



Gender differences in jurors' perceptions of infanticide involving disabled and non-disabled infant victims[☆]

Bette L. Bottoms^{a,*}, Alaine K. Kalder^b, Margaret C. Stevenson^c, Barbara A. Oudekerk^d, Tisha R. Wiley^a, Alison Perona^e

^a The University of Illinois at Chicago, Chicago, IL, USA

^b University of California at Irvine, USA

^c The University of Evansville, Evansville, IL, USA

^d University of Virginia, Charlottesville, VA, USA

^e Deputy Director of Statewide Enforcement, Chicago, IL, USA

ARTICLE INFO

Article history:

Received 26 February 2009

Received in revised form 19 October 2010

Accepted 19 October 2010

Available online 26 February 2011

Keywords:

Child abuse

Infanticide

Child maltreatment

Disability

ABSTRACT

Objectives: The present study investigated the influence of juror gender and infant victim disability on jurors' reactions to infanticide cases.

Methods: Participants (men and women undergraduates) read a summary of a mock trial involving alleged father-perpetrated infanticide. The infant was described as severely mentally disabled or as not disabled. Participants completed a series of case-related judgments (e.g., guilt; sentence; and empathy, sympathy, and similarity toward the defendant and victim).

Results: There were pervasive gender differences such that compared to men, women mock jurors rendered more guilty verdicts, perceived the father/defendant as having greater intent to kill his infant, and felt less similar to the defendant. Compared to men, women also believed the father was more responsible and the pneumonia was less responsible for the infant's death, had less sympathy and empathy for the defendant, endorsed more negative beliefs about the father, and were more likely to believe the infant was a unique person. Mediation analyses revealed that these statistically significant effects were explained, in part, by gender differences in attitudes toward the defendant. Further, whether the infant victim was portrayed as severely disabled (versus developmentally normal) had little effect on central case judgments such as verdict, but jurors who believed the infant was severely disabled gave significantly shorter sentences to the defendant, were less likely to perceive the defendant as mentally ill, and felt significantly less empathy for and similarity to the infant victim.

Conclusions: Although juror gender consistently predicted juror's judgments, there were fewer effects of disability status. Even so, bias against disabled infants manifested for several dependant variables.

Practical implications: This research can inform legal professionals about the potential for bias in juror decision-making, and in turn, help facilitate fairness and justice for the youngest and most vulnerable victims of child abuse.

© 2011 Elsevier Ltd. All rights reserved.

[☆] Portions of these data were collected for the 2nd author's honors thesis which was awarded the 2nd place Psi Chi J.P. Guilford Undergraduate Research Award and supported by Sarah Madonna Kabbes Award and a grant from Phi Kappa Phi.

* Corresponding author address: The University of Illinois, Department of Psychology (M/C 285), 1007 West Harrison St., Chicago, IL 60607-7137, USA.

Introduction

Each year thousands of children are killed, often at the hands of their parents. In 2006, for example, 1,530 children were murdered (US Department of Health and Human Services, Administration for Children and Families, 2008). Some children, especially children with disabilities (Child Welfare Information Gateway, 2001) and very young children, are particularly susceptible to fatal maltreatment. For example, in 2006, infants under 1 year of age suffered the highest rates of fatal abuse of any age group—24.4 per 1,000 infants (US Department of Health and Human Services, Administration for Children and Families, 2008). In 2005, 205 children under 1 year of age were murdered (Bureau of Justice Statistics, 2007). This may be a severe underestimate of the actual number of child murders. In a study of child deaths in Colorado from 1990 to 1998, Crume, DiGuseppi, Byers, Sirotnak, and Garrett (2002) found that half of all child maltreatment fatalities were not reported as such on the death certificate, especially when the perpetrator was the child's parent.

If infanticide is reported, perpetrators of fatal child maltreatment can be charged with murder and tried in front of a jury. Thus, it is important to investigate jurors' reactions to these cases and to explore factors that might influence jurors' decisions. Unfortunately, there is very little research on these issues. Finkel, Burke, and Chavez (2000) asked undergraduate mock jurors to assess several case vignettes describing different types of mother-perpetrated infanticide. Women, on average, rendered harsher verdicts than men—a finding the authors did not anticipate because they expected women to empathize with the woman defendant more than would men. In a separate study examining undergraduates' perceptions of infanticide, Dunn, Cowan, and Downs (2006) found no effects of juror gender. Yet in another vignette study by Ferguson, Miller-Stratton, Heinrich, Fritz, and Smith (2008), compared to women, men participants rated a defendant as more culpable and were less likely to rate the defendant as mentally ill. The present research explored father-perpetrated infanticide to investigate further juror gender differences in reactions to infanticide cases. In addition, another potentially important victim factor was studied: whether the infant victim had a severe disability.

Juror gender

One of the most robust and widely replicated findings in the literature on jurors' perceptions of child sexual abuse is that, on average, women are more likely than men to render pro-prosecution case judgments such as guilty verdicts, higher ratings of child credibility, and lower ratings of child responsibility (Bottoms, Davis, & Epstein, 2004; Bottoms, Nysse-Caris, Harris, & Tyda, 2003; Gabora, Spanos, & Joab, 1993; Golding, Stewart, Yozwiak, Djadali, & Sanchez, 2000; Haegerich & Bottoms, 2000; McCauley & Parker, 2001; Quas, Bottoms, Haegerich, & Nysse-Carris, 2002; Schmidt & Brigham, 1996; for a review, see Bottoms, Golding, Stevenson, Wiley, & Yozwiak, 2007). There is little evidence of gender differences in literature exploring jurors' reactions to cases that do not involve abuse-related or gendered issues (Devine, Clayton, Dunford, Seying, & Pryce, 2001).

Gender is, of course, merely a proxy for underlying psychological variables and life experiences that happen to cluster with sex and societal constructions of gender. That is, men and women differ in attitudes, feelings, and attributional tendencies relevant to the crime of child sexual abuse. For example, women are more likely than men to make stable and internal attributions of causality and blame to child sexual abuse perpetrators (Beling, Hudson, & Ward, 2002) and women react more negatively than men to child sexual abuse (e.g., Corder & Whiteside, 1988; Finlayson & Koocher, 1991; Kovera, Borgida, Gresham, Swim, & Gray, 1993). Men are also more likely than women to endorse what might be termed "child sexual abuse myths" such as, "A child who does not display signs of distress probably has not been a victim of sexual assault" (Morison & Greene, 1992), just as men are more likely to endorse adult rape myths (Burt & Albin, 1981). Bottoms (1993) and Bottoms, Stevenson, and Wiley (2005) found that compared to men, women have more empathy for children, consider children to be more generally believable, and react more negatively to adult/child sexuality. Further, they found that these gender differences in attitudes, especially differences in empathy and attitudes toward children's general believability, accounted for gender differences in case judgments. The fact that men and women come to have such distinct beliefs and reactions to child sexual abuse might be linked to the internalization of societal gender roles, which demand women to be more caring, empathic, and child-oriented than men (e.g., Barnett & Sinisi, 1990; Gilligan, 1982; but see Maynard & Wiederman, 1997, who found that participants with more traditional gender-role attitudes did not rate child abuse scenarios as any less abusive). Another possibility, in line with the internalization of societal gender roles, is that women generally are the primary caretakers for their families, which would lead them to be closer to their children (Hochschild & Machung, 2003). These differences might also be linked to women's disproportionately higher rate of sexual victimization, which might lead to a heightened tendency to identify with other victims and to be personally concerned with issues of abuse (Bottoms, 1993; Haegerich & Bottoms, 2000).

There are at least five studies investigating gender differences in adults' reactions to other forms of child abuse. Muller, Caldwell, and Hunter (1993) found that men were more likely than women to blame a child for the child's own physical abuse. Dukes and Kean (1989) found that women undergraduates rated vignettes depicting child psychological abuse, physical abuse, and neglect as more abusive than did men undergraduates. Kean and Dukes (1991) replicated this finding with men and women members of a jury pool, police officers, and Child Protective Services workers. Ferguson et al. (2008) found the opposite—that men undergraduates, compared to women, reacted slightly more negatively to vignettes depicting abuse. Finally, as mentioned previously, in a study of reactions to vignettes depicting mother-perpetrated infanticide, Finkel et al. (2000) found that compared to men, women were significantly harsher in their verdicts and more pro-prosecution oriented overall.

Download English Version:

<https://daneshyari.com/en/article/345024>

Download Persian Version:

<https://daneshyari.com/article/345024>

[Daneshyari.com](https://daneshyari.com)