

**Public Perceptions of Black Women and Girls
and Their Punitive Consequences**

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ABSTRACT

How do race and gender affect public support for the punishment of Black women and girls? Across the United States, Black women are imprisoned at twice the rate of white women and Black girls represent the fastest growing juvenile justice population. Despite these jarring statistics, little research exists on the factors contributing to these troubling patterns across race and gender as established work tends to focus on Black men. This paper uses an original survey experiment of Americans to determine the public perceptions shaping the punishment of Black women and girls. The analysis reveals that Black girls are seen as older, more dangerous, and more knowledgeable about sex. Further, they are viewed as deserving of harsher punishments, in this case, suspension, more than any other student. These findings have serious implications for the study of race, gender, criminal justice, and public opinion in American Politics.

Introduction

In May 2020, Michigan judge, Mary Ellen Brennan, made headlines when it was revealed that she detained a 15-year-old Black girl, referred to as “Grace,” for not completing her online homework. Grace joined nearly 25% of public-school students across the nation who had failed to complete their online homework while schools were physically closed due to the global COVID-19 pandemic (Cohen 2020). Why then did she seem to be the only one arrested and incarcerated for it?

Grace’s arrest and incarceration drew national attention partly due to its framing by various media outlets as novel, but in reality, the punishment of Black women and girls is far from unusual. Black women and girls are punished—through suspension, arrests, and incarcerations—at alarmingly high rates in the United States. At school age, Black girls are suspended seven times more than white girls and more than all non-Black boys. Despite only making up 16% of the student population, Black girls represent 43% of those arrested in school incidents (U.S., Department of Education, Office of Civil Rights 2014). Once arrested, Black girls are nearly four times more likely than white girls to be incarcerated, and, as adults, Black women are imprisoned at twice the rate of white women.

Despite the jarring statistics on the punitive experiences of Black women and girls, little research exists on the factors contributing to these troubling patterns across race *and* gender. This is because much of the work on race, criminal justice, and politics has exclusively involved Black men (e.g. Gilens 1996; Peffley and Huruwitz 2010; Enns 2016). This paper intervenes on this gap and investigates the public perceptions shaping the punitive experiences of Black women and girls. The analysis reveals that Black girls are seen as older, more dangerous, and more knowledgeable about sex. Further, they are viewed as deserving of harsher punishments, in this case, suspension,

more than any other student. These findings have serious implications for research on the punitive experiences of Black women and girls and its potential political consequences.

Perceptions of Black Women and Girls and their Punishment

Established research on the punitive experiences of Black women and girls suggests that disparities exist partially due to dominant group perceptions of their behavior (e.g. being too talkative, loud, knowledgeable) as inconsistent with traditional feminine norms (Crenshaw, 1989; Crenshaw et al., 2014). George (2015) explains that during slavery the sexual exploitation of Black women was justified through the development of stereotypes that labeled Black women as seductive, hypersexual, and immoral. Now ingrained in American culture, these stereotypes created a hierarchy of femininity, in which white women, understood to be sexually pure and moral, represented the feminist ideal, while Black women, understood to be sexually promiscuous, represented a deviation.

As Black women were cast as a deviation from the norm, institutions responded by inflicting “social correction” - forms of punishment aimed to “fix” the behavior of Black girls who are understood to be in need of righting (George 2015, 102). As stated by Priscilla Ocen, “histories of racial and gender subordination, including slavery and Jim Crow, ...interacted with the category of childhood to create a liminal category of childhood that renders Black girls vulnerable to sexual exploitation and criminalization (Ocen 2015, 1600).” At the schoolhouse, specifically, Black girls’ contemporary experiences with criminalization manifested in the following ways: between 2013 and 2014, 20% of female preschoolers were Black, but Black girls comprised 54% of female preschool children with one or more suspensions (U.S. Department of Education 2014). In elementary and middle schools, Black girls are five times more likely to be suspended from school than their same-gendered peers (Epstein et al., 2017).

At the courthouse, Black girls also receive harsher punishments compared to white girls. In a study conducted by the American Bar and National Bar Association, they found that seven of every 10 cases involving white girls were dismissed by prosecutors, compared with only three of every 10 cases involving Black girls (American Bar and National Bar Association 2001). Further, Black girls fail to receive equal opportunities for diversion - strategies that prosecutors may assign as disciplinary measures instead of formal processing.

The disproportionate criminalization of Black girls continues beyond juvenile detention, however, to the harsh treatment of Black women in state and federal prisons and carceral systems including foster care and welfare services (Roberts 2009; Schram et al., 2009). Roberts (2009), for instance, demonstrates how stereotypes about Black mothers are used by policymakers and bureaucrats to justify placing Black children in foster care under circumstances where, if the children were white, the outcome would be far less punitive. In fact, Black girls are three times more likely to be removed from their homes and placed in state custody than their white peers (Chesney-Lind and Jones 2010). Regarding the welfare system, Schram et al (2009) use different racialized names, Emily O'Brien (white woman) versus Lakisha Williams (Black woman), to investigate how sanctions are distributed to women on welfare. They find that Black women with a prior sanction have a 0.97 predicted probability of being sanctioned, which is significantly higher than white women with a prior sanction, 0.75, and white women without a prior sanction, 0.67 (2009, 408). These findings suggest that race and gender play a central role in the use of sanctions by social service agencies and consequently government systems of punishment at large. Still, much more research is needed on the perceptions shaping the punishment of Black women and girls.

Expectations Based on the Adultification of Black Girls

The lion share of existing studies in political science on the relationship between public attitudes and punishment tends to focus on the perceptions of Black men (e.g. Peffley and Huruwitz 2010). This work finds that most Americans support Black men’s incarceration, particularly if they perceive the justice system as fair (Enns 2016). While established research on Black men finds that perceptions of fairness shape attitudes toward punishment, the emerging literature on Black girls (e.g. Epstein et al., 2017) suggest that perceptions of them as more adult-like (i.e. mature, knowledgeable about sex) would lead the respondents to indicate that Black girls deserve more punishment, regardless of belief in fairness.

The “adultification” of Black girls—the process by which Black girls are viewed as more adult-like and, thus, less innocent relative to white girls of the same age—likely play a significant role in how they are disciplined. A 2017 study of attitudes toward Black and white girls from infancy to 19 years of age revealed that white respondents view Black girls as adults as early as the age of five. That is five years earlier than Black boys and significantly earlier than every other demographic group studied (Epstein et al., 2017). Being viewed as an adult by the age of five may deny Black girls the protections—most notably the privilege of innocence—afforded to their white counterparts. In turn, they are “more likely to be disciplined for their actions” than their peers (Epstein et al., 2017, 13). These perceptions of Black girls as essentially guilty adults, according to the literature, should lead them to be punished more than their peers for the same actions. Nonetheless, this has yet to be tested. Hence, I propose the following hypotheses:

H1: Black girls are viewed as more adult-like than their peers

H2: Black girls are viewed as deserving of more severe forms of punishment than their peers

In addition to this, the argument specifies that this relationship is dependent upon the extent to which students' behavior is consistent with particular racial/gender stereotypes. Black girls, in particular, are viewed through a stereotype of hypersexualization and promiscuity, as described above (see also Perry 2011) and thus this should play a role in how they are viewed by the public and how responsible they are deemed for their actions. This should also shape perceptions of how much of a threat they are to their peers. Thus, I propose the following:

H3: Black girls are viewed as more dangerous than their peers

H4: Black girls are viewed as more sexual than their peers

Overall, I expect the survey experiment to reveal public opinion on Black girls as more adult-like, sexual, dangerous, and more deserving of punishment than their peers.

Methods, Data, and Strategies for Analysis

The above hypotheses were tested on one of four scenarios, containing four conditions each, presented to a representative sample of 1466 adults between March 8th and March 15th, 2020.¹ At

¹ Though online non-probability samples are not nationally representative and, hence, inappropriate for descriptive research or inferences (Baker et al. 2013), they are suitable for experimental survey research. Extant research shows that 1) these samples are more diverse than other types of samples commonly used in experimental research, such as college students (Berinsky, Huber, and Lenz 2012); and 2) experimental effects identified among probability-based, nationally representative samples are replicable among online, non-probability based samples, including those provided by Lucid (Coppock and McClellan 2019).

the most general level, the scenario of focus tests whether evaluations of students' behavior and support for the punishment of students is simultaneously affected by students' race and gender. More specifically, to examine perceptions of punishment, respondents were randomly assigned a scenario regarding a dress code violation that varied by race and gender using the names Keisha (Black girl), Emily (white girl), Jamal (Black boy), and Jake (white boy) (see appendix for manipulation checks). Following previous research, perceived race and gender of the individuals in the vignettes are manipulated through names only. The names selected were based on those used in previous work, or which previous work indicates as being disproportionately common among particular racial-gender subgroups (Bertrand and Mullainathan 2004; Okonofua and Eberhardt 2015; Gilliam, et al., 2016). The specific scenario offered to respondents is the following:

Consider an instance where a student named _____ is wearing shorts to school. When _____ arrives to class, the teacher tells _____ that _____ shorts violate the school's dress code policy. The teacher tells _____ to leave class and go to the office. This also isn't the first time that _____ has worn clothes that violate the school's dress code policy. For example, _____ has previously worn tank tops that are against school rules.

The content of the dress code scenario was developed based on qualitative research (e.g. Morris 2016) that demonstrates that the punitive experiences of Black girls begin at the schoolhouse and are commonly overlooked due to their racialized *and* gendered nature. The intersection of both makes them difficult to identify in studies that are focused on just issues of race *or* gender. The vignette is meant to capture a scenario that could feasibly happen to both boys and girls but could still be perceived differently if viewed through a racialized and gendered lens (e.g. how

clothing may be viewed on Black girls vs. white girls). Clothing is commonly referenced as an example of this in the relevant literature (see Morris, 2016; Perry, 2011; Evans-Winters and Esposito, 2010).

The scenario was followed by evaluations of culpability or innocence, measured by replicating three items developed by Goff et al., (2014). These items were originally designed to measure the perceived innocence of children within a criminal justice context and, in this case, have been adapted to measure the perceived innocence of children within an educational context. Adultification, specifically, is measured by replicating items used by Goff et al., (2014) and Epstein, Blake, and Gonzales (2017), who respectively developed scales measuring qualities associated with adulthood and racial and gender stereotypes that individuals might assign to, and subsequently evaluate Black children as more like adults. In particular, participants were asked 1) if the student was acting older than their age 2) if the student posed a danger or threat to others, 3) if the student was knowledgeable about sex, and 4) if the student was provided with the appropriate level of punishment for their behavior. Since all other properties of the scenarios and questionnaire were identical, any observed differences between conditions in responses to the questions about the scenario can be attributed to the race and gender, and the behavior of the student described in the questions.²

² Given the general possibility of question order effects the order in which all covariates and individual items are measured is randomized, and any identities or demographics possibly related to relevant covariates and dependent measures are measured at the end of the surveys (e.g. racial and gender identity).

Table A.1 in the appendix provides data on the basic demographics of the final sample. The sample is primarily white and relatively highly educated, democratic, and liberal. Nevertheless, the sample is more diverse than many samples commonly used in experimental survey research and consistent with research on MTurk samples (see e.g. Berinsky, Huber, and Lenz 2012). Table A.2 in the appendix provides a summary of the conditions.

The next section displays means by experimental conditions for those variables where significant differences between the Keisha condition and other conditions exist. The figures provide 95% confidence interval bands, which enable judgments from the figures of which responses are statistically distinguishable from one another. All statistically significant differences were further analyzed with OLS regression that controlled for respondent age, gender, race/ethnicity, education, income, and ideology (See table A.3 in Appendix).

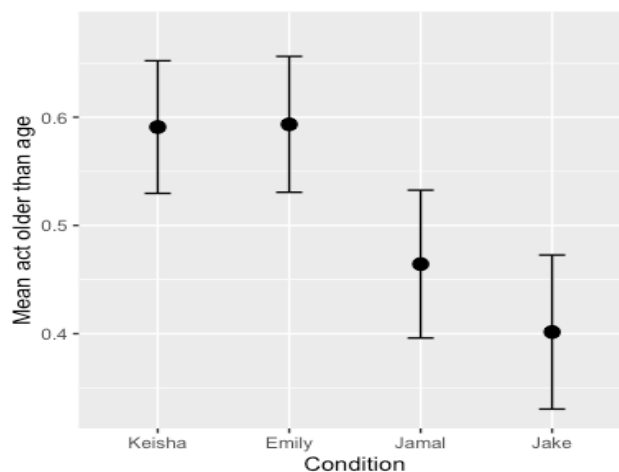
Two types of models were run: one with dummy variables for the race (1=Black) and gender (1=female) of the student in the treatments and their interaction, and one with dummy variables for each experimental condition with the Black female student condition serving as the baseline. The latter allows for the possibility and identification of statistical differences between the Black female student condition and only particular conditions (for more details on the power analysis see appendix).³

³ The survey had sufficient power to detect medium-sized effects (Cohen's d , or the standardized effect size of approximately 0.5). At the 95% confidence level, the pilot survey has power of about 0.90 which is far above the conventional threshold of 0.8. Under powered analysis are not included in paper but are included in appendix.

Findings

Figure 1 displays the mean response to how much students like the one in the dress code scenario act older than their age. The figure provides evidence that adultification is gendered. Students like Emily and Keisha ($M= 0.59$ $se=0.03$ for both)⁴ were both perceived to act older than students like Jake or Jamal ($M=0.40$ $se=0.04$; $M=0.46$ $se=0.03$). There are no significant differences between the perceptions of students like Emily and Keisha, or those like Jake and Jamal. The effect of the students' genders on responses is also robust in the regression analysis controlling for demographic variables.

Figure 1 Mean Perception of Students' Acting Older than Age by Experimental Condition



There is also evidence that perceptions of dress code violations are not only gendered but also racialized. Figure 2 shows that Keisha was thought to be significantly more dangerous than Emily ($M= 0.24$ $se= 0.03$; $M= 0.12$ $se=0.02$) (Cohen's $D = 0.46$, power = 0.85). The difference is

⁴ Since the measures are scaled to a 0-1 scale, it can be interpreted as 100*b percentage-point differences.

significant at the 0.05 level. In contrast, there were no differences in how dangerous Emily, Jamal, and Jake were perceived to be ($M=0.12$ $se=0.02$; $M=0.17$ $se=0.03$; $M=0.16$ $se=0.02$). This suggests that Black girl students are evaluated through a unique racial and gender lens.

Figure 2: Mean Perception of Danger of Students to Others by Experimental Condition

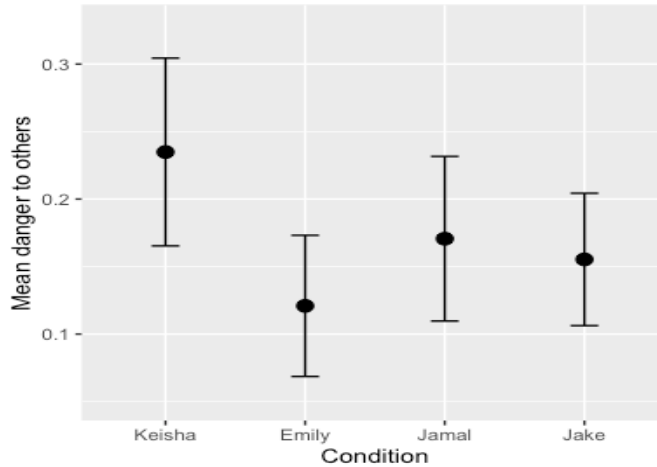
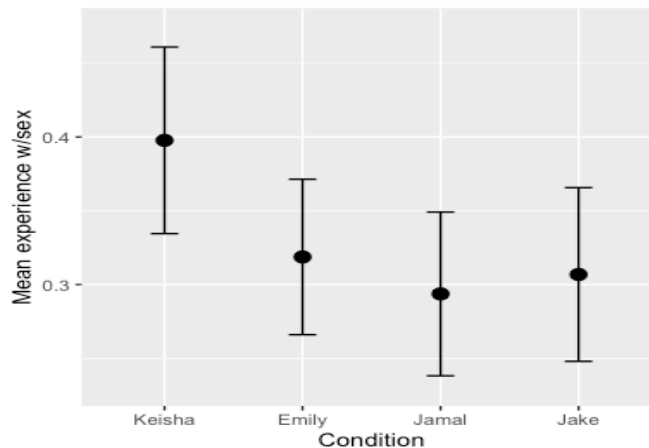


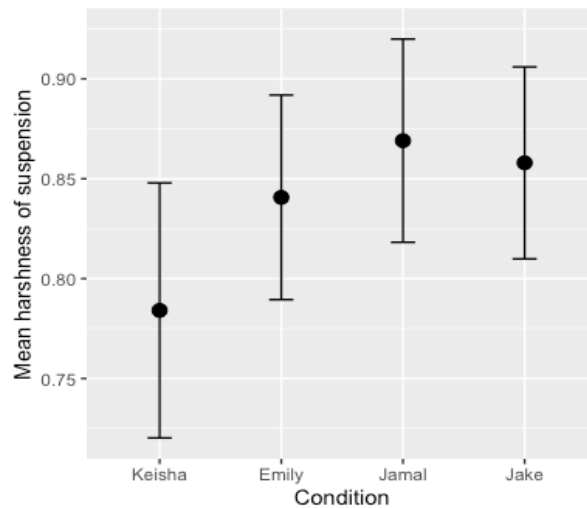
Figure 3 shows that Keisha was also thought to be more experienced with sex than the other students ($M=0.40$ $se=0.03$), although differences in how people evaluated Keisha and Jamal ($M=0.40$ $se=0.03$; $M=0.29$ $se=0.03$) and Keisha and Jake ($M=0.40$ $se=0.03$; $M=0.31$ $se=0.03$) are only significant at the 0.10 level. The differences between Keisha and Emily ($M=0.40$ $se=0.03$; $M=0.33$ $se=0.03$) are significant at the 0.05 level (Cohen's $D = 0.44$, power = 0.84).

Figure 3: Mean Perception of Students' Experience with Sex by Experimental Condition



Finally, Figure 4 shows that suspension was thought to be more (unfairly) harsh for other students than Keisha. In other words, suspension was seen as most appropriate when the student was Keisha ($M=0.78$ $se=0.03$). Differences between the Keisha, Jamal and Jake ($M=0.78$ $se=0.03$; $M=0.87$ $se=0.02$; $M=0.86$ $se=0.02$) conditions are significant at the 0.05 level (Cohen's $D = 0.58$, power = 0.97). Differences between the Keisha and Emily ($M=0.78$ $se=0.03$; $M=0.84$ $se=0.02$) condition are significant at the 0.10 level.

Figure 4: Mean Harshness of Suspension for Behavior by Experimental Condition



Discussion and Conclusion

Figures 2-4 are consistent with research on the intersectional nature of the punishment of Black girl students in schools (e.g. Morris 2016). They provide indirect evidence that Black girl students are evaluated and seen as more threatening due to racialized and gendered beliefs about sexuality and dress. In this case, both Emily and Keisha are viewed as older, but Keisha is also viewed as relatively more dangerous, experienced with sex, and appropriately punished for violating the dress code. Given that participants were provided with the same scenarios, we

would expect their evaluations of the other students to be similar, regardless of participants' beliefs about Black girls if race and gender did not matter, but as this reveals, it does.

Ultimately, this paper contributes to research on political behavior by illustrating how existing at the intersections of multiple axes of oppression affect public perceptions of young Black women. It affirms established research that emphasizes the ways that racialized and gendered stereotypes make Black women unique from white women, who experience gender-based stereotypes, and Black men, who experience race-based stereotypes, because Black women experience discrimination based on both categories of stereotypes, yielding distinct punitive experiences (Crenshaw 1989; Collins 1990). Further, these findings lend evidence on research regarding race and criminal justice by illustrating how Black women may be punished by policies that fail to realize the unique punishments that Black girls experience as a result of their intersecting, marginalized identities. As Ange-Marie Hancock explains in her classic work on intersectionality, research that has conflated “group unity” with “group uniformity” - assuming that individuals who share one marginalized identity [black *or* female] have uniform experiences of discrimination - are incomplete (Hancock 2007, 65). The policy solutions that emanate from this sort of research, Hancock explains, often benefit white women at the cost of women of color, and often exacerbate existing inequities (Hancock 2007).

Perhaps most important, this work raises serious questions on the consequences of Black women's and girls' punishment for democracy at large. Indeed, what lessons might Grace draw from her current experiences with the justice system and how might they impact her relationship with the government as an adult? Research on the punishment of Black men has found that incarceration not only lowers the political participation—voting, protesting, attending community meetings—of those who have felony convictions but also that of their families and neighbors

(Burch 2013). Nonetheless, studies on the public perceptions of the punishment of Black women and girls remain rare to non-existent despite the potential consequences of high rates of incarceration and detention on what has been record levels of political participation (Brown 2014; Farris and Holman 2014). If our democracy is only as strong as its participants, the punishment of Black women and girls, and the perceptions shaping them, can no longer be ignored.

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