

members returned to their original opinions after the group deliberation. They also found that when disagreement is great, groups tended to polarize opinions instead of agreeing on a compromising opinion. Walbert (1971) found results indicating that verdicts may be governed by majority persuasion, with initially evenly split jurors giving equal numbers of guilty and innocent verdicts. However, this fails to account for reversals of majority opinion and hung juries. Penrod and Hastie (1979) found that a majority's persuasiveness increased with the size of the majority. Therefore, a twelve-person jury probably has more peer pressure than a six-person jury. Davis, Bray, and Holt (1978) found that the initial majority within a jury had a high probability of determining the final verdict. Since (5/1) can quickly go to (6/0), consensus is not very different from near consensus, because the majority is so much more attractive to jurors than the minority.

Rape Trials

Rape trials may be qualitatively different from robbery trials in the manner in which they affect the attributional processes of the jurors. Rape trials may also evoke different reactions from male and female jurors (Rumsey, 1977). Davis, Kerr, Stasser, Meek, and Holt (1977) found that approximately 60% of female jurors vote to convict rape defendants on the first ballot. They also found that only 50% of the male jurors voted to convict rape defendants on

the first ballot. In deliberation, females were observed to more often change their vote to not guilty (18.3%) than to guilty (5.5%). Males shifted little in either direction. Therefore, the overall distribution of verdicts is shifted toward not guilty. The results imply that females may be more susceptible to peer pressure than males when deciding rape cases.

Davis (1969), observing rape juries, found that such juries had a slightly greater tendency to end up with a not guilty verdict than a guilty verdict for both public deliberation and private deliberation conditions. Davis, Stasser, Spitzer, and Holt (1976) found that after deliberation, females were more likely to believe the defendant's testimony than the victim's. They were also less likely to find him guilty of rape than were males. This implies that perhaps a more critical analysis of the victim's testimony was discussed, and that the defendant's testimony was perhaps supported by some members of the jury.

CHAPTER III

STATEMENT OF THE PROBLEM

For many years, it has been hypothesized that rape may be disproportionately under-reported compared to other crimes (Amir, 1971). The under-reporting of rape may be related to negative attitudes expressed concerning rape victims. Common myths about rape include assertions like, "Women secretly want to be raped." Myths such as this are still believed by many members of society, and such biases frequently end up being expressed in jury deliberation rooms (Walker, 1978).

In 1975 the Uniform Crime Reports stated that of the 51 rapes reported per 100,000 females, only 12.5% of those accused of rape were ever convicted. The reasons for this non-conviction of rapists may be due to the jurors' perceptions of the nature of the crime, the defendant, and the victim. With good reason, many victims of rape prefer not to press charges, fearing that they will not get a fair trial because of unfair decisions of the jury.

In many rape cases, there may be no physical evidence to prove that the defendant forced himself on the victim. Some jurors may believe that no crime was committed if the

victim doesn't prove that she resisted the attack with all of her efforts. In effect, the victim of rape may have to prove her innocence to the jury, where no such proof is required for the victim of a non-sexual crime. In most rape cases where there are no other witnesses, the victim's testimony may be the only incriminating evidence against the defendant. Generally, the essence of the rape trial reduces to the victim's testimony against the defendant's. If sexual prejudices exist in the jury, the jury may have a tendency to believe the defendant's testimony because he is male. Conversely, they may tend to disbelieve the victim's testimony partly because she is female.

Not only may sexist attitudes exist concerning the female rape victim, but such attitudes may also exist concerning the female juror. In 1956 a very important study was conducted by Strodbeck and Mann in the Chicago Jury Project. At that time, researchers were allowed to directly observe deliberations of actual juries. They concluded that most female jurors took a submissive role in deliberations just as most females took a submissive role in other social interactions of the time. This suggests that females' opinions were thought of as being less important than males' opinions. If a female's opinion was not valued as highly as a male's, then perhaps the decision on the guilt or innocence of the defendant was made by only a portion of the jury-- the males.

Hypotheses

In some instances, jurors may feel that the rape victim "deserved" her fate. Lerner's (1966) Just World hypothesis would predict that female jurors, being similar to the rape victim by sex, would derogate the victim, and would be less likely to convict rape defendants than males. Females would also tend to blame the rape victim more than males. Conversely, Shaver's (1970) Defensive Attribution hypothesis would predict that female jurors would identify by sex with the female rape victim, and would be more likely to find the rape defendant guilty than males. The following hypotheses were formulated from the Defensive Attribution standpoint.

If males' opinions hold more value in the deliberation than females', then it is plausible to believe that two agreeing males might carry enough weight to persuade lower status jurors to ultimately conform to their opinion. If females' opinions hold little merit in the deliberation, then it would be likely that females would not be able to persuade other jurors to agree to their opinion. From the previous logic, the following hypotheses were formulated:

1. First ballot votes will vary as a function of the interaction between Gender of juror and type of Crime:
 - a. For rape, females will tend to vote guilty more than will males.
 - b. For robbery, no Gender differences are expected in first ballot votes.

- c. Females will tend to vote guilty for rape more than for robbery.
- 2. Final (group) verdict will vary as a function of the interaction between the Gender of the first ballot majority and the type of crime:
 - a. The female majority (two or more agreeing females) will tend to become the final verdict for robbery more than for rape.
 - b. The male majority (two or more agreeing males) will tend to become the final verdict for rape more than for robbery.
 - c. The simple majority (four or more agreeing jurors, regardless of Gender) will tend to become the final verdict for robbery more than rape.
 - d. Overall, there will be more guilty verdicts for rape than for robbery.

CHAPTER IV

METHOD

Subjects

The subjects were 96 male and 96 female Oklahoma State University students, enrolled in introductory psychology classes. The subjects participated in the present experiment for extra credit. Each subject was assigned to one of 32 six-person juries according to sex and ability to meet the requirements of several pre-trial voir dire questions.

Stimulus Materials

Courtroom

The courtroom consisted of a large paneled room, including a judge's bench, witness chair, jury box, and a video tape machine, on which the video tapes were presented.

Questionnaires

Upon arriving at the laboratory, subjects were administered six questionnaires:

1. Boehm's Legal Attitudes Questionnaire
2. Rubin and Peplau's Just World Scale
3. Williams' Attitudes Toward Victims Scale
4. Spence and Helmreich's Attitudes Toward Women Scale
5. Rosenberg's Self-Esteem Scale

6. Green's Household Duties Scale

For a description of the questionnaires, see appendix A.

Video Tapes

The two trial tapes were almost identical in content, except for the nature of the crime; see Appendix N. The evidence in the trial tapes had been pre-tested on individual subjects to insure ambiguity as to the guilt of the defendant. Both trial tapes had the same actors playing the same roles. The rape trial was 38 minutes long, and the robbery trial was 32 minutes long. After the trial was completed, each trial tape had a segment of judge's instructions to the jury, which stressed the legal duties of the jury to consider the defendant innocent until proven guilty beyond a reasonable doubt.

Procedure

The procedure for selection of the juries was as follows: From the 25 subjects who volunteered for each session, three 6-person juries were formed. Each subject's name was put into a jury wheel, and subjects were chosen such that each jury consisted of three males and three females. During the voir dire phase of jury selection jurors were asked several questions (see Appendix L). The questions inquired as to the juror's past experiences with law enforcement and the courts, the juror's impartiality, and the juror's associations with any prosecutors. Jurors were

excluded from the jury on the basis of how they answered these questions. For example, if any juror responded that he/she could not be impartial in the case, he/she was replaced by another juror of the same sex. In the present study, three females from different juries were replaced; two were replaced because they had relatives in law enforcement fields, and one was replaced because she had been the victim of a crime. One male was also excused because he had been previously convicted of a felony.

When each jury was finally chosen, they were shown a video tape of a criminal trial. Sixteen of the six-person juries were randomly chosen to view a tape of a rape trial and sixteen viewed a robbery trial.

When the tape was completed, the jury was taken to the deliberation room, which contained a long table, six chairs, and voting ballots. The jurors were first instructed to pick one of their number to act as foreperson for the group. The duties of the foreperson were to conduct the initial balloting on guilt or innocence, and to direct the deliberation. Jurors were told that the purpose of the first ballot was to reflect their individual, pre-deliberation opinions on the guilt or innocence of the defendant. The jury was instructed that after the initial ballot was conducted, they could begin jury deliberation of the case. They were instructed that if the initial ballots showed a disagreement in the jurors' opinions, they should discuss the facts of

the case until they could reach a unanimous verdict. See Appendix L for the complete list of juror instructions. No time limit was given on the length of the deliberation. Deliberations were timed and tape recorded for later analyses.

After the first ballot voting, deliberation, and final verdict voting, jurors individually rated the relative responsibility of the defendant, the victim, and the circumstances. When the jurors had completed this task, they were debriefed and released.

CHAPTER V

RESULTS

Design

The design of the present experiment is a 2 X 2 complete factorial, the two factors being the Type of Crime (Rape or Robbery), and the Gender of the juror. This design was used for analyzing the jurors' first ballot (individual) votes. Analyses of Variance were performed on defendant, victim, and Circumstantial Responsibility; see Table I and Appendix M for the Analysis of Variance Summary Table and the Table of Means, respectively.

T tests of independent proportions were performed in analyzing the influence of Gender of first ballot majority members and Type of Crime on the final group verdict. Correlational statistics were computed for the six personality measures given to each subject.

Individual First Ballot Verdicts

Immediately after viewing the trial tape, subjects returned individual verdicts. No main effect was observed for Gender; see Table I. Overall, males and females did not vary on their conviction rate. A main effect was observed for Crime, as also shown in Table I. A t test performed on the data indicated that in Rape cases, females voted guilty more than males, $t(94) = 1.16$, $p < .002$. This finding confirms Hypothesis 1a; see Figure 1.

TABLE I
ANALYSIS OF VARIANCE SUMMARY TABLE FOR
FIRST BALLOTS

Source	DF	Sum of Squares	Mean Square	F	P > F
Gender	1	0.255	0.255	1.16	.28
Crime	1	2.75	2.75	12.63	.0005
Gender X Crime	1	2.75	2.75	12.63	.0005
Error	188	41.35	.21		
Total	191	47.11			

A t test indicated no differences in the voting behavior of male and female Robbery jurors, $t(94) = 1.35$, ns, thus confirming Hypothesis 1b. The Analysis of Variance in Table

I indicated a significant Crime-by-Gender interaction. Tests for simple main effects indicated this interaction was mainly due to females voting guilty for Rape more than Robbery, $t(94) = 1.78$, $p < .05$. Males first ballot votes did not differ across Crime, $t(94) = .15$, ns. This finding confirms Hypothesis 1c.

A t test on the data revealed that overall there were more first ballot guilty votes for Rape (55%) than for Robbery (31%), $t(190) = 3.47$, $p < .0004$.

A t test investigating the number of times the male majority voted the same on the first ballot as the female majority for both crimes indicated a difference in voting patterns for the two crimes, $t(30) = 3.27$, $p < .0005$. Thus, the male majority agreed with the female majority in Robbery cases more than in Rape cases. The male majority agreed with the female majority in 75% of the Robbery cases, but they agreed in only 25% of the Rape cases.

First ballot votes were correlated with several other measures; see Appendix C. Although some of the correlations are quite small, the significant relationship between these measures and first ballot votes may provide some insight into the reasons why jurors voted guilty or not guilty on the first ballot. In the present experiment, male jurors were scored as 1, while female jurors were scored as 2. On first ballot votes, a guilty vote was scored as 1, while a not guilty vote was scored as 2. First ballot votes were

correlated with the Attitudes Toward Victims Scale (AV), $r(191) = -.153$, $p < .05$. Thus subjects with favorable attitudes toward victims in general were more likely to vote to convict the defendant than subjects with negative attitudes toward victims.

First ballot votes were also correlated with the Legal Attitude Questionnaire (LAQ) subscale for Anti-authoritarianism, $r(191) = .15$, $p < .05$. Relatively high scoring Anti-authoritarians tended to vote to acquit the defendant. First ballot votes were negatively correlated with Just World scores (JW), $r(191) = -.17$, $p < .015$. Across Type of Crime, high Just World jurors (those who believed in a just world), tended to vote guilty more than low Just World jurors.

First ballot votes were negatively correlated, $r(191) = -.35$, $p < .0002$, with Defendant Responsibility; see Appendix B. Jurors who voted guilty on the first ballot blamed the defendant more than jurors who voted not guilty. First ballot votes were correlated with Victim Responsibility, $r(191) = .36$, $p < .0002$. Jurors who voted guilty tended to attribute less blame to the victim than jurors who voted not guilty.

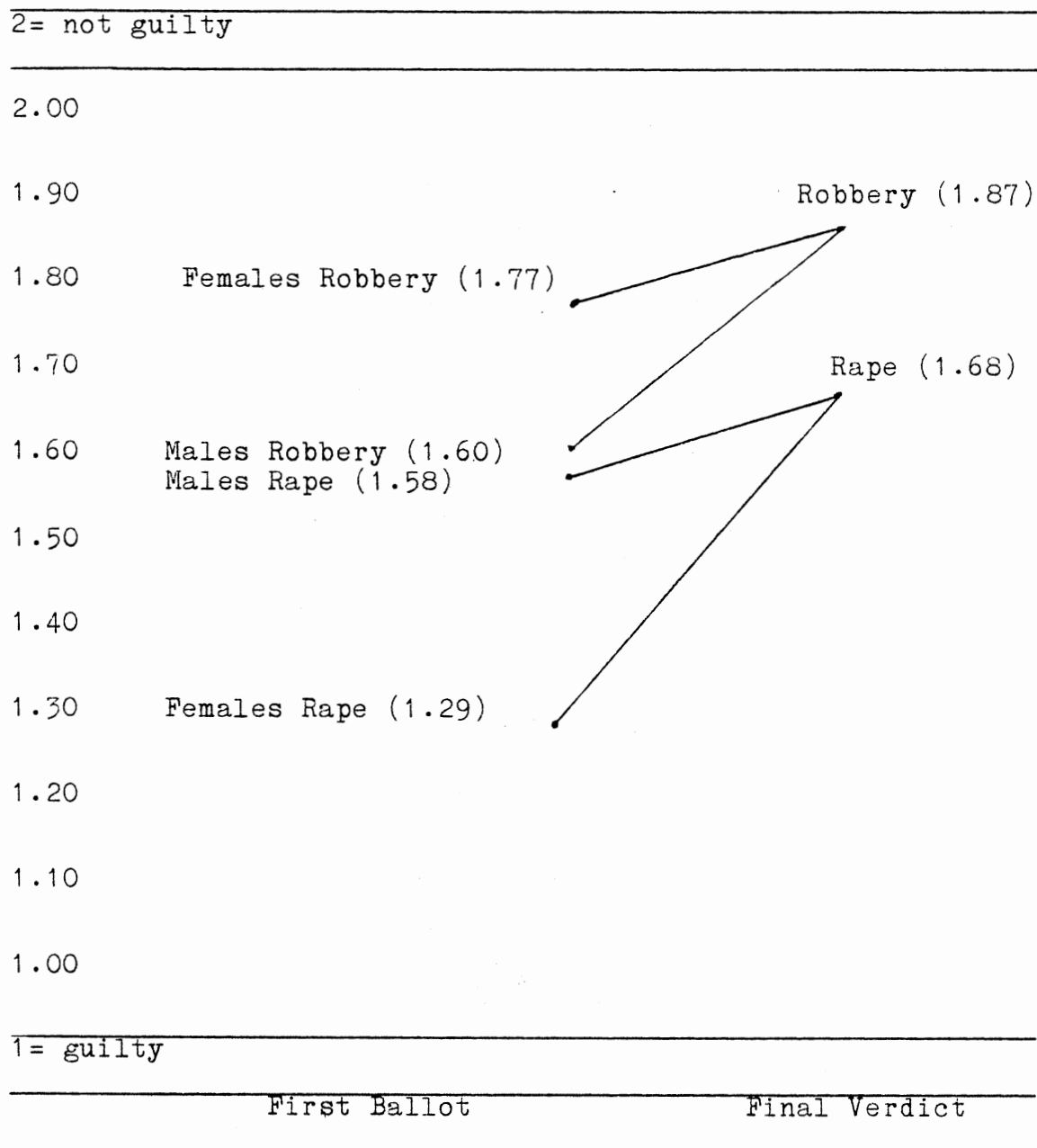


Figure 1. Average Voting Behavior of Male and Female Jurors for Rape and Robbery

Final Group Verdict

Following individual voting, subjects deliberated until they unanimously agreed on a verdict. In the Rape condition, there were 5 guilty and 11 not guilty verdicts. In the Robbery condition, there were 2 guilty and 14 not guilty verdicts. A t test of independent proportions performed to investigate the influence of the female majority for both types of crimes indicated a difference in the likelihood of the female majority becoming the final verdict for Rape and Robbery. The female majority was found to become the final verdict in 87.5% of the Robbery cases, but in only 50% of the Rape cases, $t(30) = 2.58$ $p < .025$. This finding confirms Hypothesis 2a.

The t test revealed no differences in the frequency of male majority becoming the final verdict for Rape and Robbery, $t(30) = .48$, ns. The male majority was observed to become the final verdict in 81.25% of the Rape cases, and in 87.5% of the Robbery cases. Therefore, Hypothesis 2b was not confirmed. A t test indicated that the proportion that the male majority agreed with the final verdict in rape cases was different from chance, $t(30) = 1.996$, $p < .05$. A t test investigating the difference between the frequency with which the male majority in Robbery cases agreed with the final verdict (87.5%) and chance indicated that 87.5% was significantly different from chance, $t(30) = 2.51$, $p < .025$.

A t test indicated a difference between simple majority's becoming the final verdict for Rape vs. Robbery trials, $t(26) = 2.0073$, $p < .05$. The simple majority became the final verdict in 53.8% of the Rape cases, and in 86.6% of the Robbery cases. This finding confirms Hypothesis 2c.

A t test revealed that there were more guilty first ballot votes for Rape than for Robbery, $t(30) = 2.04$, $p < .05$, thus confirming Hypothesis 2d; see Figure 1.

Responsibility Attribution

The Analysis of Variance for Defendant Responsibility indicated that the Type of Crime main effect was significant; see Table II, page 47. No main effect was found for Gender, and no Crime-by-Gender interaction was found for Defendant Responsibility.

In the following analyses, Rape was scored as 1, and Robbery was scored as 2. The t test investigating the influence of Type of Crime on average Defendant Responsibility indicated a marginal difference. More responsibility was attributed to the defendant in Rape trials than in Robbery trials, $t(30) = 1.96$, $p < .055$.

Final Verdict was negatively correlated with defendant $r(31) = -.68$, $p < .0001$, thus jurors who voted guilty attributed more blame to the defendant than jurors who voted not guilty; see Appendix B. Final Verdict was correlated with Victim Responsibility, $r(31) = .47$, $p < .001$. Thus

those who voted not guilty on the final verdict tended to blame the victim more than subjects who voted guilty.

TABLE II
ANALYSIS OF VARIANCE SUMMARY TABLE FOR
DEFENDANT RESPONSIBILITY

Source	DF	Sum of Squares	Mean Square	F	P > F
Gender	1	9.18	9.18	.48	.49
Crime	1	176.33	176.33	9.19	.002
Gender X Crime	1	6.02	6.02	.31	.57
Error	188	3608.37	19.19		
Total	191	3799.91			

Defendant responsibility was negatively correlated with Crime, $r(191) = -.215$, $p < .003$, indicating that jurors placed more blame on Rape defendants than on Robbery defendants. Defendant responsibility was negatively correlated with Victim Responsibility, $r(191) = -.61$, $p < .0001$, thus the more blame was attributed to the defendant, the less blame was attributed to the victim, suggesting that subjects label one or the other party as blameworthy.

Defendant responsibility was also negatively correlated with Circumstantial Responsibility, $r(191) = -.52$, $p < .0001$.

.0001, thus subjects who attributed more responsibility to the defendant attributed less responsibility to the circumstances.

TABLE III
ANALYSIS OF VARIANCE SUMMARY TABLE FOR
VICTIM RESPONSIBILITY

Source	DF	Sum of Squares	Mean Square	F	P > F
Gender	1	12.50	12.50	.77	.38
Crime	1	194.01	194.01	11.89	.0007
Gender X Crime	1	11.50	11.50	.70	.40
Error	188	3068.22	16.32		
Total	191	3286.24			

The Analysis of Variance for Victim Responsibility indicated a significant main effect for Type of Crime, see Table III. No main effect for Gender was observed, and no Crime-by-Gender interaction was observed for Victim Responsibility.

A t test indicated that more responsibility was attributed to the victim in Robbery trials than in Rape trials, t (30) = -2.63, $p < .02$. Victim responsibility was observed to be correlated with Circumstantial Responsibility, r (191)

= .36, $p < .001$. Thus subjects who blamed the victim also tended to blame the circumstances.

Neither Crime-by-Gender interaction nor main effects were observed for Circumstantial Responsibility; see Table IV.

Deliberation Time and Gender of Foreperson

The mean deliberation time for both Crimes was 824.25 seconds. Deliberation time was correlated with the number of females that changed their vote, $r(31) = .44$, $p < .02$. Thus, the longer the deliberation, the more females tended to change their vote. No relationship between deliberation time and the frequency of males changing their votes was observed, $r(31)$, $p = .20$, ns.

A t test indicated that gender of foreperson was significantly related to Type of Crime, with more males being chosen as forepersons for Rape trials than Robbery trials, $t(30) = 2.55$, $p < .025$. Males were chosen in 87.5% of the Rape cases, and 62.5% of the Robbery cases.

Pre-trial Personality Measures

The following results report some of the relationships observed among the six questionnaires administered to the subjects before the trial. The entire correlation table for questionnaires is in Appendix C. Attitudes Toward Victim (AV) scores were found to be positively correlated with

Attitudes Toward Women (AW) scores, $r(191) = .15$, $p < .04$. Thus subjects scoring high on AW score high on AV as well. AV was correlated with the Household Duties (female subscore) Scale, $r(191) = .14$, $p < .04$. Subjects who had high Household Duties Female scores also scored high on the Attitudes Toward Victim Scale.

TABLE IV
ANALYSIS OF VARIANCE SUMMARY TABLE FOR
CIRCUMSTANCE RESPONSIBILITY

Source	DF	Sum of Squares	Mean Square	F	P > F
Gender	1	.255	.255	.02	.89
Crime	1	.255	.255	.02	.89
Gender X Crime	1	.88	.88	.06	.80
Error	188	2784.47	14.81		
Total	191	2785.86			

Just World scores were negatively correlated with the Household Duties male subscore, $r(191) = -.13$, $p < .05$, thus subjects who performed fewer male behaviors had stronger Just World beliefs than subjects who performed more male behaviors.

The Legal Attitudes Questionnaire Anti-Authoritarian subscores were negatively correlated with Egalitarian scores, $r(191) = -.21, p < .003$. Anti-authoritarian scores were negatively correlated with Authoritarian scores, $r(191) = .4, p < .002$. Egalitarian scores were also found to be negatively correlated with Authoritarian scores, $r(191) = -.65, p < .0001$.

Attitudes Toward Women scores were positively correlated with Gender, $r(191) = .39, p < .002$. Thus females scored higher on AW than males. AW was also correlated with Household Duties (female subscore), $r(191) = .36, p < .002$; thus "feminine" subjects scored higher on AW than "masculine" subjects. Attitudes Toward Victim scores were correlated with the Household Duties (female subscore) Scale, $r(191) = .36, p < .0002$. Thus feminine subjects scored higher on Attitudes Toward Victims than masculine subjects.

CHAPTER VI

DISCUSSION

The present experiment deals with two basic issues: group processes and attitudes toward rape. In the legal context of jury decision making, group influences and other extralegal factors such as attitudes toward rape and rape victims may become important to the outcome of the final verdict (Kalven & Zeisel, 1966). Since jurors are only human, it may sometimes be difficult or impossible for them to stand up to the pressures to conform in the jury group.

It may also be difficult for some jurors to set aside their personal attitudes concerning sexuality and rape (Walker, 1978). Believing oneself vulnerable to victimization, for example, may influence the juror. Women's greater vulnerability to rape could lead them to have different perceptions of rape than males. The results of the present experiment lend support to this idea.

As predicted in Hypothesis 1a, females tended to vote guilty on the first ballot more than males in rape cases. Moreover, there seemed to be an initial disagreement between males and females on the first ballot votes; see Figure 1. Males agreed with females in only 25% of the rape cases,

while they agreed in 75% of the robbery cases. The ANOVA performed on the robbery juries uncovered no main effects for sex on first ballot votes, as predicted in Hypothesis 1b.

These results suggest that female jurors had a sexual identification with the rape victim that did not occur for female jurors who were considering victims of non-sexual offenses. This idea is plausible because the crime of robbery is not specific to female victims, while the victim of rape is almost always female.

Shaver's (1970) Defensive Attribution idea suggests that observers tend to identify with actors that are most similar to themselves. In the present experiment, with no other bases on which to attribute similarity, subjects could have identified with the actor of their own sex. Several pieces of evidence support this idea. Female jurors, supporting the identification notion, appeared not to attribute more responsibility to the female victim than males, despite the fact that Lerner's (1966) Just World Hypothesis leads one to expect that females would tend to vote not guilty in rape trials as a means of derogating the victim. Thus females, being similar to the rape victim by sex, may have identified with that victim, leading to an emotional investment in retribution, and a vote to convict the defendant accused of raping the victim. Males, according to the defensive attribution hypothesis, would tend to identify with the rape

defendant and, accordingly, males did tend to vote to acquit the defendant on both first ballot and final verdict. Thus, a self-identification along sexual lines seemed to correspond to the different sexual roles for males and females. The Attitudes-toward-Victim and Attitudes-toward-Women scores observed in the rape juries added support to this idea. Females in both conditions had significantly higher Attitudes-toward-Victim and Attitudes-toward-Women scores than males. These results are interesting; they suggest that for rape trials, females may be more punitive than males. This would contrast with mock jury research literature suggesting that males are more punitive than females (Simon, 1967).

Upon inspection of the results, it appears that the differential social roles that males and females held in the days of Strodbeck and Mann's (1957) jury study still exist today. Females were found to score higher on the Household Duties (Female) measure than males, and males scored higher on the Household Duties (Male) measure than females. It thus appears that males and females still perform different household duties according to different social roles prescribed for males and females.

If males and females do abide by differential sexual roles, then perhaps females are still influenced by the pressures which allow males to dominate discussions and deliberations, as in the days of Strodbeck and Mann. The

data suggests that in general males were able during deliberation to persuade females to agree with them in rape cases. The rape trial results also show that females who changed from their initial votes were more likely to change to not guilty rather than to guilty. Thus, females were more likely than males to be persuaded that the defendant was not guilty. In matters of judging blame for sexual crimes, females thus appeared to be less confident of their initial beliefs about the guilt or innocence of the defendant, and hence less likely to stick to their original vote than males. Since males' voting shifted little, it can be assumed that males were the "persuaders" in the juries. And since males were more influential and less likely to change their vote in rape cases, then males apparently held higher status in rape juries than females. The possibility that males may hold higher status in rape juries was supported by the finding that more rape jurors than robbery jurors chose males as forepersons.

It seems that differences in sexual status roles in the jury become more salient when sexual crimes are the issue. Perhaps males were more dominant in rape deliberations than females, and females tended to believe the arguments against their original vote, as put forth by the males. Some females apparently believed the male counterarguments enough to be convinced that their original impressions of the defendant's guilt were in error. Others, perhaps, were not

convinced by the counterarguments of the males, but changed their vote because of pressure from their female peers to conform to the male majority opinion. Thus if certain females were unconvinced by males, perhaps they were swayed by their female peers who were convinced by the males.

A significant influence resulting from the type of crime was observed on first ballots. Subjects in general tended to convict the defendant more in rape cases than in robbery cases. This higher conviction rate for rape could be due to possible qualitative differences in the crimes of rape and robbery. This is consistent with Barnett and Field's (1978) findings that jurors are more punitive in person-oriented crimes such as murder and rape than in property-oriented crimes such as robbery. Perhaps the rape defendant was more likely to be found guilty than the robbery defendant because rape is perceived by jurors as being a more serious crime than robbery. These findings suggest an important qualification for other studies citing sex differences in verdicts (Rumsey, 1977). Since a great many of these studies used rape trials, perhaps their findings resulted from the nature of the crime interacting with the sex of the juror. The results of the present study suggest that when non-sexual crimes are decided by juries, many of the sex differences drop out.

When influences of the various majorities (male, female, or simple majority) across Type of Crime were examined, all

majorities except the female majority in rape trials established the final verdict in more than 70% of the time. Further investigation of the results showed that instead of the male majority influence being stronger for rape trials, the female majority influence was weaker for rape trials than for robbery trials, thus confirming Hypothesis 2a. Because the male majority did not establish the final verdict in rape cases more than in robbery cases, Hypothesis 2b was not confirmed. The female majority established the final verdict for rape in only 50% of the cases, so their influence may have been due only to chance, and not to a gender effect. Overall, jurors seemed to agree with the simple majority, regardless of the sex of the jurors in the majority. This implies that males were not perceived by the females as being superior in status in robbery deliberations.

Although in general more males were chosen as forepersons than females, more females were chosen as forepersons of robbery juries than of rape juries. This leads to a notion of "male superiority norms" (rules of behavior stressing the authority of males) arising in rape deliberations, but norms which interestingly do not appear when the jury is faced with the task of deciding the verdict for a case of non-sexual crime.

The analysis of the number of jurors that changed their votes from first ballot to final verdict uncovered some

interesting results. The number of females changing their vote was related to the length of the deliberation, such that the longer the deliberation, the more females changed their votes. This was especially true for rape. Although relationships were observed for "changed females" and deliberation time, and "changed females" and Type of Crime, there was no relationship between deliberation time and Type of Crime. This suggests that perhaps two independent factors influenced the female juror-- the peer pressure to conform, and the unique sexual nature of rape.

Because more females changed their votes as a function of deliberation time, it seems logical that males would also change their votes as deliberation time increased. This, however, was not the case. The number of males who changed their votes was not related to any of the measures tested, which suggests that the pressures to change one's vote affect females more than males. This finding would be consistent with Kerr's (1976) observation that peer pressures have greater effects on females than on males.

Conclusions and Implications

Criticisms of the present study include lack of realism. The jurors in the present study were all college students, roughly 18-20 years old. Previous literature does not acknowledge that such mock jurors might be unable to fully internalize the role of juror as the real citizen in

the real courtroom situation would (Feild & Barnett, 1978). A major concern is the lack of any real negative consequences to the defendant, to society, or to the victim as a result of a mock-jury verdict. To minimize this problem, the present experiment attempted to inject realism into the situation by having the jurors view a film of a trial rather than merely reading a transcript of a trial. Jurors also viewed the tape from a "jury box" in a mock courtroom.

Another problem with the present experiment is that the design does not permit a distinction between the influences of jurors' gender and other influences on changes from first to final ballot. It was not clear why some jurors changed their votes to conform to the final verdict. Perhaps the female jurors became so emotionally involved in the rape case that they were more heavily influenced by peer pressure than males or females in robbery cases. Perhaps females experienced emotional reactions to rape making them less assertive or active in the deliberation process than jurors deciding other types of cases.

Perhaps females in rape cases were heavily persuaded to change their votes to not guilty by discussions of the judge's instructions involving the burden of proof and the presumption of innocence. Perhaps the leniency shift observed for the juries in the present experiment can be explained by other research observing leniency shifts as being more common than guilty shifts in group discussions (Davis, 1973).

The present experiment reaffirms the importance of questions concerning the jury attribution process, and strongly suggests continued research in these areas. For example, are there any differences in the voting behavior of judges and juries for rape trials? Does the character of the defendant or the victim influence jurors differently in rape vs. robbery trials? Does the past record or past relationship between the defendant and the victim influence the verdict differently for rape or robbery trials? Does the race or age of the defendant and victim influence the verdict for various types of cases? Finally, an important ethical question raised here concerns the duty of the defense lawyer to the client. When the legal profession learns of the differential juror voting behaviors of males and females, should the defense attorney have the right or the duty to use such information as a tactical strategy in jury selection?

The implications of these results can obviously be far-reaching. If female jurors in rape trials really defer their decisions to agree with the opposing opinion of the male majority, then male jurors may exert influences on the female jurors that go beyond the issue at hand, which is the evidence presented to the jury. If extralegal factors in the jury setting are labeled as problems to be resolved, then any disproportionate amount of influence by male jurors on female jurors' decisions cannot be ignored.

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APPENDIX A

DESCRIPTION OF QUESTIONNAIRES

The Legal Attitudes Questionnaire

The Legal Attitudes Questionnaire (Boehm, 1968) attempts to tap attitudes toward courts, law enforcement, crime, and criminals. The Legal Attitudes Questionnaire consists of ten sets of three items concerning three basic attitude types: authoritarian, equalitarian, and anti-authoritarian. These personality types can be thought of as being on a continuum, where authoritarians have rigid attitudes and a traditional respect for authority figures; equalitarians have "middle of the road" attitudes, and can usually see both sides of an issue; and anti-authoritarians have rigid attitudes in contrast to society's norms, and have little respect for authority figures.

Subjects were instructed to place a plus (+) by the item that they most agreed with, a minus (-) by the item that they least agreed with, and they were instructed to leave the remaining item in the set blank. All three dimensions on the questionnaire have a possible minimum value of 10, and a possible maximum value of 30. Each subject received a score for each of the three personality types.

The three dimensions of the Legal Attitudes Questionnaire each have different means, standard deviations, and variances. The means for authoritarian, equalitarian, and anti-authoritarian dimensions are 20.7, 22.37, and 17.5 respectively, and the variances are 9.62, 7.56, and 5.92 respectively.

The authoritarian, equalitarian, and anti-authoritarian dimensions are all negatively correlated, suggesting that the questionnaire is valid, because authoritarians, equalitarians, and anti-authoritarians should disagree on the items in the questionnaire.

The Just World Scale

The Just World Scale (Rubin & Peplau, 1973) measures attitudes concerning the concept of justice, and the deserved consequences of one's behavior. In general, subjects who score high on the Just World scale believe that the world is a just place, and that people deserve what they get. High Just World believers have been found to respect authority figures and derogate victims more than low Just World subjects (Walster, 1966).

The Just World Scale consists of 20 items, 11 of which are high Just World items, and 9 which are low Just World items. Subjects were asked to respond to each item using a 7-point continuum, where 1=strongly disagree, 2=disagree, 3=mildly disagree, 4=neutral, 5=mildly agree, 6=agree, and 7=strongly agree. The Just World Scale has a possible range of 20-140, with the average score being 83.35. The standard deviation for the Just World Scale is 9.82.

The Attitudes Toward Victims Scale

The Attitudes Toward Victims Scale (developed for use in the present study) has two versions: attitudes toward rape victims, and attitudes toward robbery victims. The Attitudes Toward Victim Scale seeks to measure subjects' attitudes toward victims of either rape or robbery. The 16 items involve attitudes similar to Just World items, such as those involving the responsibilities of people as potential victims of crimes. Examples of the items include, "Some women deserve to be raped". Subjects scoring high on the Attitudes toward Victims Scale are interpreted to have more positive attitudes toward victims than those who score low on the questionnaire.

Subjects were instructed to respond to the items using a 6-point scale, where 1=strongly disagree, 2=disagree, 3=mildly disagree, 4=mildly agree, 5=agree, and 6=strongly agree. In the present experiment, all subjects in the rape condition were administered the rape victims version of the questionnaire, and all subjects in the robbery condition were administered the robbery version of the questionnaire.

The scores on the Attitudes toward Victims Scale have a possible range of 16-96, the mean is 68.01, and the standard deviation is 8.47.

The Attitudes Toward Women Scale

The Attitudes Toward Women Scale (Spence & Helmreich, 1973) measures the positive or negative attitudes that

people hold concerning women. Areas such as the woman's role in the family and society are represented in the 25 items that make up the scale. Subjects were instructed to respond to the items using a 4-point scale, where 1=strongly disagree, 2=disagree, 3=agree, and 4=strongly agree. A subject receiving a high score on the scale is thought to have more positive attitudes concerning women than a subject who scores low on the scale. The minimum possible score is 25, and the maximum possible score is 100. The mean score is 76.21, with a standard deviation of 12.22.

The Self-Esteem Scale

The Self-Esteem Scale (Rosenberg, 1965) attempts to rate subjects on self-confidence, self-liking, and self-worth. Subjects were instructed to respond to the 10-item instrument by using a 4-point scale, where 1=strongly disagree, 2=disagree, 3=agree, and 4=strongly agree. Subjects scoring high on the instrument are thought to have higher self-esteem than subjects scoring low on the instrument. The minimum possible score for the questionnaire is 10, and the maximum possible score is 40. The mean score is 32.08, with a standard deviation of 3.86.

The Household Duties Scale

The Household Duties Scale (Green, 1979) assesses the number of masculine and feminine behaviors that a subject

performs. It implies that a feminine subject performs more "female" behaviors, and a masculine subject performs more "male" behaviors. The 10 items on the scale include many behaviors which are stereotypically masculine or feminine, such as cooking, cleaning, washing dishes, and working on the car. Half of the items are masculine type behaviors and the other half of the items on the scale are feminine behaviors. Subjects were given two scores, which reflect the types of masculine and feminine behaviors that the subjects engage in. Subjects were asked to estimate the frequency of times that they performed the various behaviors. The subjects were instructed to use a 5-point scale, where 1=never, 2=rarely, 3=sometimes, 4=often, and 5=always. The minimum score possible for both male and female scores is 5, and the maximum possible for both is 25. The mean male score is 18.27, with a standard deviation of 3.17. The mean female score is 17.34, with a standard deviation of 4.01.

APPENDIX B

TABLE OF POST-TRIAL CORRELATIONS

	SEX	BAL1	FV	CRIME	DRESP	VRESP	CRESP	DTIME	FOR
SEX		*	*	*	*	*	*	*	*
BAL1			.35	.24	*	*	*	*	*
FV				.23	-.68	.48	.28	*	*
CRIME					-.21	.24	*	*	.28
DRESP						-.61	-.51	*	*
VRESP							-.37	*	*
CRESP								*	*
DTIME									-.16

* not significant at the .05 level or better.

APPENDIX C

TABLE OF QUESTIONNAIRE CORRELATIONS

SEX	BAL1	FV	AV	JW	LAQAA	LAQE	LAQA	SE	AW	HDM	HDF
SEX	*	*	*	*	*	*	*	*	.39	-.30	.30
BAL1		.35	-.1	-.22	.15	*	*	*	*	*	*
FV			*	*	*	*	*	*	*	*	*
AV				*	*	*	*	*	.15	*	.15
JW					*	*	*	.20	*	*	*
LAQAA						.2	-.4	*	*	*	*
LAQE							*	*	*	*	*
LAQA								*	*	*	*
SE									*	*	*
AW										*	.36
HDM											.17
HDF											

* not significant at the .05 level or better.

APPENDIX D

LEGAL ATTITUDES QUESTIONNAIRE

LEGAL ATTITUDES QUESTIONNAIRE

INSTRUCTIONS: On the following pages are ten groups of statements, each expressing a commonly held opinion about law enforcement, legal procedures and other things connected with the judicial system. There are three statements in each group.

Put a plus (+) on the line next to the statement in a group that you agree with most, and a minus (-) next to the statement you agree with the least.

An example of a set of statements might be:

- | | |
|---|--|
| +

-
_____ | <p>A. The failure of a defendant to testify in his own behalf should not be taken as an indication of guilt.</p> <p>B. The majority of persons arrested are innocent of any crime.</p> <p>C. Giving an obviously guilty criminal a long drawn-out trial is a waste of the tax-payer's money.</p> |
|---|--|

In this example, the person answering has agreed most with statement A and least with statement C.

Work carefully, choosing the item you agree with most and the one you agree with least in each set of statements. There is no time limit on this questionnaire, but do not spend too much time on any set of statements. Some sets are more difficult than others, but please do not omit any set of statements.

SET 1

- | | |
|---------------------------------|---|
| _____

_____ | <p>A. Unfair treatment of underprivileged groups and classes is the chief cause of crime.</p> <p>B. Too many obviously guilty persons escape punishment because of legal technicalities.</p> <p>C. The Supreme Court is, by and large, an effective guardian of the Constitution.</p> |
|---------------------------------|---|

SET 2

- _____ A. Evidence obtained illegally should be admissable in court if such evidence is the only way of obtaining a conviction.
- _____ B. Most prosecuting attorneys have a strong sadistic streak.
- _____ C. Search warrants should clearly specify the person or things to be seized.

SET 3

- _____ A. No one should be convicted of a crime on the basis of circumstantial evidence, no matter how strong such evidence is.
- _____ B. There is no need in a criminal case for the accused to prove his innocence beyond a reasonable doubt.
- _____ C. Any person who resists arrest commits a crime.

SET 4

- _____ A. When determining a person's guilt or innocence, the existence of a prior arrest record should not be considered.
- _____ B. Wiretapping by anyone and for any reason should be completely illegal.
- _____ C. A lot of recent Supreme Court decisions sound suspiciously Communistic.

SET 5

- _____ A. Treachery and deceit are common tools of prosecutors.
- _____ B. Defendants in a criminal case should be required to take the witness stand.
- _____ C. All too often, minority group members do not get fair trials.

SET 6

- _____ A. Because of the oppression and persecution minority group members suffer they deserve leniency and special treatment in the courts.
- _____ B. Citizens need to be protected against excess police power as well as against criminals.
- _____ C. Persons who testify in court against underworld characters should be allowed to do so anonymously to protect themselves from retaliation.

SET 7

- _____ A. It is better for society that several guilty men be freed than one innocent one wrongfully imprisoned.
- _____ B. Accused persons should be required to take lie-detector tests.
- _____ C. When there is a "hung" jury in a criminal case, the defendant should always be freed and the indictment dismissed.

SET 8

- _____ A. A society with true freedom and equality for all would have very little crime.
- _____ B. It is moral and ethical for a lawyer to represent a defendant in a criminal case even when he believes his client is guilty.
- _____ C. Police should be allowed to arrest and question suspicious-looking persons to determine whether they have been up to something illegal.

SET 9

- _____ A. The law coddles criminals to the detriment of society.
- _____ B. A lot of judges have connections with the underworld.
- _____ C. The freedom of society is endangered as much by overzealous law enforcement as by the acts of individual criminals.

SET 10

- _____ A. There is just about no such thing as an honest cop.
- _____ B. In the long run, liberty is more important than order.
- _____ C. Upstanding citizens have nothing to fear from the police.

APPENDIX E

JUST WORLD SCALE

INSTRUCTIONS: The following statements deal with common interpersonal and political theories. Please read each statement and decide the degree to which you agree or disagree with the statement.

In the blank space before each statement, place the number which best describes your reaction to each item. If you definitely disagree with an item, place a 1. If you disagree less strongly, place a 2. Place a 3 if you disagree slightly. Place a 4 if you agree slightly with the item. If you agree more strongly, place a 5 in the blank. Place a 6 if you definitely agree.

REMEMBER:

- 1--definitely disagree
- 2--strongly disagree
- 3--slightly disagree
- 4--slightly agree
- 5--strongly agree
- 6--definitely agree

There is no time limit on this questionnaire, but do not spend too much time on any one statement. Some statements are more difficult than others, but please do not omit any statements.

- _____ 1. I've found that a person rarely deserves the reputation he/she has.
- _____ 2. Basically, the world is a just place.
- _____ 3. People who get "lucky breaks" have usually earned their good fortune.
- _____ 4. Careful drivers are just as likely to get hurt in traffic accidents as careless ones.
- _____ 5. It is a common occurrence for a guilty person to get off free in American courts.
- _____ 6. Students almost always deserve the grades they receive in school.
- _____ 7. Men who keep in shape have little chance of suffering a heart attack.
- _____ 8. The political candidate who sticks up for his principles rarely gets elected.
- _____ 9. It is rare for an innocent man to be wrongly sent to jail.

- _____ 10. In professional sports, many fouls and infractions never get called by the referee.
- _____ 11. By and large, people deserve what they get.
- _____ 12. When parents punish their children, it is almost always for good reasons.
- _____ 13. Good deeds often go unnoticed and unrewarded.
- _____ 14. Although evil men may hold political power for a while, in general, good wins out.
- _____ 15. In almost any business or profession, people who do their job will rise to the top.
- _____ 16. American parents tend to overlook the things most to be admired in their children.
- _____ 17. It is often impossible for a person to receive a fair trial in the USA.
- _____ 18. People who meet with misfortune have often brought it on themselves.
- _____ 19. Crime doesn't pay.
- _____ 20. Many people suffer through absolutely no fault of their own.

APPENDIX F

ATTITUDES TOWARD RAPE VICTIMS SCALE

INSTRUCTIONS: Please read each statement and decide the degree to which you agree or disagree with the statement.

In the blank space before each statement, place the number which best describes your reaction to each item. If you definitely disagree with an item, place a 1. If you disagree less strongly, place a 2. Place a 3 if you disagree slightly. Place a 4 if you agree slightly with the item. If you agree more strongly, place a 5 in the blank. Place a 6 if you definitely agree.

REMEMBER:

- 1--definitely disagree
- 2--strongly disagree
- 3--slightly disagree
- 4--slightly agree
- 5--strongly agree
- 6--definitely agree

There is no time limit on this questionnaire, but do not spend too much time on any one statement. Some statements are more difficult than others, but please do not omit any statements.

- 1. Women are responsible for preventing rape.
- 2. It is wise to believe the victim's testimony rather than the defendant's testimony in a rape trial.
- 3. When a woman wears sexy clothes, she invites rape.
- 4. A man accused of rape is probably guilty.
- 5. A man is justified in raping a woman who led him on.
- 6. Women bring rape upon themselves.
- 7. A woman should not be held responsible for being raped.
- 8. A man should be charged with rape if he has sex with an unwilling partner.
- 9. A woman could prevent a rape if she really wanted to.
- 10. Some women secretly want to be raped.
- 11. A raped woman has nothing to feel guilty about.
- 12. A man should be held responsible for his sexual aggressiveness.

- 13. Because of their carelessness, many women deserve to be raped.
- 14. A man should be found innocent of rape if the victim didn't resist him.
- 15. Most women who are raped are innocent victims.
- 16. It is wrong for a man to force a woman to have sex with him.

APPENDIX G

ATTITUDES TOWARD ROBBERY VICTIMS SCALE

INSTRUCTIONS: Please read each statement and decide the degree to which you agree or disagree with the statement.

In the blank space before each statement, place the number which best describes your reaction to each item. If you definitely disagree with an item, place a 1. If you disagree less strongly, place a 2. Place a 3 if you disagree slightly. Place a 4 if you agree slightly with the item. If you agree more strongly, place a 5 in the blank. Place a 6 if you definitely agree.

REMEMBER:

- 1--definitely disagree
- 2--strongly disagree
- 3--slightly disagree
- 4--slightly agree
- 5--strongly agree
- 6--definitely agree

There is no time limit on this questionnaire, but do not spend too much time on any one statement. Some statements are more difficult than others, but please do not omit any statements.

- 1. Victims are responsible for preventing robbery.
- 2. It is wise to believe the victim's testimony rather than the defendant's testimony in a robbery trial.
- 3. When a person lets others know that he/she has a lot of money, he/she is inviting robbery.
- 4. A person accused of robbery is probably guilty.
- 5. A person is justified in robbing a person who flaunts his/her wealth.
- 6. Victims bring robbery upon themselves.
- 7. A person should not be held responsible for being robbed.
- 8. A person should be charged with robbery if he takes money forcibly.
- 9. A person could prevent a robbery if he or she really wanted to.
- 10. Some people actually want to be robbed.
- 11. A robbery victim has nothing to feel guilty about.
- 12. A person should be held responsible for his or her greed.

- 13. Because of their carelessness, many people deserve to be robbed.
- 14. A person should be found innocent of robbery if the victim didn't resist him.
- 15. Most people who are robbed are innocent victims.
- 16. It is wrong for a person to take money from another by force.

APPENDIX H

SELF ESTEEM SCALE

INSTRUCTIONS: Please read each statement and decide the degree to which you agree or disagree with the statement.

In the blank space before each statement, place the number which best describes your reaction to each item. If you definitely disagree with an item, place a 1. If you disagree less strongly, place a 2. If you agree, place a 3 in the blank. Place a 4 if you definitely agree.

REMEMBER:

- 1--strongly disagree
- 2-- disagree
- 3--agree
- 4--strongly agree

There is no time limit on this questionnaire, but do not spend too much time on any one statement. Some statements are more difficult than others, but please do not omit any statements.

- 1. I feel that I'm a person of worth, at least on an equal plane with others.
- 2. I feel that I have a number of good qualities.
- 3. All in all, I am inclined to feel that I am a failure.
- 4. I am able to do things as well as most other people.
- 5. I feel I do not have much to be proud of.
- 6. I take a positive attitude toward myself.
- 7. On the whole, I am satisfied with myself.
- 8. I wish I could have more respect for myself.
- 9. I certainly feel useless at times.
- 10. At times I think I am no good at all.

APPENDIX I

ATTITUDES TOWARD WOMEN SCALE

INSTRUCTIONS: The statements listed below describe attitudes toward the role of women in society, which different people have. There are no right or wrong answers, only opinions. Please read each statement and decide the degree to which you agree or disagree with the statement.

In the blank space before each statement, place the number which best describes your reaction to each item. If you definitely disagree with an item, place a 1. If you disagree less strongly, place a 2. If you agree, place a 3 in the blank. Place a 4 if you definitely agree.

REMEMBER:

- 1--strongly disagree
- 2-- disagree
- 3--agree
- 4--strongly agree

There is no time limit on this questionnaire, but do not spend too much time on any one statement. Some statements are more difficult than others, but please do not omit any statements.

- 1. Swearing and obscenity are more repulsive in the speech of a woman than a man.
- 2. Women should take increasing responsibility for leadership in solving the intellectual and social problems of the day.
- 3. Both husband and wife should be allowed the same grounds for divorce.
- 4. Telling dirty jokes should be mostly a masculine prerogative.
- 5. Intoxication among women is worse than intoxication among men.
- 6. Under modern economic conditions with women being active outside the home, men should share in household tasks such as washing dishes and doing laundry.
- 7. It is insulting to woman to have the "obey" clause remain in the marriage service.
- 8. There should be a strict merit system in job appointment and promotion without regard to sex.
- 9. A woman should be as free as a man to propose marriage.

- 10. Women should worry less about their rights and more about becoming good wives and mothers.
- 11. Women should assume their rightful place in business and all the professions along with men.
- 12. Women earning as much as their dates should bear equally the expense when they go out together.
- 13. A woman should not expect to go to exactly the same places or to have quite the same freedom of action as a man.
- 14. Sons in a family should be given more encouragement to go to college than daughters.
- 15. It is ridiculous for a woman to run a locomotive and for a man to darn socks.
- 16. In general, the father should have greater authority than the mother in bringing up children.
- 17. Women should be encouraged to not become sexually intimate with anyone before marriage, not even their fiancés.
- 18. The husband should not be favored by law over the wife in the disposal of family property or income.
- 19. Women should be concerned with their duties of childrearing and housetending, rather than with desires for professional and business careers.
- 20. The intellectual leadership of a community should be largely in the hands of men.
- 21. Economic and social freedom are worth far more to women than acceptance of the ideal femininity which has been set by men.
- 22. On the average, women should be regarded as less capable of contribution to economic production as men.
- 23. There are many jobs in which men should be given preference over women in being hired or promoted.
- 24. Women should be given equal opportunity with men for apprenticeship in the various trades.
- 25. The modern girl is entitled to the same freedom from regulation and control that is given to the modern boy.

APPENDIX J

HOUSEHOLD DUTIES SCALE

Please indicate the degree to which you participate in the following behaviors by placing the appropriate number by the corresponding statements:

1-- never

2-- rarely

3-- sometimes

4-- often

5-- always

---- 1. Taking out the garbage

---- 2. Washing the dishes

---- 3. Paying the bills

---- 4. Driving the car

---- 5. Cleaning the house

---- 6. Fixing things around the house

---- 7. Taking care of the car

---- 8. Doing the laundry

---- 9. Doing the cooking

---- 10. Buying the groceries

sex: M F

APPENDIX K

RESPONSIBILITY SCALE

At the bottom of this page is a bar designed to let you indicate how much you feel that Patty, Kent, or the circumstances surrounding the crime are responsible for what happened. Your task is to divide the bar into different parts that show the proportion of blame for Kent, Patty, or the circumstances. If, for example, you feel that they were all equally responsible, you would divide the bar like this:

PATTY	KENT	CIRC.
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If you feel that some are more responsible than others, divide the bar according to how you feel.

DON'T FORGET TO LABEL THE SECTIONS OF THE BAR.

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APPENDIX L

JURY INSTRUCTIONS

Pre-Voir Dire Instructions

In this experiment, you will serve as members of a jury to decide the guilt or innocence of a person accused of a crime. In a few minutes, you will view excerpts from an actual trial that has been recorded on video tape.

Voir Dire Procedure

1. Do you have any relatives in any law enforcement agencies?
2. Have you or any member of your immediate family ever been convicted of a crime?
3. Have you or any member of your immediate family ever been the victim of a crime?
4. Would you tend to vote either guilty or innocent before hearing the evidence in this case?
5. Is there any reason why any of you could not be an impartial juror in this case?

Pre-Tape Instructions

Now that you have been divided into your respective juries, you will now view the tape of the trial. Please watch it carefully and seriously. Do not talk among yourselves until you are instructed to do so. Please do not take notes while viewing the trial tape.

Pre-Deliberation Instructions

Now that you have heard the case, and are seated in the deliberation room, you must now decide on the guilt or innocence of the defendant. Before you begin to discuss the case, pick one of your number to serve as foreperson of the jury. The task of the foreperson is to conduct an initial ballot before any discussion has taken place. After the initial ballot is conducted, discuss the case among yourselves, and deliberate until you have reached a unanimous verdict. When you have reached a unanimous decision, then rate the relative responsibility of the parties concerned on the forms provided. Are there any questions?

APPENDIX M

MEAN TABLE FOR ANALYSIS OF VARIANCE

	A X B			
	Sex X Crime			
	rape		robbery	
	males	females	males	females
First Ballot	1.60	1.29	1.60	1.77
Defendant Responsibility	7.39	7.31	5.83	5.04
Victim Responsibility	5.77	5.79	7.29	8.29
Circumstantial Responsibility	6.81	6.87	6.87	6.66

APPENDIX N

SUMMARY OF THE RAPE AND ROBBERY TRIALS

The scenario for the rape trial was as follows: Patty, an 18-year old girl, was moving out of her apartment one evening. She testified that a strange man entered the open door of her living room. He immediately grabbed Patty, forced her to the floor, and threatened to kill her if she resisted. The man drug Patty to the bedroom and raped her. She testified that he told her not to tell anyone about the rape, and then he fled.

The next day, police officers stopped a car for a traffic violation in the area of Patty's apartment. The occupant of the car, who fit Patty's description of the rapist, was arrested for the crime.

At the trial, Patty positively identified the defendant, Kent Buchannan, as the man who had raped her. Buchannan took the stand, and testified that he and Patty were secret lovers, and that Patty must have decided to charge him with rape after they had had a serious argument.

After the witnesses testified, the judge instructed the jury that the defendant was innocent until proven guilty, and that the jury could not return a verdict of guilty unless they found the defendant guilty beyond a reasonable doubt.

The scenario for the robbery trial was as follows: Patty, an 18-year old girl, was moving out of her apartment one evening. She testified that a strange man entered the open door of her living room. He immediately grabbed Patty,

forced her to the floor, and threatened to kill her if she did not give him some money. The man then drug Patty to the kitchen, and robbed her. She testified that he told her not to tell anyone about the robbery, and then he fled.

The next day, police officers stopped a car for a traffic violation in the area of Patty's apartment. The occupant, who fit Patty's description of the robber, was arrested for the crime.

At the trial, Patty positively identified the defendant, Kent Buchannan, as the man who robbed her. Buchannan took the stand, and testified that Patty had borrowed some money from him. When she refused to repay him, he said that he went to her apartment to recover the money before she moved away.

After the witnesses testified, the judge instructed the jury that the defendant was presumed innocent until proven guilty, and that the jury must return a verdict of not guilty unless they found the defendant guilty beyond a reasonable doubt.

VITA²

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Candidate for the Degree of
Master of Science

THESIS: THE IMPACT OF JUROR GENDER ON VERDICTS IN SEXUAL
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