

Age and Accountability: The Effects of Defendant Age on Verdicts and Credibility

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Introduction

Extra-legal factors such as defendant and victim age could bias juror decisions. The present study explores how defendant age (25 vs. 72), victim age (26 vs. 70), and age stereotypes influence jurors' decisions.

Background.

- **Defendant Age and Juror Decision Making.** Past research has mainly concentrated on juvenile and young adult defendants (Walker & Woody, 2011). Mixed findings for studies comparing young (e.g., 18-29) and older adult (e.g., 65+) defendants (Bergeron & McKelvie; Higgins et al., 2007; Sheahan et al., 2021).
 - **Young defendants** are associated with higher criminal violence (Baumer et al., 2000).
 - **Stereotype Content Model** suggests that older adults are seen as warm and incompetent (Fiske et al., 2002) and associated with feelings of pity and sympathy (Cuddy et al., 2005), which is counter to the prototype of a violent criminal.
- **Victim Age and Juror Decision Making.** Research shows younger victims invoke more punitive punishment, and accidents involving younger victims are viewed as less just (Callan et al., 2012).
 - **Just World Theory** suggests people are motivated to view the world as just and may view deaths of younger victims as more tragic (Lerner, 1980).

Hypotheses.

- **H1:** Participants who view the young (vs. older) victim and the young (vs. older) defendant will be more likely to find the defendant guilty and rate the defendant as less credible.
- **H2:** Defendant age x stereotype will affect verdicts and credibility.
 - Participants who view the young explicit stereotype (vs. no-stereotype) defendant will be more likely to find the defendant guilty with lower defendant credibility.
 - Participants who view the older explicit stereotype (vs. no-stereotype) defendant will be less likely to find the defendant guilty and greater defendant credibility.

Methods

Participants. Jury-eligible USF students ($N = 249$) recruited through SONA (74.7% female; $Age = 19.98$, $SD = 3.00$).

Inclusion/Exclusion Criteria.

- Meet Florida jury requirements (i.e., minimum age 18, U.S. citizen, no convicted felonies).
- Pass attention/manipulation checks.

Design. 2 (Defendant Age: 25 vs. 72) x 2 (Victim Age: 26 vs. 70) x 2 (Stereotype: Present vs. Absent) between-subjects design. Participants were randomly assigned to conditions.

Trial Stimuli. The defendant was charged with carjacking and second-degree murder. Edited from of *NY v. Lucas* (Leippe et al., 2021) and renamed to *FL v. Lucas*.

Defendant/Victim Age. Manipulated using four different photos (two for each condition) portraying a young or older victim and defendant (Minear & Park, 2004).

Stereotype. Manipulated through either the presence or absence of age-related stereotypical language regarding the defendant in the trial transcript (e.g., older defendant described as honest and even tempered, young described as rash and physically capable).

Figure 1. Interaction of Defendant and Victim Age on Verdicts

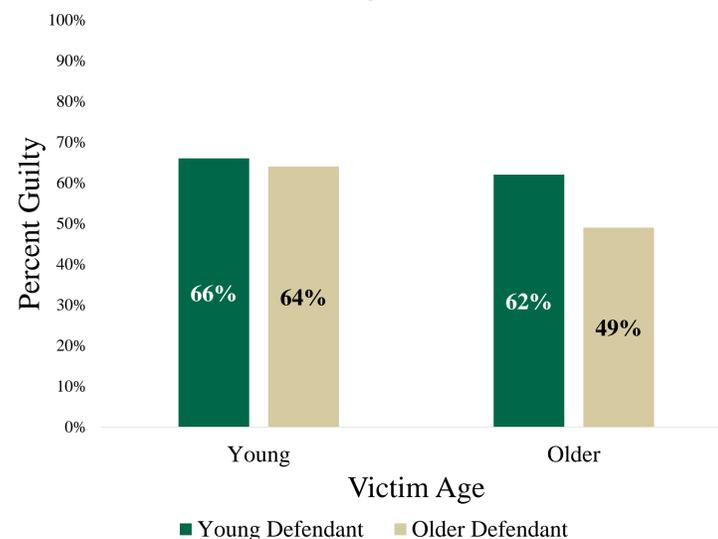


Figure 2. Effects of Defendant and Victim Age on Defendant Credibility

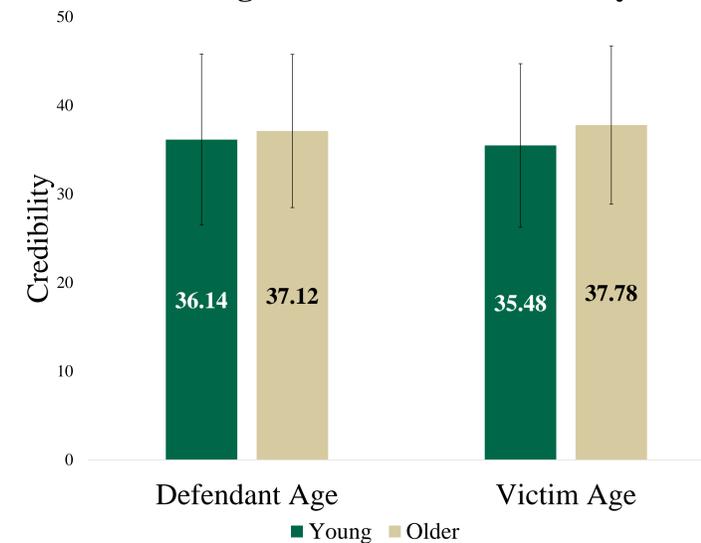


Figure 3. Effect of Stereotype on Verdicts

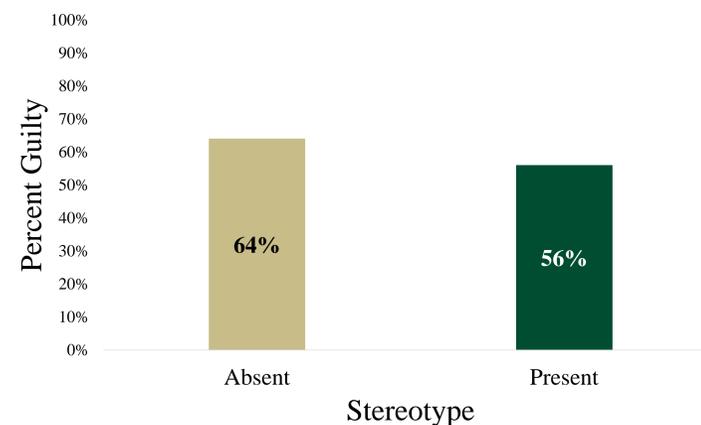
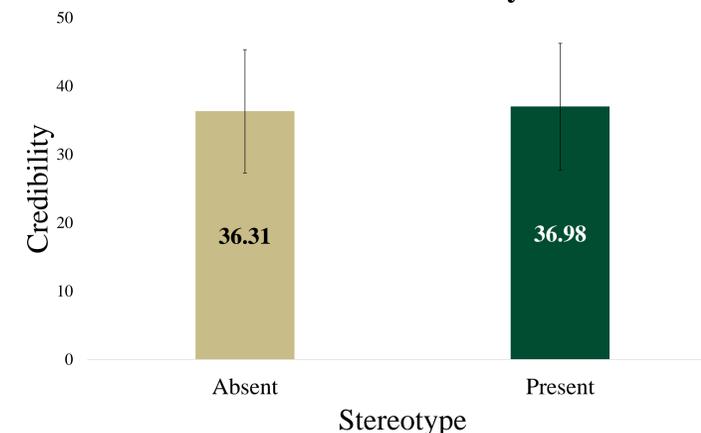


Figure 4. Effect of Stereotype on Defendant Credibility



Note. For all figures, error bars represent standard deviation. For all figures, * signifies $p < .05$

Results

H1.

- Analyzed using a forward logistic regression (verdicts) and factorial ANOVA (credibility).

- A significant interaction was found ($p = .036$) such that when both the victim and defendant were older the likelihood of a guilty verdict was lower than all other conditions.

- A marginally significant main effect of victim age on defendant credibility was found such that when the victim was older (vs. younger), participants rated the defendant as more credible, $M_s = 37.78$ vs. 35.48 , $SD_s = 8.93$ and 9.23 ; $p = .053$, regardless of defendant age (see Figure 2).

H2.

- Analyzed using a forward logistic regression (verdicts) and factorial ANOVA (credibility).

- Stereotype conditions did not have any significant effects on verdicts, or defendant credibility ratings (see Figures 3 & 4)

Discussion

Conclusion.

- Juror decision-making is influenced by extra-legal variables like defendant and victim age.
- Older defendants were shown leniency in verdicts when the victim was also older.
- There is some evidence suggesting that victim age can influence jurors' perception of defendant credibility; although this effect was ultimately not significant.
- Participants' verdicts and credibility assessments were not affected by the age-related stereotypical language.

Limitations.

- Findings only speak to decision-making among college student participants.
- Does not emulate real-life jury situations.
- Does not address other age groups (i.e., middle-aged victims/defendants).

Implications.

- The current research contributes to the sparse literature examining the effects of defendant age bias on jury decision-making when defendants are older adults.
- Future research in other samples and age groups should be done to further understand conclusions.

References

