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Running head: RACE AND CRIME: SOCIAL PERCEPTIONS

# Race and Crime: Social Perceptions

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**TO THE PACE UNIVERSITY PFORZHEIMER HONORS COLLEGE:**

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**Précis**

The criminal justice system prides itself on being proactive by using preventive law enforcement techniques while at the same time protecting society by removing those who attempt to or actually do break the law. A problem this system faces is what happens to offenders after they come out of prison? Are these offenders reformed into proper functioning members of society? These questions are important to jurors when they consider the guilt or innocence of an alleged offender. Research has shown that outside forces act upon not only the memory of jurors but also their decision making process during the trial and deliberation. Many trials end in hung juries or wrongly convicted offenders. What goes through the juror members' mind while he or she sits in the jury room discussing the case? Is the juror thinking about how the release of this possible offender may affect a neighbor? What type of offender does the juror consider the most threatening to his or her personal self? Finally, the question posed in this study, are White offenders more likely to be socially accepted back into society as compared to their counterpart Black offender, when both offenders commit the same crime.

In order to thoroughly explore the relationship between race, crime, and juror opinion, a group of one hundred and twenty undergraduate students of both genders from the Pace University New York campus were recruited to participate in a survey. The survey was attached at the end of a vignette of one of four different types of scenarios. Only one vignette was shown to each participant. The vignettes consisted of either a Black male or a White male committing either a white collar crime (e.g. insider trading) or a drug-related crime (smoking crack cocaine).

The survey used the Bogardus Social Distance scale and the Likert scale. The Bogardus Social Distance scale measures the attitudes of people on how close or distant people feel towards others. The scale was used to see how close a participant would allow a particular offender within his social circles such as whether the participant would allow the offender to

marry his sister or whether he will allow the offender near his children. The Likert scale was used to determine the participant's personal opinions on the offender and the case scenario. Participants were to personally judge the offender based solely on the information provided. These scales have been successfully used in other studies for years. The Bogardus Social Distance scale, however has been criticized as not an accurate measure of social distance and said to be too general. To solve this problem the Likert scale was used to obtain a more specific read on the participant's opinions on the offender in each case scenario.

The study showed that, on average, participants cared more about the type of crime committed than the race of the offender. They chose to distance themselves more from an offender who committed a drug-related crime rather than a white collar offender. As well they considered a drug offender more dangerous than a white collar offender yet they would give more jail time to a white collar offender, particularly if he is White. This shows how race and type of crime stereotypes affect juror decision-making. Because of these biases jurors may be more inclined to give more jail time to a Black drug offender than a White drug offender. These types of biases skew the justice system.

These results are consistent with other works in the field that suggest juror decisions are affected by outside factors that are hard to control within the court room. These juror studies help identify the problems which in turn may suggest solutions for those problems, hopefully minimizing the amount of preconceptions that jurors may come in with by properly forming jury instructions.

## Abstract

This study looked at whether White offenders are more likely to be socially accepted back into society as compared to their counterpart Black offender, when both offenders commit the same crime. A sample of 120 Pace University undergraduate students were recruited. Acceptance of offenders was determined by using the Bogardus Social Distance Scale, which measures how much an individual would allow a criminal into their social circle. Participants received one of four fictional vignettes of either a White male or Black male committing one of two crimes: a white collar crime or a drug-related crime. It was found that, regardless of race, the participants socially distanced themselves more from drug offenders than white collar offenders.

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Race and Crime: Social Perceptions

Once convicted of a crime, the offender's life is marked and judged by the crime. There is no doubt that a person with a criminal record forms more of a threat to the stability of a community and or work place than a person without one. Modern television shows have glorified some criminal "masterminds" and demeaned others. Shows like *White Collar* have put a modern day heroic spin to a white collar criminal. The public is skewed to viewing white collar criminals as charmers who just love money, while they view drug addicts as low lives who just love drugs. These are common stereotypes that many people perceive as true because of the nature of the crime. After they serve their time, these offenders go back out into the world and they face the community once more. The question becomes, would a white collar offender be more readily accepted back into the community's grace rather than a drug offender? Furthermore, would their status back in the community be affected by the race of the offender? Jury members are constantly fighting between their personal emotions and the law and so many ask: "would I want them back on the street as my neighbor?" This question can affect the judgment of a juror based on social distance. If they do not want the offender to be back on the street they might be more sympathetic to the prosecutor rather than paying attention to the actual evidence at hand. The research performed in this paper looks at the interaction between the type of crime and race of the offender on social acceptance on potential jurors. It also looks at the factors separately to decide if one affects social acceptance more than the other. Five very influential studies discuss determining factors in innate biases that people have when determining the guilt or innocence of another person.

## Literature Review

### Race and Crime: Social Judgment

Eberhardt, Goff, Purdie, and Davies' (2004) study explored the question of race and crime as it pertains to social judgment. Eberhardt et al. (2004) found that Black faces and Black bodies can trigger thoughts of crime, and thus thinking of a crime can trigger thoughts of Black people. These associations between social groups and concepts are bidirectional. Eberhardt et al. believe that people in modern society are so used to associating the color black with crime (whether it be skin color or not: i.e. "pitch-black alleyways") that people automatically, as if by natural instinct, believe that most black people are criminals and thus judge them more harshly. Eberhardt et al. ran a series of studies based on visual perception of racial biases, however, the study that most pertains to the current study is their exploration of police officers' visual perception and memory when exposed to certain crime primers. Using different crime primers and different face stimuli, the researchers were able to demonstrate that activating the crime concept with police officer participants led them to attend (focus on) to Black male faces more often than White faces.

In a follow-up study, the Eberhardt et al. tried to isolate the association between Black faces and criminality by showing police officer participants pictures of Black faces and White faces and asking "Who looks criminal?" The police officer participants had a tendency to choose more Black faces than White faces. The more stereotypical a Black face looked (e.g. large lower lip), the more likely the officer participants would label them as a criminal.

Bodenhausen (1988) conducted an experiment in which he took ninety college-age students and asked them to participate in a study that requires them to act as if they were part of a jury. As jurors they received a booklet pertaining to a single court case. Two types of information were provided in the booklets: thirteen pieces of evidence and background items. The evidence provided had five incriminating pieces of evidence as well as five defensive pieces

of evidence. The evidence in general was kept neutral. The only piece of information manipulated was the background information of the defendant. The name and city of birth for the criminal were changed to make the name either obviously Hispanic or obviously White. The participants were then asked to evaluate the evidence on an 11-point scale ranging from 0 (not at all likely to be guilty) to 10 (extremely likely to be guilty). They also indicated how confident they were in their judgments in an 11-point scale: 0 being not at all confident and 10 meaning extremely confident. After they completed the two scales, they were given two unrelated tasks followed by a surprise recall task which asked them to recall certain details from the case. The results that followed were very interesting. According to Bodenhausen in 'mock jury' trials, defendants who are African American or Hispanic receive harsher judgments of guilt and punishment than white defendants. Minorities were judged harsher not only in the guilty to not guilty range but were also recalled to be more violent on the recall task and more likely to commit a violent crime in the future.

**Disgust-Sensitivity on Crime**

Jones and Fitness (2008) observed how their experimental group would react to four different vignettes of four different crimes: a con man, drug trafficker, fraudster, or pair of burglars. Jones and Fitness (2008) proposed that a highly disgust-sensitive individual would be repelled by exposure to law-breaking individuals and would think and behave in ways that would reduce the risk of being near such a person—also known as moral hypervigilance. Jones and Fitness focused on understanding and exploring moral disgust by exploring how a person's susceptibility to moral disgust may influence a person's behavioral and psychological choices. Jones and Fitness gave the experimental group case scenarios of criminals and gave the control group non-disgust material to read such as a man proposing to his wife. The case scenarios of

criminals were associated with the belief that since these criminals are immoral, than those participants who see this act as immoral will display signs of disgust and would want to distance themselves from the criminal and the criminal act. After reading the scenarios, the researchers gave the participants a word completion task based on the scenarios. The participants who read the criminal scenarios were more likely to evaluate the criminal's behavior in disgust describing words such as "rotten."

After completing the word completion task, the participants were offered a choice of free gifts. Those that read the disgust-inducing scenarios overall statistically chose cleaning-products as a free gift rather than any of the more neutral gifts. They would physical feel dirty about reading these cases. However, the contrary might be true as well: people who are focused on cleanliness (people who generally like to keep everything in their lives neat and clean) are also people that chose to distance themselves from "dirty" people. So the disgust-scenario might not have provoked them to chose cleaning products after reading the scenario, but the opposite, they chose cleaning products because they are disgust-sensitive people in general. Statistically, this personality difference should have been minimized by random assignment and random sampling of participants.

By the end of the study, Jones and Fitness found that participants who read descriptions of criminals displayed signs of having evaluating the scenarios (the stimulus) as disgusting. This pertains to the current study because it looks at what type of stimulus would affect a person when judging others. The fact that the participants were physically repelled by the criminal and his/her behavior and would want to reduce the risk of being exposed to the transgressors (i.e. the criminal) would show that they would tend to want harsher punishments for the transgressors in

a court room setting, in order to reduce the risk of being near them. Thus an extensive imprisonment term would allow this exposure to the transgressor to minimize.

**Effects of Eyeglasses on Jurors**

Brown and Groscup (2008) led the research on the effects of eyeglasses and race on juror decisions, specifically when the crime is of a violent nature. The study was a two by two factorial study. Each participant was given one of four vignettes where the defendant they were judging was either Caucasian or African-American and eyeglasses were present in two of the four scenarios. The presence of eyeglasses had an indirect effect on the verdict by leading the participants to believe the defendant's intelligence level was higher if they were wearing glasses versus not wearing glasses. This study shows that the mere physical appearance of the defendant is enough to lead jurors astray from the facts of the actual case. Due to this particular bias, pictures were not provided in the current study's case profiles of the offenders. Eliminating photographs of offenders limits possible confounding variables.

**Weapon Focus Effects on Memory**

E.Loftus, G. Loftus, and Messo (1987) explored the phenomenon of "weapon focus" in terms of witnesses of any crime. This study empirically indicates this phenomenon exists by exposing their participants to two different types of scenarios (gun versus no-gun scenario) and asked them to describe events that occurred at that particular moment. Witnesses who experience a crime where a weapon was involved have a poorer memory of what actually occurred during that crime because they were too focused on the weapon use than on the events that were occurring around them at the same time. This experiment exemplifies the current study by introducing the notion that the human memory and judgment is easily swayed by slight details of the crimes rather than the actual occurrence as a whole.

**Publicity Effects on Jurors**

Ruva and McEvoy (2008) conducted an experiment that explored pretrial publicity effects on jurors. The media tends to put their own versions of what they think will or will not happen in a court case on television; exposing millions of people on what their version of the truth is for that particular case. Ruva and McEvoy conducted a study which tested juror memory and decision making after a set of negative pretrial publicity, positive pretrial publicity, and neutral publicity. They handed out packets to a mock jury group that contained articles about a murder case and a personality test. The participants were told that the researchers were studying the affect of articles about crimes on certain personalities. Each juror got one of three types of articles: positive publicity, negative publicity, and neutral publicity. After the personality test was filled out, participants were asked to come back in five days to complete the second phase of the study.

In the second phase, researchers took a neutral clip of a murder case's defendant testifying and showed it to the mock jurors. The jurors were instructed (as with real jurors) that they were not to use any prior information that they may have about the case when making decision about the defendant's guilt. They were only to consider the evidence presented during trial when deciding the defendant's guilt. The experiment indicated that pretrial publicity about a defendant can have an extremely biasing effect on juror decision-making. Jurors who were exposed to negative publicity had almost twice the conviction rates as the non-exposed jurors.

The media was able to negatively affect the juror's decision-making skills and memory. The jurors were unable to properly distinguish between the articles they read and what they actually witnessed in court. Public opinions can be swayed depending on the status of the defendant as well. If the defendant is a well known and well liked celebrity, jurors are less likely

to convict the defendant even if the evidence does prove that person guilty. Preconceived notions posed as a challenge for the jurors; such preconceived notions may include their own feelings on a particular race or who is associated with a particular crime.

These studies bring us back to the question of race and type of crime. This study hypothesizes that White offenders, regardless of crime, would be allowed closer into a participant's personal and social circles more so than a Black offender, regardless of crime. A secondary hypothesis is that more participants would attribute the Black offender's behavior to a personality trait rather than a social consequence, while the reverse would be true for a White offender, regardless of crime. Drug-related offenders would be socially out-casted further than white collar offenders due to the moral disgust the participants would feel at a "dirty" crime such as substance abuse versus a more intellectual crime such as financial fraud, i.e. financial white collar crime.

## Method

### Participants

One hundred and twenty undergraduate students of both genders (Males: 52.9 %, Females: 46.3%) from the Pace University New York campus were recruited. Participant's ages ranged from 18 to 29 ($M$ = 20.50). The ethic breakdown of the participants was as followed: 51.2% White non-Hispanic, 5.8% Black American, 19.0% Hispanic/Latino, 0.8% African, 10.7% Asian, .8 Alaskan/Pacific-Islander, 9.9% identified themselves as another race, and 1.7% did not fill out the race demographic.

### Measures

**Social Distance.** Participants were given a modified version of the Bogardus Social Distance scale which measured the attitudes about how close or distant people feel towards other

people, which in this particular study focused on how undergraduate students of different social backgrounds will respond to the race of the criminal and the crime that particular criminal commits. There were nine questions presented to the participants from this scale. The scale was graded by taking the number closest to the one (the inner and most personal social circle of the participant) for each participant.

**Likert Scale.** Participants received seven Likert questions ranging from 1 (strongly disagree) to 7 (strongly agree). These questions will conceal the true aspect of the study as well as provide some personal opinion on how they view the criminals themselves.

**Socio-demographic information.** After filling out the questionnaire, participants were asked to provide their age, ethnicity, and sexual orientation.

**Design and Procedure**

Participants were approached within several areas of the Pace University New York campus such as the courtyard and student union. During the session, after the participants read and signed the informed consent form, they were asked to complete the research measure. The participants were informed about the general nature of the study, verbally and through the consent form. The students were asked to fill out the survey based on the specific instructions given in each section. For the Bogardus Social Distance Scale they were asked to check all that applied to their personal opinion of how close they want someone who is convicted of a certain crime and is of a certain race near them. This study took the form of a two (race: White or Black) by two (crime: White collar or Drug-related) between-subjects factorial design. Four different vignettes were made up; each with a different crime: white collar crime or drug abuse crime and two different races: White or Black. Each participant was only aware and only received one

scenario of the four different possible combinations. The survey was administered in two forms to counterbalance any order effect. One survey started with the Social Distance scale first, than the Likert items. In another survey the Likert items came first in order to make certain that there was no order effect present in the administration of the surveys.

At the end of the session, students were administered a debriefing form and their questions regarding the study were answered to the extent that was plausible without risking the integrity of the study and minimizing the risk of possible early exposure to the main purpose of the study to other potential participants. Dum-dum lollipops were given to all participants who took part in the study as a form of compensation.

## Results

The data were analyzed using a univariate analysis of variance. The data took the form of a two-by-two factorial design with four between groups each being compared to each other. With regard to Social Distance, the two-way ANOVA showed a significant main effect for type of crime, such that, regardless of race, participants chose to socially distance themselves more from drug-related offenders ($M$ = 4.52, SD= 2.487) than white collar offenders ($M$ = 3.47, SD= 2.198), $F(1, 116)= 5.916$, $p<.02$. No significant main effect of race was found, $F(1, 116)$, $p>.05$. A White offender ($M$ = 3.90, SD = 2.391) and a Black offender ($M$ = 4.08, SD= 2.417) were not significantly different when it came to participants socially distancing themselves from the offenders. No significant interaction effect was found between race and crime, $F(1, 116)$, $p>.05$ (See Figure 1).

A significant main effect for type of crime was found for the item: This person should get maximum jail time for the crime, such that a white collar crime offender ($M$ = 3.43, SD= 1.047) were significantly judged harsher than drug-related offenders ($M$ = 2.62, SD= .976) regardless of

race, $F(1,116)= 19.866$, $p<.001$. There was no significant main effect of race found, $F(1,116)= .405$, $p>.05$. White offenders ($M = 3.08$, SD= 1.225) were just as likely as Black offenders ($M = 2.97$, SD= .938) to receive the same amount of jail time. No significant interaction effect was found between race and crime, $F(1,116)= 3.649$, $p>.05$ (See Figure 2).

No significant main effect was found for whether the participants attributed the criminal's behavior to his environment for type of crime, $F(1,116)= .522$, $p>.05$. Participants did not attribute white collar offenders' ($M = 2.93$, SD= .936) behavior to their environment more so than they would attribute the same behavior to drug-related offenders ($M = 3.07$, SD= 1.087). No significant main effect for race was found $F(1,116)=2.644$, $p>.05$. Participants did not attribute White offenders' ($M = 2.85$, SD= 1.055) behavior to their environment more so than they would attribute the same behavior to Black offenders ($M = 3.15$, SD= .954). No significant interaction effect between race and crime was found, $F(1,116)= .294$, $p>.05$ (See Figure 3).

No significant main effect was found on whether the participants considered the criminal a danger to anyone for type of crime $F(1,116)= .375$, $p>.05$. White collar offenders ($M = 2.70$, SD= 1.139) were considered just as dangerous as drug offenders ($M = 2.58$, SD= .979). No significant main effect for race was found, $F(1,116)=2.211$, $p>.05$. Black offenders ($M = 2.78$, SD= 1.091) were considered just as dangerous as White offenders ($M = 2.50$, SD= 1.017). A marginal significance was found in the interaction between race and crime, such that Black white collar offenders were considered less dangerous than White white collar offenders, however, Black drug offenders were considered more dangerous than a White drug offender, $F(1,116)= 4.047$, $p<.05$ (See Figure 4).

No significant main effect was found on whether the participants attributed the criminal's behavior as his own personal choice for type of crime, $F(1,116)= .000$, $p>.05$. Participants

considered white collar offenders (*M* = 3.92, SD= .962) just as likely as drug offenders (*M* = 3.92, SD= .944) to make their own personal choice in committing the crime. No significant main effect for race, was found $F(1,116)= 2.357$, $p>.05$. Participants considered Black offenders (*M* = 4.05, SD= .790) just as likely as White offenders (*M* = 3.78, SD= 1.075) to make their own personal choice in committing the crime. No significant interaction effect was found between race and crime, $F(1,116)= .037$, $p>.05$ (See Figure 5).

There was a marginal significant main effect for whether the participants perceived the offender as having good intentions for type of crime, regardless of race, such that white collar offenders (*M* = 2.23, SD= .890) were seen as having less good intentions than drug offenders (*M* = 2.55, SD= .811), $F(1,116)= 4.091$, $p<.05$. No significant main effect for race was found, $F(1,116)= .102$, $p>.05$. Black offenders (*M* = 2.42, SD= .720) were seen as having similar intentions as White offenders (*M* = 2.37, SD= .991). No significant interaction effect between race and crime was found, $F(1,116)= .283$, $p>.05$ (See Figure 6).

A significant main effect for whether participants believed that the offender created a problem for society, for type of crime, regardless of race, was found such that white collar offenders (*M* = 3.48, SD= 1.127) were seen as creating a larger problem for society than drug offenders (*M* = 2.97, SD= 1.119), $F(1,116)= 6.347$, $p<.02$. No significant main effect for race was found, $F(1,116)=1.486$, $p>.05$. Black offenders' behavior (*M* = 3.35, SD= 1.117) was just as likely as White offenders' behavior (*M* = 3.10, SD= 1.175) to form a problem for society as a whole. No significant interaction effect between race and crime was found, $F(1,116)= .535$, $p>.05$ (See Figure 7).

A significant main effect of whether the participants perceived the offender as a good person, for type of crime, regardless of race, was found such that drug offenders (*M* = 2.95, SD=

.594) were categorized as a "good person" more so than a white collar offender ($M$ = 2.65, SD= .685), F(1,116)= 6.516, $p$>.02. No significant main effect for race was found, F(1,116)= .322, $p$>.05. Black offenders were categorized as a "good person" just as much as a White offender. No significant interaction effect between race and crime was found, F(1,116)= .724, $p$>.05 (See Figure 8).

## Discussion

The current study aims at exploring the relevance between type of crime committed and the race of the offender. Modern society has become more accepting towards individuals within its own culture. In November 2008, Americans voted for the first Black president of the United States of America, a seeming miracle in light of the long history of racism in the United States. Upon closer consideration it is important to remember that President Obama is part of the elite; he is not from an underprivileged family or community. This study investigated the social distance in society regarding criminals of different races who have committed crimes because they are at the low end of the social spectrum, as well as those crimes committed in the high end of the social spectrum (crimes committed by the elite). Furthermore, this study attempted to demonstrate the effect of race on crime and whether certain races are socially linked to a certain type of crime. Criminals act against the norms of modern living and defy agreed upon codes of conduct, as a result they are a threat to the stability of the social order as a whole.

The current study was conducted in order to identify social biases in society by using Bogardus Social Distance Scale. This study not only examines jury stereotypes but also crime stereotypes. The general consensus of the participants in the study was that the nature of the crime has a more significant effect than the race of the offender. Participants chose to distance themselves more from an offender who committed a drug-related crime than a white collar

offender. Although they chose to distance themselves from drug-related offenders more so than white collar criminals, they chose to punish white collar criminals more harshly. Some of the participants verbally stated that they do not believe a drug addict should receive jail time. As an alternative, participants suggested drug rehabilitation programs for drug-related offenders. Respondents chose, however, to give White collar criminals as a whole jail time sentences that would led up to 16 or more years. An overwhelming number of people stated, however, that drug offenders should be sentenced zero to one year in jail, with the longest prison sentence being seven years.

When asked whether or not the participants believed, solely based on the profile, whether or not they believe the offender in their vignette had good intentions more participants stated that the drug offenders had good intentions as compared to the white collar offenders. However, when it comes to safety, it seems that participants believed that white collar Black offenders were less dangerous than white collar White offenders, conversely they also believed that White offenders who committed a drug crime were less of a danger than Black offenders who committed the same crime. This interaction effect might have occurred due to deeply inherited racial bias where the Black offender is seen as a typical drug user. The media has shown numerous television shows where police officers would raid a house and find various minorities using drugs, especially crack cocaine. Similarly, the media has predominately shown that the white collar offenders involved in most of the high class ponzi schemes are White males. Stereotypically, White males are seen as more capable of intellectual well-thought out crimes, probably due to the fact that White males have always been the dominant figures in American society.

Participants did not statistically show a preference as to whether they believed the offender they read about was a product of his environment or a self-choice. Though this difference was not statistically shown, Black offenders were seen as more likely to choose their lifestyle and be responsible for their own criminal actions more so than their counterpart White offenders. However, again, this difference is seen in the chart but is not statistically significant. If more participants were surveyed this difference might have been more apparent.

White collar offenders seemed to be considered a larger problem for society as a whole versus drug related criminals. More participants saw white collar crimes as having a more distinguished effect on society probably due to the current economic crisis faced around the world. Drug offenders were perceived as better people than white collar offenders most likely due to the fact that the drug offender was only administering drugs to himself rather than selling drugs to others, therefore he was only harming himself in technical basic terms. White collar offenders stole money from companies which in turn affects the employees and the stockholders of those companies. Although the scenario stated clearly that there were no public victims in either scenarios, the participants might not have understood what that meant in terms of a white collar crime and as well were bias by their own feelings, again, due to the current economic situation.

**Limitations**

Some of the limitations this study faced involved a small sample of participants. There seemed to be a difference between races, however, the power might have been too small in order to make this difference statistically significant. Other limitations might have been that the manipulation for type of crime was stronger than the race manipulation. For type of crime, especially the white collar crime vignette, the amount of money might have been too large and

unevenly proportioned to smoking crack cocaine. Another possibility is that white collar criminals were judged more harshly because of the timing of the study. Due to the current economic situation where figures like Bernard Madoff stole millions of dollars from people, having a white collar crime vignette might have reflected the current feelings of the participants due to the environmental confound.

Race was only slightly mentioned in the case profile vignettes which might not have been an apparent difference since a lot of participants tended to rush through the scenarios and not notice the name or the race of the participant of the offender. As well, the name of the White offender: "Anthony Anderson" was associated with a Black actor, which was unknown to the experimenter at the time the case profile was designed. Only two participants mentioned the association to the experimenter, however, making its significance unknown.

The Bogardus Social Distance Scale is criticized as being too weak of a scale that does not look at the whole range of information provided by the participants. It was criticized as being too simple. There was no agreed upon grading of the scale, which made calculating the total social distance score harder. To solve this problem the closest score the participant chose to their personal lives was the accepted and used score.

**Future Research**

Advancements on the study would act as more accurate detectors of biases. Such advancements would include presenting pictures of the criminal himself. A picture of the criminal gives the juror the proximity aspect; the criminal is no longer just text on a profile but now has a face, thus further skewing participants' judgment. A picture can also skew the participant's judgment depending on the appearance of the person in the picture. If a man was dressed in a suit in one picture and a different man different in rags in the next, jurors might be

tempted to give the man in the suit the benefit of the doubt because he looks respectable ( at least more respectable than a man dressed in rags). There is a saying that states “a man must dress for the job he wants.” If a man is dressed in rags than the jurors might automatically assume that he is of lower standard than the man in the suit even if they committed the same crime.

A further exploration of the current study is to introduce a gender aspect. What if the people committing the crime were all women? Would women be judged in the same category as men? For instance, if two women, one Black and the other Caucasian, committed the same crime, who would be judged harsher? On the one hand Caucasian women “should know better” and on the other the Black female is a victim of her environment. Or is it vice versa?. Do the same judgmental categories for male criminals apply to female criminals?

Judging and stereotypes are a part of human nature. Everyone judges others by aspects of their physical appearance, such as skin color. Judgments made by jurors in criminal cases are the most detrimental kind of judgments a person can make, in order to have a fair and just justice system. Impartiality is a myth. In order to allow impartiality to flourish ,or even exist in the first place, researchers must identify what jurors are most susceptible to when dealing with a criminal case. Stereotyping by race and type of crime is a factor one has to look at when hoping for an impartial juror. The social distance scale shows that people chose to distance themselves from drug offenders more so than white collar offenders. Another reason for this study is to better assimilate minority criminals back into society by settling them in proper communities that will provide them with support rather than a community that would shun them. According to the current study, people expressed verbal concern that drug offenders would not be receiving proper care in prison facilities, thus they should be placed in rehabilitation programs versus the prison system.

The current study found that participants punished white collar offenders more harshly based personal traits such as whether or not they were good people or had good intentions. One possible explanation for this is because drug offenders are seen as having an addiction problem and they are slaves to their addiction, therefore they are less responsible for their actions than a person who knowingly and intelligently steals and commits fraud in a company. This extreme bias shows that participants are more likely to allow their personal feelings about a case to interrupt proper judgments that are solely based on the facts of the case presented.

**Conclusions**

Generally, race did not seem to be a significant factor when considering social distance. While there were apparent stereotypes in race when considering the danger levels of an offender, participants seemed more concerned with the type of crime an offender committed. The importance of this study is to provide awareness of societal biases against offenders due to their prior criminal history. Although white collar offenders were judged more harshly, drug offenders were still more socially rejected from inner circles than white collar offenders, thus implying that drug offenders would have more trouble assimilating back into society because they would be judged based on their past experience with drugs. Interestingly, Black drug offenders were seen as more dangerous than White drug offenders, while the reverse is true for white collar crimes: White collar offenders were seen as more dangerous than Black white collar offenders. There clearly exists a racial bias within each type of crime.

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# Figure 1: Social Distance

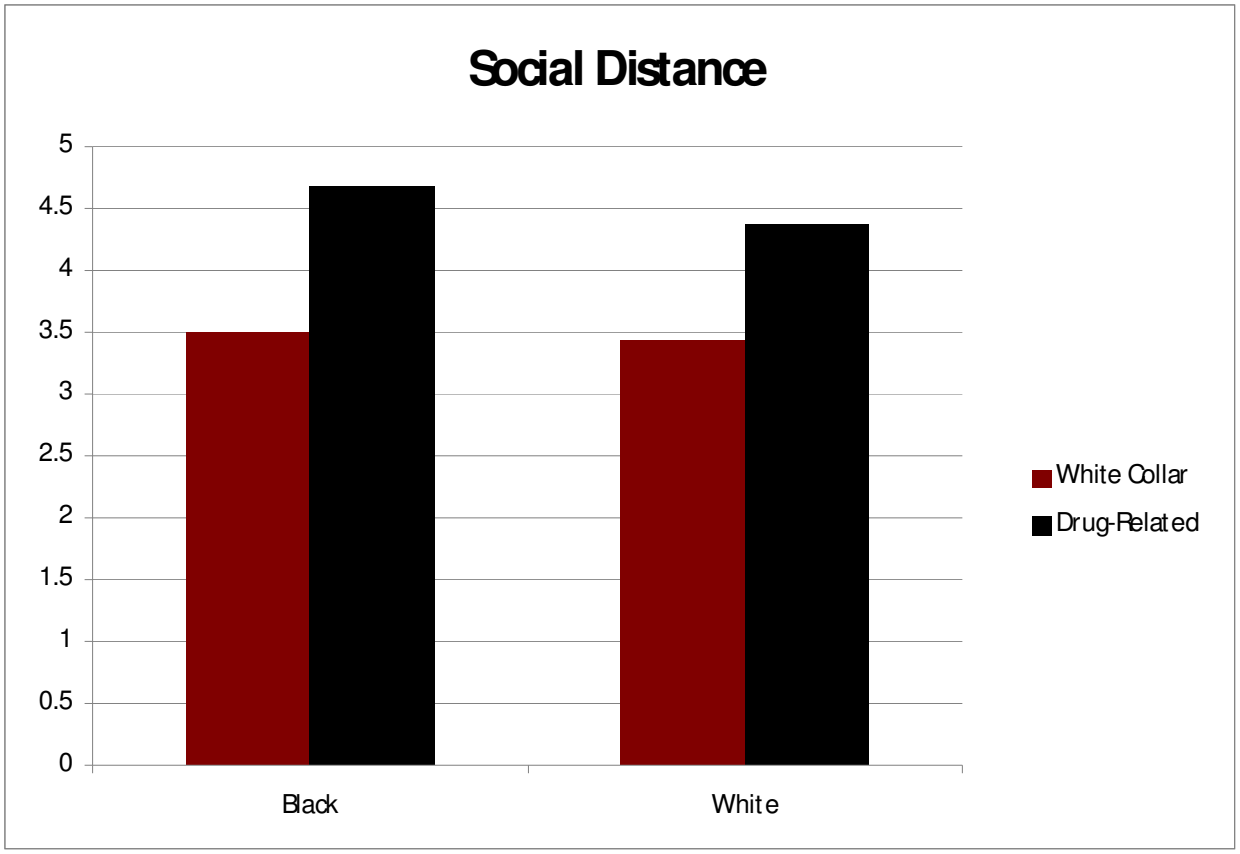



*Figure 1.* Participants chose to socially distance themselves more from drug-related offenders ($M$ = 4.52, SD= 2.487) than white collar offenders ($M$ = 3.47, SD= 2.198), $F(1, 116)= 5.916$, $p<.02$.

# Figure 2: Maximum Jail Time

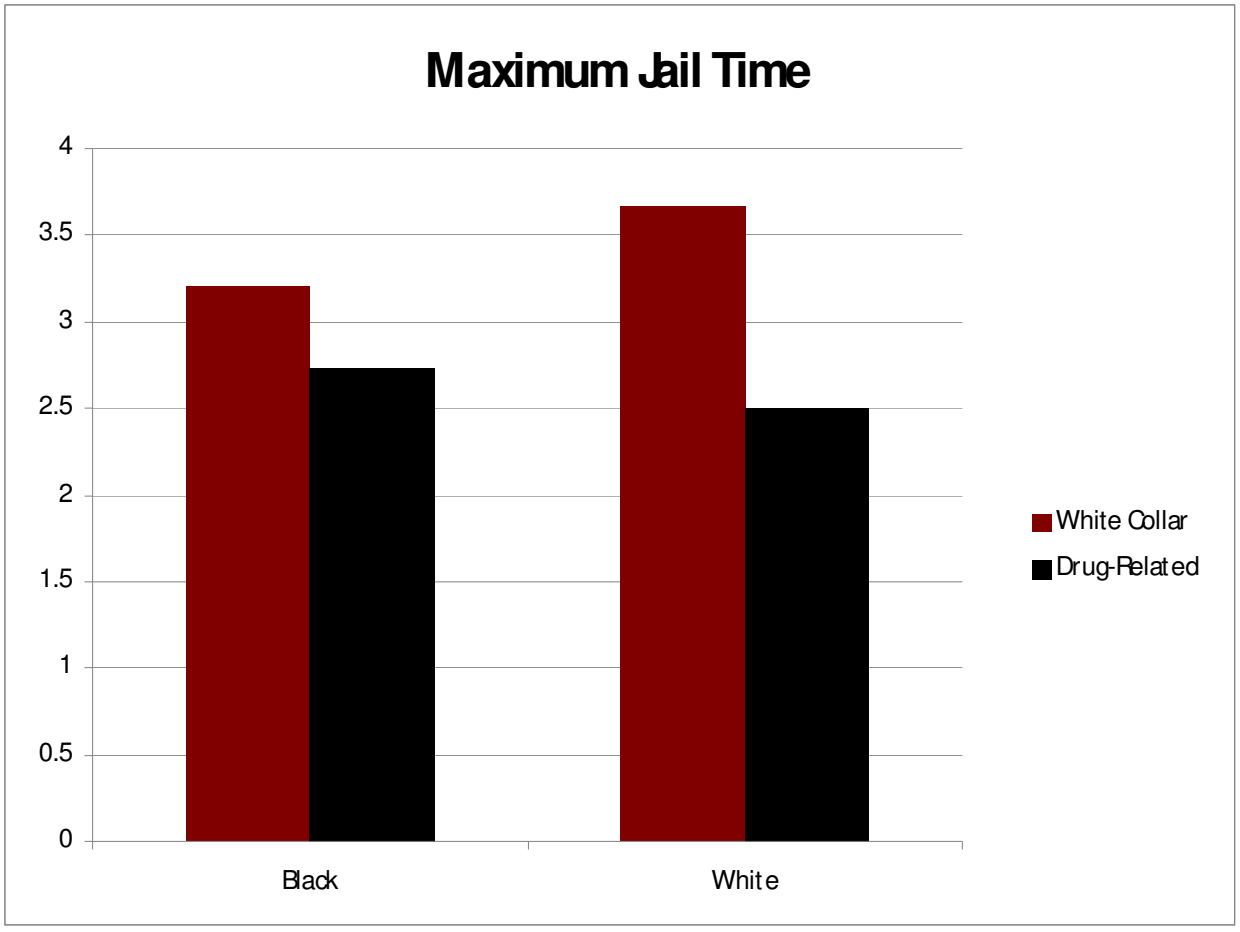



*Figure 2:* This person should get maximum jail time for the crime, such that a white collar crime offender ($M$ = 3.43, SD= 1.047) were significantly judged harsher than drug-related offenders ($M$ = 2.62, SD= .976) regardless of race, $F(1,116)= 19.866$, $p<.001$.

# Figure 3: The offender is the product of society

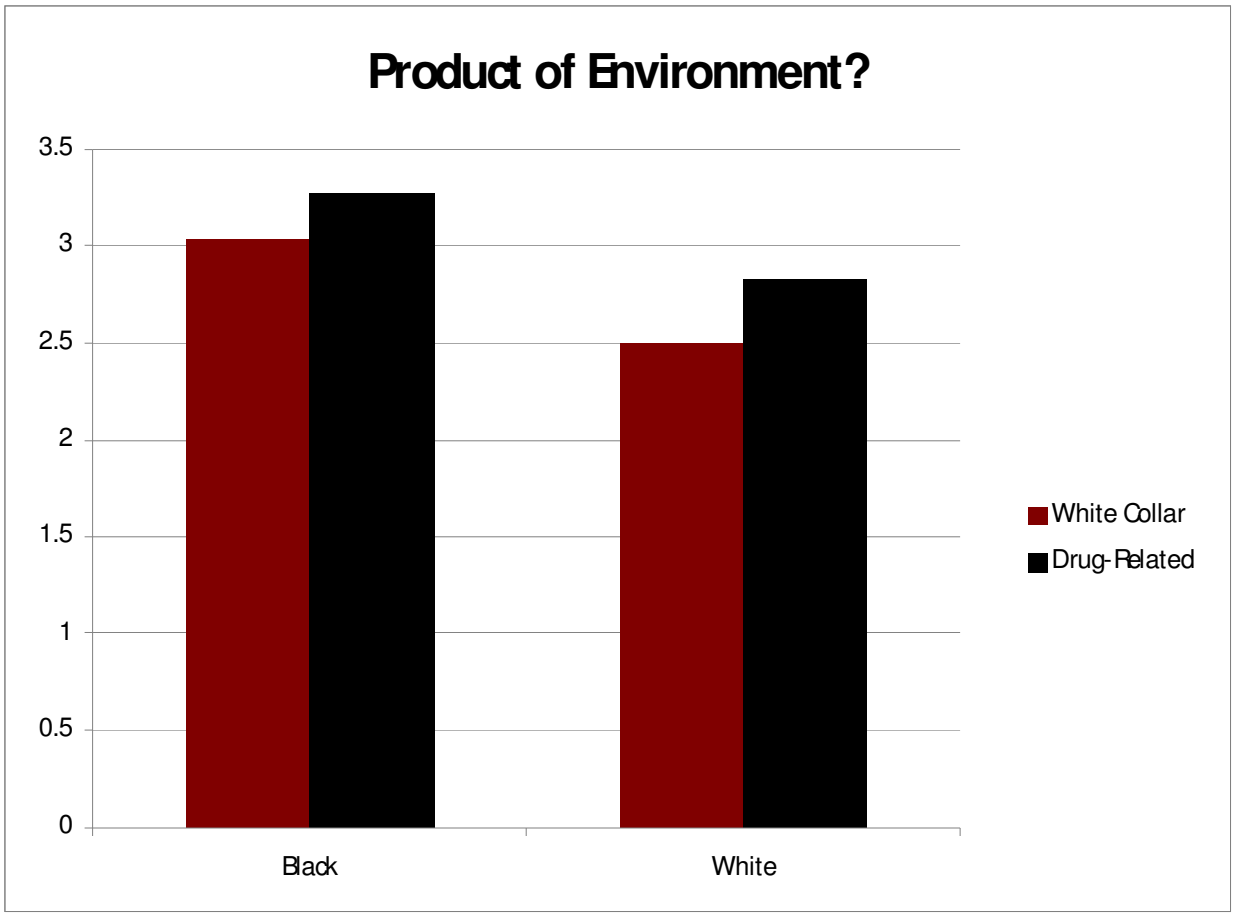



*Figure 3:* No significant results for whether the participants attributed the criminal's behavior to his environment for type of crime or race or both.

Figure 4: This person is not a danger to anyone

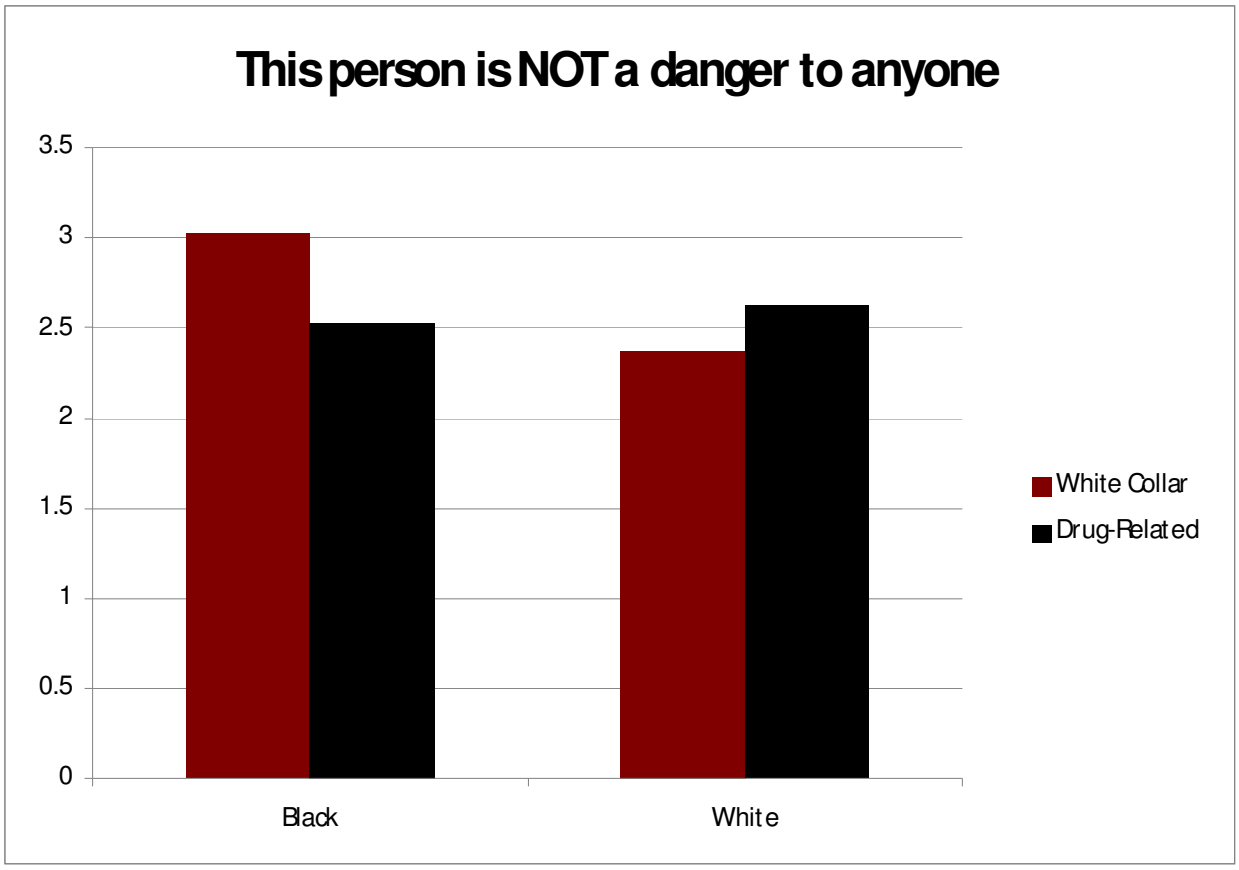



*Figure 4:* A marginal significance was found in the interaction between race and crime, such that Black white collar offenders were considered less dangerous than White white collar offenders,

however, Black drug offenders were considered more dangerous than a White drug offender, $F(1,116)= 4.047$, $p<.05$

Figure 5: This person chose his own fate

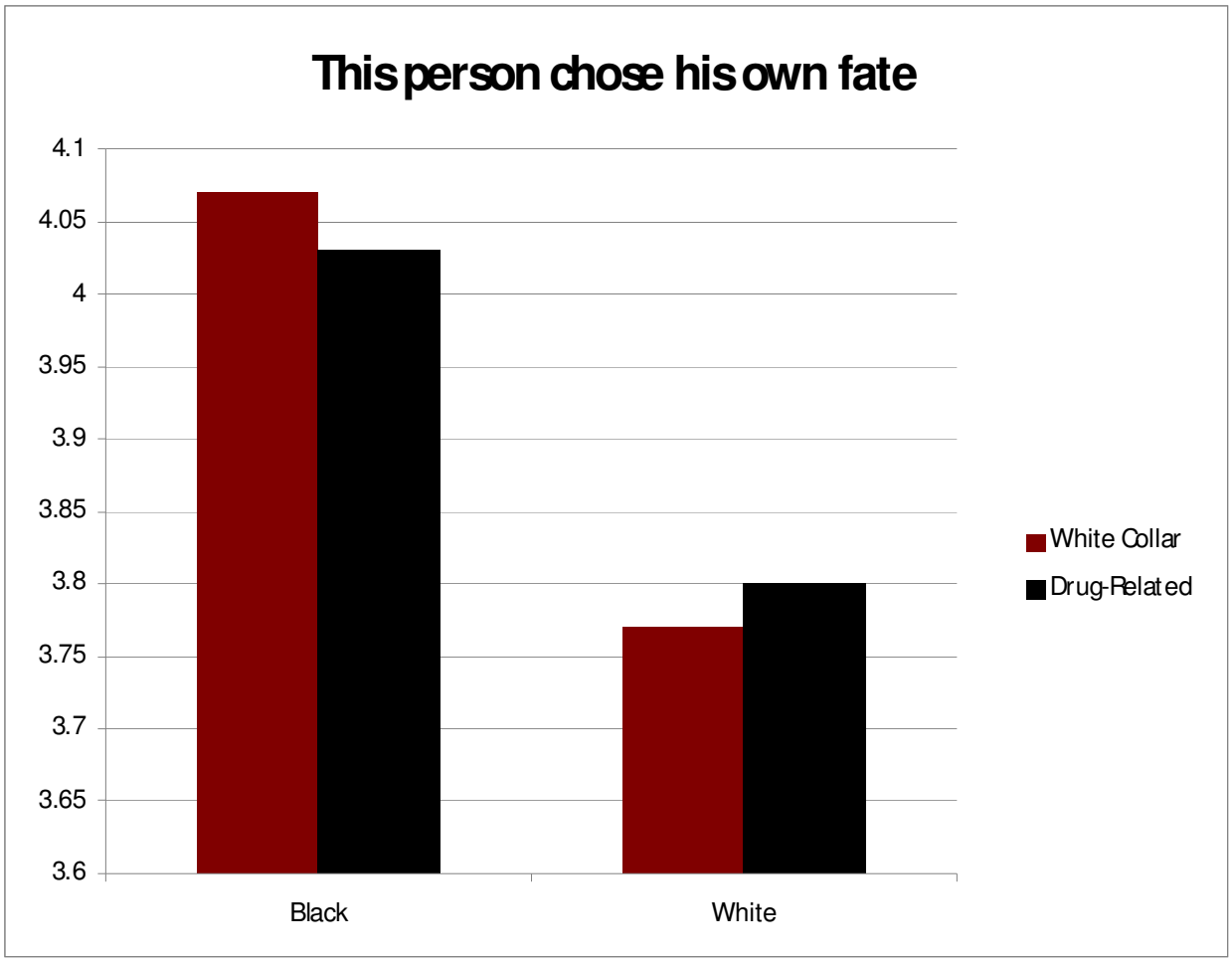



*Figure 5:* No significant main effect was found on whether the participants attributed the criminal's behavior as his own personal choice for type of crime or for race

Figure 6: This person has good intentions

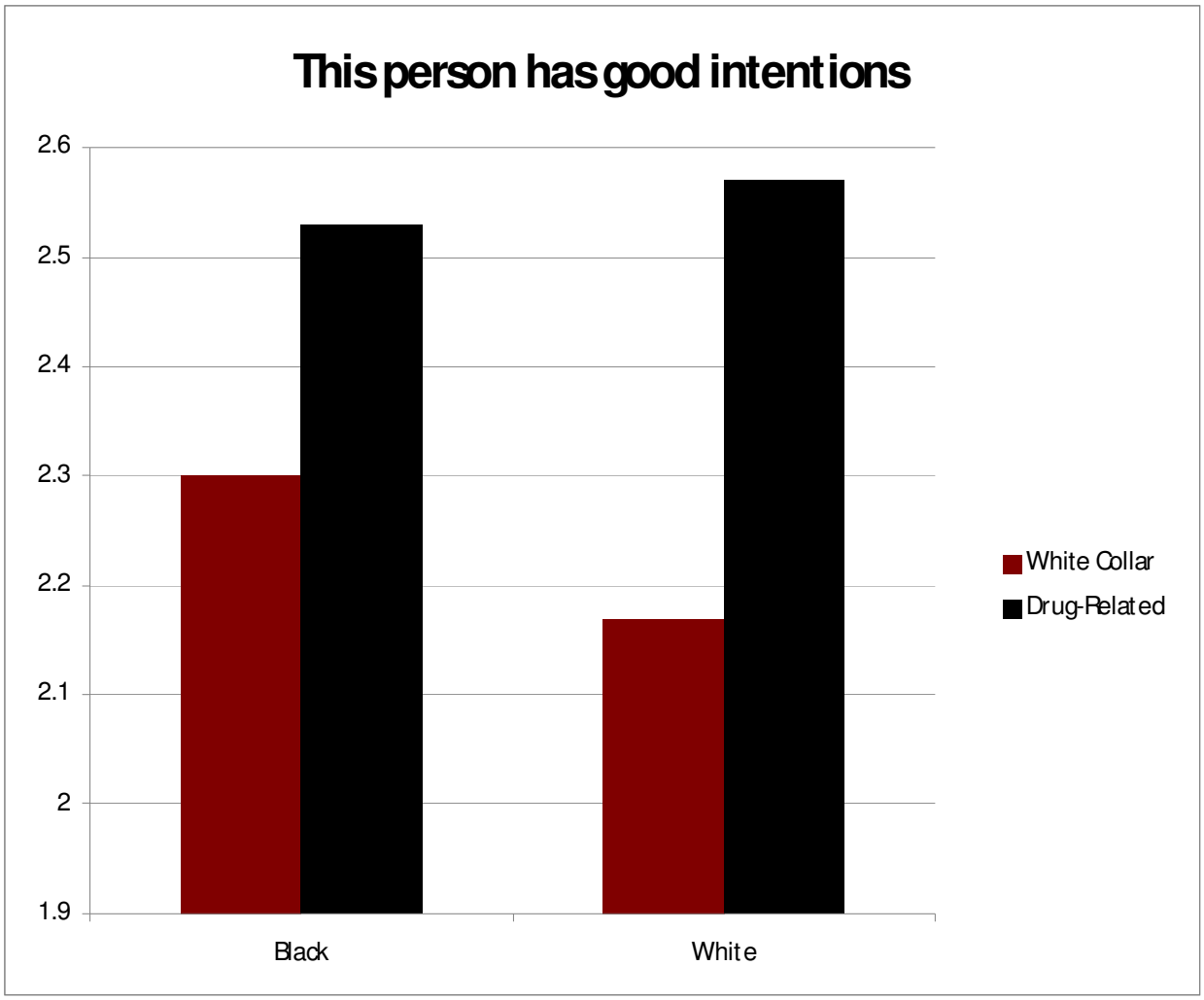



*Figure 6:* There was a marginal significant main effect for whether the participants perceived the offender as having good intentions for type of crime, regardless of race, such that white collar offenders ($M$ = 2.23, SD= .890) were seen as having less good intentions than drug offenders ($M$ = 2.55, SD= .811), $F(1,116)= 4.091$, $p<.05$

Figure 7: This person's behavior created a problem for society as a whole

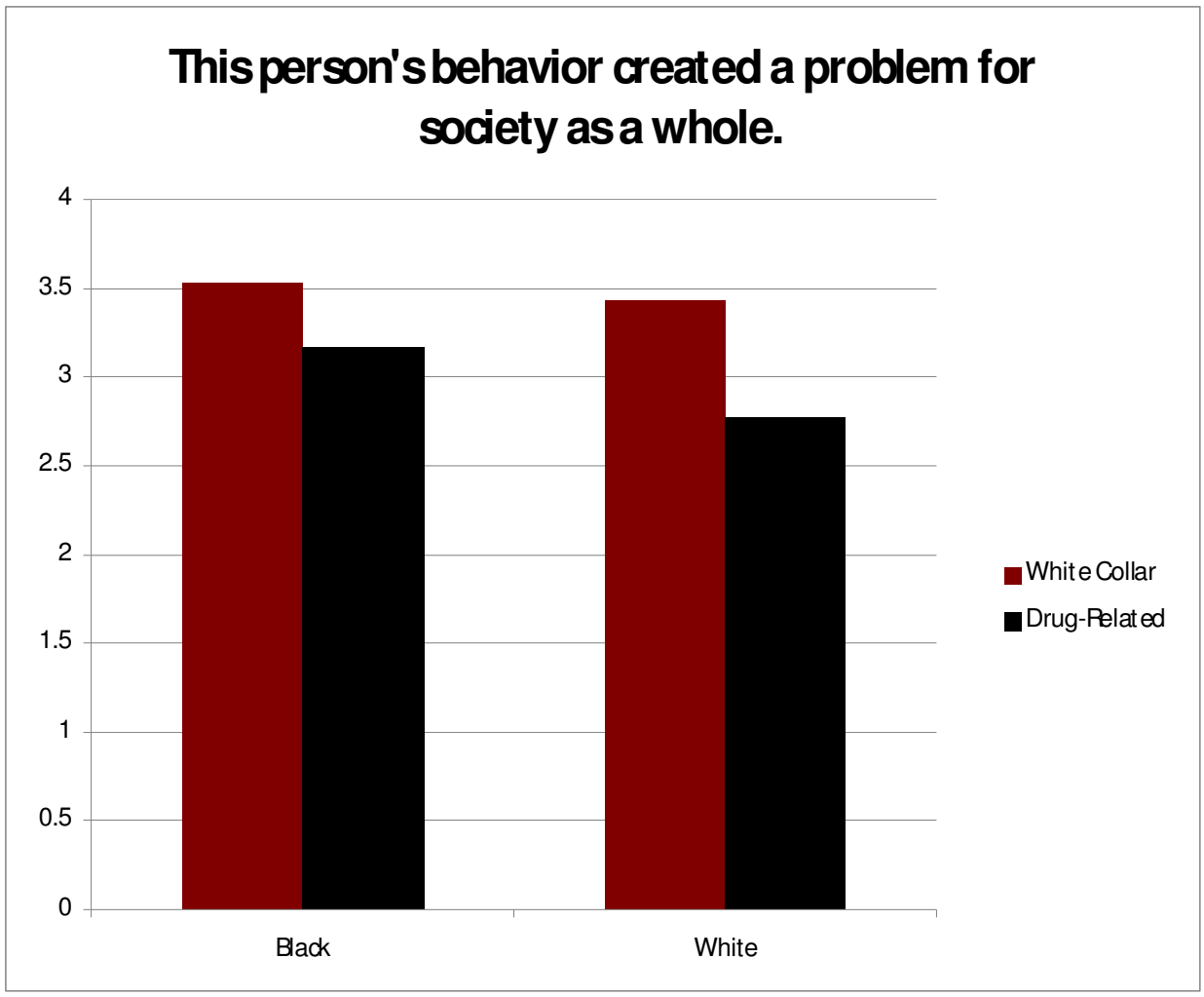



*Figure 7:* A significant main effect for whether participants believed that the offender created a problem for society, for type of crime, regardless of race, was found such that white collar offenders ($M$ = 3.48, SD= 1.127) were seen as creating a larger problem for society than drug offenders ($M$ = 2.97, SD= 1.119), $F(1,116)= 6.347$, $p<.02$

Figure 8: This person is genuinely a good person

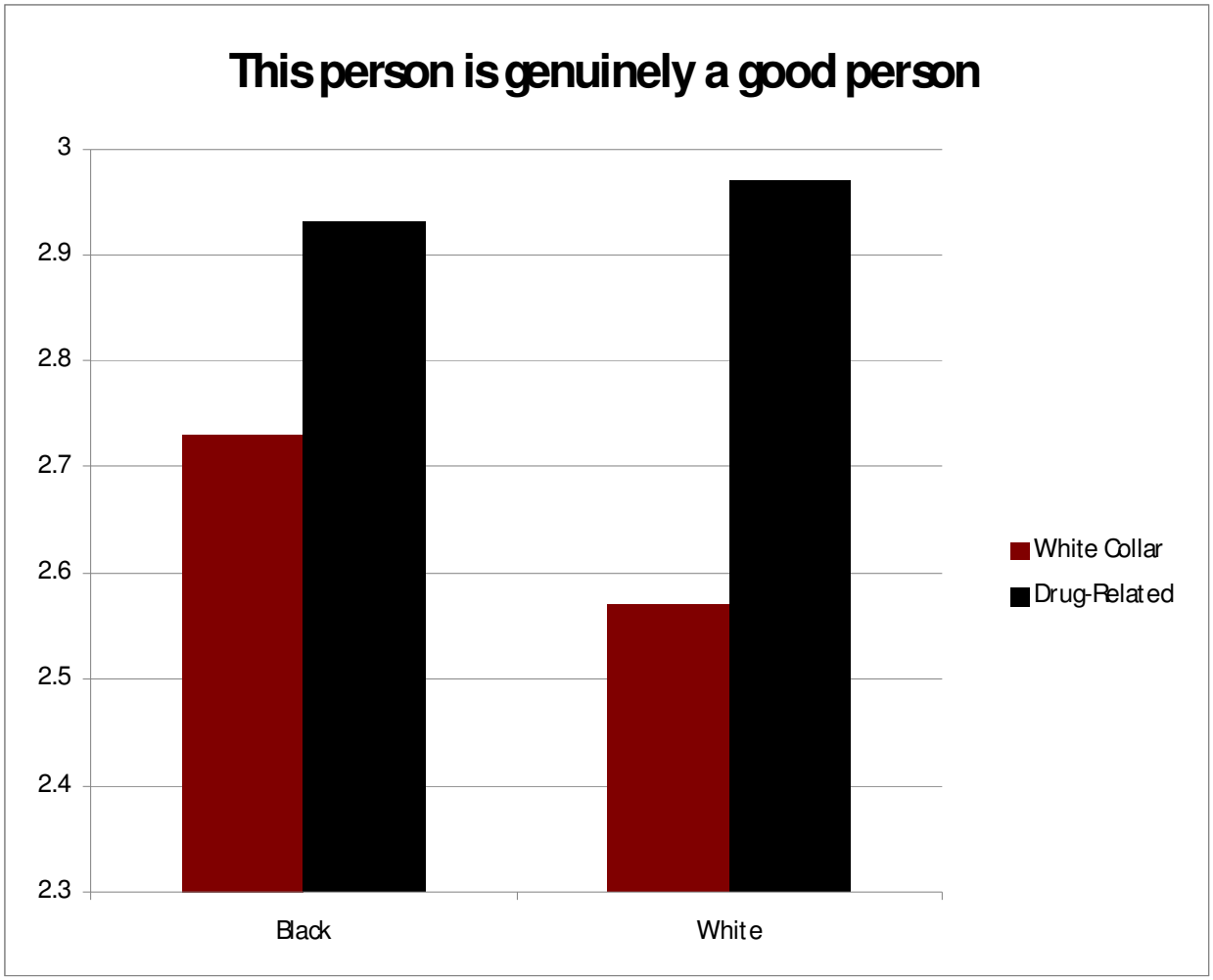



*Figure 8:* A significant main effect of whether the participants perceived the offender as a good person, for type of crime, regardless of race, was found such that drug offenders ($M$ = 2.95, SD= .594) were categorized as a "good person" more so than a white collar offender ($M$ = 2.65, SD= .685), $F(1,116)= 6.516$, $p>.02$.

Appendix A:

Vignette number 1

**Name:** Anthony DeSean

**Date of Birth:** May 19, 1978

**Race:** Black

**Height:** 6 feet 0 inches

**Weight:** 158 lbs

**Place of Birth:** Manhattan, NY

No Photo Available

**Sentencing Judge:** Honorable Judge Matthews

**Charges:**

The offender, Anthony DeSean, is charged with a Class C Felony of Possession of an illegal substance.

**Instant Offense Details:**

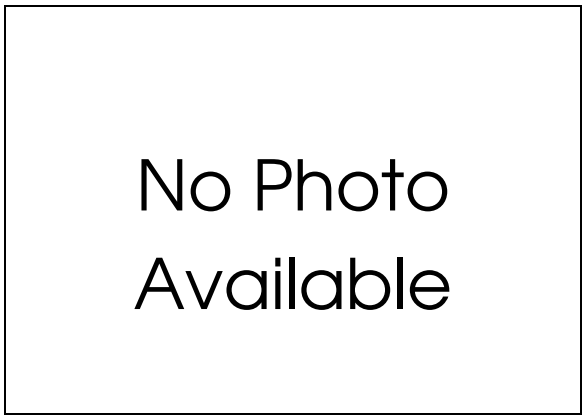
The offender is currently employed at a local supermarket. He is known to be shy and kept to himself. On November 5, 2008, the manager of the local supermarket smelled smoke and called 911. Upon investigations, the offender was found to be smoking crack cocaine in the back of the store. Upon questioning, the offender confessed to using and controlling an illegal substance.

**Victims:**

There was no public victim.

Appendix B

Vignette number 2




**Name:** Anthony Anderson

**Date of Birth:** May 19, 1978

**Race:** White

**Height:** 6 feet 0 inches

**Weight:** 158 lbs

**Place of Birth:** Manhattan, NY

**Sentencing Judge:** Honorable Judge Matthews

**Charges:**

The offender, Anthony Anderson, is charged with a Class C Felony of Bank Fraud, and Stealing Corporate Funds.

**Instant Offense Details:**

The offender worked at Chase Corporate where he was the CEO of the company since the year 2000. He was considered to be a loyal and honest employee but a little on the shy side for a CEO. On November 5, 2008, the bank accountants noticed an inconsistency in the files that the offender had submitted earlier. The inconsistencies added up to three (3) million dollars that went missing from the year 2000-2008. Upon questioning, the offender confessed to the charges.

**Victims:** The corporation. There were no individual victims.

Appendix C

Vignette number 3

**Name:** Anthony Anderson

**Date of Birth:** May 19, 1978

**Race:** White

**Height:** 6 feet 0 inches

**Weight:** 158 lbs

**Place of Birth:** Manhattan, NY

No Photo Available

**Sentencing Judge:** Honorable Judge Matthews

**Charges:**

The offender, Anthony Anderson, is charged with a Class C Felony of Possession of an illegal substance.

**Instant Offense Details:**

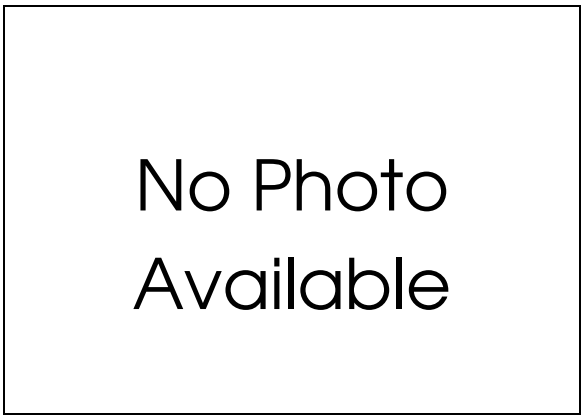
The offender is currently employed at a local supermarket. He is known to be shy and kept to himself. On November 5, 2008, the manager of the local supermarket smelled smoke and called 911. Upon investigations, the offender was found to be smoking crack cocaine in the back of the store. Upon questioning, the offender confessed to using and controlling an illegal substance.

**Victims:**

There was no public victim.

Appendix D

Vignette number 4




**Name:** Anthony DeSean

**Date of Birth:** May 19, 1978

**Race:** Black

**Height:** 6 feet 0 inches

**Weight:** 158 lbs

**Place of Birth:** Manhattan, NY

**Sentencing Judge:** Honorable Judge Matthews

**Charges:**

The offender, Anthony DeSean, is charged with a Class C Felony of Bank Fraud, and Stealing Corporate Funds.

**Instant Offense Details:**

The offender worked at Chase Corporate where he was the CEO of the company since the year 2000. He was considered to be a loyal and honest employee but a little on the shy side for a CEO. On November 5, 2008, the bank accountants noticed an inconsistency in the files that the offender had submitted earlier. The inconsistencies added up to three (3) million dollars that went missing from the year 2000-2008. Upon questioning, the offender confessed to the charges.

**Victims:** The corporation. There were no individual victims.

Appendix E

Sample Survey

**Please follow the instructions very carefully:**

**According to your first feelings/reactions, please answer the following questions honestly and to the best of your ability *based on* the case file you have just read. Honesty is very important for the integrity of this study. Thank you very much.**

1. Do you believe this case should be a criminal case?

   Yes No

2. Should this case go to trial?

   Yes No

3. Would you maintain a close kinship by marriage with this person (if male: would you allow this person to marry your sister)?

   Yes No

4. Would you exclude this person from your home country?

   Yes No

5. Would you maintain this person as a friend outside of school?

   Yes No

6. Would you allow this person to be your neighbor?

   Yes No

7. Would you allow this person to visit your home country?

   Yes No

8. Would you be close friends with this person?

Yes No

9. Would you allow this person into your work group?

Yes No

10. Would you keep this person as a speaking acquaintance only?

Yes No

11. Would you invite this person into your home for a party?

Yes No

**Please state how much you agree with the following statements:**

12. *This person should get maximum jail time for this crime.*

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree |

13. *This person is a product of his environment*

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree |

14. *This person is <u>not</u> a danger to anyone*

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree |

15. *This person chose his own fate*

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree |

16. *This person has a good intentions*

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree |

17. *This person's behavior created a problem for society as a whole*

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree |

18. *This person is genuinely a good person*

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree |

19. Should this person get any jail time?

Yes No

20. How much jail time should this person receive?

0-1 years___
2-4 years___
5-7 years___
8-15 years___
16 years or more____

**Please answer the following standard questions about yourself (Please make sure to answer to the best of your ability):**

Gender: Male_____ Female_____

Age: _____

Status In College: Freshman____ Sophomore____ Junior____ Senior____

Major: _____

Marital Status: Married_____ Single____ Divorced____

Do you have any children? Yes____ No____

Do you have any **younger** siblings? Yes____ No____

What is your household income level (that includes both parents if they support you financially)?

_____Less than $10,000 per year
_____$10,001-$20,000 per year
_____$20,001-$40,000 per year
_____$40,001-$75,000 per year
_____$75,001-$120,000 per year
_____$120,001-$200,000 per year
_____$200,001 or more per year
_____Not sure

Race:
White Non-Hispanic____ Native American____
Black American____ Asian____
Hispanic/Latino____ Alaskan/Pacific-Islander____
African____ Other (Please specify):_____

Have you ever been the victim of a violent crime (any crime that involves one person putting force against another person i.e. assault)?

Yes No Not Sure

Has anyone close to you been a victim of violent crime?

Yes No Not Sure

Have you ever been the victim of a non-violent crime (any crime that does not involve personal contact with the offender i.e. burglary)?

Yes No Not Sure

Has anyone close to you been a victim of non-violent crime?

Yes No Not Sure