COLORISM AND CRIMINALITY: THE EFFECTS OF SKIN TONE AND CRIME TYPE ON JUDGEMENTS OF GUILT

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Previous research has provided evidence that darker-skinned Black individuals are usually associated with more negative stereotypes, and they often receive harsher sentences for committing a crime compared to their lighter-skinned Black and White counterparts. While this prior work suggests the presence of a skin tone bias within the criminal justice system, few experimental studies have accounted for the type of crime committed. In a 2 (skin tone: light-skinned Black, dark-skinned Black, or White skin) x 2 (crime committed: white-collar or blue-collar) design, the present study examined whether the skin tone of the perpetrator and type of crime committed influenced judgements of guilt and beliefs about the perpetrator's character. The results showed that a skin tone bias was present only when the perpetrator committed a blue-collar crime. Furthermore, participants believed that the light-skinned Black perpetrator appeared less dangerous, threatening, and violent, compared to the dark-skinned Black and White perpetrators. This study demonstrates how the effects of an interracial bias may partly depend on the type of crime committed.

Keywords: skin tone bias, colorism, white-collar crime, blue-collar crime, stereotypes

Although the incarceration rate has been slowly declining, a growing concern and top policy problem has been how to reduce racial and ethnic inequities within our criminal justice system. It has been well documented that the racial and ethnic makeup of the prison population remains consistently disproportionate with U.S. demographics. For example, in 2018, Black adults residing in the U.S. accounted for 33% of the prison population despite representing only 12% of the U.S. adult population; however, their White counterparts represented only 30% of the prison population while making up 64% of the adult population (Carson, 2020). Furthermore, at the end of 2019, the imprisonment rate of black adults was more than five times that of white adults and almost twice the rate of Hispanic adults (Carson, 2020).

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Researchers have tried to unpack the factors that might account for the disproportionate involvement of Blacks in the criminal justice system. Previous research has demonstrated that racial disparities within the U.S. criminal justice system may be attributed to bias and other forms of prejudice that arise during the judicial decision-making process (Burch, 2015; Jones & Kaplan, 2003; Mitchell et al., 2005). By law, only legally relevant factors (e.g., premeditation or intent) should be used when rendering a verdict and sentencing a defendant. However, as demonstrated through numerous studies, extra-legal factors often impact legal decisions (see Goodman-Delahunty & Sporer, 2010 for review) when ideally, they should play no role. These factors include the events jurors were exposed to before the trial (i.e., pretrial publicity) as well as the courtroom procedures that jurors witness during the trial.

Another largely studied source of extralegal influence is the personal attributes of the defendant, victim, and juror. While these attributes include gender, socioeconomic status (SES), age, religious affiliation, and physical attractiveness, one of the most widely researched extralegal attributes is the trial participants' race. A wealth of research has provided evidence to suggest that jurors usually consider the race of the defendant and victim when making judgments about guilt or innocence (Bradbury & Williams, 2013; Cothran et al., 2017; Mitchell et al., 2005; Sommers, 2007; Sommers & Ellsworth, 2009). Meta-analyses (e.g., Devine & Caughlin, 2014; Mitchell et al., 2005) have found that White jurors usually show stronger outgroup biases (i.e., White jurors are more biased toward Black defendants) than Black jurors when making verdict and sentencing decisions. Still, other researchers have demonstrated no effect (e.g., Mazzella & Feingold, 1994; Skolnick & Shaw, 1997), suggesting that the influence of a defendant's race on sentencing is inconsistent or that no bias exist.

In light of research revealing that racial biases can arise during judicial decision-making; one might wonder whether biases existing within racial groups also play a role in the justice process. For example, some studies indicate that Black suspects with more stereotypical Afrocentric facial features (e.g., full lips, wide nose, dark skin) receive longer sentences compared to suspects who have less stereotypical Afrocentric facial features (Blair et al., 2004; Dixon & Maddox, 2005; Eberhardt et al., 2006; Kleider-Offutt et al., 2017). While this research suggests that an intraracial bias toward certain individuals also exists within the criminal justice system, much of this prior work is based on archival data and does not account for the various types of crimes committed.

Furthermore, previous research has often examined the influence of the defendant's race or skin tone and juror's race on perceived culpability without considering other legally relevant case factors such as the type of crime committed. The current study sought to examine the combined effects of the suspect's skin tone, juror's race, and type of crime committed on perceptions of guilt and stereotypical beliefs. Before introducing the current study, it is important to review some of the research examining how perceptions of guilt and sentencing judgements are affected by (a) the type of crime committed (i.e., blue-collar vs. white-collar) and (b) the skin tone of the defendant.

The role of race within white-collar and blue-collar crimes

When trying to understand how biases arise during judicial decision-making, it is important to acknowledge the role of racial stereotypes as they relate to different types of criminal behavior. Blue-collar offenses are defined as those that involve actual or threatened violence, whereas white-collar offenses are described as those relating to deception or breaches of trust (Gordon et al., 1996). Although both types of crime are illegal, evidence provided by previous research suggests that these crimes are often related to racial stereotypes. Specifically, Blacks are commonly perceived to be perpetrators of blue-collar crimes, and Whites are commonly perceived to be perpetrators of white-collar crimes (Gordon, 1990; Gordon, 1993; Gordon et al., 1988; Jones & Kaplan, 2003; Sunnafrank & Fontes, 1983). Sunnafrank and Fontes (1983) found that, compared to their White counterparts, fictitious Black male criminals were more closely associated with crimes involving criminal solicitation, mugging, grand theft auto, and assault on a police officer. On the contrary, embezzlement, child molestation, counterfeiting, fraud, and rape were more closely associated with White criminals rather than Black criminals. These results suggest that type and severity of crime are relevant considerations in studies involving race and judicial decision-making.

In related research, Gordon et al. (1988) found racial differences between mock jurors when ascribing punishment for white-collar and blue-collar crimes. Embezzlement was reported to be more serious than burglary among the White jurors, while the opposite was found among Black jurors. For punishment severity, White offenders who committed embezzlement received harsher sentences than Black embezzlers, however, Black offenders were more likely to receive a harsh sentence for burglary compared to White offenders. The authors suggested that when a defendant's attributes match the stereotype for a specific crime type, jurors were harsher when determining the severity of punishment.

Researchers have proposed several reasons for the presupposed linkage between race and crime. Without delving into all the reasons behind this relationship, it has been suggested that the association of certain races with certain crimes may be partly due to media exposure (Dixon, 2017; Dixon & Maddox, 2005; Dixon et al., 2003). For example, a content analysis of television news reports conducted by Dixon et al. (2003) revealed that Whites were overrepresented as victims of crime rather than perpetrators of crime, while the opposite was true for Blacks.

In addition, the media (e.g., television news programming) serves as the biggest source of disseminating crime information, and it can have a priming effect on how criminality is viewed by spectators (Dixon & Azocar, 2007). Repeated exposure to Black criminals in the news may lead to the activation and subsequent strengthening of stereotypes linking Blacks with criminality. Other research also reveals that Blacks are seen as more likely to commit violent or blue-collar crimes compared to Whites, whereas Whites are seen as more likely than Blacks to commit white-collar crimes (Gordon et al., 1996).

When it comes to criminal sentencing, blue-collar crimes often result in harsher sentences compared to white-collar crimes (Benson, 2021); however, there is usually con-

siderable variation in sentencing among those who commit white-collar crimes (Schoepfer et al., 2007). For example, on June 21, 2011, Paul Allen, former CEO of Taylor, Bean, & Whitaker (TBW), was sentenced to approximately three years in prison for his actions in a nearly three-billion-dollar fraud scheme, (i.e., a white-collar crime). Allen pled guilty to one count of conspiracy to commit bank and wire fraud as well as making false statements. During the financial scheme, TBW executives were found to have defrauded investors after running overdrafts in its master bank account.

In contrast, Roy Brown was a 54-year-old homeless man who robbed a bank for only 100 dollars, (i.e., a blue-collar crime). After being handed three 100-dollar bills upon his request, he only took one after stating that he was homeless and hungry. Upon returning the remaining money to the teller, he voluntarily surrendered to the police reporting to them that he needed the money to continue staying at a detox facility. He was subsequently sentenced to 15 years in prison. Collectively, these cases illustrate the vast discrepancy between sentencing lengths and crime type. Perhaps these inconsistencies are due to the social perception that white-collar crimes may sometimes be viewed as less serious non-life-threatening offenses (Hurwitz & Peffley, 1997; Schoepfer et al., 2007).

Regarding white-collar crimes, research suggests that opportunities to engage in them are more available to middle and upper-class Whites than Blacks and other minorities (Benson et al., 2021; Weisburd et al., 1991). This may be because Blacks only account for 8% of white-collar jobs which perpetrators of white-collar crimes are usually employed (Gee, 2018). Thus, understanding the stratification of a crime by race may be examined with the context of employment and economic opportunities. While this is beyond the scope of this paper, Sohoni and Rorie (2019) explain how experiencing racial privilege predicts the creation of cultural frames conducive to white-collar crime, suggesting that the perpetration of crime is an artifact of larger systemic equities.

Colorism and the skin tone bias

Colorism is a term often used to describe preferential treatment given to an individual (or individuals) because of the lightness of one's skin (Harrison, 2010; Pizzi et al., 2004). Light-skin preference has been common practice in the Black community dating back to slavery in America. Skin color was often used to determine the type of jobs that each slave would work. For example, Black slaves with darker skin tones were subjugated to more physically demanding jobs such as fieldwork while those with lighter skin tones were given more desirable jobs that were less strenuous (Harrison, 2010).

Although the foundation of colorism is primarily centered around skin tone other physical attributes that contribute to this overarching theme. For example, Reece (2021) extends the definition of colorism to include Afrocentric phenotypic features, (e.g., dark eyes, thick nose, full lips, and curly hair). The possession of these features often results in many stereotypic assumptions and even preferences that portray light-skinned blacks as more attractive than their dark-skinned counterparts (Hill, 2002; Maddox & Gray, 2002). This notion has been supported in prejudice and stereotyping studies that involve both implicit and explicit measures (e.g., Hagiwara et al., 2012). Moreover, research has consistently found

that facial images depicting typical Afrocentric phenotypic features receive more negative evaluations regardless of which type of measures are used (see Maddox, 2004 for review).

The concept of colorism was cultivated for many centuries and instances of its lasting impact can be examined in advertisements (e.g., Keenan, 1996), news media (e.g., Dixon & Maddox, 2005), and television shows (e.g., Steele, 2016). Although examples of colorism can be seen across a variety of media platforms, its consequences can be most notably felt within the economic and social opportunities afforded to different individuals. Prior research has provided evidence to suggest that intraracial disparities in economic and social outcomes may be attributed to colorism, in addition to the prejudice that occurs across racial groups (Burch, 2015). For example, previous studies have found that light-skinned Blacks are more likely to be hired by White employers compared to dark-skinned Blacks even when controlling for education level and previous work experience (Harrison, 2010; Harrison & Thomas, 2009; Wade et al., 2004).

In a recent study, Reece (2021) utilized data from the National Study of Adolescent to Adult Health to examine how skin tone and gender contribute to income disparities among the adult Black population. The findings revealed that after controlling for relevant factors such as education and age, light-skinned Black males reported higher incomes than every other group (i.e., medium, light, dark-skinned Black females, and medium and dark-skinned Black males). Although women were the lowest in the skin tone/gender hierarchy, it was found that light-skinned Black females still made more money than dark-skinned Black males and even dark-skinned Blacks altogether. The author suggests that "light-skinned men benefit from the dual advantages of favorable skin tone and favorable gender, whereas dark-skinned people cannot overcome the disadvantage of their skin tone even if they also have a favorable gender." (Reece, 2021, p. 8)

Unfortunately, the problematic effects of colorism can also be witnessed within the criminal justice system. For example, Blair et al. (2004) used a random sample of inmate records in Florida and found that facial features were associated with sentence length, even when offenders had equivalent criminal histories. Overall, the authors found that inmates with more Afrocentric features received harsher sentences than inmates with less Afrocentric features. These findings have been corroborated by other research indicating that many aspects of phenotype have been used to shape criminal justice outcomes for Blacks (Eberhardt et al., 2006; Viglione et al., 2011). It has been found that black defendants in capital cases with a white victim are twice as likely to receive the death penalty if they are dark-skinned and have more Afrocentric facial features (Eberhardt et al., 2006).

Although much of the research on skin tone and criminality has largely focused on Black male offenders, some research has indicated that skin tone biases also exist within the community of Black female offenders. For example, after analyzing a sample of 12,000 black women imprisoned in North Carolina, Viglione et al. (2011) found that inmates with a perceived dark skin tone, as recorded by corrections officers at intake, received longer prison sentences compared to inmates with a light skin tone. Similarly, Burch (2015) reported that dark-skinned Black male inmates in Georgia received sentences that are about

4.8 percent higher than those of White inmates. Together these prior studies reveal that the effects of colorism can be seen across both male and female offenders.

The association between the Afrocentric facial features with punishment severity has been examined in other areas of research as well. Survey research conducted in Los Angeles indicated that respondents who identified as a darker-skinned Black male reported higher arrests than their White counterparts even when controlling for other demographic factors (Johnson et al., 1998). In another example, an analysis of more than 67,000 male inmates incarcerated in Georgia indicated that light-skinned Black inmates received sentences averaging three and a half months longer than White inmates (Hochschild & Weaver, 2007). However, findings indicated that those same light-skinned inmates received shorter sentences compared to medium-skinned and dark-skinned Black inmates even when controlling for type of offense and other demographic variables (Hochschild & Weaver, 2007).

The Present Study and Hypotheses

The present study represents a critical next step in examining whether racial biases affect how individuals assign culpability when considering the type of crime committed. As noted in the research mentioned above, several studies seem to support the hypothesis that stereotypical Afrocentric facial features, especially skin tone, are associated with harsher treatment for Black defendants (Blair et al., 2004; Pizzi et al., 2005; Tonry, 2010). While these archival studies have served to substantiate the economic and social effects of colorism, few studies have attempted to elucidate the underpinnings of colorism within the criminal justice system using experimental approaches. As noted by Marira and Mitra (2013), "Although these intraracial findings concerning colorism are informative, they constitute but a piece of the puzzle. What are sorely needed are rigorous, experimental examinations that disambiguate the issues of race from those of color (p. 104.)"

Given that most studies examining the relationship between skin tone and justice outcomes have employed archival methods, it remains difficult to draw definitive causal conclusions about the effects of this relationship. Despite the unique contributions of these non-experimental studies, each has consequential limitations such as sample selection concerns, potential measurement bias, and an inability to control for key confounding factors. Moreover, the few experimental studies that have attempted to explain the relationship between race and judicial decision-making have produced mixed findings (Kemmelmeier, 2005; Mazzella & Feingold, 1994). Sweeney and Haney (1992), in their meta-analysis, suggested that multiple factors such as defendant race, juror race, and victim race contribute to how and when bias will occur in legal situations, which may help to explain some of these inconsistent findings.

To the author's knowledge, there are no experimental studies that have investigated whether the type of crime committed contributes to the racial and skin tone bias that occurs within the context of judicial decision-making. The experimental studies within this area of research usually involve one type of crime (e.g., Cothran et al., 2017; Kemmelmeier, 2005; Wuensch et al., 2002), whereas in the current work we varied the type of crime committed—a white-collar crime or blue-collar crime was committed by the suspect. In

addition, archival studies usually control for the type of crime committed (e.g., Blair et al., 2004; Monk, 2019; Viglione et al., 2011) which makes it difficult to evaluate whether racial biases arising during the justice process manifest differently depending on the type of criminal act committed.

The current research addresses the limitations of previous work by examining how the combined effects of a suspect's race or skin tone and type of crime committed influence judgments of punishment and stereotypical beliefs. Specifically, we wanted to know if there is a skin tone bias that affects the relationship between the type of crime committed and perceived guilt. Unlike previous research, we do not manipulate physiognomy, but instead manipulate only skin tone. Although the two are related, and both facilitate racial categorization (Brown et al., 1998), previous research suggests that skin tone is independently tied to the activation of negative race-based stereotypes (Messing et al., 2016) and negative evaluations when the target is Black and the perceiver is White (Hagiwara et al., 2012).

In the current study, we varied the race and skin tone, and crime committed by an alleged suspect in a crime report. Participants were exposed to a crime report featuring either a White, light-skinned Black, or dark-skinned Black male suspect. We then assessed whether exposure to the report influenced judgments of punishment and stereotypical beliefs among viewers. This study tested three hypotheses: (1) Participants will attribute more guilt for the suspects who committed a blue-collar crime rather than a white-collar crime, irrespective of the suspect's skin tone or race (2) Participants will assign harsher punishment to the dark-skinned male suspect, irrespective of the type of crime committed. (3) The dark-skinned Black suspect will receive stronger activation of preexisting stereotypic associations between Blacks and crime, which will subsequently lead to more stereotypical beliefs about violence, aggression, and dangerousness. These stereotypical beliefs will be stronger for the dark-skinned Black suspect who commits a blue-collar crime rather than a white-collar crime.

METHOD

Participants

Using G*Power (Faul et al., 2007), a power analysis of the predicted main effect on guilt judgements indicated that 158 participants would be required to have 80% power to detect a medium effect size ($f = 0.25$). A total of 200 participants enrolled at a medium-sized university in the southeast United States were recruited for the study. Before beginning the study, participants had to certify that they were 18 years of age or older, a United States citizen, and had no previous felony convictions (i.e., they had to meet the eligibility to serve on a jury). Sixteen participants were excluded from the data analysis for failing to answer the manipulation check questions correctly. All participants received course credit for participating in the study.

The sample used in data analysis included 42 males, 139 females, and three identifying as other. The average age of participants was 20.67 years ($SD = 4.31$). The sample was racially diverse such that 98 participants identified as White (53.3%), 68 identified as Black

(37.0%), five identified as Asian (2.7%), six identified as Hispanic (3.3%), one identified as American Indian (.5%), and 6 identified as other/multiracial (3.3%). Thus, there were 86 Black, Indigenous, People of Color (BIPOC), with the majority being Black.

Materials

Crime report. After consulting an active-duty police officer, two fictitious crime reports were created to reflect a white-collar offense (i.e., identity theft) and a blue-collar offense (i.e., armed robbery). In total there were six different crime reports generated. All six versions were identical except for references to the crime committed (i.e., identity theft or armed robbery) and a picture of the suspect (i.e., light-skinned Black male, dark-skinned Black male, or White male). Each crime report contained the following information about the suspect: full name, race, booking number, crime committed, date of arrest, place of arrest, county, arresting officer, precinct, sex, age, birthdate, birthplace, height, weight, physical build, nationality, citizenship, date of the incident, residence, and a brief description of the events that led up to the arrest.

Located in the top right corner of the report was a mug shot of the suspect that was 3 x 3 inches in size (i.e., comparable to a standard passport photo). The photo selected to be used as the mugshot for the light-skinned Black male was obtained from the Chicago Face Database (Ma et al., 2015) and referenced as an example of a Black man with non-stereotypical Black features by Kleider-Offutt et al. (2017). As seen in Figure 1, the photo of the dark-skinned Black male was identical to the light-skinned Black male; Adobe Photoshop was used to alter the skin tone to a darker complexion. The photo used as the mugshot of the White male suspect was selected by the authors after independently assessing a series of White male photos within the Chicago Face Database. Finally, we specifically chose male suspects to increase the ecological validity of our work, as most crimes are committed by men (see Carson, 2020).

Figure 1. Mugshots used in the crime reports. (Note: From left to right includes the light-skinned Black male, dark-skinned Black male, White male)

Questionnaire. A questionnaire consisting of three sections was developed. The first section of the questionnaire consisted of a 5-item multiple-choice test used as a manipulation check to ensure the participants read and understood the details outlined in the crime report. These questions included: "What was the suspect's name?" "How old was the suspect?" "What was the race of the suspect?" "What crime was the suspect accused of committing?" and "Which of the following accurately describes the incident that took place?"

The second section instructed participants to make a judgement about perceived guilt and respond to questions about their beliefs of the nature of the suspect. Specifically, they were asked "how likely do you believe the suspect is guilty?" on a scale of 1 (not at all guilty) to 5 (definitely guilty). To assess stereotypical beliefs, participants were asked, "To what extent does the suspect seem threatening, violent, and dangerous?" on a scale of 1 (not at all) to 5 (definitely).

Procedure

The study was conducted online using Qualtrics survey software. After reading a letter of invitation and agreeing to participate, participants were randomly assigned to one of the six conditions created by the 2(crime type) x 3 (race/skin tone) factorial design. They were then instructed to read, at their discretion, the crime report presented on the screen. When they were finished reading, participants completed a multiple-choice test which served as a manipulation check to test the participants' knowledge of the report. Then, participants were asked to respond to questions assessing guilt and beliefs about the suspect. Lastly, participants completed a demographic survey, and they were thanked and debriefed.

RESULTS

Skin Tone Manipulation Check

To ensure that the individuals featured in each photo were perceived as light-skinned, dark-skinned, or white, participants were asked to respond to the following question: "How would you describe the suspect's skin tone on a scale from 1 to 7, with 1 representing very light and 7 representing very dark?" Results from a one-way analysis of variance (ANOVA) revealed a significant effect of skin tone, $F(2, 183) = 332.94$, $p < .001$. Tukey post-hoc comparisons indicated that the dark-skinned Black suspect ($M = 6.02$, $SD = .96$) was rated as having a darker complexion than the light-skinned Black suspect ($M = 3.97$, $SD = .81$) and White suspect ($M = 2.03$, $SD = .81$). Additionally, the light-skinned Black suspect was rated as having a darker complexion than the White suspect ($p < .001$). These results provide evidence to suggest that participants perceived the White suspect in the photo as White, and the Black suspects in the photos were differentiated by skin tone.

Perceived Guilt

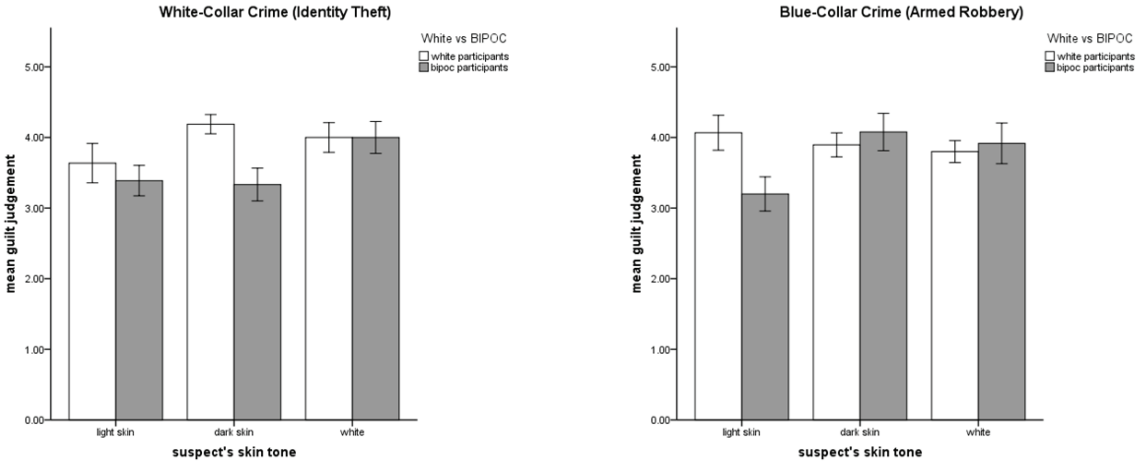
A 2(white-collar or blue-collar crime) x 3(light-skinned, dark-skinned, White) x 2(White or BIPOC participant) ANOVA was performed to examine the influence of crime type, skin tone, and participant race on perceived guilt [1]. The results revealed that there was a significant main effect of skin tone, $F(2, 184) = 2.94$, $p = .05$, $= .03$. Irrespective of the type of crime committed and the participant's race, the White suspect ($M = 3.92$, $SD = .82$) was perceived as being significantly more guilty than the light-skinned Black suspect ($M = 3.56$, $SD = .97$). Furthermore, there was a significant main effect of the participant's race, $F(1, 184) = 4.76$, $p = .03$, $= .03$. The White participants ($M = 3.94$, $SD = .78$) perceived the suspects as significantly more guilty compared to the BIPOC participants ($M = 3.62$, $SD = .96$) irrespective of type of crime committed and the suspect's skin tone. However, the main effects were qualified by a significant three-way interaction between crime type,

skin tone, and participant's race, $F(2, 184) = 3.54$, $p = .03$, $= .04$. All other effects were not significant (p's > .05).

To examine more closely the nature of the significant three-way interaction, separate two-way ANOVAs were performed (see Figure 2). The first examined the relationship between the suspect's skin tone and participant's race for white-collar crime, and the second looked at the relationship between the suspect's skin tone and participant's race for the blue-collar crime. In the first 3 x 2 ANOVA on perceived guilt, there remained a significant main effect of participant's race, $F(1, 90) = 4.23$, $p = .04$, $= .05$. When the suspect committed a white-collar crime, White participants (M = 3.98, SD = .79) perceived the suspect as significantly more guilty compared to the BIPOC participants (M = 3.54, SD = .91). All other effects (i.e., the main effect of skin tone and two-way interaction) were not significant (p's > .05).

In the second 3 x 2 ANOVA on perceived guilt —also shown in Figure 2—when the suspect committed a blue-collar crime, the main effect of participant's race was not significant, $F(1, 94) = 1.08$, $p = .30$. However, there was a significant two-way interaction between suspect's skin tone and participant's race, $F(2, 94) = 3.46$, $p = .04$, $= .07$. A follow-up test of simple effects using a Bonferroni adjustment revealed that there was a significant simple main effect for the light-skinned skin tone, $F(1, 88) = 7.49$, $p = .01$, $= .08$. When the suspect was a light-skinned Black male and committed a blue-collar crime, White participants ($M = 4.07$, $SD = .96$) perceived him to be more guilty than BIPOC participants ($M = 3.20$, $SD = .94$). There were no differences between White and BIPOC participants when the suspect was a dark-skinned Black male ($p = .56$), and when the suspect was a White male ($p = .71$). Finally, the results revealed that BIPOC participants perceived the dark-skinned Black male as significantly more guilty compared to the light-skinned Black male when a blue-collar crime was committed, $F(2,88) = 4.10$, $p = .02$, $= .09$.

Figure 2. Guilt judgements based on the suspect's skin tone as a function of type of crime committed. Error bars represent one standard error of the mean.



Does the Suspect Appear Dangerous, Threatening, and Violent?

Participants were asked to rate how threatening, dangerous, and violent the suspect appeared. These responses were subjected to a 2 x 3 x 2 multivariate analysis of variance (MANOVA) to examine the effects of crime type, skin tone, and participant's race on the three dependent measures. The multivariate results revealed a significant effect of crime type, $F(3, 170) = 55.12$, $p < .001$, $= .49$, and there was a significant effect of the suspect's skin tone, $F(6, 342) = 2.14$, $p = .05$, $= .04$. All other effects were not significant (p's $> .05$).

Follow-up univariate ANOVAs (using a Bonferroni adjustment) revealed a significant effect of crime type on perceived danger, $F(1, 184) = 106.28$, $p < .001$, $= .38$, perceived threat, $F(1, 184) = 105.48$, $p < .001$, $= .38$, and perceived violent, $F(1, 184) = 152.43$, $p < .001$, $= .47$. The pairwise comparisons indicated that for all three dependent measures, the suspect who committed the blue-collar crime was perceived as more dangerous, threatening, and violent than the suspect who committed the white-collar crime.

Additionally, the follow-up univariate ANOVAs revealed a marginally significant effect of skin tone on perceived danger, $F(2, 184) = 2.87$, $p = .06$, $= .03$, a significant effect of skin tone on perceived threat, $F(2, 184) = 4.78$, $p = .01$, $= .05$, and a significant effect of skin tone on perceived violent, $F(2, 184) = 4.66$, $p = .001$, $= .05$. The results of the pairwise comparisons indicated that the light-skinned Black suspect was perceived as less dangerous than the dark-skinned Black suspect and White suspect. For perceived threat, the same pattern emerged such that the light-skinned Black suspect was perceived as less threatening than the dark-skinned Black suspect and White suspect. Finally, the light-skinned Black suspect was perceived as less violent than the White suspect. All other comparisons were not significant. See Table 1 for means and standard deviations.

Table 1. Means and standard deviations for perceived dangerous, threatening, and violent nature of the suspect as a function of crime committed and skin tone.

		Dangerous	Threatening	Violent
Crime Type	Skin Tone	*M(SD)*	*M(SD)*	*M(SD)*
White Collar Crime	Light Skin	1.48(.63)	1.41(.57)	1.10(.31)
	Dark Skin	1.71(.82)	1.52(.77)	1.32(.60)
	White	1.97(.76)	1.97(.89)	1.77(1.09)
Blue Collar Crime	Light Skin	2.87(1.04)	2.70(1.12)	2.70(1.06)
	Dark Skin	3.22(.97)	3.25(1.11)	2.91(1.00)
	White	3.06(.98)	3.09(1.00)	3.03(.78)

Note: *M* = Mean, *SD* = Standard Deviation

Does the suspect look like a criminal?

Participants were asked to what extent does the suspect look like a criminal. These responses were then subjected to a 2 x 3 x 2 ANOVA, which revealed a significant main effect of crime type, $F(1, 184) = 5.14$, $p = .03$, $= .03$ and a significant main effect of skin tone, $F(1, 184) = 5.56$, $p = .01$, $= .06$. The Bonferroni adjusted pairwise comparison indicated

that the suspects who committed a blue-collar crime (M = 2.54, SD = 1.12) were perceived as looking more like a criminal than the suspects who committed a white-collar crime (M = 2.21, SD = 1.04). The pairwise comparisons also indicated that the light-skinned Black suspect (M = 2.02, SD = .99) was perceived as looking less like a criminal than the dark-skinned Black suspect (M = 2.44, SD = 1.10) and White suspect (M = 2.66, SD = 1.10). Finally, there was no difference in perceived criminal look between the dark-skinned Black suspect and White suspect. See Table 2 for means and standard deviations.

Table 2. Means and standard deviations for perceived criminal look of suspect.

	Criminal Look	
Crime	Skin Tone	*M(SD)*
White Collar Crime	Light skin	1.72(.84)
	Dark skin	2.19(.98)
	White	2.70(1.09)
Blue Collar Crime	Light skin	2.30(1.06)
	Dark Skin	2.69(1.18)
	White	2.63(1.13)

Note: M = Mean, SD = Standard Deviation

DISCUSSION

An emergent body of evidence has suggested that an individual's Phenotypic characteristics can lead to an unjust bias during the judicial decision-making process. Whereas past research has primarily focused on differences across races, a major goal of the current study was to examine how individuals perceive guilt in suspects of different skin tones within the same race. We were also interested in whether this perception was affected by the type of crime committed. While some results we report are rather surprising, this study partially replicates and extends earlier research involving the complex effects of skin tone and racial biases on judicial decision-making.

The three-way interaction between the type of crime committed, skin tone of the suspect, and race of the participant on perceived guilt suggests that White and BIPOC participants perceived the two categories of crime differently. Contrary to our prediction, findings from the main effect of race for white-collar crime indicated that White participants perceived the suspect as more guilty than BIPOC participants, regardless of the suspect's skin tone. Comparable to this result, Gordon et al. (1988) found that White participants perceived embezzlement to be a more serious crime than burglary, whereas Black participants perceived burglary to be a more serious crime than embezzlement. The authors argued that this result happened because White and Black individuals formed differential attributions concerning why blue-collar and white-collar crimes are committed.

Previous research suggests that perceptions of criminal behavior may partly stem from the interaction of one's own attributes and immediate environment (Green et al.,

2006). In many cases, blame for crime is attributed to situational factors (e.g., lack of proper education) or personal characteristics (e.g., aggressive personalities), with dispositional explanations usually favoring harsher punishment out of a desire to correct individual wrongdoing rather than correcting systemic structural issues. Taking this into account, in the current study White participants may have made more dispositional attributions regarding the white-collar crime (e.g., the suspect stole someone's identity because he was being greedy) and more situational attributions regarding the blue-collar crime (e.g., the suspect robbed the gas station because of a lack of economic opportunities) when compared to BIPOC participants. Thus, differences in the attribution process might explain the current pattern of results.

Although our findings might suggest that differences in perceived guilt occurred due to White participants and BIPOC participants differentially attributing why a particular criminal act occurred, it is difficult to confirm this given that there was no measure of attribution of blame (i.e., we did not ask the participants their beliefs about the probable cause of the suspect's behavior). Furthermore, we did not provide any details concerning the suspect's employment status, education level, or previous offenses. While including this information may have somewhat controlled for differences in the attribution process, it is not always the case that this information is provided in actual crime reports.

When unpacking the three-way interaction, we found a significant two-way interaction for the blue-collar crime only. The follow-up simple main effects analysis revealed that perceived guilt for the light-skinned Black suspect was mainly affected by the participant's race. Aligned with our prediction, White participants perceived the light-skinned Black suspect to be significantly more guilty than BIPOC participants when a blue-collar crime was committed. However, to our surprise, there were no differences between White and BIPOC participants when the suspect was a dark-skinned Black male committing a blue-collar crime. These findings suggest that both the suspect's skin tone and the participant's race play an important role in perceptions of guilt only when a blue-collar crime is committed.

A meta-analysis by Mitchell et al. (2005) found that the racial bias in juror verdict decisions was more prominent in Black participants than in White participants, especially when a continuous measure of guilt was employed as opposed to a dichotomous "guilty" versus "not guilty" measure. Our findings both contrast and extend this previous research by showing that there was not a racial bias per se, but rather an interracial bias mainly present within BIPOC participants. The results revealed that the dark-skinned Black suspect was perceived as significantly more guilty compared to the light-skinned Black suspect when a blue-collar crime was committed, yet there were no differences between the dark-skinned suspect and White suspect for the blue-collar crime. This particular result alludes to the presence of a skin tone bias when attributing guilt to a blue-collar offense.

The leniency of BIPOC participants toward the light-skinned Black suspect provides evidence above and beyond ingroup favorability. When the suspect committed a blue-collar crime, White participants perceived the light-skinned Black suspect to be significantly more guilty than BIPOC participants. This difference may be attributed to the ap-

parent skin tone bias shown by BIPOC participants such that the favoritism shown toward the light-skinned suspect led to lower perceptions of guilt, making the difference (between White and BIPOC participants) more robust. In fact, our findings revealed no significant differences among the skin tones for White participants, suggesting that White participants were quite consistent and less biased when making judgements about guilt for the blue-collar offense.

It is unclear as to why the effects of colorism were only present for the blue-collar crime. We believe that this result may be due to an interactive effect of the nature of the crime committed and the racial stereotypes associated with specific crimes. When the Black suspects committed a blue-collar crime, the stereotypic association of Black individuals with a violent crime could have perpetuated a skin tone bias. In contrast, when the Black suspects committed a white-collar crime, any skin tone biases may have been absolved because the crime was incongruent with the stereotype. This is supported by Jones and Kaplan (2003) who found that punishment was more severe when suspects were charged with a crime that was congruent to their race compared to a race-incongruent crime. It is suggested that when a person's race aligns with the crime stereotype, a prototypical element is added to the case that then increases the assignment of dispositional attributions, which in turn increases perceived culpability (Jones & Kaplan, 2003).

Partially consistent with our prediction, our findings demonstrated that both White and BIPOC participants exhibited less stereotypical beliefs about the light-skinned Black suspect when compared to the dark-skinned Black suspect and White suspect. This main effect for the suspect's skin tone is consistent with some previous research indicating that individuals with features perceived to be more Afrocentric (e.g., darker skin) evokes stereotypes of criminality and appears to be an easily remembered characteristic of a supposedly criminal face (Blair et al., 2004; Dixon and Maddox, 2005; Hurwitz & Peffley, 1997). Our findings are slightly supported by this prior work in that the dark-skinned Black suspect was perceived as being more dangerous, threatening, and violent compared to the light-skinned Black suspect. However, to our surprise, the White suspect was seen as equally dangerous, threatening, and violent when compared to the dark-skinned Black suspect.

It has been well documented that the media has played an instrumental role in perpetuating the stereotype of Blacks as being violent criminals (Dixon, 2017; Duxbury et al., 2018). However, our results suggest that the stereotype may be changing perhaps due to the rise and subsequent media coverage of other types of violent crimes such as mass shootings. For example, the most highly publicized mass shootings tend to have White perpetrators (Duxbury et al., 2018), and many assume that there is little racial variation in mass shooting perpetration (Fox & DeLateur, 2014; Fox & Levin, 2003). Thus, our participants could be using an availability heuristic when making judgements about whether a suspect appears dangerous, threatening, or violent. Specifically, participants may have been able to easily recall recent instances of White perpetrators involved in violent criminal acts (e.g., U.S. Capitol insurrection) which could have subsequently guided their decision making.

Limitations and Future Directions

There are several potential limitations to this study. First, we did not disclose any victim information in the crime reports. Victim demographic characteristics such as race/ethnicity are not legally relevant; yet, like defendant characteristics, there is the potential for them to influence jury decision-making (see Maeder & Yamamoto, 2019). Including the victim's race would add another level of complexity to the study's design, however, future studies should examine how both the defendant's and victim's race or skin tone impact perceptions of guilt across various crime types to better understand the multifaceted processes involved in racial and interracial biases.

Second, we only assessed perceptions of guilt and stereotypical beliefs. Other measures, such as the likelihood of conviction and length of sentencing, might serve as a better or more complete indicator of biases. In addition, including a measure to assess the memorability of the suspect may help to understand how cognitive processes interact with associations of race and crime. For example, a memory test could help determine if recognition for a suspect's face is better or worse when the information provided in the crime report is congruent or incongruent with the stereotypical Phenotypic feature (i.e., is a dark-skinned Black male suspect better remembered when he commits a white-collar crime or blue-collar crime?)

Third, in the current study, we controlled for other Phenotypic facial features such as nose width and lip fullness. Although skin tone has been the most widely studied feature in studies relating to colorism, Maddox and Gray (2002) and others (Blair et al., 2002; Livingston & Brewer, 2002) have argued that skin tone is one of the many features that are related to differential perceptions of Black people. While our results provide evidence of an interracial bias concerning judgments of guilt and stereotypical beliefs based solely on skin tone, the effects may have been stronger had we not controlled for other facial features. Thus, future studies could vary more Phenotypic features to determine whether stereotypic associations would be more robust.

Finally, we realize that using a college sample presents some issues concerning generalizability. Our sample consisted mostly of female college students enrolled at medium-sized universities in the southeast region of the United States. While some may argue that today's college students may have more liberal racial attitudes (Campbell & Horowitz, 2016), recent research has indicated that college students' evaluations of teaching are replete with different types of personal biases (e.g., Fan et al., 2019), providing evidence that college students do maintain some biases. Still, it remains unclear whether biases appear differently when comparing college students with other populations for studies specific to legal decision-making (Maeder et al., 2018). It is possible that our results may be different when using a community sample. The next step will be to replicate and extend the current research to other more diverse populations located in different regions of the United States.

CONCLUSION

There is substantial research demonstrating that extralegal factors can influence and bias judicial decision-making even though the legal system is based on the premise of attending to only relevant legal case factors. We are optimistic that the current work can shed light on how racial and interracial biases potentially contribute to inequities in the justice process. Our findings extend previous research by providing more evidence that racial stereotyping still occur based on the facial appearance of an offender, with skin tone being perhaps one of the most important characteristics. It is somewhat encouraging to see the absence of an outgroup bias among White participants, which may be indicative of positive societal change. Still, if the goal of the American justice system is to ensure a fair and impartial process for all persons, more research needs to be done to uncover the many factors that contribute to the overrepresentation of marginalized groups in the justice system.

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ENDNOTE

Previous research has shown that a defendant's attractiveness can impact mock jurors' perceptions of guilt (Mazzella & Feingold, 1994); thus, we included a measure of attractiveness by asking the participants "how attractiveness is the suspect on a scale of 1 – 10, with 1 being not at all attractive to 10 being extremely attractive?" We initially performed a 2(crime: white collar or blue-collar crime) x 3 (skin tone: light-skinned, dark-skinned, White) x 2 (participant race: White or BIPOC) analysis of covariance (ANOVA) on perceived guilt using attractiveness as a covariate. The results indicated that attractiveness was a not a significant covariate, so we dropped this variable from the analysis.

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