2023

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Ruva, C. L., Smith, K. D., & Sykes, E. C. (2023). Gender, generations, and guilt: Defendant gender and age affect jurors' decisions and perceptions in an intimate partner homicide trial. *Journal of Interpersonal Violence.* https://doi.org/10.1177/08862605231191227

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The studies' data, stimuli, and measures are available in the OSF Project: https://osf.io/5r43m/?view_only=2d08e7c5a93545228ecc8e772b44bef2

This research was supported by an award from the Chancellor's Professional Support Initiative at the University of South Florida Sarasota-Manatee. This funding source had no other role other than financial support.

Abstract

Using the context of an intimate partner homicide trial, the study explored the effects of defendant gender and age on mock-jurors' verdicts, sentences, and culpability ratings—and whether defendant credibility and juror anger mediate these effects. The study used a 2 (defendant gender: male vs. female) x 3 (defendant age: 25, 45, or 65 years) between-subjects design. Participants (N = 513 community members) completed the experiment online. Participants were randomly assigned to one of the six defendant gender x age conditions. Participants read the trial transcripts that included the age and gender manipulations, provided verdicts and sentences, and completed the following measures: culpability, anger, credibility, and manipulation checks. Consistent with our hypotheses mock-jurors were more likely to find the male defendant guilty and give him longer sentences than the female defendant. Additionally, when the defendant was male (vs. female) mock-jurors provided higher anger ratings and rated the defendant as more culpable in the victim's death. Also consistent with our hypotheses, mock-jurors were more likely to find the youngest defendant guilty and view him as more culpable and less credible than the oldest defendant. The mechanisms responsible for jurors' biased decisions varied as a function of the extra-legal variable (defendant gender vs. age). The defendant age effect was mediated by defendant credibility and the gender effect by juror anger. A defendant's right to a fair trial is dependent on a court's ability to limit extra-legal variables from influencing jurors' decisions. Understanding the mechanism responsible for such bias is required before the courts can effectively remedy bias.

Keywords: domestic violence, juror bias, defendant age, defendant gender, emotion

Introduction

A defendant's right to a fair trial is dependent on a court's ability to limit extra-legal variables from influencing jurors' decisions. Two extra-legal variables, defendant age and gender, have been examined to varying degrees. Considerable research has examined the effects of defendant gender on juror decisions (Cutroni & Anderson, 2020; Doerner & Demuth, 2010; 2014), while research on defendant age (particularly older defendants) has been sparse and produced mixed results (Bergeron & McKelvie, 2004; Sheahan et al., 2021). Real-world proceedings indicate that extra-legal variables can have life changing implications. One recent example being the murder trial of Curtis Reeves who shot and killed Chad Oulsen in a Florida movie theater in 2014. During the trial Reeves' defense attorney, Richard Escobar, highlighted his client's age and frailty to the media and jurors: "It may not be what I would have done, or you would have done but you have to realize how Mr. Reeves was at the time… He was 71, in declining health and a decorated officer" (Dawson, 2022 para.11). Reeves, 79 at the time of his trial, was ultimately acquitted after pleading not guilty and claiming self-defense. Age and age associated inferences played a significant role in his defense. In addition to physical frailty, Escobar discussed Reeves experience as a former law enforcement officer (Dawson, 2022) to bolster the defendant's credibility and respect within the community. Older adults are often evaluated more positively in regard to occupational and personality related factors (De Paula Couto et al., 2021), which could explain why credibility has been shown to increase with age in - certain legal contexts (Mueller-Johnson et al., 2007).

Extra-legal variables such as age and gender should not factor into jurors' decisions. Yet, the acquittal of Curtis Reeves prompts the question of whether the defendant's age influenced the jury's decision. Further, would their decision have been different if the defendant was female?

The present study seeks to address these questions by varying the age (25, 45 or 65) and gender (male vs. female) of defendant/victim dyads within the context of an intimate partner homicide (IPH) trial involving a heterosexual couple. Such crimes fall under intimate partner violence (IPV) which refers to physical, sexual, and/or psychological violence perpetrated by a current or former partner (CDC, 2021). In such cases, a defendant's age and gender may be especially biasing due to cultural stereotypes. The defendant/victim dyads in the present study consist of similar aged adults to avoid explicitly highlighting age as a motive. This study extends prior research by investigating middle and older age defendants, as much research has focused on juvenile versus young adult defendants. Further, the present study can explore interactions between age and gender as well as the mechanisms driving age and gender bias. Below we explore research and theory on how defendant age and gender influence juror decisions.

Defendant Age and Juror Decisions

Charlesworth and Banaji (2019) examined attitudes on age using two decades of data from Project Implicit and found evidence for both explicit and implicit preferences toward young and abled groups. Attitudes on age and disability demonstrated the greatest implicit preferences of the six attitudes tested. Similarly, de Paula Couto and colleagues (2021) found an overall pro-young bias qualified by domain (e.g., family and personality) and participant age. Older participants were less likely to display negative attitudes towards older adults. In their 2005 meta-analysis on age attitudes, Kite and colleagues found similar evidence for a pro-young bias; younger adults (21-37 years-old) were seen as possessing more positive qualities, including intelligence, generosity and friendliness as opposed to older adults (55 and older).

Taken together, this pro-young preference may result in less punitive treatment toward younger defendants. However, the Stereotype Content Model (Fiske et al., 2002) suggests two

dimensions that people use when evaluating others: warmth and competence. Older adults are seen as warm and incompetent (Fiske et al., 2002) and as an outgroup are viewed with paternalistic prejudice (e.g., sympathy and pity). Lack of competence in older adults may be viewed as an inability to control outcomes. In a legal context, this may reduce jurors' attributions of responsibility. Driven by a need for order, jurors may rely on group level stereotypes to explain or predict behavior, particularly when faced with a lack of strong evidence. Attitudes on age may further influence the extent of punishment assigned to a defendant if convicted. Scurich and Monohan (2016) found that 33% of their sample responded that defendants over 50 years-old "definitely" or "probably" should be given shorter sentences than defendants 20 years-old accused of an unspecified crime. In general, participants were more receptive to using age to guide sentencing than other factors (e.g. race or gender).

Much of the juror simulation research exploring defendant age effects on juror decisions has focused on juvenile and young adult defendants. The relatively small number of studies examining middle-aged and older adult defendants have produced inconsistent results (e.g., Bergeron & McKelvie, 2004; Higgins et al., 2007; Sheahan et al., 2021). For example, Higgins et al. (2007) compared 22- and 65-year-old defendants accused of battery and found no verdict differences. Conversely, Bergeron and McKelvie (2004) found an effect of age when comparing 20-, 40- and 60-year-old defendants, with the 40-year-old treated most punitively in sentencing length. This could indicate a bias against middle-aged defendants that Higgins et al. (2007) would not have seen given their age conditions. This aligns with findings of pro-young attitudes (Charlesworth & Banaji, 2019; De Paula Couto et al., 2021) while staying consistent with the Stereotype Content Model (Fiske et al., 2002).

Overall archival research demonstrates leniency towards older defendants, though some inconsistencies are present. In examining the U.S. Federal court records between 2000 to 2010, two studies (Doerner & Demuth, 2010; Morrow et al., 2014) found that leniency was afforded to older defendants (60+) with a lower likelihood of being incarcerated and shorter sentences. Yet, another archival study limited to defendants aged 50 and older found that while defendants over 65 had the lowest odds of incarceration, they were also given longer sentences than defendants aged 50 to 54 (Blowers & Doerner, 2015). This discrepancy could indicate other variables may be equally (or more) important and at times interact with defendant age. Though not specific to a legal context, Kite et al.'s (2005) meta-analysis on age attitudes indicated that an individual's gender moderated the effect of age. Specifically, age had a greater effect on participants' general impression (e.g. friendliness) and intent to engage with women as opposed to men. However, the pattern was reversed for competency where the effect of age on evaluations was greater for men as opposed to women. Exploration of gender attitudes and stereotypes within juror decision making further informed the study's hypotheses.

Defendant Gender and Juror Decisions

Despite the fact that age, specifically for older defendants, has not been adequately explored in the literature, numerous studies have explored the effects of defendant gender on jurors' impressions and decisions. Overall, archival research has found that women are treated more leniently than men (Doerner & Demuth, 2014; Morrow et al., 2014) both in their likelihood of being incarcerated and sentence length. Crocker's (1985) review suggests that jurors view and treat women in the criminal justice system differently from men because of prescribed gender roles, and defendants' adherence to them. Specifically, women who killed in self-defense in ways that were considered less passive were viewed as more aggressive, and therefore more

masculine, leading to harsher treatment and sentencing. Consistent with Crocker (1985), Maeder and Dempsey (2013) found that female defendants in a murder case who were viewed as more feminine were regarded as more credible and likeable resulting in lower guilt ratings.

Importantly, how women are evaluated likely depends on case-related factors (e.g., crime type, victim gender, defendant age). For domestic violence crimes involving heterosexual couples, male perpetrators are treated harsher than females. Specifically, male perpetrators are viewed as more capable of seriously injuring a victim (Seelau & Seelau, 2005) and given longer sentences (Saavedra et al., 2017) as compared to women. Conversely, for filicide (parent purposely killing their child) women are found guilty more often and receive harsher sentences when they violate traditional expectations (e.g., domestic responsibilities, passivity, and degree of violence; Wiest and Duffy, 2013), which is consistent with Crocker's (1985) review. Finally, stereotypes of men are associated with aggression and perversity and those for women are associated with mental illness which have been reported as reasons for jurors' biased decisions (Karlsson et al., 2021; Saavedra et al. 2017).

Relevant to the effects of stereotyping, the continuum model (CM) of impression formation (Fiske & Neuberg, 1990) suggests that people automatically place others into social categories based on automatic activation of emotions, behaviors, and cognitions associated with those categories. CM is a dual process model predicting that when people have the motivation and resources to do so, they are likely to use all relevant information when forming impressions (systematic processing), but in absence of sufficient motivation and resources will use heuristic processing (e.g., stereotypes; Monroe et al., 2018). CM has been used to predict how jurors' early categorizations of defendants affect their judgments (Monroe et al., 2018; Strub & McKimmie, 2016). Trials are assumed impersonal in nature resulting in low motivation and

heuristic processing (Monroe et al., 2018). Using CM to explain juror impressions, initially jurors may categorize defendants using obvious traits (e.g., charges, description of alleged crime) and then consider how well the defendant fits the offender category in the present context. For a familial homicide, defendants viewed as congruent with the offender category (i.e., males) are more likely to be found guilty than those deemed incongruent (i.e., females; Saavedra et al., 2017). Such gender differences might occur because recategorization (revising initial offender categorization) is more likely for one gender (female) than the other (male)—suggestive of heuristic processing. Specifically, recategorization occurs if the defendant is incongruent with the initial category due to gender stereotypes (e.g., woman accused of killing her husband). Importantly, both gender and age are considered "privileged" social categories because they can be applied to most people and have important cultural meaning (Fiske et al., 1999). How well the female defendant's attributes (emotions and behavior) conform with traditional gender stereotypes ("accumulated evidence"; Fiske & Neuberg, 1990) will likely affect the categorization process and the chance of a guilty verdict (Maeder and Dempsey, 2013; Strub & McKimmie, 2016). Although we focus on the gender category—these same predictions hold for the age category with the young defendant being more consistent with the offender category than the older defendant.

Victim gender may also play a role in how defendants are viewed and treated. The blameworthiness attribution hypothesis (Baumer et al., 2000) suggests that defendants will be viewed as more culpable when their victims are women as opposed to men. Consistent with this hypothesis, Mazzella and Feingold's (1994) meta-analysis found that defendants were more likely to be found guilty and punished more severely when the victim was female (as opposed to male) across a variety of crime types (e.g. murder, rape, burglary, and embezzlement). While

victim gender has been shown to influence juror decision making in a range of offenses, certain crimes may be particularly salient, especially when examining heterosexual couples. Research has observed disadvantages for male victims of IPV related to perceived crime seriousness (Savage et al., 2017) and sentencing (Cutroni & Anderson, 2020). This is explored further in the context of the current study examining gender and age effects in an IPH trial.

It is clear from past research that both defendant gender and age influence jurors' decisions. Such findings warrant further examination of why such biases in jury settings exist. Research also suggests that the basis of these biased decisions may be derived from how jurors process trial information, including the emotional responses that accompany such processing.

Emotions and Juror Decision Making

Effects of gender and age on juror decision making may be associated with different emotional responses as emotions, specifically anger, can act as a biasing mechanism and result in greater levels of punitiveness (Feigenson, 2016). For example, Fenimore and Jones (2023) found that crime severity was associated with greater anger and that anger mediated the effect of crime severity on endorsement of retributive justice. The intuitive prosecutor model (Goldberg et al. 1999) suggests that moral outrage, felt as anger, increases a juror's impulse to punish such that anger amplifies the importance of prosecutorial evidence (Nunez et al., 2015). Salerno (2021) suggests that a selective emotional response may occur due to characteristics of trial players (e.g. defendants, victims, and jurors). Relatedly, research on victim gender predicts a higher conviction rate when the victim is a woman (Baumer et al. 2000; Mazella & Feingold, 1994). This may be due to greater moral outrage based on societal norms—traditional gender roles suggest a female victim may be viewed with paternalistic prejudice (incapable and incompetent; (Cutroni & Anderson, 2020). Though Salerno (2021) suggests that juror characteristics (such as

similarity to the victim or defendant) may influence a selective emotional response Fenimore and Jones (2023) did not find an effect of an in-group out-group manipulation on reported anger.

Alternatively, appraisal theories suggest that individuals interpret information on the basis of emotions, which consequently influence decision making (Lerner & Keltner, 2001). Specifically, individuals who are angry are less cautious, more confident, and more influenced by stereotypes (i.e., heuristic processing) in their decisions (Tiedens & Linton, 2001). Research suggests that angry individuals may be more likely to rely on heuristic processing (i.e., less cautious, or rational) when a cue (e.g. defendant gender) is viewed as pertinent (Salerno & Bottoms, 2009). The severe nature of the crime in the present study (homicide) may illicit anger from participants making them particularly susceptible to stereotypes associated with the identities of the defendant and victim (man/woman) and the relationship between them (heterosexual; traditional gender roles).

Present Study and Hypotheses

The present study explores the effects of defendant age (25, 45 or 65) and gender (male vs. female) within the context of an intimate partner homicide (IPH) trial. Mock jurors provided verdicts, defendant credibility and culpability ratings, and indicated how angry they were. Below we provide the study's hypotheses.

H1. Defendant Gender: Mock jurors in the male defendant condition will be more likely find the defendant guilty, suggest longer prison sentences, have higher culpability ratings, lower credibility ratings, and express greater anger than jurors reading about a female defendant.

H2. Defendant Age: Mock jurors in the oldest defendant condition (65 years) will be the least likely to find the defendant guilty of murder, suggest the shortest prison sentences, provide lower culpability and higher credibility ratings, and express the least anger.

H3. Mediation: Anger and defendant credibility will mediate the effects of defendant gender and age on juror verdicts, with higher anger scores and lower credibility scores resulting in a greater likelihood of a guilty verdict.

Exploratory Research Question. Given the sparsity of research exploring whether defendant age moderates the effect of defendant gender on jurors' decisions, no moderation predictions are made. The gender x age interaction will be explored and probed if significant.

Methods

The methods for this study were reviewed by the IRB at the PI's university, which determined that the research met the criteria for exemption from federal regulations (Protocol ID: Pro00038909). The trial transcripts, measures, and data are available in the Open Science Project: https://osf.io/5r43m/?view_only=2d08e7c5a93545228ecc8e772b44bef2

Participants and Design

A power analysis was conducted using G*Power (Faul et al., 2007) with a small effect size assumed (f = .15), an alpha of .05, 80% power, with six groups, and a numerator df = 2. This analysis indicated that a sample size of 432 was needed to test main effects and interactions. Additional participants were recruited to account for participants failing attention checks.

Participants include 513 jury-eligible adults recruited through Qualtrics Research Services and compensated with $3.00 in redeemable points (see Table 1 for demographic information). All participants were United States citizens and not convicted felons, which are jury eligibility requirements in the state where the PI is located. The study utilized a 2 (Defendant Gender: male vs. female) x 3 (Defendant Age: young/25 years, middle/45 years, or older/65 years) between-subjects design, with participants randomly assigned to conditions.

Additional participants (n = 310) were excluded from data analyses for failing manipulation checks involving the age and/or gender of the defendant.

Trial Stimulus

The trial stimulus was edited from an actual trial (*NJ v. Bias*) used in juror research (Ruva et al., 2007) and renamed to *FL v. Hayes.* The defendant was charged with the murder of his/her wife/husband and tampering with evidence. The defendant claimed that the victim was pointing the gun at their own head, and it went off when the defendant tried to take it away. During the trial, the prosecutor called to the stand the officer who responded to the 911 call, a police investigator, and the coroner who performed the autopsy. The defense called the victim's counselor and the defendant. Witnesses were subject to direct and cross examination. After reading the trial transcript, jurors received instructions on second-degree murder and tampering with evidence. The trial transcripts were seven pages long and included photos of the defendant, victim, defense and prosecuting attorneys, and the coroner.

Independent Variables

Defendant (and victim) gender and age were denoted at the top of the trial transcript by inserting photos of the defendant and victim and stating that "[T]his is the trial of a man/women accused of killing his/her wife/husband …[T]he defendant is 25/45/65-year-old Daniel/Lisa Hayes" and "The victim is the defendant's wife/husband, Lisa/Daniel Hayes, who was 24/44/64-years old at the time of her/his death." Throughout the transcript, defendant and victim gender were denoted by referring to them by name (i.e., Lisa Hayes and Daniel Hayes). The race/ethnicity of the victim and defendant was not stated in the transcript. That said, the photos inserted into the transcripts were of White men and women.

For each defendant gender x age condition, 10 images were piloted (N = 29) to get a final set of defendant (and victim) photos that were roughly equivalent in rated attractiveness and judged to be of a similar age as the defendant (and victim) portrayed in the transcript (25/45/65 years). Participants provided attractiveness ratings on a 7-point scale (1 = very unattractive to 7 = very attractive) and their "best guess of this individual's age." The mean attractiveness ratings for the photos used ranged from 2.86 (older male) to 4.66 (younger female).

Measures

Verdicts and Sentences

Participants provided dichotomous verdicts. Only those finding the defendant guilty of murder or tampering provided a sentence for that charge. For the second-degree murder charge the possible sentence ranged from 1 to 30 years and for the tampering charge from 1 to 5 years.

Anger

Spielberger's (1983) State Trait Inventory was adapted for use in this study to measure state-level anger. To reduce the length of the survey, only a subset of the 10 items was used to assess anger (5 items). Participants were asked to indicate how well each emotion prompt (i.e., I felt angry/irritated/furious/mad/annoyed) described how they felt while reading the trial transcripts using a 5-point scale (1 = not at all; 5 = very much so). The internal consistency for the reduced scale was excellent (Cronbach's alpha = .94; factor loading ranged from .76 to .87).

Defendant Culpability and Credibility

The defendant culpability scale consisted of three items using 7-point scales: "How responsible is the defendant for the victim's death?", "The defendant could have prevented the victim's death", and "The defendant had motive to kill the victim". The defendant culpability scale had good internal consistency (Cronbach's alpha = 0.83; factor loadings 0.69 to 0.82).

The defendant credibility scale has been used in prior research (e.g., Ruva et al., 2007) and has demonstrated good internal consistency. In the present study, the scale consisted of seven items, each on a 7-point scale (e.g., *1 = not at all credible to 7 = completely credible*). Item examples include: "How credible did the defendant appear to be?", and "How honest did the defendant appear to be?" All seven items loaded on a single credibility factor (Cronbach's alpha = 0.89; factor loadings 0.60 to 0.86).

Procedure

The experiment was administered online through a Qualtrics Panel Project. Participants were informed that they would be determining the guilt of a defendant in a murder trial by acting as jurors. After giving informed consent and providing demographic information, they were randomly assigned to conditions. Participants read the trial stimuli and gave verdict and sentence recommendations. They then completed measures in the order listed: culpability scale, anger scale (STPI), credibility scale, and manipulation checks.

Results

To test H1-H2, a series of 2 (Defendant Gender: female/male) x 3 (Defendant Age: young/middle/older) ANOVAs were performed for sentence, culpability, credibility, and anger. Effect sizes for these analyses are omega squares (ω^2) for main effects and interactions, and Cohen's *d* for simple effects. For the dichotomous verdict loglinear ANOVA was performed and the effect size is Cramer's *V*.[1] To minimize the likelihood of Type I error due to multiple tests, the Benjamini-Hochberg procedure was used for all follow-up tests (Benjamini & Hochberg, 1995). Process Model 4 (Hayes, 2021) was used to test H3.

[1] Participant gender and age were entered as covariates for analyses with continuous and dichotomous measures, but neither significantly improved prediction over models with only defendant gender and age, nor did they have moderation effects—thus they were dropped as covariates from analyses.

Verdicts

Defendant gender and age were associated with murder verdicts, χ^2*s*(1 or 2, *N* = 513) = 4.78 and 8.56, *ps* < .05, *Vs* = .08 and .12, respectively. As expected (H1), male defendants were found guilty more often of murder than female defendants (see Table 2). Consistent with H2, young defendants were found guilty more often of murder than older defendants (see Table 2), χ^2(1, *N* = 339) = 8.03, *p* = .005, *V* = .15. Jurors' murder verdicts for middle-aged defendants did not significantly differ from those of young or older defendants, χ^2*s* < 2.49, *ps* > .11. There were no significant effects of age or gender on tampering verdicts, χ^2*s* < 2.18, *ps* > .30.

Sentence

Given that most of the mock jurors who found the defendant guilty of murder (*n* = 366) also found him/her guilty of tampering (*n* = 343), we ran these analyses on the combined sentence. Therefore, only participants who found the defendant guilty of both charges were included in the sentence analyses. H1 was supported—there was a main effect of defendant gender on sentence, *F*(1, 337) = 7.77, *MSE* = 4.69, *p* = .006, ω^2 = .02, 95% CI [0.002, 0.062]. Mock jurors gave longer sentences to the male (vs. female) defendant (see Table 2). Contrary to H2, defendant age did not affect sentence length, *F* (2, 337) = 0.77, *MSE* = 4.69, *p* = .46.

Culpability, Credibility, and Anger

Consistent with H1, defendant gender affected defendant culpability and juror anger, *Fs(*1, 507) = 6.79 and 13.28, *MSEs* = 26.17 and 50.94, *ps* < .001, ω^2*s* = .011 and .023, 95% CI[0.001, 0.039] and [0.01, 0.06], respectively. Compared to the female defendant, the male defendant was rated more culpable, and jurors were angrier (see Table 3). Contrary to H1, defendant gender did not affect defendant credibility ratings, *F(*1, 507) = 2.21, *p* = .14.

In concordance with H2, defendant age affected credibility ratings, $F(2, 507) = 3.71$, $MSE = 98.81$, $p = .025$, $\omega^2 = .01$, 95% CI [0.000, 0.039]. Young defendants were rated the least credible (see Table 3), $Fs(1, 507) = 5.22$ and 5.69, $MSE = 26.17$, $ps < .05$, $\omega^2 s = .01$ and .01, 95% CI[0.001, 0.034] and [0.003, 0.036]. Although, the main effect of age on culpability ratings did not reach conventional levels of significance, $F(2, 507) = 2.61$, $MSE = 26.17$, $p = .07$, we examined the simple effects due to their importance to our hypotheses. Consistent with H2, the older defendant was rated as less culpable than the younger defendant (see Table 3), $F(1, 507) = 5.16$, $MSE = 26.17$, $p = .02$, $\omega^2 = .01$, 95% CI [0.000, 0.034]. Contrary to H2, defendant age did not affect mock-juror anger, $F(2, 507) = 0.69$, $p = .50$. Finally, the defendant age x gender interaction did not significantly affect any of the variables explored above.

In summary, both defendant gender and age affected verdicts in the expected ways, but had differing effects on variables that have been shown to influence verdicts (i.e., defendant credibility, culpability, and juror anger). The mediation analyses below examine whether different mechanisms are responsible for defendant gender vs. defendant age effects on verdicts.

Mediation Analyses

Multiple mediation using Process Model 4, with 5,000 bias corrected bootstrap samples (Hayes, 2021) was used to test H3 (see Figures 1 and 2). The specific model tested was defendant gender or age (Y) → anger and credibility (M) → murder verdict (Y). Defendant gender was dummy coded so that 0 = female and 1 = male. Defendant age was dummy coded so that 0 = young, 1 = middle, and 2 = older. Given that only the contrast between young and older defendant conditions reached statistical significance for the murder verdict analyses above, only the model with this contrast is presented. The multiple mediation analyses revealed that only *anger* mediated the effect of *defendant gender* on verdicts (see Figure 1), $a_1b_1 = 0.30$, 95%

CI(0.11, 0.58). Specifically, anger was greatest when the defendant was male, contributing to a greater likelihood of guilt. Only *credibility* mediated the effect of *defendant age* on verdicts (see Figure 2), a_2b_2 = -075, 95% CI(-1.50, -0.08). Specifically, the young defendant was rated as less credible than the older defendant contributing to a greater likelihood of guilt. These findings suggest that a defendant's age and gender influence jurors' verdicts and different mechanisms are responsible for gender (juror anger) and age (defendant credibility) biases. The reasons for these differences are explored in the Discussion section.

Discussion

The study explored whether defendant gender and age influence jurors' verdicts, credibility assessments, and anger in an IPH case. Additionally, the study sought to explain the mechanisms responsible for the effects of gender and age on juror verdicts. Both defendant gender and age were found to affect verdict decisions. The mechanisms responsible for jurors' biased decisions varied as a function of the extra-legal variable (defendant gender vs. age).

Defendant Gender

Consistent with our hypotheses and research exploring gender effects, the male defendant (regardless of age) was more likely to be found guilty (Saavedra et al., 2017; Savage et al., 2017) and was given longer sentences (Doerner & Demuth, 2010; 2014) than the female defendant. In concordance with these findings, when the defendant was male jurors rated their anger higher and the defendant as more culpable in the victim's death. These findings are consistent with theory and research regarding gender stereotypes and how they influence people's perceptions, information processing, and decisions, which we review below.

Research suggests that perceived motivational factors may play a role in the differential treatment of men and women in IPH cases. Differences in attributions based on gender could

explain not only the greater likelihood of a guilty verdict for the male defendant in the present study, but also why jurors were angrier when the defendant was male. Specifically, jurors are more likely to attribute causes of crime for female perpetrators of domestic homicide to mental illness (Karlsson et al., 2021; Saavedra et al. 2017) and perceive female offenders as being less likely to have history of domestic violence perpetration and more likely to have a history of domestic violence victimization (Karlsson et al., 2021). Jurors are also likely to attribute men's violence to dispositional traits, while women's violence is attributed to situational factors (Stewart et al., 2012). Therefore, the claim that the victim's death was accidental could have been interpreted differently based on gender stereotypes and accompanying attributions. Importantly, women are viewed as incapable and incompetent (Cutroni & Anderson, 2020); such traits are consistent with the defense's argument of an accidental shooting. Participants may have relied on this observation given that the argument of innocence is more believable for the female defendant and made decisions accordingly.

These findings are also consistent with the continuum model (CM) of impression formation (Fiske & Neuberg,1990) which suggests that jurors categorize defendants based on obvious traits and then consider the consistency of this categorization in the present context (Monroe et al., 2018; Strub & McKimmie, 2016). Certain social categories (e.g., gender and age) have special status because they are automatically available and have cultural relevance (Eagly & Koenig, 2021; Monroe et al., 2018). Due to their gender, female defendants are viewed as incongruent with the stereotypical perpetrator of a homicide (Strub & McKimmie, 2016), resulting in a reduced likelihood of conviction and less anger toward them compared to male defendants. This is consistent with our finding that juror anger was responsible for the effect of

defendant gender on verdict. Specifically, when the defendant was male jurors were angrier which contributed to a greater likelihood of finding the male defendant guilty.

The current study involved a heterosexual IPH trial—when the defendant was male, the victim was female (and vice versa). Thus, these findings are also relevant to work exploring the effects of victim gender on juror decisions. Our results are consistent with past research and theory indicating that defendants are viewed as more culpable, found guilty more often and punished more severely when victims are female (Baumer et al., 2000; Mazzella & Feingold, 1994). Further, the results are consistent with research finding disadvantages for male victims of female perpetrated IPV or IPH in jury settings (Cutroni & Anderson, 2020; Savage et al., 2017).

Importantly, juror gender was not found to moderate decision-making in the present study, nor did it impact the explanatory effect of defendant gender on verdicts. This could be due to the trial stimulus used (intimate partner homicide). Savage et al. (2017) found that male and female mock jurors did not differ in their ratings of sympathy for the female victim when the IPV trial involved fatal violence, and both males and females were more punitive when the defendant was male, but this effect was amplified for male participants.

Defendant Age

Consistent with our hypotheses, the youngest defendant (25) was more likely to be found guilty than the oldest defendant (65). In addition, the youngest defendant was viewed as most culpable and less credible than the oldest defendant. People consistently view older adults as high in warmth and low in competence, and young adults may feel pity and sympathy toward elderly adults (Fiske et al. 2002). These attributions are all inconsistent with someone who would commit a violent crime or have the competence to fabricate an elaborate story of an accidental shooting—thus making the defense of an accidental shooting more believable for the older

defendant. According to the CM of impression formation (Fiske & Neuberg, 1999) the social category of age is especially influential because it has cultural significance and is unconsciously accessible (Monroe et al., 2018). Categorization of defendants based on age at the beginning of the trial could act as a primacy effect (Monroe et al. 2018) that influences the processing of trial information in the direction of the stereotype. Notably, while findings of leniency towards older defendants are consistent with archival research (Morrow et al., 2014) they are not consistent across the experimental defendant age literature (Bergeron & McKelvie, 2004; Higgins et al., 2007). This is an important discrepancy that future research should address.

Victim age was inherently tied to defendant age in the present study such that when the defendant was young/older (25/65 years) so was victim young/older (24/64 years). Callan et al. (2012) found differences between older (74) and younger (18) victims, such that participants found the situation less unjust and were less punitive when the victim was older. These findings are consistent with the Just World Hypothesis (Lerner, 1980). If the death of an innocent victim threatens a jurors' just world view they may use older age, through diminished status in society or more years lived to classify the victim as less "good." Thus, victim age may also contribute to leniency toward the older defendant.

Interestingly, defendant credibility ratings and not juror anger explained the effect of defendant age on jurors' verdicts. Specifically, jurors rated the young defendant as less credible than the older defendant, which resulted in a greater likelihood of finding the young defendant guilty. This finding is consistent with the stereotype content model (SCM; Fiske et al., 2002) that older people are perceived high in warmth and low in competency. The SCM posits that warmth is evaluated first, thus jurors may evaluate the intent of an older defendant as positive.

Subsequent evaluations of low competency may reinforce this idea, indicating a diminished ability to fabricate a cover story.

Limitations and Future Directions

This study had the typical limitations associated with juror simulation research. For practical reasons the trial stimulus was shorter in duration and differed in modality than an actual trial and jurors also did not deliberate to come to a unanimous decision. We also only explored heterosexual couples of similar ages and findings may not generalize to homosexual couples or nonbinary persons varying in age.

Additionally, the study was limited by the defendant and victim both being the same race (White). Research suggests the importance of examining the joint effects of age, gender, and race on sentencing outcomes—sentencing is particularly harsh when defendants are young males who are Black or Hispanic (Doerner & Demuth, 2010). Mossiere et al.'s (2018) findings point to the importance of examining race in the context of a battered spouse syndrome case. Specifically, defendant race (but not the couple's racial composition) mattered, with jurors rating the male victim as more responsible than the female defendant for the crime when the defendant was Black (vs. White). They suggest that participants were aware of the differences in socioeconomic status of Black versus White women—the lack of other options may make Black women more likely to remain in an abusive relationship. Thus, future research should examine the joint effects of age, gender, and race for cases involving IPV or IPH.

More research is needed to better understand how case-related variables interact with defendant and victim traits to influence decisions. Exactly how women and men of varying ages will be evaluated by jurors is unclear and may depend on a number of factors (e.g., crime type, victim age and gender, and relationship). For example, women are treated more lenient than men

for crimes of domestic violence involving heterosexual couples, but for other crimes (e.g., filicide) women are sometimes treated more harshly than men (Wiest & Duffy, 2013). Differences in case type and how well the female defendants or victims fit the traditional gender roles may also be influential. According to Franklin (2008), the criminal justice system often ignores the crimes of women who fit feminine ideals (e.g., compassionate, nurturing, loving, and submissive) and punishes women who do not. Finally, the present study's trial stimulus provides no mention of prior IPV. History, as well as severity of IPV (i.e., homicide) is linked with more punitive outcomes (Cutroni & Anderson, 2020; Palazzolo & Roberto, 2011). Future work should examine whether case-specific severity and history of IPV interacts with individual difference variables of defendant/victim age, gender, and race on juror outcomes.

Conclusion

In summary, the study expands on prior work by assessing both defendant age and gender together and finding that both influenced jurors' decisions, but through different mechanisms. Defendant age worked through defendant credibility to influence jurors' verdicts. Older defendants were perceived as more credible and thus convicted at a lower rate than younger defendants. Alternately, defendant gender worked through anger to affect verdicts. Jurors were angrier at the male defendant and thus convicted him more often. While the findings for defendant gender fit within the framework of the current literature (Doerner & Demuth, 2014; Morrow et al., 2014), the defendant age results highlight differences. There has not been consensus across studies examining defendant age and further research is needed to parse apart why only some studies have found effects of age (Bergeron & McKelvie, 2004; Higgins et al., 2007). A better understanding of the bias each defendant faces is essential to preserving both a defendant's right to a fair trial as well as the prosecution's ability to prove guilt.

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Table 1

Participant Demographics

	%	*n*
Gender		
Female	54.0	279
Male	46.0	234
Total *N*	100	513
Race/Ethnicity		
White	71.9	369
African American (Black)	11.5	59
Hispanic	10.9	56
Asian	3.5	18
Other	2.2	11
Total *N*	100	513
Age		
18-24	5.1	26
25-34	21.6	111
35-44	12.7	65
45-54	29.8	153
55-64	11.7	60
65 and older	19.1	98
Total *N*	100	513

Table 2

Verdict and Sentence as a Function of Defendant Age and Gender

Dependent Variable	Young Defendant (25)	Middle Defendant (45)	Older Defendant (65)	Overall Gender
Murder Verdict (% Guilty)				
Male Defendant	59 (82%)	63 (76%)	53 (69%)	175 (75%)[a]
Female Defendant	89 (75%)	60 (66%)	42 (59%)	191 (68%)[b]
Overall Age	148 (77%)[a]	123 (71%)[ab]	95 (64%)[b]	366 (71%)
Tampering Verdict (% Guilty)				
Male Defendant	55 (76%)	60 (72%)	59 (77%)	174 (75%)[a]
Female Defendant	92 (77%)	65 (71%)	45 (63%)	202 (72%)[a]
Overall Age	147 (77%)[a]	125 (72%)[a]	104 (70%)[a]	376 (73%)
Sentence				
Male Defendant	8.66 (1.99)	9.28 (2.15)	8.55 (2.15)	8.84 (2.11)[a]
Female Defendant	8.28 (2.11)	8.11 (2.27)	8.10 (2.37)	8.19 (2.21)[b]
Overall Age	8.42 (2.07)[a]	8.71 (2.28)[a]	8.35 (2.25)[a]	8.50 (2.19)

Note. The frequency and (percentage) of jurors voting guilty is listed by condition (Murder and Tampering Verdicts). For sentence, we provide the mean and (standard deviation) by condition. The sentence means only includes mock-jurors who found the defendant guilty of both murder and tampering with combined sentence (Murder and Tampering) presented (n = 343). Frequencies or means in rows or columns having different superscript letters indicate that the groups significantly differ. No significant gender x age affects were found for any of the variables in this table.

Table 3

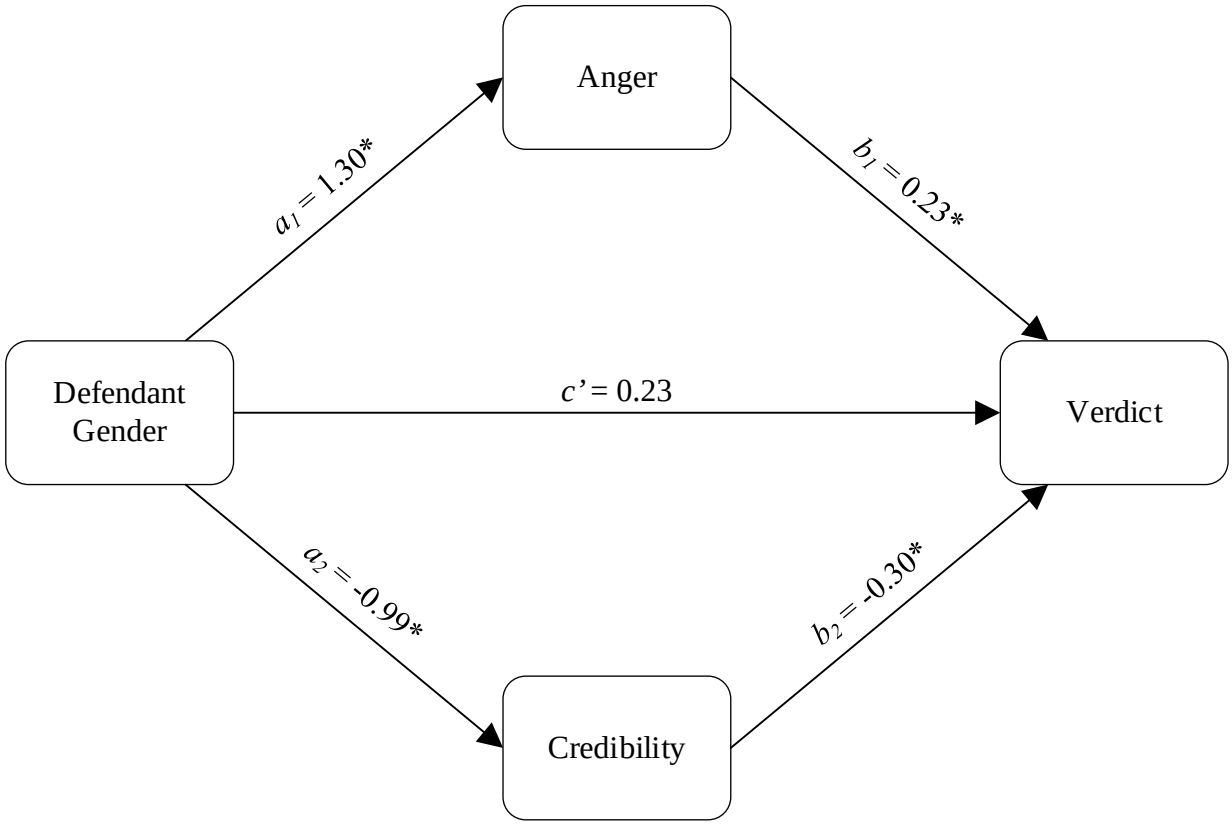
Dependent Variables Means and Standard Deviations as a Function of Defendant Age and Gender

Dependent Variable	Young defendant (25)	Middle defendant (45)	Older defendant (65)	Overall Gender
Juror Anger				
Male defendant	9.50 (4.72)	9.27 (4.65)	9.49 (4.64)	9.41 (4.65)[a]
Female defendant	8.53 (3.78)	7.73 (3.52)	7.92 (3.81)	8.11 (3.71)[b]
Overall Age	8.90 (4.18)[a]	8.46 (4.16)[a]	8.74 (4.32)[a]	8.70 (4.21)
Defendant Credibility				
Male defendant	21.37 (8.34)	23.17 (10.09)	23.38 (9.49)	22.68 (9.38)[a]
Female defendant	21.87 (9.26)	24.90 (10.06)	25.12 (12.38)	23.67 (10.46)[a]
Overall Age	21.68 (8.91)[a]	24.07 (10.08)[b]	24.21 (10.97)[b]	23.22 (9.98)
Defendant Culpability				
Male defendant	24.22 (8.13)	23.59 (7.90)	22.34 (8.18)	23.37 (8.07)[a]
Female defendant	22.89 (6.97)	21.97 (8.10)	20.96 (8.30)	22.10 (7.70)[b]
Overall Age	23.29 (7.44)[a]	22.74 (8.02)[ab]	21.68 (8.23)[b]	22.68 (7.89)

Note. For all dependent variables, we provide the mean and (standard deviation) by condition. Means in rows or columns having different superscript letters indicate that the groups significantly differ. No significant gender x age affects were found for any of the variables in this table.

Figure 1

Multiple Mediation Model Examining the Direct and Indirect Effects of Defendant Gender on Murder Verdicts.

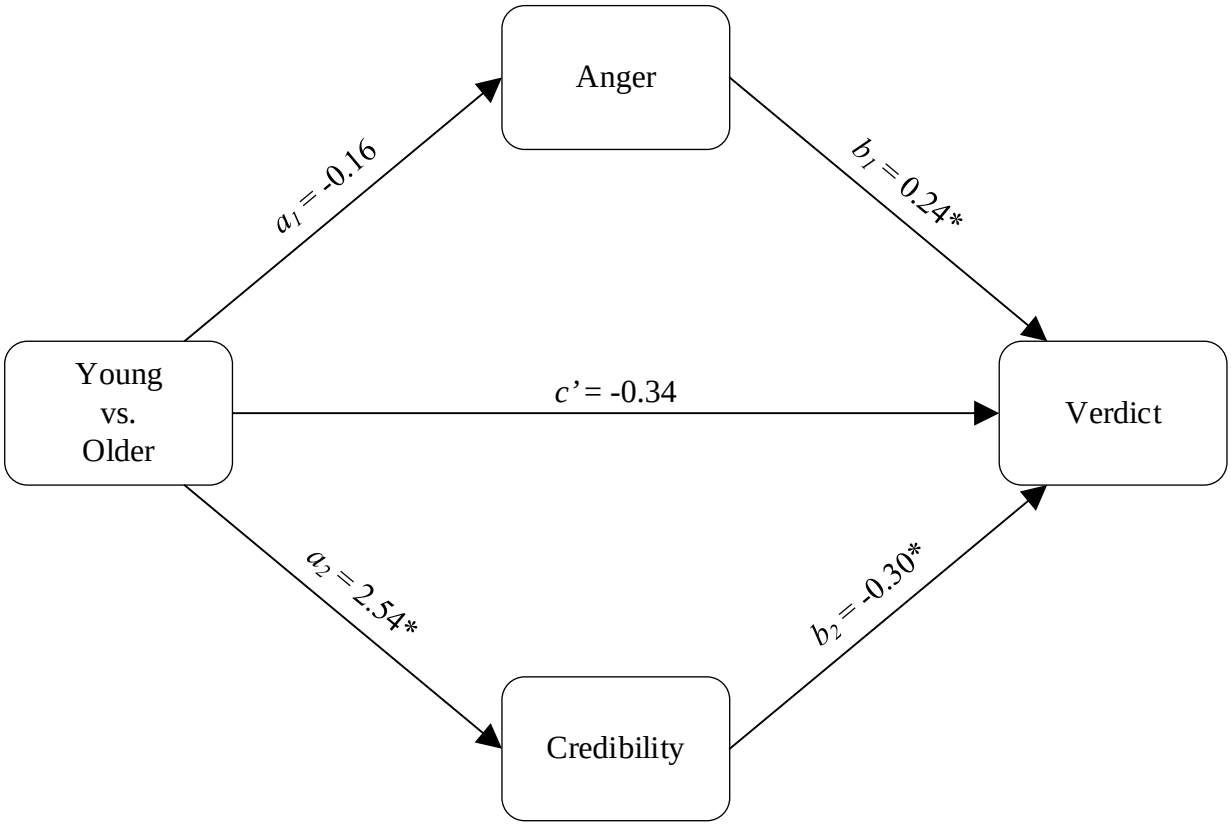


a_1 x b_1 = 0.30* 95% CI [0.11, 0.58]
a_2 x b_2 = 0.295 95% CI [-0.21, 0.88]

Note. The multiple mediation model (Process Model 4, Hayes, 2021) for the direct and indirect effects of *Defendant Gender (male vs. female)* on murder verdicts, with mock-juror anger and defendant credibility added as a mediator. The bootstrapping method with bias corrected confidence intervals (based on 5,000 bootstrap samples) was used. Defendant gender was dummy coded so that 0 = female and 1 = male. Only *anger* mediated the effect of *defendant gender* on verdicts [a_1b_1 = 0.30, 95% CI(0.11, 0.58)]. Specifically, anger was greatest in the male defendant condition resulting in a greater likelihood of guilt [a_1 = 1.30, t = 3.52, p = .001; b_1 = 0.23, z = 5.03, ps < .001; c' = 0.23, z = 0.80, p = .42].

Figure 2

Multiple Mediation Model Examining the Direct and Indirect Effects of Defendant Age (Young vs. Older) on Murder Verdicts.



a_1 x b_1 = -0.04 95% CI [-0.26, 0.20]
a_2 x b_2 = -0.75* 95% CI [-1.50, -0.08]

Note. The mediation model (Process Model 4, Hayes, 2021) for the direct and indirect effects of *Defendant Age (young vs. older)* on murder verdicts, with credibility added as a mediator. The bootstrapping method with bias corrected confidence intervals (based on 5,000 bootstrap samples) was used. Defendant age was dummy coded so that 0 = young, 1 = middle, and 2 = older. Only *credibility* mediated the effect of *defendant age* on verdicts [a_2b_2 = -075, 95% CI(-1.50, -0.08)]. Specifically, the youngest defendant was rated as less credible than the older defendant resulting in a greater likelihood of guilt [a_2 = 2.54, t = 2.33, p = .02; b_2 = -0.30, z = -9.36, *ps* <.001; c' = -0.34, z = -0.95, p =.34].