Chapman University Digital Commons

Spring 2024

The Perception of Children as Reliable Eyewitnesses

Shelby McDonald
Chapman University, shmcdonald@chapman.edu

Recommended Citation

The Perception of Children as Reliable Eyewitnesses

Shelby E. McDonald

Chapman University

Abstract

Eyewitness accounts have been integral to the criminal justice system. However, given that not every criminal case has forensic evidence that is available or admissible, the reliance on eyewitness accounts conjures questions about believability. This is an important area of research because the over-belief of witnesses may lead to wrongful convictions, yet under-belief may leave the victim without justice. The current study investigated how child-witness age, race, role as a witness (bystander versus victim), and the gender of the juror influenced the perception of child eyewitnesses through the lens of the Witness Credibility Model. Participants were presented with the testimony of a child bystander or victim, who varied in age and race, and were asked to rate how believable they found the child to be. This study hypothesized that participants would find the younger children, the Black children, and the child bystanders as less believable than the older children, the White children, and the child victims. Additionally, female participants were predicted to believe the child eyewitness more than the male participants. Only the hypothesis about juror gender was supported. These results provide some evidence for the idea that the believability of a child eyewitness may partially depend on the person perceiving them, which calls forth the need to eliminate bias in the criminal justice system by enforcing diverse juries.

The Perception of Children as Reliable Eyewitnesses

Eyewitness accounts have been integral to the criminal justice system (Wells et al., 1979). However, given that not every criminal case has physical forensic evidence that is available or admissible, the reliance on eyewitness accounts conjures questions about believability. This is an important area of research because the over-belief of witnesses may lead to wrongful convictions, yet under-belief may leave the victim without justice. The Witness Credibility Model suggests that witness credibility is attributed to four components: confidence, likeability, knowledge, and trustworthiness (Brodsky et al., 2010). The current study investigated how child-witness age, race, role as a witness (bystander versus victim), and the gender of the juror influenced the perception of child eyewitnesses through the lens of the Witness Credibility Model.

Witness Credibility Model

Witness credibility is a significant area of study because the persuasiveness of an argument may be in part determined by how credible an audience finds the source. This suggests that in court the believability of a witness's testimony is influenced by how credible jurors perceive them to be. To this end, the Witness Credibility Model explains that witness credibility can be determined based on four factors: likeability, knowledge, confidence, and trustworthiness. These are important elements of research because trial results may be decided based on the credibility of an expert witness. Therefore, due to its significance, research has yielded a Witness Credibility Scale which includes those four elements of credibility mentioned above. Paired adjectives (e.g. trustworthy versus untrustworthy) were used to measure the characteristics of credibility (Brodsky et al., 2010). Furthermore, while the Witness Credibility Scale is used to measure expert

witness credibility, the confidence, trustworthiness, and likeability measures should give insight into perceptions of child eyewitnesses in the current study.

Furthermore, while the testimony itself should be the only content juries consider during an eyewitness testimony, juries are also in tune with an individual's non-verbal communication. This is significant because witness behavior in court may lead jurors to perceive eyewitnesses as believable or not. For instance, smiling is one behavior that is evaluated either consciously or not by jurors. The problem is that smiling in court can be due to fear, nervousness, embarrassment, and even to avoid looking unemotional. Despite the many reasons a witness may smile, smiling is considered a measure of likeability, which has been linked to trustworthiness. Research has found that smiling does in fact influence ratings of credibility, with gender differences also coming into play. For example, female witnesses who smiled during their testimony were rated as more likeable than their non-smiling counterparts. Smiling female witnesses were also perceived as more likeable than the male witnesses who smiled, but not more than the male witnesses who did not smile. This research suggests that congruency to gender role norms may also influence perceived credibility, but also demonstrates the importance of a witness's facial expressions during testimony (Nagle et al., 2014).

Similarly, other behavioral elements that may influence whether a testimony is effective or not have been studied. For example, one study investigated whether expert witness likeability was linked to perception of credibility and sentencing. Researchers created high and low likeability conditions by manipulating certain behaviors, with smiling, eye contact, low arrogance responses, and references to groups ("we") being more present in the high likeability conditions. They found that likeability was positively

correlated with witness credibility, but not sentencing. Further, likeability correlated with

trustworthiness, but not confidence or knowledge. These findings suggest that being

seen as likeable also creates feelings of trust, which can impact perceived credibility.

(Brodsky et al., 2009).

Additionally, other than behavioral indications, the confidence of a witness plays

an important role in credibility. Eyewitness confidence has been highly relied upon to

assess whether eyewitness identifications are accurate or not. Similarly, jurors tend to

look out for inconsistencies in expert testimony when determining a witness's accuracy.

Therefore, one study considered how testimonial consistency and eyewitness

confidence interact with one another. By manipulating the confidence of the witness

(e.g. minor hesitations) and the consistency of the testimony (e.g. contradictions), the

researchers found that witness confidence strongly persuaded the decisions of the

mock-jurors despite the testimony being consistent or inconsistent. This research thus

provides evidence for the role of confidence in witness credibility (Brewer & Burke,

2002).

Child Eyewitness Age

Because concern has developed over child eyewitnesses' competence and

credibility, age is a common variable considered since it is connected to a person's

cognitive abilities. Therefore, when a child witness is not perceived as credible due to

their age, then the evidence they may bring to a trial could be discounted. Research has

shown that in general judicial officers find children under seven to be unreliable as

eyewitnesses. Similarly, participants generally perceived witnesses between the ages of

12 and 13 to be more competent as they assumed they had a greater ability to provide accurate evidence (Cashmore & Bussey, 1996).

Furthermore, research conducted by Goodman et al. (1987) provides a foundational understanding of the perception of child witnesses. They noted that just like adults, children may be called upon to testify about all manners of crime from murder and sexual assault to car-pedestrian accidents. In some cases, the child's testimony may be the key piece of evidence that the entire trial rests upon. The perception of child witnesses is thus an important area of study because they may be more likely to display traits that are correlated to lower witness credibility (e.g. lack of confidence). To examine this, the study was conducted with three separate experiments to understand the impact that age has on perceived witness credibility. In the first experiment, participants read a description of a car-pedestrian accident and rated witness credibility and defendant guilt. The age of the witness was listed as either six, 10, or 30 years old. The results found that the participants rated older witnesses as more credible, though this did not influence attributions of guilt. In the second experiment, the researchers adjusted the type of crime to murder and found the same results as in the first experiment. Finally, the last experiment investigated whether the results of the first two experiments could be seen in a videotaped mock trial. Again, the results showed that the older witnesses were seen as more believable, with the six-year-old witness rated the least credible (Goodman et al., 1987).

In addition, age has been shown to be influential among other positions in the courtroom, despite fair trials relying on jurors to remove extra-legal variables from impacting their decision-making. For example, defendant age is a variable that may

unconsciously or consciously come into play during judgments. One study examined the effects of defendant age (25, 45, or 65 years old) and gender during an intimate partner homicide trial, in which the shooting was accidental. They found that the 25-year-old defendant was more likely than the 65-year-old defendant to be found guilty. In fact, the youngest defendant was seen as more responsible for the crime and less credible than the older defendant. One possible explanation for this is that older adults are perceived to be less competent, therefore making it more likely that the shooting was an accident. This study provides additional support for the idea that a person's age can affect their perceived credibility in the eyes of the jury (Ruva et al., 2023).

Finally, while there is varying degree of beliefs in child eyewitnesses, another important issue surrounding child testimonies is juries' abilities to discern the truth in general. If jury members cannot tell an accurate testimony from an inaccurate testimony, then children's accuracy is only one problem at play. Researchers investigated jurors' ability to determine accurate and inaccurate testimonies and compared four-year-old, nine-year-old, and adult witnesses. The results showed that when accurate older witnesses were paired with inaccurate younger witnesses, the adults were seen as more credible, accurate, reliable, and honest, as well as less suggestible than the child witnesses. However, in the groups where the youngest witness was providing accurate information, witness accuracy, honesty, reliability, and credibility discriminations were at chance level. This implied that jurors may be incapable of or unwilling to believe younger children over older children and adults (Newcombe & Bransgrove, 2007).

Given the previous research on this topic, the current study sought to add to the existing research and provide additional support for the belief that older eyewitnesses will be believed more than younger child eyewitnesses. However, while most studies presented the oldest eyewitness at around 12 or 13 years old, the current study listed 10 years old as the highest age to determine the perceptions surrounding younger ages.

Hypothesis 1: Older child eyewitnesses will be believed more than younger child eyewitnesses.

Child Eyewitness Race

Racial bias is a reoccurring problem in the criminal justice system and may lead jurors to unconsciously factor in race in their decision-making. This can lead to harsher sentencing for defendants in the racial minority and influence how jurors perceive an eyewitness. Research has found that in a testimony where a White witness spoke in favor of the defense, jurors viewed the defendant more positively. While the race of the eyewitness did not affect jurors' rating of the witnesses' credibility, this was predicted to be due to how race was made salient and therefore the jurors were more aware of potential for prejudice (Saulnier et al., 2020).

In addition, past research has revealed that names and avatars are two methods used to measure racial perceptions. One study elaborated on these ideas by manipulating images and video to determine perceptions of credibility. Through AI, researchers can now subtly change skin tone, hair type, eye color, and facial features. During the study, the researchers used deepfakes to subtly change the original speaker's features (a darker-skinned South Asian man) to appear more White. The

results suggested that in the image conditions, while there was some difference in credibility ratings (in which the White person was seen as more truthful), there was no statistically significant difference. However, in the video condition, 73% of the participants found the altered video with a White speaker more credible, whereas only 61% thought the South Asian speaker was truthful in the original video. These results suggest that race does impact credibility ratings (Haut et al., 2021).

However, while there is limited research surrounding the effect of the race of an eyewitness, much research exists to demonstrate the influence of a defendant's race. For example, Black defendants have disproportionately experienced prejudice and injustice from White juries and judges. While Black and White individuals are considered equal now (at least statutorily), racial attitudes perpetuated by societal norms still impact White jurors' judgments. In one study, mock jurors read a trial about an interracial battery case. The participants either read a summary with a White defendant and Black victim or a summary with a Black defendant and White victim, where race was made salient or non-salient. The researchers found that the mock jurors were more likely to display racial prejudice when the cases were not racially salient. They were significantly more likely to convict the Black defendant (90%) compared to the White defendant (70%) in this condition. This supports the idea that when race is salient, White jurors actively want to appear nonprejudiced and provides support for the effect race has in the courtroom (Sommers & Ellsworth, 2001).

Similarly, while impartial juries are an important component of the criminal justice system, previous research surrounding juries reveals that juries will be biased simply because they are human. Even though jury members may not consciously express bias,

their life experiences affect their assessment of the trial. For instance, in-group bias

occurs when there are similar characteristics between the defendant and juror that

influences the juror to regard the alleged perpetrator more favorably. On the other hand,

out-group bias is the opposite, in which the juror and defendant do not share

characteristics, leading to an unfavorable perception of the defendant. With this in mind,

one study predicted that Black defendants would be more likely to be convicted by juries

with more White jurors and also in juries with more Hispanic jurors than in juries with

mostly Black members. The results supported these hypotheses (Bradbury & Williams,

2012).

Finally, the current study sought to expand on this existing body of racial

research by examining if race impacts child eyewitness credibility ratings. Previous

research largely focused on a defendant's race, with few exploring how witness

perceptions might be influenced. Additionally, the previous research focused on adults,

whereas the current study investigated children's credibility ratings. Therefore, the

current study wanted to fill in the gap in the research by examining whether the race of

a child impacted their credibility.

Hypothesis 2: White child witnesses will be believed more than Black child witnesses.

Juror Gender

While there might be characteristics of a witness that could impact credibility

ratings, the characteristics of the individual examining the witness can also be

influential. For instance, juror gender is another important factor when determining the

perceived credibility of child victims. Previous research has found that women are more

likely to see sexual assault victims as more credible than men. Further, women are

more likely to believe allegations of sexual assault made by children when compared with their male counterparts. This research also found that the child victim was more likely to be believed by the female participants in the sexual assault and robbery cases and that the women were more likely to convict in general (McCauley & Parker, 2001).

One study similarly supported the idea that women may find child victims more credible. These researchers investigated the perceived credibility of a child victim. In their second experiment, the researchers supplied the participants with a sexual assault trial, in which a male teacher was accused of molesting a student. The student was described as either six, 10, or 14 years old. Results revealed that women, compared to men, perceived the children as more credible and they believed the defendant to be guilty more frequently. In an additional experiment, the researchers presented a videotaped child testimony to see whether the gender differences seen in the second experiment would generalize to a more realistic scenario. Again, the female participants viewed the children as more credible than the male participants in relation to truthfulness and suggestibility (Bottoms & Goodman, 1994).

Another study added to this body of research by investigating the effects and interactions of victim gender and defendant gender and age, where participants read a mock trial transcript about a sexual abuse case. The research found that the female mock jurors in the study not only found the victim more credible than the male mock jurors, but they also saw the defendant as more responsible for the crime and rated them higher in guilt. In contrast, the men perceived the victim as more responsible for the crime and found the defendant to be more credible than the women. Some explanations for this difference can be attributed to previous findings that women are

more empathetic toward child victims of sexual abuse and perceive it as more harmful psychologically than men (Pozzulo et al., 2010).

Furthermore, another study expanded on previous research by differing the gender of the victim and perpetrator in various versions of the scenario, and then investigating this in relation to the gender of the mock juror. This study presented a questionnaire that described a scenario in which a victim is sexually assaulted by a neighbor. The results supported previous research, in that male participants found the perpetrator less responsible, the victim less credible, and the assault less severe than the female participants. In particular, male respondents perceived the assault of a fifteen-year-old male victim by a female offender to be less serious while also viewing the victim as blame-worthy and not credible (Rogers & Davies, 2007).

The current research added to the previous body of research surrounding juror gender. However, given that much of the previous research emphasized the believability of child victims, specifically in a sexual assault scenario, the current research wanted to expand on the variable of juror gender in a case involving theft under the threat of injury.

Hypothesis 3: Female participants will be more likely than male participants to view the child eyewitness as believable.

Child Victim Versus Child Bystander

The role of the child as a witness can potentially impact if they are perceived as believable or not. Research has found that child testimony is strongly considered in cases when they are alleged victims of sexual assault because their responses are necessary evidence and there is the idea that children are unable to lie about sexual

abuse claims due to their naivete on the subject. There could also be the additional

component of empathy that jurors feel for these child victims. On the other hand, child

bystanders may be approached with an air of doubt (Bottoms, 1993).

      In one study, the researchers sought to understand child bystanders through the

idea that if jurors perceive children to be unreliable memory sources, then in cases in

which the trial depends heavily on eyewitness evidence, jurors should be more likely to

see the defendant as guilty with an adult eyewitness. To investigate this, researchers in

their second study had the participants read a narrative story of a robbery-murder case.

The sole eyewitness to the crime was the six- or 10-year-old grandson of the victim or

the 30-year-old son of the victim. In the strong case condition, there was additional

incriminating evidence other than the eyewitness. In the ambiguous case, this additional

evidence was weaker. After reading the narrative, participants rated the defendant's

guilt, their certainty of their judgment, the strength of the evidence in the case, and the

credibility of the eyewitness (Leippe & Romanczyk, 1989).

      The results found that the guilty verdicts increased along with the strength of the

case, and although there was no main effect, there were more guilty verdicts in the

conditions with a 30-year-old witness than the six or 10-year-old conditions. Further, the

30-year-old eyewitness had the highest credibility ratings, with the six-year-old

eyewitness seen as the least credible out of the three conditions. Overall, guilt

judgments were correlated with eyewitness credibility in that fewer guilty ratings were

presented in the child eyewitness conditions despite a strong case (Leippe &

Romanczyk, 1989).

However, a large body of research shows that children may be seen as particularly credible when they are the victims in a sexual assault case, as compared to bystanders in other cases. In one study, the participants read a scenario of an alleged sexual assault case, which described a female student (six, 14, or 22 years old) who was forced to give oral sex to her teacher. The participants rated the defendant's guilt, the confidence of their rating, and the credibility of the witness. The results showed that age did affect credibility ratings, such that the six-year-old was deemed more credible than the twenty-two-year-old. Thus, the defendant was determined to be most credible (and less guilty) when paired with the oldest witness. This is important because it demonstrates that when the child is a victim, in this case of sexual assault, they may be seen as more believable (Goodman et al.,1989).

Another study also discovered that perceptions of child sexual abuse victims were influenced by age. They simulated a trial by showing mock jurors a videotaped victim who was shown as either five, nine, or 13 years old through three different actresses, though they all read the same script. The results revealed that in the condition with the nine-year-old, more guilty verdicts were given than in the 13-year-old condition. However, more guilty verdicts were reached in the five-year-old conditions compared to the oldest victim condition, but not more than the nine-year-old condition. In general, these results suggest that younger children are seen as more believable when they are allegedly victims of sexual assault (Penrod et al., 1989).

Because much of the research surrounding child eyewitnesses involves them being victims, the current research sought to fill in the gap of research by presenting

scenarios where the witness is a bystander or a victim to examine the differences in

believability ratings.

Hypothesis 4: Participants will be more likely to believe a child witness when they are

the victim of a crime rather than a bystander.

Method

Participants

73 undergraduate students from Chapman University were randomly selected from

the undergraduate psychology participant pool to participate in this study. Other

participants were recruited from the California State University Dominguez Hills'

(CSUDH) study postings website. There were 20 males (27.4%), 50 females (68.5%),

two non-binary participants (2.7%) and one participant who preferred not to describe

their gender (1.4%). The mean age was 20.7 (SD = 3.4) years with a range of 18 – 46

years. The race/ethnic breakdown was as follows:

- 2 (2.7%) self-identified as American Indian or Alaskan Native.

- 21 (28.8%) self-identified as Asian/Pacific Islander.

- 3 (4.1%) self-identified as Black or African American.

- 16 (21.9%) self-identified as Hispanic.

- 37 (50.7%) self-identified as White.

- 2 (2.7%) preferred not to describe their race/ethnicity.

- 1 (1.4%) self-identified as Latina/Latino/Latinx/Latine.

Measures

This study used the Witness Credibility Scale (WCS) to measure witness

credibility in the sample. The WCS was created by Brodsky et al. (2010), where higher

scores indicate greater witness credibility. The highest possible score is 200. The
survey included a 20-item semantic-differential scale which takes around 5-10 minutes
to complete. The construct reliability was found to be .95 and the scale has construct
and divergent validity (Brodsky et al., 2010). The survey used a 10-point Likert-type
scale. Examples of adjectives in the semantic-differential scale include:

- Untrustworthy vs. Trustworthy

- Undependable vs. Dependable

- Dishonest vs. Honest

Responses to the statements range from, for example, 1= "Untrustworthy" to 10=
"Trustworthy." This remains the same for each pair of adjectives.
The complete scale is located in Appendix A.

The following question was created to target the believability of the
eyewitnesses:

- How believable would you rate the eyewitness to be?

The question took the form of a Likert scale, with responses ranging from 1= "Not very
believable" to 6= "Very believable."

Two scenarios were provided to the participants. Scenario 1 listed the child as a
bystander that witnessed a man's backpack being stolen under threat of injury. Scenario
2 described the child as a victim of theft under threat of injury (Hardy, 2022). The girl
was described as Black or White and six or 10 years old, with her gender being held
constant. The defendant's characteristics remained the same in all of the conditions.
Scenario 1 is located in Appendix B and Scenario 2 is located in Appendix C.

Procedure

The survey was published on Chapman University's SONA system for undergraduate psychology students. Participants were able to view the descriptions of multiple studies on SONA and decide which studies, if any, they wanted to participate in. The goal of the study was to examine which factors might influence the believability of child eyewitnesses. Participants received 0.25 SONA credits for completing the study. Additionally, participants were also recruited from the CSUDH study postings website. The study aimed to target Chapman University and CSUDH students, aged 18 years or older, who had the ability to read and write English.

The online survey began with informing and obtaining the participants' consent to continue taking the survey. The survey was conducted anonymously to protect the participants' confidentiality. Once consent was indicated, the participant was randomly assigned to one of eight conditions through Qualtrics, in which they read a scenario describing an eyewitness testimony. Following the testimony, the participant responded to the Witness Credibility Scale and the additional question created for the current study to target the believability of the eyewitnesses. Lastly, the survey presented questions collecting demographic information on the participants.

Individuals took the survey on their own time in a location of their choosing without the supervision or guidance of any researcher or in any laboratory setting. Participants were informed that at any point while completing the survey, they could stop and choose not to complete the survey without any penalty. Once the participants completed the survey, they were thanked for their participation in the study and given the researchers' contact information to use if they had any questions about the study later. The participants were then returned to the SONA system.

Results

Hypothesis 1 stated that older child eyewitnesses will be believed more than younger child eyewitnesses. A t-test was run to examine the differences between the six-year-old eyewitness and the 10-year-old eyewitness on a measure of believability. The possible range on the believability measure was 20 to 200, with higher scores indicating higher levels of believability. The mean on the believability measure for the 10-year-old group was 142.8 (SD = 28.8), whereas the six-year-old group scores averaged 140.5 on the believability measure (SD = 29.6). There was not a statistically significant difference between the 10-year-old and six-year-old group in terms of score on the believability measure ($t(71)$ = -.3, p = .371). Thus, hypothesis 1 was not supported.

Hypothesis 2 stated that White child witnesses will be believed more than Black child witnesses. A t-test was run to examine the differences between the White and Black child eyewitnesses on a measure of believability. The possible range on the believability measure was 20 to 200, with higher scores indicating higher levels of believability. The mean on the believability measure for the White child witness group was 137.6 (SD = 30.4), whereas the Black child witness group scores averaged 145.5 on the believability measure (SD = 27.5). There was not a statistically significant difference between the White and Black child eyewitness groups in terms of score on the believability measure ($t(71)$ = -1.2, p = .125). Thus, hypothesis 2 was not supported.

Hypothesis 3 stated that female participants will be more likely than male participants to view the child eyewitness as believable. A t-test was run to examine the differences between the female and male participants on a measure of believability. The

possible range on the believability measure was 20 to 200, with higher scores indicating

higher levels of believability. The mean on the believability measure for the female

participant group was 143.7 (SD = 30), whereas the male participant group scores

averaged 135.4 on the believability measure (SD = 27.7). There was not a statistically

significant difference between the female and male participant group in terms of score

on the believability measure (t(68) = -1.1, p = .143). Thus, hypothesis 3 was not

supported.

Hypothesis 4 stated participants will be more likely to believe a child witness

when they are the victim of a crime rather than a bystander. A t-test was run to examine

the differences between the child victims and child bystanders on a measure of

believability. The possible range on the believability measure was 20 to 200, with higher

scores indicating higher levels of believability. The mean on the believability measure

for the child bystander group was 138.2 (SD = 29), whereas the child victim group

scores averaged 145.6 on the believability measure (SD = 29). There was not a

statistically significant difference between the child bystander and child victim group in

terms of score on the believability measure (t(71) = -1.1, p = .139). Thus, hypothesis 4

was not supported.

Post-hoc Hypothesis

An additional question separate from the Witness Credibility Scale was used to

determine the participant's believability of the child eyewitnesses. The question asked:

how believable would you rate the eyewitness to be? Scores range from one to six, with

higher scores indicating a higher degree of believability. Therefore, hypothesis 5

predicted that female participants will be more likely than male participants to believe

the child eyewitness, as measured by the additional question. The mean on the believability measure for the female participant group was 3.3 (SD = 1.17), whereas the male participant group score averaged 3.76 on the believability measure (SD = .92). There was a statistically significant difference between the female and male participant groups in terms of score on the believability measure (t(68) = -1.7, p = .043). Thus, hypothesis 5 was supported.

Discussion

Hypotheses 1 through 4 were not supported by the data found in the current study. Therefore, the results found that, using the Witness Credibility Scale, older child eyewitnesses were not believed more than younger child eyewitnesses, White children were not believed more than Black children, female participants did not believe child eyewitnesses more than male participants, and child victims were not believed more than child bystanders. However, for hypotheses 1, 3, and 4, the means between the groups were moving in the predicted directions. This might suggest that with more participants in the study statistical significance could be found, which would indicate support for the hypotheses. Finally, the current study's post-hoc hypothesis did find statistically significant results through an additional question created for the purpose of this study, which means that hypothesis 5 was supported. This thus provides support for the idea that women find child eyewitnesses more believable than men.

Study Implications

Most of the research surrounding eyewitness age found that older witnesses were perceived as more credible than younger witnesses (Cashmore & Bussey, 1996; Goodman et al., 1987; Newcombe & Bransgrove, 2007). For instance, Goodman et al.

(1987) found that their oldest eyewitness (30 years old) was considered as more believable than their youngest eyewitness (six years old). The current study did not find a difference in believability between the oldest (10 years old) and youngest (six years old) child eyewitness. One explanation for this difference is that Goodman et al.'s (1987) oldest eyewitness was an adult, while the current study's was still considered to be a child. This is a similar difference in the study done by Ruva et al. (2023), who were comparing credibility ratings between a 25, 45, or 65-year-old defendant. Therefore, the differences in believability between an adult eyewitness and a child eyewitness may be more significant. However, in Experiment 2 of their study, the researchers did find that there was no difference in credibility between the 10-year-old and six-year-old eyewitnesses, though their means ran in the predicted direction (Goodman et al., 1987). The current study found the same results. One reason for this is that it is possible that the age gap between six and 10-years-old is not large enough for people to think there is a difference in the children's ability to provide accurate testimony. Future research should continue to investigate differences in believability between younger children to investigate this line of reasoning.

Furthermore, the current study found different results than the existing literature in terms of believability and race. The literature surrounding this topic revealed that racial bias came into play when determining credibility, though most of the research was done on defendants rather than eyewitnesses (Bradbury & Williams, 2012; Sommers & Ellsworth, 2001). One study did find credibility differences between a South Asian speaker and the White version of the speaker created through AI, although only one condition was significant (Haut et al., 2021). In contrast, the current study did not find

racial bias when it came to child eyewitnesses. One explanation for this result could be that race was too salient within the mock testimonies. Although the results were not significant, they indicate that on average the Black child eyewitness was rated as more believable. Therefore, it is possible that the participants understood that race was a variable the researchers were investigating and chose their responses in a way to appear less prejudiced. This is similar Sauliner at al.'s (2020) findings, in which the race of the eyewitness did not impact credibility ratings, but because race was salient, it was predicted that the jurors were aware of their prejudice. Thus, future studies should continue investigating racial bias when it comes to child eyewitnesses with non-salient and salient race conditions to determine if race impacts eyewitness believability.

In addition to race and age, the current study investigated the effect of juror gender on the believability of a child eyewitness. While the current study did not find a difference between male and female participants' believability rating using the Witness Credibility Scale, it did find a difference with the additional question added for the purposes of this study. This is consistent with the current literature on the topic, which suggests that women are more likely than men to find the child credible and the defendant guilty (Bottoms & Goodman, 1994; McCauley & Parker, 2001; Pozzulo et al., 2010; Rogers & Davies, 2007). Aside from the study done by McCauley and Parker (2001), the literature primarily involved the child as a victim of sexual assault (Bottoms & Goodman, 1994; Pozzulo et al., 2010; Rogers & Davies, 2007). The current study thus adds to the existing research by providing some support for the idea that women find child eyewitnesses more believable than men in theft cases. Future research should

investigate if the difference is consistent among other types of cases beyond theft and

sexual assault.

Finally, the current study investigated the difference in believability ratings

between child victims and child bystanders. Most of the current research on this topic

depicted the child as a victim of sexual assault and found that young children had high

credibility ratings (Goodman et al.,1989; Penrod et al., 1989). One explanation for this is

that people believe that children have no reason to lie about sexual abuse because they

are more naïve on the subject (Bottoms, 1993). In a study done with a robbery-murder

case, different than what most of the research found, the six and 10-year-old bystander

were rated as lest credible than the 30-year-old bystander (Leippe & Romanczyk,

1989). The current study found no difference in believability ratings between the child

bystander and victim. One explanation for this is that it was not a sexual assault case,

which may show a difference in believability since people find child sexual assault

victims as particularly credible. Further, the current study described the victim or

bystander as six or 10-years-old, while other studies included older eyewitnesses.

Therefore, future research should continue to investigate child victims and bystanders

and its interaction with age with a larger participant pool.

Study Limitations

There were some limitations in the current study that need to be addressed.

Primarily, the number of participants decreased the likelihood of finding significant

results. Considering many of the means found in the current study ran in the predicted

directions, it is possible that a larger participant pool could find results that would

support the hypotheses. Another important limitation was the homogenous student

population, which consisted of mainly White individuals and psychology majors. This restricts the ability to generalize these results to a wider population. Additionally, the current study was conducted over a limited time frame, which shortened the window in which to collect data. This is one reason the number of participants was low. Finally, another limitation could be the level of detail in the scenarios provided to the participants. It is possible that no significant differences were found between the groups because there was not enough detail about the crime in the scenario to make an accurate estimation to believability. Future research should attempt to replicate this study with a more detailed eyewitness testimony.

Conclusion

In conclusion, there were no significant differences in believability between the six and 10-year-old child eyewitness, the White and Black child eyewitness, or the child victim and child bystander. The study did find a significant difference between the female and male participants in that women tended to find the child eyewitness as more believable, though this difference was only significant for the additional question created for the current study. This finding is important because it provides support for the idea that the believability of child eyewitnesses could depend on the person perceiving them, thereby producing evidence for the need for diverse juries.

References

Bottoms, B. L. (1993). Individual differences in perceptions of child sexual assault

victims. In G. S. Goodman & B. L. Bottoms (Eds.), *Child victims, child witnesses:*

Understanding and improving testimony (pp. 229–261). The Guilford Press.

Bottoms, B. L., & Goodman, G. S. (1994). Perceptions of children's credibility in sexual

assault cases. *Journal of Applied Social Psychology, 24*(8), 702-732.

https://doi.org/10.1111/j.1559-1816.1994.tb00608.x

Bradbury, M. D., & Williams, M. R. (2012). Diversity and citizen participation: The effect

of race on juror decision making. *Administration and Society, 45*(5), 1-20.

https://doi.org/10.1177/0095399712459729

Brewer, N., & Burke, A. (2002). Effects of testimonial inconsistencies and eyewitness

confidence on mock-juror judgments. *Law and Human Behavior, 26*(3), 353-364.

https://doi.org/10.1023/A:1015380522722

Brodsky, S. L., Neal, T. M. S., Cramer, R. J., & Ziemke, M. H. (2009). Credibility in the

courtroom: How likeable should an expert witness be? *Journal of the American*

Academy of Psychiatry and the Law, 37, 525-532. Retrieved from

https://www.researchgate.net/publication/40696364_Credibility_in_the_Courtroo

m_How_Likeable_Should_an_Expert_Witness_Be.

Brodsky, S. L., Griffin, M. P., & Cramer, R. J. (2010). The witness credibility scale: An

outcome measure for expert witness research. *Behavioral Sciences and the Law,*

28(6), 892-907. https://doi.org/10.1002/bsl.917

Cashmore, J., & Bussey, K. (1996). Judicial perceptions of child witness competence.

      Law and Human Behavior, 20(3), 313-334.

      https://psycnet.apa.org/doi/10.1007/BF01499026

Goodman, G. S., Golding, J. M., Helgeson, V. S., Haith, M. M., & Michelli, J. (1987).

      When a child takes the stand: Jurors' perceptions of children's eyewitness

      testimony. *Law and Human Behavior, 11*(1), 27-40.

      https://psycnet.apa.org/doi/10.1007/BF01044837

Goodman, G. S., Bottoms, B. L., Herscovici, B. B., & Shaver, P. R. (1989).

      Determinants of the child victim's perceived credibility. In S. J. Ceci, D. F. Ross,

      & M. P. Toglia (Eds.), *Perspectives on the Child Witness* (1). Retrieved from

      https://www.researchgate.net/publication/289680218_Determinants_of_the_Child

      _Victim's_Perceived_Credibility

Hardy, S. (2022). *Impact of eyewitness gender on juror perceptions of credibility*

      (Publication No. 4340). [Master's Thesis, University of North Dakota). Retrieved

      from https://commons.und.edu/cgi/viewcontent.cgi?article=5341&context=theses

Haut, K., Wohn, C., Antony, V., Goldfarb, A., Welsh, M., Sumanthiran, D., Jang, J., Ali,

      M. R., & Hoque, E. (2021). Could you become more credible by being White?

      Assessing impact of race on credibility with deepfakes. *ResearchGate*, 1-10.

      https://doi.org/10.48550/arXiv.2102.08054

Leippe, M. R., & Romanczyk, A. (1989). Reactions to child (versus adult) eyewitnesses:

      The influence of jurors' preconceptions and witness behavior. *Law and Human*

      Behavior, 13(2), 103-132. https://psycnet.apa.org/doi/10.1007/BF01055919

McCauley, M. R., & Parker, J. F. (2001). When will a child be believed? The impact of

the victim's age and juror's gender on children's credibility and verdict in a

sexual-abuse case. *Child Abuse and Neglect, 25*(4), 523-539.

https://doi.org/10.1016/S0145-2134(01)00224-1

Nagle, J. E., Brodsky, S. L., & Weeter, K. (2014). Gender, smiling, and witness

credibility in actual trials. *Behavioral Sciences and the Law, 32*(2), 195-206.

https://doi.org/10.1002/bsl.2112

Newcombe, P. A., & Bransgrove, J. (2007). Perceptions of witness credibility: Variations

across age. *Journal of Applied Developmental Psychology, 28*(4), 318-331.

https://psycnet.apa.org/doi/10.1016/j.appdev.2007.04.003

Penrod, S., Bull, M. A., & Lengnick, S. (1989). Children as observers and witnesses:

The empirical data. *Family Law Quarterly, 23*(3), 411-431. Retrieved from

https://www.jstor.org/stable/25739817

Pozzulo, J. D., Dempsey, J., Maeder, E., & Allen, L. (2010). The effects of victim

gender, defendant gender, and defendant age on juror decision making. *Criminal

Justice and Behavior, 37*(1), 47-63. https://doi.org/10.1177/0093854809344173

Rogers, P., & Davies, M. (2007). Perceptions of victims and perpetrators in a depicted

child sexual abuse case: Gender and age factors. *Journal of Interpersonal

Violence, 22*(5), 566-584. https://doi.org/10.1177/0886260506298827

Ruva, C. L., Smith, K. D., & Sykes, E. C. (2023). Gender, generations, and guilt:

Defendant gender and age affect jurors' decisions and perception in an intimate

partner homicide trial. *Journal of Interpersonal Violence*, *38(23-24),* 1-24.

https://doi.org/10.1177/08862605231191227

Saulnier, A., Burker, K. C., & Bottoms, B. L. (2020). The effects of body-worn camera

    footage and eyewitness race on jurors' perceptions of police use of force.

    Behavioral Sciences and the Law, 37(6), 732-750.

    https://doi.org/10.1002/bsl.2443

Sommers, S. R., & Ellsworth, P. C. (2001). White juror bias: An investigation of

    prejudice against Black defendants in the American courtroom. *Psychology,*

    Public Policy, and Law, 7(1), 201-229. https://psycnet.apa.org/doi/10.1037/1076-

    8971.7.1.201

Wells, G. L., Lindsay, R. C. L., & Ferguson, T. J. (1979). Accuracy, confidence, and

    juror perceptions in eyewitness identification. *Journal of Applied Psychology,*

    64(4), 440-448. https://psycnet.apa.org/doi/10.1037/0021-9010.64.4.440

Appendix A

Witness Credibility Scale: https://onlinelibrary.wiley.com/doi/abs/10.1002/bsl.917

Appendix B

<u>**Scenario 1**</u>

Defendant: Jonathan Smith, 6'2", 197 lbs., White male, 32 years old, accountant

Victim: Christopher Anderson, 6'0", 180 lbs., White male, 28 years old, store manager

Witness: Mia Jones, (3'6"/4'5"), (55/88) lbs., (White/Black) female, (6/10 years old), student

Judge: Ladies and gentlemen of the jury: the defendant, Jonathan Smith, in this case has been charged with class B felony theft. The prosecution claims that Mr. Smith stole the victim, Christopher Anderson's, backpack, containing his laptop as well as his ID and credit cards, under threat of injury. Mr. Smith denies he was the perpetrator of this crime.

Mia (Witness): I was doing my test when I heard some noise outside. I looked out the window and saw that man trying to take someone's backpack. The man who was being robbed tried to keep the guy robbing him from getting his backpack, but it looked like he had a knife, so he let go. Then he ran off. He was running in the direction of my school, so I got a good look at his face. After he ran off, I told my teacher what happened but stayed inside because I was scared to leave.

A bunch of people made sure the guy who was attacked was okay. I don't think he looked hurt, just scared. The police got there after that.

Appendix C

<u>**Scenario 2**</u>

Defendant: Jonathan Smith, 6'2", 197 lbs., White male, 32 years old, accountant

Victim: Mia Jones, (3'6"/4'5"), (55/88) lbs., (White/Black) female, (6/10 years old), student

Judge: Ladies and gentlemen of the jury: the defendant, Jonathan Smith, in this case has been charged with class B felony theft. The prosecution claims that Mr. Smith stole the victim, Mia Jones', backpack, containing her school laptop and books, under threat of injury. Mr. Smith denies he was the perpetrator of this crime.

Mia (Victim): I was about to walk home when I heard a noise behind me. I turned around and saw a man running up to me. He grabbed the strap of my backpack and was trying to yank it off my shoulder. I was holding onto it really hard, but then he pulled out a knife, so I let go. Then he ran off. He was right in front of me, so I got a good look at his face. After he ran off, I told my teacher what happened but stayed inside because I was scared to leave.

A bunch of people made sure I was okay. I wasn't hurt, just scared. The police got there after that.