Jury Foreperson Gender Influences Individual Juror Judgments of a Rape Defendant’s Guilt

Sonya W. McCrea, BS and Kristine M. Jacquin, Ph.D.

Abstract

The jury foreperson has been deemed the most influential person among the jury (Deosaran, 1993). This poster analyzes the influence of the jury foreperson’s gender and race/ethnicity on individual juror decisions of the defendant’s guilt in a simulated rape trial. No prior empirical literature examines the influence of the foreperson’s race/ethnicity and gender on jurors’ decisions; therefore, research in this area is imperative.

Introduction

- Male jurors had the tendency to endorse lighter punishments for a convicted perpetrator whereas female jurors endorsed the maximum penalty in a mock rape trial (Clark & Nightingale, 1997).
- Men rated the defendant significantly more credible than the victim compared to women in a mock sexual abuse case (Bottoms, Davis, & Epstein, 2004; Clark & Nightingale, 1997; McCoy & Gray, 2007), and rated the defendant less responsible than women jurors in a mock rape trial (Foley & Pigott, 2000; Guy & Edens, 2003; White & Robinson-Kupiis, 2002).
- Fisher (1997) noted there were a significantly greater number of verdicts rendered in a simulated rape trial when the number of women in the jury increased.
- Race of jurors has been found to influence jury decisions as well.
- Researchers have performed studies to better understand the factors that influence juror decisions in rape cases. More research is vital to ensure defendants and victims are offered a fair, equal, and just trial.

Hypotheses

- H1: Jurors in juries led by a woman foreperson would find the defendant guiltier compared to jurors in male-foreperson-led juries.
- H2: There would be a significant interaction between defendant race and foreperson race such that jurors would find the defendant guiltier if the foreperson’s race was different from the defendant’s race.

Results and Discussion

- The results contradicted hypothesis 1 because jurors in a jury led by a male foreperson rated the defendant significantly guiltier compared to jurors in female led juries (see Figure 1).
- Although no prior research has examined foreperson gender, the results are inconsistent with prior research examining individual juror gender, which showed that individual women jurors have a higher tendency to convict a defendant for rape compared to men jurors (Gaborn, Spanos, & Joab, 1993; Golding, Bradshaw, Dunlap, & Hodell, 2007).
- Males in previous studies were more likely to blame the victim (White & Robinson-Kupiis, 2002); male forepersons in this study seem to have led more pro-prosecution discussions in the jury.
- An interaction between foreperson gender and defendant ethnicity revealed there is a bias against African American defendants when the foreperson is male. Specifically, jurors rated the African American defendant guiltier when the jury was led by a male foreperson (see Figure 2).
- Although no prior research examined foreperson gender and defendant race or ethnicity, our results are consistent with related prior research (Bothwell, Pigott, Foley, & McFater, 2006; Mitchell, Haw, Pfeifer, & Meissner, 2005), and resulted in more guilty verdicts (Sommers & Ellsworth, 2001; Sommers, 2006).
- Bothwell et al. (2006) discovered racial bias was displayed both before and after deliberations by prospective white jurors toward black defendants in a mock sexual harassment case. The results of their study showed white potential jurors allocated 25.1% of responsibility to the African American plaintiff, while only 16.6% of the responsibility to the Caucasian plaintiff, before deliberations. The percentages for post-deliberations revealed a similar bias; white prospective jurors attributed 19.5% of responsibility to the African American plaintiff, while attributing only 13.7% of responsibility to the Caucasian plaintiff.
- Sommers (2006) conducted a mock sexual assault trial that revealed racial composition of the jury members significantly influenced verdict decisions. He found African-Americans were less likely to be found guilty by jurors in diverse jury pools. According to the results of Sommers’ study, 30.7% of mock jurors from a diverse jury voted a black defendant guilty compared to 50.5% of mock jurors in an all-white jury.

Figure 1: Ratings of Defendant’s Guilt Based on Foreperson Gender

Figure 2: Ratings of Defendant’s Guilt Based on Foreperson Gender x Defendant Race/Ethnicity