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CRIMINOLOGY & CRIMINAL JUSTICE | RESEARCH ARTICLE

Sentencing recommendations are insensitive to juvenile offender's age and maturation

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Abstract: Research on perceptions of juvenile criminals has long sought to understand what drives punishment of juvenile. While some researchers argue that age influences the punishment of juvenile offenders, others argue that more severe crimes receive harsher punishments. However, in much past research, information about the juvenile and the details surrounding the crime have been manipulated, yielding inconsistent results. In this study, we manipulated age, maturity, crime severity, and offender characteristics and measured blame, sentencing recommendations, and likelihood of a guilty verdict. We expected more severe crimes would garner harsher judgments. We also expected information about the juvenile's reasons for acting would influence judgments. Results indicate that crime severity explained the largest amount of variance in sentencing. However, age and maturity influenced judgments about blame and guilt. This study helps clarify the effects of age and maturity on punishment-related judgments by demonstrating that crime severity, rather than age, influences punishment of juvenile offenders.

Subjects: Applied Social Psychology; Attribution; Psychological Science; Sentencing and Punishment; Social Cognition; Youth Offending and Youth Justice

Keywords: juvenile; offender; age; maturity; blame; sentencing; crime severity; causal history

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PUBLIC INTEREST STATEMENT

Background
While it may seem intuitive that juvenile offenders receive more leniency in the juvenile justice system, previous research has actually reported mixed findings. The purpose of this research was to investigate whether characteristics of the juvenile offender, such as age, maturity, and background information, are as influential as the severity of the crime in blaming and punishing the juvenile.

Highlights
Characteristics of the juvenile, such as age, maturity, and background information influenced blame and guilt, but not punishment severity. Crime severity was most influential in recommending punishment. The more severe the crime, the more severe the punishment.

Conclusions
These results suggest that people's punishment-related beliefs about juvenile offenders are simply based on the severity of the crime, rather than other information about the juvenile, which is consistent with a just deserts philosophy of punishment.

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1. Introduction

Juvenile offenders often experience tough sanctions and adult-like punishments (Austin, Johnson, & Gregoriou, 2000; Garberg & Libkuman, 2009) and may easily be transferred to adult court (Redding, 2008). While psychologists have been influential in limiting the punishments available to young offenders (e.g., Roper v. Simmons, Miller v. Alabama), what drives desires to punish juveniles is unclear. Some researchers suggest that age is influential in sentencing decisions, while others suggest that sentencing is driven by moral outrage (Darley, 2009) and the desire to deal harsh punishments to those who commit severe crimes (Carlsmith, Darley, & Robinson, 2002). Here, we argue that crime severity predicts severe punishments above age or perceptions of a juvenile's maturity.

A juvenile's age appears to influence judgments in court cases. However, across studies where age is manipulated, other case factors also vary, such as the severity and impulsivity of the crime, race, and other case details, resulting in inconsistent evidence across studies. For example, Bradley et al. (2012) used a short vignette about a juvenile who committed murder, reporting that perceived competency and responsibility diminished with younger offenders. Additionally, participants indicated that the judge should consider the offender's age in sentencing, but sentencing was not measured. Ghetti and Redlich (2001) manipulated crime severity, age, and the juvenile's impulsivity using short vignettes. They found that, while all factors contributed to perceptions of competency and responsibility, only crime severity influenced sentencing. Semple and Woody (2011) used a detailed case transcript describing a juvenile who committed murder, reporting that younger age reduced the likelihood of a guilty verdict, but not sentencing. Warling and Peterson-Badali (2003) also used detailed case notes describing a juvenile who committed murder, reporting that age reduced sentencing and perceived responsibility, but not guilty verdicts. Finally, another study (Scott, Reppucci, Antonishak, & DeGennaro, 2006) showed participants a video of a robbery and manipulated age via pictures, finding that younger offenders were punished less severely and were less likely to be transferred to adult court.

Overall, these studies seem to suggest that while age works to diminish punishment severity in some research, age appears to be less influential than crime severity. This is consistent with previous research showing that people experience intuitive, negative reactions to transgressions, which evoke a response of moral outrage (Darley, 2009). Therefore, it appears juveniles who commit severe crimes receive harsher punishments and are more likely to be transferred to adult courts than those who commit less severe crimes (Carlsmith et al., 2002; Garberg & Libkuman, 2009; Salekin, Rogers, & Ustad, 2001). What is unclear is whether psychosocial maturity attenuates this effect.

Information about a juvenile's maturity level is important because it may be used to justify transfer to adult court, though there are no studies examining the effect of adolescent maturity on punishment-related judgments for juveniles. Further, adolescent immaturity is a strong predictor of delinquent behavior (Modecki, 2008) and limits an adolescent's self-control and ability to consider the consequences of their behavior (Shulman & Cauffman, 2013)—capacities that are important in criminal court cases.

The amount and type of additional information provided about the juvenile is also important. Research on folk theories of behavior (Malle, 1999) suggests that perceivers piece together information about an actor in an effort to explain their reasons for acting. Specifically, perceivers may not have access to an actor's thoughts, so they use information about the actor's history, personality, and environment to explain others' behavior. Such information is what Malle, Knobe, and Nelson (2007) term a "causal history of reasons."

Here, we sought to clarify the effects of age, maturity, crime severity, and reasons for acting on blame, guilt, and sentencing. We expected that crime severity would increase sentencing, but that younger age and immaturity would reduce blame and guilt. Following research on folk theories of behavior (Malle et al., 2007), we expected that causal history information could help perceivers explain the action and influence blame, guilt, and sentencing judgments. Here, we reasoned that certain characteristics about the juvenile would interact with crime severity to produce ostensible

reasons for acting. For example, an abused child who damages his father's property should warrant less blame and punishment than a drug user who attacks his father. However, we made no specific predictions regarding interactions.

2. Methods

2.1. Participants
We recruited 517 US participants from an online crowd source (Weinberg, Freese, & McElhattan, 2014), Amazon's Mechanical Turk (AMT), in exchange for monetary compensation. After excluding 62 participants for failing to recall the crime committed, 457 (200 female) remained. Participants ranged in age from 18 to 77 ($M = 34.04$, $SD = 10.75$), were predominately White (78%), and most had some college education or higher (86%).

2.2. Materials and procedures
Participants were randomly assigned to one of 16 conditions in a 2(Age: 11 vs. 16) × 2(Severity: attempted murder vs. vandalism) × 2(Characteristic: narcotics user vs. abusive parents) × 2(Maturity: mature vs. immature) design. Participants read a scenario[1] about John G and imagined they were jurors in a case where he was charged with "attempted murder for shooting his father" or "property damage for smashing his father's car window."[2] To manipulate causal history information (i.e., Characteristics) about John, participants were told that he was a "narcotics user" or had "abusive parents."[3] Finally, we manipulated maturity by providing mock case notes from a clinician describing indicators of John's maturity or immaturity (Steinberg, 2009).

The order of dependent measures was randomized across participants. To create a blame scale ($\alpha = .89$), we combined the two questions "How much blame does John deserve?" and "Is John responsible for his behavior?" Participants were also asked to indicate the likelihood of finding John guilty as well as the length of sentencing they would recommend. As a manipulation check of maturity, participants were asked, "How mature is John?" Scale anchors are provided in Tables 1–3. Finally, participants were asked to recall the crime committed and were excluded if the response was incorrect (e.g. killed someone, robbery).

3. Results
Each dependent measure was analyzed using a factorial ANOVA. Interaction effects were examined using simple effects analysis. Descriptive statistics for main effects are provided in Table 1, two-way interactions are shown in Table 2, and three-way interactions are shown in Table 3. A *t*-test indicated that the maturity manipulation was effective, $t(455) = 25.55$, $p < .001$, $d = 2.40$. Those in the immaturity condition believed the target was much less mature ($M = 1.81$, $SD = 1.10$) than those in the maturity condition ($M = 4.89$, $SD = 1.44$).

3.1. Blame
There were main effects of Age, $F(1, 441) = 9.41$, $p = .002$, $\eta_p^2 = .02$, Maturity, $F(1, 441) = 11.76$, $p = .001$, $\eta_p^2 = .026$, and Characteristics $F(1, 441) = 31.77$, $p < .001$, $\eta_p^2 = .07$, on blame attributions. More blame was attributed to 16 compared to 11 year olds, to mature compared to immature actors, and to narcotic users compared to abused juveniles. Maturity and Characteristics interacted, $F(1, 441) = 8.38$, $p = .004$, $\eta_p^2 = .02$. While there were no differences in blame by maturity condition for abused juveniles, $F(1, 441) = 0.10$, $p = .75$, $\eta_p^2 < .001$, narcotics users received less blame when the juvenile was described as immature compared to mature, $F(1, 441) = 19.14$, $p < .001$, $\eta_p^2 = .04$. No other effects emerged.

3.2. Guilt
There were main effects of Age, $F(1, 441) = 14.38$, $p < .001$, $\eta_p^2 = .03$, and Characteristics, $F(1, 441) = 52.65$, $p < .001$, $\eta_p^2 = .11$. Eleven year olds were less likely to be found guilty than 16 year olds, and abused juveniles were less likely to be found guilty than narcotics users. Again, Maturity and Characteristics interacted, $F(1, 441) = 7.95$, $p = .005$, $\eta_p^2 = .02$. As with blame attributions, there were

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Table 1. Descriptive statistics for main effects			
Dependent measures			
Factors	**Blame**	**Guilt**	**Sentencing**
Maturity			
Immature	5.12 (1.40)$_a$	4.97 (1.74)$_a$	3.04 (1.87)$_a$
Mature	5.54 (1.34)$_b$	5.09 (1.76)$_a$	3.12 (1.97)$_a$
Age			
Age 11	5.19 (1.42)$_a$	4.78 (1.83)$_a$	3.10 (2.00)$_a$
Age 16	5.48 (1.34)$_b$	5.28 (1.64)$_b$	3.08 (1.84)$_a$
Characteristics			
Abused by parents	4.99 (1.36)$_a$	4.50 (1.84)$_a$	2.70 (1.69)$_a$
Narcotic user	5.70 (1.32)$_b$	5.58 (1.47)$_b$	3.50 (2.06)$_b$
Severity			
Vandalism	5.39 (1.45)$_a$	5.03 (1.75)$_a$	1. 96 (1.07)$_a$
Murder	5.39 (1.30)$_a$	5.03 (1.76)$_a$	4.35 (1.91)$_b$

Notes: Standard deviations are in parentheses. Column subscripts by factor that do not match are statistically different. Blame and guilt were measured on a scale ranging from 1 (None/not at all) to 7 (Extremely/very much). Response choices for sentencing were 1 (None at all), 2 (3 months or less), 3 (3–6 months), 4 (6–12 months), 5 (2–3 years), 6 (4–5 years), 7 (6–7 years), 8 (10 years or more).

Table 2. Descriptive statistics for two-way interaction effects				
	Blame		**Guilt**	
	Immature	**Mature**	**Immature**	**Mature**
Narcotics user	5.29 (1.43)	6.06 (1.09)	5.29 (1.59)	5.85 (1.29)
Abused	4.96 (1.36)	5.02 (1.37)	4.68 (1.83)	4.34 (1.84)
	Sentencing			
	Murder	**Vandalism**		
Narcotics user	4.78 (1.92)	2.19 (1.20)		
Abused	3.72 (1.76)	1.76 (0.88)		

Notes: Standard deviations are in parentheses. Blame and guilt were measured on a scale ranging from 1 (None/not at all) to 7 (Extremely/very much). Response choices for sentencing were 1 (None at all), 2 (3 months or less), 3 (3–6 months), 4 (6–12 months), 5 (2–3 years), 6 (4–5 years), 7 (6–7 years), 8 (10 years or more).

Table 3. Descriptive statistics for three-way interaction effects on Guilt				
	Vandalism		**Attempted murder**	
	Drug user	**Abused**	**Drug user**	**Abused**
Immature	5.23 (1.53)	4.86 (1.76)	5.33 (1.65)	4.44 (1.91)
Mature	5.98 (1.20)	4.05 (1.90)	5.72 (1.40)	4.59 (1.77)

Note: Standard deviations are in parentheses. Guilt was measured on a scale ranging from 1 (Not at all) to 7 (Very likely).

no differences in guilt ratings by Maturity in the abused condition, $F(1, 441) = 3.49$, $p = .12$, $\eta_p^2 = .005$. However, drug users were less likely to be found guilty when they were described as immature versus mature, $F(1, 441) = 6.38$, $p = .012$, $\eta_p^2 = .013$. Finally, a three-way interaction of Crime Severity, Maturity, and Characteristics emerged, $F(1, 441) = 4.48$, $p = .035$, $\eta_p^2 = .01$. Simple effects analysis within vandalism conditions showed that guilty verdicts were more likely in the abused condition when the juvenile was described as immature compared to mature, $F(1, 441) = 6.14$, $p = .01$,

$\eta_p^2 = .014$. In the drug user conditions, guilt ratings were less likely in the immature vs. mature conditions, $F(1, 441) = 6.03$, $p = .014$, $\eta_p^2 = .013$. In the attempted murder conditions, guilt ratings did not differ by maturity condition in the abused, $F(1, 441) = 0.32$, $p = .57$, $\eta_p^2 < .01$ or drug user conditions, $F(1, 441) = 1.60$, $p = .21$, $\eta_p^2 < .01$. No other effects emerged.

3.3. Sentencing recommendations

Unlike guilt and blame ratings, sentencing recommendations were influenced primarily by the main effect of Crime Severity, $F(1, 441) = 260.88$, $p < .001$, $\eta_p^2 = .37$. A longer sentence was recommended for those who attempted murder versus committed vandalism. A main effect of Characteristics was also found, $F(1, 441) = 28.09$, $p < .001$, $\eta_p^2 = .06$. Drug users were given longer sentences than abused juveniles. Finally, there was an interaction of Crime Severity and Characteristics, $F(1, 441) = 4.93$, $p = .03$, $\eta_p^2 = .011$. Abused juveniles received shorter sentencing recommendations than those who used drugs in both the vandalism, $F(1, 441) = 4.74$, $p = .03$, $\eta_p^2 = .01$, and attempted murder conditions, $F(1, 441) = 28.32$, $p < .001$, $\eta_p^2 = .06$.

4. Discussion

In this study, we found evidence that age, maturity, and offender characteristics were influential in blame, guilt, and sentencing. Consistent with some previous research (Bradley et al., 2012; Semple & Woody, 2011), age reduced guilty verdicts and blame. However, crime severity, rather than age, explained the greatest amount of variance in sentencing, which is consistent with research on emotional reactions to moral violations (e.g., Darley, 2009). We interpret these results to mean that punishment-related beliefs are driven largely by crime severity rather than by age or by an understanding of the relationship between adolescent immaturity. As expected, information about an adolescent's reasons for acting (i.e. causal history reasons; Malle et al., 2007) also influenced blame, guilt, and sentencing. Those who used narcotics were more likely to be blamed and found guilty, and were given longer sentences than those who had been abused. Importantly, while maturity affected blame judgments, there were no differences in judgments about guilt and sentencing as a result of maturity alone. Again, we interpret this finding to mean that perceptions and punishment of juvenile offenders are driven by the severity of the crime rather than by consideration of the age of the juvenile or an understanding of the relationship between immaturity and behavior.

Overall, the data suggest that perceivers use multiple cues when determining the culpability of juvenile offenders, as indicated by the interaction effects. For example, immaturity diminished blame and guilt for narcotics users but not for abused juveniles. Perhaps, immaturity signaled that the narcotics use and crime were less intentional, or both immaturity and narcotics usage are seen as biological factors limiting one's cognitive ability. Further, abused juveniles received shorter sentences than narcotics users for both mild and severe crimes, regardless of maturity level or age. This suggests that one's cognitive ability and character are more important than information about age and crime when attributing blame and guilt. Sentencing recommendations, however, relied mostly on crime severity and inferences about character rather than age or maturity. Perhaps narcotics abuse was perceived as a stronger predictor of future criminal behavior and garnered more severe punishment. Overall, the data suggest that while age and maturity may influence guilty verdicts, the desire to punish wrongdoers may remain strong, motivating perceivers to make judgments aligning with that desire. That is, regardless of the diminished blame attributed to younger offenders, punishment was dealt out to match the severity of the crime.

The current research was strengthened by our use of a community-based sample (AMT), which may provide more compelling evidence given that juries consist of community members rather than students (Weinberg et al., 2014). However, as with most attribution research, we used vignettes which limit ecological validity. While the information provided in our vignettes was limited, this research demonstrates the ease with which culpability judgments are made. For example, jurors in real-life cases may pick up on seemingly innocuous cues and use this information to form beliefs about character and motives, which may persevere despite other evidence.

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Notes
1. The full scenario read, "John G. is a/an (*11/16*) year old who has been charged with (*attempted murder for shooting his father/property damage for smashing his father's car window*). Because John is a juvenile, a clinician evaluated him. John disclosed to the clinician that he (*uses narcotic drugs/he has abusive parents*). The clinician found John to be (*mature: able to exhibit self-control, able to consider the consequences of his actions, not unduly influenced by others, and able to weigh the risks and benefits associated with his actions* OR *immature: unable to exhibit self-control, unable to consider the consequences of his actions, highly influenced by others, and unable to weigh the risks and benefits associated with his actions*)."
2. A pilot study was conducted to ensure that the attempted murder was in fact seen as a more severe crime than vandalism.
3. A pilot study was conducted to determine whether the causal history reasons were perceived differently in terms of their relationship to criminality. Participants perceived narcotic use as a stronger predictor of criminality than having been abused.

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