

## **The Impact of Physical Attractiveness and Type of Crime in Judicial Decision Making**

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1<sup>st</sup> June 2025

## **Abstract**

Judges and juries are expected to evaluate cases based on legal factors, such as severity; however, their judgment is sometimes clouded by extra-legal factors, like the defendant's attractiveness and subsequent likability. This can include more lenient sentences for attractive defendants, potentially compromising society's trust in the legal sector. However, research is ambiguous, with some finding effects of attractiveness and crime type, while others do not. Extending previous work, with this study, the effect of a defendant's physical attractiveness and crime type on sentencing decisions in terms of sentence length and perceived seriousness is examined. For this, a 2 (Attractiveness: Attractive vs. Unattractive) x 4 (Crime Type: Burglary vs. Swindle vs. Sexual Assault vs. Physical Assault) factorial between-subjects mixed-methods study design was used. It was hypothesised that there is a difference between attractive and unattractive defendants in sentence length and seriousness of crime, depending on crime type, due to the liking-lenieny effect and the beauty penalty. The results depict no difference in sentencing decisions based on attractiveness or its interaction with crime type. However, crime type influenced sentencing decisions, with burglary and swindle receiving similar sentence lengths, as did sexual and physical assault. The crime types were rated as increasingly serious in the following order: burglary, swindle, physical assault and sexual assault. Moreover, utilitarian sentencing orientation and gender role beliefs explained part of the variance for sentence length and seriousness, with likeability also emerged as a significant covariate of the seriousness of crime. Lastly, an exploratory analysis revealed that participants assigned significantly more responsibility to the victim in the swindle case, compared to sexual assault.

*Keywords:* Liking-Lenieny effect, Attractiveness, Responsibility attribution, Legal psychology

## Introduction

The recent case of Luigi Mangione, who is the person of interest in the shooting of Healthcare CEO Brian Thompson, has gone viral on social media (Honderich & Wendling, 2024). While he initially received attention because he was the main suspect in the crime, Luigi's case received increasing popularity under the hashtag #FreeLuigi as users expressed disbelief that someone as physically attractive could commit such a serious crime (Honderich & Wendling, 2024). This has not been a one-time occurrence, as previously the convicted felon Jeremy Meeks was offered a modelling contract after his mugshot made headlines with #HotConvict (BBC News, 2015). Cases like these raise important questions about the extent to which sentencing decisions are unaffected by extra-legal factors, including the perceived attractiveness of a defendant.

When judges and jurors are unaware of their potential biases in court, it can have profound consequences for sentencing decisions and society's trust in the judicial system. For instance, research by Oyanedel (2019) has demonstrated that fair and equal treatment in the criminal justice system is crucial for maintaining the public's trust and compliance with the law. Assigning sentences based on extra-legal factors like attractiveness undermines this fairness, ultimately reducing trust and compliance (Oyanedel, 2019). In the United States, some attorneys even strategically select jury members, also called "voir dire", in favour of their defendant. For an especially attractive defendant, the attorney might include jurors with demographics known to be prone to having an attractiveness bias (i.e. young and female) and exclude those expected to be more immune to it (Lehmann, 2023). Consequently, potential perpetrators could be wrongfully released and potentially cause more harm.

To prohibit wrongful releases and maintain society's trust, sentencing decisions should only be based on (1) the severity of the offence (Johnson, 2006; Scottish Sentencing Council, n.d.), (2) aggravating factors like the use of a weapon and (3) mitigating factors like

showing remorse (Sentencing Council, n.d.), and depending on the country, also criminal history (United States Sentencing Commission, 2003). However, in practice, humans are prone to bias; thus, so are judges and jurors. By now, ample research has identified that judges and juries are influenced by the defendant's ethnicity (Sentencing Commission, 2023; Steffensmeier et al., 1998), gender (Daly & L. Bordt, 1995; Sentencing Commission, 2023), age (Lehmann, 2023; Spiranovic et al., 2012) and attractiveness (Sigall & Ostrove, 1975).

Concerning attractiveness, the findings remain heterogeneous. The findings of Sigall and Ostrove's study suggest that attractiveness interacts with the crime type, specifically whether the defendant used their attractiveness to their advantage (1975). This reinforced the idea of the "What is beautiful is good" stereotype by Dion et al. (1972a). However, researchers who aimed to replicate or extend Sigall and Ostrove's study obtained mixed results, with some finding proof for said effect (Eagly et al., 1991; Knox & Teneyck, 2023) and others not (Kramer et al., 2024; Weiher & Watson, in prep). Thus, the question of whether attractiveness and under which conditions influence sentencing decisions remains unanswered so far.

### **What is Beautiful Is Good**

One of the most influential studies of the attractiveness bias was conducted by Dion et al. (1972b), who investigated whether physical attractiveness alters perceptions of unrelated qualities. The study results demonstrate that attractive individuals are expected to possess more positive qualities and be more successful in life, independent of participant gender (Dion et al., 1972b). Consequently, the authors coined this bias the "What is Beautiful is good" stereotype.

One explanation for this stereotype is called the 'Halo effect' (Thorndike, 1920). The 'Halo effect' is a cognitive bias that leads individuals to generalise their global impression of another person to other domains of said individual (Thorndike, 1920). A meta-analysis by

Eagly et al. (1991) supports the notion that attractive individuals are indeed expected to have more positive characteristics and better life outcomes. Nisbett and Wilson's study (1977) further suggests not only the existence of a halo effect, but also stresses that the perception of positive characteristics can also enhance evaluations of an individual's physical appearance. For this, they presented their subjects with two different videos of the same college instructor. While one video showed the college instructor as warm and friendly, the other depicted him as cold and distant. The results of their study revealed that the subjects who saw the warm and friendly version evaluated the instructor's accent, appearance, and behaviour positively, while these factors were judged negatively for the cold and distant videotape version (Nisbett & Wilson, 1977). More recently, evidence for this was also found by Cook et al. (2003), who additionally investigated the timing of visual stimuli in producing halo effects.

The halo effect, however, not only influences our perception of another person but also extends to our behaviour towards them. A meta-analysis by Langlois et al. (2000) suggests that within and across cultures, attractive individuals are not only evaluated more positively but also receive better treatment by their significant others and people they are unfamiliar with. This effect has also been identified in the mock-juror study by Micheleni and Snodgrass (1980), who found that attractive defendants were considered more likeable and received more lenient sentences by mock jurors, irrespective of which specific defendant traits were relevant to the crime.

Adding to that, Porter and ten Brinke (2009) proposed in their dangerous decisions theory that judges and juries use unreliable heuristics to categorise suspects as trustworthy, dangerous, and even criminal. This rapid impression formation is based on surface-level cues like the defendant's facial attractiveness. According to Porter and ten Brinke (2009), this leads to a multitude of 'dangerous' decisions or anchoring biases judges and jurors make as they assimilate the evidence according to their first impression of the suspect. It is argued that

once this initial impression about a defendant's dangerousness and trustworthiness is made, judges and juries generally adhere to it, despite later contradictory information. Subsequently, overvaluing evidence in favour of an attractive (trustworthy and harmless) client and undervaluing contradictory and ambiguous evidence leads to high confidence in the juror's initial judgement of the suspect (Porter & ten Brinke, 2009). Importantly, this can have negative implications for legal assessment and lead to miscarriage of justice (Baker et al., 2016).

### **Type of Crime**

In addition to attractiveness, early research by Sigall and Ostrove (1975) investigated whether the type of committed crime interacts with attractiveness to produce sentencing decisions. Based on the "What is beautiful is good" stereotype, they argued that participants would expect attractive defendants to have a decreased tendency to re-offend and the capability to change their lives. Ultimately, leading to more lenient sentences. Sigall and Ostrove (1975) further hypothesised that attractiveness does not lead to more lenient sentences across all crime types and depends on whether the defendant's attractiveness facilitated the successful execution of the crime. As attractiveness facilitates a successful swindle, it is attractiveness-related, while for burglary, the defendant's attractiveness is not an advantage and therefore attractiveness-unrelated.

To test the hypothesised interaction effect of crime type and attractiveness, their participants received either an attractiveness-related case vignette (swindle) or an attractiveness-unrelated vignette (burglary). These vignettes were then supplemented with either a picture of an attractive or unattractive woman, based on which the participants then needed to determine a sentence length (Sigall & Ostrove, 1975). Their results depict that for attractiveness-unrelated crimes, unattractive individuals received substantially harsher sentences than their attractive counterparts (Sigall & Ostrove, 1975). For attractiveness-

related crimes, attractive individuals were judged somewhat harsher than unattractive individuals, which was later coined as the “beauty penalty”. It is assumed that the harsher sentencing is due to the violation of the juror’s expectation of “What is Beautiful is Good” (Sigall & Ostrove, 1975).

However, Sigall’s and Ostrove’s (1975) assumption that a beauty penalty exists could previously not be reproduced (Izzett & Fishman, 1976; Kaplan & Kemmerick, 1974). This could be due to differences in study design, as none of the studies manipulated the attractiveness of the defendant’s characteristics in relation to the crime’s relevancy directly and focused on the effect of likeability. As a result, Micheleni and Snodgrass (1980) adapted their study design accordingly to investigate whether the ‘beauty penalty’ exists. Their findings reveal that participants who are aware of the defendant’s attractiveness draw inferences about their future behaviour and criminal tendencies. The subsequent evaluation of these factors – positive or negative – is then used to decide upon the defendant’s guilt (Micheleni & Snodgrass, 1980). If the participants considered attractiveness as a relevant factor in the committed crime, they assigned harsher sentences to the attractive defendant, confirming the existence of a beauty penalty (Micheleni & Snodgrass, 1980). Conversely, this could not be reproduced for swindle in a study by Smith and Hed (1979), and the meta-analysis by Mazzella and Feingold (1994) merely found equal sentence lengths for attractive and unattractive defendants in attractiveness-relevant crimes.

Over the years, a tremendous body of research aimed to reproduce the results by Sigall and Ostrove (1975), validate the halo effect, beauty penalty and Porter’s and ten Brinke’s (2009) assumptions of the dangerous decisions theory (Darby & Jeffers, 2006; Gunnell & Ceci, 2010; Lytle, 2007; Wuensch et al., 1993). For instance, one study found that attractive defendants were found to be less guilty, less responsible for the crime, received more lenient sentences and were overall judged to be more likeable (Darby & Jeffers, 2006).

This liking-leniency effect can notably bias mock jurors even in severe cases like murder, despite unmistakable evidence against the attractive defendant (Lytle, 2015). Additionally, a study by Gunnell and Ceci (2010) found that especially people who tend to process information more emotionally than rationally, convict less attractive defendants and assign harsher sentences, while treating attractive defendants more leniently. Moreover, Wuensch et al. were able to ascertain the attractiveness-leniency effect across conditions and highlighted the influence of the jurors' characteristics (1993). Not only did they find that especially young female mock jurors judged more leniently (when the defendant was attractive and male), but they also noted that the opposite applies to male mock jurors: attractive male defendants were judged significantly more harshly. However, it should be kept in mind that there are also a lot of studies that were not able to reproduce the results, like Weiher and Watson (in prep.), who found no difference across five studies.

One reason for the lack of significant results could be that most studies have not investigated more severe crime types. While there is evidence that defendants in case vignettes that include rape descriptions are judged more leniently - with an interaction effect of participant gender - (Deitz & Byrnes, 1981; M. B. Jacobson, 1981), there is also contradictory evidence (Austin et al., 2013). Similarly, inconclusive results were obtained for murder: while a study by Coons and Espinoza (2018) found that attractive defendants in a murder trial were judged more leniently, especially when they were heterosexual, these results could previously not have been validated (Beckham et al., 2007). More recently, a study by Kramer et al. (2024) utilised video sequences instead of pictures and examined crimes of varying severity. The adapted study design aimed to increase ecological validity by mimicking a courtroom experience, which might be another reason previous studies have not found an effect. Their results indicate the existence of a beauty penalty, as attractive



defendants were rated as less guilty of murder, but more for sexual assault, and no difference concerning robbery, with small effect sizes (Kramer et al., 2024).

### **Individual-Level Variables**

As research remains inconclusive about the effect of attractiveness on sentencing decisions, potentially influencing factors like punitiveness could paint a clearer picture. Judges' and jurors' sentencing decisions are assumed to be affected by their punitiveness (Johnson, 2006). Subsequently, judges and jurors who have more punitive attitudes will assign harsher sentences. These tendencies are partly driven by public perception of crime and the legal system, as rising public punitiveness contributes to harsher sentencing laws, ultimately reinforcing political support for punitive policies (Roberts, 2003).

Another variable that potentially has an effect is self-esteem. Self-esteem is "*the degree to which the qualities and characteristics contained in one's self-concept are perceived to be positive*" (American Psychology Association, n.d.), or simply put, a person's evaluation of themselves, including attractiveness. It is considered a potentially impactful variable, as research describes that individuals with lower self-esteem may judge others (especially attractive individuals) more harshly or unconsciously rely on stereotypes (Fein & Spencer, 1997; Hill et al., 2023). Additionally, Fein and Spencer (1997) found that individuals with more self-esteem have a more pronounced ability to withstand biases. This appears to also reproduce in court settings, as self-conscious judges and jurors tend to judge more harshly than their counterparts (Costabile, 2009). Subsequently, individual self-esteem might influence the 'What is beautiful is good' stereotype and the liking-leniency effect.

Lastly, the attribution of responsibility to victims and defendants based on gender role beliefs is a relevant factor. A study by Brownlow et al. (2023) investigated how victim behaviour affects responsibility attribution in burglary and swindling. The results depict that when a victim is perceived to have acted carelessly, as often assumed in swindle cases, they

are assigned more responsibility. For more serious crimes, the degree of the victim's resistance appears to be detrimental to responsibility attribution (de la Torre Laso & Rodríguez-Díaz, 2022). On the individual level, it appears that people who believe more in traditional gender roles attribute more responsibility to victims (Grubb & Turner, 2012; Rollero & De Piccoli, 2020). This phenomenon has been extensively studied in the context of sexual assault, as the prejudicial beliefs about rape appear to persist especially in males and individuals scoring high on sexism, heterosexism, classism and ageism (Suarez & Gadalla, 2010).

### **Aim of The Study**

This study is a modified replication of the study by Kramer et al. (2024). Because of the mixed results concerning the attractiveness bias and its effect on equal treatment in court, this study aims to clarify how attractiveness and the type of crime influence sentencing decisions in court. While Kramer et al. (2024) used a within-subject design with one-sentence case descriptions for robbery, sexual assault and murder, this study utilises a between-subjects design with longer and ambiguous case vignettes, including burglary, swindling, sexual assault, and physical assault. Next, it is aimed to ascertain whether the results by Sigall and Ostrove (1975) can be reproduced with the suggested adaptations by Kramer et al. (2024) in this study to answer the question to what extent a potential offender's attractiveness influences jurors' sentencing decisions across crime types and how this relationship is influenced by punitiveness, self-esteem, and gender role beliefs.

To answer this research question, the following hypotheses were constructed:

H1: We expect a main effect of attractiveness on sentence length, with an interaction of type of crime due to the liking-leniency effect.

H1a: Attractive defendants will be assigned more lenient sentences in an attractiveness-unrelated crime, but there will be no difference when the crime is attractiveness-related due to the ‘beauty penalty’.

H2: We expect a main effect of attractiveness on perceived seriousness of the crime, with an interaction of type of crime due to the liking-leniency effect.

H2a: Attractive defendants' crimes will be perceived as less serious in an attractiveness-unrelated crime, but there will be no difference when the crime is attractiveness-related due to the ‘beauty penalty’.

## **Methods**

### **Design**

For this online study, a between-subject mixed-method design with 2 (defendant's attractiveness: attractive vs. unattractive) x 4 (Type of crime: burglary vs. swindle vs. sexual assault vs. murder) was chosen. With the independent variables (attractiveness and type of crime), the effects on the dependent variables —sentencing length and the seriousness of crime —will be tested to answer the research question adequately. Additionally, it was controlled for the effect of individual differences in participants' punitiveness, self-esteem, and gender role beliefs on the dependent variables, sentence length and perceived seriousness. Lastly, the effect of attractiveness and crime type on the victim's and defendant's responsibility will be analysed.

### **Participants**

Based on an a priori G\*Power Analysis for an analysis of variance (ANOVA) with eight groups, an effect size  $F$  of 0.25 and an error probability of 0.05, a sample size of 400 is anticipated (Ellis, 2010; Faul et al., 2007). The recruiting process followed a convenience sampling method via Sona Systems and SurveyCircle, which are online platforms that facilitate the recruiting of participants and survey management (*Test Subject Pool BMS*, n.d.).

Overall, 69 participants were recruited via Sona systems, 20 via SurveyCircle, and 137 via the researcher's social and professional network. Participants who were recruited via Sona Systems received 0.25 credit points for their participation.

The preliminary sample consisted of 226 participants who were randomly and approximately equally distributed over the eight conditions. From the preliminary sample, 59 were excluded due to not finishing the survey, 7 did not consent after being debriefed, and two did not pass the attention check, leading to a final sample of 158 participants. In the final sample, the smallest group had 15 participants, and the largest group had 23. Concerning gender, 115 indicated that they identify as female (73.8%), 40 identified as male (25.3%) and 3 (1.9%) as non-binary or preferred not to say. Additionally, the age range was between 18 and 65 ( $M = 27.54$ ,  $SD = 11.21$ ).

## **Materials**

### ***Videos and Pictures***

In order to manipulate attractiveness, continuous seven-second video sequences were used as research indicates that photos are not sufficient to judge attractiveness, and it increases validity by mimicking the courtroom experience of a judge or juror (Elliot et al., 2010; Shechory-Bitton & Zvi, 2015). Like Kramer et al. (2024), the original-coloured video version from the Law and Crime network of YouTube, without audio material, was used to limit distractions. The person needed to be frontal at least once. Lastly, the videos were cropped to not give away their role in the real-world trial, leaving a frame that included only the head and shoulders and the respective background within that frame (Law&Crime Trials, 2025; Zee Entertainment, 2022).

The attractive condition involved a man initially wearing a surgical mask, but taking it off to drink water, while the unattractive condition involved a witness waiting to give testimony. Considering the defendant's nationality and age, specifically young, Caucasian

men were chosen, as it is expected to be most representative of the participants and to exclude potential racial biases that might influence the relationship between the independent and dependent variables (Steffensmeier, 1998). Furthermore, the participants did not receive an indication of which role the individual in the video had in court until they finished the likeability rating. This was intended to ensure deception, as the participants believed the study was about memory processes in judicial settings.

Additionally, photographs were presented to supplement the videos in the remaining study, as the individual in the attractive condition was not continuously facing the front during the video. Hence, for both conditions, a front-facing picture was inserted (Figures 1 and 2). Notably, these photographs were drawn from real-world cases and thus not standardised.

**Figure 1**

*Physically Attractive*



## Figure 2

### *Physically Unattractive*



### *Case Vignettes*

In total, four case vignettes were created: a burglary, a swindle, a sexual assault, and a physical assault case, with increasing damage to the victim. The full case vignettes can be found in Appendix B. The burglary and swindle case vignettes were inspired by the work of Sigall and Ostrove (1975) but adapted to a predominantly European sample concerning names, currency, and location. The burglary case includes the defendant, Alex Meyer, who is assumed to have illegally forged a pass key to get access to one of his neighbours' flats, in which he stole items and money amounting to a damage of 5000 Euros. In the swindle case, the defendant Alex Meyer allegedly obtained 15.000 Euros from the victim with a romantic swindle by presenting himself as a (usually) wealthy entrepreneur in need of money.

The case vignettes for the sexual and physical assault were inspired by the work of Kramer et al. (2024). It was ensured that none of these vignettes contained graphic or too descriptive details to protect the participants. In the sexual assault case, the defendant

allegedly proceeded in non-consensual intercourse with the victim, despite her repeated wish to stop. Lastly, the physical assault case describes how the defendant allegedly used force against the victim after a previous conflict escalated.

Notably, all case vignettes intentionally contain female victims and encompass ambiguous evidence and testimonies. This was done to later explore the responsibility distribution between female victims and the male defendant. To minimise variability across conditions, the case vignettes were identical for the attractive and unattractive conditions and had approximately the same number of words, ranging between 185 and 203 ( $M = 191$ ,  $SD = 8.29$ ). This ensures that a potential difference in responses is due to the experimental manipulations and not confounding effects due to vignette presentation (Dafoe et al., 2015).

### ***Questionnaires***

**The Reysen Likability Scale.** To assess whether a halo effect moderates the relationship between a defendant's attractiveness, the type of crime and the subsequent sentencing decision, the Reysen Likability Scale was selected (Reysen, 2005). The scale consists of 11 items that need to be answered on a 7-point Likert scale with 1 = "*Very strongly disagree*" and 7 = "*Very strongly agree*". An example of an item of this scale is "This person is warm." Or "I would like this person as a co-worker". This scale was additionally used to confirm the attractiveness manipulation check with item nine, "This person is physically attractive". Specifically, this scale was chosen because it measures the general social appeal a person has to others (i.e. friendliness), which captures the bias of generalised positive characteristics (of attractive people) as proposed by the halo effect. Additionally, this scale has high psychometric properties with high internal consistency ( $\alpha = .9$ ) and convergent validity across different situations (Reysen, 2005). In this study, a Cronbach's alpha of .91 was obtained, which can be considered excellent.

**Assigned Sentence Length, Seriousness of Crime and Judicial Experience.** For each crime, the participants needed to indicate a sentence length with a slider ranging from one to 60 months in prison, as it allows for comparison between crimes and minimises the possibility of unrealistically low or high sentence lengths. Next to that, the perceived seriousness of crime was assigned with a slider task of 1 = “*Not serious at all*” to 10 “*Very serious*” by the participant. Similarly, the participants’ experience with the justice system needed to be indicated with a slider task from 1 = “*No experience*” to 10 = “*Expert knowledge*”. Slider tasks have the benefit of reflecting real-world considerations, as they capture nuanced experience and decision-making processes in sentencing decisions (Montag & Tremewan, 2020). Furthermore, using continuous variables is more sensible and practical than a dichotomous one or an open text box for the subsequent analysis.

**Responsibility Attribution.** Moreover, to assess responsibility attribution between victim and defendant per type of crime, two distinct variables – victim responsibility and defendant responsibility – were measured using identical 5-point Likert scales. The scales ranged from 1= “*Strongly agree*” to 5 = “*Strongly disagree*” in response to the statement “The victim is responsible” and “The defendant is responsible”. By utilising identical response scales, conceptual consistency and clearer interpretation are ensured.

**Sentencing Orientation.** To assess the influence of punitiveness on sentencing decisions with attractive and unattractive defendants, the Sentencing Goals Inventory was selected (Plantz et al., 2023). It was chosen because, next to distinguishing between punitive and lenient orientations, it distinguishes between three mutually exclusive subscales: retribution, restoration, and utilitarian. This is relevant as a shorter assigned sentence to an attractive defendant might not necessarily be due to less perceived guilt, but a belief in rehabilitation or restorative practices, ultimately highlighting the need for a multidimensional scale (Trajtenberg et al., 2025). The scale comprises 30 items that are



answered on a 5-point Likert scale ranging from 1 = “*Do not agree*” to 5 = “*Very strongly agree*”. An example of the retributive scale is “Severe sentences are appropriate for offenders who commit serious crimes”, an example of the utilitarian scale is “The parole system should be abolished”, and an example of the rehabilitative scale is “Criminals should be taught pro-social behaviour”. Overall, the scale has a Cronbach’s alpha of .7, while the sample within this study had a Cronbach’s alpha of .9 for rehabilitative orientation, .85 for retributive orientation and .88 for utilitarian orientation, which is very good.

**Self-esteem.** Next, to measure self-esteem, items from the Rosenberg self-esteem scale (Rosenberg, 1979) and the Personal Evaluation Inventory (Shrauger & Schohn, 1995) were used. The scales were combined to only include relevant items for this study, ultimately excluding items like “Athletics is an area in which I excel”. This led to a total of 14 items on a 4-point Likert scale ranging from 1 = “*Strongly Disagree*” to 4 = “*Strongly Agree*”. One example of Rosenberg’s scale is “On the whole, I am satisfied with myself”, and one of the Personal Evaluation Inventory is “I am better looking than the average person”. The Rosenberg Self-Esteem was chosen to measure the global self-esteem that the participants had. To additionally measure more thematically relevant aspects, attractiveness and relationship-related items from the Personal Evaluation Inventory were added. Overall, the Cronbach’s alpha for this study was .84, which is considered good.

**Gender Roles Beliefs Scale.** Lastly, to investigate how gender roles affect sentencing decisions, as well as how responsibility is assigned in a crime, the short version of the Gender Roles Beliefs Scale (GRBS) was chosen (J. Brown & Gladstone, 2012). While Weiher and Watson (in prep.) used the Ambivalent Sexism Inventory that focuses on hostile and benevolent sexism to measure positive and negative evaluations of women, the GRBS was chosen to focus more on traditional vs. egalitarian views on gender roles. Since the GBRS is thus concerned with the ideological underpinnings of sexism, it is a fitting scale to explore

responsibility attributions and how the participants' gender role beliefs influence their sentencing decisions. This scale consists of 10 items answered on a 7-point Likert scale ranging from 1 = "*Strongly agree*" to 7 = "*Strongly disagree*". The scale further includes items such as "It is ridiculous for a woman to run a train and for a man to sew clothes", with one of the items being reverse scored. Subsequently, a higher score reveals a more egalitarian belief in gender roles. In this study, a Cronbach's alpha of .86 was obtained, which is good.

### **Procedure**

Upon entering the survey, participants were informed about the purpose of the study and its procedure. Only when participants gave informed consent, understood their right to withdraw and the confidential nature, the study continued. Since this study also involves potentially distressing content, help hotlines were linked, and the participants were adequately informed of the risks of the study. To hide the study's true intent and hypotheses, a cover story was employed in which participants were told the research focused on memory processes in the judicial context. Subsequently, deception was used to minimise demand characteristics and elicit more natural responses. This is essential to this study, as once a participant is aware of a study's aims and its hypotheses, they may change their answers to support the perceived hypothesis (Nichols & Maner, 2008).

Afterwards, the participants were randomly assigned to one of the eight conditions via Qualtrics. Subsequently, they were either shown a video of the attractive or unattractive defendant, without knowing their role during the trial. Afterwards, they needed to answer the items of the Reysen Likability Scale, including the defendant's attractiveness. In order to ensure attentive watching and maintain the experimental deception, the participants needed to answer three questions concerning the defendant's attractiveness. The participants then proceeded with only a picture of the defendant above the case vignette. After carefully reading the case description, the participants had to assign a sentence length, how serious

they perceived the crime, and their experience with crime in general. Additionally, the participants were asked to explain their decision in an open text box and indicate how responsible the victim and the defendant are. The participants' reasoning per condition can be viewed in Appendix C.

Lastly, the questionnaires regarding the participants' sentencing orientation, self-esteem and gender role beliefs needed to be answered, as well as demographics and neurodiversity. However, the indication of neurodiversity was not used in this study to focus on the study's main objectives. The participants were then thanked for their participation and were debriefed about the true purpose of the study (Appendix D). If they still consented to their data being processed, the response was recorded, and the study finished.

### **Data Analysis**

The subsequent data was analysed using R version 4.4.2 with packages tidyverse, broom, emmeans, car, lme4, lmerTest, rstatix, psych, effsize, remotes, report, lm.beta and effectsize. First, it was checked whether the manipulation concerning attractive and unattractive defendants worked with an independent t-test. Following this, it was tested for possible main and interaction effects between the attractiveness and type of crime condition on the dependent variables, sentence length and seriousness of crime, with a two-way factorial ANOVA. To control for variance due to individual sentencing orientation, self-esteem, and gender role beliefs, a two-way factorial ANCOVA is used. The significant results were then followed by Post Hoc tests. Additionally, an exploratory two-way factorial ANCOVA was done to investigate the effect of attractiveness and crime type on victim and defendant responsibility, followed by a post-hoc test. Lastly, the qualitative results from the open text boxes were analysed using thematic analysis and synthesised with the previous quantitative results to receive a more nuanced understanding.

## Results

### Manipulation Checks

The independent T-test to ascertain whether the manipulation concerning the physically attractive versus unattractive defendant worked indicates that participants in the attractive condition evaluated the defendant significantly more attractive ( $M = 4.73$ ,  $SD = 1.52$ ) than participants in the unattractive condition ( $M = 2.57$ ,  $SD = 1.40$ ). The manipulation was successful  $t(156) = 9.31$ ,  $p < 0.001$ ,  $d = 1.48$ , 95% CI [1.70, 2.62].

### Descriptive Statistics

Table 1 displays the descriptive statistics and correlations of all continuous variables included in the study. The variables include Sentence Length, Seriousness of Crime, Likeability, Self-Esteem, Gender Role Beliefs, Retributive Orientation, Utilitarian Orientation, Rehabilitative Orientation, Experience with Crime, Attractiveness, Victim Responsibility and Defendant Responsibility. Each is reported with its respective mean and standard deviation.

On average, participants assigned relatively lenient sentences compared to the maximum of 60 months and considered the crimes as moderately serious. The average attractiveness rating across both the attractive and unattractive defendant conditions was moderate. Furthermore, the results depict a positive correlation between the dependent variables, Sentence Length and Seriousness of Crime. Moreover, participants with a Utilitarian Sentencing Orientation assigned harsher sentences and perceived the crime as more serious. Additionally, participants with greater experience with the justice system also rated the crimes as more serious.

There was a strong positive association between the defendant's perceived attractiveness and Likeability. Additionally, a negative correlation between Experience with the Justice System and Self-esteem could be observed. Additionally, Gender role Beliefs had

several notable correlations: participants with more traditional gender role beliefs had less retributive and Utilitarian Sentencing Orientation, whereas more egalitarian gender role beliefs were more supportive of a more rehabilitative sentencing orientation. Finally, sentencing orientations were correlated; Retributive and Utilitarian Sentencing Orientations were positively correlated, while Utilitarian and Rehabilitative Sentencing Orientation showed a negative correlation.

**Table 1***Descriptive Statistics and Correlations with N = 158*

Variable	<i>M</i>	<i>SD</i>	1	2	3	4	5	6	7	8	9	10	11	12
1. Sentence length (1-60)	21.6	17.2	-											
2. Seriousness of crime (1-10)	5.6	2.5	0.66**	-										
3. Likeability (1-7)	3.3	1.0	-0.09	-0.13	-									
4. Self-esteem (1- 4)	3.0	0.4	-0.03	-0.06	0.13	-								
5. Gender role beliefs (1-7)	5.6	1.0	0.03	0.08	0.08	0.06	-							
6. Retributive orientation	3.8	0.8	0.15	0.05	0.04	0.03	-0.16*	-						
7. Utilitarian orientation	2.4	0.9	0.25**	0.18*	0.05	-0.04	-0.41***	0.64***	-					

8. Rehabilitative orientation	4.2	0.8	-0.08	-0.02	0.08	-0.02	0.33***	0.08	-0.19*	-				
9. Experience with Crime (1-10)	2.5	2.5	0.06	0.17*	-0.08	-0.23**	-0.6	-0.09	-0.06	-0.04	-			
10. Attractiveness (1-7)	3.6	1.8	0.02	-0.01	0.67***	0.05	0.05	0.07	0.09	0.07	-0.10	-		
11. Victim Responsibility	3.8	1.1	0.21**	0.21**	-0.02	-0.07	0.33***	0.09	-0.05	0.37***	-0.07	0.08	-	
12. Defendant Responsibility	2.2	1.1	-0.18*	-0.12	0.23**	0.02	-0.03	-0.02	-0.03	0.07	0.07	-0.02	-0.26*	-

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*Note.* The Likert scales range from 1 to 5, if not otherwise indicated in parentheses.

\* $p < .05$ . \*\* $p < .01$ . \*\*\* $p < .001$

## Main Findings

### *Sentence Length*

All means, standard deviations and hypothesis tests for Sentence Length can be found in Table 2. The model explained a significant portion of variance in sentence length,  $R^2 = .35$ ,  $\text{adj. } R^2 = .27$ ,  $F(16, 141) = 4.65$ ,  $p < .001$ . Nevertheless, no significant main effect of Attractiveness was obtained. However, the Crime Type significantly influenced the sentence. Compared to burglary, sentences for physical assault ( $\beta = .43$ ,  $t(141) = 3.51$ ,  $p < .001$ ) and sexual assault ( $\beta = .42$ ,  $t(141) = 3.26$ ,  $p = .001$ ) were significantly higher. The difference between swindle and burglary was marginal,  $\beta = .23$ ,  $t(141) = 1.82$ ,  $p = .071$ . Furthermore, there was no interaction effect between attractiveness and crime type. Subsequently, the hypotheses (H1 and H1a) that attractiveness has a main effect on sentence length, with an interaction of type of crime due to the liking-leniency effect, are rejected.

To further explore the nature and direction of Crime Type on Sentence Length, estimated marginal means were computed and show that sexual assault ( $M = 27.1$ ,  $SE = 2.4$ ) as well as physical assault ( $M = 28.7$ ,  $SE = 2.3$ ) were sentenced significantly harsher than burglary ( $M = 11.8$ ,  $SE = 2.5$ ,  $p < .001$ ). The post-hoc pairwise comparison using a Sidak correction to control for Type I error inflation shows that sexual assault ( $p = .037$ ) and physical assault ( $p = .008$ ) were rated significantly harsher than swindle ( $M = 16.9$ ,  $SE = 2.7$ ). Additionally, sexual assault ( $p < .001$ ) and physical assault ( $p < .001$ ) were also sentenced significantly harsher than burglary. There was no significant difference between swindle and burglary ( $p = .725$ ), nor between sexual assault and physical assault ( $p = .998$ ).

### *Perceived Seriousness of Crime*

For the Seriousness of Crime, the means, standard deviations as well as the hypotheses tests can also be found in Table 2. The model explained a significant portion of variance in perceived seriousness  $F(16, 141) = 4.51$ ,  $p < .001$ ,  $R^2 = .34$ ,  $\text{adj. } R^2 = .26$ . While



no significant main effect of attractiveness could be obtained, crime type had a significant main effect on seriousness, with the lowest seriousness of crime assigned to burglary and the highest for Sexual Assault. Compared to burglary, physical assault ( $\beta = .42$ ,  $t(141) = 3.36$ ,  $p = .001$ ) and sexual assault ( $\beta = .49$ ,  $t(141) = 3.77$ ,  $p < .001$ ) were associated with significantly higher seriousness ratings. Swindle was also rated as more serious than burglary ( $\beta = .25$ ,  $t(141) = 2.00$ ,  $p = .048$ ). However, there was again no interaction effect for Attractiveness and Crime Type. Since there was no main effect of attractiveness or interaction with crime type, H2 and H2a can be rejected.

The estimated marginal means for the subsequent post-hoc analysis indicate that sexual assault was perceived as most serious ( $M = 6.8$ ,  $SE = 0.3$ ), followed by physical assault ( $M = 6.2$ ,  $SE = 0.3$ ), Swindle ( $M = 5.2$ ,  $SE = 0.4$ ), and Burglary ( $M = 3.9$ ,  $SE = 0.4$ ). Post hoc comparisons with Sidak adjustment revealed that both Sexual Assault ( $p < .001$ ) and Physical Assault ( $p < .001$ ) were perceived as more serious than Burglary. Additionally, sexual assault was also rated significantly more serious than Swindle ( $p = .036$ ).

**Table 2**

*Means, Standard Deviations, and Two-Way Analysis of Variance for Sentence Length and Perceived Seriousness*

Independent Variable	Dependent Variable			
	Sentence Length		Seriousness of Crime	
Attractiveness	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>
Attractive	20.2	16.2	5.6	2.4
Unattractive	23.0	18.0	5.5	2.5
Hypothesis test	$F(1, 141) = 1.78$ , $p = .184$ ,		$F(1, 141) = 0.25$ , $p = .620$ ,	

Crime type	$\eta^2_p = .010$		$\eta^2_p = .002$	
	Sentence Length		Seriousness of Crime	
	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>
Burglary	10.3	6.29	3.9	1.7
Swindle	16.5	11.7	4.9	2.2
Sexual Assault	28.9	19.5	6.8	2.5
Physical Assault	28.4	18.3	6.3	2.3
Hypothesis test	$F(3, 141) = 5.20, p = .002,$		$F(3, 141) = 5.75, p < .001,$	
	$\eta^2_p = .100$		$\eta^2_p = .110$	
Interaction	Sentence Length		Seriousness of Crime	
	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>
Burglary / Attractive	9.9	6.1	4.1	1.6
Burglary / Unattractive	10.9	7.9	3.7	1.7
Physical Assault / Attractive	23.6	16.2	6.1	2.2
Physical Assault / Unattractive	33.6	19.4	6.5	2.5
Sexual Assault / Attractive	28.9	20.6	6.8	2.7
Sexual Assault / Unattractive	29.0	18.8	6.7	2.4
Swindle / Attractive	17.5	10.7	5.2	2.2

Swindle /	15.6	12.6	4.7	2.2
Unattractive				
Hypothesis test	$F(3, 141) = 0.71, p = .550,$		$F(3, 141) = 0.11, p = .953,$	
	$\eta^2_p = .010$		$\eta^2_p = .002$	

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*Italics* =  $p < .05$  level

## Exploratory Analysis

### *Analysis of Covariates*

The two-way factorial ANCOVA (Table 3) showed a significant effect of Utilitarian Sentencing Orientation on Sentence Length. A higher utilitarian sentencing orientation can be associated with harsher sentence lengths,  $\beta = .25, t(141) = 2.44, p = .016$ . The remaining covariates had no significant effect on sentencing decisions.

For the second dependent variable, perceived Seriousness of Crime (Table 3), a higher utilitarian sentencing orientation is associated with higher perceived seriousness,  $\beta = .27, t(141) = 2.58, p = .011$ . Furthermore, an egalitarian gender role orientation was also associated with higher perceived seriousness of crime,  $\beta = .22, t(141) = 2.59, p = .011$ . Notably, less likeability in a defendant is associated with higher perceived seriousness of the crime,  $\beta = -.17, t(141) = -2.04, p = .043$ . Lastly, higher Victim Responsibility is associated with higher Perceived Seriousness of Crime,  $\beta = .17, t(141) = 1.98, p = 0.049$ . For all other covariates, no connection could be established.

### Table 3

*Analysis of Variance with Covariates for Sentence Length and Perceived Seriousness of Crime*

Dependent Variable	Source of Variation	<i>Df</i>	<i>F</i>	<i>p</i>	$\eta^2_p$
Sentence Length	Attractiveness	1	1.50	.223	.010
	Crime Type	3	5.20	.002 **	.100
	Rehabilitation	1	1.64	.203	.010
	Retributive Orientation	1	0.03	.873	< .001
	Utilitarian Orientation	1	5.93	.016 *	.040
	Gender Role Beliefs	1	2.45	.120	.020
	Likeability	1	0.08	.778	< .001
	Self-Esteem	1	0.46	.500	.003
	Experience with Crime	1	0.00	.964	< .001
	Victim Responsibility	1	3.84	.052	.030
	Defendant Responsibility	1	1.15	.284	.010
Dependent Variable	Source of Variation	<i>Df</i>	<i>F</i>	<i>p</i>	$\eta^2_p$
Seriousness of Crime	Attractiveness	1	0.25	.620	.002
	Crime Type	3	5.75	.001 **	.110
	Rehabilitation	1	0.07	.791	.001
	Retribution	1	1.41	.237	.010
	Utilitarian	1	6.64	.011 *	.040
	Gender Role Beliefs	1	6.73	.010 *	.050
	Likeability	1	4.16	.043 *	.030
	Self-Esteem	1	0.22	.643	.002
	Experience with Crime	1	2.89	.091	.020
	Victim Responsibility	1	3.92	.049 *	.030
	Defendant Responsibility	1	0.21	.649	.001

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

## Responsibility Attribution

The model explained a significant portion of victim responsibility  $R^2 = .21$ , adj.  $R^2 = .17$ ,  $F(8, 149) = 4.89$ ,  $p < .001$ . The two-way factorial ANOVA concerning the effect of attractiveness and crime type on perceived victim responsibility revealed a significant main effect of crime type. The participants assigned the most responsibility to the victim in the swindle case, then physical assault, burglary, and the least responsibility for sexual assault. An interaction between Attractiveness and Crime Type was not present. A subsequent post-hoc pairwise comparison using a Sidak correction indicates that participants assigned significantly more responsibility to the victim for Swindle ( $M = 3.42$ ,  $SE = 0.17$ ) than for sexual assault ( $M = 4.17$ ,  $SE = 0.15$ ),  $t(149) = -3.23$ ,  $p = .009$ , even though both crimes are attractiveness-related. The remaining comparisons were insignificant. A subsequent analysis of covariates further revealed that Gender Role Beliefs are associated with Victim Responsibility  $F(1, 149) = 17.33$ ,  $p < .001$ ,  $\eta^2_p = .100$ , with more egalitarian Gender Role Beliefs indicating less Victim Responsibility,  $\beta = 0.31$ ,  $t(149) = 4.16$ ,  $p < .001$ .

To further investigate Defendant Responsibility, a two-way factorial ANOVA for the effect of defendant attractiveness and crime type was performed. While the model explained a significant portion of variance,  $R^2 = .15$ , adj.  $R^2 = .10$ ,  $F(8, 149) = 3.15$ ,  $p = .003$ , the analysis did not reveal any statistically significant main or interaction effects. Additionally, the ANCOVA to investigate the effect of gender role beliefs on defendant responsibility, was insignificant,  $F(1, 149) = 1.44$ ,  $p = .232$ ,  $\eta^2_p = .010$ .

**Table 4**

*Two-way ANOVA for Victim and Defendant Responsibility Attribution*

Independent Variable		Dependent Variable
Attractiveness	Victim Responsibility	Defendant Responsibility

	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>
Attractive	3.8	1.1	2.2	1.1
Unattractive	3.8	1.1	2.3	1.1
Hypothesis Test	$F(1, 149) = 2.20, p = .140,$ $\eta^2_p = .010$		$F(1, 149) = 2.43, p = .121,$ $\eta^2_p = .020$	

Crime Type	Victim Responsibility		Defendant Responsibility	
	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>
Burglary	4.1	1.1	2.7	1.2
Swindle	3.4	1.2	1.7	1.0
Sexual Assault	4.1	1.0	2.1	0.9
Physical Assault	3.7	1.0	2.4	1.0
Hypothesis Test	$F(3, 149) = 3.61, p = .015,$ $\eta^2_p = .070$		$F(3, 149) = 1.95, p = .124,$ $\eta^2_p = .040$	

Interaction	Victim Responsibility		Defendant Responsibility	
	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>
Burglary / Attractive	4.3	1.0	2.5	1.19
Burglary / Unattractive	3.8	1.2	3	1.14
Swindle / Attractive	3.5	1.2	1.87	1.19
Swindle / Unattractive	3.3	1.2	1.58	0.838
Sexual Assault	4.2	1.0	1.9	0.912
/ Attractive				
Sexual Assault /	4.0	1.0	2.17	0.937
Unattractive				
Physical Assault /	3.3	1.0	2.36	1.09
Attractive				

Physical Assault / Unattractive	4.14	0.910	2.33	0.913
Hypothesis test	$F(3, 149) = 2.04, p = .110, \eta^2_p = .040$		$F(3, 149) = 1.03, p = 0.381, \eta^2_p = .020$	

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*Italics =  $p < .05$  level*

### Qualitative Analysis

Based on deductive coding from the previous results, four themes arose across the reasoning for sentencing decisions the participants made. The codes resulted in the themes Evidence, Comparison to other crimes, sentencing orientation, and appearance of the defendant. Their occurrence is further described in Table 5 and synthesised with the quantitative results in Table 6. In Appendix C, the reasoning of each participant and the condition they were in can be found.

**Table 5**

*Frequency of per Theme and Condition*

Condition	Theme			
	Evidence	Comparison to other crimes	Sentencing orientation	Appearance
Attractive / Burglary	16	10	2	0
Unattractive / Burglary	17	6	2	1
Attractive / Swindle	8	10	2	0
Unattractive / Swindle	15	5	2	2
Attractive / Sexual Assault	15	4	1	1

Unattractive / Sexual Assault	14	1	3	1
Attractive / Physical Assault	15	3	2	1
Unattractive / Physical Assault	18	2	1	1
Total	118	41	15	7

### ***Evidence***

Most of the participant reasoned their sentencing decision and assumptions of guilt based on the (lack of) evidence from the police report. For example, one participant said, “I see no evidence to convict him”, and thus decided in favour of the defendant, as did 37.6%. Predominantly, this occurred in the unattractive-burglary condition and the unattractive sexual assault condition. However, 62,4% interpreted the police report in favour of the victim by reproducing the allegations and damage to the victim. This was especially noticeable in the unattractive swindle and unattractive physical assault conditions. Notably, in the swindle condition, the participants also assigned partial blame to the victim.

### ***Comparison to other Crimes***

Additionally, participants explained across various crime types that the defendant “could have done worse”. This theme arose especially often in the Burglary and Swindle condition with reference to crimes like sexual assault or murder. Across all crime types, the crimes of attractive defendants were more frequently downplayed with comparison to other crimes. Thus, the crime type was an important driver of the reasoning for sentencing decisions and was more often used in the attractive conditions.



### ***Sentencing Orientation***

Moreover, the participants explained their assigned sentence length based on the goals sentencing should achieve for the victim, offender and society as a whole. Some of these are more oriented on a retributive orientation, like “The sentence length should be harsher for all crimes”, while others include a more rehabilitative orientation, as in the statement “A long sentence will only make his life worse and not help him change”. Nevertheless, sentencing orientations were diverse across conditions, except for a notable pattern in rehabilitative reasoning that predominantly occurred in the attractive conditions but was more diverse for attractiveness-related crimes.

### ***Appearance***

Lastly, a small number of participants indicated that their sentencing decision was based on the defendant’s attractiveness, body language, or facial expression. For example, one participant argued in favour of the attractive defendant that, “he looks really innocent because he is very attractive, which can make people think that the girl would maybe not want to not have sex”. However, in the unattractive condition, this was used against the defendant, as one participant said, “He looks like someone who needs money”.

**Table 6**

*Integrated Quantitative and Qualitative Results with Example Quotes*

Quantitative Results	Qualitative Results	Example Quote
The crime type significantly affected Victim Responsibility	Participants decided whom to trust and which evidence to believe based on the police report	“Determination of guilt based on the victim’s testimony”

Crime type has a significant effect on sentence length and perceived seriousness	Participants decided their sentence length based on whether they perceived that the crime could be more or less serious	“There are worse crimes like murder, which is why I rated it lower“
Utilitarian sentencing orientation significantly predicts sentence length and perceived seriousness	Participants that want to prevent further crimes assign harsher sentences	“The crime was a serious one and I believe a sentence is required to deter future criminals.”
Attractiveness had no significant main effect on sentence length and perceived seriousness	Participants explained innocence or guilt based on the physical appearance of the defendant	“He looks really innocent because he is very attractive which can make people think that the girl would maybe not want to not have sex”

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*Note.* All citations that were originally in German have been translated into English for clarity.

## **Discussion**

The purpose of this study was to gain a better understanding of the influence of attractiveness and crime types on sentencing decisions based on a modified replication of Kramer et al. (2024) due to the mixed results of prior studies. However, even though support was found for a halo effect, the results of the present study cannot support the hypothesis that attractive defendants receive more lenient sentences and seriousness of crime judgements in attractiveness-unrelated crimes and harsher sentences for attractiveness-related crimes,

similar to the results by Kramer et al. (2024) before adjustment. When controlling for self-esteem, experience with the judicial system and gender role beliefs, a higher utilitarian sentencing orientation and egalitarian gender role beliefs were associated with harsher sentences and higher perceived seriousness of crime. Additionally, defendants who were perceived as less likeable were related to more serious crimes. Furthermore, it was explored how attractiveness and crime types influence the attribution of responsibility. While neither attractiveness nor type of crime influenced the perception of the defendant's responsibility, the type of crime significantly influenced perceived victim responsibility, with more egalitarian gender role beliefs indicating less victim responsibility.

### **Main Findings**

The insignificant results of attractiveness on sentence length and perceived seriousness of crime converge with previous findings (Izzett & Fishman, 1976; Kaplan & Kemmerick, 1974; Kramer et al., 2024; Weiher & Watson, in prep.). However, there is evidence for a halo effect, as the attractive defendants of this study were considered significantly more likeable, ultimately validating the findings of Dion et al. (1972a), Eagly et al. (1991) and Nisbett and Wilson (1977). Nevertheless, the presence of a halo effect did not transfer into different judgements and actions for attractive and unattractive defendants as proposed by Langlois et al. (2000). Whereas for example Michelini and Snodgrass (1980) and Sigall and Ostrove (1975) found that the halo effect also led to more lenient sentences, this study was not able to reproduce their results. Sigall and Ostrove (1975) explained the liking-leniency effect not only with the halo effect but also based on an interaction of attractiveness with crime type, among others, leading to the beauty penalty for attractiveness-related crimes, which could also not be verified within this study.

Contrary to the results of Kramer et al. (2024) and Weiher and Watson (in prep.), a significant effect of Crime Type on Sentence Length as well as perceived Seriousness of

Crime was found. For both dependent variables, rape was judged most severely, even though the physical assault case was expected to be evaluated harsher. However, the significant effect of crime type is consistent with legal standards of most countries, where sentencing is expected to vary based on severity and nature of the offence. Subsequently, the relationship with attractiveness in producing sentencing outcomes remains inconclusive, especially with escalating crime types. Therefore, Attractiveness might not be a universal, reliable predictor of sentencing decisions, as argued by Ahola et al. (2009) and Jacobson and Berger (1974).

There are several potential reasons for the obtained results. Contrary to the assumption of the dangerous decision theory by Porter and ten Brinke (2009), that a liking-leniency effect and beauty penalty are based on heuristics, Michelini and Snodgrass (1980) argue that these effects are based on participants' awareness of the defendant's attractiveness and actively identify its relevance to the crime. This converges with the idea of the dual-processing theory, which distinguishes two distinct systems of information processing (Barrouillet, 2011). The first system describes intuitive, emotional and automatic responses, while the second system involves analytical and deliberate evaluation. Therefore, if participants were not sufficiently aware of the defendant's attractiveness and its relevance across different crime types, this could explain why no main effect of attractiveness emerged for Sentence Length and Perceived Seriousness of Crime.

Adding to this participant characteristic-focused approach, Wuensch et al. (1993) stress the importance of participant gender in combination with crime type. The present study had predominantly female participants and male defendants, which theoretically should have led to more lenient sentences for attractive defendants, while still perceiving it as approximately equal concerning seriousness. While no significant main or interaction effect could be ascertained in this study, the qualitative results revealed that several participants were victims of a crime themselves. This potentially influenced their perception of the

crime's severity, as victims often fear future victimisation and are more punitive (Lorenz et al., 2019; Orth, 2002), potentially overshadowing the effect of the defendant's attractiveness.

## **Exploratory Findings**

### ***Individual Level Findings***

Furthermore, in this study, only significant evidence for one sentencing orientation could be found: Utilitarian. A utilitarian sentencing orientation incorporates deterrence as well as incapacitation to deter future criminals and protect society from harm (Layton & Director, 2001). In practice, judges and jurors are often encouraged to consider rehabilitative, utilitarian, and retributive factors for their sentencing decisions (Watamura & Ioku, 2022). However, the study by Watamura and Ioku (2022) suggests that lay people intuitively lean more towards retributive motivations when judging crimes and do not actively distinct between utilitarian and retributive motives (Carlsmith et al., 2002). This potentially explains the correlation between utilitarian and retributive sentencing orientation that was also found by Watamura and Ioku (2022). Subsequently, the reason that the only significant sentencing orientation remains utilitarian might be that for lay people, utilitarian reasoning serves as a more cognitively accessible or socially acceptable justification for punishment, while still reflecting retributive orientations.

Additionally, the setup of this study might have induced analytical and rational thinking, which might have led the participants to rely on their utilitarian motives for making sentencing decisions. For this, the indirect role of responsibility associated with judging criminals might increase motivation and cognitive engagement. According to the elaboration likelihood model, participants who are highly motivated and understand their task tend to rely more on objective and analytic factors (Petty & Cacioppo, 1986), which potentially also applies when taking on the role of a juror. This is especially prevalent when decisions need to be justified later on (Lerner & Tetlock, 1999; Montinari & Rancan, 2018). Another

potentially relevant factor is the ambiguity in cases that are similar to moral dilemmas in this study. Compared to the study by Kramer et al. (2024), the vignettes of this study were significantly longer, included both the victim's and defendant's testimony and did not indicate definite guilt of the defendant. This might have increased utilitarian sentencing orientations. For example, the fMRI study by Greene et al. (2001) found that utilitarian decisions in moral dilemmas activate brain regions that are responsible for controlled cognitive processes, which potentially also applied to this study due to the similarity to moral dilemmas.

On the contrary, the qualitative results suggest that participants have more nuanced motivations. Several participants indicated that, besides deterring other criminals and protecting society, they want the defendant to reflect on his behaviour or advocate for a punishment in line with the crime. This suggests that sentence justifications are based on diverse motives and further depend on the crime's severity (Watanabe et al., 2022). Hence, even though only the utilitarian sentencing orientation was quantitatively prevalent, retributive and rehabilitative motivations potentially coexist with that.

Another key finding of this study was that participants who had more egalitarian gender role beliefs were associated with higher perceived seriousness of crime. Over the past decades, a general trend towards more egalitarian gender roles emerged, demonstrating increasing relevance to society (Wike et al., 2019). A prior study already investigated differences between male and female offenders across different crime types (Chen, 2024). It suggests that individuals who are higher in egalitarian gender role beliefs recommend longer sentences for male offenders compared to female offenders for more serious crimes like murder. Subsequently, the shift from traditional gender roles towards a society that encourages feminism and equal rights, potentially also leads to harsher condemnation of crimes that violate these standards.

Moreover, individual self-esteem was not associated with sentence length or perceived seriousness. This is contrary to the predictions by Fein and Spencer (1997) and Hill et al. (2023), who argued that individuals higher in self-esteem are less prone to biases and individuals low in self-esteem judge more harshly in an attempt to self-regulate. While research proposes that global self-esteem rarely affects behaviour, including moral judgement (Baumeister et al., 2003; Devine & Caughlin, 2014), the variability in participants' self-esteem in the present study is relatively low, as well as the standard deviation. Subsequently, the lack of differences in the sample might have reduced the potential for detecting meaningful associations.

### ***Responsibility Attribution***

In the exploratory analysis, the attribution of responsibility for the crime to the victim differed between crime types. Descriptively, the participants assigned more responsibility to the victim when the defendant was unattractive in three out of four crimes and the least amount of responsibility in cases of assault. A potential explanation for the quantitative results are rape myth beliefs which are “*prejudicial, stereotyped, or false beliefs about rape, rape victims and rapists*” (Burt, 1980) that serve to deny, downplay or justify sexual aggression. While rape myth beliefs are specific to sexual assault, they reflect the underlying belief of a just world - meaning that the world is fair, leading to the assumption that victims have to contributed or deserve their victimisation (Twardawski et al., 2025). This cognitive bias has been observed across various crime types (Brownlow, et al., 2023; Dreyer, 2024; Twardawski et al., 2025). Ultimately, this highlights how unconscious biases subtly affect responsibility attribution and potentially differ further on defendant attractiveness.

On the contrary, there is an ambivalent pattern in quantitative and qualitative responses, as the qualitative results depict a higher attribution of blame to the defendant, except for swindle. One potential reason for this is that the quantitative results depict the

unconscious biases involved in victim-blaming, while the qualitative results show the more socially accepted solidarity with them (Bohner et al., 2013). This solidarity has steadily increased since the beginning of the #MeToo movement, which is a survivor-led organisation shedding light upon abuse inside relationships (Murphy, 2019). Since the sample of this study was predominantly female with an academic background, it possibly had an additional effect on responsibility attribution in the qualitative data, as these characteristics are associated with being younger, more educated and liberal (Sivasubramaniam et al., 2020). Nevertheless, partial blame was attributed to the victim in the swindle case, with the indication that the victim was too naïve, which converges with the findings of Brownlow et al. (2023).

Notably, attractiveness, crime type and their interaction did not predict defendant responsibility. While the defendant's responsibility was consistently rated higher than the victim's responsibility, it cannot be ascertained that these results are not due to chance. This might be because participants often assign high responsibility to a potential offender (Strömwall et al., 2013). Subsequently, the general tendency to assign high responsibility to defendants might mute the influence of extra-legal factors like attractiveness and crime types or be mediated by other factors like emotions or mood, as suggested by various studies (Bornstein, 1998; Douglas et al., 1997; Feigenson et al., 2001; Feigenson & Park, 2006).

### **Strengths and Limitations**

This study contributed to the growing body of research that explored extra-legal factors and their influence on sentencing decisions. The continuation of this research highlights the importance of procedural fairness as well as the need for ongoing education in judicial contexts. Even though this study found no significant main effect of attractiveness on sentencing decisions, it stresses the complexity of how biases and individual-level variables alter judgements, even in high-stakes situations.



Importantly, this study employed methodological advancements. First, two dependent variables were chosen: seriousness to investigate the cognitive evaluation, as well as the behavioural dimension with the assigned sentence length. Furthermore, as recommended by Kramer et al. (2024), short videos were utilised. While the seven-second videos cannot fully replicate the experiences of a judge or juror in court, they highlight the necessity of achieving advancements in ecological validity in this domain. Additionally, the incorporation of a mixed-methods approach facilitated the understanding of the underlying reasons for sentencing decisions across crime types, which is especially insightful regarding responsibility attributions and the progress that still needs to be made concerning victim protection.

Furthermore, this study also comes with some limitations that should be considered for future research. Even though the study's manipulation worked, the videos and pictures used in this study were not standardised and were obtained from real-world trials. Thus, the videos were not shot from the same angle and have different backgrounds. While both defendants had approximately a neutral expression in the video and photo, the attractive defendant was initially wearing a mask, as the trial occurred during the time of COVID-19. During the pandemic, wearing a mask was not only considered a sign of protection but also a sign of social identity (Sumutka et al., 2023). This is due to the political association differentiating liberals who are in favour of masks, and conservatives, who perceive mask-wearing as an infringement on their freedom (Powdthavee et al., 2021). Research indicated that political conservatives perceive mask-wearers to be less trustworthy and do not want to be associated with them (Ingram et al., 2024). Subsequently, the politicisation of mask-wearing influences trustworthiness and likeability, depending on political orientation, which in this case potentially contributed to the insignificant effect of attractiveness on the dependent variables.

Next to the effects mask-wearing can have on perceived attractiveness and likeability, it needs to be kept in mind that attractiveness is a subjective and multisensory construct. While there has been lots of effort to reach a consensus on the definition of attractiveness, identify the ‘ideal’ face shape, and distinguish it from sexual desire and follow its roots through evolutionary theory (Bashour, 2006) recent research suggests, that different participants have preferences for a multitude of face shapes (Ibáñez-Berganza et al., 2019). More recently, the role of vocal sounds and their interaction with facial features received more attention, also known as the “What sounds beautiful is good” phenomenon (Pisanski & Feinberg, 2018). Moreover, the results by Shang and Liu (2022) also demonstrate the influence of pitch attractiveness on cooperation, implying relevance for attractiveness biases in judicial decision making. Additionally, body movements influence the perception of attractiveness. Hence, even though the manipulation was successful, the conditions in this study were not as realistic as a real-world trial and potentially minimised the effect of attractiveness.

### **Directions for Future Research**

Since attractiveness is a multi-sensory concept that is difficult to capture, even with real-world trial videos, the incorporation of virtual reality potentially has benefits for sentencing decisions research (Wang & Bailenson, 2025). This difficulty could potentially be overcome by constructing a courtroom virtual reality environment with avatars for the defendant, victim, and jury personnel. Besides these visual stimuli, auditory information through read testimonies could be incorporated as well as further visual information through body language and facial expressions. Previously, virtual courtrooms have already been created for the treatment of sexual assault survivors and studied as a teaching tool for legal professionals with promising results (Bailenson et al., 2006; Sigurvinsdottir et al., 2024). By incorporating virtual reality in the study of attractiveness biases, accurate replicability could

be further assured if the environment were open access and could even be manipulated depending on the independent and dependent variables.

As sentencing decisions overall appear not to solely rely on attractiveness and crime types, there might be a demand to further investigate individual-level variables. Many previous studies have examined variables like demographics, emotions, self-esteem and sexism (Chen, 2024; Kramer et al., 2024; Tuncer et al., 2018; Watamura & Ioku, 2022; Wuensch et al., 1993). While the results concerning them remain unclear, the effect of cognitive processing of the mock jurors appears promising, due to the distinction between analytical and heuristic-based thinking, which both are essential components in sentencing decisions based on attractiveness and crime type (Gunnell & Ceci, 2010). This might not only shed light upon the underlying mechanisms of sentencing decisions but also offer implications for juror training programs that could incorporate nudging techniques to support fair trials. Nudging techniques have been used in various contexts and even in racial bias training for judges, making it a potential basis for anti-attractiveness bias interventions in the future (Rachlinski et al., 2009).

## **Conclusion**

In conclusion, this study demonstrated that attractive defendants are associated with more positive characteristics and that less likability influences how seriously individuals perceive a crime. Nevertheless, no evidence could be obtained that attractive defendants receive more lenient sentences for attractiveness-unrelated crimes. Moreover, the responsibility attribution concerning victims revealed a significant effect of crime type, while neither attractiveness nor crime type predicted the defendant's responsibility attribution. By further untangling biases like the attractiveness bias in court, procedural fairness for victims and offenders can be achieved. Ultimately, ensuring society's trust and its compliance with the law.

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## **Appendix A**

### **AI Statement**

During the preparation of this work, I used Grammarly to enhance spelling and syntax. After using this tool/service, I thoroughly reviewed and edited the content as needed, taking full responsibility for the final outcome.

## Appendix B

### 4 Case Vignettes

# POLICE REPORT

Case No.: 4546757

Date: 16/08/2024

**Incident:** Burglary

#### **Defendant**

Alex Meyer

#### **Report**

Burglary with 5.000€ damage.

#### **Description of the incident**

The defendant, Alex Meyer, moved into a high-rise apartment in Cologne in June 2024. Allegedly, the defendant spied on his neighbour, Christine and illegally forged an electronic pass key to gain access to her apartment. The victim discovered the theft upon arrival in the apartment and reported the crime at the police station. According to the victim, the defendant stole cash and other items with the value of 5.000€. A neighbour reported seeing a person near the victim's door earlier that evening and provided a vague description that loosely matched Alex. The prosecutors assume that after stealing the money, the defendant left town to avoid being caught. However, Alex claims that he went out of town to relax. Officers also found a small amount of cash and a watch on Alex, though the victim could not immediately confirm if the items belonged to her. The defendant argues that the watch was a gift from a relative and the cash from a regular money withdrawal from the bank. Alex was later charged with burglary, and the case is now being evaluated for trial.

# **POLICE REPORT**

Case No.: 4546757

Date: 16/08/2024

**Incident:** Swindle

## **Defendant**

Alex Meyer

## **Report**

Swindle with a damage of 15.000€.

## **Description of the incident**

The defendant, Alex Meyer, matched with the victim Christine on the dating app Tinder in June 2024, where he presented himself as a wealthy business entrepreneur. Over several months, they built a long-distance relationship, frequently texting, video-calling, and making plans for the future. The victim described Alex as charming, caring, and financially stable.

After gaining the victim's trust, Alex claimed to face a temporary financial crisis due to unexpected business issues. Alex requested a short-term loan of 15.000 Euros, promising to repay it within a few weeks, to which the victim agreed. As time passed, Alex continued to make excuses for delayed repayment and avoided meeting the victim in person.

Subsequently, the victim became suspicious and reported Alex for romantic fraud. The defendant stresses that his financial difficulties were real, as well as his feelings for the victim and that there is a logical explanation for everything. Alex was later charged with fraud, and the case is now being evaluated for trial.

# **POLICE REPORT**

Case No.: 4546757

Date: 16/08/2024

**Incident:** Swindle

**Incident:** Sexual Assault

## **Defendant**

Alex Meyer

## **Report**

Non-consensual intercourse.

## **Description of the incident**

The defendant, Alex Meyer, met the victim, Christine, while he was bartending at a social gathering in June 2024. Throughout the evening, they talked and ultimately exchanged numbers. A few days later, they met for dinner and later went to Alex's apartment to continue the evening. In the apartment, they started kissing, and Alex initiated intercourse. After some time, the victim indicated that she wanted to slow down, but Alex allegedly continued despite the victim's repeated wish to stop. The victim reports that she felt pressured and unable to leave. On the contrary, Alex claims that the victim indicated only once that she wanted to slow down, which they did. He further stated that once the victim felt comfortable again, they continued, with everything being consensual and that he did not put any pressure on her. A few days after the incident, the victim reported the incident to the police. Alex was later charged with sexual assault, and the case is now being evaluated for trial.

# **POLICE REPORT**

Case No.: 4546757

Date: 16/08/2024

**Incident:** Physical Assault

## **Defendant**

Alex Meyer

## **Report**

Physical assault resulting in a prolonged hospital stay.

## **Description of the incident**

The defendant, Alex Meyer, has known the victim, Christine, for several years, but they have a tense relationship due to their past. One evening in June 2024, they both attended a mutual friend's gathering at a bar. Later in the evening, Alex and the victim got into a heated argument over a past conflict while they were standing alone outside the bar. Allegedly, Alex suddenly pushed the victim against a wall with force. The victim claims that she attempted to de-escalate, but Alex followed up by punching her in the face multiple times, causing her to fall to the ground and remain there unconscious. Alex claims that he reentered the bar once the argument became too heated without ever touching the victim and hints that the victim has many enemies around town. In the hospital, the victim was diagnosed with a concussion, facial bruising and several broken bones. Alex was later charged with physical assault, and the case is now being evaluated for trial.

## Appendix C

### Verbatim Qualitative Results

#### Attractive Burglary

1: I do not know if you can trust one witness entirely. Especially since there is no proper evidence and more "Indizien".

5: He is charged so i believe the court. length is because it is not a big amount of money, but he could have done worse with the key

14: I am personally not really sure if he is guilty as there seems to be no solid proof, if he was I think 4 months are fine as no-one got phy./psy hurt.

22: I decided on the sentence length in the case he is guilty because he did not commit a robbery

36: Intuitiv

44: No violence involved, also he is young so I assume he lacks maturity and that a long sentence will make his life worst rather than to help him change

51: Ich habe mich für diese Auswahl entschieden da Gegenstände im Wert von 5000€ gestohlen wurden sowie ein Einbruch begangen wurde.

55: Suspect was spotted and broke in to someone's apartment. Also stole 5000 euros of goods.

61: Es war eine geplante Tat, weil er den Schlüssel nachgemacht hat. Allerdings scheint er keine Vorstrafen zu haben und der Schaden ist nicht sehr groß

85: Mir reichen die bisherigen Beweise nicht aus um eine eindeutige Schuld zu beschließen. Wenn Schuld dann die genannte Stufe

90: 1. Instructions said "if he indeed committed the crime". Choosing 2 years because punishment is justified, but there could be worse scenarios

97: Mangelnde Beweislage - Nur Spekulation



108: hohe Geldsumme, lügen, ausspionieren als lang geplante Intention, keine Gewalt etc.

112: Man kann doch in dem Fall gar nicht objektiv die Schuld bestätigen, wenn das Opfer die Uhr nicht identifiziert. Naja, das Wegfahren ist sehr sus.

121: In ein Haus einbrechen, klauen und ausspionieren sind drei Vergehen die man niemals machen sollte

130: Es wurde keine Person verletzt

136: Wenn der Angeklagte nicht nur den Raub, sondern auch Stalking begonnen hat, sind die psychologischen Folgen für das Opfer schwerwiegend.

141 This is not that serious of a crime because it is not a lot of money and I am not quite sure that Alex is guilty.

150: He has been charged and he didn't hurt anyone physically

156: Ich finde es gibt deutlich schlimmere Strafen, deswegen meine Bewertung. In der angegebenen Zeit kann er sein Verhalten reflektieren

### **Unattractive Burglary**

153: Wieso zur Feststellung der Schuld? Ich sollte doch davon ausgehen, dass er schuldig ist.

Strafhöhe: Niemand ist zu Schaden gekommen, aber schon creepy

119: Weil diese Straftat nicht so schlimm ist, wie körperl. Verl. oder schwerw. gende psy., aber trotzdem den persönlichen Raum der and. Person eingreift.

59: To be honest, I don't think he's guilty since a lot of it cannot be 100% confirmed. If it is true, I would say 9 months due to the value of the items.

19: not guilty-evidence too weak sentence-victims was psychologically and financially damaged but: far more serious criminals that require prison resources

33: I think the defendant is guilty based on the money and the watch found in his possession and the going out of town. I think burglary is serious

67: haven't. I have no idea, whether he's guilty or not, and no basis on which to judge that.

Therefore I could not give more than a minimum sentence. Fuck limit

16: I do not necessarily think he is guilty

71: I believe that more evidence needs to be found. If nothing is confirmed then you cannot send a man to jail, therefore i only put 2 months

135: He does seem guilty, but there is no hard evidence. 3 months are enough to reflect and fit the seriousness of the crime

10: Giving yourself access to a strangers apartment is connected with a lot of discomfort for the victim.

42: Er hat zwar die Kate der Wohnungsinhaberin entwendet, um in die Wohnung einzubrechen hat aber keine Körperliche Gewalt eingesetzt.

116: in Einbruch mit Diebstahl ist für mich keine sehr schwere Tat. Allerdings kann es zu Angst und Unwohlsein für die Geschädigten führen.

157: Die Schuld kann anhand der Beschreibung nicht nachgewiesen werden

81: Da der Angeklagte niemanden direkt verletzt hat

106: Beweise sind ungenau und eindeutiger Beweis, dass der Angeklagte schuldig ist, scheint nicht vorzuliegen, daher würde ich die Strafhöhe niedrig halten

37: Bei Diebstahl sollten dem Täter lediglich die Konsequenzen seines Handelns aufgezeigt werden, er sollte keinen dauerhaften Schaden davontragen.

146: Allein mit dieser Beschreibung des Vorfalls kann keine Schuld bestätigt werden, da keine konkreten Beweise vorliegen. zu wenig Zeichen verbleibend

95: €5000 is a serious enough amount to deeply impact the victim. However it is not very clear that the defendant is guilty.

98: Ich halte die Schuld für gering, da niemand wirklich Schaden genommen hat. Außerdem ist er noch nicht schuldig gesprochen.

## Attractive Swindle

77: Vergewaltigung/Sexueller Missbrauch sowie Mord und andere Gewaltdelikte halte ich für deutlich schlimmer als diesen Strafbestand.

8: The fact he didn't try to get a credit from the bank but asked his girlfriend for that much money, seems as if he wanted to lure her into his trap

38: Selbst wenn der Angeklagt ernste Absichten (Beziehung) hatte, hat er den Geldbetrug begangen und es der Frau nicht zurückgezahlt.

113: Mir erscheint die Vorgehensweise des Betrugs sehr einfach zu sein. Ein komplexerer, undurchsichtiger Betrug wäre in meinen Augen schwerwiegender.

56: Ied about wealthy, reduced contact after receiving money, indicates guilt, 1.5 years is sufficient but money should also be paid back to the victim.

140: Keiner Person wurde physischer Schaden angerichtet. Das Opfer wurde ebenso nicht gezwungen ihm das Geld zu geben. Deshalb keine Höchststrafe.

83: I t is not that serious for him to spend even 1 year in prison, he didn't blackmail her, but he still should be punished, it can be classified as fraud

64: I trust the court in proofing the suspect guilty and I think that one year is a good length for such crime as there are many worse crimes

23: think there are way worse crimes and also for this crime the girl was not "forced" to send him money and it was "only" 15.000€

31: I assume that there is chat proof of the conversations about the money. Why would the victim lie? 2 years is good because other crimes are more severe

74: He didn't pay back the amount of money that he got

26: Feststellung der Schuld durch die Aussage des Opfers und da es sich nur um einen materiellen Schaden handelt, halte ich 2-3 Jahre für angemessen.

118: Es gibt schlimme taten wie z.B Mord, weswegen ich es niedriger bewertet habe. 20 Monate reichen aus, um zu begreifen, dass die Tat falsch ist.

107: Die Polizei konnte den Täter bestimmt mithilfe der IP-Adresse finden. Die Strafhöhe von 2,5 Jahren entspricht der Mitte.

133: Auswahl so getroffen, da keine Gewalt, Drohungen vom Täter ausgegangen sind. Volle Summe als Rückzahlung sowie Strafgeelder angemessen.

41: He "only" betrayed the victim and did not kill somebody. So, nobody got harmed by his actions, only money is involved

### **Unattractive Swindle**

58: Would be helpful to know what the logical reasons were but since cyber crime especially fraud is quite common, i think its plausible that he is guilty

18: The victim is *responsible for sending the money*, the suspect should not lie and swindle her out of her money. Nobody was hurt but 15.000 Euro is a lot

3: The crime was a serious one and I believe a sentence is required to deter future criminals. 2.5 years is a long time and I believe sufficient for this

120: Strafschärfend: hoher Schaden, planvolles Vorgehen Strafmildernd: wahrscheinlich erste Tat?

154: Not willing to refund the victim. Sentence length : I couldn't choose the sentence I had in mind, 12 months

148: Klar schuldig, da hier eine Täuschung unter falschen Tatsachen des Opfers stattgefunden hat, wobei ein hoher finanzieller Schaden entstand

125: Im Vergleich zu anderen Straftaten ist keine Person körperlich geschädigt wurden (Verletzt/Vergewaltigt/...).

47: I would say he is guilty because of what the victim said. Also, I decided on a year only because the crime doesn't seem too heavy

24: I think the suspect is guilty

88: have determined him to be guilty, as I assume there is no proof found for financial struggle and thus misled victim. Csl: explanation is important.

147: Höhe des Schadens, Art des Vorgehens (über mehrere Monate enge Beziehung vortäuschen), wiederholte Begehung durch Aufrechterhaltung der Täuschung

86: He looks like someone who needs money and the people would not accuse him without reason. Probably does it all the time.

45: Handeln unter falscher Absicht -> finanzieller Schaden für das Opfer Opfer ist das Risiko selbst eingegangen, daher geringe Mitschuld/ zu gutmütig

62: Guilty because he lied. Length because it's just money, not murder, but a lot of money

7: From context I think he had this plan set up (a lot of money) before and that makes him guilty. It is also a lot of money which makes it a worse crime

134: Es ist definitiv eine schlimme Tat vor allem für das Opfer. Dennoch wurden keine Lebewesen verletzt oder getötet.

104: Die Höhe der Betrugssumme kann gravierende Auswirkungen auf das Leben des Opfers haben. Ich gehe von Vorsatz aus.

94: etrug muss bestraft werden. Die Art und Schadenshöhe ist egal.

25: 15 Monate. Sein Gesichtsausdruck zeigt Gleichgültigkeit und keine Reue

### **Attractive Sexual Assault**

53: Vergewaltigung ist einfach ne heftige Straftat, die das Opfer ihr Leben lang verfolgt und beeinträchtigt.

101: Vergewaltigung

65: To be honest he looks really innocent because he is very attractive which can make people think that the girl would maybe not want to not have sex

9: there are two sides of the story and based that I decided.

89: Strafmaß: 36 Monate, aufgrund Verstoß gegen Selbstbestimmung, „Stopp“ missachtet, Druck ausgeübt. Verantwortung liegt eindeutig beim Angeklagten.

145: Mittelmäßige Strafe und Schwere des Vergehens im Vergleich zu anderen Straftate

76: im text steht man soll davon ausgehen das er die Tat begangen hat also nehme ich an er wird für schuldig erklärt auch wenn ich dies zweifelhaft halte

127: Ich halte den angeklagten für nicht schuldig. Die Situation ist sehr unklar, darum halt ich maximal eine geringe Strafe für gerechtfertigt.

57: From the story, it seemed like he did not understand that the victim wanted him to stop

39: Es ist schon eine sehr schwerwiegende Straftat, da das Opfer hier nicht eingewillt hat. Es hätte dennoch schlimmer kommen können, daher „nur“ 8/10

73: Es gibt schlimmere Taten, jedoch ist jegliche Form von Übergriff Gewalt und sollte bestraft werden. Soll auch als Abschreckung anderer Täter dienen.

99: Das Opfer hat sich bei der Polizei meldet und ich finde die Schilderung sehr glaubwürdig. Die Position vom Täter ist schwammig/nicht glaubwürdig.

138: Da er der Frau leid angetan hat.

50: Da das Opfer es nicht wollte / nicht zustimmte. Das Opfer ist lebenslang traumatisiert.

66: cause I'm a woman and I know from bitter experience that most of the time these accusations are true. Get this man off the streets

32: Aussage gegen Aussage, schwierig definitiv schuld festzustellen

13: As it wasn't said that he was violent or hurt the victim physically other than the held charges I think 2 years are acceptable if there was no fight.

131: -

15: In my opinion, the evidence is indicating that he is guilty. I choose 6 Months

70 –

### **Unattractive Sexual Assault**

139 : X

69: Vergewaltigung an sich ist eine schwere Straftat, die Lebenslänglich verdient hätte.

Dennoch lässt sich aus der Beschreibung nicht genaues schließen

128: Vergewaltigung

63: Sollte Alex unbestraft davon kommen, ist es möglich, dass er sein Verhalten nicht ändert oder seinen Fehler eingesteht.

96: Ob er schuldig ist, kann ich anhand der Infos nicht beurteilen. Wenn ja, sieht er Frauen scheinbar als Sexobjekt, auf das er ein Anrecht hat. Delulu.

17: Instructions: if he indeed committed the crime. So i did not determine if he is guilty. As for the length, he raped someone. Although not with violenc

142: In den bericht wird viel über die Situation aus Alex' Sicht geschrieben, daher wirkt es weniger wie aktute Nötigung? Schwach argumentiert

152: Ich kann mir gut vorstellen, dass diese Person unterschwellig Druck ausgeübt hat.

52: Ich denke dass einer Frau in diesen Momenten geglaubt werden muss. Es ist unglaublich Start dass sie es so weit geschafft hat und sich getraut hat

132: Ich bin nicht zur feststellung der Schuld gelangt, es wurde mir in der Aufgabe so vorgegeben. Das geringste Strafmaß erschien mir angemessen

91: think it's hard to determine whether the person is guilty or not. I need more information and maybe some spoken statements from both parties

20: I dont see any evidence to convict him.

124: I am unsuee. I know there are only very few incidents in which false rape accusations happen. I choose the length because I am unsure.

115: Exploiting someone's vulnerability in such a serious way and knowingly causing deep psychological harm should be punished with at least 5 years.

100: Es gibt Widersprüche in den Aussagen, daher ist unklar, was wirklich stimmt.

34: Ein Übergriff sollte immer bestraft werden. Wenn die Frau nicht mehr möchte muss der Körperkontakt sofort beendet werden.

79: Die Tat wird für das Opfer nicht nur körperliche, sondern vermutlich auch psychische Schäden ausgelöst haben und ihr Leben beeinflussen.

78: Aus Berichten meine ich gehört zu haben, dass eine Vergewaltigung mit 3 Jahren Haft bestraft wird, weshalb ich mich für diese Anzahl entschieden habe.

155: Ich glaube bei Straftaten zwischen Mann und Frau lieber der Frau, da das viele nicht tun. Eine Straftat mit solchen Verletzungen ist hart.

151: gjh

### **Attractive Physical Assault**

49: Wenn die Tat sich wie beschrieben abgespielt hat, war sie nicht nicht geplant und ist somit aus Emotionen entstanden.

123: Verletzung und Aussage der Geschädigten

105: The defense seems weak and the vague hint at having other enemies feels like there's no concrete evidence that he did not attack her.

102: he crime is very serious and hurtful however more than 3 months is crazy i think.

46: Strafmaße sollten für alle Straftaten erhöht werden, deshalb habe ich mich für 3 Jahre entschieden.

30: So würde niemals ein polizeibericht aussehen, der zeigt ja schon, dass dem Opfer nicht geglaubt wird. Solche Konflikte sind nicht selten

144: Schwere Körperverletzung ist eine schwere Straftat. Aber vermutlich gab es Alkohol und Streit, und er scheint kein Wiederholungstäter zu sein.

158: Objektiv festgestellte schwerwiegende Verletzungen des Opfers. Die Vermutung, dass diese durch Schläge/ Körperliche Gewalt durch Täter ist plausibel

72: Mir fehlen weitere Informationen für eine höhere Strafe.



126: Ich sollte die Situation doch bewerten, wenn er es tatsächlich gewesen ist ("wenn er die Straftat tatsächlich begangen hat"), k.A. ob Schuld oder nicht

149: Ich glaube den Schilderungen von Opfer so und finde dass die Gewalt sehr extrem war. Aber eigentlich fehlen mir weitere Beweise, wie Augenzeugen z.B.

110: Ich bin gar nicht zur Feststellung der Schuld gelangt, gehe aber in diesem Fall davon aus, da ja sonst ein Freispruch zur Disposition stehen würde.

2: I think something like that could happen to anyone, however it is still wrong.

75: I found Alex guilty based on the severity of the victim's injuries and lack of a clear alibi. I chose a long sentence due to the violence involved.

54: I dont know he does not look guilty

93: I dont know

114: I believe the suspect ist guilty because of the injuries. They cannot exist out of nowhere.

12: Guilty because of the repeated punches to the victim's face not being an ccident, especially after casually walking back into the bar afterwards.

40: Es gibt weitaus schlimmere Straftaten, sollte aber definitiv so bestraft werden, dass er das nicht nochmal macht.

6: ask people nearby if they saw something so look for eyewitnesses and I don't think it is a serious crime so 6 months is appropriate

27 '- auf Grund der Knochenbrüche des Opfers

80: -

21: The assault was aggravated, not due to self-defense and resulted in a hospital stay, a 3 year prison sentence is justified

### **Unattractive Physical Assault**

87: Wir wissen nichts über die Vorstrafen des Beschuldigten, daher gehe ich von keinen aus. Zudem handelt es sich „nur“ um eine einfache Körperverletzung.

109: weil das Opfer stark verletzt wurde

84: Vorsätzliche Körperverletzung , schwerere Verletzung aber nicht Koma oder

Lebensgefahr „schwaches“ Motiv und keine mildernden Umstände

103: Schwere der Verletzungen, mögliche Spätfolgen

143: Schwer Verletzungen aber einmaliger Täter und Affekt, daher nicht volle Höhe

4: It doesn't make sense for the girl to randomly accuse alex of someone else beating her up.

7 months because this has only happened once.

43: In case the victim got attacked by a different person, it would not make much sense to accuse this person whom they have known for a long time.

68: Ich kann keine Schuld bei dem Protagonisten feststellen.Es steht Aussage gegen Aussage. Ohne Zeugen schwierig zu beurteilen.

35: Ich habe keine juristische Grundlage den Fall auf dieser Weise zu beurteilen.

11: I looked at the suspects body language. He seems a bit nervous but he also seemed like he did not really care that he was there. The crime is fatal

60: I don't know whether he is guilty and I would want more information before convicting.  
(I would find not guilty if only given the description above)

28: I didn't determine the suspect was guilty, it was said i should assume. I believe 3 years is long enough to reflect and deter from future behavior.

29: I chose this sentence lengths because I think violent crimes/ crimes that physically or mentally harm other people directly are the worst crimes

92: Er hat die Person unproviziert mehrmals geschlagen und auch noch ins Gesicht. Somit ist das für mich ein aktives körperlich verletzendes verhalten

82: Eine konkrete Feststellung der Schuld ist nicht möglich vorausgesetzt das die Tat wirklich begangen wurde, halte ich das Strafmaß für angemessen.

117: Der Täter hat mehrfach zugeschlagen und das Opfer bewusstlos liegen lassen, damit ist es eine bewusste Handlung gewesen.

137: Das Opfer wurde geschlagen und sehr schwer verletzt. Es gibt viel geringere Straftaten, aber auch viel schlimmere, deshalb mittelmäßige Schwere.

129: leibende Schäden beim Opfer, abnormales Verhalten, keine Reue, kein Schuldgeständnis

122: in noch zu keinem Urteil gekommen. Sachlage ist unklar. Das Strafmaß habe ich hoch gesetzt, da die Schäden des Opfers aus vielen Schlägen entstanden.

111: Aufgrund des Polizeiberichts

48: Any defendant would try to blame the victim for having enemies to get a shorter sentencing. I think 3 years would be appropriate for the crime.

155: Ich glaube bei Straftaten zwischen Mann und Frau lieber der Frau, da das viele nicht tun. Eine Straftat mit solchen Verletzungen ist hart.

## **Appendix D**

### **Participant Debrief**

#### **Thank you for taking part in our study!**

In the following, we would like to debrief you about the study:

#### **Debrief**

#### **Jury Duty - Memory in the Judicial Context**

##### **Study objective**

Contrary to what was initially stated in the informed consent form, this study is interested in how the attractiveness of the defendant may influence sentencing decisions. In summary, attractive defendants have been found to receive more lenient sentences than unattractive defendants even though they committed the same crime (e.g., Sigall & Ostrove, 1975). However, follow-up studies showed mixed results, with some studies even finding no difference in sentencing decisions or higher punishment for attractive defendants.

##### **How was it tested?**

As a participant in this study, you were presented with a picture of either an attractive or unattractive defendant. Afterwards, we presented you with a police report describing one of four different criminal cases the defendant was potentially involved in and asked you to decide whether he is responsible and on a sentence length. Additionally, the influence of the factors of self-confidence, gender-role beliefs and punitiveness were measured.

##### **Hypothesis and the main question**

Based on previous research, we expect that your sentencing decision is impacted by the physical attractiveness of the defendant. Moreover, we assume that crimes, where an attractive defendant uses their attractiveness to commit it (fraud and sexual assault), are penalized higher than crimes that are unrelated to attractiveness (petty crime and physical assault).

##### **Why is this important to study?**

By participating in this study, you contributed to forensic research regarding courtroom decision-making. This research adds to the existing pool of knowledge on sentencing decisions and the attractiveness bias from the general public. Previous research has demonstrated that fair and equal treatment in the criminal justice system is important for the public's trust in it and has an effect on their compliance with the law. Assigning sentences based on attractiveness instead of the crime at hand inherently leads to unfair outcomes, which makes it important to investigate to improve the public's trust and compliance. Furthermore, the insights of this study could potentially be utilized to add to the already existing bias training for judges and jurors to further increase fairness and equality in court.

##### **Withdrawing Policy.**

If you later on decide that you want to withdraw from this research after finding out its true purpose, please contact the researcher Sarah Nienhaus at [s.nienhaus@student.utwente.nl](mailto:s.nienhaus@student.utwente.nl),

within 10 days and quote your participation number to allow us to locate your data and withdraw it.

I still consent to taking part in this study: