**Abstract**

This study examined in an integrative manner the influence of attractiveness, ethnic origin, and gender on perceived guilt and punishment severity in judicial decisions. 83 students assessed guilt and punishment based on facial images of offenders with varying characteristics. Asians were rated guiltier than whites or dark-skinned individuals, with attractive Asians deemed guiltier regardless of gender. For whites and dark-skinned individuals, attractiveness correlated with guilt only for women. Attractive individuals, especially women and whites, received harsher punishments. Men were attributed more guilt and received harsher punishments than women overall. Among the variables -- attractiveness, Ethnicity, and gender -- it was found that the level of attractiveness of the offender received the highest relative weight. The research highlights how non-offense-related characteristics can influence judicial perceptions, raising questions about potential biases in the justice system. These findings have implications for understanding and addressing unconscious biases in legal decision-making processes, emphasizing the need for awareness and mitigation strategies.

*Keywords*: attractiveness, gender, ethnicity, attribution of guilt, appropriate punishment

Recognizing the factors that may bias perceptions regarding the degree of guilt of suspects or offenders is crucial in law enforcement and forensic fields. This recognition is based on the assumption that people respond differently to the characteristics of others, such as their level of attractiveness, ethnic origin, skin color, or gender (Ahola et al., 2010; Avdija, 2014; Birzer & Birzer, 2006; Farrell, 2015; Kochel et al., 2011; Miller, 2009; Smith & Alpert, 2007; Smith et al., 2006; Tillyer et al., 2008).

As a society, we attribute traits, attitudes, and behaviors to others based on their physical appearance. Individuals whose appearance less conforms to societal standards are likely to enjoy fewer positive opportunities, such as high-paying employment, marriage, and education (Berry, 2019). It seems that sensitivity to physical appearance also occurs in the realm of crime and law enforcement. Physical appearance can play a role in how a suspect, detainee, and victim are perceived (Ahola et al., 2010; Shechory-Bitton & Zvi, 2016). For example, Berry (2019) found that less attractive people are more likely to be arrested, convicted, and receive harsher sentences than others.

Berry (2019) notes that although physical appearance is irrelevant to involvement in crime, the social response to appearance is important. In this context, the attitude of law enforcement personnel (police officers, prosecutors, and judges) towards physical appearance can influence their decisions and actions, ultimately affecting the outcomes of the judicial process.

Despite the expectation that judgments within law enforcement would be objective, equitable, and based solely on evidence, studies show that biases caused by extralegal personal characteristics such as skin color, ethnicity, and gender also influence decision-making during the criminal process (Shechory-Biton & Zvi, 2015; Waites, 2003). Police officers, prosecutors, and judges, being human, may be influenced in their decisions and judgments by factors unrelated to the crime itself. For instance, in examined cases, being a dark-skinned suspect or defendant contributed to the likelihood of being arrested, convicted, and incarcerated for a longer time (Berry, 2019; Vidmar, 2011).Regarding gender, studies have found that judgment related to female offenders is complex and depends on the gender of the police officer, prosecutor, and judge. Sometimes, being a female offender causes the judicial system to treat her more harshly, although it appears that in most cases, women receive more lenient treatment for their criminal behavior (Berry, 2019). Moreover, it seems that the perception or definition of an act as rape by judges depends on the status of the complaining woman. For example, an act committed against a woman of higher status is perceived more severely than one committed against a woman of lower status (ibid).

Many studies have been conducted to assess the contribution of factors that may bias judgment, such as level of attractiveness, ethnic origin, and gender. However, to the best of our knowledge, the distinction between these three factors has mainly been explored by examining each one separately or at most referring to only two variables (Ahola et al., 2010; Avdija, 2014; Farrell, 2015; Kochel et al., 2011; Miller, 2009; Smith & Alpert, 2007; Smith et al., 2006; Tillyer et al., 2008).

The current study adopts an underlying assumption derived from Information Integration Theory and its cognitive derivative—the Functional Theory of Cognition, according to which multi-factorial extraction of the discussed reality is encoded in the cognitive system of the involved parties as an integrative mechanism (Anderson, 2008; 2013). In other words, unlike previous studies conducted worldwide, the current study will examine the combined effect of the three variables: attractiveness, ethnic origin or skin color, and gender on the perception of the offender's guilt and the appropriate punishment.

**The Role of Attractiveness in Social and Judicial Assessments**

Attractiveness is defined as beauty, primarily expressed in a person's facial features, and serves as a valued social status that rewards its possessor. For example, attractive people are generally valued more and are more successful than their less attractive counterparts (Frevert & Walker, 2014).

Researchers refer to attractiveness as a type of “halo effect.” This cognitive bias suggests that if an individual possesses one positive or negative trait, other unrelated traits are perceived as positive or negative as well. Thus, high attractiveness leads others to perceive the attractive individual as more intelligent and possessing more positive personality traits compared to how less attractive individuals are perceived. Similarly, negative behaviors by attractive individuals are considered less immoral than those by less attractive individuals (Forgas & Laham, 2016; Fraga, 2015).

The Behavioral Confirmation Theory and the Self-Fulfilling Prophecy Theory (Langlois et al., 2000) may provide an explanation for the contribution of attractiveness to social judgments. According to these theories, people evaluate attractiveness under the influence of their cultural context. Just as there are agreed-upon standards of attractiveness within a culture, there are also stereotypes and prejudices. For example, if an individual is perceived as attractive in a particular culture, positive social expectations regarding their traits and behaviors are formed.

An attractive person will feel confident in their actions because their society responds positively or less harshly to negative behavior from them, and vice versa. These expectations, in turn, may create a self-fulfilling prophecy, causing both attractive and unattractive individuals to internalize differential judgments and develop behaviors and self-perceptions that align with these expectations.

The Focal Concerns Theory suggests that law enforcement and prosecutorial decisions about prosecution are made after weighing various goals such as deterrence, public safety, social cost, and the judge's perception of the offender's deservingness of condemnation. According to this theory, because an attractive person is viewed more positively by the judge, there is a higher chance they will not be arrested, prosecuted, or convicted (Fraga, 2015).

Hollier (2017) argues that the impact of attractiveness is amplified by contrast bias: when an attractive person is directly compared to a less attractive person, the attractive person is perceived as even more attractive, and the less attractive person as even less so. The researcher explains that encountering an attractive person activates areas in the orbitofrontal cortex (OFC) responsible for processing positive emotions, positive stimulation, and reward. These areas are activated as a function of the attractiveness and perceived moral goodness of the attractive person. Conversely, encountering a less attractive person stimulates the insular cortex, which is associated with processing negative emotions and pain.

The concept of attractiveness as a rewarding social status was discussed as early as the 1920s. However, it was not until the 1970s that empirical studies began to demonstrate the impact of an offender's attractiveness on judicial perceptions and outcomes. These studies revealed that more attractive defendants were often perceived as 'less guilty' and, consequently, received more lenient punishments compared to their less attractive counterparts, if punished at all. Empirical support for this was also found in studies conducted in the last two decades (Ahola et al., 2010; Johnson, 2006; Shechory-Bitton & Zvi, 2015, 2018). Defendants in criminal trials or civil lawsuits perceived as 'less attractive' received harsher and/or longer sentences than those perceived as 'attractive' (Teasdale et al., 2019; Frevert & Walker, 2014).

Fraga (2015) raises doubts, arguing that an offender's attractiveness does not guarantee them a lighter sentence except for minor offenses. Conversely, when controlling for the severity of the offense and the offender's ethnic origin the effect of attractiveness disappears. Sometimes, the opposite is true: attractive defendants received harsher sentences than less attractive defendants. This is especially true for sexual offenses where the offender's attractiveness was used to lure the victim.

Tumilty (2022), like other researchers, argued that sometimes attractive male offenders, in particular, would pay a heavier price than less attractive male offenders. The researcher found differences depending on the severity of the offense. In rape cases, attractive men were punished more severely than less attractive ones, explaining that their attractiveness was used to lure the victim. Similar findings were reported by Yang et al. (2019). The researchers presented participants, both men and women, with facial images of "suspects" of offenses. The main finding was a "beauty penalty." Women tended to blame and convict attractive men more than less attractive men. The attractive man was perceived as having a romantic advantage and thus potentially dangerous in exploiting his attractiveness. Additionally, people have higher expectations of attractive men as possessing more positive traits and pro-social behaviors. Thus, these studies found that sometimes the offender's attractiveness leads to harsher punishment. The reasons for this include the violation of positive stereotypes expected of them, leading to disappointment and harsher punishment. Another explanation is related to jealousy, which manifests in harsher punishment for dishonest behavior.

Further support for the "beauty penalty" can be found in the study by Shechory-Bitton and Zvi (2015), which included police officers and students. Participants read descriptions of a fraud offense committed by both attractive and less attractive men and women and were asked to decide on their conviction and punishment. Although the study found that the offender's gender, not attractiveness, was a decisive factor in the participants' biased judgment (women received lighter sentences than men), it was also found that attractive offenders were judged more harshly than less attractive offenders.

Other researchers found that this rule applied to severe offenses. Defendants, of both genders, who were more attractive were punished more severely regarding more serious offenses (Swami et al., 2017). The conclusion is that attractiveness may be a factor contributing to decisions on whether to arrest, charge, convict, and punish offenders, although the direction of the contribution is not entirely clear. As observed, attractiveness is not always an independent variable and is often linked to the offender's gender and/or ethnic background.

**The Impact of Defendants' Ethnic Origin and Skin Color on Conviction and Sentencing**

Despite the expectation that judgment and decision-making within the law enforcement system should be objective, equitable, and based solely on evidence—ensuring that under identical factual circumstances, suspects and defendants receive the same treatment by law enforcement authorities—research shows that biases stemming from characteristics such as ethnic origin influence decision-making in the criminal process (Barek Duli et al., 2022; Sheory-Biton & Zvi, 2015; The Sentencing Project, 2022). Additionally, a study by the American Civil Liberties Union (2014) describes how mandatory sentencing laws disproportionately affect minority communities, leading to higher incarceration rates.

Research has identified a prominent bias against African Americans in the criminal justice system, often attributing to them a greater level of danger that is not supported by empirical evidence. Vidmar (2011) found that individuals with darker skin face higher odds of being arrested, convicted, and sentenced to longer prison terms. This bias extends beyond courtroom decisions, affecting interactions between police officers and the public in everyday situations. Studies focusing on the African American population have demonstrated a clear link between an individual's visual profile and the accusatory treatment they receive from law enforcement. For instance, in the context of drug offenses, black Americans are disproportionately represented at every stage of the criminal justice process, from arrest through to imprisonment, despite similar rates of drug use across racial groups compared to white offenders (Fellner & Race, 2009). There is also a gender dimension in policing against women of color (Ritchie & Jones-Brown, 2017), with findings showing that black/African American women are more likely to experience race-based discrimination compared to men of color (Helen, 2023).

Eberhardt et al. (2004) demonstrated that both students and police officers associate the visual appearance of dark-skinned individuals with criminal activity. When the perpetrator had facial features stereotypically characteristic of dark-skinned individuals, the error rate in facial identification increased among police officers. In another study by Payne (2001), the relationship between the ethnic origin of the perpetrator and the accuracy in identifying various weapons was examined. The findings showed that participants were quicker to identify guns when pointed by dark-skinned faces than by light-skinned faces.

Additionally, participants were more likely to mistake an object for a gun when the perpetrator was dark-skinned. These results suggest that there is a certain automaticity in the process of associating dark-skinned men with weapon use, which can influence police behavior, leading to the arrest of dark-skinned individuals or alternatively to increased use of force against them. Correll et al. (2007) also examined the link between ethnic origin and the identification of objects related to the crime scene. The study's findings showed that participants shot armed criminals faster if they were dark-skinned rather than white and decided more quickly not to shoot an unarmed white target than an unarmed dark-skinned target.

One of the factors found to have the greatest impact on perception, judgment, and memory is ethnic origin or belonging to an "out-group" (Amodio & Devine, 2006). Participants more easily remembered that a violent event was committed by a dark-skinned person compared to a white person, or the behavior was interpreted as more violent when committed by a dark-skinned person compared to a white person.

This bias not only affects the interaction between police officers and citizens on the street or witnesses but also influences the judicial system (Yelin-Mor, 2018; Pina-Sánchez et al., 2022). There appears to be a link between ethnic origin or skin color and the attribution of guilt to a crime (The Sentencing Project, 2022). Indeed, a substantial body of research literature shows that the criminal justice system operates in a discriminatory and biased manner toward certain ethnic groups (Burch, 2015). Judges may draw conclusions based on the suspect's or defendant's skin color or facial features. These judicial biases can lead, for example, to longer incarcerations for dark-skinned individuals (The Sentencing Project, 2022).

A study by Johnson & King (2017) found that Black defendants are perceived as more threatening in their appearance. Burch (2015) found that darker-skinned Black defendants received harsher punishments than lighter-skinned Black defendants and White defendants. The relationship between skin color and perceived criminal guilt has been demonstrated in various studies. For instance, Dixon and Maddox (2005) found that frequent news viewers were significantly more emotionally concerned about crime stories when the perpetrator was dark-skinned compared to when they were White. Additionally, Eberhardt et al. (2006) found that Black males rated as more stereotypically Black were more likely to receive the death penalty when on trial for murdering a White victim.

In Israel, there is a notable severity in the punishment of Arabs compared to Jews for the same offenses (Ratner & Fishman, 1988). A study on the discrimination against Arabs found that Arab defendants whose cases were brought to court and prosecuted received harsher punishments than Jews, with this disparity being greater in cases of imprisonment compared to conditional imprisonment, and greater in cases of conditional imprisonment compared to fines. Secondly, the differences between the groups are already noticeable at the preliminary stage of case dismissals. Thirdly, if we distinguish between the type of punishment (such as a fine or imprisonment) and the severity of the punishment (such as the amount of the fine or the duration of imprisonment), it appears that the difference is mainly in the decision on the type of punishment, not in determining its severity (Rahav et al., 2017).

It seems that racial biases and the associated stress in the context of discriminatory law enforcement can affect the health and mental state of the discriminated population (Geier et al., 2023). English et al. (2017) found a positive correlation between racial discrimination and depressive symptoms among black men discriminated against by the police and/or the law enforcement system.

**The Impact of Gender on Conviction and Sentencing**

Research conducted in various countries on the relationship between the gender of defendants and sentencing has pointed to a tendency among judges to treat female defendants more leniently than male defendants, resulting in shorter prison sentences. In Lithuania, it was found that female defendants received lighter sentences, manifested in fewer and shorter prison terms, and more alternatives to imprisonment such as community service and fines (Tereškinas et al., 2022). In France (Philippe, 2017), it was found that female offenders received lighter sentences than male offenders. In New Zealand (Jeffries et al., 2003), the judicial process was found to treat women more leniently than men, with fewer prison sentences and shorter prison terms for women. In the United States, it was found that the likelihood of receiving a prison sentence for female defendants was lower compared to male defendants, and the prison terms imposed were shorter (Curry et al., 2004; Doerner & Demuth, 2010; Hanrath & Font, 2020; Johnson, 2006).

In the Netherlands (De Vogel & de Spa, 2019), it was found that women received lighter sentences than men, were perceived as less responsible, and were more often exempted from prosecution than men. Similarly, in Canada (Crocker et al., 2002), it was found that women were more likely to have proceedings discontinued due to incompetence to stand trial. In Israel, Bogoch and Don-Yehia (1999) did not find differences in conviction rates between male and female defendants, but female defendants received more lenient sentences.

Other studies examined the interaction between the judge's gender and the defendant's gender (Ulmer, 2019). In some, it was found that female judges imposed harsher sentences on women. In Belgium, it was found that female judges imposed harsher sentences on female defendants, while male judges imposed harsher sentences on male defendants (Bielen & Grajzl, 2020).

In France, it was found that female judges did not impose harsher sentences, but as the proportion of female judges increased, longer prison and probation terms were imposed on female defendants. Additionally, female judges tended to be harsher with female defendants in violent crime cases (Philippe, 2017). In other studies, it was found that female judges were more lenient with female defendants. Boyd and Nelson (2017) found that in criminal trials related to recreational drug use, female judges were more lenient than male judges in sentencing female defendants. Steffensmeier and Hebert (1999), found that the likelihood of female judges sentencing female defendants to imprisonment was 22% lower compared to male defendants, while for male judges, it was 14%. Female defendants were generally less likely to be incarcerated. Some studies found no evidence of interaction between the gender of the defendants and the gender of the judges (Johnson, 2006).

Another type of study focused on experiments where research participants were asked to make a decision regarding a presented case (mock jurors). These studies showed that such decisions might be related to the gender of both the defendants and the evaluators (Devine & Caughlin, 2014).

Regarding the defendant's gender, many studies focused on sexual assault, demonstrating primarily leniency towards women compared to men (Cramer, 1999; Henning & Feder, 2005; McCoy & Gray, 2007; Pozzulo et al., 2010). Specifically, evaluators tended to perceive a male defendant as more guilty than a female defendant (Rogers & Davies, 2007).

In cases where the killing of an abusive partner was presented, male defendants were more likely to be convicted compared to female defendants (Maeder et al., 2018). Another study found that judges and jurors evaluated a defendant of the same gender more harshly. Police officers, prosecutors, and law students judged a man more severely than a woman, and female evaluators gave harsher sentences to attractive male defendants (Ahola et al., 2010).

In a meta-analysis by Devine & Caughlin (2014), an almost negligible impact of the defendant's gender was found. Simultaneously, different patterns were observed among the evaluators. Non-student evaluators showed a slightly higher likelihood of finding a woman guilty compared to a man, with opposite findings among student evaluators. They also found that the impact of the evaluators' gender was moderated by the case type, with sexual violence cases tending to provoke harsher verdicts compared to other types of cases, where fewer differences were found.

As can be seen, the literature on the contribution of gender to guilt assessment and sentencing indicates that the gender of the defendants, as well as the gender of the judges or evaluators, has the potential to influence the outcomes of the judicial process. However, the results are inconsistent. In some studies, no interaction was found between the gender of the defendants and the gender of the judges in relation to sentencing; in others, it was found that female judges were harsher with female defendants compared to male judges, while other studies found that female judges were more lenient in sentencing female defendants. The only clear finding that emerged from the studies was that judges generally tended to treat female defendants more leniently than male defendants.

**The Functional Theory of Cognition**

Various factors, including attractiveness, ethnicity or skin color, and gender, appear to contribute to the perception of a criminal's guilt, with this contribution being multifaceted. One of the theories that can serve as a foundation for this assumption is the functional theory of cognition, which posits that in the vast majority of information processing in everyday reality, information from different relevant sources within a given context is integrated. In order to produce a predictable response, these pieces of information merge in the mind of the information processor in a manner that can be represented using a simple algebraic formula. This theory can be applied to any field in the behavioral sciences that focuses on questions of how different pieces of information involved in a specific cognitive process are subjects to integrative information processing (Anderson, 1991a, 1991b, 1991c, 1996).

The functional measurement method, derived from the theory, employs multifactorial models and descriptive and inferential statistics to translate the theoretical terminology of the functional theory into operational terms. In the current research, among other things, this paradigm provided a comprehensive framework to examine whether and how different factors-- attractiveness, Ethnicity, and gender -- are perceived integratively as part of the moral judgment related to the offender's actions. To the best of our knowledge, no previous study has examined the integrated effect of all these factors on the perceived guilt of the offender and the appropriate punishment, which is the aim of the current research.

In light of the preceding literature review, it is hypothesized that:

1. Differences will be found between attractive offenders and 'unattractive' offenders in relation to the perceived level of guilt and appropriate punishment.

2. A relationship will be found between the ethnic origin of the offender and the perceived level of guilt and appropriate punishment.

3. A relationship will be found between the gender of the offender (male, female) and the perceived level of guilt and appropriate punishment, such that male offenders will be attributed higher guilt and receive harsher punishment than females.

4. A triple interaction will be found between attractiveness, ethnic origin, and gender of the offender in relation to their perceived level of guilt and appropriate punishment.

5. In terms of functional measurement, each of the three variables - level of attractiveness, ethnic origin, and gender of the offender - will be assigned an identical relative weight in relation to the perceived level of guilt and appropriate punishment.

**Method**

**Participants**

The study was conducted during the COVID-19 pandemic. The sample comprised 183 social science students, predominantly female, with ages ranging from 20 to 55 years (M = 29.44, SD = 7.51). Approximately one-third were married with an average of 1.80 children (SD = 1.3) (see Table 1).

Participants were recruited through course websites where a link to the research questionnaire was provided. Initially, 403 students responded. From this sample, two participants who declined to respond were excluded, along with 130 participants who provided partial responses and 86 participants who gave uniform answers. After this screening process, 183 participants remained in the sample, upon whose responses the findings are based.

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Insert Table 1 about here

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**Materials and Procedure**

***First Stage***

To select facial images to be defined as 'attractive'/'unattractive' by the participants, a preliminary online survey was conducted with 31 first to third-year social science students. This preliminary sample included a similar number of men and women aged between 24 and 50 years (M = 30.26, SD = 6.51), with approximately half being married (51.6%) (see Table 1.1).

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Insert Table 1.1 about here

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After signing an informed consent form, participants were exposed to approximately 40 online facial images. The images displayed various faces of women and men from different ethnic backgrounds, represented by varying skin tones (light, dark). An equal number of East Asian faces were also included. Participants were asked to rate the faces on a scale from 1 to 10 based on their level of attractiveness.

Six facial images that received the highest attractiveness ratings were classified as 'attractive', and six images that received the lowest ratings were classified as 'unattractive'.

Ultimately, twelve facial images were selected for the next phase of the study, including: four images of 'attractive'/'unattractive' men/women with dark faces, four images of attractive/unattractive men/women with light faces, and four images of attractive/unattractive men/women with East Asian features (see Table 2).

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***Second Stage***

The facial images were presented in an anonymous online questionnaire to a group of 183 study participants, with each participant individually exposed to all 12 facial images presented in random order. Exposure to each facial image was accompanied by the following scenario: "Imagine a situation where a power outage occurred in a bank branch, and X (here the facial image was shown) pictured in the photo took advantage of the opportunity and stole a large sum of money that was lying on the counter and left the bank."

Post-scenario presentation , the participant was asked: "In your opinion, to what extent is the offender shown in the picture guilty in this scenario from 0 to 10?" and "In your opinion, what is the appropriate level of punishment in this scenario ?". Regarding punishment, the participant was also asked to rate from 0 (lightest punishment) to 10 (most severe punishment) (see: Scheory-Biton & Zvi, 2019). This scenario was presented for all 12 facial images (attractive dark-skinned male, unattractive dark-skinned male, etc.), resulting in 12 ratings. From these ratings, it was possible to derive, for each research participant, the perceived guilt and appropriate punishment for the act, as well as the relative weight given to each of the relevant factors, including attractiveness, ethnicity, and gender. (for details on deriving the relative weight measure, see Peled-Laskov & Wolf, 2016). It should be noted that this questioning method does not fully correspond to that characteristic of functional measurement (Anderson, 1991a, 1991b, 1991c, 1996), where the participant is asked to imagine different situations. Nevertheless, this administration, in which the participant is exposed to facial images with variations of the three variables (attractiveness, ethnicity, and gender), allows for the extraction of the relative weight assigned to each of the three relevant factors.

Finally, a socio-demographic questionnaire was administered, including questions pertaining to age, gender, marital status, and employment. It should be noted that at this stage as well, participants signed an informed consent form prior to their participation in the study. Their participation was voluntary, anonymity was assured, and it was guaranteed that their responses would be used solely for research purposes.

**Findings**

**Degree of Guilt Attributed to the Offender's Actions**

As a preliminary examination, the degree of the offender's guilt was rated according to attractiveness, ethnicity, and gender (see Figure 1).

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The analysis of the ratings revealed that the highest level of guilt was attributed to an 'attractive' male of East Asian descent. 'Attractive' white, dark-skinned, and East Asian females, as well as 'attractive' white males, were also found to have high levels of guilt, though significantly lower than the 'attractive' East Asian male. 'Unattractive' females (regardless of ethnic background) were significantly rated as the least guilty.

To examine the relationship between the three independent variables (attractiveness, ethnicity, and gender) and the perceived level of guilt of the offender, a three-way repeated measures ANOVA was conducted. The analysis revealed main effects for the attractiveness of the offender , for ethnicity  and gender  .

That is, when ignoring the other two variables, for each of the three effects, attractive offenders were attributed higher guilt (M = 7.25, SD = 2.31) than unattractive offenders (M = 6.59, SD = 2.40). Participants attributed significantly more guilt to offenders of East Asian descent (M = 7.09, SD = 2.24) compared to white (M = 6.84, SD = 2.28) or dark-skinned offenders (M = 6.81, SD = 2.44). Post-hoc tests revealed no significant difference in the degree of guilt between white and dark-skinned offenders (p > .05). Additionally, men were attributed significantly more guilt (M = 7.04, SD = 2.17) than women (M = 6.79, SD = 2.29).

The analysis also revealed a significant three-way interaction between attractiveness, ethnicity, and gender in relation to the perceived level of guilt of the offender, . This indicates that the relationship between gender and the offender's attractiveness in relation to the perceived level of guilt depends on the offender's ethnicity. Consequently, simple two-way interactions between gender and attractiveness, as well as the simple effects within each ethnicity group (white, dark-skinned, and East Asian), were examined using Bonferroni correction for multiple comparisons.

A significant two-way interaction between gender and the offender's attractiveness in relation to the degree of attributed guilt was found among white  and dark-skinned individuals . No significant two-way interaction between gender and attractiveness was found for East Asian individuals .

In examining simple effects regarding gender, it was found that among white and dark-skinned individuals, 'attractive' women were attributed more guilt than 'unattractive' women. Among white and dark-skinned men, no significant difference was found in the degree of guilt attributed to 'attractive' men compared to 'unattractive' men. Among East Asian individuals, 'attractive' offenders were attributed more guilt than 'unattractive' offenders, regardless of gender (see Figure 2).

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Insert Figure 2. about here

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Regarding the findings related to functional measurement, a significant difference was found in the relative weight given to the three variables (attractiveness, ethnicity, and gender) concerning the attributed guilt,. . The variable with the highest relative weight was the offender's attractiveness (M =.46, SD =.24), which differed significantly from both gender (M =.28, SD =.21) and ethnicity (M =.26, SD =.24). No significant difference was found between the relative weights of gender and ethnicity.

**Perceived Severity of Appropriate Punishment for the Offender**

The second dependent variable in this study was the perceived severity of punishment participants would deem appropriate for the offender. The findings show results similar to those observed in the attribution of guilt, as illustrated in Figure 3. In the severity of punishment ratings, more attractive men and women were perceived as deserving harsher penalties. 'Unattractive' women, regardless of being white, dark-skinned, or East Asian, were assigned the lightest punishments.

In a three-way repeated measures ANOVA examining the relationship between ethnicity, attractiveness of the offender and gender, with the perceived severity of punishment, a significant main effect was found for the offender's attractiveness,  and a marginally significant main effect was found for the offender's gender, . When controlling for the other two variables, 'attractive' offenders were perceived as deserving harsher punishment (M = 6.63, SD = 1.89) than 'unattractive' offenders (M = 6.00, SD = 2.09). Men were perceived as deserving harsher punishment (M = 6.38, SD = 1.85) than women (M = 6.26, SD = 1.87). No main effect for ethnicity was found concerning punishment, .

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Insert Figure 3. about here

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The analysis also revealed significant two-way interactions between attractiveness and gender, and between attractiveness and ethnicity, . Simple effects analysis showed that among both women and men, 'attractive' offenders were perceived as deserving harsher punishment than 'unattractive' offenders, with a larger difference observed among women. Regarding ethnicity, 'attractive' offenders were perceived as deserving harsher punishment than 'unattractive' offenders among white, dark-skinned, and East Asian individuals, with the largest difference observed among white individuals. No significant two-way interaction was found between ethnicity and gender,  (see Figure 4). No significant three-way interaction between attractiveness, ethnicity, and gender was found concerning the perceived level of punishment for the offender, .

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Insert Figure 4. about here

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The analysis also revealed significant two-way interactions between attractiveness and gender , and between attractiveness and ethnicity, . Simple effects analysis showed that among both women and men, 'attractive' offenders were perceived to receive harsher punishment than 'unattractive' offenders, with a larger gap observed among women. Regarding ethnicity, 'attractive' offenders were perceived to receive harsher punishment than 'unattractive' offenders among whites, dark-skinned, and East Asians, with the largest gap observed among whites. No significant two-way interaction was found between ethnicity and gender,  (see Figure 5). No three-way interaction between attractiveness, ethnicity, and gender was found concerning the level of punishment for the offender, .

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Insert Figure 5. about here

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Regarding functional measurement findings, a significant difference was found in the relative weights given to the three offender characteristics concerning the perceived severity of punishment, . The characteristic with the highest relative weight, similar to that found for attributed guilt, was the offender's attractiveness (M =.46, SD =.24), followed by the offender's gender (M =.31, SD =.20). The lowest relative weight was given to the offender's ethnicity (M =.23, SD =.21).

**Comparison between Degree of Guilt and Severity of Punishment**

As shown in Figure 6, in all cases except for 'attractive' East Asian women and 'attractive' white men, the average attributed guilt of the offender was rated higher than the average perceived appropriate punishment.

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Insert Figure 6. about here

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It should be noted that no significant correlations were found between the demographic characteristics of the participants (gender, marital status, or sector) and their ratings of perceived guilt or appropriate punishment for the offender.

**Discussion**

This study examined the relationships between an offender's attractiveness, ethnicity, and gender, and the degree of guilt attributed to them, as well as the perceived severity of appropriate punishment. The uniqueness of this research lies in its integrative approach, simultaneously examining the contributions of these three factors to perceptions of guilt and judgments of appropriate punishment.

A significant three-way interaction between attractiveness, ethnicity, and gender of the offender was found in relation to the level of perceived guilt. Individuals of Asian descent were rated as more guilty than white or dark-skinned individuals. Moreover, 'attractive' Asians, regardless of gender, were rated as more guilty than 'unattractive' ones. The study found no significant difference in guilt ratings between white and dark-skinned individuals. Among white and dark-skinned individuals, a significant relationship between attractiveness and guilt was found for women, with 'attractive' women rated as more guilty than 'unattractive' women. However, for white or dark-skinned men, no significant relationship was found between attractiveness and perceived guilt. In other words, 'attractive' men were rated similarly to 'unattractive' men in these ethnic groups.

Unlike guilt attribution, no significant relationship was found between ethnicity and perceived appropriate punishment. Regardless of ethnicity or gender, 'attractive' individuals were perceived as deserving higher punishment than 'unattractive' ones. It should be noted that the difference between 'attractive' and 'unattractive' offenders was larger for women than for men, and larger for white individuals compared to other ethnicities.

Regarding both guilt attribution and perceived appropriate punishment, each of the three variables—attractiveness, ethnicity, and gender of the offender—was given a significant subjective relative weight. A significant difference was found in the relative weights given to these three variables for both guilt attribution and perceived punishment, with attractiveness receiving the highest weight in both cases.

Finally, when comparing guilt ratings to punishment ratings, it appears that in almost all cases, the guilt attributed to the offender by participants was higher than the perceived appropriate punishment.

Attractive defendants were found to have higher guilt attribution and perceived appropriate punishment than 'unattractive' ones, for both men and women. This finding aligns with the study by Tomilty et al. (2022), which introduced the concept of "beauty punishment". In their study, guilt attribution to suspects in rape cases increased with the attractiveness of the suspects. Similar findings were also observed in Israeli studies, such as that of Shechory-Bitton and Zvi (2019).

One explanation posits that by committing the offense, the attractive offender contradicts positive stereotypes and expectations, and thus the disappointment may be expressed in more severe punishment. Another explanation relates to the jealousy aroused by the attractive offender, which ultimately leads to harsher punishment.

Our findings, where attractive individuals were perceived as more guilty and the perceived appropriate punishment was more severe, seem to reinforce the literature discussing the "price of beauty", expressed in the saying: "Beauty is beastly" (Dion et al., 1972; Efran, 1974; Sigall & Ostrove, 1975). On the other hand, the findings of this study contradict research that found that less attractive people tend to be arrested, convicted, and receive harsher sentences than others (e.g., Berry, 2019). Attractive people actually benefit from leniency in guilt attribution towards them (Fervert & Walker, 2014; Forgas & Laham, 2016; Teasdale et al., 2019). In these cases, beauty served as a "discount" in guilt attribution and severity of punishment (Allen et al., 2019). Incidentally, in an earlier Israeli study by Shechory-Bitton and Zvi, a similar "discount" was found for attractive offenders (Shechory-Bitton & Zvi, 2015).

The apparent contradiction between our findings and previous research may be attributed to several factors. Firstly, our study employed functional measurement, a methodological approach that integrates multiple factors simultaneously, more closely mimicking the complexity of real-world scenarios. This integrative approach allows for a more nuanced examination of how attractiveness interacts with other variables in influencing perceptions of guilt and punishment.

Secondly, we focused on a specific crime - bank robbery. The nature of this offense may elicit different responses compared to other types of crimes studied in previous research. Bank robbery, being a premeditated and financially motivated crime, might be perceived differently when committed by attractive individuals, possibly triggering stronger reactions of betrayal or disappointment that override the typical leniency effect.

Furthermore, the functional measurement approach enables us to examine the relative weights given to different factors (attractiveness, ethnicity, and gender) in a single judgment task. This method may reveal subtleties in decision-making processes that are not captured by more traditional experimental designs.

These methodological differences, combined with the specific crime context, may explain why our results diverge from the attractiveness-leniency effect commonly observed in previous studies. Our findings suggest that the relationship between attractiveness and perceptions of guilt or punishment may be more complex and context-dependent than previously thought, highlighting the need for further research using integrative approaches across various types of offenses.

Regarding ethnicity, our study revealed a significant main effect: participants attributed higher guilt to Asian offenders compared to white or dark-skinned offenders. This finding aligns with numerous studies that have demonstrated the influence of ethnicity on guilt attribution and perceived appropriate punishment (Burch, 2015; Public Defense, 2018; Shechory et al., 2010; Shechory-Bitton & Zvi, 2015). However, our results diverge from previous research in an important way. Unlike studies that found prominent bias against African Americans (Amodio & Devine, 2006; Correll et al., 2007; Vidmar, 2011), we observed no significant difference between whites and dark-skinned individuals in terms of guilt attribution or perceived appropriate punishment.

The context of our study may offer some explanation for these findings. conducted during the COVID-19 pandemic, it's likely that participants had limited recent interactions with Asian individuals. The higher guilt attribution for Asian offenders might stem from the prevalent narrative during this period that placed blame on China for the pandemic's origin. This phenomenon could be explained through contrast bias, where the world is perceived in terms of opposing "good" and "bad" categories. The unfamiliarity with Asian individuals, combined with the blame directed at China, may have created a negative halo effect towards Asians in general.

It's important to note some methodological differences that may contribute to our unique findings. Unlike many previous studies that typically distinguished only between dark-skinned and white individuals, our study compared guilt attribution and perceived punishment across three ethnic origins. Additionally, the term "dark-skinned" in our study may have been interpreted differently by participants. It's unclear whether they associated this category with various populations in Israel who have relatively dark skin tones, or with African Americans who typically reside in the United States.

These results highlight the complex and context-dependent nature of ethnic bias in legal judgments. Further research is needed to explore how specific cultural and temporal factors may influence perceptions of guilt and punishment across different ethnic groups.

The study's findings show a significant main effect for gender. Men were significantly attributed more guilt than women for the same offense. This finding is consistent with studies in various countries that show a tendency to attribute less guilt to female offenders based on claims of insanity or diminished responsibility (Crocker et al., 2002; Vogel & de Spa, 2019). This finding also aligns with research results in Israel and worldwide that found a tendency for lighter sentencing towards women, manifested in fewer prison sentences, shorter prison terms, and preference for lighter punishments such as community service and fines (Philippe, 2017; Tereškinas et al., 2022).

Most studies to date have primarily examined guilt attributions and less so the severity of punishment that participants deemed appropriate for defendants based on attractiveness, ethnicity, and gender. In examining this variable, our study found that in terms of punishment perception, 'attractive' individuals and men are perceived as deserving more severe punishment, a finding that did not reach significance level with regard to ethnicity.

It is important to note that the perceived severity of appropriate punishment found in the study is not necessarily identical to the degree of guilt attributed to the offender, with the average perceived guilt being higher than the average punishment that study participants viewed as appropriate. This gap may stem from the fact that the offense described in the scenario is on a relatively low severity threshold. The practice in Israel is such that most criminal cases are closed in plea bargains (Beenstock et al., 2021), resulting in a gap between the severity of the original offense and that for which defendants are ultimately convicted. Additionally, there is a tendency of courts towards relatively lenient sentencing in line with the rehabilitative trend existing in the Western world (Lernau, 2016; Lernau & Oz, 2019).

The current study examined the integrated contribution of three variables: attractiveness, ethnicity, and gender on the perception of the offender's guilt and the appropriate punishment. The integration of these three variables, giving equal opportunity for them to be weighted alongside each other, was done based on the perception that in the vast majority of information processing processes, there is a fusion of information from various relevant sources included in the given reality (Functional Theory of Cognition, Anderson, 1996, 2001).

Through functional measurement, it was found that the three variables were given different relative weights in guilt attribution and perceived appropriate punishment. The highest relative weight in both guilt attribution and perceived appropriate punishment was given to the 'attractiveness' variable, while the lowest was given to ethnicity.

The stronger influence of attractiveness compared to gender and ethnicity could be a result of evolutionary mechanisms causing a stronger neural response to attractiveness. Studies examining neural responses to attractive faces have shown that people experience more positive emotions (presented as more intense activation in the brain's reward circuits) when looking at attractive faces compared to unattractive ones (Hahn & Perrett, 2014). These findings might be explained by the fact that attractiveness is related to central evolutionary traits: finding potential mates, reproduction, and parenting.

Although Hahn and Perrett (2014) found a stronger neural response accompanied by attribution of more positive emotions to those who were more attractive, it is possible that this strong neural response is context-dependent. In the case of a suspect or offender, the strong neural response may tend towards severity rather than leniency. This suggests that attractiveness triggers a strong evolutionary arousal mechanism whose results are context-dependent. In the case of guilt attribution and punishment, this mechanism may lead to aggravation rather than mitigation of judgments.

**Limitations and Future Research**

This study addressed three variables in an integrated manner that are not related to the criminal act itself but have the potential to contribute to the perception of guilt and perceived appropriate punishment of suspects, defendants, or convicts by judges and law enforcement personnel. Despite the contributions arising from the current study, its limitations cannot be ignored.

The sampling in this study is 'volunteer sampling' with all its implications. regarding the sample size, the number of participants was dictated by the number of respondents to questionnaires distributed online and was essentially based on the voluntary spirit of the participants. A study offering compensation might have garnered more participation and thus contributed to the external validity of the findings. Additionally, it cannot be overlooked that the purpose of the study may have been understood by the participants, potentially leading to social desirability bias. While relying on functional measurement provided some response to this problem, future research could continue to address this bias by using sophisticated methods to minimize social influences, such as measures examining facial movements as indicators of hidden attitudes or reaction time measures in implicit association tests.

Furthermore, regarding the reference to Asian ethnicity, it should be considered that the study was conducted during the COVID-19 pandemic, which was attributed to East Asia. This context may have influenced participants' attributions related to Asian origin and does not necessarily reflect a routine reality. Lastly, the research findings can be qualified by noting that any study design that is fundamentally descriptive limits the internal validity of its findings. There may be other variables related to the participants themselves or hidden in the situation presented that explain perceptions of guilt or levels of perceived punishment, which were not controlled in the current study.

For future studies, it would be valuable to conduct multi-variable research similar to this one, examining additional variables not included in the current study. Exploring different types of criminal offenses, ranging from minor infractions to severe crimes, could provide insights into how the integrated influence of attractiveness, ethnicity, and gender varies across offense types. Considering the socioeconomic status of the offender may also reveal interactions with the variables examined in this study. Moreover, examining the age of the offender could help understand how perceptions of guilt and appropriate punishment differ for younger versus older individuals. Investigating the characteristics of judges or jurors, such as their demographic information or personal experiences with the justice system, may also contribute to a deeper understanding of these dynamics.

Additionally, replicating the study across different countries or regions could shed light on how cultural norms influence these integrated perceptions. Future research could also employ more diverse methodologies, such as using virtual reality to create immersive and realistic scenarios for participants or conducting longitudinal studies to examine how perceptions might change over time or with exposure to different types of information. Incorporating physiological measures, such as eye-tracking or neuroimaging, could provide deeper insights into the cognitive processes underlying these integrated judgments.

In conclusion, while this study has provided valuable insights into the integrated effects of attractiveness, ethnicity, and gender on perceptions of guilt and appropriate punishment, it also highlights the complexity of these judgments and the need for further research. By addressing the limitations noted here and expanding the scope of variables and methodologies in future studies, researchers can continue to enhance our understanding of the factors influencing legal decision-making. This knowledge is crucial for promoting fairness and equity in the justice system, potentially informing policy decisions and training programs for legal professionals. As we continue to unravel the intricate interplay of factors affecting legal judgments, we move closer to a more just and unbiased application of the law.

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**Table 1**

*Socio-demographic Characteristics of the Sample (n=183)*

|  |  |
| --- | --- |
| **(%)N** | **Variable** |
|  | Gender: |
| (61.2) 112 | Women |
| (38.8)71 | Men |
|  | Marital status: |
| (37.2) 68 | Married |
| (62.8) 115 | Unmarried |
|  | Sector: |
| (63.4) 116 | Civilian |
| (36.6) 67 | Security |

**Table 1.1**

*Socio-Demographic Characteristics of the Preliminary Sample (n=31)*

|  |  |
| --- | --- |
| **N (%)** | **Variable** |
|  | Gender: |
| 14 (45.2%) | Women |
| 17 (54.8%) | Men |
|  | Marital status: |
| 13 (41.9%) | Married |
| 18 (58.1%) | Unmarried |
|  | Sector: |
| 12 (38.7%) | Civilian |
| 19 (61.3%) | Security |

**Table 2**

*Twelve Combinations of Facial Images Varying by Gender, Attractiveness, and Ethnicity/Skin Tone*

|  |  |  |
| --- | --- | --- |
|  | **Attractive**  **Man**  **Woman** | **Unattractive**  **Man                           Woman** |
| **Dark face** |  |  |
| **White face** |  |  |
| **East Asian face** |  |  |

**Figure 1**

*Rating of the Offender's Guilt Level by Attractiveness, Ethnicity, and Gender*

a

c

b,cdcc

b,c

b,ccdc

bc

b

bb

b

*Note*: M = Male, F = Female, A = Attractive, U = Unattractive, W = White,

B = Dark-skinned, and O = East Asian.

After the Bonferroni correction, a significant difference at the .05 level was found between columns with different letters. No significant difference was found between columns with the same letter.

**Figure 2**

***The Relationship Between Attractiveness and Gender and the Attributed Guilt of the Offender by Ethnicity***

\*

\*p < .05

**Figure 3**

*Rating of Punishment Severity by Offender's Attractiveness, Ethnicity, and Gender*

d

d

c

b,c

a,b

a,b,c

d

*Note*: M = Male, F = Female, A = Attractive, U = Unattractive, W = White,

B = Dark-skinned, and O = East Asian.

After the Bonferroni correction, a significant difference at the .05 level was found between columns with different letters. No significant difference was found between columns with the same letter.

**Figure 4**

*Pairwise Interactions of Perceived Appropriate Punishment Severity by Offender's Ethnicity and Gender*

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\*p < .05

**Figure 5**

*Comparison of Perceived Guilt and Appropriate Punishment*

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*Note*: M = Male, F = Female, A = Attractive, U = Unattractive, W = White,

B = Dark-skinned, and O = East Asian.

After the Bonferroni correction, p < .05.