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Race, Witness Credibility, and Jury Deliberation in a Simulated Drug Trafficking Trial

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Objective: The present study integrates several distinct lines of jury decision-making research by examining how the racial identities of the defendant and an informant witness interact in a federal drug conspiracy trial scenario and by assessing whether jurors' individual racial identity and jury group racial composition influence their judgments. ***Hypotheses:*** We predicted that jurors would be biased against the Black defendant and would be more likely to convict after exposure to a White informant, among other hypotheses. ***Method:*** We recruited 822 nonstudent jury-eligible participants assigned to 144 jury groups. Each group was assigned to one of four onditions where defendant race (Black or White) and informant race (Black or White) was manipulated. Each group watched a realistic audio-visual trial presentation, then deliberated as a group to render a verdict. ***Results:*** Contrary to expectations, the conditions depicting a Black defendant yielded lower conviction rates compared to those with a White defendant—at both the predeliberation individual (odds ratio [*OR*] = 1.54) and postdeliberation group level (*OR* = 2.91)—while the informant race did not influence verdict outcomes. We also found that jurors rated the government witnesses as more credible when the defendant was White compared to when he was Black. Credibility ratings and verdict outcomes were also predicted by jurors' own race, although juror race did not interact with the race conditions when predicting verdicts. ***Conclusions:*** Jurors are sensitive to defendant race, and this sensitivity appears to strengthen after deliberation—but in a direction opposite to what was expected. One potential implication of our findings is that juries may operate as a check on system bias by applying greater scrutiny to law enforcement-derived evidence when the defendant is Black.

Public Significance Statement
This study exposed mock jurors to a drug conspiracy case where law enforcement credibility was key to conviction and found that they were less likely to convict a Black defendant than a White defendant. Participants were more skeptical about the credibility of the law enforcement-derived testimony when the defendant was Black, opening the possibility that sensitivity to bias in the criminal justice system may influence how lay persons consider and assess evidence produced by system actors.

Keywords: jury decision making, verdicts, defendant race, informants, racism

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Longstanding patterns of racial inequality have been well-documented in the American criminal justice system, disadvantaging people of color. In particular, Black Americans are disproportionally likely to be stopped by police and subjected to searches (Benner, 2002; Fagan et al., 2016; Pierson et al., 2020), to be arrested and charged more severely (Braun et al., 2018; Mitchell & Caudy, 2015), and to be offered more punitive plea offers and sentenced more harshly (Kutateladze et al., 2016). Indeed, scholars have documented how racial bias accumulates across all stages of the criminal justice system, from charging through sentencing (Martinez et al., 2019;

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Omori, 2019). Despite the jury trial's symbolic importance as a core democratic institution (Burns, 2009), a body of scholarship has indicated that racial and ethnic bias can also infect criminal jury decision making (Daudistel et al., 1999; Sommers & Ellsworth, 2000).

A growing body of research on jury decision making has aimed to better identify and delineate the conditions under which racial bias against defendants of color is manifested. This work can be roughly categorized in the following two areas of study: the role of case factors, including case facts, witness attributes, and types of evidence presented (Bottoms et al., 2004; Maeder & Hunt, 2011; Maeder & Yamamoto, 2017) and decision-makers' characteristics, including their racial identity, at both the individual level (Devine & Caughlin, 2014; Willis-Esqueda et al., 2008) and the group level (Devine et al., 2016; Lynch & Haney, 2009, 2011; Peter-Hagene, 2019; Sommers, 2006). The present study links these lines of research by varying the racial characteristics of the defendant and an informant witness in a federal drug conspiracy trial, and assessing how jurors' individual racial identity, jury group racial composition, and jurors' perceptions of the credibility of witness testimony influence judgments in the case.

Defendant Race, Case Factors, and Biased Jury Decision Making

Most early experimental studies of racial bias in jury decision making were concerned with the effect of defendant race on case outcomes, absent consideration of factors that may influence that relationship. While the findings of those individual studies were mixed, a meta-analysis of 14 early studies found a significant effect of defendant race effect on guilt and sentence outcomes, disadvantaging the Black defendant (Sweeney & Haney, 1992). The effect was strongest in higher-quality studies, and where both the victim race and the mock juror race was controlled, suggesting that studies that tested for defendant race effects without consideration of other key influences potentially masked or distorted findings.

Research on defendant race and jury decision making has evolved considerably from the earliest studies to address those factors. For instance, racial stereotypes, which can influence judgment in a variety of settings (Bodenhausen & Richeson, 2010; Bodenhausen & Wyer, 1985), appear to play a role in biased jury decision making. In one of the early studies along these lines, Gordon et al. (1988) found that that racially "stereotype-consistent" cases produced bias, disadvantaging the Black defendant in a "street" crime scenario, and the White defendant in a white-collar crime scenario. Subsequent research has confirmed the stereotype-consistency hypothesis (e.g., Jones & Kaplan, 2003) and has found that defendant stereotypicality actually shapes how evidence is perceived by mock jurors (Smalarz et al., 2018).

Scholars have also examined how defendant race may interact with the racial identities of witnesses and victims. The most abundant work in this regard has examined the interaction of defendant and victim race, especially in sexual assault cases (Bottoms et al., 2004), capital cases (Bowers et al., 2001; Brewer, 2004; Lynch & Haney, 2000, 2009), and other violent cases (Forsterlee et al., 2006; Lee et al., 2019; Marcus-Newhall et al., 2002). Findings from these studies are mixed. Some experimental research finds that defendants are treated more severely when the defendant and victim are of different races, especially when the defendant is Black and the victim is White (Lynch & Haney, 2000, 2009; Stevenson et al., 2009; Saucier et al., 2010). Other work has demonstrated opposite findings, wherein same-race pairings produced a higher percentage of guilt determinations (e.g., Bottoms et al., 2004; Lee et al., 2019).

These inconsistent findings may be due to the nature of the task being asked of mock jurors. The cross-race effects that particularly disadvantage Black defendants often use punishment-related dependent measures (Lynch & Haney, 2000, 2009; Stevenson et al., 2009), whereas the same race effect has been associated with some studies assessing guilt (Bottoms et al., 2004; Lee et al., 2019). Bottoms et al. (2004) investigated why the same race pairing resulted in more guilty verdicts, and found that the mock jurors believed that same-race assaults of this type are more likely to occur, and therefore are more plausible. In that sense, race may operate as a different interpretive lens depending upon the decision task. Specifically, for guilt determinations, the relational racial dynamics of the defendant and witness/victim appear to be scrutinized through a plausibility lens, at least when the question of guilt depends upon believing the victim-witness account (Bottoms et al., 2004).

A smaller body of research has systematically varied nonvictim witness race to assess its impact on judgment. For example, Maeder and Hunt (2011) hypothesized that character evidence by a Black witness would be viewed less positively than that of a White character witness. They varied both defendant race and character witness race (Black or White), but found no main effects or interaction between witness race and defendant race. In two studies that manipulated race of eyewitnesses and defendants, Maeder and Ewanation (Ewanation & Maeder, 2018; Maeder & Ewanation, 2018) hypothesized that White eyewitnesses would be rated as more accurate, but again found no main effects or interactions for the race conditions in either study.

Most pertinent to the present study, Maeder and Yamamoto (2017) varied the race of an informant who testifies against the defendant—an evidentiary witness where credibility is central to the assessment. Using a predominantly White online sample, the authors tested whether defendant race, informant race, type of informant, and incentive for informing impacted verdict outcomes. A significant Defendant Race × Informant Race interaction was obtained in the conditions where the informant received an incentive for testifying, such that the White informant was more influential than the Black informant in producing guilty verdicts in the Black defendant conditions. Participants were also sensitive to the credibility-reducing effects of the informant receiving an incentive to testify, but only in the White defendant conditions. Maeder and Yamamoto (2017) interpreted these findings as consistent with research on stereotypes, in that participants were sensitive to evidentiary factors in the stereotype-inconsistent conditions.

Taken together, these findings suggest that witness race, including in relation to the defendant's race, may play a role in how jurors assess both plausibility of witness testimony (Bottoms et al., 2004) and the credibility of specific witnesses (Maeder & Yamamoto, 2017). However, the findings are neither conclusive nor consistent as to how different configurations of case participants' racial identities in a given case impact outcomes.

To that point, Conley and colleagues suggest that the "racial ecology" (Conley et al., 2000) of the case influences whether Black defendants are treated leniently or not by jurors. They found that when the defendant was the sole Black person in the courtroom, and all the witnesses testifying in the case were White, he

was significantly less likely to be convicted than the White defendant in an all-White setting. The defendant race effect disappeared in a follow-up study that changed two witnesses' races to Black. The authors postulated that the mock jurors may have been sensitive to the racialized power dynamics of a White system "ganging up" on a Black man (Conley et al., 2000).

Juror Racial Identity, Racial Bias, and Group-Level Effects

The decision-maker is also an important moderating influence as to when and how racial bias is manifested in the jury context. Because the majority of experimental jury research examines individual-level rather than group-level judgments, the bulk of this work has considered how individual juror characteristics impact case outcomes. Numerous studies have explicitly focused on how participants' racial and ethnic identity may predict verdict outcomes, including when jurors' identities interact with defendant race (Devine & Caughlin, 2014; Espinoza & Willis-Esqueda, 2015; Mitchell et al., 2005).

One line of such work draws on social identity theory (Tajfel & Turner, 1986) and the notion of "group identification" (Tajfel, 1982) wherein one's salient group membership leads to ingroup favoritism. While some studies, including two meta-analyses, have demonstrated small but significant "similarity-leniency" effects (Hunt, 2015) whereby jurors who share identities with the defendant are acquittal-prone, especially in weak-evidence cases (Devine & Caughlin, 2014; Kerr et al., 1995; Miller et al., 2011; Mitchell et al., 2005), other studies have not (Daudistel et al., 1999; Taylor & Hosch, 2004). Moreover, the underlying psychological processes that produce ingroup bias may differ for jurors of different races. Specifically, while the similarity-leniency effect has been observed among Black jurors in several studies (Devine & Caughlin, 2014; Mitchell et al., 2005), Sommers and Adekanmbi (2008) suggest that this may reflect skepticism about the racial fairness of the system, rather than (or in addition to) ingroup favoritism (see also, Sommers & Ellsworth, 2000). In other words, Black jurors may be especially aware of and sensitive to bias against Black defendants, relative to their White counterparts, given the large racial gap in how confident the public is that the system is fair and racially equitable (Gramlich, 2019; Weitzer & Tuch, 2005).

Recent work also suggests that White jurors, in some decision-making contexts, demonstrate a cross-race effect benefiting Black defendants. Sargent and Bradfield (2004) found that under conditions where the motivation to be attentive to the case was *low*, White participants were more attentive to the quality and strength of evidence against a Black defendant, relative to a White defendant; however, there were no differences by defendant race when motivation was high. These findings suggested the possibility of a "watchdog" effect, where White participants were on guard against appearing biased against the Black defendant thereby suppressing reliance on heuristics (Sargent & Bradfield, 2004). Similarly, Maeder and Yamamoto (2017), who obtained a Black defendant leniency effect in some conditions, posited that their largely White participant group was attempting "to appear unprejudiced" (p. 371). More generally, given the increased public attention to, and awareness of, the problem of bias in the criminal system (Do, 2000; Kahn & Martin, 2016), jurors of all races may be more attuned to the possibility of a Black defendant being unfairly tried.

A small, but growing body of experimental research on group-level jury decision making indicates jury group composition also plays a role in how race influences judgment. Specifically, group composition shapes the decision-making process above and beyond the aggregated effects of individuals' racial identity, including by changing the quality and content of deliberations (Lynch & Haney, 2015; Peter-Hagene, 2019; Sommers, 2006; Salerno et al., 2019). To that end, although classic jury research indicates that majority predeliberation verdict preferences often predict final verdicts (Hastie et al., 1983; Kalven & Zeisel, 1966; Kerr & MacCoun, 1985), several features of the group process (both in terms of composition and the deliberative process) remain influential in how cases are resolved (see Nuñez et al., 2011).

In a seminal study of this phenomenon, Sommers (2006) experimentally examined the decision-making processes of twenty-nine six-person mock juries who considered a criminal case involving a Black defendant. Half of the six-person groups were "diverse," in that they included two Black jurors and four White jurors, and the other half were entirely composed of White jurors. He found significant salutary effects of jury diversity. The diverse groups deliberated longer and discussed more case facts, and members of these groups were less likely to assert inaccurate facts or information compared to the all-White groups, indicating that jurors in diverse groups engaged in more systematic information processing and careful consideration of relevant case facts (Sommers, 2006). Even individual predeliberation evaluations of evidence were impacted by group assignment, such that White participants assigned to diverse juries were less likely to view the defendant as guilty prior to deliberations compared to those assigned to the homogeneous juries.

In a replication and extension of the Sommers study, Peter-Hagene's (2019) findings generally provided additional support for Sommers' (2006) observations. Participants on the all-White juries engaged in lower-quality deliberations (e.g., discussed fewer case facts) when considering a Black defendant, relative to their performance in the White defendant condition. Performance disparities by defendant race were not observed among participants in the diverse jury groups (Peter-Hagene, 2019).

Analyses of case data from actual jury trials also indicate that White-dominated juries tend to be more conviction-prone and punitive against non-White defendants compared to more diverse juries. Williams and Burek (2008) examined felony trial outcomes from four large jurisdictions in the U.S. and found that "juries with a higher percentage of Whites serving on them were more likely to convict Black defendants" (p. 164), after controlling for legally relevant case factors. Anwar and colleagues (2012) examined 731 noncapital criminal trial outcomes in two Florida counties, and found that conviction rates for Black and White defendants did not differ from each other among juries with at least one Black juror seated, whereas Black defendants were disadvantaged relative to White defendants when juries included no Black jurors.

In the capital case context, analyses of data from actual trials also suggest that the demographic composition of juries plays a role in racial disparities in outcomes. For instance, Bowers et al. (2001) identified a "White male dominance" effect, in that capital juries with five or more White men were dramatically more likely to impose a death sentence in Black defendant-White victim cases, in comparison to similar cases with lower proportions of White

male jurors. Conversely, Bowers et al. (2001) also identified a "Black male presence" effect, whereby having at least one Black man on the jury significantly reduced the likelihood of a death sentence in Black defendant-White victim cases. Support for the White-male dominance effect was also obtained in an experimental examination of race and capital sentencing (Lynch & Haney, 2009).

Lynch and Haney (2009) also found that the deliberation process appeared to "amplify," or strengthen that race effect, disadvantaging the Black defendant, at both the individual and group levels, relative to predeliberation verdict preferences. A content analysis of those deliberations indicated that White men frequently fostered amplification by asserting authority over the emotional responses of the jurors. They often authorized and expressed empathy for the White defendant, while quashing empathic expressions of others when the defendant was Black (Lynch & Haney, 2015).

Taken together, research examining how jurors' racial identities and jury group composition shape case outcomes indicates that anti-Black bias by White jurors is contingent upon context. This may partly be the product of changing social norms regarding prejudice, thereby inhibiting its influence when a nonracial "cover" is not available (Hunt, 2015) or when Whites want to appear nonprejudiced (Sargent & Bradfield, 2004) . Moreover, observed ingroup effects may be driven by different psychological phenomena, depending on the racial identity of juror (Sommers & Adekanmbi, 2008). Group racial composition also matters for both decision-making processes and outcomes, with convincing evidence that racially diverse juries are less prone to bias and more engaged in appropriately assessing the case than more homogenously White juries (Sommers, 2006).

The Present Study

The present study uses a realistic audio-visual trial presentation of a federal drug trafficking conspiracy case to test whether race of defendant (Black or White) and race of informant witness (Black or White) impact verdict determinations, and whether individual juror and jury group racial characteristics are related to how witness testimony is assessed and verdicts are determined. The primary evidence in the case is testimony by the coconspirator-informant who hoped to reduce his punishment by testifying, the informant's FBI "handler" who set up the defendant's arrest, and a patrol officer who initiated the defendant's arrest through a targeted traffic stop while the defendant was transporting the drugs. Jurors were assigned small groups that deliberated to determine verdicts to simulate a jury decision-making setting more fully. We test five hypotheses, justified and delineated in the following text.

We selected a drug conspiracy case because racial stereotypes linking drug dealing with Black men are prevalent and accessible (Kleider et al., 2012) and may therefore trigger stereotype-consistent racial bias. Consistent with research on juror decision-making and stereotype consistency (Gordon et al., 1988; Jones & Kaplan, 2003), we expected the Black defendant to be convicted more frequently relative to the White defendant. Because diverse juries appear less prone to anti-Black bias (Lynch & Haney, 2015; Williams & Burek, 2008), we also expected the jury group composition to moderate this effect. Therefore, Hypothesis 1 (H1) is as follows:

> The Black defendant conditions would produce higher rates of guilty verdicts than the White defendant conditions. For postdeliberation verdicts, jury group composition would moderate the race effect, such that groups with larger proportions of non-White jurors would be less prone to convicting the Black defendant.

We use an informant as a witness given the controversial and racialized role of informants in the legal system (Natapoff, 2009; Taslitz, 2008). An informant is a person who provides information to law enforcement officials about criminal activity, typically in exchange for leniency consideration on a pending criminal charge. Given the criminal status of most drug informants, stereotyping may also influence judgments of their testimony, by giving more credence to a White informant than a Black informant (Maeder & Yamamoto, 2017). We expected our case scenario would potentially trigger stereotypes, because in our scenario, the informant has prior and ongoing criminal involvement. Therefore, Hypothesis 2 (H2) is as follows:

> The White informant conditions would produce higher rates of guilty verdicts than the Black informant conditions.

Consistent with Bottoms et al. (2004), we also hypothesized that the informant's credibility would be bolstered when he was the same race as the defendant since this may be perceived as a more plausible illicit relationship compared to when the informant was demographically different from the defendant. Our case scenario presents the defendant and informant as having a longstanding relationship and indicates that they were from the same neighborhood. Therefore, Hypothesis 3 (H3) is as follows:

> Same-race defendant/informant conditions would produce higher rates of guilty verdicts than other-race conditions.

We also expected that in-group leniency (Kerr et al., 1995) would be present in this study, with White jurors less likely to convict the White defendant relative to the Black defendant, and Black jurors less likely to convict the Black defendant. While we recognize that an in-group effect is likely to be produced by different underlying phenomena as a function of the juror's racial identity (Sommers & Adekanmbi, 2008), the predicted outcome we expected is same-race leniency. Thus, Hypothesis 4 (H4) is as follows:

> White jurors will be more likely to convict the Black defendant (favoring the same-race White defendant) and Black jurors will be more likely to convict the White defendant (favoring the same-race Black defendant).

Given previous findings that deliberations increased the observed race effects (Lynch & Haney, 2009, 2011), we expected that postdeliberation measures would demonstrate stronger race effects in the predicted direction relative to predeliberation measures. Therefore, Hypothesis 5 (H5) is as follows:

> Defendant race effects would be amplified following deliberation, especially among White participants.

Given the increased public attention to, and awareness of, the problem of bias in criminal justice (Do, 2000; Kahn & Martin,

2016), we end with more exploratory analyses examining whether our findings might be explained by jurors' differential perceptions of the evidence and testimony. Specifically, some evidence suggests that jurors are particularly skeptical about the credibility of police and other government witnesses when the defendant is Black, compared to when he or she is White. For instance, Pica and colleagues (2020) found that their predominantly White sample of participants were more likely to view a discretionary police arrest for loitering as racially-motivated when the arrestee was Black, relative to a White arrestee. Participants' individual attitudes about police legitimacy and fairness were significantly related to their assessments of whether the arrest was race-based. Moreover, the credibility gap appears to be stronger for jurors of color, relative to White jurors, given the stark differences in perceptions about the criminal justice system's fairness (Costanzo et al., 2010; Gramlich, 2019; Matsueda & Drakulich, 2009). To that end, Abshire and Bornstein's (2003) finding that Black jurors rated police testimony, as well as the prosecution's eyewitness, as much less credible than did White jurors provides support for a hypothesized racial gap in ratings of law enforcement credibility.

Method

Participants and Recruitment

A total of 822 jury-eligible adults participated in this study. Following the protocol of previously published research that utilized a large number of small jury groups (Dahl et al., 2007; Lynch & Haney, 2009), we scheduled seven persons per jury group with a goal of obtaining 6-person groups. Given the complexity of the research protocol and associated costs with canceling sessions, we followed the Lynch and Haney (2009) decision rules whereby we ran any group when 4 or more scheduled participants were present. If fewer than 4 were present, we paid the participants who showed up and offered to reschedule them in another session. The resulting 144 jury groups thus ranged in size from four to seven participants, with an average size of six, and we found no relationship between jury size and verdict outcomes. Although federal criminal trials are composed of 12 jurors, we used smaller groups to be able to maximize the number of jury groups for statistical power while retaining a sufficient number of individual jurors to generate deliberation discussion. This kind of small-group design choice has successfully been used in multiple prior experimental jury decision-making studies (e.g., Lynch & Haney, 2009; MacCoun & Kerr, 1988; Peter-Hagene, 2019; Sommers, 2006).

The mean participant age was 46 years (ranging from 18 to 87), and 59% of the participants were women. We recruited a racially and ethnically diverse participant pool, with 39% of the sample identifying as White, 26% as Black or African American, 13% as Hispanic or Latinx, and 7% as Asian; the remaining 15% selected multiracial, other options, or marked "other" for ethnicity. Politically, 19% of the sample identified as conservative, 41% as moderate, 32% as liberal, and 8% held a different political perspective. Data collection began in February 2017 and concluded in August 2017.

The study was conducted at two locations in Southern California that drew on the federal court jurisdiction's jury pool for the Central District of California, where the case took place. In total, 378 people (forming 65 groups) participated in Long Beach (Los Angeles County), and another 444 people (forming 79 groups) participated in Newport Beach (Orange County). The location was varied to allow for a demographically and geographically diverse pool of participants to be recruited from the district. Participants were notified of the study opportunity through business cards left in local businesses and libraries, local newspaper advertisements, and through online listings on Craigslist and other outlets. Potential participants called the provided number, were screened for federal jury eligibility (e.g., they were 18 years old or older, had no felony convictions, were U.S. citizens, and spoke and understood sufficient English to participate). Those deemed eligible to participate were scheduled to attend one of the jury sessions, which took place at multiple times of day during the week.

Design and Stimulus Materials

The study featured a 2 (defendant race: Black or White) × 2 (informant race: Black or White) fully crossed, between-subjects design. Each jury group was randomly assigned to one of the four possible conditions. Each trial presentation video consisted of still photographs overlaying an audio file. A single audio file was created by having voice actors reenact a trial from a modified case transcript, allowing all videos to have identical audio across conditions. We also photographed actors speaking and listening within a courtroom setting to create our presentation visuals. Images included actors portraying the defendant, the judge, attorneys for both sides, and witnesses testifying.

We used the same voice actor for the informant across conditions, controlling for all extraneous variations in speech that would naturally occur if using two separate voice actors. This voice actor identified as a Black/African American and White mixed-race person and was a trained actor who modulated his voice to be racially ambiguous. We visually manipulated the race of our informant by photographing two different actors (one Black, one White), who were posed identically and wore identical clothing. This allowed us to control for all extraneous visual differences besides informant race. Another set of actors portraying the defendant (one Black, one White) were similarly photographed with matched posturing and clothing to create our defendant race manipulation. While it would have been ideal to have had multiple actors representing defendants of each race condition, given the scope of the study and complexity of the materials, it was not feasible for this study. To avoid raising juror suspicions about the purpose of the study, we did not have an explicit manipulation check in the materials that confirmed jurors recognized the race of the informant or defendant.

A casting call was used to recruit actors for all of the roles. For the double-cast (Black and White) informant role, actors were screened then selected based on matched age, size, and appearance. Prior to and during the photo shoot, an acting coach worked with the selected pair to calibrate and synchronize their movements and gestures to ensure we could match their photos on posture and expression. Before finalizing the selection of the paired defendants, we pretested matched photographs of three potential Black defendants and two potential White defendants with twelve independent raters on five dimensions: age, weight, attractiveness, dangerousness, and appearance of remorsefulness. The two selected defendants were the most closely matched on all dimensions and revealed minimal differences

(within a year of each other in age, within two pounds in weight, and within .2 of each other on the three 7-point scaled appearance items). Paired sample *t* tests revealed no significant difference on any of the measures.

The case fact pattern was based on an actual federal narcotics conspiracy case. The final trial presentation video lasted 64 min. The defendant in the case, Harold Williams, was charged with conspiracy to distribute more than 100 g of heroin. The trial began with opening statements from the government and defense, followed by the testimony of the three government witnesses—a highway patrol officer, an FBI agent and a confidential informant. On direct examination, the highway patrol officer testified about the arrest of the defendant and discovery of 120 g of heroin in the defendant's car. The FBI agent testified to her experience managing informants, as well as about how the informant in this case participated in setting up the drug sale. The final witness, the informant, testified about his history selling drugs for the defendant and about the specific drug conspiracy for which the defendant was charged.

All witnesses were cross-examined by the defense after giving testimony on direct examination. The defense strategy was to create reasonable doubt by challenging the competency and motivation of the FBI agent who oversaw the conspiracy set-up, and by attacking the credibility of the informant, based on the incentive to testify to lessen the punishment on his ongoing criminal case, his previous lies to law enforcement, and his prior criminal record. The defendant did not testify. After all witnesses were finished testifying, the judge read the relevant federal criminal jury instructions describing the burden of proof generally and specific to the conspiracy charge, the defendant's right to not testify, and the importance of considering witness credibility. The case concluded with closing arguments from both sides.

Procedures and Measures

Upon arrival, participants were seated in a controlled space with a table, chairs, and TV. The researcher provided and reviewed a study information sheet outlining procedure and informing participants of their protections as research participants, then gave a detailed description of the procedure for the study. Participants were provided with notepads and pens to take notes during the trial presentation video and then viewed the trial video as a group. When the video was finished, participants completed a private paper straw vote, indicating their personal verdict preference (i.e., guilty or not guilty) and their confidence in that verdict. After submitting their straw poll responses to the researcher, participants were given basic instructions about how to conduct deliberations. They were instructed to select a foreperson and to attempt to deliberate to a unanimous verdict. The groups then deliberated behind closed doors for up to 90 min; groups that used the full allotted time and could not reach a unanimous verdict were declared deadlocked. The average length of deliberations was 26 min, and the deliberations were audio- and video-recorded.

When a unanimous verdict was reached, the selected foreperson was provided a group verdict form by the researcher and was instructed to record the final verdict and individual jurors' confidence scores on the form. When the jury was deadlocked and a unanimous verdict could not be reached, the foreperson was provided a mistrial polling form, and collected and recorded the individual jurors' verdict preferences and verdict confidence scores on that form. Following deliberations, participants individually responded to a 25- to 30-min survey. Once finished, participants were thanked, debriefed, and paid $100.

The survey first measured participants' credibility ratings for specific elements of witness testimony, as well as overall perceptions of each witness's credibility. It then measured their perceptions of the case participants, case features (e.g., each side's closing argument, the jury instructions as presented by the judge), and specific facts as to how influential they were in determining the verdict. Next, participants' comprehension of the jury instructions was assessed. The survey concluded with a series of attitude measures about social issues (e.g., regarding the death penalty and due process vs. crime control perspectives) as well as measures of subtle racism; followed by a series of demographic measures (e.g., gender, age, racial identity).

The measures used in the present analysis include the straw vote, a dichotomous choice indicating the individual jurors' predeliberation preference for a guilty or not guilty verdict; the dichotomous final verdict (guilty or not guilty), and participant racial identity. In the final exploratory analyses, we used the overall credibility ratings for each of the three individual witnesses, the patrol officer, the FBI agent, and the informant, which were measured on a seven-point Likert scale (e.g., "Overall, how credible did you find the FBI agent as a witness?") that ranged from 1 (*not at all credible*) to 7 (*very credible*).

Results

Generally, the predeliberation verdict preferences were evenly split between guilt and acquittal. Prior to deliberations, 52% of jurors supported convicting the defendant (see Table 1 for juror verdict

Table 1
Predeliberation Individual Conviction Preferences by Condition and Juror Race (N = 821)

Condition	White juror	Black juror	Other race juror	Totals by condition
	% (*n* convictions/*n* total)	% (*n* convictions/*n* total)	% (*n* convictions/*n* total)	% (*n* convictions/*n* total)
White defendant				
White informant	61% (46/75)	52% (23/44)	54% (45/83)	56% (114/202)
Black informant	60% (48/80)	60% (36/60)	55% (39/71)	58% (123/211)
Black defendant				
White informant	52% (42/81)	33% (20/60)	39% (27/70)	42% (89/211)
Black informant	56% (46/82)	40% (21/53)	55% (34/62)	51% (101/197)
Totals by juror race	57% (182/318)	46% (100/217)	51% (145/286)	52% (427/821)

preferences by condition). The groups were much more acquittal-prone, postdeliberation. Of the 144 deliberating jury groups, 56% reached a unanimous verdict of not guilty, 29% reached a verdict of guilty, and the remaining 15% of groups could not reach a unanimous verdict in the time allotted (i.e., they ended in a mistrial).

Before testing our specific hypotheses, we also examined the distributions of juror race within groups across conditions to verify that the jury group composition was similar across our four conditions. Globally, 31% of all groups had no Black jurors, 30% had one Black juror, 15% had two Black jurors, 12% had three Black jurors, and 12% had four or more Black jurors. This very closely matched the distribution in each of our four conditions, indicating an even distribution of Black jurors within groups as split across condition. For White jurors, 9% of groups had no White jurors, 25% had one White juror, 24% had two White jurors, 28% had three White jurors, and 14% had four or more White jurors, and this pattern was again closely matched across each of our four conditions.

Defendant Race, Informant Race, and Juror Race

Recall that our initial hypotheses were that we would observe higher rates of guilty verdicts in Black defendant conditions (H1), White informant conditions (H2), and same race defendant/informant conditions (H3). We also hypothesized that juror and defendant race would interact, such that White jurors would be especially acquittal-prone in the White defendant conditions while Black jurors would be especially acquittal-prone in the Black defendant conditions (H4).

We tested these four hypotheses using logistic regressions predicting the likelihood of guilty preferences, first in the context of the individual predeliberation straw poll and then in the postdeliberation group-level outcomes. We first examined main effects of condition and juror race on predeliberation verdict preferences. Jurors' racial identity was dummy coded, with Black (n = 217; chosen as the referent), White (n = 318), and all other ethnic groups combined (n = 286) as the three categories. We entered these as a second step in the logistic regression model, so the overall effect of juror race can be easily discerned. Table 1 displays predeliberation conviction rates by juror race across conditions, and Table 2 displays the results for main effects of predeliberation verdict preferences.

Contrary to expectations, we found a main effect of defendant race on predeliberation verdict such that White defendants received significantly more guilty verdicts than Black defendants (57% vs. 47%, respectively). The main effect of informant race was nonsignificant. There was a significant main effect of juror race, such that White jurors were especially conviction-prone (57%) compared to Black jurors (46%; see Table 1), but there was no significant difference between the Black and non-Black/non-White jurors. The defendant/informant race interaction (OR = 1.31, 95% confidence interval [CI: .75, 2.29]), and the defendant/juror race interaction (OR = .77, 95% CI [.43, 1.35]) were both nonsignificant (full regression model is available in Table 1 in the online supplemental material). Finally, there were no significant differences between same- and other-race defendant/informant conditions (OR = 1.15, 95% CI [.87, 1.52]). Note that we opted to drop nonsignificant predictors (e.g., same- vs. other-race defendant/informant) out of the model presented in Table 2; however, when we reran the models with these variables included, the patterns of significance remained the same. In sum, the findings thus far directly contradict our prediction with respect to H1 (i.e., we observed higher rates of acquittal verdicts in Black defendant conditions), while H2 and H3 were not supported (i.e., we did not observe higher rates of guilty verdicts in White informant conditions or in same race defendant/informant conditions). H4, predicting a same-race leniency effect, was also not supported; however, White jurors were less likely to prefer acquittal compared to Black jurors, regardless of condition.

Next, we turned to the group-level data and verdicts decided by the juries. Table 3 displays group verdict responses by condition and Table 4 displays group verdict responses by group race composition. Our approach with the group-level data paralleled the individual-level analyses presented previously. We ran logistic regressions with verdict (guilty vs. not guilty) as the dependent variable, and entered defendant race, informant race, and the racial composition of juries

Table 2

Summary of Logistic Regression Analyses for Variables Predicting Predeliberation Preference for Conviction (N = 821)

Variable	Model 1				Model 2			
	OR	[95% CI] or χ^2	*df*	*p*	*OR*	[95% CI] or χ^2	*df*	*p*
Constant	0.98	[0.77, 1.24]	1	.85	0.77	[0.55, 1.07]	1	.12
Predictor								
Condition								
Defendant race	1.54	[1.17, 2.03]	1	.002	1.55	[1.17, 2.04]	1	.002
Informant race	0.80	[0.61, 1.06]	1	.12	0.80	[0.61, 1.06]	1	.12
Juror race								
White					1.58	[1.11, 2.24]	1	.01
Non-Black/non-White					1.19	[0.83, 1.70]	1	.34
Test								
Overall model								
Likelihood ratio test		12.11	2	.002				
Likelihood ratio change						6.92	2	.03
Goodness-of-fit								
Hosmer and Lemeshow test		1.06	2	.59		4.47	8	.81

Note. OR = odds ratio; CI = confidence interval. Verdict outcome coded as 1 = guilty, 0 = not guilty. Defendant and informant race coded as 1 = White, 0 = Black. Juror race is dummy coded with Black as the reference category.

Table 3
Group Verdict Responses by Conviction, Acquittal, and Mistrial Condition

	Black informant	White informant	Total
Defendant race	% (*n* convictions/*n* total)	% (*n* convictions/*n* total)	% (*n* convictions/*n* total)
Black defendant			
Convict	20 (7/35)	22 (8/37)	21 (15/72)
Acquit	71 (25/35)	67 (25/37)	69 (50/72)
Mistrial	9 (3/35)	11 (4/37)	10 (7/72)
White defendant			
Convict	39 (14/36)	36 (13/36)	38 (27/72)
Acquit	39 (14/36)	47 (17/36)	43 (31/72)
Mistrial	22 (8/36)	17 (6/36)	19 (14/72)
Total			
Convict	30 (21/71)	29 (21/73)	29 (42/144)
Acquit	55 (39/71)	57 (42/73)	56 (81/144)
Mistrial	15 (11/71)	14 (10/73)	15 (21/144)

as predictor variables. Racial composition of juries was represented by two variables reflecting the proportion of the jury that was White and the proportion of the jury that was Black. We entered these variables as a second step in the model, so the overall effect of jury racial composition can be easily discerned.

Table 5 displays these main effects models for the jury/group level. The pattern of results was consistent with those found for the individual straw poll verdicts—we again found a main effect of defendant race, such that White defendants were more likely than Black defendants to be convicted (38% vs. 21%), and we found that the racial composition of the jury significantly predicted guilty verdicts regardless of condition, with higher proportions of White jurors driving higher conviction rates. The Defendant × Informant Race interaction (*OR* = .53, 95% CI [.10, 2.71]) and the Defendant Race × Jury Composition interactions (Defendant Race × Proportion of White Jurors: *OR* = 28.82, 95% CI [.23, 3646.77]); Defendant Race × Proportion of Black Jurors: *OR* = 4.84, 95% CI [.06, 428.83]) were all nonsignificant (see Table 2 in the online supplemental material). Finally, there were no significant differences between same- and other-race defendant/informant conditions (*OR* = .82, 95% CI [.38, 1.78]). Of note, the analyses presented here included only those juries that reached unanimous verdicts (i.e., we excluded mistrials). However, when we reran the models with mistrials included (i.e., predicting the likelihood of guilty verdicts vs. acquittals/mistrials), the patterns of significance were identical.

Effects of Deliberation

Next, we turn to H5. Recall that in H5, we predicted that the deliberation process would amplify or strengthen race effects observed in the individual-level outcomes. Although some of our initial hypotheses were unsupported, and other predictions were directly contradicted (i.e., defendant race effects), we nonetheless proceeded with analyses to examine the measurable effects of the deliberation process. We began by looking at changes in individual verdict preference from pre- to postdeliberation verdict. The majority of jurors (69%) did not change their preferred verdict: 28% supported conviction both before and after deliberation, and 41% supported acquittal both before and after deliberation. The remaining participants did change their minds following deliberation, mostly in favor of acquittal (24% of the entire sample, leaving 7% who changed to favor conviction).

We performed a logistic regression with postdeliberation verdict preference as the dependent outcome, and predeliberation straw poll verdict, defendant race, informant race, and participant race

Table 4
Group Decision Counts Split by Racial Composition and Defendant Race

	Black defendant			White defendant			Total		
Group composition	Convict *n* (%)	Acquit *n* (%)	Mistrial *n* (%)	Convict *n* (%)	Acquit *n* (%)	Mistrial *n* (%)	Convict *n* (%)	Acquit *n* (%)	Mistrial *n* (%)
Black jurors									
0	8 (36)	12 (55)	2 (9)	8 (36)	5 (23)	9 (41)	16 (36)	17 (39)	11 (25)
1	3 (14)	15 (72)	3 (14)	9 (41)	10 (45)	3 (14)	12 (28)	25 (58)	6 (14)
2	2 (18)	8 (73)	1 (9)	4 (40)	5 (50)	1 (10)	6 (29)	13 (62)	2 (9)
3	1 (12)	6 (76)	1 (12)	4 (40)	6 (60)	0 (0)	5 (28)	12 (66)	1 (6)
≥4	1 (10)	9 (90)	0 (0)	2 (25)	5 (63)	1 (12)	3 (17)	14 (78)	1 (5)
White jurors									
0	1 (12)	7 (88)	0 (0)	1 (20)	4 (80)	0 (0)	2 (15)	11 (85)	0 (0)
1	3 (18)	13 (76)	1 (6)	5 (26)	10 (53)	4 (21)	8 (22)	23 (64)	5 (14)
2	3 (25)	8 (67)	1 (8)	9 (41)	9 (41)	4 (18)	12 (35)	17 (50)	5 (15)
3	5 (22)	15 (65)	3 (13)	6 (35)	8 (47)	3 (18)	11 (28)	23 (57)	6 (15)
≥4	3 (25)	7 (58)	2 (17)	6 (67)	0 (0)	3 (33)	9 (43)	7 (33)	5 (24)

Table 5
Summary of Logistic Regression Analyses for Variables Predicting Group Convictions (N = 123)

Variable	Model 1				Model 2			
	OR	[95% CI] or χ^2	*df*	*p*	*OR*	[95% CI] or χ^2	*df*	*p*
Constant	0.31	[0.16, 0.63]	1	.001	0.13	[0.02, 0.67]	1	.02
Predictor								
Condition								
Defendant race	2.91	[1.34, 6.31]	1	.007	3.56	[1.55, 8.20]	1	.003
Informant race	0.91	[0.42, 1.97]	1	.82	0.90	[0.40, 2.02]	1	.79
Jury composition								
Proportion White					10.07	[1.00, 101.57]	1	.05
Proportion Black					0.63	[0.07, 5.72]	1	.68
Test								
Overall model								
Likelihood ratio test		7.63	2	.02				
Likelihood ratio change						8.92	2	.01
Goodness-of-fit								
Hosmer and Lemeshow		0.26	2	.88		3.70	8	.88

Note. *OR* = odds ratio; CI = confidence interval. Verdict outcome coded as 1 = guilty, 0 = not guilty. Defendant and informant race coded as 1 = White, 0 = Black.

(again, dummy-coded with Black jurors chosen as the reference category) entered as predictors. This approach allowed us to examine whether defendant or informant race influenced deliberation-driven outcomes above and beyond any individual-level effects that are accounted for by the predeliberation straw poll outcomes (see, e.g., Hastie et al., 1983; Kalven & Zeisel, 1966; Kerr & MacCoun, 1985). Importantly, we adjusted standard errors to account for the clustering of the postdeliberation outcomes within jury groups. Note that a similar pattern of results was obtained when the analyses reported here were conducted using multilevel modeling.

Table 6 displays the full model. As expected, the strongest predictor of postdeliberation verdict preference was the predeliberation straw poll. This reflects the tendency for most participants to maintain their preference from pre- to postdeliberation. Additionally, however, there were significant main effects of defendant and participant race; participants were more likely to acquit the Black defendant compared to the White defendant, and White participants were more likely to prefer a conviction regardless of condition. The defendant/informant race interaction (*OR* = .40, 95% CI [.10, 1.59]) and the defendant/juror race interaction (*OR* = 1.29, 95% CI [.66, 2.53]) were nonsignificant (see Table 3 in the online supplemental material).

These findings suggest the deliberation process may have amplified defendant race effects already observed in the predeliberation straw-poll, and patterns in the data further reflect this: conviction preferences for the White defendant dropped from 57% predeliberation to 47% following deliberations, while for the Black defendant it dropped from 47% predeliberation to 23% following

Table 6
Summary of Logistic Regression Analyses for Variables Predicting Postdeliberation Verdicts for Conviction (N = 821)

Variable	Model 1				Model 2			
	OR	[95% CI] or χ^2	*df*	*p*	*OR*	[95% CI] or χ^2	*df*	*p*
Constant	0.09	[0.05, 0.17]	1	<.001	0.06	[0.03, 0.13]	1	.58
Predictor								
Predeliberation preference	7.37	[5.38, 10.10]	1	<.001	7.26	[5.28, 9.98]	1	<.001
Conditions								
Defendant race	2.87	[1.44, 5.71]	1	.003	2.96	[1.47, 5.95]	1	.002
Informant race	1.01	[0.51, 2.00]	1	.82	1.00	[0.50, 1.99]	1	.82
Juror race								
White					1.98	[1.13, 3.49]	1	.02
Non-Black/non-White					1.42	[0.83, 2.44]	1	.20
Test								
Overall model								
Likelihood ratio test		166.48	3	<.001				
Likelihood ratio change						10.28	2	.006
Goodness-of-fit test								
Hosmer and Lemeshow test		8.98	2	.18		5.41	8	.71

Note. *OR* = odds ratio; CI = confidence interval. Verdict outcome and predeliberation preference coded as 1 = guilty, 0 = not guilty. Defendant and informant race coded as 1 = White, 0 = Black. Jury race is dummy coded with Black as the reference category.

Table 7
Perceptions of Witness Credibility by Defendant Race

	White defendant		Black defendant				
Credibility rating	*M*	*SD*	*M*	*SD*	*t*	*p*	Cohen's *d* [95% CI]
Arresting officer	5.80	1.60	5.42	1.78	3.21	.001	0.22 [0.09, 0.36]
FBI agent	5.09	1.83	4.66	1.91	3.33	.001	0.20 [0.07, 0.34]
Confidential informant	3.63	2.00	3.01	1.95	4.49	<.001	0.31 [0.18, 0.45]

Note. CI = confidence interval. Credibility ratings range from 1 (*not at all credible*) to 7 (*very credible*).

deliberation. Put another way, the odds that a participant preferred conviction was 1.5 times higher for a White defendant than for a Black defendant before deliberation, but after deliberation, the odds of preferred conviction was three times higher for the White defendant than for the Black defendant.

Moreover, White jurors were more likely to switch their votes to favor conviction relative to Black jurors, as evidenced by the significant main effect of participant race after controlling for predeliberation verdict preference. Among the jurors who switched verdict preferences from pre- to postdeliberation, 25% of White jurors switched to support a conviction, compared to 16% of Black jurors and 23% of non-Black/non-White jurors. Importantly, the majority of jurors in all groups either maintained the same verdict from pre- to postdeliberation or they switched toward acquittal, however Black jurors were less likely than any other group to switch in favor of conviction (and that comparison was statistically significant for Black vs. White jurors). In sum, H5, predicting an amplification or strengthening of race effects, was supported, though not in the way we initially expected—instead, the deliberation process appeared to increase the likelihood of acquittal, especially for the Black defendant (see Table 6).

Perceptions of Credibility

Given our unexpected findings regarding defendant race, we wanted to explore the potential mechanism underpinning the Black-defendant leniency effect we obtained. Inspired by recent research that finds eroding levels of public confidence in the fairness of the criminal justice system that have corresponded with increasing public awareness of anti-Black bias in the system (Kahn & Martin, 2016; Lerman & Weaver, 2014), as well as research demonstrating that Black Americans are more attuned to this bias than White Americans (Gramlich, 2019), we turned to perceptions of witness credibility to see if they were associated with the observed race effects. We wanted to test whether those general attitudinal features would shape how our jurors viewed the prosecution witnesses, given previous findings that general perceptions of police fairness and legitimacy predicted whether research participants viewed law enforcement as biased in specific instances (Pica et al., 2020), such that those viewing the Black defendant would rate the witnesses as less credible than those viewing the White defendant. We also expected that Black participants would rate the law enforcement witnesses, including the informant who was working with the FBI agent, as less credible than White participants, given the racial gap in general and specific views of police (Costanzo et al., 2010; Matsueda & Drakulich, 2009).

Therefore, in a series of exploratory analyses we used *t*-tests to examine whether perceptions of credibility for all three witnesses (the informant, patrol officer, and FBI agent) differed across defendant or participant race. As can be seen in Tables 7 and 8, participants in the Black defendant conditions gave lower credibility ratings for the patrol officer, the FBI agent, and the informant compared to those in the White defendant conditions. Moreover, Black participants gave lower credibility ratings than White participants for all three witnesses. In turn, perceptions of witness credibility appeared to be related to preferences for conviction. Not surprisingly, among all the credibility ratings, the strongest predictor of pre- and postdeliberation verdict preference was informant credibility. For instance, simple logistic regressions (with verdict as the dependent outcome and informant credibility as the predictor) showed that for each 1-unit increase in informant credibility ratings, the odds of preferring conviction approximately doubled, both for the predeliberation straw poll, $OR = 1.92$ [1.74, 2.11] and for the postdeliberation verdict, $OR = 2.36$ [2.11, 2.64].

Discussion

In this study, we tested whether defendant, witness and juror race predict outcomes in a criminal jury context. Specifically, we extended previous research on how defendant race and informant race may impact juror judgment by adding small-group deliberation and verdict decision making using a diverse sample of nonstudent jury-eligible participants. None of the findings confirmed the five hypotheses, and the main race-of-defendant finding was especially surprising. Contrary to expectations, we found a robust defendant race effect that benefited the Black defendant rather than

Table 8
Perceptions of Witness Credibility by Juror Race

	White juror		Black juror				
Credibility rating	*M*	*SD*	*M*	*SD*	*t*	*p*	Cohen's *d* [95% CI]
Arresting officer	6.12	1.32	4.87	2.02	8.70	<.001	0.73 [0.59, 0.87]
FBI agent	5.38	1.64	4.23	2.00	7.30	<.001	0.63 [0.49, 0.77]
Confidential informant	3.69	1.97	2.90	1.95	4.57	<.001	0.40 [0.26, 0.54]

Note. Credibility ratings range from 1 (*not at all credible*) to 7 (*very credible*). CI = confidence interval.

disadvantaging him, an effect that was strengthened by the group deliberation process. No differences were observed as a function of the informant witness's race, nor did we find support for the similarity-leniency effect as would be predicted by social identity theory. So while the similarity-leniency effect has previously been found in jury research (Daudistel et al., 1999; Devine & Caughlin, 2014; Kerr et al., 1995; Mitchell et al., 2005), the leniency effect that we obtained for the Black defendant, regardless of juror race, is not consistent with social identity theory.

We also hypothesized that a drug dealing case scenario might trigger stereotype-consistent judgment of both the defendant and the informant, disadvantaging the Black defendant and bolstering the credibility of the White informant. While each of these suppositions had previous empirical support (Kleider et al., 2012; Maeder & Yamamoto, 2017), they were not at all supported by our findings, and indeed worked in an opposite manner than we predicted in regard to defendant race. The Black defendant leniency effect we obtained may partially reflect a watchdog effect (Sargent & Bradfield, 2004), which we did not directly test, in that our participants may have been especially attuned to witness credibility in the Black defendant case. However, it is unclear whether this effect would extend to non-White jurors, as it has primarily been examined with White participants (Fleming et al., 2005; Peter-Hagene, 2019; Sargent & Bradfield, 2004).

Another consideration is that the conviction rate in the Black defendant/White informant condition appeared slightly lower than the other three conditions, raising the question of whether defendant and informant race interacted. Although there were no significant interactions in any of our models, it is important to note that the test likely lacked sufficient statistical power to detect very small interaction effects (particularly in the group-level data), and thus, these null findings should be interpreted with caution. While a replication with sufficient statistical power would be needed to determine if there is a significant difference, such a finding would be consistent with Conley and colleagues' (2000) notion that the "racial ecology" of the courtroom matters to jurors when the defendant is the only Black person. In our study, the judge, law enforcement witnesses, and attorneys were all also White, so in the Black defendant/White informant condition, the defendant's race may have signaled some fundamental unfairness at play.

It is possible that the leniency for the Black defendant was produced by the broader "racial ecology" of the kind of case we used, which made police conduct, extending to their use of a confidential informant to proactively set up the defendant in a drug conspiracy sting, a core focus. Given broader public concerns about anti-Black bias of the police and prosecutors, especially in the U.S. "war on drugs" (Alexander, 2010), the case features may well have made system unfairness salient in the Black defendant conditions. Moreover, Black participants were especially likely to acquit, relative to White participants, and the credibility of all three prosecution witnesses was judged to be substantially lower by Black participants than White defendants, which further bolsters this potential explanation given the large Black-White gap in trust of law enforcement (Costanzo et al., 2010; Gramlich, 2019; Lerman & Weaver, 2014; Tyler & Huo, 2002; Weitzer & Tuch, 2005).

While we did not have a direct measure of participants' perceptions of system fairness or trust in police, our exploratory analyses of the credibility measures, assessing how our participants perceived the informant and law enforcement witnesses, suggest that those kinds of perceptions may have played a role in participants' judgment, as our participants found these witnesses significantly less credible when the defendant was Black compared to when he was White. Our final exploratory analyses showed that juror race seemed to influence perceptions of witness credibility, which in turn was associated with trial outcomes, highlighting the possibility that more broadly, differential perceptions of system fairness and legitimacy, including trust in police, may help explain how juror race influences jury outcomes. Thus, future research should examine whether more deeply held attitudes about law enforcement, and justice system fairness more broadly, underpin the differences between White and non-White potential jurors. As a large body of research shows, a significant gap exists between Whites and non-Whites in how they perceive and experience law enforcement (Gramlich, 2019; Kahn & Martin, 2016; Weitzer & Tuch, 2005), which shapes how they assess law enforcement-generated evidence as potential jurors (Costanzo et al., 2010). To the degree that White support for law enforcement, as well as disbelief in system bias, is linked to forms of racism (Matsueda & Drakulich, 2009), it is critical to further examine how jury diversity may mitigate the risk of biased decision making.

In our study, the Black defendant also benefited significantly more than the White defendant from the deliberation process, contrary to expectations. The fact that defendant race remained a significant predictor of postdeliberation verdicts while controlling for predeliberation verdict preferences suggests the possibility that something occurring in the deliberation itself contributed to the defendant race effect. The jury groups were quite diverse and Black juror composition predicted acquittals across conditions. It may be that an educative process occurred during deliberations, where the problem of racism could be explicitly raised in the racially diverse groups (see Sommers, 2006), a possibility we are currently examining in an analysis of the deliberations transcripts. But, as Sommers' (2006) research suggests, even the mere presence of Black jurors in jury groups can influence White jurors to be more lenient toward a Black defendant. Thus, information exchange is not the only way that juror group composition influences its members.

Although we recruited a highly diverse pool of nonstudent jury-eligible participants, used realistic case materials, and included a substantial group deliberation period, there are some limitations to our design. First, as in all mock jury studies, external validity with regard to consequentiality is an issue. Participants were aware they were not actually determining a true verdict for a real defendant during their deliberations. However, this did not stop them from engaging actively and passionately in the deliberation process. It was not uncommon for the participants to argue heatedly over matters of fact and law in the case. And given the design we employed, using an audio-visual presentation of the case, recruiting jury-eligible, nonstudent adults, and including group deliberations, this study was considerably more realistic than the majority of mock jury studies (see, generally, Devine, 2012).

We also were limited in how we could draw inferences about the jury group composition, since we did not systematically vary it as an experimental condition. We did not manipulate racial composition of our jury units for several reasons. The first was pragmatic. Given the complexity of our experimental procedure and the costs involved in doing this study, adding jury composition as an independent variable would have increased costs beyond our budget, and minimized our power by increasing the number of conditions. The second reason is related to ecological validity. We

were fortunate to conduct the study in a racially and ethnically diverse jurisdiction that allowed us to see how groups of jury-eligible citizens representing that diversity would come together to decide on the case. Thus, whereas our analyses examining group composition are associational and not causal in approach, they do provide meaningful evidence of how racial diversity may shape outcomes.

As previously noted, another consideration is that this study only examined one type of crime–an arranged drug conspiracy that was set up by law enforcement–that, in retrospect, we recognize may have been especially likely to produce the kind of race-of-defendant effects we obtained. This particular scenario directly called on our participants to consider system actors' fairness and veracity in making a verdict determination, so it likely contributed to our findings. It also may have enhanced the centrality of testimonial credibility in determining verdict. It may be that different kinds of crimes, especially where there is substantial independent evidence, would prompt different responses from jurors and be more likely to produce outcomes that disadvantage the Black defendant. Prior studies that use a case scenario involving violence have been more likely to produce anti-Black bias (Espinoza & Willis-Esqueda, 2015; Foley & Chamblin, 1982; Forsterlee et al., 2006; Lynch & Haney, 2000, 2009), so case facts likely matter in how race plays a role in juror judgment.

Conclusion

The defendant race effect we obtained might best be understood as a new variation on the general set of findings that contextual factors matter in the way that race shapes judgment in criminal jury decision making. Our findings were likely the product of the very diverse participant pool we were able to obtain in this study, coupled with the kind of case we presented. To the extent that our participants' assessments reflect a changing consciousness about the fairness of our criminal justice system, the composition of criminal juries will play a critical role in whether, and how, their decision making may be a democratic check on biases in the system, including on racially-biased law enforcement. Diverse juries can shape the racial dynamics of decision making through both noninformational means and informational exchanges (Sommers & Adekanmbi, 2008). As Sommers (2006) found, the mere fact of being on a racially diverse jury impacted how White jurors viewed the Black defendant, and it increased the group's willingness to discuss race and racism in deliberations. To that end, diverse juries may be better able to bring "race-conscious reasonable doubt" (Do, 2000, p. 1861) to their decision making, which contextualizes the allegations in the realities of a historically discriminatory system of justice, and prompts jurors to carefully scrutinize law enforcement-derived evidence and testimony.

These findings suggest several future lines of research to further explore the intersection of jurors' racial identity, their views of system fairness, and the racial identity of defendants. We did not directly measure participants' attitudes about system fairness, so we cannot directly infer whether differential perceptions of the system, including trust in police, were driving how the credibility of the actual testimony presented in the case was evaluated. Therefore, future studies should more directly measure those perceptions of the system to examine whether they influence how jurors understand and consider evidence across different kinds of cases. Second, given our findings that deliberations strengthened the leniency bias in favor of the Black defendant, especially among the juries that were more diverse, it is important to examine what exactly happens in that group process, which we plan to examine more fully in our analyses of the deliberations data from this study. Specifically, it is important to assess if there an educative process that occurs in diverse juries and, per Sommers (2006), whether the quality of deliberations is higher, with more serious consideration of strength of evidence and healthy skepticism about the testimony of an informant who will benefit from testifying. Finally, before we can have confidence that the criminal jury can be a corrective to bias in the system rather than part of the problem, more group-level replication is needed across case types and jury demographic configurations to better map out when and how race shapes judgment processes.

A potential implication of our study is that juries can play a critical role in being a check on system bias, by using a race-conscious (Do, 2000) lens to understand and give meaning to evidence and testimony. Thus, while our findings could be interpreted as indicating an anti-White bias, we think it is more plausible that they reflect an appropriate racial realism: an understanding of the historical legacy of racism in our criminal justice system, and contemporary manifestations of that legacy that continue to plague us (Muhammad, 2011). Because we were unable to directly examine this, we view this as a critically important avenue for future research. Jury groups made up of citizens who bring diverse life experiences and perspectives on core issues of justice can function most effectively as a democratic institution by bringing a broadly contextualized worldview to the decision-making task without undermining fairness or justice.

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