Perceptions of Witness Credibility as a Function of Witness Age and Language Translation

Children are increasingly called upon to provide eyewitness testimony in the courtroom. When a child is the key witness, jury members must base their decisions in part on how credible they perceive this child to be. The age of the witness has been found to affect jurors' perceptions of credibility (e.g., Bottoms & Goodman, 1994; Leippe et al., 1992; Ross et al., 1989; Schmidt & Brigham, 1996; Wells et al., 1989). In contrast, little attention has been directed at the effects of the use of translated testimony for non-native speakers of English. The United States' Federal Court Interpreters Act provides non-English-speaking witnesses an equal chance to participate in criminal and civil trials in federal courts. Given the literature on language-based stereotypes, we expected that non-English speakers would be perceived more negatively than English speakers.

This experiment examined the effects that witness age and testimony style have on perceived witness credibility and trial outcome. Seventy two potential jurors (60 female and 12 male university students who met the legal criteria for participation on juries) read trial transcripts involving a murder trial. The transcripts (based on those of Leippe & Romanczyk, 1989) began with the judge's opening statements and then included the prosecution's opening arguments and their witnesses' testimony, the defense's opening arguments and their witnesses' testimony, closing arguments by both sides, and the judge's final instructions. The prosecution's key eyewitness was described as being either 6 or 22 years old, and he provided English testimony, Spanish testimony translated into English, or Spanish testimony translated into English with the addition of judge's instructions to the jury to ignore the fact that the testimony was translated. Participants were randomly assigned to conditions such that gender was not confounded with condition. They read one of the six versions of the transcripts, each of which was virtually identical. Then they rated the credibility of the trial's witnesses using a reliable and valid scale that assessed perceptions of trustworthiness and cognitive capacity (Ruva, 1997). Finally, they decided whether the defendant was guilty and (in a
check of whether they had read the transcripts carefully) answered questions assessing their memory for information presented by the witnesses.

The null outcome of a 2 (witness age) x 3 (testimony style) analysis of variance on guilt ratings is consistent with previous research (e.g., Goodman et al., 1987; Leippe & Romanczyk, 1989). Surprisingly, though, a 2 (witness age) x 3 (testimony style) analysis of variance on ratings of credibility of the key witness revealed no significant effects. Reasons for these results, including the possibility that language stereotypes are diminishing given the increasing Spanish-speaking population in the United States, will be discussed. Further analyses are being conducted.