Character and Crime: The Effects of Self-Identity and Decision Making Strategies

Rosa T. Kyek
Western Connecticut State University

A new variable, the Self-Identification Factor (i.e. the extent to which an individual can identify or relate to another person) may override other variables thought to influence suggestions for punishment. Level of self-identification was manipulated and students were asked to decide appropriate punishment for individuals who had committed plagiarism. Results indicated that attractiveness of the plagiarist and the intentionality of the plagiarism influenced decisions. The results further indicated that the degree of self-identification had a significant effect on punishment decisions in that, people identified significantly more with the unintentional plagiarist. Findings suggest that the extent of self-identification is a possible underlying factor in simulated jury studies.

The American judicial process is a system where democracy, fairness, and equality are among its most central and sacred components. However, an abundance of studies have shown that there are extra-legal biases that exist in the deliberations of simulated jury trials (Dane & Wrightsman, 1982; MacCoun, 1990; Mazzella & Feingold, 1994).

Social attractiveness, so called by Stewart (1983), otherwise known as character, affects the outcome of studied simulated jury trials. Stewart used an Attractiveness Index to measure the social acceptability of defendants, and established that this factor correlates negatively with the severity of the suggested punishment; that is the more attractive the defendant appeared to be, the lesser his punishment. Additional researchers have also investigated such variables and verified that the severity of the punishment was significantly affected by other factors such as attractiveness of the defendant, race, and sex (DeSantis & Kayson, 1997; Nemeth & Sosis, 1973).

Type of crime is yet another variable that weighs jury deliberations. A study performed by Wuenesch, Castellow, and Moore (1991) illustrated that sentencing behavior for a crime such as burglary was influenced by character. However, sentencing for swindling was unaffected by attractiveness. Their findings actually contradicted those of Sigall and Ostrove (1975), who found that socially attractive defendants were treated more severely than their unattractive counterparts because the jurors’ expectations (that the defendant should “know better”) were violated.

Sigall and Ostrove (1975) found that attractive defendants use their attractiveness as a means to illicit ends, and Izzett and Fishman (1976) expanded on this premise. The latter researchers discovered that attractive defendants were perceived to be guiltier and given harsher suggested punishments when there was low external or moral justification to commit the crime, and jurors were significantly more lenient when external justification was high. Therefore, is it possible that if a defendant has a moral reason to commit the crime, that his/her attractiveness or character will ultimately be the deciding factor?

Such investigations have shed light on an underlying factor, one that could possibly subsume all other variables previously assumed to be the sole contributing causes of this crime-to-punishment relationship. In other words, are supposed impartial peers biased toward defendants who are most like them? The purpose of this study was to examine the logic behind juror-specific predispositions. The extent to which the jurors can place themselves in the defendant’s position, the Self-Identification Factor, was hypothesized to influence significant changes in punishment. This premise is most closely related to the concept of empathy which Hojat, Mangione, Nasca, and Gonnella (2005) defined as a cognitive (as opposed to affective) attribute that involves an understanding of the inner experiences and perspectives of another. Aring (1958) described empathy as the act or capacity of appreciation of another person’s feelings without joining them. This is perhaps where the aforementioned Self-Identification Factor and empathy diverge.

Unlike empathy, the self-identification factor questions the possibility that jurors weigh a defendant’s similarity to themselves first and thus elect a punishment accordingly in terms of

Correspondence concerning this article should be addressed to Rosa T. Kyek, 2 Mount Vernon Ct., Livingston, NJ 07039. Email: Kyek rosa@shu.edu. This research was conducted under the supervision of Patricia O’Neill, Ph.D.
the type of crime that they themselves would or would not commit. For example, it was supposed that only in the situation of an accidental crime (such as vehicular manslaughter) would a juror impose a lesser punishment on a socially upstanding citizen. Presumably, a juror reflects (although without the self narrative) that “this situation may happen to me, in which case I would want my good character to make a positive impact on the jury”. Thus, in the present study, it was hypothesized that students in simulated juries would identify significantly more with student offenders who had committed unintentional plagiarism, assumedly a crime that may happen to them in the duration of their college careers.

Such a scenario was constructed because previous research (Kyek, 2004) found that the situations in the vignettes were not realistic enough to make self-identification attainable. Therefore, the current study aimed at establishing the self-identification factor as playing a determining role in the decision making process, realizing that generalizability to actual jury deliberation is jeopardized. As such, in keeping with the crime-punishment relationship, the vignettes involved crime common to a college campus: plagiarism. It was further hypothesized that, for an unintentional plagiarism crime, students would suggest significantly less severe punishments when compared to an intentional plagiarism scenario.

It is important to note that character appeal, described as social attractiveness, was operationally defined as academic diligence (or lack thereof) in a student offender. This was an imperative yet precarious measure because it was only assumed that average student participants would consider themselves a diligent student. Thus, students were expected to consider the diligent character to be more appealing than a non-diligent counterpart. Thus, it was also hypothesized that the socially unattractive (non-diligent) student would be given a significantly harsher punishment as opposed to the socially attractive (diligent) student offender.

The last hypothesis stated that there would be an interaction between these two variables of crime intentionality and character appeal or social attractiveness where socially attractive students who have committed unintentional plagiarism would receive the least punishment suggestion. Conversely, the socially unattractive student offender having committed intentional plagiarism would receive the greatest severity for suggested punishment.

Method

Participants

Forty-one undergraduates of a public northeastern university mostly from, but not limited to, introductory psychology courses participated in this study. Most participants received partial course credit, or some form of extra credit, although the latter was under professor discretion. The students were from both the day and night sections of these courses, and included both part-time and full-time students as well as traditional and non-traditional students.

The sample was comprised of 78% female participants, and the median age of the sample was 19.24 years. Additionally, 75.6% of participants were below the age of 21 years, therefore the sample included mostly traditional students. Three participants (7.3%) reported experience serving on a jury.

Materials

In each of the conditions, a defendant student was described as either a “good” student who is responsible and diligent or a “poor” student who prioritizes partying and never does school-work. Defendant students were also described as having committed either intentional or unintentional plagiarism. Additionally, within each group was a confederate who was instructed to volunteer (when asked) to be the jury foreman. A confederate was a necessary step in assuring that each member of the simulated jury panel contributed to the discussion (as an actual jury would) and that the situational manipulations were being perceived as was intended. Being instructed to volunteer at the start of each session was also a necessary step to assure that other group members did not self-proclaim a dominant role in the group and thus induce adverse viewpoints upon the others. The confederate’s main objective was to maintain protocol. The same individual served as the confederate for all groups participating.

Procedure

All students were placed in groups and briefed on their responsibilities and rights (see Appendix D). They were asked to consider themselves members of a student government agency with authority to punish offending students. Each group was randomly assigned to one of four conditions. After being briefed, all participants were given questionnaire #1 (see Appendix B), which contained the conditional vignettes (see Appendix A), followed by manipulation check items.

These manipulation checks were administered to determine if the defendant’s (offending student) character was indeed perceived the way intended (“good” or “poor”) and the plagiarism crime was indeed assumed intentional or not. These items were measured using a 7-point Likert-type scale ranging from 1 indicating that the defendant’s crime was clearly not deliberate, to 7 indicating that the defendant’s crime was very clearly deliberate (see Appendix B).

Next, all students were given questionnaire #2 which contained the Self-Identification Factor question again scaled on a 7-point Likert-type scale (see Appendix C). The question read: “It is possible that I may someday be in the defendant’s shoes.” A rating of 1 indicated a strong disagreement, associated with low self-identification, while a 7 indicated a very strong agreement, or high self-identification. Previous research conducted on twenty-two demographically similar students demonstrated the construct validity of the question regarding this factor (Kyek, 2004). Students involved in this earlier test were all given the same scenario where a defendant was described as attractive, and had committed an accidental crime. To test the Self-Identification Factor, half the students were asked the question: “What is the likelihood you will be in the defendant’s shoes someday?” while the remaining half received the question: “How well do you agree with the statement: ‘It is possible that I
may someday be in the defendant’s shoes.” Differences produced from this test validated that when the situation was the same, participants identified significantly more with the defendant when asked the latter question.

Questionnaire #2 (see Appendix C) also contained the punishment suggestion scale with a 9-point range identifying possible student infraction punishments. Low end scores denoted little or no punishment, mid-range scores signified academic consequences, and high end scores designated university expulsion. This range was determined appropriate in order to represent all possible punishments a student offender could encounter, and to facilitate significant differences between the extreme end and mid-range scores.

Following both the Self-Identification Factor and the punishment suggestion items were open-ended questions used to gauge and facilitate question comprehension (see Appendix C). Questionnaire #2 also contained demographic questions as well as items measuring experiences with intentional plagiarism, the possibility of accidental plagiarism, as well as knowledge of other student dishonesty in academic work. Each group was given the opportunity to complete questionnaire #2 while considering the issue with fellow group members and all participants deliberated before completing the questionnaire and coming to a concise group verdict. Each group deliberated for no more than 10 minutes, and was told before deliberation that all group members must reach a unanimous decision.

Once a conclusion was reached, it was reported to the experimenter for recording. Questionnaire #2 contained one item that asked participants if their personal opinion differed from the group verdict. Although some participants did not agree with their respective group verdict, the total group verdict did not differ significantly from total individual scores. Further discussion of these group scores was not included because group activity was applied mainly to simulate a true jury experience rather than serve as data in the quantitative analysis. As a last note, all participants were debriefed (see Appendix D) to assure anonymity and confidentiality of all volunteered information. This was a necessary precaution due to the personal nature of the academic experience and plagiarism questions.

Results

Since successful character and intentionality of the crime were independent variables in this case, their manipulation was imperative. Thus, to assure that the student offender was indeed perceived as intended, an independent-groups t-test was performed. The results substantiated that the student described as diligent (socially attractive) was given significantly higher attractiveness ratings \( M = 6.05, SD = .81 \) when compared to the student (diligent) \( M = 1.75, SD = .85 \).

\[ t (39) = 16.62, p < .0001. \]

Similarly, the results from the plagiarism manipulation check analysis verified that the intentional plagiarism vignette was perceived as significantly more intentional \( M = 5.85, SD = 1.35 \) than the unintentional plagiarism scenario \( M = 3.05, SD = 1.32 \).

\[ t (39) = 6.72, p < .0001. \]

A 2 x 2 factorial analysis of variance was conducted to measure the effect of social attractiveness and crime intentionality. When punishment suggestion severity was the dependent variable, the test of between-subject effects discerned two main effects. Participants gave the offender significantly harsher punishments when he had committed intentional plagiarism \( M = 7.15, SD = 1.46 \) as compared to when he was described as having committed accidental plagiarism \( M = 4.00, SD = 1.98 \).

\[ F (1, 37) = 111.27, p < .0001. \]

Across plagiarism intentionality, the diligent (socially attractive) student received significantly less severe punishment suggestions \( M = 4.10, SD = 1.90 \) than the non-diligent, or socially unattractive, student \( M = 7.05, SD = 1.76 \).

\[ F (1, 37) = 97.25, p < .0001. \]

The interaction was nonsignificant.

The Self-Identification Factor was also entered as a dependent variable to ascertain support of the final hypothesis. Results demonstrated a main effect of plagiarism intentionality. That is, across social attractiveness, student participants identified significantly more with the unintentional plagiarist \( M = 3.76, SD = 1.76 \) and did not believe there was a significant possibility that they themselves would commit intentional plagiarism. Comparatively, student participants identified significantly less with the intentional plagiarist \( M = 1.90, SD = 1.83 \).

\[ F (1, 37) = 11.06, p = .002. \]

Additionally, social attractiveness was not detected as a function of self-identification, nor was an interaction effect noticed between student attractiveness and crime intentionality on self-identification.

Discussion

Results demonstrated support for three of the four original hypotheses, which consequently added support to much of the previous literature on the topic of simulated jury studies. Because attractiveness was an observed significant effecter of punishment severity, the outcome thus strengthened the findings of Nemeth and Sosis (1973) and Stewart (1983). Results also corroborate the Wuensch et al., (1991) study which found that crime specific variables may influence jury suggestions for penalties. However these outcomes were inconsistent with Izzett and Fishman (1976), who asserted that there was an interaction between variables manipulating social or physical attractiveness and moral justification on jury verdicts.

More importantly though, the idea that student participants identified more with a described unintentional plagiarist and consequently imposed significantly lesser punishments upon them added support to the logic behind Kyek (2004). In the aforementioned study, which manipulated the same variables, no significant results concerning the role of the Self-Identification Factor were produced. However, the vignettes utilized did not provide reasonable situations relevant to the participants, thus hindering a possible relationship. The current experiment lends encouragement that perhaps improved methodology could facilitate detection of the role of the Self-Identification Factor.

Obviously, the divergent validity of this measure has not been ascertained. Additionally, more items will need to be added to the
scale so that future item-to-item correlations can be assessed, adding to the overall construct and criterion validity of this new measure. Because the Self-Identification Factor is rather closely related to empathy, future investigations will have to examine them quantitatively to determine the extent of their convergence or divergence. That is, whether or not self-identity is a mere facet of empathy is still unknown.

Despite encouraging findings, the experimental approach here had several shortcomings. For one, most groups contained fewer than 4 people. It was the initial intent to use groups of 5-7 people per group, in order to best simulate a jury situation, but this expectation seemed to be unrealistic given the small participant pool. Also, perhaps a Likert-type scale was inappropriate for the punishment suggestion scale, at least in the fashion it was employed.

A number of key observations were recognized during experimental sessions. First, participants spent great amounts of time attempting to decipher the implications of each numeric score as it would affect the student offender. Second, participants were very concerned with implementing university policy to decide their verdict as opposed to operating with their own judgment.

Furthermore, in keeping with participant specific deficiencies, one missing value was included in this analysis for both the “unintentional plagiarism” and “knowledge of plagiarism” frequency items. This could be indicative of an unanticipated possibility: that at least one participant did not feel comfortable replying honestly to such questions, therefore signifying that frequencies reported here may be somewhat deflated.

As a final note, but conceivably the most pertinent to methodology, is the internal construct validity of the Self-Identification Factor measure. Clearly, one item scales are typically neither reliable nor valid. As evidenced in this case, students often responded to the open-ended question, following the SIF measure, in a way that conflicted with the numeric score they provided, exhibiting a misunderstanding of the posed question. Similar conclusions can be drawn from the suggested punishment severity scale, which drew like responses, but its inadequacies were previously mentioned. Consequently, it can be deduced that if self-identification was not properly measured, then it is possible that the factor may present a much larger effect than was found here. Thus, it is proposed that a series of questions be solicited from participants and tested to lengthen the scale and improve its internal construct validity. This will not only improve reliability and comprehension, but aid in accuracy and power of results.

As predicted, student participants did identify significantly more with an unintentional plagiarist than with the intentional plagiarist. This suggests that students acknowledge the realm of likelihood that at some point in their college careers, they too may commit such a crime or perhaps already have. It can be inferred that people may be more lenient towards others who are most like themselves because significantly less severe punishments were given in those cases of unintentional plagiarism.

Postscript

The items from questionnaire #2 (see Appendix C) gathered additional data that was incidental to the main study, but nevertheless worth reporting. Frequencies for these admitted plagiarisms were recorded and the results demonstrated that 7.3% of the students in the sample admitted to committing intentional plagiarism at some point in their college career. Fifty-seven percent disclosed the possibility that they have committed unintentional plagiarism. That is, they realize the possibility that improper citation or referencing has or does occur at some point. Yet another 55% claimed to have known of another student committing some form of plagiarism, intentional or accidental, during college.

Because of the relatively small sample size, 95% confidence intervals were constructed to estimate frequencies in the university population. Although in the sample 7.3% of student participants confessed to intentional plagiarism, accordingly this statistic could be as high as 15.26% ($ME = 7.96$). As for the possibility of unintentional plagiarism, this range is between 41.74% and 73.26% ($ME = 15.76$), based on this sample. Correspondingly, between 42.6% and 67.4% ($ME = 12.40$) of university students are aware of other students committing some form of plagiarism.

Moreover, it was observed that participants struggled in their attempts to define plagiarism. The aforementioned results clearly demonstrate such lack of knowledge. Therefore, future studies should undoubtedly consider providing such clarifications to student participants as well as explicit demarcations for numeric ratings. More importantly, university systems should unquestionably reconsider their attempts at preventing plagiarism and academic dishonesty.

References


Appendix A

The Vignettes:

Poor Student:

John is a student at a small state university. He sometimes wishes he had gone to a larger "party school" but definitely has his fair share of fun where he is. He has just picked his major, but isn’t sure of what he wants to do with it and hasn’t begun building working relationships with the professors who teach it. He often misses class or is late and admits that his major priorities include partying and having a good time, and definitely not studying or school work. John might even be close to academic probation for his constant poor performance. John knows his problems will escalate unless he gets above a B+ on his final term paper.

Good Student:

John is a student at a small state university. He sometimes wishes he had gone to a larger school, but enjoys where he is because of the low tuition cost and its closeness to home. He has just picked his major and thinks he knows what he wants to do with it, but his ideas change all the time. He has started building working relationships with his professors which is helping to guide him. He rarely or never misses class or is late, and admits that his priorities are school work and studying and not partying like some of his classmates. John could be eligible for the university’ honors program but there is one class he is having trouble with and it’s keeping his GPA too low for the honors program. John knows he has to get above a B+ on his final paper or risk the opportunity for admittance into the honors program.

Intentional Plagiarism:

In a desperate attempt, John finds several related essays written by students at several different universities and compiles them together as his final paper. Not one word is his own. His professor discovers John has committed plagiarism and John’s case is reported to you.

Unintentional Plagiarism:

John decides to seriously study his paper topic and research it in depth. He spends several hours a week in the library and has built quite an extensive reference list. John is actually able to hand in his paper ahead of time and relax. Soon after, his professor has informed him that plagiarism was discovered. John tries to explain that perhaps he didn’t read a source thoroughly enough or paraphrased improperly, and that he was unaware of how to cite sources or of the extent of the plagiarism. Nonetheless, his professor reports his case to you.

Appendix B

Questionnaire #1:

Please read the descriptions below and answer the following questions as honestly as possible. You will then have 10 minutes to talk with your group mates.

-STUDENT VIGNETTE HERE-

How would you describe John as a student?

<table>
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<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not very diligent/ Poor student</td>
<td>Very diligent/ Good student</td>
<td></td>
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</table>

-CRIME VIGNETTE HERE-

How intentional do you think John’s crime was?

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<tr>
<th>1</th>
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<th>4</th>
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<th>6</th>
<th>7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not intentional at all</td>
<td>Definitely/Clearly intentional</td>
<td></td>
<td></td>
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</table>
Appendix C

Questionnaire #2:

Concerning the crime John has committed, how well do you agree with the statement: “It is possible that I could be in John’s shoes someday”?

1 2 3 4 5 6 7
Strongly Disagree Strongly Agree

Why do you agree or disagree as you do?

What would you suggest John’s punishment be? This does not need to match the group verdict score.

1 2 3 4 5 6 7 8 9
No punishment Minor academic consequences Expulsion

Why did you choose such a punishment?

Does your score differ from the group’s decision?

Yes No

What is your age in years? _________

What is your gender (please circle one)?

Male Female

Have you ever served on a jury before (please circle one)?

Yes No

Have you ever committed intentional plagiarism (please circle one; remember all of your responses are completely anonymous)?

Yes No

At any time in your college career, is it possible you may have committed unintentional plagiarism (please circle one; remember all of your responses are completely anonymous)?

Yes No

Do you know of any one else who has committed any form of plagiarism (please circle one; remember all of your responses are completely anonymous)?

Yes No

Appendix D

Brief:

Thank you for participating in this study of small group decision making and how it is affected by crime and character. Your participation will include reading a description of a student and answering a few questions regarding the reading. You will then interact and discuss with your fellow group mates your reactions to the readings and collectively you will decide what to do. I will not share my hypotheses but will be happy to share the results with you after the end of the semester if you so choose. Although all of your responses are kept anonymous, should you decide to withdraw at any time, all of your answers will be discarded.

Debrief:

Before we close I would like to take the time to again assure you that none of your identifiable responses will be kept in my records. Also note that I am not sharing all of my reasons for this research or what I predict will affect group decision making. However, if you would like this information, you may contact me at any time after the end of the semester. Although you have completed the study, if at any time after you feel uncomfortable with your participation please utilize your right to withdraw any volunteered information. Also, should you feel any undue distress resulting from participation please contact the primary researcher, supervising faculty member, or the University Counseling Center and all of your answers will be removed from the experiment.

Primary Researcher:
Rosa T. Kyek (203) 648-2463

Supervising Faculty:
Dr. Patricia O’Neill (203) 837-9383

University Counseling Center: (203) 837-8690