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Attitudinal and Individual Differences
Influence Perceptions of Mock Child Sexual Assault Cases Involving Gay Defendants

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Many people hold negative attitudes and stereotypes about gay men, including the stereotype that gay men are likely to be child molesters. This article explored the implications of this stereotype for judgments made in a hypothetical legal case involving child sexual abuse accusations against a male teacher by either a male or female victim. Mock jurors who held the most anti-gay attitudes and those who endorsed the stereotype of gay men as child molesters made the most pro-prosecution judgments in scenarios involving gay defendants. A new scale (the Stereotypes about Gays and Child Abuse scale) was developed to assess the extent to which participants endorsed the stereotype of gay men as being likely to sexually abuse children. This scale was a stronger predictor of case judgments than existing, more general scales measuring biases against homosexuality.

KEYWORDS homosexuality, juror decision making, child sexual abuse

Historically, media coverage of allegations of priest-perpetrated child sexual abuse often implied or explicitly stated that priests who abuse children are gay and that their “deviant” sexuality is to blame for their actions (e.g., Sennott, 2002). This narrative draws on a false stereotype that gay men are oversexed, predatory, child molesters, who are drawn to boys in particular (Simon, 1998; Stevenson, 2000). There is evidence to suggest 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; Wiley & Bottoms, 2009). In this study, we examine how attitudes toward and stereotypes about homosexuality influence jurors’ decisions in child sexual abuse cases.

**ANTI-GAY BIAS**

Although attitudes toward homosexuality are more positive now than in the past (Andersen & Fetner, 2008; Morrison, Morrison, & Franklin, 2009; Yang, 1997), negative attitudes remain common (Herek, 2000, 2002; Kite & Whitley, 1996; Yang, 1997). Gay men 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 (Hendren & Blank, 2009; Morrison & Morrison, 2002). Anti-gay biases and moral oppositions to homosexuality 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).

The issues of pedophilia and sexual orientation have frequently been conflated in the context of the sex abuse scandals in the Catholic church in the United States and many other countries (Harris, 1990; Herek, 2002; Russell & Kelly, 2003) perhaps because many victims are boys (80%; John Jay, 2004). Catholic church officials even made public statements that sexual abuse was “not truly a pedophilia-type problem but a homosexual-type problem” (as reported by Sennott, 2002, p. 21). Surveys reveal that people often believe that homosexuality and pedophilia are linked (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 includes 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, adopt children, and work in the armed forces and in civil service (Kinsman & Gentile, 2010; Levitt & Klassen, 1974; Russell & Kelly, 2003; Schaffer & Case, 1982; Stevenson, 2000; as an illustrative example, see Cameron & Cameron, 1998).

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 how African American defendants are often the victims of bias in legal settings. 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 similarly unfair presumptions of guilt in child sexual abuse cases. Research reveals general biases against homosexuality in legal contexts. A majority (56%) of court users in California who self-identified as gay or lesbian in a survey (N = 1,225) reported experiencing or observing negative behaviors or comments directed toward homosexuals (Horn & Krieger, 2001). In male-perpetrated rape cases involving adult victims, there is evidence that male victims perceived as gay are more likely to be blamed for their assaults (Wakelin & Long, 2003), and defendants perceived as gay are more likely to be convicted than straight defendants (Hill, 2000). Wiley and Bottoms (2009) found evidence that defendants perceived as gay (regardless of their stated sexual orientations) were more likely to be convicted than defendants perceived as straight, especially in cases involving male victims. This effect was driven, in part, by jurors’ feelings of moral outrage toward gay child abusers.

To what extent are these biased legal decisions driven by anti-gay attitudes? Only two prior U.S.-based studies have examined the effect of attitudes toward homosexuality on legally relevant judgments. White and Kurpius (2002) showed that mock jurors’ negative attitudes toward homosexuality were associated with more blame toward gay and lesbian rape victims (irrespective of victim gender). In contrast, Quas, Bottoms, Haegerich, and Nysse-Carris (2002) reported no relation between attitudes toward homosexuality and case judgments in a same-gender sexual abuse case involving a 15-year-old victim. (The abuse was either male- or female-perpetrated, but the perpetrator’s sexual orientation was not explicitly identified.)

Prior research suggests that attitudes toward homosexual persons and homosexual behaviors can be distinct dimensions of attitudes toward homosexuality (Kite & Whitley, 1996; but, also see Davies, 2004). Thus, in addition to biases against homosexuals, jurors might also have biases against homosexual acts (i.e., man-on-boy abuse), compared to heterosexual acts (i.e., man-on-girl abuse).

In this study, we examine whether anti-gay attitudes can explain these biased legal decisions in a hypothetical case scenario involving a gay defendant. We asked undergraduate mock jurors to render judgments about a child sexual abuse case in which we explicitly varied the defendant’s sexual orientation, as well as the 10-year-old victim’s gender. We expected that jurors with more negative anti-gay attitudes, generally, and those who endorsed the stereotype of gay men as child molesters, specifically, would be more pro-prosecution in cases, especially in cases involving victims who are boys. Theoretically, jurors who hold negative attitudes toward gays should be more willing than those with less negative attitudes to believe that a gay defendant is guilty. Finally, a number of other individual differences factors are known correlates of anti-gay attitudes. Men tend to have more negative attitudes toward homosexuality than women. Also, individuals who are more religious
and who have no gay acquaintances tend to have relatively negative attitudes toward homosexuality (Herek & Glunt, 1993; Simon, 1998). Thus, we also measured these individual differences, expecting that men, jurors who frequently attended church, and jurors who do not have gay acquaintances would make more pro-prosecution judgments in cases involving gay defendants as compared to women, jurors who less frequently attended church, or who have gay acquaintances.

METHOD

Participants

Participants were a subset of mock jurors drawn from a larger study of juror reactions to child sexual abuse cases (for details, see Wiley & Bottoms, 2009). The analyses reported herein are based on 99 jury-eligible undergraduates (47% men; mean age = 19 years) from a large, urban, Midwestern U.S. university, who received course credit for participating in this research study. The sample was diverse in terms of ethnicity (37% Caucasian, 11% African American, 32% Asian, 18% Hispanic, and 1% “other”) and religion (43% Catholic, 32% other Christian denominations, 5% Muslim, 5% Hindu, 5% atheist, and 10% “other”). Two men self-identified as bisexual or homosexual, and approximately one-half (48%) of the sample reported knowing someone who was homosexual (gay or lesbian).

Materials

Case scenario. The two-page written scenario described a hypothetical, although realistic, sexual abuse case involving a 10-year-old child and a 34-year-old gay male teacher. The case was designed to be ambiguous so that it would result in approximately 50% guilty verdicts overall. The defendant’s sexual orientation was conveyed by a police officer, who testified 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 testified that he owns the materials and is attracted to adult men, but denied being attracted to children. The victim was a girl in one-half of the scenarios and a boy in the other half, with the victim’s name and pronouns changed accordingly. This methodology is common in the psychology and law literature (e.g., Golding, Alexander, & Stewart, 1999; Haegerich & Bottoms, 2000). We used the same case scenario used by Wiley and Bottoms (2009), which was reviewed by an experienced prosecutor for realism.

Juror instructions. Participants read the actual 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" or "not guilty") in response to this question: “If you were on a jury and bad 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 this question: “How confident or sure are you of your judgment of guilt or innocence that you just made?,” which was rated 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 following 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.

Regardless of their guilt judgments, participants were asked to indicate whether they thought “sexual contact between the defendant and the alleged victim occurred,” using 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 scale had good internal reliability (Cronbach’s αs = .80 and .93; mean inter-item correlations = .52 and .74, respectively).

Moral outrage was assessed with four items adapted from Skitka, Bauman, and Mullen’s (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 α = .82; mean inter-item correlation = .53).

Attitudes toward homosexuality. Attitudes toward homosexuality were assessed with three separate scales. First, the Attitudes Toward Gays (ATG) five-item short scale (Herek, 1998) includes items such as, “I think male homosexuals are disgusting,” and “Sex between two men is just plain wrong.” Second, the Modern Homonegativity Scale (MHS; Morrison & Morrison, 2002) includes items such as, “Gay men do not have all the
Sexual Assault Involving Gay Defendants

rights they need,” and “Gay men should stop shoving their lifestyle down other people’s throats.” Third, the Stereotypes about Gays and Child Abuse (SGCA) scale was specifically designed for this study to assess the extent to which participants endorsed the stereotype of gay men as being likely to sexually abuse children: “Gay men are likely to sexually abuse children,” “A gay man is likely to sexually abuse a girl,” “A gay man is likely to sexually abuse a boy,” and “Gay men should never be given positions of trust in caring for children.” The fourth item is from Altemeyer and Hunsberger’s (1992) Attitudes Toward Homosexuals scale; we created the others. Items from all three scales were intermixed, and responses ranged from 1 (strongly disagree) to 5 (strongly agree).

Manipulation checks. Participants were asked to recall the victim’s age and gender with simple, open-ended questions. Participants were asked to recall the defendant’s 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 following 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. Even so, we expected that, despite their accurate memory for the testimony about the defendant’s sexual orientation, some participants who read about a straight man abusing a boy might actually think the defendant was gay (and, similarly, a gay man abusing a girl might be perceived as straight). To understand the extent to which participants’ judgments were influenced by their actual perceptions of the defendant’s sexual orientation, we asked participants this: “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 following choices: “Men (He was Gay),” “Women (He was Straight),” “Both (He was Bisexual),” and “Don’t Know.” The results reported herein are based on 99 participants in the larger study who correctly recalled the defendant’s sexual orientation stated in the scenario and also reported that they believed the defendant to be gay or bisexual in response to this perceived orientation measure.

Individual differences factors. Participants were asked the following questions: (a) “Has any friend, family member, or close acquaintance revealed to you that he or she is homosexual?”; (b) “Which of the following best describes you these days?,” with the possible responses being “heterosexual or straight,” “homosexual, gay, or lesbian,” and “bisexual”; and (c) “To whom are you most sexually attracted?” with the possible responses being “men,” “women,” “both,” and “neither.” Participants who reported having a gay friend, family member, or acquaintance or who self-identified as gay, lesbian, or bisexual were coded as familiar with homosexuality. Frequency of religious worship was assessed with this question: “How often do you
attend religious services?,” which was rated on a scale ranging from 1 (less than once a year) to 8 (once a day). Participants were also asked to report their ages and ethnicities.

Procedure

The study was conducted in two phases. First, participants’ attitudes toward homosexuality were measured in a mass-testing session during which participants also completed a number of unrelated surveys from other researchers. Second, 1 to 3 months later, jury-eligible students (i.e., U.S. citizens over the age of 18) from this mass-testing session participated in the jury decision-making task, which they were unable to connect to the attitude questionnaires. Specifically, in sessions of 1 to 15 (groups were mixed-gender), participants (a) provided informed consent, (b) read the two-page case scenario, (c) read Illinois Pattern Jury Instructions, (d) made case-relevant judgments and indicated their levels of moral outrage, (e) completed manipulation checks, (f) indicated their perceptions of the defendant’s sexual orientation, (g) completed individual difference measures, and (h) were thanked and debriefed. To provide a measure of test–retest reliability for our newly developed SGCA scale, a subset of participants (N = 125) completed the ATG scale, the SGCA scale, and the MHS for a second time after completing the individual differences measures. This mock trial method is commonly used in psychology and law research (e.g., Bottoms, Nysse-Carris, Harris, & Tyda, 2003; Gabora, Spanos, & Joab, 1993; Golding et al., 1999). An approximately equal number of men and women were randomly assigned to each of the two scenarios.

RESULTS

Scale Reliability and Validity

See Table 1 for means, standard deviations, and intercorrelations among the ATG scale, the MHS, the SGCA scale in this sample (N = 99). Specifically, all scales were reliable: Cronbach’s αs = .86, .88, and .83; and mean inter-item correlations = .54, .40, and .55, respectively. As expected, all three attitude measures were highly intercorrelated (rs ≥ .60, ps < .01). All scales had good test–retest reliability: the ATG scale, r = .82; the MHS, r = .80; and the SGCA scale, r = .69. Notably, overall, participants expressed relatively low levels of anti-gay attitudes on this scale (they were below the scale midpoint).

As part of the scale development for the larger study that we report elsewhere (Wiley & Bottoms, 2009), we also administered these scales to a much larger sample (N = 645). The psychometric properties of the SGCA scale were also good in this larger sample: Cronbach’s αs = .79; mean inter-item correlations = .44. We also conducted a principal components factor
TABLE 1  Correlations Among Juror Gender, Religiosity, and Measures of Anti-Gay Bias

<table>
<thead>
<tr>
<th>Variable</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>M</td>
<td>50%</td>
<td>3.94</td>
<td>45%</td>
<td>2.79</td>
<td>2.78</td>
<td>1.98</td>
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<tr>
<td>SD</td>
<td>–</td>
<td>1.83</td>
<td>–</td>
<td>1.10</td>
<td>0.82</td>
<td>0.91</td>
</tr>
<tr>
<td>1. Juror gender</td>
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<td>–</td>
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<td>2. Frequency of religious worship</td>
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<td>–</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>3. Familiar with homosexuality</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>4. ATG</td>
<td>.35***</td>
<td>.20**</td>
<td>-.50***</td>
<td>–</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>5. MHS</td>
<td>.46***</td>
<td>.25*</td>
<td>-.42***</td>
<td>.78***</td>
<td>–</td>
<td>–</td>
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<tr>
<td>6. SGCA</td>
<td>.19*</td>
<td>.34***</td>
<td>-.36***</td>
<td>.57***</td>
<td>.60***</td>
<td>–</td>
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</tbody>
</table>

Note. N = 99. Juror gender is coded as 0 = women and 1 = men. Frequency of religious worship was assessed on a scale ranging from 1 (less than once a year) to 8 (once a day). Familiar with homosexuality is coded as 0 = straight with no gay acquaintances and 1 = gay and/or has gay acquaintance. All other judgments were scale measures ranging from 1 to 5, with higher scores indicating more anti-gay attitudes. ATG = Attitudes Toward Gays scale; MHS = Modern Homonegativity Scale; SGCA = Stereotypes about Gays and Child Abuse scale.

Individual Differences and Anti-Gay Attitudes

Table 1 also presents relations between our attitudes measures and the individual differences factors of juror gender, religiosity, and familiarity with homosexuality. Participants tended to provide similar ratings on all measures of anti-gay attitudes ($r_s \geq .57$, $p_s \leq .001$). As expected, men, jurors who were most religious, and who do not have any gay acquaintances were the most likely to endorse the stereotype of gay men as child abusers, compared to women, jurors who were less religious, and who have gay acquaintances ($r_s \geq .19$, $p_s \leq .05$; see Table 1).

Anti-Gay Attitudes and Case Judgments

Table 2 shows correlations of the three measures of anti-gay attitudes and individual differences factors with judgments in cases involving gay defendants (regardless of victim gender), as well as for cases involving boys only, where, theoretically, biases should be most pronounced.

Correlations for cases with victims who are boys. In cases involving victims who are boys, higher scores on the MHS were significantly correlated with guilty verdicts ($r = .30$, $p < .05$), higher degree-of-guilt ratings ($r = .29$, $p < .05$), lower ratings of defendant credibility ($r = -.24$, $p < .05$), and
**TABLE 2** Zero-Order Correlations Between Attitudes and Individual Differences Factors and Case Judgments for Cases Involving Defendants Perceived to be Gay

<table>
<thead>
<tr>
<th>Variable</th>
<th>ATG</th>
<th>MHS</th>
<th>SGCA</th>
<th>Frequency of Worship</th>
<th>Juror Gender</th>
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<tr>
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<td>Verdict</td>
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<tr>
<td>Cases with boys and girls (N = 99)</td>
<td>–</td>
<td>.14***</td>
<td>.19*</td>
<td>.17*</td>
<td>–.17***</td>
</tr>
<tr>
<td>Cases with boys only (N = 61)</td>
<td>–</td>
<td>.30**</td>
<td></td>
<td>.19***</td>
<td>–</td>
</tr>
<tr>
<td>Degree of guilt</td>
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<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Cases with boys and girls (N = 99)</td>
<td>–</td>
<td>.13***</td>
<td>.22*</td>
<td>.21*</td>
<td>–.18*</td>
</tr>
<tr>
<td>Cases with boys only (N = 61)</td>
<td>–</td>
<td>.29**</td>
<td>.18***</td>
<td>.23*</td>
<td>–</td>
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<tr>
<td>Belief contact happened</td>
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<tr>
<td>Cases with boys and girls (N = 99)</td>
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<td>–</td>
<td>.23*</td>
<td>–.14***</td>
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<tr>
<td>Cases with boys only (N = 61)</td>
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<td>Defendant credibility</td>
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<td>Cases with boys and girls (N = 99)</td>
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<tr>
<td>Cases with boys only (N = 61)</td>
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<td>–</td>
<td>.21*</td>
<td></td>
<td>–.27**</td>
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<td>Victim credibility</td>
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<tr>
<td>Cases with boys and girls (N = 99)</td>
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<td>Cases with boys only (N = 61)</td>
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<td>Defendant responsibility</td>
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<td>Cases with boys and girls (N = 99)</td>
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<td>Cases with boys only (N = 61)</td>
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<td>Victim responsibility</td>
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<tr>
<td>Cases with boys only (N = 61)</td>
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<td>.17***</td>
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<tr>
<td>Moral outrage</td>
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<td>Cases with boys and girls (N = 99)</td>
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<td>.29**</td>
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<tr>
<td>Cases with boys only (N = 61)</td>
<td>.24*</td>
<td>.28*</td>
<td>.29*</td>
<td>.24*</td>
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Note. Verdicts were dichotomous (0 = not guilty, 1 = guilty). Degree of guilt ranged from 1 (not guilty, 100% confident) to 22 (guilty, 100% confident). Credibility ratings ranged from 1 (extremely not believable) to 6 (extremely believable). Belief contact happened ranged from 1 (it absolutely did not occur) to 6 (it absolutely did occur). Responsibility and moral outrage scores are from four-item scales ranging from 1 to 6, with higher scores indicating more responsibility and outrage. ATG = Attitudes Toward Gays scale; MHS = Modern Homonegativity Scale; SGCA = Stereotypes about Gays and Child Abuse scale. *p < .05. **p < .01. ***p < .10 (one-tailed).

Higher levels of moral outrage \( r = .28, p < .05 \); and marginally correlated with lower ratings of victim responsibility \( r = –.24, p < .10 \). Higher scores on the ATG scale were associated with significantly more moral outrage \( r = .24, p < .05 \) and marginally more belief that contact happened \( r = .20, p < .05 \). Similarly, more stereotype endorsement was associated with significantly more moral outrage \( r = .29, p < .05 \) and marginally higher degree-of-guilt ratings \( r = .18, p < .10 \), lower ratings of defendant credibility \( r = –.18, p < .10 \), and higher ratings of victim responsibility \( r = .18, p < .10 \).

Correlations collapsing across victim gender. Higher scores on the MHS were marginally correlated with more guilty verdicts \( r = .14, p < .10 \), higher degree-of-guilt ratings \( r = .13, p < .10 \), lower defendant credibility ratings \( r = –.13, p < .10 \), and more moral outrage \( r = .15, p < .10 \). Correlations between the ATG scale and case judgments were in the same
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direction, but generally not strong enough to even be marginally statistically significant ($r_s = .15-.17$, ns). Increased endorsement of the stereotype of gay men as child abusers (i.e., the SGCA scale) was significantly associated with more guilty verdicts ($r = .19, p < .05$), higher degree-of-guilt ratings ($r = .22, p < .05$), lower ratings of defendant credibility ($r = -.20, p < .05$), and higher levels of moral outrage ($r = .29, p < .01$).

**Individual Differences Factors and Case Judgments**

As expected, when collapsing across victim genders, significant correlations indicated that jurors who attended religious services more often (a) were more likely to vote guilty ($r = .17, p < .05$), (b) provided higher degree-of-guilt ratings ($r = .21, p < .05$), (c) were more likely to believe that sexual contact happened ($r = .23, p < .05$), (d) rated the defendant as less credible ($r = -.19, p < .05$), (e) rated the victim as more credible ($r = .21, p < .05$), (f) rated the defendant as more responsible ($r = .23, p < .05$), (g) were more morally outraged, and (h) rated the victim as less responsible ($r = -.20, p < .05$). Correlations were similar in cases involving victims who were boys, specifically, but were not always statistically significant, owing to fewer participants in each cell.

Compared to male jurors, women were more likely to vote guilty ($r = -.17, p < .01$), provided higher degree-of-guilt ratings ($r = -.18, p < .05$), were more likely to believe that contact happened ($r = -.14, p < .05$), rated victims as more credible ($r = -.27, p < .001$), and rated defendants marginally less credible ($r = .15, p < .10$). Again, correlations were similar in cases involving victims who were boys, specifically, but were not always significant, owing to fewer participants in each cell.

Contrary to our predictions, there were no significant correlations between familiarity with homosexuality and case judgments when considering cases involving both boys and girls together (all $r_s \leq .19$, ns), or in cases involving victims who were boys only (all $r_s \leq .17$, ns).

**DISCUSSION**

Mock jurors with more negative attitudes toward homosexuality, who were more willing to endorse the stereotype of gay men as child abusers, and those who were more religious made more pro-prosecution judgments in child sexual abuse cases involving gay defendants, especially when the victim was a boy. Of interest, we found significant relations between anti-gay attitudes and case judgments only when we used the MHS, and not when we used a more common measure of anti-gay attitudes: Herek’s (1998) ATG scale. This is consistent with Quas et al.’s (2002) results, which also failed to find significant associations between anti-gay attitudes and mock juror
judgments in same-gender child sexual abuse cases. These findings inform the sexual prejudice literature, as well as the jury decision-making literature. Specifically, Morrison and Morrison (2002) found that the MHS predicted subtle behavioral manifestations of anti-gay attitudes better than the ATG scale; therefore, they argued that the MHS is superior to the ATG scale in measuring the subtle forms of anti-gay biases present in college populations. Our findings support this contention, demonstrating that the MHS is a better predictor of pro-prosecution judgments in the context of a child sexual abuse trial.

In addition, we offer a new measure of anti-gay biases to the sexual prejudice literature: the SGCA scale, which measures endorsement of the stereotype that gay men are child abusers. To the best of our knowledge, the SGCA scale is the first social psychological instrument to measure the endorsement of the stereotype of gay men as child abusers explicitly. Mock jurors who endorsed this stereotype provided higher degree-of-guilt ratings, lower defendant credibility ratings, and higher levels of moral outrage for defendants perceived to be gay. In fact, the SGCA scale was actually a stronger predictor of case judgments than either measure of general anti-gay bias, which is consistent with the social psychological literature showing that specific attitudes are better predictors of behavior than general attitudes (Ajzen & Fishbein, 1977), and with suggestions that jurors’ decisions are best predicted by very specific, case-relevant attitudes (Constantini & King, 1980; Lafree, Reskin, & Visher, 1985). Our study suggests that the SGCA scale is a reliable and valid measure of this stereotype, but it will be important for future research to replicate our findings and further explore the psychometric properties of this measure.

Religiosity, as measured by attendance at religious services, was associated with pro-prosecution judgments, which likely reflects the fact that many religions assert that homosexuality is a sin, and that jurors who frequently attend church (and who are presumably more religious) are prone to believe that someone who commits one “sin” (i.e., being gay) is also likely to commit other sins (i.e., abusing a child sexually). This proposition is supported by the fact that these correlations were not stronger in cases involving victims who were boys than cases involving victims who were girls, suggesting that it was a general attitude toward gay defendants, rather than an attitude contingent on victim gender. Surprisingly, whether jurors knew someone who was gay or were gay themselves was unrelated to case judgments. Finally, we predicted that men would be more likely than women to make pro-prosecution judgments in cases involving a gay defendant. Contrary to our predictions, female jurors were actually more likely to make pro-prosecution judgments. This finding is consistent with a large body of work documenting gender differences in reactions to child sexual abuse cases (see Bottoms, Golding, Stevenson, Wiley, & Yozwiak, 2007). This could also explain, in part, why we did not find the predicted effect of juror gender on case verdicts—that
is, this finding suggests that the degree to which men are more likely than women to be biased toward gay men is not stronger than women's overall tendencies to be more pro-prosecution in child sexual abuse cases.

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) gave our participants actual Illinois jury instructions; (b) used mock jurors who were over the age of 18 years, U.S. citizens, and ethnically diverse, as actual jurors would be; (c) impressed on participants the seriousness of the research, confirming by observations that they were engaged in the task; and (d) used ecologically valid case 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). Further, it is possible that our sample of undergraduates might differ in important ways from a sample of community members. However, there are few differences in undergraduates' and community samples' judgments in the mock jury literature, generally (for a 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, arguably making our study a conservative test of our hypotheses—that is, youth, higher education, urban settings, and exposure to diversity are all associated with more liberal attitudes toward homosexuality, suggesting that our sample might be less likely than older, less educated, or more rural samples to demonstrate anti-gay biases. We would expect our effects to be stronger in a community sample.

Thus, although more research is certainly needed on this topic, our study is an important first step in this line of research. The next steps in this line of research include further validation of the SGCA scale, extensions to determine whether these findings generalize to child sexual abuse scenarios with different case facts, larger sample sizes that can support more complex analyses (e.g., regressions covarying for demographic factors), and replication using more realistic methodologies and non-student samples. It would also be interesting to see if these biases extend to lesbian women. Until then, our study lends weight to the concern that, all other things equal, gay defendants potentially face biases in child sexual abuse cases, especially when jurors are particularly religious, hold anti-gay attitudes, or endorse the stereotype of gay men as child abusers.
NOTE

1. For comparison, we also examined the relation between individual differences and case judgments in a case involving straight defendants. There is no theoretical reason to expect anti-gay attitudes to be related to case judgments in cases involving straight defendants (and they were not; all $r_s \leq 0.20$, ns)

REFERENCES


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