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EFFECTS OF SEX OF JUROR, SEX OF DEFENDANT,
AND SEX OF VICTIM ON THE DECISIONS
OF SIMULATED JURORS

BY

Lorna E. Bell

B.A. University of Western Ontario, 1975

A Thesis
Submitted to the Faculty of Graduate Studies
through the Department of Psychology
in Partial Fulfillment of the
Requirements for the Degree
of Master of Arts at the
University of Windsor

Windsor, Ontario, Canada

1979

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ABSTRACT

This study was designed to investigate the effects of sex of defendant and sex of victim on the decisions of subject-jurors in simulated jury research. Previous research on the sex variable had focused on the sex of the defendant and on the sex of the subject-juror. The present study was concerned with the role of the sex of the victim, as well as the sex of the defendant and the subject-juror.

Seventy-two male and 72 female undergraduates at the University of Windsor participated as subject-jurors in this study. The subject-jurors read typewritten accounts of both a homicide case and a criminal negligence case. After reading each case they rendered verdicts and recommended sentences and then completed several rating scales. For half of the subject-jurors the cases involved male defendants, and for the other half the cases involved female defendants. Cross-cutting this manipulation of sex of defendant was the manipulation of sex of victim: half of the subject-jurors read about male victims and half read about female victims. The order in which the two cases were presented was counter-balanced.

No support was gained for the hypotheses that subject-jurors would show more leniency in their jury decisions towards those of their own sex. Instead, both male and female

subject-jurors were more lenient towards female defendants. Also, females tended to give less severe verdicts than males. There were a large number of significant effects involving type of crime and order of presentation. Because of the effect of type of crime, it was suggested that future simulated jury research should employ more than one crime in order to further explore the significance of this variable. It was also noted that since a juror's response on a given case apparently can be influenced by his experience with a previous case, as indicated by the influence of order of presentation, this should be taken into consideration by attorneys during the jury selection process.

ACKNOWLEDGEMENTS

I wish to express my appreciation to those who assisted me in the completion of my thesis. I would like to thank Dr. Dale Woodyard and Dr. Ann Diemer for their contributions to the design and improvement of this study as members of my thesis committee. Thanks is also due to Dr. Meyer Starr for his valuable suggestions during the conception of the ~~project~~.

Special thanks goes out to Dr. Frank Schneider, who, as my thesis advisor, offered continual guidance and support through every phase of the thesis preparation.

I am also grateful to the students who took time to serve as subjects in this study.

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CHAPTER I

INTRODUCTION

Interest in the social psychology of jury deliberations and verdicts has increased in recent years. Juries are confronted with the task of making a decision about the guilt of the defendant based upon the evidence presented in the courtroom. Irrelevant or extralegal factors should not influence the jurors. However, a number of studies have indicated that irrelevant characteristics of the defendant, juror, and victim often do affect the verdicts which are rendered.

Research focusing upon characteristics of defendants, jurors, and victims comes from two sources. Some investigators examine the data from real jury trials, whereas, other investigators experimentally manipulate the irrelevant characteristics using simulated juries. There are problems with both types of research. In analyzing data from actual jury trials, it is more difficult to clearly isolate the variables of interest. It is difficult to control for important factors such as the severity of the crime and the defendant's prior criminal record. In addition, only the decisions of the jury as a unit can be examined; information about individual juror's verdicts is usually unavailable. In simulated jury studies, the subject-jurors are not

representative of the general population; that is, university students are used in most instances. The description of the trial, whether it is in written or tape-recorded form, presents a much less realistic picture of the events and trial participants than that with which real jurors are faced. Thus, subject-jurors in simulated jury research may be less motivated than real jurors to take the case seriously. Because of these differences it is questionable how much the results of simulated research can be generalized to the actual courtroom situation. However, in simulating the jury trial situation, the irrelevant characteristics of the defendant, juror, and victim can be isolated and controlled. Therefore, this paper emphasized the jury simulation research, although a few studies of real trial data were included.

Several defendant qualities which may influence subject-juror decisions have been studied in simulated jury research, with attractiveness being the one most frequently considered. For example, Landy and Aronson (1969) conducted a simulated jury study in which university students were presented with a description of a negligent criminal homicide case. The defendant was depicted in either a positive, negative or neutral manner in terms of his work record and marital status, as well as the presence or absence of a criminal record. The subjects were requested to act as if they were jurors hearing the case in a court of law. They were asked to make individual recommendations concerning the number of years of imprisonment that the defendant should

be required to serve. The crime was described in such a way as to leave little doubt that the defendant was at fault. Thus, the verdicts of the subject-jurors did not vary greatly and were not affected by the attractiveness manipulation. However, the results did indicate that an unattractive defendant was given a longer sentence than attractive and neutral defendants. The physical attractiveness of the defendant has also been manipulated (Efran, 1974; Sigall & Ostrove, 1975) with results being consistent with those of Landy and Aronson (1969). Other defendant variables which have been found to influence juror decisions are sex, socioeconomic status, moral character, race (Stephan, 1975), and the level of repentance shown during the trial (Jacobson and Berger, 1974).

Individual differences among jurors have also been shown to influence the decisions made in simulated jury studies. As summarized by Stephan (1975), the subject-jurors' sex, socioeconomic status, place of residence (e.g., rural or urban), and attitudes towards capital punishment modify the verdicts they render and the punishments they recommend. Moreover, Stephan's review of the evidence from real trials suggests that the jurors' sex, socioeconomic status, occupation, ethnic background, and race may have an effect on the decisions they make.

Only a few researchers have been concerned with the characteristics of the victim. Boor did manipulate the sympathy which was felt for the victim in one study (Boor, 1975) and

the amount of financial injury suffered by the victim in another experiment (Boor, 1976). However, neither level of sympathy nor level of financial injury significantly affected the punishments recommended by the subject-jurors. In the aforementioned investigation by Landy and Aronson (1969), the attractiveness of the victim also was varied. The results indicated that the subject-jurors sentenced the defendant to a longer prison term when the victim was described in an attractive manner than when he was described as being unattractive. Kalven and Zeisel (1966), in analyzing data from actual rape trials, point to several instances in which the victim's questionable moral character and previous (sexual) behaviour biased the jury in favour of acquittal.

Thus, there is ample evidence that irrelevant characteristics of defendants, jurors, and victims can have an effect upon jury decisions. In the conclusion of her review article, "Selective Characteristics of Jurors and Litigants", Stephan (1975) emphasizes that there are two variables which especially need further study. One is race, and the other is sex. The purpose of this experiment was to further the investigation of the role of sex in jury decisions. Specifically, this study focused on the effects the sex of the defendant, the sex of the juror, and the sex of the victim have on the verdicts rendered and the penalties recommended by subject-jurors.

Research Focusing on the Role of Sex

To the knowledge of this writer, none of the

experimental studies nor any of the actual trial studies, has been concerned with the sex of the victim. However, researchers have considered the sex of the defendant, the sex of the juror, and the interaction between the two.

Simulated jury investigations focusing on the sex of the juror have uncovered contradictory results. Two experiments provided evidence pointing to an overall main effect for the sex of the juror. However, one indicated that males were more severe in sentencing (Freedman, Levy, Buchannan and Price, 1972), whereas the other showed that females recommended severer sentences (Griffitt and Jackson, 1973). Other evidence indicates that such inconsistencies may be reconciled by considering the moderating role of the nature of the crime. For example, Simon (1967) found that women gave more lenient verdicts than men in a house-breaking case but were less lenient in their judgements in an incest case. Also, the results of a study by Rose and Prell (1955) revealed that women recommended longer sentences than men for certain crimes (e.g., child-beating and bigamy), whereas they were more lenient in response to other crimes (e.g., attempted burglary and assault with a deadly weapon). Evidence from actual trials which is relevant to the importance of the juror's sex is based entirely on the opinions of prosecution and defense attorneys. In light of the fact that these opinions are merely anecdotal and often contradictory (Stephan, 1975), such evidence was not considered in the present review.

Three investigations employing real trial data have

focused on the sex of the defendant. Kalven and Zeisel (1966) questioned criminal trial judges, concentrating on cases in which the jury was more lenient than the judge would have been. In 22 out of the 245 cases in which the defendant was the source of the disagreement, the judge attributed the disagreement to the fact that the defendant was female. Nagel (1969) and Nagel and Weitzman (1971), reporting on both judge-decided cases and jury trials, point out that female defendants are more likely than male defendants to be found not guilty and if found guilty, are more likely to receive a suspended sentence or probation.

Thus, research on real life trials provides some evidence that women defendants are treated less harshly by the courts. The hypothesis that female defendants are treated more leniently than male defendants is called the paternalism or female favouritism hypothesis (Nagel and Weitzman, 1971). Whereas the data from real life trials is consistent with the female favouritism hypothesis, we must be aware of the shortcomings of that research. For instance, crimes committed by women generally may be less severe than those committed by men; moreover, women who are tried are less likely than men to have prior criminal records (Nagel and Weitzman, 1971). Another problem in examining data from actual trials is that one cannot control for other personal qualities of the defendant which may, in and of themselves, lead to jury leniency. As stated by Kalven and Zeisel (1966), "It turns out to be neither easy nor profitable to isolate the

circumstances that the defendant is a woman from the circumstances that she can also be a widow, a mother, attractive, or may cry on the stand" (p.201). As noted above, experimental studies have illustrated how attractiveness (Efran, 1974; Sigall and Ostrove, 1975) and crying by the defendant (Jacobson and Berger, 1974) can have the effect of biasing the jurors to vote for acquittal.

Experimental studies of the role of the defendant's sex typically have looked at the interactive relationship between defendant sex and subject-juror sex. The results of one investigation are consistent with the female favouritism hypothesis. Both male and female subject-jurors gave female defendants lighter sentences than male defendants (McGlynn, Megas and Benson, 1976). However, most investigators have found a significant sex of subject-juror by sex of defendant interaction, namely that subject jurors are more lenient towards defendants of their own sex (Stephan, 1974; Klinger, Albaum and Hetherington, 1964; Rose and Prell, 1955). The hypothesis that men favour men and women favour women in jury decisions will be called the same-sex favouritism hypothesis.

There are several plausible explanations for the finding that subject-jurors favour same-sex defendants. For instance, Stephan (1974) suggests that this finding is consistent with the social psychological research which demonstrates that people prefer others who are similar to them in attitudes and personality characteristics (Byrne, 1961; Byrne, Griffitt and Stefaniak, 1967). According to Stephan

people show a greater liking for those of the same sex because they feel more similar to them than to those of the opposite sex. As a consequence of this similarity-based attraction, same-sex defendants are favoured over other-sex defendants.

I would like to posit an alternate interpretation, one based on Shaver's (1970) concept of defensive attribution. In three experiments conducted by Shaver, subjects who felt similar to a defendant or perpetrator of an accident attributed less responsibility for the accident to that defendant than subjects who did not perceive themselves as similar to the defendant. Shaver interpreted this as a tendency toward self-protection in response to the threatening comparison between the defendant and the subject. By attributing less responsibility to the defendant, the subject reduces in his mind the possibility that he might be blamed if he were in a situation similar to that of the defendant. He would like to feel that if he were in the same position, others would be lenient towards him. This motivated attributional error is what Shaver calls defensive attribution. An investigation by Chaiken and Darley (1973) lends further support to the defensive attribution interpretation.

A third possible explanation of the same-sex favouritism pattern focuses on the empathy that may be felt for victims and defendants of the same sex. Results of a study by Stotland and Dunn (1963) indicated that people empathize more with those whom they perceive to be similar

to themselves than with those they view as being dissimilar. Furthermore, in an investigation by Feshbach and Roe (1968), children showed greater empathy in response to same-sex story characters than to opposite-sex characters.

Hypotheses

Notwithstanding the tenability of each of the various reasons why jurors might favour same-sex defendants, the experimental evidence indicates that in fact they do favour them. Therefore, the following hypothesis was made:

Hypothesis 1: Subject-jurors give less severe verdicts and recommend less severe punishments for same-sex defendants than they do for opposite-sex defendants.

As mentioned, none of the investigators was concerned with the sex of the victim. It seems reasonable to expect that the victim's sex would influence the juror's judgements. That is, the similarity based attraction explanation, the defensive attribution explanation, and the empathy explanation all would suggest that jurors would be inclined to favour victims of their own sex.

Of the three studies mentioned earlier in which jurors were shown to be more lenient towards same-sex defendants, (Stephan, 1974; Klinger, Albaym and Hetherington, 1964; Rose and Prell, 1955) only in Stephan's study was the victim clearly identified. Stephan varied the sex of the subject-juror and the sex of the defendant, but did not vary the sex of the victim. The crime that she used was the murder of a spouse; thus the defendant and the victim were always of the

opposite sex. In Stephan's study, when the subject-juror and defendant were of the same sex, the victim was of the opposite sex and the defendant was treated leniently. And when the juror and defendant were of the opposite sex, the juror and victim were of the same sex and the defendant was treated harshly. It is difficult to determine whether the subject-jurors were responding only to the degree of similarity between themselves and the defendant or to the sex of the victim as well. To determine whether or not the sex of the victim affects the decisions made by subject-jurors, victims of both sexes must be used in conjunction with defendants of both sexes.

Juror judgements concerning the victim also should be mediated by defensive attribution. The subjects are expected to feel more similar to the victim than to the defendant, assuming that subjects consider themselves to be law-abiding citizens.

Hypothesis 2: Subject-jurors give more severe verdicts and recommend more severe punishments for defendants when the victim is of their own sex than when the victim is of the opposite sex.

Moreover, it is likely that the sex of the victim moderates the interactive effects of the juror's sex and the defendant's sex. The extent to which a juror judges in favour of a same-sex defendant should depend on the sex of the victim. For instance, a male juror should favour a male defendant more if the victim is a female than if the victim is a male. Therefore, a three-way interaction is expected,

as reflected in a third hypothesis.

Hypothesis 3: The least severe judgements of guilt and punishment recommendations occur when the juror and the defendant are of the same sex but the victim is of the opposite sex; the most severe judgements occur when the juror and victim are of the same sex but the defendant is of the opposite sex.

It should be mentioned that the societal norm which prohibits males from aggressing against females may have an effect upon the results. That is, in the two conditions in which the defendant is male and the victim is female, more severe punishments may be recommended than would be expected when focusing only on the similarity based explanations (preference for those with similar attitudes, defensive attribution and empathy). This norm, if it is operative in the response of the subject-jurors, would lead to results opposite to those of the above-mentioned hypotheses.

Most of the simulated studies cited above employed only one crime. Thus, the obtained results may have been specific to that particular crime and not necessarily typical of the pattern to be found in other jury decisions. In order to increase the generalizability of the results, in this study two crimes were used: a homicide and a criminal negligence case.

CHAPTER II

METHOD

Overview

The subjects (i.e., subject-jurors) were informed that they would be participating in a simulated jury study. They were requested to read typewritten accounts of a homicide case and a criminal negligence case and were then asked to render decisions concerning the degree of guilt of the defendants. They were also asked to make recommendations regarding the number of years of imprisonment that the defendants in each case should be given. Half of the subject-jurors were presented with descriptions involving male defendants, and half read about female defendants. Cross-cutting this variation in the sex of the defendant, half of the case accounts portrayed male victims, and half portrayed female victims. Each subject-juror read both case accounts. The order in which they were presented was counter-balanced. That is, half of the subject-jurors read about the murder case first, and half read about the criminal negligence case first. Thus, a 2 (sex of subject-juror) x 2 (sex of defendant) x 2 (sex of victim) x 2 (type of crime) x 2 (order) design was used.

Subjects

Seventy-two male and 72 female undergraduate students who were enrolled in an introductory psychology course at the University of Windsor participated in this study and received course credit for this participation.

Procedure

The experimenter spoke to several introductory psychology classes asking students if they would like to participate in a simulated jury study in which they would be requested to make judgements concerning two criminal cases. Those who were interested were asked to be present at a given time in a small classroom in the Psychology Department. The number of students in each session ranged from 2 to 15. As the subjects arrived, the female experimenter asked them to be seated and told them that the experiment would begin as soon as everyone had arrived. They were randomly assigned to 1 of the 8 conditions. The experimenter handed out the questionnaires which contained the written instructions, the stimulus materials, and all of the rating scales. The subject-jurors worked through the questionnaire booklets at their own pace and were allowed to leave when they had completed all of the questions.

The written instructions were as follows:

This experiment is an investigation of the way in which members of a jury come to a decision, individually, as to the guilt of the defendants in two criminal cases. You will be asked to read descriptions of two criminal offenses. When you

have finished reading each case, you will be asked to indicate how guilty you think the defendant is. We would like you to act as if you were a member of the jury hearing the cases in the courtroom. You will also be asked to indicate how many years of imprisonment you, as a juror would recommend if the defendant in each case was found guilty. Take as much time as you like to consider your decisions. It is important that your responses indicate your personal opinions and how you would decide if you were a member of the jury hearing these cases in a court of law. There will be no group discussion of the cases. Please answer all of the questions.

Four descriptions of the homicide were used. The four descriptions included: male defendant-male victim, male defendant-female victim, female defendant-male victim, and female defendant-female victim. Except for changing the sex of the principal characters and the personal pronouns, the case accounts were identical. The characters named James and Sandra were always portrayed as the defendants, while the characters Donald and Mary were cast either as the victim or the witness to the crime. In each case the defendant, victim and witness were siblings, and the victim and witness were always of the opposite sex.

The male defendant-female victim case account is shown below:

On the evening of July 14th, the defendant, James Harris, was at the home of his deceased parents with his sister Mary and brother Donald. Their parents had been killed in an automobile accident four days before while returning home from a vacation. After attending the funeral that afternoon, the three younger Harrises, all in their early to mid-twenties, returned to their parents' home to discuss the handling of the estate. Their parents had left a will which indicated that the property and the contents of their bank account should be divided equally among the three children. The property consisted of a four-bedroom house and six acres of wooded land surrounding it. The estimated value of the property

was \$60,000.00. The bank account contained just less than \$2,000.00. Since the will had not specified how the estate should be divided, it was left to James, the defendant, and his brother and sister to decide. Donald Harris stated on the witness stand that he and Mary had wanted to retain possession of the house and land rather than sell it. He said that James had disagreed. James wanted to sell the house and land and divide the money. Donald described how Mary and James got into a heated argument about the matter. Mary suggested that it be discussed at a later date, but James insisted upon an immediate decision. According to Donald, James became extremely angry and unreasonable. He and Mary tried to calm James down, but he seemed intent upon convincing them to sell the property. James left the room and returned a few minutes later with a .32-caliber pistol. In the midst of the argument, James fired the gun at his sister Mary. The bullet entered her abdomen. She died soon after arriving at the hospital. James Harris was apprehended shortly afterwards at his apartment. He did not resist arrest. He was taken into custody and charged with the murder of his sister, Mary.

After the case account of the homicide was read, the subject-jurors were given definitions of murder and manslaughter and were asked to choose a verdict (not guilty, guilty of manslaughter or guilty of murder) and to recommend how many years of imprisonment the defendant should be sentenced to, if he were found guilty. They could choose from a minimum of 1 year to a maximum of 40 years¹ (see Appendix A).

Following the making of the verdict and sentence judgements, the subject-jurors were asked to complete several 9-point rating scales (see Appendix B). These scales were used to assess how much subject-jurors liked the defendant and victim, how similar they felt to the defendant and victim, and how much they empathized with the defendant and victim. The scales also measured how much the subject jurors had thought of themselves in the place of the defendant and victim

and to what extent they could imagine themselves being in the same situation as the defendant and victim. These scales were included in order to assess the relative contributions of similarity, empathy and defensive attribution to the pattern of results (see Introduction).

The other crime that was used was a criminal negligence case which was a revised version of the case presented by Landy and Aronson (1969). As in the homicide case, four accounts were used: a male defendant-male victim description, a male defendant-female victim description, a female defendant-male victim one and a female defendant-female victim account. The only differences between these cases were the names and the personal pronouns used in reference to the defendant and the victim.

The male defendant-female victim account was as follows:

John Sander, age 22, was driving home from an annual Christmas office party on the evening of December 24th when his automobile struck a pedestrian by the name of Susan Lowe. The circumstances leading to this event were as follows: The employees of the insurance office where Sander worked began to party around 2:00 p.m. on the afternoon of the 24th. By 5:00 p.m., some people were already leaving for home, although many continued to drink and socialize. John Sander, who by this time had had several drinks, was offered a lift home by a friend who did not drink and who suggested that he leave his car at the office and pick it up when he was in 'better shape'. He declined the offer, claiming he was 'stone sober' and would manage fine. By the time John Sander had finished another drink the party was beginning to break up. He left the office building and walked to the garage where he had parked his car. It had just started to snow. He wished the garage attendant a Merry Christmas and pulled out into the street. Traffic was very heavy at the time. Sander was six blocks from the garage when he was stopped by a policeman for reckless

driving. It was quite apparent to the officer that he had been drinking, but rather than give him a ticket on Christmas Eve, he said that he would let him off if he would promise to leave his car and take a taxi. Sander agreed. The officer hailed a taxi and John Sander got into it. The minute the taxi had turned a corner, however, he told the driver to pull over to the curb and let him out. He paid the driver and started back to where he had parked his own car. Upon reaching his car he proceeded to start it up and drove off. He had driven four blocks from the street where the police officer had stopped him when he ran a red light and struck Lowe, who was crossing the street. John Sander immediately stopped the car. Susan Lowe was admitted to the hospital with a broken arm and two broken ribs and was released a week later. John Sander was taken into custody and charged with criminal negligence.

The above description differed from the one used by Landy and Aronson (1969) in terms of a few details. In the original case the pedestrian was killed, whereas in this study the pedestrian received "a broken arm and two broken ribs". In the present study, the age of the defendant was stated to be 22 years, which would put him in the same age group as the subject-jurors. Landy and Aronson did not specify how old the defendant was. Landy and Aronson described the model and year of the car which the defendant was driving as well as the defendant's blood alcohol concentration. These were not included in the case account used in the present study.

Following the description of the criminal negligence case, a definition of criminal negligence was given and subject-jurors were asked to decide upon a verdict (not guilty of criminal negligence or guilty of criminal negligence). They were also asked to recommend a sentence, ranging from a minimum of 1 year to a maximum of 20 years of imprisonment (see Appendix C).

Several 9-point rating scales, which were identical to those used for the homicide case, followed the presentation of the criminal negligence case (see Appendix B).

Each subject was asked to indicate his age, sex, citizenship (Canadian or other), and place of residence (rural: community of less than 20,000 people or urban: community of greater than 20,000 people).² Only Canadian citizens were used. Each subject was also asked to state his father's occupation or the occupation of the head of his household. This information was used to calculate socioeconomic status using the Socioeconomic Index for Occupations (Blishen, 1967).

Subjects were then given a questionnaire measure of empathic tendency developed by Mehrabian and Epstein (1972). This scale consists of 33 personal reference statements. A copy of the empathic tendency scale is presented in Appendix D.

After completion of the experiment, subjects were given feedback about the purpose of the study.

CHAPTER III

RESULTS

The data pertaining to each of the dependent measures were subjected to a 2 X 2 X 2 X 2 X 2 analysis of variance. The factors were: sex of subject-juror, sex of defendant, sex of victim, type of crime (murder and criminal negligence), and order of presentation of the crimes (murder-negligence and negligence-murder). Because each subject read both criminal cases and responded to the questions relating to both of them, type of crime was a repeated measure. The raw data is presented in Appendix E.

Preliminary Analyses

A 2 X 2 X 2 X 2 X 2 analysis of variance was conducted on the subject-juror's socioeconomic status, place of residence, age, and empathy scores to determine if there were any differences between groups on these variables. No significant results were found for socioeconomic status, place of residence, or age. For empathy, however, there was a significant main effect of sex of subject-juror ($F = 36.97$; $df = 1,136$; $p < .001$). That is, the females were more empathic than the males (means = 52.26 and 32.75, respectively).

In addition to finding a sex difference in empathy, scores on the empathy scale were significantly correlated

with a few of the dependent measures: (a) liking for the victim of the murder ($r = -.22$; $p < .01$), (b) being in the same situation as the victim of the murder ($r = -.19$; $p < .05$), (c) liking for the criminal negligence defendant ($r = +.22$; $p < .01$), and (d) perceived similarity to the criminal negligence defendant ($r = +.16$; $p < .05$). These results indicated that subject-jurors scoring high in empathy tended to like the murder victim less and could not put themselves in the same situation as the murder victim. They also liked the negligence defendant more and felt more similar to the defendant in the negligence case.

In order to rule out the possibility that subsequent analysis of variance findings were partially the result of group differences in empathy, a $2 \times 2 \times 2 \times 2 \times 2$ analysis of covariance (with empathy as a covariate) was carried out on each of the dependent measures. The results of the analyses of covariance, were virtually identical to those of the analyses of variance and, consequently, will not be reported in this manuscript.

Verdict and Sentence Judgements

As indicated in the method section, subject-jurors were asked to respond to two crimes. The primary purpose of using two crimes was to investigate the possible generalizability of the results rather than to compare the crimes with each other. Because of the difference in scales used for each crime, the effect of crime on the verdict and sentence

variables is meaningful only in terms of how it may interact with other variables. With respect to the murder case, subject-jurors had a choice of three verdicts; whereas in the criminal negligence case there were only two verdicts to choose from. Also, the range of choices possible for the recommended sentences differed for each crime. Subject-jurors could choose from 1 to 40 years in the murder case and from 1 to 20 years in the negligence case.

The results of the analyses of variance of the verdict scores and sentence scores are summarized in Table 1, and the relevant means, collapsed across order, are presented in Table 2.

Hypothesis 1 stated that subject-jurors give less severe verdicts and recommend less severe punishments for same-sex defendants than they do for opposite-sex defendants. Hypothesis 1 thus predicted an interaction between sex of subject-juror and sex of defendant. This predicted interaction is graphically portrayed in the upper section of Figure 1. As Table 1 shows, no support was found for Hypothesis 1. The graphs in Figure 2 show the actual results for the verdict data and sentence data, of the sex of subject-juror by sex of defendant interaction. The pattern of results differs substantially from what was hypothesized.

Hypothesis 2 stated that subject-jurors give more severe verdicts and recommend more severe punishments for defendants when the victim is of their own sex than when the

TABLE 1
Analysis of Variance of Verdict and Sentence Scores

Source	Verdict			Sentence	
	df	MS	F	MS	F
Sex of Subject-Juror(A)	1	.78	6.47 *	24.50	0.29
Sex of Defendant (B)	1	.09	0.72	654.01	7.71 **
Sex of Victim (C)	1	.17	1.41	5.55	0.07
Type of Crime (D)	1	4.75	36.26 ***	8756.06	159.98 ***
Order (E)	1	.03	0.26	.00	0.00
A X B	1	.00	0.03	9.39	0.11
A X C	1	.03	0.26	1.68	0.02
B X C	1	.09	0.72	0.22	0.00
A X B X C	1	.00	0.03	120.13	1.42
A X D	1	1.00	7.66 **	19.01	0.35
B X D	1	.17	1.30	410.89	7.51 **
A X B X D	1	.09	0.66	6.13	0.11
C X D	1	.28	2.15	3.13	0.06
A X C X D	1	.09	0.66	2.00	0.04
B X C X D	1	.00	0.03	8.68	0.16
A X B X C X D	1	.09	0.66	112.50	2.06
A X E	1	.00	0.03	36.13	0.66
B X E	1	1.00	8.32 **	112.50	2.06
A X B X E	1	.03	0.26	6.13	0.11
C X E	1	.00	0.03	1.68	0.03
A X C X E	1	.03	0.26	112.50	2.06
B X C X E	1	.17	1.41	10.13	0.18
A X B X C X E	1	.09	0.72	14.22	0.26
D X E	1	.00	0.03	292.01	5.34 *
A X D X E	1	.09	0.66	53.39	0.98
B X D X E	1	.78	5.96 *	45.13	0.82
A X B X D X E	1	.03	0.24	.50	0.01
C X D X E	1	.03	0.24	18.00	0.33
A X C X D X E	1	.00	0.03	70.01	1.28
B X C X D X E	1	.28	2.15	32.00	0.58
A X B X C X D X E	1	.03	0.24	39.01	0.71
SUB (A X B X C X E)	128	.12		84.82	
SUB X D(A X B X C X E)	128	.13		54.73	

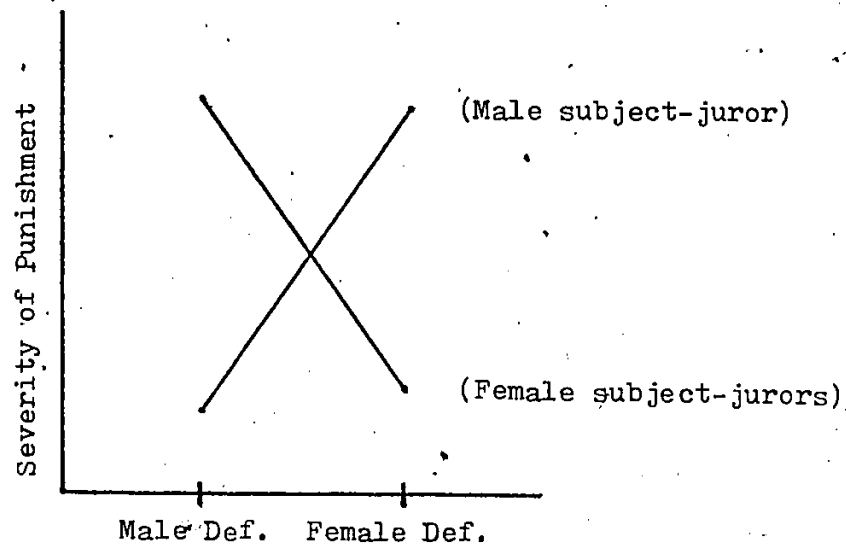
* $p < .05$ ** $p < .01$ *** $p < .001$

TABLE 2
Mean Verdict and Sentence Scores

Sex of Subject-juror	Sex of Defendant	Sex of Victim	Verdict		Sentence	
			Mur.	Neg.	Mur.	Neg.
Male	Male	Male	2.44	2.00	16.66	3.11
		Female	2.27	1.94	14.61	2.94
	Female	Male	2.38	1.88	9.77	2.22
		Female	2.22	2.00	12.00	2.72
Female	Male	Male	2.22	1.94	15.88	2.88
		Female	2.11	1.94	18.88	3.44
	Female	Male	2.05	2.00	12.77	1.94
		Female	2.05	2.00	9.88	3.00

Note. Scores have been collapsed across order.

Hypothesized Sex of Subject-Juror X Sex of Defendant Interaction



Hypothesized Sex of Subject-Juror X Sex of Victim Interaction

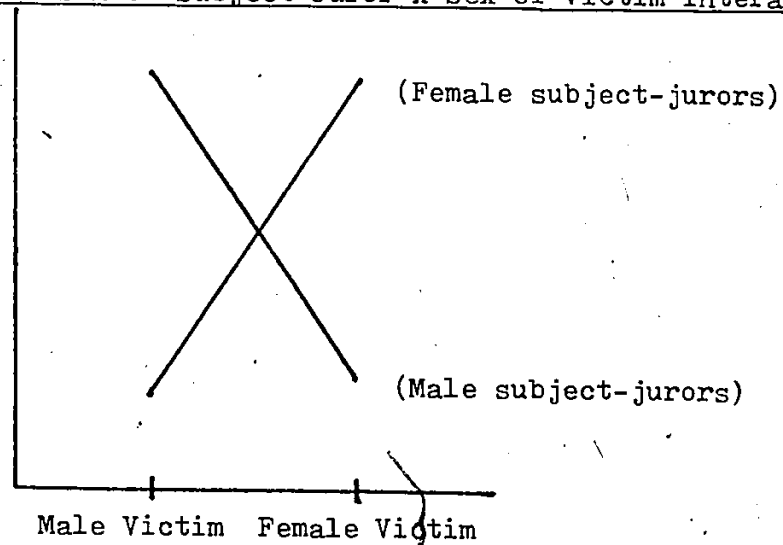


Figure 1. Hypothesized (Hypothesis 1) sex of subject-juror X sex of defendant interaction and hypothesized (Hypothesis 2) sex of subject-juror X sex of victim interaction.

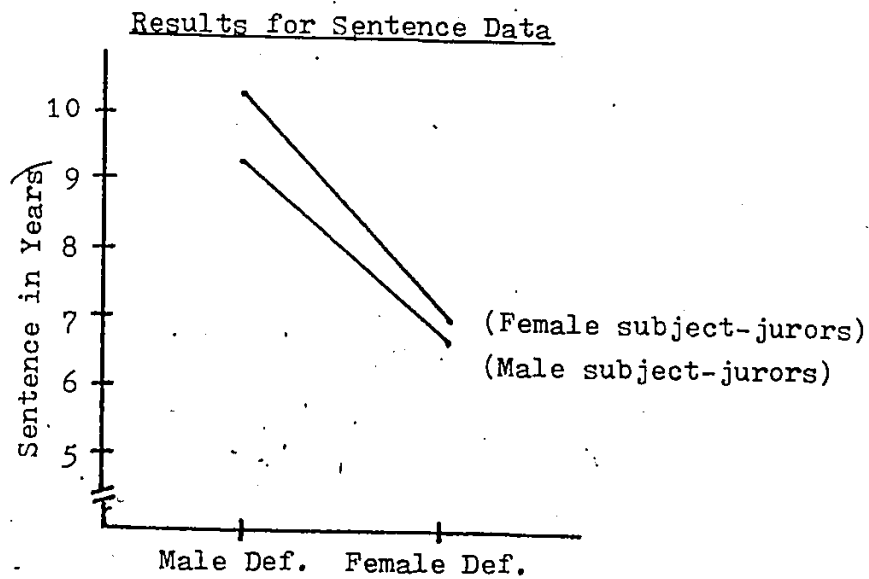
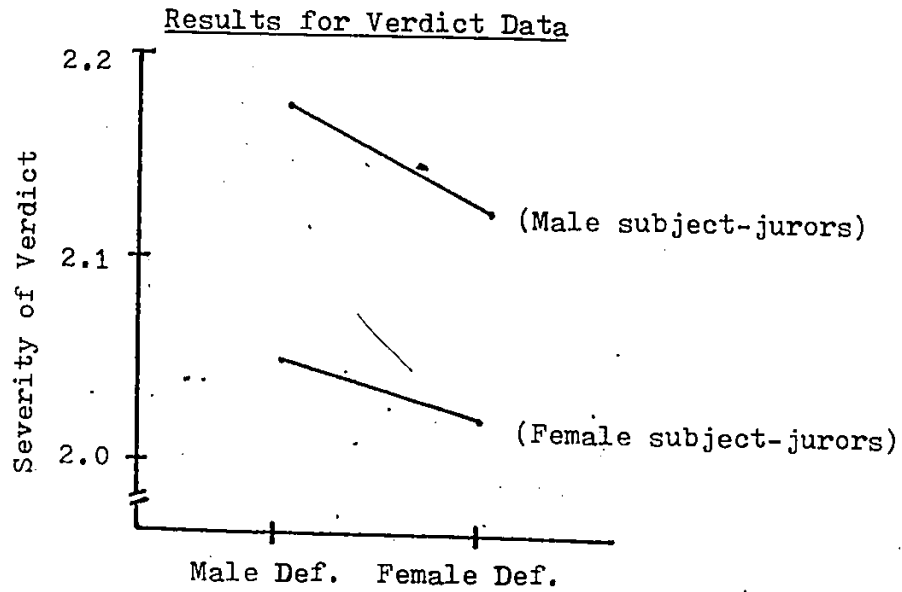


Figure 2. Empirical results regarding the sex of subject-juror X sex of defendant interaction for the verdict data and sentence data.

victim is of the opposite sex. Thus, a sex of subject-juror X sex of victim interaction was predicted. The hypothesized interaction is shown in the lower half of Figure 1. Table 1 indicates that this hypothesis was not supported. The empirically derived results of the sex of subject-juror by sex of victim interaction are given in Figure 3. The pattern of the results obtained is markedly different from what was hypothesized.

Hypothesis 3 predicted that the least severe judgments of guilt and punishment recommendations occur when the subject-juror and the defendant are of the same sex, but the victim is of the opposite sex; the most severe judgments occur when the subject-juror and victim are of the same sex, but the defendant is of the opposite sex. A three-way interaction between sex of subject-juror, sex of defendant, and sex of victim was thus anticipated. In Figure 4, this hypothesized three-way interaction is depicted. As with Hypotheses 1 and 2 the obtained results (shown in Figures 5 and 6) were not in the predicted direction.

Although none of the hypotheses was supported, there were several significant sources of variance. First, the significant effects regarding the verdict decisions will be considered and then those regarding the sentence judgments.

Concerning the severity of verdicts, sex of subject-juror, type of crime, and the sex of subject-juror X type of crime interaction were significant factors (see Table 1). The analyses of the interaction revealed that sex of subject-juror was significant for the murder crime. That is, males

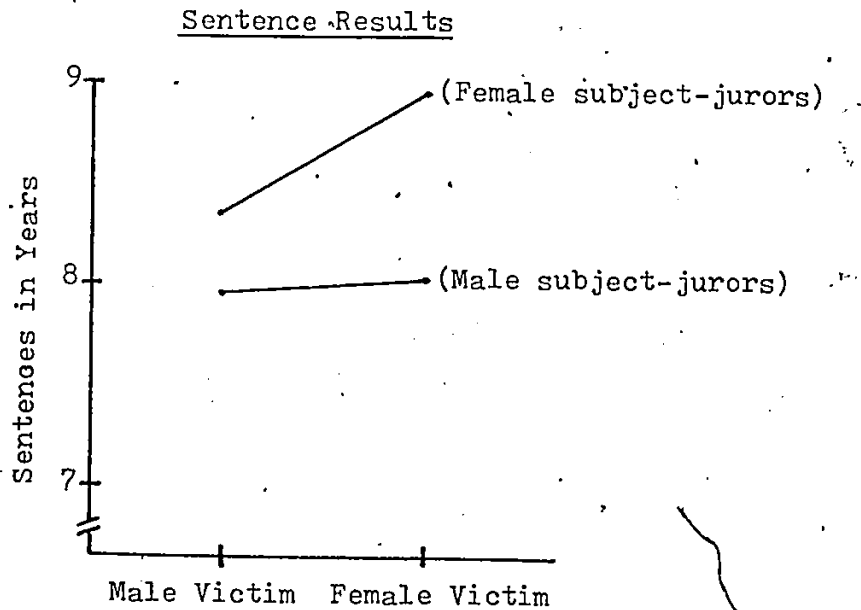
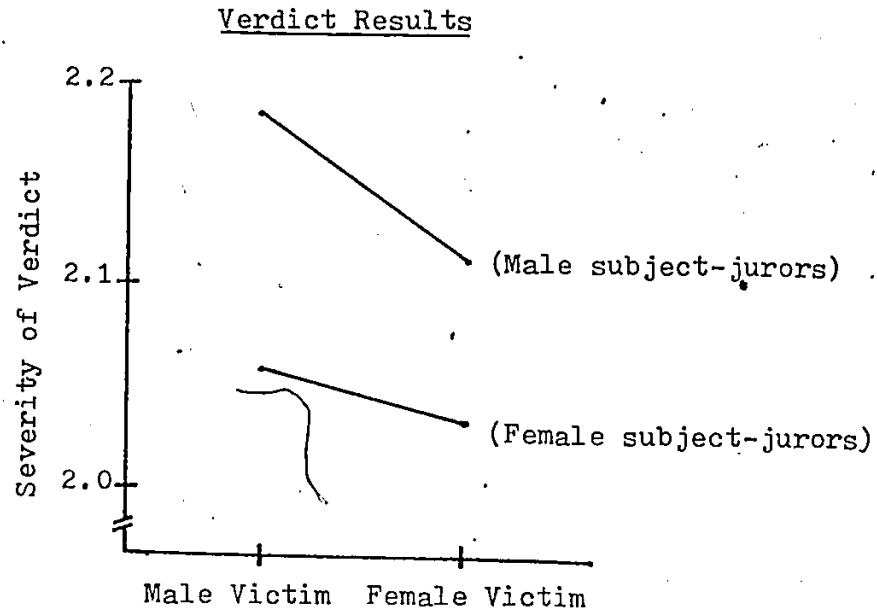


Figure 3. Severity of punishment: results of sex of subject-juror X sex of victim interaction.

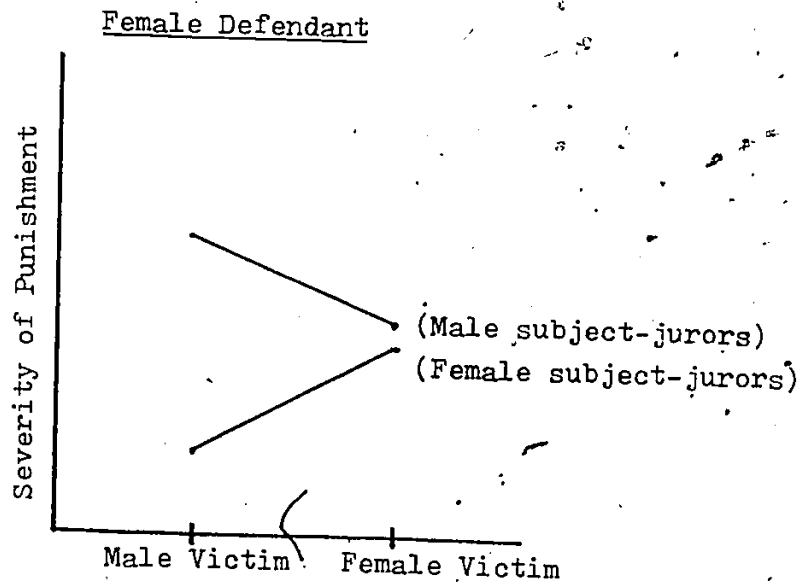
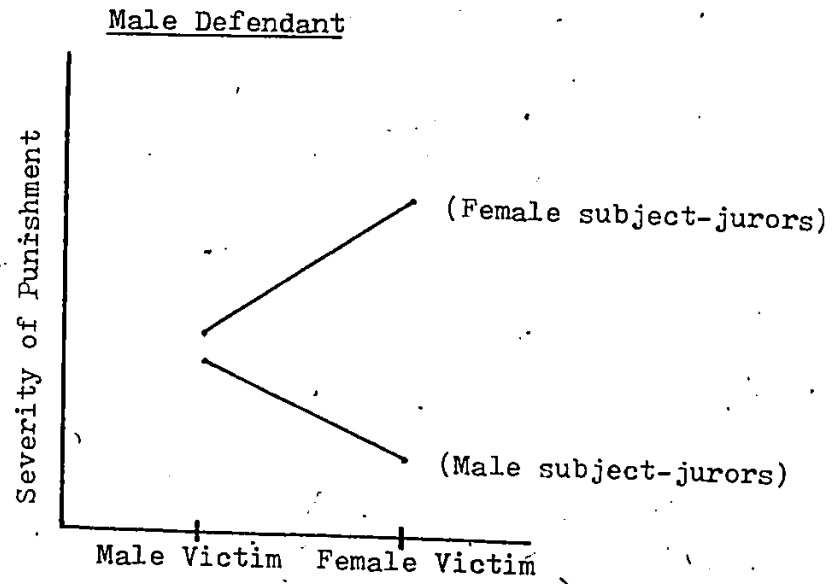


Figure 4. Hypothesized sex of subject-juror X sex of defendant X sex of victim interaction.

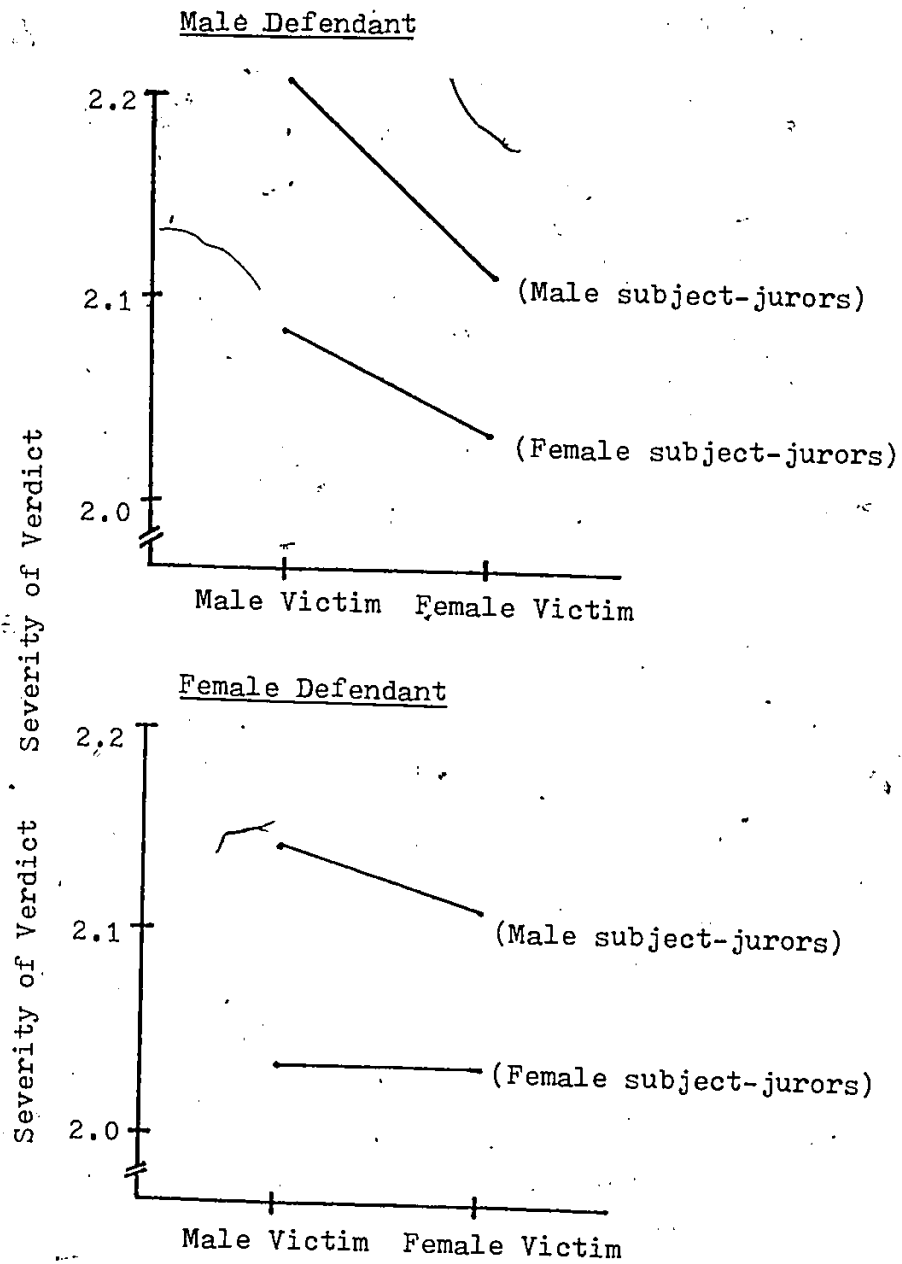


Figure 5. Empirical results regarding the sex of subject-juror X sex of defendant X sex of victim interaction for the verdict data.

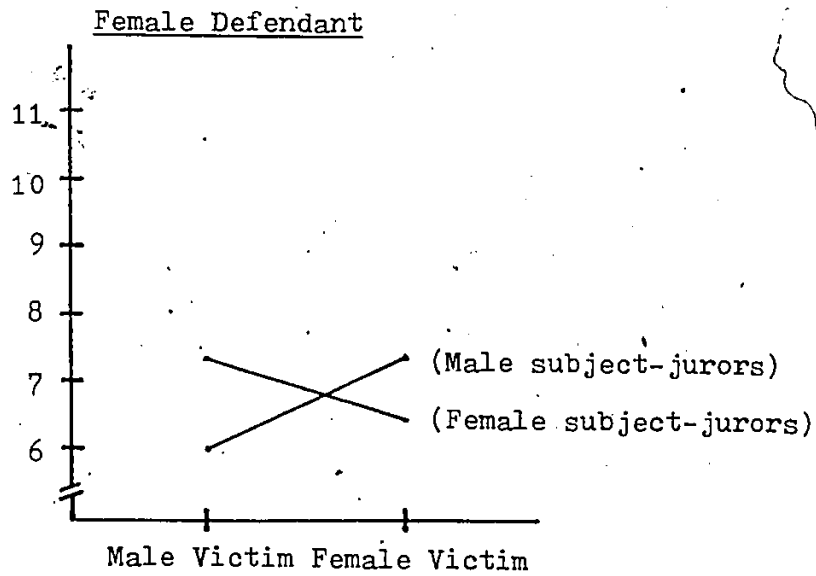
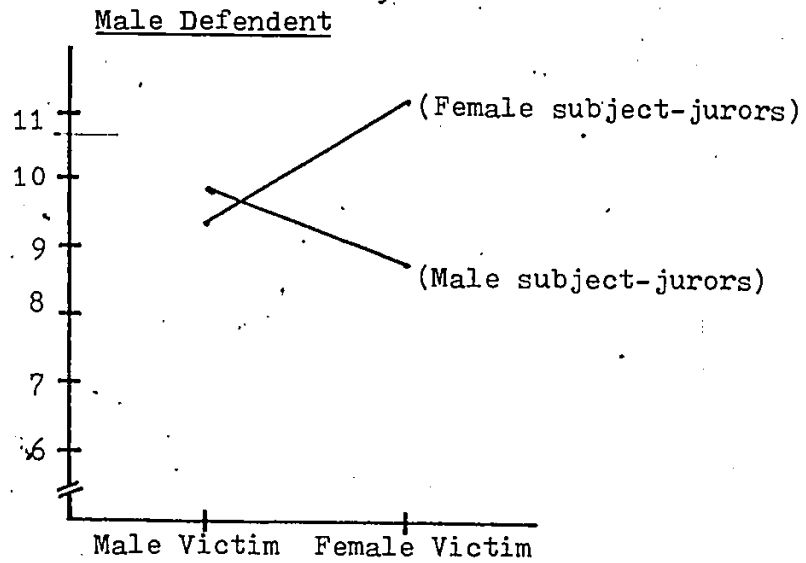


Figure 6. Empirical results regarding the sex of subject-juror X sex of defendant X sex of victim interaction for the sentence data.

gave more severe verdicts than females did on the murder case (means = 2.34 and 2.11, respectively; $p < .001$), whereas the difference between male and female verdicts was not significant for the negligence crime (means = 1.96 and 1.97, respectively; $p > .20$).

In addition, order was involved in two significant interactions: sex of defendant X order and sex of defendant X order X type of crime. The significant sex of defendant X order interaction is more clearly understood by an analysis of the three-way interaction between sex of defendant, order, and type of crime. For the crime of murder, male defendants were given more severe verdicts when the murder was presented first than when the negligence was given first (means = 2.38 and 2.13, respectively; $p < .01$). On the other hand, females were given less severe verdicts for the crime of murder when the murder case was given first than when the negligence was presented first (means = 2.08 and 2.27, respectively; $p < .05$). For the criminal negligence case, order of presentation did not have a significant effect for either male or female defendants.

The analysis of the severity of sentences data revealed significant effects of sex of defendant, type of crime, and the sex of defendant X type of crime interaction (see Table 1). Analyses of the interaction revealed that sex of defendant was significant for both crimes. Male defendants were given more severe sentences than female defendants for the murder crime (means = 16.51 and 11.11, respectively; $p < .001$) and for the negligence crime

(means = 3.10 and 2.47, respectively; $p < .001$), although, as inspection of the means reveals, the difference tended to be greater in the former than the latter.

Lastly, an order X type of crime interaction reveals that for the crime of murder, significantly less severe sentences were given when the murder was presented first (means = 12.88 and 14.82, respectively; $p < .001$), but for the negligence case, the sentences were more severe when the murder was presented first than when the negligence was given first (means = 3.79 and 1.78, respectively; $p < .001$).

In summary, although none of the three experimental hypotheses was supported, there were several significant findings. Males recommended more severe verdicts in the murder case. For the crime of murder, male defendants were given more severe verdicts when the murder was presented first, but females were given less severe verdicts when the murder was presented first. And, overall, male defendants were given more severe sentences than female defendants for both crimes, although the differences between the sentences given to males and females was greater for the crime of murder than for the negligence crime. Another significant finding was that for the crime of murder, less severe sentences were given when the murder was presented initially, but for the negligence case, sentences were more severe when the murder was presented first.

Liking for the Defendant and Victim

Separate five-way analyses of variance were carried out on the subject-jurors' responses to the 9-point rating scales measuring their liking for the defendant and victim. (Lower scores signify greater liking.) The results of the analyses of variance are presented in Table 3, and the relevant means in Table 4.

Concerning the liking for the defendant variable, the main effect of sex of defendant was a significant source of variance. It seems that female defendants were liked more than were male defendants (means = 6.21 and 6.70, respectively; $p < .05$).

The interaction between order and type of crime also reached significance. When the murder case was given first, the murder defendant was liked more than the negligence defendant (means = 6.07 and 6.56, respectively; $p < .001$). But, when the negligence crime was presented first, the criminal negligence defendant was liked more than the murder defendant (means = 6.24 and 6.97, respectively; $p < .001$). Thus, it appears that the defendant whose case was presented first, regardless of the nature of his or her crime, was liked more than the defendant whose case was presented last. And, in general, female defendants were liked more than male defendants.

The only significant effect regarding liking for the victim was the order X type of crime interaction. Under the conditions in which the homicide case was read first,

TABLE 3
Analysis of Variance of Liking for Defendant
and Liking for Victim Responses

Source	df	Defendant		Victim	
		MS	F	MS	F
Sex of Subject-Juror(A)	1	6.72	2.19	2.35	0.81
Sex of Defendant (B)	1	18.00	5.86 *	.13	0.04
Sex of Victim (C)	1	.01	0.00	8.00	2.77
Type of Crime (D)	1	1.13	0.50	4.01	2.95
Order (E)	1	6.13	1.99	5.56	1.92
A X B	1	1.39	0.45	.35	0.12
A X C	1	3.13	1.02	6.72	2.33
B X C	1	2.35	0.76	0.06	0.02
A X B X C	1	1.68	0.55	.06	0.02
A X D	1	.68	0.30	4.01	2.95
B X D	1	3.13	1.38	.35	0.26
A X B X D	1	3.13	1.38	1.68	1.24
C X D	1	1.39	0.61	.00	0.00
A X C X D	1	.22	0.10	.50	0.37
B X C X D	1	2.00	0.88	2.00	1.47
A X B X C X D	1	.22	0.10	.22	0.16
A X E	1	5.01	1.63	2.72	0.94
B X E	1	7.35	2.39	1.39	0.48
A X B X E	1	.35	0.11	2.72	0.94
C X E	1	2.00	0.65	3.13	1.08
A X C X E	1	1.39	0.45	.35	0.12
B X C X E	1	.00	0.00	8.68	3.00
A X B X C X E	1	5.56	1.81	.68	0.24
D X E	1	26.89	11.87 ***	16.06	11.81 ***
A X D X E	1	.22	0.10	.22	0.16
B X D X E	1	.89	0.39	.06	0.04
A X B X D X E	1	2.72	1.20	.06	0.04
C X D X E	1	1.68	0.74	.68	0.50
A X C X D X E	1	1.68	0.74	.01	0.01
B X C X D X E	1	.13	0.06	5.01	3.69
A X B X C X D X E	1	5.01	2.21	.13	0.09
SUB (A X B X C X E)	128	3.07		2.90	
SUB X D(A X B X C X E)	128	2.26		1.35	

* $p < .05$

** $p < .01$

*** $p < .001$

TABLE 4
Mean Liking for Defendant and Victim Scores

Sex of Subject-juror	Sex of Defendant	Sex of Victim	Defendant		Victim	
			Mur.	Neg.	Mur.	Neg.
Male	Male	Male	7.22	6.56	3.50	4.06
		Female	6.67	6.06	4.50	4.44
	Female	Male	5.61	6.22	3.67	4.22
		Female	6.17	5.94	4.11	4.94
Female	Male	Male	6.72	6.67	3.94	4.06
		Female	6.89	6.89	4.00	4.06
	Female	Male	6.22	6.39	4.11	3.83
		Female	6.67	6.44	3.94	4.06

Note. Scores have been collapsed across order. Lower scores signify greater liking.

subject-jurors indicated that they liked the victim in the negligence case more than the victim in the murder case (means 4.11 and 4.35, respectively; $p < .001$). When the cases were presented in the reverse order, the results were also reversed. That is, subject-jurors tended to like the victim of the murder more than the victim of the criminal negligence (means = 3.60 and 4.31, respectively; $p < .001$).

In summary, female defendants were liked more than male defendants. Also, the defendant whose case was presented first was preferred to the defendant whose case was presented second. The results regarding liking for the victim indicated that when the murder case was given first, the victim of the negligence case was liked more, but when the negligence was presented first, the murder victim was liked more.

Similarity to Defendant and Victim

A summary of the analyses of variance of the subject-jurors' responses to the scales measuring how similar they felt towards the defendant and the victim is found in Table 5. The means pertaining to similarity to defendant and victim are presented in Table 6. (Lower scores signify greater similarity.)

Concerning the perceived similarity towards the defendant, the sex of defendant X sex of victim interaction was significant. Subject-jurors perceived more similarity between themselves and the defendant when there was a male defendant victimizing another male than when the case involved

TABLE 5
Analysis of Variance of Similarity to Defendant
and Victim Responses

Source	Defendant			Victim	
	df	MS	F	MS	F
Sex of Subject-Juror(A)	1	1.25	0.32	14.22	3.23
Sex of Defendant (B)	1	.17	0.04	.50	0.11
Sex of Victim (C)	1	.28	0.07	5.56	1.26
Type of Crime(D)	1	5.28	1.86	.22	0.06
Order (E)	1	4.75	1.21	4.50	1.02
A X B	1	.09	0.02	4.50	1.02
A X C	1	.17	0.04	3.56	0.81
B X C	1	18.50	4.50 *	9.39	2.14
A X B X C	1	1.53	0.39	12.50	2.84
A X D	1	36.84	12.97 ***	4.50	1.29
B X D	1	.09	0.03	.50	0.14
A X B X D	1	11.28	3.97	10.89	3.13
C X D	1	1.25	0.44	.06	0.02
A X C X D	1	2.53	0.89	5.56	1.60
B X C X D	1	1.53	0.54	3.56	1.02
A X B X C X D	1	2.17	0.76	9.39	2.70
A X E	1	2.53	0.64	16.06	3.65
B X E	1	3.78	0.96	.50	0.11
A X B X E	1	.03	0.01	1.39	0.32
C X E	1	1.84	0.47	2.00	0.45
A X C X E	1	1.84	0.47	18.00	4.09 *
B X C X E	1	5.28	1.34	14.22	3.23
A X B X C X E	1	.58	0.15	.22	0.05
D X E	1	6.42	2.26	29.39	8.44 **
A X D X E	1	19.53	6.88 **	3.56	1.02
B X D X E	1	1.00	0.35	.06	0.02
A X B X D X E	1	.03	0.01	3.56	1.02
C X D X E	1	2.17	0.76	9.39	2.70
A X C X D X E	1	.17	0.06	.89	0.26
B X C X D X E	1	.17	0.06	4.72	9.98 **
A X B X C X D X E	1	.59	0.21	.22	0.06
SUB (A X B X C X E)	128	3.94		4.39	
SUB X D(A X B X C X E)	128	2.82		3.48	

* $p < .05$

** $p < .01$

*** $p < .001$

TABLE 6
Mean Similarity to Defendant and Victim Scores

Sex of Subject-juror	Sex of Defendant	Sex of Victim	Defendant		Victim	
			Mur.	Neg.	Mur.	Neg.
Male	Male	Male	8.06	6.00	4.83	5.22
		Female	8.06	7.28	4.94	4.56
	Female	Male	7.94	7.39	3.72	4.44
		Female	7.28	6.72	5.11	5.61
Female	Male	Male	6.94	7.83	4.44	3.83
		Female	7.28	8.00	3.67	4.83
	Female	Male	7.61	7.72	4.72	4.33
		Female	7.17	7.22	5.00	4.06

Note. Scores have been collapsed across order. Lower scores signify greater similarity.

a male victimizing a female (means = 7.21 and 7.66, respectively; $p < .001$). The subject-jurors also felt more similar to a female defendant when she had victimized another female than when she had victimized a male (means = 7.10 and 7.67, respectively; $p < .001$).

The sex of subject-juror X type of crime interaction and the sex of subject-juror X type of crime X order interaction both attained significance. Analyses of the three-way interaction revealed that when the murder case was presented initially, the male subject-jurors did not discriminate between the crimes in their ratings of similarity to the defendant (means = 7.39 and 7.22 for the murder and negligence crimes respectively; $p > .05$). However, the female subject-jurors reported that they felt more similar to the murder defendant than to the negligence defendant (means = 7.14 and 7.36, respectively; $p < .01$). When the order was reversed, (i.e., the negligence crime was presented first) males felt more similar to the negligence defendant than to the murder defendant (means = 6.47 and 8.28, respectively; $p < .001$). The females, however, felt more similar to the defendant in the murder case than to the negligence defendant (means = 7.36 and 8.03, respectively; $p < .001$).

When the similarity to victim responses were analyzed, there was a significant interaction between order and type of crime. When the murder case was given first, subject-jurors felt more similar to the victim of criminal negligence than to the victim who had been murdered (means = 4.17 and 4.75, respectively; $p < .001$). However, when the order was reversed,

subject-jurors felt more similar to the victim of murder than to the victim of negligence (means = 4.36 and 5.06, respectively; $p < .001$). Thus, subject-jurors perceived themselves as more similar to the victim of the case presented second regardless of the type of crime involved.

The interaction between sex of subject-juror, sex of victim, and order also attained significance. The results show that the interactive effects of sex of subject-juror and sex of victim varied considerably with the order of presentation. When the murder was read first, the responses of the male subject-jurors to this question did not vary significantly with the sex of victim (means = 4.53 and 4.36, respectively; $p > .05$), whereas the female subject-jurors reported that they felt more similar to the male victim, than to the female victim (means = 4.11 and 4.83, respectively; $p < .001$). When the negligence case was presented first, the male subject-jurors tended to feel more similar to the male victim than to the female victim (means = 4.75 and 5.58, respectively; $p < .001$). The females reported feeling more similar to the female victim than to the male victim (means = 3.94 and 4.56, respectively; $p < .001$).³

In summary, the subject-jurors felt more similar to a defendant who had victimized a person of his or her own sex than to a defendant who had victimized a person of the opposite sex. Also, regardless of the order of presentation the female subject-jurors reported feeling more similar to the murder defendant than to the negligence defendant. Males, however, did not discriminate between the crimes in their

ratings of similarity to the defendant when the murder was presented first. But when the order was reversed, males felt less similar to the murder defendant than to the negligence defendant. The results regarding perceived similarity to the victim showed that the subject-jurors perceived themselves as more similar to the victim of the case presented second regardless of the crime involved. Furthermore, male subject-jurors did not discriminate between the sex of the victims when the murder was presented first, but when the order was reversed the male subject-jurors felt more similarity to male victims. The females, on the other hand, felt more similar to victims of the opposite sex when the murder was given first, but perceived more similarity between themselves and victims of the same sex when the order was reversed.

Empathy for Defendant and Victim

The results of the analyses of variance of the empathy for defendant and victim scores are presented in Table 7, and the means are found in Table 8.

For the empathy for defendant variable, there was a significant main effect of type of crime, a significant sex of subject-juror X type of crime interaction, and a significant sex of subject-juror X sex of victim X type of crime interaction. The significant three-way interaction between sex of subject-juror, sex of victim and type of crime demonstrates that male subject-jurors responded somewhat differently to this question of empathy for the defendant than did female

TABLE 7
Analysis of Variance of Empathy for Defendant
and Victim Scores

	Defendant			Victim	
	df	MS	F	MS	F
Sex of Subject-Juror(A)	1	.17	0.03	2.72	0.82
Sex of Defendant (B)	1	.42	0.06	4.50	1.36
Sex of Victim (C)	1	.09	0.01	4.50	1.36
Type of Crime (D)	1	17.50	4.23 *	10.88	6.43 *
Order (E)	1	1.83	0.28	5.56	1.68
A X B	1	2.17	0.33	.01	0.00
A X C	1	.78	0.12	3.13	0.94
B X C	1	10.50	1.60	.13	0.04
A X B X C	1	23.92	3.66	.06	0.02
A X D	1	63.28	15.31 ***	5.01	2.96
B X D	1	2.92	0.71	.01	0.01
A X B X D	1	.09	0.02	.06	0.03
C X D	1	5.83	1.41	4.01	2.37
A X C X D	1	21.67	5.24 *	2.72	1.61
B X C X D	1	.28	0.07	.22	0.13
A X B X C X D	1	1.00	.24	1.68	0.99
A X E	1	.03	0.00	5.01	1.52
B X E	1	2.92	0.45	7.35	2.22
A X B X E	1	3.78	0.58	.06	0.02
C X E	1	.03	0.00	3.13	0.94
A X C X E	1	26.28	4.02 *	.22	0.07
B X C X E	1	.03	0.00	2.72	0.82
A X B X C X E	1	31.33	4.79 *	7.35	2.22
D X E	1	23.92	5.79 *	5.01	2.96
A X D X E	1	20.59	4.98 *	4.50	2.66
B X D X E	1	7.03	1.70	.06	0.03
A X B X D X E	1	16.53	4.00 *	.68	0.40
C X D X E	1	3.78	0.91	.22	0.13
A X C X D X E	1	.17	0.04	6.13	3.62
B X C X D X E	1	.42	0.10	1.13	0.66
A X B X C X D X E	1	4.25	1.03	2.00	1.18
SUB (A X B X C X E)	128	6.54		3.30	
SUB X D(A X B X C X E)	128	4.13		1.69	

* $p < .05$

** $p < .01$

*** $p < .001$

TABLE 8

Mean Empathy for Defendant and Victim Scores

Sex of Subject-juror	Sex of Defendant	Sex of Victim	Defendant		Victim	
			Mur.	Neg.	Mur.	Neg.
Male	Male	Male	7.33	5.94	2.17	2.56
		Female	6.22	6.39	2.17	1.50
	Female	Male	7.28	6.11	2.44	2.67
		Female	6.44	7.06	2.39	1.94
Female	Male	Male	5.44	6.72	2.33	1.56
		Female	6.56	7.67	2.11	1.67
	Female	Male	5.89	8.00	2.39	1.94
		Female	5.44	6.67	2.61	1.67

Note. Scores have been collapsed across order. Lower scores signify greater empathy.

subject-jurors. When the victim was male, male subject-jurors empathized more with the negligence defendant than with the murder defendant (means = 6.03 and 7.31, respectively; $p < .001$). When the victim was female, the males empathized more with the murder defendant than with the criminal negligence defendant (means = 6.33 and 6.72, respectively; $p < .001$). The females, on the other hand, empathized more with the murder defendant than with the negligence defendant when the victim was male (means = 5.67 and 7.36, respectively; $p < .001$) and when the victim was female (means = 6.00 and 7.17, respectively; $p < .001$).

The interactions between order and crime and between sex of subject-juror, order and crime were significant. The three-way interaction indicates that when the murder was given first, male subject-jurors reported feeling more empathy for the murder defendant than for the negligence defendant (means = 6.19 and 6.68, respectively; $p < .001$), and the pattern for female subject-jurors was the same (means = 5.72 and 7.19, respectively; $p < .001$). But, when the negligence crime was given first, males empathized more with the negligence defendant than with the murder defendant (means = 5.89 and 7.44, respectively; $p < .001$), and the females also felt more empathy for the criminal negligence defendant than for the murder defendant (means = 5.94 and 7.33, respectively; $p < .001$). The three-way interaction apparently is due to the fact that in the murder first condition, the difference between the means for the male subject-jurors is smaller (although in the same direction and significant) than the difference for the female subject-jurors.

The three-way interaction between sex of subject-juror, sex of victim and order also attained significance. When the murder case was presented initially, males empathized more with the defendant when the victim was female than when the victim was male (means = 6.17 and 6.89, respectively; $p < .001$). The pattern for female subject-jurors was opposite of this. The females empathized more with the defendant when the victim was male than when the victim was female (means = 6.11 and 6.81, respectively; $p < .001$). That is, when the victim was the opposite sex of the subject-jurors, they felt more empathy for the defendant. However, when the negligence case was given first, this pattern did not persist. In fact, when the victim was of the same sex as the subject-jurors, they felt more empathy for the defendant. Males empathized more with the defendant when the victim was male than when the victim was female (means = 6.45 and 6.89, respectively; $p < .001$). Females felt more empathy for the defendant when there was a female victim than when there was a male victim (means = 6.36 and 6.92, respectively, $p < .001$).

The main effect of type of crime was the only significant source of variance pertaining to the empathy for the victim question. Subject-jurors tended to feel more empathy for the victim in the criminal negligence case than for the victim who had murdered (means = 1.94 and 2.33).

In summary, the results show that male subject-jurors empathized more with the negligence defendant when the victim was male, but empathized more with the murder defendant when the victim was female. The female subject-jurors, on the

other hand, empathized more with the murder defendant when the victim was male and also when the victim was female.

Also, both male and female subject-jurors empathized more with the murder defendant than with the negligence defendant when the murder was presented first. But, when the order was reversed, both males and females reported feeling more empathy for the negligence defendant than for the murder defendant. In addition, greater empathy was felt for the victim of criminal negligence than for the victim of murder.

Being in the Place of the Defendant and Victim

The subject-jurors were asked, "How much did you think of yourself in the place of the defendant?" and "How much did you think of yourself in the place of the victim?" A summary of the analyses of variance of the responses to these questions can be found in Table 9 and the means are presented in Table 10.

Concerning thinking of oneself in the place of the defendant, both the main effect of type of crime and the interaction between sex of subject-juror, sex of defendant, and type of crime attained significance. When male subject-jurors judged a case involving a male defendant they could imagine being in the place of the negligent defendant more than the murder defendant (means = 5.25 and 7.28, respectively; $p < .001$). The pattern remained the same when the defendant was female (means = 6.17 and 6.47, respectively; $p < .001$), although the difference between crimes was greater when the defendant was male than when the defendant was female.

TABLE 9
Analysis of Variance of Being in the Place of the Defendant
and the Victim Responses

	Defendant			Victim	
	df	MS	F	MS	F
Sex of Subject-juror(A)	1	2.92	0.35	7.35	0.90
Sex of Defendant (B)	1	.00	0.00	.06	0.01
Sex of Victim (C)	1	3.34	0.40	.00	0.00
Type of Crime (D)	1	54.25	13.40 ***	62.35	14.15 ***
Order (E)	1	.03	0.00	51.68	6.30 *
A X B	1	.28	0.03	.22	0.03
A X C	1	9.03	1.09	16.06	1.96
B X C	1	.03	0.00	7.35	0.90
A X B X C	1	12.09	1.46	21.13	2.58
A X D	1	6.42	1.59	6.13	1.39
B X D	1	7.03	1.74	2.72	0.62
A X B X D	1	21.67	5.35 *	.89	0.20
C X D	1	.58	0.14	.22	0.05
A X C X D	1	7.03	1.74	12.50	2.84
B X C X D	1	7.67	1.89	5.01	1.14
A X B X C X D	1	1.25	0.31	1.68	0.38
A X E	1	.03	0.00	7.35	0.90
B X E	1	7.67	0.93	.06	0.01
A X B X E	1	28.75	3.48	.50	0.06
C X E	1	2.17	0.26	3.56	0.43
A X C X E	1	7.67	0.93	5.56	0.68
B X C X E	1	5.83	0.71	.13	0.02
A X B X C X E	1	.42	0.05	21.13	2.58
D X E	1	61.42	15.17 ***	.68	0.15
A X D X E	1	3.34	0.82	3.13	0.71
B X D X E	1	.28	0.07	.89	0.20
A X B X D X E	1	.28	0.07	.89	0.20
C X D X E	1	1.83	0.45	1.39	0.32
A X C X D X E	1	.09	0.02	1.39	0.32
B X C X D X E	1	3.34	0.82	.68	0.15
A X B X C X D X E	1	.78	0.19	13.35	3.03
SUB (A X B X C X E)	128	8.10		8.05	
SUB X D(A X B X C X E)	128	4.04		4.04	

* $p < .05$

** $p < .01$

*** $p < .001$

TABLE 10
Mean Scores for Being in the Place of the Defendant and Victim

Sex of Subject-juror	Sex of Defendant	Sex of victim	Defendant		Victim	
			Mur.	Neg.	Mur.	Neg.
Male	Male	Male	7.22	4.78	3.72	4.06
		Female	7.33	5.72	5.94	4.50
	Female	Male	6.61	6.28	5.06	4.39
		Female	6.33	6.06	4.72	3.94
Female	Male	Male	7.22	6.83	5.11	3.94
		Female	6.17	5.89	4.17	3.50
	Female	Male	6.50	6.56	5.39	3.39
		Female	7.22	5.56	4.67	3.61

Note. Scores have been collapsed across order. Lower scores signify being in the place of the defendant and victim to a greater extent.

The female subject-jurors could imagine being in the place of the negligence defendant more than the murder defendant when the defendant was male (means = 6.36 and 6.69, respectively; $p < .001$), and when the defendant was female (means = 6.06 and 6.86, respectively; $p < .001$). The differences, however, were greater when the defendant was female than when the defendant was male. Thus, subject-jurors consistently were able to put themselves more in the place of the negligence defendant than the murder defendant.

However, the effect of crime depends on order of presentation. When the murder case was given first the subject-jurors did not discriminate between the negligence defendant and the murder defendant in responding to this question (means = 6.43 and 6.38, respectively; $p < .20$). When the order was reversed, subject-jurors thought of themselves as being more in the place of the negligence defendant than the murder defendant (means = 5.49 and 7.28, respectively; $p < .001$).

On the place of victim variable, the significant main effect of crime indicated that subject-jurors could imagine being in the place of the victim of the criminal negligence more than the murder victim (means = 3.92 and 4.85, respectively; $p < .001$). The significant main effect of order showed that subject-jurors felt more in the place of the victim when the murder case was presented first than when the negligence was presented first (means = 3.96 and 4.81, respectively; $p < .05$).

In general, the results indicated that subject-jurors

reported that they could imagine being in the place of the negligence defendant more than the murder defendant. In addition, when the murder was presented first, the subject-jurors did not differentiate between the negligence defendant and the murder defendant in responding to this question. But, when the order was reversed, they reported thinking of themselves as being more in the place of the negligence defendant than in the place of the murder defendant. In addition, it was revealed that subject-jurors felt more in the place of the victim when the murder case was given first. Also, they could put themselves in the place of the victim of negligence more so than the victim of murder.

Being in the Same Situation as the Defendant and Victim

Subject-jurors were asked: "How likely do you think it is that you might someday find yourself in the same situation as the defendant?" They were also asked: "How likely do you think it is that you might someday find yourself in the same situation as the victim?" A summary of the analysis of variance of these responses is given in Table 11 and the means are located in Table 12.

On the being in the same situation as the defendant variable the following were significant: main effect of type of crime, interaction between sex of subject-juror, sex of defendant and order, and the interaction between sex of subject-juror, order and type of crime. Examination of the interaction between sex of subject-juror, sex of defendant and order reveals that when the murder case was given first, male

TABLE 11

Analysis of Variance of Being in the Same Situation
as the Defendant and the Victim Responses

Source	Defendant			Victim	
	df	MS	F	MS	F
Sex of Subject-Juror(A)	1	1.13	0.23	13.78	2.32
Sex of Defendant (B)	1	3.56	0.73	3.78	0.64
Sex of Victim (C)	1	2.00	0.41	1.00	0.17
Type of Crime (D)	1	55.13	15.01 ***	504.03	129.52 ***
Order (E)	1	.35	0.07	2.17	0.37
A X B	1	.22	0.05	4.25	0.72
A X C	1	1.39	0.29	3.34	0.56
B X C	1	.68	0.14	.03	0.01
A X B X C	1	1.13	0.23	.59	0.10
A X D	1	.13	0.03	.59	0.15
B X D	1	5.56	1.51	5.28	1.36
A X B X D	1	5.56	1.51	1.83	0.47
C X D	1	3.56	0.97	14.67	3.77
A X C X D	1	6.72	1.83	15.59	4.01 *
B X C X D	1	11.68	3.18	2.92	0.75
A X B X C X D	1	1.68	0.46	.17	0.04
A X E	1	.01	0.00	20.59	3.47
B X E	1	2.00	0.41	5.84	0.98
A X B X E	1	32.00	6.61 *	2.53	0.43
C X E	1	.89	0.18	2.92	0.49
A X C X E	1	.06	0.01	1.25	0.21
B X C X E	1	1.68	0.35	1.25	0.21
A X B X C X E	1	19.01	3.93 *	25.09	4.23 *
D X E	1	8.68	2.37	.00	0.00
A X D X E	1	39.01	10.63 **	2.17	0.56
B X D X E	1	.06	0.02	5.28	1.36
A X B X D X E	1	2.72	0.74	5.28	1.36
C X D X E	1	.06	0.02	4.75	1.22
A X C X D X E	1	8.00	2.18	0.00	0.00
B X C X D X E	1	1.13	0.31	.03	0.01
A X B X C X D X E	1	.68	0.19	3.78	0.97
SUB (A X B X C D E)	128	4.84		5.93	
SUB X D(A X B X C X E)	128	3.67		3.89	

* $p < .05$ ** $p < .01$ *** $p < .001$

TABLE 12
Mean Scores for Being in the Same Situation
as the Defendant and the Victim

Sex of Subject-juror	Sex of Defendant	Sex of Victim	Defendant		Victim	
			Mur.	Neg.	Mur.	Neg.
Male	Male	Male	8.56	6.56	7.17	3.83
		Female	7.39	7.56	6.06	4.06
	Female	Male	8.06	7.17	7.67	4.06
		Female	7.56	6.61	6.28	5.00
Female	Male	Male	7.94	7.50	6.50	3.50
		Female	7.72	7.61	6.83	3.50
	Female	Male	7.94	6.89	6.28	3.83
		Female	8.28	6.56	6.17	4.00

Note. Scores have been collapsed across order. Lower scores signify being in the same situation as the defendant and victim to a greater extent.

subject-jurors could imagine being in the same situation as male defendant more so than a female defendant (means = 7.31 and 7.64, respectively; $p < .001$), and female subject-jurors could imagine being in the same situation as a female defendant more so than a male defendant (means = 7.03 and 8.14, respectively; $p < .001$). However, when the order was reversed, the pattern changed. When the negligence crime was given initially, male subject-jurors could imagine being in the same situation as the female defendant more so than the male defendant, (means = 7.06 and 7.72, respectively; $p < .001$). Female subject-jurors reported that they could imagine being in the same situation as the male defendant more so than the female defendant (means = 7.25 and 7.81, respectively; $p < .001$).

The sex of subject-juror X order X type of crime interaction also attained significance. When the murder was presented first, the male subject-jurors could imagine being in the same situation as the defendant of the murder case more so than the criminal negligence defendant (means = 7.39 and 7.56, respectively; $p < .05$). In contrast, female subject-jurors reported that they could imagine being in the same situation as the negligence defendant more than the defendant who was accused of murder (means = 6.97 and 8.19, respectively; $p < .001$). When the order was reversed, males could imagine being in the same situation as the negligence defendant more so than the murder defendant (means = 6.39 and 8.39, respectively; $p < .001$). And the pattern for the female subject-jurors was the same (means = 7.31 and 7.75, respectively;

$p < .001$).

Concerning the being in the same situation as the victim variable, the main effect of type of crime and the interaction between sex of subject-juror, sex of victim and type of crime reached significance. The results of the three-way interaction indicated that male subject-jurors could more readily imagine being in the same situation as the victim of negligence than the murdered victim when the victim was either male (means = 3.94 and 7.42, respectively; $p < .001$) or female (means = 4.53 and 6.17, respectively; $p < .001$). The female subject-jurors also reported imagining themselves in the same situation as the victim of the negligence more so than the victim of the murder, when the victim was male (means = 3.67 and 6.38, respectively; $p < .001$) as well as when the victim was female (means = 3.75 and 6.50, respectively; $p < .001$).

In summary, the results showed that male subject-jurors could imagine being in the same situation as a male defendant more than a female defendant when the murder case was given first, but this pattern was reversed when the negligence case was presented first. Female subject-jurors could imagine being in the same situation as a female defendant when the murder was given first, but imagined being in the same situation as a male defendant when the negligence case was given first. Another significant finding was that male subject-jurors could imagine being in the same situation as the defendant whose case was presented first. Females, however, could imagine being in the same situation

as the negligence defendant no matter which order the crime was presented in. When the results of the being in the same situation as the victim variable were analyzed it was found that both male and female subject-jurors could imagine being in the same situation as the victim of negligence more than the victim of murder when the victim was either male or female.⁴

Societal Norm Data

Following the completion of all the 9-point rating scales for both crimes, three additional questions were asked in order to investigate if the societal norm which prohibits males from aggressing against females influenced the subject-jurors' decisions. To the question, "Do you agree that in our society it is less acceptable for a male to victimize a female than for a male to victimize a male?", most subject-jurors (71.53%) responded in the affirmative. When they were asked, "Do you think that this would influence a jurors' decision?", yes was the preferred answer (62.5%). To the last question, "Would you have responded differently if the defendant had been a male and the victim had been a female?", the subject-jurors responded, "no" (80.55%). Thus, although the existence of the norm prohibiting males from victimizing females was recognized by the subject-jurors and most believed it would influence the decision of jurors in general, they tended to deny that the norm had very much impact upon the decisions which they were required to make in this study.

CHAPTER IV

DISCUSSION

Verdict and Sentence Judgements

As indicated in the results section, the findings do not support the hypotheses. That is, subject-jurors did not recommend less severe verdicts and sentences for defendants of their own sex (hypothesis 1). The subject-jurors did not give a defendant more severe punishments when the victim was of their own sex (hypothesis 2). And the least severe judgements of guilt and punishment did not occur when the juror and the defendant were of the same sex and the victim was of the opposite sex (hypothesis 3).

Although a few of the studies reviewed in the introduction found that female defendants were treated more leniently by juries, most of these (Kalven and Zeisel, 1966; Nagel, 1969; Nagel and Weitzman, 1971) were based on real situations. In such studies, the sex of the defendant could not be isolated from other factors, such as attractiveness or emotional outburst, which also may contribute to jury leniency. In considering the experimental studies, it was revealed that several investigators had found a significant sex of subject-juror by sex of defendant interaction (Stephan, 1974; Klinger, Albaum and Hetherington, 1964;

Rose and Prell, 1955). That is, the subject-jurors were more lenient towards defendants of their own sex. The first hypothesis predicted that a similar pattern would occur. It was predicted that subject-jurors would be more lenient in their verdict and sentence judgements towards same-sex defendants. This was labelled the same-sex favouritism hypothesis. However, the results were consistent with the female favouritism hypothesis, rather than the same sex favouritism hypothesis.

The second hypothesis predicted that subject-jurors would be less lenient towards defendants when the victim was of their own sex than when the victim was of the opposite sex. Of the three experimental studies in which the sex of the subject-juror and the sex of the defendant were varied, only Stephan's had a clearly identified victim. However, in her study, the victim was always of the sex opposite to that of the defendant so that it was unclear whether or not the victim's sex had an influence upon the subject-jurors' decisions. In the present study, the victim's sex was varied, but the expected significant interaction between sex of subject-juror and sex of victim did not materialize.

The significant effects that did occur indicate that females recommend less severe verdicts than males for the crime of murder, and female defendants are given less severe sentences, regardless of the crime which has been committed.

The finding that female subject-jurors are more lenient in rendering verdicts is consistent with the results of a study by Freedman, Levy, Buchanan and Price (1972).

However, most research has indicated that whether female subject-jurors or male subject-jurors are more lenient is dependent on the nature of the crime. For instance, Simon (1967) found females to be more lenient in a house-breaking case, but less lenient in a case involving incest. Likewise, Rose and Prell's (1955) results showed females as recommending less severe punishments in burglary and assault cases, but recommending more severe sentences in child beating and bigamy cases. A recent study by Howitt (1977) showed that females give harsher sentences in a rape case, but do not differ from males in their sentencing in a drunken driving case.

From these studies it appears that women are more severe in their judgements of cases involving family matters and sexual behaviour. But for crimes that do not involve the family or sexual behaviour, female subject-jurors' judgements are less severe than or equal in severity to those of male subject-jurors. In the present study, the murder case occurred in a family setting. But, the results indicated that females gave less severe verdicts than males did for this case. The pattern of these results differs from that of other studies in which females give more severe verdicts in cases involving a family situation. In general, though, female subject-jurors were less harsh in their jury decisions in this study as in Freedman, Levy, Buchanan and Price's (1972) research. However, the nature of the crime as an intervening factor needs to be investigated further.

The second significant finding was that the female

defendants were given less severe sentences than the male defendants. These results are consistent with those of Kalven and Zeisel (1966), Nagel (1969), Nagel and Weitzman (1971) and McGlynn, Megas and Benson (1976). This finding lends support to the female favouritism hypothesis which appears to be a more viable hypothesis than the same-sex favouritism one. Further support for the female favouritism hypothesis is provided by the data from the rating scales.

Rating Scales

The 9-point rating scales which subject-jurors were asked to complete following the verdict and sentence judgements were designed to focus on certain aspects of the same-sex favouritism hypothesis. Of course, since the hypothesis was not supported, we would not expect to find support for the explanations.

Briefly, the first explanation states that people prefer those who are similar to them in attitudes and personality. And because they tend to assume that those of their own sex are more similar to them than those of the other sex, they tend to prefer those of the same sex. The first four 9-point rating scales were devised to consider this explanation. That is, subject-jurors were asked to indicate how much they liked the defendant, how much they liked the victim, how similar they felt to the defendant, and how similar they felt to the victim. None of the results was in line with the hypothesis. That is, subject-jurors did not like more or feel more similar to those of their

own sex than to those of the opposite sex. But, the significant main effect of sex of defendant on the liking for the defendant variable lends support to the female favouritism hypothesis. That is, the female defendants were liked more than were the male defendants.

The second explanation posited for the same-sex favouritism hypothesis is based on Shaver's (1970) concept of defensive attribution. That is, it was expected that less responsibility or guilt would be attributed to a person (i.e., defendant or victim) to which one feels similar. In order for defensive attribution to occur, the perceiver must be able to imagine himself or herself in the same situation as the other person. Four questions were designed to uncover whether or not defensive attribution was in operation. Subject-jurors were asked how much they thought of themselves in the place of the defendant and in the place of the victim. They were also asked to indicate the likelihood of finding themselves in the same situation as the defendant and in the same situation as the victim. No support was gained for the same-sex favouritism hypothesis.

A third possible interpretation of same-sex favouritism is that people can more readily empathize with members of their own sex than with those of the opposite sex. To explore this possibility, subject-jurors were asked to indicate how much they empathize with the defendant and the victim. The subject-jurors did not feel any more empathy for defendants and victims of their own sex than they did for those of the opposite sex.

Thus, the results of the rating scales point out that subject-jurors do not hold more favourable opinions about those of the same sex. They also indicate that females are liked more than males, which may explain why female defendants are treated more leniently by subject-jurors.

Order

The order in which the two criminal cases was presented was counterbalanced within each condition of the experiment. That is, half of the subject-jurors read about the murder first and the negligence second, and the other half read the cases in reverse order. This counterbalancing served to eliminate the possibility that any effects involving the type of crime were due to the order of presentation of the crimes.

However, the results did indicate that order was involved in significant interactions for all of the dependent variables except one (empathy for the victim). Thus, it appears that the subject-jurors' responses to the second crime were modified by the memory of the first crime. Thus, a person's judgements are based upon his previous experiences with the same type of situation (i.e., making judgements about a case), and his final judgement may be attained by comparing the present situation to past situations.

A study by Pepitone and DiNubile (1976) of the punishment of criminal violators focused on the effects of

order. It was noted that social theorists have suggested that order effects may present themselves in two patterns: the second stimulus may be contrasted with the first with the differences between the two being enhanced, or the second stimulus may be assimilated with the first so that the difference between the two is minimized. They focused upon the work of Sherif, Sherif and Nebergall (1955) who theorized that either contrast or assimilation can occur depending on the discrepancy between the values of the two stimuli. When the two are close in value, the second will be assimilated with the first. But beyond some critical discrepancy value, the second stimulus will be contrasted with the first.

Results of the study by Pepitone and DiNubile showed that when subject-jurors first made judgements on an assault case and then on a homicide case, the homicide was judged as more serious and greater punishments were recommended compared with a homicide-homicide sequence. That is, a contrast effect occurred. Likewise, in the homicide-assault condition, the seriousness of the assault decreased relative to the assault-assault sequence. Although the present study differs from Pepitone and DiNubile's in that there is no homicide-homicide sequence and no negligence-negligence sequence, there are enough similarities to warrant comparisons. The results of the present study included several significant order effects, but the pattern of these effects did not take the form of contrasting as in Pepitone and DiNubile's study.

In the present study, contrast would have occurred if

the severity of punishment given for murder was less severe when the murder was presented first (as the judgement is unaffected by another crime) than when the murder followed the negligence case. It is suggested that negligence is a less severe crime, making the murder seem more severe in comparison. Likewise, contrast would be occurring if punishments given for negligence were less severe when the negligence was presented second (the negligence appears less serious when compared with the crime of murder) as compared to the condition in which the negligence was presented first.

To determine whether the pattern that the order effects took was that of contrast or of assimilation, the significant order by crime interactions must be examined. There were six variables on which a significant order by crime interaction occurred. On four of the interactions, the murder crime showed a contrast effect and an assimilation effect was present on the other two interactions. For the crime of negligence, two contrast effects and four assimilation effects occurred. Thus, the pattern that order takes is not consistent across the variables.

However, because order is involved in so many significant interactions, the present findings, as well as those of Pepitone and DiNubile (1976), clearly suggest that it does deserve further study. The evidence suggests that a juror's prior experience in judging a case will have an effect upon his judgement in a subsequent situation. Thus, these findings seem to have important implications for the jury selection process. In real trial situations, citizens

may be called for jury duty for a period of time, during which it is possible that they may serve as jurors for more than one case. In such a situation, the first case that the juror has been involved with may have an influence upon his judgements in the second case, and it may be worthwhile for prosecution and defense attorneys to take this into consideration when choosing jurors.

Crime

To increase the generalizability of the results, two crimes were used. The subject-jurors' responses to the two crimes differed greatly. The subject-jurors tended to more readily identify with and express more positive feelings toward the defendants and victims in the negligence case than those in the murder case. For instance, they felt more empathy for the victim of criminal negligence, felt more in the place of the negligence defendant and the victim of negligence, and imagined themselves being in the same situation as the negligence defendant and the victim of negligence. There was also a sex difference in the subject-jurors' responses to two of the rating scales. Males felt more similar to the negligence defendant, but females did not discriminate between the two crimes in answering this question. The male subject-jurors empathized more with the negligence defendant, but the female subject-jurors empathized more with the defendant in the murder case.

In general, then, the subject-jurors in this study appeared to identify more with the individuals in the

negligence case than those in the murder case. The situation in the negligence case is one which some subject-jurors may have experienced personally and which others could easily imagine experiencing. Whereas it is less likely that subject-jurors would have any experience with a situation similar to that of the homicide case. That is, the negligence case involved an intoxicated motorist and a pedestrian, whereas the homicide case involved an emotion-laden family situation leading to an aggressive act which resulted in a death.

Most of the simulated jury studies which have been reviewed for this manuscript have used only one crime (the exceptions are Simon, 1967, Rose and Prell, 1955, and Howitt, 1977). Since the results of the present study indicate that subject-jurors' responses vary with the type of crime, it would be worthwhile for future investigators to employ more than one crime in their research. The conclusions which are drawn from results of studies employing single crimes may be specific to the particular crime used and may not be as generalizable as those emanating from multiple crime investigations.

In conclusion, no support was obtained for the hypothesis that subject-jurors are more lenient towards defendants and victims of their own sex when making jury decisions. Rather, it was shown that female defendants are treated more leniently by both male and female subject-jurors, regardless of the crime. It was also revealed that females tend to give less severe verdicts than males do. Thus, these results suggest that the sex of the defendant has an

effect upon a juror's decision, with females having a decided advantage. And there was also some suggestion that women are more lenient in their verdict decisions and thus defense attorneys may find it advantageous to have more female jurors than male jurors hearing their cases.


FOOTNOTES

¹The penalties specified in the Canadian Criminal Code for both murder and manslaughter are imprisonment for life. (Martin, Mewett and Cartwright, 1976, Part VI, sections 218(2) and 219.) A recent ammendment to the criminal code has specified that for those convicted of murder, a term of 25 years must be served before they are eligible for parole (Current Legislative Digest-Canada, 1974-75). To ensure that a ceiling effect does not occur in the punishment recommendations given by the subject-jurors, the upper limit of the prison sentence was set at 40 years. In view of the fact that the Canadian Parliament has indicated that a term of at least 25 years must be served for murder, I feel that the upper limit to be used in this study is not unreasonably high.

²The experimenter assumed that subject-jurors would consider their place of residence to be their permanent residence, i.e., their home town, rather than their temporary residence while attending university, i.e., Windsor. However, this was not specified in the questionnaire.

³The significant four-way and five-way interactions have not been reported because of their complexity and the fact that they are not relevant to the hypotheses.

⁴There is some difficulty in the interpretation of the significant results relating to the following four variables: liking for defendant, liking for victim, empathy for victim, and being in the place of the victim. The difficulty arises because the number of significant effects that occurred on these variables did not differ appreciably from what would be expected by chance. However, there is a pattern which prevails across all of the variables. There are several significant main effects of crime and order and significant crime by order interactions. The presence of this pattern suggests that the significant effects are not entirely the result of chance.



APPENDIX A
QUESTIONS FOLLOWING MURDER CASE

Please read the following definitions of murder and manslaughter which are direct quotes, in shortened form, from the Canadian Criminal Code. Taking these definitions into consideration, decide upon your verdict, and record it on the rating scale which follows the definitions.

Definition of murder:

"Culpable homicide is murder where the person who causes the death of a human being (i) means to cause his death, or (ii) means to cause him bodily harm that he knows is likely to cause his death."

Definition of manslaughter:

"Culpable homicide that otherwise would be murder may be reduced to manslaughter if the person who committed it did so in the heat of passion caused by sudden provocation."

Indicate your verdict by choosing one of the following:

Not Guilty _____

Guilty of Manslaughter _____

Guilty of Murder _____

Assuming that the defendant is found guilty, how many years of imprisonment would you, as a juror, recommend that he be sentenced to?

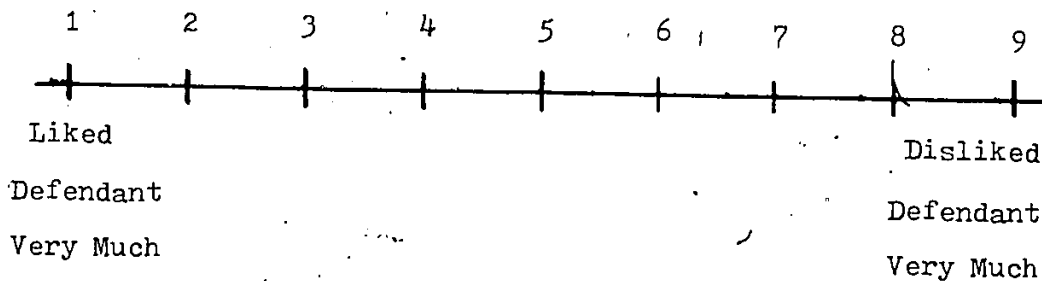
You may choose from a minimum of 1 year to a maximum of 40 years.

Recommended sentence _____ years.

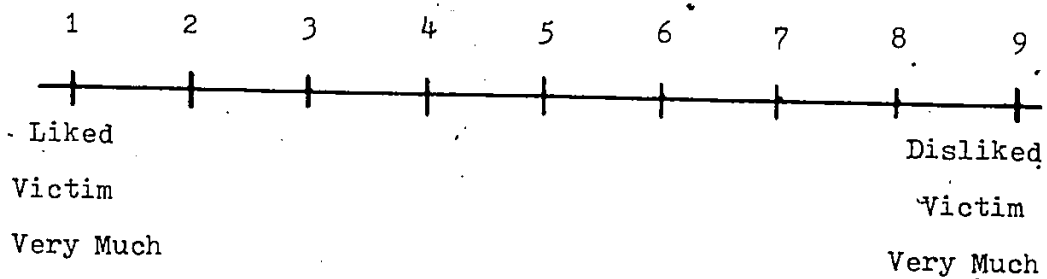
APPENDIX B
RATING SCALES

We would like to get your impressions of some of the individuals involved in the criminal case you have just read. Please indicate your feelings and perceptions by circling the appropriate numbers on the following scales.

How much did you like the defendant? (Circle the number).

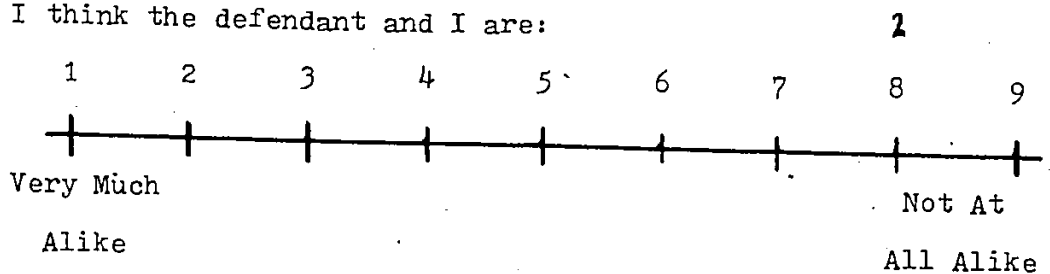


How much did you like the victim?



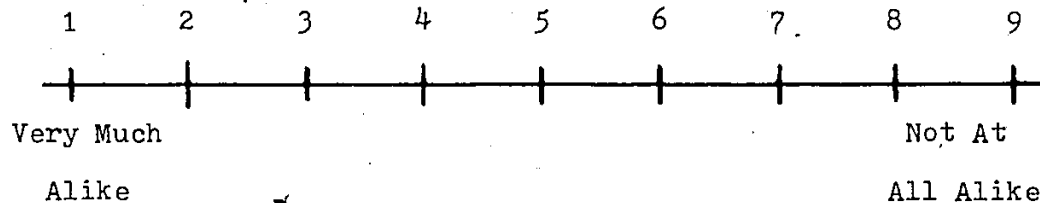
How much similarity do you think there is between you and the defendant?

I think the defendant and I are:



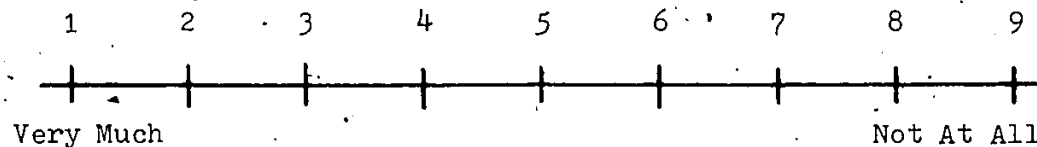
How much similarity do you think there is between you and the victim?

I think the victim and I are:

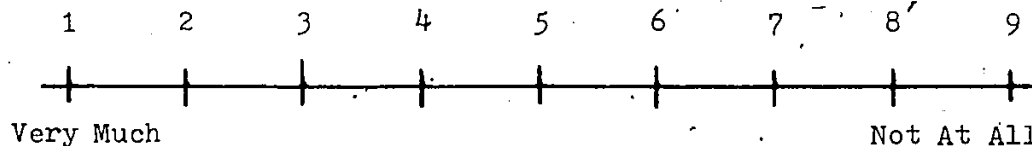


We would like you to indicate below how much empathy you feel for the defendant and for the victim. Empathy may be defined as a sympathetic participation by a perceiver (yourself) in the emotional experience of another person.

How much do you empathize with the defendant?

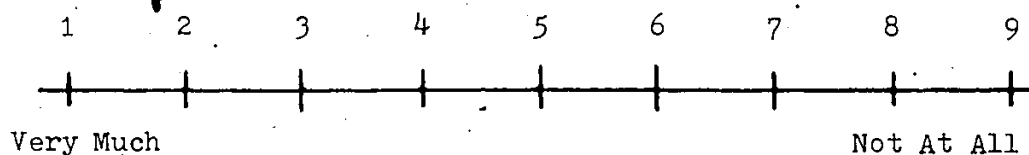


How much do you empathize with the victim?

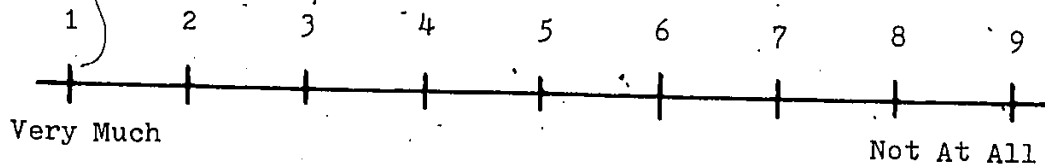


Indicate the extent *fo* which you thought of yourself as being in the place of the defendant and victim when you were reading the description of the crime.

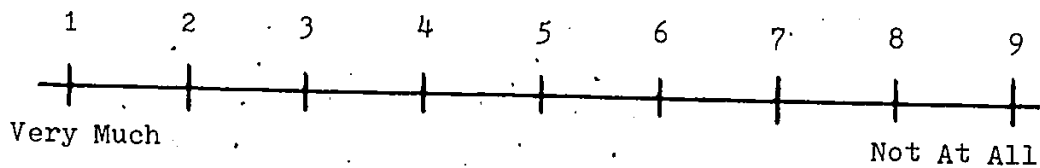
How much did you think of yourself in the place of the defendant?



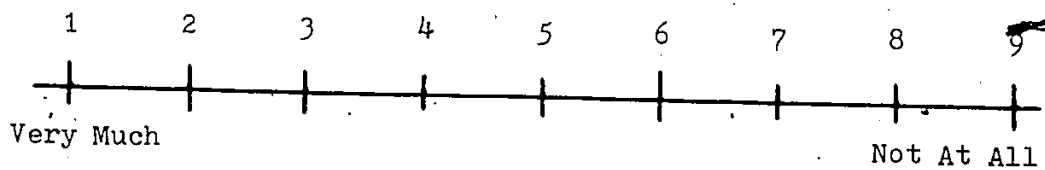
How much did you think of yourself in the place of the victim?



How likely do you think it is that you might someday find yourself in the same situation as the defendant?



How likely do you think it is that you might someday find yourself in the same situation as the victim?



APPENDIX C

QUESTIONS FOLLOWING CRIMINAL NEGLIGENCE CASE

Please read the definition of criminal negligence below which is taken from the Canadian Criminal Code. Taking this definition into consideration decide upon your verdict and record it in the space provided below.

Definition of criminal negligence:

"Everyone is criminally negligent who in doing anything, or in omitting to do anything that it is his duty to do, shows wanton or reckless disregard for the lives or safety of other persons."

Please indicate your verdict by placing a check after one of the following.

Not Guilty of Criminal Negligence _____

Guilty of Criminal Negligence _____

Assuming that the defendant is found guilty, how many years of imprisonment would you, as a juror, recommend that he be sentenced to? You may choose from a minimum of 1 year to a maximum of 20 years.

Recommended sentence _____ years.

APPENDIX D

EMPATHIC TENDENCY SCALE

Please use the following scale to indicate the degree of your agreement or disagreement with each of the statements below. Record your answers in the space provided at the beginning of each statement.

- +4 = very strong agreement
- +3 = strong agreement
- +2 = moderate agreement
- +1 = slight agreement
- 0 = neither agreement nor disagreement
- 1 = slight disagreement
- 2 = moderate disagreement
- 3 = strong disagreement
- 4 = very strong disagreement

(The items below which are preceded by "P" are those which indicate empathic tendency when answered with one of the agreement statements. Items not marked are those which indicate a lack of empathic tendency when agreed with.)

- P 1. It makes me sad to see a lonely stranger in a group.
- 2. People make too much of the feelings and sensitivity of animals.
- 3. I often find public displays of affection annoying.
- 4. I am annoyed by unhappy people who are just sorry for themselves.
- P 5. I become nervous if others around me seem to be nervous.
- 6. I find it silly for people to cry out of happiness.

- P 7. I tend to get emotionally involved with a friend's problems.
- P 8. Sometimes the words of a love song can move me deeply.
- P 9. I tend to lose control when I am bringing bad news to people.
- P 10. The people around me have a great influence on my moods.
11. Most foreigners I have met seemed cool and unemotional.
- P 12. I would rather be a social worker than work in a job training centre.
13. I don't get upset just because a friend is acting upset.
- P 14. I like to watch people open presents.
15. Lonely people are probably unfriendly.
- P 16. Seeing people cry upsets me.
- P 17. Some songs make me happy.
- P 18. I really get involved with the feelings of the characters in a novel.
- P 19. I get very angry when I see someone being ill-treated.
20. I am able to remain calm even though those around me worry.
21. When a friend starts to talk about his problems, I try to steer the conversation to something else.
22. Another's laughter is not catching for me.
23. Sometimes at the movies I am amused by the amount of crying and sniffing around me.

- ___ 24. I am able to make decisions without being influenced by people's feelings.
- ___ P 25. I cannot continue to feel O.K. if people around me are depressed.
- ___ 26. It is hard for me to see how some things upset people so much.
- ___ P 27. I am very upset when I see an animal in pain.
- ___ 28. Becoming involved in books or movies is a little silly.
- ___ P 29. It upsets me to see helpless old people.
- ___ 30. I become more irritated than sympathetic when I see someone's tears.
- ___ P 31. I become very involved when I watch a movie.
- ___ 32. I often find that I can remain cool in spite of the excitement around me.
- ___ 33. Little children sometimes cry for no apparent reason.

Appendix E

Raw Data

Crime of Murder

Subject No.	Sex of Subject-juror	Sex of Defendant	Sex of Victim	Order ^a	Age	Socioeconomic Status	Residence	Empathy	Verdict ^b	Sentence	Liking for Def.	Liking for Victim	Similarity to Def.	Similarity to Victim	Empathy for Def.	Empathy for Victim	Place as Def.	Place as Victim	Situation as Def.	Situation as Victim
001	M	M	M	1	19	25	U	32	3	07	6	3	7	4	7	3	5	4	8	7
002	M	M	M	1	24	29	U	42	3	20	7	3	9	2	7	2	2	2	9	9
003	M	M	M	1	25	44	U	47	2	10	6	4	4	9	4	3	7	3	9	9
004	M	M	M	1	19	28	U	29	2	10	7	3	7	2	9	2	6	3	8	9
005	M	M	M	1	19	27	U	33	3	40	8	4	8	2	7	2	9	2	7	7
006	M	M	M	1	18	54	U	48	2	20	7	4	9	8	9	2	9	1	9	4
007	M	M	M	1	20	55	R	18	3	05	6	6	8	6	9	3	7	4	9	9
008	M	M	M	1	19	55	U	56	3	30	7	4	9	8	8	7	9	8	9	8
009	M	M	M	1	19	27	U	58	2	15	9	5	9	9	7	2	7	5	9	5
010	M	M	F	1	36	53	U	15	2	10	5	5	9	5	3	1	9	9	9	5
011	M	M	F	1	23	45	R	37	2	10	5	3	8	4	3	1	5	3	1	7
012	M	M	F	1	19	27	U	74	3	05	7	2	9	1	2	1	8	1	9	2
013	M	M	F	1	19	27	U	56	2	05	8	5	9	3	9	1	3	3	9	9
014	M	M	F	1	18	68	U	09	2	10	8	5	4	6	9	1	8	2	7	3
015	M	M	F	1	28	28	U	16	3	20	5	5	7	4	2	2	7	7	9	4
016	M	M	F	1	19	39	U	36	3	10	8	5	8	5	8	4	9	9	1	1
017	M	M	F	1	23	55	U	24	2	04	5	6	5	5	3	3	5	9	2	9
018	M	M	F	1	29	66	R	10	3	40	5	5	9	9	3	3	3	3	8	3
019	M	F	M	1	20	34	U	01	2	07	6	4	4	3	9	1	5	5	8	7
020	M	F	M	1	32	49	U	76	2	01	5	5	6	6	4	5	8	8	5	3
021	M	F	M	1	19	28	U	73	2	01	1	1	9	1	1	1	1	1	9	9
022	M	F	M	1	19	28	U	17	2	05	3	6	9	3	9	1	4	3	8	9
023	M	F	M	1	18	28	U	53	3	25	3	4	8	3	9	2	9	9	9	9
024	M	F	M	1	20	58	U	42	2	01	6	4	9	6	4	1	9	6	9	8

Crime of Negligence

Subject No.	Verdict ^c	Sentence	Liking for Def.	Liking for Victim	Similarity to Def.	Similarity to Victim	Empathy for Def.	Empathy for Victim	Place as Def.	Place as Victim	Situation as Def.	Situation as Victim	Societal Norm 1 ^d	Societal Norm 2 ^d	Societal Norm 3 ^d
001	2	03	6	3	6	5	6	2	4	4	6	6	1	1	1
002	2	10	8	3	8	3	9	1	3	2	8	3	1	1	1
003	2	10	9	4	4	5	9	4	3	3	4	5	1	1	2
004	2	07	8	1	9	2	8	2	7	3	9	3	1	1	1
005	2	01	5	5	3	2	3	1	6	6	7	6	1	1	1
006	2	05	5	5	9	9	9	3	9	3	9	2	2	2	2
007	2	01	5	5	7	5	3	1	4	5	8	5	1	1	2
008	2	01	8	5	9	5	8	2	8	2	8	2	1	1	2
009	2	01	7	5	4	5	7	2	8	9	3	2	1	1	1
010	2	02	5	5	9	5	3	2	3	9	8	5	2	2	2
011	2	01	9	1	9	3	9	1	7	2	8	1	2	2	2
012	2	02	3	1	8	1	8	1	8	1	9	3	2	2	2
013	2	01	5	5	7	1	4	1	2	1	8	7	1	1	2
014	2	01	5	7	5	5	9	1	2	8	5	4	1	2	2
015	2	09	6	4	8	2	3	1	8	2	8	2	2	2	2
016	1	01	9	5	7	5	6	1	4	1	6	1	1	1	2
017	2	04	6	5	9	5	9	1	9	2	9	5	1	1	2
018	2	20	5	5	8	4	8	2	7	3	8	3	1	1	2
019	2	01	5	5	4	5	9	1	5	5	7	5	1	1	1
020	2	01	5	4	7	5	3	4	7	3	9	2	1	1	1
021	2	10	9	1	9	5	9	1	9	1	9	2	1	1	2
022	2	02	7	3	9	1	9	1	8	3	9	3	2	2	2
023	2	06	7	6	8	7	9	2	5	4	8	2	2	1	1
024	2	01	6	5	9	3	3	1	9	2	9	6	2	2	2

Crime of Murder

Subject No.	Sex of Subject-juror	Sex of Defendant	Sex of Victim	Order ^a	Age	Socioeconomic Status	Residence	Empathy	Verdict ^b	Sentence	Liking for Def.	Liking for Victim	Similarity to Def.	Similarity to Victim	Empathy for Def.	Empathy for Victim	Place as Def.	Place as Victim	Situation as Def.	Situation as Victim
025	M	F	M	1	25	32	U	40	2	05	7	3	9	1	7	2	8	2	9	8
026	M	F	M	1	19	28	U	32	3	07	2	1	9	1	9	1	7	1	1	9
027	M	F	M	1	19	44	U	23	3	20	6	3	7	3	9	3	5	7	9	5
028	M	F	F	1	19	68	U	-1	2	20	7	4	4	5	7	1	7	4	8	8
029	M	F	F	1	23	62	U	69	2	01	3	5	5	5	7	1	7	3	7	3
030	M	F	F	1	19	42	U	16	2	02	5	5	9	9	9	5	9	1	9	9
031	M	F	F	1	19	59	U	36	2	05	4	5	5	7	5	4	2	8	3	7
032	M	F	F	1	21	60	U	44	3	15	8	5	5	5	8	2	7	3	8	5
033	M	F	F	1	19	55	U	24	2	05	5	5	9	4	5	1	9	5	8	8
034	M	F	F	1	19	29	R	24	2	01	5	5	4	5	1	1	2	5	7	7
035	M	F	F	1	19	29	U	12	3	20	7	2	8	2	7	3	6	3	8	2
036	M	F	F	1	19	55	R	-5	1	01	7	7	9	9	4	4	4	4	9	9
037	M	M	M	2	19	58	R	51	2	02	6	4	9	9	5	2	8	8	8	8
038	M	M	M	2	21	28	U	49	3	25	9	1	9	2	9	2	9	5	9	9
039	M	M	M	2	22	51	R	59	2	06	9	1	9	3	7	1	9	2	9	3
040	M	M	M	2	31	28	U	22	2	05	5	3	9	2	6	2	8	2	9	3
041	M	M	M	2	19	74	U	52	2	10	8	3	6	4	6	1	6	4	7	4
042	M	M	M	2	20	35	R	3	3	40	9	3	9	6	9	1	7	4	8	8
043	M	M	M	2	19	62	R	-4	3	25	8	4	9	4	7	2	5	5	9	9
044	M	M	M	2	20	49	R	19	2	15	8	3	8	2	7	1	8	2	9	9
045	M	M	M	2	30	35	U	36	2	15	5	5	7	5	9	1	9	3	9	9
046	M	M	F	2	23	25	U	21	2	04	8	5	9	7	7	5	8	7	9	8
047	M	M	F	2	19	39	R	46	3	20	9	3	8	3	9	1	7	2	9	5
048	M	M	F	2	18	43	U	47	2	10	5	5	9	5	6	4	9	9	9	9

Crime of Negligence.

Subject No.	Verdict ^c	Sentence	Liking for Def.	Liking for Victim	Similarity to Def.	Similarity to Victim	Empathy for Def.	Empathy for Victim	Place as Def.	Place as Victim	Situation as Def.	Situation as Victim	Societal Norm 1 ^d	Societal Norm 2 ^d	Societal Norm 3 ^d
025	2	01	6	5	7	5	4	1	7	9	3	3	1	1	2
026	2	02	6	2	9	5	4	1	9	1	8	8	2	2	2
027	1	01	7	4	8	3	8	3	5	4	8	5	1	1	1
028	2	10	3	7	9	5	8	1	8	7	9	5	1	1	2
029	2	02	8	5	8	7	6	1	9	3	8	2	2	2	2
030	2	01	5	5	4	3	9	1	9	1	9	5	1	1	1
031	2	02	6	4	8	3	8	2	8	2	8	7	2	2	2
032	2	01	9	5	5	5	9	2	2	5	5	5	2	2	2
033	2	02	6	5	7	3	8	4	7	5	8	7	1	1	2
034	2	10	7	5	8	5	9	1	9	1	9	3	1	1	2
035	2	03	3	3	5	4	4	2	4	3	7	7	2	1	1
036	2	02	6	5	7	4	7	1	4	4	8	7	1	1	2
037	2	01	4	4	4	8	2	1	2	6	2	2	1	1	1
038	2	01	7	5	8	8	7	2	5	1	8	1	1	1	1
039	2	01	4	5	3	8	4	7	2	9	8	7	1	1	2
040	2	01	7	4	3	8	2	2	4	3	7	6	1	1	1
041	2	05	7	5	9	3	7	1	6	4	7	2	1	2	2
042	2	01	5	6	1	1	3	2	1	3	2	3	2	2	2
043	2	05	5	2	3	6	9	1	2	6	5	8	1	1	1
044	2	01	9	1	9	2	9	3	8	3	8	3	1	2	2
045	2	01	9	5	9	9	2	9	4	1	9	3	1	2	2
046	2	01	6	5	8	6	4	4	4	6	8	6	2	2	2
047	2	01	9	3	9	7	9	1	9	2	7	3	1	1	2
048	2	01	5	5	9	5	1	1	4	9	9	4	2	2	2

Crime of Murder

Subject No.	Sex of Subject-juror	Sex of Defendant	Sex of Victim	Order ^a	Age	Socioeconomic Status	Residence	Empathy	Verdict ^b	Sentence	Liking for Def.	Liking for Victim	Similarity to Def.	Similarity to Victim	Empathy for Def.	Empathy for Victim	Place as Def.	Place as Victim	Situation as Def.	Situation as Victim
049	M	M	F	2	19	40	U	50	2	25	9	2	9	4	8	3	9	9	9	9
050	M	M	F	2	19	30	U	62	2	15	9	5	8	5	8	1	9	4	9	4
051	M	M	F	2	20	61	R	53	2	5	4	3	9	4	9	1	7	5	6	5
052	M	M	F	2	25	29	U	30	2	15	7	5	9	5	5	5	9	9	9	9
053	M	M	F	2	19	49	U	11	2	40	9	5	9	5	9	1	9	9	9	9
054	M	M	F	2	19	31	U	30	2	15	4	7	7	9	9	1	8	7	9	8
055	M	F	M	2	21	28	U	43	3	20	8	5	7	4	9	1	7	4	9	9
056	M	M	M	2	19	75	U	31	3	5	7	7	9	8	9	7	7	8	9	8
057	M	F	M	2	19	76	U	16	2	1	5	5	9	5	9	9	9	9	9	9
058	M	F	M	2	19	58	R	31	2	10	8	2	9	4	9	1	9	8	9	7
059	M	F	M	2	21	27	U	26	3	15	6	5	9	5	5	2	4	4	9	9
060	M	F	M	2	20	35	R	68	2	20	9	1	9	1	9	1	9	1	9	9
061	M	F	M	2	23	75	U	30	2	5	5	5	5	5	5	1	8	8	8	8
062	M	F	M	2	19	44	U	13	2	13	7	2	8	3	8	2	6	3	8	8
063	M	F	M	2	22	37	R	37	3	15	7	3	8	5	7	3	4	4	8	4
064	M	F	F	2	20	25	U	28	2	5	8	2	8	3	8	2	9	5	9	5
065	M	F	F	2	27	39	R	24	3	12	5	5	9	5	8	5	6	5	9	8
066	M	F	F	2	20	70	U	10	3	20	8	4	9	4	9	1	5	5	6	4
067	M	F	F	2	19	28	U	27	2	1	3	3	2	8	2	4	2	7	9	9
068	M	F	F	2	21	28	U	24	2	20	8	3	9	3	8	2	9	9	9	9
069	M	F	F	2	21	40	U	11	2	30	5	5	9	5	7	1	7	3	8	7
070	M	F	F	2	19	42	R	50	2	40	9	1	9	1	7	1	6	1	1	1
071	M	F	F	2	20	39	U	10	2	8	5	5	9	9	6	3	9	9	9	9
072	M	F	F	2	20	70	U	26	3	10	9	3	9	3	8	2	8	5	9	3

Crime of Negligence

Subject No.	Verdict ^c	Sentence	Liking for Def.	Liking for Victim	Similarity to Def.	Similarity to Victim	Empathy for Def.	Empathy for Victim	Place as Def.	Place as Victim	Situation as Def.	Situation as Victim	Societal Norm 1 ^d	Societal Norm 2 ^d	Societal Norm 3 ^d
049	2	02	7	4	2	6	6	2	7	9	8	8	1	1	2
050	2	01	5	5	6	5	6	1	4	6	4	7	1	1	2
051	2	01	7	5	5	3	9	1	2	3	5	2	1	1	1
052	2	01	5	5	7	5	3	3	9	9	9	5	1	1	1
053	2	01	5	5	7	9	9	1	5	5	8	4	1	1	2
054	2	03	7	5	8	5	9	2	9	3	9	3	1	1	2
055	2	01	7	5	5	5	2	8	5	5	3	4	1	1	2
056	2	01	5	5	6	5	7	1	3	2	3	3	1	1	2
057	2	01	5	5	9	5	9	9	9	9	9	5	1	1	2
058	2	01	7	3	6	4	5	5	7	3	7	4	1	1	2
059	1	01	5	5	9	5	2	1	2	8	8	1	2	2	2
060	2	05	8	3	6	3	8	3	9	2	8	9	2	2	2
061	2	01	7	5	9	5	9	1	9	5	9	5	1	1	1
062	2	02	6	5	6	5	6	3	2	7	8	4	1	2	1
063	2	02	4	5	7	4	4	2	3	6	4	2	1	1	1
064	2	01	5	5	7	5	7	3	7	4	6	5	2	2	1
065	2	01	6	5	8	9	4	3	5	5	9	8	2	2	2
066	2	01	7	5	7	9	8	1	2	5	1	7	2	2	2
067	2	01	5	5	8	5	2	2	3	9	2	8	1	1	1
068	2	01	5	6	3	7	4	7	7	3	6	3	1	1	1
069	2	02	5	5	7	8	8	1	6	3	7	3	1	1	2
070	2	03	9	4	9	9	9	1	9	1	9	1	1	1	2
071	2	01	5	5	4	5	9	1	7	7	4	3	2	2	2
072	2	05	7	5	7	5	8	1	3	3	4	4	1	1	2

Crime of Murder

Subject No.	Sex of Subject-juror	Sex of Defendant	Sex of Victim	Order ^a	Age	Socioeconomic Status	Residence	Empathy	Verdict ^b	Sentence	Liking for Def.	Liking for Victim	Similarity to Def.	Similarity to Victim	Empathy for Def.	Empathy for Victim	Place as Def.	Place as Victim	Situation as Def.	Situation as Victim
073	F	M	M	1	18	25	U	29	2	02	6	4	4	5	1	1	1	1	9	9
074	F	M	M	1	20	28	U	84	2	03	6	6	4	7	3	3	7	7	3	5
075	F	M	M	1	20	68	U	49	3	40	8	5	8	5	9	2	8	5	9	5
076	F	M	M	1	21	74	U	54	2	20	5	5	7	3	6	2	9	9	9	9
077	F	M	M	1	19	60	U	50	2	10	8	5	8	2	9	1	9	1	9	9
078	F	M	M	1	19	40	U	43	2	20	8	3	8	3	8	1	8	3	9	1
079	F	M	M	1	19	30	R	76	2	5	5	3	7	7	2	1	5	5	9	9
080	F	M	M	1	19	42	U	65	3	10	5	5	8	5	4	5	9	4	9	9
081	F	M	M	1	19	64	U	31	2	20	7	3	8	5	5	3	8	4	8	7
082	F	M	F	1	31	25	U	44	2	8	5	5	7	4	7	5	9	9	7	7
083	F	M	F	1	20	35	R	50	2	10	3	8	1	2	9	1	9	3	9	5
084	F	M	F	1	19	75	U	69	3	40	9	2	8	3	9	1	7	3	9	8
085	F	M	F	1	20	28	U	29	2	25	7	5	9	5	7	3	8	6	9	9
086	F	M	F	1	19	27	U	36	2	40	8	5	8	5	9	5	4	4	9	7
087	F	M	F	1	19	45	U	46	2	10	8	5	6	4	5	3	3	2	7	8
088	F	M	F	1	20	34	R	41	3	15	6	5	8	5	9	2	7	4	9	9
089	F	M	F	1	19	68	R	98	3	40	9	1	9	1	9	1	9	1	9	7
090	F	M	F	1	18	76	R	42	2	06	7	2	9	4	6	2	2	2	9	9
091	F	F	M	1	24	75	U	89	2	02	5	5	9	5	5	5	9	9	9	5
092	F	F	M	1	17	76	U	25	2	40	9	4	9	2	9	1	9	4	8	5
093	F	F	M	1	19	49	U	61	2	05	5	5	7	7	3	1	4	3	4	4
094	F	F	M	1	22	53	U	17	1	01	5	5	6	5	2	1	5	5	8	8
095	F	F	M	1	22	62	U	67	2	04	5	5	6	5	4	5	6	6	7	7
096	F	F	M	1	42	70	U	28	2	05	7	4	9	3	5	3	2	6	9	9

Crime of Negligence

Subject No.	Verdict ^c	Sentence	Liking for Def.	Liking for Victim	Similarity to Def.	Similarity to Victim	Empathy for Def.	Empathy for Victim	Place as Def.	Place as Victim	Situation as Def.	Situation as Victim	Societal Norm 1 ^d	Societal Norm 2 ^d	Societal Norm 3 ^d
073	2	01	7	1	6	1	1	1	5	4	3	1	2	2	2
074	2	05	6	5	6	6	3	2	6	5	7	5	1	1	2
075	2	05	6	5	7	5	3	1	9	2	9	5	1	1	2
076	2	01	5	5	8	5	7	1	9	1	8	1	1	1	2
077	2	07	9	5	4	1	9	1	9	7	9	7	2	2	2
078	2	05	9	1	9	1	9	1	9	1	9	1	1	2	2
079	2	02	8	5	9	5	9	1	9	5	9	4	2	2	2
080	2	03	7	5	9	5	6	5	8	3	9	2	1	1	2
081	2	05	9	2	8	2	6	2	8	3	8	3	2	2	2
082	2	02	5	5	4	4	5	5	7	7	7	7	1	1	2
083	2	01	6	4	9	9	7	1	9	5	8	3	1	2	2
084	2	05	8	5	9	5	9	1	8	4	9	4	1	1	2
085	2	01	5	5	9	8	8	2	9	4	9	5	2	2	2
086	2	15	6	5	8	5	7	3	6	5	6	3	1	1	2
087	2	05	9	4	8	5	9	1	1	1	8	4	1	2	2
088	2	02	8	5	9	5	9	2	7	7	8	4	1	1	2
089	2	10	9	1	9	1	9	1	9	1	9	1	1	1	2
090	2	01	9	2	9	3	9	1	3	1	7	2	1	1	2
091	2	01	7	5	7	5	9	2	9	9	9	5	1	1	2
092	2	02	6	4	7	2	7	1	7	1	6	2	1	1	2
093	2	02	9	2	9	3	9	1	8	2	7	3	1	1	2
094	2	01	5	5	6	5	6	3	5	5	6	5	2	2	2
095	2	02	5	5	5	5	6	5	4	4	5	5	2	2	2
096	2	01	7	5	9	4	8	1	9	2	9	2	2	2	2

Crime of Murder

Subject No.	Sex of Subject-juror	Sex of Defendant	Sex of Victim	Order ^a	Age	Socioeconomic Status	Residence	Empathy	Verdict ^b	Sentence	Liking for Def.	Liking for Victim	Similarity to Def.	Similarity to Victim	Empathy for Def.	Empathy for Victim	Place as Def.	Place as Victim	Situation as Def.	Situation as Victim
097	F	F	M	1	19	42	U	42	2	10	5	5	7	7	7	1	8	8	8	8
098	F	F	M	1	18	42	U	57	2	10	7	1	7	2	5	1	1	1	9	8
099	F	F	M	1	18	27	R	66	3	30	8	5	9	2	9	1	7	3	9	9
100	F	F	F	1	25	25	U	69	2	01	5	5	9	9	1	1	5	5	9	8
101	F	F	F	1	31	25	U	53	2	01	5	7	5	8	4	6	7	4	8	8
102	F	F	F	1	18	62	U	34	2	05	5	7	5	9	7	1	8	6	9	2
103	F	F	F	1	19	74	U	54	2	12	5	5	6	6	6	3	7	6	8	4
104	F	F	F	1	27	62	U	44	2	10	5	4	8	4	2	2	6	3	8	5
105	F	F	F	1	19	42	U	59	2	05	5	5	7	5	3	3	8	8	6	6
106	F	F	F	1	18	29	U	54	2	05	8	2	8	3	8	3	9	2	9	7
107	F	F	F	1	19	35	R	48	2	40	8	6	9	9	8	2	8	3	9	5
108	F	F	F	1	21	75	R	51	1	01	6	5	4	6	1	3	1	4	7	8
109	F	M	M	2	18	28	U	25	2	20	5	5	6	5	6	6	6	4	6	4
110	F	M	M	2	19	45	R	100	2	10	8	2	4	6	4	6	9	9	4	5
111	F	M	M	2	22	47	U	68	3	40	9	1	9	2	9	1	8	1	9	2
112	F	M	M	2	25	74	R	45	2	20	8	2	7	7	8	2	9	3	7	9
113	F	M	M	2	20	28	U	60	2	03	5	5	6	3	2	3	4	6	9	5
114	F	M	M	2	19	49	R	44	2	35	9	3	9	2	9	1	9	9	9	9
115	F	M	M	2	18	64	R	55	3	10	8	5	5	3	5	2	5	5	8	4
116	F	M	M	2	22	45	U	59	2	03	5	5	8	3	5	1	7	7	8	7
117	F	M	M	2	19	62	U	29	2	15	6	4	9	7	3	1	9	9	9	9
118	F	M	F	2	19	59	U	40	2	20	8	3	9	5	8	1	9	6	9	9
119	F	M	F	2	19	63	U	82	2	20	5	5	7	5	4	1	1	1	1	1
120	F	M	F	2	19	70	U	36	2	40	8	5	8	5	7	2	9	9	9	8

Crime of Negligence

Subject No.	Verdict ^c	Sentence	Liking for Def.	Liking for Victim	Similarity to Def.	Similarity to Victim	Empathy for Def.	Empathy for Victim	Place as Def.	Place as Victim	Situation as Def.	Situation as Victim	Societal Norm 1 ^d	Societal Norm 2 ^d	Societal Norm 3 ^d
097	2	02	4	5	5	5	8	1	6	5	6	5	1	1	2
098	2	03	8	1	9	5	9	1	5	5	9	8	1	1	1
099	2	04	8	3	9	3	9	1	2	2	3	5	1	1	2
100	2	01	5	5	5	5	7	1	7	4	5	5	1	2	2
101	2	01	5	1	6	1	6	1	6	1	1	7	1	1	1
102	2	01	7	5	3	5	6	2	1	5	1	5	2	2	2
103	2	07	8	5	8	4	9	2	6	2	5	5	1	1	2
104	2	02	5	5	7	5	8	1	8	2	8	3	1	1	2
105	2	07	5	5	9	5	8	1	9	5	8	5	1	1	2
106	2	01	8	5	8	5	9	1	9	3	9	1	2	2	2
107	2	20	9	2	9	2	9	1	4	2	9	3	1	1	2
108	2	01	5	5	4	5	1	3	1	1	3	7	1	2	2
109	2	01	4	4	6	1	6	1	5	1	5	4	1	1	1
110	2	02	7	5	9	5	7	3	9	9	8	5	2	2	2
111	2	03	9	2	8	2	9	1	2	2	3	2	1	1	2
112	2	03	3	4	7	4	9	1	3	3	4	5	1	1	2
113	2	01	6	5	9	5	7	1	3	4	9	3	2	2	2
114	2	04	8	5	9	4	9	1	9	3	9	2	1	1	2
115	2	02	7	4	9	4	9	1	4	4	8	3	2	2	2
116	2	01	5	5	9	8	8	1	9	8	9	5	1	2	2
117	1	01	5	5	9	5	4	3	7	6	9	5	1	1	2
118	2	03	8	4	8	5	8	2	9	1	8	1	1	2	2
119	2	01	6	7	7	4	8	1	1	1	2	1	1	1	1
120	2	05	7	5	8	5	9	1	9	3	8	4	2	2	2

Crime of Murder

Subject No.	Sex of Subject-juror	Sex of Defendant	Sex of Victim	Order ^a	Age	Socioeconomic Status	Residence	Empathy	Verdict ^b	Sentence	Liking for Def.	Liking for Victim	Similarity to Def.	Similarity to Victim	Empathy for Def.	Empathy for Victim	Place of Def.	Place of Victim	Situation of Def.	Situation of Victim
121	F	M	F	2	18	39	R	55	2	20	8	2	4	1	8	1	5	1	1	1
122	F	M	F	2	26	29	U	68	2	10	8	3	9	3	7	1	9	9	9	9
123	F	M	F	2	17	42	U	38	2	20	8	4	9	2	2	2	3	5	7	6
124	F	M	F	2	41	35	U	45	1	01	5	5	4	4	4	2	4	4	8	8
125	F	M	F	2	21	55	U	23	2	10	4	4	7	5	3	1	4	2	9	5
126	F	M	F	2	24	34	U	23	2	05	8	3	9	3	5	4	9	4	9	7
127	F	F	M	2	19	28	R	56	2	20	6	2	6	4	6	2	9	7	9	7
128	F	F	M	2	22	54	U	39	2	01	6	5	8	4	3	2	8	8	9	5
129	F	F	M	2	19	44	U	30	3	40	7	5	9	5	8	1	9	1	9	5
130	F	F	M	2	29	40	U	55	2	10	7	5	8	3	7	1	8	7	6	6
131	F	F	M	2	19	61	U	52	2	07	8	2	9	5	9	2	5	2	9	5
132	F	F	M	2	18	46	U	45	2	10	5	5	9	9	9	7	5	5	9	9
133	F	F	M	2	19	49	R	96	2	20	6	4	4	5	5	4	4	4	3	3
134	F	F	M	2	18	45	U	41	2	10	7	3	8	5	5	3	9	9	9	3
135	F	F	M	2	19	59	U	88	2	05	4	4	7	7	5	2	9	9	9	7
136	F	F	F	2	18	27	U	40	2	05	7	5	8	2	6	5	8	8	8	8
137	F	F	F	2	19	48	U	70	2	10	9	2	9	1	8	1	9	9	9	8
138	F	F	F	2	21	45	U	91	2	10	6	2	8	3	6	3	8	3	8	5
139	F	F	F	2	18	28	U	41	2	05	6	1	4	7	5	2	7	4	9	9
140	F	F	F	2	19	42	U	50	3	10	9	5	8	3	7	3	8	5	8	5
141	F	F	F	2	19	35	R	61	2	20	9	2	9	3	5	1	6	4	9	9
142	F	F	F	2	18	33	R	56	2	05	6	3	8	6	7	3	9	5	9	5
143	F	F	F	2	21	34	U	61	3	10	7	3	5	5	6	4	7	4	8	7
144	F	F	F	2	22	29	R	42	2	25	9	2	9	1	8	1	9	1	8	2

Crime of Negligence

Subject No.	Verdict ^c	Sentence	Liking for Def.	Liking for Victim	Similarity to Def.	Similarity to Victim	Empathy for Def.	Empathy for Victim	Place as Def.	Place as Victim	Situation as Def.	Situation as Victim	Societal Norm 1 ^d	Societal Norm 2 ^d	Societal Norm 3 ^d
121	2	02	4	4	8	7	7	1	2	5	6	3	1	1	2
122	2	01	6	3	9	5	3	1	3	2	9	1	1	1	2
123	2	03	7	1	8	5	9	1	3	8	7	3	1	1	2
124	1	01	5	5	4	5	4	4	2	3	8	8	2	1	2
125	2	01	7	1	9	2	9	1	9	1	9	5	1	1	2
126	2	03	9	5	9	4	9	1	9	4	9	4	1	1	2
127	2	05	8	3	9	3	9	1	8	2	8	1	1	1	2
128	2	03	6	5	9	5	9	2	9	1	9	1	2	2	2
129	2	01	5	5	9	9	9	1	9	1	9	5	1	2	2
130	2	01	4	4	8	5	4	2	3	6	6	6	1	1	2
131	2	01	7	2	9	3	9	1	9	1	9	1	1	1	2
132	2	02	8	5	8	5	9	5	4	5	6	6	1	2	2
133	2	02	6	5	5	5	7	3	6	5	6	5	1	1	2
134	2	01	8	1	9	2	9	1	9	2	8	1	2	2	2
135	2	01	4	4	7	4	8	3	6	3	3	3	1	1	1
136	2	01	6	1	9	1	9	1	1	9	5	1	1	1	2
137	2	02	7	3	9	4	7	1	2	8	8	1	2	2	2
138	2	02	7	5	9	5	5	2	9	4	9	5	1	1	2
139	2	01	6	2	7	3	7	2	8	3	9	5	1	1	2
140	2	02	7	5	7	4	8	2	5	4	7	5	1	1	2
141	2	01	7	5	9	5	3	1	4	4	9	5	1	2	2
142	2	02	8	4	9	7	6	2	9	1	9	3	1	2	2
143	2	01	6	5	4	5	4	4	4	5	4	5	1	1	2
144	2	01	5	5	8	2	8	2	7	2	9	1	2	2	2

- a_1 = murder presented first
- 2 = negligence presented first
- b_1 = not guilty
- 2 = guilty of manslaughter
- 3 = guilty of murder
- c_1 = not guilty
- 2 = guilty of negligence
- d_1 = yes
- 2 = no

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