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The Effect of Victim Religion on Juror Perceptions of Hate Crimes

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THE EFFECT OF VICTIM RELIGION

ON JUROR PERCEPTIONS OF HATE CRIMES

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THESIS

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A thesis submitted in partial fulfillment of the
requirement for the degree of Master of Science in the
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By

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Lexington, KY

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ABSTRACT OF THESIS

THE EFFECT OF VICTIM RELIGION
ON JUROR PERCEPTIONS OF HATE CRIMES

The present study investigated mock juror perceptions of hate crimes in the courtroom, specifically whether a victim's religion (Atheist, Christian, Jewish, or Muslim) influenced the likelihood that a mock juror would render a hate crime verdict. I employed a mock juror methodology where participants read an assault trial summary, rendered a verdict, and answered a series of rating questions about the victim and defendant. Two theoretical explanations were proposed to explain the main effect of victim religion on participant verdict decisions; that participants would be most likely to render a guilty verdict when the victim is considered an in-group member (i.e., same religion) or when participants perceived the victim's religion to be commonly targeted in religion-motivated hate crimes. The results showed a main effect of victim religion on participant verdict decisions, such that the Jewish victim received the highest percentage of hate crime verdicts. Participant perceptions of the victim's trustworthiness and the defendant's bias mediated the relationship between participant religion (Christian or Jewish) and verdict decisions. The results are discussed in terms of their implications for law enforcement, social psychology, and policy.

KEYWORDS: hate crimes, juror decision-making, *PFNET*s, victim religion, bias

Casey L. Magyarics
April 2016

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TABLE OF CONTENTS

The Effect of Victim Religion on Juror Perceptions of Hate Crimes

Overview

The US Department of Justice (2010, p. 1) defines a hate crime as "the violence of intolerance and bigotry, intended to hurt and intimidate someone because of their race, ethnicity, national origin, religion, sexual orientation, or disability". In addition to bias being the primary motivation for committing a crime against a particular person(s), perpetrators of hate crimes often aim to instill fear in the victims, as well as the communities that the victims belong to (US Department of Justice, 2010). For example, the perpetrator of a hate crime will target a single Muslim or small group of Muslims in order to instill fear into a larger Muslim community, such as Muslims within the United States. From the perspective of the perpetrator, victims of hate crimes are "interchangeable" as long as they belong to the target group (Levin & McDevitt, 2002). The present study aimed to understand mock juror perceptions of hate crimes against victims of various religions, specifically whether crimes against a particular religion are seen as more likely to be perceived as a hate crime.

The Federal Bureau of Investigation (2015) conducts the Uniform Crime Report (UCR) each year in order to collect statistics on a variety of crimes. In 2014, the UCR collected hate crime data from law enforcement agencies around the United States and reported 5,479 hate crime incidents. The UCR report showed that 47% of the incidents stemmed from racial bias, 18.6% were motivated by sexual-orientation bias, 18.6% resulted from religious bias, 11.9% were caused by ethnicity bias, and the remaining were caused by bias against persons with disabilities and gender-identity bias. Prejudice is "a social orientation either towards whole groups of people or towards individuals because of their membership of a particular group" (Brown, 2010, p. 4). The present study will focus on the second most common reason for the

perpetration of hate crimes, those motivated by bias against persons of a particular religion. Past research has investigated jury decision-making for the other two most common types of targeted groups, racial groups (Saucier, Hockett, Zanotti, & Heffel, 2010) and sexual-orientation groups (Cramer, Wakeman, Chandler, Mohr, & Griffin, 2013), but to date, little research has been conducted to understand juror decision-making when the victim is targeted because of their religion.

According to the UCR (2015), the three most common religions that are targeted in hate crimes are Jewish (56.8%), Muslim (16.1%), and Catholics (6.1%). Although targeted less-commonly, Protestants (2.5%) and Atheists/Agnostics (1.2%) are also victims of hate crimes in the United States. In addition to the type of victim targeted, the UCR also presents data regarding the types of offenses committed in hate crimes. The majority of these offenses are committed against an individual person or group (60.2%) rather than against property (39%). Additionally, the most common type of crime reported in hate crimes against a person or persons is intimidation (43.1%), followed by simple assault (37.4%), and aggravated assault (19%). From this data, one sees that nearly all reported hate crimes result in emotional and/or physical harm against the victims, making these crimes important to study.

Offender Profile and Motivation

Many people believe that perpetrators of hate crimes are members of extremist groups or those who have a deeply rooted hatred toward a particular group, but this is often not the case. Rather, perpetrators of hate crimes are typically young white males who have not had much contact with the criminal justice system, and are not often members of a particular hate group. In a study of actual hate crimes, Levin (2002) found that less than 5% of the hate crimes studied had perpetrators that were members of official hate groups. Additional research conducted by

Craig (2002) studied perpetrators of hate crimes and argued that there is nothing remarkable about them, adding that they are often from a variety of ethnic and racial backgrounds. From the above-mentioned research (Levin, 2002; Craig, 2002), it is clear that hate crime offenders are not easily classified into ethnic or racial categories, and are often not characterized by their hate for a particular out-group.

While there may not be a clear way for socially categorizing perpetrators of hate crimes, the motivation and justification for a hate crime perpetrator's behavior is unique to these crimes. According to Sun (2006), offenders of hate crimes have a distorted reality that ofen causes them to blame their actions on the victim. Oftentimes, perpetrators of hate crimes will not only blame their victim, but will perceive themselves as being the victim in the situation the perpetrator created. Additionally, social cognition research (Bodenhausen, Macraw, & Hugenberg, 2003; Fiske & Taylor, 1991) has shown that people tend to explain their actions using a self-serving bias, meaning that they rationalize their actions in a way that justifies them as desirable and reasonable from their own point of view (Davidson, 1990). Due to this distortion of social reality, hate crime offenders may argue that their behavior is justified because the victim's membership group deserved targeting. For example, the perpetrator of a hate crime may justify his behavior by stating that the victim had interrupted or intruded on his life, thus justifying the perpetrator's retaliatory actions against the victim. However, in reality, the perpetrator exaggerates the victim's intrusive behavior in order to justify his own extreme response. From this example, the motivations of a perpetrator are self-serving in a hate crime scenario.

According to Levin and McDevitt (1993), committing hate crimes occurs due to one of four types of motivation—thrill seeking, defensive, mission, and retaliatory. Thrill-seeking hate crimes occur when young people in small groups leave their neighborhood to target a minority

group (McDevitt, Levin, & Bennett, 2002). For example, a group of teenagers may start by making jokes about Jewish people before using this as cause to seek out a Jewish person to victimize. It is important to note that the individuals in these groups are usually motivated primarily by peer-pressure and conformity and not by bias against the target group.

The second category of hate crime motivation is reactive (defensive) crimes. A hate crime perpetrator motivated by defense believes that the target has intruded on their territory or property, thus igniting anger in the perpetrator. As an example, a neighborhood of Christian families may feel unsettled if a Muslim family moves in. Additionally, if one of the Christian residents has an existing bias against Muslims, they may perpetrate a defense-motivated hate crime against the Muslim family. Unlike the first category, hate crimes motivated by defense often take place in the perpetrator's own neighborhood or territory, which ignites the sense of intrusion experienced by the perpetrator.

Mission motivated hate crimes make up the third category, and are the least frequent type of hate crime (Levin & McDevitt, 1993). Although mission hate crimes occur the least, these are the most common type of hate crime portrayed in the media because the perpetrator typically acts alone and harms an entire group of people. For example, the highly publicized massacre involving an historic African American church in Charleston, South Carolina by Dylann Roof (NBC News, 2015) was a mission-motivated hate crime. Perpetrators of mission-motivated hate crimes are often mentally unstable and believe that they are acting to get revenge on the minority group (Levin & McDevitt, 1993).

The final category of hate-crime motivation is retaliatory crimes, in which a rumored incident in which the minority group has allegedly wronged the perpetrator's in-group motivates a perpetrator (McDevitt et al., 2002). For example, a group of Jewish men may perpetrate a hate

crime against a Christian individual if the Jewish men believe that the Christian made a biased remark towards them. It is important to note that the original comment or crime does not need to have actually occurred as long as the perpetrator of the hate crime believes that it did.

Development of Prejudice

Prejudice is described as a general negative evaluation of a person or group (Brown, 2010). Humans are not born with prejudice, but we develop it at a very young age when exposed to stereotypes in our society from friends, family, and even strangers (Allport, 1954; Nelson, 2002). Research regarding the development of prejudice has been conducted for decades, often with the belief that understanding the development of prejudice can help address the issues that result from extreme forms of prejudice. A study by Castelli, De Dea, and Nesdale (2008) found that children between the ages of three and six were highly sensitive to nonverbal behaviors of adults in a bi-racial social interaction. The preschool-aged children watched a video of an interaction between a white male and black male in which the white male has a positive verbal attitude and a nonverbal attitude that is either positive or negative. In addition to identifying negative nonverbal behavior, the children were able to attribute the white actor's negative feelings toward other black men who were not involved in the original interaction. Castelli et al. provided evidence that the nonverbal behavior observed by young children influenced their perceptions of an interaction, and can influence the development of prejudice.

As young children learn of the existence of social groups they naturally categorize themselves and others into social categories (Cameron, Alvarez, Ruble & Fuligni, 2001). When children categorize people by race, they are using a lay theory which states that those who are similar to themselves are good and those who are different from themselves are bad (Tajfel & Turner, 1979 in Cameron et al., 2001). Past research has shown that white children show a

preference for their own social category by as early as age three, but these children will show less of a preference for their white social group around age seven (Aboud, 1988; Brown, 1995 in Cameron et al., 2001). Interestingly, Cameron et al. believe that a child's understanding of racial constancy, that a person's race does not change during the life course, can contribute to a child's preference for their in-group (Williams & Katz, 1997; Cameron et al.). Another social cognitive transition that is argued to be critical to a child's preference for their in-group takes place between ages seven and nine when children switch their descriptions of a person from physical traits to internal or psychological traits. It is during this time that children place a societal stereotype onto members of out-groups, leading to prejudicial attitudes toward out-group members (Cameron et al.).

When young children learn prejudice against certain groups by observing their parents and other adults they will also learn to associate racial slurs with the stereotypes they already know (Allport, 1954). For example, a Caucasian child will associate the term "Negro" with dark skinned people and other people he learns to think of as out-group members. Past research has shown that young children exhibit signs of intergroup bias as young as four years of age (Ashmore, Jussim, & Wilder, 2001; Doosje et al., 2011; Degner & Dalege, 2013). Although children's prejudice against out-group members may never develop into a problem that would cause them to harm out-group members, it often leads to a distinction between "those like me" and "those unlike me". These distinctions, referred to as schemas, are mental models of a concept or idea that includes all knowledge we have of that particular concept (Nelson, 2002).

As adults, we have a schema of a particular group that includes everything we have learned about that group throughout our lives. Schemas about a particular group that include primarily negative attributes can lead to prejudice against that group. When a person is faced

6

with certain situations, such as when a person feels that an out-group member has wronged their in-group, their schemas influence their reaction, potentially leading to harm done against members of the out-group (Cacault, Goette, Lalive, & Thoenig, 2015; Hansen, Rakhshan, Ho, & Pannash, 2015). For example, if a group of African American men believe that a Caucasian man made racist comments towards them, the African American men might be more likely to retaliate if their schema of Caucasian men involves them being racist and capable of harm. Linville, Salovey and Fischer (1986) argued that schemas for in-groups are much more complex than schemas for out-groups, such that our perception of the in-group involves a complex group with several individualities, while the out-group is perceived as all being the same. When members of out-groups lack individuality, it becomes likely that they will be dehumanized. If a group of people is thought of as "less than human", such as the Jewish people during the Holocaust or the Hutus during the Rwanda genocide, violence against them becomes increasingly likely (Smith, Stones, Peck, & Naidoo, 2007).

In the classic camp study conducted by Sherif (1958), the researchers divided the boys who attended a traditional summer camp into arbitrary groups in the hope of creating conflict between the two groups. Even though the groups had equal athletic ability and varying personality types, the two groups created favorable attitudes toward the boys in their own group and unfavorable attitudes toward the members of the other group. Sherif's experiment shows how easily one can create prejudice, even when there are no measurable differences between groups. Fortunately, Sherif found a reduction in prejudice when the two groups needed to work together for a common goal. Allport (1954) stated that we tend to prefer those like ourselves, though the way we define what makes someone like us can be fluid depending on the situation. In the Sherif experiment, the boys' definition of someone like them depended on the activities

and challenges they were facing. Thus, fluidity is an important characteristic of prejudice and can help explain how people develop and eliminate prejudice at all stages of life.

The frequency of technology use in today's society can also hasten the spread of prejudicial ideas. Technology helps a group's ideas spread to larger areas and to more people with less effort. In fact, Lawson and Henderson (2009) argue that the increase in the number of hate groups may be due to the advantage that the Internet provides to people trying to spread their message. The Internet has allowed like-minded extremists to connect with each other and share their cause with impressionable people, especially young teenagers. According to Lawson and Henderson (2009), between the years of 2005 and 2009, white supremacists recruited new members and spread their message through mainstream social media sites like Facebook and social media sited for white supremacists like "New Saxon". Additionally, extremists sometimes post anti-Semitic comments at the end of online news articles, even if the article is unrelated to these comments. Unfortunately, the ease of communicating with people around the globe has allowed hate to spread in ways it never has before.

Religious Prejudice

Traditional psychological research (i.e., Allport & Ross, 1967; Allport, 1954) has found evidence for the association between religiosity and prejudice against out-group members. Allport and Ross (1967) reported that both intrinsically (those who engage in religious practices as a valued end) and extrinsically (those who use religion as a means to other personal coping or social ends) religious people are the most prejudiced people. Although many religions have foundations that preach unconditional love for all people, social science research (Altemeyer, 1996; Rowatt, LaBouff, Johnson, Froese, & Tsang, 2009) has shown a connection between religious people and prejudice toward people unlike themselves. Fundamentalism is one of the

most reliable links between religiosity and prejudice (Altemeyer, 1996; Leak & Finken, 2011). According to Altemeyer (1996), fundamentalism is the belief that only one set of religious teachings is true, and that people must follow these original teachings today. In addition to following their own strict beliefs, fundamentalists learn to perceive everyone else as being part of the out-group, which can easily lead to prejudice against anyone unlike themselves (Altemeyer, 1996).

Rowatt et al. (2009) analyzed data from 1,588 U.S. adults who filled out the Baylor Religion Survey in 2007 in order to test their hypothesized link between religiosity, right wing authoritarianism, political ideology, and attitudes toward historically disadvantaged social groups. They found that general religiousness, as measured by participant responses to their degree of religiousness, frequency of attendance at service, reading of sacred books, and prayer, to be associated with less accepting attitudes toward homosexuals and racial minorities. To measure right wing authoritarianism, participants rated their agreement with three statements; obedience and respect are the most important things kids should learn, we must crack down on troublemakers to save our moral standards and keep law and order, and people should be made to show respect for America's traditions. The results showed that participants who ranked high in right wing authoritarianism, meaning they highly agreed with each of the statements, also ranked high in general religiousness and general racial prejudice. Thus, some mainstream religions in the United States (e.g., Judeo-Christianity) are associated with prejudice against homosexuals and minority races. This finding is in support of historical evidence that has associated the strict following of religious teaching with prejudice. According to Jenkins (2008) this association has been known to lead to Christian-led violent attacks and harm against religious out-group members.

Effects on Victims of Hate Crimes

Research has shown that the psychological effects of hate crimes are more severe than regular crimes, such as a typical simple assault (D'Augelli & Grossman, 2001; Herek, Gillis, & Cogan, 1999; Herek, Gillis, Cogan, & Glunt, 1997). This increase in severity could be the result of the additional emotional fear of being a target because of their membership in a particular group on top of the physical harm that a victim experiences from a hate crime. It is important to note that although they are not usually associated with murder, hate crimes generally consist of very brutal and violent crimes, so the additional psychological harm can make hate crimes extremely difficult for victims. In June 2015, a complete stranger brutally stabbed a group of men with an 8" Rambo knife after calling them "faggots" for wearing skinny jeans (Campbell, 2015). Thus, the men in this example will likely be fearful to be targeted again because of their appearance, in addition to the physical harm of being stabbed. However, in a hate crime, the actual victims are not the only ones experiencing fear, because other members of the targeted group, such as LGBT individuals in this case, will often experience heightened fear of being a target by people with prejudice attitudes toward their group. Saucier et al. (2010) reported that victims of hate crimes can experience increased levels of depression, anxiety, traumatic stress, anger, and a negative view of the world (e.g. "I don't feel safe in this world"). An additional reason for the increase in hate crime victims' emotional distress is the public's reaction to their victimization (Rayburn, Mendoza, & Davison, 2003). According to Lyons (2006), victims of hate crimes are not likely to receive significant social support, which can make them feel isolated and helpless. Denkers (1999) argued that a supportive social environment after a person is victimized facilitates the victim's positive adjustment. Thus, victims of hate crimes, who do not

often receive positive social support, are likely to deal with the negative emotional response of victimization as well as social rejection.

When the effects of a hate crime reach beyond the immediate victim into other members of the minority group, one may acknowledge that the perpetrator's goal is to send a larger message. Thus, hate crimes are often referred to as "message crimes" because perpetrators often wish to send a message to the entire target group that they could be victimized next (Iganski, 2001). These target minority groups may learn to be distrusting of their communities and governments for allowing the perpetuation of bigotry. Perry and Alvi (2011) conducted a study where 27 individuals filled out a survey that asked about their emotions, experiences, and perceptions following a hate crime against someone in their identity group. Their results showed that 75% of respondents reported that they were fearful that another attack could happen against their target group and that they felt unwelcome in the perpetrator's community. Additionally, respondents reported that their community did not seem willing to help them, which made them lose faith in their communities.

Legislation Targeting Hate Crimes

In addition to the traumatic physical and psychological impact on the victims, hate crimes also violate the victims' core American values of equality, justice, freedom, opportunity, and citizenship (Kentucky Criminal Justice Council, 2002). According to the Human Rights Campaign (2015), the United States began documenting crimes motivated by bias and hatred in 1989 when Congress enacted the Hate Crime Statistics Act. In 1993, the Hate Crime Sentencing Enhancement Act became law, such that those convicted of a bias-motivated crime could receive an additional sentence as decided by the Judge for their case. Unfortunately, Federal hate crime legislation did not protect all victims of hate crimes until the Matthew Shepard and James Byrd

Hate Crimes Prevention Act was signed in 2009. Under the Hate Crimes Prevention Act, the Federal government extends protection from hate crimes to those targeted for their actual or perceived sexual orientation, gender, gender identity, or disability. Previously, the Federal government only protected hate crime victims targeted because of their race, religion, and national origin (Anti Defamation League, nd). Additionally, prior to the enactment of the Hate Crimes Prevention Act, the Federal government could only get involved in a hate crime investigation when an attack on a victim occurred during a federally protected activity like serving on a jury or attending a public school (Anti Defamation League, nd).

Although it is important to punish those who act on their biased beliefs against a particular group, this can lead to criticism that the existing legislation punishes these people for their thoughts, which is counter to the First Amendment right of free speech and thought. However, hate crime legislation is not criminalizing hate speech, but rather it criminalizes harm done out of hate. Thus, hate crime legislation does not punish a person's thoughts, but rather punishes the perpetrator for acting upon their thoughts. It is also important to note that the majority of existing hate crime have an additional layer of criminality, or sentence, on top of the original crime's sentence (Adams, 2005). Therefore, being convicted of a hate crime involves an initial conviction of the primary crime committed, such as arson or assault, with the hate crime addition on top of this original charge.

Legislation targeting hate crimes often mandates more severe penalties than a similar crime not classified as a hate crime (Cramer, 1999; Levin, 2002). The enhancement of sentencing for persons convicted of hate crimes is often justified by showing that hate crimes have a more severe physical and psychological impact on victims than many regular crimes (Saucier, Hockett, & Wallenberg, 2008). While most states, like New Jersey (NJSA 2C:16-1),

use hate crime legislation to enhance the mandatory sentence for a particular crime, other states like Kentucky (KRS 532.031) simply deny a person convicted of a hate crime from being granted probation.

Hate Crimes in the Courtroom

Hate crimes are difficult to prosecute in the courtroom because the prosecution must prove that the defendant's primary motivation for committing the crime was their bias against the victim. According to Plumm and Terrance (2013), the perpetrator of a hate crime may commit the crime because of fear, ignorance, a misunderstanding, anger, or hate—making it difficult to prove the defendant's motive for committing the crime. *Mens rea*, the mental state of a person on trial for a particular crime, is a crucial element of the Prosecution's requirement to prove that bias against the victim was the primary motivation for the defendant's actions. Bell (2002) has shown that jurors use certain indicators, such as biased comments or gestures, vandalized property, or perceptions of the crime by the victim and witnesses to establish that the defendant was primarily motivated by bias. Hate crimes are typically underreported and notoriously difficult to prosecute (Wagner, 2015) because of how difficult it is to prove that bias primarily motivated the defendant, which could explain why little psychological research exists to understand courtroom decision-making in hate crime cases.

A few studies investigating hate crimes in the courtroom exist, but none examined mock juror perceptions and juror decision making in the context of victim religion. Plumm, Terrance, and Austin (2014) investigated the effect of ambiguity and expectations on mock juror perceptions of hate crimes against sexual minority groups (Study 1) and Native Americans (Study 2). Their study used a trial transcript methodology where participants read direct and cross-examination for all witnesses in an assault case using Minnesota's penal code. In Study 1,

the victim (described as gay or straight) was involved in a gay pride parade as a spectator or participant. The results for Study 1 showed mock jurors to be more likely to believe the defendant should be convicted when the victim was not gay than when he was gay. Additionally, participants were more likely to convict the defendant when the victim was watching the parade and least likely to convict the defendant when the victim was marching quietly in the parade.

Study 2 used a similar methodology as Study 1, but the researchers manipulated the victim's race as either Native American Indian or not. The victim's involvement in the Native American Heritage pride parade was identical to Study 1; he was either involved in the parade or acting as a spectator. Although there were no significant differences across conditions in the conviction of the defendant, Study 2's results did show a significant difference in the amount that participants blamed the victim for the assault. Specifically, mock jurors reported higher levels of blame toward the victim who identified himself as Native American rather than when he did not identify as Native American.

In addition to perceptions of victims in hate crime victims, additional psychological jury research has aimed to understand perceptions of hate crime legislation and sentencing. Cramer, Kehn, Pennington, Wechsler, Clark and Nagle (2013) conducted a two-part study that investigated the impact of jury instructions, participants' attitudes toward penalty enhancement for defendants convicted of hate crimes, and the effect of victim type on sentencing and blame. The same methodology used in two studies involved participants completing two parts of a jury-instruction vignette. In part 1 of each study participants became familiar with the victim and perpetrator characteristics (e.g., name, age, occupation) in a second-degree murder trial. A summary of the case stated that the victim and perpetrator got into an argument at the victim's front door. The perpetrator overpowered the victim and shot him with a gun twice in the chest.

Participants recommended a sentence for the perpetrator given Federal sentencing guidelines (235-293 months) for second-degree murder. It is important to note that during part 1, participants were unaware that the murder was a hate crime. Part 2 of the procedure for both studies consisted of a sentence that added that the murder described in part 1 was a hate crime. Participants again reported their recommended sentence using the Federal sentencing guidelines for a second-degree murder hate crime, such that the minimum sentence increases from 235 months when the murder is not considered a hate crime to 324 months when the murder is a hate crime.

In Study 1, after reading the vignette and providing sentence recommendations, participants rated their feelings toward sentence enhancement for a perpetrator convicted of a hate crime. Results showed that participants who agreed with the Sentencing Enhancement Act were more likely to increase their recommended sentence in part 2 of the vignette, when it was specified that the perpetrator had been accused of a hate crime. Results from Study 1 also showed a decrease in victim blame and an increase in perpetrator blame for participants who agreed with the Sentencing Enhancement Act for a perpetrator convicted of a hate crime. Thus, participants who agreed with the sentencing enhancement for perpetrators convicted of hate crime were more likely to increase the convicted perpetrator's sentence according to Federal guidelines, while also reporting less blame toward the victim and increased blame toward the perpetrator.

Study 2 investigated the effects of jury instructions, penalty enhancement agreement, and victim type (gay, transgender, or African American). In Study 2, the sentence in part 2 further specified that the perpetrator targeted the victim because of his stated race, sexuality, or sexual identity (depending on condition)—a hate crime. The results from Study 2 showed that

participants gave longer sentences when there was a gay victim than a transgender victim. Similar to Study 1, participants reported less blame toward the victim and more blame toward the perpetrator after a description of the crime as a hate crime.

Present Study

The present study investigated the effect of victim religion on mock juror perceptions of hate crimes. Participants read a trial summary based on the case State of New Jersey v. Mark Anthony, which accused the defendant of targeting the victim because of his religion. The victim was either Atheist, Christian, Jewish, or Muslim. In the present study, like the original case State of New Jersey v. Mark Anthony, the defendant was a middle-aged white man accused of assaulting his neighbor. The defendant allegedly targeted the victim because of the victim's religious identity. Prior to reading the trial summary, participants rated how much they like each of the four religious groups and how violent they believe each group is. Additionally, participants answered how frequently they believe each of the four religious groups is targeted in religious-based hate crimes. A control condition, where the defendant was only accused of assault, was also used. In the control condition, all details were the same, but there was no mention of the victim's religion or a reason why the defendant targeted the victim.

After reading the trial summary, participants rendered a verdict, rated the guilt of the defendant, and explained their verdict in an open-ended format. Additionally, participants rated their perceptions of the victim and defendant with respect to their role in the case (e.g., blame, sympathy) and their personality characteristics (e.g., trustworthiness, aggressiveness, likability). The present study used person perception methods, which are critical to understanding participant perceptions of the victim and defendant (Hastorf, Schneider, & Polefka, 1970). The measurement of participants' explicit perceptions in a hate crime case can lead to socially

desirable responses, because participants may not want to appear prejudiced. However, person perception methodology limits socially desirable responses because it does not focus on purposeful decision-making, but measures intuitive responses (Hastorf et al., 1970; Rayburn et al., 2003). I will test three hypotheses based on past research regarding hate crimes and prejudice behavior:

Hypothesis 1. I hypothesize a main effect of victim religion for verdict, such that participant verdict decisions will be significantly different based on the victim's religion. Specifically, I hypothesize that the control condition will receive fewer guilty verdicts than when the victim is the target of a hate crime. I hypothesize that participants will report more sympathy for victims of hate crimes than victims of assault without any motivation of bias. With respect to the hate crime conditions, there are two theoretical explanations for the specific pattern of results across the four levels of religion.

      Theoretical explanation 1. The theoretical perspective of in-groups and out-groups (Cikara, Bruneau, Van Bavel, & Saxe, 2014) could explain participant verdict decisions and guilt judgments, such that participants will be more likely to render a guilty verdict when the victim is a member of their religious in-group, Christianity (see Figure 1). Past research (Devine, 1989) has shown that participants have negative stereotypes of out-group members. Therefore, this theoretical explanation argues that the Muslim or Jewish victims will receive a fewer percentage of guilty verdicts than when the victim is Christian. Finally, because past research has shown that Christians have very unfavorable attitudes toward Atheists (Galen, Williams, & Ver Wey, 2014), I predict that of the hate crime conditions, participants will render the lowest percentage of guilty verdicts when the victim is an Atheist.

Theoretical explanation 2. An alternative explanation for the main effect of victim religion on participant verdict decisions and guilt ratings is that the perceived frequency that each of the represented religious groups is targeted in hate crimes impacts their verdict (see Figure 2). Based on the FBI's UCR (2014) data, participants should report Jews and Muslims as the most commonly targeted religions in hate crimes and thus these religions will receive the highest frequency of hate crime verdicts. While the UCR shows that a very low percentage (0.6%) of hate crimes are perpetrated against Atheists, participants may falsely believe that they are targeted more often than Christians because they are considered an out-group to all religions. However, previous research (Gervais, Shariff, & Norenzayan, 2011) has also shown that distrust of Atheists leads to a prejudice against that group, which could lead to a lower frequency of guilty verdicts when the victim identifies himself as an Atheist.

Hypothesis 2. This hypothesis states that participant responses to the rating questions will mediate the relationship between victim religion and their verdict decisions. If the first theoretical explanation, that participants are more likely to render a guilty verdict when the victim is a member of their religious in-group, best explains the main effect of victim religion on verdict decisions, then the rating questions that identify participant stereotypes should mediate this relationship. Specifically, it is hypothesized that participant responses to "In general, how much do you like Christian/Jewish/Muslim/Atheist people" and "How aggressive do you think Christian/Jewish/Muslim/Atheist people are" should mediate the relationship between victim religion and participant verdict decisions. If participants rate how much they like a particular religion as low, and believe that people of that religion are violent, it will be assumed that they have a negative stereotype of that religion.

If the second theoretical explanation, that the frequency that each of the religious groups is targeted in hate crimes best explains the main effect of victim religion on verdict decisions, participant perceptions of the frequency that each of the four religious groups is targeted in hate crimes should mediate this relationship. Specifically, participant responses to "Please report the percentage of hate crimes perpetrated because of religious identity that occur against each of the four religious groups (Christian, Muslim, Jewish, and Atheist)" will be tested as the potential mediator.

Participant perceptions of the victim and defendant should also mediate the relationship between victim religion and participant verdict. Past research has shown that mock juror perceptions of the defendant and victim impact their verdict decisions (Magyarics, Lynch, Golding, & Lippert, 2015). Additionally, Rayburn et al. (2003) argue that perceptions of the defendant and victim in a hate crime scenario are critical in understanding participant interpretations of legal decisions and punishment. Important rating variables include blame for the defendant, violence of the victim and defendant, and trustworthiness of the victim (Rayburn et al., 2003). In hate crime cases, the defendant's bias is another critical measure of participant perceptions because it is participants' interpretations of the defendant's bias that creates the distinction between a regular crime (e.g., assault, arson) and a hate crime. In the present study, I believe that participant perceptions of the blame for the defendant, violence of the victim and defendant, trustworthiness of the victim, and bias of the defendant will be critical in understanding participant verdict decisions.

Hypothesis 3. Networks will be created to show the specific aspects of the case that participants perceive to be most relevant to their verdict decision-making, which will be dependent on their perceptions of the victim and defendant and the victim's religious identity. For example, the

conditions receiving the highest percentage of hate crime guilty verdicts will show a higher frequency of bias-centered reasons for verdict compared to the conditions receiving a lower percentage of guilty verdicts. Mock juror's reason(s) for verdict will be analyzed using MATLAB analyses (Schvaneveldt, 1990) in order to provide a visual depiction of the way in which the victim's religion and defendant's behavior impact verdict decision-making. The networks allow for a representation of mock jurors' mental processes in a visual network. Pathfinder networks (*PFNETs*) have an advantage over other text-based network derivation methods (e.g. co-occurrence networks, nearest neighbor networks, cut-off networks) in that they reveal psychologically salient relations in the link structure (Cooke, Durso, & Schvaneveldt, 1986; Goldsmith, Johnson, & Acton, 1991; Schvaneveldt, 1990).

The hypothesis that conditions receiving a high percentage of hate crime verdicts will have more bias-related nodes than conditions receiving fewer hate crime verdicts should be supported by a network having central nodes such as "bias", "hatred", "prejudice", and "intolerance". A central node is one that appears in the center of the network and that participants mention as being critical to their verdict decision. The networks for the conditions receiving a high percentage of hate crime verdicts should also have a higher frequency of bias-related nodes than the conditions receiving a lower percentage of hate crime verdicts.

Additional Analyses. Additionally, participants' agreement with sentence enhancement for those convicted of hate crimes and sympathy toward the victim should mediate the relationship between victim religion and participant verdict decisions. Previous research (Cramer et al., 2013) has shown that agreeing with the Sentencing Enhancement Act led to a greater likelihood to convict a defendant of a hate crime than participants who do not agree with the Sentencing Enhancement Act.

Method

Participants

Participants were 340 Christian community members recruited through Mechanical Turk (www.mturk.com; Buhrmester, Kwang, & Gosling, 2011). Participants were 18 years of age and citizens of the United States. Nine participants were eliminated from analyses for incorrectly answering the manipulation check questions. Two additional participants were eliminated for reporting that they were not Christian. The sample consisted of 144 males and 185 females. The sample was 81% Caucasian, 11% African American, 5% Hispanic, 2% Asian, and 1% other races.

Design

I employed a 2 (participant gender) x 5 (victim religion) between-participants design. The four levels of victim religion include a Jewish, Muslim, Christian, or Atheist man who was the victim of the alleged hate crime. An additional condition, the control condition, was included where the victim's religion was not mentioned and the defendant was only charged with assault.

Materials

Trial Summary. Participants read a trial summary based on State of New Jersey v. Mark Anthony where the defendant was accused of assaulting the victim and targeting him because of his religion (see Appendix A). In the control condition, the details of the trial were identical to those presented in the hate crime conditions, but there was no mention of the victim's religion or of a hate crime. For the hate crime conditions, the trial summary was identical except for the victim's religion and the racial slurs used by the defendant. The presentation of these slurs by the Prosecution is to argue that bias was the defendant's primary motivation for committing the crimes. The trial summary described an aggravated assault that occurred on the victim's property

when the defendant and victim were arguing over prejudiced comments made by the defendant. The Prosecution's case argued that the defendant had verbally harassed the victim in the past because of the victim's religion and that the victim was justified in shoving the defendant because the defendant was approaching his property. In addition, the Prosecution accused the defendant of picking up a metal baseball bat from the victim's yard and hitting the victim on the side with it. The trial summary reported that the victim sustained serious injuries including a fractured rib and severe bruising. The Defense's case argued that the defendant acted in self-defense after the victim shoved him and threatened to call the police.

Additional witnesses include a neighbor of the victim and defendant who testified for the Prosecution saying that he had been witness to the defendant's hateful comments toward the victim. The Defense called a friend of the defendant as their additional witness who testified that the defendant is not a violent person and would not intentionally harm the victim just because of his religion. The Prosecution and Defense each provided closing arguments that aim to convince mock jurors that the defendant either was (former) or was not (latter) primarily motivated by bias. Participants read the Judge's instructions of what is required for each verdict before they chose between three verdict decisions: Not Guilty, Guilty of Aggravated Assault, or Guilty of Aggravated Assault motivated by bias (hate crime).

Victim Names and Bias Phrases. The victim's name, as well as the hateful comments made by the defendant throughout the trail summary varied based on the victim's religion. The names were stereotypical names, and the racial slurs were taken from actual hate crime incidents (Lawson & Henderson, 2009). The Muslim victim, Farhal Ali, was referred to as "Bin Laden", "towel-head", or "slurpee-slinger". Seth Goldman, the Jewish victim, was referred to as a "penny chaser", "Jesus killer", or a "German candle". The Atheist victim, Steven Watson, was referred

to as a "bible-burner", "God-hater", or "Devil worshipper". Finally, the Christian victim, William Anderson, was referred to as a "Quaker", "bible-basher", or "holy roller".

Legislation and Judge's Instructions. A statute from the State of New Jersey (NJSA 2C:16-1) was used to present the case. This statute allowed participants to choose between three verdict decisions; not guilty, guilty of the primary crime (assault), or guilty of assault primarily motivated by bias (hate crime), where an increase in the sentence is the primary difference between the defendant being guilty of the Assault charges and the Assault charges motivated by bias. Participants in the control condition were presented with two verdict decisions: not guilty or guilty of aggravated assault. At the end of the trial summary, participants were presented with the following Judge's instructions, which described the necessary elements for a guilty verdict for each of the two charge options (guilty of assault or guilty of a hate crime). Participants in the control condition will only receive the Judge's instructions for aggravated assault:

Aggravated Assault: Bodily Injury with a Deadly Weapon

NJSA 2C:12-1b(2)

To find the defendant guilty of causing bodily injury with a deadly weapon, the State must prove beyond a reasonable doubt all of the following elements:

1. That the defendant caused bodily injury to another; and

2. That the defendant caused the bodily injury by use of a deadly weapon; and

3. That the defendant acted purposely or knowingly.

By definition, a deadly weapon is any firearm or weapon, device, instrument, material or substance, whether animate or inanimate, which in the manner it is used or is intended to be used is known to be capable of producing death or serious bodily injury.

Bias Intimidation

NJSA 2C:16-1

A person is guilty of the crime of bias intimidation if he commits, attempts to commit, conspires with another to commit, or threatens the immediate commission of an offense

1. With a purpose to intimidate an individual or group of individuals because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or

2. Knowing that the conduct constituting the offense would cause an individual or group of individuals to be intimidated because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or

3. Under circumstances that caused any victim of the underlying offense to be intimidated and the victim, considering the manner in which the offense was committed, reasonably believed either that (a) the offense was committed with a purpose to intimidate the victim or any person or entity in whose welfare the victim is interested because of race, color, religion, gender, handicap, sexual orientation, or (b) the victim or the victim's property was selected to be the target of the offense because of the victim's race, color, religion, gender, handicap, sexual orientation, or ethnicity.

If participants did not find that each of the necessary elements from the bias intimidation statute had been proven beyond a reasonable doubt by the Prosecution, they rendered either a verdict of not guilty or guilty of aggravated assault (without bias).

Rating Questions. Participants were asked to respond to a series of rating questions on a scale from 0 (*not at all*) to 10 (*completely*). All rating questions appeared in the same order for all participants (see Appendix B).

24

Religious rating questions. Prior to reading the trial summary, all participants reported their general attitudes toward the four religions represented in the present study. These questions were presented prior to the trial because it simulates the reality of the jury selection process in which potential jurors receive questions about any bias prior to being selected as a jury member. Additionally, I believe that participants were likely not primed to think negatively toward the victim's particular religion in their condition because all participants answered questions about each of the four religious groups represented in the present study. Participants reported their own religious affiliation and their level of religiosity. Finally, in order to measure the perceived frequency of hate crimes against each of the four represented religious groups, participants reported their belief of the percentage of hate crimes perpetrated against each of the four religious groups represented in the present study.

Verdict and legislation rating questions. After reading the trial summary, participants rendered a verdict and explained why they chose their verdict in an open-ended format. Participants rated how confident they were in their verdict decision and how guilty the defendant was on a scale from 0 (*not at all*) to 10 (*completely*). Additionally, participants reported whether they agree or disagree with the sentencing enhancement for hate crimes (see Cramer et al., 2013).

Trial rating questions. Participants rated the sympathy that they felt toward both the victim and defendant as well as the amount of blame the victim and defendant should receive. Additionally, participants rated how much they believed the victim and defendant's actions were motivated by bias, as well as the capability of each party to cause serious bodily harm to the other person. In order to measure how participants perceive the victim and defendant in terms of religious stereotypes, participants rated both the victim and defendant on how greedy, violent, moral, and trustworthy each of them are (Lawson & Henderson, 2009).

Procedure

Participants accessed the study via their accounts on Mechanical Turk (www.mturk.com; Buhrmester et al., 2011). After reading a short description of the study, participants completed an online consent form that directed them to the trial transcript. The trial transcript was on the University of Kentucky's Qualtrics website (www.uky.qualtrics.com). Prior to reading the trial summary, participants were asked to respond to the religious bias rating questions where they were asked to report their attitudes toward each of the four religious groups represented in the present study along with their own religious identity (see Appendix B). Participants then read a brief summary of the trial. Participants were asked a series of manipulation check questions (e.g., identifying the relationship between the victim and defendant) throughout the trial summary in order to test their understanding of the trial.

At the end of the trial summary, participants rendered a verdict. Participants had a choice between Not Guilty, Guilty of Aggravated Assault, and Aggravated Assault primarily motivated by bias as their verdict. Next, participants explained why they chose their verdict in an open-ended format. Participants then answered a series of trial rating questions (see Appendix B) regarding their attitudes toward the victim and defendant. Finally, participants were directed to an explanation webpage that provides a description of the true purpose of the study (see Appendix C).

Results

The present study aimed to understand how jurors use aspects of a criminal hate crime case and the individuals involved in the case to choose a verdict. In order to best understand how the data explains the hypotheses, data from participants who rendered a verdict of not guilty and participants in the control condition will not be included in future analyses. With regard to the

former, only 7.5% of participants rendered a verdict of not guilty, which would have made it difficult to gain insight into the reasoning behind their decision-making. With regard to the latter, participants in the control condition were not given the opportunity to render a hate crime verdict because the defendant was only charged with assault, so this condition did not allow for direct comparison to the hate crime conditions.

Additionally, I hypothesized that the control condition would receive fewer guilty verdicts than the hate crime conditions overall. As predicted, the results showed that the control condition received fewer guilty verdicts (88%) than the four hate crime conditions (94%). From these results, it can be stated that the defendant in the control condition was perceived as being nearly as guilty as the defendant in the hate crime conditions. However, the defendant in the hate crime conditions' bias led to an increase in hate crime verdicts overall (54.3%) compared to the frequency of assault verdicts (39.2%) rendered in the hate crime conditions.

Hypothesis 1. I hypothesized that the victim's religion would have a significant influence on participants' decisions to render a hate crime verdict. This effect could potentially be explained by one of two proposed theoretical explanations. The first theoretical explanation was that participants would be most likely to render a hate verdict when the victim was a member of their religious in-group, Christianity. The second theoretical explanation stated that participants would be most likely to render a hate verdict if they believed the victim's religious group was commonly targeted in religious-motivated hate crimes. I used logistic regression to test the hypothesis that the victim's religion would influence participant verdict decisions. The analyses controlled for participant demographics including age, race, marital status, political orientation, and experience serving on a jury at Step 1. Gender and condition (victim religion) were entered at Step 2 of the model. The control variables entered at Step 1 were all found to be non-

27

significant predictors of participant verdict decisions. Although not hypothesized, participant

gender is often a significant predictor of verdict decisions, specifically female participants are

more likely to render a guilty verdict in victimization cases (Magyarics et al., 2015; Jimenez &

Abreu, 2003). Results showed that gender was not a significant predictor of verdict decisions, B

$= 0.33$, $SE = .27$, $p = .22$. This finding was consistent with past hate crime juror decision-making

literature that did not discuss a participant gender difference for perceptions of hate crimes

(Cramer et al., 2014; Plumm, Terrance & Austin, 2014).

The logistic regression analyses confirmed Hypothesis 1 that the victim's religion would

have a significant effect on participant verdict decisions, $B(1) = .24$, $SE = .12$, $p = .045$. More

specifically, participants rendered a similar percentage of hate verdicts when the victim was an

Atheist (50%) and Christian (49%) while an increase in hate crime verdicts occurred when the

victim was Jewish (70%) and Muslim (62%) (see Figure 1).

Percentage of Hate Crime Verdicts
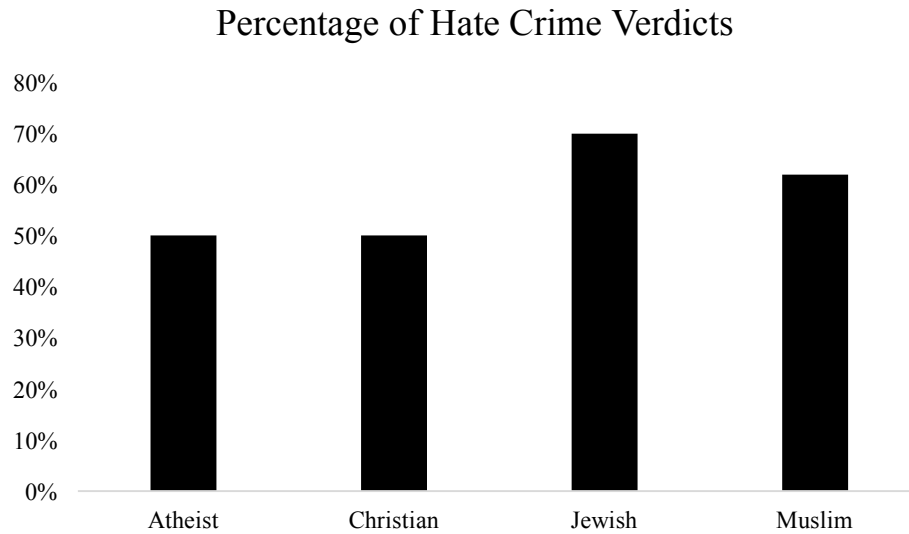
Figure 1. Percentage of hate crime verdicts rendered in each of the four hate crime conditions.

In order to understand the relationship between the four hate crime conditions in terms of how likely each condition's defendant was to receive a verdict of either assault or hate, dummy coding was used in subsequent logistic regression analyses. The results, when using the Christian victim as the reference condition (see Figure 2), showed that the Jewish victim was significantly more likely to receive a hate verdict, $B(1) = .95$, $SE = .39$, $p = .016$, CI = 1.20 to 5.55. The Atheist victim, $B(1) = .02$, $SE = .38$, $p = .97$, CI = .48 to 2.13 and Muslim victim, $B(1) = .50$, $SE = .37$, $p = .17$, CI = .80 to 3.42, were not found to be significantly different from the Christian victim in terms of the likelihood that participants rendered a hate verdict.
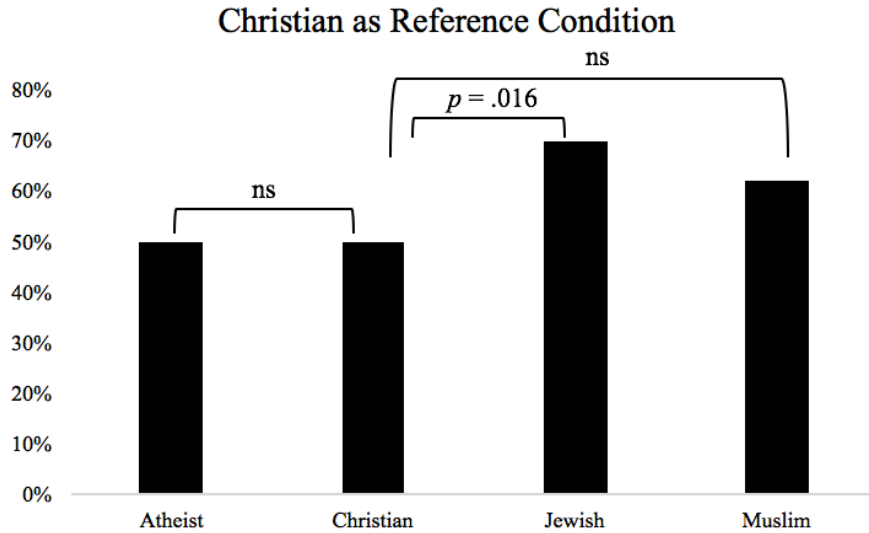
Figure 2. Logistic regression analyses with the Christian condition as the reference group.

Further analyses used the Jewish victim as the reference condition because this condition received the highest percentage of hate crime verdicts and was the only victim significantly more likely to receive a hate crime than the Christian victim. These logistic regression analyses showed that both the Atheist victim, $B(1) = -.93$ $SE = .39$, $p = .017$, CI $= .18$ to $.85$ and the Christian victim, $B(1) = -.95$, $SE = .39$, $p = .016$, CI $= .18$ to $.84$ were significantly less likely to receive a hate crime verdict than the Jewish victim (see Figure 3). With the Jewish victim as the reference group, the Muslim victim was not significantly different from the Jewish victim in terms of the likelihood that the defendant would be convicted of a hate crime, $B(1) = -.45$, $SE = .39$, $p = .252$, CI $= .30$ to 1.37.
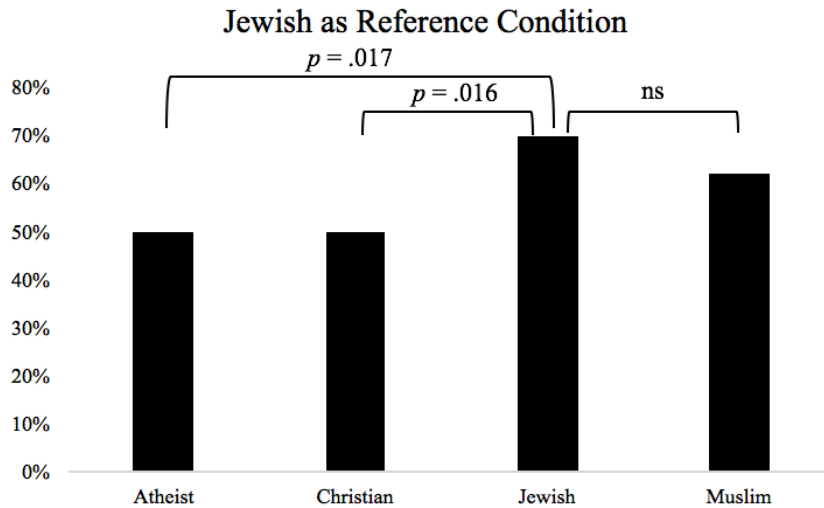
Figure 3. Logistic regression analyses with the Jewish condition as the reference group.

The finding that the Jewish victim was most likely to have the defendant convicted of a hate crime cannot be explained by the first theoretical explanation, that participants would be most likely to render a hate verdict when the victim was a member of their religious in-group. If theoretical explanation 1 explained the effect of victim religion on participant verdict decisions, the Christian victim would have received significantly more hate crime verdicts than any of the other three hate crime conditions. However, the results show partial support for theoretical explanation 2. Specifically, although not significantly different, 62% of participants in the Muslim victim condition rendered a hate crime verdict compared to 70% of participants in the Jewish victim condition rendering a hate crime verdict. This high percentage of hate crime verdicts for the Muslim victim shows partial support for theoretical explanation 2, that participants would be more likely to render a hate verdict if they perceived the victim's religious group as being commonly targeted in religion-motivated hate crimes. Participants perceived Muslims to be the most commonly targeted religious group in hate crimes (see Figure 4), which provided partial support for theoretical explanation 2. However, if theoretical explanation 2 fully

explained the effect of victim religion on participant verdict decisions, the Muslim victim would have received significantly more hate verdicts than the Jewish victim.
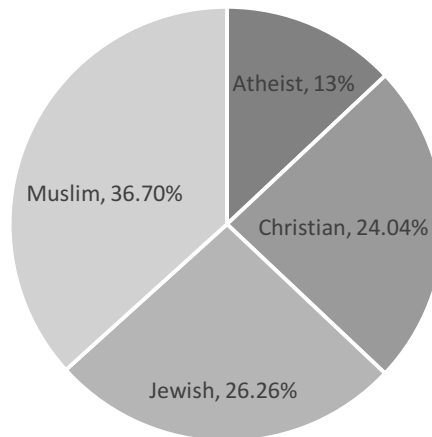
Figure 4. Participant perceptions of the frequency that each of the four religious groups is targeted in religion-motivated hate crimes.

Hypothesis 2. The mediation analyses in Hypothesis 2 were dependent on the theoretical explanation that best explained the main effect of victim religion on participant verdict decisions in Hypothesis 1. Although neither theoretical explanation fully explained the results from Hypothesis 1, Hypothesis 2 also stated that the relationship between a victim's religion and participant verdict decision would be mediated by their perceptions of the victim and defendant. Therefore, the mediation analyses focused on identifying the rating variables that best explain the results from Hypothesis 1, which showed that Christian participants were significantly more likely to render a hate verdict when the victim was Jewish than any of the other out-group hate crime conditions.

The means for all rating variables in each of the four hate crime conditions are presented in Table 1. Four of these rating variables (defendant blame, violence of the victim and defendant,

and trustworthiness of the victim) are critical in understanding participant perceptions of the victim and defendant in a hate crime scenario (Rayburn et al., 2003) and were included in contrast and mediation analyses. Measures of perceptions and attributions of blame help interpret the participants' interpretation of the case in terms of their legal decision of a perpetrator's punishment (Fiegenson & Park, 2006; Rayburn et al., 2003). Although not included in Rayburn et al.'s Perceptions of Perpetrator and Victims Blame Scale, participant perceptions of the defendant's bias are necessary to understand participant verdict decisions in a hate crime case. If the defendant was primarily motivated by his bias toward the victim in a hate crime case, this establishes the difference between a regular crime (i.e., assault, arson) and a hate crime.

Together, these five rating variables (defendant blame, violence of the victim and defendant, trustworthiness of the victim, and defendant bias) were analyzed in terms of the difference between the Jewish victim and the other three hate crime conditions. This contrast was chosen because the Jewish victim received the highest percentage of hate crime verdicts and was the only condition significantly more likely to receive a hate verdict than the participants' religious in-group victim, Christianity. One-way ANOVA contrasts were conducted to identify significant differences in participant ratings of the victim and defendant in the Jewish victim condition versus the other three hate crime conditions.

The results showed that participant perceptions of the Jewish victim were significantly different for four of the five analyzed rating variables; defendant blame, $F244) = 4.90, p = .028$, victim violence, $F(244) = 4.91, p = .028$, trustworthiness of the victim, $F(244) = 9.48, p = .002$, and defendant bias, $F(244) = 12.42, p = .001$. The results showed a marginal difference in the rating of the defendant's violence in the Jewish victim condition compared to the other three hate crime conditions, $F(244) = 2.82, p = .094$.

Table 1.
Participant ratings of the victim and defendant.

Variable	Atheist	Christian	Jewish	Muslim
Guilt	8.3	8.8	9.1	8.7
Victim Blame	4.5	4.0	3.7	4.0
Victim Sympathy	5.9	6.3	7.2	6.1
Victim Bias	4.5	5.0	4.7	4.5
Victim Harm	5.6	5.1	4.4	5.0
Victim Greed	2.8	2.5	1.6	2.4
Victim Violence	3.9	3.7	2.8	3.2
Victim Morality	5.1	4.8	5.9	5.3
Victim Trustworthy	5.3	4.9	6.3	5.6
Defendant Blame	7.9	7.9	8.5	7.9
Defendant Sympathy	2.7	2.3	2.1	2.5
Defendant Bias	6.2	5.8	7.9	7.2
Defendant Harm	8.4	8.0	8.8	8.4
Defendant Greed	3.5	4.0	4.2	3.9
Defendant Violence	7.7	7.8	8.2	7.6
Defendant Morality	3.3	2.9	2.5	3.1
Def. Trustworthy	3.6	2.9	2.7	3.4

To test whether these rating variables (defendant blame, violence of the victim and defendant, trustworthiness of the victim, and defendant bias) explained the relationship between a victim's religious identity and participant verdict decisions, mediation analyses were conducted. These mediation analyses used Model 4 in Process version 2.13 (Preacher & Hayes, 2004). The Jewish dummy variable was entered as the X variable, verdict as the Y variable, and the Atheist and Muslim dummies as covariates. Thus, the Christian dummy variable acted as the reference group for the mediation analyses. This model showed differences between the Jewish and Christian conditions in terms of the perceptions of the five analyzed rating variables and how these perceptions led to the difference in participant verdict decisions between the Christian and Jewish conditions. Additionally, because the participants in the present study were all Christian,

it offered a unique perspective into perceptions of the victim who was either a religious in-group or out-group member.

Significant mediation occurs when the upper and lower limits of the 95% confidence interval (CI) do not cross zero. Two of the analyzed rating variables mediated the relationship between the Jewish and Christian conditions and participant verdict decisions. The two variables found to mediate the relationship between victim religion (Jewish or Christian) and participant verdict decisions are victim trustworthiness (indirect effect size: .40; 95% CI: .13 to .78; see Figure 5) and defendant bias (indirect effect size: 2.36; 95% CI: 1.17 to 3.58; see Figure 6).
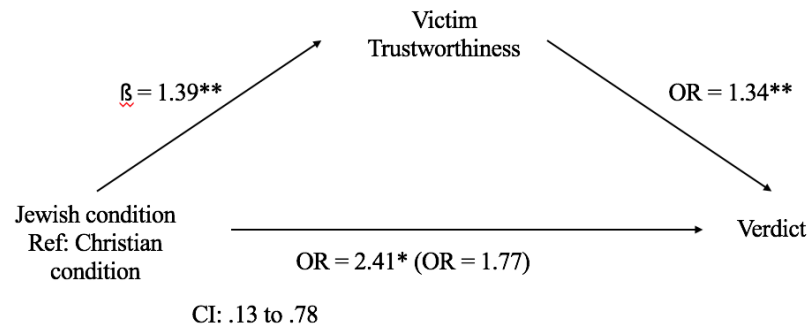
Note. * $p < .05$, ** $p < .001$.

Figure 5. Victim trustworthiness mediating the relationship between the Jewish and Christian conditions and participant verdict decisions.

Defendant Bias

ß = 2.10**   OR = 3.06**

Jewish condition
Ref: Christian
condition   OR = 2.41* (OR = 10.59*)   Verdict

CI: 1.17 to 3.58
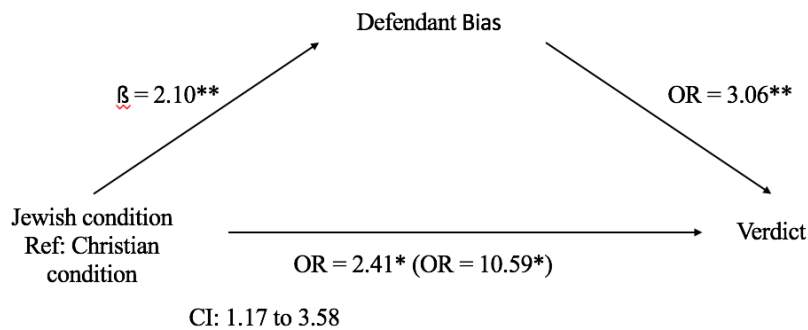
Note. * *p* < .05, ** *p* < .001.

Figure 6. Defendant bias mediating the relationship between the Jewish and Christian conditions and participant verdict decisions.

The mediation results showed that participants viewed the Jewish victim as being more trustworthy than the Christian victim and the defendant in the Jewish condition as being more biased than the defendant in the Christian condition, which resulted in more hate crime verdicts for the Jewish victim than the Christian victim. The mediation results were also supported by the rating variable analyses that showed participants viewed the Jewish victim as the most trustworthy and the defendant in the Jewish condition as the most biased defendant, which led to the highest percentage of hate crime verdicts for the Jewish victim. Both the participant rating variables and the mediation results showed how differences in perceptions of the defendant and victim influenced the likelihood of rendering a hate crime verdict, specifically that participants in the Jewish condition were most likely to render a hate crime verdict.

Hypothesis 3. It was hypothesized that the network for the assault verdicts would have central nodes showing that participants believe the defendant's behavior was not motivated by bias. On the other hand, the networks for the hate verdict network would have central nodes

focusing on the defendant's bias toward the victim because of the victim's religion. Participants' open-ended responses explaining how they chose their verdict were analyzed using MATLAB analyses. Two networks were constructed to visualize participants' mental processes in choosing their verdict, one network for participants who chose an assault verdict and one for participants who chose a hate verdict. The Pathfinder networks (*PFNETs*) created using MATLAB showed support for the hypotheses that participants used their perceptions of the defendant's bias toward the victim to decide whether they would render a verdict of guilty of assault alone or guilty of assault motivated by bias (i.e., hate crime). Figure 7 shows the network derived from participants who rendered an assault verdict. This network has a central node "religious" that is closely connected to "was not" and "do not believe" showing that participants frequently believed that the defendant was not motivated by his bias against the victim. Additionally, nodes such as "defense" and "assault" are nearly central to the network, meaning that participants who rendered an assault verdict believe the defendant was acting in self-defense and therefore should not be convicted of a hate crime, but should only be convicted of assault.
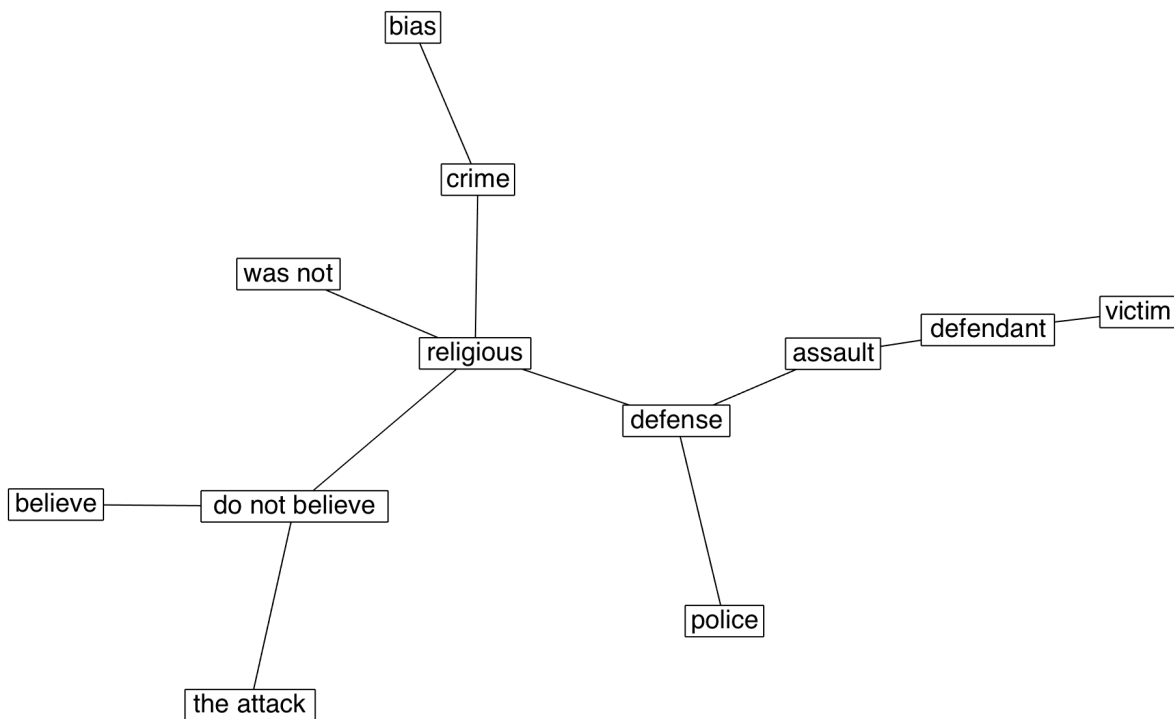
Figure 7. *PFNET* for participants who rendered a guilty of assault verdict.

Participants who believed the defendant was guilty of a hate crime frequently explained their verdict using terms such as "racist", "weapon", and "religion", meaning that these participants believed the defendant was motivated by his bias toward the victim because of the victim's religious identity (see Figure 8). Further, the central node "religion" is closely related to "hate crime" and "believe" showing that participants believe the defendant's actions should be classified as a hate crime because his religious bias primarily motivated the assault. The *PFNETs* constructed both have central nodes of "religion", but different nodes surrounding "religion" which shows that all participants were aware of the defendant's alleged bias toward the victim and they chose their verdict based on whether they believed the defendant's actions were primarily motivated by this bias.
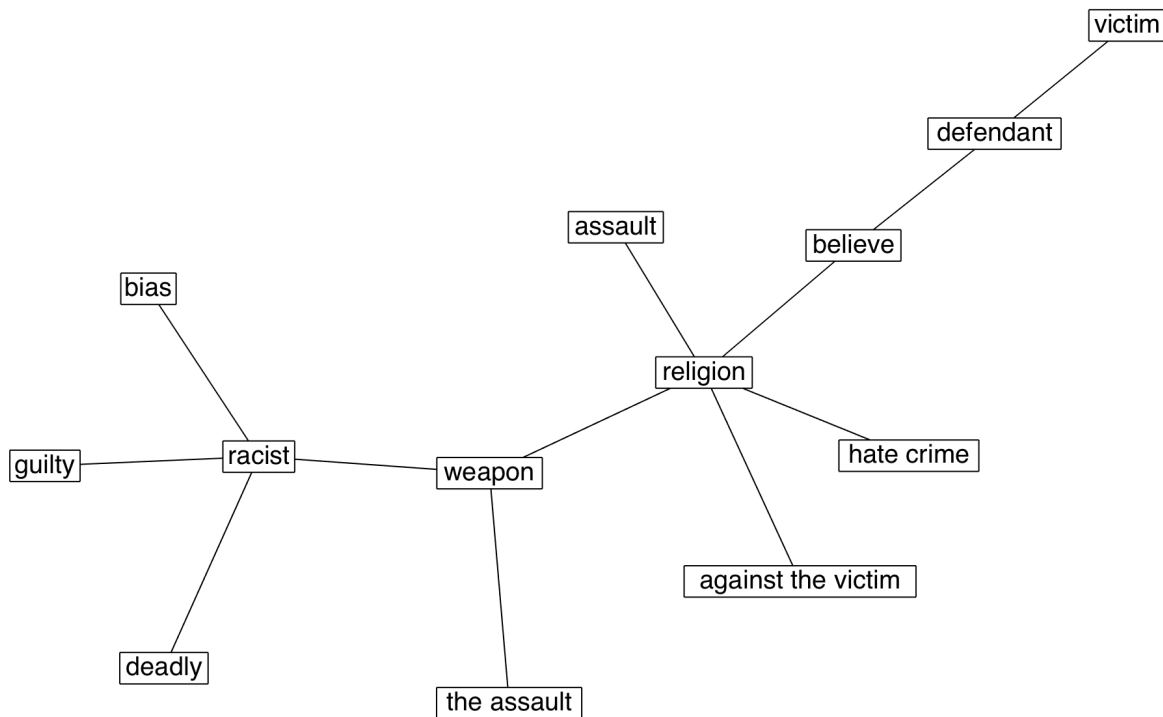
Figure 8. *PFNET* for reason-for-verdict data from participants who rendered a hate crime verdict.

Additional Analyses. In support of past research (Cramer et al., 2013), the present study showed that participants who agreed with the Sentencing Enhancement Act were more likely to render a hate crime verdict than participants who reported that they did not agree with the Sentencing Enhancement Act. The logistic regression analyses controlled for participant age, gender, race, marital status, jury experience, and political affiliation at Step 1. At Step 2 of the analyses, participant agreement with the Sentencing Enhancement Act significantly predicted the likelihood that they would render a hate verdict over an assault verdict, OR = 2.55, *p* = .002, CI = 1.40 to 4.69. Specifically, participants who reported that they agreed with the Sentencing Enhancement Act rendered a hate verdict twice as often as those who reported they did not agree with the Sentencing Enhancement Act.

To identify whether participants' agreement with the Sentencing Enhancement Act eliminated the effect of victim religion on participant verdict decisions, separate logistic regression analyses were conducted. Participant demographics including age, gender, race, marital status, political affiliation, experience serving on a jury, and their agreement with the Sentencing Enhancement Act were entered in Step 1. Participant agreement with the Sentencing Enhancement Act was again found to have a significant influence on participant verdict decisions, $B(1) = .94$, $SE = 0.31$ $p = .002$, CI = 1.40 to 4.69. Condition was entered at Step 2, and was still found to be a significant predictor of participant verdict decisions, even controlling for participant agreement with the Sentencing Enhancement Act, $B(1) = .24$, $SE = 0.12$ $p = .047$, CI = 1.00 to 1.61. Therefore, participant agreement with the Sentencing Enhancement Act was found to have significant influence on their verdict decisions, but did not eliminate the effect of the victim's religion on verdict decisions.

Discussion

The present study investigated mock juror perceptions of a religion-motivated hate crime case in which the victim's religion was manipulated. I hypothesized that Christian participant verdict decisions would be affected by the victim's religion. Specifically, participants would be more likely to render a hate crime verdict when the victim was a member of their religious in-group (Cikara et al., 2014) or if they perceived the victim's religion as being commonly targeted in religious-motivated hate crimes (FBI Uniform Crime Report, 2014). The results showed that Christian participants were most likely to render a hate crime verdict when the victim was Jewish. Although neither theoretical explanation supported the present study's findings, mediation analyses showed that perceptions of the defendant's bias and the victim's trustworthiness influenced the difference in hate crime verdicts rendered between the Christian

40

and Jewish conditions. The networks also showed that participants' interpretations of the defendant's bias influenced their verdict decisions, by having central nodes regarding the defendants' bias. The present results have implications for better understanding how jurors interpret hate crime legislation and how characteristics of the victim and defendant can influence juror interpretation of the law.

One of the primary results, that the Jewish victim received the highest percentage of hate crime verdicts, was not directly supported by either of the theoretical explanations for Hypothesis 1. The first theoretical explanation, that participants would be more likely to render a hate crime verdict when the victim was a member of their religious in-group, was thought to explain Hypothesis 1 because past research has shown that Christians have more favorable perceptions (less violent and more trustworthy) of religious in-group members than religious out-group members (Johnson, Rowatt, & LaBouff, 2011; LaBouff, Rowatt, Johnson, & Finkle, 2012; Rowatt et al., 2013). If this theoretical explanation significantly predicted the main effect of victim religion on participant verdict decisions, the Christian victim would have received the highest percentage of hate crime verdicts. However, the present results showed that Christian participants rendered significantly more hate crime verdicts for the Jewish victim, an out-group religious member, than the Christian victim, the in-group religious member. However, this out-group favoritism did not hold true when the victim was Muslim or an Atheist, in which the victim was also a religious out-group member. The Christian participants may have perceived the Jewish victim as being a different type of out-group member than the Muslim and Atheist victim. Past research has identified out-group favoritism when a disadvantaged group (e.g., African Americans) favors a socially advantaged group such as Caucasians (Ashburn-Nardo & Johnson, 2008; Dasgupta, 2004). However, the present results show an historically advantaged group's

41

(Christian) favoritism for an historically disadvantaged out-group. The Christian favoritism of Jews found in the present study may be a function of the Christian participants' awareness of anti-Semitism in the United States or the belief that Jews are often targeted in hate crimes. The Christian participants may have believed Jews are often more similar to Christians in terms of appearance and religious beliefs compared to the other religious out-groups.

The second theoretical explanation also failed to explain the result which showed that, although not significant, the Muslim victim received more hate crime verdicts than the Christian victim. Although the second theoretical explanation did not explain this finding, it supports past research showing a Christian favoritism for their religious in-group over Muslims. Rowatt, Franklin, & Cotton (2005) used an Implicit Association Task methodology to identify Christian participants' perceptions of Muslims and Christians. This study revealed that Christians self-reported a favoritism for Christians over Muslims, this pattern was also supported by the Implicit Association results. If the second theoretical explanation had explained the present study's main effect of victim religion on participant verdict decisions, the Muslim victim would have received the highest percentage of hate crime verdicts. Overall, participants perceived Muslims as being the most commonly targeted religious group in religion-motivated hate crimes, they perceived Jews as being the second-most commonly targeted religious group. Therefore, although participants overall perceived Muslims as being commonly targeted in religious hate crimes, the Christian preference for Christianity over Islam may have prevented the Muslim victim from receiving the highest percentage of guilty verdicts. Although theoretical explanation 2 did not sufficiently explain the main effect of victim religion on verdict decisions, it can offer insight into how participant perceptions of the frequency that the religious group are targeted is related to the likelihood that each of the religious groups received a hate crime verdict because the

Muslim victim received more hate crime verdicts than the Christian victim, despite the fact that the Muslim victim was a religious out-group member.

With respect to the hate crime verdicts rendered for the Atheist victim, the hypothesized main effect of victim religion on participant verdict decisions was confirmed. As hypothesized, the Atheist victim received the lowest percentage of guilty verdicts, which is likely the function of the prejudice and distrust of Atheists (Gervais et al., 2011). Atheists are also considered a religious out-group to all religious people because they do not believe in a higher power. Additionally, the Christian participants perceived Atheists as being the least commonly targeted group in religion-motivated hate crimes. The Christian participants may have perceived the Atheist victim as being the least relatable out-group victim and did not feel that the victim was likely to be the target of a religion-motivated hate crime. Thus, theoretical explanations 1 and 2 can be used to support the finding that the Atheist victim was least likely to receive a hate crime verdict.

Although neither theoretical explanation completely explained the hypothesized main effect of victim religion on participant verdict decisions, rating variables and mediation analyses were still valuable in explaining the present study's results; thus Hypothesis 2 was supported. Specifically, the high percentage of hate crime verdicts rendered for the Jewish victim compared to the other victims can be explained with the rating variables, which showed that participants perceived the Jewish victim as being less violent and more trustworthy than the other victims. Participants also viewed the defendant in the Jewish victim condition as being more blameworthy, more violent, and more biased than the defendants in the other hate crime conditions. Past research (Rayburn et al., 2003; Cramer et al., 2013) emphasized the importance of measuring participant perceptions of the victim and defendant in a victimization case. In a

hate crime case, it is of particular importance to measure participant perceptions of the defendant's bias because it is the defendant's bias that establishes the difference between a regular crime (i.e., assault, arson) and a hate crime.

The present study's results supported this emphasis on perceptions of a defendant's bias by showing that participant perceptions of the defendant's bias mediated the relationship between victim religion (Christian and Jewish) and participant verdict decisions. The results also showed that perceptions of the victim's trustworthiness significantly mediated the relationship between the victim's religion and participant verdict decisions between the Christian and Jewish conditions. Specifically, the Jewish victim was perceived as being more trustworthy than the Christian victim and the defendant in the Jewish condition was perceived as being more biased than the defendant in the Christian condition. These perceptions led to the highest percentage of hate crime verdicts in the Jewish condition. From these results, it can be stated that participant perceptions of the victim and defendant, specifically the victim's trustworthiness and the defendant's bias, significantly influenced participant verdict decisions.

In addition to using mediation analyses to explain verdict decisions, participants' mental processes, which showed that interpretations of a defendant's bias influenced verdict decisions. Participants' mental processes and interpretations of the case details used to render a verdict were displayed using networks created with MATLAB. If participants were not given the opportunity to explain their verdict in their own words, the interpretation of their verdict decisions would be limited to the participants' responses to the rating questions. For example, participants may find different aspects of the case (e.g., relationship between defendant and victim) critical to their verdict decisions and some of these case characteristics may not be directly discussed using the rating variables. The open-ended question allowed participants to

explain their verdict decision using the language they find appropriate. The *PFNET*s provide a visual interpretation of all participants' reason-for-verdict data, including the most frequently mentioned phrases. Other methods for analyzing reason data have only shown the frequency that a particular word or phrase was mentioned, but was not able to show how closely these phrases were related (Hodell, Wasarhaley, Lynch, & Golding, 2014).

The networks created in the present study not only showed the most frequently mentioned phrases, but also how these phrases were mentioned in relation to each other. The two networks created for the present data provided a comparison between participants who chose an assault verdict versus participants who chose a hate crime verdict. The assault network showed that participants were aware of the defendant's alleged bias, but did not believe that it was this alleged bias that led to the assault discussed in the trial. It is important to note that these participants still believe the defendant was responsible for the assault, as they chose a verdict of "guilty of assault" rather than "not guilty". However, these participants believed that the defendant was acting in self-defense due to the comments made by the alleged victim, which prevented them from rendering a hate crime verdict. The assault network can be compared to the network created from participants who rendered a hate crime verdict. The hate crime network showed that those who rendered a hate crime verdict put emphasis on the defendant's use of a deadly weapon and that his actions were primarily motivated by bias against the victim's religion. In sum, the two networks showed that participants who did not believe the defendant was motivated by bias did not feel that the defendant should be charged with a hate crime while participants who believed that the defendant's behavior was primarily motivated by bias rendered a hate crime verdict.

Limitations and Future Directions

Although the present study provided a novel understanding of perceptions of hate crime in the courtroom, several limitations should be noted. First, an online survey paradigm was used. Online studies pose an issue to the validity of results because the environment in which the participants complete the study cannot be controlled. However, past research (Gosling, Vazire, Srivastava, & John, 2004) has shown that results from online and face-to-face studies do not differ significantly. Second, participants were not asked to deliberate. Although Diamond (1997) argued that jury deliberation is important because it allows participants to discuss any misunderstandings about the case, it was also stated that individual judgments are similar to group judgment decisions. While jury deliberation can be valuable, the present study was concerned with the jurors' individual interpretations of the case and their judgments, rather than identifying group dynamics and the effect that deliberation has on jury decision-making. A future study may measure both individual judgments and a group decision in a hate crime case. This future study should also manipulate the religious identity of jury members in order to identify whether in-group/out-group relations would influence participants' individual and group judgments.

Third, the present study focused on hate crimes against an individual and excluded hate crimes against property. Although the present study was representative of a typical hate crime against an individual, about 36% of the religion-motivated hate crimes that occurred in 2014 were crimes against property (FBI UCR, 2015). These crimes include the hate crimes that are often portrayed in the media in which places of worship such as a temple or mosque are vandalized by members of hate groups. Perceptions of crimes against property would likely differ from crimes against persons, in that harm done against a person may be seen as more destructive than harm against a building. However, crimes against a place of worship may be

more likely to instill fear in the targeted community than a crime against a single person. The increase in fear instilled in a targeted community may increase the likelihood that the community would seek justice. Future research should investigate perceptions of a hate crime in the courtroom that involves vandalism of places of worship.

Fourth, the present participants were all members of the Christian faith. Although Christianity is the dominant faith in the United States (Pew Research, 2014), future research investigating perceptions of hate crimes would benefit from comparing perceptions of mock jurors with different religious beliefs. A future study using participants from all of the religious groups represented as victims in the present study would allow for a more thorough analysis of religious in-group/out-group dynamics. This study research could help reveal religious minority groups' perceptions of religious in-groups and out-groups.

Conclusions

The present study has implications that bridge law enforcement, psychology, sociology, and legislation. The minimal amount of psychological research that has been done regarding hate crimes in the courtroom has focused on sexual and racial minorities (Cramer et al., 2013; Plumm & Terrance, 2013; Plumm et al., 2014). Prior to the present study, psychology and law research had not yet looked at how jurors interpret religion-motivated hate crime cases in the courtroom. The present study sheds light on how Christian jurors interpret hate crimes committed against members of their religious in-group and religious out-groups. Although the present study's results did not reflect past research concerning religious in-group/out-group dynamics which showed a Christian preference for their own religion (Johnson et al., 2011; LaBouff et al., 2012; Rowatt et al., 2013), it demonstrated how Christians interpreted bias-motivated crimes committed against different religions. This is of particular importance because the majority of

Americans report that they are Christian (Pew Research, 2014) and the majority of religion-motivated hate crimes are committed against members of religions other than Christians (FBI UCR, 2014). The present study showed that participants used their perceptions of the case to interpret hate crime legislation and the Sentencing Enhancement Act, which helped them choose what they believed to be the proper verdict. From the present results and existing hate crime legislation, it is clear that perceptions of the victim's trustworthiness and defendant's bias are critical in understanding perceptions of hate crimes in the courtroom, which can be used to maximize the effectiveness of hate crime legislation.

Juror Instructions

Thank you for participating in this experiment. You will assume the role of a juror as you read a trial summary. You will read a trial summary and then answer questions about it. You will not be able to change your responses once you move to the next page, so make sure you read the trial summary carefully enough that you will be able to answer questions about it. If you get a question correct, the trial summary will continue. If you answer a question wrong, the computer will inform you that you got the question wrong before continuing with the trial summary. You may exit the survey at any time.

State of New Jersey v. Michael Campbell NJSA 2C:12-1b(2) and NJSA 2C:16-1

The following is a summary of a criminal trial about the criminal assault of [victim's name] by the defendant, Michael Campbell. It was alleged that the defendant, Michael Campbell, assaulted [victim's name] with an aluminum baseball bat on August 14, 2014 on the victim's property. The victim and defendant are neighbors and first met when their children began riding the same school bus to school.

State of New Jersey v. Michael Campbell

The State charged Mr. Campbell with Aggravated Assault in the Second Degree. The indictment also indicated that the assault would be tried as a "hate crime" pursuant to NJSA 2C:16-1. The State provided evidence that Mr. Campbell intentionally caused the victim serious physical injury with a deadly weapon. The defendant, Mr. Campbell, reportedly started making hateful comments, such as [*biased comment*], when the victim's family moved to the defendant's neighborhood. On the morning of the assault, the defendant followed the victim home after their children boarded the school bus. The victim sustained a fractured rib when the defendant swung at him with an aluminum baseball bat. The State called two witnesses for the prosecution: [Victim's name] (the victim) and James Whitmore, a neighbor of the victim and defendant.

State of New Jersey v. Michael Campbell

Mr. Campbell pled not guilty to Aggravated Assault in the Second Degree, claiming that he was defending himself and his family when the victim threatened to have him arrested and have his children taken away from him. The defense provided evidence that Mr. Campbell was a loving father and law-abiding citizen, and that he should not be punished for defending his family or for exercising his constitutional right of free speech for making biased comments toward the victim. The Defense called two witnesses: Michael Campbell (the defendant) and Noah Baker (a friend of the defendant).

Manipulation Check Question: *The defendant, Michael Campbell was charged with which two crimes?*

Prosecution's Case: First Witness, [Victim's Name]

Prosecution's Case
[Victim's Name] (victim)

Direct Examination:

[Mr. Victim] stated that Michael Campbell, the defendant began making hateful comments to him and his family just a week after they moved into the defendant's neighborhood, approximately six months ago. The victim stated that he believed the defendant had a bias against people of his religion, and that he was fearful of what the defendant might do to him or his family because of the defendant's hatred. [Mr. Victim] recalled that Michael Campbell (the defendant) yelled "religious slur" at him on several occasions after their children got on the school bus.

Manipulation Check Question: *What was the relationship between [Mr. Victim] (the victim) and Mr. Campbell (the defendant)?*

Prosecution's Case: First Witness, [Victim's Name]
Direct Examination (continued)
The victim stated that on August 14, 2014, he and the defendant got in a verbal argument after their children boarded the bus to school. [Mr. Victim] reported that he had found an anonymous letter in his mailbox that read "other religious slur", which he assumed was written by the defendant, because the defendant frequently made biased comments toward him. The victim reported that this letter made him fear for his and his family's safety. The victim stated that he shoved the defendant at the bus stop after their children got on the bus and warned the defendant that he would call the police to have the defendant arrested.
The victim stated that the defendant yelled "*religious slur*" as he walked away from the bus stop. Although [Mr. Victim] was unaware, the defendant, Mr. Campbell, began following the victim to his house. [Mr. Victim] testified that he became aware of Mr. Campbell's presence on his property when the defendant loudly stated that he was allowed to hate *people of particular religion* because he lives in a free country, and that he would not allow his children to be taken from him.
[Mr. Victim] then explained that Mr. Campbell picked up an aluminum bat from the victim's front yard and swung it at him several times. The aluminum bat made contact with the victim's left side, resulting in a fractured rib and severe bruising.

Prosecution's Case: First Witness, [Victim's Name]
Cross Examination
[Mr. Victim] acknowledged that he did shove and confront the defendant, Michael Campbell, at the bus stop on the day of the assault, which likely instigated the verbal argument that occurred at the bus stop. [Mr. Victim] further acknowledged that he had no evidence showing that Michael Campbell was responsible for the threatening letter in his mailbox. Finally, [Mr. Victim] stated that he had never seen the defendant be physically violent with anyone before, and acknowledged that Mr. Campbell has a constitutional right to have bias against [victim's religion].

Prosecution's Case: Second Witness, James Whitmore (Victim and Defendant's Neighbor)
Direct Examination
Mr. Whitmore stated that he had been a neighbor of the defendant, Michael Campbell, for three years and a neighbor of the victim, [Victim's Name], for six months when the victim first moved to the neighborhood. Mr. Whitmore explained that he had heard the defendant make hateful comments, such as [hateful comment] on a few occasions because his yard is adjacent to the bus

stop where the victim and defendant's children get on the school bus. Mr. Whitmore stated that he had observed the defendant, Michael Campbell, become angry and violent several times in the past. Further, Mr. Whitmore explained that he had expressed his concern to the victim about the defendant's capabilities of harm after the victim told him about the threatening letter, which they both assumed was written by the defendant.

Manipulation Check Question: *How was Mr. Whitmore aware of the hateful comments made by the defendant, Michael Campbell?*

Prosecution's Case: Second Witness, James Whitmore (Victim and Defendant's Neighbor)
Cross Examination
Mr. Whitmore stated that although he assumed the defendant, Michael Campbell, was responsible for writing the threatening letter in the victim's mailbox, he did not have any proof that it was actually the defendant that wrote it. He further stated that he had never thought to confront the defendant about his comments about the victim because he never expected the defendant to become violent. Mr. Whitmore agreed that the victim, [Mr. Victim] might have instigated the physical argument when he threatened to report Mr. Campbell to the police.

Defense's Case: First Witness, Michael Campbell (defendant)
Direct Examination
The defendant, Michael Campbell, stated that the charges against him were a grave misunderstanding and that he did not target the victim, [Mr. Victim] because of his religion. Mr. Campbell stated that he was a law-abiding man who did not have a history of violence. Mr. Campbell further stated that [Mr. Victim] had an issue with him shortly after moving to the neighborhood because Mr. Campbell's children would not play with the victim's children. Mr. Campbell explained that the victim's unnecessary comments about his children being brats for not playing with the victim's children angered him, and caused him to say hateful and biased things to the victim, but that he never intended to get physically violent with the victim.

Mr. Campbell stated that on the day of the assault, [Mr. Victim] started an argument because he was under the impression that Mr. Campbell and his children were being hateful and discriminatory against [Mr. Victim] and his children. Mr. Campbell became upset at the accusation and was extremely upset when [Mr. Victim] said he was going to call the police if the harassment continued. The defendant, Mr. Campbell stated that the victim, [Mr. Victim], shoved him in the street as they were walking away from the bus stop. Mr. Campbell stated that the argument certainly got out of hand, but that he was simply acting out of self-defense for himself and his children. Finally, Mr. Campbell stated that in no uncertain terms that he was not responsible for the hateful letter found in the victim's mailbox.

Manipulation Check Question: *Mr. Campbell stated that his hateful comments began after_____.*

Defense's Case: First Witness, Michael Campbell (defendant)
Cross Examination
Mr. Campbell stated that he did not particularly like the victim and acknowledged that he had made hateful comments, such as comments about the victim being [victim's religion], toward

him on several occasions. He further acknowledged that his comments, such as *"Hateful comment"* could certainly be taken as a threat to a person of that particular religion. Finally, Mr. Campbell stated that he did not believe the victim had a weapon when he chose to pick up the aluminum baseball bat for protection, and that perhaps the men could have solved the argument without violence.

Defense's Case: Second Witness, Noah Baker (coworker and friend of the defendant)
Direct Examination
Mr. Baker stated that he and the defendant, Michael Campbell, had been friends for about ten years after meeting at work. Mr. Baker stated that the defendant, Mr. Campbell, believed [Mr. Victim] was trying to start an argument with the defendant because their children did not play together. Mr. Baker further stated that the defendant, Mr. Campbell, had told him that several other families in the defendant and victim's neighborhood had children who also did not play with the victim's children. Therefore, Mr. Baker reported that he was unsure why the victim, [Mr. Victim] seemed to single out the defendant, Mr. Campbell. Finally, Mr. Baker stated that Mr. Campbell told him that the he was not responsible for the hateful letter in [Mr. Victim's] mailbox.

Defense's Case: Second Witness, Noah Baker (coworker and friend of the defendant)
Cross Examination
Mr. Baker stated that he and the defendant, Michael Campbell, had joked about *people of a certain religion* on several occasions and that they were tired of *these people* taking over their community. Mr. Baker further stated that the injuries sustained by the victim, [Mr. Victim], were very severe and probably should have been avoided. Further, Mr. Baker stated that although the defendant, Michael Campbell, told him that he was not responsible for writing the hateful letter in the victim's mailbox, Mr. Baker had no way of proving that Mr. Campbell was not responsible for writing the letter.

Closing Arguments: Prosecution
The Prosecution argued that the defendant, Michael Campbell, intended to cause the victim, [Mr. Victim] serious physical injury when he chose to swing an aluminum baseball bat toward the victim. Further, the Prosecution stated that the defendant, Michael Campbell, was aware that the victim did not have a weapon, but decided to disregard this fact and cause the victim serious physical injury. The Prosecution further argued that the defendant's hatred and bias against *people of a certain religion* were the primary motivators for the defendant's behavior. Specifically, the Prosecution argued that the defendant's biased comments, such as [*hateful comment*] are evidence that the defendant had a biased attitude toward the victim, which was the reason he escalated the verbal argument to a physical argument. They further argued that the defendant's decision to cause serious physical harm to the victim, [Mr. Victim], was primarily motivated by his bias against the victim's religion. Finally, the Prosecution believes that living in the United States, a free country, means that people of all religions should be able to live side by side without hatred.

Closing Arguments: Defense
The Defense argued that the defendant, Michael Campbell, was simply acting in self-defense for himself and his family after the victim shoved him at the bus stop. The Defense further stated

that the victim, [Mr. Victim] instigated the argument when he threatened to involve the police. While the Defense acknowledged that the defendant, Michael Campbell, made hateful comments on several occasions, they argued that punishing his thoughts would be in direct violation of his First Amendment right of free speech. Finally, the Defense argued that the trial was not about criminal behavior, but simply a disagreement of opinions that ended with unfortunate injuries.

Closing Arguments: Prosecution

The Prosecution argued that a simple disagreement of opinions did not constitute physical violence. They further argue that Michael Campbell's behavior is in direct violation of [Mr. Victim's] First Amendment right to freedom of religion. Further, the Prosecution argues that the victim's injuries were so severe, that a failure to convict the defendant of assault primarily motivated by bias would be unjust.

Judge's Instructions

Aggravated Assault: Bodily Injury with a Deadly Weapon
NJSA 2C:12-1b(2)

To find the defendant guilty of causing bodily injury with a deadly weapon, the State must prove beyond a reasonable doubt all of the following elements:

4. That the defendant caused bodily injury to another; and
5. That the defendant caused the bodily injury by use of a deadly weapon; and
6. That the defendant acted purposely or knowingly.

By definition, a deadly weapon is any firearm or weapon, device, instrument, material or substance, whether animate or inanimate, which in the manner it is used or is intended to be used is known to be capable or producing death or serious bodily injury.

Bias Intimidation
NJSA 2C:16-1

A person is guilty of the crime of bias intimidation if he commits, attempts to commit, conspires with another to commit, or threatens the immediate commission of an offense

4. With a purpose to intimidate an individual or group of individuals because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or
5. Knowing that the conduct constituting the offense would cause an individual or group of individuals to be intimidated because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or
6. Under circumstances that caused any victim of the underlying offense to be intimidated and the victim, considering the manner in which the offense was committed, reasonably believed either that (a) the offense was committed with a purpose to intimidate the victim or any person or entity in whose welfare the victim is interested because of race, color, religion, gender, handicap, sexual orientation, or ethnicity, or (b) the victim or the victim's property was selected to be the target of the offense because of the victim's race, color, religion, gender, handicap, sexual orientation, or ethnicity.

Appendix B
Rating Questions

Participants will respond to the following questions prior to reading the trial summary.

1. In general, how much do you like Jewish people?

        0   1   2   3   4   5   6   7   8   9   10

    Not at all   Very much

2. How violent do you think Jewish people are?

        0   1   2   3   4   5   6   7   8   9   10

    Not at all   Extremely
    Violent   Violent

3. In general, how much do you like Muslim people?

        0   1   2   3   4   5   6   7   8   9   10

    Not at all   Very much

4. How violent do you think Muslim people are?

        0   1   2   3   4   5   6   7   8   9   10

    Not at all   Extremely
    Violent   Violent

5. In general, how much do you like Christian people?

        0   1   2   3   4   5   6   7   8   9   10

    Not at all   Very much

6. How violent do you think Christian people are?

        0   1   2   3   4   5   6   7   8   9   10

    Not at all   Extremely
    Violent   Violent

7. In general, how much do you like Atheists?

	0	1	2	3	4	5	6	7	8	9	10

Not at all   Very much

8. How violent do you think Atheists are?

	0	1	2	3	4	5	6	7	8	9	10

Not at all   Extremely
Violent   Violent

9. What religion do you identify with?

    a. Christianity
    b. Judaism
    c. Islam
    d. Atheist/Not Religious
    e. Other Religion
    f. I prefer not to answer

10. How religious are you?

	0	1	2	3	4	5	6	7	8	9	10

Not at all   Extremely
religious   religious

11. Please report the percentage of hate crimes perpetrated because of religious identity that

occur against each of the four religious groups (Christian, Muslim, Jewish, and Atheist).

Note: you are dividing 100% among just the four religious groups listed.

    a. Christian =
    b. Muslim =
    c. Jewish =
    d. Atheist =
    e. Total = 100%

Participants will respond to the following questions after reading the trial summary.

1. Please rate how guilty you believe the defendant is.

   0   1   2   3   4   5   6   7   8   9   10

   Not at all   Completely
   guilty   guilty

2. Please render your verdict

   a. Not Guilty
   b. Guilty of Aggravated Assault
   c. Guilty of Hate Crime and Aggravated Assault

3. Please rate how confident you are in your verdict.

   0   1   2   3   4   5   6   7   8   9   10

   Not at all   Completely
   confident   confident

4. Please explain why you chose your verdict. (open-ended)

5. Do you agree with the fact that a person convicted of a hate crime should receive an

   increased punishment?

   a. Yes
   b. No

6. Please rate how much you feel the victim is to blame for the event in question.

   0   1   2   3   4   5   6   7   8   9   10

   Not at all   Very much

7. Please rate how much sympathy you feel towards the victim.

   0   1   2   3   4   5   6   7   8   9   10

No sympathy   Extreme
at all   sympathy

8. Please rate how much you think the victim's actions were motivated by bias (prejudice

    against someone that is considered to be unfair).

         0   1   2   3   4   5   6   7   8   9   10

Not at all   Completely
motivated by bias   motivated by bias

9. Please rate how capable you believe the victim was to cause serious physical harm to the

    defendant.

         0   1   2   3   4   5   6   7   8   9   10
Not at all   Completely
capable   capable

10. Please rate how greedy you think the victim is.

         0   1   2   3   4   5   6   7   8   9   10
Not at all   Extremely
greedy   greedy

11. Please rate how violent you think the victim is.

         0   1   2   3   4   5   6   7   8   9   10
Not at all   Extremely
violent   violent

12. Please rate how moral you think the victim is.

         0   1   2   3   4   5   6   7   8   9   10
Not at all   Extremely
moral   moral

13. Please rate how trustworthy the victim is.

         0   1   2   3   4   5   6   7   8   9   10
Not at all   Extremely
trustworthy   trustworthy

14. Please rate how much you feel the defendant is to blame for the events in question.

```
        0     1     2     3     4     5     6     7     8     9     10
Not at all                                                  Completely
to blame                                                    to blame
```

15. Please rate how much sympathy you feel towards the defendant.

```
        0     1     2     3     4     5     6     7     8     9     10

No sympathy                                                 Extreme
at all                                                      sympathy
```

16. Please rate how much you think the defendant's actions were motivated by bias

    (prejudice against someone that is considered to be unfair).

```
        0     1     2     3     4     5     6     7     8     9     10

Not at all                                                  Completely
motivated by bias                                           motivated by bias
```

17. Please rate how capable you believe the defendant was to cause serious physical harm to

    the victim.

```
        0     1     2     3     4     5     6     7     8     9     10
Not at all                                                  Completely
capable                                                     capable
```

18. Please rate how greedy you think the defendant is.

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        0     1     2     3     4     5     6     7     8     9     10
Not at all                                                  Extremely
greedy                                                      greedy
```

19. Please rate how violent you think the defendant is.

```
        0     1     2     3     4     5     6     7     8     9     10
Not at all                                                  Extremely
violent                                                     violent
```

20. Please rate how moral you think the defendant is.

```
        0     1     2     3     4     5     6     7     8     9     10
Not at all                                                  Extremely
moral                                                       moral
```

21. Please rate how trustworthy the defendant is.

        0   1   2   3   4   5   6   7   8   9   10
    Not at all   Extremely
    trustworthy   trustworthy

22. What is your gender?

    a. Male
    b. Female
    c. Transgender
    d. Prefer not to answer

23. What is your race?

    a. American Indian/Alaskan Native
    b. Asian or Pacific Islander
    c. Black or African American
    d. Hispanic/Latino
    e. White/Caucasian
    f. Other

24. What is your marital status?

    a. Single
    b. Married
    c. Divorced
    d. Separated

25. Have you ever served on a jury before?
    a. Yes
    b. No

26. How old are you? (open-ended)

27. Please describe your political orientation.

        0   1   2   3   4   5   6   7   8   9   10
    Extremely   Extremely
    liberal   conservative

Explanation—Juror Decision-Making

This experiment examined how we use information in the courtroom when we serve as jurors. Previous research has shown that juror perceptions of a victim and defendant affects verdict decisions in the courtroom. Specifically, jurors who have a bias against the victim in the case are less likely to render a guilty verdict.

In the present experiment, individuals received evidence about a fictitious defendant during a court trial, and then had to use the evidence to determine the guilt or innocence of the person in a criminal trial. The case was about a victim of a hate crime targeted because of his religion. It was predicted that the juror perceptions of the defendant and victim would impact their verdict decisions. Specifically, participants with negative perceptions of the victim's religion would be less likely to convict the defendant of being guilty of a hate crime.

Thank you for your help with this study. It would not be possible to continue psychological research without your cooperation and goodwill. We hope you enjoyed this experiment. If you would like to learn more about this experiment, you may contact me. We expect to have the results analyzed in approximately four months, so if you are curious about what happened feel free to contact me via email.

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