The Effects of Racial Diversity in Citizen Decision-Making Bodies

SUPPORTING INFORMATION APPENDIX

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Contents

A The Jury Context

A.1 The Importance of Civil Jury Awards

Existing studies overwhelmingly focus on criminal cases. However, civil cases can also involve jury trials and are both politically relevant and economically important: the total amount of civil jury awards at the time of our study was equivalent to 15% of the median state's *total* expenditures. To calculate this, we began with total fifty-state spending in 1995, which was $720 billion. We divided this by 50 to calculate the mean state expenditure, $14.4 billion. The total of civil awards in 1992, 1996 and 2000 was about $6.5 billion, or about $2.17 per year (Cohen 2008, Table 5). This yearly amount divided by 14.4 gives a total of 15% (NABC 1998, 1).

A.2 Review of Existing Studies of the Effects of Jury Demographics

Existing studies conclude that juror demographics tend to have "weak and inconsistent effects" (Devine et al. 2001, 673). The effect of juror race is stronger than other social identities, but it depends on a host of factors: the type of crime (e.g., violent or nonviolent); the defendant's socio-economic status; judicial instructions to exercise impartiality and set aside prejudice; the race of the victim; the time period; and so on. For example, in capital cases, Black or Hispanic defendants are more likely to be sentenced to death, but only if accused of killing White victims or having more racially stereotypical facial features (Bowers, Sandys, and Brewer 2004; Eberhardt et al. 2006; Hunt 2015). In addition, judicial instructions to decide fairly may reduce the effect of defendant race on White jurors (Sommers and Ellsworth 2003). Some interviews of actual jurors in capital cases find POC jurors are more likely than White jurors to perceive the jury as having inadequately considered the evidence (Bowers, Sandys, and Brewer 2004), but other studies find no racial difference in juror perceptions (Marder 2002). In non-capital cases, White jurors sometimes discriminate against POC defendants, but primarily when race is not salient in the trial (Hunt 2015; Sommers and Ellsworth 2001). Some studies find that White jurors are less affected than POC jurors by defendant and victim race (Hunt 2015).

In non-capital cases, the effect of ethno-racial similarity between the jury and the defendant depends on several factors (Hunt 2015). For example, in cases with strong evidence, Black-majority juries are actually more punitive toward a Black than a White defendant relative to White-majority juries (Devine et al. 2001, 674). One other experimental study and three field studies confirm this pattern. In capital cases, some studies find Black defendants are more likely to be sentenced to death when juries exclude Black men (Bowers, Steiner, and Sandys 2001). All-White capital juries may also have different discussion dynamics; for example, members of these juries perceive more consensus among their fellow jurors than racially diverse juries (Bowers, Sandys, and Brewer 2004). White jurors are also more satisfied on average with the jury experience than POC jurors (Antonio and Hans 2001). See also Daudistel et al. (1999), Perez et al. (1993), and Williams and Burek (2008).

In light of these disparate findings, Diamond and Rose (2005) conclude their review of these issues by arguing that "the impact of demographic characteristics, including race, on jury decision making is often dramatically overestimated" (256). These conclusions are in line with the findings of Winter (2018) that regardless of their preferences people of color feel less comfortable voicing their thoughts in jury deliberations, implying that even if preference divergences exist they may be less likely to manifest in deliberative outcomes. However, as we note in the article, conclusions about racial composition are not possible with existing evidence.

Though the focus of this analysis is on group racial composition, other demographic features of groups may also matter, and we control for them in our analysis. For example, predominantly female groups tend to enhance empathy and cooperation, while predominantly male groups tend to enhance agency and competition (Karpowitz and Mendelberg 2014). A long scholarly tradition has investigated these issues: see, for example, Aries (1976), Carli (1989, 1990), Fishman (1978), Hall (1984), Johnson (1994), Kanter (1977), Kollock, Blumstein, and Schwartz (1985), Lakoff (1975, 1990), O'Barr (1982), O'Barr and Atkins (1980), Smith-Lovin and Brody (1989), and Zimmerman and West (1996). Interaction among a large number of women tends to create more empathetic communication and equal participation as well as nudge the group toward decisions more in line with women's gendered perspectives. In addition, the competitive communication

style of predominantly male groups may inhibit women's participation more than it does men's (Kathlene 1994). Evidence on the effects of jury gender composition is, however, very limited (Fischer 1997; Devine et al. 2001). We do not find strong, consistent gender composition effects, but our ability to test for them is limited by a severe lack of predominantly female or male groups.

Class may have a compositional effect as well. Socioeconomic status (SES) affects preferences over redistribution and economic policy, and policy changes when more people from working class backgrounds enter political office (Carnes 2012). The mere presence of a lower-SES person in the room, however, may not be sufficient. Social class affects juror perception of other jurors' influence in a jury, and upper-class jurors are far more likely to be perceived as influential, especially by lower-class jurors (York and Cornwell 2006). Socio-economic status shapes individuals' willingness and ability to speak and others' proclivity to listen to them (Mansbridge 1983). The persuasiveness of speech is more often attributed to argument quality when uttered by high-status occupations (Lee and Ofshe 1981). People with lower SES may feel more inadequate and thus participate less in groups with more well educated and well-off people than they do in poorly-educated groups. Participation in deliberation and other civic gatherings correlates with education and class (Verba, Schlozman, and Brady 1995; Price and Cappella 2002; Neblo et al. 2010; Conover, Searing, and Crewe 2002; Delli Carpini, Cook, and Jacobs 2004; Jacobs, Cook, and Carpini 2009). The group's class composition may shape voice and affect the ability to persuade. Lower-SES groups may produce more redistributive preferences by allowing low-SES people to feel comfortable speaking, and high SES groups the opposite. However, we do not find consistent SES composition effects.

A.3 Sample and Generalizability

The subjects in this study were recruited by a survey research firm from the population of Phoenix, Arizona. The firm located individuals eligible to serve on juries and paid them $35 to participate in the study. Though, as in many experiments, the researchers did not attempt strict random sampling, the sample is diverse and broadly reflects the local population.

One possible concern about generalizability is that the act of deciding on a preference before deliberation begins could influence jurors' behavior. However, many real-life juries adopt deliberation norms requiring jurors to come to pre-deliberation preference. The jury literature finds that many juries take straw polls before and after deliberation, including confidential straw polls resembling these surveys (Kerr and MacCoun 1985). While the presence of such a straw poll could affect the subsequent deliberation and outcomes, the literature on that question offers quite inconsistent and highly conditional findings. Therefore, we have no reason to expect a strong and directional effect of that design choice.

References

Antonio, Michael E., and Verie P. Hans. 2001. "Race and the Civil Jury: How Does a Juror's Race Shape the Jury Experience?" In *Psychology in the Courts: International Advances in Knowledge*, eds. Ronald Roesch, Raymond R. Corrado, and Rebecca J. Dempster. New York: Routledge.

Aries, Elizabeth. 1976. "Interaction Patterns and Themes of Male, Female, and Mixed Groups." *Small Group Behavior* 7(1): 7–18.

Bowers, William J., Benjamin D. Steiner, and Marla Sandys. 2001. "Death Sentencing in Black and White: An Empirical Analysis of the Role of Jurors' Race and Jury Racial Composition." *Unniversity of Pennsylvania Journal of Constitutional Law* 3(1): 171–274.

Bowers, William J., Marla Sandys, and Thomas W. Brewer. 2004. "Crossing Racial Boundaries: A Closer Look at the Roots of Racial Bias in Capital Sentencing When the Defendant Is Black and the Victim Is White." *DePaul Law Review* 53(4): 1497–1538.

Carli, Linda L. 1989. "Gender Differences in Interaction Style and Influence." *Journal of Personality and Social Psychology* 56(4): 565–576.

Carli, Linda L. 1990. "Gender, Language, and Influence." *Journal of Personality and Social Psychology* 59(5): 941–951.

Carnes, Nicholas. 2012. "Does the Numerical Underrepresentation of the Working Class in Congress Matter?" *Legislative Studies Quarterly* 37(1): 5–34.

Cohen, Thomas H. 2008. "General Civil Jury Trial Litigation in State and Federal Courts: A Statistical Portrait." *Journal of Empirical Legal Studies* 5(3): 593–617.

Conover, Pamela Johnston, Donald D. Searing, and Ivor M. Crewe. 2002. "The Deliberative Potential of Political Discussion." *British Journal of Political Science* 32(01).

Daudistel, Howard C., Harmon M. Hosch, Malcolm D. Holmes, and Joseph B. Graves. 1999. "Effects of Defendant Ethnicity on Juries' Dispositions of Felony Cases." *Journal of Applied Social Psychology* 29(2): 317–336.

Delli Carpini, Michael X., Fay Lomax Cook, and Lawrence R. Jacobs. 2004. "Public Deliberation, Discursive Participation, and Citizen Engagement: A Review of the Empirical Literature." *Annual Review of Political Science* 7(1): 315–344.

Devine, Dennis J., Laura D. Clayton, Benjamin B. Dunford, Rasmy Seying, and Jennifer Pryce. 2001. "Jury Decision Making: 45 Years of Empirical Research on Deliberating Groups." *Psychology, Public Policy, and Law* 7(3): 622–727.

Diamond, Shari Seidman, and Mary R. Rose. 2005. "Real Juries." *Annual Review of Law and Social Science* 1(1): 255–284.

Eberhardt, Jennifer L., Paul G. Davies, Valerie J. Purdie-Vaughns, and Sheri Lynn Johnson. 2006. "Looking Deathworthy: Perceived Stereotypicality of Black Defendants Predicts Capital-Sentencing Outcomes." *Psychological Science* 17(5): 383–386.

Fischer, Gloria J. 1997. "Gender Effects on Individual Verdicts and on Mock Jury Verdicts in a Simulated Acquaintance Rape Trial." *Sex Roles* 36(7-8): 491–501.

Fishman, Pamela M. 1978. "Interaction: The Work Women Do." *Social Problems* 25(4): 397–406.

Hall, Judith A. 1984. *Nonverbal Sex Differences: Accuracy of Communication and Expressive Style*. Baltimore: Johns Hopkins University Press.

Hunt, Jennifer S. 2015. "Race, Ethnicity, and Culture in Jury Decision Making." *Annual Review of Law and Social Science* 11(1): 269–288.

Jacobs, Lawrence R., Fay Lomax Cook, and Michael X. Delli Carpini. 2009. *Talking Together*. Chicago: University of Chicago Press.

Johnson, Cathryn. 1994. "Gender, Legitimate Authority, and Leader-Subordinate Conversations." *American Sociological Review* 59(1).

Kanter, Rosabeth Moss. 1977. *Men and Women of the Corporation*. New York: Basic Books.

Karpowitz, Christopher F., and Tali Mendelberg. 2014. *The Silent Sex: Gender, Deliberation, and Institutions*. Princeton, NJ: Princeton University Press.

Kathlene, Lyn. 1994. "Power and Influence in State Legislative Policymaking: The Interaction of Gender and Position in Committee Hearing Debates." *American Political Science Review* 88(3): 560–576.

Kerr, Norbert L, and Robert J MacCoun. 1985. "The Effects of Jury Size and Polling Method on the Process and Product of Jury Deliberation." *Journal of Personality and Social Psychology* 48(2): 349.

Kollock, Peter, Philip Blumstein, and Pepper Schwartz. 1985. "Sex and Power in Interaction: Conversational Privileges and Duties." *American Sociological Review* 50(1).

Lakoff, Robin Tolmach. 1975. *Language and Woman's Place*. New York: Harper & Row.

Lakoff, Robin Tolmach. 1990. *Talking Power: The Politics of Language in Our Lives*. New York: Basic Books.

Lee, Margaret T., and Richard Ofshe. 1981. "The Impact of Behavioral Style and Status Characteristics on Social Influence: A Test of Two Competing Theories." *Social Psychology Quarterly* 44(2).

Mansbridge, Jane J. 1983. *Beyond Adversary Democracy*. University of chicago press ed. Chicago: University of Chicago Press.

Marder, Nancy S. 2002. "Juries, Justice, and Multiculturalism." *Southern California Law Review*: Forthcoming.

NABC. 1998. 1997 State Expenditure Report. Report National Association of State Budget Officers. https://higherlogicdownload.s3.amazonaws.com/NASBO/9d2d2db1-c943-4f1b-b750-0fca152d64c2/UploadedImages/SER%20Archive/ER_1997.PDF

Neblo, Michael A., Kevin M. Esterling, Ryan P. Kennedy, David M.J. Lazer, and Anand Sokhey. 2010. "Who Wants to Deliberate – And Why?" *American Political Science Review* 104(3): 566–583.

O'Barr, William. 1982. *Linguistic Evidence: Language, Power, and Strategy in the Courtroom*. New York: Academic Press.

O'Barr, William, and B. Atkins. 1980. "'Women's Language' or 'Powerless Language?'." In *Women and Language in Literature and Society*, ed. S. McConnell-Ginet. New York: Praeger , 93–110.

Perez, Dolores A., Harmon M. Hosch, Bruce Ponder, and Gloria Chanez Trejo. 1993. "Ethnicity of Defendants and Jurors as Influences on Jury Decisions." *Journal of Applied Social Psychology* 23(15): 1249–1262.

Price, Vincent, and Joseph N. Cappella. 2002. "Online Deliberation and Its Influence: The Electronic Dialogue Project in Campaign 2000." *IT & Society* 1(1): 303–329.

Smith-Lovin, Lynn, and Charles Brody. 1989. "Interruptions in Group Discussions: The Effects of Gender and Group Composition." *American Sociological Review* 54(3).

Sommers, Samuel R., and Phoebe C. Ellsworth. 2001. "White Juror Bias: An Investigation of Prejudice Against Black Defendants in the American Courtroom." *Psychology, Public Policy, and Law* 7(1): 201–229.

Sommers, Samuel R., and Phoebe C. Ellsworth. 2003. "How Much Do We Really Know about Race and Juries? A Review of Social Science Theory and Research." *Kent Law Review*: Forthcoming.

Sunstein, Cass R., Reid Hastie, John W. Payne, David A. Schkade, and W. Kip Viscusi. 2002. *Punitive Damages: How Juries Decide*. Chicago: University of Chicago Press.

Verba, Sidney, Kay Lehman Schlozman, and Henry E. Brady. 1995. *Voice and Equality: Civic Voluntarism in American Politics*. Cambridge, Mass.: Harvard University Press.

Williams, Marian R., and Melissa W. Burek. 2008. "Justice, Juries, and Convictions: The Relevance of Race in Jury Verdicts." *Journal of Crime and Justice* 31(1): 149–169.

Winter, A. S., M. Claire. 2018. "Jurors' Subjective Experiences of Deliberations in Criminal Cases." *Law & Social Inquiry* 43(4): 1458–1490.

York, E., and B. Cornwell. 2006. "Status on Trial: Social Characteristics and Influence in the Jury Room." *Social Forces* 85(1): 455–477.

Zimmerman, Dean H., and Candace West. 1996. "Sex Roles, Interruptions and Silences in Conversation." In *Towards a Critical Sociolinguistics*, ed. Rajendra Singh. Philadelphia, PA: John Benjamins Publishing Company , 211–236.

B Summary of Cases

Below are some excerpts from the presentation of Case 12, *Crandall v. C&S Railroad*, as read aloud by one of the jury foremen and recorded in the transcript of the jury's deliberation. A full listing of the cases and a brief summary of each is available in Table A1. The number of juries in our sample considering each case is listed in the last column of the table.

> Bernice was severely injured when her car was hit by a train at a multi-rail crossing. The train and crossing were operated by the railroad company [C&S Railroad]. The trial jury ordered the railroad to pay her $200,000 in compensatory damages. Facts of the case established at the trial: on April 3rd, a company freight train was parked near a crossing on the outskirts of Lehigh causing lowered crossing gates. This condition persisted for over an hour while the

railroad worked on the train. During that time hundreds of cars drove around the lower gates and over the tracks. At one point a city or Lehigh police officer contacted the railroad about the safety problem. He also pointed out the railroad had been notified before about traffic problems caused by trains stopped at this location. After waiting about 15 minutes Bernice attempted to traverse the crossing. She went around the gate and was struck by a train on a track next to the one on which the train was stopped. She said afterwards she couldn't see the moving train because it was behind the parked one. ... The slowly moving train hit Crandall's car and dragged it several hundred feet. Her seatbelt held her in the car ... her injuries were severe. She suffered a concussion, dislocated shoulder, 3 broken ribs and a broken left arm. After 3 months of hospitalization and physical therapy she is able to walk on her own. ... Crandall's attorney asserted that numerous aspects of the railroads operations were reckless, including violating their own safety procedures and ignoring warnings from the police department. The railroad should be punished for their disregard for public safety. The attorney for the railroad says they should not be punished because she shares responsibility for the accident. Hundreds of other cars drove through the crossing safely.

Table A1: Cases Considered by Juries

Number	Case	Description	# Juries
1	*Williams v. National Motors*	Motorcycle driver injured when brakes fail	35
2	*Smith v. Public Entertainment*	Circus patron shot in arm by drunk security guard	34
3	*Douglas v. Coastal Industries*	Auto air bag opens unexpectedly, injuring driver	33
4	*Sanders v. A&G Cosmetics*	Man suffers skin damage from using baldness cure	34
5	*Stanley v. Gersten Productions*	Elderly woman suffers back injuries from using exercise video	32
6	*Glover v. General Assistance*	Child ingests large quantity of allergy medicine, needs hospital stay	33
7	*Lawson v. TGI International*	Employee suffers anemia due to benzene exposure on the job	34
8	*Newton v. Novel Clothing*	Small child playing with matches burned when pajamas catch on fire	34
9	*West v. MedTech*	Disabled man injured when wheelchair lift malfunctions	32
10	*Windsor v. Int. Computers*	Secretary chronically ill due to radiation from computer monitor	32
11	*Reynolds v. Marine Sulphur*	Seaman injured when molten sulfur container fails	33
12	*Crandall v. C&S Railroad*	Train hits car at crossing, injuring driver	34
13	*Dulworth v. Global Elevator*	Shopper injured in fall when escalator suddenly stops	33
14	*Huges v. Jardel*	Store employee raped in mall parking lot	33
15	*Nelson v. Trojan Yachts*	Man nearly drowns when defective boat sinks	33

Note: Descriptions provided by original research team and found in Sunstein et al. (2002), Table 3.1.

C Simulated Jury Random Assignment

As a balance check for the demographic composition of juries, we simulated 500 random assignments of jurors to juries for each of the demographic variables. As seen in Figure A1, the resulting distributions of the simulated juries' demographics are similar to the actual jury distributions for all demographic variables except gender.

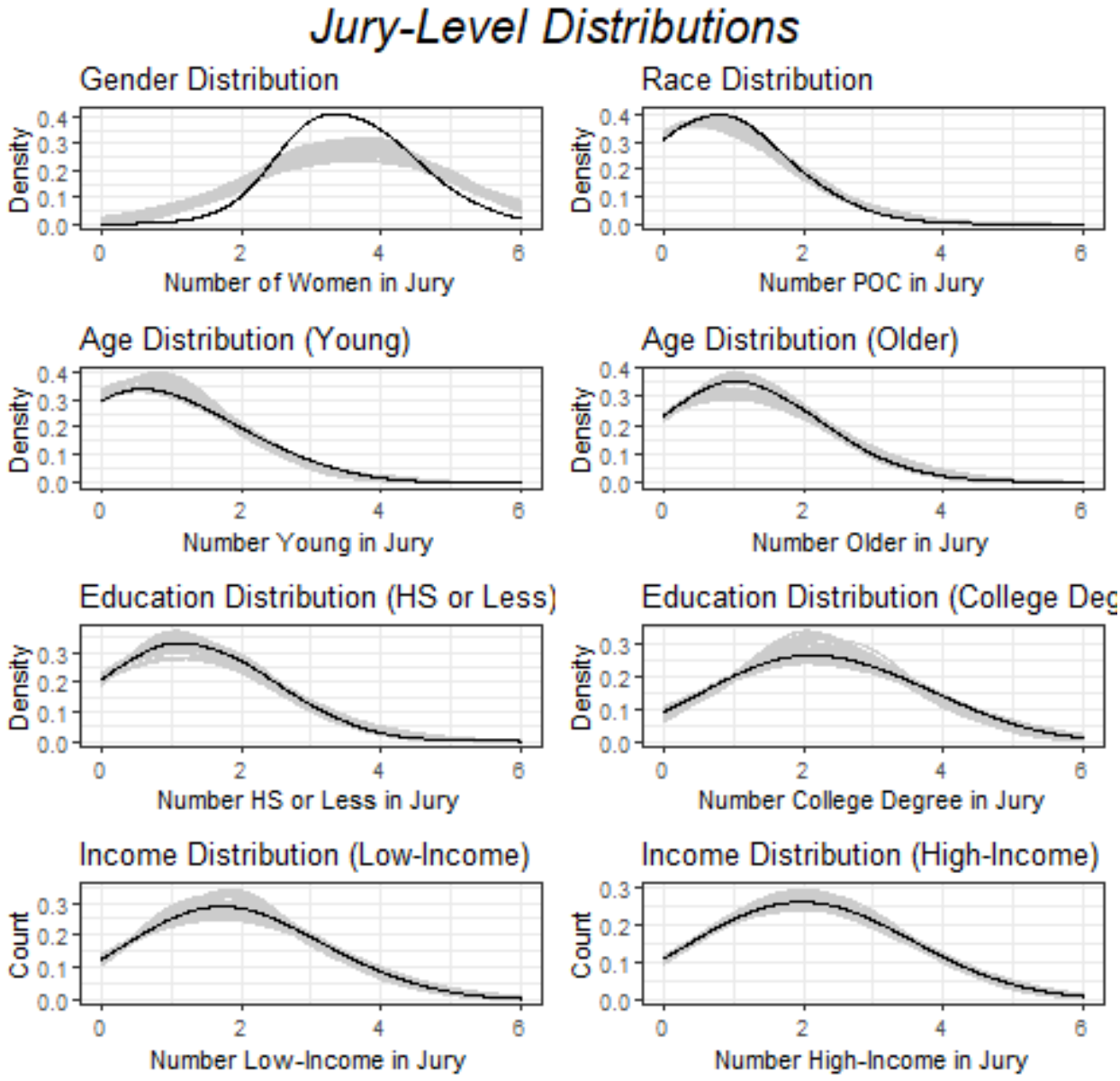


Figure A1: **Distribution of attributes across real juries and pseudo-juries.** Density curves for each of the 500 bootstrapped pseudo-juries can be seen in grey; density curves for the real juries can be seen in black.

D Demographics and Demographic Coding

The tables and figures in this section describe the demographics of the jurors and juries in the sample. Figure A2 shows the gender, race, age, education, and income distributions for all jurors in the sample, as well as the density of their dollar and rating punishment choices, for the rating-first and dollar-first groups. Figure A3 shows the composition of juries for same variables.

According to the Census Bureau, the US population has 76% Whites, 51% females, 26.5% persons 65 and older, 32% college graduates, 10.5% persons in poverty (Census Quick Facts). In our data, we have 85% Whites, 59% females, 20% elderly, 37.5% college graduate, 31% low income.

In both Figure A2 and Figure A3, the dotted lines between values of variables show the cutpoints between the categories used in analyses in the main text. For example, the panel "Age Distribution" in Figure A2 shows dotted lines between the categories 18-29 (young); 30-39, 40-49, and 50-59 (medium), and 60-69 and 70+ (older). These are the age categories used in analysis.

In constructing the composition counts for the various demographic variables, we aimed to have enough juries in each count to be statistically powered while keeping sufficient variation. This indicator approach avoids imposing a linear functional form on the effect of these demographics, and allows more direct comparisons of their effects with the effect of the binary race variable. Correlations between demographic variables are low at both the juror and jury level and do not raise collinearity concerns (Appendix E).

Summary statistics for key variables are found after the figures in Section D.3. Statistics disaggregated by dollars- and rating-first juries are available from the authors.

D.1 Missingness

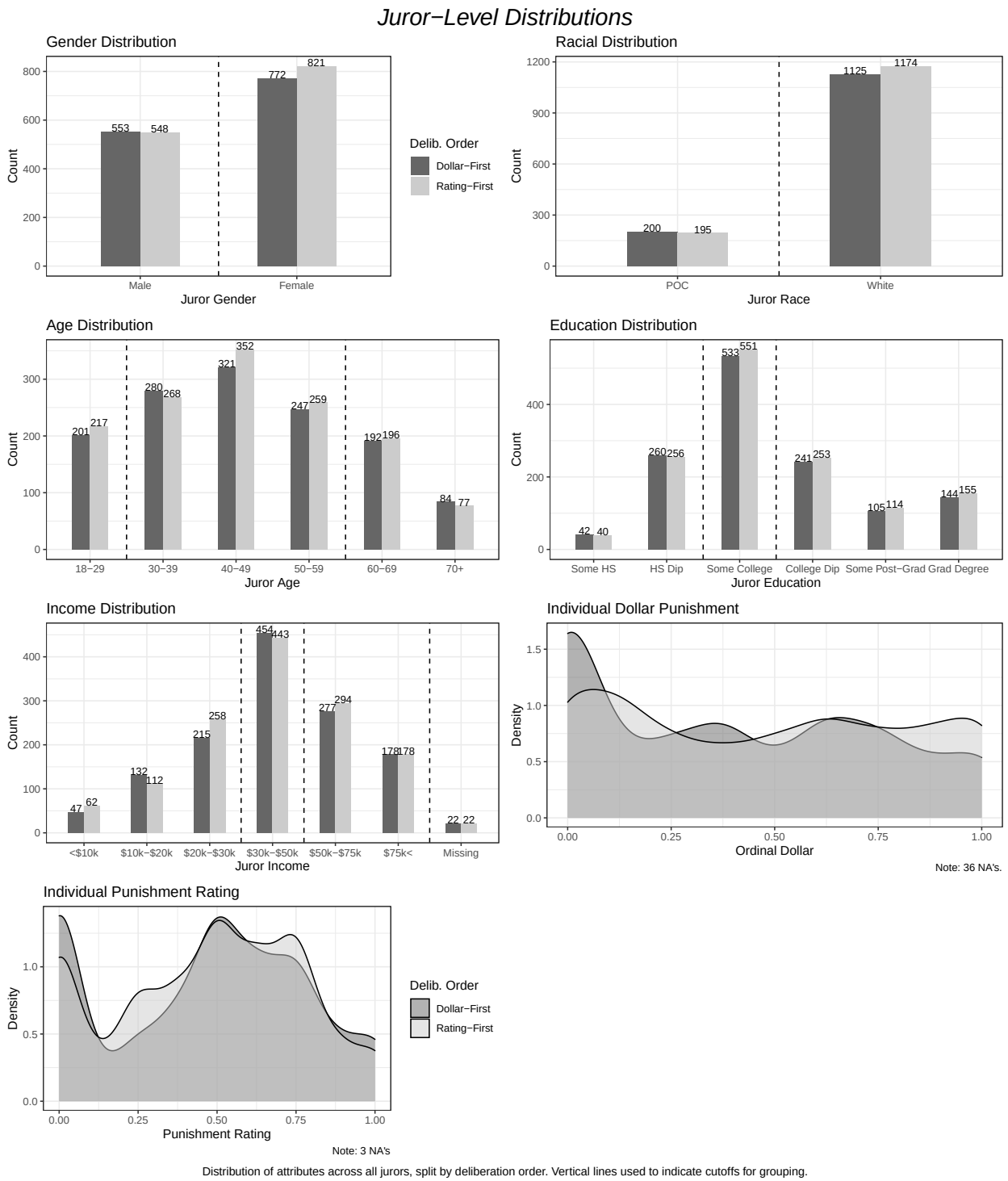
Information about juror income is missing in 3% of the full sample (and of each deliberation-order group); this is the only demographic variable with more than a handful of missing observations. In order to keep them in the analyses, individuals missing income data were included in a binary Income Missing category. The observations with missing values in the race, gender, age, and education variables were deleted list-wise since there were very few. In addition, to generate consistent group-level variables we dropped the small number of juries with fewer than 6 observations or with less than complete information for all 6 jurors. This decision standardizes the meaning of the composition results, given that they are always relative to the same number of jurors. As a practical matter, this choice has no effect on the results.[1]

D.2 Constructing Group-Level Indicators

As we explain in the paper, we constructed variables that pool and count the number of jurors in the categories defined above (e.g., 3 men, 4 men, etc.), then transformed these into a set of dichotomous indicators. First, we pooled sparse counts with the next count in the sequence to create counts containing at least 10 juries (or 50 individuals). For example, if there were fewer than 10 juries with 0 men, we pooled these with juries of 1 man to create a category of 0 - 1 men (see Appendix Figures A2-A3, where dashed vertical lines indicate cutoff points for categories).[2] Then we created dichotomous indicators for each group-level demographic category.

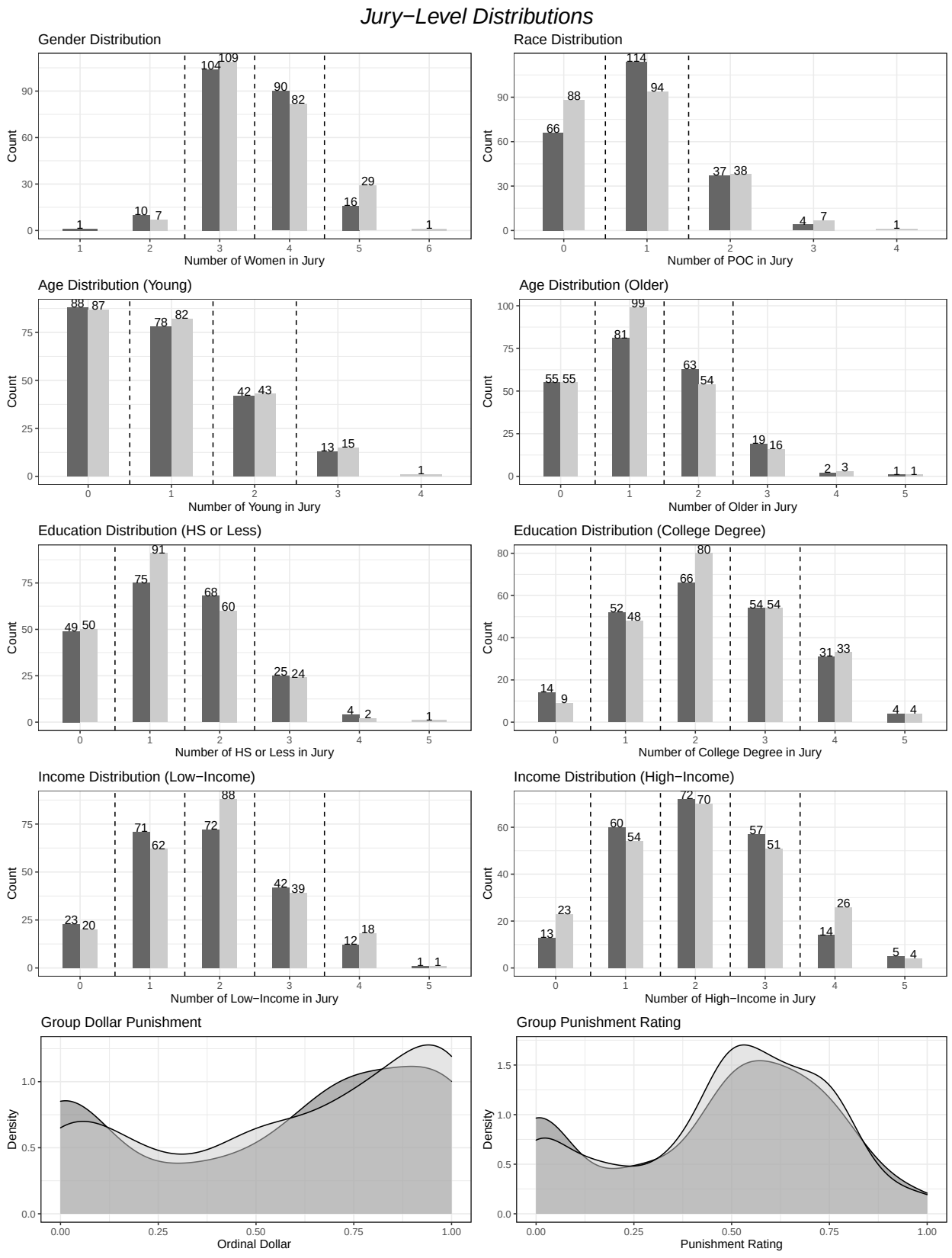
[1] In a robustness check in which we keep juries with missing data in the analyses, the pattern of results is essentially unchanged. Results available from the authors. Our results also hold if we use mean-imputation rather than list-wise deletion to account for missingness in the age, education, gender, and race variables, though imputing introduces error into the group composition variables.

[2] The categories initially below the 10-jury threshold were all at the extremes.



Distribution of attributes across all jurors, split by deliberation order. Vertical lines used to indicate cutoffs for grouping.

Figure A2: **Juror-Level Demographics.** Dotted lines represent divisions between the categories used in analysis of jury composition.



Distribution of attributes across all juries, split by deliberation order. Vertical lines used to indicate cutoffs for grouping.

Figure A3: **Jury-Level Demographics.** Dotted lines represent divisions between the categories used in analysis of jury composition.

D.3 Summary Statistics, Dollars and Ratings Combined

Summary statistics for dollars-first and ratings-first juries separately are available from the authors upon request.

Table A2: Key Variable Summary Statistics (Individual-Level, All Juries)

Statistic	N	Mean	St. Dev.	Min	Max
POC	2,694	0.15	0.35	0	1
Female	2,694	0.59	0.49	0	1
Younger (18-29)	2,694	0.16	0.36	0	1
Middle Age (30-59)	2,694	0.64	0.48	0	1
Older (60+)	2,694	0.20	0.40	0	1
High School	2,694	0.22	0.42	0	1
Some College	2,694	0.40	0.49	0	1
College Graduate	2,694	0.38	0.48	0	1
Low Income (< \$30K)	2,694	0.31	0.46	0	1
Middle Income (\$30-50K)	2,694	0.33	0.47	0	1
High Income (> \$50K)	2,694	0.34	0.48	0	1
Missing Income	2,694	0.02	0.13	0	1
Pre-Deliberation Punishment Preference	2,673	0.44	0.32	0.00	1.00

Table A3: Key Variable Summary Statistics (Jury-Level, All Juries)

Statistic	N	Mean	St. Dev.	Min	Max
Number of Women	449	3.55	0.74	1	6
Number of POC	449	0.88	0.78	0	4
Number of Younger	449	0.93	0.92	0	4
Number of Older	449	1.22	0.97	0	5
Number of High School Only Grads	449	1.33	1.00	0	5
Number of College Grads	449	2.25	1.16	0	5
Number of Low Income Jurors	449	1.84	1.07	0	5
Number of High Income Jurors	449	2.06	1.16	0	5
Jury Verdict (Round 1)	371	0.52	0.33	0.00	1.00
Jury Verdict (Round 2)	378	0.53	0.34	0.00	1.00
Reached Verdict (Round 1)	449	0.83	0.38	0	1
Reached Verdict (Round 2)	449	0.84	0.37	0	1
Median Pre-Deliberation Prefs (Round 1)	449	0.43	0.25	0.00	1.00
Median Pre-Deliberation Prefs (Round 2)	449	0.47	0.30	0.00	1.00
SD Pre-Delib Prefs (Round 1)	449	0.26	0.09	0.00	0.48
SD Pre-Delib Prefs (Round 2)	449	0.19	0.10	0.00	0.44

E Demographic Variable Correlation Plots

Our models include indicators for many demographic characteristics. To test for potential multicollinearity, we examine jury-level bivariate correlations between these indicators in Figure A4 (focal juror excluded). Darker ellipses represent higher correlations. The results show no correlations between different demographic dimensions that would raise collinearity concerns and thus complicate our analytic approach. Individual-level correlations are available from the authors and show very similar results. The highest correlations are within the same demographic category (for example between indicators for high school and college, because each includes less than high school as 0). Results are also nearly identical if we disagreggate by dollars- and rating-first juries (available from the authors).

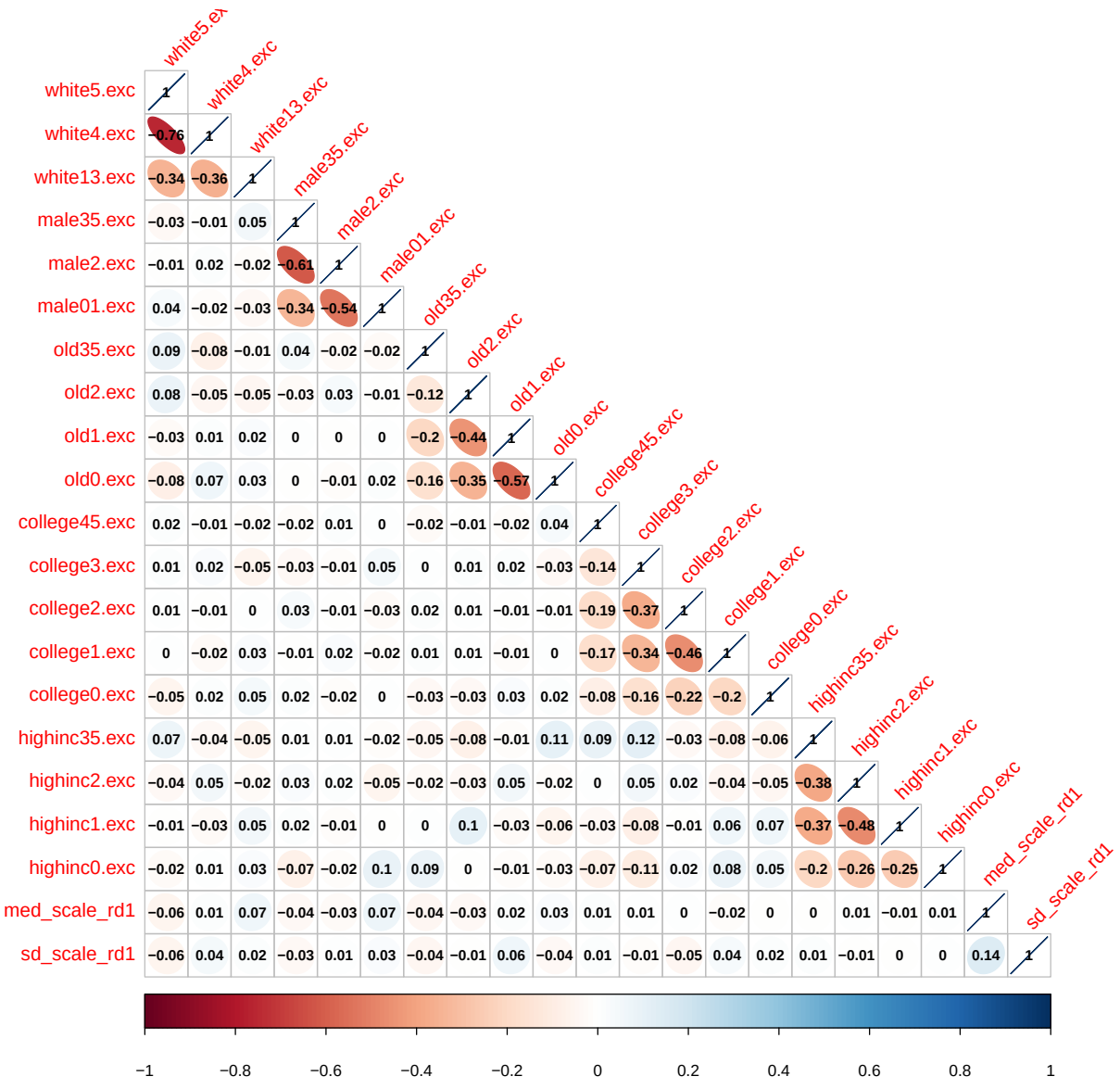


Figure A4: Correlations between Demographic Variables
(Group Composition Variables, Focal Juror Excluded, All Juries)

F Dollar Award Distribution and Coding

Figure A5 describes the distribution of the dollar amounts jurors and juries selected for punitive damages. The top two panels show the amounts chosen by individual jurors, untransformed (panel A) and log-transformed (panel B). The bottom two panels show the distributions of amounts chosen by juries after deliberation, untransformed (panel C) and log-transformed (panel D) .

The paper uses a version of the dollar variable recoded on a 9-point scale. The vertical dotted lines in each panel represent the divisions between the categories on the ordinal scale. The lowest category includes only jurors and juries who chose zero dollars. The category codings are identical for juror- and jury-level dollar choices.

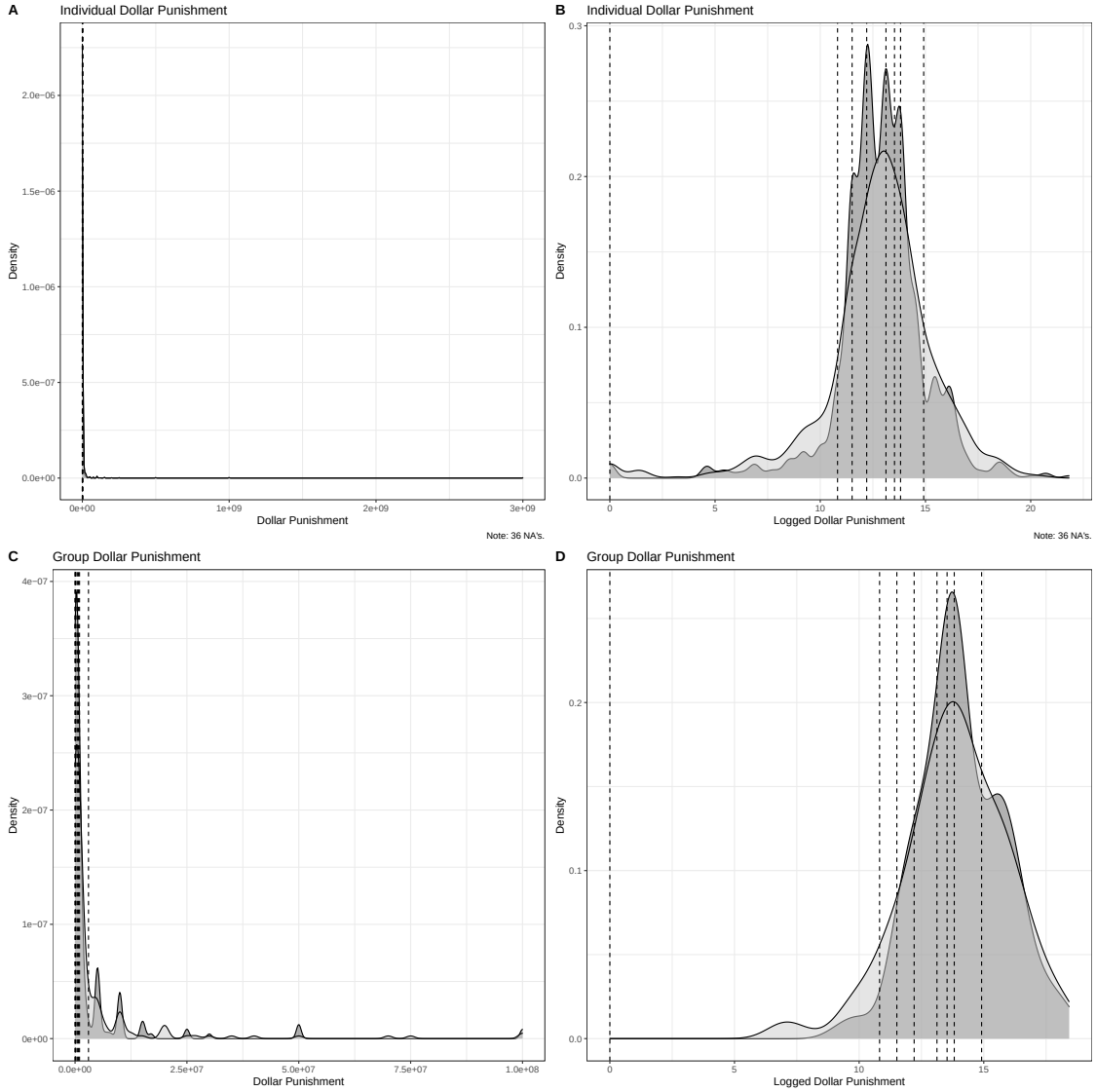


Figure A5: **Dollar Punishment Distributions.** Dotted lines represent divisions between the categories in the ordinal dollars scale.

G Table 1 Pre-Deliberation Preferences Robustness Checks

G.1 Dollar and Rating Preferences Analyzed Separately

Table A4 shows the determinants of individuals' pre-deliberation preferences for punitiveness, with the rating and dollars and logged dollars scales analyzed separately. For the dollars-first juries, the juror-level POC effect falls short of standard statistical significance ($p = 0.10$), though when we use logged instead of ordinal dollars (column 3), the POC effect easily exceeds standard thresholds ($p = 0.004$).

Table A4: Pre-Deliberation Punitiveness

	Dependent variable:		
	Rating	Dollars	Log Dollars
	(1)	(2)	(3)
POC	0.103*** (0.019)	0.038 (0.023)	1.175** (0.412)
Female	0.060*** (0.014)	−0.030 (0.017)	0.151 (0.293)
Young	0.045* (0.019)	0.024 (0.024)	0.219 (0.415)
Older	−0.001 (0.017)	−0.032 (0.021)	0.051 (0.369)
High School Grad	0.042* (0.018)	−0.042 (0.022)	−0.262 (0.383)
College Grad	−0.014 (0.015)	−0.006 (0.019)	−0.381 (0.335)
Low Income	0.013 (0.017)	−0.010 (0.021)	0.586 (0.369)
High Income	−0.040* (0.016)	−0.006 (0.020)	−0.020 (0.354)
Missing Income	−0.087 (0.054)	−0.123 (0.065)	−1.267 (1.141)
Constant	0.487*** (0.029)	0.545*** (0.037)	10.646*** (0.644)
Legal Case Fixed Effects?	*Yes*	*Yes*	*Yes*
Observations	1,366	1,307	1,307
R^2	0.328	0.277	0.294
Adjusted R^2	0.317	0.264	0.281

Note: The omitted categories for juror education and income are "some college" and "middle income." Standard errors clustered by jury. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

Table A5 shows the relationship between a juror's pre-deliberation preference and the composition of their jury. As expected, none of the composition variables in Table A5 have statistically significant effects on pre-deliberation preferences, and with one exception, the same is true of the composition variables when we use the logged dollar indicator instead.

Table A5: Pre-Deliberation Punitiveness and Group Composition

	Dependent variable:		
	Rating	Dollars	Log Dollars
	(1)	(2)	(3)
POC	0.104*** (0.019)	0.047 (0.024)	1.255** (0.422)
Female	0.055*** (0.015)	−0.021 (0.019)	0.160 (0.330)
Young	0.049** (0.019)	0.022 (0.024)	0.224 (0.415)
Older	−0.001 (0.017)	−0.033 (0.021)	0.035 (0.370)
High School Grad	0.041* (0.018)	−0.039 (0.022)	−0.151 (0.383)
College Grad	−0.013 (0.015)	−0.003 (0.019)	−0.280 (0.335)
Low Income	0.010 (0.017)	−0.009 (0.021)	0.570 (0.370)
High Income	−0.041* (0.017)	−0.008 (0.020)	−0.091 (0.356)
Missing Income	−0.100 (0.054)	−0.148* (0.065)	−1.690 (1.143)
4 Whites	0.017 (0.021)	0.005 (0.026)	−0.213 (0.463)
5 Whites	0.0003 (0.020)	−0.039 (0.028)	−0.728 (0.491)
2 Men	0.006 (0.017)	−0.018 (0.022)	−0.412 (0.392)
3+ Men	0.019 (0.021)	−0.022 (0.027)	0.015 (0.482)
1 Older	−0.019 (0.016)	−0.022 (0.020)	−0.438 (0.352)
2 Older	0.022 (0.020)	−0.021 (0.023)	−0.494 (0.412)
3+ Older	0.001 (0.032)	−0.070 (0.039)	−1.461* (0.692)
1 College Grad	−0.037 (0.028)	−0.050 (0.030)	−0.938 (0.528)
2 College Grad	−0.047 (0.027)	−0.026 (0.030)	−0.516 (0.532)
3 College Grad	−0.049 (0.029)	−0.060 (0.032)	−0.961 (0.565)
4+ College Grad	0.002 (0.037)	−0.002 (0.042)	0.932 (0.739)
1 High Income	0.029 (0.022)	0.011 (0.030)	0.031 (0.520)
2 High Income	0.013 (0.023)	0.022 (0.029)	0.271 (0.516)
3+ High Income	0.022 (0.024)	0.007 (0.032)	−0.212 (0.568)
Constant	0.505*** (0.046)	0.606*** (0.055)	12.030*** (0.969)
Legal Case Fixed Effects?	*Yes*	*Yes*	*Yes*
Observations	1,366	1,307	1,307
R^2	0.336	0.288	0.309
Adjusted R^2	0.318	0.267	0.289

Note: The omitted categories for juror education and income are "some college" and "middle income." Standard errors clustered by jury. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

H Table 2 Post-Deliberation Preferences Robustness Checks

In the analyses that follow, versions of each table showing coefficients for control variables are available from the authors upon request.

H.1 Omitting Juror Pre-Deliberation Preference Control

Table A6 presents results without and with jury-level demographic controls (columns 1 and 2, respectively) and with the jury's median predeliberation preference added (column 3). Unlike Table 2 in the article, these analyses do not include controls for the juror's pre-deliberation preferences.

Table A6: Post-Deliberation Individual Punitiveness, No Controls for Juror Pre-Deliberation Preferences

	Dependent variable:		
	Post-Deliberation Preference (t_2)		
	(1)	(2)	(3)
Race (Baseline: <= 3 Whites)			
4 Whites	-0.038^{*}	-0.030	-0.024
	(0.016)	(0.016)	(0.015)
5 Whites	-0.071^{***}	-0.060^{***}	-0.044^{**}
	(0.016)	(0.016)	(0.016)
Jury Median Pre-Delib. Preference (t_0)			0.431^{***}
			(0.034)
Constant	0.632^{***}	0.720^{***}	0.451^{***}
	(0.023)	(0.034)	(0.039)
Legal Case Fixed Effects?	Yes	Yes	Yes
Indiv. Demographic Controls?	Race only	Yes	Yes
Jury Demographic Controls?	No	Yes	Yes
Observations	2,676	2,676	2,676
R^2	0.391	0.400	0.436
Adjusted R^2	0.387	0.392	0.427

Note: Standard errors clustered by jury. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

H.2 Adding Group-Individual Interaction Terms

Table A7: Post-Deliberation Punitiveness: Interaction between Individual and Group Characteristics

	Dependent variable:				
	Post-Deliberation Preference (t_2)				
	Race	Gender	Age	Education	Income
	(1)	(2)	(3)	(4)	(5)
Jury Racial Composition (Baseline: <= 3 Whites)					
4 White	−0.032* (0.016)	−0.034* (0.015)	−0.034* (0.015)	−0.038* (0.015)	−0.033* (0.015)
5 White	−0.055*** (0.016)	−0.056*** (0.015)	−0.056*** (0.015)	−0.059*** (0.015)	−0.055*** (0.015)
Interactions					
POC * 4 White	−0.022 (0.049)				
POC * 5 White	−0.014 (0.047)				
Female * 2 Men		−0.006 (0.025)			
Female * 3+ Men		0.003 (0.037)			
Older * 1 Older			−0.015 (0.028)		
Older * 2 Older			−0.015 (0.034)		
Older * 3+ Older			−0.003 (0.056)		
College Grad * 1 College Grad				0.032 (0.038)	
College Grad * 2 College Grad				0.003 (0.037)	
College Grad * 3 College Grad				0.068 (0.039)	
College Grad * 4+ College Grad				−0.090 (0.056)	
High Income * 1 High Income					0.004 (0.035)
High Income * 2 High Income					−0.015 (0.034)
High Income * 3+ High Income					0.007 (0.037)
Constant	0.553*** (0.034)	0.552*** (0.035)	0.551*** (0.034)	0.565*** (0.036)	0.553*** (0.035)
Legal Case Fixed Effects?	Yes	Yes	Yes	Yes	Yes
Indiv. Demog. and Pref. Controls?	Yes	Yes	Yes	Yes	Yes
Jury Demographic Controls?	Yes	Yes	Yes	Yes	Yes
Observations	2,655	2,655	2,655	2,655	2,655
R^2	0.460	0.460	0.460	0.462	0.460
Adjusted R^2	0.451	0.451	0.451	0.454	0.451

Note: The omitted categories for juror education and income are "some college" and "middle income." Standard errors clustered by jury.
*p<0.05; **p<0.01; ***p<0.001, two-tailed.

H.3 Low-Status Group Composition Indicators

Table A8: Post-Deliberation Punitiveness, Low Status Group Composition Indicators

	Dependent variable:			
	Post-Deliberation Preference (t_2)			
	(1)	(2)	(3)	(4)
Race (Baseline: 2+ POC)				
1 POC	-0.038^{*}	-0.035^{*}	-0.039^{*}	-0.033^{*}
	(0.016)	(0.016)	(0.015)	(0.015)
0 POC	-0.071^{***}	-0.069^{***}	-0.064^{***}	-0.053^{***}
	(0.016)	(0.016)	(0.015)	(0.015)
Constant	0.632^{***}	0.660^{***}	0.493^{***}	0.350^{***}
	(0.023)	(0.031)	(0.031)	(0.036)
Legal Case Fixed Effects?	Yes	Yes	Yes	Yes
Indiv. Demo Controls?	Race Only	Yes	Yes	Yes
Jury Demo. Controls? (low status indicators)	Race Only	Yes	Yes	Yes
Juror Pre-delib Pref. Control?	No	No	Yes	Yes
Jury Pre-delib Pref. Control?	No	No	No	Yes
Observations	2,676	2,676	2,655	2,655
R^2	0.391	0.399	0.459	0.472
Adjusted R^2	0.387	0.391	0.452	0.464

Note: Standard errors clustered by jury. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

H.4 Inclusive Group Composition Variables

Table A9: Post-Deliberation Punitiveness, All Jurors Included in Group Composition Indicators

	Dependent variable:			
	Post-Deliberation Preference (t_2)			
	(1)	(2)	(3)	(4)
Race (Baseline: <= 4 Whites)				
5 White	-0.036^{*}	-0.030^{*}	-0.030^{*}	-0.017
	(0.014)	(0.014)	(0.014)	(0.013)
6 White	-0.070^{***}	-0.061^{***}	-0.055^{***}	-0.034^{*}
	(0.016)	(0.016)	(0.015)	(0.014)
Constant	0.631^{***}	0.695^{***}	0.536^{***}	0.205^{***}
	(0.022)	(0.035)	(0.035)	(0.035)
Legal Case Fixed Effects?	Yes	Yes	Yes	Yes
Indiv. Demo Controls?	Race Only	Yes	Yes	Yes
Jury Demo. Controls?	Race Only	Yes	Yes	Yes
Juror Pre-delib Pref. Control?	No	No	Yes	Yes
Jury Pre-delib Pref. Control?	No	No	No	Yes
Observations	2,676	2,676	2,655	2,655
R^2	0.391	0.401	0.460	0.546
Adjusted R^2	0.387	0.392	0.452	0.539

Note: Standard errors clustered by jury. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

H.5 Dollars and Ratings Separately

Table A10 presents the OLS results when we analyze the dollars-first and ratings-first juries separately. In the first three models the dependent variable is juror rating at time t_2, and the data is from dollars-first juries. These juries gave their private preference on a dollar award, deliberated and decided about dollars, then gave their private individual preference about ratings. In the last three models the dependent variable is ordinal dollars, from juries that deliberated about ratings first. Columns 1 and 4 contain only the race variables and the individual juror's pre-deliberation preferences; columns 2 and 5 add the other jury-level composition variables; and columns 3 and 6 add the jury's median pre-deliberation preference.

The magnitude of the effect on ratings is substantial — almost 10 percentage points. The effect of sitting with 1 POC juror is about half that: nearly 6 points. Racial composition matters for dollars as well: being surrounded entirely by Whites decreases corporate punishment by five points.

These nearly monotonic effect sizes are potentially indicative that the sharper effects we see at the extreme ends of the composition groupings (e.g. 2+ POC jurors) may reflect an underlying trend that is in reality also monotonic. They would then only appear to spike because the small n problem inherent in the experiment's execution leaves us with no analytical choice but to combine these levels. This same small n problem prevents us from conducting any conclusive test for whether this is the case, but evidence seen here suggests it may be.

In addition, these effects persist when we check for robustness in models that include interactions between individual and group characteristics, models that exclude jurors' pre-deliberation preferences, models that include instead of exclude the focal juror in group composition indicators, and models using low-privilege composition measures. Results available from the authors.

Table A10: Post-Deliberation Punitiveness, Dollars and Ratings Separately

	Dependent variable:					
	Rating (t_2)			Dollars (t_2)		
	(1)	(2)	(3)	(4)	(5)	(6)
Race (Baseline: <= 3 Whites)						
4 White	-0.055^{**}	-0.059^{**}	-0.055^{**}	-0.029	-0.016	-0.016
	(0.020)	(0.020)	(0.020)	(0.022)	(0.022)	(0.021)
5 White	-0.095^{***}	-0.089^{***}	-0.077^{***}	-0.064^{**}	-0.051^{*}	-0.040
	(0.021)	(0.021)	(0.021)	(0.022)	(0.021)	(0.021)
Constant	0.460^{***}	0.483^{***}	0.355^{***}	0.488^{***}	0.594^{***}	0.340^{***}
	(0.031)	(0.044)	(0.049)	(0.035)	(0.051)	(0.059)
Legal Case Fixed Effects?	Yes	Yes	Yes	Yes	Yes	Yes
Indiv. Demo Controls?	No	Yes	Yes	No	Yes	Yes
Jury Demo Controls?	No	Yes	Yes	No	Yes	Yes
Pre-Delib Pref Controls?	Yes	Yes	Yes	Yes	Yes	Yes
Pre-Delib Median Controls?	No	No	Yes	No	No	Yes
Observations	1,306	1,306	1,306	1,349	1,349	1,349
R^2	0.510	0.529	0.540	0.443	0.480	0.503
Adjusted R^2	0.504	0.514	0.526	0.436	0.465	0.488

Note: Standard errors clustered by jury. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

H.6 Alternative Dollar Punishment Measure

Table A11: Post-Deliberation Punitiveness, Logged Dollar Scale

	Dependent variable:		
	Logged Dollar (t_2)		
	(1)	(2)	(3)
Race (Baseline: <= 3 Whites)			
4 White	-0.721^{*}	-0.600	-0.580
	(0.323)	(0.323)	(0.307)
5 White	-1.262^{***}	-1.089^{***}	-0.850^{**}
	(0.318)	(0.320)	(0.305)
Constant	11.008^{***}	12.375^{***}	6.791^{***}
	(0.512)	(0.753)	(0.859)
Legal Case Fixed Effects?	Yes	Yes	Yes
Indiv. Demo Controls?	Race only	Yes	Yes
Jury Demo Controls?	Race only	Yes	Yes
Pre-Delib Pref Controls?	Yes	Yes	Yes
Observations	1,349	1,349	1,349
R^2	0.487	0.505	0.552
Adjusted R^2	0.480	0.491	0.539

Note: Replication of Columns 4-6 of Table A10 with the log-transformed dollar dependent variable. Standard errors clustered by jury. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

H.7 Influence of White and POC Above-Median Jurors

Table A12 replicates and extends the final column of Table 2 in the main text, adding variables to account for White and POC jurors' pre-deliberation preferences. This analysis can help differentiate between the effects of the jury's racial composition in itself and the effects of the opinions of the other white and POC jurors.

We are interested in testing whether serving on a jury with a white and a POC peer with different preferences from a focal juror have a similar effect on that juror's post-deliberation preference. To measure the preferences of other jurors of different races, we simply count the number of white and POC jurors on each participant's jury with more punitive pre-deliberation preferences than the focal participant. Then, to make the white and POC counts more comparable, we limit the sample to jurors with 0, 1, or 2 white and nonwhite jurors with more punitive preferences. We transform these variables into dichotomous indicators for the presence of 0, 1, or 2 jurors in each group.

Column 1 of Table A12 regresses each juror's post-deliberation preference on the full suite of individual and jury demographics, as in Table 2 in the main text, on this restricted sample. Column 2 then adds indicator variables for the presence of 1 or 2 white or POC jurors with more-punitive pre-deliberation preferences than the focal juror. The omitted category for each variable is 0, so each coefficient shows the effect of 1 (or 2) white (or POC) jurors with more punitive preferences relative to 0 white (or POC) jurors with more punitive preferences.

First, the effects of the jury's racial composition persist, even in the face of these additional controls, highlighting the importance of group racial context in itself.

Second, the results suggest that jurors develop significantly more punitive post-deliberation preferences when they serve with 1 or 2 White jurors with more punitive preferences than their own, holding constant the effect of racial composition in itself. The effect of serving with more-punitive POC jurors is less clear, though in the expected direction. While the coefficient on 1 POC juror with more-punitive preferences is close to 0, the coefficient on 2 POC jurors is of similar size to the effect of 2 White jurors (though perhaps due to lower power, the effect of POC jurors is insignificant). The predicted levels of post-deliberation preferences for White jurors on juries with 2 or more POC can be found below.

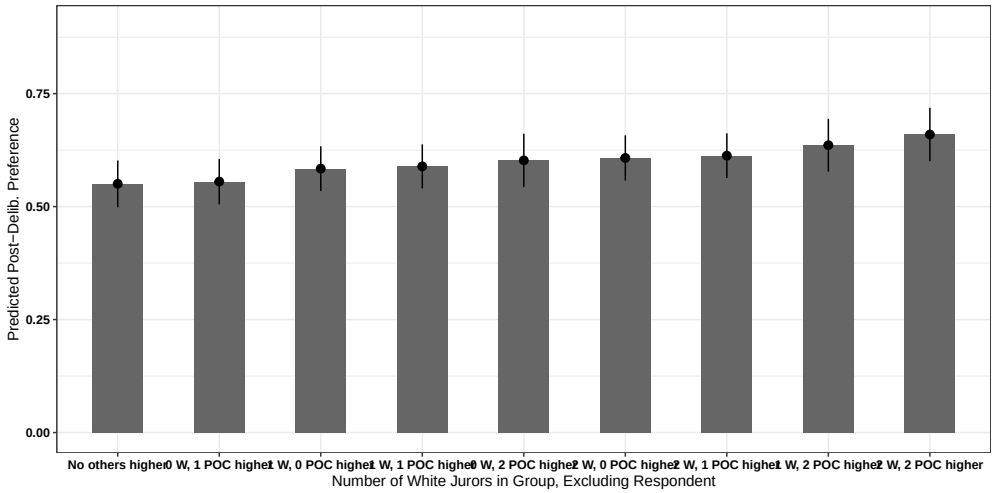


Figure A6: Predicted punitiveness from Table A12 for white jurors on juries with 2 or more nonwhite peers, with different numbers of more-punitive white and POC fellow jurors.

Table A12: Predicting Post-Deliberation Punitiveness with White and POC Juror Preferences

	Dependent variable:	
	Post-Deliberation Preference (t2)	
	(1)	(2)
4 Whites	-0.043^{**}	-0.037^{*}
	(0.017)	(0.018)
5 Whites	-0.071^{***}	-0.066^{**}
	(0.017)	(0.021)
Individual Pre-delib. Preference	0.278^{***}	0.371^{***}
	(0.029)	(0.041)
Jury Median Pre-delib. Preference	0.189^{***}	0.125^{*}
	(0.046)	(0.050)
1 White Above Pref		0.034^{*}
		(0.015)
2 White Above Pref		0.057^{**}
		(0.018)
1 POC Above Pref		0.005
		(0.017)
2 POC Above Pref		0.052
		(0.035)
Constant	0.468^{***}	0.407^{***}
	(0.045)	(0.050)
Legal Case Fixed Effects?	Yes	Yes
Indiv. Demographic Controls?	Yes	Yes
Other Composition Controls?	Yes	Yes
Observations	1,786	1,786
R^2	0.539	0.542
Adjusted R^2	0.528	0.530

Note: Standard errors clustered by jury. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

I Selection Model Robustness Checks

I.1 Stage 1 of Selection Models: Reaching Verdicts

In Table A13, columns 1 and 2 report the results for the first stage of the selection model used in the text, which includes all jury-level group composition indicators. Models in columns 3 and 4 include only the racial composition variables and the standard deviation of the jury's pre-deliberation preferences, omitting the other composition variables. In all models, the outcome variable is coded 1 if the jury reached a verdict, 0 if not. Including the standard deviation of the jury's preferences prior to any deliberation, measured at t_0, allows us to identify the selection model because the standard deviation predicts only the first stage of the model (the ability to reach a verdict) and not the second stage (the size of the verdict).

Results of both sets of columns are essentially identical: racial composition does not consistently affect hung juries. And when included in the analysis, neither does any other group composition variable matter. Instead, juries hung when they entered the jury room with diverse preferences. To be sure, more racially diverse juries tend to have opinion diversity. But because opinion diversity has many sources, the correlation with racial composition is far too small to explain the null effect of racial composition ($r = 0.002$ for ratings-first juries and $r = 0.07$ for dollars-first juries).

Additional robustness checks (available from the authors) show that the basic pattern of results is unchanged when we substitute the standard deviation predictor in Stage 1 with a measure of between-race differences in preferences and when we analyze dollars and ratings separately. In models that separate dollars and ratings, the Inverse Mills Ratio is significant in only one of the four rounds, suggesting selection effects are scarce. Results also replicate when we substitute low status measures of group composition (whether ratings and dollars are analyzed together or separately) and when we use the logged dollar measure instead of the ordinal version.

Table A13: Reaching a Verdict

	Dependent variable: Reached Verdict			
	Round 1	Round 2	Round 1	Round 2
	(1)	(2)	(3)	(4)
Race (Baseline: <= 4 Whites)				
5 White	−0.041	0.244	−0.036	0.264
	(0.207)	(0.202)	(0.195)	(0.194)
6 White	0.257	0.236	0.260	0.271
	(0.224)	(0.217)	(0.213)	(0.207)
SD Pre-Delib. Preference (t_0)	−3.865***	−3.289***	−3.706***	−3.026***
	(0.916)	(0.935)	(0.872)	(0.892)
Constant	2.766***	1.759**	2.285***	1.763***
	(0.600)	(0.546)	(0.436)	(0.422)
Addl. Jury Demo Controls?	Yes	Yes	No	No
Incl. St. Dev. Prefs?	Yes	Yes	Yes	Yes
Observations	449	449	449	449
R^2	0.771	0.643	0.759	0.615
Adjusted R^2	0.750	0.612	0.759	0.615
ρ	1.424	−0.471	1.469	−0.537
Inverse Mills Ratio	0.389*** (0.097)	−0.098 (0.108)	0.467*** (0.116)	−0.115 (0.118)

Note: Jury-level analysis. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

I.2 Stage 2 of Selection Models: Predicting Verdict Outcomes

In the text, we present the full model with all group composition controls. Table A14 presents the results of the second stage of the selection model controlling only for the racial composition variables and the jury's pre-deliberation median preferences (columns 1 and 2) and excluding the jury's pred-deliberation median preference in stage 2 (columns 3 and 4). Analyzing dollars and ratings separately does not produce a different result, whether we use the ordinal measure of dollars (Table A15) or the logged version (available upon request). Results are also robust to models that substitute low status measures of group composition and to a simplified OLS approach that predicts verdicts outside of the Heckit framework. These results are available from the authors upon request. In sum, regardless of the approach we use, verdicts were not consistently related to the jury's racial composition.

Table A14: Predicting Punitiveness of Verdicts, Simple Models

	Dependent variable: Verdict			
	Round 1	Round 2	Round 1	Round 2
Race (Baseline: <= 4 Whites)				
5 White	−0.026	−0.051	−0.025	−0.042
	(0.040)	(0.033)	(0.039)	(0.034)
6 White	0.003	−0.078*	−0.032	−0.089*
	(0.044)	(0.035)	(0.043)	(0.037)
Median Pre-Delib. Preference (t_0)	0.792***	0.576***		
	(0.052)	(0.071)		
Constant	0.218**	0.433***	0.771***	0.936***
	(0.075)	(0.076)	(0.091)	(0.090)
Jury Composition Controls?	No	No	Yes	Yes
Observations	449	449	449	449
R^2	0.771	0.633	0.654	0.585
Adjusted R^2	0.759	0.615	0.624	0.550
ρ	1.469	−0.537	1.324	−0.392
Inverse Mills Ratio	0.467*** (0.116)	−0.115 (0.118)	0.394*** (0.109)	−0.087 (0.116)

Note: Jury-level analysis. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

In Table A15, we analyze the verdict in each of the two rounds of deliberation: columns 1 and 4 are for ratings-first juries, and Columns 2 and 3 are for dollars-first juries. Racial composition matters in only one of the four outcomes: the second round of punishment ratings. In that round, all-White groups settled on lower damages than groups with two or more people of color. Overall, however, the group's racial composition does not consistently affect verdicts.

Table A15: Predicting Punitiveness of Verdicts, Ratings and Dollars Separately

	Dependent variable:			
	Rating		Dollars	
	(1)	(2)	(3)	(4)
Race (Baseline: <= 4 Whites)				
5 White	−0.014	−0.066	−0.052	0.026
	(0.023)	(0.035)	(0.052)	(0.047)
6 White	0.017	−0.132**	−0.036	−0.016
	(0.025)	(0.042)	(0.060)	(0.047)
Median Pre-Delib. Rating (t_0)	0.935***			0.933***
	(0.073)			(0.125)
Median Pre-Delib. Dollar (t_0)		0.373***	0.810***	
		(0.082)	(0.099)	
Constant	0.179*	0.531***	0.454**	0.344*
	(0.071)	(0.097)	(0.139)	(0.144)
Jury Composition Controls?	Yes	Yes	Yes	Yes
Observations	228	221	221	228
R^2	0.836	0.697	0.798	0.728
Adjusted R^2	0.805	0.639	0.755	0.673
ρ	0.557	−0.447	1.369	0.696
Inverse Mills Ratio	0.063 (0.076)	−0.073 (0.087)	0.357** (0.116)	0.142 (0.104)

Note: Jury-level analysis. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

J Repeating Results with Hispanic Indicators

The tables in this section replicate key results from the main text, replacing the variables measuring racial composition using the number of POC with a variable measuring the number of Hispanic jurors. Though the results are directionally similar to those in the main text, they are less often signficant.

J.1 Replication of Table 1

Table A16: Pre-Deliberation Preferences, Replacing POC with Hispanic Indicator

	Dependent variable:	
	Pre-Deliberation Preferences (t_0)	
	(1)	(2)
Hispanic	0.044* (0.022)	0.042 (0.022)
Female	0.020 (0.010)	0.022 (0.012)
Young	0.034* (0.015)	0.035* (0.015)
Older	−0.018 (0.013)	−0.019 (0.013)
High School Grad	−0.001 (0.014)	0.001 (0.014)
College Grad	−0.012 (0.012)	−0.011 (0.012)
Low Income	0.012 (0.013)	0.011 (0.013)
High Income	−0.024 (0.013)	−0.024 (0.013)
Missing Income	−0.098* (0.042)	−0.103* (0.042)
1 Hispanic		−0.004 (0.038)
0 Hispanics		−0.007 (0.037)
2 Men		−0.013 (0.014)
3+ Men		−0.007 (0.016)
1 Older		−0.010 (0.012)
2 Older		−0.002 (0.015)
3+ Older		−0.040 (0.025)
1 College Grad		−0.039 (0.020)
2 College Grad		−0.023 (0.020)
3 College Grad		−0.041 (0.021)
4+ College Grad		0.010 (0.028)
1 High Income		0.002 (0.017)
2 High Income		0.004 (0.017)
3+ High Income		−0.002 (0.019)
Constant	0.518*** (0.023)	0.564*** (0.049)
Legal Case Fixed Effects?	Yes	Yes
Observations	2,896	2,896
R^2	0.263	0.267
Adjusted R^2	0.257	0.257

Note: Standard errors clustered by jury. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

J.2 Replication of Table 2

Table A17: Table 2, Replacing POC with Hispanic Indicator

	Dependent variable:		
	Post-Deliberation Preference (t2)		
	(1)	(2)	(3)
1 Hispanic	−0.059	−0.055	−0.050
	(0.036)	(0.036)	(0.036)
0 Hispanics	−0.060	−0.053	−0.047
	(0.035)	(0.035)	(0.035)
2 Men		−0.008	−0.004
		(0.012)	(0.012)
3+ Men		0.015	0.021
		(0.015)	(0.015)
1 Older		−0.010	−0.006
		(0.012)	(0.011)
2 Older		−0.026	−0.016
		(0.014)	(0.014)
3+ Older		−0.016	−0.003
		(0.023)	(0.023)
1 College Grad		−0.025	−0.020
		(0.019)	(0.018)
2 College Grad		−0.022	−0.015
		(0.019)	(0.018)
3 College Grad		−0.015	−0.007
		(0.020)	(0.019)
4+ College Grad		−0.027	−0.020
		(0.025)	(0.025)
1 High Income		−0.014	−0.017
		(0.017)	(0.016)
2 High Income		−0.017	−0.018
		(0.017)	(0.016)
3+ High Income		−0.055**	−0.051**
		(0.018)	(0.018)
Individual Pre-delib. Preference	0.306***	0.302***	0.249***
	(0.017)	(0.018)	(0.019)
Jury Median Pre-delib. Preference			0.273***
			(0.035)
Constant	0.491***	0.571***	0.430***
	(0.040)	(0.047)	(0.050)
Legal Case Fixed Effects?	Yes	Yes	Yes
Indiv. Demographic Controls?	Yes	Yes	Yes
Observations	2,655	2,655	2,655
R^2	0.449	0.457	0.469
Adjusted R^2	0.445	0.449	0.461

Note: Standard errors clustered by jury. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

Table A18: Table 3, Replacing POC with Hispanic Indicator

	Dependent variable:	
	Verdict (Round 1)	Verdict (Round 2)
	(1)	(2)
1 Hispanic	−0.040	−0.074
	(0.083)	(0.077)
0 Hispanics	−0.030	−0.058
	(0.081)	(0.076)
2 Men	0.013	−0.081
	(0.047)	(0.044)
3 Men	−0.017	−0.056
	(0.047)	(0.042)
4+ Men	−0.136	0.003
	(0.085)	(0.070)
1 Older	0.003	−0.001
	(0.033)	(0.028)
2 Older	0.047	−0.024
	(0.038)	(0.034)
3+ Older	−0.009	−0.028
	(0.051)	(0.043)
2 College Grad	−0.034	−0.005
	(0.042)	(0.036)
3 College Grad	−0.008	−0.019
	(0.037)	(0.031)
4+ College Grad	−0.069*	−0.011
	(0.035)	(0.030)
1 High Income	0.0004	−0.095*
	(0.055)	(0.045)
2 High Income	−0.097	−0.107*
	(0.059)	(0.047)
3 High Income	−0.094	−0.106*
	(0.063)	(0.052)
4+ High Income	−0.031	−0.088*
	(0.053)	(0.045)
Median Pre-Delib. Preference (t0)	0.808***	0.576***
	(0.058)	(0.072)
Constant	0.306**	0.593***
	(0.116)	(0.123)
Observations	449	449
R^2	0.771	0.641
Adjusted R^2	0.750	0.609
ρ	1.429	−0.449
Inverse Mills Ratio	0.393*** (0.094)	−0.093 (0.107)

Note: Jury-level analysis. *p<0.05; **p<0.01; ***p<0.001, two-tailed.

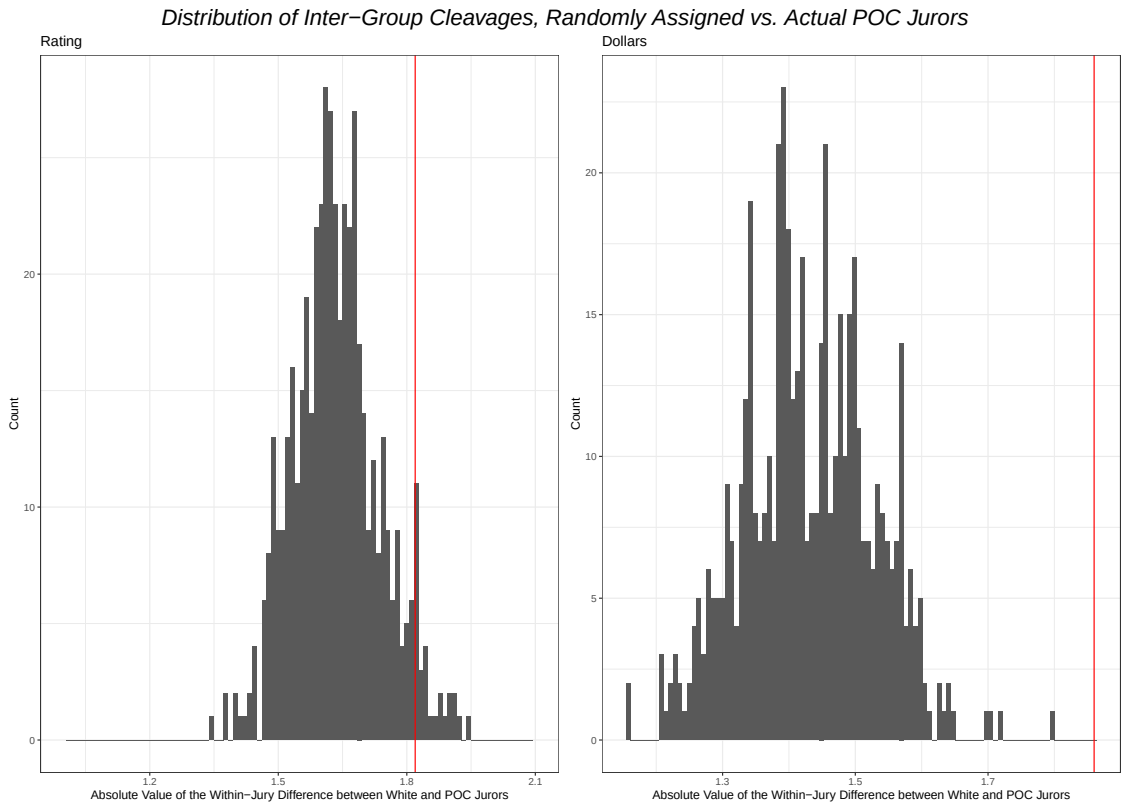
K Simulated Intergroup Differences

POC jurors' opinions tend to differ from the opinions of others in their jury more than do white jurors' opinions. To characterize this divergence, we run a simulation to see how much a random group of juror's preferences would differ from those of their fellow jurors.

In each simulation, individuals' races are randomly assigned, keeping the distribution of race in the true sample. Then, within each jury, we calculate the difference in preferences between the people randomly assigned to be White and those randomly assigned to be POC. We average across juries to find the average absolute difference between "POC" jurors and "White" jurors in all juries. This average is recorded, and the process is then repeated, a total of 500 times.

Figure A7 shows histograms of the average difference between randomly-selected "White" and "POC" jurors within juries across all the simulations, in ratings and dollar amounts. The red lines represent the true average difference between POC jurors and their White fellow jurors.

Figure A7: Distribution of Divergences from Fellow Jurors' Opinions

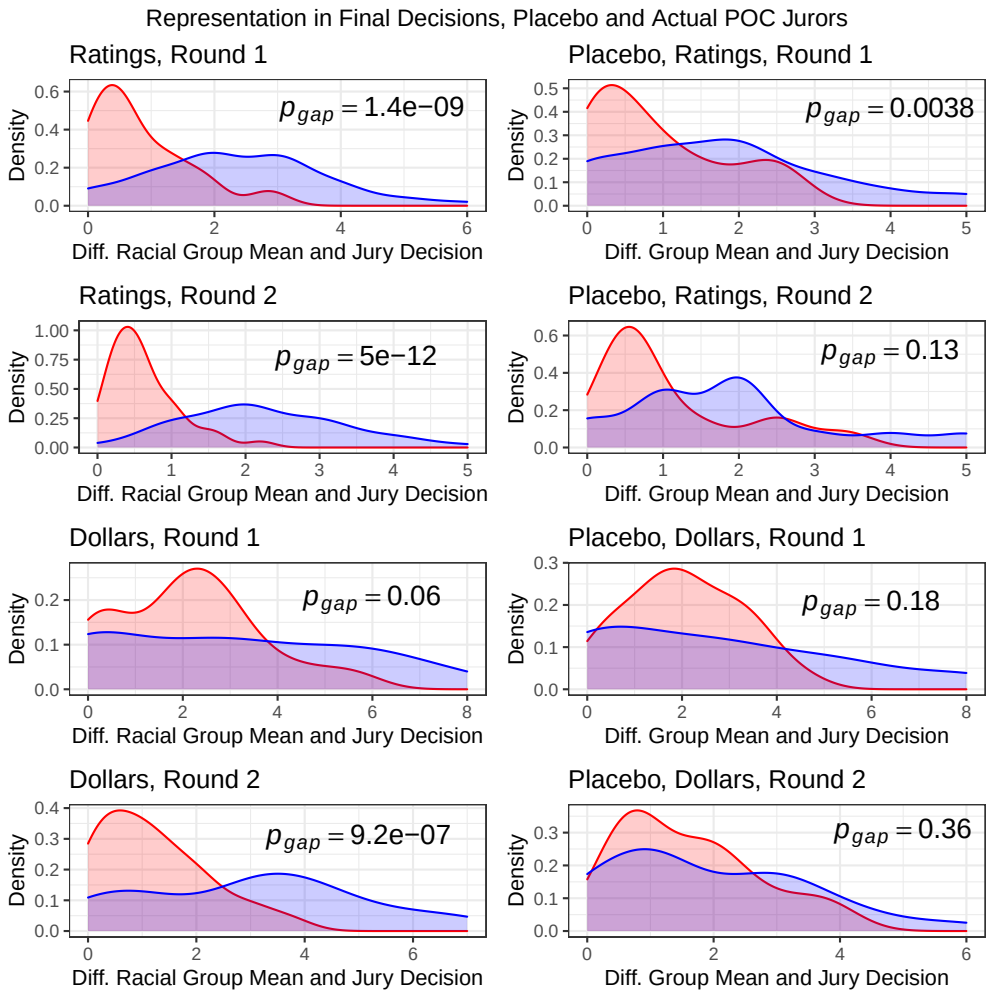


The actual racial cleavage is at the 95th percentile of the distribution for ratings and larger than any value of the randomly generated distribution for dollars. These results are strong evidence that the differences we observe between racial groups in juries are systematic and large.

L Summary Results of Placebo Tests

We constructed a measure of the absolute value of the difference between the jury's verdict and the individual's pre-deliberation preference, defined as the preference expressed immediately prior to the group's deliberation about that scale (ratings or dollars). The left panels of Figure A8 illustrate the distribution of deviations between juror preferences and jury verdict for juries with one POC juror. The distribution of the verdict deviation is shown in red for Whites and blue for people of color. The right-side panels of Figure A8 present the results of a placebo test in which we randomly assigned one juror in all-White juries to be our placebo juror, comparing that juror to the other White jurors. In both panels, the analysis is restricted to juries where the differences between the White and POC/placebo juror exceeded 1.5.

Figure A8: Divergence between Individuals and Jury Decisions



Note: Figures in the left column show results for lone POC jurors; and on the right, for a randomly selected White juror ("placebo") in all-White juries, by both round and rating or dollar scale. Both use only juries where the POC/placebo opinion was at least 1.5 points from the other jurors' mean. P-values indicate the statistical significance of the influence gap (the difference between White and POC/placebo influence), generated from difference-of-means tests.

Figure A9 presents the distribution of median influence gaps in our placebo groups, disaggregated by round. This distribution is shown in gray. The blue line represents the actual median influence gap for POC jurors in their juries. Figure A10 shows the results of a permutations test.

Figure A9: Results for Each Round Separately

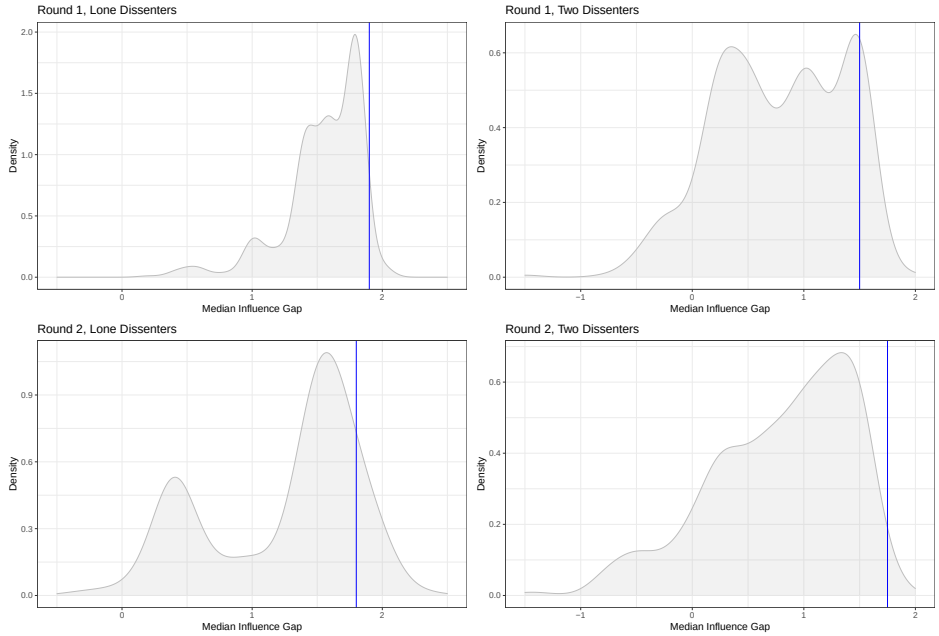
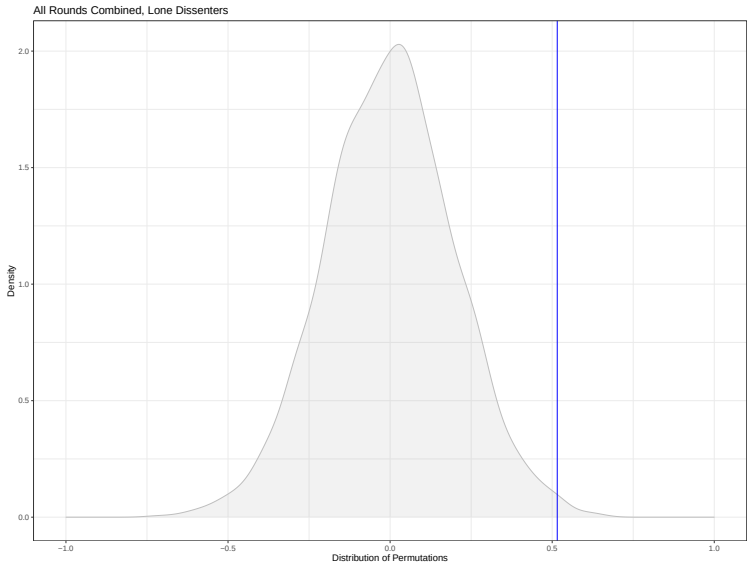


Figure A10: Permutations Test



L.1 Matching Analysis

POC jurors tend to have more punitive preferences than White jurors. The same is true of POC dissenters, who are more likely than White placebo dissenters to have more punitive preferences than their fellow jurors. Could this difference account for the gap in influence between White and POC jurors?

To test this possibility, we repeat our one- and two-dissenter placebo analysis with one important modification: rather than comparing POC dissenters to randomly-selected White placebo dissenters, we compare them to a selection of White dissenters chosen to match as closely as possible the preferences of POC dissenters relative to their juries.

For lone dissenters, we began with people of color who were the only POC member of their jury and whose preferences were at least 1.5 points away from the other jurors' mean preferences. We then took all the White jurors on all-White juries whose preferences were at least 1.5 points from the mean preference of the others on their jury. Then, using coarsened exact matching, we matched white dissenters to POC dissenters based on their distance from their jury's mean preference. That is, a POC juror with a preference 2 points above their fellow jurors' mean would be matched with all White jurors with preferences exactly 2 points above their jury's mean. Close matches were available for all POC dissenters, and the matching produced nearly-identical mean distances from their juries for POC dissenters and the matched Whites.

We repeated this process for two-dissenter juries, matching people of color on two-POC juries with preferences at least 1.5 points from their fellow jurors' to dissenting pairs of whites on all-White juries. Here, since jurors were labeled as dissenters in pairs, we matched pairs of POC dissenters with pairs of White dissenters based on each pair's distance from their jury, rather than matching individual jurors.

After constructing matched samples of Whites for lone and paired POC dissenters, we compared dissenters' distances from their juries' verdicts relative to their fellow non-dissenters' distances from those verdicts. As shown in the main text, using matched data does not substantially shrink the difference in influence gaps between White and POC lone dissenters. For pairs of dissenters, the results are similar: matching does not diminish the difference in influence gaps between pairs of White and POC dissenters.

L.2 Dissenter Characteristics

The table below shows characteristics of jurors, divided by race and dissenter status. The first four rows describe how dissenters' preferences relate to those of others on their jury, listing the proportion of jurors whose preference is unique on their jury, the proportion with preferences outside the range of the other jurors' preferences (i.e. higher or lower than every other juror's), the total number of dissenters on their jury, and the number of allies dissenters have–that is, the number of fellow dissenters on their jury whose preferences are on the same side of the jury's mean. The remaining rows describe the demographic characteristics of jurors.

Table A19: Dissenter Characteristics

	Non-Dissenter		Dissenter	
	White	POC	White	POC
Unique Pref. in Jury	0.25	0.30	0.57	0.61
Outside Range of Other Jurors' Prefs.	0.01	0.02	0.40	0.48
N. Dissenters on Jury	1.80	1.98	3.88	3.64
Allies (same-side dissenters)	–	–	1.08	0.96
Prop. Female	0.60	0.61	0.58	0.56
Prop. Young	0.14	0.23	0.15	0.22
Prop. Mid-Age	0.64	0.66	0.64	0.66
Prop. HS or Less Educ.	0.20	0.33	0.21	0.31
Prop. Some College	0.41	0.42	0.40	0.39
Prop. Low Income	0.27	0.45	0.29	0.47
Prop. Mid Income	0.35	0.28	0.33	0.28

White and POC dissenters are similarly likely to have unique preferences and preferences outside their jury's range, and they have similar numbers of dissenters and allies on their juries. POC dissenters are more likely to be young, low-education, and low-income than White jurors, but these gaps are similar for non-dissenters as for dissenters. In all, it does not seem POC dissenters are especially disadvantaged relative to White jurors in terms of preference environments or demographic characteristics, as compared to non-dissenters.