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THE IMPACT OF DEFENDANT WEIGHT ON MOCK JURORS' EVALUATIONS AND CASE JUDGMENTS

By

Stephanie Henley Weigel
Bachelor of Arts, Cleveland State University, 2012
Master of Arts, Cleveland State University, 2014

A Dissertation

Submitted to the Graduate Faculty

of the

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in partial fulfillment of the requirements

for the degree of

Doctor of Philosophy

Grand Forks, North Dakota

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This dissertation, submitted by Stephanie Henley Weigel in partial fulfillment of the requirements for the Degree of Doctor of Philosophy from the University of North Dakota, has been read by the Faculty Advisory Committee under whom the work has been done and is hereby approved.

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Stephanie Henley Weigel
December 5, 2019

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ABSTRACT

The main objective of the current study was to extend current knowledge of extralegal factors, weight discrimination, and the culpable control model (CCM) by examining the impact of defendant weight and mock jurors' sex on negative spontaneous evaluations (NSEs) and courtroom judgments. Explicit and implicit measures of anti-fat attitudes were investigated as mediators. The current study utilized a 3 (defendant weight: overweight, lean, control/no image) x 2 (mock jurors' sex) between-subjects factorial design. To reduce potential bias and order effects, the study was conducted in two parts. During part one, mock jurors were randomly assigned to one of three conditions and provided with a check fraud case summary that contained an image (or no image in the control condition) of the defendant. Mock jurors responded to a series of questions designed to measure NSEs and courtroom judgment. During part two, mock jurors completed implicit and explicit measures of anti-fat attitudes. Results revealed no main effects of defendant weight, mock jurors' sex, or mock jurors' anti-fat attitudes on case-related judgments. However, results demonstrated support for the CCM such that NSEs significantly predicted several case-related judgments including a greater willingness to convict the defendant. While limited in terms of verisimilitude and generalizability, results from the study yield significant findings that have been undocumented in the published literature.

CHAPTER I

INTRODUCTION

Trial by jury is a unique feature of the United States' democracy which guarantees every citizen in criminal and civil proceedings the right to a trial by an impartial jury. Jurors are afforded the responsibility of rendering a verdict based solely on the evidence and testimony presented at trial while simultaneously ignoring irrelevant factors (i.e., extralegal factors). A central question, then, is to what degree do juries render verdicts based on the evidence presented at trial versus extralegal factors that should be extraneous (Bornstein & Greene, 2011; Devine & Caughlin, 2014).

While research has consistently demonstrated that strength of evidence is the strongest predictor of legal decision-making (Devine, Buddenbaum, Houp, Studebaker, & Stolle, 2009; Devine, Krouse, Cavanaugh, & Basora, 2016; Kalven & Zeisel, 1966), a growing body of research indicates experience, emotions, attitudes, and other extralegal factors may impact jurors' decisions (e.g., Bornstein & Greene, 2011; Devine & Caughlin, 2014; Devine, Clayton, Dunford, Seying, & Pryce, 2001; Mazzella & Feingold, 1994), especially when a case is ambiguous in nature. One group of extralegal factors that has received considerable attention is the individual characteristics of the trial participants (see Devine & Caughlin, 2014; Devine et al., 2001; Mazzella & Feingold, 1994, for a review).

Defendant physical attractiveness is one individual characteristic that has been shown to bias trial outcomes. Studies of mock criminal trials have revealed that attractive defendants are less likely than unattractive defendants to be convicted (Devine & Caughlin, 2014; Mazzella &

Feingold, 1994), and when convicted, they are more likely to receive a lenient sentence (Mazzella & Feingold, 1994). These outcomes are consistent with the well-documented "what is beautiful is good" stereotype (Dion, Berscheid, & Walster, 1972), whereby those who are perceived as attractive are ascribed more positive personality traits than those who are perceived as unattractive. For example, attractive individuals are judged as more honest, emotionally stable, likable, socially skilled, clean, disciplined, and successful (Cross et al., 2017). It is important to note, however, that physical attractiveness may not always serve to benefit a defendant (Mazzella & Feingold, 1994; Patry, 2008; Sigall & Ostrove, 1975). In other words, while an attractiveness-leniency bias may appear for certain crimes (e.g., robbery, rape), in situations where the defendants' physical attractiveness seemingly helped them commit the crime (e.g., swindle, negligent homicide), they are treated more harshly (Abwender & Hough, 2001; Mazzella & Feingold, 1994; Sigall & Ostrove, 1975).

A related physical characteristic that has been largely overlooked by legal scholars is weight (see Beety, 2013, for a review). Overweight and obese individuals are highly stigmatized and, similar to unattractive individuals, are judged as less honest, emotionally stable, socially skilled, clean, disciplined, and successful (Cross et al., 2017). These stereotypes are prevalent and rarely challenged leaving overweight and obese individuals vulnerable to unfair treatment (Puhl & Heuer, 2009). Indeed, research has supported overweight and obese individuals face discrimination from employers, educators, media, romantic partners, family members, and healthcare professionals, including those who specialize in obesity treatment (see Puhl & Heuer, 2009; Spahlholz, Baer, König, Riedel-Heller, & Luck-Sikorski, 2016, for a review). Researchers have suggested this discrimination may extend to the courtroom resulting in biased trial outcomes (e.g., Beety, 2013).

To date, there are only three published studies that have examined the influence of weight on mock jurors' courtroom perceptions (i.e., Reichert, Miller, Bornstein, & Shelton, 2011; Schvey, Puhl, Levandoski, & Brownell, 2013; White, Wott, & Carels, 2014). Specifically, Reichert and colleagues (2011) examined the effects of plaintiff weight (i.e., obese vs. average) on mock jurors' judgments of responsibility and liability in a hypothetical malpractice case involving allegations of a surgical error. No significant effects emerged for plaintiff weight on verdicts which may be attributed to the researchers' decision to intentionally present weight as unrelated to the reason for surgery. Despite the lack of effects of plaintiff weight on verdicts, Reichert et al. (2011) did document some influence of plaintiff weight on jurors' perception of plaintiff responsibility for the negative medical outcome. More specifically, actual jurors (i.e., participants recruited from a Michigan court) were significantly less likely to attribute responsibility to the obese plaintiff than to the average weight plaintiff. Reichert et al. (2011) proposed several explanations for this surprising finding, most notably that actual jurors are more likely to be overweight than student jurors and thus more inclined to sympathize with the obese patient and perhaps engage in defensive attributional processes.

Similarly, White et al. (2014) examined the effect of plaintiff weight and the location of an accident on mock jurors' perceptions of the plaintiff's personal responsibility for an accident. Mock jurors were asked to read one of three vignettes describing an accident that occurred while leaving one of three different establishments (i.e., fast food burger restaurant, fitness gym, or department store) while viewing one of two silhouettes (i.e., lean vs. obese) of the alleged female plaintiff. While no significant effect emerged for plaintiff weight on verdicts, participants were significantly more likely to report the plaintiff's weight entered into their perceptions of personal responsibility when they viewed the overweight plaintiff compared to the thin plaintiff.

Furthermore, as the respondent's self-reported weight bias increased, participants were more likely to hold the plaintiff responsible and more likely to blame plaintiff characteristics for the accident.

Most relevant to the current study, Schvey et al. (2013) examined the effect of defendant weight on mock jurors' judgments in a hypothetical criminal case. Mock jurors were asked to read a vignette describing an instance of check fraud while viewing a photo of the alleged defendant. The photo depicted either a lean male, a lean female, an overweight male, or an overweight female. The participants then rated their perceptions of the defendant's guilt, their belief that the defendant had knowledge of the insufficient funds, and the likelihood that the defendant would issue another fraudulent check. Finally, participants completed measures of anti-fat attitudes.

Results from the study (Schvey et al., 2013) revealed that the weight and sex of both the defendant and mock juror influenced perceptions of responsibility and guilt. More specifically, when the defendant was a woman, male mock jurors were significantly more likely to find her guilty if she was obese than if she was lean. In addition, lean[1] male mock jurors were significantly more likely to believe the obese female defendant met the criteria for check fraud and indicated greater belief she would be a repeat offender when compared to the lean female defendant. For both lean and overweight[2] male mock jurors, the obese female defendant was judged as significantly guiltier when compared to the lean female defendant. This relationship did not emerge for female mock jurors. In other words, weight did not impact female mock jurors' judgments of responsibility and guilt. Finally, no statistical differences were reported for lean or obese male defendants among female or male mock jurors.

[1] Participants with a BMI < 25
[2] Participants with a BMI ≥ 25

While this study provided some of the first insights into the impact of defendant weight on legal decision-making, there are several limitations. First, the significant difference in judgments between obese and lean women may be attributed to physical attractiveness rather than weight. Researchers have reported that obese women are viewed as less physically attractive when compared to thinner women and men regardless of their weight status (e.g., Fikkan & Rothblum, 2011; Smith, 2012; Smith, Schmoll, Konik, & Oberlander, 2007). As previously noted, physically attractive defendants may be judged more lenient than their less attractive counterparts (e.g., Devine & Caughlin, 2014; Mazzella & Feingold, 1994). Second, Schvey et al. (2013) suggested that the significant findings among male mock jurors but not female mock jurors might be attributed to the observed sex differences in anti-fat attitudes; however, this relationship was not directly tested. Finally, although Schvey et al. (2013) found evidence that weight may be a significant extralegal factor, the authors did not examine the underlying mechanisms that could explain this effect.

Guided by the culpable control model (CCM; Alicke, 2000), the current study seeks to expand this line of research. Briefly, Alicke (2000) proposed that negative emotional reactions to harmful events and trial participants lead to biased legal decision-making. These emotional reactions may occur in response to extralegal factors such as defendant sex, race, and physical attractiveness. In contrast to other blame theories (e.g., Shaver, 1985; 2012; Weiner, 1993; 1995; 2012), Alicke (2000) assigns a central rather than a peripheral role to bias in legal decision-making. As such, the framework might be particularly suited for the examination of weight discrimination in the courtroom. Thus, the current study aims to not only expand research related to extralegal factors but also the CCM (Alicke, 2000). Furthermore, one goal of the current study is to provide insight into an understudied domain of weight discrimination in the courtroom. As

such, the findings of the current study aimed to extend existing knowledge about extralegal factors, weight discrimination, and the CCM (Alicke, 2000) by empirically testing the impact of a female defendant's weight on courtroom judgments and related negative reactions.

CHAPTER II

LITERATURE REVIEW

The following section will provide a review of the research related to the current study as follows. First, weight stigmatization will be discussed to support the argument that jurors in the current study will be influenced by defendant weight. Evidence of prejudice and discrimination against overweight and obese individuals will also be reviewed, as are potential explanations for weight stigmatization. Second, extralegal factors most related to the current study will be discussed. More specifically, defendant socioeconomic status (SES), defendant sex, defendant physical attractiveness, juror sex, juror perceived similarities, and juror attitudes and beliefs. This section will also aim to illustrate the complexity of the effects of extralegal factors on trial outcomes and how extralegal factors were expected to influence mock jurors' decision-making in the current study. Finally, the culpable control model (CCM; Alicke, 2000) will be discussed as the attributional framework grounding the current study. This section will summarize the main tenets of the CCM and the related research as well as limitations of the CCM.

Weight Stigmatization

Approximately 69% of adults in the United States are classified as overweight with roughly 35% of those categorized as obese (Ogden, Carroll, Kit, & Flegal, 2014)[3]. Despite the majority status of overweight and obese individuals, research has supported that overweight

[3] Body mass index (BMI) is the national standard used to classify a person as underweight, average weight, overweight, or obese. A BMI score is calculated by dividing a person's weight by the square of a person's height. A BMI greater than 25 classifies a person as overweight whereas a BMI greater than 30 classifies a person as obesity. While there are varying degrees of obesity classification (i.e., obesity I, II, III), the current project will consider all persons with a BMI greater than 30 as obese.

individuals are often the target of weight-related stigmatization (Ata & Thompson, 2010; Puhl & Brownell, 2001; Puhl & Heuer, 2009). In fact, a recent multinational investigation found evidence of weight stigmatization across 71 nations with a greater degree of national obesity associated with stronger negative attitudes toward overweight and obese individuals (Marini et al., 2013). In the current study weight stigmatization will be defined as negative attitudes towards, or beliefs about, individuals perceived as being overweight or obese (Puhl, Moss-Racusin, Schwartz, & Brownell, 2007). Literature also refers to weight stigmatization as anti-fat attitudes, anti-fat prejudices, and weight bias (Daníelsdóttir, O'brien, & Ciao, 2010).

Existing research demonstrates overweight and obese individuals face weight stigmatization across multiple domains (Ata & Thompson, 2010; Puhl & Brownell, 2001; Puhl & Heuer, 2009), including employment (Agerström & Rooth, 2009; Rooth, 2009), healthcare (Hernandez-Boussard, Ahmed, & Morton, 2012; Phelan et al., 2015a; Phelan et al., 2015b), education (Burmeister, Kiefner, Carels, & Musher-Eizenman, 2013), media (Brochu, Pearl, Puhl, & Brownell, 2014; Frederick, Saguy, Sandhu, & Mann, 2016), family (Puhl & Brownell, 2006; Puhl et al., 2007), and romantic relationships (Chen & Brown, 2005; Sheets & Ajmere, 2005). Additionally, overweight and obese individuals report anti-fat attitudes that are similar to those of their lean peers, supporting both *in-group* and *out-group* weight stigmatization (Puhl et al., 2015).

Negative attitudes and beliefs about overweight and obese individuals have been observed at both the implicit and explicit level (e.g., Brochu & Morrison, 2007; Marini et al., 2013; Phelan et al., 2014; Puhl et al., 2015; Teachman, Gapinski, Brownell, Rawlins, & Jeyaram, 2003; Watts & Cranney, 2009). Explicit attitudes are those that people consciously acknowledge and are typically obtained using self-report measures. Crandall's (1994) Anti-Fat Attitudes

(AFA) questionnaire is one of the most commonly used measures of attitudes toward overweight and obese individuals (Ruggs, King, Hebl, & Fitzsimmons, 2010). Because self-reports of attitudes are vulnerable to response bias, social desirability concerns, and other demand characteristics, researchers may opt to assess attitudes using performance-based measures (e.g., the implicit association test, lexical decision task) in conjunction with or in lieu of explicit measures (Greenwald, McGhee, & Schwartz, 1998; Greenwald, Poehlman, Uhlmann, & Banaji, 2009). Implicit measures are believed to reflect attitudes that people are unwilling or unable to express, either because they are unaware of their own bias or self-presentation concerns (Greenwald & Banaji, 1995). Research has supported, at times, implicit attitudes even predict behavior (e.g., non-verbal, spontaneous behavior) better than do explicit attitudes especially when dealing with socially sensitive topics (Greenwald et al., 2009). For example, one study found that implicit attitudes, but not explicit attitudes, predicted the likelihood that a hiring manager would invite an obese applicant to a job interview (Agerström & Rooth, 2011; but see Flint et al., 2016).

Although weight stigmatization appears to be relatively pervasive (e.g., Hilbert, Rief, & Braehler, 2008; Marini et al., 2013), research findings support some individuals may be more inclined to express prejudice against the overweight and obese. Consistent with the findings from Schvey et al. (2013), researchers have reported higher anti-fat attitudes and higher instances of weight discrimination among men but not women (Puhl & Heuer, 2009; Spahlholz et al., 2016). A variety of factors may contribute to these findings. For example, despite the similar prevalence of obesity among men and women (Ogden et al., 2014), research findings suggest men may lose weight at a faster rate than women (e.g., Dasinger, Gleason, Griffith, Selker, & Schaefer, 2005). This finding might explain why men are more likely than women to view weight within one's

own personal control (Puhl & Heuer, 2009; Spahlholz et al., 2016). Additionally, research findings have indicated men do not experience the same level of weight stigmatization as women (e.g., Flint et al., 2016); as such, men may be less sympathetic toward the overweight and obese. Even though these contributing factors are speculative and outside the scope of the current study, there is evidence that men and women express anti-fat attitudes and weight discrimination differently.

Sources of Weight Stigmatization

One of the most powerful and pervasive sources of weight stigmatization is the media (Ata & Thompson, 2010; Puhl & Heuer, 2009; Schvey, Puhl, & Brownell, 2011). Stigmatizing portrayals of overweight and obese people are common in movies, Internet videos, television shows, advertising, news coverage, and social media sites (see Ata & Thompson, 2010; Chou, Prestin, & Kunath, 2014; Puhl & Heuer, 2009 for a review). For example, examinations of online news articles and videos about obesity revealed overweight and obese persons were depicted through a negative and stigmatizing lens (e.g., engaging in sedentary activity, eating/drinking unhealthy food/drink) in 72% of the photographs (Heuer, McClure, & Puhl, 2011) and 66% of the videos (Puhl, Peterson, DePierre, & Luedicke, 2013). Furthermore, when compared to photographs or videos of "nonoverweight" individuals in the same context, overweight and obese persons were significantly more likely to be depicted in unflattering (e.g., wearing inappropriate fitting clothing) and stereotypical ways (e.g., sedentary, eating; Heuer et al., 2011; Puhl et al., 2013). Recent social media research revealed similar results (Chou et al., 2014). After examining social media data related to obesity, researchers reported "fat jokes," which position overweight and obese individuals as targets of ridicule and members of an out-group, were among the most common retweeted content (Chou et al., 2014). These findings coupled with the

high levels of media consumption in the United States would suggest the public is frequently exposed to weight stigmatization and such stigma is, at least to some extent, socially acceptable.

Explanations for Weight Stigmatization

According to researchers (e.g., Puhl & Heuer, 2009), weight stigmatization is due in part to unchallenged negative stereotypes that overweight and obese people are disgusting, lazy, unmotivated, unhappy, sloppy, unattractive, unsuccessful, and lack self-discipline, control, and willpower (Cross et al., 2017; Grant, Mizzi, & Anglim, 2016; Puhl & Heuer, 2009; Vartanian, 2010). Despite the current majority status of overweight and obese individuals in the United States, these stereotypes are persistent. As part of a replication of Harris, Harris, and Bochner's (1982) study of obesity stereotypes, Grant et al. (2016) examined college-aged students' stereotypical perceptions of overweight individuals. Findings indicated the negative obesity stereotypes reported by Harris et al. (1982) have persisted over a 30-year period. Many of these weight-based stereotypes stem from the perception that the causes of obesity are within personal control (Crandall, 1994; Puhl & Heuer, 2009; Sikorski et al., 2011).

Research seeking to explicate weight stigmatization has largely focused on attributions regarding the causes of obesity (e.g., personal responsibility, controllability) and stereotypical characteristics of obese people (e.g., lazy, immoral). Building on early theories of attribution (e.g., Heider, 1958; Kelley, 1967), Weiner (1993; 1995; 2012) proposed that when met with obese people who are viewed as responsible for their condition, observers will experience anger and display antisocial behaviors. In contrast, when met with obese people who are not viewed as responsible for their condition, observers will experience pity and display prosocial behaviors. Although useful, evidence suggests this research's application may be limited. Studies seeking to reduce weight stigmatization through modifications of attributions, beliefs, and stereotypes have

been largely ineffective (Daníelsdóttir et al., 2010; Teachman et al., 2003). That is, while people's beliefs about the causes of obesity have been altered, there is no impact on weight stigmatization (Vartanian, 2010).

Stemming from Weiner's (1993; 1995; 2012) work, researchers have begun to explore the relationship between weight stigmatization and negative emotions such as disgust. Disgust can be defined as an emotional reaction that is elicited by a physical or moral contaminant which results in distancing oneself from the object, event, or situation (Rozin, Haidt, & McCauley, 2008). Across a growing number of studies, disgust reactions have been shown to predict negative attitudes toward obese individuals (e.g., O'Brien et al., 2013; Vartanian, 2010; Vartanian, Thomas, & Vanman, 2013). For example, Vartanian (2010) found that disgust reactions were the strongest predictor of weight stigmatization and fully mediated the relationship between controllability and weight stigmatization. Additionally, when compared to other socially stigmatized groups (e.g., homeless individuals, African Americans), obese people were rated as more disgusting. O'Brien et al. (2013) also found a significant relationship between disgust and weight stigmatization which was mirrored by Vartanian et al. (2013) who discovered disgust (not anger or contempt) was a significant predictor of weight stigmatization. Although the causes of weight stigmatization are complex, it is evident that negative stereotypes are prevalent and have the potential to lead to negative consequences.

Consequences of Weight Stigmatization

Despite the belief that weight stigmatization may serve to promote healthy behaviors and weight loss (e.g., Bayer, 2008; Callahan, 2013), numerous studies have documented negative consequences of weight stigmatization for overweight and obese individuals (e.g., Hunger, Major, Blodorn, & Miller, 2015; Major, Hunger, Bunyan, & Miller, 2014; Puhl & Heuer, 2010).

Such consequences might include decreased physical health, decreased psychological health, and discrimination.

Physical health. Researchers have demonstrated that weight stigmatization is associated with negative physical health consequences that may contribute to obesity (see Puhl & Suh, 2015, for a review). For example, Schvey et al. (2011) examined the impact weight stigmatization had on caloric consumption among overweight and average weight adult women. After watching videos depicting weight-stigmatizing materials, overweight women ate more than three times as many calories as overweight women who watched a neutral video (303 vs. 89 kcal), and significantly more than the average weight individuals who viewed either the stigmatizing (170 kcal) or neutral (145 kcal) video. In a similar study conducted by Major et al. (2014), female participants were randomly assigned to read a news article about weight stigmatization faced by overweight individuals in the job market or a control article. Among participants who perceived themselves as overweight, exposure to the weight-stigmatizing material led to increased consumption of calories and decreased belief they could control their eating. While more research is needed to explicate the increased calorie consumption and decreased physical activity, the findings challenge the notion that weight stigmatization is a useful tool for changing health behaviors. In fact, such stigmatization materials could have the opposite effect.

Psychological health. Weight stigmatization is associated with negative psychological outcomes such as depression, low self-esteem, body dissatisfaction, and decreased quality of life (see Puhl & Heuer, 2009, for a review). Using a nationally representative sample of overweight and obese individuals, Hatzenbuehler, Keyes, and Hasin (2009) conducted an analysis of the effects of perceived weight discrimination on mental health. Results from the study revealed,

after controlling for demographics and body mass index (BMI), those that reported any weight discrimination in the past year were three times more likely to be in the highest quartile of perceived stress. Moreover, of those who reported weight discrimination (vs. those who did not), 32.1% (vs. 9.7%) met criteria for a mood disorder, 32.6% (vs. 10.6%) met criteria for an anxiety disorder, and 27.7% (vs. 20.7%) met criteria for a substance disorder. In support of these findings, Hunger and Major (2015) found that weight stigmatization (i.e., perceived discrimination and stigma concerns) mediated the relationship between BMI and psychological well-being (i.e., depression, self-esteem, and quality of life). Finally, Friedman et al. (2005) found among treatment-seeking obese adults, more frequent stigmatizing experiences were associated with significantly higher depression scores, general psychiatric symptoms, body image disturbance, and significantly lower self-esteem.

Discrimination. Andreyeva, Puhl, and Brownell (2008) estimated that occurrences of weight discrimination have increased by nearly 66% which, by some indicators, is comparable to rates of race and sex discrimination (Puhl, Andreyeva, & Brownell, 2008). Overweight and obese individuals have reported instances of weight discrimination from employers, health care workers, educators, media, romantic partners, family members, and even individuals with obesity (see Puhl & Heuer, 2009; Spahlholz et al., 2016 for a review). For example, in one study which evaluated the impact of obesity on sexual partner selection, both men and women ranked an obese person as the least desirable sexual partner compared to a partner categorized as healthy, armless, having an STD, or having a mental illness (Chen & Brown, 2005). Additionally, when compared to women, men provided significantly lower ratings for obese partners. With a few exceptions (i.e., Reichert et al., 2011; Schvey et al., 2013; White et al., 2014), weight is often overlooked as the basis for discrimination in the courtroom.

Determinants of Jury Decision-Making

Although the rate of jury trials has declined in recent years, researchers estimate juries decide over 150,000 state and federal cases annually (Mize, Hannaford-Agor, & Waters, 2007). Verdicts from these cases are far-reaching, often influencing which cases will be brought before the courts, which civil cases will be settled, and which criminal defendants will be offered plea bargains (Bornstein & Greene, 2011). Trial by jury operates under the belief that jurors are rational information processors who can disregard case irrelevant factors (i.e., extralegal factors) and render a verdict based solely on evidence and testimony presented at trial. Nevertheless, legal scholars have called into question jurors ability to remain rational and impartial.

One way legal scholars have investigated jurors' decisions is by analyzing judge-jury agreement in case judgments. For example, in their landmark publication, Kalven and Zeisel (1966) examined the pattern and magnitude of judge-jury disagreement by surveying American trial judges on cases they had presided over. For each case, the judge was asked to report descriptive information (e.g., type of crime, demographic characteristics of the trial participants), opinions about the case (e.g., whether the evidence was easy or difficult to comprehend, personalities of the trial participants), the verdict the judge would have reached had he or she tried the case alone, the jury's actual verdict, and an explanation when there was judge-jury disagreement. The final sample included data from 3,576 criminal jury trials contributed by 555 judges.

Results from the study revealed judge-jury agreement in 78% of the cases. When there was judge-jury disagreement, the jury voted to acquit in 19% of the cases when the judge would have convicted and the jury voted to convict in 3% of the cases when the judge would have acquited. To investigate the reasons behind the judge-jury disagreement, Kalven and Zeisel

(1966) utilized *reason assessment* (i.e., the judge's explanation for the judge-jury disagreement) and cross-tabulation. Following the coding process, data were organized into five reason categories. After weighting the frequency with which each reason category was mentioned, Kalven and Zeisel (1966) calculated that judge-jury disagreement occurred with the following frequencies: (a) evidence factors, 54%; (b) facts only the judge knew, 2%; (c) disparity of counsel, 4%; (d) jury sentiments about the individual defendant, 11%; and (e) jury sentiments about the law, 29%. The data was further divided into two categories – *facts* (i.e., evidence factors) and *values* (i.e., the other four categories or extralegal factors). Results revealed disagreement on facts alone accounted for 34% of judge-jury disagreement, disagreement on values alone accounted for 21% of judge-jury disagreement, and disagreement on values and facts accounted for 45% of judge-jury disagreement. Thus, Kalven and Zeisel (1966) concluded in two-thirds of the cases, judge-jury disagreement is explained, at least in part, by extralegal factors.

Further analyses investigated strength of evidence (as reported by the judge) as an explanatory factor for judge-jury disagreement. Results revealed when the evidence was clear, there was judge-jury disagreement in 25% of the cases and when the evidence was close, there was judge-jury disagreement in 75% of the cases. In other words, when the evidence clearly favored the prosecution or the defense, juries based their judgments on the merits of the case. However, in situations where the evidence was unclear, Kalven and Zeisel (1966) posited juries were liberated from the constraints of evidence and free to base their decisions on extralegal factors.

Devine et al. (2009) reported more recent evidence in support of Kalven and Zeisel's (1966) liberation hypothesis. Post-trial questionnaire data were collected from judges, attorneys,

and jurors who participated in criminal jury trials. The post-trial questionnaires included questions about jury verdict, strength of evidence, and various extralegal factors (e.g., sex, race). Results from the study revealed several extralegal factors (e.g., pretrial publicity, foreperson race) were significantly related to jury verdicts but only when the prosecution's evidence was rated as ambiguous.

Results from these studies suggest extralegal factors should exert a relatively weak effect in cases where the evidence is not ambiguous. In the United States, however, such cases are unlikely to go to trial and juries are more likely to hear cases with ambiguous evidence versus cases that result in plea decisions (Lieberman & Olson, 2016). In accordance with the liberation hypothesis (Kalven & Zeisel, 1996), then, extralegal factors have the potential to impact jury case judgments. As such, extralegal factors are an important determinant to consider when investigating jury decision-making.

Extralegal Factors

As described above, extralegal factors are legally irrelevant characteristics that should have no impact on jury decision-making. One group of extralegal factors that has been studied extensively is trial participants' individual characteristics (e.g., sex, race, attractiveness). While trial participants might include jurors, defendants, victims, witnesses, and judges, most extralegal bias research has focused on defendants and jurors (see Devine et al., 2001; Devine & Caughlin, 2014; Mazzella & Feingold, 1994, for a review). As the literature in this area is extensive, the author will focus on the extralegal factors most relevant to the current study, including defendant socioeconomic status (SES), defendant sex, defendant physical attractiveness, juror sex, juror perceived similarities, and juror attitudes and beliefs.

Defendant Characteristics

Numerous studies have examined the relationship between case judgments and defendant characteristics (see Devine & Caughlin, 2014; Devine et al., 2001; Mazzella & Feingold, 1994, for a review). Although the relationship is not always clear, there is evidence to support defendant characteristics can influence juror decisions. As part of a recent meta-analysis, Devine and Caughlin (2014) examined the relationship between several defendant characteristics and individual judgments of guilt for criminal offenses. Most related to the current study were the results for defendant SES, physical attractiveness, and sex.

Devine and Caughlin (2014) hypothesized that defendants were more likely to be convicted of a criminal offense when they were low-SES, physically unattractive, and male. In partial support of this hypothesis, results from the meta-analysis revealed a significant effect of defendant SES such that, when compared to high-SES defendants, low-SES defendants were more likely to be convicted of a criminal offense. On the contrary, results revealed a non-significant effect of defendant physical attractiveness and defendant sex. That is, an attractive individual was no more likely to be convicted of a criminal offense than an unattractive individual, and a man was no more likely to be convicted of a criminal offense than a woman. Importantly, analyses also revealed statistically significant heterogeneity for defendant physical attractiveness and defendant sex. In other words, the variability in study outcomes for these two variables was greater than what would be expected by chance suggesting the impact of defendant physical attractiveness and defendant sex on judgments of guilt may be dependent on one or more moderators (Huedo-Medina, Sánchez-Meca, Marín-Martínez, & Botella, 2006). Additionally, while Devine and Caughlin (2014) focused on judgments of guilt, research has supported sex and physical attractiveness disparities may manifest during pretrial decisions and

sentencing (e.g., Bontrager, Barrick, & Stupi, 2013; Franklin & Fearn, 2008; Freiburger & Hilinski, 2010; Goulette, Wooldredge, Frank, & Travis, 2015). Thus, supporting the inclusion of defendant sex and defendant physical attractiveness in the current study as they relate to weight discrimination.

Defendant sex. A large body of research has investigated whether sex inequalities exist in pretrial decisions (e.g., pretrial release, bond amount), verdict, and sentencing decisions (Ahola, Hellstrom, & Christianson, 2010; Bontrager et al., 2013; Devine & Caughlin, 2014; Goulette et al., 2015; Mazzella & Feingold, 1994; Pinchevsky & Steiner, 2016). Overall, findings have been mixed. While some researchers have found evidence that, when compared to men, women are treated less punitively, others have found no sex differences (Devine & Caughlin, 2014; Mazzella & Feingold, 1994). Researchers posit these conflicting findings may be explained by the type of crime committed by the defendant. For instance, an examination of convicted offenders revealed, when compared to men, women were less likely to be incarcerated for drug and property crimes; however, for violent offenses, no statistically significant sex differences were observed (Fernando Rodriguez, Curry, & Lee, 2006). Similarly, among those that have been incarcerated, Koons-Witt, Sevigny, Burrow, and Hester (2014) reported women received a shorter sentence for assault/domestic violence, burglary, fraud/forgery, and drug trafficking; yet there were no statistically significant sex differences for homicide, robbery, theft, drug possession, and driving under the influence. Researchers have suggested these findings may be attributed to the stereotypical natures of the crime (e.g., Cox & Kopkin, 2016; Edwards, 1989; Gross & Mauro, 1989; Tomsich, Richards, & Gover, 2014). In other words, when women commit crimes that are typically associated with men, women are treated less punitively. As such, for certain crimes, it will be important to consider the sex of the defendant.

Defendant physical attractiveness. Research has consistently demonstrated that individuals who are categorized as more physically attractive are ascribed more positive attributes (e.g., Brand, Bonatsos, D'Orazio, & DeShong, 2012; Cross et al., 2017; Eagly, Ashmore, Makhijani, & Longo, 1991; Langlois et al., 2000). This common occurrence, also known as the "what is beautiful is good" stereotype (Dion et al., 1972), involves a propensity to assume that physically attractive individuals possess an array of positive characteristics. For example, Cross et al. (2017) reported that when compared to unattractive women, participants characterized attractive women as more hardworking, honest, intelligent, emotionally stable, likable, disciplined, and successful.

Numerous laboratory and field studies have provided evidence that physical attractiveness affords a leniency bias in the determination of guilt and punishment (e.g., Darby & Jeffers, 1988; DeSantts & Kayson, 1997; Downs & Lyons, 1991; Efran, 1974; Landy & Aronson, 1969; Stewart, 1980; 1985). However, this effect may depend on the type of crime, trial participant's sex, and whether the juror is judging guilt or punishment. In a meta-analysis, Mazzella and Feingold (1994) reported a significant leniency bias for attractive defendants but revealed the effect varied by type of crime. In other words, when compared to an unattractive defendant, participants treated an attractive defendant (1) less punitive for crimes of robbery, rape, and cheating; (2) more punitive for crimes of homicide; and (3) no different for the crime of swindle.

Researchers have also examined whether the sex of the participant or defendant can affect the attractiveness-leniency bias. Using a negligent-homicide scenario and a female defendant, Abwender and Hough (2001) found a significant leniency bias for the sentencing recommendation of the attractive defendant in mock female jurors but no significant bias in

mock male jurors. Additionally, there was no significant effect for physical attractiveness on guilt ratings among female or male mock jurors. Wuensch, Castellow, and Moore (1991) found similar results using either a burglary scenario or a swindle scenario. Female participants judged attractive male defendants more leniently than they did unattractive male defendants but had no leniency bias for female defendants. In contrast, male participants exhibited no attractiveness-leniency bias when judging either sex.

Field studies have also supported these findings. For example, Stewart (1980; 1985) found that defendants who were rated more physically attractive received less severe sentences, and yet ratings of physical attractiveness were not related to ratings of guilt and incarceration. Similarly, Downs and Lyons (1991) found the same relationships when examining judges' bails and fines for misdemeanors only, but physical attractiveness had no influence on bails and fines for felonies. Hence, physical attractiveness had no influence on those accused of more serious crimes.

In sum, studies have revealed that participants' attributions of guilt and recommendations of punishment can be influenced by the physical attractiveness of the defendant (Efran, 1974; Friend & Vinson, 1974; Landy & Aronson, 1969; Mazzella & Feingold, 1994; Stewart, 1980, 1985). However, this influence appears to depend on the type and seriousness of the crime, sex of the trial participants, and whether participants rated guilt or punishment. Michelini and Snodgrass (1980) suggested that physical attractiveness can have differential effects on ratings of guilt and punishment because guilt often requires more objective evaluations, while punishment requires more subjective evaluations. Further, Baumeister and Darley (1982) suggested that physical attractiveness may have a stronger influence on ratings of guilt when relevant information is missing.

Although not always explicitly stated, most studies that have investigated the impact of physical attractiveness in the courtroom have operationalized physical attractiveness as facial attractiveness (e.g., Callan, Powell, & Ellard, 2007; Darby & Jeffers, 1988; DeSantts & Kayson, 1997; Patry, 2008; Vrij & Firmin, 2001). The unattractive and attractive images used in these studies are typically selected through a series of pilot tests in which participants are presented with a collection of head and shoulder photographs and asked to rate the attractiveness of the photographs using a Likert-type scale (e.g., *1 = not attractive, 5 = attractive*). The image with the highest rating is then used to represent an attractive defendant while the image with the lowest rating is used to represent an unattractive defendant. It is important to note that there are other aspects of physical attractiveness that should be considered. For example, while investigating the impact of attractiveness on personality attributes, Cross et al. (2017) reported that facial attractiveness and weight uniquely contributed to overall attractiveness ratings. Thus, it seems reasonable that weight may also contribute to bias in the courtroom.

As previously noted, results from one study revealed male mock jurors were significantly more lenient toward a female defendant when she was lean than when she was obese (Schvey et al., 2013). Although the results from this study suggest a weight bias may exist in the courtroom, the findings are limited. While there are differences between perceptions of physical attractiveness and weight (i.e., a thin person can be perceived as unattractive and an obese person can be perceived as attractive), research supports obese individuals are typically judged as less attractive than their thin counterparts (Grant & Mizzi, 2014; Grant et al., 2016). As such, manipulating the weight of the female defendant may have replicated the effects of manipulating her physical attractiveness. To address this gap and further investigate the impact of weight in the courtroom, the current study controlled for perceived physical attractiveness. Furthermore, as

certain groups are more likely to endorse anti-fat attitudes (e.g., men, those with a lower BMI), the current study considered individual characteristics of the mock jurors.

Juror Characteristics

Most research examining the relationships between individual difference variables and juror decisions has been conducted using criminal trials (Devine & Caughlin, 2014; Devine et al., 2001; Mazzella & Feingold, 1994). In such cases, individual differences account for a small proportion of variance in verdicts yet, some individual differences are more powerful predictors than others. Specific crime relevant attitudes and beliefs are generally better predictors than personality variables (e.g., conviction proneness, cynicism toward the defense), whereas personality variables are generally better predictors than demographic characteristics (e.g., age, sex; Lecci & Myers, 2008; Lieberman & Olson, 2016). As research in this area is extensive, this section will describe the individual differences most relevant to the current research to demonstrate the complexity of relationships between juror characteristics and courtroom judgments. More specifically, juror sex, juror perceived similarities, and juror attitudes and beliefs will be reviewed.

Juror sex. Similar to defendant sex, research has established differences in courtroom decision-making based on juror sex. Whereas some researchers have found evidence that women are less punitive compared to men, others have reported no sex differences or that women are more punitive (see Devine & Caughlin, 2014, for a review). As with other extralegal factors (e.g., defendant sex, defendant attractiveness), researchers posit these conflicting findings may be explained by the type of crime committed. Indeed, meta-analytic work supports this hypothesis (Devine & Caughlin, 2014).

Following an examination of several empirical studies (k = 215), Devine and Caughlin (2014) reported that, while women appeared to be significantly more punitive than men, case type moderated this relationship. More specifically, (1) women were more punitive than men for violent crimes, property-related crimes, adult sexual assault, and child sexual assault; (2) men were more punitive than women for capital crimes and homicides involving battered woman syndrome; and (3) there were no significant sex differences for homicide.

As with defendant sex and defendant physical attractiveness, it is important to note that additional analyses revealed significant heterogeneity for capital crimes, homicide, homicide involving battered woman syndrome, violent crimes, and child sexual assault. In other words, for these individual crime types, the relationship between juror sex and guilt may be moderated by other variables (Huedo-Medina et al., 2006). For example, Bottoms et al. (2014) found evidence that sex differences in judgments of guilt for mock child sexual assault cases were mediated by case-specific attitudes (i.e., child victim empathy, children's believability, and opposition to adult/child sex). In other words, the impact of sex on judgments of guilt was explained by underlying sex differences in the aforementioned case-specific attitudes. Similarly, Schvey et al. (2013) suggested male mock jurors' higher endorsement of anti-fat attitudes may have explained the finding that male mock jurors were significantly more likely to convict an obese woman. Taken together, these findings suggest the influence of juror sex in juror decision-making is complex. As such, it will be important to consider juror sex in tandem with other extralegal factors.

Perceived similarities. Disentangling the relationship between juror characteristics and trial outcomes is challenging, particularly because several studies have yielded inconsistent effects of juror demographics on courtroom outcomes (see Devine & Caughlin, 2014, for a

review). Among studies that have documented effects, however, a common theme emerges: juror identification with the victim or the defendant will impact juror judgments of the defendant. In other words, the similarity-leniency effect posits jurors are more lenient toward defendants who they perceive as similar to themselves (Abwender & Hough, 2001; Devine et al., 2001; Dunlap, Hodell, Golding, & Wasarhaley, 2012; Mitchell, Haw, Pfeifer, & Meissner, 2005); and the out-group punitiveness effect posits jurors will be more punitive toward defendants when they perceive themselves as similar to the victim (Burt & DeMello, 2003; Dunlap et al., 2012; Grubb & Harrower, 2009; Seelau, Seelau, & Poorman, 2003). For example, Dunlap et al. (2012) examined sex differences in a hypothetical stalking case that varied the pairing of victim/defendant sex (i.e., female victim/male defendant, female victim/female defendant, male victim/male defendant, male victim/female defendant). Results revealed a significant interaction of participant sex with victim/defendant sex pairing. More specifically, when the victim/defendant sex pairing was female victim/male defendant, men were 15% less likely to render a guilty verdict than women. Given that women tend to be victims and men tend to be perpetrators of stalking (Spitzberg, 2002), women in this study may have identified more with the victim whereas men may have identified more with the defendant. In other words, perceived similarity to the trial participants may have guided these sex differences.

As a caveat, however, the black sheep effect (Marques, Yzerbyt, & Leyens, 1988) posits that the similarity-leniency effect will only persevere when the defendant is perceived in accordance with the norms of the particular group to which they and the respective jurors belong. In other words, the black sheep effect occurs when jurors are more likely to convict a defendant who is viewed as deviant and a poor representation of their shared group (Kerr, Hymes, Anderson, & Weathers, 1995; Marques et al., 1988). For example, Gollwitzer and Keller (2010)

found that participants reported being more outraged and more concerned about the normative cohesion of their group when they were confronted with a repeat in-group offender than when they were confronted with a first-time in-group offender. Furthermore, societal concerns and anger/outrage mediated the effects of criminal history on punishment severity if the offender was an in-group member.

The similarity-leniency effect, out-group punitiveness effect, and black sheep effect are derived from social identity theory (SIT; Tajfel & Turner, 1986). SIT ascertains the following theoretical principles. First, individuals attempt to achieve or maintain a positive social identity. Second, a positive social identity is determined based on favorable social comparisons with a relevant out-group. And, finally, when social identity is substandard, individuals will either leave their existing group or make their existing group more positively distinct. The influence of SIT may be particularly critical in the context of legal decision-making (e.g., Daudistel, Hosch, Holmes, & Graves, 1999; Kerr et al., 1995; Mitchel et al., 2005; Sommers & Ellsworth, 2000; Taylor & Hosch, 2004). More specifically, in the context of jury trials, jurors may be categorizing defendants as members of their in-group or as members of their out-group. In order to protect the self, such categorizations may bias courtroom outcomes.

Attitudes and beliefs. Attitudes and beliefs are typically better predictors of decision making and behavior than are other individual difference variables, both within and outside of the courtroom (Ajzen & Fishbein, 2005; Feigenson & Park, 2006). Generally, as the relevance of an attitude or belief to a particular case increases so does its influence on juror decisions (Brodsky, 2009; Feigenson & Park, 2006). Not surprisingly, death-qualified jurors (i.e., those who support capital punishment in certain circumstances) are more inclined to render guilty

verdicts in capital cases and to sentence convicted defendants to death than are jurors who are not death-qualified (Lynch, 2009).

Other case-specific attitudes and beliefs examined within the criminal context include those regarding rape victims and sexual assault allegations, drug use, lawyers, psychiatrists, and the insanity defense (see Lieberman & Olson, 2016, for a review). When effects are documented, these variables typically operate as expected. Negative attitudes towards rape victims translate into a pro-defense bias (Grubb & Harrower, 2009); negative attitudes towards drug users are predictive of guilty verdicts on drug-related charges (Moran, Cutler, & Loftus, 1990); and those who are skeptical of psychiatrists and the insanity defense, in general, are particularly inclined to find defendants who plead insanity guilty (Cutler, Moran & Narby, 1992; Poulson, Brondino, Brown, & Braithwaite, 1998).

Research suggests that beliefs and attitudes about weight may also play a role in the outcomes of trials involving an overweight or obese defendant (Schvey et al., 2013). Although Schvey et al. (2013) did not directly test this relationship, results supported anti-fat attitudes were strongest among male mock jurors who were significantly more likely to convict an obese female defendant. Furthermore, explicit and implicit attitudes have predicted discrimination across a variety of other domains (Greenwald et al., 2009).

As this review demonstrates, multiple juror characteristics may affect legal decision-making. However, such effects are usually minimal and may not be powerful enough to influence actual verdicts (though they may influence perceptions of responsibility and damage awards; Devine & Caughlin, 2014; Devine et al., 2001). Again, potential influences of jurors' individual differences must be considered within the context of case features. Effects of demographic characteristics such as sex are often contingent upon the offense in question and

may be further complicated by jurors' personality traits and perceived similarity to the victim or defendant. Not surprisingly, case-specific attitudes and beliefs are stronger predictors of juror decision making, though these variables may also interact with other case aspects and juror characteristics. The next section describes how case features (primarily defendant weight) and juror individual differences may operate in the current research.

Extralegal Factors and the Current Study

Consistent with other mock juror studies, the hypothetical case presented to mock jurors was ambiguous and subject to juror interpretation (Schvey et al., 2013). In accordance with the liberation hypothesis (Kalven & Zeisel, 1966), the intent was to foster jurors' incorporation of extralegal factors in the decision-making process. Defendant weight is the key extralegal factor hypothesized to influence juror decision making in the current study. Considering the substantial evidence of widespread prejudice and discrimination against the overweight and obese (e.g., Puhl & Heuer, 2009; Spahlholz et al., 2016), it is conceivable that mock jurors would be more likely to find the obese defendant guilty in a hypothetical case than in an identical case involving a lean defendant. If defendant weight does not directly impact the verdict, it may subsequently affect mock jurors' sentencing recommendations and evaluations of the defendant.

Juror individual differences were also expected to impact legal decision-making in the current research, primarily through their interactions with defendant weight. As case-specific attitudes are the most reliable extralegal predictor of juror judgments (Lieberman & Olson, 2016), those with stronger anti-fat attitudes should be more inclined to find the obese defendant guilty than those with weaker anti-fat attitudes. Unique to the current study, explicit and implicit anti-fat attitudes were examined. Research findings have suggested that implicit anti-fat attitudes may be a stronger predictor of discriminatory behavior (e.g., Agerström & Rooth, 2011),

however, they have been unexamined as a predictive factor within the published legal decision-making literature.

As described earlier, sex is generally a weak and inconsistent predictor of juror decisions (Devine & Caughlin, 2014; Mazzella & Feingold, 1994). However, the influence of sex may be more pronounced in certain types of cases and further depend upon defendant characteristics (Devine & Caughlin, 2014; Mazzella & Feingold, 1994). Research findings support men are more prone to anti-fat bias than women and may be more likely to act in accordance with such bias (Puhl & Heuer, 2009; Spahlholz et al., 2016). Thus, it was anticipated that male mock jurors would be more likely to find the obese defendant guilty than will female mock jurors.

Finally, jurors' own weight may play a role in their judgments of an obese defendant. Schvey et al. (2013) found that mock jurors' weight only mattered among men, with leaner men expressing more negative beliefs about the defendant than heavier men. It is important to note, however, that Schvey et al. (2013) used BMI to categorize participants as either lean or overweight. Such dichotomization can be problematic as it may lead to artificial effects or a loss of power (Frazier, Tix, & Barron, 2004). As such, in the current study, BMI was treated as a continuous variable.

The Culpable Control Model: Juror Bias and Blame

Decision-stage models (e.g., Shaver, 1985; 2012; Weiner, 1993; 1995; 2012) have posited that assignment of blame is a controlled, rational process in which people systematically move through stages of judgment before assigning blame. While such a process would be ideal for the legal system, research has demonstrated that a variety of extralegal factors may influence jurors' judgments of blame and responsibility (see Devine & Caughlin, 2014; Devine et al., 2001; Mazzella & Feingold, 1994, for a review). As an alternative to these decision-stage

models, the CCM (Alicke, 2000) has incorporated personal expectations and emotional reactions as central tenets that may account for the influence of extralegal factors and juror bias.

According to the CCM, when assessing blame, observers consciously and deliberately assess personal control. Alicke (2000) hypothesized there are three elements of personal control that influence blame. He referred to the relationship between each element and blame as a *structural link assessment* (SLA). The first SLA is the mind-to-behavior link which yields information about intentionality, or *volitional behavior control*. Assessments of volitional behavior control consider whether an actor behaved purposefully and knowingly. The second SLA is the behavior-to-consequence link which yields information about causation, or *causal control*. Assessments of casual control consider the unique harm that was caused by the actor. The last SLA is the mind-to-behavior link which yields information about foresight, or *volitional outcome control*. Assessments of volitional outcome control consider whether the outcome of the actor's actions was anticipated and desired. While these findings are consistent with most blame theories, the CCM is unique in that it ascertains that blame and the aforementioned SLAs are influenced by affective reactions to negative events and the actors involved.

Alicke (2000) referred to these reactions as negative *spontaneous evaluations* (NSEs) and argued that (a) extralegal factors such as an actor's physical or social attractiveness, (b) perceptions of an actor's intentions or behaviors, or (c) the consequences of an actor's behaviors may elicit these NSEs. As such, perceivers are motivated to blame the actor in any given situation who arouses the most negative affect. According to Alicke (2000), NSEs can impact judgments of blame in several ways. First, NSEs may have a direct impact on blame. A weight biased juror, for example, may blame an obese defendant more severely than a lean defendant predominately because of their weight status. Second, NSEs may directly impact blame which in

turn has a direct impact on SLA. In other words, once the juror has decided the defendant is blameworthy, the juror will alter his or her control perceptions to justify their blame ascriptions. Finally, SLAs may fully or partially mediate the relationship between NSEs and blame. Alicke (2000), ascertained NSEs may influence SLAs by biasing information searches, lowering standards of culpability, or altering evidentiary standards. Ultimately, perceivers will process and evaluate information in accordance with their preferred conclusions based on initial and unconscious emotional reactions to an event and its participants.

Support for the Culpable Control Model

Prior to the advancement of the CCM, Alicke (1994) conducted two studies to investigate whether extralegal dispositional information about a defendant would influence blame attributions and judgments of causality. Defendants were categorized as either socially attractive (i.e., a good, responsible person) or socially unattractive (i.e., an irresponsible, unsympathetic, reckless person). In both studies, the characteristics of the defendant influenced blame. More specifically, participants were significantly more likely to blame the socially unattractive defendant when compared to the socially attractive defendant. Importantly, the relationship between defendant's characteristics and blame were independent of causal inferences.

Similarly, Alicke and Zell (2009) conducted two studies to explore whether a person's social attractiveness would influence blame attributions. When compared to a socially attractive person, researchers reported a socially unattractive person was blamed more for injuring an innocent woman in a bar fight (Study 1) and for a car accident that resulted in a bicycle rider being injured (Study 2). Further mediational analyses demonstrated that perceptions of a person's likeability mediated the effect of social attractiveness on blame. In other words, participants' seemingly affective judgments influenced blame attributions (Alicke & Zell, 2009).

Although results from both studies (i.e., Alicke, 1994; Alicke & Zell, 2009) demonstrated support for the mediating role of NSEs between extralegal factors and blame judgments, neither directly examined NSEs. In other words, while both studies ascertained that NSEs were driving the relationship between extralegal factors and judgments of blame, NSEs were assumed and not measured.

Bright and Goodman-Delahunty (2006) also examined the impact of NSEs on judgments of blame and evidentiary criteria. In contrast to Alicke (1994) and colleagues (Alicke & Zell, 2009), NSEs were directly measured. Mock jurors read a trial transcript about a murder case and were presented with either gruesome photographs, neutral photographs, or no photographs. When compared to the other two conditions, jurors exposed to the gruesome photographs experienced more anger toward the defendant, rated the prosecution's evidence as more sufficient, and reported higher rates of conviction. Operationalized as a NSE, anger toward the defendant was further examined as a potential mediator. Mediational analyses revealed anger toward the defendant fully mediated the relationship between evidence type and sufficiency of prosecution evidence. Furthermore, anger toward the defendant fully mediated the relationship between evidence type and conviction rate.

Findings from Bright and Goodman-Delahunty's (2006) study provided support for the CCM (Alicke, 2000). First, as predicted by Alicke (2000), mock jurors experienced a negative spontaneous evaluation (i.e., anger toward the defendant) in response to the gruesome nature of the photographic evidence which should otherwise be categorized as an extralegal factor. Second, the negative spontaneous evaluation directly impacted judgments of blame. Finally, there was evidence to support that the negative spontaneous evaluation interacted with evidential criteria (i.e., the sufficiency of prosecution evidence) to indirectly predict judgments of blame.

Limitations of the Culpable Control Model

Although researchers have highlighted the potential application of the CCM in examining juror bias (e.g., Nadelhoffer, 2006), results are limited. First, important aspects of the model have been overlooked. Even though NSEs are a central tenet of the CCM, many studies have not measured them directly (e.g., Alicke, 1994; Alicke & Zell, 2009; Mazzocco, Alicke, & Davis, 2004). Second, the generalizability of the model is restricted. According to Alicke (2000), extralegal factors, such as social category, sex, race, or reputation, may trigger NSEs; however, researchers have primarily focused on social attractiveness (e.g., Alicke, 1994; Alicke & Zell, 2009). Finally, most of the research has been conducted by Alicke and colleagues (e.g., Alicke, 1994; Alicke, Buckingham, Zell, & Davis, 2008; Alicke & Zell, 2009; Mazzocco et al., 2004). The current study tried to address some of these gaps in the research and expand the CCM by (1) directly measuring NSEs and (2) examining weight as an extralegal factor, which has yet to be investigated within the framework of the CCM.

The Current Study

The primary objective of the current study was to examine the impact of defendant weight and mock jurors' sex on case judgments in a hypothetical check fraud case. In addition, the current study aimed to build upon and extend past CCM (Alicke, 2000) research to better understand the impact of extralegal factors on jurors' judgments and decision-making. Defendants' weight and related mock jurors' individual attitudes may be particularly suited for expanding the CCM. First, researchers have demonstrated that exposure to overweight and obese persons may evoke anger and disgust (O'Brien et al., 2013; Puhl & Heuer, 2009; Vartanian, 2010; Vartanian et al., 2013; Weiner, 1993; 1995; 2012). Second, when compared to their thin or average weight counterparts, overweight and obese persons may be perceived as unlikable or

socially undesirable (e.g., Cross et al., 2017; Musher-Eizenman & Carels, 2009; Puhl & Heuer, 2009). Finally, there may be a motivational component to anti-fat bias. As Crandall (1994) proposed, prejudice against the overweight and obese functions to re-affirm certain cultural values. Individuals who violate these values are assigned a negative group membership and experience social stigmatization as a result (Crandall, 1994). Individuals are motivated to express genuine prejudice, or negative affective reactions, to devalued group members when they feel they are justified (Crandall & Eshleman, 2003). Genuine prejudices, or anti-fat attitudes, may be compared to NSEs in the CCM, and these justifications often take the form of attribution of responsibility and blame (Crandall & Eshleman, 2003).

Given the limited research that has investigated defendant weight in the courtroom, the current study employed a similar methodology as Schvey et al. (2013) with several important changes:

1. Schvey et al. (2013) suggested that the significant findings among male mock jurors but not female mock jurors, might be attributed to the observed sex differences in anti-fat attitudes; however, this relationship was not directly tested. Therefore, in addition to mock jurors' sex, the current study examined the mediating role of anti-fat attitudes between defendant weight and perceptions of guilt.
2. Schvey et al. (2013) found obese female defendants were the only clear recipients of courtroom discrimination. This finding is consistent with other studies which have reported females are more likely to experience weight stigmatization (e.g., Fikkan & Rothblum, 2011; Smith, 2012; Smith et al., 2007). Therefore, the current study only used images of female defendants with varying weight.

3. The significant difference in guilt judgments between obese and lean women may be attributed to physical attractiveness rather than weight. Researchers have reported that obese women are viewed as less physically attractive when compared to thinner women and men regardless of their weight status (e.g., Fikkan & Rothblum, 2011; Smith, 2012; Smith et al., 2007). Furthermore, physically attractive defendants are generally judged more leniently than their less attractive counterparts (e.g., Efran, 1974; Mazzella & Feingold, 1994). Therefore, the current study employed procedural techniques to ensure that images of the female defendants did not differ on perceived physical attractiveness. Additionally, a control condition with no image was included.
4. Research findings have supported that while attractive and unattractive defendants may receive similar conviction rates, attractive defendants receive more lenient sentences (e.g., Stewart, 1980). However, Schvey et al. (2013) only included perceptions of defendant guilt. Therefore, the current proposal included sentencing recommendations as an additional case judgment.
5. Although Schvey et al. (2013) found evidence that weight may be a significant extralegal factor, they did little to examine underlying mechanisms that might contribute to this relationship, such as those proposed by the CCM (Alicke, 2000). Therefore, the current study investigated the role of NSEs as a potential mediator between defendant weight and case judgments.

Objectives of the Current Study

The current study utilized a 3 (defendant weight: overweight, lean, control/no image) x 2 (mock jurors' sex) between-subjects factorial design. Since limited research of this type has been conducted, the specific hypotheses were based on the predictions of Schvey et al. (2013) and past

research by Bright and Goodman-Delahunty (2006) which investigated negative spontaneous evaluations (NSEs) as an extension of the CCM (Alicke, 2000). Additionally, since past research has not utilized a control condition (i.e., no image) no specific directional hypotheses were postulated between the no image and lean conditions. There were five main objectives of the current proposal.

Objective 1. To examine the impact of defendant weight on mock jurors' NSEs and case judgments.

A main effect of weight manipulations on negative spontaneous evaluations and case judgments was predicted. Compared to mock jurors in the lean and no image conditions, mock jurors in the obese condition would:

Hypothesis 1a. Score higher on NSEs toward the case.

Hypothesis 1b. Score higher on NSEs toward the defendant.

Hypothesis 1c. Indicate a greater willingness to convict the defendant.

Hypothesis 1d. Indicate higher belief that the defendant had prior knowledge of the insufficient funds.

Hypothesis 1e. Assign harsher sentencing recommendations.

Objective 2. To examine whether defendant weight would interact with mock jurors' sex to predict NSEs and case judgments.

Schvey et al. (2013) reported male participants were more likely to find an obese female defendant guilty when compared to a lean female defendant. Higher endorsements of anti-fat attitudes (e.g., Puhl et al., 2015; Schvey et al., 2013) or an increased willingness to engage in weight-based discrimination (e.g., Chen & Brown, 2005; Musher-Eizenman & Carels, 2009) may be partially to blame. Additionally, men may be less likely to identify with obese women as

women are more likely to be targets of weight stigmatization (Fikkan & Rothblum, 2011; Smith, 2012; Smith et al., 2007). Accordingly, compared to all female mock jurors and male mock jurors in the lean and no image conditions, it was predicted men in the obese condition would:

Hypothesis 2a. Score higher on NSEs toward the case.

Hypothesis 2b. Score higher on NSEs toward the defendant.

Hypothesis 2c. Indicate a greater willingness to convict the defendant.

Hypothesis 2d. Indicate higher belief that the defendant had prior knowledge of the insufficient funds.

Hypothesis 2e. Assign a harsher sentencing recommendation.

Objective 3. To examine whether explicit anti-fat attitudes would mediate the relationship between defendant weight and NSEs and case judgment.

Although Schvey et al. (2013) reported male participants were more likely to find an obese female defendant guilty, they suggested this finding may be attributed to a higher endorsement of anti-fat attitudes by the men in their sample. Indeed, other research has supported the mediating effect of individual biases and beliefs on judgments of guilt. Dinos, Burrowes, Hammond, and Cunliffe (2015) reported individuals who hold stereotypical attitudes toward rape, are more likely to judge defendants as not guilty. Additionally, Haegerich, Salerno, and Bottoms (2013) reported the more individuals stereotyped juvenile offenders as "superpredator" (i.e., ruthless and unconcerned with the consequences of their actions) versus "wayward youth" (i.e., inherently good but strayed from the right path), the more likely they were to find the defendant guilty. Based on these findings, the current study hypothesized that compared to those in the lean and no image condition, for those in the obese condition increased scores on the explicit anti-fat attitudes measure would result in:

Hypothesis 3a. Higher reports of NSEs toward the case.

Hypothesis 3b. Higher reports of NSEs toward the defendant.

Hypothesis 3c. A greater willingness to convict the defendant.

Hypothesis 3d. Higher belief that the defendant had prior knowledge of the insufficient funds.

Hypothesis 3e. A harsher sentencing recommendation.

Objective 4. To examine whether implicit anti-fat attitudes would mediate the relationship between defendant weight and NSEs and case judgment.

Unique to the current proposal, implicit anti-fat attitudes were also investigated. The current study hypothesized that compared to those in the lean and no image condition, for those in the obese condition increased scores on the implicit anti-fat attitudes measure would result in:

Hypothesis 4a. Higher reports of NSEs toward the case.

Hypothesis 4b. Higher reports of NSEs toward the defendant.

Hypothesis 4c. A greater willingness to convict the defendant.

Hypothesis 4d. Higher belief that the defendant had prior knowledge of the insufficient funds.

Hypothesis 4e. A harsher sentencing recommendation.

Objective 5. To examine whether NSEs would mediate the relationship between defendant weight and case judgments.

Using the framework set forth in the CCM (Alicke, 2000) and past research (Bright & Goodman-Delahunty, 2006), NSEs toward the case and the defendant should mediate the relationship between defendant weight and specific case judgments. More specifically, compared

to those in the lean and no image conditions, for those in the obese condition NSEs toward the *defendant/case* would predict:

Hypothesis 5a. A greater willingness to convict the defendant.

Hypothesis 5b. Higher belief that the defendant had prior knowledge of the insufficient funds.

Hypothesis 5c. A harsher sentencing recommendation.

CHAPTER III

METHOD

Participants

Minimum sample size was determined using an a priori G*Power analysis for F-test, with alpha set to .05 and power set to .80 (Faul, Erdfelder, & Lang, 2009). Results indicated a minimum of 240 participants would be needed to detect a small to medium effect size (Cohen's *f* = 0.20).

A total of 219 undergraduate students at the University of North Dakota participated in the current study for credit toward completion of introductory-level psychology courses. Of these, six were excluded for failure to successfully complete the attention check. Thus, analyses included 213 participants who were randomly assigned to one of three conditions, with 35.7% (*n* = 76) in the control condition, 30.5% (*n* = 65) in the lean defendant condition, and 33.8% (*n* = 72) in the obese defendant condition.

Materials

Defendant Images

The stimuli consisted of two photographic images obtained from the Chicago Face Database (CFD; Ma, Correll, & Wittenbrink, 2015). The images depicted a black and white, head and shoulder shot of a woman wearing a heather grey t-shirt with a neutral facial expression (i.e., showing no emotion). One image of a heavy White female was selected (i.e., WF-010; see Appendix A) and one image of a thin White female was selected (i.e., WF-028; see Appendix B). First, the images were matched on physical attractiveness ratings (1 = *Not at all*, 7 = *Extremely*;

$M_{WF\text{-}010}$ = 2.01, $M_{WF\text{-}028}$ = 2.48) and age (WF-010 = 26.25, WF-028 = 27.25). Then, the reported facial width-to-height ratio (i.e., the distance between the outer edges of the cheek at the most prominent point divided by the distance between the upper lip and brow), which research has demonstrated is significantly correlated with BMI (Wen & Guo, 2013), was used to select the final stimuli.

Case Vignette

The current study employed the same check fraud case vignette that was used in a previous study on the influence of defendant body weight on perceptions of guilt (Schvey et al., 2013; see Appendix C). Changes were made to the crime location and the penal code to reflect the demographics of the current study.

Anti-Fat Attitudes Questionnaire

The Anti-Fat Attitudes (AFA) questionnaire (Crandall, 1994; see Appendix D) is a 13-item measure, which includes three subscales (Dislike, Fear of Fat [Fear], and Willpower), that assesses explicit anti-fat attitudes, including a willingness to interact with fat people and causes of being overweight. Items are rated on a 9-point Likert-type scale (*1 = very strongly disagree, 9 = very strongly agree*). Scores for each subscale are computed by calculating the mean of items associated with each subscale. Crandall (1994) reported Cronbach's alphas of .84 for AFA-Dislike, .83 for AFA-Fear, and .68 for AFA-Willpower. Cronbach's alphas for the current study were .83 for AFA-Dislike, .88 for AFA-Fear, and .78 for AFA-Willpower.

Weight Implicit Association Test

The Implicit Association Test (IAT; Greenwald et al., 1998) is a method for indirectly measuring the strength of associations among concepts. In general, the test requires sorting stimulus from four concepts using two response options that correspond with two of the four

concepts. The logic is that the sorting task should be easiest when the two concepts that share a response are more strongly associated. In other words, for someone with strong anti-fat attitudes, it would be easier to pair fat with bad attributes than fat with good attributes. The Weight IAT is one variation of the IAT that has been used to determine individuals' implicit anti-fat attitudes (e.g., Miller et al., 2014; Nosek et al., 2007; Phelan et al., 2015a; Phelan et al., 2015b; Roddy, Stewart, & Barnes-Holmes, 2011; Sabin, Marini, & Nosek, 2012; Teachman & Brownell, 2001).

The Weight IAT consists of seven blocks with four critical test blocks (see Table 1 for the typical sequence of blocks in the Weight IAT). The critical test blocks involve simultaneously sorting of stimuli representing all four concepts (i.e., *thin, fat, good, bad*). For the first group of test blocks (see Blocks 3 and 4 in Table 1), stimuli representing "thin" (see Appendix E) and "good" (i.e., joy, love, peace, wonderful, pleasure, glorious, laughter, happy) receive one response, and stimuli representing "fat" (see Appendix F) and "bad" (i.e., agony, terrible, horrible, nasty, evil, awful, failure, hurt) receive an alternative response. For the second group of test blocks (see Blocks 6 and 7 in Table 1), stimuli representing "thin" and "bad" receive one response, and stimuli representing "fat" and "good" receive an alternative response. For participants who possess stronger implicit anti-fat attitudes (i.e., there is a stronger association for "fat" stimuli with "bad" stimuli compared to "fat" stimuli with "good" stimuli), the first group of test blocks should be easier than the second.

To determine the strength of the association, researchers recommend computing a difference score (d-score; Greenwald et al., 1998; Greenwald, Nosek, & Banaji, 2003). When participants must correct inaccurate responses before continuing, Greenwald et al. (2003) recommend the following steps for computing the d-score. First, use data from Blocks 3, 4, 6, and 7 (see Table 1). Second, eliminate trials with latencies > 10,000 ms. Third, eliminate

participants when more than 10% of their trials have response latencies < 300 ms. Forth, compute mean scores for Blocks 3, 4, 6, and 7. Fifth, compute one pooled standard deviation for all trials in Blocks 3 and 6; and the same for Blocks 4 and 7. Sixth, compute two differences scores (i.e., $M_{B6} - M_{B3}$ and $M_{B4} - M_{B7}$). Seventh, divide each difference score by its associated standard deviation from Step Four. Finally, average the two quotients from Step Seven. D-scores can range from -2 to +2 with a positive d-score representing a stronger association between thin-good and fat-bad, or stronger anti-fat attitudes. Conventional standards for the magnitude of the d-score are: slight preference, d-score = |0.15|; moderate preference, d-score = |0.35|; and strong preference, d-score = |0.64| (Blanton, Jaccard, Strauts, Mitchell, & Tetlock, 2015).

Demographics

Participants completed a basic demographic questionnaire in which they were asked to identify their age, sex, ethnicity, level of education, height, and weight. The self-reported height and weight information of each participant were used to compute a BMI score. These scores were computed based on the calculator provided by the National Heart, Lung, and Blood Institute (NIH; https://www.nhlbi.nih.gov/guidelines/obesity/BMI/bmicalc.htm). BMI was treated as a continuous variable.

Participants were also asked about their experience as a juror and if they had ever issued a bad check or been accused of check fraud (see Appendix G for all items).

Dependent Variables

Negative spontaneous evaluations. Alicke (2000) ascertained that NSEs may occur as a reaction to events and the actors involved. Currently, however, there are no published, validated measures of NSEs within the context of the CCM. Similar to Bright and Goodman-Delahunty (2006), the current study used participants' affective responses to the case and the defendant as

proxies for NSEs (see Appendix H for all items). For both the case and defendant, participants were asked to respond to six discrete emotions (i.e., *anger, disgust, contented, happy, relaxed, surprised*) using a 7-point Likert scale (from *1 = Strongly Disagree* to *7 = Strongly Agree*). Participants identified their emotions by selecting 'the number which most closely corresponds to the extent the *defendant/case* makes you feel *xxx*'. Although the current study is specifically interested in anger and disgust since these are common emotional reactions toward obese people (O'Brien et al., 2013; Puhl & Heuer, 2009; Vartanian, 2010; Vartanian et al., 2013; Weiner, 1993; 1995; 2012), four filler emotions (i.e., *relaxed, surprised, happy, contented*) were used to reduce demand characteristics and hypothesis guessing.

Cronbach's alpha for anger and disgust toward the case was .80, and both items were positively and significantly correlated, $r(213) = .66$, $p < .001$. Thus, a composite score was created for case NSEs. Similarly, Cronbach's alpha for anger and disgust toward the defendant was .76, and both items were positively and significantly correlated, $r(213) = .61$, $p < .001$. Thus, a composite score was created for defendant NSEs.

Case judgments. Following the presentation of the North Dakota Century Code Section 12.1-24-01 which identifies the elements that must be present in order to find a defendant guilty of Forgery or Counterfeiting, Class B Felony, each participant completed a series of case judgments (see Appendix I for all items).

***Defendant guilt*.** First, participants were asked to indicate their verdict (*not guilty, guilty*) for the charge of the Class B Felony. Then, participants were asked to indicate their confidence in their judgment using a 7-point Likert scale (from *1 = Not at all Confident* to *7 = Completely Confident)*. To obtain a more sensitive measure of verdict preference, a continuous verdict rating

was calculated by multiplying participants' confidence ratings by -1 for a 'not guilty' verdict or +1 for a 'guilty' verdict.

Prior knowledge. Using a 7-point Likert scale (from *1 = Strongly Disagree* to *7 = Strongly Agree*), participants were asked whether they believed the defendant had prior knowledge of the insufficient funds (part of the criteria necessary to convict a person of check fraud).

Sentencing. After being provided with portions of the North Dakota Century Code Section 12.1-32 which outlines penalties and sentencing guidelines for criminal offenses, participants who rendered a guilty verdict were asked to provide a sentencing recommendation. Participants were given the option to assign a prison sentence, fine, or both.

Perceptions of the case and defendant. Using a 7-point Likert scale, participants were asked a series of questions about their perceptions of the case and the defendant. These questions included: believability of the case (from *1= Not at all Believable* to *7 = Completely Believable*), the seriousness of the case (from *1 = Not at all Serious* to *7 = Completely Serious*), defendant physical attractiveness (from *1= Physically Unattractive* to *7 = Physically Attractive*), and the perceived SES of the defendant (from *1 = very low socioeconomic status* to *7 = very high socioeconomic status*).

Manipulation check. Participants were asked to identify how many fraudulent checks the defendant allegedly issued and the weight status of the defendant.

Procedure

The current study was conducted in two parts to reduce potential bias or demand characteristics. Part one was conducted online using the HIPPA compliant Qualtrics Research Suite in conjunction with Sona Systems. Participants were randomly assigned to one of three

conditions. The first group viewed an image of an obese female defendant (see Appendix A), the second group viewed an image of a lean female defendant (see Appendix B), and the third group viewed no image.

After agreeing to the online consent form (see Appendix J), participants were asked to carefully read a case vignette describing an instance of check fraud (see Appendix C). Depending on the assigned condition, a digital photograph of the defendant may or may not have appeared in the corner of the case vignette. After reading the vignette, participants were instructed to complete the negative spontaneous evaluation measurement (see Appendix H) and case judgments (see Appendix I). Then, participants were asked to complete a demographics questionnaire (see Appendix G). Finally, participants were thanked for their time and asked to schedule a time to complete the in-laboratory portion of the experiment**.**

Part two was conducted in-person. Upon arrival to the laboratory, participants were provided informed consent (see Appendix K) and then asked to complete the Weight IAT using Inquisit 4 software (Millisecond Software, Seattle, WA). During the Weight IAT, participants were exposed to four types of stimuli: thin people (see Appendix E), fat people (see Appendix F), positive adjectives (i.e., joy, love, peace, wonderful, pleasure, glorious, laughter, happy), and negative adjectives (i.e., agony, terrible, horrible, nasty, evil, awful, failure, hurt). Participants were required to use separate computer keys (‘E” and “I”) to indicate as quickly and accurately as possible whether each person was “Fat” or “Thin” and whether each word was “Good” or “Bad”. Incorrect responses resulted in the presentation of a red “X”, which disappeared once the correct response was selected. Seven blocks were presented with four critical test blocks (see Table 1).

Upon completion of the weight IAT, participants completed an explicit measure of anti-fat attitudes (Crandall, 1994; see Appendix D)[4]. Following, participants were debriefed, thanked, and given appropriate research credit.

[4] Previous meta-analyses of IAT studies (e.g., Greenwald et al., 2009) found no effect of predictive validity for implicit and explicit measures as a function of the order in which they were presented. Furthermore, there was no significant evidence that having implicit and explicit measures in the same versus separate sessions affected predictive validity.

CHAPTER IV

RESULTS

The following section provides specific details about the data analyses. First, descriptive statistics are provided for participant demographics and primary study variables. Second, pre-analysis screening was conducted on all variables to ensure accuracy and adequacy of the data. The data were examined for missing values, outliers, normality, and homogeneity of variance. Third, preliminary analyses were conducted to ensure that the demographics and other individual difference variables did not differ by conditions and that the weight manipulation was effective. In addition, perceptions of the case (i.e., seriousness, believability) and defendant (i.e., physical attractiveness, SES) were examined as potential covariates. Fourth, results specific to each objective and hypothesis are discussed. Lastly, several exploratory analyses are discussed. Unless otherwise specified, all data were examined with IBM SPSS (version 22) software.

Descriptive Statistics

Participant Demographics

Descriptive statistics for participant demographics are reported in Table 2 for the total sample and each condition. Mock jurors were predominately White (87.3%) women (77%) with an average age of 20.30 (*SD* = 2.27) and BMI of 24.08 (*SD* = 4.59), placing them in the average weight category. The majority of mock jurors reported having completed some college or an associate's degree (72.3%)[5]. No mock jurors reported having ever been accused of check fraud

[5] While all participants in the current study were enrolled in introductory psychology courses, 3.8% (*n* = 8) reported having already received a bachelor's degree and 1.4% (*n* = 3) reported having already received a graduate degree.

while 2.3% reported they had previously served as a juror and less than 1% reported having ever issued a bad check.

Primary Study Variables

Descriptive statistics for all primary study variables are reported in Table 3 for the entire sample and each condition. One-sample t-tests were conducted on several scale variables to determine whether mean scores differed from average (i.e., the scale's midpoint).

The average ratings for case and defendant NSEs were 3.98 (*SD* = 1.37) and 4.14 (*SD* = 1.32), respectively. One-sample t-tests revealed mock jurors in all conditions reported average levels of negative affect in response to the case and defendant (see Table 4).

Descriptive statistics for the dichotomous verdict revealed 92.5% of the mock jurors found the defendant guilty of check fraud and the average rating for verdict confidence was 5.02 (*SD* = 1.42). The average score for the continuous verdict (which was created by multiplying confidence scores by 1 for a guilty verdict and by -1 for a not guilty verdict) was 4.50 (*SD* = 2.65). The average rating for mock jurors' belief that the defendant had knowledge of the insufficient funds was 5.48 (*SD* = 1.25). Thus, not only did the majority of mock jurors find the defendant guilty, one-sample t-tests revealed mock jurors in all conditions were confident in their judgments and believed the defendant had knowledge of the insufficient funds (see Table 4). Among those who found the defendant guilty, the average sentencing recommendation was 39.35 months (*SD* = 30.11) in prison and a fine of approximately $11.71/thousand (*SD* = 5.36).

Overall, mock jurors rated case believability as 5.67 (*SD* = 1.14), case seriousness as 5.30 (*SD* = 1.25), defendant physical attractiveness as 2.62 (*SD* = 1.31), and defendant SES as 2.94 (*SD* = 1.08). One-sample t-tests revealed mock jurors in all conditions perceived the hypothetical

check fraud case as believable and serious and the defendants as unattractive and low-SES (see Table 4).

Lastly, the average d-score was 0.49 (*SD* = 0.39) suggesting a moderate preference for thin individuals compare to overweight individuals. One-sample t-tests revealed the same pattern across all conditions (see Table 4). The average scores for the subscales of the AFA questionnaire were 9.53 (*SD* = 8.47) for Dislike, 14.81 (*SD* = 7.39) for Fear, and 11.34 (*SD* = 11.34) for Willpower. One-sample t-tests were conducted to determine if mock jurors' mean anti-fat attitudes in the current sample differed significantly from data reported by Crandall (1994). Results revealed both men and women in the current sample had significantly lower scores for AFA-Dislike and AFA-Willpower. For AFA-Fear, men in the current sample had scores similar to those reported by Crandall (1994) whereas women had significantly lower scores. Test statistics and means are provided in Table 5.

Pre-Analysis Screening

Accuracy of Data

According to Barchard and Verenikina (2013), double data entry results in higher accuracy rates than single entry, visual checking, or having a partner read the data aloud. As such, the Poka-Yoke Double Entry System (Barchard, Verenikina, & Pace, 2013) was utilized to ensure accuracy of data entry for the in-laboratory portion of the study. The researcher and research assistants each entered the data into two separate spreadsheets. Once all data were entered, the spreadsheets were examined for inconsistencies. Inconsistencies were compared with the original surveys and data entries were corrected as necessary to achieve complete agreement between the two spreadsheets. Frequency distributions and descriptive statistics for each study variable were also examined.

Management of Missing Data

A missing values analysis was conducted and revealed there were no variables with more than 2.5% of missing data. Little's (1988) MCAR test indicated that the data were missing at random, $\chi^2 = 74.21$, $df = 114$, $p = .999$. Therefore, the missing data were resolved using mean substitution.

Outliers

Mock jurors' sex was examined for an extreme uneven split as dichotomous variables with 90:10 splits are considered problematic (Rummel, 1988; Tabachnick & Fidell, 2019). Although the proportion of female mock jurors (77%) was nearly 3.5 times larger than the proportion of male mock jurors (23%), these differences were less than 90:10. Thus, mock jurors' sex was retained for future analyses. Screening for univariate outliers among continuous variables was performed using z-score statistics with a cut-off point of $z = \pm 3.29$, histograms, and boxplots (Tabachnick & Fidell, 2019). The *verdict* variable had several outliers causing the variable to be negatively skewed across all conditions ($Skew_{control} = -2.03$; $Skew_{lean} = -2.55$; $Skew_{obese} = -1.94$). A base-10 log (Lg10) transformation conducted on the variable eliminated all outliers and resulted in a normal distribution. As such, Lg10-transformed values were used for all preliminary and main analyses.

Normality

Distributions of continuous variables were assessed for normality using skewness and kurtosis statistics, histograms, and normal probability plots. Researchers suggest (e.g., Field, 2018; Tabachnick & Fidell, 2019) that the ratio between the skewness and kurtosis statistics and their respective standard errors can be used to examine the significance of the degree to which a distribution deviates from normal. Tabachnick and Fidell (2019) recommend using alpha levels

of 0.01 or 0.001 (critical values ± 2.58 and ± 3.29, respectively) to evaluate the significance of skewness and kurtosis with small and moderate samples. As a caveat, however, the authors caution that this measure is sensitive to sample size and recommend with a sample of 100 cases or more (as in this study), the size of skew or kurtosis (i.e., magnitude of departure from zero) should be investigated. Although Tabachnick and Fidell (2019) did not provide guidelines with respect to the degree of departure from zero that is acceptable, Curran, West, and Finch (1996) provided a rule-of-thumb that non-normality should be assumed when the absolute skewness value is greater than 2 and/or the kurtosis value is greater than 7.

Tables 6-8 provide a summary of the skewness and kurtosis statistics and associated coefficients for the continuous variables examined in this study for each condition (i.e., control, lean, obese). Using the absolute value of skewness statistic ($Skew_{control}$ = 1.24; $Skew_{lean}$ = 1.21; $Skew_{obese}$ = 1.14) and Curran et al.'s (1996) rule-of-thumb, *AFA-Dislike* could be considered normally distributed; however, the coefficient for skew across all three conditions indicated that the variable was not normally distributed. Therefore, a square root transformation was applied and resulted in normal distributions across all conditions according to each of the above indices (see Table 9). *Verdict* was deemed to deviate from normal according to all indices of skew and kurtosis. When a Lg10 transformation was applied to this variable, it resulted in normal distributions across all conditions (see Table 9). *Defendant physical attractiveness* and *defendant SES* were deemed to deviate from normal in the obese condition. A Lg10 transformation was applied to defendant physical attractiveness which resulted in non-normality in the control condition and normal distributions for the obese and lean conditions (see Table 9). Given the transformation resulted in normality for two of the three conditions, the Log10 transformation was retained. A square root transformation was applied to defendant SES which resulted in

normality across all conditions (see Table 9). Lastly, *case seriousness* was deemed to deviate from normal in the lean condition. When a square root transformation was applied to this variable, it results in normal distributions across all conditions (see Table 9).

Histograms and normality plots were also examined for all the continuous variables. These graphs supported the statistically driven conclusion that all variables except *AFA-Dislike*, *verdict*, *case seriousness, defendant physical attractiveness, defendant SES,* and *case seriousness* were normally distributed, and that transformations corrected the lack of normality. As such, the transformed values were used for all preliminary and main analyses.

Homogeneity of Variance

All continuous data were tested for homogeneity of variance using Levene's test for equality of error variances. Responses for the verdict ($F = 1.79$, $p = .169$), prior knowledge of insufficient funds ($F = 0.09$, $p = .910$), sentencing recommendations ($F_{prison} = 0.11$, $p = .894$; $F_{fine} = 0.45$, $p = .639$), d-score ($F = 1.66$, $p = .193$), AFA questionnaire ($F_{Dislike} = 0.88$, p = .414; $F_{Fear} = 1.44$, p = .240; $F_{Willpower} = 1.98$, p = .141), defendant NSEs ($F = 2.22$, $p = .111$), defendant physical attractiveness ($F = 0.04$, $p = .954$), defendant SES ($F = 1.86$, $p = .158$), case believability ($F = 1.52$, $p = .221$), and case seriousness ($F = 0.42$, $p = .657$) were all homogeneous. Evidence of heterogeneity of variance was found for case NSEs ($F = 3.10$, $p = .047$). A square root transformation conducted on the variable corrected the issue of heterogeneity ($F = 2.49$, $p = .085$). As such, the transformed values were used for all preliminary and main analyses.

Preliminary Analyses

Differences by Condition

A series of chi-square analyses and two-way analysis of variances (ANOVAs) with defendant weight and mock jurors' sex as factors were conducted to detect significant differences in demographics and other individual difference variables across conditions (for means and frequencies see Tables 2-3). Results of the first chi-square analysis indicated a non-significant effect of mock jurors' sex on defendant weight, $\chi^2(2) = 0.03$, $p = .984$. The remaining chi-square analyses indicated no significant differences for defendant weight by mock jurors' sex based on ethnicity, females: $\chi^2(2) = 0.99$, $p = .610$, males: $\chi^2(2) = 1.99$, $p = .371$; education, females: $\chi^2(6) = 7.73$, $p = .238$, males: $\chi^2(2) = 5.67$, $p = .685$; or experience as a juror, females: $\chi^2(2) = 1.15$, $p = .564$, males: $\chi^2(2) = 0.01$, $p = .994$. No males reported they had ever issued a bad check and females did not differ by condition, $\chi^2(2) = 1.04$, $p = .594$.

Results of the two-way ANOVAs revealed non-significant main effects of defendant weight for BMI, $F(2, 207) = 0.49$, $p = .613$; d-score, $F(2, 207) = 0.20$, $p = .821$; AFA-Dislike, $F(2, 207) = 0.82$, $p = .440$; AFA-Fear, $F(2, 207) = 1.09$, $p = .338$; and AFA-Willpower, $F(2, 207) = 0.63$, $p = .533$. A main effect of defendant weight was found for age, $F(2, 207) = 3.80$, $p = .024$, such that those in the obese condition were significantly older than those in the control and lean conditions. In addition, there was a non-significant main effect of mock jurors' sex for BMI, $F(1, 207) = 0.35$, $p = .555$, and significant main effects for age, $F(1, 207) = 15.66$, $p < .001$; d-score, $F(1, 207) = 7.87$, $p = .006$; AFA-Dislike, $F(1, 207) = 6.01$, $p = .015$; AFA-Fear, $F(1, 207) = 14.17$, $p < .001$; and AFA-Willpower, $F(1, 207) = 18.44$, $p < .001$. Follow-up analyses revealed, when compared to women (1) men were older ($M_{men} = 21.41$, $SD = 3.52$; $M_{women} = 19.96$, $SD = 1.59$), (2) scored significantly higher on d-score ($M_{men} = 0.62$, $SD = 0.37$;

M_{women} = 0.45, *SD* = 0.38), AFA-Dislike (M_{men} = 3.18, *SD* = 1.55; M_{women} = 2.56, *SD* = 1.46), and AFA-Willpower (M_{men} = 14.53, *SD* = 6.41; M_{women} = 10.38, *SD* = 5.62), and (3) scored significantly lower on AFA-Fear (M_{men} = 11.47, *SD* = 7.76; M_{women} = 15.81, *SD* = 6.70).

The interaction between defendant weight and mock jurors' sex was non-significant for BMI, $F(2, 207) = 2.21$, $p = .112$; d-score, $F(2, 207) = 0.23$, $p = .796$; AFA-Dislike, $F(2, 207) = 1.58$, $p = .208$; AFA-Fear, $F(2, 207) = 0.81$, $p = .447$; and AFA-Willpower, $F(2, 207) = 1.54$, $p = .218$; however, there was a significant interaction for age, $F(2, 207) = 5.07$, $p = .007$. Follow-up analyses revealed men were significantly older than women for the obese (M_{men} = 22.71, *SD* = 5.46; M_{women} = 19.96, *SD* = 1.98) and control (M_{men} = 21.18, *SD* = 1.78; M_{women} = 19.75, *SD* = 1.04) conditions. Age did not differ in the lean condition (M_{men} = 20.20, *SD* = 1.15; M_{women} = 20.22, *SD* = 1.63). Correlations between age and the dependent variables were calculated. Results indicated age was not significantly correlated with case NSEs ($r = .08$, $p = .265$), defendant NSEs ($r = .04$, $p = .607$), verdict ($r = .02$, $p = .793$), prior knowledge ($r = .05$, $p = .504$), prison sentence ($r = -.03$, $p = .686$), and fine ($r = -.12$, $p = .091$). As such, age was not included as a covariate.

Weight Manipulation

To test the effectiveness of the weight manipulation, mock jurors were asked to rate if they believed the defendant was (a) thin, (b) average weight, (c) overweight, or (d) if they were unsure. A chi-square analysis was conducted to compare responses from mock jurors in the lean condition against those in the obese condition. Results revealed a significant relationship between condition and defendant weight, $\chi^2(3) = 50.29$, $p < .001$. Post hoc analysis using multiple z-tests of two proportions with a Bonferroni correction ($p < .0125$) revealed significant differences in the proportion of those in the lean versus obese conditions who viewed the

defendant as thin (13.8% versus 0%), average weight (72.3% versus. 31.9%), and overweight (3.1% versus 52.8%), *p*s < .001. There were no statistically significant differences in the proportion of those in the lean versus obese conditions who selected unsure (10.8% versus 15.3%), $p = .435$. Observed frequencies and percentages are presented in Table 10.

Covariates

To test whether perceptions of the case and defendant should be included as covariates, correlations were calculated between case believability, case seriousness, defendant physical attractiveness, and defendant SES and any endogenous variables in the current study (see Table 11). Results indicated case believability was significantly correlated with verdict ($r = .41$, $p < .001$), prior knowledge ($r = .36$, $p < .001$), defendant NSEs ($r = 19$, $p = .005$), and case NSEs ($r = 19$, $p = .007$). Similarly, case seriousness was significantly correlated with verdict ($r = .24$, $p < .001$), prior knowledge ($r = .32$, $p < .001$), prison sentence ($r = .31$, $p < .001$), defendant NSEs ($r = .34$, $p < .001$), and case NSEs ($r = .28$, $p < .001$). Lastly, defendant physical attractiveness was significantly correlated with fine ($r = -.14$, $p = .045$). The significant covariates were controlled for in future analyses with the relevant dependent variables.

Hypothesis Testing

Hypotheses 1a-1e

To examine Hypotheses 1a-1e, a series of one-way multivariate analyses of covariance (MANCOVAs) were conducted with defendant weight (control, lean, obese) as the independent variable.

Hypotheses 1a-1b. The first MANOVA was conducted to determine the effect of defendant weight on NSEs while controlling for believability and seriousness. Two measures of NSEs were assessed: case and defendant. Preliminary assumption checking revealed there was

homogeneity of regression slopes as assessed by the non-significant interaction terms between defendant weight and case believability, $V = .03$, $F(4, 408) = 1.65$, $p = .162$, $\eta_p^2 = .02$, and defendant weight and case seriousness, $V = .01$, $F(4, 408) = 0.69$, $p = .597$, $\eta_p^2 = .01$. Additionally, there were no issues of multicollinearity (see Table 11) and Box's M test of homogeneity of variance-covariance was not significant ($p = .178$).

Results of the one-way MANCOVA revealed a significant effect of the covariate case seriousness, $V = .08$, $F(2, 207) = 8.98$, $p < .001$, $\eta_p^2 = .08$, on NSEs. Separate univariate tests on the outcome variables revealed seriousness was significant for defendant NSEs, $F(1, 208) = 28.01$, $p < .001$, $\eta_p^2 = .08$, and case NSEs, $F(1, 208) = 10.01$, $p = .002$, $\eta_p^2 = .05$. There were also non-significant effects of the covariate case believability, $V = .00$, $F(2, 207) = 0.40$, $p = .673$, $\eta_p^2 = .00$, and defendant weight on NSEs, $V = .01$, $F(4, 416) = 0.47$, $p = .756$, $\eta_p^2 = .01$. Thus, hypotheses 1a and 1b were not supported.

Hypotheses 1c-1d. The second MANOVA was conducted to determine the effect of defendant weight on verdict and prior knowledge of insufficient funds while controlling for case believability and case seriousness. Preliminary assumption checking revealed there was homogeneity of regression slopes as assessed by the non-significant interaction terms between defendant weight and case believability, $V = .01$, $F(4, 408) = 0.61$, $p = .659$, $\eta_p^2 = .01$, and defendant weight and case seriousness, $V = .02$, $F(4, 408) = 1.15$, $p = .334$, $\eta_p^2 = .01$. Additionally, there were no issues of multicollinearity (see Table 11) and Box's M test of homogeneity of variance-covariance was not significant ($p = .371$).

Results of the one-way MANCOVA revealed significant effects of the covariates case believability, $V = .12$, $F(2, 207) = 13.79$, $p < .001$, $\eta_p^2 = .12$, and case seriousness, $V = .04$, $F(2, 207) = 3.92$, $p = .021$, $\eta_p^2 = .04$, on verdict and prior knowledge. Separate univariate tests on the

outcome variables revealed case believability was significant for verdict, $F(1, 208) = 26.16$, $p < .001$, $\eta_p^2 = .11$, and prior knowledge, $F(1, 208) = 11.31$, $p = .001$, $\eta_p^2 = .05$, while case seriousness was significant for prior knowledge, $F(1, 208) = 10.06$, $p = .006$, $\eta_p^2 = .04$. Results also revealed a non-significant effect of defendant weight on NSEs, $V = .01$, $F(4, 420) = 0.67$, $p = .628$, $\eta_p^2 = .01$. Thus, hypotheses 1c and 1d were not supported.

Hypothesis 1e. The last MANOVA was conducted to determine the effect of defendant weight on sentencing recommendations while controlling for defendant physical attractiveness and case seriousness. Two measures of sentencing recommendations were included: prison sentence and fine. Preliminary assumption checking revealed there was homogeneity of regression slopes as assessed by the non-significant interaction terms between defendant weight and defendant physical attractiveness, $V = .03$, $F(4, 376) = 1.38$, $p = .239$, $\eta_p^2 = .01$, and defendant weight and case seriousness, $V = .03$, $F(4, 376) = 1.26$, $p = .286$, $\eta_p^2 = .01$. Additionally, there were no issues of multicollinearity (see Table 11) and Box's M test of homogeneity of variance-covariance was not significant ($p = .835$).

Results of the one-way MANCOVA revealed a significant effect of the covariate case seriousness, $V = .09$, $F(2, 191) = 9.92$, $p < .001$, $\eta_p^2 = .09$, on sentencing recommendations. Separate univariate tests on the outcome variables revealed seriousness was significant for prison sentence, $F(1, 192) = 19.51$, $p < .001$, $\eta_p^2 = .09$. Results also revealed non-significant effects of the covariate defendant physical attractiveness, $V = .02$, $F(2, 191) = 2.21$, $p = .113$, $\eta_p^2 = .02$, and defendant weight on sentencing recommendations, $V = .01$, $F(4, 384) = 0.57$, $p = .688$, $\eta_p^2 = .01$. Thus, Hypothesis 1e was not supported.

Hypotheses 2a-2e

To examine Hypotheses 2a-2e, a series of two-way MANOVAs/MANCOVAs were conducted with defendant weight (control, lean, obese) and mock jurors' sex (female, male) as the independent variables.

Hypotheses 2a-2b. The first analysis was conducted to determine the interactive effect of defendant weight and mock jurors' sex on NSEs while controlling for case believability and case seriousness. Two measures of NSEs were assessed: case NSEs and defendant NSEs. Preliminary assumption checking for MANCOVA revealed there was heterogeneity of regression slopes as assessed by the significant interaction terms between defendant weight, mock jurors' sex, and case believability, $V = .12$, $F(10, 390) = 2.40$, $p = .009$, $\eta_p^2 = .06$, and defendant weight, mock jurors' sex, and case seriousness, $V = .11$, $F(10, 390) = 2.30$, $p = .013$, $\eta_p^2 = .06$. Given these variables would not accurately control for variance in the dependent variables (Field, 2018), case believability and case seriousness were dropped from the analysis as covariates. Additional assumption checking revealed there were no issues of multicollinearity (see Table 11) and Box's M test of homogeneity of variance-covariance was not significant ($p = .305$).

Results of the two-way MANOVA revealed a non-significant interactive effect of defendant weight and mock jurors' sex on NSEs, $V = .02$, $F(4, 414) = 0.97$, $p = .426$, $\eta_p^2 = .01$. Results also revealed non-significant main effects of mock jurors' sex, $V = .01$, $F(2, 206) = 1.08$, $p = .342$, $\eta_p^2 = .01$, and defendant weight, $V = .02$, $F(4, 414) = 0.96$, $p = .429$, $\eta_p^2 = .01$. Thus, hypotheses 2a and 2b were not supported.

Hypotheses 2c-2d. The second analysis was conducted to determine the interactive effect of defendant weight and mock jurors' sex on verdict and prior knowledge while controlling for case believability and case seriousness. Preliminary assumption checking revealed there was

homogeneity of regression slopes as assessed by the non-significant interaction terms between defendant weight, mock jurors' sex, and case believability, $V = .06$, $F(10, 390) = 1.15$, $p = .323$, $\eta_p^2 = .03$, and between defendant weight, mock jurors' sex, and case seriousness, $V = .09$, $F(10, 390) = 1.59$, $p = .107$, $\eta_p^2 = .04$. Additionally, there were no issues of multicollinearity (see Table 11) and Box's M test of homogeneity of variance-covariance was not significant ($p = .496$).

Results of the two-way MANCOVA revealed significant effects of the covariates case believability, $V = .12$, $F(2, 204) = 14.28$, $p < .001$, $\eta_p^2 = .12$, and case seriousness, $V = .04$, $F(2, 204) = 3.88$, $p = .022$, $\eta_p^2 = .04$, on verdict and prior knowledge. Separate univariate tests on the outcome variables revealed believability was significant for verdict, $F(1, 205) = 27.48$, $p < .001$, $\eta_p^2 = .12$, and prior knowledge, $F(1, 205) = 10.91$, $p = .001$, $\eta_p^2 = .05$, while seriousness was only significant for prior knowledge, $F(1, 205) = 10.02$, $p = .007$, $\eta_p^2 = .04$. Results also revealed a non-significant interactive effect of mock jurors' sex and defendant weight, $V = .03$, $F(4, 410) = 1.33$, $p = .258$, $\eta_p^2 = .01$, and non-significant main effects of mock jurors' sex, $V = .01$, $F(2, 204) = 0.68$, $p = .511$, $\eta_p^2 = .01$, and defendant weight, $V = .02$, $F(4, 410) = 1.06$, $p = .378$, $\eta_p^2 = .01$. Thus, hypotheses 2c and 2d were not supported.

Hypothesis 2e. The last analysis was conducted to determine the interactive effect of defendant weight and mock jurors' sex on sentencing recommendations while controlling for defendant physical attractiveness and case seriousness. Two measures of sentencing recommendations were included: prison sentence and fine. Preliminary assumption checking revealed there was homogeneity of regression slopes as assessed by the non-significant interaction terms between defendant weight, mock jurors' sex, and defendant physical attractiveness, $V = .05$, $F(10, 358) = 0.88$, $p = .551$, $\eta_p^2 = .02$, and defendant weight, mock jurors' sex, and seriousness, $V = .05$, $F(10, 358) = 0.96$, $p = .481$, $\eta_p^2 = .03$. Additionally, there

were no issues of multicollinearity (see Table 11) and Box's M test of homogeneity of variance-covariance was not significant ($p = .182$).

Results of the two-way MANCOVA revealed a non-significant effect of the covariate defendant physical attractiveness, $V = .03$, $F(2, 188) = 2.52$, $p = .084$, $\eta_p^2 = .03$] and significant effect of the covariate seriousness, $V = .10$, $F(2, 188) = 10.79$, $p < .001$, $\eta_p^2 = .10$] on sentencing recommendations. Separate univariate tests on the outcome variables revealed seriousness was significant for prison sentence, $F(1, 189) = 21.10$, $p < .001$, $\eta_p^2 = .10$]. Results also revealed a non-significant interactive effect of defendant weight and mock jurors' sex, $V = .01$, $F(4, 378) = 0.44$, $p = .778$, $\eta_p^2 = .01$, and non-significant main effect of defendant weight, $V = .01$, $F(4, 378) = 0.34$, $p = .853$, $\eta_p^2 = .00$. Results further revealed a significant main effect of mock jurors' sex, $V = .04$, $F(2, 188) = 4.35$, $p = .014$, $\eta_p^2 = .04$. Separate univariate tests on the outcome variables revealed there was a non-significant main effect of mock jurors' sex for fine, $F(1, 189) = 2.89$, $p = .091$, $\eta_p^2 = .02$, and a significant main effect for prison, $F(1, 189) = 6.83$, $p = .010$, $\eta_p^2 = .04$, such that women ($M = 41.89$, $SD = 31.20$) recommended significantly higher prison sentences when compared to men ($M = 30.51$, $SD = 22.88$). Thus, Hypothesis 2e was not supported.

Hypotheses 3a-3e

To examine Hypotheses 3a-3c, parallel mediation analyses were conducted using Hayes' (2013) PROCESS macro for SPSS which employs a nonparametric bootstrap method. An important advantage to using a parallel mediation model over several simple mediations is the ability to compare the indirect effects through different mediators (Hayes, 2018). The bootstrap method was chosen, as opposed to Baron and Kenny's (1986) causal steps approach, as it produces greater statistical power (Field, 2018; Hayes, 2018; Preacher & Hayes, 2004). As recommended by Hayes (2018), coefficients, standard errors, and 95% confidence intervals were

calculated based on 5000 bootstrap samples. For all analyses, Model 4 with indicator coding was used. Obese was coded as the reference group and was compared to the lean (D_1) and control (D_2) conditions separately. All coefficients and direct, indirect, and total effects produced from the mediation analyses are reported in the unstandardized form.

Hypothesis 3a. The first parallel mediation was conducted to examine AFA-Dislike, AFA-Fear, and AFA-Willpower as mediators between defendant weight and case NSEs while controlling for case seriousness and case believability (see Table 12 and Figure 1). Results from the first three models revealed non-significant direct effects of defendant weight on AFA-Dislike (D_1: b = -0.07, p = .792; D_2: b = -0.10, p = .695), AFA-Fear (D_1: b = 1.81, p = .144; D_2: b = 0.54, p = .673), and AFA-Willpower (D_1: b = 0.64, p = .528; D_2: b = 0.87, p = .406). Results from the next model revealed a significant direct effect of the covariate case seriousness (b = 0.21, p = .002) and non-significant direct effects of defendant weight (D_1: b = 0.02, p = .772; D_2: b = 0.62, p = .287), AFA-Dislike (b = 0.02, p = .303), AFA-Fear (b = 0.00, p = .385), and AFA-Willpower (b = 0.00, p = .897) on case NSEs. Non-significant indirect effects of defendant weight on case NSEs through AFA-Dislike (D_1: b = 0.00, 95% CI [-0.02, 0.01]; D_2: b = 0.00, 95% CI [-0.02, 0.01]), AFA-Fear (D_1: b = 0.01, 95% CI [-0.01, 0.02]; D_2: b = 0.00, 95% CI [-0.01, 0.02]), and AFA-Willpower (D_1: b = 0.00, 95% CI [-0.01, 0.01]; D_2: b = 0.00, 95% CI [-0.01, 0.01]) were observed. The total effect model also failed to reach significance (D_1: b = 0.02, p = .720; D_2: b = 0.06, p = .291). Thus, Hypothesis 3a was not supported.

Hypothesis 3b. The second parallel mediation was conducted to examine AFA-Dislike, AFA-Fear, and AFA-Willpower as mediators between defendant weight and defendant NSEs while controlling for case seriousness and case believability (see Table 13 and Figure 2). Results from the first three models revealed non-significant direct effects of defendant weight on AFA-

Dislike (D_1: b = -0.07, p = .792; D_2: b = -0.10, p = .695), AFA-Fear (D_1: b = 1.81, p = .144; D_2: b = 0.54, p = .673), and AFA-Willpower (D_1: b = 0.64, p = .528; D_2: b = 0.87, p = .406). Results from the next model revealed significant direct effects of the covariate case seriousness (b = 1.03, p < .001) and AFA-Fear (b = 0.03, p = .008) and non-significant direct effects of defendant weight (D_1: b = 0.11, p = .593; D_2: b = 0.20, p = .353), AFA-Dislike (b = 0.00, p = .991), and AFA-Willpower (b = -0.01, p = .751) on defendant NSEs. Non-significant indirect effects of defendant weight on defendant NSEs through AFA-Dislike (D_1: b = 0.00, 95% CI [-0.03, 0.04]; D_2: b = 0.00, 95% CI [-0.04, 0.04]), AFA-Fear (D_1: b = 0.06, 95% CI [-0.02, 0.17]; D_2: b = 0.02, 95% CI [-0.07, 0.12]), and AFA-Willpower (D_1: b = 0.00, 95% CI [-0.05, S]; D_2: b = 0.00, 95% CI [-0.05, 0.04]) were observed. The total effect model also failed to reach significance (D_1: b = 0.17, p = .424; D_2: b = 0.21, p = .326). Thus, Hypothesis 3b was not supported.

Hypothesis 3c. The third parallel mediation analysis was conducted to examine AFA-Dislike, AFA-Fear, and AFA-Willpower as mediators between defendant weight and verdict while controlling for case seriousness and case believability (see Table 14 and Figure 3). Results from the first three models revealed non-significant direct effects of defendant weight on AFA-Dislike (D_1: b = -0.07, p = .792; D_2: b = -0.10, p = .695), AFA-Fear (D_1: b = 1.81, p = .144; D_2: b = 0.54, p = .673), and AFA-Willpower (D_1: b = 0.64, p = .528; D_2: b = 0.87, p = .406). Results from the next model revealed a significant direct effect of the covariate case believability (b = 0.09, p < .001) and non-significant direct effects of defendant weight (D_1: b = -0.02, p = .694; D_2: b = 0.02, p = .730), AFA-Dislike (b = 0.01, p = .637), AFA-Fear (b = 0.00, p = .081), and AFA-Willpower (b = 0.00, p = .601) on verdict. Non-significant indirect effects of defendant weight on verdict through AFA-Dislike (D_1: b = 0.00, 95% CI [-0.01, 0.01]; D_2: b = 0.00, 95% CI [-0.01, 0.01]), AFA-Fear (D_1: b = -0.01, 95% CI [-0.03, 0.00]; D_2: b = 0.00, 95% CI [-0.02,

0.01]), and AFA-Willpower (D_1: b = 0.00, 95% CI [-0.01, 0.01]; D_2: b = 0.00, 95% CI [-0.01, 0.01]) were observed. The total effect model also failed to reach significance (D_1: b = -0.02, p = .570; D_2: b = 0.01, p = .756). Thus, Hypothesis 3c was not supported.

Hypothesis 3d. The fourth parallel mediation analysis was conducted to examine AFA-Dislike, AFA-Fear, and AFA-Willpower as mediators between defendant weight and prior knowledge of insufficient funds while controlling for case seriousness and case believability (see Table 15 and Figure 4). Results from the first three models revealed non-significant direct effects of defendant weight on AFA-Dislike (D_1: b = -0.07, p = .792; D_2: b = -0.10, p = .695), AFA-Fear (D_1: b = 1.81, p = .144; D_2: b = 0.54, p = .673), and AFA-Willpower (D_1: b = 0.64, p = .528; D_2: b = 0.87, p = .406). Results from the next model revealed significant direct effects of the covariates case believability (b = 0.26, p = .001) and case seriousness (b = 0.58, p < .001) and AFA-Willpower (b = 0.04, p = .010) on prior knowledge. Additionally, there were non-significant direct effects of defendant weight (D_1: b = -0.30, p = .120; D_2: b = -0.06, p = .751), AFA-Dislike (b = -0.10, p = .117), and AFA-Fear (b = 0.00, p = .943) on prior knowledge. Non-significant indirect effects of defendant weight on prior knowledge through AFA-Dislike (D_1: b = 0.01, 95% CI [-0.06, 0.06]; D_2: b = 0.01, 95% CI [-0.06, 0.07]), AFA-Fear (D_1: b = 0.00, 95% CI [-0.06, 0.05]; D_2: b = 0.00, 95% CI [-0.04, 0.03]), and AFA-Willpower (D_1: b = 0.02, 95% CI [-0.06, 0.11]; D_2: b = 0.03, 95% CI [-0.05, 0.13]) were observed. The total effect model also failed to reach significance (D_1: b = -0.27, p = .162; D_2: b = -0.02, p = .921). Thus, Hypothesis 3d was not supported.

Hypothesis 3e. The last two parallel mediation analyses were conducted to examine AFA-Dislike, AFA-Fear, and AFA-Willpower as mediators between defendant weight and (a)

prison sentence while controlling for case seriousness (see Table 16 and Figure 5) and (b) fine while controlling for defendant physical attractiveness (see Table 17 and Figure 6).

Prison sentence. Results from the first three models revealed non-significant direct effects of defendant weight on AFA-Dislike (D_1: b = -0.16, p = .548; D_2: b = -0.18, p = .514), AFA-Fear (D_1: b = 1.75, p = .176; D_2: b = 0.51, p = .704), and AFA-Willpower (D_1: b = -0.11, p = .913; D_2: b = 0.75, p = .477). Results from the next model revealed significant direct effects of the covariate case seriousness (b = 25.36, p < .001), AFA-Fear (b = 0.74, p = .010), and AFA-Willpower (b = -1.10, p = .004) on prison sentence. There were also non-significant direct effects of defendant weight (D_1: b = -5.09, p = .296; D_2: b = 1.77, p = .724) and AFA-Dislike (b = 0.64, p = .677) on prison sentence. Non-significant indirect effects of defendant weight on prison sentence through AFA-Dislike (D_1: b = -0.10, 95% CI [-1.22, 0.73]; D_2: b = -0.11, 95% CI [-1.36, 0.89]), AFA-Fear (D_1: b = 1.30, 95% CI [-0.66, 3.56]; D_2: b = 0.38, 95% CI [-1.69, 2.56]), and AFA-Willpower (D_1: b = 0.12, 95% CI [-2.03, 2.57]; D_2: b = -0.83, 95% CI [-3.49, 1.58]) were observed. The total effect model also failed to reach significance (D_1: b = -3.77, p = .448; D_2: b = 1.20, p = .814). Thus, Hypothesis 3e for prison sentence was not supported.

Fine. Results from the first three models revealed non-significant direct effects of defendant weight on AFA-Dislike (D_1: b = -0.23, p = .402; D_2: b = -0.22, p = .425), AFA-Fear (D_1: b = 1.35, p = .320; D_2: b = 0.44, p = .746), and AFA-Willpower (D_1: b = 0.10, p = .923; D_2: b = 1.01, p = .347). Results from the next model revealed non-significant direct effects of defendant weight (D_1: b = 0.48, p = .620; D_2: b = 1.05, p = .275), AFA-Dislike (b = -0.35, p = .232), AFA-Fear (b = 0.02, p = .753), and AFA-Willpower (b = 0.10, p = .172) on fine. Non-significant indirect effects of defendant weight on fine through AFA-Dislike (D_1: b = 0.08, 95% CI [-0.14, 0.38]; D_2: b = 0.08, 95% CI [-0.16, 0.41]), AFA-Fear (D_1: b = 0.02, 95% CI [-0.17,

0.32]; D_2: b = 0.01, 95% CI [-0.16, 0.20]), and AFA-Willpower (D_1: b = 0.01, 95% CI [-0.22, 0.29]; D_2: b = 0.10, 95% CI [-0.13, 0.47]) were observed. The total effect model also failed to reach significance (D_1: b = 0.56, p = .537; D_2: b = 1.24, p = .196). Thus, Hypothesis 3e for fine was not supported.

Hypotheses 4a-4e

To examine Hypotheses 4a-4e, a series of simple mediation analyses were conducted using the same procedure described for Hypotheses 3a-3c.

Hypothesis 4a. The first simple mediation was conducted to examine d-score as a mediator between defendant weight and case NSEs while controlling for case seriousness and case believability (see Table 18 and Figure 7). Results from the first model revealed a non-significant direct effect of defendant weight on d-score (D_1: b = -0.03, p = .636; D_2: b = -0.02, p = .733). Results from the next model revealed a significant direct effect of the covariate case seriousness (b = 0.22, p = .002) and non-significant direct effects of defendant weight (D_1: b = 0.02, p = .690; D_2: b = 0.06, p = .277) and d-score (b = 0.08, p = .211) on case NSEs. A non-significant indirect effect of defendant weight on case NSEs through d-score (D_1: b = 0.00, 95% CI [-0.02, 0.01]; D_2: b = 0.00, 95% CI [-0.02, 0.01]) was observed. The total effect model also failed to reach significance (D_1: b = 0.02, p = .720; D_2: b = 0.06, p = .291). Thus, Hypothesis 4a was not supported.

Hypothesis 4b. The second simple mediation was conducted to examine d-score as a mediator between defendant weight and defendant NSEs while controlling for case seriousness and case believability (see Table 19 and Figure 8). Results from the first model revealed a non-significant direct effect of defendant weight on d-score (D_1: b = -0.03, p = .636; D_2: b = -0.02, p = .733). Results from the next model revealed significant direct effects of the covariate case

seriousness (b = 1.07, p < .001) and non-significant direct effects of defendant weight (D_1: b = 0.18, p = .397; D_2: b = 0.22, p = .309) and d-score (b = 0.32, p = .164) on defendant NSEs. A non-significant indirect effect of defendant weight on defendant NSEs through d-score (D_1: b = -0.01, 95% CI [-0.06, 0.04]; D_2: b = -0.01, 95% CI [-0.06, 0.05]) was observed. The total effect model also failed to reach significance (D_1: b = 0.17, p = .424; D_2: b = 0.21, p = .326). Thus, Hypothesis 4b was not supported.

Hypothesis 4c. The third simple mediation was conducted to examine d-score as a mediator between defendant weight and verdict while controlling for case seriousness and case believability (see Table 20 and Figure 9). Results from the first model revealed a non-significant direct effect of defendant weight on d-score (D_1: b = -0.03, p = .636; D_2: b = -0.02, p = .733). Results from the next model revealed a significant direct effect of the covariate case believability (b = 0.09, p < .001) and non-significant direct effects of defendant weight (D_1: b = -0.02, p = .578; D_2: b = 0.01, p = .751) and d-score (b = 0.01, p = .780) on verdict. A non-significant indirect effect of defendant weight on verdict through d-score (D_1: b = 0.00, 95% CI [-0.01, 0.01]; D_2: b = 0.00, 95% CI [-0.01, 0.01]) was observed. The total effect model also failed to reach significance (D_1: b = -0.02, p = .570; D_2: b = 0.01, p = .756). Thus, Hypothesis 4c was not supported.

Hypothesis 4d. The fourth simple mediation was conducted to examine d-score as a mediator between defendant weight and prior knowledge of insufficient funds while controlling for case seriousness and case believability (see Table 21 and Figure 10). Results from the first model revealed a non-significant direct effect of defendant weight on d-score (D_1: b = -0.03, p = .636; D_2: b = -0.02, p = .733). Results from the next model revealed significant direct effects of the covariates case believability (b = 0.27, p = .001) and case seriousness (b = 0.64, p = .006) and

non-significant direct effects of defendant weight (D_1: b = -0.27, p = .166; D_2: b = -0.02, p = .927) and d-score (b = 0.07, p = .745) on prior knowledge. A non-significant indirect effect of defendant weight on prior knowledge through d-score (D_1: b = -0.00, 95% CI [-0.04, 0.02]; D_2: b = 0.00, 95% CI [-0.03, 0.03]) was observed. The total effect model also failed to reach significance (D_1: b = -0.27, p = .162; D_2: b = -0.02, p = .921). Thus, Hypothesis 4d was not supported.

Hypothesis 4e. The last two simple mediations were conducted to examine d-score as a mediator between defendant weight and (a) prison sentence while controlling for case seriousness (see Table 22 and Figure 11) and (b) fine while controlling for defendant physical attractiveness (see Table 23 and Figure 12).

Prison sentence. Results from the first model revealed a non-significant direct effect of defendant weight on d-score (D_1: b = -0.03, p = .692; D_2: b = -0.03, p = .579). Results from the next model revealed significant direct effects of the covariate case seriousness (b = 24.30, p < .001) and non-significant direct effects of defendant weight (D_1: b = -3.90, p = .433; D_2: b = 1.02, p = .842) and d-score (b = -4.92, p = .373) on prison sentence. A non-significant indirect effect of defendant weight on prison sentence through d-score (D_1: b = 0.13, 95% CI [-0.66, 1.35]; D_2: b = 0.18, 95% CI [-0.66, 1.78]) was observed. The total effect model also failed to reach significance (D_1: b = -3.77, p = .448; D_2: b = 1.20, p = .814). Thus, Hypothesis 4e for prison sentence was not supported.

Fine. Results from the model revealed a non-significant direct effect of defendant weight on d-score (D_1: b = -0.04, p = .555; D_2: b = -0.05, p = .473). Results from the next model revealed a significant effect of the covariate defendant physical attractiveness (b = -3.49, p = .035) and non-significant direct effects of defendant weight (D_1: b = 0.61, p = .529; D_2: b = 1.25,

p = .192) and d-score (b = 0.34, p = .737) on fine. A non-significant indirect effect of defendant weight on fine through d-score (D_1: b = 0.01, 95% CI [-0.18, 0.12]; D_2: b = -0.02, 95% CI [-0.19, 0.16]) was observed. The total effect model also failed to reach significance (D_1: b = 0.56, p = .537; D_2: b = 1.24, p = .196). Thus, Hypothesis 4e for fine was not supported.

Hypotheses 5a-5c

To examine Hypotheses 4a-4e, parallel mediation analyses were conducted using the same procedure described for Hypotheses 3a-3c.

Hypothesis 5a. The first parallel mediation analysis was conducted to examine case NSEs and defendant NSEs as mediators between defendant weight and verdict while controlling for case believability and case seriousness (see Table 24 and Figure 13). Results from the first model revealed a non-significant direct effect of defendant weight (D_1: b = 0.02, p = .720; D_2: b = 0.06, p = .291) and a significant direct effect of the covariate case seriousness (b = 0.22, p = .002) on case NSEs. Similarly, results from the second model revealed a non-significant direct effect of defendant weight (D_1: b = 0.17, p = .424; D_2: b = 0.21, p = .326) and a significant direct effect of the covariate case seriousness (b = 1.07, p < .001) on defendant NSEs. Results from the third model revealed a significant direct effect of the covariate case believability (b = 0.09, p < .001) and non-significant direct effects of defendant weight (D_1: b = -0.03, p = .525); D_2: b = 0.01, p = .876), case NSEs (b = 0.09, p = .279), and defendants NSEs (b = 0.01, p = .799) on verdict. Non-significant indirect effects of defendant weight on verdict through case NSEs (D_1: b = 0.00, 95% CI [-0.01, 0.02]; D_2: b = 0.01, 95% CI [-0.01, 0.03]) and defendant NSEs (D_1: b = 0.00, 95% CI [-0.01, 0.02]; D_2: b = 0.00, 95% CI [-0.01, 0.02]) were observed. The total effect model also failed to reach significance (D_1: b = -0.02, p = .570; D_2: b = 0.01, p = .756). Thus, Hypothesis 5a was not supported.

Hypothesis 5b. The second parallel mediation analysis was conducted to examine case NSEs and defendant NSEs as mediators between defendant weight and prior knowledge of insufficient funds while controlling for case believability and case seriousness (see Table 25 and Figure 14). Results from the first model revealed a non-significant direct effect of defendant weight (D_1: $b = 0.02$, $p = .720$; D_2: $b = 0.06$, $p = .291$) and a significant direct effect of the covariate case seriousness ($b = 0.22$, $p = .002$) on case NSEs. Similarly, results from the second model revealed a non-significant direct effect of defendant weight (D_1: $b = 0.17$, $p = .424$; D_2: $b = 0.21$, $p = .326$) and a significant direct effect of the covariate case seriousness ($b = 1.07$, $p < .001$) on defendant NSEs. Results from the third model revealed significant direct effects of the covariates case believability ($b = 0.27$, $p = .001$) and case seriousness ($b = 0.52$, $p = .033$) and non-significant direct effects of defendant weight (D_1: $b = -0.03$, $p = .525$); D_2: $b = 0.01$, $p = .876$), case NSEs ($b = 0.09$, $p = .279$), and defendants NSEs ($b = 0.01$, $p = .799$) on prior knowledge. Non-significant indirect effects of defendant weight on prior knowledge through case NSEs (D_1: $b = -0.01$, 95% CI [-0.06, 0.05]; D_2: $b = -0.02$, 95% CI [-0.09, 0.05]) and defendant NSEs (D_1: $b = 0.03$, 95% CI [-0.05, 0.12]; D_2: $b = 0.04$, 95% CI [-0.05, 0.14]) were observed. The total effect model also failed to reach significance (D_1: $b = -0.27$, $p = .162$; D_2: $b = -0.02$, $p = .921$). Thus, Hypothesis 5b was not supported.

Hypothesis 5c. The last two parallel mediation analyses were conducted to examine case NSEs and defendant NSEs as mediators between defendant weight and (a) prison sentence while controlling for case seriousness (see Table 26 and Figure 15) and (b) fine while controlling for defendant physical attractiveness (see Table 27 and Figure 16).

Prison sentence. Results from the first model revealed a non-significant direct effect of defendant weight (D_1: $b = -0.01$, $p = .918$; D_2: $b = 0.05$, $p = .376$) and a significant direct effect

of the covariate case seriousness (b = 0.22, p = .001) on case NSEs. Similarly, results from the second model revealed a non-significant direct effect of defendant weight (D_1: b = 0.08, p = .706; D_2: b = 0.18, p = .409) and a significant direct effect of the covariate case seriousness (b = 1.02, p < .001) on defendant NSEs. Results from the third model revealed a significant direct effect of the covariate case seriousness (b = 19.30, p = .001) and non-significant direct effects of defendant weight (D_1: b = -4.07, p = .405; D_2: b = 0.23, p = .964), case NSEs (b = 4.77, p = .620), and defendants NSEs (b = 4.12, p = .120) on prison sentence. Non-significant indirect effects of defendant weight on prison sentence through case NSEs (D_1: b = -0.03, 95% CI [-1.29, 1.37]; D_2: b = 0.25, 95% CI [-1.35, 2.16]) and defendant NSEs (D_1: b = 0.32, 95% CI [-1.86, 2.54]; D_2: b = 0.73, 95% CI [-1.15, 3.46]) were observed. The total effect model also failed to reach significance (D_1: b = -3.77, p = .448; D_2: b = 1.20, p = .814). Thus, Hypothesis 5c for prison sentence was not supported.

Fine. Results from the first model revealed a non-significant direct effect of defendant weight (D_1: b = -0.03, p = .672; D_2: b = 0.06, p = .341) on case NSEs. Similarly, results from the second model revealed a non-significant direct effect of defendant weight (D_1: b = -0.05, p = .818; D_2: b = 0.19, p = .407) on defendant NSEs. Results from the third model revealed a significant direct effect of the covariate defendant physical attractiveness (b = -3.80, p = .023) and non-significant direct effects of defendant weight (D_1: b = 0.59, p = .538; D_2: b = 1.19, p = .215), case NSEs (b = -1.45, p = .425), and defendants NSEs (b = 0.71, p = .153) on fine. Non-significant indirect effects of defendant weight on fine through case NSEs (D_1: b = 0.04, 95% CI [-0.20, 0.36]; D_2: b = -0.08, 95% CI [-0.46, 0.18]) and defendant NSEs (D_1: b = -0.04, 95% CI [-0.48, 0.36]; D_2: b = 0.13, 95% CI [-0.19, 0.62]) were observed. The total effect model also failed

to reach significance (D_1: $b = 0.59$, $p = .537$; D_2: $b = 1.24$, $p = .196$). Thus, Hypothesis 5c for fine was not supported.

Follow-up Analyses

Defendant Weight

Past research has demonstrated case seriousness, defendant physical attractiveness, and defendant SES may impact jurors' case judgments (e.g., Devine & Caughlin, 2014; Mazzella & Feingold, 1994). To investigate whether any of these variables differed across conditions, a series of two-way ANOVAs were conducted with defendant weight (control, lean, obese) and mock jurors' sex (female, male) as the independent variables. Moderation analyses were conducted for any significant group differences. Means and standard deviations are presented in Table 3.

Case seriousness. Results from the first two-way ANOVA revealed non-significant main effects of defendant weight, $F(2, 207) = 1.50$, $p = .225$, $\eta_p^2 = .01$, and mock jurors' sex, $F(1, 207) = 0.90$, $p = .343$, $\eta_p^2 = .00$, on case seriousness. The interaction term also failed to reach significance, $F(2, 207) = 0.56$, $p = .571$, $\eta_p^2 = .01$. Thus, no moderation analyses were conducted.

Defendant physical attractiveness. Results from the second two-way ANOVA revealed a significant main effect of defendant weight on physical attractiveness, $F(2, 207) = 13.07$, $p < .001$, $\eta_p^2 = .11$, such that mock jurors rated the obese defendant ($M = 2.07$, SD = 1.17) as significantly less attractive when compared to the lean defendant ($M = 2.65$, $SD = 1.32$) and the control ($M = 3.11$, $SD = 1.26$). Results further reveal a non-significant main effect of mock jurors' sex, $F(1, 207) = 0.59$, $p = .445$, $\eta_p^2 = .00$. The interaction term also failed to reach significance, $F(2, 207) = 1.61$, $p = .202$, $\eta_p^2 = .02$.

To examine any possible interactive effects of defendant weight and defendant physical attractiveness on case judgments, moderation analyses were conducted using Hayes' (2013) PROCESS macro for SPSS. Coefficients, standard errors, and 95% confidence intervals were calculated based on 5000 bootstrap samples (Hayes, 2018). For all analyses, Model 1 with indicator coding was used. Obese was coded as the reference group and was compared to the lean (D_1) and control (D_2) conditions separately. All coefficients are reported in the unstandardized form. Results are summarized in Table 28.

The first simple moderation analysis was conducted to examine the moderating effect of defendant physical attractiveness between defendant weight and case NSEs. Results revealed after controlling for case believability ($b = 0.02$, $p = .503$) and case seriousness ($b = 0.24$, $p < .001$), there were non-significant main effects of defendant weight (D_1: $b = -0.12$, $p = .257$; D_2: $b = 0.07$, $p = .510$) and defendant physical attractiveness ($b = -0.04$, $p = .837$). The interaction terms also failed to reach significance (D_1: $b = 0.33$, $p = .186$; D_2: $b = -0.00$, $p = .988$).

The second simple moderation analysis was conducted to examine the moderating effect of defendant physical attractiveness between defendant weight and defendant NSEs. Results revealed after controlling for case believability ($b = 0.03$, $p = .713$) and case seriousness ($b = 1.13$, $p < .001$), there were non-significant main effects of defendant weight (D_1: $b = -0.30$, $p = .450$; D_2: $b = 0.27$, $p = .469$) and defendant physical attractiveness ($b = 0.33$, $p = .615$). The interaction terms also failed to reach significance (D_1: $b = 0.89$, $p = .333$; D_2: $b = -0.26$, $p = .784$).

The third simple moderation analysis was conducted to examine the moderating effect of defendant weight between defendant physical attractiveness and verdict. Results revealed after controlling for case believability ($b = 0.09$, $p < .001$) and case seriousness ($b = 0.06$, $p = .296$),

there was a non-significant main effect of defendant weight (D_1: b = -0.14, p = .089; D_2: b = -0.01, p = .935). In contrast, the main effect of defendant physical attractiveness was approaching significance (b = -0.25, p = 0.060) such that as ratings of physical attractiveness increased, willingness to convict the defendant decreased. While the interaction between D_2 and physical attractiveness failed to reach significance (D_2: b = 0.13, p = .508), the interaction between D_1 and physical attractiveness was approaching significance (D_1: b = 0.36, p = .056). As such, the interaction between defendant weight and physical attractiveness was probed. Results of the first simple slope revealed at 1 SD below the mean for physical attractiveness, verdicts in the obese condition did not differ significantly from the control (b = -0.10, p = .136) and lean (b = 0.01, p = .885) conditions. Results of the second simple slope revealed at the mean for physical attractiveness, verdicts in the obese condition did not differ significantly from the control (b = -0.01, p = .851) and lean (b = 0.04, p = .392) conditions. Results of the last simple slope revealed at 1 SD above the mean for physical attractiveness, verdicts in the obese condition did not differ significantly from the control (b = 0.08, p = .236) and lean (b = 0.07, p = .325) conditions (see Figure 17).

The fourth simple moderation analysis was conducted to examine the moderating effect of defendant physical attractiveness between defendant weight and prior knowledge of insufficient funds. Results revealed after controlling for case believability (b = 0.26, p = .002) and case seriousness (b = 0.67, p = .005), there were non-significant main effects of defendant weight (D_1: b = -0.37, p = .314; D_2: b = 0.12, p = .725) and defendant physical attractiveness (b = -0.20, p = .741). The interaction terms also failed to reach significance (D_1: b = 0.30, p = .728; D_2: b = -0.33, p = .709).

The fifth simple moderation analysis was conducted to examine the moderating effect of defendant weight between defendant physical attractiveness and prison sentence. Results revealed after controlling for case seriousness ($b = 25.12$, $p < .001$), there were non-significant main effects of defendant weight (D_1: $b = -6.12$, $p = .506$; D_2: $b = 11.78$, $p = .173$) and defendant physical attractiveness ($b = 5.56$, $p = .720$). The interaction terms also failed to reach significance (D_1: $b = 3.27$, $p = .881$; D_2: $b = -31.26$, $p = .158$).

The last simple moderation analysis was conducted to examine the moderating effect of defendant weight between defendant physical attractiveness and fine. Results revealed there were non-significant main effects of defendant physical attractiveness ($b = 0.69$, $p = .809$) and D_1 ($b = 2.35$, $p = .167$). There was a significant main effect of D_2 ($b = 3.28$, $p = .040$) such that, fine was significantly higher for the lean condition ($M = 12.35$, $SD = 5.31$) when compared to the obese condition ($M = 11.43$, $SD = 4.99$). While the interaction between D_1 and physical attractiveness failed to reach significance (D_1: $b = -5.65$, $p = .156$), the interaction between D_2 and physical attractiveness was approaching significance (D_2: $b = -6.79$, $p = .096$). As such, simple slopes were examined. Results of the first simple slope revealed at 1 SD below the mean for physical attractiveness, fine in the obese condition did not differ significantly from the control condition ($b = 1.72$, $p = .207$), whereas obese did differ significantly from the lean condition ($b = 2.51$, $p = .046$). Results of the second simple slope revealed at the mean for physical attractiveness, fine in the obese condition did not differ significantly from the control ($b = 0.35$, $p = .722$) and lean ($b = 0.86$, $p = .375$) conditions. Results of the last simple slope revealed at 1 SD above the mean for physical attractiveness, fine in the obese condition did not differ significantly from the control ($b = -1.02$, $p = .462$) and lean ($b = -0.78$, $p = .604$) conditions (see Figure 18).

Defendant SES. Results from the last two-way ANOVA revealed non-significant main effects of defendant weight, $F(2, 207) = 0.54$, $p = .583$, $\eta_p^2 = .01$, and mock jurors' sex, $F(1, 207) = 0.08$, $p = .785$, $\eta_p^2 = .00$, on defendant SES. The interaction term also failed to reach significance, $F(2, 207) = 1.23$, $p = .294$, $\eta_p^2 = .01$. Thus, no moderation analyses were conducted.

The CCM

Alicke (2000) hypothesized that NSEs may have an indirect impact on blame through SLs. Although no explicit measures of SLs were included in the current study, belief that the defendant had knowledge of the insufficient funds can serve as a proxy for volitional behavior control. Thus, simple mediation analyses were conducted to examine whether prior knowledge mediated the relationship between NSEs and verdict. Analyses were conducted using Model 4 of Hayes' (2013) PROCESS macro for SPSS. Coefficients, standard errors, and 95% confidence intervals were calculated based on 5000 bootstrap samples and all coefficients were reported in the unstandardized form (Hayes, 2018).

Case NSEs. The first mediation model was conducted to examine if prior knowledge mediated the relationship between case NSEs and verdict (see Table 29 and Figure 19). Results from the first model revealed a significant direct effect of case NSEs on prior knowledge ($b = 0.58$, $p = .018$). Results of the second model revealed a significant direct effect of case NSEs ($b = 0.10$, $p = .028$) and prior knowledge ($b = 0.11$, $p < .001$) on verdict. The indirect effect of prior knowledge on verdict through case NSEs was also significant ($b = 0.07$, 95% CI [0.01, 0.12]). The total effect of case NSEs was also significant ($b = 0.17$, p = .002). The results of the indirect effect and significant direct effect of case NSEs after including prior knowledge in the model, support a partial mediation model.

Defendant NSEs. The second mediation model was conducted to examine if prior knowledge mediated the relationship between defendant NSEs and verdict (see Table 29 and Figure 20). Results from the first model revealed a significant direct effect of defendant NSEs on prior knowledge ($b = 0.21$, $p = .001$). Results of the second model revealed a non-significant direct effect of defendant NSEs ($b = 0.02$, $p = .152$) and significant direct effect of prior knowledge ($b = 0.11$, $p < .001$) on verdict. The indirect effect of prior knowledge on verdict through defendant NSEs was also significant ($b = 0.02$, 95% CI [0.01, 0.04]). The total effect of case NSEs was also significant ($b = 0.04$, $p = .004$). The results of the indirect effect and non-significant direct effect of defendant NSEs after including prior knowledge in the model, support a full mediation model.

CHAPTER V

DISCUSSION

The primary purpose of the current study was to examine the impact of defendant weight, mock jurors' sex, and anti-fat attitudes on mock jurors' case judgments in a hypothetical check fraud case. Grounded in the culpable control model (CCM; Alicke, 2000), the mediating effects of case and defendant negative spontaneous evaluations (NSEs) were also investigated. Thus, the secondary purpose of the current study was to explore the CCM as an attributional framework to better understand the underlying mechanisms of bias in the courtroom. The results of the current study have important implications for those who study weight stigmatization, CCM theorists, attribution researchers, and legal professionals. With few exceptions, results indicated defendant weight, mock jurors' sex, and individual difference variables did not impact case judgments. On the contrary, several noteworthy relationships emerged for case and defendant NSEs. The following section highlights the key findings of the current study and provides possible explanations. In addition, limitations are addressed, and several future directions are proposed.

Effects of Defendant Weight on NSEs and Case Judgments

Hypotheses 1a-1e predicted main effects of defendant weight such that, when compared to mock jurors in the lean and control conditions, mock jurors in the obese condition would endorse higher (1) case NSEs, (2) defendant NSEs, (3) willingness to convict the defendant, (4) belief the defendant had knowledge of the insufficient funds, and (5) recommendations for prison sentence and fine. Analyses revealed no main effect of defendant weight for any of these dependent variables. Thus, Hypotheses 1a-1e were not supported. Perhaps not surprisingly given

that there was no main effect of defendant weight, results revealed neither explicit nor implicit anti-fat attitudes mediated the relationship between defendant weight and case judgments. Thus, Hypotheses 3a-3e and Hypotheses 4a-4e were also not supported. Possible explanations for these findings are discussed below.

The first possible explanation is the perceived weight status of the obese defendant. Research has demonstrated that overweight individuals may not experience weight discrimination to the same magnitude as obese individuals. For example, after surveying participants on various measures including height, weight, and weight-related perceived employment discrimination, Roehling, Roehling, and Pichler (2007) reported that overweight (i.e., BMI 25-29.9) respondents were 12 times more likely than average weight (i.e., BMI < 25) respondents to report weight-related employment discrimination. However, for obese (i.e., BMI 30-34.9) and very obese (i.e., BMI > 35) respondents, these odds increased to 37.5 and 107.6, respectively.

Similarly, Swami, Chan, Wong, Furnham, and Tovee (2008) asked participants to rate images of women at varying weights (i.e., emaciated, BMI < 15; underweight, BMI 15-18.5; average weight, BMI 18.5-24.9; overweight, BMI 25.0-29.9; and obese, BMI > 30) according to how likely they would be to (1) hire the women for a sales management job and (2) help the woman following a minor accident where she was the victim. Results of the analyses revealed that slender women (i.e., BMI 19-20) were most likely to be hired and helped, while obese women (i.e., BMI > 30) were least likely to be hired and helped. Although mock jurors in the current study did view the obese defendant as significantly larger than the lean defendant (see Table 10), 31.9% of the mock jurors categorized the obese defendant as average weight. Thus, the obese defendant may fall in the category of overweight as opposed to obese and the

defendant may not have been overweight enough to elicit discrimination. To investigate this further, future research should include images of defendants at varying weights (e.g., non-overweight, overweight, obese, and very obese).

A second possible explanation is that the case may not have been ambiguous enough. Kalven and Zeisel (1966) posited that extralegal factors are more likely to influence case judgments when evidence is unclear or weak. Coined the liberation hypothesis, they ascertained that when there is evidentiary doubt, jurors are liberated from the constraints of the evidence and become susceptible to extralegal factors. Indeed, recent research has demonstrated support of the liberation hypothesis. For example, Devine et al. (2009) found that several trial-related extralegal factors (e.g., charge severity, pretrial publicity) were significantly correlated with verdicts when the evidence was ambiguous, but not when it was clear. While strength of evidence was not directly measured in the current study, 92.5% of the mock jurors indicated they believed the defendant was guilty of check fraud. This finding suggests that the case may not have been ambiguous and as such, mock jurors may not have felt justified in using the negative weight-related stereotypes in their guilt perceptions. It is worth noting that the check fraud case for the current study was selected in order to make direct comparisons to previous research conducted by Schvey et al. (2013); however, to investigate this further, future research should utilize cases that vary based on their strength of evidence.

A third possible explanation is defendant SES. Meta-analytic research has demonstrated a significant impact of defendant socioeconomic status (SES) on case-related judgments (e.g., Devine & Caughlin, 2014; Mazzella & Feingold, 1994). For example, Mazzella and Feingold (1994) meta-analyzed experimental research which examined the effects of several juror and defendant characteristics on mock juror case judgments. Findings from this review revealed low-

SES defendants were found guilty significantly more often than high-SES defendants and, when found guilty, were ascribed harsher punishments. Equivalent results emerged as part of a recent meta-analysis conducted by Devine and Caughlin (2014). More specifically, there was a significant relationship between defendant SES and guilt judgments such that low-SES defendants were convicted more often than high-SES defendants. Interestingly, despite the diversity with regard to the manipulation of defendant SES across studies[6], results of the meta-analysis revealed non-significant heterogeneity for defendant SES. These results support the notion that the relationship between defendant SES and guilt judgments is robust and not moderated by other variables. Thus, the impact of defendant SES on guilt judgments may be present across a variety of trial contexts.

Results of the current study support mock jurors perceived all defendants, regardless of weight status, to be below average SES (see Table 4). This finding coupled with the effects reported by Devine and Caughlin (2014) suggest SES may have superseded any effects of defendant weight. Research has also demonstrated people have clear ideas about how criminals differ in their physical appearance from non-criminals (Funk & Todorov, 2013) and that certain faces are perceived to be more congruent with specific types of crimes (Dumas & Teste, 2006). Given the nature of the crime (i.e., check fraud) and its association with financial instability, mock jurors may have viewed the defendants as being stereotypical representations of someone who would commit check fraud. Furthermore, research has demonstrated that when low-SES individuals are accused of high status or white-collar crimes (e.g., public corruption, money

[6] For example, Espinoza (2009) described the low-SES defendant as unemployed with no high school education currently living in a boarding house whereas Freeman (2008) described the low-SES defendant as a construction worker who did not complete high school with a court-appointed attorney.

laundering, fraud), they may be perceived as more responsible, less believable, and more blameworthy (Esqueda, Espinoza, & Culhane, 2008).

Although the relationship between defendant SES and verdict in the current study follows the hypothesized direction (i.e., as defendant SES decreases, willingness to convict the defendant increases; see Table 11), the relationship was not significant (p = .205). It is important to note that only 7.1% of the mock jurors reported defendant SES as above average. Research has demonstrated range restriction such as this may bias observed correlations and result in an underestimated r (Goodwin & Leech, 2006; Rummel, 1988; Tabachnick & Fidell, 2019). Thus, future research should attempt to disentangle this relationship by varying defendant weight, defendant SES, and crime type.

A fourth possible explanation is the attractiveness of the defendant. Previous research has demonstrated that although facial attractiveness and weight uniquely contribute to overall attractiveness ratings (Cross et al., 2017), overweight individuals are rated as less attractive (e.g., Grant & Mizzi, 2014; Grant et al., 2016; Harris et al., 1982). For example, Grant et al. (2016) presented mock jurors with a description of a fictitious person who was described as female or male, wearing glasses or not, and overweight or average weight. All other descriptors (e.g., age, name, hair color) were held constant across conditions. Results revealed a main effect of weight such that mock jurors judged overweight individuals as less attractive when compared to average weight individuals. Consistent with this finding, even after attempting to control for physical attractiveness, obese defendants in the current study were judged as significantly less attractive than defendants in the lean and control conditions. As such, moderation analyses were conducted to examine the interaction between defendant weight and defendant physical attractiveness. Significant findings are discussed below.

First, results demonstrated the relationship between defendant physical attractiveness and willingness to convict was approaching significance (p = .060). Consistent with past research (e.g., Gunnell & Ceci, 2010; Mazzella & Feingold, 1994; Patry, 2008; Shechory-Bitton & Zvi 2016; Sigall & Ostrove, 1975), the observed relationship suggests the presence of an attractiveness-leniency bias. Similarly, the interaction between D_1 and physical attractiveness was approaching significance (p = .056). Although results of the simple slope analysis failed to reach significance, visual examinations of the interaction (see Figure 17) suggest that while an attractiveness-leniency bias was observed for lean and obese defendants, the opposite was observed for the defendant in the control condition. Past research has suggested that when an attractive defendant used his or her attractive qualities to commit the crime, the defendant is likely to be treated more severely than an unattractive defendant (e.g., Sigall & Ostrove, 1975). While physical attractiveness was rated below average across all conditions, obese and lean defendants were rated as numerically less attractive than the control defendant. Thus, it may be that the obese and lean defendants were perceived as not attractive enough to use their attractiveness to commit the crime of fraud.

Second, a significant difference was observed for fine such that mock jurors assigned a higher fine to lean defendants compared to obese defendants. The results of the simple slope analysis revealed that at 1 SD below the mean for defendant physical attractiveness, a lower fine was recommended for the obese defendant compared to the lean defendant (see Figure 18). These results suggest that mock jurors may have felt pity for the extremely unattractive, obese defendant and thus, recommended less punishment. In support of this justification, research conducted by Lin, Dahl, and Argo (2013) demonstrated that participants were less punitive toward an overweight person who already faced unjustified adversity. Researchers attributed this

finding to a desire for participants to restore social order. Similarly, Reichert et al. (2011) observed that a community sample of mock jurors reported an overweight patient was less responsible for injuries sustained as a result of surgery. Researchers suggested these findings find be attributed to sympathy felt toward the overweight patient.

Results of the current study support that, at least for some case judgments, defendant weight may interact with physical attractiveness. As such, future research seeking to examine the impact of weight on case judgments should consider possible interactive effects with physical attractiveness. Notable, the current study and past research (e.g., Grant & Mizzi, 2014; Grant et al., 2016; Harris et al., 1982) have demonstrated that even when attempting to control for physical attractiveness, obese individuals are still rated as significantly less attractive. Thus, future research should consider utilizing images of defendants at varying levels of weight and attractiveness (e.g., unattractive-lean, attractive-lean, unattractive-obese, attractive-obese).

The last potential explanation that will be discussed is case seriousness. Research has demonstrated that case seriousness is an important factor in determining what cases will go to trial, the likelihood of conviction, and sentencing recommendations (e.g., Arazan, Bales, & Blomberg, 2019; Downs & Lyons, 1991; Kalven & Zeisel, 1966). In support of the liberation hypothesis, Kalven and Zeisel (1966) observed judge-jury disagreement may be more prevalent in less serious cases. For example, the results of their study demonstrated that for serious assault, judge-jury disagreement was 20% and for the less serious crime of simple assault, judge-jury disagreement was 24%. Likewise, judge-jury disagreement was observed in 15% of the burglary cases whereas for breaking and entering it was 22%. Thus, extralegal factors may only impact case judgments in cases where the crime is perceived as less serious.

In support of these findings, Downs and Lyons (1991) used naturalistic observation to examine the relationship between physical attractiveness and bails/fines. Before bail/fine was set, police officers were asked to rate the physical attractiveness of arrested persons whom they escorted to court. Following, participants were asked to note the level of charge and the amount of bail/fine set by the judge. Results of the study revealed an attractiveness leniency bias for misdemeanor crimes such that as attractiveness ratings increased, bail/fine amounts decreased. In contrast, no relationships were observed for felony crimes. These findings suggest the seriousness of the crime moderated the relationship between physical attractiveness and bail/fine.

Recent research conducted by Arazan et al. (2019) support the findings that case seriousness may be an important consideration for case judgments. As part of a larger study interested in understanding the impact policy shift has had on sentencing practices, Arazan et al. (2019) observed that case seriousness was a significant predictor of prison (versus jail or non-incarcerative form of supervision) and length of prison sentence. More specifically, as case seriousness increased, the likelihood of a prison sentence increased and, among those who were given a prison sentence, as case seriousness increased, so did the prison sentence.

Results from the current study revealed mock jurors believed the case was serious (see Table 4). Thus, the effect of case seriousness may have suppressed any impact of defendant weight on case judgments. Indeed, there was a significant positive correlation between case seriousness and case NSEs, defendant NSEs, verdict, knowledge of the insufficient funds, and prison sentence. These findings suggest case seriousness may be an important factor in determining jurors' affective reactions, verdicts, and sentencing recommendations. Given that our legal system is designed in such a way that more serious crimes receive harsher punishments (e.g., according to North Dakota Century Code section 12.1-32 a Class A felony carries a

maximum penalty of 20 years in prison and a fine of $20,000 whereas a Class C felony carries a maximum penalty of 5 years in prison and a fine of $10,000), the significant relationship between case seriousness and prison sentence were not surprising. However, case seriousness should exert little to no effect on perceptions of guilt and intent. Thus, the significant relationships observed in the current study calls into question the impartiality of jurors especially given the measure of case seriousness was entirely subjective. Future research should investigate this further by examining cases with varying levels of severity.

Interactive Effects of Defendant Weight and Mock Jurors' Sex on NSEs and Case Judgments

Hypotheses 2a-2e posited there would be interactive effects of defendant weight and mock jurors' such that, when compared to female mock jurors across all conditions and male mock jurors in the lean and control conditions, male mock jurors in the obese condition would endorse higher (1) case NSEs, (2) defendant NSEs, (3) willingness to convict the defendant, (4) belief the defendant had knowledge of the insufficient funds, and (5) recommendations for prison sentence and fine. Analyses revealed no interactive effect of defendant weight and mock jurors' sex on any of the case judgments. Thus, Hypotheses 2a-2e were not supported. These findings are in contrast to previous research which demonstrated male mock jurors were more likely to find a female defendant guilty if she was obese than if she was lean (Schvey et al., 2013). In addition to the explanations provided for the main effect of defendant weight, two additional potential explanations for these findings are discussed below.

Nearly 3.5 times as many women (77%) volunteered for this study relative to men (23%), as such sex discrepancy within the sample existed. Researchers (Rummel, 1988; Tabachnick & Fidell, 2019) have ascertained dichotomous variables with uneven splits can be problematic for

two reasons. First, the observed correlations between the uneven relationship and others may be truncated (i.e., the range of the association is limited) which, as previously noted, can result in an underestimated *r*. Second, the scores for the cases in the small category are more influential than those in the large category. As such, researchers (Rummel, 1988; Tabachnick & Fidell, 2019) recommend any variables with a 90:10 split be deleted from analyses. While the split for the current sample was greater than 90:10, given the possible limited range of scores on key variables, results related to mock jurors' sex should be interpreted with caution. Although sex discrepancies are not unique to the current study, future research can attempt to lessen the differences by using other sources for data collection (e.g., MTurk, community sample).

A second possible explanation is the prevalence of anti-fat attitudes in the current sample. Schvey et al. (2013) ascertained that the weight discrimination observed among male mock jurors may have been attributed to their anti-fat attitudes which were significantly higher than the female mock jurors. All mock jurors in the current study displayed at least some degree of anti-fat attitudes and, like Schvey et al. (2013), male mock jurors had significantly higher anti-fat attitudes when compared to female mock jurors. Interestingly, results from the current study found that for both male and female mock jurors, means on AFA-Dislike and AFA-Willpower were significantly lower when compared to means reported by Crandall (1994). While it would be premature to conclude that attitudes toward overweight and obese individuals have changed since the publication of Crandall's (1994) study, results of the current study suggest that mock jurors exhibited below average anti-fat attitudes. Thus, mock jurors in the current study may not have exhibited any discrimination toward the obese defendant because they generally do not view them through a stigmatizing lens. To better understand the impact of anti-fat attitudes,

researchers could attempt to prime or activate mock jurors' anti-fat attitudes by using a highly stigmatizing case summary.

Mediating Effect of Case and Defendant NSEs

Using the CCM (Alicke, 2000) framework, Hypotheses 5a-5c posited case and defendant NSEs would mediate the relationship between defendant weight and (1) verdict, (2) knowledge of insufficient funds, and (3) recommendations for prison sentence and fine. Although the current study failed to find evidence in support of Hypotheses 5a-5c, results demonstrated support of the CCM.

According to Alicke (2000), NSEs may be triggered by evidentiary structural link assessment (SLA) information (i.e., a person's intent, behaviors, or consequences) or extralegal factors (e.g., jurors' sex, defendant weight). While it was hypothesized that defendant weight would trigger case and defendant NSEs, this relationship was not observed in the current study. Nevertheless, lending support for the CCM, both case and defendant NSEs were significantly correlated with several dependent variables. More specifically, as NSEs increased (i.e., more negative affect toward the case and defendant), mock jurors reported a greater willingness to convict the defendant, reported higher belief the defendant had knowledge of the insufficient funds, and recommended a longer prison sentence (see Table 11). Although it is unclear exactly what factors or combinations of factors elicited the NSEs in the current sample, as hypothesized by the CCM (2000), the significant correlations between these variables support NSEs may have a direct impact on blame.

To further examine the CCM, the mediating effect of the volitional behavior control SLA between NSEs and verdict was examined. The belief the defendant had prior knowledge of the insufficient funds was used as a proxy for the volitional behavior control SLA. Given that prior

knowledge is one of the criteria necessary to convict someone of a Class B Felony and that this question assesses both purpose and knowledge, this seems appropriate. Results of the first mediation model demonstrated prior knowledge partially mediated the relationship between case NSEs and verdict (see Figure 19). These findings suggest that case NSEs motivated mock jurors in the current study to blame the defendant directly, but also motivated mock jurors to have biased interpretations of the defendant's intent to commit check fraud which further increased ascriptions of blame for the defendant.

Results of the second mediation model demonstrated prior knowledge fully mediated the relationship between defendant NSEs and verdict (see Figure 20). These findings suggest that defendant NSEs motivated mock jurors to interpret the defendant's intent to commit check fraud in a biased manner consistent with their preferred conclusion, which was to find the defendant guilty for check fraud. Given the ambiguity surrounding which factors motivated the mock jurors to display negative affect toward the case and defendant, it is difficult to speculate why the relationship between case NSEs and verdict was partially mediated by prior knowledge and the relationship between defendant NSEs was fully mediated. Nevertheless, despite the strong significant correlation between case and defendant NSEs ($r = .80$), they appear to differentially impact verdict. Furthermore, these findings support the application of the CCM as an attributional framework to better understand the underlying mechanisms of bias in the courtroom.

Limitations and Future Directions

In addition to those already discussed, there are at least three limitations worth highlighting. First, in support of the liberation hypothesis (Kalven & Zeisel, 1996), the null effects may be attributed to a lack of ambiguity in the case vignette (i.e., 92.5% of the mock

jurors found the defendant guilty) or perceived case severity. Although the current vignette was used in a previous study (i.e., Schvey et al., 2013), given the demographic and other individual differences between samples, these findings could have been identified by pilot testing the materials. As such, more caution should be used in future studies to better pilot test materials.

Second, issues related to power should be considered when interpreting these findings. Results from the a priori power analysis for the current study recommended a minimum sample size of 244 participants to achieve adequate power. While more than 244 participants were collected during Part 1 of the study, only 219 participants also completed Part 2. Data cleaning further necessitated an additional six participants be dropped from the study. Thus, the final sample was comprised of 213 participants. It is worth noting that while power was calculated for the two-way MANCOVA, a smaller sample is recommended for mediation analysis. According to guidelines provided by Fritz and MacKinnon (2007), when applying bias-corrected bootstrap, to achieve 80% power and detect a small to medium effect size with simple mediation analysis, a minimum of 148 participants are recommended. Furthermore, of the non-significant effects, the majority were near or greater than .50. Thus, it is unlikely additional participants would have resulted in significant differences.

Lastly, issues related to the ecological validity of the study should be taken into consideration. The current study used a jury simulation which is often called into question for lacking verisimilitude (i.e., representation of *real* jurors in the *real* world; e.g., Wiener, Krauss, & Lieberman, 2011). Factors related to this include the characteristics of the sample and juror experience.

First, the current study used a sample of undergraduate students in introductory psychology classes at the University of North Dakota, a mid-size Midwestern public university.

While college students are usually jury-eligible (i.e., U.S. citizens at least 18 years of age), when compared to other jury-eligible adults, they tend to be younger and disproportionally White, high-SES, and liberal (see Borstein et al., 2017; U.S. Department of Education, National Center for Education Statistics, 2019). Although reviews comparing the outcomes of juror decision-making studies using college and community samples have found little differences in verdict and sentencing outcomes between the two groups (see Bornstein, 1999; Bornstein et al., 2017), individual studies have found significant differences (e.g., McCabe, Krauss, & Lieberman, 2010; Reichert et al., 2011). For example, McCabe et al. (2010) found that the student sample scored higher on need for cognition which was significantly correlated with verdict.

Second, there were critical differences between the mock jurors' experiences in this study and those of actual jurors. For instance, study participants served as "jurors" for less than 30 minutes, based their decisions on a paragraph long trial summary, were not exposed to several other experiences and information sources common in actual trials (e.g., juror orientation, voir dire, opening and closing arguments, cross-examination of witnesses, having the opportunity to submit questions), and did not deliberate. It follows that the judgments of mock jurors in the current study and actual jurors may differ in several ways. To examine how these factors might interact with defendant weight in predicting case judgments, future research should utilize community samples and explore other methodologies (e.g., field studies, naturalistic observations).

Conclusion

Recognized as a global health epidemic, the number of overweight and obese individuals is on the rise (World Health Organization, 2015). According to recent national data, approximately 34% and 35% of adults in the United States are classified as overweight and

obese, respectively (Ogden et al., 2014). Despite these prevalence rates, weight stigmatization has become a seemingly widespread, socially acceptable form of prejudice and discrimination (Ata & Thompson, 2010; Puhl & Brownell, 2001). In fact, Andreyeva et al. (2008) estimated that occurrences of weight discrimination have increased by 66% which, by some indicators, is comparable to rates of race and gender discrimination (Puhl et al., 2008). While existing research has demonstrated the influence of weight stigmatization is broad, translating into inequalities across several domains (see Puhl & Heuer, 2009; Puhl & King, 2013; Spahlholz et al., 2016; Vanhove & Gordon, 2014, for a review), limited research has been conducted to examine whether obese individuals may be subject to discrimination within the courtroom.

Grounded in the CCM (Alicke, 2000), the current study explored the effects of defendant weight, mock jurors' sex, and anti-fat attitudes in a hypothetical check fraud case. It was hypothesized that jurors exposed to the obese defendant would express higher NSEs and anti-defendant case judgments when compared to mock jurors in the lean and control conditions. Likewise, in the obese defendant condition, male mock jurors and mock jurors who endorsed higher explicit and implicit anti-fat attitudes were expected to exhibit the same pattern. Lastly, NSEs were hypothesized to mediate the relationship between defendant weight and case judgments. Contrary to expectations, findings revealed no direct effect of defendant weight and no interactive effect of defendant weight and mock jurors' sex on NSEs or case judgments. Furthermore, there was no evidence that anti-fat attitudes or NSEs mediated the relationship between defendant weight and case judgments.

Exploratory analyses revealed, despite efforts to control for defendant physical attractiveness, the interaction between defendant weight and physical attractiveness was approaching significance for verdict and was significant for fine. Taken together these results

suggest that, at least in some situations, defendant weight and physical attractiveness may interact to predict relevant case judgments. They further highlight the importance of considering the impact of physical attractiveness for those seeking to explore weight discrimination.

Examinations of the CCM (Alicke, 2000) revealed NSEs were significantly and positively correlated with verdict, knowledge of insufficient funds, and prison sentence. Upon further examination, results demonstrated the relationship between case NSEs and verdict was partially mediated by prior knowledge of insufficient fund (which was used as a proxy for intent). Similarly, the relationship between defendant NSEs and verdict was fully mediated by prior knowledge. Taken together these findings support the utility of the CCM as an attributional framework within the area of legal decision-making. They also highlight the importance of considering affective reactions to both the case and defendant.

Despite the non-significant effects and several limitations previously outlined, especially regarding verisimilitude, results of the current study highlight the impact of defendant weight which has received little attention as a potential extralegal factor. Ultimately, this research reinforces the notion of juror decision-making as a complex process that may be influenced by multiple factors. Defendant weight was introduced as a source of bias in this study, but it exerted no observable effects on jurors' decisions. In anticipating jurors' decisions, it is important that researchers and practitioners consider a broad range of potential influencing factors and how these factors may interact with one another.

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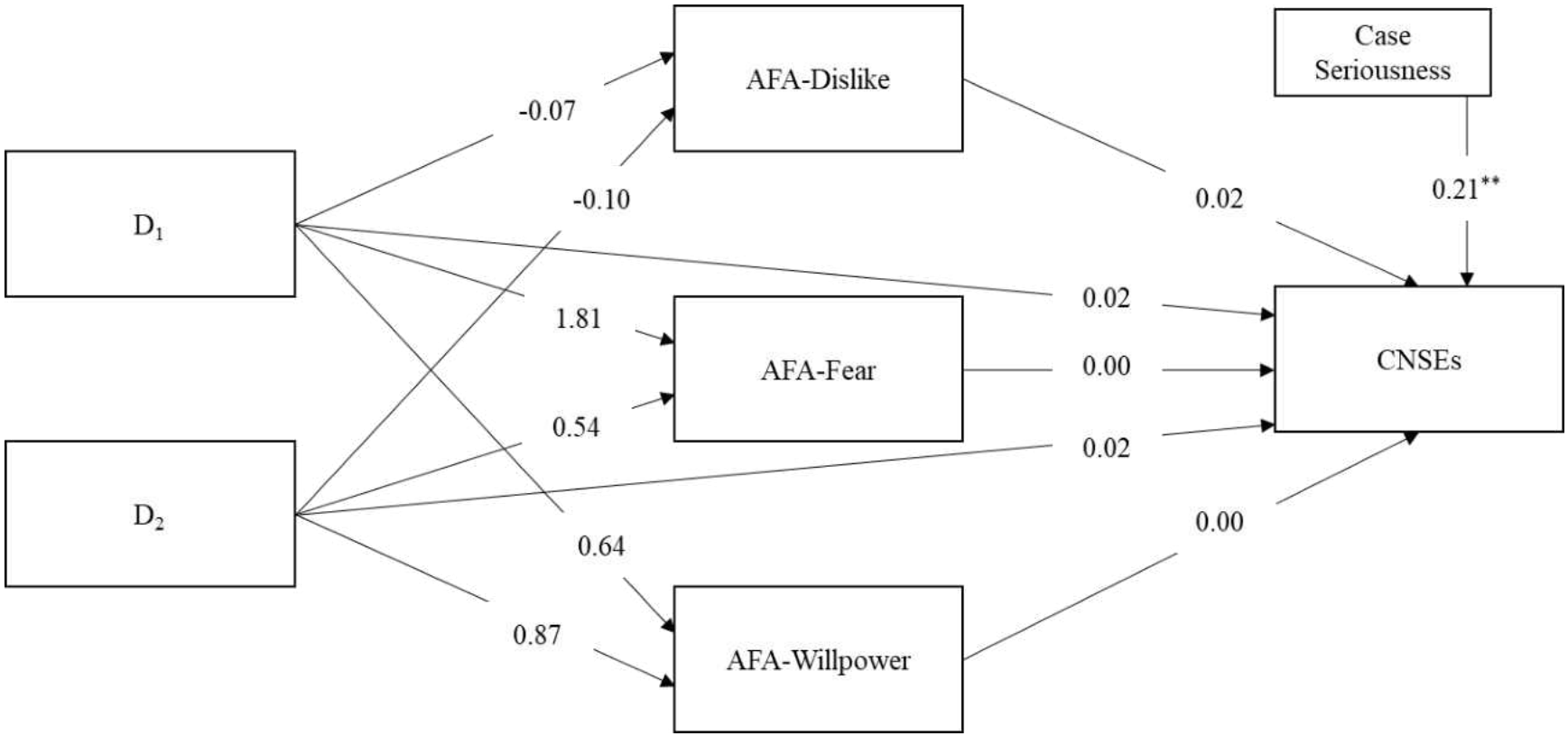


Figure 1. Mediating effect of AFA-Dislike, AFA-Fear, and AFA-Willpower between defendant weight (D_1, obese versus lean; D_2, obese versus control) and case NSEs (CNSEs; $N = 213$; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient.

$^{**}p < .01$

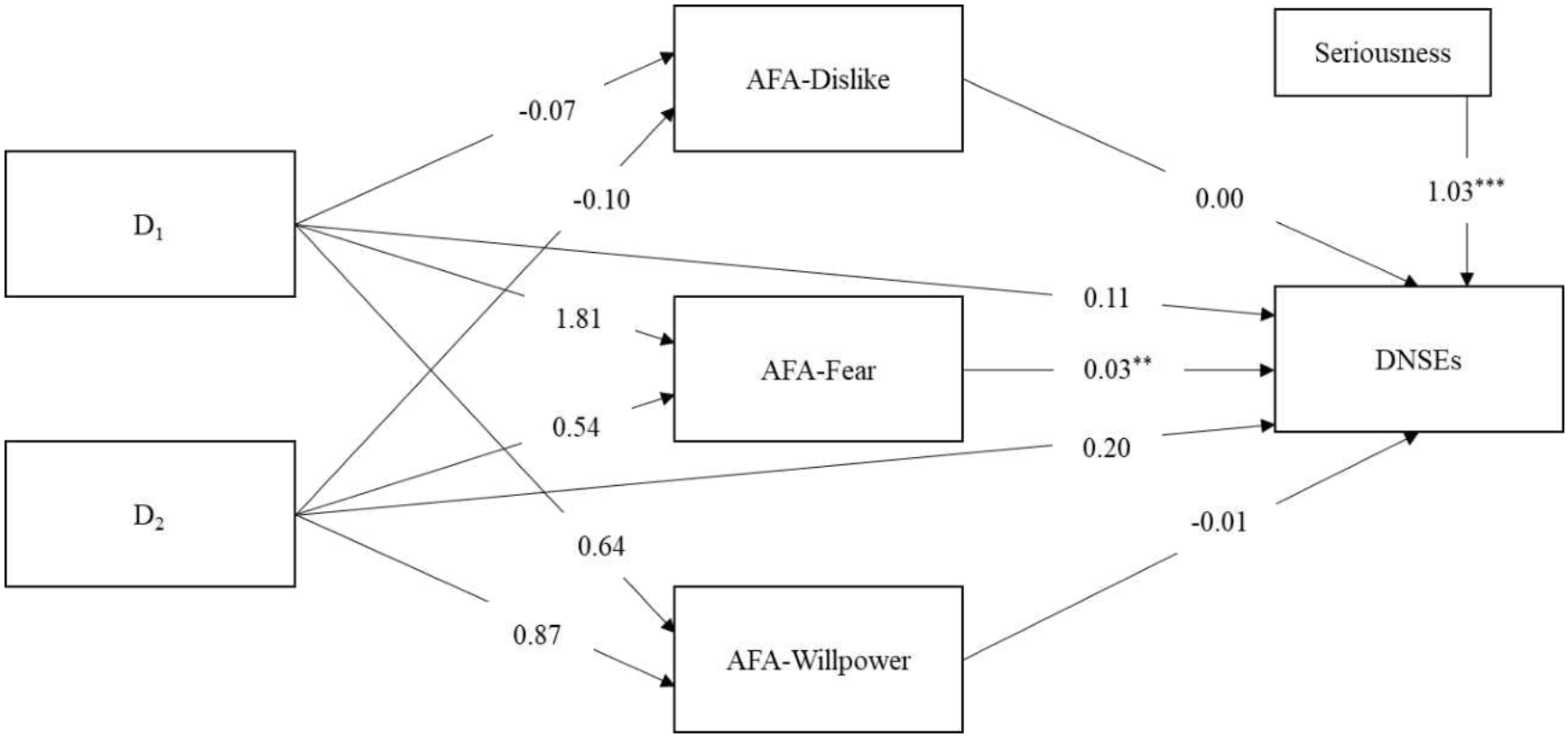


Figure 2. Mediating effect of AFA-Dislike, AFA-Fear, and AFA-Willpower between defendant weight (D_1, obese versus lean; D_2, obese versus control) and defendant NSEs (DNSEs; $N = 213$; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient.

$^{**}p < .01$, $^{***}p < .001$

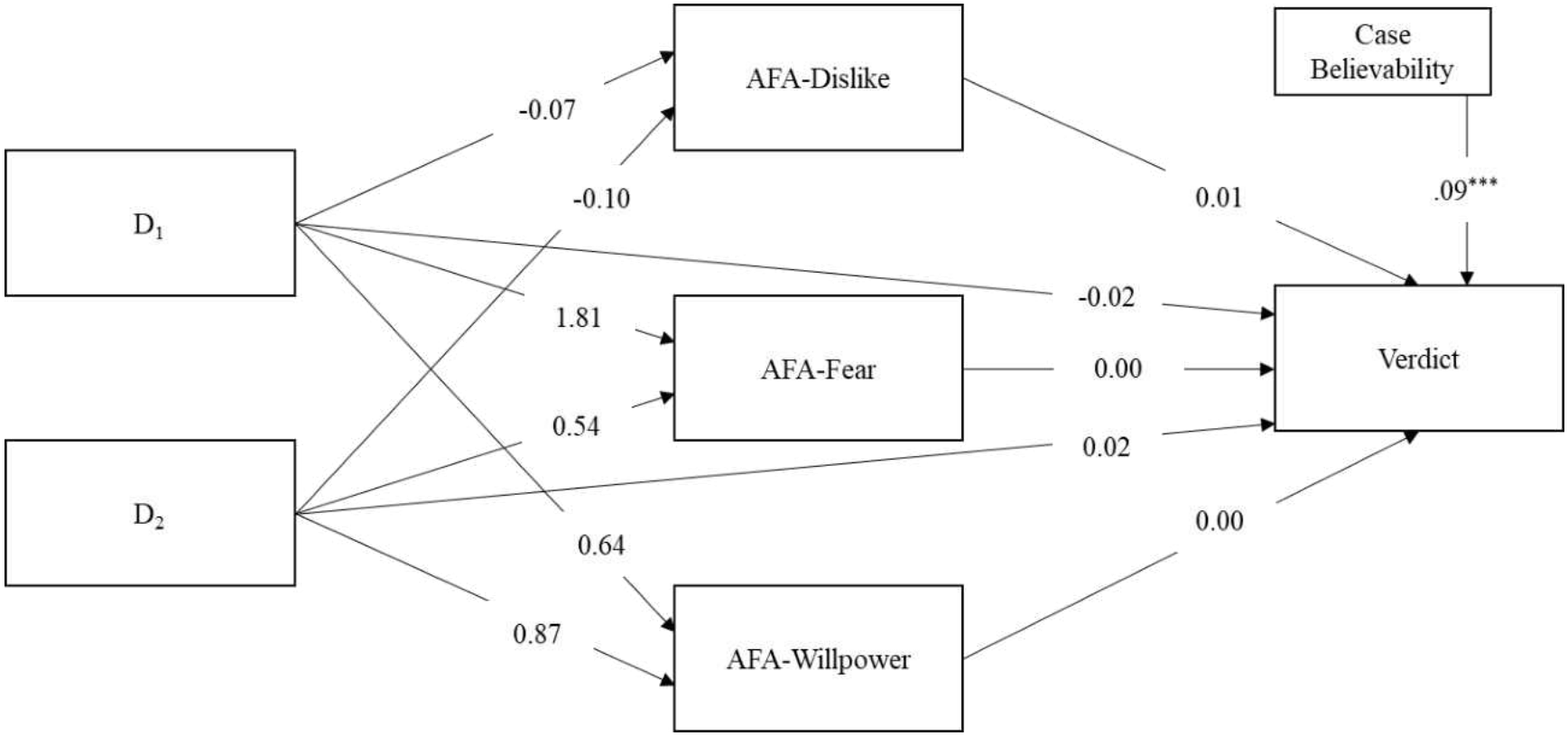


Figure 3. Mediating effect of AFA-Dislike, AFA-Fear, and AFA-Willpower between defendant weight (D_1, obese versus lean; D_2, obese versus control) and verdict (N = 213; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient.

$^{***}p < .001$

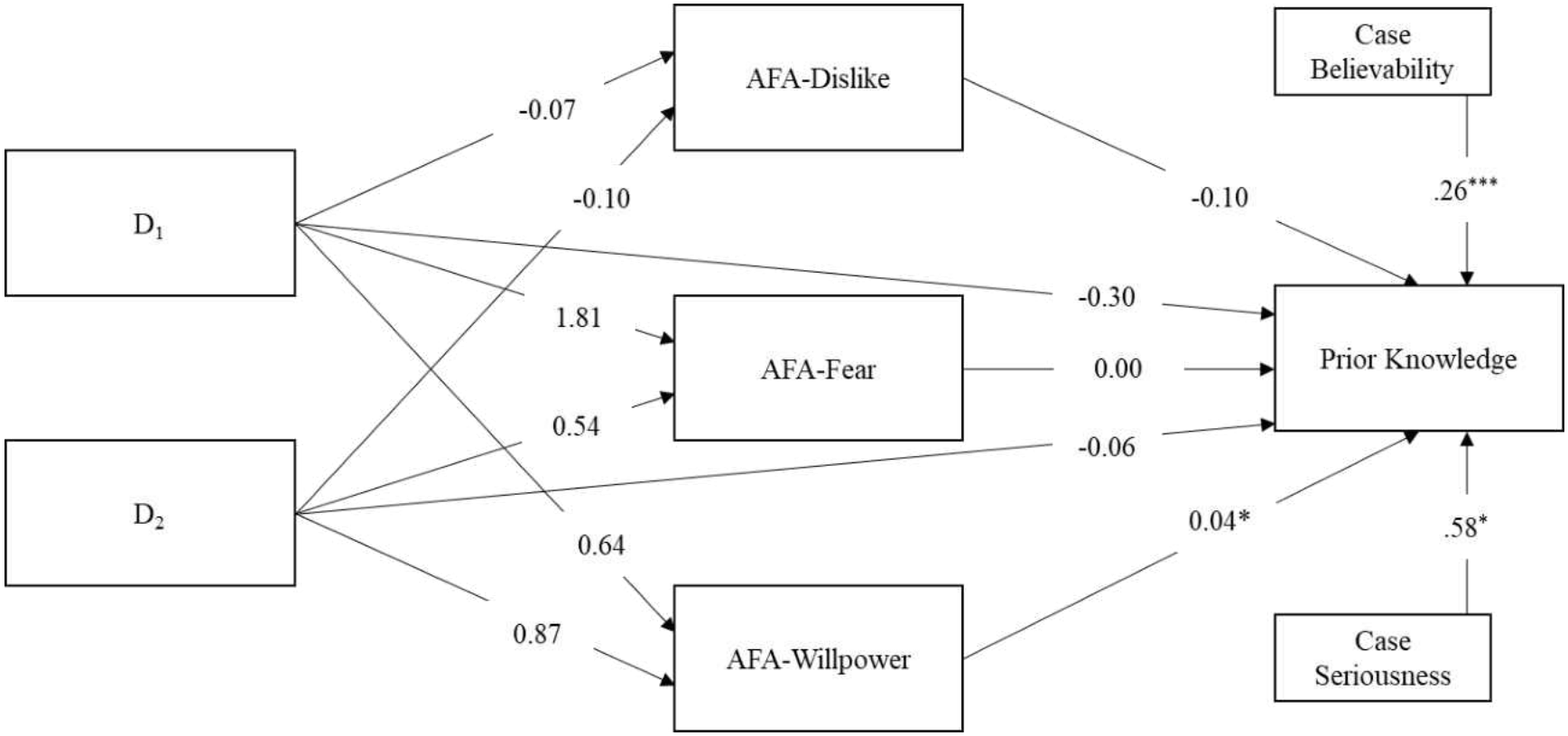


Figure 4. Mediating effect of AFA-Dislike, AFA-Fear, and AFA-Willpower between defendant weight (D_1, obese versus lean; D_2, obese versus control) and prior knowledge of insufficient funds (N = 213; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient.

$^{*}p < .05$, $^{***}p < .001$

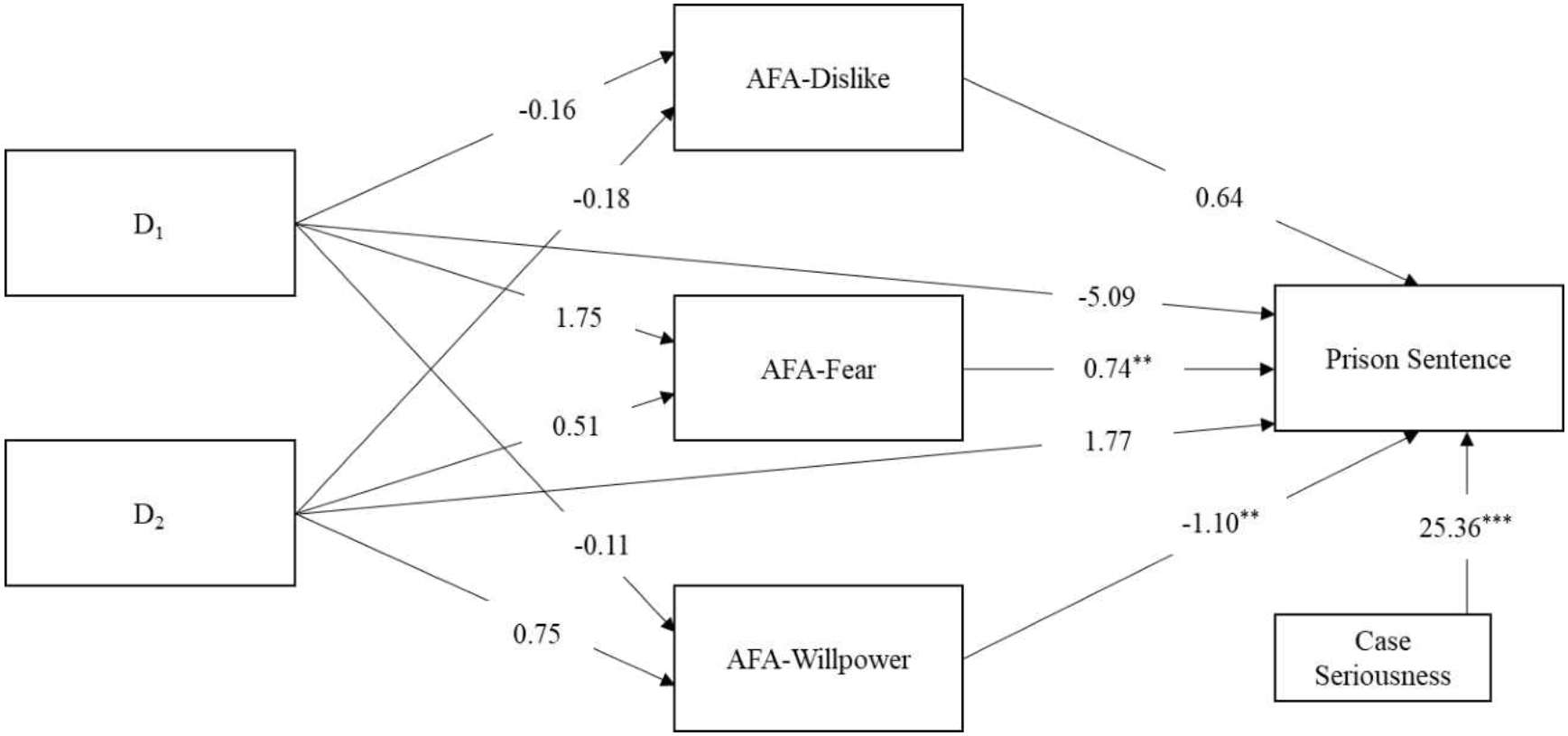


Figure 5. Mediating effect of AFA-Dislike, AFA-Fear, and AFA-Willpower between defendant weight (D_1, obese versus lean; D_2, obese versus control) and prison sentence (N = 197; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient.

$^{**}p < .01$, $^{***}p < .001$

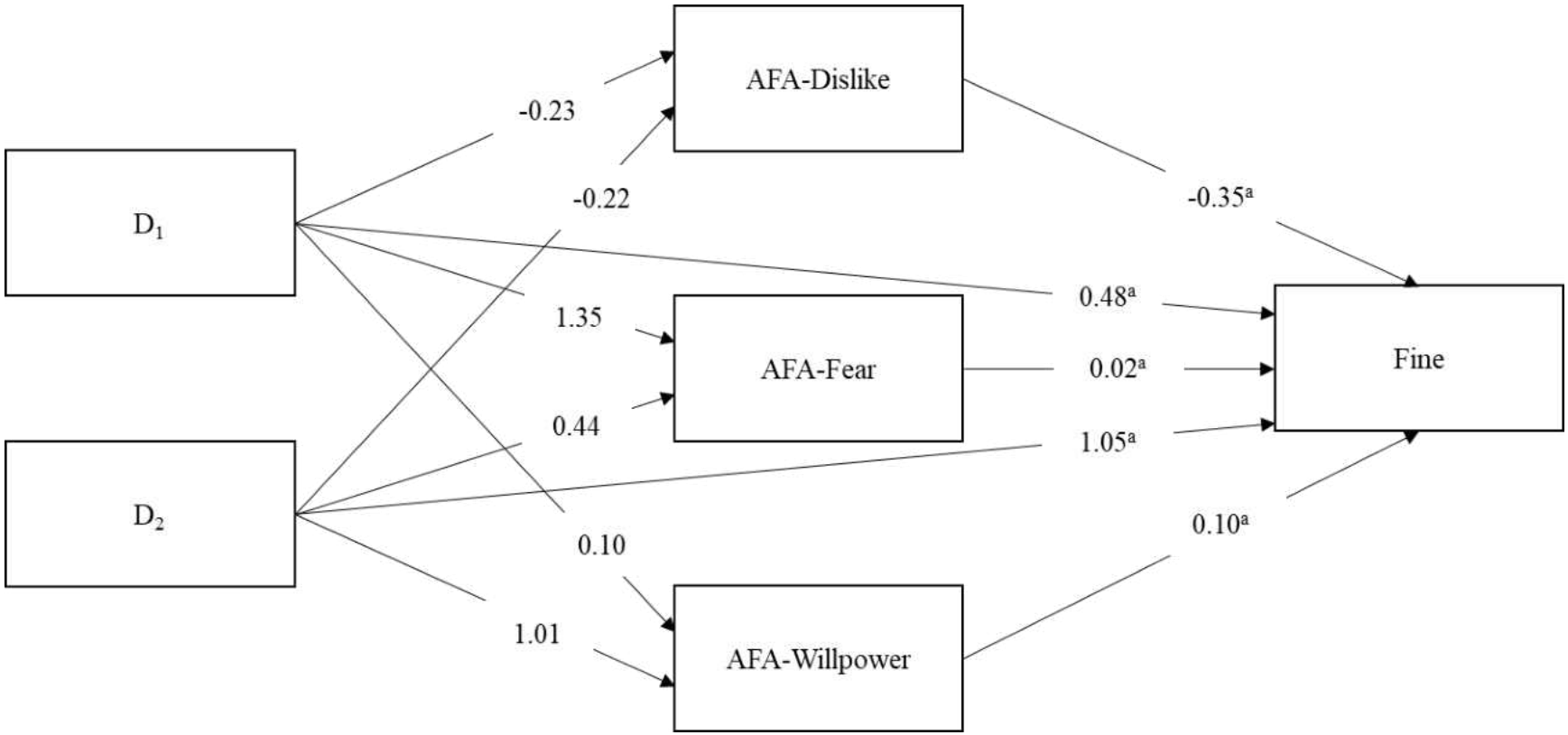


Figure 6. Mediating effect of AFA-Dislike, AFA-Fear, and AFA-Willpower between defendant weight (D_1, obese versus lean; D_2, obese versus control) and fine (N = 197; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient. [a]Each unit represents $1,000.

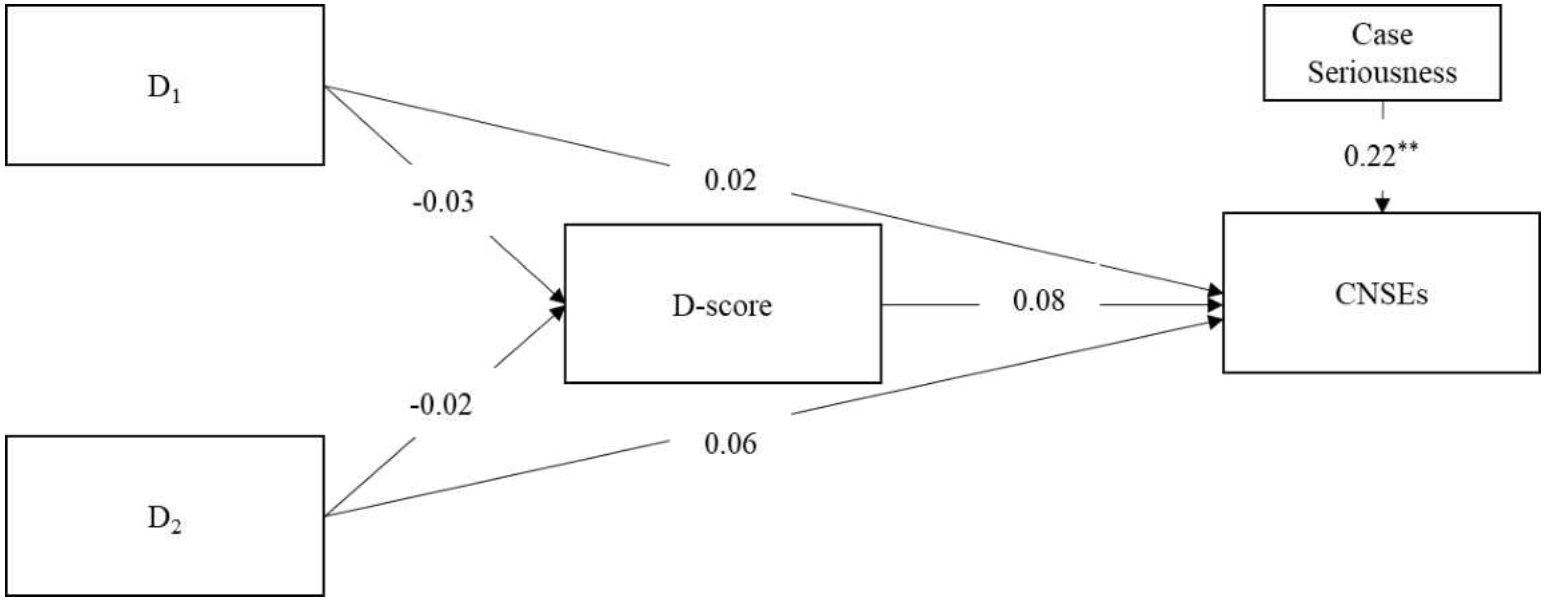


Figure 7. Mediating effect of d-score between defendant weight (D_1, obese versus lean; D_2, obese versus control) and case NSEs (CNSEs; $N = 213$; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient.

$^{**}p < .01$

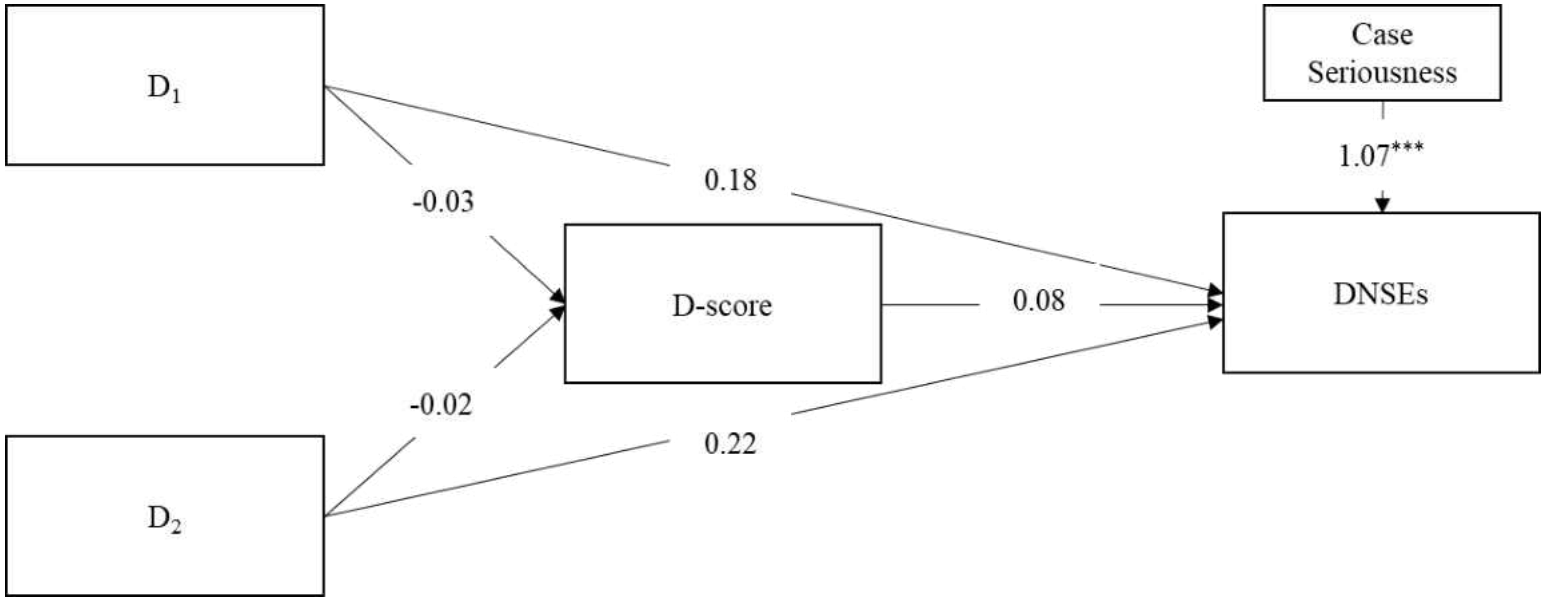


Figure 8. Mediating effect of d-score between defendant weight (D_1, obese versus lean; D_2, obese versus control) and defendant NSEs (DNSEs; $N = 213$; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient.

$^{***}p < .001$

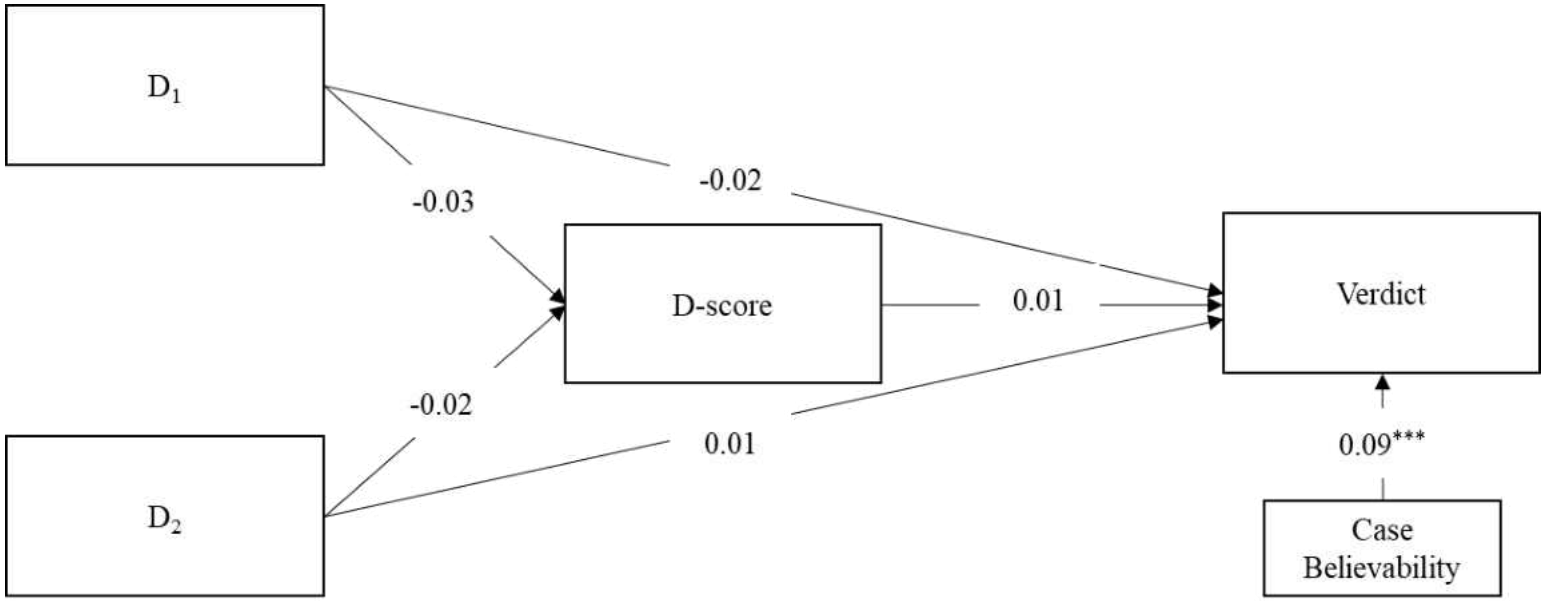


Figure 9. Mediating effect of d-score between defendant weight (D_1, obese versus lean; D_2, obese versus control) and verdict (N = 213; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient.

$^{***}p < .001$

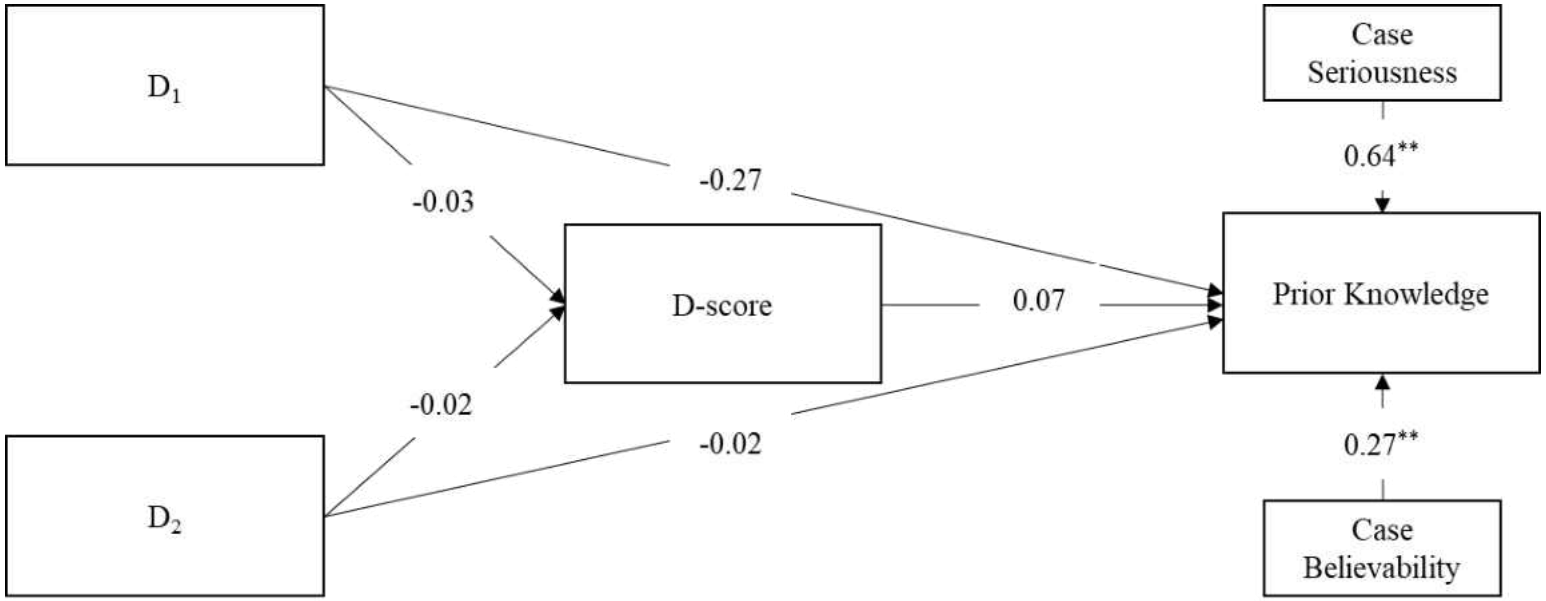


Figure 10. Mediating effect of d-score between defendant weight (D_1, obese versus lean; D_2, obese versus control) and prior knowledge of insufficient funds (N = 213; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient.

$^{**}p < .01$

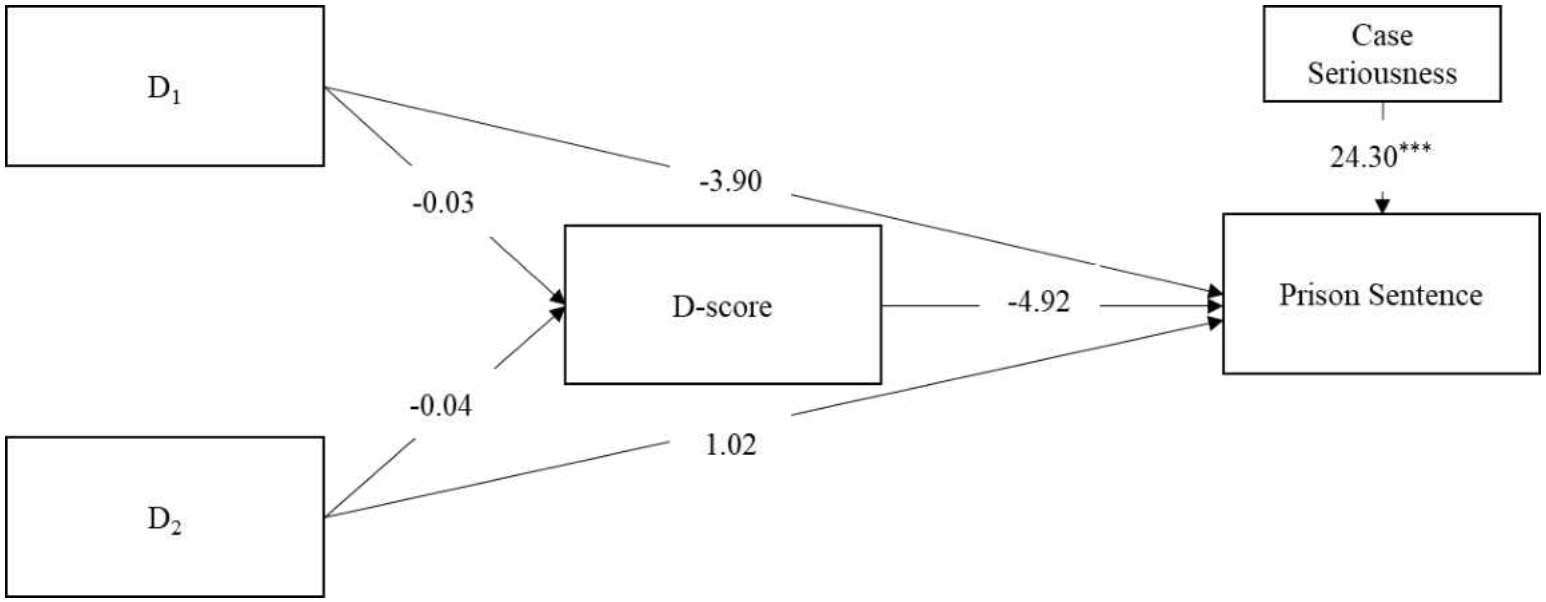


Figure 11. Mediating effect of d-score between defendant weight (D_1, obese versus lean; D_2, obese versus control) and prison sentence (N = 197; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient.

$^{***}p < .001$

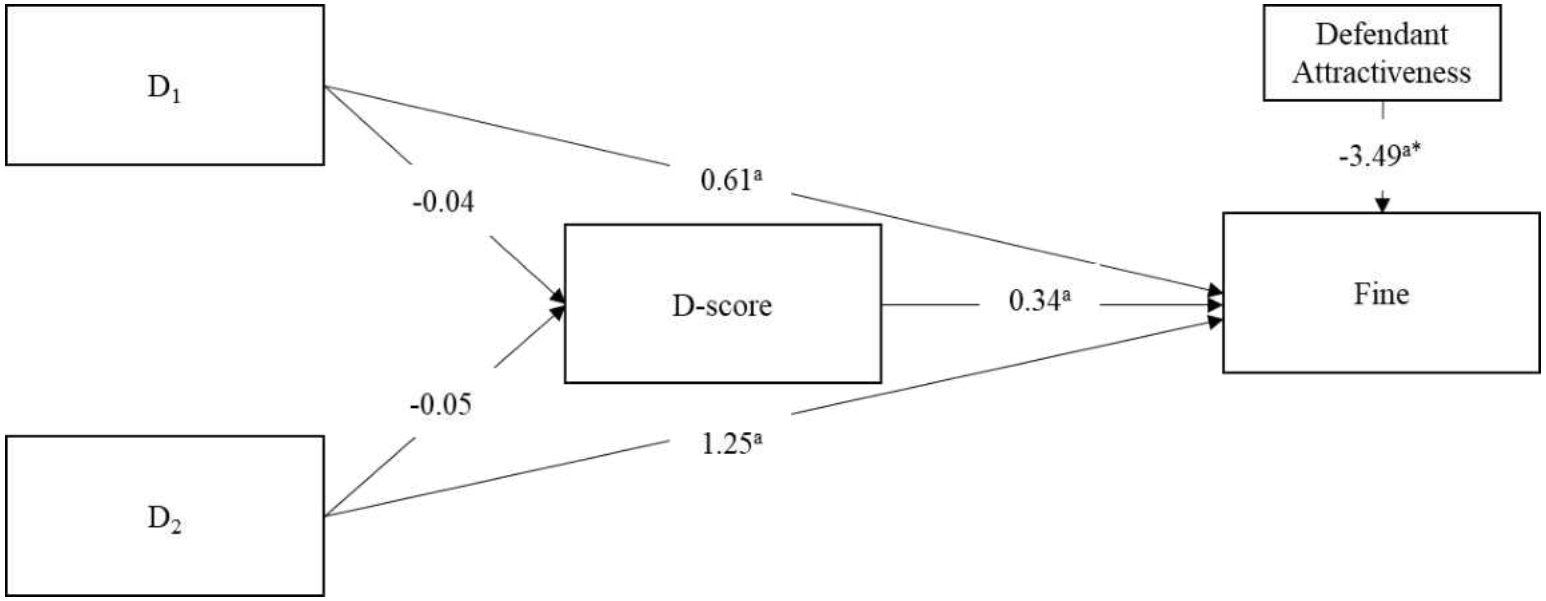


Figure 12. Mediating effect of d-score between defendant weight (D_1, obese versus lean; D_2, obese versus control) and fine ($N = 197$; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient. [a]Each unit represents $1,000.

[*]$p < .05$

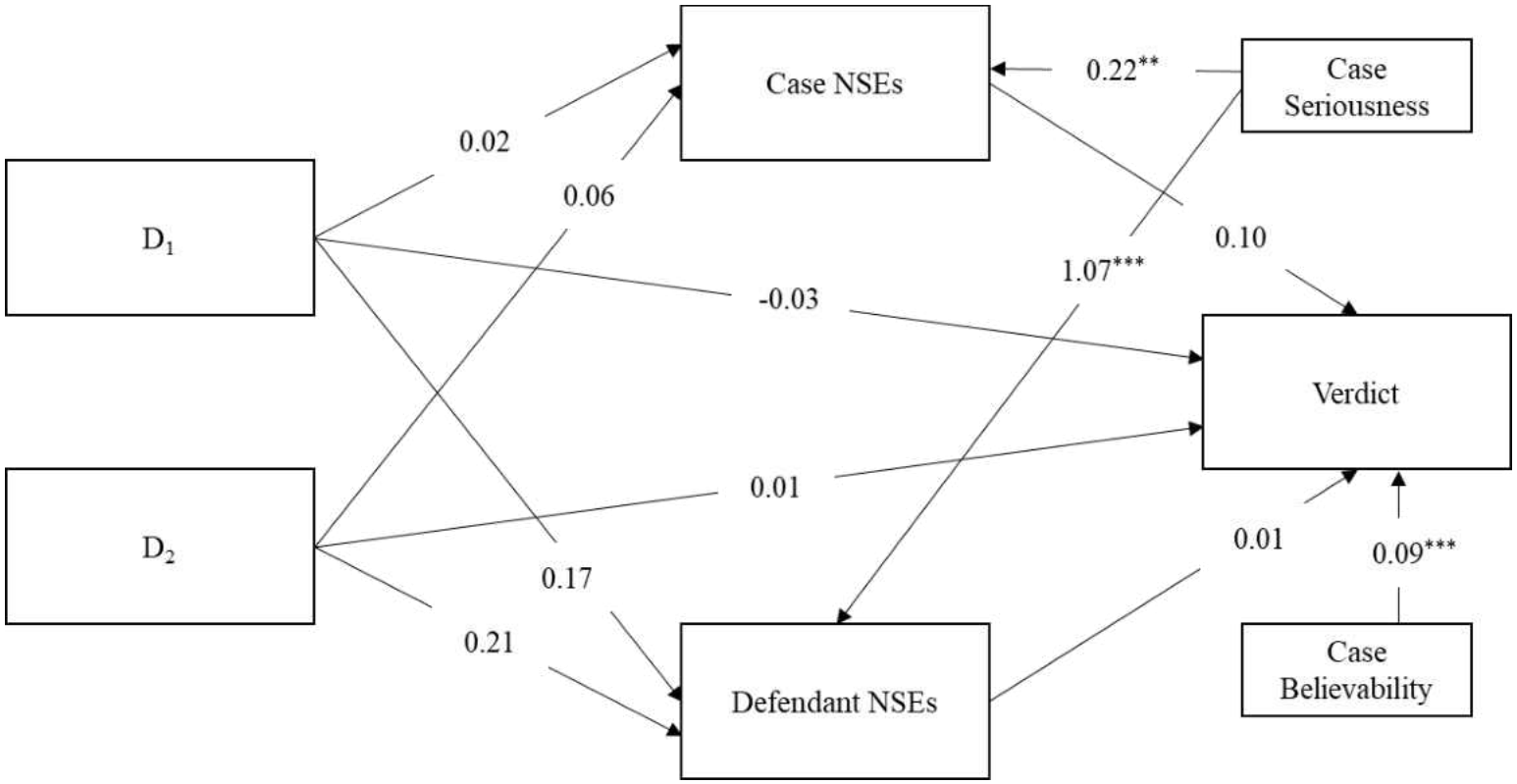


Figure 13. Mediating effect of case NSEs and defendant NSEs between defendant weight (D_1, obese versus lean; D_2, obese versus control) and verdict (N = 213; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient.

$^{**}p < .01$, $^{***}p < .001$

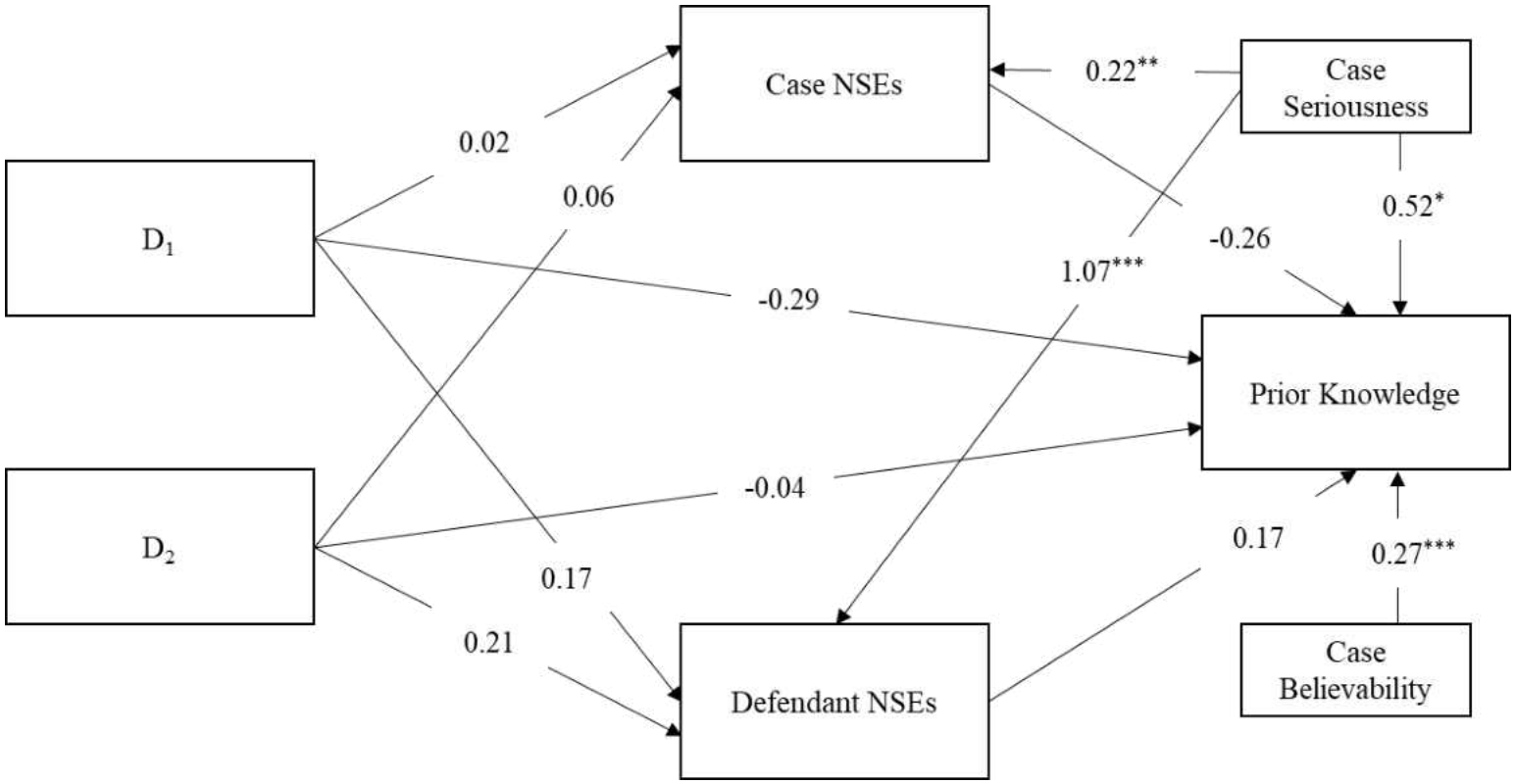


Figure 14. Mediating effect of case NSEs and defendant NSEs between condition (D_1, obese versus lean; D_2, obese versus control) and prior knowledge of insufficient funds ($N = 213$; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient

$^{*}p < .05$, $^{**}p < .01$, $^{***}p < .001$

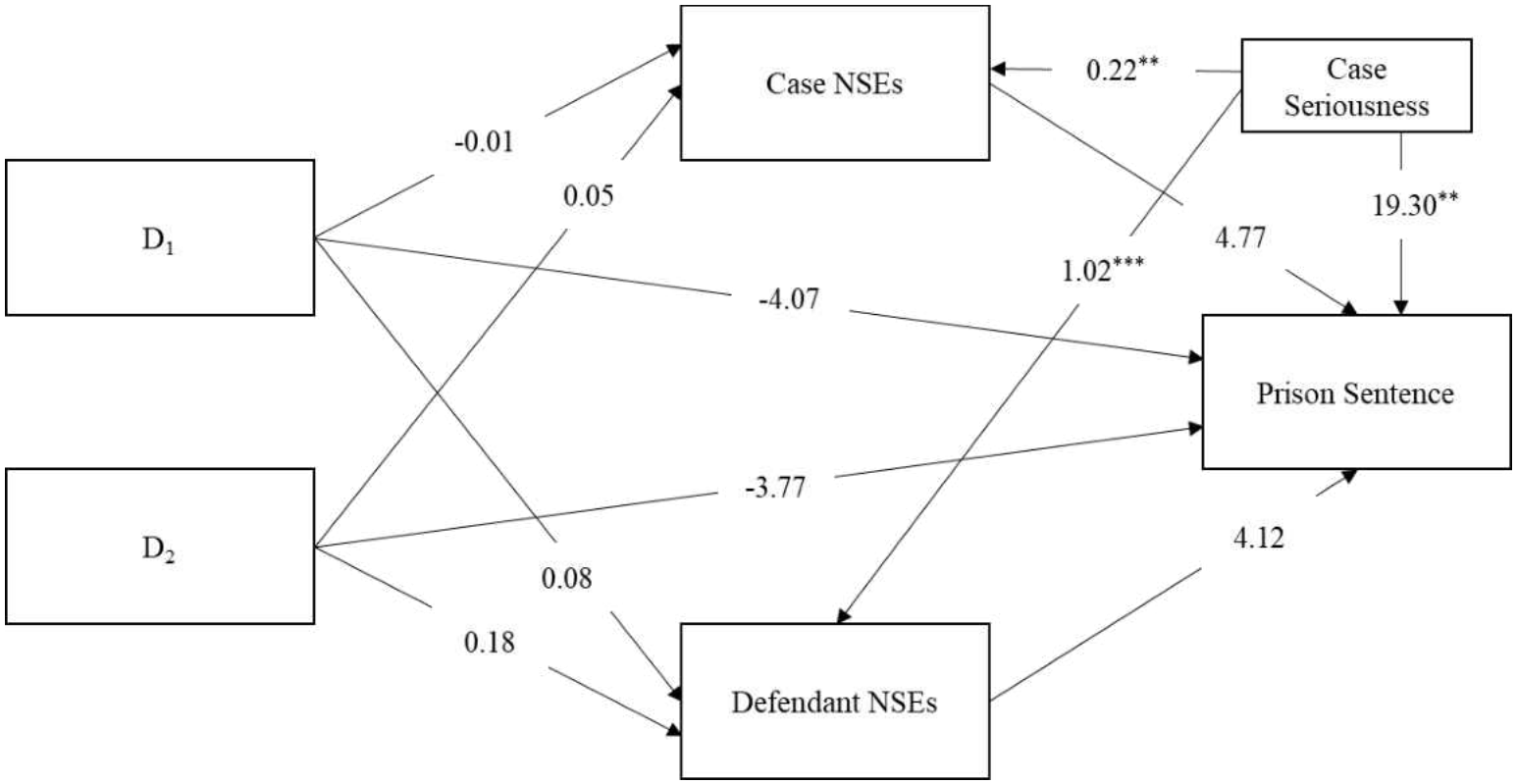


Figure 15. Mediating effect of case NSEs and defendant NSEs between condition (D_1, obese versus lean; D_2, obese versus control) and prison sentence (N = 197; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient

$^{**}p < .01$, $^{***}p < .001$.

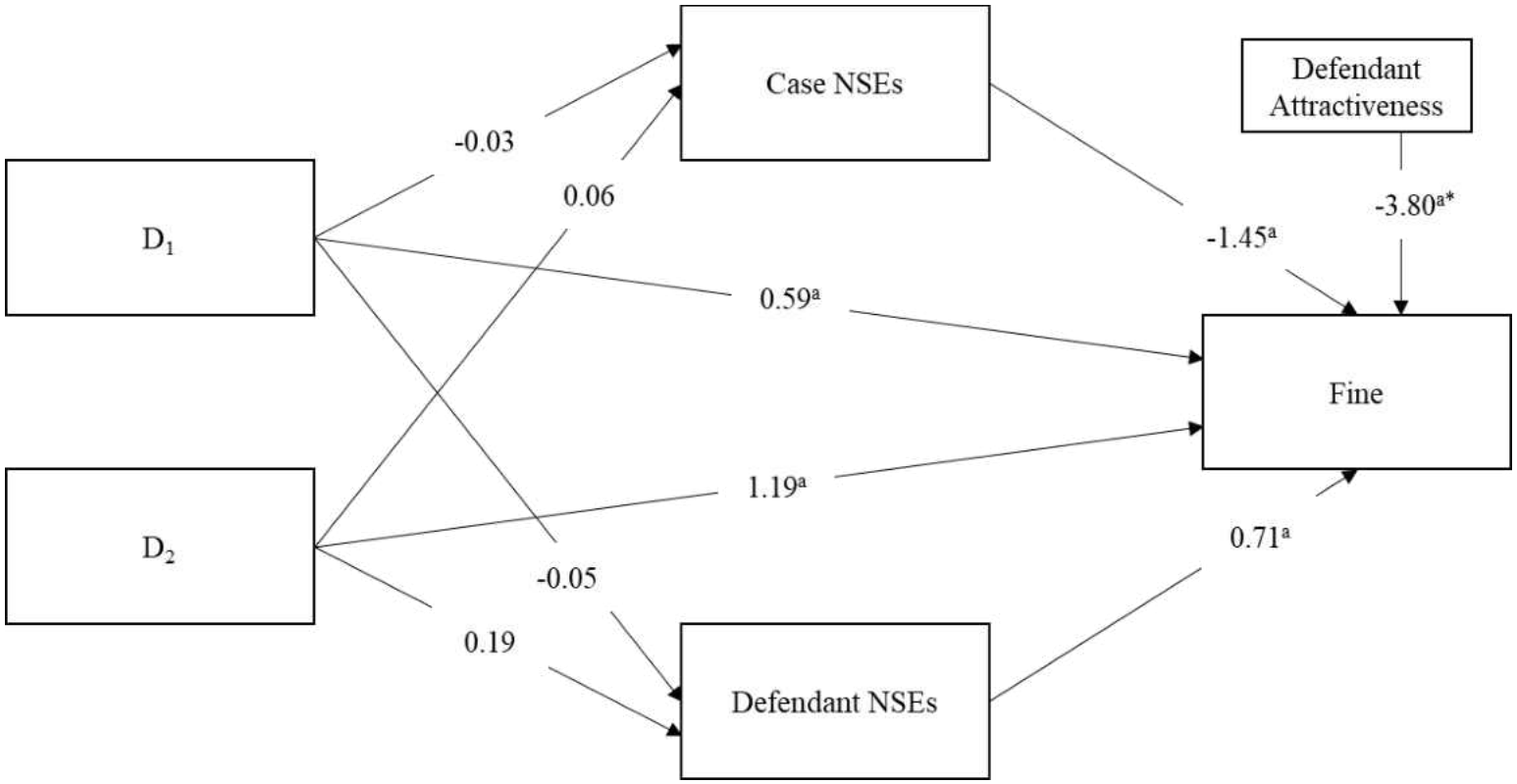


Figure 16. Mediating effect of case NSEs and defendant NSEs between condition (D_1, obese versus lean; D_2, obese versus control) and fine (N = 197; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient. [a]Each unit represents $1,000.

[**]$p < .01$

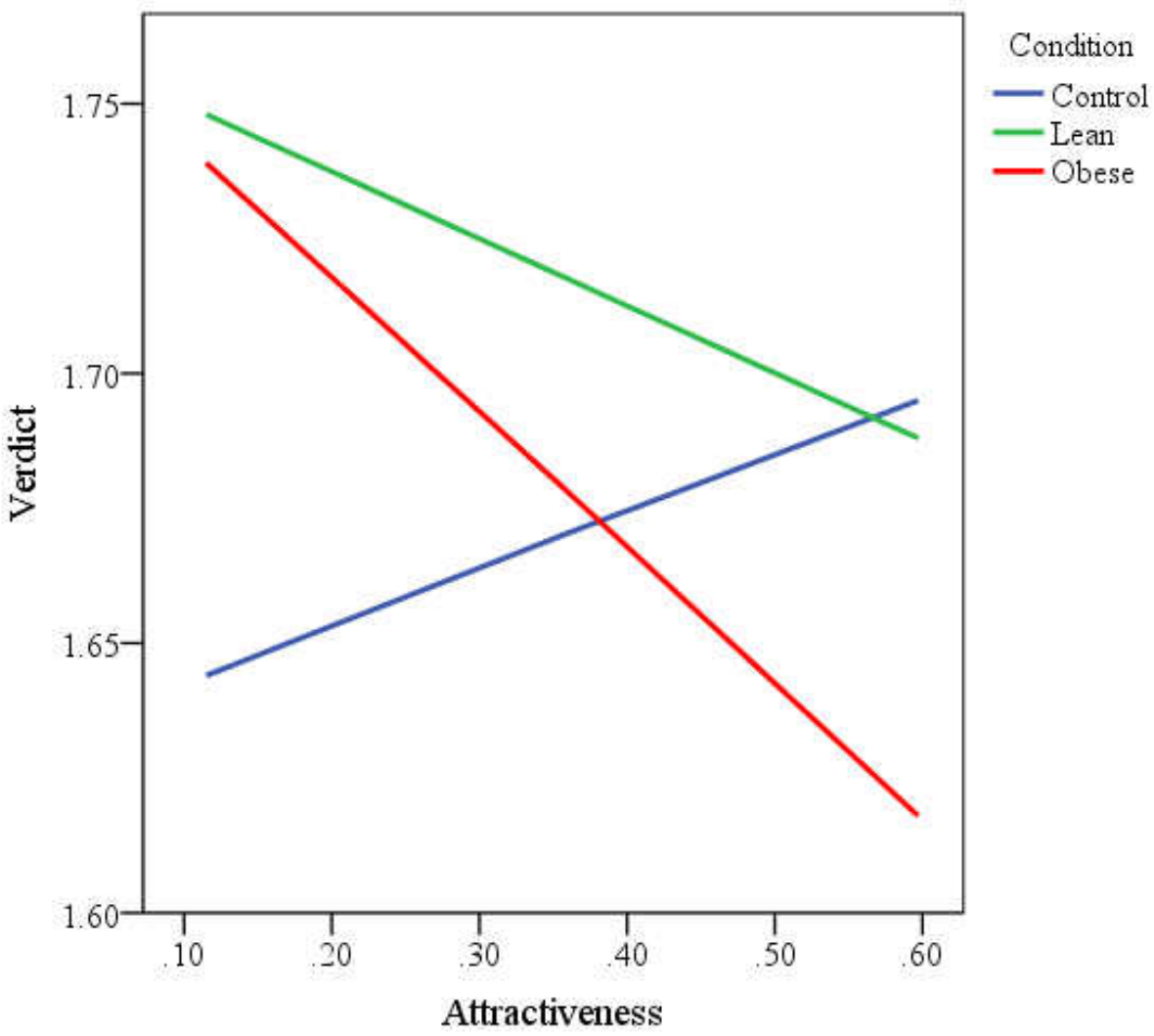


Figure 17. Interaction between defendant physical attractiveness and defendant weight predicting verdict.

Note. Attractiveness = defendant physical attractiveness.

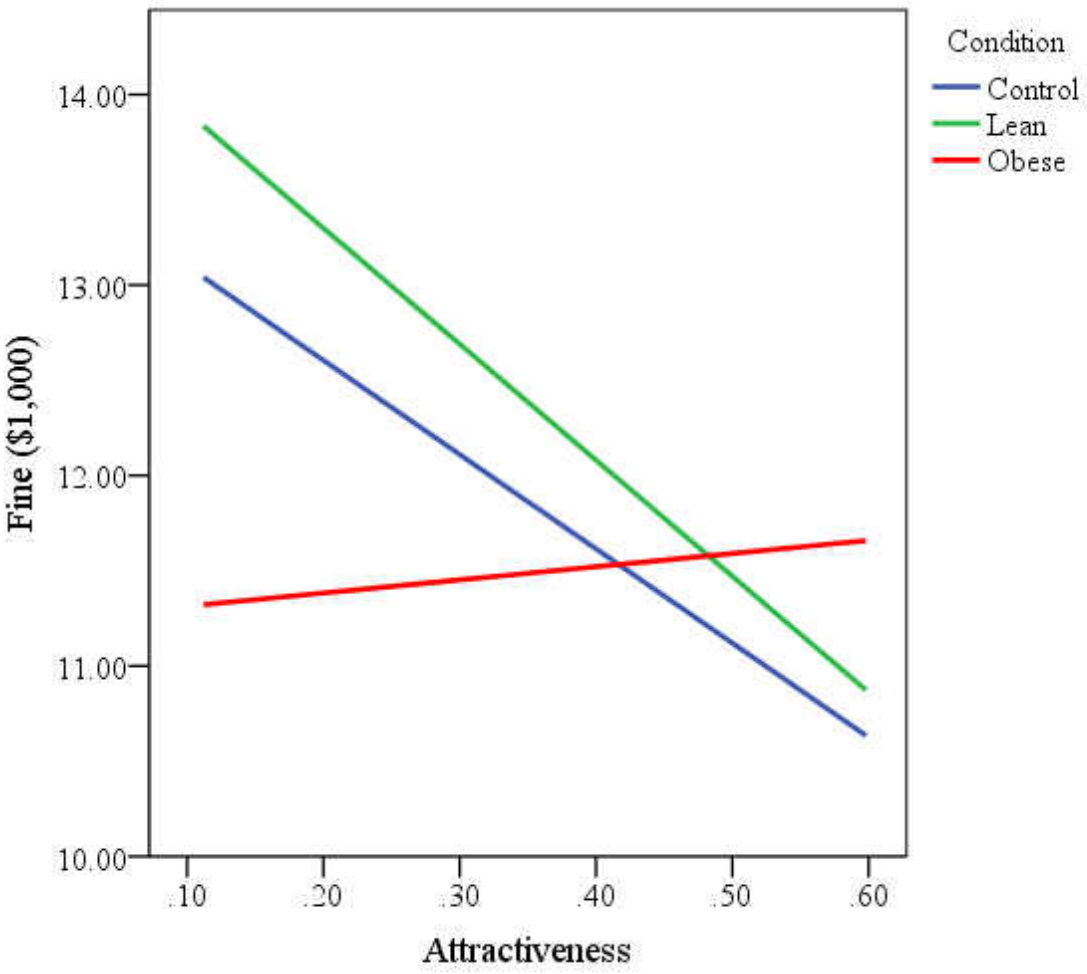


Figure 18. Interaction between defendant physical attractiveness and defendant weight predicting fine.

Note. Attractiveness = defendant physical attractiveness.

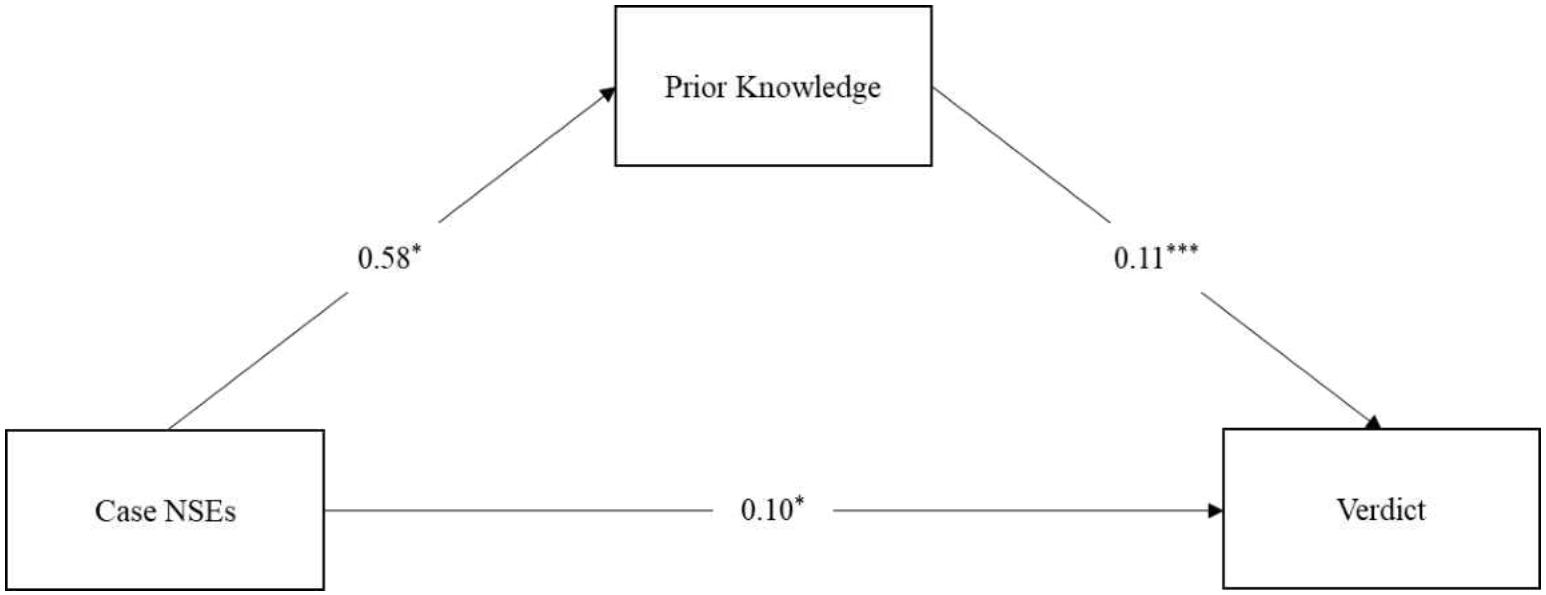


Figure 19. Mediating effect of prior knowledge of insufficient funds between case NSEs and verdict (N = 213; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient.

$^{*}p < .05$, $^{***}p < .001$

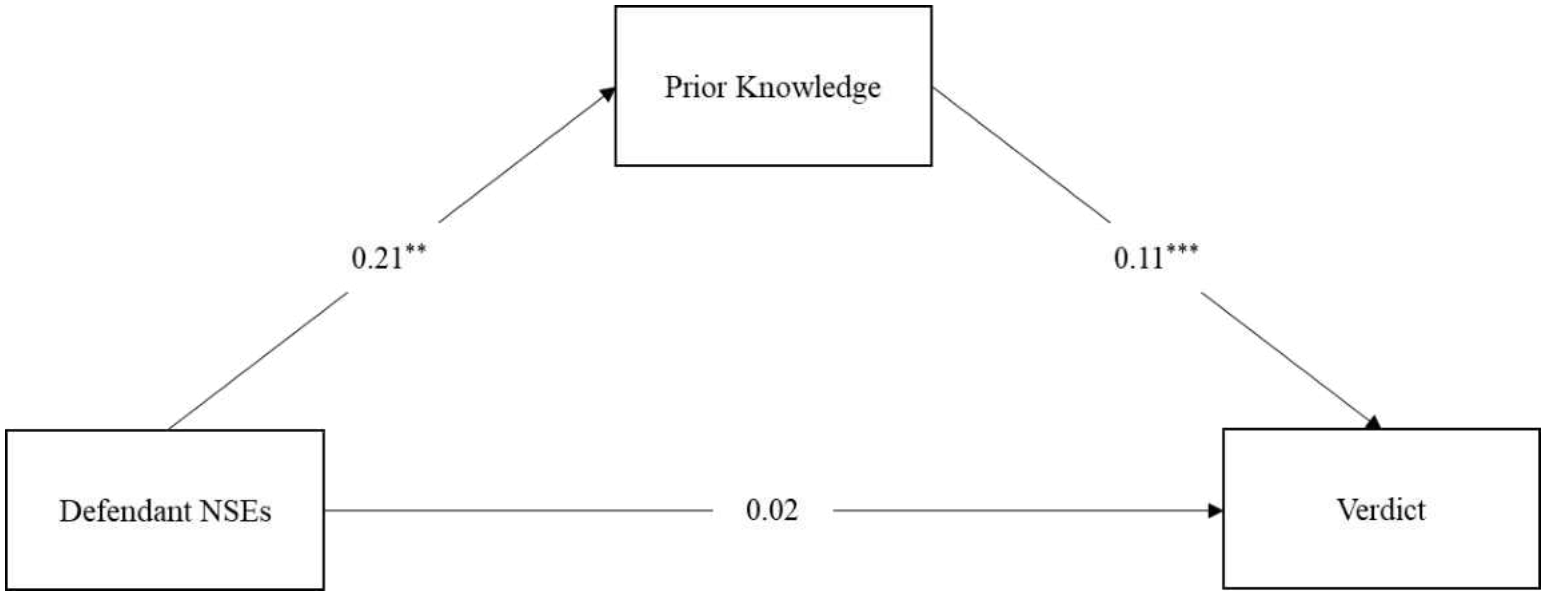


Figure 20. Mediating effect of prior knowledge of insufficient funds between defendant NSEs and verdict ($N = 213$; 5,000 bootstrap samples).

Note. The number represents the unstandardized *b* coefficient.

$^{**}p < .01$, $^{***}p < .001$

Table 1

Sequence of Blocks in an IAT Measuring Anti-Fat Attitudes

Block	Trials	Function	Items assigned to left-key response	Items assigned to right-key response
B1	20	Practice	Silhouettes of thin bodies	Silhouettes of fat bodies
B2	20	Practice	Good words	Bad words
B3	20	Test	Silhouettes of thin bodies + Good words	Silhouettes of fat bodies + Bad words
B4	40	Test	Silhouettes of thin bodies + Good words	Silhouettes of fat bodies + Bad words
B5	40	Practice	Silhouettes of fat bodies	Silhouettes of thin bodies
B6	20	Test	Silhouettes of fat bodies + Good words	Silhouettes of thin bodies + Bad words
B7	40	Test	Silhouettes of fat bodies + Good words	Silhouettes of thin bodies + Bad words

Note. A trial is defined as the time from the onset of a single stimulus to the correct categorization of that stimulus. Trials in which an error is made require the participant to correct the error before proceeding. Trials in Blocks 3, 4, 6, and 7 alternate between presenting a good or bad word with presenting a silhouette of a fat or thin body. For half of the subjects, the positions of Blocks 1, 3, and 4 are switched with those of 5, 6, and 7, respectively.

Table 2

Participant by Defendant Weight and Participants' Sex, Mean/Frequency (SD/%)

Variable	Control			Lean			Obese			Total Sample		
	Men (n = 17)	Women (n = 59)	Total (n = 76)	Men (n = 15)	Women (n = 50)	Total (n = 65)	Men (n = 17)	Women (n = 55)	Total (n = 72)	Men (n = 49)	Women (n = 164)	Total (N = 213)
Age	21.18 (1.78)	19.75 (1.04)	20.07 (1.37)	20.20 (1.15)	20.22 (1.63)	20.22 (1.53)	22.71 (5.46)	19.96 (1.98)	20.61 (3.33)	21.41 (3.53)	19.96 (1.59)	20.30 (2.27)
Ethnicity												
American Indian or Alaska Native	0 (0.0%)	1 (1.7%)	1 (1.3%)	0 (0.0%)	1 (2.0%)	1 (1.5%)	0 (0.0%)	1 (1.8%)	1 (1.4%)	0 (0.0%)	3 (1.8%)	3 (1.4%)
Asian or Pacific Islander	0 (0.0%)	3 (5.1%)	3 (3.9%)	0 (0.0%)	4 (8.0%)	3 (6.2%)	0 (0.0%)	1 (1.8%)	1 (1.4%)	0 (0.0%)	8 (4.9%)	8 (3.8%)
Black or African American	1 (5.9%)	1 (1.7%)	2 (2.6%)	1 (6.7%)	0 (0.0%)	1 (1.5%)	0 (0.0%)	2 (3.6%)	2 (2.8%)	4 (4.1%)	3 (1.8%)	5 (2.3%)
White or Caucasian	15 (88.2%)	53 (89.8%)	68 (89.5%)	14 (93.3%)	42 (84.0%)	56 (86.2%)	13 (76.5%)	49 (89.1%)	62 (86.1%)	42 (85.7%)	144 (87.8%)	186 (87.3%)
Other	1 (5.9%)	1 (1.7%)	2 (2.6%)	0 (0.0%)	3 (6.0%)	3 (4.6%)	4 (22.5%)	2 (3.6%)	6 (8.3%)	5 (10.2%)	6 (3.7%)	11 (5.2%)
Education												
High School	2 (11.8%)	10 (16.9%)	12 (15.8%)	2 (13.3%)	16 (32.0%)	18 (27.7%)	3 (17.6%)	14 (25.5%)	17 (23.6%)	7 (14.3%)	40 (24.4%)	47 (22.1%)
Some college or Associate's Degree	11 (64.7%)	49 (83.1%)	60 (78.9%)	12 (80.0%)	31 (62.0%)	43 (66.2%)	13 (76.5%)	39 (70.9%)	52 (72.2%)	36 (73.5%)	119 (72.6%)	155 (72.8%)
Bachelor's Degree	3 (17.6%)	0 (0.0%)	3 (3.9%)	1 (6.7%)	2 (4.0%)	3 (4.6%)	1 (5.9%)	1 (1.8%)	2 (2.8%)	5 (10.2%)	3 (1.8%)	8 (3.8%)
Graduate Degree	1 (5.9%)	0 (0.0%)	1 (1.3%)	0 (0.0%)	1 (2.0%)	1 (1.5%)	0 (0.0%)	1 (1.8%)	1 (1.4%)	1 (2.0%)	2 (1.2%)	3 (1.4%)
BMI	25.91 (3.81)	23.41 (4.09)	23.97 (4.14)	23.07 (2.17)	24.41 (5.33)	24.10 (4.81)	24.32 (4.78)	24.14 (4.98)	24.18 (4.90)	24.49 (3.90)	23.96 (4.79)	24.08 (4.59)

Served as a juror? (% Yes)	1 (5.9%)	0 (0.0%)	1 (1.3%)	1 (6.7%)	1 (2.0%)	2 (3.1%)	1 (5.9%)	1 (1.6%)	2 (2.8%)	3 (6.1%)	2 (1.2%)	5 (2.3%)
Issued a bad check? (% Yes)	0 (0.0%)	1 (1.7%)	1 (1.3%)	0 (0.0%)	1 (2.0%)	1 (1.5%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	2 (1.2%)	2 (0.9%)
Accused of check fraud? (% Yes)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)

Table 3

Primary Study Variables by Defendant Weight and Participants' Sex, Mean/Frequency (SD/%)

Variable	Control			Lean			Obese			Total Sample		
	Men (n = 17)	Women (n = 59)	Total (n = 76)	Men (n = 15)	Women (n = 50)	Total (n = 65)	Men (n = 17)	Women (n = 55)	Total (n = 72)	Men (n = 49)	Women (n = 164)	Total (N = 213)
NSEs												
Case	3.76 (1.21)	3.99 (1.24)	3.94 (1.23)	3.97 (1.37)	4.25 (1.31)	4.18 (1.32)	3.53 (1.60)	3.95 (1.54)	3.85 (1.55)	3.75 (1.38)	4.05 (1.37)	3.98 (1.37)
Defendant	4.03 (1.59)	4.16 (1.20)	4.13 (1.29)	4.43 (1.15)	4.25 (1.23)	4.29 (1.20)	3.59 (1.43)	4.13 (1.44)	4.00 (1.45)	4.00 (1.42)	4.17 (1.29)	4.14 (1.32)
Verdict												
Dichotomous (% Guilty)	14 (82.4%)	55 (93.2%)	69 (90.8%)	14 (93.3%)	48 (96.0%)	62 (95.4%)	16 (94.1%)	50 (90.9%)	66 (91.7%)	44 (89.9%)	153 (93.3%)	197 (92.5%)
Confidence	4.94 (1.39)	4.80 (1.42)	4.83 (1.41)	5.27 (1.16)	5.16 (1.42)	5.18 (1.36)	5.59 (1.42)	4.93 (1.46)	5.08 (1.47)	5.27 (1.34)	4.95 (1.43)	5.02 (1.42)
Continuous	3.88 (3.44)	4.19 (2.76)	4.12 (2.90)	4.73 (2.66)	5.00 (1.92)	4.94 (2.09)	5.12 (2.71)	4.31 (2.82)	4.50 (2.80)	4.57 (2.96)	4.47 (2.56)	4.50 (2.65)
Knowledge	4.94 (1.30)	5.31 (1.24)	5.22 (1.25)	5.80 (1.01)	5.60 (1.28)	5.65 (1.22)	5.65 (1.37)	5.60 (1.21)	5.61 (1.24)	5.45 (1.28)	5.49 (1.24)	5.48 (1.25)
Sentencing[a]												
Prison sentence[b]	31.57 (26.50)	36.86 (30.67)	35.81 (29.76)	29.10 (21.31)	46.75 (32.13)	42.76 (30.79)	30.81 (22.24)	42.72 (31.60)	39.83 (29.89)	30.51 (22.88)	41.89 (31.50)	39.35 (30.11)
Fine[c]	11.05 (6.46)	11.51 (5.62)	11.42 (5.76)	10.71 (5.50)	12.83 (5.22)	12.35 (5.31)	10.22 (5.04)	11.81 (4.96)	11.43 (4.99)	10.64 (5.54)	12.02 (5.28)	11.71 (5.36)
Case												
Believability	5.24 (1.15)	5.44 (1.30)	5.39 (1.27)	5.87 (0.74)	5.82 (1.14)	5.83 (1.05)	5.59 (1.23)	5.87 (0.96)	5.81 (1.03)	5.55 (1.08)	5.70 (1.16)	5.67 (1.14)
Seriousness	5.29 (1.21)	5.17 (1.26)	5.20 (1.24)	5.87 (0.99)	5.38 (1.24)	5.49 (1.20)	5.18 (1.51)	5.25 (1.24)	5.24 (1.29)	5.43 (1.27)	5.26 (1.24)	5.30 (1.25)

Defendant												
Physical Attractivness	3.06 (1.09)	3.12 (1.31)	3.11 (1.26)	2.60 (1.06)	2.66 (1.39)	2.65 (1.32)	1.65 (0.93)	2.20 (1.21)	2.07 (1.17)	2.43 (1.17)	2.67 (1.35)	2.62 (1.31)
SES	3.00 (1.06)	2.95 (1.17)	2.96 (1.14)	3.13 (0.92)	2.90 (1.15)	2.95 (1.10)	2.59 (1.06)	3.02 (1.01)	2.92 (1.03)	2.90 (1.03)	2.96 (1.10)	2.94 (1.08)
AFA Questionaire												
Dislike	12.12 (8.85)	8.39 (7.52)	9.22 (7.93)	10.40 (11.46)	9.30 (8.20)	9.55 (8.97)	14.53 (10.14)	8.36 (7.70)	9.82 (8.67)	12.43 (10.08)	8.66 (7.75)	9.53 (8.47)
Fear	13.12 (8.53)	16.49 (7.53)	15.74 (7.83)	9.60 (6.88)	16.16 (7.04)	14.65 (7.49)	11.47 (7.77)	14.76 (6.34)	13.99 (6.79)	11.47 (7.76)	15.81 (6.70)	14.81 (7.39)
Willpower	16.24 (5.84)	9.98 (5.92)	11.38 (6.42)	13.53 (7.04)	11.32 (6.28)	11.83 (6.48)	13.71 (6.41)	9.96 (4.56)	10.85 (5.26)	14.53 (6.41)	10.38 (5.62)	11.34 (6.06)
D-score	0.58 (0.43)	0.46 (0.37)	0.48 (0.38)	0.62 (0.31)	0.44 (0.46)	0.48 (0.44)	0.67 (0.36)	0.45 (0.32)	0.50 (0.34)	0.62 (0.37)	0.45 (0.38)	0.49 (0.39)

Note. [a]Sentencing recommendations were only provided by participants who reached a guilty verdict (N = 197: $n_{control}$ = 69 [n_{men} = 14, n_{women} = 55]; n_{lean} = 62 [n_{men} = 14, n_{women} = 48]; n_{obese} = 66 [n_{men} = 16, n_{women} = 55]). [b]Each unit represents one month. [c]Each unit represents $1,000.

Table 4.

One-sample T-tests by Defendant Weight and Participants' Sex

	Men (n = 49)				Women (n = 164)			
Variable	*t*	*df*	*p*	*d*	*t*	*df*	*p*	*d*
Case NSEs								
Control	-0.80	16	.436	-0.19	-0.05	58	.958	-0.01
Lean	-0.09	14	.926	-0.02	1.35	49	.185	0.19
Obese	-1.22	16	.242	-0.29	-0.26	54	.794	-0.04
Defendant NSEs								
Control	0.08	16	.940	0.02	1.03	58	.308	0.13
Lean	1.46	14	.166	0.38	1.44	49	.156	0.20
Obese	-1.19	16	.252	-0.29	0.65	54	.516	0.09
Verdict Confidence								
Control	2.79	16	.013	0.68	4.30	58	< .001	0.56
Lean	4.22	14	.001	1.09	5.78	49	.000	0.82
Obese	4.62	16	.000	1.12	4.70	54	.000	0.63
Knowledge								
Control	2.99	16	.009	0.73	8.12	58	< .001	1.06
Lean	6.87	14	.000	1.77	8.85	49	.000	1.25
Obese	4.97	16	.000	1.21	9.80	54	.000	1.32
Believability								
Control	4.44	16	< .001	1.08	8.49	58	< .001	1.11
Lean	9.73	14	.000	2.51	11.32	49	.000	1.60
Obese	5.33	16	.000	1.29	14.42	54	.000	1.94
Seriousness								
Control	4.40	16	< .001	1.07	7.12	58	< .001	0.93
Lean	7.30	14	.000	1.88	7.85	49	.000	1.11
Obese	3.21	16	.005	0.78	7.53	54	.000	1.02
Attractivness								
Control	-3.57	16	.003	-0.87	-5.15	58	< .001	-0.67

Lean	-5.14	14	.000	-1.33	-6.80	49	.000	-0.96
Obese	-10.42	16	.000	-2.53	-11.05	54	.000	-1.49
SES								
Control	-3.89	16	.001	-0.94	-6.92	58	< .001	-0.90
Lean	-3.67	14	.003	-0.95	-6.78	49	.000	-0.96
Obese	-5.47	16	.000	-1.33	-7.22	54	.000	-0.97
D-score								
Control	5.56	16	< .001	1.35	9.53	58	< .001	1.24
Lean	7.73	14	.000	2.00	6.74	49	.000	0.95
Obese	7.66	16	.000	1.86	10.36	54	.000	1.40

Note. Believability = case believability; Seriousness = case seriousness; Attractive = defendant physical attractiveness; SES = defendant SES. A critical test value of 4 was used for all variables except d-score. The critical test value for d-score was 0.

Table 5.

One-sample T-test for AFA Questionnaire by Mock Jurors' Sex

	Men (n = 49)						Women (n = 164)					
Variable	M_1	M_2 (SD)	t	df	p	d	M_1	M_2 (SD)	t	df	p	d
AFA-Dislike	2.47	1.78 (1.44)	-3.38	48	.001	-0.48	1.85	1.24 (1.11)	-7.09	163	< .001	-0.55
AFA-Fear	3.55	3.82 (2.59)	0.74	48	.464	0.11	6.28	5.27 (2.33)	-8.29	163	< .001	-0.65
AFA-Willpower	6.12	4.84 (2.14)	-4.18	48	< .001	-0.60	5.65	3.46 (1.87)	-14.95	163	< .001	-1.17

Note. M_1 = means reported by Crandall (1994); M_2 = means of the current sample. To directly compare the means of the current sample to those reported by Crandall (1994), an average was created for each subscale.

Table 6

Normality Statistics for Continuous Variables, Control Condition

		Skewness			Kurtosis		
Variable	*M (SD)*	*S*	*SE*	*SC*	*K*	*SE*	*KC*
Verdict	4.12 (2.90)	-2.03	0.28	-7.35	3.91	.545	7.18
Knowledge	5.22 (1.25)	-0.27	0.28	-0.98	-0.57	0.54	-1.04
Prison	35.81 (29.76)	0.69	0.29	2.38	-0.46	0.57	-0.81
Fine[a]	11.42 (5.76)	-0.05	0.29	-0.19	-0.57	0.57	-0.99
D-score	0.48 (0.38)	-0.34	0.28	-1.25	0.59	0.54	1.09
Dislike	9.22 (7.93)	1.24	0.28	4.48	1.16	0.54	2.14
Fear	15.74 (7.83)	-0.36	0.28	-1.31	-0.84	0.54	-1.55
Willpower	11.38 (6.42)	0.20	0.28	0.72	-0.61	0.54	-1.12
Defendant NSEs	4.13 (1.29)	-0.76	0.28	-2.75	0.40	0.54	0.74
Case NSEs	3.94 (1.23)	-0.42	0.28	-1.53	-0.01	0.54	-0.01
Believability	5.39 (1.27)	-0.55	0.28	-1.98	-0.28	0.54	-0.51
Seriousness	5.20 (1.24)	-0.09	0.28	-0.32	-0.85	0.54	-1.55
Attractiveness	3.11 (1.26)	-0.41	0.28	-1.48	-1.03	0.54	-1.90
SES	2.96 (1.14)	-0.03	0.28	-0.12	-0.43	0.54	-0.78

Note. S = Skewness value; SC = Skewness coefficient; K = Kurtosis value; KC = Kurtosis coefficient; Believability = case believability; Seriousness = case seriousness; Attractive = defendant physical attractiveness; SES = defendant SES. [a]Each unit represents $1,000

Table 7

Normality Statistics for Continuous Variables, Lean Condition

		Skewness			Kurtosis		
Variable	*M (SD)*	*S*	*SE*	*SC*	*K*	*SE*	*KC*
Verdict	4.94 (2.09)	-2.55	0.30	-8.59	7.76	0.59	13.24
Knowledge	5.65 (1.22)	-0.94	0.30	-3.17	0.52	0.59	0.89
Prison	42.76 (30.79)	0.67	0.30	2.19	0.04	0.60	0.07
Fine[a]	12.35 (5.31)	-0.11	0.30	-0.38	-0.29	0.60	-0.48
D-score	0.48 (0.44)	-0.43	0.30	-1.45	-0.04	0.59	-0.06
Dislike	9.55 (8.97)	1.21	0.30	4.06	1.33	0.59	2.27
Fear	14.65 (7.49)	-0.24	0.30	-0.81	-1.08	0.59	-1.84
Willpower	11.83 (6.48)	0.32	0.30	1.09	-0.23	0.59	-0.39
Defendant NSEs	4.29 (1.20)	-0.32	0.30	-1.08	0.44	0.59	0.74
Case NSEs	4.18 (1.32)	-0.29	0.30	-0.99	0.21	0.59	0.36
Believability	5.83 (1.05)	-0.31	0.30	-1.04	-1.18	0.59	-2.02
Seriousness	5.49 (1.20)	-1.04	0.30	-3.51	2.00	0.59	3.41
Attractiveness	2.65 (1.32)	0.69	0.30	2.32	0.45	0.59	0.77
SES	2.95 (1.10)	0.24	0.30	0.81	-0.77	0.59	-1.31

Note. S = Skewness value; SC = Skewness coefficient; K = Kurtosis value; KC = Kurtosis coefficient; Believability = case believability; Seriousness = case seriousness; Attractive = defendant physical attractiveness; SES = defendant SES. [a]Each unit represents $1,000

Table 8

Normality Statistics for Continuous Variables, Obese Condition

		Skewness			Kurtosis		
Variable	*M (SD)*	*S*	*SE*	*SC*	*K*	*SE*	*KC*
Verdict	4.50 (2.80)	-1.94	0.28	-6.85	3.58	0.56	6.40
Knowledge	5.61 (5.61)	-0.90	0.28	-3.18	0.39	0.56	0.70
Prison	39.83 (39.83)	0.71	0.29	2.41	0.01	0.58	0.01
Fine[a]	11.43 (4.99)	0.02	0.29	0.05	-0.38	0.58	-0.65
D-score	0.50 (0.34)	-0.21	0.28	-0.75	-0.29	0.56	-0.51
Dislike	9.82 (8.67)	1.14	0.28	4.02	0.93	0.56	1.66
Fear	13.99 (6.79)	-0.07	0.28	-0.25	-0.69	0.56	-1.24
Willpower	10.85 (5.26)	0.41	0.28	1.45	-0.33	0.56	-0.59
Defendant NSEs	4.00 (1.45)	-0.26	0.28	-0.93	-0.49	0.56	-0.87
Case NSEs	3.85 (3.85)	-0.21	0.28	-0.74	-0.78	0.56	-1.40
Believability	5.81 (1.03)	-0.39	0.28	-1.39	-0.65	0.56	-1.17
Seriousness	5.24 (1.29)	-0.42	0.28	-1.47	-0.59	0.56	-1.05
Attractiveness	2.07 (1.17)	1.50	0.28	5.31	3.42	0.56	6.12
SES	2.92 (1.03)	1.12	0.28	3.97	2.47	0.56	4.42

Note. S = Skewness value; SC = Skewness coefficient; K = Kurtosis value; KC = Kurtosis coefficient; Believability = case believability; Seriousness = case seriousness; Attractive = defendant physical attractiveness; SES = defendant SES. [a]Each unit represents $1,000

Table 9

Normality Statistics for Transformed Variables by Condition

		Skewness			Kurtosis		
	M (SD)	*S*	*SE*	*SC*	*K*	*SE*	*KC*
AFA-Dislike							
Control	2.69 (1.42)	-0.10	0.28	-0.37	-0.13	0.54	-0.24
Lean	2.65 (1.60)	-0.01	0.30	-0.04	-0.57	0.59	-0.97
Obese	2.76 (1.50)	-0.02	0.28	-0.05	-0.41	0.56	-0.73
Verdict							
Control	1.65 (0.28)	-0.20	0.28	-0.72	0.23	0.54	0.43
Lean	1.73 (0.24)	-0.39	0.30	-1.33	0.84	0.59	1.43
Obese	1.72 (0.31)	-0.21	0.28	-0.74	-0.37	0.56	-0.65
Attractiveness							
Control	0.44 (0.23)	-0.98	0.28	-3.55	-0.32	0.54	-0.59
Lean	0.37 (0.23)	-0.31	0.30	-1.06	-0.87	0.59	-1.49
Obese	0.26 (0.23)	0.27	0.28	0.97	-0.89	0.56	-1.60
SES							
Control	1.68 (0.35)	-0.49	0.28	-1.77	-0.38	0.55	-0.70
Lean	1.69 (0.33)	-.141	.297	-.473	-0.59	0.59	-1.00
Obese	1.68 (0.29)	0.46	0.28	1.64	0.88	0.56	1.58
Case Seriousness							
Control	1.63 (0.39)	-0.30	0.28	-1.10	-0.88	0.54	-1.62
Lean	1.54 (0.37)	0.31	0.30	1.06	0.11	0.59	0.19
Obese	1.61 (0.40)	-0.02	0.28	-0.06	-0.82	0.56	-1.47

Note. S = Skewness value; SC = Skewness coefficient; K = Kurtosis value; KC = Kurtosis coefficient; Seriousness = case seriousness; Attractive = defendant physical attractiveness. [a]Each unit represents $1,000

Table 10

Crosstabulation of Condition and Defendant Weight

	Condition	
Perceived Weight	Lean	Obese
Thin	9 (13.8%)	0 (0%)
Average Weight	47 (72.3%)	23 (31.9%)
Overweight	2 (3.1%)	38 (52.8%)
Unsure	7 (10.8%)	11 (15.3%)

Table 11

Correlations Among Perceptions of the Case/Defendant and Dependent Variables

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
1. Believability	–													
2. Seriousness	.48**	–												
3. Attractiveness	-.03	-.00	–											
4. SES	.02	-.00	.41**	–										
5. Verdict	.41**	.24**	-.09	-.09	–									
6. Knowledge	.36**	.32**	-.07	-.13	.52**	–								
7. Prison	.03	.31**	-.04	-.04	.08	.24**	–							
8. Fine	.12	.10	-.14*	.00	.17*	.09	.18*	–						
9. Case NSEs	.19**	.28**	.06	-.05	.21**	.16*	.25**	.04	–					
10. Defendant NSEs	.19**	.34**	.11	.03	.20**	.22**	.29**	.08	.80**	–				
11. AFA-Dislike	.00	-.02	.06	-.07	.02	-.03	-.01	-.05	.09	.04	-			
12. AFA-Fear	.04	.09	.09	.01	-.08	.02	.16*	.01	.11	.21**	.31**	-		
13. AFA-Willpower	.08	.12	-.04	-.05	.06	.17*	-.11	.09	.08	.07	.59**	.25**	-	
14. D-score	-.07	-.03	.05	.01	-.01	-.00	-.08	.01	.07	.08	.18**	-.14*	.14*	-

Note. Believability = case believability; Seriousness = case seriousness; Attractive = defendant physical attractiveness; SES = defendant SES; Knowledge = prior knowledge of insufficient funds

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

Table 12

Parallel Mediation Model for Hypothesis 3a

Model	Path	*b*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M_1	a_1	-0.07 (-0.10)	0.25 (0.26)	-0.26 (-0.39)	.792 (.695)	-0.56 (-0.61)	0.43 (0.41)
D_1 (D_2) → M_2	a_2	1.81 (0.54)	1.23 (1.27)	1.47 (0.42)	.144 (.673)	-0.62 (-1.97)	4.24 (3.04)
D_1 (D_2) → M_3	a_3	0.64 (0.87)	1.01 (1.04)	0.63 (0.83)	.528 (.406)	-1.35 (-1.18)	2.63 (2.92)
M_1 → CNSEs	b_1	0.02	0.02	1.03	.303	-0.02	0.05
M_2 → CNSEs	b_2	0.00	0.00	0.87	.385	0.00	.01
M_3 → CNSEs	b_3	0.00	0.00	-0.13	.897	-0.01	0.01
D_1 (D_2) → CNSEs	c'	0.02 (0.06)	0.06 (0.06)	0.29 (1.07)	.772 (.287)	-0.10 (-0.05)	0.13 (0.18)
D_1 (D_2) → CNSEs	c	0.02 (0.06)	0.06 (0.06)	0.36 (1.06)	.720 (.291)	-0.09 (-0.05)	-0.05 (0.18)
D_1 (D_2) → M_1 → CNSEs	$a*b_1$	0.00 (0.00)	0.01 (0.01)			-0.02 (-0.02)	0.01 (0.01)
D_1 (D_2) → M_2 → CNSEs	$a*b_2$	0.01 (0.00)	0.01 (0.01)			-0.01 (-0.01)	0.02 (0.02)
D_1 (D_2) → M_3 → CNSEs	$a*b_3$	0.01 (0.00)	0.01 (0.01)			-0.01 (-0.01)	0.01 (0.01)

Note. N = 213; 5,000 bootstrap samples. M_1 = AFA-Dislike; M_2 = AFA-Fear; M_3 = AFA-Willpower; CNSEs = case NSEs; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Case believability and case seriousness were included as covariates.

Table 13

Parallel Mediation Model for Hypothesis 3b

Model	Path	*b*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M_1	a_1	-0.07 (-0.10)	0.25 (0.26)	-0.26 (-0.39)	.792 (.695)	-0.56 (-0.61)	0.43 (0.41)
D_1 (D_2) → M_2	a_2	1.81 (0.54)	1.23 (1.27)	1.47 (0.42)	.144 (.673)	-0.62 (-1.97)	4.24 (3.04)
D_1 (D_2) → M_3	a_3	0.64 (0.87)	1.01 (1.04)	0.63 (0.83)	.528 (.406)	-1.35 (-1.18)	2.63 (2.92)
M_1 → DNSEs	b_1	0.00	0.07	0.93	.991	-0.13	.13
M_2 → DNSEs	b_2	0.03	0.01	2.67	.008**	0.01	0.06
M_3 → DNSEs	b_3	-0.01	0.02	-0.32	.751	-0.04	0.03
D_1 (D_2) → DNSEs	c'	0.11 (0.20)	0.21 (0.21)	0.53 (0.93)	.593 (.353)	-0.30 (-0.22)	0.52 (0.62)
D_1 (D_2) → DNSEs	c	0.17 (0.21)	0.21 (0.21)	0.80 (0.99)	.424 (.326)	-0.10 (-0.05)	0.58 (0.63)
D_1 (D_2) → M_1 → DNSEs	$a*b_1$	0.00 (0.00)	0.02 (0.02)			-0.03 (-0.04)	0.04 (0.04)
D_1 (D_2) → M_2 → DNSEs	$a*b_2$	0.06 (0.02)	0.05 (0.04)			-0.02 (-0.07)	0.17 (0.12)
D_1 (D_2) → M_3 → DNSEs	$a*b_3$	0.00 (0.00)	0.02 (0.02)			-0.05 (-0.05)	0.04 (0.04)

Note. N = 213; 5,000 bootstrap samples. M_1 = AFA-Dislike; M_2 = AFA-Fear; M_3 = AFA-Willpower; DNSEs = defendant NSEs; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Case believability and case seriousness were included as covariates.

**$p < .01$

Table 14

Parallel Mediation Model for Hypothesis 3c

Model	Path	*b*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M_1	a_1	-0.07 (-0.10)	0.25 (0.26)	-0.26 (-0.39)	.792 (.695)	-0.56 (-0.61)	0.43 (0.41)
D_1 (D_2) → M_2	a_2	1.81 (0.54)	1.23 (1.27)	1.47 (0.42)	.144 (.673)	-0.62 (-1.97)	4.24 (3.04)
D_1 (D_2) → M_3	a_3	0.64 (0.87)	1.01 (1.04)	0.63 (0.83)	.528 (.406)	-1.35 (-1.18)	2.63 (2.92)
M_1 → Verdict	b_1	0.01	0.01	0.47	.637	-0.13	.13
M_2 → Verdict	b_2	0.00	0.00	-1.75	.081[†]	-0.01	0.00
M_3 → Verdict	b_3	0.00	0.00	0.52	.601	0.00	0.01
D_1 (D_2) → Verdict	c'	-0.02 (0.02)	0.04 (0.04)	-0.39 (0.35)	.694 (.730)	-0.10 (-0.07)	0.07 (0.10)
D_1 (D_2) → Verdict	c	-0.02 (0.01)	0.04 (0.04)	-0.57 (0.31)	.570 (.756)	-0.11 (-0.07)	0.06 (0.10)
D_1 (D_2) → M_1 → Verdict	$a*b_1$	0.00 (0.00)	0.00 (0.00)			-0.01 (-0.01)	0.01 (0.01)
D_1 (D_2) → M_2 → Verdict	$a*b_2$	-0.01 (0.00)	0.01 (0.01)			-0.03 (-0.02)	0.00 (0.01)
D_1 (D_2) → M_3 → Verdict	$a*b_3$	0.00 (0.00)	0.00 (0.00)			-0.01 (-0.01)	0.01 (0.01)

Note. N = 213; 5,000 bootstrap samples. M_1 = AFA-Dislike; M_2 = AFA-Fear; M_3 = AFA-Willpower; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Case believability and case seriousness were included as covariates.

[†]$p < .10$

Table 15

Parallel Mediation Model for Hypothesis 3d

Model	Path	*b*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M_1	a_1	-0.07 (-0.10)	0.25 (0.26)	-0.26 (-0.39)	.792 (.695)	-0.56 (-0.61)	0.43 (0.41)
D_1 (D_2) → M_2	a_2	1.81 (0.54)	1.23 (1.27)	1.47 (0.42)	.144 (.673)	-0.62 (-1.97)	4.24 (3.04)
D_1 (D_2) → M_3	a_3	0.64 (0.87)	1.01 (1.04)	0.63 (0.83)	.528 (.406)	-1.35 (-1.18)	2.63 (2.92)
M_1 → Knowledge	b_1	-0.10	0.06	-1.57	.117	-0.21	0.02
M_2 → Knowledge	b_2	0.00	0.01	-0.07	.943	-0.02	0.02
M_3 → Knowledge	b_3	0.04	0.01	2.61	.010	0.01	0.07
D_1 (D_2) → Knowledge	c'	-0.30 (-0.06)	0.19 (0.20)	-1.56 (-0.32)	.120 (.751)	-0.67 (-0.45)	0.08 (0.32)
D_1 (D_2) → Knowledge	c	-0.27 (-0.02)	0.19 (0.20)	-1.40 (-0.10)	.162 (.921)	-0.65 (-0.41)	0.11 (0.37)
D_1 (D_2) → M_1 → Knowledge	$a*b_1$	0.01 (0.01)	0.03 (0.03)			-0.06 (-0.06)	0.06 (0.07)
D_1 (D_2) → M_2 → Knowledge	$a*b_2$	0.00 (0.00)	0.02 (0.02)			-0.06 (-0.04)	0.05 (0.03)
D_1 (D_2) → M_3 → Knowledge	$a*b_3$	0.02 (0.03)	0.04 (0.04)			-0.06 (-0.05)	0.11 (0.13)

Note. N = 213; 5,000 bootstrap samples. M_1 = AFA-Dislike; M_2 = AFA-Fear; M_3 = AFA-Willpower; Knowledge = prior knowledge of insufficient funds; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Case believability and case seriousness were included as covariates.

Table 16

Parallel Mediation Model for Hypothesis 3e, Prison Sentence

Model	Path	*b*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M_1	a_1	-0.16 (-0.18)	0.26 (0.27)	-0.60 (-0.65)	.548 (.514)	-0.67 (-0.71)	0.36 (0.36)
D_1 (D_2) → M_2	a_2	1.75 (0.51)	1.29 (1.33)	1.36 (0.38)	.176 (.704)	-0.79 (-2.11)	4.29 (3.12)
D_1 (D_2) → M_3	a_3	-0.11 (0.75)	1.03 (1.06)	-0.11 (0.71)	.913 (.477)	-2.14 (-1.33)	1.91 (4.21)
M_1 → Prison	b_1	0.64	1.53	0.42	.677	-2.38	3.65
M_2 → Prison	b_2	0.74	0.29	2.59	.010	0.18	1.31
M_3 → Prison	b_3	-1.10	0.38	-2.89	.004**	-1.85	-0.35
D_1 (D_2) → Prison	c'	-5.09 (1.77)	4.86 (5.00)	-1.05 (0.35)	.296 (.724)	-14.69 (-8.09)	4.50 (11.62)
D_1 (D_2) → Prison	C	-3.77 (1.20)	4.96 (5.11)	-0.76 (0.24)	.448 (.814)	-13.55 (-8.87)	6.00 (11.27)
D_1 (D_2) → M_1 → Prison	$a*b_1$	-0.10 (-0.11)	0.46 (0.53)			-1.22 (-1.36)	0.73 (0.89)
D_1 (D_2) → M_2 → Prison	$a*b_2$	1.30 (0.38)	1.06 (1.04)			-0.66 (3.56)	-1.69 (2.56)
D_1 (D_2) → M_3 → Prison	$a*b_3$	0.12 (-0.83)	1.14 (1.26)			-2.03 (-3.49)	2.57 (1.58)

Note. N = 197; 5,000 bootstrap samples. M_1 = AFA-Dislike; M_2 = AFA-Fear; M_3 = AFA-Willpower; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Case seriousness was included as a covariate.

** $p < .01$

Table 17

Parallel Mediation Model for Hypothesis 3e, Fine

Model	Path	*b*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M_1	a_1	-0.23 (-0.22)	0.27 (0.27)	-0.84 (-0.80)	.402 (.425)	-0.77 (-0.75)	0.31 (0.32)
D_1 (D_2) → M_2	a_2	1.35 (0.44)	1.35 (1.34)	1.00 (0.32)	.320 (.746)	-1.32 (-2.21)	4.02 (3.08)
D_1 (D_2) → M_3	a_3	0.10 (1.01)	1.08 (1.07)	0.10 (0.94)	.923 (.347)	-2.03 (-1.11)	2.24 (3.13)
M_1 → Fine	b_1	-0.35[a]	0.29	-1.20	.232	-0.92[a]	0.22[a]
M_2 → Fine	b_2	0.02[a]	0.05	0.32	.753	-0.09[a]	0.12[a]
M_3 → Fine	b_3	0.10[a]	0.07	1.37	.172	-0.04[a]	-0.24[a]
D_1 (D_2) → Fine	c'	0.48[a] (1.05[a])	0.97 (0.96)	0.50 (1.10)	.620 (.275)	-1.43[a] (-0.84[a])	2.39[a] (2.95[a])
D_1 (D_2) → Fine	c	0.59[a] (1.24[a])	0.96 (0.95)	0.62 (1.30)	.537 (.196)	-1.30[a] (-0.64[a])	2.49[a] (3.12[a])
D_1 (D_2) → M_1 → Fine	a*b_1	0.08[a] (0.08[a])	0.13 (0.14)			-0.14[a] (-0.16[a])	0.38[a] (0.41[a])
D_1 (D_2) → M_2 → Fine	a*b_2	0.02[a] (0.01[a])	0.12 (0.08)			-0.17[a] (-0.16[a])	0.32[a] (0.20[a])
D_1 (D_2) → M_3 → Fine	a*b_3	0.01[a] (0.10[a])	0.12 (0.15)			-0.22[a] (-0.13[a])	0.29[a] (0.47[a])

Note. N = 197; 5,000 bootstrap samples. [a]Each unit represents $1,000. M_1 = AFA-Dislike; M_2 = AFA-Fear; M_3 = AFA-Willpower; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Defendant physical attractiveness was included as a covariate.

Table 18

Simple Mediation Model for Hypothesis 4a

Model	Path	*b*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M	a	-0.03 (-0.02)	0.06 (0.07)	-0.47 (-0.34)	.636 (.733)	-0.16 (-0.15)	0.10 (0.11)
M → CNSEs	b	0.08	0.06	1.26	.211	-0.04	0.20
D_1 (D_2) → CNSEs	c'	0.02 (0.06)	0.06 (0.06)	0.40 (1.09)	.690 (.277)	-0.09 (-0.05)	0.13 (0.18)
D_1 (D_2) → CNSEs	c	0.02 (0.06)	0.06 (0.06)	0.36 (1.06)	.720 (.291)	-0.09 (-0.05)	0.13 (0.18)
D_1 (D_2) → M → CNSEs	a*b	0.00 (0.00)	0.01 (0.01)			-0.02 (-0.02)	0.01 (0.01)

Note. N = 213; 5,000 bootstrap samples. M = d-score; CNSEs = case NSEs; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Case believability and case seriousness were included as covariates.

Table 19

Simple Mediation Model for Hypothesis 4b

Model	Path	*b*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M	a	-0.03 (-0.02)	0.06 (0.07)	-0.47 (-0.34)	.636 (.733)	-0.16 (-0.15)	0.10 (0.11)
M → DNSEs	b	0.31	0.22	1.40	.164	-0.13	0.75
D_1 (D_2) → DNSEs	c'	0.18 (0.22)	0.21 (0.21)	0.85 (1.02)	.397 (.309)	-0.23 (-0.20)	0.59 (0.64)
D_1 (D_2) → DNSEs	c	0.17 (0.21)	0.21 (0.21)	0.80 (0.99)	.424 (.326)	-0.24 (-0.21)	0.58 (0.63)
D_1 (D_2) → M → DNSEs	a*b	-0.01 (-0.01)	0.02 (0.03)			-0.06 (-0.06)	0.04 (0.05)

Note. N = 213; 5,000 bootstrap samples. M = d-score; DNSEs = defendant NSEs; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Case believability and case seriousness were included as covariates.

Table 20

Simple Mediation Model for Hypothesis 4c

Model	Path	*b*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M	a	-0.03 (-0.02)	0.06 (0.07)	-0.47 (-0.34)	.636 (.733)	-0.16 (-0.15)	0.10 (0.11)
M → Verdict	b	0.01	0.05	0.28	.780	-0.08	0.10
D_1 (D_2) → Verdict	c'	-0.02 (0.01)	0.04 (0.04)	-0.56 (0.32)	.587 (.751)	-0.11 (-0.07)	0.06 (0.10)
D_1 (D_2) → Verdict	c	-0.02 (0.01)	0.04 (0.04)	-0.57 (0.31)	.570 (.756)	-0.11 (-0.07)	0.06 (0.10)
D_1 (D_2) → M → Verdict	a*b	0.00 (0.00)	0.00 (0.00)			-0.01 (-0.01)	0.01 (0.01)

Note. $N = 213$; 5,000 bootstrap samples. M = d-score; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Case believability and case seriousness were included as covariates.

Table 21

Simple Mediation Model for Hypothesis 4d

Model	Path	*b*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M	a	-0.03 (-0.02)	0.06 (0.07)	-0.47 (-0.34)	.636 (.733)	-0.16 (-0.15)	0.10 (0.11)
M → Knowledge	b	0.07	0.21	0.33	.745	-0.34	0.47
D_1 (D_2) → Knowledge	c'	-0.27 (-0.02)	0.19 (0.20)	-1.39 (-0.09)	.166 (.927)	-0.64 (-0.41)	0.11 (0.37)
D_1 (D_2) → Knowledge	c	-0.27 (-0.02)	0.19 (0.20)	-1.40 (-0.10)	.162 (.921)	-0.65 (-0.41)	0.11 (0.37)
D_1 (D_2) → M → Knowledge	a*b	0.00 (0.00)	0.01 (0.01)			-0.04 (-0.03)	0.02 (0.03)

Note. N = 213; 5,000 bootstrap samples. M = d-score; Knowledge = prior knowledge of insufficient funds; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Case believability and case seriousness were included as covariates.

Table 22

Simple Mediation Model for Hypothesis 4e, Prison Sentence

Model	Path	*b*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M	a	-0.03 (-0.04)	0.06 (0.07)	-0.40 (-0.56)	.692 (.579)	-0.15 (-0.17)	0.09 (0.09)
M → Prison	b	-4.92	5.51	-0.89	.373	-15.78	5.95
D_1 (D_2) → Prison	c'	-3.90 (1.02)	4.96 (5.11)	-0.79 (0.20)	.433 (.842)	-13.68 (-9.06)	5.89 (11.10)
D_1 (D_2) → Prison	c	-3.77 (1.20)	4.96 (5.11)	-0.76 (0.24)	.488 (.814)	-13.55 (-8.87)	6.00 (11.27)
D_1 (D_2) → M → Prison	a*b	.13 (.18)	0.48 (0.59)			-0.66 (-0.66)	1.35 (1.78)

Note. N = 197; 5,000 bootstrap samples. M = d-score; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Case seriousness was included as a covariate.

Table 23

Simple Mediation Model for Hypothesis 4e, Fine

Model	Path	*B*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M	a	-0.04 (-0.05)	0.07 (0.07)	-0.59 (-0.72)	.555 (.473)	-0.17 (-0.18)	0.09 (0.08)
M → Fine	b	0.34[a]	1.02	0.34	.737	-1.67[a]	2.36[a]
D_1 (D_2) → Fine	c'	-0.61[a] (1.25[a])	0.96 (0.96)	0.63 (1.31)	.529 (.192)	-1.29[a] (-0.63[a])	2.51[a] (3.14[a])
D_1 (D_2) → Fine	c	-0.59[a] (1.24[a])	0.96 (0.95)	0.62 (1.30)	.537 (.196)	-1.30[a] (-0.64[a])	2.49[a] (3.12[a])
D_1 (D_2) → M → Fine	a*b	-0.01[a] (-0.02[a])	0.07 (0.08)			-0.18[a] (-0.19[a])	0.12[a] (0.16[a])

Note. N = 197; 5,000 bootstrap samples. [a]Each unit represents $1,000. M = d-score; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Defendant physical attractiveness was included as a covariate.

Table 24

Parallel Mediation Model for Hypothesis 5a

Model	Path	*B*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M_1	a_1	0.02 (0.06)	0.06 (0.06)	0.36 (1.06)	.720 (.291)	-0.09 (-0.05)	0.13 (0.18)
D_1 (D_2) → M_2	a_2	0.17 (0.21)	0.21 (0.21)	0.80 (0.99)	.424 (.326)	-0.24 (-0.21)	0.58 (0.62)
M_1 → Verdict	b_1	0.10	0.08	1.09	.279	-0.07	0.26
M_2 → Verdict	b_2	0.01	0.02	0.26	.799	-0.04	0.05
D_1 (D_2) → Verdict	c'	-0.03 (0.01)	0.04 (0.04)	-0.64 (0.16)	.525 (.876)	-0.11 (-0.08)	0.06 (0.09)
D_1 (D_2) → Verdict	c	-0.02 (0.01)	0.04 (0.04)	-0.57 (0.31)	.570 (.756)	-0.11 (-0.07)	0.06 (0.10)
D_1 (D_2) → M_1 → Verdict	$a*b_1$	0.00 (0.01)	0.01 (0.01)			-0.01 (-0.01)	0.02 (0.03)
D_1 (D_2) → M_2 → Verdict	$a*b_2$	0.00 (0.00)	0.01 (0.01)			-0.01 (-0.01)	0.02 (0.02)

Note. N = 213; 5,000 bootstrap samples. M_1 = case NSEs; M_2 = defendant NSEs; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Case believability and case seriousness were included as covariates.

Table 25

Parallel Mediation Model for Hypothesis 5b

Model	Path	*b*	*SE*	*T*	*p*	LLCI	ULCI
D_1 (D_2) → M_1	a_1	0.02 (0.06)	0.06 (0.06)	0.36 (1.06)	.720 (.291)	-0.09 (-0.05)	0.13 (0.18)
D_1 (D_2) → M_2	a_2	0.17 (0.21)	0.21 (0.21)	0.80 (0.99)	.424 (.326)	-0.24 (-0.21)	0.58 (0.62)
M_1 → Knowledge	b_1	-0.26	0.38	-0.68	.497	-1.00	0.49
M_2 → Knowledge	b_2	0.17	0.10	1.63	.104	-0.03	0.37
D_1 (D_2) → Knowledge	c'	-0.29 (-0.04)	0.19 (0.20)	-1.52 (-0.20)	.129 (.843)	-0.67 (-0.43)	0.09 (0.35)
D_1 (D_2) → Knowledge	c	-0.27 (-0.02)	0.19 (0.20)	-1.40 (-0.10)	.162 (.921)	-0.65 (-0.41)	0.11 (0.37)
D_1 (D_2) → M_1 → Knowledge	$a*b_1$	-0.01 (-0.02)	0.03 (0.03)			-0.06 (-0.09)	0.05 (0.05)
D_1 (D_2) → M_2 → Knowledge	$a*b_2$	0.03 (0.04)	0.04 (0.05)			-0.05 (-0.05)	0.12 (0.14)

Note. N = 213; 5,000 bootstrap samples. M_1 = case NSEs; M_2 = defendant NSEs; Knowledge = prior knowledge of insufficient funds; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Case believability and case seriousness were included as covariates.

Table 26

Parallel Mediation Model for Hypothesis 5c, Prison Sentence

Model	Path	*b*	*SE*	*T*	*p*	LLCI	ULCI
D_1 (D_2) → M_1	a_1	-0.01 (0.05)	0.06 (0.06)	-0.10 (0.89)	.918 (.376)	-0.12 (-0.06)	0.11 (0.17)
D_1 (D_2) → M_2	a_2	0.08 (0.18)	0.21 (0.21)	0.38 (0.83)	.706 (.409)	-0.33 (-0.24)	0.49 (0.60)
M_1 → Prison	b_1	4.77	9.62	0.50	.620	-14.21	23.75
M_2 → Prison	b_2	4.12	2.64	1.56	.120	-1.09	9.34
D_1 (D_2) → Prison	c'	-4.07 (0.23)	4.87 (5.02)	-0.84 (0.04)	.405 (.964)	-13.67 (-9.68)	5.54 (10.13)
D_1 (D_2) → Prison	c	-3.77 (1.20)	4.96 (5.11)	-0.76 (0.24)	.448 (.814)	-13.55 (-8.87)	6.00 (11.27)
D_1 (D_2) → M_1 → Prison	$a*b_1$	-0.03 (0.25)	0.62 (0.81)			-1.29 (-1.35)	1.37 (2.16)
D_1 (D_2) → M_2 → Prison	$a*b_2$	0.32 (0.73)	1.04 (1.13)			-1.86 (-1.15)	2.54 (3.46)

Note. N = 197; 5,000 bootstrap samples. M_1 = case NSEs; M_2 = defendant NSEs; Prison = prison sentence; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Case seriousness was included as a covariate.

Table 27

Parallel Mediation Model for Hypothesis 5c, Fine

Model	Path	*b*	*SE*	*t*	*p*	LLCI	ULCI
D_1 (D_2) → M_1	a_1	-0.03 (0.06)	0.06 (0.06)	-0.42 (0.95)	.672 (.341)	-0.15 (0.06)	0.09 (0.18)
D_1 (D_2) → M_2	a_2	-0.05 (0.19)	0.23 (0.22)	-0.23 (0.83)	.818 (.407)	-0.50 (-0.26)	0.39 (0.63)
M_1 → Fine	b_1	-1.45[a]	1.81	-0.80	.425	-5.03[a]	2.13[a]
M_2 → Fine	b_2	0.71[a]	0.49	1.44	.153	-0.26[a]	1.68[a]
D_1 (D_2) → Fine	c'	0.59[a] (1.19[a])	0.96 (0.95)	0.62 (1.25)	.538 (.215)	-1.30[a] (-0.69[a])	2.49[a] (3.07[a])
D_1 (D_2) → Fine	c	0.59[a] (1.24[a])	0.96 (0.95)	0.62 (1.30)	.537 (.196)	-1.30[a] (-0.64[a])	2.49[a] (3.12[a])
D_1 (D_2) → M_1 → Fine	a*b_1	0.04[a] (-0.08[a])	0.13 (0.16)			-0.20[a] (-0.46[a])	0.36[a] (0.18[a])
D_1 (D_2) → M_2 → Fine	a*b_2	-0.04[a] (0.13[a])	0.20 (0.20)			-0.48[a] (-0.19[a])	0.36[a] (0.62[a])

Note. N = 197; 5,000 bootstrap samples. [a]Each unit represents $1,000. M_1 = case NSEs; M_2 = defendant NSEs; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively. Defendant physical attractiveness was included as a covariate.

Table 28

Summary of Moderation Models for Defendant Weight and Defendant Physical Attractiveness

Variables	*b*	*SE*	*t*	*p*	LLCI	ULCI
Model 1: CNSEs						
Attractive	-0.04	0.18	-0.21	.837	-0.39	0.31
D_1 (D_2)	-0.12 (0.07)	0.11 (0.10)	-1.14 (0.66)	.257 (.510)	-0.33 (-0.13)	0.09 (0.26)
Attractive x D_1 (D_2)	0.33 (-0.00)	0.25 (0.26)	1.33 (-0.02)	.186 (.988)	-0.16 (-0.51)	0.82 (0.50)
Believability	0.02	0.02	0.67	.503	-0.03	0.06
Seriousness	0.24	0.07	3.38	.001***	0.10	0.37
Model 2: DNSEs						
Attractive	0.33	0.65	0.50	.615	-0.10	1.62
D_1 (D_2)	-0.30 (0.27)	0.39 (0.37)	-0.76 (0.73)	.450 (.469)	-1.07 (-0.46)	0.48 (0.10)
Attractive x D_1 (D_2)	0.89 (-0.26)	0.92 (0.94)	0.97 (-0.28)	.333 (.784)	-0.92 (-2.11)	2.69 (1.60)
Believability	0.03	0.09	0.37	.713	-0.14	0.21
Seriousness	1.13	0.26	4.42	< .001***	0.63	1.63
Model 3: Verdict						
Attractive	-0.25	0.13	-1.89	.060ǂ	-0.52	0.01
D_1 (D_2)	-0.14 (-0.01)	0.08 (0.08)	-1.71 (-0.08)	.089ǂ (.935)	-0.29 (-0.15)	0.02 (0.14)
Attractive x D_1 (D_2)	0.36 (0.13)	0.19 (0.19)	1.92 (0.66)	.056ǂ (.508)	-0.01 (-0.25)	0.73 (0.51)
Believability	0.09	0.02	4.96	< .001***	0.05	0.13
Seriousness	0.06	0.05	1.05	.296	-0.05	0.16
Model 4: Knowledge						
Attractive	-0.20	0.61	-0.33	.741	-1.39	0.99
D_1 (D_2)	-0.37 (0.12)	0.36 (0.34)	-1.01 (0.35)	.314 (.725)	-1.08 (-0.55)	0.35 (0.79)

Attractive x D_1 (D_2)	0.30 (-0.33)	0.85 (0.87)	0.35 (-0.37)	.728 (.709)	-1.38 (-2.04)	1.97 (1.39)
Believability	0.26	0.08	3.19	.002**	0.10	0.42
Seriousness	0.67	0.24	2.82	.005**	0.20	1.13
Model 5: Prison[a]						
Attractive	5.56	15.51	0.36	.720	-25.03	36.15
D_1 (D_2)	-6.12 (11.78)	9.26 (8.62)	-0.67 (1.37)	.506 (.173)	-24.45 (-5.21)	12.09 (28.78)
Attractive x D_1 (D_2)	3.27 (-31.26)	21.71 (22.06)	0.15 (-1.42)	.881 (.158)	-39.56 (-74.77)	46.09 (12.24)
Seriousness	25.12	5.60	4.49	< .001***	14.08	36.16
Model 6: Fine[ab]						
Attractive	0.69	2.85	0.24	.809	-4.93	6.32
D_1 (D_2)	2.35 (3.28)	1.70 (1.59)	1.39 (2.07)	.167 (.040*)	-0.10 (0.15)	5.70 (6.41)
Attractive x D_1 (D_2)	-5.65 (-6.79)	3.97 (4.07)	-1.42 (-1.67)	.156 (.096ł)	-13.47 (-14.81)	2.18 (1.23)

Note. $N = 213$; 5,000 bootstrap samples. [a]Sentencing recommendations were only provided by participants who reached a guilty verdict ($N = 197$). [b]Each unit represents $1,000. CNSEs = case NSEs; Attractive = defendant physical attractiveness; Believability = case believability; Seriousness = case seriousness; DNSEs = defendant NSEs; Knowledge = prior knowledge of the insufficient funds; Prison = prison sentence.

ł$p < .10$, *$p < .05$, **$p < .01$, ***$p < .001$

Table 29

Simple Mediation Model Summary for NSEs on Verdict through Prior Knowledge of Insufficient Funds

Model	Path	*b*	*SE*	*t*	*p*	LLCI	ULCI
Case NSEs							
Case NSEs → M	a	0.58	0.41	2.39	.018	0.10	1.05
M → Verdict	b	0.11	0.01	8.54	< .001	0.09	0.14
Case NSEs → Verdict	c'	0.10	0.05	2.22	.028	0.01	0.20
Case NSEs → Prison	c	0.17	0.05	3.16	.002	0.06	0.27
Case NSEs → M → Prison	a*b	0.07	0.03			0.01	0.12
Defendant NSEs							
Defendant NSEs → M	a	0.21	0.06	3.27	.001	0.08	0.33
M → Verdict	b	0.11	0.01	8.43	< .001	0.09	0.14
Defendant NSEs → Verdict	c'	0.02	0.01	1.44	.152	-0.01	0.04
Defendant NSEs → Prison	c	0.04	0.01	2.92	.004	0.01	0.07
Defendant NSEs → M → Prison	a*b	0.02	0.01			0.01	0.04

Note. N = 213; 5,000 bootstrap samples. M = prior knowledge of insufficient funds; LLCI and ULCI indicate the lower and upper limits of a 95% confidence interval, respectively.

Appendix A
Overweight Female Defendant

Appendix B
Lean Female Defendant

Appendix C
Check Fraud Case Vignette

Please imagine you are a member of a jury hearing the case of a 27-year-old female from Grand Forks, North Dakota. The defendant has been charged with a Class B Felony for issuing 10 bad checks over the past 18 months. The checks were issued at major retailer stores throughout the state, including Target, Wal-Mart, and Costco. The fraudulent checks, which were used to buy merchandise that included an 18MP Digital Camera, a 50" plasma television, and a king size bed with Tempur-Pedic mattress, totaled in excess of $10,000.

Appendix D
Anti-Fat Attitudes Scale

Directions:

Please use the following scale to indicate to what extent you agree/disagree with each of the following statements.

0	1	2	3	4	5	6	7	8	9
Completely Disagree									Completely Agree

Dislike:

1. I really don't like fat people much.
2. I don't have many friends that are fat.
3. I tend to think that people who are overweight are a little untrustworthy.
4. Although some fat people are surely smart, in general, I think they tend not to be quite as bright as normal weight people.
5. I have a hard time taking fat people too seriously.
6. Fat people make me feel somewhat uncomfortable.
7. If I were an employer looking to hire, I might avoid hiring a fat person

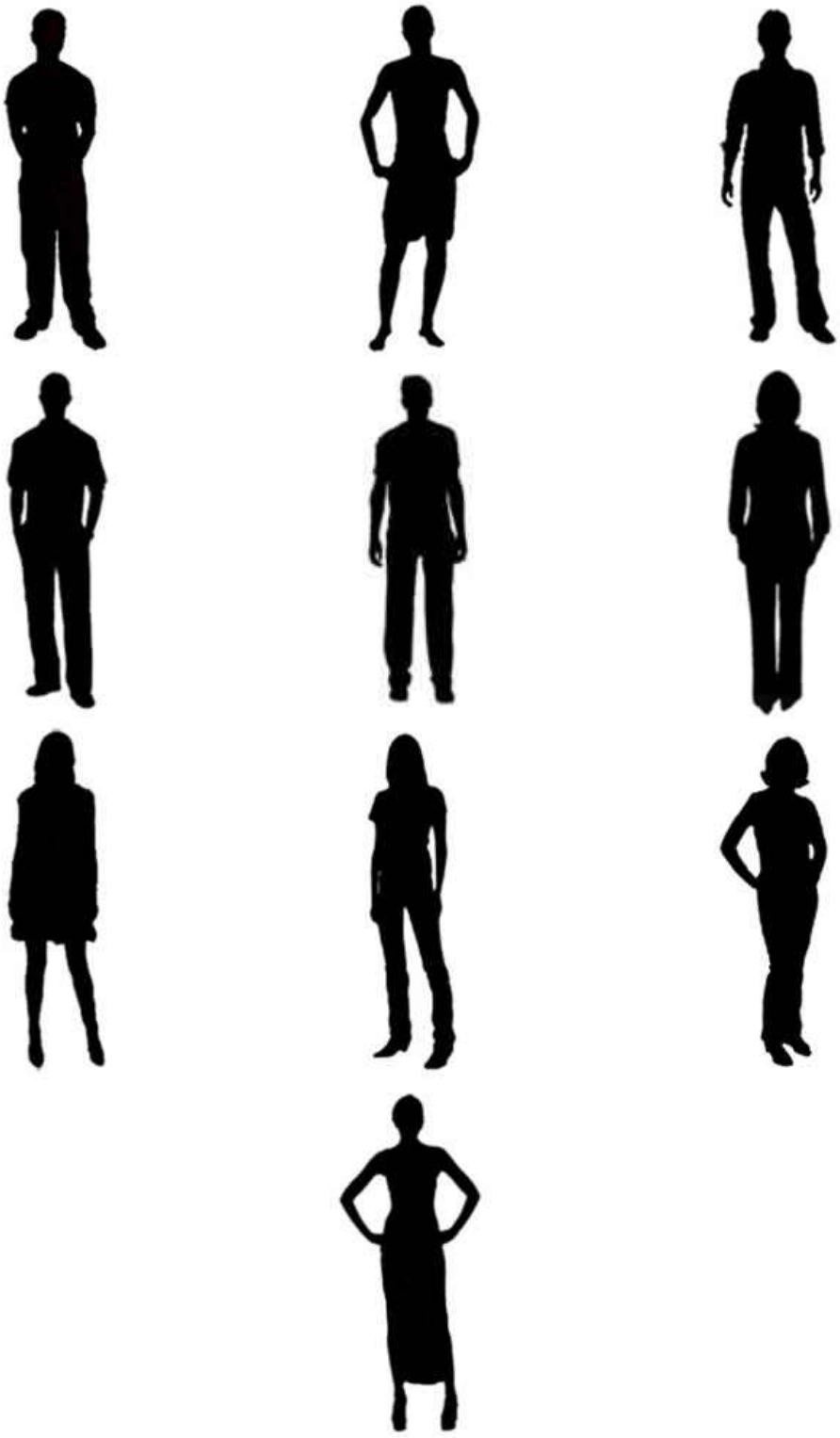
Fear of Fat

1. I feel disgusted with myself when I gain weight.
2. One of the worst things that could happen to me would be if I gained 25 pounds.
3. I worry about becoming fat.

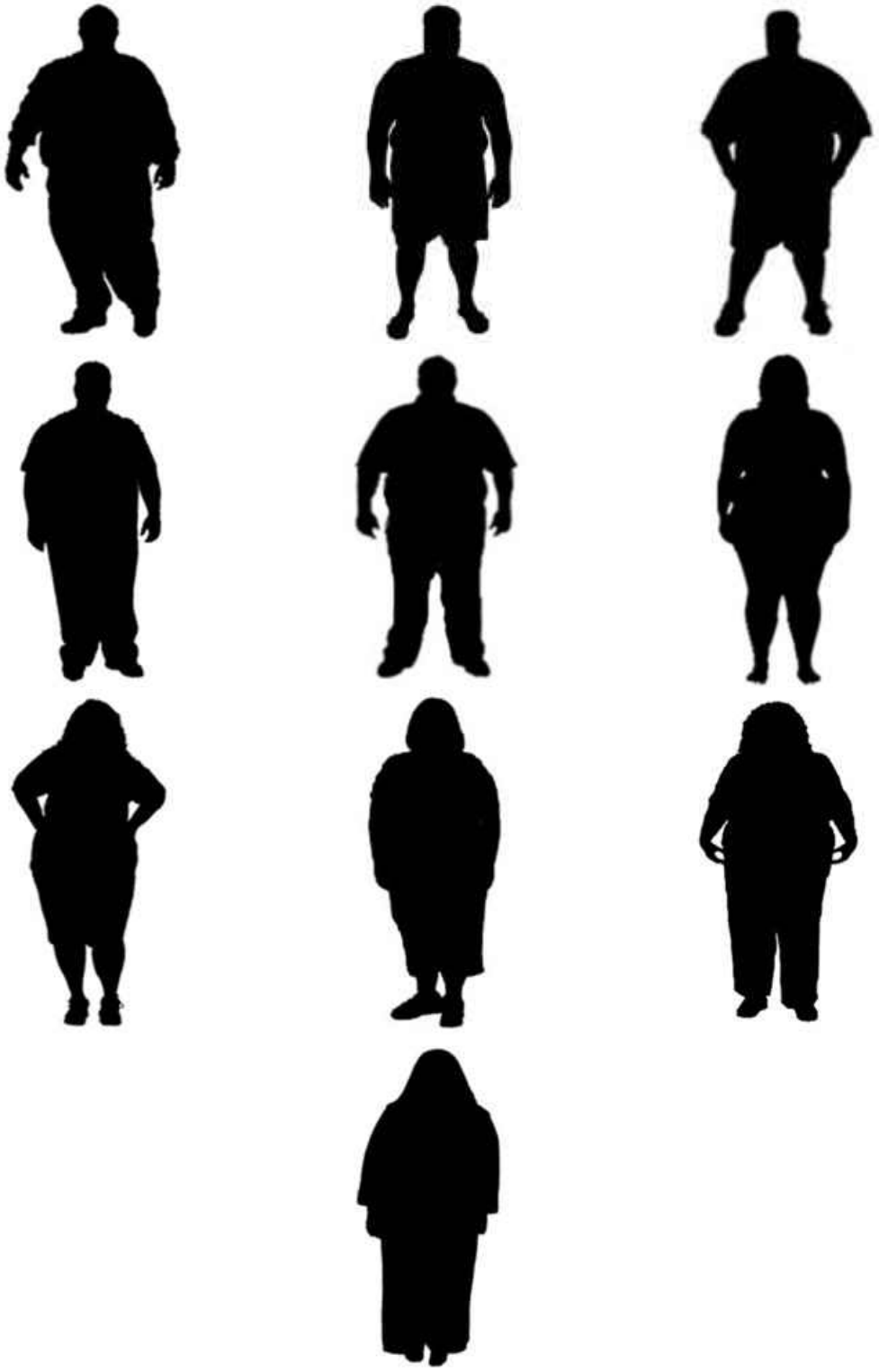
Willpower

1. People who weight too much could lose at least some part of their weight through a little exercise.
2. Some people are fat because they have no willpower.
3. Fat people tend to be fat pretty much through their own fault.

Appendix E
Thin Stimuli – IAT



Appendix F
Fat Stimuli – IAT



Appendix G
Demographics Questionnaire

1. What is your age?
2. Sex
    a. Male
    b. Female
    c. Other
        i. Please specify: _____
3. What is your ethnicity? (check all that apply)
    a. American Indian/Alaska Native
    b. Asian or Pacific Islander
    c. Black or African American
    d. Caribbean Islander
    e. White or Caucasian
    f. Mexican or Mexican American
    g. Other Latina or Latin American
    h. Other Race
        i. Please specify: _____
4. What is your highest level of school completed?
    a. Less than high school
    b. High school
    c. Some college/Associate's Degree
    d. Bachelor's Degree
    e. Graduate Degree
    f. Other
        i. Please specify: _____
5. What is your height? _____ feet _____inches
6. What is your weight? _____ pounds
7. Have you ever served as a juror?
    a. Yes
    b. No
8. Have you ever issued a bad check?
    a. Yes
    b. No
9. Have you ever been accused of check fraud?
    a. Yes
    b. No

Appendix H
Negative Spontaneous Evaluations

Directions: For the statements below, please rate the extent to which you agree using the following scale:

1	2	3	4	5	6	7
Strongly Disagree						Strongly Agree

Case

1. The case made me feel angry.
2. The case made me feel contented.
3. The case made me feel disgusted.
4. The case made me feel happy.
5. The case made me feel relaxed.
6. The case made me feel surprised.

Defendant:

7. The defendant made me feel angry.
8. The defendant made me feel contented.
9. The defendant made me feel disgusted.
10. The defendant made me feel happy.
11. The defendant made me feel relaxed.
12. The defendant made me feel surprised.

Appendix I
Case Judgments

Instructions: As a juror in this trial, it is your responsibility to make some judgments about the case. Based on the evidence presented, please answer the following questions regarding your opinions on the verdict and other related items below.

Using information from the North Dakota Century Code Section 12.1-24-01 as a guide, please answer the following questions.

> A person is guilty of forgery or counterfeiting if, with intent to deceive or harm the government or another person, or with knowledge that the person is facilitating such deception or harm by another person, the person: (a) Knowingly and falsely makes, completes, or alters any writing; or (b) Knowingly utters or possesses a forged or counterfeited writing. Forgery or counterfeiting is: (a) A class B felony if: (1) The actor forges or counterfeits an obligation or other security of the government; or (2) The offense is committed pursuant to a scheme to defraud another or others of money or property of a value in excess of ten thousand dollars, but not in excess of fifty thousand dollars. If the value of the property exceeds fifty thousand dollars, the offense is a class A felony.

1. Please select your verdict in the current case for the charge of a Class B Felony.
    a. Not Guilty
    b. Guilty

2. How confident are you in your verdict?

1	2	3	4	5	6	7
Not at all Confident						Completely Confident

3. Using the scale below, do you agree the defendant had prior knowledge of the insufficient funds?

1	2	3	4	5	6	7
Strongly Disagree						Strongly Agree

The North Dakota Century Code Section 12.1-32 outlines penalties and sentencing guidelines for criminal offenses. For a Class B Felony, the guidelines read as follows:

> Offenses … are denominated and subject to maximum penalties, as follows: ... Class B felony, for which a maximum penalty of ten years' imprisonment, a fine of twenty thousand dollars, or both, may be imposed.

Using the guidelines outlined above, please provide a recommended sentence for the defendant in this case. Please note you may recommend a prison sentence, fine, or both.

1. _____ years in prison
2. _____ fine (please indicate U.S. dollar amount)

Please carefully read each statement below and respond using the scale provided.

1. This case is believable.

1	2	3	4	5	6	7
Not at all Believable						Completely Believable

2. This case is serious.

1	2	3	4	5	6	7
Not at all Serious						Completely Serious

3. Please rate how physically attractive you perceive the defendant to be.

1	2	3	4	5	6	7
Unattractive						Attractive

4. Please rate what you believe the socioeconomic status (SES) of the defendant to be.

1	2	3	4	5	6	7
Very Low SES						Very High SES

Please answer the following questions about the case.

1. How many fraudulent checks did the defendant issue? _____

2. The defendant is:
    a. Thin
    b. Average Weight
    c. Overweight
    d. Unsure

Appendix J
Online Consent Form

The University of North Dakota
Consent to Participate in Research

TITLE: Jurors Perceptions of a Felony Offense (Part One)
PROJECT DIRECTOR: Stephanie H. Weigel
PHONE #: (701) 777-6824
DEPARTMENT: Psychology

This research is being conducted by Stephanie H. Weigel as part of her dissertation project for her doctorate degree from the Psychology Department at the University of North Dakota (UND) under the direction of her dissertation advisor, Dr. Andre Kehn. Contact information for both Stephanie and Dr. Kehn appear below.

A person who is to participate in the research must give his or her informed consent to such participation. This consent must be based on an understanding of the nature and risks of the research. This document provides information that is important for this understanding. Research projects include only subjects who choose to take part. Please take your time in making your decision as to whether to participate. If you have questions at any time, please ask.

Approximately 300 students at UND will take part in this online study. If you join this study, you will be asked to read a summary of a check fraud case and asked to respond to various questions regarding your perceptions of the case. The purpose of this research is to examine how people make judgments in these types of cases. Once you have completed Part One of this study, please sign up for a time to come to the laboratory located in Columbia Hall to complete Part Two of the experiment. There will be no cost to participate in this study. Students participating in this study for class credit will receive .5 (or ½) research credits.

Part One should take no longer than 30 minutes to complete. You will receive credit upon completion of the study. Please be aware that you are not required to participate in this research, and you may discontinue your participation at any time without penalty. The study consists of a number of multiple-choice and/or free-response questions. You are free to skip any questions that you would prefer not to answer.

As a participant in Part Two, you will be asked to complete a short task on the computer. The purpose of this research is to investigate peoples' beliefs and attitudes. Your participation in Part Two will be limited to one session lasting approximately 30 minutes. There will be no cost to participate in this study. Students participating in this study for class credit will receive .5 (or ½) research credits.

Your data and responses to the online study will remain confidential. However, as with all confidential research, there is the potential risk of breach of confidentiality. While this breach is possible, all responses are held in the HIPPA compliant Qualtrics Research Suite. This site is password protected and your responses may only be accessed by Stephanie and Dr. Kehn.

Furthermore, data from this study will likely only be presented, published, or discussed in aggregate. However, should an individual's data be singled out, this would only be done using a participant code, without using names or any other identifying information. Data will be accessible by the PI (Stephanie H. Weigel), research assistants, the student advisor (Dr. Kehn), and the persons that audit IRB procedures. After a period of no less than three years, all computer files will be removed and deleted. Additionally, after a period of no less than three years, all intake and consent forms will be shredded.

Additional risks associated with participation in this study are minimal and not beyond that of daily living. Potential risks include fatigue and possible discomfort from disclosing personal information. While you must complete all sections in one sitting (i.e., you are not allowed to resume at another time from where you left off) if you become tired, feel free to take as long as necessary to complete the study.

If you need further assistance, you may schedule an appointment at UND's by calling (701) 777-2127.

Participation in this study is completely voluntary and you may withdraw at any time without penalty. Should you choose to withdraw, the information you had provided up to that point would not be included in the analysis of this study. For every question, you are given the option to decline to answer a question. If for any reason you are uncomfortable answering a question, please select the no response option, which will be considered a response. Please note, choosing not to respond to a question will not exclude the information you did provide from data analysis. If you have any questions regarding this research, feel free to contact Stephanie H. Weigel by email at stephanie.weigel@und.edu, or Dr. Andre Kehn at Kehn, andre.kehn@und.edu.

By continuing with this study and selecting "Continue" below, I am agreeing to the following statements:

"I am 18 years old or older, this research study has been explained to me, my questions have been answered, and I voluntarily agree to participate in this study. My completion and electronic submission of this study will serve as my consent. I may print a copy of (or contact Stephanie H. Weigel for a copy of) this consent statement for future reference."

"If I have any questions about my rights as a research participant I can contact the University of North Dakota Institutional Review Board at (701) 777-4279 or UND.irb@research.UND.edu."

Appendix K
In-Laboratory Consent Form

The University of North Dakota
Consent to Participate in Research

TITLE: Jurors Perceptions of a Felony Offense (Part Two)
PROJECT DIRECTOR: Stephanie H. Weigel
PHONE #: (701) 777-6824
DEPARTMENT: Psychology

This research is being conducted by Stephanie H. Weigel as part of her dissertation project for her doctorate degree from the Psychology Department at the University of North Dakota (UND) under the direction of her dissertation advisor, Dr. Andre Kehn. Contact information for both Stephanie and Dr. Kehn appear below.

A person who is to participate in the research must give his or her informed consent to such participation. This consent must be based on an understanding of the nature and risks of the research. This document provides information that is important for this understanding. Research projects include only subjects who choose to take part. Please take your time in making your decision as to whether to participate. If you have questions at any time, please ask.

Approximately 300 students at UND will take part in this online study. If you join this study, you will be asked to complete a short task on the computer. The purpose of this research is to investigate peoples' beliefs and attitudes. There will not be any cost to participate in this study. Students participating in this study for class credit will receive .5 (or ½) research credits.

Your data and responses on the participant intake form will remain confidential. However, as with all confidential research, there is the potential risk of breach of confidentiality. We will take various measures to ensure this confidentially. Your name will appear only on this informed consent form and the researcher's experiment log. These will be kept in a locked file cabinet. Furthermore, data from this study will likely only be presented, published, or discussed in aggregate. However, should an individual's data be singled out, this would only be done using a participant code, without using names or any other identifying information. Data will be accessible by the PI (Stephanie H. Weigel), research assistants, the student advisor (Dr. Kehn), and the persons that audit IRB procedures. After a period of no less than three years, all computer files will be removed and deleted. Additionally, after a period of no less than three years, all intake and consent forms will be shredded.

Additional risks associated with participation in this study are minimal and not beyond that of daily living. Potential risks include fatigue and possible discomfort from disclosing personal information. While you must complete all sections in one sitting (i.e., you are not allowed to resume at another time from where you left off) if you become tired, feel free to take as long as necessary to complete the study. Your data are important to this research project, and I hope that your participation contributes to your learning about psychological research.

If you need further assistance, you may schedule an appointment at UND's by calling (701) 777-2127.

Participation in this study is completely voluntary and you may withdraw at any time without penalty. Should you choose to withdraw, the information you had provided up to that point would not be included in the analysis of this study. For every question, you are given the option to decline to answer a question. If for any reason you are uncomfortable answering a question, please select the no response option, which will be considered a response. Please note, choosing not to respond to a question will not exclude the information you did provide from data analysis. If you have any questions regarding this research, feel free to contact Stephanie H. Weigel by email at stephanie.weigel@und.edu, or Dr. Andre Kehn at Kehn, andre.kehn@und.edu.

There are two copies of this consent form. After signing them, keep one copy for your records and return one to the researcher. Thank you in advance for participating in our research study.

By signing below, I am agreeing to the following statements:

"I am 18 years old or older, this research study has been explained to me, my questions have been answered, and I voluntarily agree to participate in this study."

"If I have any questions about my rights as a research participant I can contact the University of North Dakota Institutional Review Board at (701) 777-4279 or UND.irb@research.UND.edu."

Subjects Name: _____

_____ _____

Signature of Subject Date

I have discussed the above points with the subject or, where appropriate, with the subject's legally authorized representative.

_____ _____

Signature of Person Who Obtained Consent Date