Racism Predicts White Individuals' Tolerance for Wrongful Conviction

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A Dissertation Presented to the Graduate Faculty
of the University of Virginia in Candidacy for the Degree of
Doctor of Philosophy

Department of Psychology

University of Virginia
July, 2022

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Abstract

Previous research indicates that wrongful convictions disproportionately affect Black people. In this dissertation, I investigate whether racism and the desire for hierarchy motivate White individuals' level of acceptance of wrongful convictions. I tested the following four predictions: Hypothesis 1: White individuals with higher levels of racism will be more tolerant of wrongful convictions in society than those with lower levels of racism. Hypothesis 2: White participants will be more tolerant of wrongful convictions when they primarily affect Black people vs. White people. Hypothesis 3: White participants—especially those with higher levels of racism—will be more tolerant of wrongful convictions when they primarily affect Black people vs. White people. Hypothesis 4: White participants will be more tolerant of wrongful convictions, especially under group status threat; that is, conditions under which the racial hierarchy and White people's position in it are challenged. Results across Studies 1–4 find that level of racism is predictive of White individuals' level of acceptance for wrongful convictions in society. The results of Study 4 found partial support for hypothesis 3; participants who had higher levels of racism had greater tolerance for wrongful convictions than individuals with lower levels of racism, and the difference between participants with higher vs. lower levels of racism was greater when they were told that wrongful convictions disproportionately affect Black people as compared to affect anyone. The results were consistent with hypothesis 3 but not hypothesis 2, indicating that more nuanced hypotheses which take into account level of racism are important. The group threat manipulation in Study 5, which investigated hypothesis 4, was not strong enough to produce an effect; an updated manipulation will be used in future studies to investigate this relationship further. In sum, the present work offers some initial evidence that White people—especially those higher in racism—are tolerant of wrongful conviction in racially motivated ways.

Racism Predicts White Individuals' Tolerance for Wrongful Conviction

Every year, tens of thousands of people in the United States are imprisoned for crimes they did not commit (Gross et al., 2014; Loeffler et al., 2019). Several thousand individual cases of wrongful convictions have been discovered and overturned, including nearly 200 death row cases (Death Penalty Information Center, last checked 2021; Innocence Project, last checked 2021; National Registry of Exonerations, last checked 2021). As forensic science has advanced and researchers have analyzed data from exonerations, a number of factors, including unreliable eyewitness identifications and forced confessions brought on by inadequate investigative techniques, have been found to contribute to wrongful convictions. Furthermore, data from exoneration cases has revealed that Black people are disproportionately likely to be wrongfully convicted as compared to White people (Innocence Project, last checked 2021; National Registry of Exonerations, last checked 2021).

In this dissertation, I consider how racial disparities in wrongful convictions are situated within a broader system of imprisonment and, importantly, a racist system. I then consider how wrongful convictions and racial disparities in wrongful convictions reinforce this racist system. I test, empirically, whether racist motives drive individuals' tolerance for wrongful conviction. This focus on wrongful conviction is especially noteworthy because most, if not all, people agree that wrongful convictions are bad in theory. Tolerance for wrongful convictions in practice, then, reveals the ways racism motivates individuals to uphold unjust systems.

Racial Disparities in the Carceral System

The problem of wrongful conviction is situated within the broader system of imprisonment, which, in the United States, is characterized by a specific history and a particular carceral system. In the North, private security forces were often converted into publicly-funded

police departments, working to secure property for wealthy merchants and control the Indigenous American population and the working class (Brodeur et al., 2021; Kappeler, 2014; Potter, 2013). In the South, police departments grew out of slave patrols and functioned to ensure wealthy, White social norms were enforced and their markets secured (Dempsey & Forst, 2013; Kappeler, 2014). Historically and currently, trivial violations can lead to incarceration, particularly for those who are not wealthy and White. This carceral system has led to an approach that has become known as a system of "mass incarceration" due to the sheer number of people incarcerated. There are more people incarcerated in the United States than in any other country in the world (World Prison Brief, last checked 2022).

However, this carceral system that imprisons vast numbers of people does not equally affect every person living in the United States. For example, although 1 in 9 men will be incarcerated in their lifetime, for White men, that number is 1 in 17, while for Black men, it is 1 in 3; one in 111 White women will be incarcerated in their lifetime, compared to 1 in 18 Black women (Bonczar, 2003). Moreover, as a reflection of American society more broadly, numerous aspects of the current carceral system are highlighted by racial disparities. Police disproportionately target Black people in stop-and-frisk stops and traffic stops; in 2019, 59% of stop-and-frisk stops in New York City were of Black individuals even though Black individuals made up less than 25% of the population (NYCLU, 2019; US Census, 2021). Notably, most of these stops did not result in the finding of contraband or illegal items. Police found weapons in less than 7% of stops, and the vast majority of found weapons were not guns. Furthermore, the stops of Black people were less likely to result in police finding a weapon than the stops of White people. Although the total number of stops in New York City has decreased drastically since 2003, the proportion of Black people stopped has increased during this time period, and

thousands of individuals who are committing no crime continue to be stopped by police every year.

In the United States, police encounters can end in death. Nationally, police are over three times more likely to kill a Black person than a White person (Mapping Police Violence, last checked 2022). Ross (2015) found that crime rates do not account for the disparity in police shootings of unarmed Black compared to White individuals. Moreover, racial disparities extend beyond who is stopped and arrested or shot and also affect sentencing length. The United States Sentencing Commission has repeatedly found that Black men receive longer sentences than White men for committing the same crimes (2012, 2017). This disparity holds even after accounting for many sentencing factors, such as a previous history of violent crime. Considering that racial disparities in the American criminal legal system are widespread, it is not surprising that there are racial disparities in wrongful convictions.

Racial Disparities in Wrongful Convictions

Any prison system is bound to incarcerate some percentage of individuals who did not commit the crimes for which they are accused, and the total number of those wrongfully imprisoned[1] is exacerbated by a judicial system that incarcerates over a million people every year (Kang-Brown et al., 2021). This belies our nation's ideals of equality, justice, and freedom for all. The true rate of wrongful convictions is unknown. The most commonly accepted estimated rates for wrongful imprisonment are between 2–10% of the convicted population (e.g., Gross et al., 2014; Loeffler et al., 2019). Based on these rates, roughly 42,300 to 211,500 people were

[1] Though there are numerous types of wrongful convictions and wrongful imprisonment, for the purpose of this current work, these terms refer to a person who is found guilty of a crime for which they did not commit.

wrongfully imprisoned in 2019 alone. These numbers do not include people who are held in jail before being found guilty or not guilty of a crime.

These rates are largely based on felony exonerations, which are the types of cases in which exoneration is sometimes possible. Because it typically takes years to overturn a wrongful conviction (Badami, 2016), it is unlikely that those convicted of lesser offenses would have the time and money to fight a wrongful conviction in court. Moreover, exoneration cases often rely on specific types of evidence that are unlikely to be available for the majority of wrongful convictions (e.g., DNA evidence that was gathered and preserved but not analyzed). Because only certain types of cases are exonerated, and estimated rates of wrongful convictions are often extrapolated from these data, actual rates of wrongful convictions are unknown.

Black people are disproportionally likely to be wrongfully convicted as compared to White people. For example, half of all people exonerated since 1989 are Black (National Registry of Exoneration Cases, last checked 2021), and nearly half of exonerees who were on death row are Black (Death Penalty Information Center, last checked 2021). The high rate of Black people who are wrongfully convicted likely reflects the disparities in imprisonment more broadly; in America, roughly 40% of imprisoned people are Black (Federal Bureau of Prisons, 2021).

In many circumstances, it is beneficial for the wrongfully accused to admit to the crime. The large majority of convictions in the United States— between 90–95%— are resolved through plea bargaining and do not go to trial (Devers, 2011). Researchers have argued against the idea that innocent individuals will choose to go to trial above taking a plea bargain and have shown that innocent individuals do accept plea bargains, which necessarily requires that they admit guilt in return for a reduced sentence (Beenstock et al., 2021). The more experienced an

attorney is, the more likely they are to say that they have advised a client who they believed was innocent to accept a plea bargain (Helm et al., 2018). Moreover, once convicted, there is additional pressure for a person to admit to the crime because they stand little chance of having parole granted without admitting guilt. When considering criteria for parole, a person insisting that they are innocent is held against them (Robbins, 2021).

Though exoneration cases garner media attention, they could lead to the belief that, after great suffering, justice ultimately prevails. This is not the case for the majority of wrongfully convicted individuals. Most wrongfully convicted people are never exonerated and, beyond the time spent incarcerated, often suffer long-lasting consequences of their "criminal" status. For those who are exonerated, the stigma of being a prisoner does not disappear. While some people may not think of the wrongfully convicted as a traditionally stigmatized group, research has shown that exonerated individuals continue to face discrimination even after their innocence is proven. For example, exonerated individuals, similarly to individuals with previous criminal records, are likely to experience housing discrimination (Kukucka, 2021).

The intersectionality between the stigma of being incarcerated and the oppression that Black people face leads to racial disparities in how individuals view exonerated people. Previous work has investigated differences in perceptions of exonerated individuals based on their race. Participants read about a case where a Black vs. White individual falsely confessed to a crime they did not commit and were exonerated after spending ten years in prison (Howard, 2019). Participants viewed Black exonerees as more aggressive than White exonerees and believed that Black vs. White exonerees were less deserving of government assistance such as job training, psychological counseling, and subsidized housing.

Racist Attitudes Justify and Uphold Racist Hierarchies

The effects of racism in the United States can be investigated through both system-level measures and individual-level experiments; individual biases create, maintain, and amplify oppressive systems. Researchers have examined the effects of racism on individuals' judgments about relevant factors in the judicial system, such as perceptions of culpability. Individuals in the United States view Black people as less innocent and more culpable than White individuals (e.g., Goff et al., 2014). In one study, participants rated how innocent Black or White men and children are in general by completing a questionnaire that asked how innocent they seemed and how much of "a danger" they were, among other questions (Goff et al., 2014, p. 529). Participants rated Black men as less innocent than White men—and Black children as less innocent than White children— even when there was no indication of any wrongdoing. Furthermore, previous research has also shown that individuals perceive Black men as more formidable than equally-sized White men (Wilson et al., 2017). The racist stereotype that Black men are "a danger" is so prevalent in the United States that the early attentional processes of White individuals are biased towards Black compared to White faces (Trawalter et al., 2008). This attentional bias was found when the eye gaze of the stimuli was direct but not when eye gaze was averted, indicating that this bias is a response to perceived threat.

When charged with a crime, Black compared to White men (and children) are perceived as more culpable (Goff et al., 2014). Researchers told participants that Black children or men, as compared to White and Latino children or men, were arrested and charged with various misdemeanor and felony crimes. Notably, researchers did not indicate to participants that the accused were found guilty of committing the crime, only that they had been arrested and charged with the crime. Participants provided culpability ratings by answering four questions such as

"How responsible is he for his own actions?" and "How likely is he to persist in these negative behaviors?" Results indicated that individuals perceive Black children and men as more culpable than White and Latino children and men—and Latino children and men as more culpable than White children and men— when they were accused of committing a crime. Even with no evidence of guilt, individuals view Black and Latine people as more culpable than White people.

These biases against Black people have drastic consequences both on an individual level and when considering the cumulative effects that lead to Black people being incarcerated at disproportionate rates. Individuals with higher levels of racism are more likely to make decisions that uphold disparities. Previous work has explored the link between racist ideologies and judgments about public policy. For example, higher rates of racism are correlated with opposition to affirmative action (e.g., Brandt & Reyna, 2012; Sidanius et al., 1996), and racism predicts opinions on immigration policy, including opposition to legal immigration (e.g., Berg, 2013). Furthermore, previous work has shown that racism affects individuals' perceptions of injustice. For example, research has shown that racial prejudice affects perceptions of police shootings (Cooley, Lei, et al., 2019). Participants read information about a police officer who shot and killed a Black man in a simulated court case. Individuals with higher as compared to lower levels of explicit racial prejudice found the police officer to be less responsible for the man's death and were less likely to say that they would find the police officer guilty.

Racial disparities in the American penal system and wrongful convictions not only reflect a racist hierarchy but promote it. The social hierarchy in the United States is largely based on race, and the effects of this racial hierarchy are widespread (Roberts & Rizzo, 2021). Notably, those motivated to uphold the hierarchy use prisons to reinforce the system. That is, they support the penal system to maintain and amplify disparities and maintain and solidify the hierarchy

(King & Wheelock, 2007; Ousey & Unnever, 2012; Pickett, 2016). For example, individuals who feel that Black people pose an economic threat display a desire for increased punitive measures such as more-strict courts and longer sentences (King & Wheelock, 2007). Similarly, a nationally representative sample of the US population found that people who feel that Latinos are a political or economic threat are more supportive of expanding police powers (Pickett, 2016). Overall, individuals in the United States—and around the world (Ousey & Unnever, 2012)—understand that penal systems can be used to enforce a racist social hierarchy and express a desire to use them for this purpose.

Despite glaring disparities, individuals are motivated to believe that the social systems they are a part of are justified (e.g., Jost & Banaji, 1994; Jost et al., 2004; Jost & Hunyady, 2003). And, advantaged individuals often justify the social systems in which they live to a greater extent than disadvantaged individuals (Brandt, 2013; Caricati, 2017). In general, advantaged individuals are more motivated to justify social systems than disadvantaged individuals because they have more to gain from justifying inequalities that protect their own social status (Roberts & Rizzo, 2021). Individuals in high-status groups, as compared to those in low-status groups, are less likely to want to change inequalities and are motivated to oppress those in low-status groups as a way of maintaining their place in the social hierarchy (Roberts & Rizzo, 2021; Verkuyten & Yogeeswaran, 2017). One piece of evidence that individuals in high-status groups are motivated to maintain their status is that they are more likely to perceive outgroups as threatening as compared to those in low-status groups (e.g., Roberts & Rizzo, 2021).

The Current Dissertation: Racism, Motivation to Uphold Racist Hierarchies, and Tolerance for Wrongful Convictions

In the current dissertation, I consider how individuals wish to balance public safety and individual freedom in US society. I ask, does White people's tolerance of wrongful convictions reflect racist motives? Considering the extensive effects of racism within the carceral system, the place of wrongful convictions within the larger penal system, and data from exoneration cases that suggest Black people are more likely to be wrongfully convicted than White people, it follows that racist ideologies could affect the public's tolerance for wrongful convictions. Previous work shows that individuals with higher levels of racial resentment believe in longer and harsher sentences (e.g., Brown & Socia, 2016; King & Wheelock, 2007; Unnever & Cullen, 2010). The current work on tolerance for wrongful imprisonment will go beyond previous work on punitiveness and build on this literature to look specifically at how individuals with high levels of racism are willing to wrongfully convict individuals to accomplish their goal of maintaining the current social order. In other words, I make the following prediction:

Hypothesis 1: White people in the US with higher levels of racism will be more tolerant of wrongful convictions than those with lower racism scores.

I, thus, propose that those most motivated to justify the status quo will be more tolerant of wrongful convictions. More specifically, I propose that White people in the US who are more racist will be most willing to condone and even support a system that wrongfully convicts Black people at disproportionate rates. In Studies 1–3, I examine whether racism predicts tolerance of wrongful convictions. Next, in Study 4, I investigate whether tolerance for wrongful convictions is racially motivated; that is, I test whether the fact that Black (not White) people are disproportionately likely to be wrongfully convicted leads to tolerance for wrongful convictions

among White people and White people with higher levels of racism more specifically. Finally, in Study 5, I test whether group status threat causes increased tolerance for wrongful convictions. I make the following predictions:

Hypothesis 2: White participants will be more tolerant of wrongful convictions when they primarily affect Black vs. White individuals.

Hypothesis 3: White participants—especially those with higher levels of racism—will be more tolerant of wrongful convictions when they primarily affect Black people vs. White people.

Hypothesis 4: White participants will be more tolerant of wrongful convictions, especially under group status threat; that is, conditions under which the racial hierarchy and White people's position in it are challenged.

Hypothesis 5: There will be an interaction between level of racism and group status threat such that individuals with high levels of racism who are in the racial group status threat condition will display the most tolerance for wrongful conviction.[2]

I look at tolerance for wrongful convictions— and, specifically, this narrowly-defined type of wrongful conviction— in this current work for one primary reason: to emphasize the extent that some people will go to maintain unjust systems and investigate their motives for doing so, as well as to accentuate the function of prisons in society as hierarchy-maintaining structures. There are many facets of injustice that could be studied regarding prison and policing. In many ways, tolerance for wrongful conviction provides the least sensitive and most clear measure of tolerance for injustice within the carceral system. Imprisoning a person for a crime they did not commit represents what many would consider the least defensible action in an array of racist and classist policies regarding imprisonment. People who agree to be tolerant of

[2] This current dissertation focuses on hypotheses 1-4. Hypothesis 5 will be investigated in future work due to feasibility constraints.

wrongful convictions are likely looking the other way at the whole process of injustice in its entirety. The purpose of focusing on the specific type of wrongful imprisonment that I do in this dissertation is not to draw a distinction based on "deservingness" concerning who should be imprisoned; this work should not be taken to imply that those convicted for crimes they did not commit are the only people who are wrongfully imprisoned.

Across studies, I recruit White participants to test these predictions because I aim to inform policy that lessens the impact of interpersonal and institutional racism on Black Americans. The American Psychological Association defines interpersonal racism as "when individuals from socially and politically dominant racial groups behave in ways that diminish and harm people who belong to other racial groups" (American Psychological Association, 2021; Yearby et al., 2020). Because this work focuses on racism, I limit participation to those from the group with the largest population and that are a part of the "socially and politically dominant racial group" in the United States, which is White individuals (Roberts & Rizzo, 2021; U.S. Census Bureau, 2021).

Measuring tolerance for wrongful convictions is complex. Nearly everyone would acknowledge that wrongful convictions are not fair to wrongfully imprisoned individuals, and many individuals agree that wrongfully convicting an innocent person is a greater error than letting a guilty person go free (Smith et al., 2021; Zalman et al., 2012). But, these statements alone do not provide an accurate representation of individuals' tolerance for wrongful convictions in society. Previous work has documented that it is best to measure individuals' opinions on the issue of wrongful imprisonment in tandem with their views on imprisoning the guilty (McClure, 2015; see General Social Surveys data, Smith et al., 2021). And, when Garrett and Mitchell (2022) asked over 10,000 participants across multiple national surveys about their

views on wrongful conviction in a way that provided them the opportunity to rate false acquittals and false convictions equally, they found that a majority of Americans weigh wrongful convictions and false acquittals equally. Tolerance for false convictions should thus be viewed within the balance of the perceived need for imprisonment at large. This is what I do in the current dissertation. This current dissertation investigates whether racism affects individuals' tolerance for convicting people of crimes for which they are innocent.

Study 1 (pretest)

Prisons create and bolster a racist hierarchy in society. I thus predict that those most invested in the hierarchy (i.e., in white supremacy, as measured by their level of racism) are likely to support the carceral system to a larger extent than those with lower levels of racism, even if doing so means imprisoning people for crimes they did not commit. Study 1 begins to test this prediction by assessing whether there is a link between White individuals' level of racism and their tolerance for wrongful convictions in society. Though nearly no one would openly say that they want people to be imprisoned for crimes they did not commit, in reality, tolerance for wrongful convictions taps into support for the penal system in general. Tolerance for wrongful convictions in society is not rooted in the thought that wrongful convictions are just but that they can be justified as a necessary element of the current carceral system and social hierarchy.

After answering a question about tolerance for wrongful convictions, participants completed a symbolic racism questionnaire. The Symbolic Racism 2000 Scale is a well-validated measure of racism that is widely used in psychology literature (Henry & Sears, 2002). Symbolic racism refers to racism that is highlighted by the belief that racial discrimination towards Black people no longer exists and, therefore, Black people are responsible for their own oppression (Henry & Sears, 2002; Sears et al., 1997). This scale does not ask about any specific political

policies, nor does it ask questions about government involvement, such as about affirmative action, which were criticisms of older racism measures. It asks questions related to the oppression of Black people in society. The scale can be viewed in Appendix A.

I predict that White participants in the US with higher levels of racism as measured on the symbolic racism scale will be more tolerant of wrongful convictions than those with lower scores on the symbolic racism scale (i.e., hypothesis 1).

Method

Participants

I recruited individuals who were over the age of 18, lived in the United States, spoke English as their first language, and identified as White or Caucasian to partake in this study via Prolific. I excluded participants from analyses if they did not meet these criteria, had a repeat IP address (indicating that the same participant could have taken the survey multiple times), or did not answer all of the questions. A total of 458 individuals participated in this study and, after exclusions, data from 451 participants (aged 19–85, M_{age} = 38; sex: 247 female, 195 male, 9 these labels didn't apply or preferred to not answer**)** were analyzed.

Procedure

Participants in Study 1 were told that people in society need to decide what level they want criteria to be at in order to find a balance between maximizing rightful convictions and minimizing wrongful convictions. They were provided with a slider scale and instructed to decide where they would want this balance to be if they got to choose. Participants in this study were told that stricter criteria for arrests and sentencing would lead to less wrongful imprisonment but would also make it harder to convict the guilty, whereas more lenient criteria would make it easier to convict the guilty but would lead to an increase in the imprisonment of

innocent individuals. Therefore, the link between wrongful conviction and the broader penal system was explicit.

Previous work suggests that in order to gain a better understanding of individual preferences regarding the rates of wrongful convictions in society, wrongful imprisonment must not be asked about in isolation, independent from the goals of the judicial system more broadly, but within the balance of individuals' desires to incarcerate the guilty (Garrett & Mitchell, 2022; McClure, 2015;)[3]. Individuals in Study 1 answered the question of how they would balance "rightful" vs. "wrongful" convictions by moving a provided slider bar with the axes labeled from "less wrongful and rightful convictions" to "more wrongful and rightful convictions" to their desired position.

This study was created on Qualtrics. Over the course of several pages, participants read the information highlighted below:

- When someone is convicted of a crime, they are either rightfully or wrongfully convicted, meaning they are actually guilty or actually innocent. Participants were later reminded of these definitions for rightful vs. wrongful convictions.
- Stricter criteria for arrests or sentencing would lead to a decrease in people wrongfully convicted, but it would be harder to put guilty people in prison. More

[3] Notably, there are many instances in which measures to decrease wrongful convictions would not make it more difficult to find or convict the guilty, such as by insisting on double-blind procedures during fingerprint analyses (Dror et al., 2005; Dror & Bucht, 2012). Although it is not always the case that policy that reduces wrongful convictions also decreases rightful convictions, it is sometimes. For example, sequential versus simultaneous lineups are more diagnostic of guilt because individuals are less likely to choose an innocent person from a sequential lineup, but they are also less likely to recognize a guilty person (see Steblay et al., 2011, for a meta-analysis). Highlighting the "balance" between "rightful" and "wrongful" convictions may have helped participants feel that it was socially acceptable to admit their tolerance for wrongful conviction.

lenient criteria for arrests or sentencing would make it easier to put guilty people in prison, but it would increase the rate of wrongful convictions.

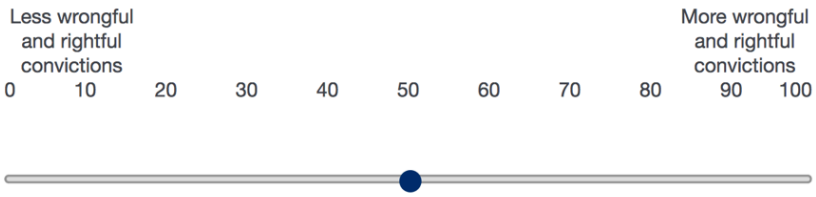
- People in society need to decide at what level they want these sentencing criteria to be in order to maximize rightful convictions and minimize wrongful convictions.

The participants then read the following information about the tolerance slider depicted in Figure 1:

Imagine a slider bar (pictured below) so that as you move it to the left, the number of wrongful convictions approaches zero, but the number of guilty people on the street increases. As you move it to the right, the number of guilty people who are convicted increases, but so do wrongful convictions.

Figure 1

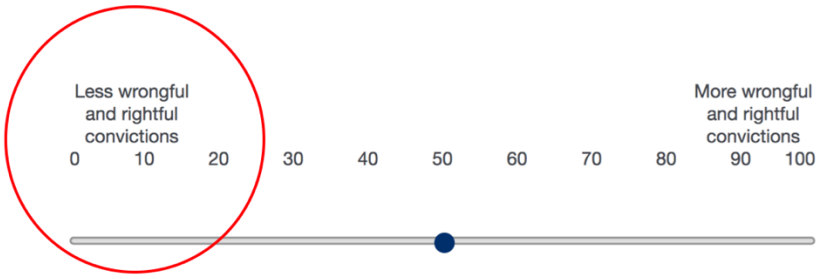
Tolerance Slider Used by Participants in Study 1



If the slider bar is moved to 0, it means that there are no wrongful convictions (no innocent people go to prison), and there are no rightful convictions (all guilty people remain free). (See Figure 2).

Figure 2

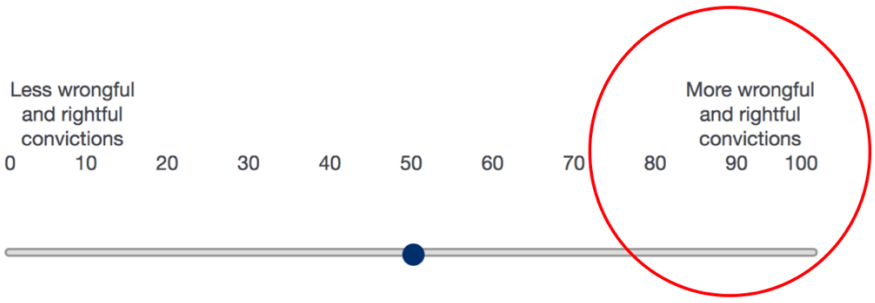
Tolerance Slider Explanation Seen by Participants in Study 1



If the slider bar is moved to 100, it means that there are many wrongful convictions (every innocent person accused of a crime is found guilty), and there are many rightful convictions (all guilty people go to prison). (See Figure 3).

Figure 3

Tolerance Slider Explanation Seen by Participants in Study 1



Participants were asked, "If you got to decide where these criteria would be, where would you put the slider bar?" and instructed to move the slider bar and record their answer.

After completing the tolerance for wrongful conviction portion of the survey, participants were told, "Next, you will see a survey with questions. For each question, select the answer that

you most agree with," and they then completed the Symbolic Racism 2000 Scale (Henry & Sears, 2002) before filling out demographic information. The demographic questionnaire included a question about political affiliation on a 5-point scale ranging from definitely more democrat to definitely more republican.

Results

To test whether tolerance for wrongful convictions is related to racism, I analyzed symbolic racism and tolerance of wrongful conviction as measured on a tolerance slider. The mean slider bar position on the scale, which ranged from 0–100, was 42.82 (SD = 23.49), and the mean score on the symbolic racism measure was 15.33 (minimum possible score is 8, maximum is 31; SD = 6.05). As expected, symbolic racism and tolerance for wrongful convictions was significantly correlated, $r = .30$, $p < .0001$, such that higher scores on the racist ideology measure predicted greater tolerance for wrongful convictions. An effect size of $r = .30$ represents a moderate effect. This relationship remained significant after controlling for political affiliation, $r = .18$, $p < .0001$. The mean slider bar position for people who scored above the mean on the symbolic racism measure was 50.66 (SD = 25.19), compared to 36.12 (SD = 19.63) for individuals who scored the mean or lower on symbolic racism. Figures depicting the frequency of participant responses about tolerance for wrongful conviction in each study can be viewed in Appendix B.

Discussion

The results of Study 1 are in line with hypothesis 1. White participants in the US who had higher symbolic racism scores were more tolerant of wrongful conviction than those with lower scores on the symbolic racism scale. This finding is in line with previous work that showed that individuals with racist ideologies—specifically, individuals who feel that Black people pose a

threat to white supremacy— call for increased social control via more punitive measures within the penal system (King & Wheelock, 2007). The results from this study suggest that individuals with higher levels of racism are willing to excuse or even condone wrongful convictions to a greater extent than those with lower levels of racism. When considering how to balance public safety and individual freedom in US society, racist, hierarchy-endorsing motives must be taken out of the equation if we ever hope to achieve any notion of justice as a society.

A limitation of this study is that the tolerance slider may have been nonintuitive to participants. Specifically, what an answer of the midpoint indicates is confusing, particularly given the numbers 0–100. The numbers 0–100 should be removed, and the midpoint should be labeled.

Study 2 (pretest)

Study 2 is a replication of Study 1 with the key difference of an updated scale for the wrongful conviction question. The wrongful conviction slider scale was modified to include a label for the midpoint, remove the numbers 0–100, and change the wording of the endpoints from “less” and “more” wrongful/rightful convictions to “much less” and “much more.”

Study 2 establishes the center of the scale as “where we are now.” Study 2 clarifies to participants what the center of the scale represents and tests whether the results found in Study 1 were robust to this change. The two primary reasons for these changes were to add conceptual clarity to the meaning of the scale and to address concerns that participants may view the midpoint as either inherently fair or as a non-answer. In Study 2, I explicitly stated to participants what an answer of the midpoint indicates.

I tested the same hypothesis for Study 2 as I did for Study 1. Hypothesis 1: White individuals in the US with higher levels of racism will be more tolerant of wrongful convictions than those with lower levels of racism.

Method

Participants

Participants were Prolific users over the age of 18, living in the United States, who spoke English as their first language and identified as White/Caucasian. I excluded participants from analyses if they did not meet these criteria, did not answer all of the questions, or had a repeat IP address (indicating the same participant may have taken the survey twice). A total of 454 individuals participated in this study and, after exclusions, data from 448 participants (aged 19–83, M_{age} = 39; sex: 163 male, 277 female, 8 these labels didn't apply or preferred to not answer) were analyzed.

Procedure

Study 2 was a replication of Study 1. The materials were identical to Study 1 with the key change of the updated scale for the wrongful conviction question. In Study 2, participants did not see numbers appear on the screen as they moved the slider bar. Answers were recorded in numbers 1–7 with two decimal places; these values were not visible to the participants. The center of the scale was labeled "where we are now," and the endpoints were labeled "much [more/less] wrongful and rightful convictions." The instructions were updated to reflect the more general "much more/less" instead of describing the endpoints as "every innocent person accused of a crime is found guilty" and "all guilty people go to prison." As in Study 1, participants read information about wrongful convictions, completed the wrongful conviction slider question, and then completed the symbolic racism measure before filling out demographic information.

Results

To test whether racist attitudes are related to tolerance for wrongful convictions, I analyzed symbolic racism and tolerance of wrongful convictions as measured on an updated tolerance slider. The mean slider bar position on the 7-point scale was 3.14 (SD = 1.20), and the mean score on the symbolic racism measure was 14.00 (minimum possible score is 8, maximum is 31; SD = 5.49). As predicted, symbolic racism and tolerance for wrongful convictions was significantly correlated, $r = .32$, $p < .001$; after controlling for political affiliation: $r = .10$, $p = .034$. Higher scores on the racism measure were associated with greater tolerance for wrongful convictions. The results from Study 1 were replicated. The mean slider bar position for people who scored above the mean on the symbolic racism measure was 3.53 (SD = 1.25), compared to M = 2.83 (SD = 1.06) for individuals who scored the mean or lower on symbolic racism.

Discussion

White individuals with higher levels of racism displayed greater tolerance for wrongful convictions as compared to individuals with lower levels of racism. These findings are consistent with hypothesis 1. The finding from Study 1 was replicated with a modified slider scale.

There are several limitations to this study, particularly that additional potential covariates were not assessed. One question left unanswered is whether the tolerance slider is related to other measures of tolerance for wrongful conviction that researchers have used, such as asking participants whether they are more concerned with false acquittals or wrongful convictions. Because the tolerance slider may be confusing to some participants, an additional measure of wrongful conviction could be included. Furthermore, participants' assumptions about base rate information should be collected to check whether individuals who have different ideas about the impact of wrongful convictions have different tolerance ratios. For example, some individuals

may be more tolerant of a 5% wrongful conviction rate because they believe the overall number of people incarcerated is lower vs. higher.

Moreover, including additional measures of racial bias and preference for structural inequality could further assess the relationship between racism and tolerance for wrongful conviction, specifically by assessing hierarchy maintenance motives compared to general biased feelings towards Black people. That is, to distinguish between racism, which inherently includes structural components and actions that diminish or harm, and bigotry, i.e., negative feelings about an outgroup (American Psychological Association, 2021). Additionally, fear of crime should be considered. Many people may attribute fear of crime as a primary reason for tolerance of wrongful conviction. Some individuals may claim to be more tolerant of wrongful conviction because they are afraid of becoming a victim of crime. And, because the stereotype that Black people are threatening is common in the United States (e.g., Trawalter et al., 2008; Wilson et al., 2017), fear of crime could compound the relationship between racism and tolerance for wrongful conviction. Separating and examining racism from fear of crime could uncover the motives of White participants. Study 3 addresses these limitations.

Study 3

Study 3 is a replication and extension of Studies 1 and 2. The purpose of Study 3 is to refine the conceptual variables and their operationalizations, address potential confounds, and further consider the role of individual difference variables. In this study, participants completed the same task and measures as in Study 2, along with multiple new measures. Participants completed two additional measures of tolerance for wrongful conviction, a race feeling thermometer, a measure of motivation to appear nonprejudiced, a measure of social dominance orientation (SDO), and a fear of crime scale. I additionally measured participants' perceived base

rates of both wrongful conviction and imprisonment more broadly along with a question about imprisonment more broadly.

I expect racism to predict tolerance for wrongful convictions. Specifically, I expect that individuals are motivated to maintain the current social hierarchy. I included the symbolic racism measure specifically because it is a measure that assesses racism in terms of discrimination towards Black people, as opposed to an implicit measure of racism, because I view this motivational aspect as being crucial. In Study 3, I added measures to assess the motivation of preference for inequality further. Participants in Study 3 completed the social dominance orientation scale, which is a measure of preference for hierarchy and inequality in society. I expect individuals who want to maintain hierarchy in society—which, in the USA, is a social hierarchy based largely on race— to be more tolerant of wrongful convictions. I additionally included a race feeling thermometer, which asked participants to rate their general feelings towards Black people. Assessing these two measures allows for a better understanding of which facets of racism might be related to tolerance for wrongful conviction. That is, it provides a way to further investigate hierarchy maintenance motives as compared to more general bigotry or negative attitude towards Black people. I expect individuals who are motivated to maintain white supremacy in the United States to be more tolerant of wrongful conviction.

I tested the same hypothesis for Study 3 as I did for Studies 1 and 2, which is that White people in the US with higher levels of racism will be more tolerant of wrongful convictions than those who have lower levels of racism.

Method

Participants

Participants over the age of 18, living in the United States, who spoke English as their first language and identified as White/Caucasian were recruited via Prolific. I excluded participants from analyses if they did not meet these criteria, as indicated on their demographic questionnaire, did not answer all of the study questions, or had a repeat IP address (indicating the same participant may have taken the survey twice). A total of 469 individuals participated in this study and, after exclusions, data from 461 participants (aged 19–93, M_{age} = 38; sex: 192 male, 261 female, 8 these labels didn't apply or preferred to not answer) were analyzed.

Procedure

Study 3 was a replication of Study 2. The materials were identical to Study 2, with the key difference of participants completing various added measures. The new measures included two ways of assessing tolerance for wrongful conviction in addition to the previous slider question. Participants were asked which error, wrongful convictions or false acquittals, they believed caused more harm to society and answered with one of five choices which were "Convicting an innocent person is much more harmful," "Convicting an innocent person is somewhat more harmful," Failing to convict a guilty person is much more harmful," Failing to convict a guilty person is somewhat more harmful," and "The two errors are equally bad" (from Garrett & Mitchell, 2022).

Participants also completed the following question, adapted from Garrett and Mitchell (2022).

> In any criminal trial, there is always the risk that the jury will reach the wrong decision. Sometimes that wrong decision results in the conviction of an innocent person, and sometimes that wrong decision results in the release of a guilty person.
>
> As an example, let's say that each year 100 wrong decisions are made by juries in criminal trials. If you could distribute these wrong decisions between wrongly convicting

> innocent persons and wrongly acquitting guilty persons, how would you distribute these two mistakes?
>
> Type in below the number of false convictions and number of false acquittals that you would prefer each year. **Your two numbers must together total up to 100.**

I also asked participants about their opinion on the number of people incarcerated in the United States. Participants were told, "This question is about the prison population in general. Select the answer which corresponds to your opinion. In the United States, on average, __[*fill in the blank*]_____." They chose one of three answer choices which were "There are too many people in prison, i.e., not so many people should be in prison," "Not enough people are in prison, i.e., more people should be in prison," and "The number of people in prison is about where it should be."

Next, participants guessed how many people were currently in prison in the United States, how many people go to prison each year in the US, and how many people are falsely convicted out of one million convictions.

After completing the same symbolic racism measure as for the previous studies, participants completed a race feeling thermometer which asked them to rate their feelings towards Black people on a 9-point scale which ranged from "very cold and unfavorable" to "very warm and favorable." Participants then completed the social dominance orientation scale (Pratto et al., 1994), which asked participants to rate on a 7-point scale ranging from strongly disagree/disapprove to strongly agree/favor their opinion on 16 statements such as "some groups of people are simply inferior to other groups" and "group equality should be our ideal (*reverse coded*)."

Next, participants filled out an external motivation and internal motivation to respond without prejudice scale, which included four questions to assess external motivation to hide

prejudiced thoughts about Black people (e.g., "I attempt to appear non-prejudiced in order to avoid disapproval from others") and four questions to assess internal motivation (e.g., "I feel guilty when I think negatively about Black people, even though others don't know") (Plant & Devine, 1998).

Participants completed a fear of crime scale. It asked participants questions about seven different crimes, which included being attacked by a stranger on the street, being mugged, being verbally harassed, being pick-pocketed, having their home or property vandalized, and having someone break into their home both while they were home and while they were away (Jackson, 2009). Participants answered how likely it was that they would be a victim of the crime in the next 12 months on a 7-point scale that ranged from "definitely not going to happen" to "certain to happen." They answered to what extent they felt they were able to control whether or not they became a victim of the crime on a 7-point scale that ranged from "not at all" to "to a very great extent." They answered to what extent a typical instance of the crime would affect their life on a 7-point scale which ranged from "not at all" to "to a very great extent." Finally, participants answered, "How well do you think you could physically defend yourself or ward off an attack from a man?" on a 4-point scale which ranged from "not at all well" to "very well."

Results

Key analyses are presented below and can be viewed in Table 1.

Measures of Tolerance for Wrongful Convictions

To test whether the slider measure of tolerance for wrongful conviction was related to other measures of tolerance, and get a sense of how these different measures of tolerance were related to one another, I correlated the three tolerance measures. As expected, measures were significantly correlated with one another. Tolerance for wrongful conviction, as measured on the

slider, was correlated with the question about which error—wrongful convictions vs. false acquittals— is more harmful to society ($r = .50$, $p < .001$). Both of these measures were correlated, but with a smaller effect size, to the question asking participants to distribute 100 errors (slider: $r = .23$, $p < .001$; which error: $r = .22$, $p < .001$). In addition to being less related to the other measures of tolerance, how participants chose to distribute 100 errors was unrelated to any other measure, as seen in Table 1.

The mean slider bar position on the tolerance scale, which ranged from 1–7, was 3.18 (SD = 1.23). Out of 461 participants, 176 (38.2%) believed that convicting an innocent person was much more harmful, 72 (15.6%) believed that convicting an innocent person was somewhat more harmful, 156 (33.8%) believed that the two errors are equally bad, 26 (6.7%) believed that failing to convict a guilty person was somewhat more harmful, and 31 (6.7%) believed that failing to convict a guilty person was much more harmful. Overall, then, 248 (53.80%) participants believed that convicting an innocent person was the greater error, 156 (33.8%) believed that the two errors are equally bad, and 57 (12.36%) believed that failing to convict a guilty person was the greater error. When distributing 100 wrong decisions at trial, participants indicated that they would choose a mean of 31.76 (SD = 25.30) false convictions.

Replicating Studies 1 and 2: Does Symbolic Racism Predict Tolerance for Wrongful Convictions?

To test whether tolerance of wrongful convictions was related to racism, I analyzed tolerance for wrongful conviction and symbolic racism. The mean score on the symbolic racism measure was 14.24 (minimum possible score is 8, maximum is 31; SD = 5.80). The mean score of wrongful conviction tolerance on the slider was 3.17 (SD = 1.23). As expected, symbolic racism was correlated with tolerance for wrongful conviction as measured on the tolerance slider,

replicating previous results, $r = .29$, $p < .0001$. Individuals who scored higher on the symbolic racism measure were more tolerant of wrongful convictions. The results from Studies 1 and 2 were replicated.

In addition to the tolerance slider, I analyzed the relationship between symbolic racism and tolerance for wrongful conviction with the new measure of tolerance which asked participants which error, wrongful convictions or false acquittals, they thought was more of a harm to society. Tolerance of wrongful conviction as measured by the "which error" question (M = 2.27, SD = 1.22) was correlated to symbolic racism, $r = .29$, $p < .001$. Individuals who scored higher on the racism measure were more likely to view false acquittals as being the greater error.

Potential Covariates of Interest: Political Affiliation, Fear of Crime, Base-Rate Estimates

To test whether racism was related to tolerance of wrongful convictions, above and beyond relevant covariates, I again correlated symbolic racism and tolerance of wrongful convictions, now controlling for these key covariates.

Political Ideology

First, I controlled for political ideology. Political ideology and symbolic racism were related, $r = .72$, $p < .001$, such that those who reported being more republican were more likely to display high levels of symbolic racism. Political ideology was also correlated with tolerance for wrongful conviction as measured on the tolerance slider, $r = .35$, $p < .001$, and as measured with the "which error" question, $r = .30$, $p < .001$; participants who reported being more republican reported a higher tolerance for wrongful conviction. Political ideology and social dominance orientation were also related, $r = .59$, $p < .001$; participants who reported being more republican indicated a higher preference for inequality in society. After controlling for political ideology, the correlation between the wrongful conviction tolerance slider and racism did not

remain significant, $r = .07$, p = .14. This is inconsistent with Studies 1 and 2. However, the relationship between symbolic racism and tolerance as measured on the which error question remained significant after controlling for political ideology, $r = .10$, $p = .026$.

Table 1

Correlations Among Key Variables

	1	2	3	4	5	6	7	8	9	10	11
1 Tolerance Slider	—										
2 Which Error	.50**	—									
3 Distribute 100	.23**	.22**	—								
4 Symbolic Racism	.29**	.29**	-.05	—							
5 Feeling	-.09	-.05	-.02	.01	—						
6 SDO	.25**	.22**	-.03	.69**	.05	—					
7 FOC total	.02	.09	.05	-.20**	.07	-.12*	—				
8 FOC Violent	.02	.11*	.04	-.22**	.05	-.14*	.95**	—			
9 FOC Nonviolent	.03	.07	.05	-.18**	.08	-.09*	.97**	.85**	—		
10 Political	.35**	.30**	.01	.72**	.00	.59**	-.16**	-.16**	-.15**	—	
11 Incarceration	.39**	.36**	.04	.41**	-.05	.36**	-.05	-.06	-.04	46**	—
M	3.17	2.27	31.76	14.24	4.32	30.00	87.79	39.65	48.14	2.21	1.33
SD	1.23	1.22	25.30	5.80	1.60	16.28	15.83	7.54	8.92	1.37	0.65

*$p < .05$. **$p < .01$.

Note. Feeling = Feeling Thermometer; SDO = social dominance orientation; FOC = fear of crime; Political = political affiliation; Incarceration = Incarceration tolerance

Fear of Crime

Next, I controlled for fear of crime. Fear of crime was not correlated with tolerance for wrongful conviction as measured on the tolerance slider ($p = .61$) or with the other two measures of tolerance for wrongful conviction (which error: $p = .053$; Distribute 100: $p = .31$). To further assess this relationship, I additionally analyzed fear of crime for violent vs. nonviolent crimes separately. Fear of crime for nonviolent crimes was not correlated with any measure of tolerance for wrongful conviction ($p = .52$; $p = .16$; $p = .30$). Fear of crime for violent crimes was correlated with the question about which error at trial—wrongful convictions or false acquittals—are more harmful to society ($r = .11$, $p = .017$) such that more fear was linked to the belief that false acquittals were more harmful, but was not correlated with either of the other two

measures (p = .75; p = .37). Symbolic racism and tolerance for wrongful convictions remained correlated after controlling for fear of crime: slider: r = .31, p < .001, which error: : r = .31, p < .001. Because the only significant relationship between tolerance for wrongful conviction and fear of crime was with fear of violent crime, I additionally assessed this relationship after controlling for fear of violent crime. After controlling for fear of violent crime, tolerance for wrongful convictions remained correlated with symbolic racism, whether measured on the slider, r = .30, p < .001 (FOCtotal: r = .31, p < .001; FOCnonviolent: r = .30, p < .001) or measured by asking participants which error (false acquittals or false convictions) they believe is more of a harm to society, r = .32, p < .001 (FOCtotal: r = .31, p < .001; FOCnonviolent: r = .30, p < .001). Tolerance for wrongful conviction was related to symbolic racism above and beyond fear of crime.

Guesses About Prison Population Base Rates

Are participants tolerant of wrongful convictions because they do not believe that very many people are affected? Participants were asked to guess how many people in the US go to prison every year, how many people are currently in prison, and how many wrongful convictions there are out of every one million convictions. None of these three guesses about prison and wrongful conviction base rates were correlated with tolerance for wrongful conviction as measured on the tolerance slider (every year: r = -.03, p = .496; currently: r = -.059, p = .203; per million: r = -.075, p = .108), as measured on which error question (every year: r = -.027, p = .559; currently: r = -.039, p = .401; per million: r = .021, p = .279), or as measured on the distribute 100 errors question (every year: r = -.019, p = .677; currently: r = -.010, p = .828; per million: r = .006, p = .904).

There was a correlation between preference that more people be incarcerated and guesses about how many people are wrongfully convicted per one million convictions, $r = -.10$, $p = .027$; people who believe there to be a higher rate of wrongful convictions are more likely to believe that there are, in general, too many people in prison.

Negative Feelings, Hierarchy Maintenance, Prejudice

Thus far, I have tested the relationship between symbolic racism and tolerance for wrongful conviction, controlling for key variables. I find that, across the board, symbolic racism predicts tolerance. This was consistent with Studies 1 and 2. Next, I examined whether other measures of racial attitudes and preference for hierarchy predict tolerance of wrongful conviction.

To test whether negative feelings about Black people predict tolerance, I correlated the feeling thermometer with the tolerance measures. The feeling thermometer, which asked participants to rate their feelings towards Black people, was not correlated with tolerance for wrongful conviction as measured on the tolerance slider, $r = -.09$, $p = .07$, or with any other measure.

To test whether preference for hierarchy over equality predicts tolerance for wrongful convictions, I assessed the relationship between social dominance orientation with the measures of tolerance. Social dominance orientation was correlated with tolerance for wrongful conviction as measured on the tolerance slider, $r = .25$, $p < .001$, as measured with the which error question, $r = .22$, $p < .001$, as well as with symbolic racism, $r = .69$, $p < .001$ such that participants who had a greater preference for hierarchy had a greater tolerance for wrongful conviction and higher symbolic racism scores.

To test whether internal or external motivation to appear nonprejudiced correlated with tolerance for wrongful conviction, I analyzed these measures with the tolerance measures. Internal motivation to appear nonprejudiced was correlated with the which error question, r = -.10, p = .03, such that participants with higher internal motivation were more likely to state that false conviction was the greater error, but was not correlated with the tolerance slider, r = -.06, p = .17. External motivation to appear nonprejudiced was correlated with the tolerance slider r = .10, p = .026, such that participants who reported higher external motivation were more tolerant of wrongful convictions, but not with the which error question, r = .08, p = .098. Participants who had higher external than internal motivation were more tolerant of wrongful convictions as measured on the slider, r = .12, p = .009, and the which error question, r = .13, p = .007.

Do individuals who support increased imprisonment care whether those convicted are innocent?

To assess tolerance for wrongful conviction, it is crucial to contextualize wrongful convictions as situated within the broader carceral system. This dissertation investigates the role of racism and preference for hierarchy in tolerance for wrongful conviction, specifically in regards to the hierarchy-maintaining function of prisons in society. Next, I analyzed a measure to further assess participants' preferences about the carceral system more broadly. I asked participants whether they condone the current rate of imprisonment or thought the current rate of imprisonment is too high or too low. I correlated the measures of tolerance for wrongful conviction with participants' tolerance for imprisonment rates more broadly, and additionally assessed how their preferences for imprisonment rates were related to racism and preference for hierarchy.

Individuals who condone high rates of imprisonment in general were more tolerant of wrongful convictions, $r = .39$, $p < .001$, and believed that false acquittals pose more of a harm to society than wrongful convictions, $r = .36$, $p < .001$. The belief that more people should be in prison was also linked to higher symbolic racism scores, $r = .41$, $p < .001$, and a greater preference for hierarchy as measured with social dominance orientation, $r = .36$, $p < .001$.

Despite living in a country where there are more people incarcerated than in any other country in the world (World Prison Brief, last checked 2022), 10.20% of participants believed that more people should be imprisoned, and an additional 12.16% of participants supported the current rate of imprisonment; 77.66% of participants believed that too many people are incarcerated. When participants believed that there are too many people in prison, 61.73% also believed that wrongful convictions cause greater harm to society than false acquittals. In contrast, when participants supported the belief that more people should be in prison, only 14.89% were more concerned about wrongful imprisonment than false acquittals.

Discussion

First, Studies 1 and 2 were replicated and Hypothesis 1 was supported; participants with higher levels of racism were more tolerant of wrongful convictions than those with lower symbolic racism scores. Symbolic racism was predictive of tolerance for wrongful conviction as measured on the tolerance slider, as were participants' beliefs considering the new question about whether wrongful convictions or false acquittals are more harmful to society.

Because many people may attribute fear of crime as a primary reason for tolerance of wrongful conviction, I controlled for fear of crime while analyzing racism and tolerance for wrongful conviction. Fear of crime was not related to acceptance of wrongful convictions as measured on any of the tolerance questions. I ran additional analyses investigating fear of violent

crime and fear of nonviolent crime separately and found that fear of violent crime was related to participants' answers about which error—wrongful convictions or false acquittals—is more harmful to society but was not correlated with the tolerance slider. Fear of crime for nonviolent crimes was not correlated with any measure of tolerance for wrongful convictions. Controlling for fear of crime did not affect the relationship between symbolic racism and tolerance for wrongful conviction. Overall, these results suggest that racism, beyond fear of crime, is related to acceptance of wrongful conviction.

In Study 3, I assessed how two measures related to structural oppression—symbolic racism and social dominance orientation— as well as a race feeling thermometer about general favorable or unfavorable feelings towards Black people relate to tolerance for wrongful conviction. Symbolic racism was related to measures for tolerance of wrongful conviction, while the race feeling thermometer was not. The symbolic racism measure is a measure of racism concerning systems of oppression (i.e., questions are related to discrimination), whereas the feeling thermometer asks only how favorable or unfavorable participants feel towards Black people. Furthermore, analyses revealed that social dominance orientation, a measure of preference for hierarchy in society, was correlated with measures of tolerance for wrongful conviction. Though these analyses were exploratory and should be further investigated, it would follow theory for symbolic racism and social dominance orientation to be more related to tolerance for wrongful convictions than feelings towards Black people. I expect that tolerance for wrongful convictions is not due to general feelings or bigotry but to the motivation to maintain white supremacy.

Wrongful convictions are situated within the larger system of imprisonment, which, in the United States, is known as a system of mass incarceration. Do individuals who support

unprecedented rates of arrests and imprisonment care whether those convicted are innocent? These data suggest that they are less concerned about wrongful imprisonment than are individuals who believe that too many people are incarcerated. Individuals who support mass incarceration are more likely to have higher levels of racism and have greater tolerance for wrongful convictions than individuals who do not.

These correlational analyses provide key insight into predictors of tolerance for wrongful conviction. However, correlational evidence is limited because directionality cannot be determined. To further address whether there are racist motives behind White individuals' tolerance for wrongful convictions, experimental studies must be conducted. Study 4 assesses causal evidence.

Study 4

The purpose of Study 4 was to establish whether tolerance for wrongful imprisonment is motivated and, specifically, motivated by the race of who is most affected by wrongful convictions. Study 4 manipulates the extent to which wrongful convictions are race-based. If racism affects individuals' tolerance for wrongful convictions, then White individuals with high levels of racism who are told that wrongful imprisonment primarily affects Black people should be more tolerant of wrongful convictions than White individuals who are told that wrongful convictions affect anyone across a range of demographics (and therefore numerically are more likely to affect White people). When individuals with high levels of racism believe that wrongful convictions could impact anyone at random, they will likely be more motivated to reduce rates of wrongful convictions than when they believe that wrongful convictions are more likely to happen to Black people than to White people.

I predict that White participants will be more tolerant of wrongful convictions when they primarily affect Black people vs. affect anyone at random and therefore are numerically more likely to affect White people (hypothesis 2). Moreover, I predict an interaction between condition and symbolic racism such that individuals in the Black wrongful convictions condition who score high on symbolic racism will have the highest tolerance for wrongful conviction. I expect a similar pattern of results whether wrongful conviction is measured on the tolerance slider or with the "which error" question, which asks whether they view wrongful conviction or false acquittals as more harmful.

Method

Participants

Participants were mTurk users over the age of 18, living in the United States, who spoke English as their first language and identified as White/Caucasian. I excluded participants from analyses if they did not meet these criteria, as indicated on their demographic questionnaire, did not answer all of the study questions, had a repeat IP address (indicating the same participant may have taken the survey twice), failed either of two bot checks at the start of the survey and therefore did not complete the questions, or failed an attention check which asked them what information they had read about wrongful imprisonment. A total of 1008 individuals were recruited for this study and, after exclusions, data from 839 participants (aged 19–91, M_{age} = 43.5; sex: 358 male, 470 female, 11 these labels didn't apply or preferred to not answer) were analyzed.

Procedure

White participants were randomly assigned to one of two conditions. In the "Anyone Wrongful Convictions" condition, participants read that one of the most alarming aspects about

wrongful conviction is that "it can happen to anyone. Wrongful convictions have been documented across the nation, to people ranging in age, gender, race, religion, and socioeconomic background." In the "Black Wrongful Convictions" condition, participants read that one of the most alarming aspects about wrongful conviction "is that black people are more likely to be wrongfully convicted than white people. Although black people make up only 13% of the population, they make up 50% of the exonerations listed in the National Registry of Exonerations." All participants read that "some factors that have led to wrongful convictions include eyewitness misidentification, laboratory cross-contamination while analyzing DNA samples, false confessions, or the use of jailhouse informants." Besides this manipulation, the other information about wrongful convictions and about the slider task were the same as in Studies 2–3, with the exception that the instructions were abridged with the purpose of having a shorter study time (i.e., participants read the study information but did not view a summary page that provided the information a second time; participants read the definition of wrongful vs. rightful conviction but were not reminded of the definitions a second time).

Participants indicated their preferred level of wrongful convictions in society by completing the wrongful conviction slider question and by answering the question about which error, wrongful convictions or false acquittals, they view as more of a harm to society. They then answered questions about racism by completing the symbolic racism scale and about their preference for hierarchy by completing the social dominance orientation scale before filling out demographic information. These measures were the same as used in Study 3.

Results

Primary Analyses

I investigated whether there was an interaction between experimental condition and symbolic racism. To test whether tolerance for wrongful conviction was racially motivated and, more specifically, whether participants higher in racism were more tolerant when wrongful convictions disproportionately affect Black people (vs. affect anyone), I conducted a 2 (Symbolic Racism: More vs. Less) X 2 (Condition: disproportionately Black wrongful conviction vs. anyone) ANOVA. The symbolic racism scale ranges from 8 to 31. More vs. Less symbolic racism categories were created based on whether each participant scored above or below the middle of the symbolic racism scale. I conducted a 2 (Symbolic Racism: More vs. Less) X 2 (Condition: disproportionately Black wrongful conviction vs. anyone) ANOVA on tolerance for wrongful convictions as measured on the tolerance slider and found a main effect of symbolic racism ($f(1) = 65.53$, $p < .001$, $\eta_p^2 = .073$). Contrary to predictions, there was no main effect of who wrongful convictions affect (disproportionately Black wrongful conviction vs. anyone; $p = .39$). There was also no interaction between condition (disproportionately Black wrongful conviction vs. anyone) and level of racism (More vs. Less) on tolerance for wrongful conviction when tolerance was measured on the tolerance slider ($p = .058$)[4].

I conducted a 2 (Symbolic Racism: more vs. less) X 2 (disproportionately Black wrongful conviction vs. anyone) ANOVA on tolerance for wrongful convictions as measured on the question about which error at trial, false acquittals or false convictions, is more harmful for society and found a main effect of symbolic racism on tolerance for wrongful convictions, $f(1) = 42.22$, $p < .001$, $\eta_p^2 = .05$, such that participants with higher levels of symbolic racism were more

[4] This marginal effect followed the same trend as the interaction between condition and level of racism for the which error question.

tolerant of wrongful convictions (M = 2.83, SE = .08) as compares to those with lower levels of symbolic racism (M = 2.22, SE = .05). There was no main effect of whether wrongful convictions disproportionately affect Black people (M = 2.56, SE = .07) vs. affect anyone (M = 2.48, SE = .07), $p = .39$. There was an interaction between level of racism and who wrongful convictions affect, $f(1) = 4.39$, $p = .037$, $\eta_p^2 = .005$. This interaction remained after controlling for political ideology, $f(1) = 4.61$, $p = .032$, $\eta_p^2 = .005$. As seen in Figure 4, participants higher in racism have greater tolerance for wrongful convictions than people lower in racism, and the difference between participants higher vs. lower in racism is greater when they are told that wrongful convictions affect Black people (M difference = .81, SE of difference = .13, 95% CI [.54, 1.07]) as compared to that wrongful convictions affect anyone (M difference = .41, SE of difference = .13, 95% CI [.16, .67]). When wrongful convictions affect anyone, there is a difference in tolerance for wrongful conviction between participants with higher (M = 2.69, SD = 1.22) vs. lower (M = 2.27, SD = 1.23) symbolic racism, $p = .002$, $\eta_p^2 = .012$), and this difference between participants lower in symbolic racism (M = 2.16, SD = 1.21) vs. higher (M = 2.97, SD = 1.32) in symbolic racism is larger when participants are told that wrongful convictions affect Black people, $p < .001$, $\eta_p^2 = .042$.

Correlational Analyses

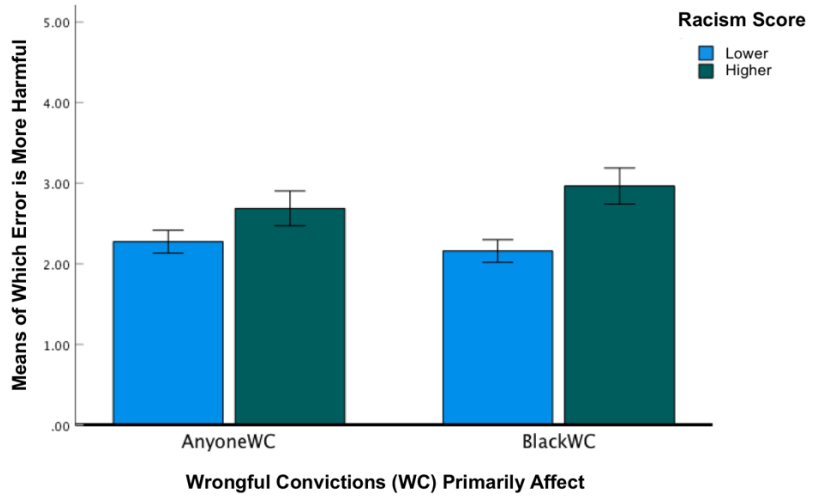
In addition to the primary analyses, I also examined the correlations between variables. I did this to provide further insight into whether these data were consistent with the previous studies and, specifically, to provide data for use in a meta-analysis. Consistent with hypothesis 1 and previous studies, higher levels of racism were associated with a greater tolerance for wrongful convictions. Racism and tolerance for wrongful convictions were related, both when measured on the tolerance slider, $r = .36$, $p < .001$. This relationship remained after controlling

for political ideology, tolerance slider: $r = .22$, $p < .001$. There was also a correlation between racism and tolerance when measured on the which error question, $r = .29$, $p < .001$ (after controlling for political ideology: $r = .17$, $p < .001$), however, the interaction between level of racism and experimental condition on tolerance for wrongful convictions when measured with the which error question was significant and should therefore take precedence when assessing this relationship.

Social dominance orientation was correlated with tolerance for wrongful convictions both when measured on the tolerance slider, $r = .28$, $p < .001$, and with the which error question, $r = .21$, $p < .001$. These correlations were present after controlling for political affiliation (tolerance slider: $r = .16$, $p < .001$; which error: $r = .10$, $p = .004$). However, these relationships did not hold after controlling for racism (tolerance slider: $p = .072$; which error: $p = .557$). Racism and tolerance for wrongful conviction remained correlated after controlling for social dominance orientation, (tolerance slider: $r = .24$, $p < .001$; which error: $r = .21$, $p < .001$).

Figure 4

Level of Racism and Experimental Condition on Tolerance for Wrongful Conviction



Note. Error bars indicate 95% confidence intervals.

Discussion

Study 4 tested whether tolerance for wrongful convictions is motived by the race of who is most affected by wrongful convictions. Hypothesis 2 predicted a main effect of who wrongful convictions affect (disproportionately Black people vs. anyone) and was not supported; there was no effect of condition on participant responses. Hypothesis 3, which predicted an interaction between who wrongful convictions affect (disproportionately Black people vs. anyone) and the level of racism of the participants, was partially supported. When investigating the relationship between level of racism and condition (disproportionately Black people vs. anyone), an interaction was found when participants answered the "which error" question. Participants who had higher levels of racism had greater tolerance for wrongful convictions than individuals with lower levels of racism, and the difference between participants with higher vs. lower levels of racism was greater when they were told that wrongful convictions disproportionately affect Black people as compared to affect anyone; the corresponding effect size was very small. This interaction was not found when participants indicated tolerance for wrongful conviction on the slider. Correlational analyses replicated previous findings and supported hypothesis 1. White people in the US with higher levels of racism were more tolerant of wrongful convictions than those with lower levels of racism. Moreover, the relationship between social dominance orientation and tolerance for wrongful conviction found in Study 3 was replicated.

The effect size of the interaction between condition and level of racism was small. And, no main effect of condition was found. It is possible—indeed, likely—that the manipulation did not produce a large enough effect because people have an inherent understanding that wrongful convictions disproportionately affect Black individuals in the United States and, conversely, are also aware that wrongful convictions have occurred to people with a wide variety of

demographic characteristics. The manipulation was subtle; participants read a brief statement indicating that wrongful convictions either disproportionately affect Black people or that they can affect anyone. The results of this experiment suggest that individuals take race into account when forming opinions about their acceptance of wrongful conviction. Finding an effect, even a small one, is notable and worth investigating further. These findings illustrate an issue that has consequences much larger than reflected in this study's effect size; this experiment provides initial evidence that information related to race can cause a shift in people's opinion about wrongful convictions.

A future replication of this study will include a more detailed manipulation in order to test these effects in a more robust manner. Based on the found effect size, a much larger sample size will be recruited. Additionally, I will include a manipulation check that asks participants not what information they read in the study, as was done in the current work, but whether they believe that Black people are disproportionately affected by wrongful convictions as compared to White people. Overall, this experiment provides key information that is useful in guiding future study designs. Because it is individuals with racist ideologies, specifically, who I predict are more tolerant of wrongful convictions based on race manipulations, future hypotheses will focus on the interaction between level of racism and condition (disproportionately Black vs. anyone). If some proportion of the population, i.e., White people with higher levels of racism, are basing their decisions about wrongful convictions, in part, on race, then this raises clear concerns.

Interim Summary of Results

Overall, the relationship between symbolic racism and tolerance for wrongful conviction is consistent across studies. As seen in Table 2, the effect size of this relationship is similar whether tolerance for wrongful conviction is measured on the tolerance slider or with the

which error question that asks about which error, wrongful convictions or false acquittals, is more harmful to society. Table 3 depicts the relationship between social dominance orientation and tolerance for wrongful conviction across the studies. I further assess, meta-analytically, the relationship between symbolic racism and tolerance for wrongful conviction after controlling for political ideology.

Table 2

Hypothesis 1: Correlations Between Symbolic Racism and Tolerance for Wrongful Convictions in Each Study

	Tolerance Slider	Which Error
Study 1	.30**	*not measured*
Study 2	.32**	*not measured*
Study 3	.29**	.29**
Study 4[1]	.36**	.29**

*$p < .05$. **$p < .01$.
[1]Correlation across experimental conditions. The interaction between experimental condition and symbolic racism should be considered.

Table 3

Correlations Between Social Dominance Orientation and Tolerance for Wrongful Convictions in Each Study

	Tolerance Slider	Which Error
Study 3	.25**	.22**
Study 4[1]	.28**	.21**

*$p < .05$. **$p < .01$.
[1]Correlation across experimental conditions.

Meta-Analysis to Further Assess Political Ideology

Across studies, I assessed the relationship between political ideology and tolerance for wrongful conviction, and I controlled for political ideology while assessing the relationship between racism and tolerance for wrongful conviction. Previous work from other researchers suggests that political ideology is predictive of reactions to inequality and injustice (e.g., Cooley

& Brown-Iannuzzi, 2019; Jost et al., 2004). For example, political ideology interacts with participant race to predict ingroup-outgroup favoritism such that White conservatives display the most ingroup favoritism (Jost et al., 2004), and liberals are more likely to perceive racism when a police officer shoots a Black man than are political conservatives (Cooley & Brown-Iannuzzi, 2019). However, the symbolic racism measure has been criticized by some for being too related to political ideology (e.g., Zigerell, 2015).

In one analysis in Study 2, controlling for political ideology caused the relationship between symbolic racism and wrongful conviction tolerance as measured on the slider to become nonsignificant. This was inconsistent with the results from the previous studies, which showed that this relationship remained significant after controlling for political affiliation; Table 4 provides a summary of these results. Moreover, the relationship between symbolic racism and tolerance for wrongful conviction as measured on the which error question always remained significant after controlling for political affiliation. Across studies, the data suggest that racism and tolerance for wrongful convictions are related such that higher levels of racism are predictive of greater tolerance for wrongful conviction after controlling for political ideology. I entered data from these four studies into a meta-analysis to statistically assess this effect.

Table 4

Correlations Between Symbolic Racism and Tolerance for Wrongful Convictions After Controlling for Political Ideology

	Tolerance Slider	Which Error
Study 1	.18**	*not measured*
Study 2	.10*	*not measured*
Study 3	.07	.10*
Study 4[1]	.22**	.17**

*$p < .05$. **$p < .01$.

[1]Correlation across experimental conditions

The purpose of this analysis is, specifically, to address concerns about the analysis in Study 2, where symbolic racism and tolerance for wrongful conviction as measured on the slider did not remain significant after controlling for political affiliation. Therefore, this analysis includes only data from the questions about tolerance as measured on a slider. I included Studies 1, 2, 3, and 4 in this analysis. Study 5 did not have a measure of symbolic racism and was therefore not included.

I entered data from these four studies into Comprehensive Meta-Analysis Software (Borenstein et al., 2013). For each study, I entered the data for the correlation between symbolic racism and tolerance for wrongful convictions—as measured on the slider— after controlling for political affiliation. I used a random-effects model in order to determine whether the relationship between symbolic racism and tolerance for wrongful conviction remained significant after controlling for political affiliation across studies and to determine an effect size. This analysis determined that the effect of racism is predictive of tolerance for wrongful conviction above and beyond political ideology, $r = .12$, 95% CI [.07, .16], $Z = 5.23$, $p < .0001$.

Study 5

The purpose of Study 5 is to determine whether race-based group identity is a motivating factor for tolerance of wrongful convictions by manipulating group status threat to White individuals. If individuals' tolerance for wrongful convictions is motivated by the desire to uphold white supremacy and maintain one's privilege, then being under racial group status threat should change their tolerance level for wrongful convictions compared to a control condition (hypothesis 4). In this experiment, I present an economic threat to the current social hierarchy. Because of the interconnectedness of the various social structures that make up society, I predict

that White participants will be more tolerant of wrongful convictions when they are under economic, racial group threat.

Due to financial constraints, I modified the original study design in order to create an experiment with a greatly shortened study time. Participants saw the abridged version of the wrongful conviction task from Study 4. All other measures, besides demographic information, were removed. This study, then, consisted of the primary experimental manipulation and the two measurements for wrongful conviction tolerance; no measure of symbolic racism or social dominance orientation was taken. Hypothesis 5—which predicted an interaction between level of racism and experimental condition such that participants who have high levels of symbolic racism and are under racial group threat will be the most tolerant of wrongful conviction—was not able to be tested, due to logistical constraints, and will be assessed in future work. In this current work, I tested whether a group status threat manipulation had a main effect on participants' tolerance for wrongful conviction.

Method

Participants

Participants were Prolific users over the age of 18, living in the United States, who spoke English as their first language and identified as White/Caucasian. I excluded participants from analyses if they did not meet these criteria, as indicated on their demographic questionnaire, did not answer all of the study questions, had a repeat IP address (indicating the same participant may have taken the survey twice), or failed either of two bot checks at the start of the survey (and therefore did not move on to the experiment). A total of 847 individuals were recruited in this study and, after exclusions, data from 816 participants (aged 19–93, $M_{age} = 40$; sex: 331 male, 474 female, 11 these labels didn't apply or preferred to not answer) were analyzed.

Procedure

This experiment included two conditions in which participants either read information to elicit racial, economic group threat or not. Participants were told that they were going to read information and answer questions about various aspects of American life. Participants read about diversity and inclusion hiring and promotions targeting Black people (vs. gender equality control condition). In the Racial Group Threat condition, participants read that "Many companies across the country are adopting Diversity and Inclusion hiring practices targeting Black people. These companies are choosing to prioritize interviews for Black applicants for new positions and are considering Black employees for promotions" and answered the following two questions as part of the manipulation: 1) Do you think recent trends toward Diversity Hiring, which prioritizes Black applicants, take away jobs from White Americans who want them, or not? (answer choices: yes/no) 2) How likely is it that you or someone in your family won't get a job or promotion while an equally or less qualified Black employee receives one instead? (answer choices: very likely, somewhat likely, somewhat unlikely, very unlikely).

Participants in the Gender Control Condition read about fair hiring for women and answered the same two questions adapted to ask about gender.

Participants then read the wrongful imprisonment information, which was the same as in Study 4. Participants moved the slider bar to the position that represented their preferred level of wrongful imprisonment in the United States and answered the question about which error (false convictions or false acquittals) they thought caused more harm to society before completing demographic information.

Results

Contrary to my prediction, group status threat condition (racial threat vs. gender control condition) did not affect tolerance for wrongful convictions as measured on the tolerance slider ($t(814) = .18$, $p = .86$) nor did it affect answers to which error—false convictions or false acquittals—causes more harm to society ($t(814) = .44$, $p = .66$). The mean slider score was 3.27 (SD = 1.33).

Exploratory Analyses

Although I found no main effect of condition, here I explored an individual difference measure. Studies 1–4 suggest that individual differences matter. And thus, here, I tested whether political ideology was related to tolerance for wrongful convictions. I did this by correlating political ideology and tolerance for wrongful conviction and by additionally exploring whether there was an interaction between experimental condition and political ideology. Political ideology was correlated with tolerance for wrongful conviction (Tolerance slider: $r = .33$, $p < .001$; Which Error: $r = .31$, $p < .001$). Participants who reported being more republican had greater tolerance for wrongful convictions.

I ran additional exploratory analyses to assess whether there was an interaction between group threat condition and political ideology on tolerance for wrongful conviction and found no main effect of condition (Tolerance slider: $f(1) = .07$, $p = .79$; Which error: $f(1) = .02$, $p = .90$), a main effect of political ideology on tolerance for wrongful conviction as measured on the tolerance slider, $f(4) = 25.69$, $p < .001$, $\eta_p^2 = .11$, and the which error question, $f(4) = 21.10$, $p < .001$, $\eta_p^2 = .10$. There was no interaction between political ideology and group threat condition whether tolerance for wrongful conviction was measured on the slider, $f(4) = 1.61$, $p = .17$, or the which error question, $f(4) = 2.23$, $p = .07$.

Discussion

Study 5 tested whether a race-based group status threat would cause individuals to become more tolerant of wrongful convictions as a way of maintaining the current social hierarchy. The group threat manipulation did not cause a change in participants' tolerance for wrongful convictions. Future experiments will need either a stronger manipulation, additional measures, or a different paradigm altogether. The hypothesis and study design in future studies should include more nuance to focus on the potential interaction between group status threat and level of racism. That is, futures studies will test whether individuals who score high on racism measures are more tolerant of wrongful convictions when under racial group threat as compared to a control. Participants who do not support a racist hierarchy are not expected to show a greater tolerance for wrongful convictions based on threats to white supremacy as compared to a control. Including a larger sample size, which provides adequate power to find an effect of the expected size, along with a measure of racism and analysis of the interaction between level of racism and group threat, is planned for a future experiment. The results from Study 4, which showed an interaction effect but no main effect, suggest this change in study design is crucial.

General Discussion

The present work assessed whether individuals' tolerance for wrongful convictions[5] in society is motivated by racism. Across five studies, I find initial evidence suggesting that racism is behind White individuals' acceptance of wrongful convictions in society. Hypothesis 1 was investigated and supported across four studies. Studies 1–4 find that White people in the US with

[5] The narrow definition of wrongful conviction examined in this current work represents only a small portion of the wrongfully imprisoned.

higher levels of racism were more tolerant of wrongful convictions than those with lower levels of racism. Moreover, Study 4 found an interaction between participants' racism scores and who wrongful convictions are likely to affect (disproportionately Black people vs. anyone; hypothesis 3). Individuals who scored higher in symbolic racism had greater tolerance for wrongful convictions than those with lower racism scores, and the difference between participants higher vs. lower in racism was greater when they read that wrongful convictions affect Black people vs. affect anyone.

Study 4 found an interaction between levels of racism and who wrongful convictions are likely to affect, but the corresponding effect size was small. The subtle manipulation, which consisted of a brief statement, may have been a limitation of the study design. Though there was an interaction, there was not a main effect of experimental condition, possibly because individuals in either condition had some level of knowledge that wrongful convictions disproportionately affect Black people. These results highlight the importance of creating stronger manipulations and investigating more nuanced predictions, specifically by focusing on the interaction between level of racism and wrongful conviction condition in future work. Overall, the results of Study 4, along with Studies 1–3, suggest that individuals' acceptance of wrongful convictions in society is motivated, in part, by racism. Individuals' level of racism was a predictor of their tolerance for wrongful conviction across four studies, and for this relationship to be shifted by a manipulation about race—a manipulation that was rather subtle— calls for further investigation. Small effects, both in isolation and combined, have real-world consequences for individuals and systems. This work, then, provides initial evidence that racism is behind some individuals' acceptance of wrongful convictions.

While racist and hierarchy-affirming beliefs were related to opinions on wrongful conviction, Study 3 found that fear of crime was not a strong predictor of tolerance for wrongful conviction. I controlled for fear of crime while analyzing racism and tolerance for wrongful conviction because tolerance for wrongful convictions could be attributed to fear of crime. Fear of crime did not correlate with any measure of tolerance for wrongful conviction. I conducted additional analyses for fear of violent crime and nonviolent crime separately. Fear of violent crime was correlated with one of the measures of wrongful conviction tolerance, while fear of nonviolent crime was not correlated with tolerance for wrongful conviction. Controlling for fear of crime in analyses assessing the relationship between symbolic racism and tolerance for wrongful conviction did not affect the relationship. As it stands, when assessed in White participants, symbolic racism appears to be associated with tolerance for wrongful conviction beyond an effect of fear of crime.

Symbolic racism, a measure of racism that asks questions about discrimination, predicted individuals' attitudes towards wrongful imprisonment across four studies. Study 3 additionally assessed social dominance orientation, a measure of preference for hierarchy in society, and a feeling thermometer that asked participants how favorably or unfavorably they feel towards Black people. While social dominance orientation was related to tolerance for wrongful convictions such that greater preference for hierarchy was predictive of greater acceptance of wrongful conviction, the feeling thermometer was not. That is, measures related to systems of oppression are more predictive of tolerance for wrongful conviction than are general feelings towards Black people. This finding is in line with my theoretical predictions concerning the mechanisms behind tolerance for wrongful convictions as being motivated specifically by support for structural oppression and the maintenance of the social hierarchy. Moreover, this

finding is consistent with literature that shows individuals are motivated to oppress people in lower-status groups specifically as a way of maintaining their own place in the social hierarchy (Roberts & Rizzo, 2021; Verkuyten & Yogeeswaran, 2017). That is, it likely is not simply uncomfortable feelings towards Black people that cause some White people to be accepting of wrongful convictions, but the connection between wrongful convictions and the oppressive function of prisons in society.

The results from these studies, which indicated that racism is predictive of tolerance for wrongful convictions, are in line with previous literature that suggests individuals use penal systems to enforce racist norms in society (King & Wheelock, 2007; Ousey & Unnever, 2012; Pickett, 2016). Individuals are aware of the hierarchy-maintaining function of prisons and understand that wrongful convictions are situated within the penal system more broadly. In the United States, more people are incarcerated—both in raw numbers and per capita— than in any other country (World Prison Brief, last checked 2022). Study 3 found that White Americans who want an even higher rate of imprisonment than we have currently are largely unconcerned whether those imprisoned are innocent. This finding is in line with previous work that shows that individuals who believe that failing to convict a guilty person is a greater error than convicting an innocent person are more likely to accept prosecution evidence and convict a defendant than are individuals who view wrongful convictions as the greater error (Garrett & Mitchell, 2022). Results of Study 3 also indicated that individuals who want a higher rate of imprisonment than we currently have also display more racism and preference for social inequality.

Analyses across four studies controlled for political ideology while assessing the relationship between symbolic racism and tolerance for wrongful conviction. One of six analyses suggested that controlling for political ideology explained the relationship between racism and

tolerance for wrongful conviction as measured on the tolerance slider. The remaining five analyses indicated that level of racism predicts acceptance of wrongful conviction in society above and beyond political ideology. To further test, statistically, that racism predicts tolerance for wrongful convictions beyond variance due to political ideology, I entered these data into a meta-analysis. The meta-analysis of data from these four studies confirmed that symbolic racism is related to acceptance of wrongful convictions in society after controlling for political ideology.

There were notable inconsistencies between the hypotheses and findings. Study 4 tested the hypothesis that White participants would be more tolerant of wrongful convictions when they disproportionately affect Black people vs. affect anyone and therefore affect White people equally (hypothesis 2) and additionally tested the second prediction of an interaction between condition (wrongful convictions disproportionately affect Black people vs. affect anyone) and participants' level of racism (hypothesis 3). Although results partially supported hypothesis 3, they did not support hypothesis 2. Study 5 tested hypothesis 4, which predicted that group status threat would increase participants' willingness to maintain the existing hierarchy via greater tolerance for wrongful convictions compared to a control. The results of this study did not support hypothesis 4. A planned future study will include a measure of racism to investigate an expected interaction between level of racism and group threat condition on wrongful conviction tolerance; individuals with antiracist ideologies who strive to dismantle systems of oppression and inequality would not be expected to become more tolerant of wrongful convictions when under racial group threat. Overall, a future study with a stronger manipulation and a measure of racism is required to investigate these hypotheses further. Despite these limitations, the findings from these studies provide initial support for the overarching predictions.

Future research should extend the current findings by examining socioeconomic class and, particularly, the intersection between racism and classism. Individuals from low-socioeconomic status backgrounds are disproportionately affected by the carceral system, for example by the over-policing of low-socioeconomic neighborhoods where people are unable to afford privatized recreational spaces. The Innocence Project has found that inadequate legal defense, often in the form of overworked public defenders, is a leading contributor to wrongful convictions. Moreover, individuals without money often cannot pay bail and therefore must sit in jail while awaiting trial or making decisions about accepting a plea bargain. The current penal system, as a reflection of American society more broadly, is fundamentally racist and classist, and this intersection must be further explored to gain a deeper understanding of tolerance for wrongful conviction. Appendix C includes data showing that classism predict tolerance for wrongful conviction. Furthermore, future research should investigate another core component of system justification theory about how and when disadvantaged individuals uphold the status quo that causes them harm. Notably, the current manipulations and measures will need to be expanded upon in order to fully address the nuance in individuals' acceptance of wrongful convictions, and new paradigms may need to be created in order to fully test the motivations and reasoning behind tolerance for wrongful conviction. The collection of qualitative data will be crucial to inform the creation of new study designs to develop a model of tolerance for wrongful conviction across varying populations.

Moreover, this current work does not fully address related but distinct mechanisms that could affect tolerance for wrongful conviction. In this current work, I focus on racism and preference for inequality, as measured with social dominance orientation. Future work will further investigate other mechanisms, including uncertainty avoidance and resistance to social

change, as well as the role of stereotyping on individuals' tolerance for wrongful conviction. It could be that negative stereotypes about Black people—especially related to threat and crime—affect individuals' tolerance for wrongful conviction. That is to say, it could be that White people with racist attitudes believe that Black people are more likely to commit violent acts. In turn, they may feel safer when more Black people are in prison, even for crimes they did not commit (because they could commit a crime in the future). Moreover, individuals who are concerned about upholding the social order and punishing those who oppose it may have a decreased threshold for punishment as a way of maintaining the current social order (Goldberg et al., 1999); these individuals may be inclined to assume that a Black person who is wrongfully convicted for some crime may have committed previous crimes for which they were not convicted. In this way, they might be able to justify wrongful convictions— similar to how the creation of laws that target Black people allow White people to justify the creation of social hierarchies by providing the "criminal" label as an excuse for unjust treatment. Specifically, the ways people—as opposed to actions— are criminalized should be considered while addressing individuals' tolerance for wrongful conviction.

Conclusion

For some, wrongful convictions represent an error in a system meant to create justice (e.g., McClure, 2015). Wrongful conviction is viewed as an undesired side effect of a social hierarchy that leads to the imprisonment of millions—an unfortunate false positive error. For others, it is simply part of a system that is functioning as it was designed—to disenfranchise and maintain a social hierarchy (e.g., Blackmon, 2008). Whereas some are horrified by the accounts of the wrongfully imprisoned and seek immediate reform (Innocence Project, n.d.; Levi & Lindsey, 2001) or abolition (Davis, 2003; Goldstein et al., 2008), some individuals do not see

wrongful imprisonment as particularly problematic, as demonstrated in the current work and research from others (e.g., Garrett & Mitchell, 2022).

Overall, this work finds that individuals who are more racist are more willing to convict people for crimes they did not commit and that a race manipulation can shift tolerance for wrongful convictions. A meta-analysis confirmed that this relationship goes above and beyond political ideology. These results also suggest that fear of crime is not driving this effect and that beliefs rooted in structural inequality and a desire for hierarchy are more related to tolerance for wrongful conviction than general unfavorable feelings towards Black people. In these studies, participants admit that they are more concerned about ensuring the conviction of people who break laws than they are with protecting people from blatantly unjust imprisonment. This sentiment goes against our nation's purported ideals of justice and freedom.

Though these studies alone do not fully answer my research questions, they provide key insight into White individuals' tolerance for wrongful conviction. Overall, these studies find that tolerance for wrongful conviction is related to racism and that this relationship deserves further exploration. These studies provide initial evidence to better understand how individuals condone wrongful convictions and, specifically, that racist individuals are more willing to let people go to prison for crimes they did not commit, particularly when it means an increase in imprisonment more broadly.

Final Remarks

While many people see no clear answer to how to balance public safety and individual freedom, we should not base this decision on racist motives or ideologies. It is important to understand how individuals in society strike this balance. It is equally, if not more, important to understand why they strike the balance they strike. If some individuals prefer certain policies but

for racist reasons, should their opinion be given the same weight? If the goal is equity of public safety vs. freedoms, not white supremacy, then the answer might well be ‘no.’ The current work helps us engage in this important and difficult conversation.

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Appendix A

The Symbolic Racism 2000 Scale

1. It's really a matter of some people not trying hard enough; if Blacks would only try harder they could be just as well off as whites.
   <1> Strongly agree
   <2> Somewhat agree
   <3> Somewhat disagree
   <4> Strongly disagree

2. Irish, Italian, Jewish and many other minorities overcame prejudice and worked their way up. Blacks should do the same.
   <1> Strongly agree
   <2> Somewhat agree
   <3> Somewhat disagree
   <4> Strongly disagree

3. Some say that Black leaders have been trying to push too fast. Others feel that they haven't pushed fast enough. What do you think?
   <1> Trying to push very much too fast
   <2> Going too slowly
   <3> Moving at about the right speed

4. How much of the racial tension that exists in the United States today do you think Blacks are responsible for creating?
   <1> All of it
   <2> Most
   <3> Some
   <4> Not much at all

5. How much discrimination against Blacks do you feel there is in the United States today, limiting their chances to get ahead?
   <1> A lot
   <2> Some
   <3> Just a little
   <4> None at all

6. Generations of slavery and discrimination have created conditions that make it difficult for Blacks to work their way out of the lower class.
   <1> Strongly agree
   <2> Somewhat agree
   <3> Somewhat disagree
   <4> Strongly disagree

7. Over the past few years, Blacks have gotten less than they deserve.

<1> Strongly agree
<2> Somewhat agree
<3> Somewhat disagree
<4> Strongly disagree

8. Over the past few years, Blacks have gotten more economically than they deserve.
<1> Strongly agree
<2> Somewhat agree
<3> Somewhat disagree
<4> Strongly disagree

Social Dominance Orientation Scale

Scale ranges from 1(strongly disapprove/disagree) to 7 (strongly favor/agree)

(9-16 are reverse coded)

1. Some groups of people are simply inferior to other groups.
2. In getting what you want, it is sometimes necessary to use force against other groups.
3. It's OK if some groups have more of a chance in life than others.
4. To get ahead in life, it is sometimes necessary to step on other groups.
5. If certain groups stayed in their place, we would have fewer problems.
6. It's probably a good thing that certain groups are at the top and other groups are at the bottom.
7. Inferior groups should stay in their place.
8. Sometimes other groups must be kept in their place.
9. It would be good if groups could be equal.
10. Group equality should be our ideal.
11. All groups should be given an equal chance in life.
12. We should do what we can to equalize conditions for different groups.
13. Increased social equality.
14. We would have fewer problems if we treated people more equally.
15. We should strive to make incomes as equal as possible.
16. No one group should dominate in society.

Appendix B

Figures of Tolerance Counts

Note. The purpose of these studies was to assess the relationship between racism and tolerance for wrongful convictions, that is, it was not designed to gain an understanding of baseline tolerance in the US population.

Figure B1

Study 1 Tolerance Slider Response Frequencies

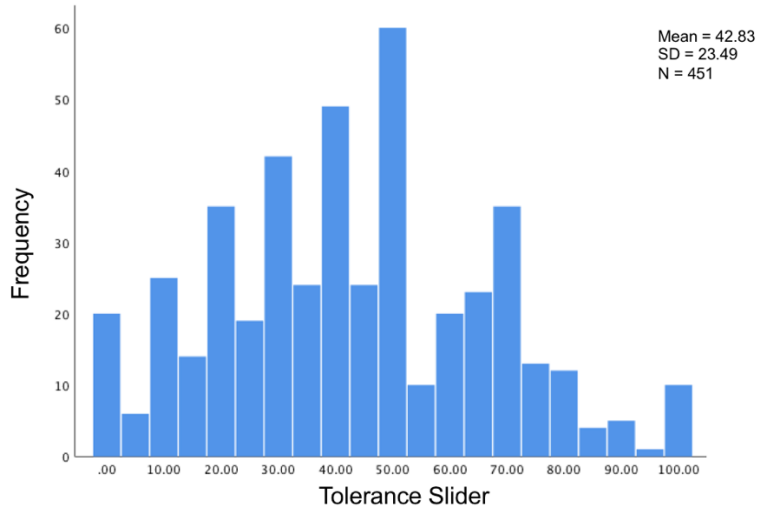


Figure B2

Study 2 Tolerance Slider Response Frequencies

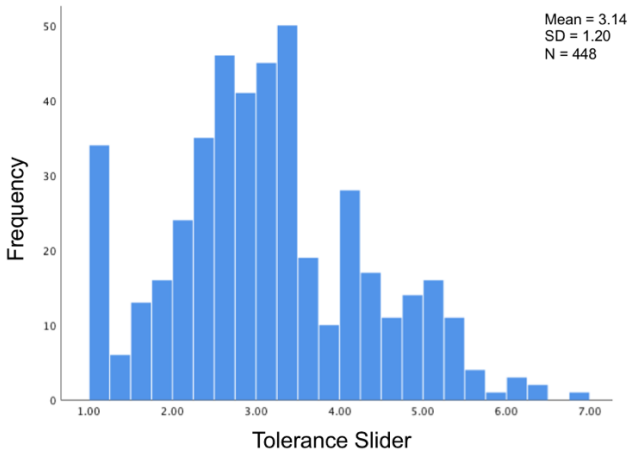


Figure B3

Study 3 Tolerance Slider Response Frequencies

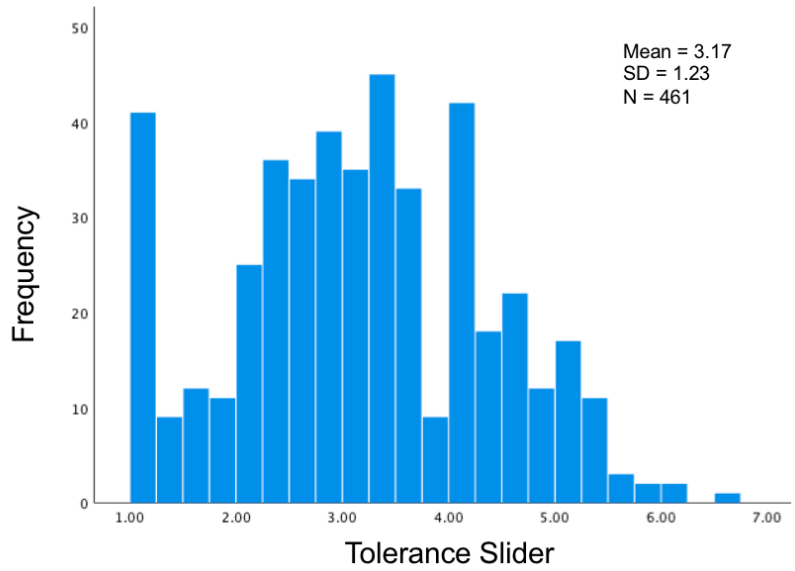


Figure B4

Study 3 Which Error Question Response Frequencies

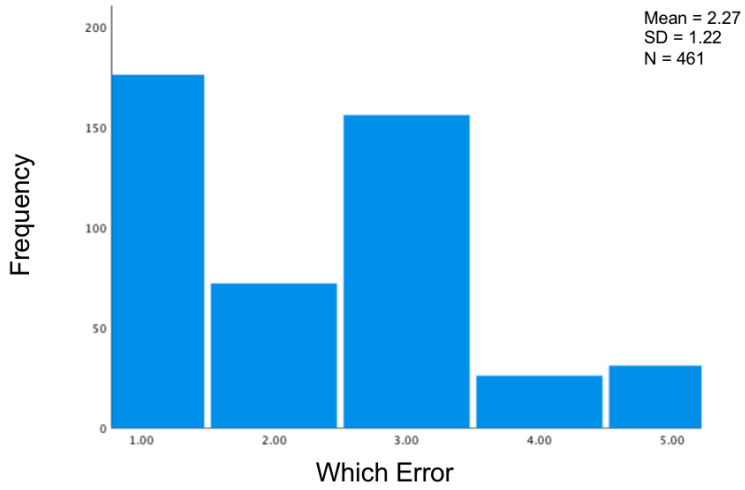


Figure B5

Study 4 Tolerance Slider Response Frequencies

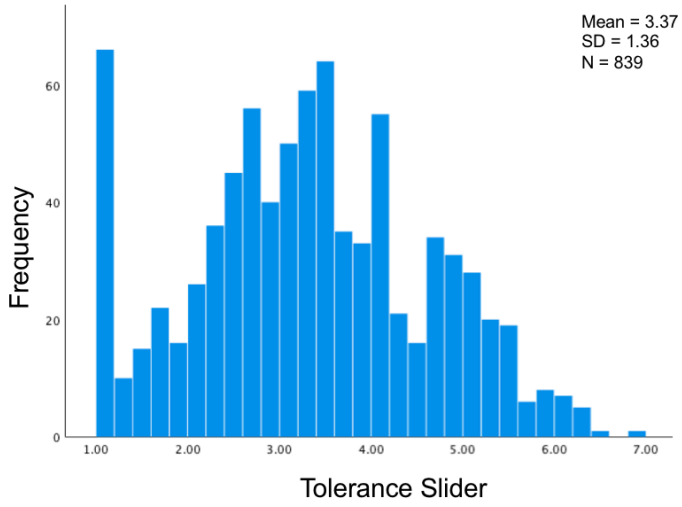


Figure B6

Study 4 Which Error Question Response Frequencies

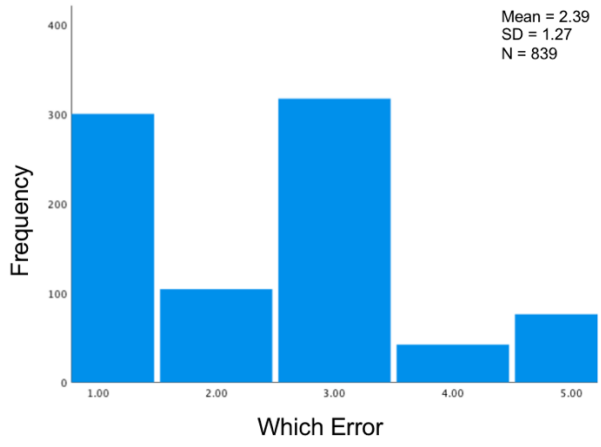


Figure B7

Study 5 Tolerance Slider Response Frequencies

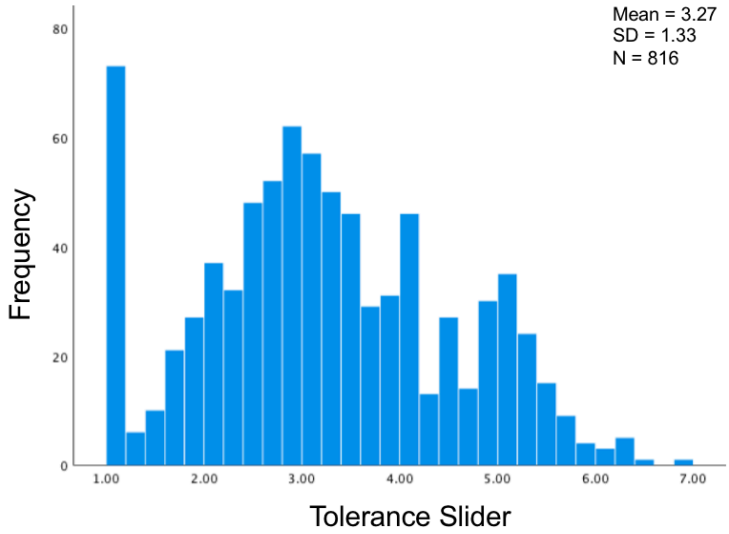
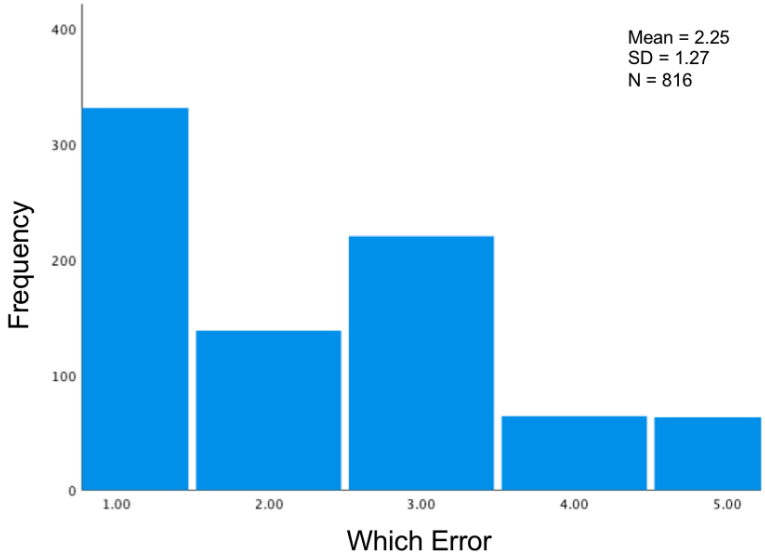


Figure B8

Study 5 Which Error Question Response Frequencies



Appendix C

Key Data from a Study Assessing Classism and Tolerance for Wrongful Conviction

Individuals who were over the age of 18, lived in the United States, spoke English as their first language, and identified as White or Caucasian were recruited to partake in this study via Prolific. I excluded participants from analyses if they did not meet these criteria, had a repeat IP address (indicating that the same participant could have taken the survey multiple times), or did not answer all of the questions. A total of 455 individuals participated in this study and, after exclusions, data from 453 participants (aged 18–78, $M_{age} = 37$; sex: 240 female, 203 male, 10 these labels didn't apply or preferred to not answer**)** were analyzed.

Classism, as measured on an adapted classism scale, was correlated for tolerance with wrongful conviction as measured on the tolerance slider from Study 1, $r = .33$, $p < .0001$ (after controlling for political ideology: $r = .26$, $p < .0001$).