Understanding Criminal Sentencing: Defendant Characteristics Impacting Sentence Outcome

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Background

An increasing amount of research has focused on understanding factors affecting sentence determination in criminal cases (e.g., Warling & Peterson-Badali, 2003; Borenstein & Greene, 2011; Slade & Dodson, 2019). Similarly, a substantial amount of research has attempted to identify which characteristics of the defendant may alter the trial outcome and sentencing. Understanding if and how defendant characteristics influence conviction and sentencing is particularly important for not only the prosecutor, but the defense when selecting jury members. Characteristics of the defender related to the trial outcome include age, race, and severity of crime. Some research has indicated that mock jurors think younger defendants are less culpable, less accountable, and less deserving of severe punishment than older defendants (Semple & Woody, 2011; Warling & Peterson-Badali, 2003). More Caucasians commit crime than Blacks, but there is still a stigma against Black defendants (Petsko & Bodenhausen, 2018). Lastly, male victims of sexual assault are perceived more negatively than female victims (Pozzulo, Dempsey, Maeder & Allen, 2010). There is a clear need for more understanding of crime trends and crime increase.

The objective of this study was to assess factors that influence criminal sentencing and determine whether defendant age, race, and type of crime plays a role in jury decision making. We hypothesized that minimum sentences would be rated as more appropriate for young, white defendants, committing less severe crimes, while maximum sentences would be rated as more appropriate for black defendants.

Methods

This study was available as an online study on SONA to Penn State Berks students in select Psychology and Criminal Justice courses. Participants were presented with mock trial summaries and asked to rate the harshness of the awarded sentence. Using a mixed design, the participant was less likely to agree with the sentence given.

Results

Regardless of crime and race, there was a trend for participants to be more likely to agree with the sentence given to the younger defendant (12 years old) than the same sentence given to any other age. Participants were less likely to agree with the sentence given to an 18 year old summary offense than they were for felony offenses. When the defendant was 40 years old, the participant was more likely to agree with the maximum summary offense than if the defendant was 18 years old. Overall, across all crimes and ages, participants were less likely to agree with the sentence when the defendant was black rather than white.

Discussion

This study aimed to investigate the factors that impact the defendant’s sentencing. The results support the idea that defendant characteristics of age and race does impact sentencing. They also support the hypothesis that the younger the defendant, the more one is likely to agree with the minimum sentence than any other age. Based on the observed trends, the hypothesis is supported that when the defendant was black, the participant was less likely to agree with the sentence given. There is a clear need for more understanding of crime trends and crime increase.

Selected References