January 2022

Impact Of Eyewitness Gender On Juror Perceptions Of Credibility

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IMPACT OF EYEWITNESS GENDER ON JUROR PERCEPTIONS OF CREDIBILITY

By

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Bachelor of Arts, East Carolina University, 2018

A Thesis

Submitted to the Graduate Faculty

of the

University of North Dakota

In partial fulfillment of the requirements

for the degree of

Master of Science in Forensic Psychology

Grand Forks, North Dakota
AUGUST
2022

Name: Shannon Hardy

Degree: Master of Science

This document, submitted in partial fulfillment of the requirements for the degree from the University of North Dakota, has been read by the Faculty Advisory Committee under whom the work has been done and is hereby approved.

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Title   Impact of Eyewitness Gender of Juror Perceptions of Credibility

Department   Psychology

Degree   Master of Science in Forensic Psychology

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Impact of Eyewitness Gender on Juror Perceptions of Credibility

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Abstract

While the influence of expert witness gender on juror perceptions of credibility has been widely researched, the effect of eyewitness gender has only begun to be investigated. Expert witness gender has been shown to have an impact on the perception of the credibility of testimony given, such that male expert witnesses are typically seen as more credible than female eyewitness. However, in some situations, such as a case that is considered feminine domain like child welfare, women may be seen as more credible. The purpose of the current study is to expand upon the existing literature on the impact of eyewitness gender on juror perceptions of credibility and investigate the effect of eyewitness gender, eyewitness occupation, and juror gender on the way jurors perceive eyewitness testimony. With a 2 (eyewitness gender) x 2 (eyewitness occupation) design, participants at the University of North Dakota were recruited to read a mock trial transcript about a witnessed robbery and rated the eyewitness on various traits, as well as providing their sentencing recommendations. Results indicated higher sentencing recommendation when the eyewitness was a female. No other significant results were found, although results from the Witness Credibility Scale approached significance and could warrant future research.

Impact of Eyewitness Gender on Juror Perceptions of Credibility

Literature Review

Introduction

Eyewitness testimony is an important part of many criminal and civil trials. Not only are there factors that cognitively impact the validity of eyewitness testimony, there are also societal factors, such as age, race, and gender. Variables such as age, race, gender, and length of time since the event can affect the way the eyewitness remembers the event (Marsh, 2007; Shermer, et al., 2011), while societal factors impact the way other people perceive the witness's statements (Memon & Shuman, 1998; Neal & Brodsky, 2008; Pozzulo & Dempsey, 2009). Although many of the effects on the perception of eyewitness testimony have been well studied, only a few studies have been conducted on the impact of gender.

Gender has been found to affect memory in several ways. Women are found to be better at facial recognition and recollection of episodic memories (Areh, 2011). Women are also better at recalling people's appearance, such as clothing, hair style and color, jewelry, etc (Loftus, 1996). Areh (2011) found women to be more reliable witnesses, while men are more confident in their ability to identify someone. This confidence on the part of men can be an important factor in trials as jurors may accept confidence as accuracy. According to Shermer (2011), witness confidence was a deciding factor in nearly fifty percent of jurors' judgments to believe or disbelieve a witness. These differences are thought to be due to a difference in cognitive abilities (Areh, 2011).

Although there is a lack of research on the impact of gender with regard to eyewitness testimony, the influence of gender in other similar domains has been studied. For example, the impact of expert witness gender has been broadly studied (Maeder, et al., 2012) and many

studies report significant differences in the way male and female expert witnesses are perceived (Larson & Brodsky, 2010; Schuller, et al., 2001; Schuller, et al., 2005). Juror gender is another variable often studied in witness credibility research (Larson & Brodsky, 2010; Maeder, et al., 2012; Schuller, et al., 2005). Men and women sometimes interpret information differently, resulting in different verdicts based on their gender (Maeder, et al., 2012).

Eyewitness Testimony

Eyewitness testimony is a report given by an individual of an event they have witnessed first-hand. Eyewitness testimony has existed for as long as legal systems in civilization and has been a source of information leading to convictions in the court of law, and common law (Leippe, 1995; Shermer, et al., 2011). Memories are the basis of eyewitness testimony, and the intricacies of memory impact the credibility of eyewitnesses. Memory involves processes of the brain to encode information about experiences, which can be recalled, but also lost or reshaped (Erdelyi, 2006). Memories can also be falsely recalled or reformed due to retelling many times to various audiences, resulting in false or altered memories, however, people generally believe their memories are reliable (Marsh, 2007; Shermer et al., 2011). However, there are downfalls of memory recall and components that influence the way people remember events. Many factors affect the actual ability of eyewitnesses to accurately recall information, such as age, race, and gender (Shermer, et al., 2011). Length of time since the event can also affect recall ability (Maeder, et al., 2017).

Age, race, and gender are all components that affect the manner in which people recall experiences in their lives (Shermer, et al., 2011). With regards to age, older adults and children are expected to have a lower capacity for correct identification. In a meta-analysis by Fitzgerald & Price (2015), children and older adults were found to be more likely than young adults to

select individuals from lineups, even if the culprit was not in the lineup. For children, this could

be due to greater susceptibility to suggestive interview techniques or body language of the adults

around them as well as lack of experience recognizing faces (Fitzgerald & Price, 2015). For

older adults, this difficulty may be due their capacity to engage in deep or elaborate processing

of unfamiliar faces being diminished as they have more limited resources for retrieving and

processing information, so they may take more time or need to use a different method of

processing than younger adults (Martschuk & Sporer, 2018). Race has an effect due to the

strong "own race bias"—a bias in favor of the group an individual belongs to, shown by all

races, but most significantly in White people identifying Black people. According to the

Innocence Project, over one third of wrongful convictions were a result of White eyewitnesses

misidentifying Black people as suspects (Doyle, 2001). The disproportionately high

incarceration rate of Black men in America is indicative of the manner in which the American

justice system holds White witnesses of perceived Black crimes accountable for their testimony.

This bias must be considered when race is a factor in crimes to ensure there is not unfairness in

identification (Doyle, 2001).

Gender is another important factor in memory recall. Similar to age, many of the factors

believed to contribute to gender difference are cognitive. Women have been found to have

superior recall than men in almost every aspect of memory, aside from spatial information

memory, which involves tasks similar to reading a map (Areh, 2011). While women have been

shown to outperform men in almost every aspect of memory, including everyday tasks, names,

and changes to familiar objects, men are more confident in their recall ability which, as

mentioned previously, is an important factor for jurors (Areh, 2011). The length of time since an

event has a twofold effect on one's ability to recall. If the length of time is significant, memories

could either be very difficult to recall, or they could have been retold so many times that they change significantly. Retelling can possibly lead to false memories, which lead to unfounded accusations that result in wrongful convictions (Marsh, 2007).

Since it is now understood that memory is faulty, the credibility of eyewitness testimony has been questioned (Loftus, 2005). Because memories are so malleable, it stands to reason that their validity should be called into question, unless we can ensure the circumstances around the memory were such that it can be viewed as credible (Loftus, 2005). However, because first-hand accounts of the events are otherwise unattainable, eyewitness testimony remains an important part of criminal justice system, which makes it important to understand the way jurors perceive the people they receive information from (Leippe, 1995).

Eyewitness Gender

There has been little research related to the influence of gender on juror perception of lay witness credibility. However, as eyewitness testimony is often the only source of first-hand information in a trial, it is important to understand factors that can influence its perception (Leippe, 1995). Maeder, Pozzulo, and Dempsey (2012) examined the influence of eyewitness career and gender on juror perception and found results approaching significance ($p < .10$), in that women eyewitnesses elicited more guilty verdicts, indicating higher credibility, as the jurors are willing to convict based on the testimony, when they had a traditional career, such as a stay-at-home parent, as opposed to a non-traditional career, such as a mechanic. This difference was not seen in the scenarios for the male eyewitnesses. Although the verdicts were affected by witness gender and occupation, it appears that the jurors are unaware of this difference, as their direct ratings did not indicate this difference, while implicit measures did. Implicit measures sometimes identify differences explicit measures do not, because implicit measures can pick up

on differences the participant may not be consciously aware of. Because this difference was not

seen in the participants direct ratings, only in their verdicts, it appears the participants may be

consciously compensating for their gender biases (Maeder, et al. 2012). These results are

consistent with much of the research on expert witness gender, in that women were seen as more

credible when they fulfilled a traditional gender role.

Gender Role Beliefs

There are many gender theories in social psychology, with Fiske's stereotype content

model and Eagly's role incongruity theory being two theories that are frequently used to explain

findings in expert witness gender research (Eagly & Diekman, 2005; Fiske, 2002). The

stereotype content model (SCM) consists of two dimensions: warmth and competence. Warmth

accounts for traits such as trustworthiness and friendliness, while competence encompasses a

person's perceived ability and knowledgeability (Fiske, 2002). There are four different

combinations of these two dimensions: high competence and low warmth, high competence and

high warmth, low competence and low warmth, and low competence and high warmth. People

or groups perceived as high on both of these dimensions are typically viewed positively, while

people perceived low on both are viewed negatively (Fiske, 2002). Groups seen as high in one

dimension, but low in the other can elicit conflicting attitudes. For example, Asians typically fall

into the high competence but low warmth group, and are often disliked because they are seen as

a competitive out-group. Elderly people generally fall into the high warmth but low competence

group, and are viewed warmly but disrespectfully because they lack competence (Fiske, 2002).

In this model, women are often expected to conform to behaviors that elicit warmth,

while men are expected to be more competent (Neal, et al., 2012). Per the SCM (Fiske, 2002),

women who conform to traditional gender roles are more often perceived as warm and likeable,

while women who adhere to nontraditional gender roles are seen as competent, but

unlikable. On the other hand, men are typically perceived as more competent than women, and

retain their likability (Fiske, 2002). For example, a working woman who has a child is likely to

lose perceived competence and unlikely to gain warmth, while a working man who has a child

will likely gain warmth and retain perceived competence (Cuddy, et al., 2004). This indicates

that criteria women must meet to appear competent are stricter than those required for men.

Role incongruity theory was developed after Eagly and colleagues (2005) criticized the

long held definition of prejudice, in which it is defined as an aversion based on inaccurate and

strongly held stereotypes. They argued that this definition was not sufficient to describe the

intricate nature of prejudice, and that prejudice was not necessarily a negative view of a group,

but an imbalance between the stereotype of a group and the expected traits of a successful

member of society (Eagly & Diekman, 2005). A woman in politics would be viewed positively

because she is in a high-status role, while also viewed negatively because the stereotypes people

have about women, such as being overly emotional or unable to argue, do not fit the traits they

believe are needed for that position. While people do not necessarily see women as a whole

negatively, the traits expected of a politician and the traits expected of a woman do not match

up. Regardless of her actual ability to fulfill that role, the general beliefs of society will

permeate people's perception (Eagly & Diekman, 2005).

Expert Witness

As there is minimal research on the impact of gender on the perception of eyewitness

testimony, it is valuable to look at the research on expert witness gender, as both types of

witnesses provide testimony for the jury. An expert witness is someone who has been classified

as an expert in their field whether based on education or professional experience (Maeder, et al.,

2016). Expert witnesses are often brought into criminal and civil trials to provide information on

aspects on the case to further support part of the testimony (Schuller, et al., 2005). Expert

witnesses can be called by either the defense or prosecution, and although the testimony is

intended to support one side, they are expected to present testimony that is unbiased and based

on fact (Maeder, et al., 2016). The Daubert standard for expert testimony is also now widely

accepted. The Daubert standard requires that "**(a)** the expert's scientific, technical, or other

specialized knowledge will help the trier of fact to understand the evidence or to determine a fact

in issue; **(b)** the testimony is based on sufficient facts or data; **(c)** the testimony is the product of

reliable principles and methods; and **(d)** the expert has reliably applied the principles and

methods to the facts of the case" (Daubert v. Merrell Dow Pharmaceuticals Inc., 1993). It is

clear that expert witness testimony is an important part of a trial, as expert witnesses provide the

jurors with information necessary to make their judgment (Maeder, et al., 2016).

     Expert Witness Gender. The gender of an expert witness is a factor that influences their

perceived credibility. Expert witness gender has been researched fairly extensively and is often

studied alongside other variables, such as occupation of the eyewitness or style of speech. Men

are generally expected to be perceived as more credible than women as they typically fall into

the high warmth and high competence category. Women, when conforming to traditional gender

roles, are likely to be classified into the high warmth and low competence category, while

women who do not conform are more likely to fall into the low warmth and low competence

category (Maeder, et al. 2012). This, combined with the role incongruity of a woman in a

courtroom position, puts female expert witnesses in a double bind (Neal, 2014).

     Larson and Brodsky (2010) found female expert witnesses to be rated as less credible,

trustworthy, believable, likable, and confident when compared to their male counterparts. Men

are generally perceived as more credible than women, although if the field is a traditionally feminine domain, women may be perceived as more credible than men. For example, if the topic of a case is child custody, women have been found to be perceived as more credible than men (Larson & Brodsky, 2014). Although there is not much research on the effect of lay witness gender on juror perceptions of credibility, this subject is just as important as expert witness research. Eyewitnesses likely face much of the same gender discrepancies as expert witnesses in the courtroom and the implications of this should be investigated (Maeder, et al., 2012).

Eyewitness Occupation

As stated previously, eyewitness testimony is an important part of many trials that cannot be replaced by any other form of evidence, which makes it important to understand what factors influence juror perception (Leippe, 1995; Maeder et al., 2012). Although there is research on the impact of an expert witness's occupation type, there is very little research on eyewitness occupation as a factor in ratings of credibility. Researchers have consistently found that expert witnesses who testify in gender role consistent domains—such as clothing for women and construction for men—are rated more credible by jurors, although women testifying in a non-gender congruent domain are penalized more heavily than men (Maeder et al., 2012). It is important to know if this difference is also found in eyewitness testimony as eyewitness testimony is an important source of evidence and this can impact the outcome of a trial.

Juror Gender

A juror's role in a trial is to listen to and make a judgment based on the testimony presented by various sources, including expert and eyewitnesses (Neal & Brodsky, 2008). Many factors, such as eye contact, testimony complexity, and gender can affect the way the jurors perceive the testimony given by the witness (Maeder, et al, 2016; Neal & Brodsky, 2008; Neal et

al., 2012; etc). A person's gender affects their worldview and can impact jurors' perception of testimony. Child abuse and sexual assault cases are examples of topics that men and women typically perceive differently. Men have been found designate more blame to the victims of child sexual abuse and find the victims less credible than women do (Pettalia, et al., 2017; Pozzulo, et al., 2010). Men are also more likely to excuse an adult woman's sexual assault of a young boy as they perceive it as helpful for their future relationships (Quas, et al., 2002). A less volatile example of this difference is a finding that greater damages were awarded in a civil suit when male experts testified in a male-dominated industry, such as construction, while greater damages were awarded when female experts testified in a female-dominated industry, such as clothing supply (Larson & Brodsky, 2014). This is consistent with role incongruity theory, in that jurors perceive people operating in traditionally gendered field as more credible when it is consistent with their gender (such as a man in construction) rather than when it is inconsistent (such as a woman in construction).

Men have been found to perceive male expert witnesses as more credible than women when the topic of the testimony is a traditional male field, such as mechanics, whereas women are perceived as more credible when they testified on a topic considered more feminine, such as child custody (Maeder, et al., 2012). In general, women have been found to regard female expert witnesses as more credible and trustworthy (Kovera, et al., 1999; Maeder, et al., 2012). These differences indicate that male and female jurors have different takeaways from the same testimony. Although these studies were based on expert witnesses, it stands to reason that the results would be similar for testimony given by eyewitnesses.

Current Study

The purpose of this study was to expand upon the limited research on the topic of eyewitness gender on juror perceptions of credibility. The design of this study was 2 x 2 x 3, with juror gender (male vs. female), eyewitness occupation (mechanic vs. stay-at-home parent), and eyewitness gender (male vs. female vs. gender-neutral), as the independent variables.

H1: It was hypothesized that a main effect for expert witness gender would be detected, such that male and gender-neutral eyewitnesses were expected to be rated more credible than female eyewitnesses, as reflected in the Witness Credibility Scale ratings and verdict decision and sentencing recommendations made by the participants.

H2: It was also hypothesized that eyewitness gender and juror gender would interact, such that female eyewitnesses would be rated as more credible by female jurors than male jurors, but male witnesses would be viewed as equally credible by female and male jurors. This was expected to be reflected in the credibility and confidence ratings.

H3: An additional interaction between eyewitness gender and occupation was also predicted, such that female eyewitnesses in the non-traditional occupation condition were predicted to be rated as less credible than all other conditions. This was expected to be reflected in the Witness Credibility Scale ratings as well as verdict and sentencing decisions made by the participants.

Method

Participants

Participants were recruited via SONA Systems through the University of North Dakota. The participants recruited SONA were undergraduate students enrolled in an undergraduate psychology class. A total of 149 participants were recruited. After removing incomplete

responses, 135 participants remained, and after removing participants who failed manipulation

checks, data from 76 participants were retained for further analysis.

This sample of 76 participants was included 48 women and 28 men. Participants ranged

in age from 18 to 35 ($M = 20.09$, $SD = 3.41$). Regarding ethnicity, the sample was predominantly

comprised of White participants with 93.4% of individuals self-identifying as White. The

remaining participants consisted of 5.3% Native American or Alaskan Native individuals, 2.6%

African American or Black, 2.6% Asian, and 1.3% Other.

Design

The design for this study was initially a 2 (eyewitness occupation: mechanic vs. stay-at-

home parent) x 2 (participant gender: male vs. female) x 3 (eyewitness gender: male vs. female

vs. gender-neutral) factorial. Due to the small number of participants who were retained for

analysis, the participant gender condition and gender-neutral eyewitness gender condition were

not included, resulting in a 2 (eyewitness occupation) x 2 (eyewitness gender) design.

Materials and Procedure

Trial Transcript

Six versions of a mock trial transcript were created. The crime discussed in the mock

trial was a robbery in which the eyewitness watches a pedestrian's backpack be stolen. The

gender and occupation of the eyewitness were varied, while all other details were held

constant. The witness testified that they saw the robbery take place while they were either in

their workplace or home. Participants were randomly assigned one of the six mock trial

transcripts. The mock trial transcript can be found in Appendix A.

Demographics and Manipulation Check

The participants were asked to provide demographic information on their gender, age, and race. The demographics form can be found in Appendix B. As a manipulation check, participants were asked to indicate what the gender and occupation of the eyewitness was and if they recalled the item that was stolen. The manipulation check questions can be found in Appendix C.

Verdict and Sentencing

The participants were asked to choose between a dichotomous guilty or not guilty verdict, as well as provide a rating of their confidence in their verdict on a five-point scale. These questions can be found in Appendix D. They were also asked to give a recommend sentence length, up to ten years, and fine amount, up to $10,000 as these are the maximum sentences for the crime portrayed in the scenario in the state of North Dakota. Based on prior research, higher sentencing values such as more guilty verdicts and higher fines are indicative of agreement with and confidence in the witness, as the witness is testifying against the defendant (Brodsky et al., 2009). Thus, this was used to gauge juror confidence in the eyewitness.

Witness Credibility Scale

Participants completed the Witness Credibility Scale, found in Appendix E, to assess their perception of the eyewitness from the mock trial transcript. The Witness Credibility Scale (Brodsky, et al. 2010) was developed to fill a gap in witness credibility assessment and consists of twenty adjectives and four subscales, "knowledge," "likeability," "trustworthiness," and "confidence," made up of five items each. Each of these twenty adjectives is rated on a ten-point Likert scale (Brodsky et al., 2010; Neal et al., 2012).

Results

Data Preparation

The data were cleaned to remove incomplete responses and participants who did not pass the manipulation checks. 149 participants completed the survey, but data from several participants were removed because participants did not complete the dependent measures, which resulted in 135 cases being retained. 8 participants failed the manipulation check that asked them to identify the object stolen and were removed, another 6 failed the manipulation check asking them to identify the occupation of the eyewitness and were removed as well.

31 participants were removed for failing the manipulation check asking them to identify the gender of the eyewitness. 6 participants failed because they either selected female when the eyewitness was male or male when the eyewitness was female. In cases where eyewitness gender was not specified, 25 participants failed the manipulation check. When the occupation was stay at home parent, 10 of 16 participants assumed the gender to be female and when the occupation was mechanic, 8 of 9 participants assumed the gender to be male. After removing participants who failed any manipulation check, 90 participants remained; however, due to the low remaining number of participants in the gender unspecified condition, the remaining participants for that condition were removed as well, resulting in a total of 76 participants who were retained for further analysis.

Descriptive statistics were computed for the dependent variables. These results indicated that while the skewness for these variables were within normal range, the kurtosis values for the likability, confidence, and knowledge subscales of the Witness Credibility Scale were all somewhat positively kurtotic, as well as the Witness Credibility Scale's composite variable.

Table 1

Dependent Variable Descriptive Statistics

Dependent variable	Mean	Median	SD	Minimum	Maximum
Age	20.09	19.00	3.41	18	35
Sentence length	4.49	4.00	2.39	1	10
Fine amount	5539.68	5000	2844.16	94	10000
Composite verdict/confidence	1.79	3.00	3.04	-4.00	5.00
WCS Likability	7.77	8.00	1.81	1.00	10.00
WCS Trustworthiness	7.06	7.70	2.12	1.00	10.00
WCS Confidence	7.68	8.00	1.96	1.00	10.00
WCS Knowledge	7.04	7.40	1.90	1.00	10.00
WCS Composite	7.39	7.58	1.79	1.00	10.00

A composite variable was computed that combined guilty/not guilty verdict responses and the 1-5 confidence rating. For this composite variable, -4 to 0 represented confidence in a not guilty verdict, with -4 response indicating high confidence in a not guilty verdict. A guilty verdict was represented with values from 1 to 5, with 5 being high confidence in a guilty verdict. Cronbach's Alpha values were calculated for each of the 4 subscales within the Witness Credibility scale (confidence, $\alpha = .914$, likeability $\alpha = .942$, trustworthiness $\alpha = .950$, knowledge $\alpha = .933$) as well as the overall Witness Credibility scale variable ($\alpha = .973$).

Data Analysis

Verdict and Sentencing

For the guilty/not guilty verdict, 52 participants indicated a guilty verdict and 24 indicated a not guilty verdict. Next, a 2 (eyewitness gender: male vs. female) x 2 (eyewitness occupation: mechanic vs. stay at home parent) analysis of variance (ANOVA) was conducted with the sentencing recommendation as the dependent variable. All participants responded to this question regardless of whether they selected a guilty or not guilty verdict. The main effect for eyewitness occupation did not reach significance ($p = .765$) although the main effect for eyewitness gender did $F(1, 70) = 6.79$, $p < .011$, $\eta_p^2 = .088$, and the interaction between the two approached significance $F(1, 70) = 3.02$, $p < .087$. Participants recommended longer sentences when the eyewitness was female, $M=5.23$, than when the eyewitness was male, $M=3.82$.

A 2 (eyewitness gender: male vs. female) x 2 (eyewitness occupation: mechanic vs. stay at home parent) ANOVA was conducted with fine recommendation as the dependent variable. Neither the main effect for eyewitness occupation ($p = .471$), eyewitness gender ($p = .143$), or the interaction between the two ($p = .912$), were significant.

A 2 (eyewitness gender: male vs. female) x 2 (eyewitness occupation: mechanic vs. stay at home parent) ANOVA was conducted with the verdict and confidence composite variable as the dependent variable. Neither the main effect for eyewitness occupation ($p = .371$), eyewitness gender, ($p = .163$), or the interaction between the two, ($p = .298$), were significant.

Witness Credibility Scale

A 2 (eyewitness gender: male vs. female) x 2 (eyewitness occupation: mechanic vs. stay at home parent) ANOVA was conducted with the likability subscale from the Witness Credibility Scale (WCS) as the dependent variable. Neither the main effect for eyewitness occupation ($p = .378$), eyewitness gender ($p = .363$), or the interaction between the two ($p = .306$), were significant.

A 2 (eyewitness gender: male vs. female) x 2 (eyewitness occupation: mechanic vs. stay at home parent) ANOVA was conducted with the trustworthiness subscale from the WCS as the dependent variable. Neither the main effect for eyewitness occupation ($p = .870$), eyewitness gender ($p = .595$), or the interaction between the two ($p = .105$), were significant.

A 2 (eyewitness gender: male vs. female) x 2 (eyewitness occupation: mechanic vs. stay at home parent) ANOVA was conducted with the confidence subscale from the WCS as the dependent variable. Neither the main effect for eyewitness occupation ($p = .637$), eyewitness gender ($p = .728$), or the interaction between the two ($F(1,70) = 3.139, p = .081$), were significant, although the interaction was approaching significance. This interaction indicates that participants felt eyewitnesses in gender congruent occupations were more confident than eyewitnesses in gender incongruent jobs.

A 2 (eyewitness gender: male vs. female) x 2 (eyewitness occupation: mechanic vs. stay at home parent) ANOVA was conducted with the knowledge subscale from the WCS as the dependent variable. Neither the main effect for eyewitness occupation ($p = .864$), eyewitness gender ($p = .972$), or the interaction between the two ($F(1,70) = 3.447, p = .067$) were significant, but the interaction approached significance. This interaction indicates that participants rated female eyewitnesses in the stay at home parent condition and male eyewitness in the mechanic condition as more knowledgeable than eyewitnesses in gender incongruent occupations.

Lastly, a 2 (eyewitness gender: male vs. female) x 2 (eyewitness occupation: mechanic vs. stay at home parent) ANOVA was conducted with the composite variable of the subscales from the WCS as the dependent variable. Neither the main effect for eyewitness occupation ($p = .724$), eyewitness gender ($p = .637$), or the interaction between the two, ($F(1,70) = 3.004$ $p =$

.087) were significant, but the interaction again approached significance. This interaction indicates that, overall, participants rated eyewitnesses in gender congruent occupations as more credible than eyewitnesses in gender incongruent occupations.

Discussion

The current study intended to expand upon the limited research focused on the impact eyewitness gender has on juror perceptions of credibility. To do so, a mock trial transcript was created and measures of confidence, such as sentencing recommendations, were utilized alongside the Witness Credibility Scale to measure participant responses. Male and gender-neutral eyewitnesses were predicted to be regarded as more credible than female eyewitnesses. Female eyewitnesses were hypothesized to be rated as more credible by female participants while male eyewitnesses would be rated equally by male and female participants. Lastly, it was anticipated that female eyewitnesses in a gender incongruent occupation would be rated as less credible than all other conditions. The results failed to support these hypotheses; however, several results warrant future research.

After data analysis, one statistically significant result was detected. The ANOVA that was conducted with sentencing recommendation as the dependent variable indicated a significant result for the main effect of eyewitness gender, such that participants recommended higher sentencing when the eyewitness was a woman. This was counter to the expectation that female eyewitnesses would be seen as less credible, although there were no hypotheses directly referencing sentencing recommendation (Maeder, et al., 2012). This result is interesting and could warrant future research. It is worth noting the participant pool consisted of 68% women. Future research could consider making this an optional response if participants answered not

guilty or giving a 0-year sentence option. It would also be interesting to investigate interactions with juror gender.

No significant results were detected for the analyses with fine recommendation or the confidence composite variable as the dependent variables. This was counter to what was anticipated, as higher fine recommendations indicate higher confidence (Brodsky, et al., 2009). This also contrasts with results from Maeder, Pozzulo, and Dempsey's "Judging the Witness," in which they found the gender congruence of the witness's occupation to impact verdict, while seemingly having no effect on witness credibility ratings.

No statistically significant results were found using the subscales of the Witness Credibility Scale as dependent variables. However, the interactions for the confidence subscale, knowledge subscale, and total composite approached significance. Although no conclusions can be drawn from these results, it does indicate the potential that individuals in gender incongruent occupations were viewed as less credible than those in roles that are traditional to their gender. These results, particularly considering the small sample for this study, could warrant future research.

The results of the manipulation check for the gender of the eyewitness are worth considering as well. For the gender-neutral condition, 25 participants failed the manipulation check. Nearly two thirds (10 of 16) of participants who failed the manipulation check for the stay-at-home parent condition assumed the eyewitness gender was female, while 8 out of 9 participants who failed the check for the mechanic condition assumed the eyewitness gender was male. This seems to reflect some remaining stereotypes around gender and occupation and could warrant future research.

With regards to the first hypothesis, data did not support the expectation that male eyewitnesses would be rated as more credible than females, and we were unable to analyze the gender-neutral condition. In fact, juror confidence based on sentencing recommendation seemed to indicate more confidence in female eyewitnesses. This was contrary to previous findings in both eyewitness and expert witness research, as men are generally seen as more credible (Larson & Brodsky, 2010; Maeder, et al., 2012). Due to low participant numbers, we were unable to run analyses for the second hypothesis, in which female eyewitnesses were hypothesized to be rated as more credible by female jurors and male and gender-neutral eyewitnesses to be rate equally by participants. In the third hypothesis, female eyewitnesses in gender incongruent jobs were expected to be rated as less credible than in other conditions. Data did not support this hypothesis either, again inconsistent with prior research which indicates women are typically viewed as less credible, particularly women in gender incongruent occupations (Larson & Brodsky, 2010). However, the results of the Witness Credibility Scale suggest future research on this topic would be beneficial.

Altogether, the results of this study expanded upon the limited research surrounding juror perceptions of eyewitness credibility based on gender and point to directions for future research. The use of implicit measures of confidence (sentence length and fine recommendations) indicated interesting findings that contrasted with expectations and with the results of the Witness Credibility scale. The participants' tendency to recommend higher sentence length when the eyewitness is a female indicates higher confidence in the female eyewitness than is reflected in the results of the WCS, which, although nonsignificant, potentially indicate higher confidence in individuals in gender congruent occupations, consistent with prior research (Larson & Brodsky, 2010; Maeder, et al., 2012). Higher participant confidence on implicit

measures while explicit measures do not indicate the same result shows there may be bias, or lack thereof, that the participants are unaware of (Maeder, et al., 2012). Further research using these measures could be beneficial, particularly in research with more participants.

Limitations of this research include a small sample size and high failure rates for the manipulation check. Due to the participant turnout, the gender-neutral eyewitness condition and participant gender variable were unable to be analyzed. Future research could consider the use of a different recruitment system that may result in a higher volume of participants. With regards to the results indicating jurors recommended higher sentences for female eyewitness, it would be interesting to consider the role participant gender has on this decision. Also, considering the potentially interesting, although nonsignificant, findings from the Witness Credibility Scale in relation to the occupation gender congruence, the inclusion of a gender nonspecific condition could provide further insights. Future research could also consider hypothesizing on the results of the manipulation checks themselves.

Conclusion

Keeping in mind the limitations of this study, the results indicate interesting and somewhat novel findings that point towards directions for future research. Findings of higher confidence in female eyewitnesses contrasts with the expectations from prior research as well as the results of the Witness Credibility Scale. These findings, while difficult to interpret, indicate a need for future research on this topic. These results support the understanding that eyewitness testimony and its perception are complicated and not necessarily to be taken at face value. Further research on this topic will be greatly beneficial for the criminal justice system as eyewitness testimony is better understood.

References

Areh, I. (2011). Gender-related differences in eyewitness testimony. Personality and Individual

    Differences, 50(5), 559–563. https://doi.org/10.1016/j.paid.2010.11.027

Brodsky, S., Griffin, M., & Cramer, R. (2010). The Witness Credibility Scale: An outcome

    measure for expert witness research. Behavioral Sciences & the Law, 28(6), 892–907.

    https://doi.org/10.1002/bsl.917

Brodsky, S. L., Neal, T. M. S., Cramer, R. J., & Ziemke, M. H. (2009). Credibility in the

    Courtroom: How Likeable Should an Expert Witness Be? The Journal of the American

    Academy of Psychiatry and the Law, 37(4), 525–532.

Carli, L. L. (1990). Gender, language, and influence. *Journal of Personality and Social

    Psychology*, *59*(5), 941–951. https://doi.org/10.1037/0022-3514.59.5.941

Cuddy, A. J. C., Fiske, S. T., & Glick, P. (2004). When Professionals Become Mothers, Warmth

    Doesn't Cut the Ice. *Journal of Social Issues*, *60*(4), 701–718. https://doi-

    org.ezproxy.library.und.edu/10.1111/j.0022-4537.2004.00381.x

Daubert v. Merrell Dow Pharmaceuticals. (1993). *509 U.S. 579*.

Doyle, J. M. (2001). Discounting the error costs: Cross-racial false alarms in the culture of

    contemporary criminal justice. *Psychology, Public Policy, and Law, 7*(1), 253-262. doi:

    10.1037/1076-8971.7.1.253

Eagly, A. H., & Diekman, A. B. (2005). What is the problem? Prejudice as an attitude-in-

    context. In J. F. Dovidio, P. Glick, & L. A. Rudman (Eds), On the nature of prejudice: 50

    years after Allport. (pp. 19–35). Malden, MA: Blackwell Publishing.

Fiske, S. T., Cuddy, A. J. C., Glick, P., & Xu, J. (2002). A model of (often mixed) stereotype

    content: Competence and warmth respectively follow from perceived status and

competition. *Journal of Personality and Social Psychology*, *82*(6), 878–902.

https://doi.org/10.1037/0022-3514.82.6.878

Fitzgerald, R. J., & Price, H. L. (2015). Eyewitness identification across the life span: A meta-analysis of age differences. *Psychological Bulletin, 141*(6), 1228-1265. doi: 10.1037/bul0000013

Kovera, M. B., McAuliff, B. D., & Hebert, K. S. (1999). Reasoning about scientific evidence: Effects of juror gender and evidence quality on juror decisions in a hostile work environment case. *Journal of Applied Psychology*, *84*(3), 362–375.

https://doi.org/10.1037/0021-9010.84.3.362

Larson, B. A., & Brodsky, S. L. (2010). When cross-examination offends: How men and women assess intrusive questioning of male and female expert witnesses. *Journal of Applied Social Psychology*, *40*(4), 811–830. https://doi-org.ezproxy.library.und.edu/10.1111/j.1559-1816.2010.00599.x

Larson, B. A., & Brodsky, S. L. (2014). Assertive women as expert witnesses: A study of assertive and defensive responses in male and female experts. *Behavioral Sciences & the Law*, *32*(2), 149–163. https://doi.org/10.1002/bsl.2116

Loftus, E. F. (1996). Eyewitness testimony . Harvard University Press.

Loftus, E. F. (2005). Planting misinformation in the human mind: A 30-year investigation of the malleability of memory. *Learning & Memory*, *12*(4), 361–366. https://doi-org.ezproxy.library.und.edu/10.1101/lm.94705

Maeder, E. M., Ewanation, L. A., & Monnink, J. (2017). Jurors' perceptions of evidence: The relative influence of DNA and eyewitness testimony when presented by opposing parties.

Journal of Police and Criminal Psychology, 32(1), 33-42. doi: 10.1007/s11896-016-9194-9

Maeder, E. M., McManus, L. A., McLaughlin, K. J., Yamamoto, S., & Stewart, H. (2016). Jurors' perceptions of scientific testimony: The role of gender and testimony complexity in trials involving DNA evidence. *Cogent Psychology*, *3*(1). https://doi-org.ezproxy.library.und.edu/10.1080/23311908.2016.1264657

Maeder, E. M., Pozzulo, J. D., & Dempsey, J. (2012). Judging the witness: Do gender and occupation type matter for juror decision making? *American Journal of Forensic Psychology*, *30*(3), 45–58.

Marsh, E. J. (2007). Retelling Is Not the Same as Recalling: Implications for Memory. *Current Directions in Psychological Science, 16*(1), 16-20. Doi: 10.1111/j.1467-8721.2007.00467.x

Martschuk, N., & Sporer, S. L. (2018). Memory for faces in old age: A meta-analysis. *Psychology and Aging 33*(6), 904-923. doi: 10.1037/pag0000282

Memom, A., & Shuman, D. W. (1998). Juror perception of experts in civil disputes: The role of race and gender. *Law & Psychology Review*, *22*, 179–197.

Neal, T. M. S. (2014). Women as expert witnesses: A review of the literature. *Behavioral Sciences & the Law*, *32*(2), 164–179. https://doi.org/10.1002/bsl.2113

Neal, T. M. S., & Brodsky, S. L. (2008). Expert witness credibility as a function of eye contact behavior and gender. *Criminal Justice and Behavior*, *35*(12), 1515–1526. https://doi-org.ezproxy.library.und.edu/10.1177/0093854808325405

Neal, T. M. S., Guadagno, R. E., Eno, C. A., & Brodsky, S. L. (2012). Warmth and competence

on the witness stand: Implications for the credibility of male and female expert witnesses.

Journal of the American Academy of Psychiatry and the Law, *40*(4), 488–497.

Pettalia, J., Pozzulo, J. D., & Reed, J. (2017). The influence of sex on mock jurors' verdicts

across type of child abuse cases. *Child Abuse & Neglect*, *69*, 1–9.

https://doi.org/10.1016/j.chiabu.2017.03.025

Pozzulo, J. D., & Dempsey, J. L. (2009). Witness factors and their influence on jurors'

perceptions and verdicts. *Criminal Justice and Behavior*, *36*(9), 923–934. https://doi-

org.ezproxy.library.und.edu/10.1177/0093854809338450

Pozzulo, J. D., Dempsey, J., Maeder, E., & Allen, L. (2010). The effects of victim gender,

defendant gender, and defendant age on juror decision making. *Criminal Justice and

Behavior*, *37*(1), 47–63. https://doi.org/10.1177/0093854809344173

Quas, J. A., Bottoms, B. L., Haegerich, T. M., & Nysse-Carris, K. L. (2002). Effects of victim,

defendant and juror gender on decisions in child sexual assault cases. *Journal of Applied

Social Psychology*, *32*(10), 1993–2021. https://doi.org/10.1111/j.1559-

1816.2002.tb02061.x

Schuller, R. A., Terry, D., & McKimmie, B. (2001). The impact of an expert's gender on jurors'

decisions. *Law & Psychology Review*, *25*, 59–79.

Schuller, R. A., Terry, D., & McKimmie, B. (2005). The impact of expert testimony on jurors'

decisions: Gender of the expert and testimony complexity. *Journal of Applied Social

Psychology*, *35*(6), 1266–1280. https://doi-org.ezproxy.library.und.edu/10.1111/j.1559-

1816.2005.tb02170.x

Shermer, L. O., Rose, K. C., & Hoffman, A. (2011). Perceptions and credibility: Understanding the nuances of eyewitness testimony. *Journal of Contemporary Criminal Justice, 27*(2), 183-202.

Appendix A

Mock Trial Transcript

Judge: Ladies and gentlemen of the jury: the defendant, Jonathan Smith, in this case has been charged with class B felony theft. The prosecution claims that Mr. Smith stole the victim, Christopher Anderson's, backpack, containing his laptop as well his ID and credit cards, under threat of injury. Mr. Smith denies he was the perpetrator of this crime.

It is your duty as members of the jury to decide if the evidence provided is sufficient to convict Mr. Smith with the crime of felony theft. It is up to you to decide what really happened based off of the evidence you are shown.

As the judge, it is my duty to instruct you on the law in this case. The law states that a person is guilty of class B felony theft when the property is taken through threat of serious physical violence or threat to commit a felony, such as extortion, or if the property or services stolen exceeds the value of $10,000.

The prosecution must convince you that Mr. Smith is guilty of class B felony threat. If they do not convince beyond a reasonable doubt, the defendant will be freed. After being presented with evidence you will be asked to determine if Mr. Smith is guilty of this crime. If you find him guilty, you will be asked to recommend how long the defendant should be in jail, up to a maximum of 10 years and the amount he will be fined, to a maximum of $10,000.

We will now begin. The prosecuting attorney will begin with their opening statement.

Prosecutor: Your Honor and ladies and gentlemen of the jury, I am representing the United States of America in this case. The defendant, Mr. Smith, was seen by a witness in the act of robbing the victim, Mr. Anderson, of his backpack by threatening the victim with a knife. The defendant was later arrested and identified by an eyewitness in a police lineup.

The witness you will hear from today is (Mr. Robert Jones/Mrs. Sarah Jones/Taylor Jones) a (mechanic/stay at home (dad/mom/parent)). (He/she/they) witnessed the robbery occur while

standing at the window of (his/her/their) (workplace while repairing a car/kitchen while cooking (his/her/their) children a meal) and saw Mr. Smith run away after forcibly taking the backpack from Mr. Anderson.

Based on the evidence provided, it will be clear that the defendant is guilty as charged.

Defense: Your Honor and ladies and gentlemen of the jury, after being presented with the evidence in this case, you will see there is no way to know for sure if Mr. Smith is the true perpetrator of this crime. (Mr. Jones/Mrs. Jones/Taylor Jones) says (he/she/they) saw my defendant committing this crime from (his/her/their) (mechanic shop/(kitchen) of (his/her/their) home). If (Mr. Jones/Mrs. Jones/the witness) was repairing a fan belt/tending to their children as (he/she/they) claim(s) (he/she/they) (was/were), how (were/was) (he/she/they) able to see this event in such detail that (he/she/they) (was/were) able to identify my defendant?

After hearing from the eyewitness, you will be able to determine that my client is not guilty beyond a reasonable doubt.

Judge: Is the prosecution ready to present its case?

Prosecutor: Yes, your Honor. I would like to call the witness to the stand.

Courtroom Deputy: Raise your right hand. Do you swear that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Witness: I do.

Prosecutor: Please state your name for the court.

Witness: My name is (Robert Jones/Sarah Jones/Taylor Jones).

Prosecutor: And what do you do for a living?

Witness: I am an (auto mechanic/stay at home (mom/dad/parent)). I (repair cars and manage my business/take care of my children and home).

Prosecutor: How long have you been a (mechanic/stay at home (mom/dad/parent))?

Witness: Since 2010, so about 10 years now.

Prosecutor: What were you doing at the time the crime occurred?

Witness: I was (fixing the fan belt of a car I was working on/cooking lunch for my children) when I saw the robbery occur.

Prosecutor: Please tell us what you saw that day.

Witness: I was (working on a car/cooking) when I heard some noise outside. I looked up to see the defendant confronting a man and trying to forcibly remove his backpack. The man who was being robbed tried to keep the guy robbing him from getting his backpack but it looked like the defendant had a knife so he let go. The defendant then ran off. He was running in the direction of my (shop/house) so I got a good look at his face. After he ran off, I called 911 but stayed inside my (shop/house) because I didn't want to leave my (business/children) knowing there had just been a crime.

Prosecutor: And can you identify the man who did this?

Witness: (Pointing at Mr. Smith) It was him.

Prosecutor: What happened next?

Witness: A bunch of people crowded around the guy who was attacked to make sure he was okay. From inside (the garage/my house) he didn't look injured, just shaken up and scared. The police got there after about twenty minutes.

Prosecutor: Did you tell the police what you had seen?

Witness: Yes. One of the officers came to the door of my (shop/house) to take my statement. I told them I had seen what happened and gave a description of the man. I also told the officer I believed Mr. Smith had threatened Mr. Anderson with a knife.

Prosecutor: And are you sure the man you saw attack the victim is the defendant you see in the courtroom?

Witness: Yes, I am sure. I got a good look at his face when he was running away. I made sure to commit his face to memory in case I saw him around my (shop/house) again because I wanted to make sure I didn't let him (in my garage/around my kids).

Prosecutor: No further questions your Honor.

Judge: Would the defense like to cross-examine the witness?

Defense: Yes, your Honor. So you say you were (working on a car/cooking lunch for you children) at the time of the attack?

Witness: Yes, I was.

Defense: How were you able to see what was going on outside so clearly from where you were inside your (business/house).

Witness: I was standing right by a window when the attack occurred.

Defense: You must be easily distractible from your (work/children) then.

Witness: Not at all. When you (run a business/have kids) you learn how to divide your attention.

Defense: Well (sir/ma'am/nothing), when your attention is divided it can make it difficult to remember accurate details or cause you to remember things incorrectly.

Witness: That may be true, but I know what I saw. I was able to see the attacker's face clearly because he ran past my (garage/home) and I gave the police my description of his appearance within half an hour of the robbery. I don't think I would have forgotten someone's face that quickly especially when I was worried about the safety of my (business and customers/house and children).

Defense: No further questions, your Honor.

Judge: You may step down (sire/ma'am/nothing).

Defense: The defense rests.

Judge: You may proceed with closing statements.

Prosecutor: Ladies and gentlemen of the jury, thank you for taking your time and listening to the evidence provided in this case today. You listened to testimony from (Mr. Jones/Mrs. Jones/Taylor Jones) a (mechanic/stay at home (father/mother/parent)) who witnessed Mr. Smith rob an innocent man and steal his possessions. (He/she/they) (is/are) a hard working (mechanic/stay at home (dad/mom/parent)) who was just trying to (finish (his/her/their) work on a car/cook lunch for (his/her/their) children). The defendant knew he was doing the wrong thing when he attacked an innocent man to steal his belongings.

The law states that theft is a class B felony if the value of the property or services stolen exceeds $10,000 or the property is taken through threat of serious physical violence with or threat to commit a felony, such as extortion. Mr. Smith took Mr. Anderson's property through threat of violence by flashing a knife at the victim. The prosecution has proven beyond a shadow of a doubt that the defendant is responsible for this crime.

Defense: Ladies and gentlemen of the jury, it is your responsibility to decide if Mr. Smith is guilty of this crime. The evidence provided has not shown that my defendant is guilty beyond a reasonable doubt. (Mr. Jones/Mrs. Jones/Taylor Jones) was distracted by (his/her/their) (work/children) when (he/she/they) witnessed the events that occurred and this could easily be a case of mistaken identity. Please make the right decision with the evidence you have been given.

Judge: Ladies and gentleman of the jury, it is your duty to determine whether the defendant is guilty of class B felony theft. If he is found guilty he may be sentenced to up to 10 years in jail and fined up to $10,000. We will await your decision.

Appendix B

Demographics Questionnaire

1. What is your Gender?
   - Male
   - Female
   - Trans or Transgender
   - Non-binary
   - A gender identity not listed here (please explain) _____
   - Prefer not to answer
2. Please indicate the race or races with which you identify [select all that apply]
   - American Indian or Alaska Native
   - Asian
   - Black or African American
   - Native Hawaiian or Other Pacific Islander
   - White
   - Other (please explain) _____
3. Please indicate your ethnicity
   - Hispanic or Latino or Spanish origin
   - Not Hispanic or Latino or Spanish origin
   - Other (please specify) _____
4. How would you describe your sexual orientation?
   - Heterosexual ("straight," prefer partners of opposite gender)
   - Homosexual (gay/lesbian)
   - Bisexual
   - Other _____
5. What is you age? _____
6. Political Affiliation (select one):
   - Democrat
   - Republican
   - Independent
   - None
   - Other _____
7. Which of the following best describes your current relationship status?
   - Single, not dating
   - Single, dating
   - In a Relationship
   - Cohabitating (living together)
   - Married (or equivalent)
   - Divorce/Separated
   - Widowed
   - Other _____
8. Which of the following best describes your current place of residence?

- With parents
- Apartment, house, condo
- On-campus residence hall/dormitory
- Fraternity/sorority house
- Boarding house
- Other _____

9. How often did you attend religious services in the past year? (select one)
- Every week
- At least once per month
- Less than once per month
- Not at all in the past year

10. What is your religious affiliation? (Check one)
- Roman Catholic
- Protestant (including Lutheran)
- Latter Day Saints (Mormon)
- Other "Christian" (please specifiy)
- Jewish
- Atheist
- Agnostic
- Other (please specify)_____

11. Number of years of education
- Less than 8th grade
- Some high school
- High school graduate
- Some college of technical schooling
- College graduate (Bachelor's degree or equivalent)
- Some post-graduate education
- Post-graduate degree (Master's, PhD, etc.)

12. Have you ever attended college or technical school?
- No
- Yes, but I am no longer attending college
- Yes, I am currently a student

13. Have either of your parents (or the parent you primarily resided with as a child) earned a four year college or bachelor's degree?
- Yes
- No
- Other (please explain) _____

14. What is your current student status?
- First-year undergraduate student (freshman)
- Second-year undergraduate student (sophomore)
- Third-year undergraduate student (junior)
- Fourth-year undergraduate student (senior)
- Graduate/professional student (already obtained Bachelor's degree or equivalent)

15. Where do you attend college? _____

1. How old are you

_____

3. Are you currently a student?
- Yes
- No

4. What is your current year of study/degree completed?
- Freshman
- Sophomore
- Junior
- Senior
- Bachelor's
- Master's
- Doctoral

5. What is your sexual orientation?
- Heterosexual
- Homosexual
- Bisexual
- Other (please specify) _____
- Prefer not to say

6. What is your religious affiliation?
- None
- Buddhist
- Christian
- Hindu
- Jewish
- Muslim
- Sikh
- Other (please specify)

8. Which of these options best describes your political beliefs?
- Strongly conservative
- Moderately conservative
- More conservative than liberal
- Centrist
- More liberal than conservative
- Moderately liberal
- Strongly liberal
- None

9. Which political party do you identify?
- Democrat
- Republican
- Libertarian
- Green
- Independent
- Other (please specify)

10. What is your ethnicity?
- African American/Black
- American Indian or Alaska Native
- Asian
- Caucasian or White (Not Hispanic or Latino)
- Hispanic or Latino
- Native Hawaiian or Pacific Islander
- Biracial or Multiracial
- Other (please specify) _____

Appendix C

Manipulation Check

What did the eyewitness in this trial do for a living?

- Electrician
- Stay at home parent
- Teacher
- Mechanic

What was the gender of the eyewitness?

- no gender was mentioned
- man
- woman

What item was allegedly stolen by the defendant?

- a purse
- a backpack
- a cellphone
- a briefcase

Appendix D

Verdict and Sentencing

Based on the trial transcript you read, would you find the defendant guilty or not guilty of robbery?

- Guilty
- Not guilty

On a scale of 1 to 5, with 1 being not at all confident and 5 being completely confident, how would you rate your confidence in your guilty or not guilty decision?

1   2   3   4   5

The defendant was accused of class B felony robbery, which is punishable of up to 10 years in jail. If you found the defendant guilty, how many years would you recommend they spend in jail?

1   2   3   4   5   6   7   8   9   10

Class B felony robbery is also punishable of a fine of up to $10,000. If you found the defendant guilty, how much would you recommend they be fined, if at all? Enter a value from $0-$10,000.
-

Appendix E

Witness Credibility Scale

Instructions: *Please rate the expert witness for the following items on the scale provided. If you are unsure, please take your BEST GUESS.*

Example:

1	2	3	4	5	6	7	8	9	10
Dressed Formally						✓			Dressed Informally

1	2	3	4	5	6	7	8	9	10
Unfriendly									Friendly

1	2	3	4	5	6	7	8	9	10
Disrespectful									Respectful

1	2	3	4	5	6	7	8	9	10
Unkind									Kind

1	2	3	4	5	6	7	8	9	10
Ill-mannered									Well-mannered

1	2	3	4	5	6	7	8	9	10
Unpleasant									Pleasant

1	2	3	4	5	6	7	8	9	10
Untrustworthy									Trustworthy

1	2	3	4	5	6	7	8	9	10
Untruthful									Truthful

1	2	3	4	5	6	7	8	9	10
Undependable									Dependable

1	2	3	4	5	6	7	8	9	10
Dishonest									Honest

1	2	3	4	5	6	7	8	9	10
Unreliable									Reliable

1	2	3	4	5	6	7	8	9	10
Not confident									Confident

1	2	3	4	5	6	7	8	9	10
Inarticulate									Well-spoken

1	2	3	4	5	6	7	8	9	10
Tense									Relaxed

1	2	3	4	5	6	7	8	9	10
Shaken									Poised

1	2	3	4	5	6	7	8	9	10
Not Self-Assured									Self-Assured

1	2	3	4	5	6	7	8	9	10
Uninformed									Informed

1	2	3	4	5	6	7	8	9	10
Illogical									Logical

1	2	3	4	5	6	7	8	9	10
Uneducated									Educated

1	2	3	4	5	6	7	8	9	10
Unwise									Wise

1	2	3	4	5	6	7	8	9	10
Unscientific									Scientific