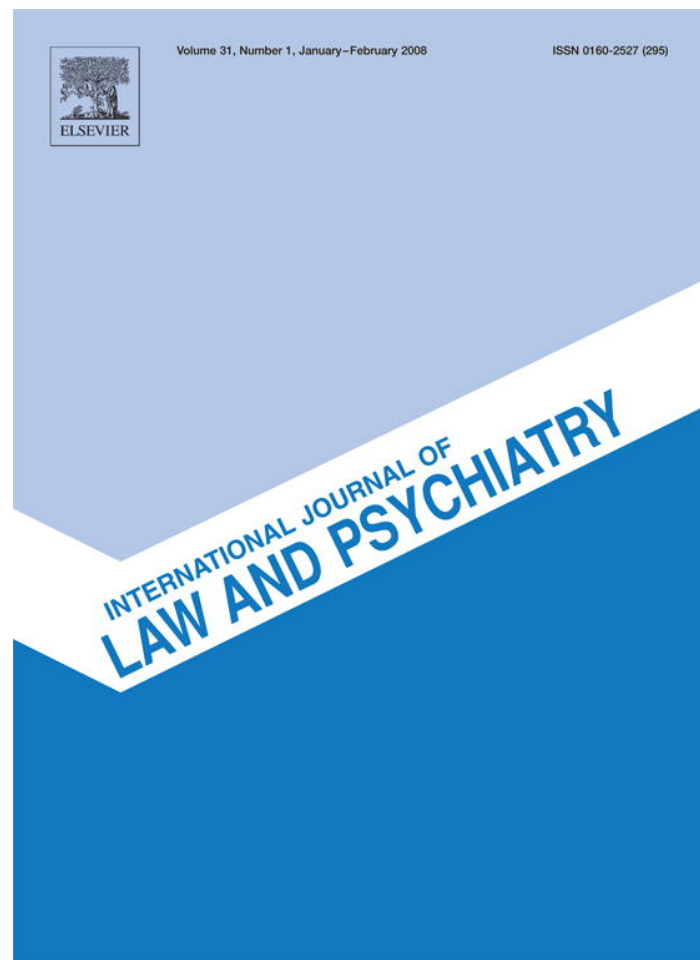


Provided for non-commercial research and education use.
Not for reproduction, distribution or commercial use.



This article was published in an Elsevier journal. The attached copy is furnished to the author for non-commercial research and education use, including for instruction at the author's institution, sharing with colleagues and providing to institution administration.

Other uses, including reproduction and distribution, or selling or licensing copies, or posting to personal, institutional or third party websites are prohibited.

In most cases authors are permitted to post their version of the article (e.g. in Word or Tex form) to their personal website or institutional repository. Authors requiring further information regarding Elsevier's archiving and manuscript policies are encouraged to visit:

<http://www.elsevier.com/copyright>



ELSEVIER

Available online at www.sciencedirect.com

International Journal of Law and Psychiatry 31 (2008) 41–50

**INTERNATIONAL JOURNAL OF
LAW AND
PSYCHIATRY**

Judgments of culpability in a filicide scenario

Christopher J. Ferguson^{a,*}, Heather Miller-Stratton^b, Emily Heinrich^b,
Stacey Fritz^b, Shawn Smith^b

^a *Texas A&M International University, USA*

^b *University of Wisconsin—Whitewater, USA*

Abstract

Previous research has indicated that potential jurors are likely to use personal biases, such as those based on gender and ethnicity, in their judgments of culpability of criminal defendants in addition to, or instead of, the facts of the crime. The present paper seeks to extend this literature to the crime of filicide; to examine whether male defendants are judged more harshly than female defendants, as is the case for domestic violence and sexual abuse. 214 participants were provided with a scenario of filicide in which the gender of the perpetrator, the gender of the child, and the family's social class were randomly assigned. Participants were asked to rate the culpability of the defendant in the case. Results indicated that, unlike for other violent crimes, participants did not use gender or social class biases in their judgments of criminal culpability.

© 2007 Elsevier Inc. All rights reserved.

Andrea Yates brought increased public attention to the act of filicide when she drowned her five children in June 2005. Although Yates' crime was not unique, it achieved nationwide scrutiny and sparked vigorous debate regarding how she might most properly be dealt with: by imprisonment or through treatment. Most people in the United States would consider parenting to be one of the most important stages of life, complete with the responsibility to nurture and protect the child until that child can come of age. However, a small minority of parents engage in the crime of filicide, the act of killing their own children. Society is rightly concerned with how these crimes develop and how they may be prevented. The Yates' case revealed ambivalence in how the criminal justice system should deal with cases of parents who kill their children. Given that many other individuals have killed their children, both men and women, as well as those of all ethnicities, one wonders what made the Yates' case "special" aside from perhaps the unusually high number of children killed. Do the criminal justice system, and specifically potential jurors, judge the culpability of a defendant according to the facts of a particular case or are jurors swayed in their judgments by non-relevant demographic factors such as gender and socioeconomic status? Similarly does it matter if the deceased child is a boy or girl? It is the goal of this study to shed some light on these questions.

* Corresponding author. Department of Behavioral, Applied Sciences and Criminal Justice, Texas A&M International University, 5201 University Blvd., Laredo, TX 78041 USA. Tel.: +1 956 326 2636.

E-mail address: CJFerguson1111@aol.com (C.J. Ferguson).

Filicide, the murder of one's child, is a universal phenomenon that has been with us from the beginning of history (Pitt & Bale, 1995). The term neonaticide, the parental murder of a child within the first 24 h of life as used by Resnick (1972), is encompassed by the term filicide in this manuscript. The rate of filicide in the United States remains somewhat in doubt, particularly because of the contention that 10–20% of Sudden Infant Death Syndrome (SIDS) cases may actually be homicides (Emery, 1993; Stanton & Simpson, 2002). Nonetheless the *per capita* homicide rate for young children appears to be greater than for the general population (Lester, 1991), and the United States has one of the highest child homicide rates among developing countries (Christoffel & Liu, 1983). Contemporary filicide may have motives that vary by culture, but can be categorized as: 1) a form of post-birth abortion—disposing of a child unwanted because of denial/fear, religious beliefs, illegitimacy, birth defects, altruism, mercy killing, child's gender, financial/parental inabilities, or parental revenge/retaliation; 2) an unintentional result of child abuse/Munchausen by Proxy Syndrome, or; 3) the result of parental diminished capacity resulting from postpartum psychosis (Bourget & Bradford, 1990; D'Orban, 1979; Dobson & Sales, 2000; Pitt & Bale, 1995; Resnick, 1969, 1970; Scott, 1973).

Whether men or women are the primary perpetrators of the murders of their children remains an issue that is in some contention. Resnick (1969) indicated that mothers were twice as likely to kill their children as fathers and that 30% of the victims were under 6 months of age; a finding which has been supported by subsequent research results (Lowenstein, 1997; Overpeck, Brenner, Trumble, Trifeletti, & Berendes, 1998). Although official reports by the US Department of Justice (2001) agree that women are overrepresented in the murders of children, they place the statistics at only 43% of cases, although these statistics do not distinguish between family members (such as mothers and fathers and their children) and non-related victims, or children of differing age groups. A second study analysis by the US Department of Justice (2004) found that mothers (including stepmothers) and fathers (including stepfathers) were about equal in killing children under the age of 5 during the period 1976–2002, although statistics for biological and step-parents are not distinguished.

Nonetheless from the literature discussed above it can be said that women participate more in the murder of their own children than they do in the murder of most other individuals. The possibility remains that women may account for the majority of murders of young children, particularly infants. Although many and perhaps most cases of maternal filicide are not directly attributed to maternal mental illness (Overpeck et al., 1998), a fair percentage of cases of maternal homicide may involve depression or psychosis, particular post partum. Studies that have attempted to examine the link between mental illness and maternal filicide are reviewed here.

1. Filicide and mental illness

The Andrea Yates case famously raised the issue of mental illness and its involvement in the murder of young children. Given our cultural stereotype of women as primary nurturers (see Pearson, 1997), which may indeed be grounded in the observation that the majority of mothers are caring providers for their children, it may be difficult to understand the behaviors of a small minority of mothers who ultimately kill their children. Thus, it may be tempting for many individuals to believe that all or most such women are mentally ill, without making similar assumptions for fathers who engage in the same criminal behavior. This is not to say, of course, that mental illness is never the root cause of a child homicide, but rather that other explanations, such as extreme child abuse or desire to be rid of the child, may be oftentimes overlooked in favor of one that provides more favorable consistency with preexisting stereotypes. Preconceived beliefs about mental illness and the murder of children may not accurately reflect perpetrator motives. For example it has been noted (Goetting, 1995; also see Holmes & Holmes, 2001) that mental illness is only infrequently the cause of filicide in which the mother is the perpetrator. In regards to whether fathers who kill their children differ from mothers who kill their children, one of the few studies to address this issue (Campion, Gravens, & Coven, 1988) indicated that fathers who kill their children were found to share many characteristics with mothers who kill rather than differ significantly in terms of background, mental status, or motivation.

Postpartum psychosis has been identified as an etiological factor in the maternal filicide of a number of children in the United States and England (Williamson, 1993). In situations in which postpartum psychosis has been documented at the time of the filicide, this condition is accepted in many legal cases in both countries. The presence of postpartum psychosis has been demonstrated to be associated with infanticidal ideation and behaviors (Chandra, Vankatasubramanian, & Thomas, 2002; Susman, 1996). In cases in which the mother is severely depressed, murder

of young children may be an example of “extended suicide” in which an individual kills members of his/her family in order to save themselves from a life of suffering (Fernandez, Coverdale, & Brookbanks, 2002; Poulin, Marleau, & Jolivet, 2006). For example Rohde, Raic, Varchmin-Schultheiß, and Marneros (1998) suggested that extended suicide constituted a common motive for maternal filicide, along with child abuse cases, and post-natal abortive motives. Meszaros and Fischer-Danzinger (2000) found the presence of postpartum psychosis to be a particular risk factor for extended suicide in women experiencing psychopathology following the birth of a child.

The US Department of Justice (2001) has noted that women offenders were more likely to be labeled as mentally ill. It was unclear whether this reflected an actual qualitative difference between male and female offenders or represented a gender-biased effect, namely that women (unlike men) must be mentally ill in order to violate the “natural” maternal role. It may be that the criminal justice system continues to struggle with the issue of how potential jurors perceive the qualities of individuals (such as gender and social class) who commit crimes, rather than the facts of the crime itself.

Previous research has noted that jurors may be biased in their judgments of criminal defendants based on gender stereotypes. In situations in which the facts of a crime were held identical, male perpetrators were judged more harshly in cases of domestic violence (Feather, 1996; Ferguson & Negy, 2004), as well as child sexual abuse (Negy, Ferguson, & Orooji, 2005). Given that our justice system is designed, in theory, to provide fair and unbiased judgments based on evidence and fact, scientific evidence to suggest that potential jurors may be equally swayed by demographic variables of the perpetrator of the crime is cause for concern. It may be possible that perpetrators of child homicide may be judged in reference to their specific demographic characteristics rather than solely in response to the facts of a crime. It is to this issue that this paper is concerned.

Similar to the methodology used in previous studies (Feather, 1996; Ferguson & Negy, 2004), the current study presents potential jurors with a standardized analog scenario in which a crime (in this case murder of a child) is committed. The “facts” of the crime (i.e. the details available to a potential juror such as motive or the circumstances of the crime) remain consistent across all versions of the scenario. Only the gender of the perpetrator (mother or father) and the gender of the child victim as well as their social class were varied. This provides a means of identifying how demographic qualities of the perpetrator (and victim) affect judgments of culpability in this criminal scenario. It was hypothesized that participants in this study would rate fathers who kill their children as more culpable for the crime and less mentally ill than mothers who committed the same crime. It was also hypothesized that lower income perpetrators would be judged more harshly than those from higher income backgrounds. Furthermore in order to examine the effects for individual differences, it was hypothesized that individuals high in aggressiveness would rate the perpetrator as less culpable than those low in aggressiveness. Similarly, it was hypothesized that individuals high in “social desirability” would respond more negatively toward male perpetrators than female perpetrators due to a desire to conform to gender stereotypes held by society.

2. Materials and methods

2.1. Participants

Participants in the current study included 218 undergraduate students attending a regional comprehensive university in the Midwest. Four (2%) of these students failed a manipulation check, thus only the remaining 214 are discussed subsequently and included in data analysis. Of those 214, 82 (38.3%) were male and 132 (61.7%) were female. Their mean age was 20.25 (SD=3.28), mean years of education was 15.27 (SD=2.23) which is the equivalent of junior standing. Moreover, 189 participants (88.3%) self-identified as non-Hispanic White, 6 (2.8%) as Latino/Hispanic, 12 as African Americans (5.6%), 5 (2.3%) as Asian, and 2 (1%) as “Other.” All participants were recruited from undergraduate psychology classes and voluntarily participated in the study in exchange for extra credit in their respective courses.

2.2. Demographic sheet

On a single page, participants indicated their age, gender, self-designated ethnicity, and the level of education attained by each parent. They also indicated their number of years of education attained thus far, with 13 years equivalent to freshman standing (30 semester hours or fewer), 14 years equivalent to sophomore standing (30–60 semester hours), 15 years equivalent to junior standing (60–90 semester hours) and 16 years equivalent to senior standing (90+ semester hours).

2.3. Aggressiveness

To measure aggressiveness, participants completed the *Aggression Questionnaire-Short Form* (AQ-sf) (Buss & Warren, 2000). The shortened version of AQ consists of the first 15 items of the original 34-item version and was designed to measure the degree to which respondents endorse statements about their levels of aggression. Items are responded to using a 5-point Likert scale, ranging from Not At All Like Me to Completely Like Me, with higher scores indicating more aggressiveness. An example item is: “At times I get very angry for no good reason.” Based on the normative sample reported in the manual, the AQ-sf obtained an alpha coefficient of .90 for the total score. Based on the current sample of participants, this measure demonstrated a coefficient alpha reliability of .85.

2.4. Social desirability

Balanced Inventory of Desirable Responding (BIDR; Paulhus, 1991): The BIDR is a 40-item Likert-scale self-report inventory designed to measure endorsement of socially desirable items. This measure was included as a covariate to remove variance due to social desirability from the analyses of culpability attitudes. The BIDR has two subscales, Impression Management (IM, a tendency to look good to others) and Self-Deceptive Enhancement (SDE, a tendency to make oneself feel good). Based on the present sample of participants, the following Cronbach alpha coefficients were obtained for IM (.51) and SDE (.75).

2.5. Scenario

The scenario which was presented to participants in this study presented a situation in which a parent (mother or father) kills their child (son or daughter). The background on the child and parent were held constant across all scenarios. In the scenario the parent presents with a history of depression, but no other evidence of prior mental illness. The parent kills the child during a moment of abusive discipline and then reports experiencing delusions and hallucinations that the child needed to be sacrificed to God. The scenario presents an ambiguous claim of mental illness in which a potential juror is required to make a decision as to whether to believe the perpetrator in the absence of clear confirmatory or discrediting information. Only the gender of the parent, the gender of the child, and the socioeconomic status of the family were varied. Each participant was randomly assigned to one of the eight possible versions of the scenario. To make sure that the scenario and questions were appropriate for a college-age population, the scenario and questionnaire reading level were analyzed using the SMOG formula (McLaughlin, 1969). Results indicated that the scenario and questionnaire were appropriate for the 9th grade reading level. As such this scenario and questionnaire appear to be appropriate for a college population. Appendix A presents the version of the scenario in which a mother from a high-income family kills her daughter as well as the subsequent questionnaire.

In order to assess for judgments of criminal culpability and mental illnesses, participants were asked to respond to 21 Likert-scale type items inquiring as to their judgments of culpability, the degree to which they sympathized with the perpetrator, and the degree to which they believed he or she was mentally ill. These 21 items were examined for latent constructs using principal-components factor analysis with promax rotation. Items were considered to “load” on a factor if they obtained a factor loading of at least .40. This resulted in five factors (coefficient alphas for these factors are presented in parentheses):

- 1.) Criminal Culpability (.81), related to questions regarding the extent to which the perpetrator deserved to be convicted and jailed.
- 2.) Perpetrator Morality (.72), related to whether the perpetrator was perceived by the participant as a bad or evil person.
- 3.) Perpetrator Guilt Feelings (.84), related to whether the participant felt that the perpetrator likely felt bad or guilty about what he or she had done.
- 4.) Mental Illness (.53), related to questions regarding whether the perpetrator was mentally ill or had been let down by the mental health system.
- 5.) Unfair Justice System (.57), related to questions regarding whether the perpetrator might be treated unfairly by the criminal justice system.

The final two factors demonstrate somewhat weaker reliability, although still within the reliability range noted in many clinical measures such as the MMPI (see Hathaway & McKinley, 1989). However, results from the final two scales will be interpreted with some caution. These five factors are considered in subsequent analyses.

2.6. Procedure and study design

Participants were randomly assigned to one of the eight conditions (representing combinations of perpetrator gender, child gender, and socioeconomic status), denoting a true experimental design using an analog format. Respondents may react to a written analog scenario differently than when presented with a real scenario which may reduce external validity. However,

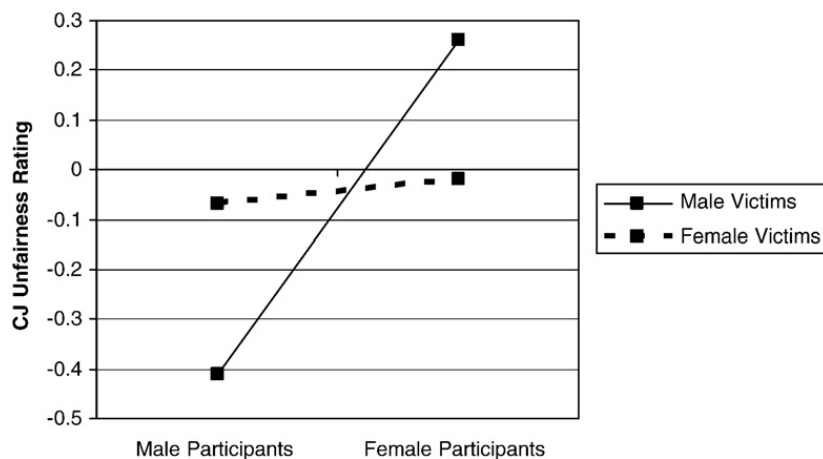


Fig. 1. Unfair justice systems as a function of participant and child victim gender.

Lopez, Smith, Wolkenstein, and Charlin (1993) noted that analog studies provide an excellent opportunity for maximizing the internal validity of a study. This type of design has also been demonstrated to be effective across a number of studies (Feather, 1996; Ferguson & Negy, 2004; Maynard & Wiederman, 1997; Mellott, Wagner, & Broussard, 1997). Thus, for the purpose of focusing specifically on the effects of gender and social class on people's judgments about filicide, the analog design was deemed most appropriate for this study. Each participant was given a set of questionnaires that consisted of an informed consent sheet, a demographic questionnaire, the scenario questionnaire, the aggression questionnaire, and the BIDR. Approximately 20 min were required to respond to the questionnaires. The present design is a 2 (participant gender) × 2 (child victim gender) × 2 (social class) × 2 (perpetrator gender) between subjects design.

Regarding the measures of social desirability (namely the self-deceptive enhancement and impression management subscales on the BIDR) and aggression, means and standard deviations were used to divide respondents into low (at least one SD below the mean), normative (within one SD of the mean) and high (at least one SD above the mean) groups on these measures. The response pattern of low, medium, and high respondents was resulted in a 3 (Impression Management) × 3 (Self-Deceptive Enhancement) × 3 (Aggression) between subjects design.

3. Results

3.1. Manipulation check

In order to ensure that participants were cognizant of the gender of the perpetrator and child in the scenario, after participants completed and handed in the questionnaire, they were given a two-item manipulation check that asked them to recall the gender of the perpetrator and child in the scenario. Out of a total of 218 original respondents, four (2%) failed the manipulation check and therefore their data were not included for further analysis.

3.2. Perpetrator and child demographic variable effects

To assess for the influence of perpetrator and child demographic variable (gender and social class) effects on ratings of criminal culpability, MANCOVAs were performed on scores from the questionnaire assessing attitudes about the filicide scenario. The independent variables were gender of the participants, the gender and social class of the perpetrator, and the gender of the child in the filicide scenario. Dependent variables were the five factor scores from the questionnaire that had been converted to standard *z* scores. To control for socially desirable response sets, IM and SDE scores from the BIDR served as covariates. Results of the current analysis indicated a significant main effect for gender of the participant (using Wilks' Lambda, $F [5, 180]=3.67, p<.01$; eta squared=.09). Univariate analyses indicated that male participants reported the perpetrator in the scenario as more culpable ($M=.20, SD=.77$) than female participants ($M=-.05, SD=1.00$), ($F [1, 184]=4.56, p<.05$; eta squared=.02) and as more "immoral" ($M=.25, SD=.77$) than female participants ($M=-.11, SD=.98$), ($F [1, 184]=6.69, p<.01$; eta squared=.04). Univariate analyses also indicated that male participants were less likely to rate the perpetrator as mentally ill ($M=-.30, SD=.88$) than female participants ($M=.17, SD=1.02$), ($F [1, 184]=10.68, p<.001$; eta squared=.06), and were less concerned that the criminal justice system might treat defendants unfairly ($M=-.23, SD=.99$) than female participants ($M=.12, SD=.99$), ($F [1, 184]=7.92, p<.01$; eta squared=.04).

Table 1
Planned comparisons between male and female perpetrators

Dependent variable	Point difference	Significance	95% CI lower	95% CI upper
Perpetrator culpability	0.10	0.46	−0.17	0.37
Perpetrator morality	−0.03	0.86	−.31	0.26
Perpetrator guilt feelings	0.00	1.00	−0.30	0.30
Mental illness	−0.02	0.89	−0.30	0.26
Unfair justice system	0.22	0.13	−0.07	0.50

Note: 95% CI lower=95% Confidence Interval, Lower Bound; 95% CI upper=95% Confidence Interval, Upper Bound.

Results also indicated a significant interaction between child gender and the gender of the participant ($F [1, 184]=2.23, p<05$; eta squared=.06). Univariate analyses indicated that male participants were more likely to demonstrate concern that the criminal justice system would treat the perpetrator unfairly if the gender of the child victim was female ($M=-.07, SD=1.06$) than male ($M=-.41, SD=.89$), whereas female participants were more likely to demonstrate concern that the criminal justice system would treat the perpetrator unfairly if the gender of the child victim was male ($M=.26, SD=.97$) than female ($M=-.02, SD=.97$), ($F [1, 184]=5.92, p<05$; eta squared=.03). These results are presented in Fig. 1.

No effects were found for gender of the perpetrator or for social class.

Null results have traditionally been difficult to interpret. However several authors (Cohen, 1994; Loftus, 1996) have suggested methods for interpreting statistical outcomes in a more meaningful way than traditionally possible with null-hypothesis testing. These methods, specifically reporting confidence intervals around the mean difference and confidence intervals around the effect size of the difference allow for the interpretation of both positive and null findings. As such, our original hypothesis, that female perpetrator would be judged less negatively than male perpetrators, was examined using these methods. The first of these involves using planned comparisons to examine group differences, and to derive the confidence interval around the mean difference between the two groups. Table 1 presents the mean group differences for male and female perpetrators on the five factor scores, as well as the 95% confidence interval around the mean difference. As can be seen, all of these confidence intervals cross zero, an indication that there is “no effect.”

The second method is to examine the 95% confidence interval for the effect size (Cohen, 1994). Once again, if these values cross zero (negative values indicating a negative effect) this is an indication that no appreciable difference between the groups exists. Table 2 presents the effect sizes (denoted r) and 95% confidence interval for the effect sizes of the group difference between male and female perpetrators on the five factor scores. As can be seen, all of these cross zero, indicating that no difference exists between perceptions of male and female perpetrators. Thus, evidence exists in this study to “accept” the null-hypothesis.

3.3. Participant personality effects

Analyses of participant personality variables (aggression and socially desirable responding) did not indicate any significant main effects or interactions.

Table 2
Effect size and 95% confidence interval for differences between male and female perpetrators

Dependent variable	Effect size	95% CI lower	95% CI upper
Perpetrator culpability	0.05	−0.09	0.18
Perpetrator morality	0.01	−.12	0.14
Perpetrator guilt feelings	0.00	−0.13	0.13
Mental illness	0.01	−0.12	0.14
Unfair justice system	0.11	−0.02	0.24

Note: Effect sizes are denoted in r ; 95% CI lower=95% Confidence Interval, Lower Bound; 95% CI upper=95% Confidence Interval, Upper Bound.

4. Discussion

Rather surprisingly, results from this study did not confirm the primary research hypothesis, namely that potential jurors (college students in this study) would demonstrate gender bias favoring women in their judgments of criminal culpability and mental illness for perpetrators of filicide. Participants in this study found female perpetrators equally culpable to male perpetrators and were no more or less likely to believe their claims of mental illness. In this study, the null findings were evaluated using confidence intervals around mean differences and confidence intervals around the effect size of the difference (Cohen, 1994; Loftus, 1996) in order to demonstrate that the null result was “true.” Evidently although potential jurors do show gender bias favoring women in scenarios of domestic violence (Feather, 1996; Ferguson & Negy, 2004) and sexual abuse (Negy, Ferguson, & Orooji, 2005), this bias does not extend to the murder of children. This may be because the murder of children is regarded as so heinous that no ambiguity exists (as manifestly exists in cases of domestic violence and sexual contact between adults and children) as to whether this crime is understandable or mitigated under some circumstances. Thus, although people may hold the stereotype of women as nurturers, once women engage in filicide, this stereotype is not effective in shielding them from criminal prosecution, as opposed to cases of domestic violence or sexual abuse of children in which gender bias may be an effective shield. Given the attention that Andrea Yates’ mental health received from the media, it is interesting to note that women perpetrators in this study were no more likely to be excused due to mental illness than male perpetrators.

In the present study, male participants were harsher than female participants in their judgments of criminal defendants of both genders. This is consistent with existing literature (Ferguson & Negy, 2004; Negy et al., 2005). Males evidently make harsher jurors than females, although the effect sizes for this finding are generally modest.

The most surprising finding in the current study is the interaction between participant gender and child victim gender in regards to the perceived unfairness of the criminal justice system toward the adult perpetrator. Male participants were more concerned that the criminal justice system would treat the perpetrator/defendant more unfairly if the child victim were female, with female respondents indicating the exact opposite concern. This is a novel result and one that is perplexing to fully explain. It may be that participants of each gender value the opposite gender child more highly and expect that other potential jurors will share their bias. Thus, each participant assumes that the criminal justice system will react more harshly when the child victim is of the opposite gender. Perhaps this is due to greater bonding between fathers and daughters and mothers and sons. As such, perhaps respondents are “projecting” their own concern for damage done to opposite gender children and assume that the criminal justice system will also express increased concern (and thus harsh treatment). This possibility presents an interesting subject for further study on potential juror perceptions of filicide.

It should be noted that the present research was conducted with a college student sample. Generalizing the results of this study to populations beyond those of the sample characteristics should be undertaken with caution. Further research should examine the generalizability of these findings to other groups of potential jurors.

Similarly in regards to future research, it would be useful to examine whether the age of the child would have an effect. Notably, the age of the child was not varied in this study, but it may be that individuals greatly value infants of both genders, but that older children of one gender may be more highly valued than older children of the other gender. This also raises the avenue for cultural research. It might be expected that in countries in which female children are highly valued (such as “Western” countries including the United States and Europe) that few child gender effects would be noticed, or that perpetrators would be judged more harshly when the child victim is female. In countries in which the filicide of young girls remains a common concern (e.g. India, China, etc.) and female children are less valued, the opposite effect (i.e. higher ratings of culpability in scenarios in which a male child is killed) may be expected. It is also possible that more blame for the scenario may be attributed to the child (due to misbehavior) irregardless of gender for older children.

The findings reported in this manuscript examine the degree to which personal juror biases may affect criminal trials for filicide. Unlike domestic violence and sexual assault, in which potential jurors typically demonstrate gender and ethnic biases (most notably in which men are judged more harshly than women for committing the same crime), potential jurors appear relatively equal in their judgments of culpability for filicide. It is hoped that this paper will contribute to the literature on juror bias and help identify situations in which juror bias may or may not influence the outcome of a trial.

Appendix A

Scenario (Mother–Daughter, high income version): Mary is a 40-year-old woman, a single parent living in a high-income subdivision in the city. She has a 9-month old daughter Jennifer, who is colicky and cries often. Mary has reported to her doctor that she has been depressed since Jennifer came into her life, but the doctor does not seem to know how to help. One day Mary becomes violent toward Jennifer, who has made a mess, and hits Jennifer with her fist several times on the head. Jennifer stops breathing and dies after being taken to the hospital. Mary tells the police that she had been hearing voices saying that her daughter was doomed to suffer in hell unless Mary sacrificed her to God.

1) How guilty do you believe Mary feels about what happened to Jennifer?

Not at all 1 2 3 4 5 Very much so

2) How sad do you believe Mary feels about what happened to Jennifer?

Not at all 1 2 3 4 5 Very much so

3) To what extent do you feel that Mary is mentally ill?

Not at all 1 2 3 4 5 Very much so

4) If Mary were put on trial for murdering Jennifer and you were a juror, how likely would you be to convict her?

Not at all 1 2 3 4 5 Very much so

5) To what extent do you feel that Mary is a bad person?

Not at all 1 2 3 4 5 Very Serious

6) To what extent do you find Mary's actions to be understandable?

Not at all 1 2 3 4 5 Very Serious

7) To what extent do you believe that Mary's actions are criminal?

Not at all 1 2 3 4 5 Very much so

8) How responsible is the mental health system for what happened to Jennifer?

Not at all 1 2 3 4 5 Very much so

9) How unfairly do you suspect Mary will be treated by the criminal justice system?

Not at all 1 2 3 4 5 Very much so

10) How responsible is Mary for what happened with Jennifer?

Not at all 1 2 3 4 5 Very much so

Appendix A (continued)

11) How sympathetic do you feel toward Mary?

Not at all 1 2 3 4 5 **Very much so**

12) How sympathetic do you feel toward Jennifer?

Not at all 1 2 3 4 5 **Very much so**

13) Do you think Mary being a single parent is responsible for what happened with Jennifer?

Not at all 1 2 3 4 5 **Very much so**

14) Do you feel that Mary will be mistreated by the criminal justice system due to her gender?

Not at all 1 2 3 4 5 **Very much so**

15) Do you think that Mary believes that God commanded her to kill Jennifer?

Not at all 1 2 3 4 5 **Very much so**

16) Do you feel that Mary hated Jennifer?

Not at all 1 2 3 4 5 **Very much so**

17) How likely would Mary have been to kill Jennifer, had she been treated for depression by the mental health system?

Not at all 1 2 3 4 5 **Very much so**

18) To what extent do you believe Mary is an evil person?

Not at all 1 2 3 4 5 **Very much so**

19) Do you believe that Mary should be arrested for what happened with Jennifer?

Not at all 1 2 3 4 5 **Very much so**

20) Do you believe that Mary should spend time in jail for what happened with Jennifer?

Not at all 1 2 3 4 5 **Very much so**

21) Do you believe that Mary should be executed for what happened with Jennifer?

Not at all 1 2 3 4 5 **Very much so**

References

- Bourget, D., & Bradford, J. M. (1990). Homicidal parents. *Canadian Journal of Psychiatry*, 35, 233–238.
- Buss, A. H., & Warren, W. L. (2000). *Aggression Questionnaire Manual*. Los Angeles: Western Psychological Services.
- Campion, J., Gravens, J., & Coven, F. (1988). A study of filicidal men. *American Journal of Psychiatry*, 145, 11–41.
- Chandra, P., Vankatasubramanian, G., & Thomas, T. (2002). Infanticidal ideas and infanticidal behavior in Indian women with severe postpartum psychiatric disorders. *Journal of Nervous and Mental Disease*, 190, 457–461.

- Christoffel, K., & Liu, K. (1983). Homicide death rates of children in 23 developed countries: US rates atypically high. *Child Abuse & Neglect*, 7, 339–345.
- Cohen, J. (1994). The Earth is round ($p < .05$). *American Psychologist*, 49, 997–1003.
- Dobson, V., & Sales, B. D. (2000). The science of infanticide and mental illness. *Psychology, Public Policy, and Law*, 6, 1098–1112.
- D'Orban, P. T. (1979). Women who kill their children. *British Journal of Psychiatry*, 134, 560–571.
- Emery, J. (1993). Child abuse, sudden infant death syndrome and unexpected infant death. *Pediatric Legal Medicine*, 147, 1097–1100.
- Feather, N. T. (1996). Domestic violence, gender, and perceptions of justice. *Sex Roles*, 35, 507–519.
- Ferguson, C. J., & Negy, C. (2004). The influence of gender and ethnicity on judgments of culpability in a domestic violence scenario. *Violence and Victims*, 19, 203–220.
- Fernandez, P., Coverdale, J., & Brookbanks, W. (2002). Implications of autonomy for forensic consequences of extended suicide. *Psychiatry, Psychology and Law*, 9, 146–150.
- Goetting, A. (1995). *Homicide in families and other special populations*. New York, NY: Springer.
- Hathaway, S., & McKinley, J. (1989). *Manual for Administration and Scoring*. Minneapolis: University of Minnesota Press.
- Holmes, R., & Holmes, S. (2001). *Murder in America*. Thousand Oaks, CA: Sage.
- Lester, D. (1991). Murdering babies. *Social Psychiatry and Psychiatric Epidemiology*, 26, 83–85.
- Loftus, G. (1996). Psychology will be a much better science when we change the way we analyze data. *Current Directions in Psychological Science*, 5, 161–171.
- Lopez, S., Smith, A., Wolkenstein, B., & Charlin, V. (1993). Gender bias in clinical judgment: An assessment of the analog method's transparency and social desirability. *Sex Roles*, 28, 35–45.
- Lowenstein, L. (1997). Infanticide—A crime of desperation. *Criminologist*, 21, 81–92.
- Maynard, C., & Wiederman, C. (1997). Undergraduate students' perceptions of child sexual abuse: Effects of age, sex, and gender-role attitudes. *Child Abuse & Neglect*, 21, 833–844.
- McLaughlin, G. (1969). SMOG grading: A new readability formula. *Journal of Reading*, 12, 639–646.
- Mellott, R. N., Wagner, W. G., & Broussard, S. D. (1997). India vs. United States undergraduates' attitudes concerning child sexual abuse: The impact of survivor sex, survivor age, survivor response, respondent sex, and country of origin. *International Journal of Intercultural Relations*, 21, 305–318.
- Meszaros, K., & Fischer-Danzinger, D. (2000). Extended suicide attempt: Psychopathology, personality and risk factors. *Psychopathology*, 33, 5–10.
- Negy, C., Ferguson, C. J., & Orooji, B. (2005). Judgments about a sexual encounter between an adult and child: Does ambiguity influence how the encounter is perceived? Unpublished manuscript.
- Overpeck, M., Brenner, R., Trumble, A., Trifeletti, L., & Berendes, H. (1998). Risk factors for infant homicide in the United States. *New England Journal of Medicine*, 339, 1211–1216.
- Paulhus, D. (1991). Measurement and control of response bias. In J. Robinson, P. Shaver, & L. Wrightman (Eds.), *Measures of personality and social psychological attitudes* (Vol. 1), (pp. 17–60). San Diego, CA: Academic Press.
- Pearson, P. (1997). *When she was bad: How and why women get away with murder*. New York, NY: Penguin Books.
- Pitt, S. E., & Bale, E. M. (1995). Neonaticide, infanticide, and filicide: a review of the literature. *Bulletin of the American Academy of Psychiatry & the Law*, 23, 375–386.
- Poulin, B., Marleau, J., & Jolivet, J. (2006). Maternal filicide: Classifications and risk factors. *American Journal of Forensic Psychology*, 24, 57–71.
- Resnick, P. J. (1969). Child murder by parents: A psychiatric review of filicide. *American Journal of Psychiatry*, 126, 325–334.
- Resnick, P. J. (1970). Murder of the newborn: A psychiatric review of neonaticide. *American Journal of Psychiatry*, 126, 1414–1420.
- Resnick, P. J. (1972). In J. G. Howells (Ed.), *Infanticide, in modern perspectives in psycho-obstetrics* (pp. 410–431). Edinburgh: Oliver and Boyd.
- Rohde, A., Raic, D., Varchmin-Schultheiß, K., & Marneros, A. (1998). Infanticide: Sociobiographical background and motivational aspects. *Archives of Women's Mental Health*, 1, 125–130.
- Scott, P. (1973). Parents who kill their children. *Medicine, Science and the Law*, 13, 120–126.
- Stanton, J., & Simpson, A. (2002). Filicide: A review. *International Journal of Law and Psychiatry*, 25, 1–14.
- Susman, J. (1996). Postpartum depressive disorders. *Journal of Family Practice*, 43, S17–S24.
- US Department of Justice. (2001). *Homicides of children and youth*. Washington, DC: Office of Justice Programs. Retrieved, 10/4/05 from <http://www.ncjrs.gov/pdffiles1/ojdp/187239.pdf>
- US Department of Justice. (2004). *Homicides trends in the US: Infanticide*. Washington, DC: Office of Justice Programs. Retrieved, 10/4/05 from <http://www.ojp.usdoj.gov/bjs/homicide/children.htm>
- Williamson, L. (1993). Postpartum depression syndrome as a defense to criminal behavior. *Journal of Family Violence*, 8, 151–165.