

## Racial Bias in Decisions Made by Mock Jurors Evaluating a Case of Sexual Harassment

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**ABSTRACT.** White ( $N = 161$ ) and Black ( $N = 152$ ) college students served as mock jurors in a simulated civil case in which a female plaintiff accused a male defendant of sexual harassment. The authors experimentally manipulated the race (Black or White) of the litigants and asked the mock jurors to decide whether the defendant was guilty; to rate the certainty of their belief in the defendant's guilt; and, when they judged the defendant guilty, to recommend an award to the plaintiff. Mock jurors of both races tended to favor litigants of their own race and their own gender. Racial bias was highest among White male jurors and lowest among White female jurors.

**Key words:** Black college students, gender, mock-jury decisions, racial bias, White college students

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ANALYSIS OF THE ARCHIVES OF CRIMINAL TRIALS in the United States indicated that Black defendants have received longer sentences than have White defendants, at least when the victim of the crime has been White (Dane & Wrightsman, 1982; Sweeney & Haney, 1992). Because sentencing decisions in the United States are made most often by White judges (or, in capital cases, by White jurors), longer sentences for Black defendants may stem from a racial bias of White persons against Black persons.

Laboratory studies allow researchers to disentangle the effects of the race of the defendant and that of the victim from the effects of other variables (such as

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the socioeconomic status and prior criminal record of the defendant). In their meta-analysis, Mazella and Feingold (1994) included 29 experimental studies of the effect of race on recommended verdicts, guilt ratings, and recommended sentences. Although there was no overall effect of the race of the defendant and only a small effect of the race of the victim (punishment was greater when the victim was White), the authors acknowledged that race may interact with other variables. Their analysis did indicate (a) that Blacks received longer sentences than did Whites when the crime was homicide or rape and (b) that Whites received longer sentences than did Blacks when the crime was fraud. That result is similar to the one reported by Gordon (1990) and Gordon, Bindrim, McNicholas, and Walden (1988), who found (a) that Black burglars received longer sentences than did White burglars but (b) that White embezzlers received much longer sentences than did Black embezzlers. The preceding researchers concluded that defendants may receive longer sentences when they are convicted of crimes stereotypically associated with their race than when convicted of crimes not associated with their race.

One variable that may interact with the race of the defendant and the victim is the race of the juror. Dane and Wrightsman (1982) concluded that jurors are most likely to convict when the defendant's race is different from the juror's and the victim's race is the same as the juror's. We suspect that many laypersons (most of whom do not recognize that the burden of proof in a criminal trial is quite different than from in a civil trial) reached the same conclusion following the verdicts in the criminal and civil trials of O. J. Simpson. Certainly there are theoretical reasons to predict that an individual will be more favorably disposed toward others who are perceived as similar in attitudes (Newcomb, 1961), social affiliations (Tajfel & Turner, 1986), and a variety of other attributes (Hogg, Cooper-Shaw, & Holzworth, 1993), including ethnicity and race. One expects even non-human animals to behave more altruistically toward those who are genetically (Hamilton, 1964) or phenotypically (Holmes & Sherman, 1983) similar to themselves than toward those who are different. Cross-cultural researchers (Allred, Chia, Wuensch, Ren, & Miao, *in press*; Burnstein, Crandall, & Kitayama, 1994) have shown that one's social response to others may be greatly influenced by variables related to genetic and phenotypic similarity, to degree of kinship, and to social relationship.

Ugwuegbu (1979) has presented evidence of an interaction between the race of the juror and the race of the defendant in a simulated trial of a man accused of rape. The mock jurors were White in one experiment and Black in the other. When the evidence presented was ambiguous (did not clearly indicate guilt or innocence), defendants were considered more culpable when they were not of the same race as the juror. Miller and Hewitt (1978), who also simulated a rape case, reported that guilty verdicts were significantly more likely when the victim was of the same race as the juror than when the two were of different races. Preferential treatment for members of one's own race was also demonstrated when the

dependent variable was the performance rating of an employee (Kraiger & Ford, 1985; Mount, Sytsma, Hazucha, & Holt, 1997).

To the best of our knowledge, no researchers have investigated the effects of race in civil proceedings. Researchers in our laboratory have investigated the effects of physical attractiveness and social desirability in civil cases in which a female plaintiff alleged sexual harassment by her male supervisor (Castellow, Wuensch, & Moore, 1990; Egbert, Moore, Wuensch, & Castellow, 1992; Moore, Wuensch, Hedges, & Castellow, 1994).

The purpose of the present research was to investigate the effects of the race of the defendant, the plaintiff, and the juror in a simulated civil case involving sexual harassment. Given the theoretical predictions that persons are more favorably disposed toward similar than toward dissimilar others, as well as the results of research in simulated criminal trials (especially that of Ugwuegbu, 1979), we predicted that mock jurors would be more likely to find in favor of the plaintiff, more certain of the guilt of the defendant, and more punitive toward the defendant when the defendant was not of their own race than when the plaintiff was of their own race. We also expected that women would be more likely than men to find in favor of the female plaintiff, given similar findings in earlier research (Egbert et al., 1992; Moore et al., 1994).

## EXPERIMENT 1

In Experiment 1, we investigated whether the judgments of White mock jurors would be affected by the race of the litigants in a civil trial in which a female plaintiff had alleged sexual harassment by a male defendant.

### Method

#### *Participants*

The participants were 193 White college students who were enrolled in undergraduate psychology classes at a public university in the southern United States; the student body consisted mostly of White students.

#### *Design*

We used three independent variables in a 2 (gender of participant)  $\times$  2 (race of plaintiff: Black or White)  $\times$  2 (race of defendant: Black or White) design. Verdict, certainty of guilt, and amount awarded the plaintiff were the dependent variables.

#### *Experimental Materials*

Each participant received a packet containing the following items: introductory materials (instructions, case background, and trial summary), summaries of

the litigants' testimony, summaries of the testimony of the litigants' character witnesses, and a participant response form. The materials (available upon request from the first author) were nearly identical to those used by Moore et al. (1994). According to the introductory materials, the female plaintiff had filed a civil suit, claiming sexual harassment by her male employer and asking for an award of \$200,000.

The plaintiff's testimony explained that in the 3 years that she had been working for the defendant as a receptionist, his harassing behaviors had escalated from making unwanted remarks about her clothing and physique to fondling her and describing the sexual acts in which he desired to engage her. She reported that, when she asked the defendant to cease such behaviors, he told her that she must have been enjoying his behavior or she would have found other employment. The details in the plaintiff's testimony were designed to make it quite clear that, if the jurors believed the plaintiff, then sexual harassment had taken place. The defendant's testimony denied all the plaintiff's accusations. The defendant stated that he considered himself a friend of the plaintiff and that he had a genuine concern for her safety and well-being. He expressed a willingness to help her to find other employment or to continue her employment at his firm.

We altered the character-witness testimonies from those used by Moore et al. (1994). In the earlier study, the character-witness testimonies portrayed each litigant as either socially desirable or socially undesirable. In Experiment 1, the character-witness testimonies portrayed each litigant in a neutral light, describing each litigant as either African American or Caucasian.

On the participant response form, the participants listed their age, gender, race, and academic classification. They indicated whether they thought the defendant was guilty of sexual harassment (yes or no) and how certain they were of his guilt on a 9-point scale (1 = *definitely not guilty*, 9 = *definitely guilty*). Those who thought the defendant guilty recommended an amount for the monetary award for the plaintiff. Finally, each participant answered a few questions about some of the details of the testimony (litigants' age, occupation, and race). We dropped from the analysis data from participants who, because they had not paid close attention to the experimental materials and questions, were unable to identify correctly the race of the litigants.

### *Procedure*

We tested the participants in small groups ( $n_s = 10\text{--}40$ ). The experimenter present during data collection was White. We excluded data from 25 participants because they could not correctly identify the race of the litigants. We excluded data from an additional 7 participants because their data sheets were corrupted. We conducted analyses on data from 161 participants (82 women and 79 men; mean age = 20.1 years,  $SD = 3.5$ ).

## Results

We used a logit analysis to evaluate the effects of gender of juror and race of plaintiff and defendant on the verdict rendered. We obtained a reduced model by removing from the saturated model all effects that were not significant at the .15 level. The resulting model included a significant (at the .05 level) main effect of plaintiff's race,  $z = 2.768$ ,  $p = .006$ ; a significant interaction between juror's gender and plaintiff's race,  $z = 2.111$ ,  $p = .035$ ; a nearly significant interaction between juror's gender and defendant's race,  $z = 1.944$ ,  $p = .052$ ; and nonsignificant main effects of juror's gender,  $z = 1.492$ ,  $p = .14$ , and defendant's race,  $z = 1.473$ ,  $p = .14$ . The reduced model fit the data adequately, as indicated by a nonsignificant goodness-of-fit test,  $\chi^2(2, N = 161) = 1.269$ ,  $p = .53$ . We also evaluated each of the effects in this reduced model with marginal likelihood ratio chi-square tests, as subsequently detailed.

The female jurors returned guilty verdicts more frequently (79%) than did the male jurors (62%), but this difference fell short of statistical significance by the marginal test,  $\chi^2(1, N = 161) = 3.484$ ,  $p = .062$ .

Guilty verdicts were significantly more frequent (79%) when the plaintiff was White than when she was Black (59%),  $\chi^2(1, N = 161) = 7.819$ ,  $p = .005$ . Because the logit analysis indicated that this effect interacted with the gender of the juror, we also tested it separately for female and male jurors.

Among the male jurors, guilty verdicts were significantly more frequent when the plaintiff was White (80%) than when she was Black (44%),  $\chi^2(1, N = 79) = 11.448$ ,  $p < .001$ ; however, among the female jurors, the race of the plaintiff had no significant effect on the verdict,  $\chi^2(1, N = 82) = 0.264$ ,  $p = .61$ . Female jurors returned guilty verdicts 78% of the time with the White plaintiff and 73% of the time with the Black plaintiff.

Although the defendant's race did not significantly affect the verdict when we ignored the gender of the juror,  $\chi^2(1, N = 161) = 1.658$ ,  $p = .20$ , the logit analysis indicated a nearly significant Gender of Juror  $\times$  Race of Defendant interaction. Accordingly, we evaluated the effect of race of defendant separately for male and female jurors. Among the male jurors, guilty verdicts were significantly more likely when the defendant was Black (73%) than when he was White (50%),  $\chi^2(1, N = 79) = 4.536$ ,  $p = .033$ , but race of defendant had no significant effect on the female jurors' verdicts,  $\chi^2(1, N = 82) = 0.152$ ,  $p = .70$ . The female jurors chose guilty verdicts 74% of the time with Black defendants and 78% of the time with White defendants (for the combined effects of gender of juror and race of litigants, see Table 1).

We used a three-way factorial analysis of variance (ANOVA) to evaluate the effects of gender of juror, race of plaintiff, and race of defendant on certainty of guilt. The significant effects were gender of juror,  $F(1, 153) = 5.49$ ,  $p = .020$ ; Gender of Juror  $\times$  Race of Defendant,  $F(1, 153) = 4.87$ ,  $p = .029$ ; and Gender of Juror  $\times$  Race of Plaintiff,  $F(1, 153) = 6.01$ ,  $p = .015$  ( $MSE = 2.90$  for each of those

**TABLE 1**  
**Percentage of Guilty Verdicts, by**  
**Gender of White Juror and Race of Litigants**

| Defendant/plaintiff | Female |          | Male |          |
|---------------------|--------|----------|------|----------|
|                     | %      | <i>n</i> | %    | <i>n</i> |
| Black/Black         | 70     | 23       | 62   | 21       |
| Black/White         | 79     | 19       | 85   | 20       |
| White/Black         | 78     | 18       | 22   | 18       |
| White/White         | 77     | 22       | 75   | 20       |

**TABLE 2**  
**Mean Ratings and Standard Deviations for Certainty of Guilt,**  
**by Gender of White Juror and Race of Litigants**

| Defendant/plaintiff | Female   |           |          | Male     |           |          |
|---------------------|----------|-----------|----------|----------|-----------|----------|
|                     | <i>M</i> | <i>SD</i> | <i>n</i> | <i>M</i> | <i>SD</i> | <i>n</i> |
| Black/Black         | 6.39     | 1.92      | 23       | 5.81     | 1.94      | 21       |
| Black/White         | 5.84     | 1.38      | 19       | 6.35     | 1.50      | 20       |
| White/Black         | 6.44     | 1.54      | 18       | 4.44     | 1.46      | 18       |
| White/White         | 6.50     | 1.68      | 22       | 6.05     | 1.96      | 20       |

effects). The female jurors were significantly more certain of the defendant's guilt ( $M = 6.30$ ,  $SD = 1.65$ ) than were the male jurors ( $M = 5.70$ ,  $SD = 1.85$ ). We investigated the significant interactions further by evaluating the simple main effects of race separately for female and male jurors.

Overall, the White male jurors were significantly more certain of the guilt of Black defendants ( $M = 6.07$ ,  $SD = 1.74$ ) than of White defendants ( $M = 5.29$ ,  $SD = 1.90$ ),  $F(1, 75) = 4.50$ ,  $MSE = 3.029$ ,  $p = .037$ , and were more certain of the defendant's guilt when the plaintiff was White ( $M = 6.20$ ,  $SD = 1.73$ ) than when she was Black ( $M = 5.18$ ,  $SD = 1.85$ ),  $F(1, 75) = 7.48$ ,  $MSE = 3.029$ ,  $p = .008$ . The female jurors' certainty of guilt was not significantly affected by the race of the defendant,  $F(1, 78) = 0.93$ ,  $MSE = 2.769$ ,  $p = .34$ , or the race of the plaintiff,  $F(1, 78) = 0.45$ ,  $MSE = 2.769$ ,  $p = .51$  (for the combined effects of gender of juror and race of litigants, see Table 2).

A similar three-way factorial ANOVA revealed a significant Gender of Juror  $\times$  Race of Defendant interaction with respect to the amount of money awarded,  $F(1, 146) = 7.15$ ,  $MSE = \$26,572$ ,  $p = .008$ . We subjected the awards variable to a square root transformation before analysis to reduce positive skew-

ness. The male jurors gave significantly larger awards to the plaintiff when the defendant was Black ( $M = \$74,407$ ,  $SD = \$98,394$ ) than when he was White ( $M = \$26,944$ ,  $SD = \$47,091$ ),  $F(1, 72) = 9.56$ ,  $MSE = \$25,545$ ,  $p = .003$ . The female jurors' awards were not significantly affected by the race of the defendant,  $F(1, 74) = 0.60$ ,  $MSE = \$28,544$ ,  $p = .44$ . The female jurors awarded the plaintiff an average of  $\$61,251$  ( $SD = \$74,581$ ) when the defendant was Black and  $\$75,789$  ( $SD = \$96,096$ ) when he was White.

### Discussion

Not surprisingly, the female jurors were more likely to favor the female plaintiff than were male jurors. This tendency may have resulted from greater similarity to the plaintiff (same gender), greater familiarity with the offense (sexual harassment), or both. Calhoun and Townsley (1991, p. 66) noted that women usually show more empathy toward victims of acquaintance rape than do men, possibly because women are more likely than men to have been victimized themselves. From another perspective, men may be less likely than women to believe an allegation of sexual harassment if they have been falsely accused of sexual harassment or have worried about being falsely accused.

We found the expected racial bias only with male jurors, who were more likely to favor the plaintiff when she was White, when the defendant was Black, or both. When the defendant was White and the plaintiff was Black, the White male jurors said that they were not certain that the harassment took place and that they were not likely to vote guilty; however, when the defendant was Black and the plaintiff was White, the male jurors were most certain that the harassment took place and were quite likely to vote guilty (see Tables 1 and 2). In addition, the White male jurors recommended much higher awards to the plaintiff when the defendant was Black than when he was White.

The gender difference in racial bias was unanticipated, but large. The odds of a male juror's finding in favor of a White plaintiff who accused a Black defendant were more than 20 times the odds of a male juror's finding in favor of a Black plaintiff who accused a White defendant. The lack of racial bias among the female jurors was not due to a ceiling effect: The within-cell conviction rates ranged from 70% to 79% for the female jurors and from 22% to 85% for the male jurors (see Table 1). Some of our colleagues have recently investigated racial bias in judgments of persons caught stealing and cheating (O'Neal et al., in press). They found no evidence of a gender difference in their results or in their review of the literature. However, a graduate student at the university where our data for Experiment 1 were collected reported a significant gender difference in racism among students at that university (Bier, 1990). The male students scored significantly higher than the female students on McConahay's (1986) Modern Racism Scale.

We speculated that the gender difference in racial bias was due, in part, to a stereotype among many White men, of the Black man as a sexual threat. There

is a well-known history of Black men's having been lynched, especially in the South, for suspicion of sexual activity with White women (Myrdal, 1944). Until the late 1960s, interracial marriage was still illegal in many states. An Internet search for "miscegenation" revealed that many are still concerned about interracial mating. Such concern was recently revealed in a feature article of the conservative publication, *National Review* (Sailer, 1997). That author cited the U.S. census and other sources indicating that the large majority of sexual contacts between Blacks and Whites, both in- and outside marriage, was between Black men and White women. Sailer contended that the sexual attractiveness of Black men is due to the "hypermasculinization of Black life" (p. 32) by the U.S. media in recent years. Regardless of whether one considers the *National Review* a reliable source of information, the appearance of such a feature article lends weight to our suggestion that some White men continue to be very concerned about sexual contact between Black men and White women. Our results suggest that this concern leads to racial bias in the courtroom when the alleged offense is sexual.

Current standards of female beauty in the United States may also account for the observed gender difference in racial bias. Some have argued that the physical features currently associated with female beauty are characteristic of White women but not of Black women (Parker et al., 1995; Tucker & Mitchell-Kernan, 1990). If the male participants in our study subscribed to such a standard of beauty more than did the female participants, then the male participants may have found it more difficult to believe that a White man would sexually harass a Black woman and less difficult to believe that a Black man would sexually harass a White woman. Alternatively, the gender difference in racial bias may have resulted from female jurors' being more likely than the male jurors to have a stereotype of Black women as sexier than White women.

Our suggestion that some jurors find it hard to believe that a man would sexually harass an unattractive woman does not imply that the actual motivation of harassers is sexual. Although the actual motivation may be nonsexual (e.g., hostility or domination; see Ellis, 1989), if jurors believe that the motivation is sexual, then the physical attractiveness of the putative victim may well be an issue. In simulated rape cases, researchers have found that the accused rapist of an attractive victim was more likely to be seen as guilty than was an accused rapist of an unattractive victim (Jacobson, 1981; Jacobson & Popovich, 1983). In a study that simulated a sexual harassment case in a business setting, both female and male participants, playing the role of a personnel director evaluating an allegation of sexual harassment, were more likely to believe that the incident was sexually motivated when the female victim was physically attractive than when she was not (Popovich et al., 1996). Those authors speculated that this effect may have resulted from "pre-established beliefs about SH—that a woman must be attractive to elicit the attentions of a man (even in a harassment situation)" (p. 532). In a simulated sexual harassment trial, the odds of a guilty verdict when the plaintiff was physically attractive were 2.7 times the odds when the plaintiff was

physically unattractive (Castellow et al., 1990). When the first author asked students in undergraduate and graduate statistics classes to explain why jurors favored the attractive plaintiff, the most frequent answer was that men are not motivated sexually to harass an unattractive woman.

## EXPERIMENT 2

In Experiment 2, we investigated whether the judgments of Black mock jurors would be affected by the race of the litigants in a civil trial in which a female plaintiff had alleged sexual harassment by a male defendant.

### Method

#### *Participants*

The participants were 172 Black college students enrolled in undergraduate psychology classes at one of two public universities in the southern United States—one student body consisted mostly of White students; the other, mostly of Black students.

#### *Design, Experimental Materials, and Procedure*

The design and experimental materials were identical to those used in Experiment 1. The procedure differed in only one way: The experimenter present during data collection was Black. We excluded data from 20 participants because they could not correctly identify the race of the litigants because of inattention to the experimental materials and questions. We conducted analyses on data from 152 participants (76 women and 76 men; mean age = 22.0 years,  $SD = 4.8$ ).

### Results

We developed a reduced model for predicting the verdict from the gender of juror and race of litigants by using the same analytic methods as in Experiment 1. The resulting model included significant main effects of gender of juror,  $z = 2.389$ ,  $p = .017$ , and race of defendant,  $z = 3.083$ ,  $p = .002$ , and a nonsignificant Gender of Juror  $\times$  Race of Plaintiff interaction,  $z = 1.631$ ,  $p = .10$ . The reduced model fit the data adequately,  $\chi^2(4, N = 152) = 7.395$ ,  $p = .12$ . We used marginal likelihood ratio tests to evaluate the effects retained in the reduced model.

The female jurors returned guilty verdicts significantly more frequently (86%) than did the male jurors (70%),  $\chi^2(1, N = 152) = 5.550$ ,  $p = .018$ . Guilty verdicts were more frequent when the plaintiff was Black (84%) than when she was White (71%), but this difference fell just short of statistical significance by the marginal test,  $\chi^2(1, N = 152) = 3.834$ ,  $p = .0502$ . Because the reduced logit

model included a marginally significant Gender of Juror  $\times$  Race of Plaintiff interaction, we conducted marginal tests of the effect of race of plaintiff separately for the female and the male jurors. Among the male jurors, guilty verdicts were significantly more frequent when the plaintiff was Black (82%) than when she was White (58%),  $\chi^2(1, N = 76) = 5.153, p = .023$ ; however, among the female jurors, the race of the plaintiff had no significant effect on the verdict,  $\chi^2(1, N = 76) = 0.106, p = .74$ .

White defendants were found guilty significantly more often (88%) than were Black defendants (67%),  $\chi^2(1, N = 152) = 10.011, p = .002$ . Because we had evaluated the effect of race of defendant separately for the female and the male jurors in Experiment 1, we did so in Experiment 2 for comparative purposes. The male jurors were significantly more likely to return a guilty verdict when the defendant was White (82%) than when he was Black (58%),  $\chi^2(1, N = 76) = 5.153, p = .023$ , and the female jurors were also significantly more likely to return a guilty verdict when the defendant was White (95%) than when he was Black (76%),  $\chi^2(1, N = 76) = 5.573, p = .018$  (for the combined effects of gender of juror and race of litigants, see Table 3).

For certainty of guilt, the three-way ANOVA indicated significant effects for race of defendant,  $F(1, 144) = 5.36, p = .022$ , and race of plaintiff,  $F(1, 144) = 8.24, p = .005$  ( $MSE = 3.067$ ). Certainty of guilt was significantly higher with White defendants ( $M = 6.91, SD = 1.64$ ) than with Black defendants ( $M = 6.25, SD = 1.93$ ) and significantly higher with Black plaintiffs ( $M = 6.99, SD = 1.55$ ) than with White plaintiffs ( $M = 6.17, SD = 1.97$ ). No other effects were statistically significant (see Table 4).

The three-way ANOVA on (square root transformed) amount of money awarded the plaintiff produced a significant effect only for the race of the defendant,  $F(1, 144) = 9.55, MSE = 6,613,818, p = .002$ . Awards were significantly greater when the defendant was White ( $M = \$145,193, SD = \$171,321$ ) than when he was Black ( $M = \$90,355, SD = \$145,518$ ).

**TABLE 3**  
Percentage of Guilty Verdicts, by Gender  
of Black Juror and Race of Litigants

| Defendant/plaintiff | Female |          | Male |          |
|---------------------|--------|----------|------|----------|
|                     | %      | <i>n</i> | %    | <i>n</i> |
| Black/Black         | 84     | 19       | 74   | 19       |
| Black/White         | 68     | 19       | 42   | 19       |
| White/Black         | 89     | 19       | 89   | 19       |
| White/White         | 100    | 19       | 74   | 19       |

**TABLE 4**  
**Mean Ratings and Standard Deviations for Certainty of**  
**Guilt, by Gender of Black Juror and Race of Litigants**

| Defendant/plaintiff | Female   |           |          | Male     |           |          |
|---------------------|----------|-----------|----------|----------|-----------|----------|
|                     | <i>M</i> | <i>SD</i> | <i>n</i> | <i>M</i> | <i>SD</i> | <i>n</i> |
| Black/Black         | 7.11     | 1.15      | 19       | 6.47     | 1.98      | 19       |
| Black/White         | 6.00     | 2.03      | 19       | 5.42     | 2.12      | 19       |
| White/Black         | 7.11     | 1.66      | 19       | 7.26     | 1.28      | 19       |
| White/White         | 6.95     | 1.47      | 19       | 6.32     | 2.03      | 19       |

### Discussion

As in Experiment 1, the outcome in Experiment 2 was more likely to favor the female plaintiff when the jurors were female than when they were male. The Gender of Juror  $\times$  Race of Litigants interaction was, however, less clear in these results than it was in Experiment 1. As in Experiment 1, the male jurors favored litigants of their own race. The odds of a male juror's finding in favor of a Black plaintiff who accused a White defendant were more than 11 times the odds of a male juror's finding in favor of a White plaintiff who accused a Black defendant. With female jurors, that odds ratio was only 3.8. When the defendant was White rather than Black, both female and male jurors were more likely to find in favor of the plaintiff, more certain of the defendant's guilt, and more generous in their awards to the plaintiff. The race of the plaintiff had less of an effect, not significantly affecting the amount of the award or, with female jurors, the recommended verdict.

The bias in favor of the Black defendant in Experiment 2 may have resulted from the same cultural stereotype to which we referred earlier, that of the Black man as a sexual threat to women. Our Black jurors may have reasoned that the charges against the Black defendant resulted, in part, from that stereotype, rather than from his actual behavior.

Our Black jurors were more likely to believe a Black plaintiff than a White plaintiff. If we applied the "standards of female beauty" explanation offered for the results of Experiment 1 here, then we would have to conclude that this standard differs between Black Americans and White Americans—that is, when it comes to female beauty, Blacks may really believe that Black is beautiful. Our Black jurors had no difficulty believing that a Black woman was beautiful enough to tempt some men to harass her sexually.

The Black male jurors in Experiment 2 were most likely to conclude that sexual harassment had taken place when the allegation was that a White man had harassed a Black woman (89% guilty verdicts); Black female jurors also found

this allegation very believable (89%). That agreement between the genders may have resulted, in part, from (a) the Black jurors' knowledge of the history of White men's sexually preying on Black women and (b) their recognition that sexual harassment frequently reflects the assertion of power rather than sexual attraction.

### GENERAL DISCUSSION

In criminal trials, jurors are more likely to convict when the victim is of the same race as the juror and the defendant is not (Dane & Wrightsman, 1982). The results of our research with a simulated civil case are, for the most part, consistent with the findings of earlier research with criminal trials. Across both of our experiments, the general pattern of the results was that jurors in a civil case favored litigants of the same race and same gender as themselves. The most straightforward interpretation of these results may be that people are simply more likely to like and to believe those whom they perceive as similar to themselves.

We did find one result not expected on the basis of past research: the gender difference in racial bias among White jurors. The racial bias observed in our two experiments was highest among White men and lowest among White women. We attempted to explain that gender difference among White jurors by referring to the cultural stereotype of the Black man as a sexual threat to White women and to possible gender differences in stereotyping of Black women and White women. We must confess that these explanations were post hoc, were quite speculative, and require testing with additional research.

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