Although arrests for violent juvenile crime have decreased 31% since 1995 (Snyder, 2006), societal perceptions of the incidence and seriousness of juvenile crime rose in the 1990s. A resulting “get-tough” attitude motivated legislative changes designed to stem the tide of juvenile crime. Among them, juvenile waiver statutes facilitate the transfer of juveniles from protective juvenile court into adult criminal court (for discussion, see Reppucci, Michel, & Kostelnik, Chapter 15, and Slobogin, Chapter 20, this volume). In 2004, for example, there were more than 2 million arrests of juveniles in the United States. Of those cases eligible for processing in the juvenile justice system, 7% were referred directly to criminal court (Snyder, 2006).

In adult criminal court, cases involving juveniles can be decided by jurors rather than by family or juvenile court judges. It is, therefore, important to understand adults’ perceptions of juvenile defendants and the factors that influence jurors’ decisions in criminal cases involving juveniles. This research has value for research psychologists interested in legal decision making and for professionals within the legal system who seek to understand how jurors react to juveniles accused of crimes and how they reach
their verdicts in cases involving juveniles. In this chapter, we consider three broad categories of factors that affect perceptions of juveniles: (1) juror individual difference factors, including jurors’ gender and stereotypes about juveniles; (2) courtroom and trial factors, including attorneys’ attempts to induce jurors’ empathy for and stereotypes about juvenile defendants and jury deliberation as a potential moderator of such tactics; and (3) juvenile individual difference factors, including gender, race, history of maltreatment, intellectual disability, and tendency to confess.

Generally, the research we review is conducted with methods much like those described by Golding, Dunlap, and Hodell (Chapter 10, this volume) in their review of factors affecting jurors’ perceptions of child witnesses. Specifically, within a mock trial paradigm, adult participants assume the role of jurors and consider a criminal case involving a juvenile defendant. The details of cases are often based on facts from actual cases and presented via summarized written scenarios or trial transcripts that are sometimes accompanied by pictures or videotaped excerpts from simulated or actual trials. Mock jurors are asked to render a verdict and provide other judgments such as ratings of their confidence in the verdict, perceived credibility of witnesses, perceived responsibility of the alleged offender, and so on. Researchers typically collect mock jurors’ individual verdict preferences, but in some studies jurors also deliberate before rendering verdicts.

Although researchers attempt to conduct these studies with as much realism as practically feasible, the studies we review vary in the extent to which they approximate the actual circumstances of trials. As discussed thoroughly by Golding and colleagues (Chapter 10, this volume), there is a trade-off in mock trial research between using methods that are high in ecological validity versus methods that allow for precise experimental control (i.e., the ability to draw cause-and-effect conclusions about the influence of independent variables). Mock trial methodology allows researchers to have the control necessary for varying certain factors (e.g., defendant age or gender) while keeping all other factors constant, which would be impossible if studying actual trials. Artificiality of methods should be taken into account when generalizing from laboratory studies to actual legal situations (Diamond, 1997; Weiten & Diamond, 1979), so researchers should always strive for the most realism possible.

**JUROR FACTORS**

Individual jurors differ from one another in many ways. Courts intuitively understand this and use the process of voir dire in an attempt to identify juror individual differences that are thought to present a risk to fair decision
making. What individual differences influence the outcomes of criminal trials involving juvenile offenders?

**Juror Gender**

Women jurors are generally more pro-child victim (i.e., more pro-prosecution) than are men in cases involving child sexual and physical abuse (see Bottoms, Golding, Stevenson, Wiley, & Wozniak, 2007, for a review). Considering that these gender differences are driven in part by gender differences in empathy for children and positive attitudes toward children generally (Bottoms, 1993), one would expect similar gender differences in jurors’ perceptions of juvenile offenders. But perhaps not, given that gender differences in child victim/witness cases are also driven in part by women’s stronger negative reactions to the specific crime of child sexual abuse (Bottoms, 1993).

In fact, some studies have found that women are more positively disposed toward juvenile defendants than are men. For example, in a study by Haegerich and Bottoms (2000), a juvenile offender was tried for patricide alleged to have been in self-defense after years of child sexual abuse. Women mock jurors rendered fewer guilt judgments and rated the defendant as more credible than did men. In addition, the gender of the juvenile defendant was varied experimentally, and although men jurors felt more sympathy and empathy toward a boy than a girl defendant, women jurors were equally sympathetic and empathetic regardless of defendant gender. This might be evidence of a general gender difference in reactions to juvenile defendants, or it might reflect gender differences in response to the “embedded” crime of the defendant’s alleged child sexual abuse, especially given that more women than men believed that the defendant had been sexually abused.

Still other studies suggest that women are more pro-juvenile defendant than men, even in the absence of child sexual abuse. Stalans and Henry (1994) found that men were more likely than women to favor the harsh disposition of waiving a juvenile’s case to adult court and to favor longer sentences. (Although judges usually make sentencing decisions in noncapital cases, jurors are charged with this task in some states; King, 1999.) Women also favored less severe sentences for juveniles than did men in a study by Crosby, Britner, Jodl, and Portwood (1995). Redlich and colleagues’ research revealed that, compared with men, women considered (1) a juvenile defendant as less likely to have committed a crime (Redlich, Ghetti, & Quas, 2008), (2) a juvenile defendant as having less understanding of criminal interrogation situations (Redlich, Quas, & Ghetti, 2008), and (3) interrogations of juveniles as less fair and the police who conduct them as more manipulative (Redlich, Ghetti et al., 2008).

Not all research on reactions to juvenile crime reveals such a pro-juve-
nile defendant bias for women compared with men, however. For example, Stevenson and Bottoms (in press) found no pervasive juror gender differences in mock jurors’ reactions toward a juvenile accused of murder. Juror gender did, however, play some role in judgments: Men, but not women, were influenced by the race of the juvenile defendant, as we discuss later.

**Jurors’ Stereotypes about Juvenile Offenders**

Levesque (1996) reported that community members overwhelmingly endorse a “get-tough” or “just-deserts” approach to juvenile crime. Other surveys, however, demonstrate a preference for rehabilitating rather than punishing juvenile offenders (Moon, Sundt, Cullen, & Wright, 2000; Sundt, Cullen, Applegate, & Turner, 1998). In fact, a 2006 survey revealed that Pennsylvania community members prefer allocating money toward rehabilitating juveniles who commit serious violent crimes than toward longer incarceration costs (Nagin, Piquero, Scott, & Steinberg, 2006).

In samples of college students and community members, Haegerich and Bottoms (2004) identified two different stereotypes held about juvenile offenders: (1) relatively innocuous “wayward youths” or (2) cold and calculating “superpredators.” The wayward youth stereotype portrays juvenile offenders as having fallen prey to criminal behavior because of their inadequate peer and familial support systems, impoverished living environment, insufficient educational opportunities, and decreased understanding of the negative consequences and seriousness of their actions. In contrast, the superpredator stereotype holds that juvenile offenders lack morals and are violent by nature, commit crime with premeditation, understand the severity and consequences of their actions, and manipulate the justice system to avoid accountability for their actions. Further, people who endorse the wayward youth stereotype believe that juvenile offenders are immature adolescents who can and should be rehabilitated rather than punished, whereas people who endorse the superpredator stereotype believe that juvenile offenders are mature, cold, cruel, and not amenable to rehabilitation. Haegerich and Bottoms found that, although most people are aware of both stereotypes, people endorse them to varying degrees. Surprisingly, given media and legislative attention to the supposed rise in juvenile crime and to specific cases of severe crimes committed by juveniles, laypeople in that study were, on average, more likely to perceive juvenile offenders as wayward youths than as superpredators. Even so, participants overestimated the amount and severity of juvenile crime. Further, endorsement of juvenile offender stereotypes translates into biased juror decisions. Several months after completing measures of their endorsement of the superpredator versus wayward youth stereotypes in an ostensibly unrelated study, participants assumed the role of juror in a mock trial and read a detailed trial transcript describing a juvenile being tried for murder in adult criminal court. Mock jurors who
endorsed the superpredator stereotype rendered more severe case judgments (e.g., more guilty verdicts, lengthier sentences) than did those who endorsed the wayward youth stereotype.

COURTROOM AND TRIAL FACTORS: ATTORNEYS’ TACTICS AND JURY DELIBERATION

To what extent do attorneys’ actions and trial processes influence case decisions when juveniles are on trial? Next, we review research that addresses this question.

Attorneys’ Tactics: Empathy Induction and Stereotype Activation

When juvenile offenders are transferred to adult criminal court, defense and prosecuting attorneys play an important role in determining how their cases are presented. Consider the jury that is exposed to defense attorneys who are adept at creating a very compelling empathic atmosphere toward a juvenile offender or who ask jurors to place themselves in the shoes of the defendant, as trial lawyers have instinctively done for years (Archer, Foushee, Davis, & Aderman, 1979). Empathy is a multidimensional construct, referring to the ability to take another person’s perspective both cognitively and emotionally (Davis, 1994). When individuals have empathy for perpetrators of negative behavior, they are less likely to attribute responsibility for the behavior to the perpetrators (Sulzer & Burglass, 1968). Trial attorneys have intuitively suspected this for years. To illustrate, in a handbook for attorneys, Hamlin (1985) writes, “The ability to actually experience, internally, what is at issue, to empathize and put themselves in another person’s place, is something of which jurors are not consciously aware. Yet this process is human and universal, and it is a powerful inner voice in decision-making” (p. 315).

Haegerich and Bottoms (2000) investigated the impact of attorney-induced empathy on mock jurors’ verdicts in a case involving a teenager being tried as an adult for patricide. The juvenile defendant claimed the murder was in self-defense because of the father’s long-standing sexual abuse. Empathy for the victim/defendant was manipulated in the written case transcript via the defense attorney’s opening and closing statements to the jury. For half of the mock jurors (those who were in the empathy condition), the attorney made an impassioned plea asking them to take the perspective of the child defendant and to think of how they would be thinking and feeling if they were the defendant. Compared with jurors who received no such empathy-inducing instructions, jurors primed with empathy were
less likely to render guilty verdicts in the trial, considered the defendant to be less responsible for the murder, and were more likely to accept the defendant’s claim of child sexual abuse as a mitigating factor in the killing. Compared with men, women mock jurors were more lenient toward the juvenile defendant overall and were more affected by the empathy induction.

Earlier, we described research that identified preexisting stereotypes that people hold about juvenile offenders (i.e., the superpredator and wayward youth stereotype). Haegerich and Bottoms (2004) examined whether those stereotypes could be activated in mock jurors more strongly than normal by attorneys in their opening and closing trial statements. In their study, a detailed trial transcript described a case in which a juvenile offender was being tried as an adult for a robbery/murder. In one condition of the study, the prosecutor argued that the defendant was a superpredator who could not be rehabilitated. In the other condition, the defense attorney argued that the defendant was a wayward youth who could be rehabilitated. There was also a control condition in which neither stereotype was activated. Attorney arguments influenced case judgments in the expected direction: Mock jurors exposed to the superpredator stereotype rendered more guilty verdicts and favored lengthier sentences than did jurors who were exposed to the wayward youth stereotype or jurors in the control condition. Jurors exposed to the wayward youth stereotype were more lenient in their judgments than those exposed to the superpredator stereotype.

In summary, our research suggests that attorneys can shape jurors’ reactions to juvenile offenders tried in adult court. This is particularly interesting because, in these studies as in actual trials, jurors were specifically instructed that attorneys’ opening statements and closing arguments are not evidence and should not be given undue weight in decision making. Despite this admonition, jurors’ legal decisions were affected by the attorneys’ statements, a finding consistent with psychological research demonstrating that individuals can be fully aware of input from the environment but not aware of its influence on their thoughts and behaviors (e.g., Fiske & Taylor, 1991). Future research should test the effectiveness of courtroom procedures, such as more extensive jury instructions warning that attorneys’ statements can bias decision making in diminishing the biasing influence of attorneys’ statements.

Jury Deliberation

After jurors individually hear and interpret evidence presented during a trial, they may reach individual conclusions about the guilt or innocence of the juvenile offender, but then they face a second task: deliberating with others to reach a consensus verdict. In their previously mentioned study, Haegerich and Bottoms (2004) examined whether group deliberation changed the impact of the attorney’s attempt to activate mock jurors’ superpredator
and wayward youth stereotypes. Psychological theory and a few empirical studies on this topic indicate a number of different possibilities. Some studies have found that jury verdicts often simply reflect the collection of individual jurors’ verdicts before deliberation (e.g., Sandys & Dillehay, 1995; see Devine, Clayton, Dunford, Seying, & Pryce, 2001, for a review). In fact, after their classic study of actual juries in Chicago, Kalven and Zeisel (1966) concluded that the “deliberation process might be likened to what the developer does for an exposed film: it brings out the picture, but the outcome is pre-determined” (p. 489).

Postdeliberation decisions, however, do not always mirror predeliberation decisions (e.g., Bray & Noble, 1978; Davis, Spitzer, Nagao, & Stasser, 1978). As noted by Haegerich and Bottoms (2004), jurors’ predeliberation stereotypes could be maximized as a result of social pressure among jurors to conform and also because of personal acceptance of attitudes based on group consensus (Moscovici & Zavalloni, 1969). In contrast, minimization could occur as a result of jurors attempting to control their biased cognitions and avoid applying a stereotype. These self-presentational and normative goals (i.e., not wanting to appear biased in front of other jurors) are theorized to be stronger in group deliberation than during solitary decision making (e.g., Devine, 1989). Finally, deliberation might have no impact on the extent to which jurors’ stereotypes influence decisions, but jurors might exhibit a general leniency bias. That is, prior research suggests an overall trend for jurors’ judgments to be more lenient after deliberation than before deliberation because deliberation highlights the legal standard of reasonable doubt, and in group discussion it is easier to raise a doubt in the mind of a fellow juror than to quash all doubts (MacCoun & Kerr, 1988).

Haegerich and Bottoms (2004) found that mock jurors’ postdeliberation judgments were neither maximized nor minimized compared with predeliberation judgments, nor was there consistent evidence of a general leniency bias. Jury verdicts simply reflected the average of individual juror verdicts rendered before deliberation. These results speak to a continuing debate in the field of psychology and law: whether mock jury research conducted without deliberation is valid (Diamond, 1997). Although other studies have produced different results, these findings are consistent with the argument that regardless of whether studies examine juror or jury judgments, the results are generally similar (e.g., MacCoun & Kerr, 1988; Sandys & Dillehay, 1995; see Devine et al., 2001, for a review).

**JUVENILE DEFENDANT CHARACTERISTICS**

Research has also begun to address a third broad category of factors that vary in cases involving juvenile defendants: characteristics of the youth him- or herself.
Gender

Although most juvenile offenders whose cases are formally handled within the juvenile justice system are boys, girls, too, are involved in delinquent and criminal activity before reaching adulthood, as discussed in detail by Garbarino, Levene, Walsh, and Coupet (Chapter 17, this volume). Given that girls commit less crime and less violent crime than boys (Snyder, 2006) and that girls and women are stereotyped as less aggressive than boys and men generally (Deaux & Lewis, 1984), it is reasonable to expect that jurors would be more lenient in cases involving girl than boy defendants. Alternatively, Nunez, Dahl, and Hess (2005) theorized that girls who commit violent crimes might be perceived as particularly aggressive and deviant because they are violating gender norms.

It is tempting to draw from research on the impact of child gender on jurors’ perceptions of child sexual abuse victims to understand whether and how gender will influence juror judgments in criminal cases. Yet this is difficult for two reasons. First, that literature is mixed. When victim/witnesses are very young, jurors do not generally differentiate between boy and girl victims (e.g., Bottoms & Goodman, 1994; Crowley, O’Callaghan, & Ball, 1994). When victim/witnesses are teenagers, jurors sometimes favor girl victims but not always (e.g., Clark & Nunez-Nightingale, 1997; Quas, Bottoms, Haegerich, & Nysse-Carris, 2002; for a review, see Bottoms et al., 2007). Second, jurors’ reactions to children in such cases are complicated by their beliefs about the nature of child sexual abuse and the sexual victimization of boys versus girls, factors not at issue in many juvenile crime cases.

To date, there have been only a few direct tests of the influence of juvenile gender on jurors’ perceptions. One such study is the previously mentioned Haegerich and Bottoms (2000) study, in which a teenager allegedly murdered his/her father in self-defense because of the father’s sexual abuse. No key case judgments were affected by defendant gender. Mock jurors were, however, more likely to believe the girl defendant’s self-defense claim of sexual abuse than the boy’s, and jurors were more likely to attribute the boy’s killing of the father to the boy being a bad person, whereas the girl was perceived as less likely to have killed because of such an inherent disposition. In Nunez, Dahl, Tang, and Jensen’s (2007) study, there were no main effects of juvenile offender gender on mock jurors’ case judgments when the juvenile was accused of murder. Yet the researchers found that age, abuse history, and victim type predicted case judgments for girls (i.e., older, non-abused girls who murdered their fathers were more likely to be recommended to juvenile court than younger, abused girls who murdered their neighbors), but these variables only predicted judgments for boy offenders in a complex, interactive manner. Thus, defendant gender may have few direct effects of consequence, but more research is needed to examine unique mediators.
and moderators that affect judgments separately for boy and girl offenders, especially for crimes that do not involve claims of child abuse.

**Race**

Numerous studies have shown that African American adult offenders receive harsher treatment than white adult offenders (e.g., Lynch & Haney, 2000; Pfeifer & Ogloff, 1991; Ugwuegbu, 1979; for a meta-analytic review, see Sweeney & Haney, 1992). These findings are consistent with established theories of stereotyping and racism, especially aversive racism (Gaertner & Dovidio, 1986), which suggest that deep-rooted, anti-black stereotypes cause whites to devalue blacks and subsequently treat black defendants more severely than white defendants.

There is also some evidence of racial bias in the treatment of juvenile offenders. Compared with whites, black juvenile offenders are overrepresented in the juvenile justice system relative to their total population: In 2002, although only 16% of the total U.S. population younger than 18 was black, black youth make up 43% of all juvenile arrests (Snyder, 2004). Even after controlling for offense severity and prior offenses, black juveniles are more likely than white juveniles to be detained, transferred to adult court, and receive lengthy sentences (Engen, Steen, & Bridges, 2002; Wordes, Bynum, & Corley, 1994). Thus, it should come as no surprise that older black juvenile offenders, relative to younger black and nonminority juveniles, are more likely to anticipate unfair treatment by the courts (Woolard, Harvell, & Graham, 2008).

Two studies have addressed jurors’ perceptions of minority juvenile offenders. Scott, Reppucci, Antonishak, and DeGennaro (2006) showed community members (1) a video clip of a convenience store armed robbery involving a masked perpetrator and (2) a separate picture of a juvenile defendant portrayed as either white or black and as either 12 or 15 years old. The younger defendant was judged less culpable and sentenced more leniently than the older defendant, but race had no significant effect. Although race simply might not affect jurors’ decisions in such cases, it is more likely that a different methodology is necessary to find its effects. Specifically, the sole focus in Scott et al.’s study was the defendant’s photograph. In real trials and many mock juror studies, the defendant is usually not the sole element of focus, but rather other witnesses and attorneys are focal points as well throughout the course of the trial (e.g., Lynch & Haney, 2000). In the context of a psychology experiment, the photo of the black youth might have raised participants’ suspicion, increased their awareness of race, heightened their motivation to avoid racial prejudice, and, in turn, caused participants to overcompensate for preexisting prejudice by treating the black and white defendants similarly. In keeping with theories of aversive and modern rac-
ism, Sommers and Ellsworth (2001) argue that this will be the outcome when race is overly salient in such studies. Further, participants in Scott and colleagues’ study were told to assume the defendant’s guilt. Racism is most likely to manifest in cases in which the evidence is more ambiguous. Participants might not have relied on race as a peripheral cue shaping their judgments because there was no ambiguity as to the defendant’s guilt.

Stevenson and Bottoms (in press) varied defendant and victim race (black or white) in an ambiguous simulation of a robbery/murder trial and examined non-black mock jurors’ (college students’) reactions to all resulting racial combinations. Men, but not women, voted guilty more often when the juvenile defendant was portrayed as black than as white. Men also rendered fewer judgments of guilt when the victim was black than white. This is consistent with Dovidio, Smith, Donnella, and Gaertner’s (1997) finding that men (but not women) recommended the death penalty more often when an adult defendant was black versus white. It also fits with research findings that men, on average, tend to score higher on measures of explicit racism than women do (for a review, see Ekehammar, Akrami, & Araya, 2003). Perhaps women’s experience with sexism leads to a subsequent greater tendency to empathize with victims of discrimination (Carter, 1990; Mills, McGrath, Sobkoviak, Stupec, & Welsch, 1995). Thus, this study provides some evidence for racial bias in the treatment of juvenile offenders, at least among men jurors. It is even possible that this study underestimates the role of race because of its undergraduate participant sample. That is, Sommers and Ellsworth (2001) argue that on a college campus, where diversity and equal rights are typically emphasized as normative values, racism is likely to be particularly salient and, arguably, more aversive to undergraduates than to older community members, who might not be as regularly exposed to such liberal values. In fact, Stevenson and Bottoms drew their sample from the University of Illinois at Chicago, one of the most diverse institutions in the nation. Racial bias might be even more pervasive in a community sample, as was the case in a study of perceptions of adult offenders conducted by Sommers and Ellsworth.

Abuse History

The link between child maltreatment and juvenile delinquency is so well documented (e.g., Smith & Thornberry, 1995; Widom & Maxfield, 2001; Widom & Wilson, Chapter 13, this volume) that Grisso (2002) expressed concern that clinicians testifying in court as expert witnesses might incorrectly use the link between child abuse and juvenile delinquency as evidence that abused juveniles will reoffend and should, therefore, be treated more punitively than their nonabused counterparts. How does a history of child abuse influence jurors’ perceptions of juvenile offenders? There have been at
least three studies in which mock jurors considered cases involving a juvenile offender who was portrayed as formerly abused or not. Mock jurors generally used the juvenile defendant’s abuse history as a mitigating factor, leading to less severe case decisions such as fewer transfers to adult court (Nunez et al., 2005; Nunez et al., 2007; Stalans & Henry, 1994). These effects were typically strongest, however, when the juvenile was accused of murdering the perpetrator of the abuse (an abusive parent as opposed to a nonabusive neighbor), so self-defense considerations might have contributed to the lenient decisions.

We are currently engaged in two new lines of related research. In the first (Najdowski, Bottoms, & Vargas, in press), we asked mock jurors to read about a 16-year-old girl who had either no known abuse or a history of neglect and physical and sexual abuse at the hands of her father. Participants read four vignettes describing the juvenile as unambiguously guilty of shoplifting, selling drugs near a school, murder committed in self-defense against her abusive father, and aggravated assault/murder of a peer. In the self-defense murder case, but not in the other three cases, the abused juvenile was considered less responsible for the crime, less “bad,” and more amenable to rehabilitation than the nonabused juvenile. The only significant effect of abuse in any of the other three cases was one effect in aggravated assault/murder case that involved no self-defense. In that case, mock jurors perceived the abused juvenile as less amenable to rehabilitation than the nonabused juvenile, a finding consistent with Grisso’s (2002) fear that abuse history might be interpreted as a predictor for future crime and, in turn, used against juveniles in sentencing.

Thus, our study and those reviewed previously suggest that effects of abuse history appear tied to its use as a reason for self-defense rather than jurors harboring a general sympathy for juveniles who just happen to have been abused as a child. Our second line of work, however, illustrates at least one crime situation in which jurors are influenced by an adult defendant’s history of child maltreatment. Specifically, we (Stevenson et al., 2008) are coding in detail mock jurors’ comments during deliberations in the sentencing phase of a capital murder trial. The adult defendant was convicted of a robbery/murder and portrayed as having been physically abused throughout his childhood. Preliminary results suggest that mock jurors are less likely to use the evidence of child abuse as a mitigating factor than defense attorneys might hope. In fact, jurors are more likely to argue against other jurors’ attempts to discuss abuse in a mitigating manner, and they sometimes even use child abuse as an aggravator, arguing that the defendant is “damaged goods” and not capable of rehabilitation and, thus, more fit for the death penalty than life in prison. This type of “backfire” effect has also been observed in research examining jurors’ use of supposedly mitigating evidence about a defendant’s alcoholism and mental illness (Barnett, Brodsky,
CHILDREN AS OFFENDERS

& Price, 2007; Brodsky, Adams, & Tupling, 2007). Of course, in this study, the defendant is an adult rather than a juvenile, but we believe the results are relevant in trying to understand the impact of abuse information on jurors’ perceptions of juvenile offenders. Future research should test other potential moderators of the mitigating effect of child abuse on jurors’ case judgments of juvenile offenders. For example, perhaps strong endorsement of the superpredator stereotype prevents jurors from using child abuse as a mitigating factor, while endorsement of the wayward youth stereotype promotes it.

Intellectual Disability

An unfortunate reality is that intellectually disabled (i.e., mentally retarded) juveniles are disproportionately represented in delinquent populations compared with nondelinquent populations (Kazdin, 2000). The high rate of delinquency among disabled juveniles may be a consequence of diminished decision-making and psychosocial capacities, deficits that characterize most juveniles (see Reppucci et al., Chapter 15, this volume; Steinberg & Scott, 2003) and are likely exacerbated by intellectual disability. In fact, acknowledging that impairments in these domains diminish legal culpability, the U.S. Supreme Court ruled that capital punishment is unconstitutional for all juveniles and intellectually disabled adults (Atkins v. Virginia, 2002; Roper v. Simmons, 2005). Yet diminished culpability is not considered by courts in other situations. For example, many disabled juveniles continue to be waived to adult criminal court from juvenile court. In fact, only seven states explicitly consider intellectual disability when evaluating a waiver decision (Griffin, Torbet, & Szymanski, 1998). Therefore, it is important to determine whether jurors’ perceptions of juveniles’ intellectual disability influence their judgments.

In the first research to examine jurors’ perceptions of intellectually disabled children in a courtroom context, Bottoms, Nysse-Carris, Harris, and Tyda (2003) found that mock jurors rendered more favorable judgments if a child sexual abuse victim was described as “mildly mentally retarded” compared with “of average intelligence.” Gibbons, Gibbons, and Kassin’s (1981) research revealed that mock jurors reported favorable attitudes toward disabled adult defendants (e.g., they agreed that disabled adults should be handled in special courts or facilities). Also, jurors used disability as a mitigating factor for more severe crimes, but they used it as an aggravating factor for less severe crimes. Jurors may find it less plausible that a disabled adult could commit more severe crimes, which involve cognitive sophistication.

To examine whether intellectual disability would affect perceptions of juvenile offenders, we varied the disability status of the juvenile defendant
Confessions

As discussed in detail by Redlich and Kassin (Chapter 14, this volume; see also Woolard et al., 2008), given their diminished capacities, juvenile crime suspects are likely to be at substantial risk for confessing, falsely or not, especially under coercive interview circumstances. For instance, 67% of a sample of boy offenders stated that they were more likely than not to falsely confess under certain hypothetical circumstances (Goldstein, Condie, Kalbietzer, Osman, & Geier, 2003; see also Drizin & Leo, 2004; Redlich & Kassin, Chapter 14, this volume). Jurors are strongly biased to perceive adult confessions as true (Kassin & Gudjonsson, 2004). Redlich, Ghetti, and Quas (2008) have provided preliminary evidence that this effect extends to cases involving juvenile defendants. In their mock trial study, jurors were twice as likely to believe that a boy was involved in a crime when he confessed and recanted compared with when he never admitted involvement.

In contrast to voluntary confessions, coerced false confessions occur when suspects are induced through police interrogation tactics to confess to a crime they did not commit (Redlich & Kassin, Chapter 14, this volume). Mock jurors convict adults who confess under coercion just as often as those who confess voluntarily (for review, see Kassin & Gudjonsson, 2004). Redlich, Quas, and Ghetti (2008) found results consistent with this in a study examining jurors’ perceptions of a juvenile accused of murdering a toddler. Even though the juvenile denied allegations more than 40 times before eventually admitting guilt, mock jurors’ guilt verdicts were not influenced by perceptions of the voluntariness (of lack thereof) of her confession. They were, however, less likely to vote guilty if they thought the juvenile did not understand the interrogation or that the police were unfair.

We extended this body of research by examining mock jurors’ reactions to a juvenile who was portrayed confessing voluntarily, under coercion, or not at all in a second study in which we again portrayed a juvenile defendant as either intellectually disabled or not (Najdowski, Bottoms, & Varga, in press). Intellectually disabled juveniles may be especially prone to false confessions because of comprehension and reasoning impairments in the study of abuse history described previously (Najdowski, Bottoms, & Vargas, in press). Specifically, we portrayed the juvenile as either “developmentally delayed, functioning in the mild range of mental retardation” or “of average intelligence.” Overall, participants perceived a disabled juvenile as less “bad” and less responsible than a nondisabled juvenile. In contrast to Gibbons and colleagues’ (1981) findings, participants used intellectual disability as a mitigating factor across the four types of cases, regardless of the severity of the crime. Perhaps jurors find any criminal sophistication on the part of a disabled juvenile implausible.
Conclusions

We have summarized a growing body of research, much of it from our own laboratory, addressing many factors that influence jurors’ perceptions of juvenile offenders. Juror, juvenile defendant, and trial factors can all influence trial outcomes in ways that may or may not lead to fair trials. Identifying such factors is necessary before pursuing interventions aimed at increasing fairness in trials, such as voir dire strategies, jury instruction reform, and expert witness testimony. Clearly, much more research is needed. For example, we have shown that crime type and case-related factors can have an important influence on jurors’ perceptions (i.e., abuse history, intellectual disability, and presence of confession evidence influence judgments in some cases but not others). Consider sex offenses: In many states, adult laws that require public registration of sex offenders (i.e., public access—often via the Internet—to information about the offender, such as name, date of birth, address, place of employment, photograph) are being applied to juveniles. We have just begun work investigating support for these laws among attorneys and the general public (Salerno, Stevenson, Najdowski, Wiley, & Bottoms, 2008). We are finding that, although support may be high for applying these laws to juveniles in the abstract, support decreases when people are asked about specific types of nonserious offenses that juveniles are currently being charged with in many states (e.g., boyfriend/girlfriend status offenses).

Future research should also explore the perceptions of other key legal players such as juvenile court intake workers, probation officers, and judges. For example, whereas jurors sometimes use child abuse as a miti-
gating factor, juvenile court officials actually perceive maltreated juvenile offenders, compared to nonmaltreated juvenile offenders, as less likely to be rehabilitated and as more deserving of incarceration or transfer to adult court (Grisso, Tomkins, & Casey, 1988; Salekin, Yff, Neumann, Leistico, & Zalot, 2002), perhaps because child abuse is often confounded with a host of other factors such as an unsupportive and chaotic family environment, behavioral and mental health problems, and school problems, all of which predict punitive juvenile dispositions (Clarke & Koch, 1980; Fenwick, 1982; Grisso et al., 1988; Horowitz & Wasserman, 1980; for a review, see Stevenson, in press). Even so, although juvenile probation officials are more likely to recommend secure residential placement and expect difficulty in supervision for an abused than a nonabused juvenile, they are also more likely to recommend psychological services and “go the extra mile” in their supervision of abused juveniles (Vidal & Skeem, 2007).

In conclusion, it is increasingly important to understand factors that influence perceptions of juveniles, in light of their vulnerability and of current societal trends of increasing the severity of legal processes and outcomes for young offenders. Continued efforts to conduct scientifically sound research with ecologically valid techniques will ensure that future research on these issues will yield generalizable results of importance to law and policy.

ACKNOWLEDGMENTS

We thank Kathleen Acuesta, Matt Badanek, Danielle Brandstetter, Erika Chang, Jessica Dilley, Kara Doering, Michaela Drury, Laura Dutzi, Sandy Estrada, Koren Ganas, Amber Glow, Saba Khan, Michael Keaveny, Lauren Kasprzyk, Anthony Marino, Jodie Pasternak, Michelle Prestige, Kelly Ricketts, Joanna Slusarczyk, Lisa Tockman, Orlando Torres, Maria C. Vargas, Sonja Veile, Lachelle White, and Lauren Whitehair for valuable research assistance, and Alison Perona for legal consultation on several of the studies described in this chapter.

REFERENCES


presented at the annual meeting of the American Psychology-Law Society, La Jolla, CA.


Stevenson, M. C. (in press). Perceptions of juvenile offenders who were abused as children. *Journal of Aggression, Maltreatment, & Trauma*.


