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Effects of Defendant Sexual Orientation on Jurors' Perceptions of Child Sexual Assault

Tisha R. A. Wiley · Bette L. Bottoms

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Abstract We examined mock jurors' reactions to a sexual abuse case involving a male teacher and a 10-year-old child. Because gay men are sometimes stereotyped as child molesters, we portrayed defendant sexual orientation as either gay or straight and the victim as either a boy or girl. Jurors made more pro-prosecution decisions in cases involving a gay versus straight defendant, particularly when the victim was a boy. In boy-victim cases, jurors' emotional feelings of moral outrage toward the defendant mediated these effects. On average, women jurors were more pro-prosecution than were men. Results have implications for understanding social perceptions of cross- and same-gender child sexual abuse and juror decision making in child sexual assault cases perpetrated by homosexual and heterosexual men.

Keywords Child sexual abuse · Sexual orientation · Juror decision making · Moral outrage · Emotion · Homosexual · Gender

Many scandals have linked homosexuality to child sexual abuse. For example, after the Boston Globe broke the story of sexually abusive priest John Geoghan in 2002, it was revealed that nearly 90 other priests had allegedly abused children in the Boston Archdiocese alone (Brackett & Baird, 2002). Nationally, over 10,000 individuals made allegations of abuse against nearly 4,400 priests between 1950 and 2002 (John Jay College Research Team, 2004).

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One of the many interesting psychological issues at the heart of this scandal is the well-publicized underlying assumption that priests who abuse children are gay and that their "deviant" sexuality is to blame for their actions. One stereotype about gay men generally is that they are over-sexed, predatory child molesters who are drawn to boys in particular (Simon, 1998; Stevenson, 2000).

In this study, we address novel questions about how defendant sexual orientation influences jurors' decisions in child sexual abuse cases. This is of applied significance because although many accused priests are indeed guilty of their alleged crimes, false accusations do occur. Some evidence suggests that defendants perceived to be homosexual face general biases in the legal system (Horn & Krieger, 2001) and in child sexual abuse cases specifically (Walsh, 1994), but this topic has received little empirical attention. We test whether defendants perceived to be gay face unfair presumptions of guilt in child sexual abuse cases.

ANTI-GAY BIAS

Although attitudes toward homosexuality are more positive now than in the past (Yang, 1997), negative attitudes remain common (Herek, 2000, 2002; Kite & Whitley, 1996; Yang, 1997). Homosexuals often face ridicule (D'Augelli & Rose, 1990; Franklin, 2000; Herek, 1992), victimization (Herek, Gillis, Cogan, & Glunt, 1997), discrimination (Herek, 2000), and subtle behavioral manifestations of anti-gay bias (Morrison & Morrison, 2002). Anti-gay biases and moral opposition to homosexuality (Yang, 1997) are fed by negative stereotypes, for example, that gay men are promiscuous (Simon, 1998) and prone to pedophilia (Finkelhor, 2003; Herek, 2002; Simon, 1998). Clinical research, however,

suggests that homosexuality is not causally linked to child sexual abuse (Groth & Birnbaum, 1976; Jenny, Roesler, & Poyer, 1994).

As noted earlier, the issues of pedophilia and sexual orientation are frequently conflated in the context of the Catholic sex abuse scandal (Herek, 2002; Russell & Kelly, 2003), perhaps because the victims are typically boys (80%, John Jay College Research Team, 2004). This link was evident in this Catholic Church official's public statement: "It's not truly a pedophilia-type problem but a homosexual-type problem" (reported by Sennott, 2002). Surveys reveal that people presume a link between homosexuality and pedophilia (e.g., Crockett & Kusak-McGuire, 2002; Herek, 2002). In fact, in one survey, 30% of registered voters endorsed a statement that "typical" behavior for gay men included trying to "take advantage sexually of boys and young men" (Human Rights Campaign, 2006). This stereotype has been explicit in arguments against the rights of gays to teach, marry, and adopt children (Cameron & Cameron, 1998; Levitt & Klassen, 1974; Russell & Kelly, 2003; Schaffer & Case, 1982; Stevenson, 2000).

What are the implications of such attitudes and stereotypes in the courtroom? Homosexuality is a stigmatized social identity that might unfairly bias jurors, much like being African American. That is, African Americans are stereotyped as criminal-like (Devine, 1989) and are more likely to be convicted and receive harsher sentences than Caucasians (for reviews, see Mitchell, Haw, Pfeifer, & Meissner, 2005; Sweeney & Haney, 1992). If jurors endorse the stereotype that gay men are pedophiles, gay defendants might face similar unfair presumptions of guilt in child sexual abuse cases. Research reveals general biases against homosexuality in the legal context. For example, 56% of gay and lesbian court users in California ($N = 1,225$) reported experiencing or observing negative behaviors or comments directed toward homosexuals (Horn & Krieger, 2001). Wakelin and Long (2003) found that participants who read a short vignette describing a male-perpetrated rape blamed gay men and straight women victims more than they blamed straight men and lesbian women victims (i.e., victims whose sexual orientation did not suggest a potential attraction to the perpetrator). Hill (2000) found that mock jurors were more likely to convict gay than straight defendants accused of adult rape and less likely to convict in cases involving homosexual compared to straight victims of either gender. We expected that similar biases would manifest in child sexual abuse cases. We asked undergraduate mock jurors to render judgments about a hypothetical child sexual abuse case. For the first time, we varied the defendant's sexual orientation explicitly as well as the 10-year-old victim's gender, predicting that gay defendants would be treated harsher than straight defendants.

We were also interested in identifying the psychological mechanisms underlying such effects. To some, homosexuality

is immoral. Researchers in social and political psychology have identified the construct of *moral outrage* to describe negative affective, cognitive, and behavioral reactions to violations of moral norms (Skitka, Bauman, & Mullen, 2004). This research suggests that people are driven at a basic level to protect their beliefs about what is right and wrong and are motivated to right perceived wrongs, symbolically, or actually, when they encounter norm violations (Skitka, 2002; Skitka & Mullen, 2002; Skitka, Bauman, & Mullen, 2004). Even when morally outraged, are jurors able to set aside strong affective and moral reactions and objectively evaluate evidence and apply the law without bias? Prior research reveals that emotions can bias legal judgments (e.g., Haegerich & Bottoms, 2000), and this is an important emerging area of inquiry (Bandes, 1996; Bornstein & Weiner, 2006). We theorized that many individuals would experience moral outrage in response to child sexual abuse allegations, especially in cases involving gay defendants. Accordingly, we expected moral outrage to drive judgments, specifically, to mediate effects of defendant sexual orientation on case judgments.

VICTIM GENDER

Attitudes toward homosexual *persons* and homosexual *behaviors* can be distinct dimensions of attitudes toward homosexuality (Kite & Whitley, 1996, but see Davies, 2004). Thus, in addition to biases against homosexuals, jurors might also have biases against homosexual acts (i.e., man-on-boy abuse) as compared to heterosexual acts (i.e., man-on-girl abuse). We varied victim gender, expecting that jurors would make more pro-prosecution judgments in cases involving boy versus girl victims, regardless of defendant sexual orientation. Specifically, we expected jurors to be most pro-prosecution in cases involving gay defendants and boy victims and least pro-prosecution in cases involving straight defendants and girl victims.

In cases involving pre-adolescent children, same-gender abuse is perceived as more abusive than cross-gender child sexual abuse (Drugge, 1992; Maynard & Wiederman, 1997). For example, Shakeshaft and Cohan (1995) found that when actual allegations of teacher-perpetrated sexual abuse involve a boy compared to a girl victim, school superintendents are more likely to take the case and the victim seriously and investigate it. In actual trials, after controlling for crime seriousness, prior record, and admissions of responsibility, offenders convicted of sexually abusing a boy under the age of 13 are over 6.5 times more likely to be imprisoned than offenders convicted of abusing a girl (Walsh, 1994).

Even so, some researchers suggest that young boys are not recognized as true victims (e.g., Eisenberg, Owens, & Dewey, 1987; Finkelhor, 1984). Donnelly and Kenyon (1996) reported that some law enforcement officers and rape

crisis counselors endorsed the myths that boys are infrequently sexually abused and that boy victims are weak, effeminate, and might even secretly enjoy sexual assault. Yet in recent years, high-profile cases involving the Catholic Church, Congressman Mark Foley, pop-icon Michael Jackson, and others have kept boy victims in the news and might have made the public more aware of boys' victimhood.

Alternatively, jurors' decisions might not be affected by victim gender at all, at least when the victim is relatively young. For example, Bottoms and Goodman (1994) found no effects of victim gender on mock jurors' case judgments in response to a sexually abusive incident between a 6-, 11-, or 14-year-old child and an adult teacher. Similar null effects were found in a mock juror study by Crowley, O'Callaghan, and Ball (1994) and in a number of studies measuring reactions to vignettes (Back & Lips, 1998; Isquith, Levine, & Scheiner, 1993; O'Donohue, Elliott, Nickerson, & Valentine, 1992; Maynard & Wiederman, 1997; Waterman & Foss-Goodman, 1984). None of these vignette or mock trial studies, however, explicitly stated perpetrator sexual orientation.

Finally, defendant sexual orientation might interact with victim gender such that jurors are more pro-prosecution when the defendant's sexual orientation is consistent with the victim's gender (i.e., a straight man accused of abusing a girl or a gay man accused of abusing a boy) than in cases where it is not (i.e., a straight man accused of abusing a boy or a gay man accused of abusing a girl). This would reflect a plausibility effect: Jurors might simply make more pro-prosecution judgments in cases they perceive to be plausible (cases that fit their stereotypes about gay and straight perpetrators' child gender preference) as compared to cases that seem less plausible. Such a plausibility effect was found by Bottoms, Davis, and Epstein (2004) for mock jurors' judgments in same-race versus different-race child sexual abuse cases and by Williams and Farrell (1990) for prosecution rates of actual day care cases that were stereotype-consistent (i.e., middle-aged white man abusing a young white girl) compared to stereotype-inconsistent (e.g., woman abusing an African American girl).

Note that we restrict this discussion and our predictions to cases involving pre-adolescent children, whom we studied in this research (i.e., 10 year olds). Studies using victims older than 13 years sometimes reveal effects of victim gender, but these effects are inconsistent and have occurred in sexual abuse cases involving special circumstances such as (a) repressed memory (Clark & Nunez-Nightingale, 1997; ForsterLee, Horowitz, Ho, ForsterLee, & McGovern, 1999), (b) "consensual" sexual contact (Broussard & Wagner, 1988; Broussard, Wagner, & Kazelskis, 1991; Dollar, Perry, Fromuth, & Holt, 2004; Maynard & Wiederman, 1997), and (c) allegations made in support of a victim/murder defendant's claim of self-defense (Haegerich & Bottoms, 2000). Still other studies involving older victims have found interactions between perpetrator gender and victim gender

driven by relatively positive attitudes toward sexual interactions between adolescent boys and adult women (Quas, Bottoms, Haegerich, & Nysse-Carris, 2002; Smith, Fromuth, & Morris, 1997; Waterman & Foss-Goodman, 1984).

JUROR GENDER

One of the most robust findings in this literature is that, on average, women are more likely than men to make prosecution judgments in simulated child sexual abuse trials (e.g., Bottoms & Goodman, 1994; Gabora, Spanos, & Joab, 1993; Golding, Alexander, & Stewart, 1999; for review see Bottoms, Golding, Stevenson, Wiley, & Yozwiak, 2007), in part, because women tend to be more empathic toward child victims and to hold more negative attitudes toward child sexual abuse than men (Bottoms, 1993). Thus, we hypothesized a main effect of juror gender such that, overall, women would be more pro-prosecution in their judgments than men. This would extend the literature on juror gender effects to a new profile of case circumstances.

METHOD

Participants

Participants were 203 jury-eligible undergraduates (51% men, *M* age = 19 years) from a large, urban, Midwestern university who participated in return for course credit. The sample was diverse in terms of ethnicity (41% Caucasian, 10% African American, 30% Asian, 15% Hispanic, and 4% other) and religion (44% Catholic, 31% other Christian denominations, 5% Muslim, 5% Hindu, 4% Atheist, and 11% other). Six participants (four men, two women) self-identified as bisexual or homosexual and approximately half (48%) reported knowing someone who was homosexual.¹

¹ An additional 45 participants were dropped from all analyses for failing one or more manipulation checks: 25 for recalling the victim's age as younger than 8 or older than 11 years (four each in the gay-on-girl and gay-on-boy conditions, nine in the straight-on-girl condition, and eight in the straight-on-boy condition). Of the rest, four were dropped for being suspicious that the study had something to do with homosexuality (three in the gay-on-girl condition and one in the gay-on-boy condition) and 20 more were dropped because they incorrectly recalled the testimony about the defendant's sexual orientation (one of whom was also suspicious, and three of whom also missed victim age), including (a) in the gay-on-boy condition, one person who replied "Don't know," (b) in the straight-on-girl condition, two people who replied "Don't know," and (c) in the gay-on-girl condition, two people who said bisexual, (d) in the straight-on-boy condition, seven people who replied "Don't know," two who said gay, and six who said bisexual. Of these, five chose the correct orientation for the perceived orientation question (one each in the gay-on-girl, gay-on-boy conditions, and straight-on-girl conditions, and two in the straight-on-boy condition). No participants missed child victim gender.

Design and Materials

Our study conformed to a 2 (defendant sexual orientation: gay, straight) \times 2 (victim gender) \times 2 (mock juror gender) between-subjects design.

Case Scenario

The 2-page written scenario described a sexual abuse allegation involving a 10-year-old child and a 34-year-old male teacher. We used a male teacher because men are responsible for ~94% of reported child sexual abuse (Snyder, 2000). The scenario was based on details from actual cases and modified from scenarios used in prior research (Bottoms, Davis, & Epstein, 2004; Bottoms & Goodman, 1994; Quas, Bottoms, Haegerich, & Nysse-Carris, 2002). It was reviewed by an experienced prosecutor to ensure realism. The scenario was constructed to be relatively ambiguous and resulted in 51% guilty verdicts overall. The scenario included (a) a brief overview and list of witnesses, (b) a summary of prosecution witnesses' testimony (i.e., alleged victim, victim's mother, a police officer), and (c) a summary of defense witnesses' testimony (i.e., defendant, school principal). The prosecution presents evidence that the victim spent substantial time alone with the defendant and was in the defendant's home. The alleged victim is said to "describe oral sex acts" that he/she was forced to perform "a bunch of times" with the defendant. The defense presents evidence of the defendant's positive record. The defendant admits the child was in his home, but denies the allegations and claims the victim is disturbed.

Defendant sexual orientation was manipulated via the police officer's and defendant's testimony. In the gay condition, the officer testifies that he "found a large stash of sexually explicit gay magazines and pictures in the defendant's home. The magazines and pictures showed adult men engaged in various sex acts with other adult men." The defendant testifies that he owns the materials and is attracted to adult men, but denies being attracted to children. In the straight condition, the officer testifies that he "found a large stash of sexually explicit magazines and pictures in the defendant's home. The magazines and pictures showed adult men engaged in various sex acts with adult women." The defendant testifies that he owns the materials and is attracted to adult women, but denies being attracted to children. The victim was a girl in half of the scenarios and a boy in the other half, with victim name and pronouns changed accordingly.

Juror Instructions

Participants read the Illinois Pattern Jury Instructions appropriate for this case. The instructions describe the

elements of the crime and the burden of proof (i.e., beyond a reasonable doubt).

Case Judgments

Participants first made a dichotomous guilt judgment (*guilty, not guilty*) in response to this question, "If you were on a jury and *had* to decide this case, would you find the defendant guilty or not guilty of predatory criminal sexual assault of a child?" Next, they responded to the question, "How confident or sure are you of your judgment of guilt or innocence that you just made?" on an 11-point Likert-type scale ranging from 0 (*not at all confident*) to 100% (*completely confident*). Dichotomous guilt judgments and the confidence scale were combined to create a 22-point degree of guilt scale that ranged from 1 (*not guilty, extremely confident*) to 22 (*guilty, extremely confident*). Perceived credibility of the defendant and alleged victim were assessed with the item "How credible do you think [witness] was (in other words, how believable was [witness])?" using a 6-point scale ranging from -3 (*extremely not believable*) to +3 (*extremely believable*). (Scores for this and other such scales were transformed to range from 1 to 6 for analyses. Scales did not include a midpoint.)

Regardless of their guilt judgments, participants were asked to indicate whether they thought "sexual contact between the defendant and the alleged victim occurred" on a 6-point scale ranging from -3 (*it absolutely did not occur*) to +3 (*it absolutely did occur*). Participants who gave a rating higher than -3 completed items measuring the extent to which they thought the defendant and, separately, the victim (a) was to blame for the incident, ranging from 1 (*do not blame at all*) to 6 (*completely blame*); (b) was responsible for the sexual contact, ranging from 1 (*not at all responsible*) to 6 (*extremely responsible*); (c) caused the sexual contact, ranging from 1 (*did not cause at all*) to 6 (*completely caused*); and (d) wanted the sexual contact, ranging from 1 (*did not want at all*) to 6 (*completely wanted*). The four defendant items were averaged to form the defendant responsibility scale. The four victim items were averaged to form the victim responsibility scale. Each had good internal reliability (Cronbach's α s = .80 and .93, mean inter-item correlations = .52 and .74, respectively).

Moral Outrage

Moral outrage was assessed with four items adapted from Skitka, Bauman, and Mullen (2004) moral outrage measure: "I feel a compelling need to punish the defendant," "I feel morally outraged by what the defendant did to the victim," "I believe the defendant is evil to the core," and "I feel a desire to hurt the defendant." Responses ranged

from 1 (*disagree strongly*) to 6 (*agree strongly*). Responses to the four items were averaged to form an internally consistent moral outrage scale (Cronbach's $\alpha = .82$, mean inter-item correlation = $.53$).

Manipulation Checks

Participants were asked to recall victim age and victim gender with simple, open-ended questions. Participants were asked to recall defendant sexual orientation (i.e., manipulated sexual orientation) with the question “*According to testimony you read, was the defendant, Donald Reed, most sexually attracted to men or women? That is, what was the defendant’s sexual orientation?*” Respondents were given the choices “Men (He was Gay),” “Women (He was Straight),” “Both (He was Bisexual),” and “Don’t Know.” Participants who did not correctly recall this testimony manipulation were dropped from the study.

Perceived Sexual Orientation Measure

We expected that despite their accurate memory for the testimony about defendant sexual orientation, some participants who read about a straight man abusing a boy might actually think the defendant was gay, and some participants who read about a gay man abusing a girl might actually think the defendant was straight. So that we could understand the extent to which participants’ judgments were influenced by their *perceptions* of the defendant’s sexual orientation as opposed to our *manipulation* of his sexual orientation, we asked participants “*Regardless of the testimony you read, do you believe the defendant, Donald Reed, is most sexually attracted to men or women? That is, what do you believe the defendant’s sexual orientation is?*” Respondents were given the choices “Men (He was Gay),” “Women (He was Straight),” “Both (He was Bisexual),” and “Don’t Know.”

Demographic Characteristics

Participants were asked to report their age, ethnicity, familiarity with homosexuality (“Has any friend, family member, or close acquaintance revealed to you that he or she is homosexual?”), and sexual orientation, which was assessed with two questions: (a) “Which of the following best describes you these days?” with possible responses of *heterosexual or straight; homosexual, gay, or lesbian; and bisexual*; and (b) “To whom are you most sexually attracted?” with possible responses of *men, women, both, and neither*.

Procedure

The study was conducted with a mock trial method used successfully in prior studies (e.g., Bottoms, Nysse-Carris, Harris, & Tyda, 2003; Gabora, Spanos, & Joab, 1993; Golding, Alexander, & Stewart, 1999). In sessions of 1–15 (groups were mixed gender), jury-eligible (i.e., US citizens over the age of 18) participants (a) provided informed consent, (b) read the 2-page case scenario, (c) read Illinois Pattern Jury Instructions, (d) made case-relevant judgments and indicated their level of moral outrage, (e) completed manipulation checks, (f) indicated their perceptions of defendant sexual orientation, (g) provided demographic information, and (h) were thanked and debriefed. Participants were randomly assigned to experimental condition except that there were approximately equal numbers of men and women in each experimental condition.

RESULTS

We first describe the results from 2 (manipulated defendant sexual orientation: gay, straight) \times 2 (victim gender) \times 2 (mock juror gender) between-subjects ANOVAs on all case judgments except dichotomous verdict, for which we used logistic regressions with all main effects and interactions entered into the equation. See Table 1 for all means.

Second, we report these analyses replicated with one change: We used the independent variable of participants’ *perceptions* of the defendant’s sexual orientation instead of *manipulated* sexual orientation. This was necessary because, as expected, some participants believed the defendant’s orientation was something other than what they were told in the testimony, even though these participants *all* remembered our manipulation correctly. We must assume that those participants’ decisions were based on their perceptions of the defendant’s sexual orientation, rather than our manipulation. This alternate approach to data analysis resulted in the following changes in the distribution of participants across conditions: (a) 30 participants who were “unsure” of the defendant’s sexual orientation were dropped entirely from this second set of analyses (11 in the gay-on-girl condition, 9 in the straight-on-boy condition, 6 in the gay-on-boy condition, and 4 in the straight-on-girl condition); (b) two participants in the manipulated gay-on-girl condition moved to the perceived straight-on-girl condition (i.e., they read about a gay defendant, but thought the defendant was straight), and (c) 17 participants in the manipulated straight-on-boy condition moved to the perceived gay-on-boy condition (i.e., they read about a straight defendant, but thought the

Table 1 Case judgments as a function of victim gender, juror gender, and manipulated defendant sexual orientation

Dependent measure	Gay defendant			Straight defendant			Marginals		
	Women	Men	Marginal	Women	Men	Marginal	Women	Men	Grand mean
	Verdict (<i>N</i> = 203)	.72 (.45)	.45 (.50)	.58 (.50)	.50 (.51)	.38 (.49)	.44 (.50)	.61 (.49)	.42 (.50)
Girl victim	.64 (.49)	.42 (.50)	.53 (.50)	.60 (.50)	.41 (.50)	.50 (.51)	.62 (.49)	.42 (.50)	.51 (.50)
Boy victim	.80 (.41)	.48 (.51)	.64 (.49)	.40 (.50)	.36 (.49)	.38 (.49)	.60 (.50)	.42 (.50)	.51 (.50)
Degree of guilt ^a (<i>N</i> = 203)	15.50 (7.31)	11.16 (8.42)	13.26 (8.16)	12.50 (7.89)	10.50 (8.01)	11.48 (7.98)	13.97 (7.72)	10.83 (8.18)	12.36 (8.10)
Girl victim	14.17 (7.42)	10.38 (8.31)	12.20 (8.05)	13.64 (7.95)	10.96 (7.97)	12.25 (8.00)	13.90 (7.62)	10.68 (8.07)	12.23 (7.98)
Boy victim	16.83 (7.11)	11.96 (8.63)	14.35 (8.22)	11.36 (7.83)	10.00 (8.18)	10.68 (7.95)	14.04 (7.91)	10.98 (8.38)	12.49 (8.25)
Belief contact happened ^{ab} (<i>N</i> = 203)	4.60 (1.26)	4.04 (1.33)	4.32 (1.32)	4.30 (1.42)	4.02 (1.50)	4.16 (1.46)	4.45 (1.34)	4.03 (1.41)	4.24 (1.39)
Girl victim	4.24 (1.45)	3.77 (1.34)	4.00 (1.40)	4.56 (1.16)	4.22 (1.40)	4.38 (1.29)	4.40 (1.31)	4.00 (1.37)	4.19 (1.35)
Boy victim	4.96 (.94)	4.32 (1.28)	4.64 (1.16)	4.04 (1.62)	3.80 (1.61)	3.92 (1.60)	4.50 (1.39)	4.06 (1.46)	4.28 (1.44)
Defendant credibility ^{ab} (<i>N</i> = 198)	2.70 (1.30)	3.52 (1.46)	3.11 (1.44)	3.31 (1.33)	3.36 (1.44)	3.33 (1.38)	3.00 (1.34)	3.44 (1.45)	3.22 (1.41)
Girl victim	2.96 (1.17)	3.73 (1.37)	3.35 (1.32)	3.12 (1.39)	3.23 (1.45)	3.18 (1.41)	3.04 (1.28)	3.48 (1.42)	3.26 (1.36)
Boy victim	2.44 (1.39)	3.29 (1.55)	2.86 (1.51)	3.50 (1.25)	3.50 (1.45)	3.50 (1.34)	2.96 (1.41)	3.40 (1.48)	3.18 (1.46)
Victim credibility ^{ac} (<i>N</i> = 200)	5.08 (0.85)	4.31 (1.07)	4.69 (1.04)	4.51 (1.23)	4.20 (1.18)	4.35 (1.21)	4.80 (1.09)	4.26 (1.12)	4.53 (1.13)
Girl victim	4.92 (.76)	4.19 (1.30)	4.55 (1.12)	4.64 (1.32)	4.27 (1.08)	4.45 (1.21)	4.78 (1.08)	4.23 (1.18)	4.50 (1.16)
Boy victim	5.24 (.93)	4.44 (0.77)	4.84 (.93)	4.38 (1.14)	4.13 (1.30)	4.25 (1.21)	4.82 (1.11)	4.29 (1.06)	4.55 (1.11)
Defendant responsibility scale ^b (<i>N</i> = 186)	5.30 (1.01)	5.06 (1.01)	5.18 (1.01)	5.01 (1.17)	4.80 (1.47)	4.90 (1.33)	5.15 (1.10)	4.93 (1.27)	5.04 (1.19)
Girl victim	5.18 (1.14)	4.93 (1.19)	5.06 (1.16)	5.28 (0.92)	4.92 (1.46)	5.09 (1.23)	5.23 (1.02)	4.93 (1.32)	5.08 (1.19)
Boy victim	5.41 (0.88)	5.19 (0.80)	5.30 (0.84)	4.72 (1.36)	4.66 (1.51)	4.69 (1.42)	5.07 (1.18)	4.93 (1.22)	5.00 (1.20)
Victim responsibility scale (<i>N</i> = 186)	1.75 (.86)	1.95 (.86)	1.85 (.86)	1.72 (.86)	1.80 (.89)	1.76 (.87)	1.73 (.86)	1.87 (.87)	1.80 (.86)
Girl victim	1.92 (.94)	2.05 (.98)	1.99 (.95)	1.70 (.81)	1.79 (.77)	1.75 (.78)	1.81 (.88)	1.91 (.88)	1.86 (.87)
Boy victim	1.58 (.76)	1.85 (.71)	1.71 (.74)	1.74 (.93)	1.81 (1.03)	1.77 (.97)	1.66 (.84)	1.83 (.87)	1.74 (.86)
Moral outrage scale (<i>N</i> = 186)	4.17 (1.06)	3.88 (0.99)	4.02 (1.03)	3.82 (1.08)	3.82 (1.26)	3.82 (1.17)	4.00 (1.08)	3.85 (1.13)	3.92 (1.10)
Girl victim	4.16 (1.16)	3.79 (1.10)	3.98 (1.14)	4.00 (1.08)	3.77 (1.28)	3.88 (1.18)	4.08 (1.11)	3.78 (1.19)	3.93 (1.16)
Boy victim	4.18 (0.96)	3.95 (0.88)	4.06 (0.92)	3.63 (1.08)	3.89 (1.27)	3.76 (1.17)	3.91 (1.05)	3.92 (1.07)	3.92 (1.05)

Note: Verdicts were dichotomous (0 = not guilty, 1 = guilty). Degree of guilt ranged from 1 (not guilty, 100% confident) to 22 (guilty, 100% confident). All other judgments ranged from 1 (not at all) to 6 (extremely)

^a Significant main effect of juror gender, *F*s > 4.85, *p*s < .05

^b Significant orientation × victim gender interaction, *F*s > 4.21, *p*s < .05

^c Significant main effect of defendant sexual orientation, *F*(1, 192) = 4.99, *p* < .05

defendant was gay or bisexual).² See Table 2 for the number of participants per condition and Table 3 for all means.

Finally, note that all analyses reported herein remain unchanged after excluding self-identified gay participants and controlling for whether jurors knew someone who was gay.

Analyses Using Manipulated Defendant Sexual Orientation

Juror Gender Main Effects

Compared to men, women rated (a) the defendant more guilty in terms of degree of guilt, $F(1, 192) = 8.00$, $p < .01$, $\eta^2 = .04$; (b) the defendant less credible, $F(1, 191) = 4.89$, $p < .05$, $\eta^2 = .03$; (c) the victim more credible, $F(1, 192) = 12.05$, $p < .01$, $\eta^2 = .06$; and (d) the sexual contact more likely to have happened $F(1, 195) = 4.85$, $p < .05$, $\eta^2 = .02$. Juror gender did not significantly affect dichotomous verdict, Wald = .09, *ns*, OR = 1.19, defendant responsibility, victim responsibility, nor moral outrage, all $F_s \leq 1.60$, *ns*.

Defendant Sexual Orientation Main Effects

As expected, victims of gay defendants were rated as significantly more credible than victims of straight defendants, $F(1, 192) = 4.99$, $p < .05$, $\eta^2 = .03$. There were also trends that approached significance for gay defendants to be rated guiltier in terms of degree of guilt, $F(1, 193) = 2.71$, $p = .10$, $\eta^2 = .01$, and more responsible, $F(1, 178) = 2.73$, $p = .10$, $\eta^2 = .02$, than straight defendants. Defendant sexual orientation did not significantly affect dichotomous verdict, Wald = .74, OR = 1.64, belief contact happened, defendant credibility, victim responsibility, nor moral outrage, all $F_s \leq 1.57$, *ns*.

Victim Gender Main Effects

Contrary to predictions, there were no significant main effects of victim gender on verdict, Wald = .12, OR = 1.22, $R^2 = .11$, degree of guilt, belief contact happened, defendant credibility, victim credibility, defendant

Table 2 Number of subjects per condition resulting from using the manipulated versus perceived independent variable of defendant sexual orientation

		Manipulated	Perceived
Gay-on-boy	Men	25	29
	Women	25	32
	Total	50	61
Gay-on-girl	Men	26	18
	Women	25	20
	Total	51	38
Straight-on-boy	Men	25	15
	Women	25	9
	Total	50	24
Straight-on-girl	Men	27	27
	Women	25	23
	Total	52	50
Grand total		203	173

responsibility, victim responsibility, nor moral outrage, all $F_s \leq .94$, *ns*.

Interactions

Two-way interactions of defendant sexual orientation and victim gender were significant for defendant credibility, $F(1, 191) = 4.21$, $p < .05$, $\eta^2 = .02$, and belief contact happened, $F(1, 195) = 8.33$, $p < .01$, $\eta^2 = .04$, and approached significance for degree of guilt, $F(1, 193) = 2.78$, $p = .09$, $\eta^2 = .01$, and defendant responsibility, $F(1, 178) = 3.54$, $p = .06$, $\eta^2 = .02$. The pattern was similar across all four measures: Simple effects analyses revealed that when the victim was a boy, but not when the victim was a girl, $F(1, 103) = .43$, *ns*, jurors rated the defendant as less credible when he was gay versus straight, $F(1, 98) = 5.25$, $p < .05$, $\eta^2 = .05$. Similarly, when the victim was a boy, but not a girl, $F(1, 103) = 2.05$, *ns*, jurors were significantly more likely to believe that contact happened when the defendant was gay than when he was straight, $F(1, 98) = 6.97$, $p < .05$, $\eta^2 = .06$. (To avoid violating alpha, we did not conduct simple effect analyses exploring the marginally significant effects on degree of guilt and defendant responsibility, but Table 1 reveals a similar pattern of means for these variables.) There were no other significant two- or three-way interactions, all $F_s \leq 2.49$, *ns* (for verdict, Walds ≤ 2.24 , *ns*, ORs $\leq .66$).

Analyses Using Perceived Defendant Sexual Orientation

The second set of analyses using perceived rather than manipulated defendant sexual orientation as the dependent

² A reviewer wondered whether the 44 participants originally in the gay condition might differ from these additional 17 participants who thought the defendant was gay even though the materials stated otherwise, because the latter might have thought the defendant was lying about his sexuality and therefore might also be lying about the abuse. A *t*-test on defendant credibility ratings, however, showed no significant difference between the 17 participants who changed conditions ($M = 2.88$, $SD = 1.45$) and the 44 who did not change conditions ($M = 2.84$, $SD = 1.56$), $t(58) = .10$, *ns*.

Table 3 Case judgments as a function of victim gender, juror gender, and perceived defendant sexual orientation

Dependent measure	Gay defendant			Straight defendant			Marginals		
	Women	Men	Marginal	Women	Men	Marginal	Women	Men	Grand mean
	Verdict ^{acd} (N = 173)	0.65 (.48)	0.49 (.51)	0.58 (.50)	0.50 (.51)	0.31 (.47)	0.39 (.49)	.60 (.49)	.40 (.49)
Girl victim	0.70 (.47)	0.33 (.49)	0.53 (.51)	0.61 (.50)	0.44 (.51)	0.52 (.51)	.65 (.48)	.40 (.50)	.52 (.50)
Boy victim	0.62 (.49)	0.59 (.50)	0.61 (.49)	0.22 (.44)	0.07 (.26)	0.13 (.34)	.54 (.51)	.41 (.50)	.47 (.50)
Degree of guilt ^{abc} (N = 172)	14.63 (7.61)	11.72 (8.60)	13.23 (8.19)	12.31 (7.91)	9.36 (7.36)	10.64 (7.69)	13.73 (7.77)	10.61 (8.08)	12.12 (8.06)
Girl victim	15.25 (6.94)	8.44 (7.78)	12.03 (8.03)	13.78 (7.93)	11.63 (7.86)	12.62 (7.89)	14.47 (7.44)	10.36 (7.90)	12.36 (7.91)
Boy victim	14.23 (8.10)	13.76 (8.58)	14.00 (8.27)	8.56 (6.89)	5.27 (3.99)	6.50 (5.37)	12.95 (8.12)	10.86 (8.35)	11.86 (8.26)
Belief contact happened ^{ac} (N = 173)	4.62 (1.26)	4.23 (1.39)	4.43 (1.33)	4.16 (1.46)	3.76 (1.45)	3.93 (1.46)	4.44 (1.35)	4.01 (1.43)	4.22 (1.40)
Girl Victim	4.45 (1.32)	3.56 (1.38)	4.03 (1.40)	4.57 (1.20)	4.30 (1.30)	4.42 (1.25)	4.51 (1.24)	4.00 (1.37)	4.25 (1.32)
Boy victim	4.72 (1.22)	4.66 (1.23)	4.69 (1.22)	3.11 (1.62)	2.80 (1.21)	2.92 (1.35)	4.37 (1.46)	4.02 (1.50)	4.19 (1.48)
Defendant credibility ^{abc} (N = 170)	2.83 (1.35)	3.26 (1.54)	3.03 (1.45)	3.38 (1.36)	3.62 (1.30)	3.51 (1.32)	3.04 (1.38)	3.43 (1.44)	3.24 (1.42)
Girl victim	2.85 (1.14)	3.83 (1.34)	3.32 (1.32)	3.09 (1.38)	3.23 (1.37)	3.16 (1.36)	2.98 (1.26)	3.48 (1.37)	3.23 (1.34)
Boy victim	2.81 (1.49)	2.89 (1.57)	2.85 (1.52)	4.11 (1.05)	4.36 (.75)	4.26 (.86)	3.10 (1.50)	3.38 (1.51)	3.24 (1.50)
Victim credibility ^{abc} (N = 171)	5.02 (.92)	4.47 (1.08)	4.76 (1.03)	4.44 (1.41)	4.00 (1.18)	4.19 (1.30)	4.80 (1.16)	4.25 (1.14)	4.52 (1.18)
Girl victim	5.00 (.73)	4.11 (1.37)	4.58 (1.15)	4.65 (1.37)	4.35 (1.09)	4.49 (1.23)	4.81 (1.12)	4.25 (1.20)	4.53 (1.19)
Boy victim	5.03 (1.03)	4.69 (.81)	4.87 (.94)	3.89 (1.45)	3.36 (1.08)	3.57 (1.24)	4.78 (1.22)	4.26 (1.09)	4.51 (1.18)
Defendant responsibility scale ^{acd} (N = 159)	5.26 (.92)	5.16 (.98)	5.21 (.94)	4.88 (1.33)	4.63 (1.52)	4.74 (1.44)	5.12 (1.10)	4.91 (1.28)	5.01 (1.20)
Girl victim	5.25 (.91)	4.80 (1.21)	5.04 (1.07)	5.30 (.93)	5.06 (1.39)	5.17 (1.19)	5.28 (.91)	4.96 (1.31)	5.12 (1.14)
Boy victim	5.27 (.94)	5.37 (.77)	5.32 (.85)	3.54 (1.56)	3.71 (1.44)	3.64 (1.45)	4.93 (1.27)	4.87 (1.26)	4.90 (1.26)
Victim responsibility scale ^c (N = 159)	1.77 (.84)	1.81 (.85)	1.79 (.84)	1.91 (.96)	1.91 (.91)	1.91 (.93)	1.82 (.88)	1.86 (.88)	1.84 (.88)
Girl victim	2.00 (.98)	2.06 (1.01)	2.03 (.98)	1.74 (.84)	1.72 (.74)	1.73 (.78)	1.86 (.90)	1.85 (.86)	1.86 (.88)
Boy victim	1.62 (.71)	1.66 (.72)	1.64 (.71)	2.43 (1.20)	2.33 (1.13)	2.37 (1.12)	1.78 (.87)	1.86 (.90)	1.82 (.88)
Moral outrage scale ^{acd} (N = 160)	4.15 (1.01)	4.00 (1.05)	4.08 (1.03)	3.84 (1.15)	3.61 (1.29)	3.71 (1.23)	4.03 (1.07)	3.82 (1.17)	3.92 (1.13)
Girl victim	4.33 (.99)	3.61 (1.12)	4.00 (1.10)	4.11 (1.01)	3.87 (1.32)	3.98 (1.18)	4.21 (.99)	3.77 (1.24)	3.99 (1.14)
Boy victim	4.03 (1.02)	4.21 (.96)	4.12 (.99)	2.96 (1.21)	3.06 (1.07)	3.03 (1.09)	3.83 (1.13)	3.88 (1.12)	3.85 (1.11)

Note: Verdicts were dichotomous (0 = not guilty, 1 = guilty). Degree of guilt ranged from 1 = not guilty, 100% confident, to 22 = guilty, 100% confident. All other judgments ranged from 1 = not at all to 6 = extremely

^a Significant main effect of sexual orientation, $F_s > 6.16, p_s < .01$

^b Significant main effect of juror gender, $F_s > 6.43, p_s < .07$

^c Significant sexual orientation X victim gender interaction, $F_s > 8.84, p_s < .01$

^d Significant main effect of victim gender, $F_s > 4.65, p_s < .06$

variable revealed effects in the same direction as those described above, but stronger, particularly in cases involving boy victims (see Table 3).

Juror Gender Main Effects

The pattern of means for the main effect of juror gender was unchanged and remained significant across some measures, but not all, reflecting the loss of power due to the reduced N . Specifically, consistent with our hypotheses, as compared to men, women assigned a higher degree of guilt to the defendant, $F(1, 164) = 6.43, p < .01, \eta^2 = .04$, and rated victims as more credible, $F(1, 163) = 8.16, p < .01, \eta^2 = .05$. Women were also marginally more likely than men to believe contact happened, $F(1, 165) = 3.35, p = .07, \eta^2 = .02$. The main effect of juror gender was not significant for verdict, Wald = 1.70, *ns*, OR = 1.65, defendant credibility, defendant responsibility, victim responsibility, nor moral outrage, all $F_s \leq 2.65, ns$.

Defendant Sexual Orientation Main Effects

The main effect of defendant sexual orientation was much more pervasive in these analyses, emerging for every measure except victim responsibility. As hypothesized, participants made significantly more pro-prosecution judgments in cases involving gay as compared to straight defendants. Specifically, compared to straight defendants, gay defendants were (a) more likely to be convicted (58 vs. 39%), Wald = 8.26, $p < .01$, OR = 3.58, $R^2 = .19$; (b) assigned a higher degree of guilt, $F(1, 164) = 6.16, p < .01, \eta^2 = .04$; (c) rated as less credible, $F(1, 162) = 7.22, p < .01, \eta^2 = .04$; and (d) attributed more responsibility, $F(1, 151) = 15.92, p < .001, \eta^2 = .10$. Compared to victims of straight defendants, victims of gay defendants were rated as more credible, $F(1, 163) = 12.77, p < .001, \eta^2 = .07$, but not more or less responsible, $F(1, 151) = 2.10, ns$. Further, jurors were more morally outraged, $F(1, 152) = 8.21, p < .01, \eta^2 = .05$, and more likely to believe sexual contact happened, $F(1, 165) = 9.63, p < .01, \eta^2 = .06$, in cases involving gay versus straight defendants.

Victim Gender Main Effects

In the perceived orientation analyses, jurors made more pro-prosecution judgments when the victim was a girl versus a boy. Specifically, as compared to when the victim was a boy, when the victim was a girl, jurors were significantly more likely to (a) vote guilty (52 vs. 47%, respectively), Wald = 4.74, $p < .05$, OR = 2.56, $R^2 = .19$; (b) rate the defendant responsible, $F(1, 151) = 10.75, p < .01, \eta^2 = .07$; and (c) be morally outraged, $F(1, 152) = 4.67,$

$p < .05, \eta^2 = .03$. Jurors were also marginally more likely to believe that sexual contact happened when the victim was a girl versus a boy, $F(1, 165) = 3.55, p = .06, \eta^2 = .02$. Victim gender did not significantly influence degree of guilt, defendant credibility, victim credibility, nor victim responsibility, all $F_s \leq 2.49, ns$.

Interactions

Significant two-way interactions of defendant sexual orientation and victim gender were also more pervasive, with a similar pattern (shown in Fig. 1) emerging for every dependent measure. Specifically, simple effects analyses revealed that when the defendant was gay, compared to straight, in boy victim cases (but not in girl victim cases, all $F_s < 2.45, ns$), jurors (a) were more likely to vote guilty, Wald = 8.86, $p < .01$, OR = .07, $R^2 = .19$; (b) assigned a higher degree of guilt, $F(1, 82) = 16.52, p < .001, \eta^2 = .17$; (c) rated the defendant less credible, $F(1, 83) = 18.16, p < .001, \eta^2 = .18$; (d) rated the victim as more credible, $F(1, 84) = 22.34, p < .001, \eta^2 = .25$; (e) were more likely to believe that contact happened, $F(1, 85) = 32.93, p < .001, \eta^2 = .29$; (f) rated the defendant as more responsible, $F(1, 74) = 33.13, p < .001, \eta^2 = .34$;

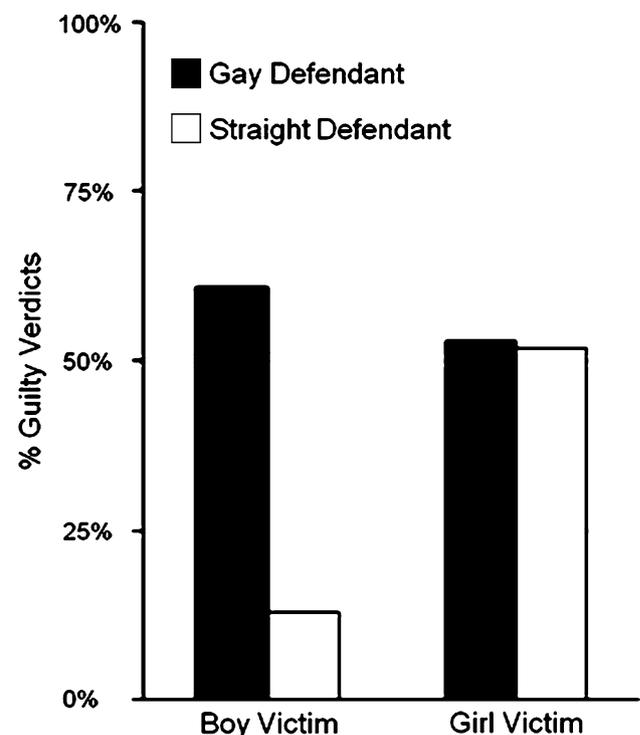


Fig. 1 Significant two-way interaction of perceived defendant sexual orientation and victim gender for verdict. This pattern is illustrative of the pattern found across all significant defendant sexual orientation \times victim gender interactions for both perceived and manipulated analyses

(g) rated the victim as less responsible, $F(1, 74) = 11.83$, $p < .01$, $\eta^2 = .13$; and (h) were more morally outraged, $F(1, 75) = 14.37$, $p < .001$, $\eta^2 = .18$. No other two- or three-way interactions were significant, all $F_s \leq 2.22$, ns (for verdict, $Walds \leq .76$, ns , $ORs \leq .15$).

Moral Outrage as a Mediator of Anti-gay Biases

Across all four victim gender \times perceived sexual orientation conditions, moral outrage was very highly correlated with most case judgments, including verdict ($r_s = .57$ to $.61$, $ps \leq .05$), degree of guilt ($r_s = .61$ to $.69$, $ps < .01$), belief contact happened ($r_s = .57$ to $.83$, $ps < .05$), and defendant responsibility ($r_s = .57$ to $.83$, $ps < .001$). Correlations were also significant for defendant credibility ($r_s = -.56$ to $-.70$, $ps < .001$) and victim credibility ($r_s = .46$ to $.66$, $ps < .01$) in the gay-on-girl, gay-on-boy, and straight-on-girl conditions, but not in the straight-on-boy condition ($r_s = -.36$ and $.11$, respectively). Moral outrage was significantly correlated with victim responsibility in the gay-on-boy ($r = -.47$, $p < .001$) and straight-on-girl conditions ($r = -.38$, $p < .01$), but not in the gay-on-girl ($r = -.23$, ns) nor straight-on-boy conditions ($r = .17$, ns).

For each case judgment, we tested moral outrage as a mediator of perceived defendant sexual orientation in accordance with Baron and Kenny's (1986) guidelines. First, we examined whether perceived sexual orientation predicted each case judgment. Second, we examined whether perceived sexual orientation predicted moral outrage. Third, when both sexual orientation and moral outrage were entered as predictors of a particular case judgment, we examined whether (a) the moral outrage beta coefficient was significant, and (b) the perceived orientation beta coefficient was no longer significant (full mediation) or reduced significantly (partial mediation). Because ANOVAs indicated that the effects of defendant sexual orientation were qualified by interactions such that the effects were significant when the victim was a boy but not a girl, we conducted these analyses only for participants in the boy-victim condition.

Mediation analyses revealed that in cases involving boy victims, moral outrage significantly mediated the effect of defendant sexual orientation for every dependent variable: verdict, degree of guilt, belief contact happened, defendant credibility, victim credibility, defendant responsibility, and victim responsibility. (See Table 4 and Fig. 2, which illustrates the pattern for degree of guilt.) Specifically, in the first step of the analyses, jurors made more pro-prosecution judgments when the defendant was perceived as gay compared to straight. Second, jurors were significantly more morally outraged by abuse perpetrated by gay versus straight defendants. Third, when controlling for the effects

of sexual orientation, moral outrage was a significant predictor of all case judgments. Further, consistent with mediation, after controlling for moral outrage, the effects of perceived sexual orientation on all case judgments were no longer significant or decreased significantly. Defendant sexual orientation did not significantly influence case judgments after accounting for the effects of moral outrage. In other words, jurors' moral outrage drove anti-gay biases in case judgments.

Similar patterns of mediation emerged in mediation analyses using manipulated rather than perceived defendant sexual orientation as the independent variable.

DISCUSSION

Our study reveals clear evidence of bias against gay defendants in child sexual abuse cases, particularly when victims are boys. This effect is, in part, driven by jurors' feelings of moral outrage toward gay men accused of sexually abusing a child. Also, we found evidence of a bias against boy victims when the accused perpetrator is straight. Finally, our results extend prior findings of juror gender differences in child sexual abuse case judgments to a new domain. These findings all have important applied, theoretical, and methodological implications, as discussed next.

Anti-gay Biases in Case Judgments

Our data suggest that compared to straight defendants, defendants perceived to be gay face unfair presumptions of guilt in child sexual abuse cases. We were able to see this especially clearly because we not only explicitly varied defendant sexual orientation, but we also measured what jurors perceived the defendant's orientation to be, regardless of our manipulation. Victim gender, however, was an important moderator of this effect: When the victim was a boy, jurors consistently made more pro-prosecution judgments in cases involving gay as compared to straight defendants, but there were no significant differences when the victim was a girl. That is, our data provide clear support for the hypothesized plausibility effect only for the straight defendant: Jurors were more likely to convict when a straight defendant abused a plausible victim (girl) than an implausible victim (boy). But for gay defendants, there was no plausibility effect: Jurors were just as likely to convict a gay defendant accused of abusing a plausible boy victim as an implausible girl victim. This asymmetry clearly reflects an anti-gay bias, and is therefore theoretically and practically important. That is, jurors' stereotypical assumptions about the relation between sexual orientation and child victim gender preference—that is, what type of defendant

Table 4 Results of regression analyses showing moral outrage to be a mediator of the effect of perceived defendant sexual orientation on judgments in cases involving boy victims

Dependent Variable (criterion)	Step 1: Perceived orientation as a predictor of criterion				Step 2: Perceived orientation as a predictor of criterion, controlling for moral outrage (mediator)				Sobel z	
	Perceived orientation		Moral outrage (Mediator)		Perceived orientation		Moral outrage (Mediator)			
	B	SE B	β	R ²	B	SE B	β	R ²		
Verdict (N = 77)	-.48	.11	-.43***	.19	-.17	.11	-.15	.27	.44	3.37***
Degree of Guilt (N = 76)	-7.50	1.83	-.41***	.17	-2.53	1.78	-.13	4.52	.47	3.44***
Belief Contact Happened (N = 75)	-1.77	.30	-.54***	.29	-.66	.27	-.22*	.70	.52	3.47***
Defendant Credibility (N = 75)	1.41	.34	.42***	.18	.33	.31	.10	-.84	.47	3.48***
Victim Credibility (N = 76)	-1.30	.25	-.50***	.25	-.48	.22	-.21*	.43	.39	3.14***
Defendant Responsibility (N = 76)	-1.67	.27	-.58***	.34	-.94	.23	-.33***	.66	.62	3.56***
Victim Responsibility (N = 76)	.28	.22	.36**	.13	.51	.24	.25*	-.19	.18	1.82†

Note: For all dependent variables, perceived orientation was a significant predictor of moral outrage in Step 2 of the mediation analyses, $B = -1.10$, $SE B = .27$, $\beta = -.43$, $p < .01$, $R^2 = .18$. *** $p < .001$, ** $p < .01$, * $p < .05$, † $p < .10$

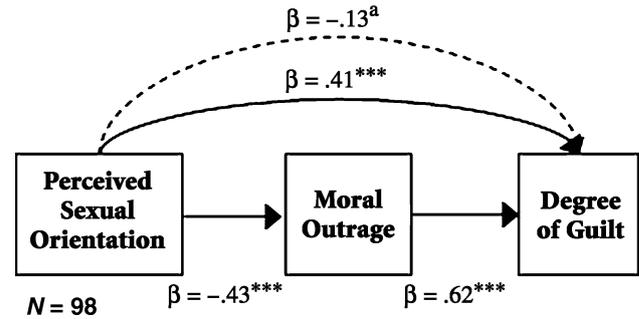


Fig. 2 Moral outrage as a mediator of the effect of perceived defendant sexual orientation on degree-of-guilt ratings for boy victims. This pattern is illustrative of the pattern found across all dependent measures for moral outrage. Note. Perceived sexual orientation was coded as 0 (straight) and 1 (gay). Moral outrage ranged from 1 (not at all) to 6 (extremely). Degree of guilt ranged from 1 (not guilty, 100% confident) to 22 (guilty, 100% confident). ^aSobel z = 2.18, $p < .05$, *** $p < .001$

commits what type of abuse—fuels a bias that has potential negative consequences for gay defendants in child sexual abuse cases.

These findings are consistent with prior research demonstrating anti-gay biases in jurors’ perceptions of defendants and victims in adult rape cases (e.g., Hill, 2000; Wakelin & Long, 2003), sentencing decisions in real child sexual abuse cases involving men perpetrators (Walsh, 1994), and in homosexual court users’ perceptions of biased treatment within the court system (Horn & Krieger, 2001). But this is the first time anti-gay biases have been demonstrated so clearly in the context of child sexual abuse case decisions.

What explains these anti-gay biases? Mediation analyses reveal that jurors were particularly morally outraged—deeply upset and morally offended—by abuse perpetrated by gay men against boys. In turn, this moral outrage drove their pro-prosecution case judgments. The strong correlations between moral outrage and every one of our case judgment measures show that jurors’ moral outrage was partially based on their outrage about child sexual abuse generally. Such moral outrage might be closely associated with jurors’ “generic prejudice” in child sexual abuse cases—their presumption that such allegations are true (Vidmar, 1997). Even so, jurors were more morally outraged by gay defendants than by straight defendants, particularly when they were accused of abusing boy victims.

Identifying moral outrage as a mediator of judgments is an important contribution to the literature, and future studies should explore this mechanism further. In fact, at a theoretical level, the implications of moral outrage in legal contexts may be quite broad. Many crimes are morally offensive (e.g., rape, murder), and moral outrage might affect jurors’ judgments in these cases as well. The law

presumes that jurors can determine guilt objectively, regardless of the extent to which the allegations are morally outrageous or offensive. Yet across all conditions, jurors' judgments were influenced by their moral outrage—their emotions—something legal commentators have generally expressed significant concern about (Bandes, 1996). The critical role of moral outrage in case judgments should be replicated and explored further. Under what circumstances do jurors' emotional reactions to non-evidentiary aspects of a case influence their judgments? Might moral outrage be directed against victims or the law itself in some cases (e.g., women who murder abusive husbands)?

Victim Gender Main Effects

When we examined the effects of perceived (rather than manipulated) defendant sexual orientation, we found that jurors made *less* pro-prosecution judgments in cases involving boy victims than girl victims. This does not support a general bias against homosexual acts (i.e., man-on-boy abuse, regardless of the man's sexual orientation). Instead, it supports prior assertions that boys may face skepticism when making sexual abuse allegations (e.g., Sepler, 1990; Eisenberg, Owens, & Dewey, 1987; Finkelhor, 1984), despite extensive media coverage of boys as victims in recent years. Our finding has an important methodological implication for future research on perceptions of child sexual abuse. Several prior studies have not found victim gender effects (e.g., Bottoms & Goodman, 1994; Crowley, O'Callaghan, & Ball, 1994), despite theoretical reasons to expect them (e.g., Finkelhor, 1984). In those studies, defendant sexual orientation was not specified. It is possible that participants who conflated the issues of sexual orientation and victim gender choice made more pro-prosecution judgments in cases involving boy versus girl victims, reflecting a bias against defendants perceived to be gay. Other participants who did not conflate these issues might have made more pro-prosecution judgments in cases involving girl versus boy victims, reflecting a bias against boy victims. These two trends would have counteracted one another, resulting in an artificial failure to find differences in perceptions of cases involving boy versus girl victims. Thus, future researchers should make defendant sexual orientation explicit, or at least incorporate manipulation checks assessing jurors' perceptions of defendant sexual orientation.

Juror Gender

Finally, as expected, women rendered more pro-prosecution judgments than did men, replicating and extending one of the most robust findings in this literature (for review, see Bottoms, Golding, Stevenson, Wiley, & Yozwiak, 2007).

Women's tendency to be more pro-prosecution than men generalizes to cases involving gay defendants. Of interest, there were no significant interactions of juror gender and defendant sexual orientation, even though men have more anti-gay attitudes than women (for review, see Kite & Whitley, 1996).

CAVEATS AND CONCLUSIONS

We took care to design our study in a manner that would make generalizations to the legal arena possible. For example, we (a) used actual Illinois jury instructions; (b) used mock jurors were over the age of 18, US citizens, and ethnically diverse, as actual jurors would be; (c) impressed upon participants the seriousness of the research, confirming by observation that they were engaged in the task; and (d) used ecologically valid case charges and details drawn from real cases and reviewed by a prosecutor for mundane realism.

Even so, caution is warranted in generalizing from mock trial research to actual cases, because even the best simulations fail to replicate many aspects of real trials (Diamond, 1997; Weiten & Diamond, 1979). Our study, like many others, would have benefited from conditions that more closely approximate real world conditions. For example, we used a short written scenario methodology instead of an elaborate videotape with more testimony and realistic cues such as witness demeanor that could influence judgments. Because we tested our hypotheses with only one set of case facts, we also do not know if our findings will generalize to other types of cases. Nor did we include *voir dire*, which the legal system assumes will identify the most blatantly biased jurors in a real trial. In addition, our participants did not deliberate. Group discussion might attenuate (Shaw & Skolnick, 1995) or amplify (Moscovici & Zavalloni, 1969) individual jurors' biases. Finally, our sample of undergraduates might not have rendered the same judgments as a community sample because of differences in attitudes and life experiences.

These weaknesses are important and future research should be conducted in a manner that addresses these concerns to ensure the reliability and generalizability of our findings. It is important to note, however, that prior research on various aspects of mock trial methodology suggests that our results are likely to generalize when more elaborate methodologies are used. For example, research comparing video to written stimuli in child sexual abuse cases has found few differences in mock jurors' judgments (Goodman, Golding, & Haith, 1984). Also, deliberations do not necessarily change a trial outcome—some research has revealed few differences in individual jurors' pre-deliberation and post-deliberation verdict preferences

(Kalven & Zeisel, 1966; MacCoun & Kerr, 1988; Sandys & Dillehay, 1995). Finally, there are few differences in undergraduate and community samples' judgments in the mock jury literature generally (for review, see Bornstein, 1999) and in child sexual abuse studies specifically (Bottoms, Stevenson, & Wiley, 2005; Crowley, O'Callaghan, & Ball, 1994; Isquith, Levine, & Scheiner, 1993). In fact, as young students at a diverse, urban university, our sample might be more accepting of homosexuality than a community sample, making our study a conservative test of our hypotheses.

Thus, although more research is certainly needed on this topic, our study is an important first step in this line of research. The next step will be to determine the degree to which these findings generalize to scenarios with different case facts and to determine if they replicate in studies using more realistic methodologies. Until then, we have provided good evidence that under the conditions of our study, gay defendants face significant biases in child sexual abuse cases, particularly when the alleged victim is a boy, and that these biases are driven by psychological reactions of moral outrage.

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REFERENCES

- Back, S., & Lips, H. M. (1998). Child sexual abuse: Victim age, victim gender and observer gender as factors contributing to attributions of responsibility. *Child Abuse and Neglect*, 22, 1239–1252.
- Bandes, S. (1996). Empathy, narrative and victim impact statements. *University of Chicago Law Review*, 63, 361–412.
- Baron, R. M., & Kenny, D. A. (1986). The moderator-mediator variable distinction in social psychological research: Conceptual, strategic, and statistical considerations. *Journal of Personality and Social Psychology*, 51, 1173–1182.
- Bornstein, B. H. (1999). The ecological validity of jury simulations: Is the jury still out? *Law and Human Behavior*, 23, 75–91.
- Bornstein, B. H., & Weiner, R. L. (Eds.). (2006). Emotion in legal judgment and decision making [Special Issue]. *Law and Human Behavior*, 30(2), 115–118.
- Bottoms, B. L. (1993). Individual differences in perceptions of child sexual assault victims. In B. L. Bottoms, & G. S. Goodman (Eds.), *Child victims, child witnesses: Understanding and improving testimony* (pp. 229–261). New York: Guilford.
- Bottoms, B. L., Davis, S. L., & Epstein, M. A. (2004). Effects of victim and defendant race on jurors' decisions in child sexual abuse cases. *Journal of Applied Social Psychology*, 34, 1–33.
- Bottoms, B. L., Golding, J. M., Stevenson, M. C., Wiley, T. R. A., & Yozwiak, J. A. (2007). A review of factors affecting jurors' decisions in child sexual abuse cases. In J. D. Read, D. Ross, M. Toglia, & R. Lindsay (Eds.), *The psychology of eyewitness memory* (pp. 509–543). Mahwah, NJ: Erlbaum.
- Bottoms, B. L., & Goodman, G. S. (1994). Perceptions of children's credibility in sexual assault cases. *Journal of Applied Social Psychology*, 24, 702–732.
- Bottoms, B. L., Nysse-Carris, K., Harris, L., & Tyda, K. (2003). Juror's perceptions of adolescent sexual abuse victims who have intellectual disabilities. *Law and Human Behavior*, 27, 205–227.
- Bottoms, B. L., Stevenson, M. C., & Wiley, T. R. (2005). *Gender differences in community jurors' child sexual abuse case judgments*. La Jolla, CA: Presentation at the meeting of the American Psychology Law Society.
- Brackett, R., & Baird, C. (2002). Why? 35 questions and answers about the crisis in the Catholic Church. *St. Petersburg Times*.
- Broussard, S. D., & Wagner, W. G. (1988). Child sexual abuse: Who is to blame? *Child Abuse and Neglect*, 12, 563–569.
- Broussard, S. D., Wagner, W. G., & Kazelskis, R. (1991). Undergraduate students' perceptions of child sexual abuse: The impact of victim sex, perpetrator sex, respondent sex, and victim response. *Journal of Family Violence*, 6, 267–278.
- Cameron, P., & Cameron, K. (1998). What proportion of newspaper stories about child molestation involves homosexuality? *Psychological Reports*, 82, 863–871.
- Clark, H. L., & Nunez-Nightingale, N. (1997). When jurors consider recovered memory cases: Effects of victim and juror gender. *Journal of Offender Rehabilitation*, 25, 87–104.
- Crockett, A. D., & Kusak-McGuire, J. (2002). *Contemporary Catholic trends poll*. <http://www.zogby.com/news/ReadNews.dbm?ID=591>. Accessed 29 May 2004.
- Crowley, M. J., O'Callaghan, M., & Ball, P. J. (1994). The juridical impact of psychological expert testimony in a simulated child sexual abuse trial. *Law & Human Behavior*, 18, 89–105.
- D'Augelli, A. R., & Rose, M. L. (1990). Homophobia in a university community: Attitudes and experiences of heterosexual freshman. *Journal of College Student Development*, 31, 484–491.
- Davies, M. (2004). Correlates of negative attitudes toward gay men: Sexism, male role norms, and male sexuality. *Journal of Sex Research*, 41, 259–266.
- Devine, P. (1989). Stereotypes and prejudice: Their automatic and controlled components. *Journal of Personality and Social Psychology*, 56, 5–18.
- Diamond, S. S. (1997). Illuminations and Shadows from Jury Simulations. *Law and Human Behavior*, 21, 561–571.
- Dollar, K. M., Perry, A. R., Fromouth, M. E., & Holt, A. R. (2004). Influence of gender roles on perceptions of teacher/adolescent student sexual relations. *Sex Roles*, 50, 91–100.
- Donnelly, D. A., & Kenyon, S. (1996). "Honey, we don't do men": Gender stereotypes and the provision of services to sexually assaulted males. *Journal of Interpersonal Violence*, 11, 44–448.
- Drugge, J. E. (1992). Perceptions of child sexual assault: The effects of victim and offender characteristics and behavior. *Journal of Offender Rehabilitation*, 18, 141–165.
- Eisenberg, N., Owens, R. G., & Dewey, M. E. (1987). Attitudes of health professionals to child sexual abuse and incest. *Child Abuse and Neglect*, 11, 109–116.
- Finkelhor, D. (1984). *Child sexual abuse: New theory and research*. NY: Free Press.
- Finkelhor, D. (2003). The legacy of the clergy abuse scandal. *Child Abuse and Neglect*, 27, 1225–1229.
- ForsterLee, R., Horowitz, I., Ho, R., ForsterLee, L., & McGovern, A. (1999). Community members' perceptions of evidence: The effects of gender in a recovered memory civil trial. *Journal of Applied Psychology*, 84, 484–495.

- Franklin, K. (2000). Antigay behaviors among young adults: Prevalence, patterns, and motivators in a noncriminal population. *Journal of Interpersonal Violence, 15*, 339–362.
- Gabora, N. J., Spanos, N. P., & Joab, A. (1993). The effects of complainant age and expert psychological testimony in a simulated child sexual abuse trial. *Law and Human Behavior, 17*, 103–119.
- Golding, J. M., Alexander, M. C., & Stewart, T. L. (1999). The effect of hearsay witness age in a child sexual assault trial. *Psychology, Public Policy, and Law, 5*, 420–438.
- Goodman, G. S., Golding, J. M., & Haith, M. T. (1984). Jurors' reaction to child witnesses. *Journal of Social Issues, 48*, 139–156.
- Groth, A. N., & Birnbaum, H. J. (1976). Adult sexual orientation and attraction to underage persons. *Archives of Sexual Behavior, 7*, 175–181.
- Haegerich, T. M., & Bottoms, B. L. (2000). Empathy and jurors' decisions in patricide trials involving child sexual assault allegations. *Law and Human Behavior, 24*, 421–448.
- Herek, G. M. (1992). Hate crimes against lesbians and gay men: Issues for research and policy. In W. R. Dynes, & S. Donaldson (Eds.), *Homosexuality: Discrimination, criminology, and the law* (pp. 216–223). New York: Garland Publishing.
- Herek, G. M. (2000). The psychology of sexual prejudice. *Current Directions in Psychological Science, 9*, 19–22.
- Herek, G. M. (2002). Gender gaps in public opinion about lesbians and gay men. *Public Opinion Quarterly, 60*, 40–66.
- Herek, G. M., Gillis, J. R., Cogan, J. C., & Glunt, E. K. (1997). Hate crime victimization among lesbian, gay and bisexual adults: Prevalence, psychological correlates, and methodological issues. *Journal of Interpersonal Violence, 12*, 195–215.
- Hill, J. M. (2000). The effects of sexual orientation in the courtroom: A double standard. *Journal of Homosexuality, 39*, 93–111.
- Horn, F. P., & Krieger, J. A. (2001). *Sexual orientation fairness in the California courts*. <http://www.courtinfo.ca.gov/programs/access/documents/report.pdf>. Accessed 10 September 2004.
- Human Rights Campaign. (2006). National survey released by human rights campaign shows no impact of Mark Foley scandal on GLBT. *Human Rights Campaign Press Release*. <http://www.hrc.org>. Accessed 6 November 2006.
- Isquith, P. K., Levine, M., & Scheiner, J. (1993). Blaming the child: Attribution of responsibility to victims of child sexual abuse. In G. S. Goodman, & B. L. Bottoms (Eds.), *Child victims, child witnesses: Understanding and improving testimony* (pp. 203–228). New York: Guilford.
- Jenny, C., Roesler, T. A., & Poyer, K. L. (1994). Are children at risk for sexual abuse by homosexuals? *Pediatrics, 94*, 41–44.
- John Jay College Research Team. (2004). *The nature and scope of the problem of sexual abuse of Minors by Catholic Priests and Deacons in the United States, 1950–2002*. Washington, DC: United States Conference of Catholic Bishops.
- Kalven, H., & Zeisel, H. (1966). *The American jury*. Boston, MA: Little Brown.
- Kite, M. E., & Whitley, B. E. (1996). Sex differences in attitudes toward homosexual persons, behaviors, and civil rights: A meta-analysis. *Personality and Social Psychology Bulletin, 22*, 336–353.
- Levitt, E. E., & Klassen, A. D., Jr. (1974). Public attitudes toward homosexuality: Part of the 1970 national survey by the Institute for Sex Research. *Journal of Homosexuality, 1*, 29–43.
- MacCoun, R. J., & Kerr, N. L. (1988). Asymmetric influence in mock jury deliberation: Jurors' bias for leniency. *Journal of Personality and Social Psychology, 54*, 21–33.
- Maynard, C., & Wiederman, M. (1997). Undergraduate students' perceptions of child sexual abuse: Effects of age, sex and gender-role attitudes. *Child Abuse and Neglect, 21*, 833–844.
- Mitchell, T. L., Haw, R. M., Pfeifer, J. E., & Meissner, C. A. (2005). Racial bias in mock juror decision-making: A meta-analytic review of defendant treatment. *Law and Human Behavior, 29*, 621–637.
- Morrison, M. A., & Morrison, T. G. (2002). Development and validation of a scale measuring modern prejudice toward gay men and lesbian women. *Journal of Homosexuality, 43*, 15–37.
- Moscovici, S., & Zavalloni, M. (1969). The group as a polarizer of attitudes. *Journal of Personality and Social Psychology, 12*, 125–135.
- O'Donohue, W. T., Elliott, A. N., Nickerson, M., & Valentine, S. (1992). Perceived credibility of children's sexual abuse allegations: Effects of gender and sexual attitudes. *Violence and Victims, 7*, 147–155.
- Quas, J. A., Bottoms, B. L., Haegerich, T. M., & Nysse-Carris, K. L. (2002). Effects of victim, defendant, and juror gender on decisions in child sexual assault cases. *Journal of Applied Social Psychology, 32*, 1993–2021.
- Russell, G., & Kelly, N. (2003). *Subtle stereotyping: The media, homosexuality, and the priest sexual abuse scandal*. <http://www.iglss.org/media/files/MediaStereotype.pdf>. Accessed 28 March 2004.
- Sandys, M., & Dillehay, R. C. (1995). First-ballot votes, predeliberation dispositions, and final verdicts in jury trials. *Law and Human Behavior, 19*, 175–195.
- Schaffer, D. R., & Case, T. (1982). On the decision to testify in one's own behalf: Effects of withheld evidence, defendant's sexual preferences, and juror dogmatism on juridic decisions. *Journal of Personality and Social Psychology, 42*, 335–346.
- Sennott, C. (2002). Pope call sex abuse crime [Electronic Version]. *The Boston Globe*. Retrieved 28 March 2004.
- Sepler, F. (1990). Victim advocacy and young male victims of sexual abuse: An evolutionary model. In M. Hunter (Ed.), *The sexually abused males prevalence, impact, and treatment* (Vol 1., pp. 73–85). Lexington, MA: Lexington Books.
- Shakeshaft, C., & Cohan, A. (1995). Sexual abuse of students by school personnel. *Phi Delta Kappan, 76*, 512–520.
- Shaw, J. I., & Skolnick, P. (1995). Effects of prohibitive and informative judicial instructions on jury decision making. *Social Behavior and Personality, 23*, 319–326.
- Simon, A. (1998). The relationship between stereotypes of and attitudes toward lesbians and gays. In G. M. Herek (Ed.), *Psychological perspectives on lesbian and gay issues: Stigma and sexual orientation: Understanding prejudice against lesbians, gay men, and bisexuals* (Vol. 4, pp. 62–81). Thousand Oaks: Sage.
- Skitka, L. J. (2002). Do the means always justify the ends, or do the ends sometimes justify the means? A value protection model of justice reasoning. *Personality and Social Psychology Bulletin, 28*, 588–597.
- Skitka, L. J., Bauman, C. W., & Mullen, E. (2004). Political tolerance and coming to psychological closure following the September 11, 2001 terrorist attacks: An integrative approach. *Personality and Social Psychology Bulletin, 30*, 743–756.
- Skitka, L. J., & Mullen, E. (2002). Understanding judgments of fairness in a real-world political context: A test of the value protection model of justice reasoning. *Personality and Social Psychology Bulletin, 28*, 1419–1429.
- Smith, H., Fromuth, M. E., & Morris, C. (1997). Effects of gender on perceptions of child sexual abuse. *Journal of Child Sexual Abuse, 6*, 51–63.
- Snyder, H. (2000). *Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics*, NIBRS Statistical Report. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

- Stevenson, M. R. (2000). Public policy, homosexuality, and the sexual coercion of children. *Journal of Psychology and Human Sexuality, 12*, 1–19.
- Sweeney, L. T., & Haney, C. (1992). The influence of race on sentencing: A meta-analytic review of experimental studies. *Behavioral Sciences and the Law, 10*, 179–195.
- Vidmar, N. (1997). Generic prejudice and the presumption of guilt in sex abuse trials. *Law and Human Behavior, 21*, 5–25.
- Wakelin, A., & Long, K. M. (2003). Effects of victim gender and sexuality on attributions to blame to rape victims. *Sex Roles, 49*, 477–487.
- Walsh, A. (1994). Homosexual and heterosexual child molestation: Case characteristics and sentencing differentials. *International Journal of Offender Therapy and Comparative Criminology, 38*, 339–353.
- Waterman, C. K., & Foss-Goodman, D. (1984). Child molesting: Variables relating to attributions of fault to victims, offenders, and nonparticipating parents. *Journal of Sex Research, 20*, 329–349.
- Weiten, W., & Diamond, S. S. (1979). A critical review of the jury simulation paradigm: The case of defendant characteristics. *Law and Human Behavior, 3*, 71–93.
- Williams, L., & Farrell, R. (1990). Legal response to child sexual abuse in day care. *Criminal Justice and Behavior, 17*, 284–302.
- Woolard, J. (1997). Pedophilia is dragged from the closet. *Alberta Report, 24*(4), 34.
- Yang, A. (1997). Poll trends: Attitudes toward homosexuality. *Public Opinion Quarterly, 61*, 477–507.