

THE RELATIONSHIP BETWEEN POLITICAL IDEOLOGY AND PUNISHMENT: WHAT DO JURY PANEL MEMBERS SAY?

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This study examines the effect of the self-identified political ideology of jurors and the tendency of those jurors to assess punishment. Significant research has been conducted that suggests an individual's political ideology is a strong predictor of future behavior. Jury research is ripe with studies attempting to understand juror and jury decision making; however, no study we have found examines summoned jurors' self-identified political ideology and its relationship to punishment. Jurors from a large southwestern city were recruited to participate in this study. In all, 278 participants read a vignette containing a verbal and physical assault and responded to basic demographic questions as well as an attitudinal and ideological measure. We found that political ideology does not affect perceptions of guilt or length of sentence, but conservatives were more likely, controlling for other variables, to favor harsher fines on a perpetrator.

Keywords: Jury decision making, juror behavior, political party, political ideology and punishment.

Scholars in political science have long noted the importance of political ideology in explaining public opinion and political behavior (Mulligan, Grant, & Bennett, 2012; Poole & Rosenthal, 2007). Indeed, political ideology has been identified as a chief variable explaining voting behavior in the electorate and an important variable, along with partisanship, in explaining congressional roll-call voting (Flanagan & Zingale, 2009; Palfrey & Poole, 1987). Furthermore, scholars have noted the effects of party and ideology on the behavior of judges, particularly federal judges and state Supreme Court justices (Epstein & Knight, 1998).

Decision making in trial courts has been less scrutinized, meaning there is a dearth of research examining the relationship between politics and jury decision making. Consequently, as important decision makers in state and federal trial courts, jurors and their behaviors should be analyzed. Furthermore, as jurors do not live in a political or social vacuum, we should expect they would be subject to the same biases, extra-legal influences, and cues with which elite decision makers must grapple (Devine, Clayton, Dunford, Seying, & Pryce, 2001). Since conservatives and liberals view the world differently, including their views on crime and punishment, why wouldn't jurors bring their ideological orientations

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to the courtroom in deciding matters of guilt and the stringency of punishment in criminal cases (Haidt, 2012; Lakoff, 2002)?

Since ideology is a reflection of the manner in which individuals view the world around them, one could argue that political ideology might have an impact on juror behavior, an important civic responsibility (Gastil, Black, Deess, & Leichter, 2008). In this study, we investigate the possibility, empirically using rather unique data, namely summoned jurors. First, we discuss the essential role that jurors play in the justice system. Second, we focus on the role that ideology plays in politics. Next, we discuss ideology and jury decision making. Further, we offer hypotheses with respect to the examination of juror self-identified political ideology and perceived guilt and punishment. Fourth, we discuss our research design and variables. Fifth, we report our results noting whether and under what circumstances our hypotheses are confirmed. Last is a discussion of the findings and future directions.

The Essential Role of Jurors in U.S. Jurisprudence

The American jury is a cornerstone of our democratic society (Rose, 2005). Most important, individuals accused of crimes have the right to be tried by a jury of their peers (Gildea, 1989). According to the National Center for State Courts (2007) there are approximately 154,000 jury trials each year in the United States. Without question, the jury serves as the conscience of the community. As Clark (2000) notes, the decisions of jurors provide for a legal and moral compass for citizens to follow. Ultimately, verdicts define what is and what is not acceptable behavior.

It is important to note that serving as a juror is a difficult task. During the course of a typical criminal trial, jurors are asked to evaluate arguments by attorneys, listen to physical and circumstantial evidence, determine the credibility of witness testimony, and attempt to comprehend the instructions given by the judge. Given this huge responsibility, attorneys must evaluate a prospective juror to determine whether he or she is suitable or a good fit to serve.

The Role of Ideology in Politics

Of course, political scientists are concerned with the manner in which one's political worldview affects one's attitudes and behaviors. Some research suggests for many individuals political ideology is primarily based on views about the role of the government in regulating economic activity (Self, 2010). Other researchers have identified a weaker, less tightly constructed ideological dimension that can best be described as cultural or social in nature (Poole & Rosenthal, 1984). Still other scholars who have examined political attitudes of the mass electorate suggest distinctive ideological dimensions on economic, racial issues, and perhaps "social issues" (Conover & Feldman, 1981; Zschirnt, 2011). With regard to economics, conservatives favor free-market exchanges with minimal governmental intrusion, including lower taxes, less government spending and less government regulation of business. Liberals advocate a wider role for government intervention in the economy, including progressive income tax rates and more government spending for social welfare programs, education, and Social Security as well as more government regulation of

business (Abramowitz, 2010; Campbell, Converse, Miller, & Stokes, 1964; Hillygus & Shields, 2008; Lewis-Beck, Jacoby, Norpoth, & Weisberg, 2008; Pomper 1971, 2001). On the non-economic dimension (whether one wishes to call this a cultural, moral, or social policy dimension), conservatives favor government action to restrict “immoral” practices such as abortion, drug use, and gay marriage, and they are willing to allow government more leeway to take “accommodationist” actions regarding church-state separation (Abramowitz, 2010; Hillygus & Shields, 2008; Layman, 2001). Liberals tend to take the opposite positions as conservatives on the non-economic dimension, preferring individual choice and more strict separation of church and state, but liberals are more willing to allow government intervention to champion the rights and liberties of racial and other minorities who have been past victims of official and unofficial discrimination (Abramowitz, 2010; Hillygus & Shields, 2008; Pomper, 1967).

Political ideology, along with partisanship, has long been used as an explanatory variable in a wide variety of studies of political behavior. For example, scholars have studied the effects of ideology on roll-call voting in legislatures (Groseclose, Levitt, & Snyder, 1999; Sharpe & Garand, 2001) and voting coalitions and representation in legislatures (Binder, 1999; Brady & Volden, 1998). Many studies of voting have identified ideology as a relevant factor in individual vote choice (Abramowitz & Saunders, 1998; Campbell, 2008).

Additionally, there is research that specifically links ideology and partisanship to public opinion about courts and judicial behavior. As an example of the former, Conover and Feldman (1981) found that some respondents in their study listed “law and order” issues as relevant to the meaning of political ideology. This differentiation based on “law and order” was particularly relevant for self-identified conservatives, who equated support for the rights of criminal defendants as a defining feature of political liberalism. Likewise, Brady and Sniderman (1985) noted that respondents in their study could identify “conservative” and “liberal” positions on the rights of the criminally accused. Furthermore, Brady and Sniderman found that respondents who identified themselves as politically conservative or liberal as opposed to moderate were likely to draw even larger distinctions between the views of conservatives and liberals on the rights of the criminally accused. Hillygus and Shields (2008) noted the issue of crime was one of the many wedge issues Republican presidential candidates used in the 1960s, 1970s, and 1980s to earn votes from conservative southern Democrats. Concerning judicial behavior, George and Epstein (1992) examined the methods in which the U.S. Supreme Court reached decisions involving death penalty cases since 1972. Specifically, do the justices rely on “the rule of law” or “extralegal variables, i.e. politics?” Results indicate politics and the rule of law account for judicial behavior. Further, a study conducted by Zorn and Bowie (2010) examined the relationship between ideology and decision making among federal judges. Results indicate that Republican judges serving on the U.S. Courts of Appeals are “1.5 times more likely to vote in a conservative direction than their Democratic counterparts” (p.7).

Given the law and order dimension of political ideology identified by Brady and Sniderman (1985) and Conover and Feldman (1981), and given the closely akin notions of

authoritarianism and dogmatism (see below) and their likely effects on juror behavior, we believe a study examining the self-identified political ideology of a juror and its relationship to juror decision making is warranted.

Ideology and Juror Decision Making

Many scholars have developed models in an attempt to understand how jurors' arrive at the verdict (Duggan & Martinelle, 2001; Hupfeld-Heinemann & Von-Helversen, 2009; Kerr, 1993; Penrod & Hastie, 1979). While the verdict is required to be based on the strength of evidence, there is research that suggests that jurors are influenced by many extra-legal variables (Brown, Henriquez, & Groscup, 2008; Clark, Boccaccini, Caillouet, & Chaplin, 2007; Clark, & Cramer, in press; Hayes-Smith & Levett, 2011; Hickerson & Gastil, 2008; Penrod & Hastie, 1979; Schulman, Shaver, Colman, Emrick, & Christie, 1973; Sommers, 2007; Wiener & Richter, 2008). One such extra-legal variable that has received attention by jury researchers is ideology. With respect to ideology, early research by Cowan, Thompson, and Ellsworth (1984) examined whether a capital murder defendant's right to due process was violated during *voir dire*. In question is the *Witherspoon* procedure which allows the court to dismiss those jurors who appear in favor or supportive of due process (Butler & Moran, 2007). Results indicate mock jurors who were identified as death qualified were more likely to convict a defendant than their counterparts, i.e. excludable jurors. Another study examining death qualification is Fitzgerald and Ellsworth (1984). Here, the researchers sought to "test the hypothesis that *Witherspoon* excludable jurors are more attentive to due process values, while includable jurors are more likely to emphasize crime control values" (p.40). Results indicate that those categorized as death qualified were significantly more inclined to subscribe to a crime control orientation, favor the prosecution, mistrust the defendant, and punish the defendant more severely. Ultimately, due to the fact that "political orientation and support for due process were found to be correlated, the data appeared to suggest that conservative jurors were more prone to violate due process than liberal jurors" (Liu & Shure, 1993, p. 344). However, it should be noted these authors go on to suggest that an individual's crime control or due process orientation does not always equate to political conservatism or liberalism. In fact, jury decision making could be based on other characteristics or extra-legal variables.

Similar to political conservatism, a considerable amount of attention has been devoted to the ideological construct authoritarianism (Adorno, 1950; Altemeyer, 2004; Lieberman & Sales, 2007; Narby, Cutler, & Moran, 1993). Authoritarianism "is characterized by submission to authorities and derogation of subordinates, conformity to society's conventions and rules, and ostracism of people who challenge society's conventions and rules" (Butler & Moran, 2007, p. 60).

Within the framework of jury decision making, research has demonstrated that jurors who are authoritarian are more likely to vote guilty (Boehm, 1968; Bray & Nobel, 1978; Centers, Shomer, & Rodrigues, 1970; MacGowen & King, 1982; Moran & Comfort, 1982; Patterson, 1986; Werner, Kagehiro & Strube, 1982), recommend lengthy sentences (Boehm, 1968; Bray & Noble, 1978; Shaffer, Plummer, & Hammock, 1986; Stirrett-Berg & Vidmar, 1975), endorse aggravating rather than mitigating factors (Butler & Moran,

2007), and punish a defendant who appears to lack moral character, to be attitudinally divergent or that has a lower status (Altemeyer, 1996; Boehm, 1968; Siegel & Mitchell, 1979; Stirrett-Berg & Vidmar, 1975). Research also has demonstrated a juror's sex (Moran & Comfort, 1982; Siegel & Mitchell, 1979), ethnicity (Foley & Chamblin, 1982), and crime committed (Garcia & Griffitt, 1978) serve as moderators between authoritarianism and outcomes.

A second ideological construct that has been examined and is similar to political conservatism is dogmatism. According to Cramer, Adams, and Brodsky (2009), "dogmatism is characterized by rigid, close-minded thinking, but it is differentiated from authoritarianism in that it has no political connotation" (p. 193). Thus, individuals hold beliefs that are steadfast and also accepted independent of empirical support. Most important, dogmatic persons are respectful of authority and do not tolerate individuals who are non-conformist. Two studies that investigated the relationship between dogmatism and jury verdicts are Shaffer and Case (1982) and Shaffer, Plummer, and Hammock (1986). Results from these studies suggest dogmatic juries are more in favor of convicting a defendant and more likely to endorse severe sentences. Foley and Chamblin (1982) also examined dogmatism and jury behavior. Here, results indicate that Caucasian mock jurors who were dogmatic were significantly more inclined to convict. Conversely, dogmatic African-American mock jurors were less likely to convict.

While authoritarianism and dogmatism are not synonymous with political conservatism, authoritarianism, dogmatism, and political conservatism do share an orientation that is supportive of the status quo, authority figures, and law and order. Therefore, since a host of researchers have found that political ideology is a strong predictor of certain kinds of political behavior--including Conover and Feldman (1981) and Brady and Sniderman (1985) who found that the courts and the judiciary are not immune from the influences of ideology and perhaps partisanship--we anticipate that juror behavior also will be affected by the political liberalism or conservatism of the juror. Given the above, we predict that political ideology will impact a juror's perceptions of guilt versus innocence and the harshness of punishment favored by the jurors, with conservative jurors more likely than liberal jurors to perceive the alleged perpetrator as being guilty and more likely to favor harsher punishments. Thus, with regard to ideology, we suggest the following hypotheses:

H₁: Conservative ideology will increase jurors' perceptions of the certainty of guilt (a positive correlation between conservative ideology and the level of guilt variable).

H₂: Conservative ideology will increase jurors' favored length of sentence in months (a positive correlation between conservative ideology and the sentence in a variable measured in months).

H₃: Conservative ideology will increase the amount of the fine favored by jurors (a positive correlation between conservative ideology and the variable based on the fine in dollars).

DATA AND METHODS

Participants

Participants were 278 jury-eligible panel members reporting for jury service in a large southwestern jurisdiction. One of the authors (JWC) visited the court on three separate occasions seeking volunteers. The rate of participation was approximately 62%. The mean age was 44.7 years. Concerning gender, most were female ($n = 158$, 56.8%). Their self-reported race/ethnicity was: white ($n = 184$, 66.2%); African-American ($n = 41$, 14.7%); Hispanic ($n = 35$, 12.6%); and other ($n = 18$, 6.5%).

Stimulus Material and Measures

Crime Vignette. All participants were given a brief criminal vignette in which a verbal and physical assault occurred (see Appendix A).

Demographics. Each participant provided information on their gender, age, race/ethnicity, prior juror service, and prior victimization.

Attitudinal Measures. Based on their reading of the criminal vignette, each participant was asked to assign the level of guilt of the perpetrator, ranging from 1 to 7, with 1 representing little likelihood of guilt and 7 representing a high likelihood of guilt. Second, each participant was asked to consider the level of sentence (if any) in terms of months in jail or prison. Third, each participant was asked to assess a fine in this case.

Ideology. Participants were given a question consisting of a scale measuring their self-identified political ideology ranging from 1 (most liberal) to 10 (most conservative), with responses of 5 labeled as “moderate.” Specifically, participants were asked “What is your political orientation?” and they circled a number ranging from 1 to 10. There was no prompting or definition of ideology provided respondents.

Procedure for Data Gathering

The researcher (JWC) was introduced by the court to all summoned jurors in a large jury orientation room. The researcher explained to the jurors the nature of the study, informed consent, standard confidentiality procedures, and tasks involved in the study. Summoned jurors who were willing to participate were given study materials and pencils. Upon completion of the surveys, participants turned in their informed consent, survey, and pencils to the researcher. On average, participants took nine minutes to complete their study materials.

Statistical Methodological Procedure

Because our dependent variables are interval in nature, we use ordinary least squares (OLS) regression to test our hypotheses. We run separate analyses for the three dependent variables. In each case, we are attempting to judge the independent effects of political ideology on the dependent variable, while controlling for other variables such as juror age, gender, and ethnicity, as well as whether or not the juror has previously served on

a jury or been a victim of crime. In each of our regression runs, the omitted category for the ethnicity variable is “white,” since whites are the largest ethnic group in the study and the natural group from which to draw comparisons with the other ethnic groups in the study.

Description of the Variables

The definitions of our variables and the descriptive statistics associated with them are found in Table 1. The key independent variable is political ideology, and the three dependent variables are certainty of guilt, desired length of jail or prison sentence, and desired level of fine imposed on the defendant. With regard to the independent variable, 266 persons (95.7% of the total) chose to identify their political ideology. Both the mean (and median) ideology score was a 6.0, with a standard deviation of 2.38. The ideology score reflects reasonable variation, with most respondents ranging from moderately liberal to very conservative, a finding that offers face validity to the measure based on the researchers’ knowledge of the jurisdiction.

Table 1: List of Variables, with Descriptive Statistics

Dependent Variables
Level of Guilt = Scored 1 (low likelihood of guilt) to 7 (high likelihood of guilt) <i>N</i> = 272 Mean = 6.40 St.Dev. = 0.97
Jail Sentence = Months Sentenced (open ended) <i>N</i> = 237 Mean = 22.98 St. Dev. = 25.84 Range = 0 to 180
Fine = Size of fine in dollars (open ended) <i>N</i> = 222 Mean = 7855.66 St. Dev. = 35,205.72 Range = 0 to 500,000
Independent Variables
Ideology = Scored 1 (very liberal) to 10 (very conservative) <i>N</i> = 266 Mean = 6.03 St. Dev. = 2.38
Control Variables
Age = open ended <i>N</i> = 277 Mean = 44.66 St. Dev. = 13.24 Range = 19 to 81
Gender = Coded 1 (male) or 0 (female) <i>N</i> = 278 Mean = 0.43 (43.1% male, 56.9% female)
White = 1 if juror is white, 0 otherwise (<i>n</i> = 184 white)
Black = 1 if juror is African-American, 0 otherwise (<i>n</i> = 41 African-American)
Hispanic = 1 if juror is Hispanic, 0 otherwise (<i>n</i> = 35 Hispanic)
Other = 1 if juror is neither white, black, nor Hispanic, 0 otherwise (<i>n</i> = 18 other)
Jury Service = 1 if juror has previously served on a jury, 0 otherwise <i>N</i> = 278 Mean = 0.33 (33.5% previous jury service, 66.5% no previous jury service)
Personal Victim = 1 if juror has been a previous victim of crime, 0 otherwise <i>N</i> = 277 Mean = 0.48 (47.7% previous victim of crime, 52.3% not a previous victim)

With regard to the dependent variables, the mean level of guilt assigned in all cases was 6.40, with a standard deviation of 0.971. Obviously, these jurors were especially prone to assign guilt, and there was little variation in responses, with one standard deviation above and below the mean indicating the vast number of responses ranged from 5.43 to 7.00. In fact, 178 respondents, or 65.4% of all those who assigned guilt, assigned a score of 7. Only six respondents did not answer this question.

Independent of the level of guilt assigned, each respondent was asked to consider the level of penalty the perpetrator should suffer. The harshness of penalty was determined from two open-ended questions, one asking the proper jail or prison sentence in months and the second asking the monetary value in dollars of any fine that should be imposed on the defendant. For the jail or prison sentence, the mean value assigned was 23 months, with a standard deviation of 25.8 months. The median jail or prison sentence was 12 months. Thus, most respondents (200 of the 237 persons who answered this question) foresaw a proper jail or prison sentence ranging from no time served to a little over four years served. As for the proper fine to be assessed in this case, respondents favored a mean fine of \$7,856, with a very large standard deviation of \$35,206. The median fine suggested was \$2,000, with almost all respondents favoring a fine of \$10,000 or less. The 13 respondents advocating fines larger than \$10,000 skewed the mean to the high side.

There were a number of non-respondents to the two “harshness of punishment” questions. Forty-one persons did not respond to the jail or prison sentence question, and 56 persons chose not to answer the question concerning the appropriate fine. While one might infer that unwillingness to answer these questions could indicate a belief that the perpetrator was not guilty in the first place and thus in no need of punishment, we could not detect any definitive correlation between unwillingness to answer these two questions about sentencing/fines and level of guilt. In fact, for the length of sentencing question, we found that 64.8% of people who responded to the question scored level of guilt a 7, while an even larger percentage of non-respondents, 69.2%, gave the level of guilt question a score of 7. For the amount of fine question, the results were less clear, but still not so stark as to be revealing: 66.4% of respondents to the fine question scored guilt a 7, while 61.8% of non-respondents provided a score of 7 for level of guilt. None of the non-respondents to the amount of fine question scored level of guilt less than a 4.

The descriptive statistics for the control variables also are found in Table 1. The control variables are juror age, whether or not the juror has previously served on a jury, the gender of the juror, whether or not the juror personally has been a crime victim, and whether the juror is white, African-American, Hispanic, or another ethnicity.

RESULTS

Overall, our study yielded surprising results. Table 2 reports the results with juror perception of level of guilt as the dependent variable. In this case, we find that the unstandardized regression coefficient associated with the conservative ideology variable is negative rather than positive, and is very small and not statistically significant. It is not

the case, all other things being equal, that more politically conservative jurors are more likely to judge a defendant guilty than are other jurors. Thus, hypothesis 1 is not confirmed. Additionally, the R^2 of .062 is quite small, suggesting that the model does not explain much of the variation in the dependent variable. Interestingly, we find that those of “other” ethnicities (mostly, but not exclusively Asians) were significantly less likely to view the defendant as guilty as were white jurors, even though African-Americans and Hispanics did not differ significantly from whites. We did not expect this finding, and we know of no theoretical reason why those with “other” ethnicities would differ so dramatically from whites (and, by extension, from African-Americans and Hispanics). Perhaps this is a statistical anomaly due to the small sample size of those with other ethnicities. In general, however, the overall lack of findings is not surprising given the lack of variation in the perception of guilt variable to begin with. In short, there is very little variation to explain.

Table 2: Effects of Ideology on Perceptions of Level of Guilt

Variable	Unstandardized Coefficients	Standard Error	Standardized Coefficients	t-score	Significance Level (two-tailed)
Constant	6.061	.269		22.558	.000***
Age	.010	.005	.138	1.911	.057*
Previous Jury Service	-.148	.144	-.073	-1.024	.307
Conservative Ideology	-.019	.026	-.047	-0.743	.458
Gender	-.089	.121	-.046	-0.735	.463
Victim of Crime	.234	.122	.122	1.910	.057*
African-American	.103	.180	.036	0.573	.567
Hispanic	.161	.192	.054	0.840	.402
Other	-.672	.241	-.173	-2.793	.006***
$R^2=.062$					

*** $p < .01$, two-tailed * $p < .10$, two-tailed

In addition, political ideology has virtually no effect on the preferred length of sentence; thus, hypothesis 2 is not confirmed. These results for length of sentence are reported in Table 3. We should remind readers that, as we noted previously, there were a few outliers with both the length of sentence and the fines variables. Two jurors favored jail or prison sentences of 180 months, with the next longest sentence being 120 months. For amount of fine, one juror suggested a fine of \$500,000, with the next largest fine a relatively small fine of “only” \$100,000. To ensure the robustness of the findings for the dependent

variables related to punishment, we (a) ran the two models with outliers included; (b) ran the models excluding the outliers; (c) ran the models after converting the dependent variables to their natural log values, thus “drawing in” the outliers and minimizing their impact without excluding them altogether. Table 3 reports the results for jail or prison sentence with the outliers included. For all three model specifications, conservative ideology had no statistically significant impact on length of sentence favored by jurors. The R^2 for these models ranged from .036 to .065, again illustrating that the model explained very little of the variation in preferred sentence length.

Table 3: Effects of Political Ideology on Perceptions of Appropriate Length of Jail or Prison Sentence (in months)

Variable	Unstandardized Coefficients	Standard Error	Standardized Coefficients	t-score	Significance Level (two-tailed)
Constant	19.451	7.267		2.677	.008***
Age	.082	.144	.045	0.574	.567
Previous Jury Service	-6.228	3.983	-.121	-1.564	.119
Conservative Ideology	.259	.693	.026	0.374	.709
Gender	-.734	3.270	-.015	-0.224	.823
Victim of Crime	-2.286	3.365	-.048	-0.680	.498
African-American	-.717	4.883	-.010	-0.147	.883
Hispanic	10.069	5.043	.140	1.997	.047**
Other	-1.238	6.306	-.013	-0.196	.845
$R^2=.039$					

*** $p < .01$, two-tailed ** $p < .05$, two-tailed

One serendipitous finding is that in all three model specifications for sentence length, Hispanics were more likely to favor longer sentences than were whites. The results in Table 3 show that on average Hispanics favored sentences that were 10 months longer than the sentences favored by whites ($b = 10.07$, $p < .05$, two-tailed test). In each of the three model specifications, the unstandardized coefficients for Hispanics were statistically significant at least at the $p < .10$, two-tailed level, and were statistically significant at the $p < .05$, two-tailed level in two of the three cases. We will make a plausible argument regarding this finding in the discussion section.

Last, the results do show some empirical support for hypothesis 3. In general, conservatives were more prone to favor levying relatively harsh fines on the perpetrator in

two of the three model specifications. In Table 4, we report the results after transforming fines in dollars to its natural log. In this case, the ideology variable was statistically significant at the most liberal level ($b = .116$, $p < .10$, one-tailed test). Taking the more drastic action, however, of dropping the outliers, we find that the ideology variable becomes statistically significant at the $p < .01$ level, in the one-tailed test; each one-unit move to a more conservative position on the scale increases the fine preferred by \$889; and the R^2 of the model increases from .047 to .092.

Table 4: Effects of Political Ideology on Perceptions of Appropriate Fine (natural log of dollars)

Variable	Unstandardized Coefficients	Standard Error	Standardized Coefficients	t-score	Significance Level (two-tailed)
Constant	7.892	.836		9.439	.000***
Age	-.033	.017	-.164	-2.019	.045**
Previous Jury Service	.515	.461	.089	1.118	.265
Conservative Ideology	.116	.078	.106	1.500	.135 [#]
Gender	.313	.373	.058	0.841	.401
Victim of Crime	-.444	.385	-.083	-1.154	.250
African-American	-.803	.605	-.095	-1.328	.186
Hispanic	.091	.554	.012	0.164	.870
Other	.117	.688	.012	0.170	.865
$R^2=.047$					

*** $p < .01$, two-tailed ** $p < .05$, two-tailed [#] $p < .10$, one-tailed

DISCUSSION AND CONCLUSION

In general, our results are mixed. We did not find political conservatives to be more likely than political moderates or liberals to be “tougher on crime” across the board. We did find, however, controlling for other factors, that conservatives were more likely to favor higher fines than were moderates and liberals.

As we mentioned previously, we also found that Hispanics favored longer jail or prison sentences than whites. We believe these results may be partly due to the wording in our crime vignette. In each vignette, the name of the perpetrator was Brian Smith. While Brian Smith could perhaps be thought to be white by some jurors or African-American by others, no one would perceive the perpetrator as being Hispanic. Some research has suggested that members of an ethnic group are sometimes reluctant to convict or punish as harshly perpetrators from the same ethnic group. It could be that Hispanics are favoring harsher jail sentences than whites because they are NOT responding to ethnic cues, while

some whites (and African-Americans) might be more reluctant than Hispanics to punish a defendant who may be white (or African-American).

We believe our results are suggestive of additional research to be conducted. First, in future endeavors of this sort, researchers could create more variation in perception of guilt. Two strategies come to mind. First is the use of vignettes with more ambiguity in terms of witness statements. This in return creates a higher likelihood that a juror might have some doubt as to the facts of the case. In this way, researchers could perhaps create a scenario in which more jurors were hesitant to declare certainty of guilt. Second, another solution might be to ask jurors two guilt questions: (a) Do you perceive the defendant to be guilty or innocent of the charges; (2) What is the level of certainty of your answer to the first question (on some scale)? In this way, researchers could better mirror the actual decisions jurors have to make, and also most likely find more variation in these two questions individually or via a scale from responses to the two questions that contains more variation than the dependent variable we created in this study.

Also to note, researchers could examine the possible interaction of political ideology, race and ethnicity. We did not expect to find that Hispanics were at times more punitive than whites. However, since Hispanics, like whites, tend to run the gamut between liberal and conservative in their ideological orientations, and since Hispanics typically split their votes in elections more evenly between parties than do African-Americans, we question if ideology has an interactive role to play with regard to Hispanic ethnicity on law and order issues. In other words, are conservative Hispanics more likely to take a strong “law and order” stance than liberal Hispanics, and are conservative Hispanics perhaps even more punitive than are conservative whites?

We contend that political ideology makes a difference in the way people view the criminal justice system and the societal outcomes it produces. To demonstrate, a recent Gallup Poll (2011) asked respondents their confidence in the justice system. Results indicate 22% of self-identified Republicans have very little to no confidence, followed by 27% of Democrats and 34% of Independents. If researchers can continue to collect more data and thereby increase their sample size, we are hopeful additional research will result in fruitful findings regarding the relationship between political ideology and punishment.

Finally, we suggest exploring whether the racial or ethnic background of the victim might affect juror behavior. Are whites, African-Americans, and Hispanics more likely to respond in predictable ways regarding questions of guilt versus innocence and harshness of punishment depending on the race or ethnicity of the victim? By asking these questions, researchers could determine if justice is as blind as we would like in a democratic society, or if we in the United States still have a ways to go in creating a truly just court system.

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APPENDIX A: CRIME VIGNETTE

The Accused

Mr. Brian Smith, a 25-year-old, single White male, is accused of a crime. He was born and raised in Houston, TX. He works as a mechanic at a local garage owned by his father and uncle.

The Victim

Mr. Chris Jones is a 23-year-old single male born and raised in Houston, TX. He works as a day laborer in construction and landscaping.

The Crime

Mr. Smith allegedly attacked Mr. Jones in the parking lot of Players Sports Bar on the night of Saturday, April 24, 2010. According to the police, Mr. Jones was punched and kicked several times, and left severely injured. Mr. Smith was apprehended at the scene after multiple witnesses identified him as the perpetrator of the crime.

Witness Statements and Evidence

When Mr. Smith and his group arrived at Players at approximately 10:00 p.m., all the pool tables were taken. They sat at a table to drink beer and watch television while waiting for a pool table to become available. Mr. Jones and three friends were already shooting pool at Players when Mr. Smith and his friends arrived. Approximately one hour later a heated argument developed between Mr. Smith and Mr. Jones.

Mr. Jones and his group could be heard laughing and cheering as they watched sports highlights. They had stopped playing pool for a few minutes to order food. Mr. Smith had been noticeably angry about having to wait for a pool table. He walked all the way across the bar, approached Mr. Jones and demanded, "We've been waiting long enough. You're done. Now give us your table." Mr. Jones responded, "We're not finished, man. Go get another table, man." Mr. Jones and one of his friends exchanged words and laughed, which seemed to anger Mr. Smith greatly. He approached Mr. Jones and stated, "Why don't you freakin' talk so I can hear you? You damn idiots think you own this place. I hate people like you!" Mr. Jones responded, "Look we don't want any trouble. Just leave us alone." Mr. Smith continued, "You don't belong here anyway. That is our table now, so just go back to whatever hole you crawled out of." At this point, Mr. Jones exchanged words with his friends and responded threateningly, "Why would I do that? I think I like it here, even with people like you around. But if you want to go outside and show me that hole, we can go." At this point, one of Mr. Smith's friends called out that they had a pool table. Mr. Smith pointed at Mr. Jones while walking away and threatened, "This isn't over, punk."

Mr. Jones settled his bill at approximately 11:45 p.m. and left. According to the bartender, Mr. Smith settled their tab at almost midnight and left Players.

Mr. Jones was in the parking lot when Mr. Smith and his group walked by, apparently on the way to his car. Mr. Jones was noticed to be staring menacingly at Mr. Smith. Mr.

Smith then stopped, approached Mr. Jones and stated, "You damn jerks come over here just to screw up our bar." Mr. Jones then turned to Mr. Smith and said, "Look, just get your drunk butt out of here. I don't want any problems." Mr. Smith responded, "I got a problem with all you punks. They should throw you the hell out. All you do is take up tables, smell up the bar, and screw-up this place." Mr. Jones responded, "If you got such a big problem, why don't you do something about it?" Mr. Smith appeared to continue escalating and stated, "I'm gonna kick your freakin' butt." At this point, Mr. Smith punched Mr. Jones in the face and continued to strike him about the head and neck. Two of the men with Mr. Smith held Mr. Jones while Mr. Smith attacked him. Witnesses reported Mr. Jones attempted to fight back, but was unable to get away from Mr. Smith and his friends. A witness in the parking lot heard Mr. Smith yell, "You'll be able to tell the rest of your punk friends that I wrecked you" and "I'm gonna line up all your buddies next to you here." Mr. Smith and his friends continued yelling obscenities at Mr. Jones and continued to strike him until the bar owner and several employees broke up the fight.