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Abstract

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Keywords

cosmetics, makeup, jury trials, verdicts, perceptions

Disciplines

Psychology | Social Psychology | Social Psychology and Interaction



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Article

Examining the Influence of Cosmetics on Jury Decisions

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Abstract: Many studies have examined how defendant characteristics influence jury decisions, but none have investigated the effect of cosmetics. We therefore examined how cosmetics influence jury decisions for young and middle-aged female defendants. In Study 1, participants were more likely to assign guilty verdicts to middle-aged defendants than young defendants and when presented with cosmetics, male participants gave young defendants longer sentences and middle-aged defendants shorter sentences. In Study 2, however, we did not replicate the age or the cosmetics effects on jury sentences, suggesting that comparisons between defendants may have influenced jury decisions in Study 1. Further work is thus still needed, but our two well-powered studies ($N = 1127$) provide a first exploration into the influence of cosmetics on jury decisions.

Keywords: cosmetics; makeup; jury trials; verdicts; perceptions

1. Introduction

Trials by jury have existed since the fourth century BC [1] and today are used in many countries. In this legal proceeding, ordinary citizens are asked to hear a case and make decisions regarding its outcome. Jurors are given the ability to convict or exonerate defendants. In the case of guilty verdicts, jurors may also have the authority to issue sentences. In many countries, juries can even administer death penalties.

As a result of the jury's vast power, much research has been devoted to understanding the factors that influence verdicts and sentences (e.g., [2,3]). Among this literature, many studies have investigated how defendant characteristics influence jury decisions. For example, it has been found that for the same crime, women tend to receive significantly less severe sentences than men [4,5]. Research has also demonstrated that jurors impose harsher sentences for Black defendants when compared to White defendants [6,7].

Age perceptions have also been found to influence jury decisions. For instance, Smith and Hed [8] found that older female defendants were judged more harshly than younger defendants. Another study found that in small claims court, as defendants increased in "baby-facedness", they were more likely to win cases [9]. Additionally, Warling and Peterson-Badali [10] found that although the defendant's age did not influence jurors' verdicts of guilt, it did influence the length of the imposed sentences. More specifically, younger defendants were granted shorter sentences than older defendants.

Across gender, race, and age, the defendant's attractiveness level has been found to play a crucial role in jury decisions. Studies using mock trials have consistently found that when compared to unattractive defendants, attractive defendants are convicted less, and if convicted, they are punished less severely for the same crime [5,8,11]. This finding extends to the real-world, where in actual trials,

more attractive defendants have been found to be given less severe sentences when compared to less attractive defendants [12].

Such findings suggest that a defendant's ability to manipulate their attractiveness would prove greatly beneficial for trials by jury. One way that women commonly manipulate their attractiveness is through the use of cosmetics. Studies have found that female faces are rated as more attractive with makeup when compared to without makeup (e.g., [13–18]). Consequently, one would expect that attorneys and trial consultants would advise their female clients to wear cosmetics for trial given the positive effect of attractiveness on jury decisions.

Contrary to our expectations, however, we found evidence of female clients being counseled by their attorneys to not wear cosmetics for their trials. For instance, in the case of Amy Fisher, a woman who shot the wife of her alleged lover, attorney and trial consultant, Harry Munsinger, said "I would have put her in a French schoolgirl dress with a big collar, a dark color, ribbon in her hair, no makeup. Make her look as young and innocent as possible" [19]. Munsinger might have been on to something. Recent research has indeed found that cosmetics influence age perceptions. More specifically, Russell et al. [20] found that women between 18 and 22 years old were rated as looking older when wearing cosmetics while women between 48 and 52 years old were rated as looking younger when wearing cosmetics. At the time of her trial, Amy Fisher was 18 years old and according to Russell et al.'s study, wearing cosmetics would have made her appear older, which in accordance with jury research on age perceptions, would have been detrimental for her trial.

Given that cosmetics increase attractiveness (which is advantageous for defendants) but also increase apparent age in young female faces (which is disadvantageous for defendants), it is unclear what the overall effect of cosmetics would be on jury decisions. No study yet has examined the influence of cosmetics on jury decisions and so we aimed to investigate this relationship. Given the differential effects of cosmetics on age perceptions depending on actual age, we analyzed jury decisions for two age groups: young women (i.e., approximately 20 years old) and middle-aged women (i.e., approximately 50 years old). If the attractiveness effect is more important than the age effect, we would expect both young and middle-aged women to receive more lenient sentences while wearing cosmetics. If, however, apparent age has a stronger effect than attractiveness, when wearing cosmetics, young women should receive harsher sentences while middle-aged women should receive more lenient sentences.

2. Study 1 Materials and Methods

Research has found that jury simulations can be generalized to the behavior of real jurors [21], and, therefore, participants were recruited through MTurk, which provides a diverse pool of jury-eligible participants [22]. Ethical approval was received from the Gettysburg College Institutional Review Board. All participants were US citizens located in the United States who provided consent after being presented with the consent information. Previous research has found that gender significantly influences defendant sentencing [2] as well as cosmetics judgements [14,15] and thus, juror sex was recorded. Participants were then instructed that they would be presented with four separate trial vignettes, where they would have to give verdicts and sentences.

Cases were selected from the mock trial sample cases provided by the Michigan Center for Civic Education [23] and slightly altered to fit the purpose of this study (e.g., changing the sex of the defendant from male to female). A total of four cases were used as trial vignettes (see Appendix A). Each trial vignette was presented to participants individually with a picture of the defendant and participants were asked to choose a verdict/sentence out of nine options (ranging from "Not Guilty" to the most severe sentence). The defendant photograph presented was one of four identities (i.e., two young women (19 and 20 years old) and two middle-aged women (48 and 49 years old) in one of the two conditions (i.e., with or without cosmetics)). The cosmetics were professionally applied (e.g., skin, eye, and lip makeup) and the photographs were standardized with direct gaze and neutral expressions.

Each participant was individually presented with all four trial vignettes and whether each face appeared with or without cosmetics was randomized across participants so that participants would

not see the same identity twice. Given no previous study has examined the influence of cosmetics on jury decisions, sample size to be collected (220) was predetermined with a sample size calculator [24] using the average effect size from 25 experiments examining the physical attractiveness of defendants on judgments of mock jurors [5]. One participant was excluded because they submitted their responses twice and those responses differed, and another participant was excluded because they entered in their age as 2 years old. Two hundred and eighteen participants (127 male, 89 female, and 2 other), aged 21–69 years old (Mage = 34.99 years, SD = 9.95) completed the study successfully. Each participant was paid \$0.80 US dollars upon completion of the study through MTurk.

3. Study 1 Results

With each trial vignette, participants were asked to give a verdict/sentence out of nine options (ranging from “Not Guilty” to the most severe sentence). For example, in one of the vignettes the options were: “Not Guilty”, “Guilty: 1 year”, “Guilty: 2 years”, “Guilty: 3 years”, “Guilty: 4 years”, “Guilty: 5 years”, “Guilty: 6 years”, “Guilty: 7 years”, or “Guilty: 8 years”. For the verdict analyses, participants’ responses were coded as “Not Guilty” (for those that selected “Not Guilty”) or “Guilty” (for those that selected any of the eight guilty options). Using those guidelines, 35.8% of the verdicts given by male participants were “Not Guilty” and 64.2% “Guilty” (see Table 1). For female participants, 34.0% of the verdicts given were “Not Guilty” and 66.0% were “Guilty” (see Table 1). For the sentencing analyses, “Not Guilty” responses were not included.

Table 1. Number of not guilty and guilty verdicts across participant sex.

	Not Guilty	Guilty
Male	182	326
Female	121	235

3.1. Verdicts

We conducted a logistic regression with face age (young/middle-aged), cosmetics (with/without), and sex of participant (male/female) entered as the independent variables and verdict as the dependent variable. The logistic regression model was statistically significant, $\chi^2(3) = 26.55$, $p < 0.001$. Cosmetics ($p = 0.515$) and sex of participant ($p = 0.572$) did not add significantly to the model but age did add significantly to the model ($p < 0.001$). More specifically, middle-aged defendants were given more guilty verdicts when compared to young defendants (see Figure 1).

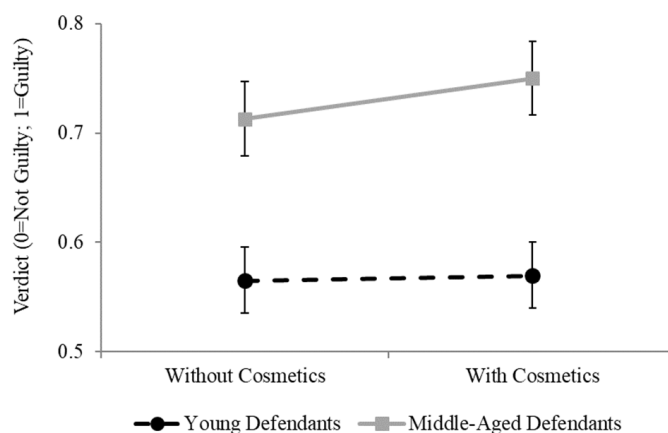


Figure 1. Verdicts given to young defendants (dashed line, filled circles) compared to verdicts given to middle-aged defendants (solid line, filled squares) by both male and female participants. Standard error bars are displayed.

3.2. Sentences

Among the participants who gave guilty verdicts, we conducted repeated-measures ANOVAs for their sentencing decisions. Face age (young/middle-aged) and cosmetics (with/without) were within-subjects factors, sex of participant (male/female) was a between-subjects factor, and sentencing was the dependent variable. We found no main effects of cosmetics ($F(1, 37) = 0.14, p = 0.714, \eta^2_{\text{partial}} = 0.004$) or face age ($F(1, 37) = 1.47, p = 0.232, \eta^2_{\text{partial}} = 0.038$). We also found no significant interactions between cosmetics and face age ($F(1, 37) = 2.62, p = 0.114, \eta^2_{\text{partial}} = 0.066$), cosmetics and sex of participant ($F(1, 37) = 0.43, p = 0.518, \eta^2_{\text{partial}} = 0.011$), or face age and sex of participant ($F(1, 37) = 0.21, p = 0.650, \eta^2_{\text{partial}} = 0.006$). We did, however, find a significant three-way interaction between face age, cosmetics, and sex of participant ($F(1, 37) = 4.34, p = 0.044, \eta^2_{\text{partial}} = 0.105$).

In order to better understand the three-way interaction between face age, cosmetics, and sex of participant, we re-ran repeated-measures ANOVAs for the sentencing decisions, but this time splitting by participant sex. We found a significant interaction between face age and cosmetics for male participants ($F(1, 16) = 4.59, p = 0.048, \eta^2_{\text{partial}} = 0.223$) but not for female participants ($F(1, 21) = 0.16, p = 0.690, \eta^2_{\text{partial}} = 0.008$). Male participants gave young defendants with cosmetics longer sentences but gave middle-aged defendants with cosmetics shorter sentences, compared to the same faces without cosmetics (see Figure 2).

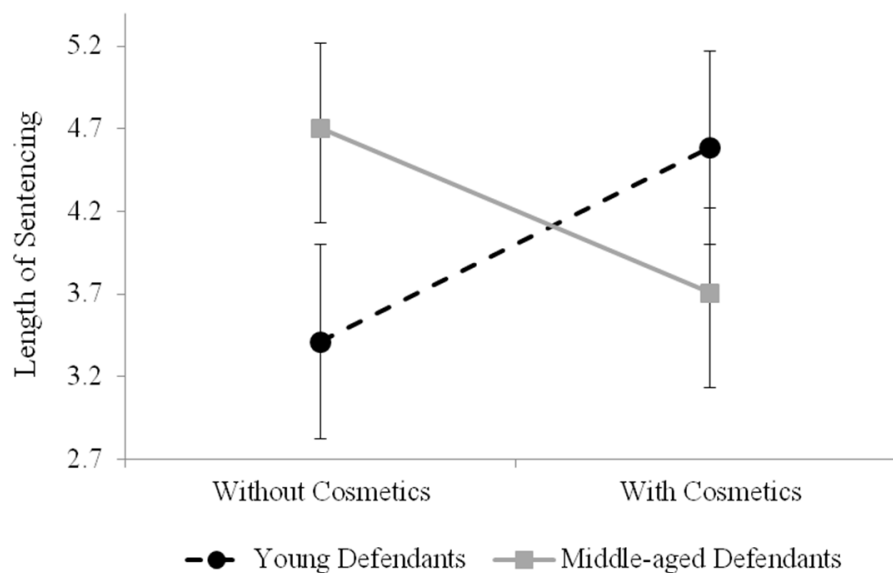


Figure 2. Sentences given to young defendants (dashed line, filled circles) compared to sentences given to middle-aged defendants (solid line, filled squares) by male participants. Standard error bars are displayed.

4. Study 1 Discussion

We found no significant main effect of cosmetics on the verdicts or sentences given to defendants. We did, however, find that both male and female participants were more likely to assign guilty verdicts to middle-aged defendants than young defendants. We also found that male participants gave young defendants with cosmetics longer sentences than young defendants without cosmetics and middle-aged defendants with cosmetics shorter sentences than middle-aged defendants without cosmetics. This is consistent with the hypothesis that apparent age has a stronger effect on jury decisions than attractiveness.

Our finding that both male and female participants were more likely to assign guilty verdicts to middle-aged defendants than young defendants, regardless of cosmetics use, is in line with research showing that older defendants are judged more harshly than younger defendants [8]. Our finding is also consistent with Zebrowitz and McDonald's [9] study which found that in small claims court, as defendants increased in "baby-facedness" they were more likely to win cases. One possibility for this effect as presented by Smith and Hed [8] is that jurors might not want to ruin a young defendant's future and may, therefore, be more inclined to give them the "benefit of the doubt". Additionally, it could be that older defendants may be attributed with more agency/responsibility over their actions and are, thus, more likely to be seen as guilty. In order to better understand the effect of defendant age on verdict outcomes, however, further research is needed to explore the motives behind juror decisions, perhaps through follow-up interviews after a verdict has been reached.

Surprisingly, we did not find a main effect of cosmetics on verdicts. One possibility for this null finding may be that including defendants of different ages suppressed any effect that might be present through cosmetics since the effect size of age was quite large (age $\beta = 0.733$; cosmetics $\beta = 0.094$). Alternatively, we may not have had enough trial vignettes or defendant identities to capture a cosmetics effect. Future work would thus benefit from narrowing the ages of the defendants presented to each participant, increasing the number of trial vignettes, and increasing the number of defendant identities.

Although no main effect of cosmetics on sentencing was found, we did find a significant interaction between face age and cosmetics for the sentencing decisions of male participants. More specifically, we found that male participants gave young defendants longer sentences when presented with cosmetics and middle-aged defendants shorter sentences when presented with cosmetics. One possibility for only finding a significant interaction in male participants is that female participants may have greater insight into the various motivations behind wearing cosmetics (e.g., looking more professional) and could, therefore, be less prejudiced towards their effect. Indeed, research has found that sex of participant significantly influences the effect of cosmetics on judgements [14,25]. For instance, McKeachie [26] found that male participants rated women as more frivolous and less conscientious when wearing cosmetics while Cash et al. [14] found that the ratings of female participants were not affected by the presence or absence of cosmetics.

Initially, we had hypothesized that if apparent age had a stronger effect than attractiveness, young women should receive harsher sentences when presented with cosmetics (since cosmetics make them appear older; Russell, et al., [20]) while middle-aged women should receive more lenient sentences when presented with cosmetics (since cosmetics make them appear younger; Russell, et al., [20]). However, we did not predict that young women with cosmetics would receive harsher sentences than middle-aged women with cosmetics since although young women (i.e., 18–22 years old) do look older with cosmetics, they still look younger than middle-aged women (i.e., 48–52 years old) (Russell; et al., [20]). This suggests that there must be an additional mechanism, other than age perceptions, driving the effect of cosmetics on the sentencing decisions of male participants.

One possibility is that cosmetics may elicit different social associations depending on the age of the wearer. For example, one study conducted in-depth interviews with women aged 71 to 93 and found that in their youth, women used cosmetics as an act of rebellion while later in life, cosmetics were worn in order to look respectable [27]. Some older women even commented that wearing cosmetics was a way for them to signal that they were still engaged in the community [27]. Thus, it appears that the motivations behind wearing cosmetics change with age, which could in turn result in different social associations. Future research thus needs to examine the influence of cosmetics on perceptions across different age groups. If the social associations of cosmetics use change with the age of the wearer, it could explain why in our study, young women were given harsher sentences when wearing cosmetics while middle-aged women were given more lenient sentences when wearing cosmetics.

In Study 1, only a subset of the participants gave sentencing decisions since one of the options was "Not Guilty". We therefore conducted a second study where the participants were told that a jury had found the defendant guilty and were asked to estimate the appropriate length of sentence,

ensuring that all participants gave a sentencing decision. Additionally, Study 1 was conducted using a within-subjects design, which could possibly lead to comparisons between defendants, and we thus conducted Study 2 using a between-subjects design.

5. Study 2 Materials and Methods

Participants were again recruited through MTurk, ethical approval was received from the Gettysburg College Institutional Review Board, and all participants were US citizens located in the United States who provided consent after being presented with the consent information. Participants were instructed that they would be presented with one trial vignette where they would have to give a sentence, since the defendant had been found guilty.

The case used was selected from the mock trial sample cases provided by the Michigan Center for Civic Education [23] and slightly altered to fit the purpose of this study (e.g., changing the sex of the defendant from male to female, see Appendix B). The trial vignette was presented to participants individually with a picture of the defendant and participants were asked to choose a sentence out of eight options (ranging from “1 year” to “8 years”). As in Study 1, the defendant photograph presented was one of four identities (i.e., two young women (19 and 20 years old) and two middle-aged women (48 and 49 years old) in one of the two conditions (i.e., with or without cosmetics)).

Each participant was individually presented with the same trial vignette and which identity and whether the face appeared with or without cosmetics was randomized. Sample size to be collected (910) was predetermined with a sample size calculator for a between-subjects analysis [24] using the average effect size from 25 experiments examining the physical attractiveness of defendants on judgments of mock jurors [5]. One participant was excluded because they entered in their age as 4 years old. Nine hundred and nine participants (440 male, 466 female, and 3 other), aged 19–76 years old ($M_{age} = 38.55$ years, $SD = 11.67$) completed the study successfully. Each participant was paid \$0.50 US dollars upon completion of the study through MTurk.

6. Study 2 Results

We conducted a three-way ANOVA to examine sentencing decisions (see Table 2 for descriptive statistics). Face age (young/middle-aged), cosmetics (with/without), and sex of participant (male/female) were the independent variables and sentencing was the dependent variable. We found no main effects of cosmetics ($F(1, 898) = 1.05$, $p = 0.305$, $\eta^2_{\text{partial}} = 0.001$), face age ($F(1, 898) = 2.83$, $p = 0.093$, $\eta^2_{\text{partial}} = 0.003$), or sex of participant ($F(1, 898) = 2.00$, $p = 0.158$, $\eta^2_{\text{partial}} = 0.002$). We also found no significant interactions between cosmetics and face age ($F(1, 898) = 0.32$, $p = 0.573$, $\eta^2_{\text{partial}} < 0.001$), cosmetics and sex of participant ($F(1, 898) = 1.04$, $p = 0.308$, $\eta^2_{\text{partial}} = 0.001$), face age and sex of participant ($F(1, 898) = 3.32$, $p = 0.069$, $\eta^2_{\text{partial}} = 0.004$), or face age, cosmetics, and sex of participant ($F(1, 898) = 0.24$, $p = 0.624$, $\eta^2_{\text{partial}} < 0.001$).

Table 2. Means and standard deviations for sentencing decisions.

	Young Defendants	Middle-Aged Defendants
Without Cosmetics	3.86 (2.20)	4.02 (2.25)
With Cosmetics	3.91 (2.29)	4.26 (2.32)

7. Study 2 Discussion

We found no significant main effects of cosmetics, face age, or sex of participant on the sentences given to defendants. We also did not find a significant interaction between cosmetics, face age, and sex of participant. It is surprising that neither the main effect of face age nor the three-way interaction (both found in Study 1) were replicated in Study 2. One possibility is that there is simply no effect of cosmetics or age on jury decisions. However, given the strong effect of cosmetics on

attractiveness [13–15] and the link between attractiveness and jury decisions [5,8,11], this seems unlikely. Additionally, previous studies have already found an effect of age on jury decisions [8,10].

Another possibility for finding the effects in Study 1 but not in Study 2 is that having to sentence four defendants in a row led to comparison effects. For example, when compared to older defendants, younger defendants were given harsher sentences in Study 1 but when presented alone, in Study 2, this was not the case. That presenting all four defendants in a row led to different effects than presenting each defendant on their own also raises additional questions. For instance, could comparisons with other people also affect jury decisions? Say if the defendant's attorney is younger/older than the defendant, would jurors be influenced by such a comparison as they were with the presentation of other defendants in Study 1? Future work is needed to clarify such possible comparison effects on jury decisions.

Alternatively, the trial vignette we used in Study 2 could have elicited different jury decisions than the trial vignettes we used in Study 1. Indeed, age and cosmetics may cause women to look more guilty for certain crimes but not for others. An additional possibility is that the participants might not have had an understanding of what would be a lenient or a harsh sentence and for that reason, tended to choose the middle sentence for all images. Future studies would, therefore, benefit from examining different types of crimes as well as by providing the sentenced term and asking the participants if they would have decided on a harsher or more lenient sentence.

8. Conclusions

In Study 1, we found that regardless of cosmetics use, male and female participants were more likely to assign guilty verdicts to middle-aged defendants than young defendants. We also found that male participants gave young defendants longer sentences when presented with cosmetics and middle-aged defendants shorter sentences when presented with cosmetics. This finding suggests that the use of cosmetics affects jury decisions. More specifically, wearing cosmetics is beneficial for middle-aged defendants but detrimental for young defendants.

In Study 2, however, we found no main effects of age or cosmetics and no significant interaction between age, sex of participant, and cosmetics on sentencing decisions. One possibility for this lack of replication is that in Study 1, participants saw all four identities whereas in Study 2, participants only saw one identity. Thus, comparison effects might be influencing the results from Study 1.

Across both studies, we found no consistent effect of cosmetics on the decisions of jurors. Nevertheless, our two well-powered studies ($N = 1127$) provide an initial examination into the influence of cosmetics on jury verdicts and sentences. Future work is still needed to better understand how cosmetics influence defendant perceptions, but our studies provide a meaningful first step in understanding the effect of cosmetics on jury decisions.

Author Contributions: Conceptualization, C.B.; methodology, C.B., R.R.; formal analysis, C.B., R.R.; investigation, C.B.; writing—original draft preparation, C.B.; writing—review and editing, C.B., R.R.; supervision, R.R. All authors have read and agreed to the published version of the manuscript.

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Appendix A

PEOPLE OF THE STATE OF MICHIGAN, Plaintiff
vs.
JANE BECK, Defendant

TYPE OF CASE

Criminal Charge: Receiving stolen property
Jury Trial; Circuit Court [State Court]

NATURE OF LEGAL CLAIMS

The prosecution has charged defendant with receiving stolen property. The defendant claims she did not take the vehicle, was not driving it, and is not guilty of the crime.

SUMMARY OF FACTS

A police officer says he saw a person dressed like defendant Beck, driving the stolen automobile and he saw the defendant leaving the driver's door after the car crashed into a light pole. Tools necessary to break into and start the car were found in the car, near Beck's backpack. Beck says two others were in possession of the car when she accepted their offer of a ride, and that the two ran off after the crash. Beck has a witness who puts Beck elsewhere when the car was taken.

RULES OF LAW

Defendant is charged with the following offense: Buying, receiving, possession or concealing stolen, embezzled or converted money, goods, or property; punishable by imprisonment for up to 8 months (Michigan Penal Code Section 54).

Defendant Image

Figure A1. First trial vignette used in Study 1.

PEOPLE OF THE STATE OF MICHIGAN, Plaintiff
vs.
SOFIA GREEN, Defendant

TYPE OF CASE

Criminal Charge: Assault with intent to injure; Defense: Self-Defense
Jury Trial; Circuit Court [State Court]

NATURE OF LEGAL CLAIMS

Prosecution claims the defendant, using a gun, committed assault with intent to do serious bodily harm. Defendant claims she was acting in lawful self-defense.

SUMMARY OF FACTS

Defendant found a pistol and was sitting in her front porch holding it, when the victim and another person approached. The victim carried a baseball bat. There is a dispute as to what happened next. Stover and Moffit say that they did not threaten the defendant. Defendant says Stover was about to strike her with the bat. Defendant fired the gun, hitting Stover in the thigh.

RULES OF LAW

Defendant is charged with the following offense: Assault with the intent to do serious bodily harm; punishable by imprisonment for up to 8 years (Michigan Penal Code Section 82).

Defendant Image

Figure A2. Second trial vignette used in Study 1.

PEOPLE OF THE STATE OF MICHIGAN, Plaintiff
vs.
ANNE JACKSON, Defendant

TYPE OF CASE
Criminal Charge: Larceny in a building (i.e., shoplifting)
Jury Trial; Circuit Court [State Court]

NATURE OF LEGAL CLAIMS
The prosecution has charged defendant with the felony of larceny in a building, in this case, stealing from a store. The defendant claims she is not guilty

SUMMARY OF FACTS
Defendant Anne Jackson was browsing in a clothing store in the Oxford Valley Mall. According to Pat Ferguson, a sales clerk, Jackson put something under her coat and then ran out when Ferguson confronted her. Ferguson immediately enlisted mall security (Bob Klink) to pursue defendant. Klink found her seated near a yogurt stand in the Mall. When Klink approached, defendant ran off, but was apprehended. However, defendant did not possess any goods from the store. A shirt, missing from the store, was found later in a mall trash barrel near the yogurt stand. Ferguson says that shirt was the color of the thing Jackson placed under her coat. Defendant says she took nothing and left quickly to go to a record sale. Defense witness Toby Patton, a friend of defendant, corroborates defendant's claims.

RULES OF LAW
Defendant is charged with the following offense: Larceny in a building (i.e., shoplifting); punishable by imprisonment for up to 8 months (Michigan Penal Code Section 360).

Defendant Image

Figure A3. Third trial vignette used in Study 1.

PEOPLE OF THE STATE OF MICHIGAN, Plaintiff
vs.
SARAH STEVENS, Defendant

TYPE OF CASE
Criminal Charge: Assault with a deadly weapon; Defense: Self-Defense
Jury Trial; Circuit Court [State Court]

NATURE OF LEGAL CLAIMS
The prosecution has charged the defendant with the crime of assault with a deadly weapon. The defendant asserts that she acted in self-defense.

SUMMARY OF FACTS
Defendant Sarah Stevens and Hannah Mann argued over who had the right to play the Frogger video game at Melanie's Video Arcade. The argument led to some pushing between them and to Stevens falling and injuring her hand. Sometime later, Stevens struck Mann with a piece of wood, knocking her to the floor, and then ran out. Stevens was apprehended by the store manager and returned to the scene. Stevens claims she thought Mann was about to attack her with a knife. Mann says she had only her black wallet in her hand, which she had just removed from her pocket.

RULES OF LAW
Defendant is charged with the following offense: Assault with a deadly weapon; punishable by imprisonment for up to 8 years (Michigan Penal Code Section 43).

Defendant Image

Figure A4. Fourth trial vignette used in Study 1.

Appendix B

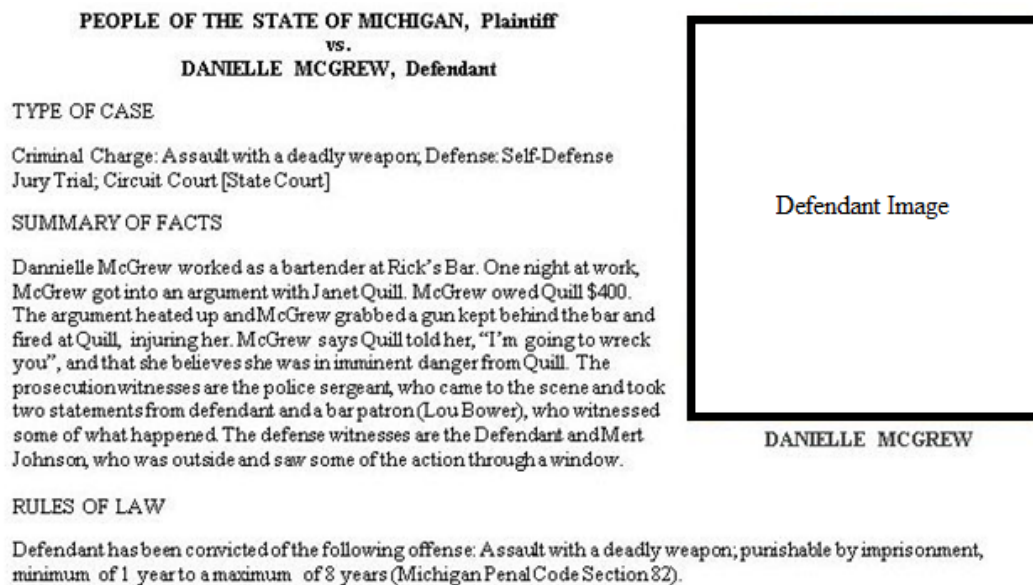


Figure A5. Trial vignette used in Study 2.

References

- Mirhady, D.C.; Schwarz, C. Dikastic participation. *Class. Q* **2011**, *61*, 744. [[CrossRef](#)]
- Beckham, C.M.; Spray, B.J.; Pietz, C.A. Jurors' locus of control and defendants' attractiveness in death penalty sentencing. *J. Soc. Psychol.* **2007**, *147*, 285–298. [[CrossRef](#)] [[PubMed](#)]
- Gerbasi, K.C.; Zuckerman, M.; Reis, H.T. Justice needs a new blindfold: A review of mock jury research. *Psychol. Bull.* **1977**, *84*, 323. [[CrossRef](#)]
- DeSantis, A.; Kayson, W.A. Defendants' characteristics of attractiveness, race, and sex and sentencing decisions. *Psychol. Rep.* **1997**, *81*, 679–683. [[CrossRef](#)]
- Mazzella, R.; Feingold, A. The effects of physical attractiveness, race, socioeconomic status, and gender of defendants and victims on judgments of mock jurors: A meta-analysis. *J. Appl. Soc. Psychol.* **1994**, *24*, 1315–1344. [[CrossRef](#)]
- Sweeney, L.T.; Haney, C. The influence of race on sentencing: A meta-analytic review of experimental studies. *Behav. Sci. Law* **1992**, *10*, 179–195. [[CrossRef](#)]
- Demuth, S.; Steffensmeier, D. Ethnicity effects on sentence outcomes in large urban courts: Comparisons among white, black, and hispanic defendants. *Soc. Sci. Q (Wiley-Blackwell)* **2004**, *85*, 994–1011. [[CrossRef](#)]
- Smith, E.D.; Hed, A. Effects of offenders' age and attractiveness on sentencing by mock juries. *Psychol. Rep.* **1979**, *44*, 691–694. [[CrossRef](#)]
- Zebrowitz, L.A.; McDonald, S.M. The impact of litigants' baby-facedness and attractiveness on adjudications in small claims courts. *Law Hum. Behav.* **1991**, *15*, 603–623. [[CrossRef](#)]
- Warling, D.; Peterson-Badali, A.M. The verdict on jury trials for juveniles: The effects of defendant's age on trial outcomes. *Behav. Sci. Law* **2003**, *21*, 63–82. [[CrossRef](#)]
- Darby, B.W.; Jeffers, D. The effects of defendant and juror attractiveness on simulated courtroom trial decisions. *Soc. Behav. Personal. Int. J.* **1988**, *16*, 39–50. [[CrossRef](#)]
- Stewart, J.E. Defendant's attractiveness as a factor in the outcome of criminal trials: An observational study. *J. Appl. Soc. Psychol.* **1980**, *10*, 348. [[CrossRef](#)]
- Batres, C.; Russell, R.; Simpson, J.A.; Campbell, L.; Hansen, A.M.; Cronk, L. Evidence that makeup is a false signal of sociosexuality. *Personal. Individ. Differ.* **2018**, *122*, 148–154. [[CrossRef](#)]
- Cash, T.F.; Dawson, K.; Davis, P.; Bowen, M.; Galumbeck, C. Effects of cosmetics use on the physical attractiveness and body image of American college women. *J. Soc. Psychol.* **1989**, *129*, 349. [[CrossRef](#)]

15. Mulhern, R.; Fieldman, G.; Hussey, T.; Leveque, J.L.; Pineau, P. Do cosmetics enhance female Caucasian facial attractiveness? *Int. J. Cosmet. Sci.* **2003**, *25*, 199–205. [[CrossRef](#)]
16. Bielfeldt, S.; Henss, R.; Koop, U.; Degwert, J.; Heinrich, U.; Jassoy, C.; Meyer, J.; Jentsch, H.T.A.; Blume, G. Internet-Based lay person rating of facial photographs to assess effects of a cleansing product and a decent cosmetic foundation on the attractiveness of female faces. *Int. J. Cosmet. Sci.* **2013**, *35*, 94–98. [[CrossRef](#)]
17. Dayan, S.H.; Cho, K.; Siracusa, M.; Gutierrez-Borst, S. Quantifying the impact cosmetic make-up has on age perception and the first impression projected. *J. Drugs Dermatol.* **2015**, *14*, 366–374.
18. Jones, A.L.; Kramer, R.S.S. Facial cosmetics and attractiveness: Comparing the effect sizes of professionally-applied cosmetics and identity. *PLoS ONE* **2016**, *11*, e0164218. [[CrossRef](#)]
19. Heiman, A. The Picture of Innocence? 2016. Available online: http://articles.latimes.com/1993-04-04/news/vw-18896_1_amy-fisher-michael-milken-jury-behavior-research (accessed on 1 August 2018).
20. Russell, R.; Batres, C.; Eges, S.C.; Kaminski, G.; Porcheron, A.E. Differential effects of makeup on perceived age. *Br. J. Psychol.* **2019**, *110*, 87–100. [[CrossRef](#)]
21. Bornstein, B.H. The ecological validity of jury simulations: Is the jury still out? *Law Hum. Behav.* **1999**, *23*, 75–91. [[CrossRef](#)]
22. Wiener, R.L.; Krauss, D.A.; Lieberman, J.D. Mock jury research: Where do we go from here? *Behav. Sci. Law* **2011**, *29*, 467–479. [[CrossRef](#)] [[PubMed](#)]
23. Mock Trial. 2016. Available online: <http://www.miciviced.org/mock-trial/sample-cases> (accessed on 1 August 2016).
24. Hulley, S.B.; Cummings, S.; Browner, W.; Grady, D.; Newman, T. *Designing Clinical Research*; Lippincott Williams & Wilkins: Philadelphia, PA, USA, 2013.
25. Graham, J.A.; Jouhar, A.J. The effects of cosmetics on person perception. *Int. J. Cosmet. Sci.* **1981**, *3*, 199. [[CrossRef](#)] [[PubMed](#)]
26. McKeachie, W.J. Lipstick as a determiner of first impressions of personality: An experiment for the general psychology course. *J. Soc. Psychol.* **1952**, *36*, 241–244. [[CrossRef](#)]
27. Clarke, L.H.; Bundon, A. From ‘the thing to do’ to ‘defying the ravages of age’: Older women reflect on the use of lipstick. *J. Women Aging* **2009**, *21*, 198–212. [[CrossRef](#)] [[PubMed](#)]



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