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Claremont McKenna College

**The Effects of Gender Stereotypes and Types of Crime on Perceptions of Responsibility,
Sentencing Severity, and Likelihood of Recidivism**

submitted to

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by

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for

Senior Thesis

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THE EFFECTS OF GENDER STEREOTYPES

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THE EFFECTS OF GENDER STEREOTYPES

Author's Note

This thesis project would not have been possible without the love and support of my parents, sister, and mentors. I would like to especially thank my parents. Without them I would not be where or who I am today. I am deeply grateful for all that they have done for me throughout the first 21 years of my life. They have truly taught and shown me the meaning of love. Mom and Dad, thank you for being the loving and caring people that you are. I could not have done any of this without you two. I would also like to thank my sister for always being there for me through times of stress and self-doubt. Thank you for continuously offering advice, support, lighthearted entertainment, and reassurance in times of struggle. I am very thankful for you today and every day.

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Abstract

Past research has produced mixed findings regarding the roles of gender stereotypes in criminal sentencing. Usually, women receive preferential treatment; however, studies have shown that women receive harsher sentencing than men under certain circumstances. In light of these findings, we argued that the Chivalry and Paternalism thesis shows how women are exempted from harsh punishment when their crimes align with negative gender stereotypes, resulting in lenient treatment most of the time. Additionally, we argued that women receive harsher sentencing when their crimes violate positive gender stereotypes while men receive harsher sentencing when their crimes 1) violate positive gender stereotypes or 2) align with negative ones. To evaluate this theory, we examined how gender stereotypes and type of crime affected perceptions of responsibility, sentencing severity, and likelihood of recidivism. Using a 2 x 3 mixed factorial design, we manipulated two independent variables: gender of perpetrator and type of crime. To measure the effects of these manipulations, we used three dependent variables: (a) perpetrator responsibility (b) sentencing severity and (c) likelihood of recidivism. One hundred and eleven participants (61 women, 49 men, and 1 non-binary) were randomly assigned to 3 of 6 conditions. Additionally, a gender stereotype endorsement score was included to reveal each participant's endorsement of gender stereotypes. Results showed that perpetrator gender had no significant effect on responsibility, sentencing severity, or likelihood of recidivism and that gender stereotype endorsement was an insignificant covariate. Based on these findings, perhaps gender stereotypes do not play a significant role in sentencing.

The Effects of Gender Stereotypes and Types of Crime on Perceptions of Responsibility, Sentencing Severity, and Likelihood of Recidivism

Racial stereotypes have played a significant role in criminal sentencing since the beginning of the legal system. However, not all stereotypes are negative. For example, African Americans may be negatively stereotyped as aggressive, loud, uneducated, and criminal, but they are also positively stereotyped as athletic, musical, and sexually and socially competent (Welch, 2007). That being said, research shows that perpetrators are more likely to receive harsher sentencing when they commit crimes which deviate from their positive racial stereotypes or align with their negative racial stereotypes (Hahlbeck, 2021). Indeed, statistics from 2018 found that black people, although they only represent 13% of the United States population, accounted for 33% of arrests for nonfatal violent crimes and 36% of serious nonfatal violent crimes (Beck, 2021). It is likely that black individuals receive harsher sentencing than white people when they commit aggressive crimes, such as assault or rape, since those crimes align with the negative racial stereotypes associated with black individuals. For similar reasons, black people also receive harsher punishments than whites for drug dealing (Welch, 2007). Research surrounding racial stereotypes in criminal sentencing made researchers wonder if other stereotypes played such significant roles in the legal system. Specifically, they began to ponder what role, if any, gender stereotypes played in criminal sentencing. In order to understand how gender stereotypes may play a role in sentencing, it is important to first understand the process that the legal system uses to determine sentencing severity.

Determinants of Sentencing Severity

Sentencing severity is best understood through a combination of legal and extra-legal variables. Legal variables include offense seriousness, type of crime committed, and prior record,

while extralegal variables include race, education, gender, and socioeconomic status (Brewster, 2022; Lovko, 1994). In an ideal world, sentencing decisions would be based solely on legal variables, but research has found that extra-legal variables have a significant impact on sentencing outcomes. In fact, sentencing disparities, when two people commit the same crime and have the same record yet receive dissimilar sentences, are due to the influences of extralegal variables (Ostrom et al., 2004). Additionally, research has found that extralegal variables are more accurate predictors of sentencing for women and legal variables are better sentencing predictors for men. This finding indicates that judges are more likely to use extralegal variables to the benefit of women than men (Lovko, 1994). However, the question as to why extralegal variables cause such disparities remains unanswered.

Research suggests that sentencing outcomes are greatly impacted by the perceived responsibility of the defendant. Responsibility is determined by evaluating the controllability and stability of the crime. Controllability refers to whether the defendant was in control of his or her behavior while stability pertains to whether the cause of the defendant's actions was temporary or permanent. Crimes which are attributed to controllable and stable causes tend to evoke harsher sentencing outcomes while those which are attributed to less controllable and unstable causes usually result in more lenient sentencing (Ruback, 2015). For example, defendants are viewed as less responsible for crimes if they were forced to commit the crime by someone threatening them with a gun. Conversely, defendants are perceived as more responsible if they commit a crime in a situation which provides them with the control to choose not to engage in criminal behaviors (Ruback, 2015; Costanzo & Krauss, 2021).

Additionally, research has found that the perceived likelihood of recidivism, or future dangerousness, also significantly affects sentencing outcomes for defendants. Likelihood of

recidivism refers to the probability that a defendant will commit another crime in the future. The main purpose of an evaluation of likelihood of recidivism is to determine whether the defendant is still a threat to society (Costanzo & Krauss, 2021). Therefore, if a defendant is perceived as likely to recidivate, he or she will receive harsher sentencing while those who are considered less likely to recidivate will receive more lenient sentencing.

These findings may explain the disparities in sentencing between men and women given that gender stereotypes of both women and men may impact how jurors interpret responsibility and likelihood of recidivism. However, before discussing common stereotypes for men and women, one must first become familiar with the disparities in treatment between men and women in the courtroom.

Treatment of Women in the Legal System

Research suggests that, in general, men are treated more harshly than women in the courtroom (Crew, 1991; Miller et al, 1986; Albonetti, 1997; Spohn & Beichner, 2000; Zingraff, & Thomson, 1984). However, there has been disagreement as to why women receive preferential treatment. One of the strongest arguments to elucidate women's preferential treatment is the impact of the negative gender stereotypes depicted in the chivalry and paternalism thesis (Crew, 1991).

The chivalry and paternalism thesis argues that the lenient treatment of women is due to the characterization of women as passive, weak, and dependent. However, to fully grasp this argument, one must appreciate the roles of both chivalry and paternalism. Chivalry refers to the combination of a man's unwillingness to bring harm to a woman and the belief that a woman could not be a criminal. It is proposed in Pollak (1950, p. 151) that male officers of the law do not like to punish women nor do male police officers like to arrest them. Plainly put, chivalry

argues that men do not like to punish or blame women for their crimes regardless of whether they're guilty or not (Becker & Wright, 2011; Crew, 1991). Paternalism, on the other hand, characterizes women as childish, defenseless, and helpless beings who should receive protection from harm rather than punishment (Good et al., 2016; Crew, 1991, Nagel & Hagan, 1983). The primary difference between chivalry and paternalism is the negative implications of paternalism. While chivalry may free women from punishment due to their assumed incapability of committing crimes and a man's desire to not punish a woman for her actions, paternalism portrays women as useless, implying that they are powerless and incapable of making a decision let alone of committing a crime. Research has found that, regardless of their differences, the effects of chivalry and paternalism are the primary reason gender results in lenient sentencing of women (Moulds, 1978).

Green (1961) evaluated 1,437 recorded cases in 1956-1957 from Philadelphia. Through his analysis of the cases, Green discovered that women only represent 6.3% of the defendants, perhaps implying that women receive preferential treatment from prosecutors and are less likely to be put on trial for their crimes. Additionally, Green found that out of a sample of 91, 51 women or 61.5% were incarcerated and 35 or 38.5% were not incarcerated. On the other hand, out of a sample of 1,346 men, 1,071 or 79.6% were incarcerated and 275 or 20.4% were not incarcerated. These results were interpreted to depict the effects chivalry and paternalism has on sentencing decisions. Specifically, Green argues that his results suggest that, at the very least, people tend to approach sentencing for women as more rehabilitative rather than punitive. Therefore, these findings show that women do receive benefits from chivalry and paternalism, particularly their freedom (Moulds, 1978).

While there is research which supports that women receive preferential treatment in the courtroom, there is also research which argues that women are treated more harshly in the courtroom than men. These studies claim that women receive harsher sentencing when they commit crimes which violate their positive gender stereotypes (Jenkins & Davidson, 1990; Spohn & Beichner, 2000). Therefore, women may not always be given preferential treatment, but may be sentenced more leniently depending on the details of the crime and whether their actions are consistent or inconsistent with their gender stereotypes (Hahlbeck, 2021).

According to these findings, women receive preferential treatment in the courtroom most of the time; however, there are certain circumstances under which women receive harsher sentencing. In order to comprehend such circumstances, this paper must expose gender stereotypes of both men and women and explain how those stereotypes may affect the determinants of sentencing described earlier in this paper.

Gender Stereotypes

Similar to racial stereotypes, there are both positive and negative gender stereotypes. Gender stereotypes are rooted in the personality traits of men and women that are associated with their perceived roles in society. Women are more often responsible for caring for the home and family while men are tasked with providing for the family financially. More broadly speaking, a woman's role in society is perceived as caring for the needs of others whereas a man's role is to optimize his abilities and exert his power over others in order to maintain a dominant position in society (Gerber, 1991; Hoekstra & Street, 2018).

The positive stereotypes of men include providing financially for their family as well as being assertive, powerful, ambitious, competent, and dominant (Hentschel et al., 2019; Gerber, 1991). Negative stereotypes of men are often rooted in their ability to exercise power and desire

to dominate others. These behaviors can range anywhere from making decisions for others to violent actions. Men being considered aggressive or violent is a well-known and justifiable negative stereotype. Statistics have shown that in approximately 95% of domestic abuse cases, a woman was the victim and a man was the offender (Gerber, 1991). In addition, a concept called “culture of honor” is used to explain the differences in a man’s behavior when responding to others threatening his masculine reputation or dominance. This concept indicates that men frequently engage in violent behavior in response to threats or aggressive behavior from others (Keller, 2021). Given these statistics and the concept of “culture of honor,” men are accurately stereotyped as more violent and aggressive than women.

Research has suggested that men receive harsher sentencing when they commit crimes that are consistent with their negative stereotypes or inconsistent with their positive stereotypes. This is due to stereotypes impacting jurors’ perception of the defendant’s responsibility and likelihood of recidivism. For example, men will be treated more harshly for violent crimes than women because violent crimes are consistent with their negative stereotypes. In other words, because being violent is a well-known and justified negative stereotype, jurors are likely to perceive the defendant’s violent behavior as a tendency of his gender, increasing the likelihood that jurors will 1) assume the defendant will recidivate and 2) interpret the cause of the defendant’s crime as controlled and stable. In addition, a man will be treated harsher for robbing a store to help him provide for his family as this crime is inconsistent with the positive stereotype of a man being capable of providing for his family. When a man steals the resources used to provide for his family, he violates this stereotype. In fact, some jurors may argue that the effort the man put towards robbing the store could have been put towards working and gaining the money to provide for his family without stealing. Therefore, the defendant's choice to rob was a

result of free will, causing the jurors to perceive him as more likely to recidivate and more responsible for his crime.

Similar to how stereotypes of a man are rooted in their societal role of protecting and providing for his family, stereotypes of women are rooted in their communal nature. That being said, positive stereotypes of women portray them as good mothers, nurturing, warm, and caring while their negative stereotypes depict them as docile, passive, and weak (Siegel & Meunier, 2020).

As mentioned, a key stereotype of women is good motherhood. This stereotype pertains to the expectation of women to perform certain acts of love for their children, such as providing them with protection. Research has claimed that failure to perform such acts of love makes a mother criminally punishable regardless of whether there are obstacles which prevent them from protecting their child (Hoekstra & Street, 2018; Hentschel et al., 2019). In fact, such obstacles are not recognized in court and are deemed irrelevant as a defense. For example, in one case, a fifteen-year-old mother was convicted of involuntary manslaughter because she failed to remove her child from a dangerous situation. The court claims that the mother was aware of her boyfriend's violent tendencies and could have easily removed her child from such a threatening environment. However, she did not remove her child from the dangerous environment and therefore, contributed to her child's death (Hoekstra & Street, 2018). Although the mother herself was not a threat, the jurors felt that she was responsible for protecting her child from harm. Consequently, the court claimed that leaving the child in a violent environment warranted the mother to be criminally punished, resulting in her conviction of involuntary manslaughter. This particular case is an excellent example of a woman receiving harsher sentencing as a result

of violating positive gender stereotypes. By failing to protect her child, the mother was not given the preferential treatment that women tend to get in the courtroom.

Although men and women seem to both receive harsher treatment when committing crimes that are inconsistent with positive gender stereotypes, women, unlike men, seem to be protected from harsh punishment by their negative gender stereotypes. For example, when women commit violent crimes, they often receive lenient treatment due to the negative gender stereotypes illustrated by the chivalry and paternalism thesis (Crew, 1991). In other words, because women are viewed as less capable and in need of protection, women will be provided with more lenient treatment when committing violent crimes. On the other hand, men receive harsher punishments when committing violent acts because they are viewed as violent and aggressive in nature, as supported by statistics (Gerber, 1991). Given this stereotype of men, jurors are likely to believe that the defendant has a high likelihood of recidivism, which will result in harsher sentencing.

Present Study

Given the research findings described above and the theoretical framework presented by the chivalry and paternalism thesis, we conducted a study which attempts to explore gender stereotypes as they apply to criminal activities. In the present study, we manipulated type of crime and perpetrator gender in order to determine whether gender stereotypes and type of crime significantly impact the sentencing process.

In light of prior research and the chivalry and paternalism thesis, we have created 8 hypotheses:

Hypothesis 1a: Women will receive harsher sentencing than men in child endangerment cases.

Hypothesis 1b: Women will receive more lenient sentencing than men in assault cases.

Hypothesis 1c: There will be no significant difference in sentencing between men and women for identity theft cases.

Hypothesis 2: Men will be rated more likely than women to commit the crimes in the future.

Hypothesis 3a: Women will be rated as more responsible than men in child endangerment cases.

Hypothesis 3b: Men will be rated as more responsible than women in assault cases.

Hypothesis 3c: Women will be rated as slightly less responsible in identity theft cases.

Hypothesis 4: Higher scores on the gender stereotype endorsement questionnaire will be positively correlated with harsher sentencing.

Method

Participants

For the present experiment, 111 students (61 women, 49 men, and 1 non-binary) from a small liberal arts college in California were randomly assigned to three of six conditions. The participants, aged between 18 and 22 ($M=19.85$, $SD=1.25$), were recruited for this study through two methods. 88 (51 women and 36 men, and 1 non-binary individual; 41 Whites, 24 Asian Americans, 2 Native Hawaiian, 6 Black or African Americans, and 15 other) in psychology courses participated in exchange for course credit and another 23 (10 women, 13 men; 10 Whites, 5 Asian Americans, 2 Native Hawaiians, 1 Black or African American, and 5 other) volunteered to participate in this study by clicking on a link included in social media stories.

Design & Procedure

This experiment was organized as a 2 x 3 mixed factorial design. There were a total of six conditions varying by gender of perpetrator (between subjects) and type of crime (within subjects). The crimes included in this study were child endangerment, assault, and identity theft while the genders of the perpetrators were either female or male. Type of crime was manipulated within subjects and gender of perpetrator was manipulated between subjects to allow for maximum efficiency of data collection while preventing participants from seeing the same crime perpetrated by both a man and a woman.

Once the participants were divided into their conditions, they were instructed to read the three scenarios they were assigned and answer 23 questions (3 about each scenario, 11 targeting gender stereotype endorsement, and 3 about their demographic characteristics). The 3 questions per scenario assessed the perpetrator's level of responsibility, sentencing severity, and likelihood of recidivism (see Appendix B). The 11 gender stereotype endorsement statements required the participants to record whether they agreed or disagreed with each statement on a scale of 1 to 5 (1 being strongly disagree and 5 being strongly agree) (see Appendix C). The 3 demographic questions asked for the participant's age, gender, and ethnicity (see Appendix D).

Before running analyses, we needed to calculate each participant's gender stereotype endorsement score by summing the numerical values that corresponded to the participant's responses. Moreover, we needed to calculate the sentencing percentage for each sentence given by the participants in order to compare all of the sentences to each other despite the differences in crime.

Once all the data were gathered, we ran a series of two-way ANOVAs and ANCOVAs in order to evaluate our hypotheses.

Materials & Measures

Materials consisted of one Qualtrics Survey which contained 6 scenarios based on the manipulation of 2 variables: type of crime and gender of perpetrator. The child endangerment scenario depicted a situation in which a father or mother leaves his or her child in a car for a prolonged period of time, resulting in paramedics needing to resuscitate the child (see Appendix A). The assault scenario described a bar fight in which a middle-aged man or woman punched and broke the nose of another customer, causing the victim to need surgery (see Appendix A). The identity theft scenario showcased a man or woman stealing other people's credit card information in order to buy expensive watches to add to his or her watch collection (see Appendix A).

The ratings of dependent variables were captured in 3 questions. 2 of these 3 questions were given in percentages while 1 was given in years within each crime's sentencing range. Meanwhile, the gender stereotype endorsement scale questions were answered on a scale from 1 to 5. The participants' answers on this scale were then used to calculate a gender stereotype endorsement score.

Responsibility. The participants were asked how responsible the defendant was for the events that occurred and then were required to choose a percentage between 0 and 100 percent.

Sentencing Severity. Participants were asked to give the defendant a sentence within the usual sentencing range, which was provided for each type of crime (i.e., 1 to 6 years for child endangerment, 1 to 10 years for assault, 1 to 3 years for identity theft). Sentencing percentage was then calculated by dividing each sentence by the maximum sentence for the crime committed. Sentencing percentage was then used as sentencing severity in the analyses.

Likelihood of Recidivism. Participants were asked to select a percentage between 0 and 100 in order to report whether they believed that the defendant was likely to commit the crime again in the future.

Gender Stereotype Endorsement Score. Participants were asked to agree or disagree with a series of statements on a scale of 1 to 5 (1 being strongly disagree and 5 being strongly agree). Items 1 and 3 were reverse coded for all participants and item 5 was reverse coded for male participants. To calculate a score representing each participant's gender stereotype endorsement, we summed the numerical values corresponding to the participant's responses to each item.

Results

To examine the proposed hypotheses, a series of 2 x 3 factorial ANOVAs were run to evaluate the effect of gender of perpetrator and type of crime on the 3 dependent variables: responsibility, sentencing severity, and likelihood of recidivism. Additionally, to examine the effect of gender stereotype endorsement, 3 ANCOVAs were conducted to assess the effects of both perpetrator gender and type of crime on perceived responsibility, sentencing severity, and likelihood of recidivism while controlling for gender stereotype endorsement. All descriptive statistics can be found in Table 1.

Table 1

Descriptive Statistics

	Male			Female		
	CE	A	IT	CE	A	IT

Responsibility	<i>M</i> =83.33, <i>SD</i> =17.28	<i>M</i> =73.96, <i>SD</i> =22.48	<i>M</i> =97.78, <i>SD</i> =6.34	<i>M</i> =80.00, <i>SD</i> =24.18	<i>M</i> =66.67, <i>SD</i> =25.66	<i>M</i> =95.80, <i>SD</i> =12.63
Sentencing	<i>M</i> =.18, <i>SD</i> =.11	<i>M</i> =.11, <i>SD</i> =.11	<i>M</i> =.77, <i>SD</i> =.29	<i>M</i> =.22, <i>SD</i> =.11	<i>M</i> =.11, <i>SD</i> =.10	<i>M</i> =.73, <i>SD</i> =.29
Severity						
Recidivism	<i>M</i> =13.73, <i>SD</i> =18.76	<i>M</i> =41.51, <i>SD</i> =20.88	<i>M</i> =52.96, <i>SD</i> =22.79	<i>M</i> =17.74, <i>SD</i> =21.89	<i>M</i> =39.22, <i>SD</i> =20.28	<i>M</i> =55.00, <i>SD</i> =25.01

Note. CE = Child Endangerment, A = Assault, IT = Identity Theft, M = mean, SD = standard deviation

Responsibility

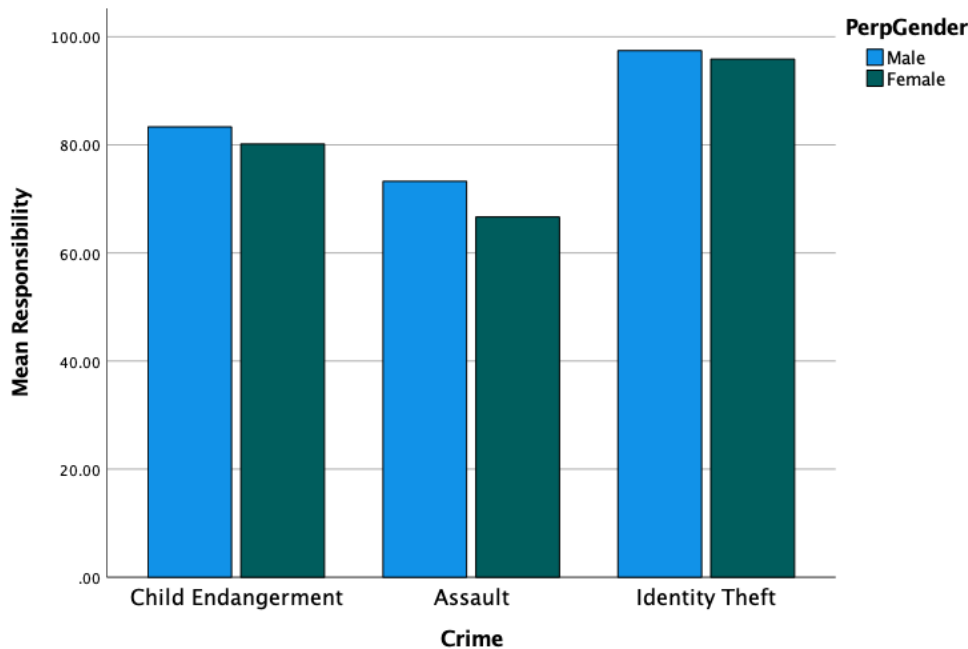
A two-way ANOVA was conducted to analyze the effects of perpetrator gender and type of crime on perceived responsibility of the defendant (see Figure 1). There was no main effect of gender of perpetrator on perceived responsibility $F(1, 312) = 3.03, p = .083, \eta^2 = .01$. However, there was a significant effect of type of crime, $F(3, 312) = 50.77, p < .001, \eta^2 = .25$. Type of crime accounted for 25% of the variance in perceived responsibility. There was no significant interaction between the effects of gender of perpetrator and type of crime on responsibility, $F(2, 312) = .47, p = .626, \eta^2 = .003$. The interaction between perpetrator gender and type of crime accounted for 0.3% of the variance in perceived responsibility.

Post hoc comparisons on the effects of type of crime were conducted using a Scheffe test. Child endangerment perpetrators were perceived as more responsible than assault perpetrators, $M_D = 11.60, p < .001$. Additionally, perpetrators of child endangerment were perceived as less responsible than perpetrators of identity theft, $M_D = -15.00, p < .001$. Identity theft perpetrators

were perceived as more responsible than assault perpetrators, $M_D = 26.60$, $p < .001$. Overall, identity theft perpetrators were perceived as most responsible.

Figure 1

Effects of Gender of Perpetrator & Type of Crime on Perceived Responsibility



Hypotheses 3a, 3b, and 3c, hypothesizing that women would be perceived as more responsible in child endangerment cases, men would be more responsible in assault cases, and women would be less responsible in identity theft cases, were not supported by these results as there was no significant differences in perceived responsibility across perpetrator gender.

Sentencing Severity

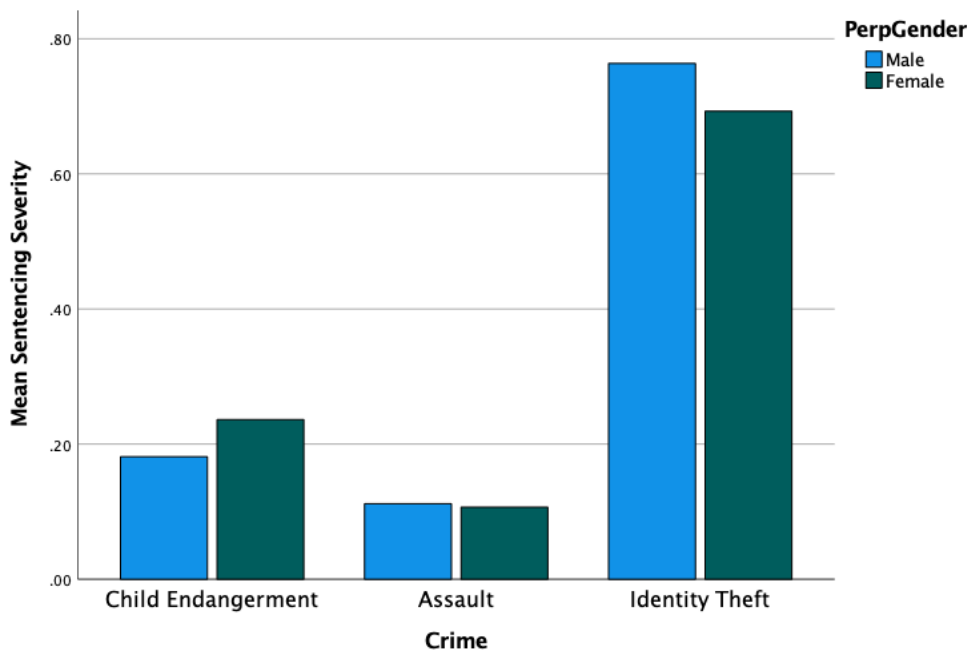
To analyze the effect of the gender of perpetrator and type of crime on the assigned sentencing of the defendant, a two-way ANOVA was performed (see Figure 2). Gender of perpetrator did not have a significant effect on sentencing severity $F(1, 312) = .08$, $p = .779$, $\eta^2 = .00$. However, type of crime did have a statistically significant effect on sentencing severity $F(2, 312) = 241.98$, $p < .001$, $\eta^2 = .61$. Type of crime accounted for 61% of variance in sentencing

severity. There was not an interaction between gender of perpetrator and type of crime on sentencing severity, $F(2, 312) = 2.17, p = .116, \eta^2 = .01$.

Post hoc comparisons using a Scheffe test, revealed that identity theft perpetrators received significantly harsher sentencing compared to child endangerment perpetrators, $M_D = .52, p < .001$, and assault perpetrators, $M_D = .62, p < .001$. In summary, identity theft perpetrators received the harshest sentencing and there was no significant difference in sentencing severity between child endangerment and assault.

Figure 2

Effects of Gender of Perpetrator & Type of Crime on Sentencing Severity



Hypotheses 1a and 1b, which proposed that women would receive harsher sentencing for child endangerment and more lenient sentencing for assault, were not supported by the results as there were no significant sentencing differences in either crime between genders. Hypothesis 1c, which argued that there would be no difference in sentencing between men and women in identity theft cases, was supported by the results.

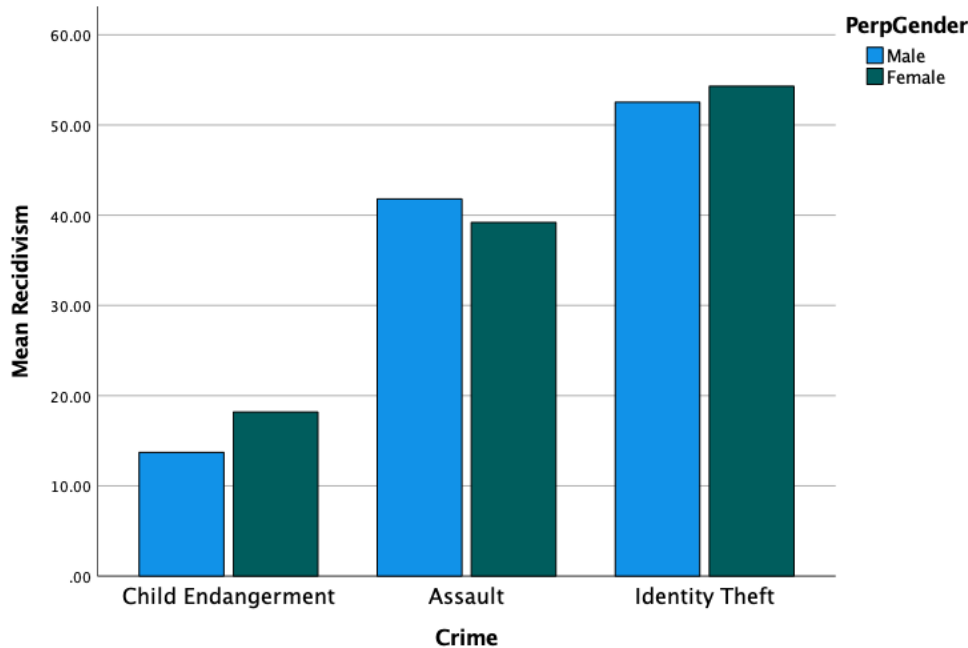
Likelihood of Recidivism

A two-way ANOVA was conducted to analyze the effect of the gender of perpetrator and type of crime on the defendant's perceived likelihood of recidivism (see figure 3). Gender of perpetrator did not have a significant effect on perceived likelihood of recidivism, $F(1, 312) = .246, p = .62, \eta^2 = .001$. However, the analyses revealed that type of crime did have a statistically significant effect on perceived likelihood of recidivism, $F(2, 312) = 81.48, p < .001, \eta^2 = .34$. Type of crime explained 34% of variance in perceived likelihood of recidivism. There was not a statistically significant interaction between the effects of gender of perpetrator and type of crime on the perceived likelihood of recidivism, $F(2, 312) = 0.71, p = .491, \eta^2 = .005$.

Post hoc comparisons using a Scheffe test showed that child endangerment perpetrators were perceived as less likely to recidivate than both assault, $M_D = -24.53, p < .001$, and identity theft perpetrators, $M_D = -37.36, p < .001$. Additionally, identity theft perpetrators were perceived to be more likely to recidivate than assault perpetrators, $M_D = 12.83, p < .001$. Overall, identity theft perpetrators were considered most likely to recidivate and child endangerment perpetrators were considered least likely.

Figure 3

Effects of Gender of Perpetrator & Type of Crime on Perceived Likelihood of Recidivism



Hypotheses 2, which stated that men would be rated more likely to commit the crime in the future, was not supported by the results as there was no significant difference in sentencing across gender for perceived likelihood of recidivism.

Gender Stereotype Endorsement

Responsibility

A two-way ANCOVA was run to investigate the effects of gender of the perpetrator and type of crime on the perpetrator's perceived responsibility while controlling for the participants' gender stereotype endorsement. Gender stereotype endorsement was not a significant covariate, $F(1, 311) = .00, p = .998, \eta^2 = .00$. In addition, gender of perpetrator did not have a significant effect on perceived responsibility when controlling for the participants' gender stereotype endorsement, $F(1, 311) = 3.02, p = .08, \eta^2 = .01$. However, while controlling for gender stereotype endorsement score, there was a significant main effect of crime, $F(2, 311) = 50.60, p < .001, \eta^2 = .25$. Crime explains 25% of the variance of perceived responsibility when controlling for the participants' gender stereotype endorsement.

Sentencing Severity

A second two-way ANCOVA was run to evaluate the effects of the gender of perpetrator and type of crime on sentencing severity while controlling for participants' gender stereotype endorsement. The covariate was not significant, $F(1, 311) = .12, p = .733, \eta^2 = .00$. Additionally, gender of perpetrator did not have a significant effect on sentencing severity when controlling for participants' gender stereotype endorsement, $F(1, 311) = .08, p = .778, \eta^2 = .00$. However, type of crime had a significant effect on sentencing severity when controlling for gender stereotype endorsement, $F(2, 311) = 241.30, p < .001, \eta^2 = .61$. Type of crime accounted for 61% of the variance of sentencing severity when controlling for participants' gender stereotype endorsement.

In conclusion, the covariate of participants' gender stereotype endorsement was not significant and did not account for any variance in sentencing severity. Therefore, hypothesis 4, which stated that higher gender stereotype endorsement would be positively correlated with harsher sentencing, was not supported by these results.

Likelihood of Recidivism

A third and final two-way ANCOVA was run to investigate the effects of gender perpetrator and type of crime on perceived likelihood of recidivism while controlling for the participants' gender stereotype endorsement. Gender stereotype endorsement was a significant covariate when assessing likelihood of recidivism, $F(1, 311) = .12, p = .039, \eta^2 = .01$. Furthermore, type of crime had a significant main effect on this dependent variable as well, $F(2, 311) = 82.32, p < .001, \eta^2 = .35$. Crime accounted for 35% of variance in perceived likelihood of recidivism. However, gender of perpetrator did not have a significant effect, $F(1, 311) = .26, p = .610, \eta^2 = .001$.

Discussion

This study aimed to discover whether gender stereotypes played a significant role in sentencing by analyzing perceived responsibility, sentencing severity, and likelihood of recidivism across 6 scenarios that varied by type of crime and perpetrator gender. The study's results revealed that gender of perpetrator and type of crime did not have a significant interaction. In addition, perpetrator gender did not have a significant main effect on any of the dependent variables. This finding contrasts with prior research which argued that women usually receive more lenient sentencing than men. However, the results of this study also revealed that type of crime had a significant main effect on responsibility, sentencing severity, and likelihood of recidivism. This finding is consistent with research as past studies have found that perceptions of sentencing severity, perceived responsibility, and likelihood of recidivism vary from crime to crime. In terms of our hypotheses, only hypothesis 1c, which stated that there would be no significant difference in sentencing for identity theft cases across gender, was supported by the results. Hypotheses 1a, 1b, 2, 3a, 3b, 3c, and 4 were not supported by the results.

There were many unexpected results in this study. The first surprising finding was that there were no significant differences for responsibility, sentencing severity, and likelihood of recidivism across gender. The lack of a significant difference for sentencing across gender was the most surprising considering prior research illustrated that women received more lenient sentencing than men most of the time. Regardless of past research, this study found that men received only slightly harsher sentencing for assault cases and slightly less harsh sentencing for child endangerment. This finding may suggest that gender stereotypes are becoming less prevalent, and that women and men are finally being viewed as equals in the courtroom.

Another unexpected finding was that identity theft perpetrators were given the harshest sentencing, closest to its maximum sentence, while also being rated the most responsible and most likely to recidivate. There are 2 possible explanations for this finding. First, the subject sample may have affected the results given that it is restricted to college students. People between ages 18 and 22 are less likely to sympathize with child endangerment cases given that most, if not all, are not mothers or fathers. Therefore, perhaps having a sample that included 30- to 50-year-olds would result in harsher judgement of child endangerment. The second explanation for this result pertains to the perpetrator's motivation for committing the crime. Unlike the perpetrators of child endangerment or assault, the identity theft perpetrator did not commit the crime accidentally nor was he or she provoked into committing the crime. The perpetrator's choice to commit identity theft was entirely his or her decision. Given that this crime occurred under such stable and controlled circumstances, it makes sense that participants sentenced the perpetrators of this crime harsher than those of the other crimes. This finding and explanation is supported by research that found that perpetrators will be sentenced harsher when they commit crimes in controlled and stable environments.

In addition, when controlling for gender stereotype endorsement, results showed that the covariate was not significant. This finding contrasted previous research as their findings led researchers to believe that gender stereotypes played a significant role in sentencing. However, considering that participants with higher gender stereotype endorsement did not have significantly different results when compared to those with low gender stereotype endorsement scores, it seems that gender stereotypes do not play a significant role in determining perpetrators' responsibility, sentencing severity, or likelihood of recidivism. This unexpected finding could be explained by gender stereotypes becoming less prevalent among younger generations.

Based on these results, it seems that gender stereotypes may not play a significant role in criminal sentencing. In fact, sentencing, and its deterministic variables, seems to depend on the crime itself, how others perceive the severity of the crime, and the circumstances under which the crime was committed. This finding is supported by prior research that has claimed that perpetrators will receive harsher sentencing based on whether the circumstances under which the crime was committed were stable or unstable and controlled or uncontrolled.

Limitations

There are several limitations to this study. The first limitation pertains to the sample, specifically its size and its representativeness of the general population. This study's sample size was rather small and only consisted of college students from a single college in Southern California. Because of the sample being limited to only college students, it is considered unrepresentative of the general population. College students may view and judge crime differently from older adults, making the findings even less generalizable. The second limitation of this study pertains to the recruitment method. By relying on convenience sampling, the majority of the sample were friends of the researcher, meaning that the sample was not created randomly and that the responses may have been biased.

The third limitation is the study's failure to include all genders. This study's survey only included male and female perpetrators, failing to take into account transgender women and men as well as non-binary individuals. In order for this study and its results to be fully generalizable to the general population, it must include all genders. The final limitation is the time constraint in which this experiment was conducted. Data collection happened over the course of 2 months, causing random sampling to become difficult. In order to get the data needed to run the study, we

were forced to rely on convenience sampling which, as mentioned above, can result in biased responses and an unrepresentative sample.

Future Research

Next steps for this research topic include conducting a similar study that gathers a more representative sample and includes all genders in the study's survey so findings can be applied to the entire population. Furthermore, future research on this topic should include a clearer sense of guilt for the crimes being committed in order to elicit a stronger response from participants. For example, in the assault scenario, instead of an assault perpetrator being provoked by a drunk person he or she could go into the bar looking for a fight. It would be interesting to see how a shift in motivation and circumstance would affect the results. Additionally, future research may want to present the scenario content in a different way. For example, providing a video of the crime being committed may capture participants' attention more than just reading the scenario. Furthermore, including photos of the victim and perpetrator could personalize the crime more and elicit stronger responses from participants.

Conclusion

Overall, gender stereotypes do not seem to play a significant role in sentencing, nor does it affect perceived responsibility or likelihood of recidivism. However, given this study's limitations, we highly recommend pursuing one of our future research directions mentioned above before concluding that gender stereotypes do not affect sentencing or its determinants. That being said, this study was a step in the right direction, and we hope that it inspired other researchers to continue researching this topic.

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Appendix A

Crime Scenarios

Child Endangerment

Male Perpetrator

Kevin is a 32-year-old lawyer and a father of a three-year-old child. Kevin takes his kid to preschool every morning. However, one day Kevin gets an urgent call to come into work and drop off some papers immediately. Kevin already had his kid in the car so he asked if it was going to take long. Kevin's coworker said it shouldn't take longer than 15 minutes and that they just needed the papers from him. So, Kevin swings by his work and goes up to his office to give his coworker the documents, leaving his child in the car. As Kevin gives his coworker the documents, another coworker comes and tells him that he needs his help with a case, promising that'll only take 5 minutes. Kevin ended up spending 2 hours in the office helping various coworkers with organizing documents and cases. He returns to his car to find his child unconscious and unresponsive. He immediately calls the police, and an ambulance shortly arrives to resuscitate the child. They manage to resuscitate Kevin's child, but paramedics tell him that he was very lucky.

Kevin is currently being charged with criminal child endangerment which is defined as exposing a child to danger, pain, or undue suffering.

Female Perpetrator

Karen is a 31-year-old lawyer and a mother of a three-year-old. Karen takes her child to preschool every morning. However, one day Karen gets an urgent call to come into work and drop off some papers immediately. Karen already had her child in the car so she asked if it was going to take long. Karen's coworker said it shouldn't take longer than 15 minutes and that they

just needed the papers from her. So, Karen swings by her work and goes up to her office to give her coworker the documents, leaving her child in the car. As Karen gives her coworker the documents, another coworker comes and tells her that he needs her help with a case, promising that it'll only take 5 minutes. Karen ended up spending 2 hours in the office helping various coworkers with organizing documents and cases. She returns to her car to find her child unconscious and unresponsive. She immediately calls the police, and an ambulance shortly arrives in the firm's parking lot. The paramedics manage to resuscitate Karen's child but tell her that she was very lucky.

Karen is currently being charged with criminal child endangerment which is defined as exposing a child to danger, pain, or undue suffering.

Assault

Male Perpetrator

Daniel is a 28-year-old lawyer who often gets stressed from work and goes to his favorite bar down the street from his firm after work. One day he lost a very important case and had a few too many drinks. One of the regulars at the bar was hounding Daniel about how he was being a buzzkill and should just leave if he wasn't there to have fun. Daniel told the fellow regular to leave him alone for the night, but the man continued to come at him. The regular, being highly intoxicated, accidentally spilled a drink on Daniel's lap, making Daniel even more angry. In response to this incident, Daniel got up and started yelling at the regular, resulting in them getting into a heated argument. Daniel then swings his fist and punches the regular in the nose. The bartender then calls the paramedics who come and say that the regular will need nose surgery to reverse the damage Daniel has done.

Daniel is currently being charged for felony assault and battery which is defined as touching or striking another person in a harmful or offensive manner and thereby causing the person to suffer a serious injury.

Female Perpetrator

Marisa is a 28-year-old lawyer who often gets stressed from work and goes to her favorite bar down the street from her firm after work. One day she lost a very important case and had a few too many drinks. One of the regulars at the bar was hounding Marisa for being a buzzkill and told her she should just leave if she wasn't there to have fun. Marisa told the fellow regular to leave her alone for the night but the regular continued to come at her. The regular, being highly intoxicated, accidentally spilled a drink on Marisa's lap, making Marisa even more irritated. In response to this incident, Marisa got up and started yelling at the regular, resulting in them getting into a heated argument. Marisa then punches the regular in the nose. The bartender calls the paramedics who come and says that the victim will need nose surgery to undo the damage that Marisa has done.

Marisa is currently being charged for assault which is defined as touching or striking another person in a harmful or offensive manner and thereby causing the person to suffer a serious injury.

Identity Theft

Male Perpetrator

Daniel is a 24-year-old from San Francisco, CA. He's living in his parents' basement and struggles to find a job with good pay. Unfortunately, Daniel wanted to continue his antique watch collection but could not afford to buy anything of such caliber. In order to continue his watch collection, Daniel turns to hacking people and stealing their credit card information. He

then uses the card information to purchase the expensive watches of his choosing. He spent a total of \$10,000.

Daniel is currently being charged for identity theft, specifically financial, which is when someone steals someone else's information in order to use it for their own personal gain.

Female Perpetrator

Sarah is a 24-year-old from San Francisco, CA. She's living in her parents' basement and struggles to find a job with good pay. Unfortunately, Sarah wanted to continue her antique watch collection but could not afford to buy anything of such caliber. In order to continue her watch collection, Sarah turns to hacking people and stealing their credit card information. She then used the card information to purchase the expensive watches of her choosing. She spent a total of \$10,000.

Sarah is currently being charged for identity theft, specifically financial, which is when someone steals someone else's information in order to use it for their own personal gain.

Appendix B

Dependent Variable Questions

Questions after Child Endangerment Scenario:

1. What percentage would you say represents the defendant's responsibility for the events that occurred?
2. The usual sentence for a criminal child endangerment case can range from 6 months to 6 years in prison. Based on this range, how long of a sentence would you give to the defendant? (Scale displayed in years)
3. What percentage would you say represents the likelihood of the defendant to commit this crime again in the future?

Questions after the Assault Scenario:

1. What percentage would you say represents the defendant's responsibility for the events that occurred?
2. The usual sentence for an assault case can range from 1 to 10 years in prison. Based on this range, how long of a sentence would you give to the defendant? (Scale displayed in years)
3. What percentage would you say represents the likelihood of the defendant to commit this crime again in the future?

Questions after the Identity Theft Scenario:

1. What percentage would you say represents the defendant's responsibility for the events that occurred?

2. The usual sentence for an identity theft case can range from 1 to 3 years in prison. Based on this range, how long of a sentence would you give to the defendant? (Scale displayed in years)
3. What percentage would you say represents the likelihood of the defendant to commit this crime again in the future?

Appendix CGender Stereotype Endorsement Statements

1. Household chores should not be allocated by sex.
2. Women should be more clean and tidy than men.
3. Men have the same obligations to help with household chores as women.
4. Mothers should make most of the decisions regarding how to raise their children.
5. I think it is correct to say that my future domestic activity is considered more important than my professional activity.
6. Men should occupy positions of responsibility.
7. Women are more caring toward children than men.
8. A father's main responsibility is to help his children financially.
9. Only some kinds of jobs are equally appropriate for men and women.
10. In many important jobs, it is better employ men than women.

Appendix D

Demographic Questions

1. What is your age?
2. What is your gender?
3. What is your ethnicity?