

Defendant and Defense Attorney Characteristics and Their Effects on Juror Decision Making and Prejudice Against Mexican Americans

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Racial bias in legal decision making has been given considerable attention over the past few decades, focusing mainly on African Americans to the exclusion of other minority groups. The purpose of this study was to address the dearth of research examining bias against Mexican American defendants. Two hundred forty-seven participants read through a trial transcript that varied defendant race/ethnicity (Mexican American or European American), defense attorney race/ethnicity (Mexican American or European American), and defendant socioeconomic status (SES: low or high [upper middle class]). Dependent measures included verdict, sentencing, culpability ratings, and trait assessments. Bias against Mexican American defendants occurred most when the Mexican American defendant was of low SES and represented by a Mexican American defense attorney. In addition, attorneys representing low-SES Mexican American defendants were perceived as less competent and rated lower on a number of trait measures. Limitations, applications, and future directions are discussed.

Keywords: juror decision making, race/ethnicity, socioeconomic status, defendant and attorney characteristics

Since the late 1970s and early 1980s, defendant characteristics have been extensively examined, in part because of the disproportionate numbers of minority defendants in local, state, and federal prison systems (Lipton, 1983; Petersillia, 1985; Sommers & Ellsworth, 2001). A growing body of research examining defendant characteristics on jury decision making has demonstrated that jurors are influenced by defendants' demographic characteristics. These characteristics affect culpability assignment (Daudistel, Hosch, Holmes, & Graves, 1999; Mazzella & Feingold, 1994; Sommers & Ellsworth, 2000; Sunnafrank & Fontes, 1983), verdict outcomes (Albonetti, 1998; Bodenhausen, 1990), and length of sentence (Brownsberger, 2000). The purpose of this research was to examine the combined effects of defendant race/ethnicity, defendant socioeconomic status (SES), and attorney race/ethnicity on jury verdict outcomes, sentencing, and culpability.

Fn1 Currently, Hispanics¹ are the fastest growing and largest minority population in the United States, representing 14% of the total population (U.S. Bureau of the Census, 2000). They are also the fastest growing prison population, with some estimates expecting Hispanics to be the largest minority group imprisoned in the United States by 2040 (Sweeney & Haney, 1992; Thierren & Ramirez, 2000; Yates, 1997). Even now, Mexican Americans are the second largest group in state prisons in the Southwest (Willis-Esqueda, Whitfield, & Dorsey,

2003). Despite these trends, Hispanics, and more specifically the Mexican American subgroup, have not received much attention in research on racial bias in the legal system. If we are to accurately examine racial and ethnic disparities within the U.S. legal system, we need to consider its changing demographic makeup. Thus, research on Hispanics in the criminal justice system and biases against particular groups of Hispanics can contribute to an understanding of criminal justice practice and law making and point to ways of improving the fairness and impartiality of the criminal justice system.

Prejudice Against Mexican Americans

The notion that defendant race/ethnicity and other social and demographic characteristics significantly contribute to jury verdicts has yet to be extensively examined for the Mexican American defendant. However, recent research has demonstrated a significant bias in juror decision making against Mexican American defendants on culpability and trait assessment (Espinoza, Willis-Esqueda, Kuskie, Bryson, & Koperski, 2005; Willis Esqueda, Espinoza, & Culhane, 2008). These findings demonstrated that race/ethnicity was a significant predictor of juror bias only when coupled with other perceived negative variables (e.g., SES and crime stereotypicality). On the basis of these findings, one might presume that race/ethnicity is not a significant predictor of juror bias. However, we argue that race/ethnicity can be masked as a predictor of bias by jurors who attribute defendants' behavior to other perceived negative

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¹ The term *Hispanic* is not meant to replace the importance of cultural and historical differences among the various groups who were colonized by Spain (i.e., Mexican Americans, Cuban Americans, and Puerto Rican Americans) within the Americas.

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attributes that may ease any aversive feelings a juror has toward a specific racial or ethnic group. If this is the case, then one possible cause for this bias may be the ways in which Mexican Americans are viewed by the European American majority population. Historically, Mexican Americans have been viewed as illegal aliens, poor, lazy, and uneducated (Brigham, 1971; Cowan, Martinez, & Mendiola, 1997), and current stereotypes of Mexican Americans still contain negative traits, attributions, and assessments (Neimann, Jennings, Rozelle, Baxter, & Sullivan, 1994). As the Hispanic population of the United States continues to increase, European Americans may come to view Mexican Americans as an increasing threat to their social and economic well-being (Perez, Hosch, Ponder, & Trejo, 1993). As this perception of threat increases, European Americans may be motivated to discriminate against Mexican Americans through various economic and social institutional settings such as in schools, government, and the legal system as a way of minimizing the threat (Perez et al., 1993).

Evidence of such a reaction can be seen in recent trends in hate crime statistics. Hate crimes targeted against Hispanics have risen from roughly 7% of all hate crime incidents in 1990 to 11% of hate crimes in 2000, whereas hate crimes against other racial groups have remained the same or have decreased (U.S. Bureau of Justice Statistics, 2000). These figures may be underestimates given that most hate crimes against Hispanics go unreported because of language barriers and fear of deportation (Perry, 1992). In addition, a 1993 report by the U.S. Civil Rights Commission concluded that Hispanics in Washington, DC, were routinely abused by police and denied basic civil rights. Hispanics have also been denied equal opportunities in employment, education, social services, and the criminal justice system (Moreno, 2002).

Another context in which this form of bias might be expressed as discrimination is in juror decision making. Although, as noted earlier, a great deal of research has been conducted on the relationship of defendant race/ethnicity to juror decisions, most of that research has focused on African Americans (Somers & Douglass, 2007). This focus has left largely unexamined juror bias toward defendants of other racial groups, such as Mexican Americans, and of social characteristics typically confounded with race/ethnicity, such as SES.

Defendant SES

Recently, the combined effects of race/ethnicity and SES have become a significant area of research in areas such as health care (see Bunde & Suls, 2006), mental health (see Gallagher, Jones, McFalls, & Pisa, 2006), and education (see Gonzalez, 2006). However, race/ethnicity and SES tend to be confounded variables in the criminal justice system in that most research involving race/ethnicity has not given adequate attention to SES (Gordon, 1990).

Several studies have shown that a defendant's SES can play a pivotal role and can influence perceptions of culpability in guilt decisions (Perez et al., 1993; Sampson & Lauritson, 1998). For example, Gleason and Harris (1976) found that low-SES defendants were perceived as more culpable than high-SES defendants. In addition, low-SES defendants were perceived as more blameworthy than high-SES defendants.

One of the problems noted in earlier studies involving the relationship of defendant SES to perceived guilt, culpability, and sentencing has been a lack of consistent results. Although SES has been examined extensively as a precursor to prejudice in the legal system (Gleason & Harris, 1976), and this effect is more pronounced when the person is a minority (Towers, McGinley, & Pasework, 1992), it has yet to be examined in concert with race/ethnicity and other variables in the legal system, such as crime stereotypicality. Osbourne and Rappaport (1985) examined the predictive validity of type of crime, defendant characteristics (including race/ethnicity), and juror characteristics (including race/ethnicity) on jury decision making. They found that only a defendant's SES was a significant predictor of sentencing severity, such that a low-SES defendant was given a lengthier sentence than a high-SES defendant.

As previously mentioned, Willis Esqueda et al. (2008) found that bias against Mexican Americans was based not on race/ethnicity alone, but also on SES and crime stereotypicality. When low-SES Mexican American defendants committed a stereotypical crime, they were found more culpable than high-SES Mexican American defendants and low- or high-SES European American defendants. This study found no main effects for race/ethnicity; however, it did find highly significant main effects for SES. Because SES was such a strong indicator of juror bias, it is paramount that psychologists begin to examine the combined effects of race/ethnicity and SES as a contributor to bias in a more thorough manner. One question that has yet to be examined is what impact doubling the race/ethnicity effect would have on juror decision making. To our knowledge, no research exists that has focused on the combined effects of defendant race/ethnicity and SES and attorney race/ethnicity regarding juror bias in the legal system.

Effects of Attorney Race

Little research has been conducted on attorney characteristics and their influence on decision making. Even less research has examined the combination of attorney and defendant characteristics. This area of research is valuable, particularly in light of minority men's overrepresentation in the criminal justice system. Perhaps attorney characteristics (e.g., race/ethnicity) are important influences on attributions about the culpability of defendants. We designed this research to investigate this possibility.

Cohen and Peterson (1981) examined attorney race/ethnicity and gender for effects on jury decision making and found significant effects only for attorney race/ethnicity. African American defendants who were represented by an African American defense attorney were found guilty significantly more often, and given longer sentences, than defendants represented by a European American attorney. One explanation for this finding may have to do with the perceived competence of the defense attorney. Although attorney competence level was not measured in the Cohen and Peterson study, it would be worthwhile to determine whether bias against low-SES minority defendants influences perceptions of their attorney.

In addition to bias based on attorney race/ethnicity, there has been evidence of effects of derogation by association on perceptions of attorneys. Kirkland, Greenberg, and Pyszczynski (1987) examined whether negative slurs aimed at a racial target would

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carry over to persons associated with the target. If participants heard negative comments or slurs toward a Black defendant, Kirkland et al. found negative associations were made against the defense attorney. This carryover, or associative effect, was particularly strong when an African American defendant was represented by an African American defense attorney.

To address these issues, we examined the combined effects of defendant race/ethnicity, attorney race/ethnicity, and defendant SES on juror decision making. Specifically, we hypothesized that bias against a Mexican American defendant would be demonstrated when the defendant was of low SES. In addition, we examined whether bias against a low-SES Mexican American defendant would carry over to a Mexican American defense attorney.

Method

Participants

Two hundred seventy-seven undergraduate psychology students earned extra credit in psychology courses for participation (199 women and 78 men, mean age = 20.02 years). Only those who identified as European American (or White) were retained in the analyses. Fourteen participants were excluded (2 Hispanics, 8 Asians, and 4 African Americans). In addition, before data collection, we conducted pretests for minimal cutoff times on which participants should spend on each page of the materials. Subsequently, we excluded 16 participants because they did not meet the criteria for spending enough time on each page of the trial transcript (i.e., they were giving cursory attention to the materials). This left a total of 247 participants (180 women and 67 men, mean age = 20.11 years).

Materials and Procedure

This study was conducted electronically through a research Web site for University of Nebraska introductory psychology students earning extra credit. Participants registered via the participant pool Web site, hosted at <http://www.experimentix.com>. While logged on to the Web site, participants were able to review descriptions of various research studies. If participants gave consent to participate, they were instructed to perform the study tasks on a campus computer, and they would move through the study by selecting a *next* button at the bottom of each screen.

After giving consent, participants were randomly assigned to one of eight conditions in the 2 (defendant race/ethnicity: Mexican American or European American) \times 2 (defense attorney race/ethnicity: Mexican American or European American) \times 2 (defendant SES: low or high) between-participants factorial design. They were instructed that they were to become mock jurors in a criminal court case. They were told to treat this process as though they were an actual juror rendering a decision and that they needed to review the case very carefully because it was an actual court case. In addition, they were informed that they would be answering various other questions related to the case.

The following screens were the resumes of the prosecuting attorney (always European American) and defense attorney (Mexican American or European American). The defense attorney resume differed in the picture (Mexican American or European

American) and name of the defense attorney (Hugo Sanchez or Harold Sullivan). The content of the defense attorney and prosecuting attorney resumes did not differ in merit. A 2-in. \times 3-in. picture of each attorney was pre-rated and did not differ in attractiveness for all three pictures ($M_s = 3.7\text{--}4.1$ on a 7-point rating scale, $p > .05$).

Next, participants read the description of the case, which resembled a written indictment handed down by the state of Illinois. A 2-in. \times 3-in. picture of the defendant (Mexican American or European American) was printed on the first page of the indictment. The pictures were pre-rated and did not differ in attractiveness ($p > .05$). The indictment described the events that had taken place and the description of the crime, the defendant's background, and the defendant's plea (not guilty in all conditions). Within the document, the defendant's race/ethnicity (Miguel Hernandez or Michael Henderson), defense attorney's race/ethnicity (Hugo Sanchez or Harold Sullivan), and defendant's SES (low or high) were varied.

In each of the eight conditions, the defendant's age was 25, sex was male, and race/ethnicity was either Mexican American or White. The name of the crime (grand theft auto) and the date on which the crime took place were listed. We chose the crime of grand theft auto on the basis of previous research demonstrating that there is no significant relationship between this type of crime and being European American or Mexican American (Willis Esqueda et al., 2008).

Defendant SES was described with a one-paragraph description of the defendant's background and was depicted as either low or high. The low-SES defendant was described as unemployed, with no high school education, living in a boarding house, and through testimony by his landlady, as having had trouble paying back rent at the boarding house. The high-SES defendant was described as owning his own small business, living in a large four-bedroom house in a nice neighborhood, graduating at the top of his class majoring in business, and driving a Mercedes-Benz.

Following closing arguments, a juror instruction page stipulated that to prove the charge it must be shown that the defendant was in possession of the car, had purposely and willfully committed the act with which he was charged, and did not act under duress or coercion. Next, participants completed a juror verdict form on which jurors indicated whether the defendant was guilty or not guilty. If the defendant was found guilty, a sentence was recommended. Sentence options were probation, to 1 year in jail, to 2 years in jail. These sentences were chosen after reviewing 47 cases in Chicago of defendants with no prior criminal record found guilty of grand theft auto. Of the 47 cases, 45 defendants were given sentences within these ranges. Following sentencing, participants completed culpability measures on a 7-point rating scale (e.g., responsibility, confidence in decision, and blame). Embedded in these culpability measures were two questions asking "How guilty is the defendant?" (1 = *not at all guilty*, 7 = *completely guilty*) and "How long of a sentence should the defendant receive?" (1 = *none*, 7 = *2 years in jail*). We included these questions for two reasons: First, we wanted additional manipulation questions examining guilt and sentencing to control for outliers whose responses to these continuous variable questions did not correlate with their earlier categorical question responses; second, rating scale questions allow for more variability and are a more sensitive measure with which to examine participants' bi-

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Table 1
Verdict by Defendant Race, Attorney Race, and Defendant Socioeconomic Status (SES)

Verdict	Defendant race/ethnicity							
	Mexican American (MA) defendant				European American (EA) defendant			
	MA attorney		EA attorney		MA attorney		EA attorney	
	Low SES	High SES	Low SES	High SES	Low SES	High SES	Low SES	High SES
Not guilty	14	19	16	17	13	21	16	21
Guilty	17	12	15	14	18	10	14	10

Note. There were no significant differences across conditions.

ases. In addition, we also wanted to examine the underlying beliefs participants had toward defendants; therefore, we included trait ascription measures on a 9-point rating scale (e.g., likability, trustworthiness, and attractiveness). In addition, we included the same trait ascription measures for defense and prosecuting attorneys.

Finally, manipulation check questions (e.g., what was the crime, defendant and attorney race/ethnicity, and defendant's SES) and demographic information were examined.²

Results

To determine whether the SES manipulation worked, we conducted a one-way analysis of variance (ANOVA) that demonstrated that participants rated the high-SES defendant significantly higher on SES ($M = 8.00, SD = 0.79$) than the low-SES defendant ($M = 1.79, SD = 1.02$), $F(1, 245) = 2,888.53, p < .0001, \eta^2 = .31$. Questions concerning defendant and attorney race/ethnicity, the case against the defendant, and the location of the crime were answered correctly by the remaining 247 participants.

There were three primary classes of defendant measures involved in the study: the verdict decisions, length of sentence, and the culpability measures. We conducted a hierarchical log-linear chi-square analysis for the categorical measures and a univariate ANOVA for the continuous measures for verdict and sentencing. Finally, we conducted a multivariate analysis of variance (MANOVA) for culpability items and trait ascriptions.

Verdict and Sentencing

To fully examine the effects of race/ethnicity and SES on verdict and sentencing, we included both categorical and continuous variable culpability questions. For our categorical variable questions, a hierarchical log-linear analysis with the full model revealed no significant interactions or main effect differences on verdict, $\chi^2(1, N = 247) = 6.04, p > .05$, or sentencing, $\chi^2(1, N = 247) = 4.23, p > .05$, based on defendant and attorney race/ethnicity and defendant SES. There were no significant differences for verdict (see Table 1), and for those participants who found the defendant guilty, there was no difference in sentencing. However, for the continuous variable question for sentencing, the results of a univariate ANOVA revealed a significant two-way interaction between defendant race/ethnicity and SES, $F(7, 148) = 3.85, p < .05, \eta^2 = .03$. Tukey's Honestly Significant Difference (HSD) follow-up tests revealed that low-SES Mexican American defen-

dants were given lengthier sentences compared with low-SES European American defendants and high-SES defendants (see Table 2).

Defendant Culpability

To measure multiple independent and dependent measures, we conducted a MANOVA. As hypothesized, a MANOVA revealed a significant three-way interaction between defendant race/ethnicity, attorney race/ethnicity, and defendant SES, $F(7, 239) = 1.97, p < .05, \eta^2 = .08$, for the attorney ratings (see Table 3). Follow-up univariate ANOVAs for the culpability measures demonstrated significant effects for "How much did you believe the defendant's version?" $F(7, 239) = 7.68, p < .01, \eta^2 = .03$, and "How much blame should the defendant receive?" $F(7, 239) = 3.88, p < .05, \eta^2 = .02$. Using Tukey's HSD follow-up tests demonstrated that participants did not believe the defendant's version of the crime when the Mexican American defendant was of low SES and represented by the Mexican American defense attorney. In addition, participants blamed the low-SES Mexican American defendant when he was represented by a Mexican American defense attorney significantly more than all other conditions, as shown in Table 3.

Attorney Competence

Additionally, the results of a MANOVA for the attorney measures revealed a significant three-way interaction between defendant race/ethnicity, attorney race/ethnicity, and defendant SES, $F(4, 236) = 2.89, p < .05, \eta^2 = .05$, for the attorney ratings (see Table 4). Follow-up univariate ANOVAs for the attorney measures demonstrated significant effects for attorney competence, $F(7, 239) = 7.78, p < .01, \eta^2 = .03$. Tukey's HSD follow-up tests revealed that the Mexican American defense attorney was given a lower competency rating when defending a low-SES Mexican American defendant.

Defendant Trait Ratings

A MANOVA for the defendant's trait ascriptions revealed a significant two-way interaction between defendant race and SES,

² For a complete set of document questions please contact Russ K. E. Espinoza.

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Table 2
Sentence by Defendant Race and Socioeconomic Status (SES)

Defendant race/ethnicity			
Mexican American		European American	
Low SES	High SES	Low SES	High SES
5.65 _a *	4.03 _b	5.04 _c	4.65 _c

Note. Means in the same row that do not share subscripts differ at $p < .05$ in Tukey's honestly difference comparison. Length of sentence was rated on a 7-point rating scale (1 = probation, 7 = 2 years in jail). * $p < .05$.

$F(11, 229) = 2.42, p < .01, \eta^2 = .10$, as shown in Table 4. Follow-up univariate ANOVAs demonstrated significantly lower ratings for ethicality, $F(7, 239) = 8.87, p < .01, \eta^2 = .04$; attractiveness, $F(7, 239) = 6.34, p < .05, \eta^2 = .03$; and sensitivity, $F(7, 239) = 9.15, p < .01, \eta^2 = .04$ (see Table 5). Tukey's HSD follow-up tests revealed that the low-SES Mexican American defendant was rated least ethical, followed by the low-SES European American defendant, and then the high-SES defendants. A similar pattern emerged for the sensitivity of the low-SES Mexican American defendant compared with the low-SES European American defendant and the high-SES defendants. Finally, the low-SES Mexican American and European American defendants were rated lower on attractiveness compared with the high-SES defendants.

In addition, a MANOVA revealed a two-way interaction between defense attorney race/ethnicity and defendant SES, $F(11, 229) = 2.18, p < .05, \eta^2 = .10$ (see Table 6). Follow-up univariate ANOVAs demonstrated effects for likability, $F(7, 239) = 10.92, p < .001, \eta^2 = .04$; ethicality, $F(7, 239) = 4.56, p < .05, \eta^2 = .02$; sensitivity $F(7, 239) = 7.20, p < .01, \eta^2 = .03$; and laziness/industriousness, $F(7, 239) = 6.36, p < .05, \eta^2 = .03$ (see Table 6). As shown in Table 6, Tukey's HSD follow-up tests revealed low-SES defendants represented by the Mexican American defense attorney were rated lower on likability, ethicality, sensitivity, and laziness compared with other conditions.

Defense Attorney Ratings

As shown in Table 7, a MANOVA indicated a significant two-way interaction between defendant race/ethnicity and SES for

defense attorney trait ascriptions, $F(11, 229) = 2.28, p < .05, \eta^2 = .10$. Follow-up univariate ANOVAs demonstrated effects for trustworthiness, $F(7, 239) = 10.71, p < .001, \eta^2 = .04$; likability, $F(7, 239) = 9.03, p < .01, \eta^2 = .04$; competence, $F(7, 239) = 10.03, p < .01, \eta^2 = .04$; selfishness, $F(7, 239) = 6.86, p < .01, \eta^2 = .03$; attractiveness, $F(7, 239) = 6.63, p < .05, \eta^2 = .03$; and intelligence $F(7, 239) = 14.35, p < .007, \eta^2 = .06$. Tukey's HSD follow-up tests revealed that defense attorneys received lower trait ascriptions when defending a low-SES Mexican American defendant, regardless of defense attorney race/ethnicity (see Table 7).

Discussion

The predicted three-way interaction between defendant race/ethnicity, defendant SES, and defense attorney race/ethnicity was demonstrated. Mock jurors found the Mexican American defendant more culpable when he was of low SES and represented by a Mexican American attorney for the culpability measures of blame and belief in the defendants' version of the crime. This expands on earlier research demonstrating that culpability assignment by mock jurors is influenced by extralegal characteristics and that perceived negative variables can have a great impact on juror decision making.

However, there were no significant two-way interactions for culpability between SES and defendant or defense attorney race/ethnicity or between defendant and defense attorney race/ethnicity, as hypothesized. One reason may be that for significant bias to exist, multiple combinations of perceived negative effects need to work in concert. Jurors may not be as affected if they only see the defendant's race/ethnicity and SES. However, jurors may be thinking that a low-SES Mexican American defendant who is represented by a Mexican American attorney has no other option than to get "one of his own" to represent him during trial. There have been studies demonstrating that the dominant European American race/ethnicity in the United States does view Mexican Americans more negatively when they are "pushing" for their own independence or civil and legal rights, when economic times are uncertain (Takaki, 1993), or when aspects of immigration are pervasive and permeating national news and politics (Cowan et al., 1997; LaFree, 1985). Still, we did find trends in the expected direction for our two-way interactions.

Aversive racism (see Gaertner & Dovidio, 2005) might be one explanation for the finding that mock jurors did not demonstrate

Table 3
Defendant Culpability by Defendant Race, Attorney Race, and Socioeconomic Status (SES)

Culpability	Defendant race/ethnicity							
	Mexican American (MA)				European American (EA)			
	MA		EA		MA		EA	
	Low SES	High SES	Low SES	High SES	Low SES	High SES	Low SES	High SES
5. How much do you believe the defendant?	2.27 _a	5.34 _c	3.48 _b	5.66 _c	3.12 _b	5.62 _c	3.89 _b	5.91 _c
6. How much blame should defendant receive?	5.96 _a	3.12 _c	4.79 _b	3.48 _c	3.62 _b	2.96 _c	3.48 _b	2.80 _c

Note. Means in the same row that do not share subscripts differ at $p < .05$ in Tukey's honestly difference comparison. Culpability was rated on a 7-point rating scale with the likelihood of finding self in a similar situation and the assignment of more blame to the defendant anchored at the high end of the scale.

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Table 4
Defense Attorney Competency Ratings by Defendant Race, Attorney Race, and Socioeconomic Status (SES)

Competency	Defendant race/ethnicity							
	Mexican American (MA)				European American (EA)			
	MA attorney		EA attorney		MA attorney		EA attorney	
	Low SES	High SES	Low SES	High SES	Low SES	High SES	Low SES	High SES
13. How competent is defense attorney Hugo Sanchez?	2.70 _a	4.07 _c	3.35 _b	4.14 _c	3.19 _b	4.22 _c	3.34 _b	4.13 _c

Note. Means in the same row that do not share subscripts differ at $p < .05$ in Tukey's honestly difference comparison. Presentation and competency ratings were on a 7-point rating scale on which higher scores indicated better presentation and more competence.

prejudice against the Mexican American defendant solely on the basis of race/ethnicity. The theory of aversive racism postulates that contemporary European Americans like to believe they are egalitarian and demonstrate no prejudices toward minority groups. However, when race/ethnicity, ethnicity, or minority status is coupled with other perceived negative variables (e.g., low SES), then the tension that underlies bias toward these groups is alleviated and prejudice is demonstrated.

Although we found no significant effects for verdict, there was a significant effect for length of sentence. The low-SES Mexican American defendant was given a lengthier sentence compared with the high-SES Mexican American defendant or the low- or high-SES European American defendant.

Although there was not a significant three-way interaction between defendant race/ethnicity, SES, and defense attorney race/ethnicity on trait ascriptions, there was a significant two-way interaction between defendant race/ethnicity and SES. The trait attributions given by mock jurors were significantly more negative toward the low-SES Mexican American defendant in comparison with all other conditions. This replicates previous findings by Espinoza et al. (2004) that low-SES Mexican American defendants are perceived as unethical, unattractive, cold, and insensitive. In addition, defendants who were represented by the Mexican American defense attorney and were of low SES were perceived as less likable, unethical, insensitive, and lazy regardless of defendant race/ethnicity. Finally, this bias also seemed to carry over to the perception of the defense attorney when the attorney represented a low-SES Mexican American defendant. These attorneys were

rated as less competent and were given lower trait ascriptions than all other conditions.

One of the more interesting and significant findings throughout our analyses was the difference between low-SES and high-SES Mexican American defendants on culpability and trait measures. We did not anticipate that high-SES Mexican American defendants would be favored to the degree that was demonstrated. Participants seemed to strongly emphasize the accomplishments of the high-SES Mexican American defendant and judge him accordingly. One reason for this finding might be that mock jurors' stereotypes of Mexican Americans were cemented in the perception that all Mexican Americans are of low SES, and when presented with examples contrary to their initial stereotypes, a subcategory exemplar was created (see Stapel & Koomen, 1998, for further explanation of counterstereotypic exemplar activation). In addition, as we have demonstrated in an earlier study that grand theft auto is considered a low-SES crime (Willis-Esqueda et al., 2008), it seems reasonable that the exemplar of a high-SES Mexican American who owns a Mercedes-Benz would be even more pronounced.

In addition, another interesting finding was the negative carryover effects to the attorneys who represented the low-SES Mexican American defendant who committed the low-SES crime of grand theft auto. It appears that when a defendant fits the preconceived combined stereotypes of SES and race/ethnicity and commits low-SES crimes, this stereotype transfers to those who represent the defendant as well. These findings demonstrate the

Table 5
Defendant Trait Ratings by Defendant Race and Socioeconomic Status (SES)

Defendant traits	Defendant race/ethnicity			
	Mexican American		European American	
	Low SES	High SES	Low SES	High SES
4. Ethicality	4.43 _a	6.25 _c	5.19 _b	6.18 _c
6. Attractiveness	4.36 _a	6.12 _c	4.71 _b	5.88 _c
9. Sensitivity	4.81 _a	6.19 _b	5.02 _a	6.24 _b

Note. Means in the same row that do not share subscripts differ at $p < .05$ in Tukey's honestly difference comparison. Trait ratings were on a 9-point rating scale on which higher scores indicated more of the attribute.

Table 6
Defendant Trait Ratings by Attorney Race and Socioeconomic Status (SES)

Defendant traits	Attorney race/ethnicity			
	Mexican American		European American	
	Low SES	High SES	Low SES	High SES
2. Likability	4.12 _a	5.65 _c	4.98 _b	5.41 _c
4. Ethicality	4.65 _a	5.85 _c	5.13 _b	6.02 _c
9. Sensitivity	4.72 _a	6.27 _b	5.08 _a	6.21 _b
10. Laziness/Industrialness	3.82 _a	5.45 _c	4.32 _b	6.09 _d

Note. Means in the same row that do not share subscripts differ at $p < .05$ in Tukey's honestly difference comparison. Trait ratings were on a 9-point rating scale on which higher scores indicated more of the attribute.

Table 7
Defense Attorney Trait Ratings by Defendant Race and Socioeconomic Status

Defense attorney traits	Defendant race			
	Mexican American		European American	
	Low SES	High SES	Low SES	High SES
1. Trustworthiness	3.56 _a	5.04 _c	3.98 _b	4.84 _c
2. Likability	3.68 _a	4.86 _c	3.86 _a	4.38 _b
3. Competence	2.99 _a	4.21 _b	3.14 _a	4.04 _b
5. Selfish/considerate	4.09 _a	4.86 _b	4.59 _b	4.97 _b
6. Attractiveness	4.58 _a	4.94 _b	4.87 _b	5.05 _b
7. Intelligence	3.19 _a	4.95 _b	3.49 _a	4.82 _b

Note. Tukey's post hoc evaluations performed throughout. Trait ratings were on a 9-point rating scale on which higher scores indicated more of the attribute.

inherent value of educating potential jurors, and the public as a whole, as to the negative consequences of holding onto such negative stereotypes and the adverse effects they have in the legal system.

Limitations and Directions for Future Research

It is important to point out a few limitations of the present research. First, the sample used in this research was predominantly middle-class, European American college students. It was also conducted in the Midwest, and although the Midwest has increasingly seen an influx of Mexican Americans and Hispanics, we would expect to find varying results using a different sample in a different geographic location. For future studies, it will be important to address this problem and diversify various sample populations. Second, this study was done online with no supervision. Although students needed to do this study on a campus computer and the amount of time it took students to complete the study was addressed, there could still be influencing effects outside of the experimenters' control. Third, although our sample was sufficient in number, some effect sizes may be construed as being too low and not significantly high enough to warrant the conclusions we posit. However, we conducted analyses on all reported statistics demonstrating significant power.

It will be useful in future research to incorporate other minority groups and other types of crimes, and perhaps examine religion, sexual orientation, and gender, to more fully examine juror bias in the legal system. For example, currently Hispanics have a higher high school drop-out rate than either European Americans or African Americans (Kaufman, Alt, & Chapman, 2000). This may ensure a lower SES in the future. Thus, understanding the implications of juror bias in the legal system with Mexican American juveniles and adults may help to combat biased treatment in educational settings.

There may also be great discrepancies between how the subcultures within the Hispanic population are viewed (e.g., Mexican Americans, Cubans, and Puerto Ricans). There has been a great deal of census and survey research that has demonstrated extreme actual differences in education levels, household income, and persons per household between these Hispanic groups (Perez et al.,

1993). But how are these overgeneralizations displayed in the legal context? Would a juror believe a Cuban would be more likely to commit drug smuggling than a Puerto Rican? It is important to keep in mind the salient stereotypes of each of the individual cultures represented by the larger Hispanic group.

The results of this study will contribute to the growing body of legal evidence demonstrating that defendant race/ethnicity and other extralegal social characteristics can have a significant impact on juror decision making. If defendants, and the attorneys who represent them, are unaware of the impact of these subtle biases, then they run the risk of influencing, albeit unintentionally, the jury in favor of the prosecutorial position. Given this, these results provide substantial evidence that legal professionals, judges, and policymakers must be better informed as to the potential subtle bias against Mexican Americans in criminal court adjudication.

Lastly, if the end result of these findings is that aversive racism is a reasonable explanation for the bias against Mexican Americans that exists in juror decision making, then it is reasonable to assume this bias exists in other domains as well (e.g., health care, business, and education). Unfortunately, the research examining how this subtle prejudice may exist in these settings for the largest minority group in the United States, Hispanics, has yet to be undertaken.

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