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No Halos For Sex Offenders: An Examination Of The Effects Of Appearance And Gender On The Perception Of Sex Offenders

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NO HALOS FOR SEX OFFENDERS: AN EXAMINATION OF THE EFFECTS OF
APPEARANCE AND GENDER ON THE PERCEPTION OF SEX OFFENDERS

by

Adam Charles Austin
Bachelor of Arts, Saint Cloud State University, 2010

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Submitted to the Graduate Faculty

of the

University of North Dakota

In partial fulfillment of the requirements

for the degree of

Master of Arts

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This thesis, submitted by Adam Austin in partial fulfillment of the requirements for the Degree of Master of Arts from the University of North Dakota, has been read by the Faculty Advisory Committee under whom the work has been done, and is hereby approved.

Dr. Karyn Plumm

Dr. Cheryl Terrance

Dr. Heather Terrell

This thesis is being submitted by the appointed advisory committee as having met all of the requirements of the Graduate School at the University of North Dakota and is hereby approved.

Dr. Wayne Swisher
Dean of the Graduate School

Date

Title No Halos for Sex Offenders: An Examination of the Effects of
 Appearance and Gender on the Perception of Sex Offenders

Department Psychology

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Adam Austin

March 16, 2011

TABLE OF CONTENTS

LIST OF FIGURES	vi
ACKNOWLEDGMENTS	vii
ABSTRACT	viii
CHAPTER	
I. INTRODUCTION	1
Perceptions of Sex Offenders	2
Physical Appearance	4
Appearance and Criminality	8
Victim Blame	10
Empathy	12
Current Study	13
II. METHOD	15
Participants	15
Materials	15
Questionnaires	16
Demographics	16
Manipulation Check	16
Defendant Questionnaire	16
Victim Blame	16
Sex Offender Scale	17

	Empathy Scale	17
	Procedure	17
III.	RESULTS	19
	Manipulation Check	19
	Length of Sentence	19
	Registry	20
	Recidivism	21
	Conviction Rating	21
	Victim Blame	23
	Empathy	24
IV.	DISCUSSION	26
	Implications	30
	Limitations	31
	APPENDICES	33
	REFERENCES	45

LIST OF FIGURES

Figure		Page
1.	Average Time Spent on the Registry by the Gender of the Perpetrator.....	20
2.	Average Conviction Rating by Gender Attractiveness and Belief that a Sex Offense Occurred	23
3.	Average Victim Blame by Gender of the Perpetrator and Gender of the Participant.....	24

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ABSTRACT

For the last couple of decades, sex offenders have been stereotyped into being strangers to the victim and "dirty old men." However, recent research has shown that the public is no longer endorsing those stereotypes (Fuselier, Durham, & Wurtele, 2002; Levenson, Brannon, Fortney, & Baker, 2007). Instead the public is realizing that there is no stereotypical sex offender and most victims of sex offenses know their assailant to some degree. The purpose of the current study is to look at the judgments made about a teacher being accused of criminal sexual contact with a student, where gender and attractiveness of the teacher is manipulated. The study is a 2 (gender of teacher) x 2 (gender of participant) x 3 (attractiveness of teacher: attractive, unattractive, no picture) design. Participants (N = 180) were asked to report their beliefs for four areas: sentencing, recidivism, conviction, and victim blame. Results showed that attractiveness did not affect the sentence length. In addition, attraction of the defendant did not affect whether participants believed the defendant should register as a sex offender or the length of time on the registry. For those who did not view the actions of the teacher as a sex offense, they believed the attractive female should be convicted, however the attractive male defendant should not be. Finally, male participants blamed the male victim more than female participants did. The present study provides insight into gender differences in regard to perceptions of sex offenders. Implications for the courtroom are discussed.

CHAPTER 1

INTRODUCTION

A multitude of crimes go into the formation of the term sex offense. The offenses range from aggravated sexual abuse, which can be defined as causing another person to engage in a sexual act by using force or threatening that other person (U.S.C. Title 18) to indecent exposure with children in the vicinity. There has been a growing movement to give strict punishments to those convicted of a sexual offense (McCorkle, 1993). The start of this movement was in 1989, when an 11-year-old boy from Minnesota named Jacob Wetterling went missing. His abduction led to the formation of the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act. The law states that “a person who is convicted of a sexually violent offense, or who is a sexually violent predator” must register in a database to allow government officials to keep track of their location (Jacob Wetterling Act, 1994).

The Jacob Wetterling Act was amended in 1996 to include Megan’s Law (named after Megan Kanka, who was sexually assaulted and murdered), which required all 50 states to create and maintain a community notification system. The notification system allows law enforcement officials to disclose registry information to community members about sex offenders who live nearby. In 2006 the Adam Walsh Child Protection and Safety Act was passed, which mandated states to maintain and post information regarding sex offenders on their websites and link them to the National Sex Offender Registry website. Also, a required offense based classification system has been implemented

(Adam Walsh Act, 2006). These Acts along with media depiction of sex offenses have created public stereotypes about sex offenders (Ducat, Thomas, & Blood, 2009).

Perceptions of Sex Offenders

The three most prevalent stereotypes of sex offenders are that they are strangers to the victim, they are “dirty old men,” and they have a high recidivism rate. Morrison and Greene (1992), discovered approximately 20% of jurors endorsed these stereotypes of sex offenders. In addition, they found a significant number of jurors were unaware that offenses are normally intra-familial incidents. A more recent study that examined the perceptions of child sex offenders amongst college students compared to members of the Association for Treatment of Sexual Abusers (ATSA), found that neither group endorsed the “dirty old man” stereotype, however students were more likely to view the offender as someone who is not in the child’s family (Fuselier, Durham, & Wurtele, 2002). The public’s overestimating the frequency of unknown perpetrators in sexual assault cases is commonplace. Levenson, Brannon, Fortney, and Baker (2007) conducted a study that examined the public’s perception of sex offenders on multiple variables by utilizing a survey in a city in Florida. Respondents accurately recognized that many victims do know their assailant, however they overestimated the number of offenses perpetrated by strangers, thus still believing in the stranger stereotype to some degree. It is also commonplace for the public to believe that sex offenders have a high recidivism rate compared to non-sex offenders, however this is not the case. Hanson and Bussière (1998) conducted a meta-analysis on 61 recidivism studies, involving nearly 24,000 sex offenders and found that only 13.1% committed a new sexual offense within 4 to 5 years.

Another important stereotype that the public believes is that sex offenders are sexually frustrated or lack a sex life (Bolen, 2001). This is not always the case, many times an offender will be married or in a steady relationship. In a study, which interviewed convicted child sex offenders in an attempt to better understand the process of sexual offending, it was determined that offenders range not only from all social classes, but also vary on their marital statuses as well (Elliot, Brown, & Kilcoyne, 1995). This stereotype most likely stems from the notion that the sex offender is a “dirty old man” and thus undesirable in both personality and physical attractiveness. However, the “dirty old man” stereotype is also a misconception, with the majority of rapes and sexual assaults (57.7%) being committed by individuals 29 years old or younger (U.S. Department of Justice, 1997).

The gender of the sex offender also plays a role in the public’s perception of the offender. Halladay-Sumner (as cited in Higgins & Ireland, 2009) suggests that there is a general belief that females only commit sexual offenses when they are under the command of a male. People believe that coercion is what leads females to commit sexual offenses. However, there is evidence that females do commit a wide variation of sexual offenses, either independently or with a male, including voyeurism, inappropriate touching, rape, penetration with objects and ritualistic sexual abuse. To further look at the prevalence of female sex offenders, Cortini and Hanson (2005), used data from Canada, the UK, USA, Australia and New Zealand, to conclude that women are responsible for between four and five percent of all sexual offenses.

The famous case of Mary Kay Letourneau is a recent example of how female sex offenders are perceived. Letourneau was an elementary school teacher, who was

considered very attractive. She was convicted of child rape for having sex with a 13-year-old student of hers. The public appeared to sympathize more with Letourneau than they would have if a man were to commit the crime against a girl. One reason for this difference could be due to Letourneau and her teenage partner stated they were in love. This situation has happened in the case of older men and teenage girls saying they are in love, but people view this as the man being with the girl for other reasons besides love (sex, midlife crisis, immature personality). Also a boy does not run the risk of getting pregnant, whereas a girl does. Another case involving a teacher-student sex complaint took place in Florida in 2005. Debra Lafave pleaded guilty to statutory rape charges when she was 23 years old, and was sentenced to serve three years of Community Control, a very light sentence compared to the average sentence of five years for a statutory rape charge. During her trial her attorney made a case that she was too pretty to go to jail, by stating "to place Debbie into a Florida state women's penitentiary, to place an attractive young woman in that kind of hellhole, is like putting a piece of raw meat in with the lions."

Physical Appearance

People are capable of gaining an immense amount of knowledge about an individual based solely on a person's appearance. Borke and Liebler (1992) conducted a study that examined the different effects of physical appearance, verbal behavior, and nonverbal behavior on personality judgment. Participants were presented with one of four stimuli: video with sound, video without sound, audio only, or a screenshot taken from the video. The video portrayed a person entering a room, sitting behind a desk, and reading a weather forecast. The results showed, participants who saw

the full video were able to judge four of the Big Five personality traits correctly, while those who saw the screenshot only were still able to judge two traits (extraversion and conscientiousness) accurately. These findings suggest that physical appearance allows for some accurate trait conception; however accuracy of ratings increases when both verbal and nonverbal sources are provided to the onlooker.

People have a tendency to create their own theories about the connection between physical appearance and personality. Findings suggest that these theories have some level of accuracy to them, especially if the target is free to choose his or her expressions. Physical appearance acts as an outlet for personality, and thus makes it visible for observers (Naumann, Vazire, Rentfrow, & Gosling, 2009). Not only do people judge an individual's personality based upon their physical appearance, but they base social actions upon others' appearances as well. For instance, both baby faced and attractive individuals are often treated in ways that match perceptions of their traits (Montepare & Zebrowitz, 1998; Zebrowitz, 1997).

In a study that examined the perceptions of men with beards, Kenny and Fletcher (1973) found that participants viewed bearded men as more sincere, extroverted, masculine, generous, stronger, enthusiastic, and inquisitive. Another study found that participants' attributions of maturity, masculinity, courage, self-confidence, and attractiveness were enhanced as the extent of beardedness increased (Pellegrini, 1973). Neaves and Shields (2008) found that as facial hair increased in a linear fashion so did participant ratings of masculinity and dominance. However, if a man has a mature face, the presence of a beard may cause that individual to appear too dominant and thus threatening (Cunningham, Barbee, & Pike, 1990).

Attractiveness is a multifaceted characteristic that includes averageness, symmetry, and sexually dimorphic cues (masculine and feminine facial features) (Fink & Penton-Voak, 2002; Grammer & Thornhill, 1994), in regards to female faces, there is a consensus amongst researchers that feminine features are deemed more attractive than masculine features (Fink & Penton-Voak, 2002; Grammer & Thornhill, 1994). However, with regards to facial attractiveness in male faces, there is disagreement. Some research has shown that masculine features are rated as being more attractive (Brown, Cash, & Noles, 1986; Dunkle & Francis, 1996; Grammer & Thornhill, 1994), while other research has found that more feminine features make a male face more attractive (Little & Hancock, 2002; Penton-Voak et al., 2003).

Rennels, Bronstad, and Langlois (2008) conducted a study to examine the possible reasons behind the conflicting literature. The authors proposed that the methodology behind producing the image stimuli in previous studies was the reason for conflicting results with regards to attractiveness in male faces. In order to test this hypothesis, the authors ran two experiments using different image altering techniques and discovered that imaging methodology was in fact influential in what participants viewed to be attractive for males. The authors concluded that masculinity contributes to male facial attractiveness more than femininity.

Another explanation for the discrepancy in the literature can be found in the discipline of evolutionary psychology. Many studies have established that women's preferences for male traits are dynamic across the menstrual cycle. Increased preferences for facial masculinity (Johnston et al., 2001; Penton-Voak and Perrett, 2000; Penton-Voak et al., 1999), vocal masculinity (Feinberg et al., 2006; Puts, 2005), and for taller

men (Pawlowski and Jasienska, 2005) that coincide with the menstrual cycle have been reported. These changes in preferences for masculine men may be adaptive. Human males bring two factors to a parenting relationship: investment in their partners and offspring and potential heritable benefits, such as genes for high quality immune systems (Little, Jones, & Burriss, 2007). However, men with masculine faces have higher circulating testosterone levels (Penton-Voak & Chen, 2004) which are linked to marital instability and lower levels of attachment in relationships (Booth & Dabbs, 1993; Burnham et al., 2003). Thus masculine faces are seen as more dominant but not seen as possessing traits that would be desirable in a long-term partner (Boothroyd, Jones, Burt, & Perrett, 2007). Therefore, variation in preferences during the menstrual cycle may facilitate women to maximize the benefits of their mate preferences, potentially changing priorities between heritable benefits to offspring and investment (Penton-Voak et al., 1999).

There is a well-documented phenomenon called the attractive halo effect, where those who are deemed physically attractive are viewed more positively than their unattractive counterparts on an assortment of dimensions (see Berscheid & Walster, 1974). The “beautiful is good” stereotype conjures beliefs that attractive people possess more socially desirable personalities than those of lesser attractiveness and will live happier and more successful lives (Dion, Berscheid, & Walster, 1972). Van Leeuwen and Macrae (2004) conducted an experiment to investigate the consequences of having participants not focus their attention to a target’s face or make judgments about the target. The goal of the study was to examine if the “beautiful is good” stereotype works implicitly within individuals or if their attention is drawn elsewhere the stereotype can be

diminished. The study found that the stereotypes that people have in regards to facial attractiveness affects behavior in an implicit manner, meaning that even when a task has not required a person to pay attention to a face, the face still influences the person's behavior (Bargh & Chartrand, 1999).

Eagly, Ashmore, Makhijani, and Longo (1991) suggested the "beautiful is good" stereotype has its roots from two sources: direct observation and cultural portrayals of attractive and unattractive people. Daily encounters display that nice-looking people are more liked by their peers and are treated more favorably than unattractive people. Our cultural depictions of attractive and unattractive people are consistently reinforced by images of movies, advertisements, children's stories, which display an association between beauty and success, wealth, and happiness. These same images act as reinforcement for the association between ugliness and possessing undesirable attributes (Van Leeuwen & Macrae, 2004).

Appearance and Criminality

Appearance is influential on the perceptions of an individual's personality, as well as how other people behave around that person. A study examining what would happen in a simulated trial if a baby-faced individual would proclaim his innocence found that the defendant would be less likely to be convicted of intentional offenses than were matured faced men. The same study also found that if a baby-faced individual admits to committing intentional misconduct, then the punishment handed to him is more severe than a mature faced individual (Berry & Zebrowitz-McAurther, 1988). A person who has a baby face has facial features that resemble those of a prototypical baby (Zebrowitz & McDonald, 1991). These features include larger eyes, thinner face, higher eyebrows, a

large forehead, and a small chin (Berry & McArthur, 1986). Adults who possess a baby face are perceived as more honest, intellectually naive, physically weak, socially dependent, and warmer than their mature faced peers (Berry & McArthur, 1985; Zebrowitz-McArthur & Montepare, 1989).

Research has also shown that appearance may influence how people judge recidivism. Dion (1972) conducted a study that examined the influence of attractiveness on perceptions of how likely that person would be to reoffend. The study manipulated the attractiveness of the offender, either attractive or unattractive, and the severity of the transgression, either mild or severe. The findings supported the notion that an attractive offender would be deemed less likely to reoffend, than an unattractive offender. However, this difference in ratings for recidivism only differed significantly in the severe transgression condition. In the mild transgression condition, participants rated the likelihood of future transgression statistically equal to both attractiveness levels.

Additionally, the attraction-leniency bias has been shown to lead to greater leniency in decision of guilt and sentencing for an attractive offender. Landy and Aronson (1969) used a negligent homicide scenario to examine the effects of attractiveness on ratings of guilt and sentencing. The findings supported the attraction-leniency bias, as participants sentenced attractive defendants to significantly less years in prison than unattractive defendants. Abwender and Hough (2001) examined if the gender of the defendant and the gender of the participant played a role in the attraction-leniency bias for a case depicting a vehicular-homicide. The study found that female participants were more lenient with attractive female defendants than with unattractive female defendants; however males did not show a significant attraction-leniency bias, and

instead were more lenient towards the unattractive female defendant than the attractive female defendant.

Efran (1974) conducted a study where participants were shown a photograph of either a male or female student who was either attractive or unattractive. Participants were given a scenario, which dealt with a student of the opposite sex of the participant, where the student was accused of cheating on an exam and asked to rate the punishment and the guiltiness of the student. Results showed significantly lower ratings of guilt and milder punishments for the attractive students than the unattractive students.

Appearance stereotypes of criminals are prevalent in society. Research has shown that people view criminals as being less attractive, less distinctive, and more memorable (Maclin & Maclin, 2004). In regards to the attractive stereotype, it is inferred that women who possess masculine features will be viewed as a criminal more often than women possessing feminine features. In the case of men, the research is split about what makes a man attractive. However, studies suggest if a man looks too masculine or dominant then he may be stereotyped as a criminal (Cunningham, Barbee, & Pike, 1990). Conti and Conti (2004) found that men who have beards are more likely to be stereotyped as a criminal, thus suggesting that facial hair is another feature that can be stereotyped in criminals. Although many findings have indicated differences for the perpetrator of such crimes, other studies have investigated the role of victim blame in criminal cases.

Victim Blame

Attractiveness of a woman is one of the most commonly used manipulations when researching victim blame (Whatley, 1996). Many studies have found that unattractive rape victims are more likely to be blamed for being a victim of the crime compared to an

attractive victim (Ferguson, Duthie, & Graf, 1987; Gerdes, Dammann, & Heilig, 1988). This finding may support the idea that an unattractive victim must have provoked the attack in some fashion and thus receives more blame (Whatley, 1996). In regards to male victims of rape, their actions are the important component in regards to victim blame. For male victims who did not attempt to physically resist their assailant, they were perceived to be more responsible for their attack than a male victim who attempted some form of physical resistance (Kassing & Prieto, 2003).

When comparing adult rape victims to adolescent victims of sexual assault, few differences arise. Adolescents are generally viewed as quasi-adults possessing the ability to understand sexual meaning, to engage in sexual activity consentingly, and to resist any form of unwanted sexual contact, thus it follows that adolescents are consistently blamed for their own victimization (Rogers & Davies, 2007). The commonality between adult and adolescent sexual assault victims also extends to the negative perceptions associated with a male being sexually assaulted (Davies & Rogers, 2006). Rogers and Davies (2007) found that men judged the sexual assault of a 15-year old male victim to be less severe, with the victim deemed less credible and more culpable following sexual assault by a female, as opposed to male, perpetrator.

A theory that attempts to explain the process of blaming victims is Alicke's (2000) culpable control model of blame. This theory describes the psychology processes that occur when people make ordinary evaluations of responsibility and blame. The model is built on two central assumptions: (1) that people evaluate potentially blameworthy actions in terms of the actor's personal control over the harmful consequences; and (2) that people make spontaneous evaluations of these actions that encourage blame rather

than mitigation. Furthermore, these spontaneous evaluations can have both direct and indirect effects on judgments of blame and causality. Personal control is the ability to achieve desired behaviors and outcomes or to avoid undesired ones. Alicke (2000) identifies three kinds of personal control: volitional behavior control (whether someone's actions are freely chosen or compelled), causal control (whether someone's behavior causes these consequences), and volitional outcome control (whether someone desired and anticipated the consequences). Each kind of control is vital to the evaluations of blame.

The second assumption is that people engage in spontaneous evaluations of all aspects of the situation. These evaluations are less deliberative than judgments of personal control, and can lead to considerable biases in the processing of pertinent information. Particularly, they commonly result in greater blame being ascribed to human agents, and less consideration to situational circumstances. Spontaneous evaluations are affective responses to the participators and the harmful events that are caused. They are activated by both evidential aspects, such as an actor's intentions, and extra-evidential aspects, such as social attractiveness, race, and gender.

Empathy

Empathy can be simply defined as the ability to put yourself in someone's situation, and be able to understand or feel what that person is experiencing. However, empathy as a topic reveals a complicated subject. Psychologists have studied empathy for many years. It has been established by many psychologists that empathy is a multidimensional subject, being both affective and cognitive (Davis, 1983). This means that it is a two-step process: recognizing feelings of another and sympathizing with them.

The presence of empathy facilitates pro-social behavior and inhibits anti-social behavior (Jolliffe & Farrington, 2006).

Unnever and Cullen (2009) suggest that people are less punitive if they can empathetically identify with offenders because: (1) empathy reduces the need to retaliate; (2) empathy increases the possibility that people will try to understand why people engaged in the criminal behavior; (3) as a result of contextualizing the behavior, people will empathetically feel the anguish that is related to the person's offensive behavior; (4) empathy increases the probability that people believe that offenders are remorseful; (5) empathy enhances the probability that people will pardon the offender for his or her criminal behavior; (6) empathy enhances the likelihood of reconciliation; and (7) people will be in opposition to harsher correctional policies.

Empathy within the context of rape is considered to be a deep understanding of the perspective, emotions, and reactions of a rape victim or perpetrator (Smith & Frieze, 2003). It has been consistently found that women report greater empathy towards rape victims than men. However, men report greater empathy for the perpetrator in a rape crime than women (Brady et al., 1991; Ching & Burke, 1999; Jimenez & Abreu, 2003; Smith & Frieze, 2003).

Current Study

The present study examined the effect that appearance and gender had on determining the length of a sentence, whether the defendant should register as a sex offender and if so how long, how much the victim was blamed for the incident, beliefs about likelihood of reoffending, conviction beliefs, and how empathic participants felt towards the defendant. The defendant was depicted as a high school teacher accused of

intentional sexual contact with a 15-year-old student. The scenario presented a man who is charged with the sexual contact with a female student, as well as a woman who is charged with the sexual contact with a male student. It was believed that an attractive defendant will be treated more leniently on the conviction ratings and be judged less likely to reoffend. It was further believed that the males being accused of the crime will be dealt a stricter punishment than the females that were being charged with the crime. It was also hypothesized that the attractive female would get a much lighter punishment than the unattractive female, but that the attractive male would receive only a slightly less severe punishment than the unattractive male. In regards to victim blame, it was believed that the student would be blamed more when the perpetrator was an attractive teacher. In terms of victim blame, it was hypothesized that the female student would be blamed more than the male student.

CHAPTER II

METHOD

Participants

Participants ($N = 180$; 124 women, 56 men) were asked to read a vignette involving a teacher being accused of criminal sexual contact with a student and answer questions based upon the scenario. The sample obtained was demographically homogenous with 95% Caucasian/White, 87% under the age of 23 ($M = 20.94$, $SD = 4.58$) and 97% heterosexual.

Materials

Participants were shown one of four pictures of an individual who has been rated on a multitude of characteristics including: attractiveness, distinctiveness, masculinity, femininity, expression, and overall health. The ratings within each gender were similar, with the exception of attractiveness. Hence there is one man rated as attractive and one man rated as unattractive. The same is true for the pictures of the women. Participants read one of four vignettes stemming from a 2 (perpetrator gender: male vs. female) X 3 (attractiveness: attractive vs. unattractive vs. no picture) factorial design describing a teacher being accused of sexual assault by a student. See following example (changes depending on condition are noted in parentheses).

“Former Teacher Charged with Having Sex with Student
Don (Donna) Newton, 31, was arrested Thursday following accusations of criminal sexual contact with a 15 year old female (male) student. Newton resigned from the school two months ago after allegations surfaced about sexual contact with a student. The victim reported that she (he) and Newton had sex

numerous times over a period of five months. Newton is being charged with sexual assault of a minor and an improper relationship between an educator and a student. His (Her) bail was set at \$25,000.”

Questionnaires

Demographics

Participants were asked to indicate sex, age, race, sexual orientation and education.

Manipulation Check

Participants were asked to indicate the gender and age of the victim, as well as the gender and age of the defendant.

Defendant Questionnaire

The questionnaire assessed the participant’s opinions of the defendant and included the following items: whether a sexual offense was committed, how long the sentence length should be, likelihood of the defendant repeating the crime, how long the defendant should have to register as a sex offender, and conviction beliefs. These questions were analyzed separately.

Victim Blame

This questionnaire assessed victim blame and included the following items: the student is partly to blame for the actions of the teacher, the student should know to be more careful in interactions with certain teachers, the teacher’s actions were the result of unwanted attention from the student, the teacher was provoked, the teacher’s actions were justified, the student deserved it, any reasonable person would have acted the same as the teacher, and the student should know better than to engage in such behavior with the teacher. The reliability of the scale was $\alpha = 0.728$.

Sex Offender Scale

This questionnaire was developed as a way to distinguish perceptions of the current scenario as a sex offense. The scale was used to explore conviction rating based on the participant's response using a mean split. The scale consisted of the following statements: the teacher committed a sexual offense, the teacher should have to register as a sex offender, the teacher committed statutory rape, and the teacher's actions are criminal. The reliability of the scale was $\alpha = 0.789$.

Empathy Scale

This questionnaire assessed the participant's level of empathy and included the following items: I can really imagine the thoughts running through the defendant's head, I can really feel what the defendant must have been feeling during the incidents, I can experience the same feelings that the defendant experienced, I can take the perspective of the defendant and understand why the incidents occurred, I can really see myself in the defendant's shoes, I feel like I can easily take the perspective of the defendant. The reliability of the scale was $\alpha = 0.893$

Procedure

Participants in this study signed up using a research management system (SONA) in exchange for extra credit in their psychology courses. They randomly chose one of the 4 vignettes via an online link. Vignettes were always displayed in random order. Participants were allowed to complete their participation at any time. They read the instructions, agreed to participate by reading an agreement statement and clicking on the link to the study. First they were asked to complete the demographic questionnaire and a series of pre-measures consisting of: the acceptance of modern myths about sexual

aggression, attitudes toward the competence of children, perceptions of sex offenders, and the ambivalent sexism scale. Participants were then given a 3 or 4 day delay before being able to read the vignette. Once they read the vignette, participants were asked to complete the defendant questionnaire. Afterwards they were thanked and compensated for their time.

CHAPTER III

RESULTS

Manipulation Check

Data obtained from participants that failed either of the manipulation was not used in the analyses for this study. Of the 247 participants that initially completed the study, 67 of them incorrectly indicated conditions of the vignette they read. These participants were removed from the analyses for a final total of 180 participants who all answered both questions in accord with the vignette they read.

Length of Sentence

A 2 (perpetrator gender) X 3 (perpetrator attractiveness) X 2 (participant gender) analysis of variance (ANOVA) was conducted on participant responses to “how long should the defendant's sentence be?” Results indicated a nonsignificant main effect of perpetrator attractiveness, $F(2, 161) = .320, p = .727$. The means for the three levels of perpetrator attractiveness were nearly identical (Attractive: $M = 4.04, SD = 1.37$; Unattractive: $M = 4.05, SD = 1.57$; No Picture: $M = 4.04, SD = 1.40$). The main effect of perpetrator gender was also found to be nonsignificant, $F(1, 161) = 1.081, p = .300$. The means indicated a nonsignificant difference between male perpetrators ($M = 4.22, SD = 1.37$) and female perpetrators ($M = 3.84, SD = 1.46$). The main effect of participant gender was found to approach significance, however it was nonsignificant $F(1, 161) = 3.030, p = .084$. The means indicated that females gave statistically similar sentences ($M = 4.15, SD = 1.42$) as males ($M = 3.80, SD = 1.41$).

Registry

A 2 (perpetrator gender) X 3 (perpetrator attractiveness) X 2 (participant gender) ANOVA was conducted on participant responses to “Should Newton have to register as a sex offender? If so, for how long should Newton's name appear on the registry?” Results indicated a significant main effect for perpetrator gender, $F(1, 161) = 6.899, p = .009$. Participants believed that both male and female perpetrators should have to register, however male perpetrators were sentenced to a longer stay on the registry ($M = 2.74, SD = 0.96$) than female perpetrators ($M = 2.27, SD = 0.89$). The main effect of perpetrator attractiveness was found to be nonsignificant, $F(2, 161) = 2.904, p = .058$. The means for the unattractive defendant ($M = 2.66, SD = 1.06$) were statistically similar for the attractive defendant ($M = 2.58, SD = 0.89$) and also for the no picture condition ($M = 2.30, SD = 0.89$). The main effect of participant gender was also found to be nonsignificant, $F(1, 161) = 1.387, p = .241$. The means for female participants ($M = 2.56, SD = 0.96$) were virtually the same as the male participants ($M = 2.42, SD = 0.95$).

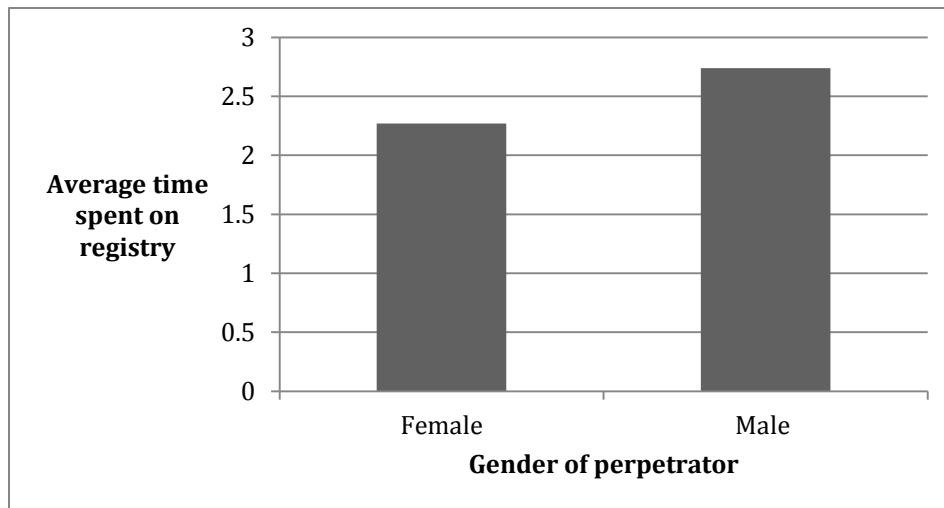


Figure 1. Average Time Spent on the Registry by the Gender of the Perpetrator.

Recidivism

A 2 (perpetrator gender) X 3 (perpetrator attractiveness) X 2 (participant gender) ANOVA was conducted on participant responses to "The teacher will commit the same offense again?" Results indicated a significant main effect for perpetrator gender, $F(1, 168) = 5.305, p = .022$. Participants believed that male perpetrators were more likely to commit the offense again ($M = 3.35, SD = 1.29$) than female perpetrators ($M = 2.90, SD = 1.36$). A significant main effect for participant gender was also found, $F(1, 168) = 7.871, p = .006$. Female participants were more likely to believe that the teacher will commit the offense again ($M = 3.31, SD = 1.22$) than male participants ($M = 2.73, SD = 1.52$). The main effect of perpetrator attractiveness was found to be nonsignificant, $F(2, 168) = 2.683, p = .071$. The unattractive defendant was viewed as being no more likely to recommit the crime ($M = 3.37, SD = 1.44$) than the attractive defendant ($M = 3.18, SD = 1.23$) or the no picture defendant ($M = 2.85, SD = 1.31$).

Conviction Rating

A 2 (perpetrator gender) X 3 (perpetrator attractiveness) X 2 (score on sex offense scale: low or high) ANOVA was conducted on participant responses to "with this questionnaire, you are being asked to select the one number that best describes your private belief." The main effect for perpetrator gender was found to be nonsignificant, $F(1, 168) = 0.561, p = .455$. Participants convicted the defendant statistically the same regardless of whether the defendant was male ($M = 2.55, SD = 2.34$) or female ($M = 2.44, SD = 2.48$). The main effect of perpetrator attractiveness was also found to be nonsignificant, $F(2, 168) = 2.468, p = .088$. The unattractive defendant was convicted ($M = 3.00, SD = 2.42$) statistically similar to the attractive defendant ($M = 2.61, SD =$

2.26) and the no picture defendant ($M = 1.85, SD = 2.42$). Results indicated a significant main effect for score on sex offense scale, $F(1, 168) = 92.780, p < .001$. Participants who scored high on the sex offense scale believed that the defendant should be convicted ($M = 3.28, SD = 1.81$), however those who scored low on the sex offense scale were not sure if the defendant should be convicted ($M = -0.02, SD = 2.35$).

Results yielded a significant three way interaction, $F(2, 168) = 4.139, p = .018$. Simple effects analyses of high sex offense beliefs indicated no significant differences. Simple effects analyses of low sex offense beliefs indicated significant differences only when the perpetrator is attractive, $F(1, 39) = 8.04, p = .007$ such that attractive female offenders were more likely to be convicted ($M = 1.75, SD = 2.44$) whereas attractive male offenders were less likely be convicted ($M = -1.50, SD = 1.87$).

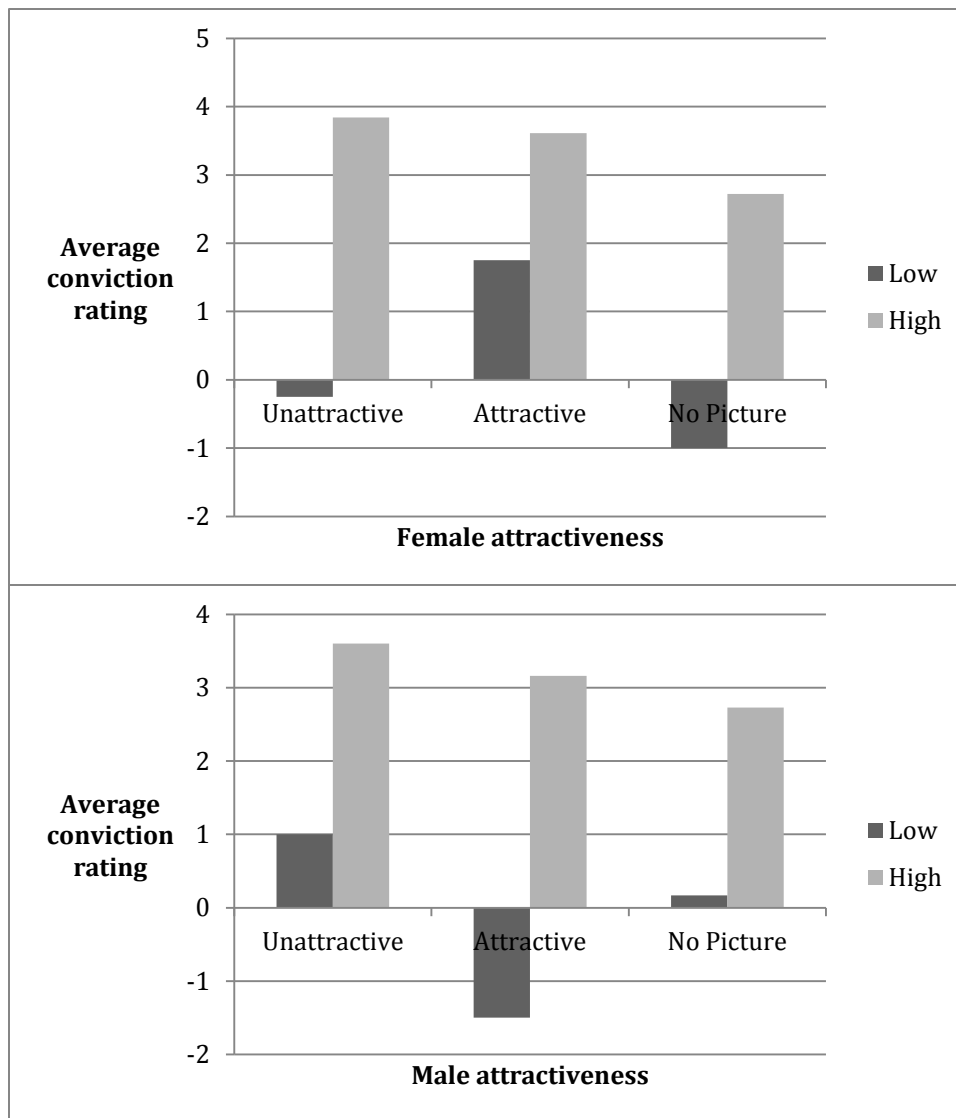


Figure 2. Average Conviction Rating by Gender Attractiveness and Belief that a Sex Offense Occurred

Victim Blame

A 2 (perpetrator gender) X 3 (perpetrator attractiveness) X 2 (participant gender) ANOVA was conducted on victim blame. Results indicated a nonsignificant main effect of perpetrator attractiveness, $F(2, 168) = 2.029, p = .135$. The means for the three levels of perpetrator attractiveness were nearly identical (Attractive: $M = 2.06, SD = 0.83$; Unattractive: $M = 2.04, SD = 0.86$; No Picture: $M = 2.22, SD = 0.78$). The main effect of perpetrator gender was also found to be nonsignificant, $F(1, 168) = 0.393, p = .532$. The means indicated a nonsignificant difference between male perpetrators ($M = 2.14, SD =$

0.87) and female perpetrators ($M= 2.07, SD = 0.78$). The main effect of participant gender was also found to be nonsignificant, $F(1, 168) = 2.534, p = .113$. The means indicated that females ($M= 2.04, SD = 0.81$) did not differ from males ($M= 2.25, SD = 0.86$).

Results yielded a significant interaction for perpetrator gender and participant gender, $F(1, 168) = 4.435, p = .037$. In the case of a female perpetrator (thus a male victim) male participants blamed the victim significantly more ($M= 2.43, SD = 0.74$) than female participants ($M= 1.94, SD = 0.76$). In the case of a male perpetrator (thus a female victim) male participants blamed the victim ($M= 2.11, SD = 0.92$) as much as female participants ($M= 2.15, SD = 0.84$).

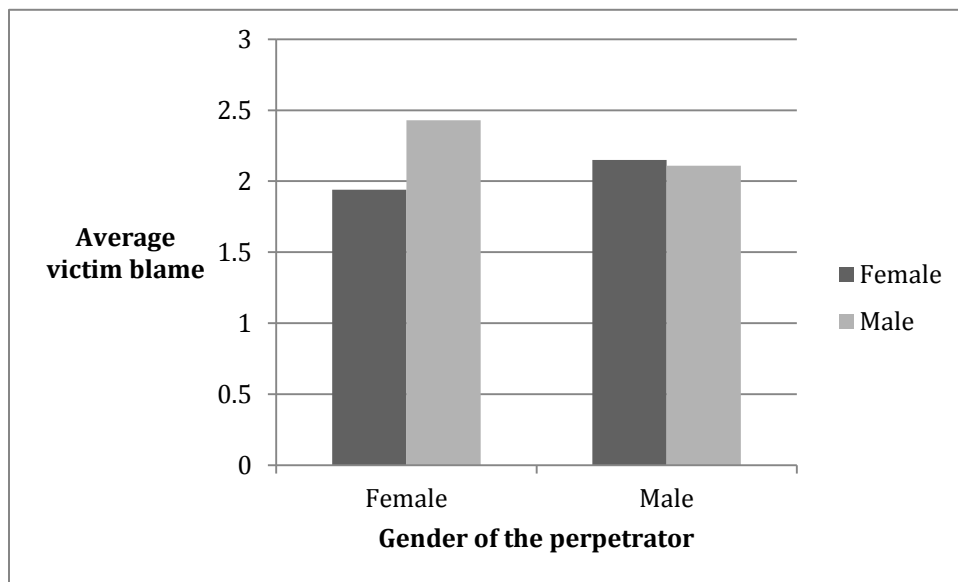


Figure 3. Average Victim Blame by Gender of the Perpetrator and Gender of the Participant.

Empathy

A 2 (perpetrator gender) X 3 (perpetrator attractiveness) X 2 (participant gender) ANOVA was conducted on participant empathy. A main effect for gender of perpetrator was found, $F(1, 167) = 7.457, p = .007$. Participants reading the vignette with a female

perpetrator had more empathy for the perpetrator ($M = 1.22, SD = 1.16$) than participants reading the vignette with a male perpetrator ($M = 0.88, SD = 1.14$). A main effect for participant gender was also found, $F(1, 167) = 14.114, p < .001$. Male participants were more likely to have empathy for the teacher ($M = 1.43, SD = 1.30$) than female participants ($M = 0.88, SD = 1.05$). The main effect of attractiveness was not found to be significant, $F(2, 167) = .460, p = .632$. The attractiveness of the perpetrator had almost no effect on empathy ratings, such that the attractive ($M = 1.04, SD = 1.20$), unattractive ($M = 1.00, SD = 1.16$), and the not picture ($M = 1.10, SD = 1.14$) conditions were almost identical.

CHAPTER IV

DISCUSSION

This study explored the effects of gender as well as the attractiveness of a perpetrator in a case concerning a teacher to student sex offense. Hypotheses derived from four areas: sentencing, recidivism, conviction, and victim blame. Participants did not differ in the length of the sentence imposed based upon any of the manipulations. These results do not support the hypothesis that the attractive female would be given a lighter sentence, nor does it support the hypothesis that males will be given a stricter sentence. The results show that participants sentence the defendant in the study to the median sentence served by sex offenders in the United States (U.S. Department of Justice, 2006). This may indicate that more individuals are becoming familiar with the prosecution of sex offenses and consequently have a better understanding of the crime.

This study found no support for an overall attraction-leniency bias. This contradicts most of the previous research on attractiveness. It could be the case that the seriousness of the crime was too high for participants and thus they should not show biases towards attraction. Previous studies that manipulated the seriousness of a crime found that the more serious the crime is, the smaller the effect attractiveness had on the sentencing of the defendant (McKelvie & Coley, 1993; Wuensch, Castellow, & Moore, 1991). Wakefield (2006) suggests that sex offenders are perceived as the most villainous group in society and people hate, as well as despise sex offenders and believe they should be locked up for life, thus conceding sex offenses are serious crimes. These perceptions

probably stem from the recognition that sexual abuse of children poses a major danger to their safety and long-term emotional well-being (Higgins & Ireland, 2009).

It could also be suggested that participants perceived the case as the defendants utilizing their attractiveness to manipulate the victim. Previous research indicates that defendants who are charged with a crime where their attractiveness aided them in successfully committing the crime are punished more severely than an unattractive individual who commits the same crime. Sigall and Ostrove (1975) examined the effect of attractiveness on two different crimes, one not related to attractiveness (burglary) and one related to attractiveness (swindle) and found the attraction-leniency bias in the burglary condition; however they also found that if the crime is related to attractiveness then the attractive defendant is punished more severely than the unattractive defendant. While the current study did not find greater punishment to the attractive defendants it could be that only some of the participants perceived the crime as being related to attractiveness and thus punished them more than the participants who did not view the crime as relating to attractiveness, thus washing out the attraction-leniency bias.

Participants also were consistent in the belief that the defendant should have to register as a sex offender across all conditions. Once again, attractiveness did not affect the sex offender level sentence as was predicted. Conversely, gender did affect the length of sentencing as male defendants received longer terms on the registry compared to their female counterparts. This finding suggests that participants believed male sex offenders should be watched more carefully and for longer than female sex offenders. It would reason that this finding could stem from the perception that males are more likely to reoffend than females are (Cortoni, Hanson, & Coache, 2009). The present study also

found this to be true, with participants rating the male offender more likely to reoffend than the female offender.

It was further hypothesized that attractiveness and gender would affect conviction ratings. However these hypotheses were also not supported. Gender and attractiveness did not have any significant influence on conviction ratings when participants believed that the scenario constituted a sexual offense. However for those who did not view the actions of the teacher as a sex offense, attractiveness of the defendant did have a significant effect such that those participants believed that the attractive female offender should be convicted whereas the attractive male offender should not be. This finding could be the result of violating female social and professional roles. For instance, Martin (1984) suggests that students have irresolute expectations of female teachers. Women are supposed to be warm, friendly, supportive, and deferential. However, professionals are supposed to be objective, authoritarian, and critical. In the current study the female teachers violated both roles by engaging in sexual relations with a student. Since there is no significant difference between the unattractive man and woman, as well as no difference between the man and woman in the no picture condition, there must be further violation then just the professional role.

The other violation could stem from the norm of being an attractive female. As Dion, Berscheid, and Walster (1972) found, individuals tend to give favorable traits to attractive people. Thus by having a female teacher violate the roles associated with being a woman, a teacher, and an attractive individual, participants who generally did not believe the actions of the teacher was a sex offense more readily convicted the attractive female teacher.

The hypothesis that attractiveness would influence the amount of victim blame was also not supported. Victim blame did not differ based on the perpetrator's attractiveness. It was further hypothesized that the female victim would be blamed more than the male victim; however this was not supported by the results. Male participants blamed the male victim more for the incident occurring than female participants and participants, regardless of gender, did not differ on victim blame for the female victim. It could be that male participants in the study did not blame the male student in the traditional definition of blame, but rather they feel he was a willing and active participant in the activities. If this is the case, then the current finding supports Alicke's (2000) culpable control model. Male participants may have believed that the male victim: freely choose to engage in the sexual activities (volitional behavior control), viewed the consequence of engaging in the sexual activities as a result of the victim's behavior (causal control), and desired the sexual activities (volitional outcome control). By blaming the male victim, male participants engaged in spontaneous evaluations of the victim.

Participants were also able to empathize more with female perpetrators than their male counterparts. It may be the case that since media portrayals of female sex offenders as stemming from a student/teacher relationship (Frei, 2008), participants were more exposed to this kind of situation and also have heard arguments as to why these relationships happen, whereas male teachers who commit sexual offenses with students are not sensationalized in the media to the same degree. The gender of participants also was a factor in examining empathy for the perpetrator. Male participants were more empathetic towards the teacher than their female counterparts. This finding supports

previous findings in the literature that suggest men are more likely to empathize with the defendant in a sexual assault crime (Brady et al., 1991; Ching & Burke, 1999; Jimenez & Abreu, 2003; Smith & Frieze, 2003). An explanation for this finding may be found by looking at the parental investment of men and women. According to evolutionary psychologists, the sexual behavior of men is largely innate and biologically based due to evolved mating strategies that are divergent from women as a function of their differential parental investment (Buss, 1998). Trivers (1972) proposed two related links between parental investment and sexual selection. The first is that the sex that invests more in offspring should be more discriminating about who to mate with. The second link is that the sex who invests less in the offspring should compete more vigorously for access to members of the opposite sex. Due to males tending to not be very discriminating about mates and viewing sexual accessibility to females as a competition against other males, it follows that males would view sexual violations less harshly than their female counterparts and thus can empathize more with the defendant.

The current study supports the theory proposed by Unnever and Cullen (2009) that suggests if people are empathetic towards a defendant they will be less punitive towards him or her. The sentencing length handed to the male and female defendants were virtually the same and while there was a significant difference between the empathy towards the male and female perpetrators, the participants overall did not display much empathy towards either perpetrator.

Implications

Implications of these results can be employed in the courtroom. Understanding how physical attributes of defendants, such as attractiveness and gender, effect

perceptions made by jurors in sex offense cases is important. The current findings also show that the halo effect as well as the attraction-leniency bias generally does not happen with sex offenders. This result helps ensure that the defendant in a sexual offense case will not be given any extra clemency or harshness based upon their attractiveness. Future research should continue to examine what factors, if any, contribute to the unfair trial of an accused sex offender. For instance, one factor that should be examined is the social economic status of the defendant as well as the plaintiff in a sexual offense case. Another factor that should be examined is the attractiveness of the accuser and test if they are given any leeway based upon their attractiveness.

Limitations

It is also necessary to point out the limitations of the current study. First, the participants represent a homogenous sample of college students. Age of participants varied little across the present sample. Future research should attempt to recruit a more culturally diverse sample of participants than used in the present study. College students are closer in age to the victim than the offender and are likely more liberal than middle-aged or elderly adults. It could also be argued that college students have taken courses that may have dispelled stereotypes of sex offenders and instead made sure that the students understand that anybody could be a sex offender. Additionally, this study asked participants to respond individually to questions about a brief vignette that was not bound by legal standards. Future research should provide more in-depth information about such cases, including legal standards and possible deliberation as a mock jury.

Limitations notwithstanding, the present results may have profound implications. Further research in this area is warranted as the present study demonstrated that in cases

involving an accused sex offender, attractiveness and gender does not provide any advantage or disadvantage to the defendant. This is important to legal and psychology scholars as well as those making decisions within the courtroom because if the halo effect and attraction-leniency bias is not found in cases where an individual is accused of a sex offense, it helps ensure that the trial will be a fair one, where the decision is based upon the facts presented and not on the physical characteristics of the defendant.

APPENDICES

APPENDIX A
DEMOGRAPHIC QUESTIONS

Please provide the following information:

Age: _____

Sex: _____Female

_____Male

_____Prefer not to say

Race/Ethnicity: (please check all that apply)

_____African American / Black

_____Asian American

_____European American / White

_____Hispanic

_____Native American Indian

_____Other: _____

_____Prefer not to say

Sexual Orientation:

_____Heterosexual

_____Gay man

_____Lesbian

_____Bisexual

_____Prefer not to say

Level of Education:

_____First Year

_____Junior

_____Grad Student

_____Sophomore

_____Senior

_____Other/Prefer not to say

Have you ever been convicted of a felony?

_____Yes

_____No

Have you ever had a romantic relationship with someone much older or younger (more than a 5 year age difference) than you?

Yes

No

Have you known anyone who has ever had a romantic relationship with someone much older or younger (more than a 5 year age difference) than they are?

Yes

No

Have you known anyone who has been accused of statutory rape?

Yes

No

Have you known anyone who has been charged with statutory rape?

Yes

No

Have you ever been the victim of statutory rape?

Yes

No

Have you ever been the victim of sexual assault?

Yes

No

APPENDIX B

SENTENCING QUESTIONNAIRE

Please indicate what you believe to be the most appropriate response to the following questions.

The teacher committed a sexual offense. *Please select only one response.*

Strongly Disagree				Neither Agree Nor Disagree				Strongly Agree
0	1	2	3	4	5	6		

How long should the defendant's sentence be? *Please select only one response.*

- 1) No time spent _____
- 2) 1 year or less _____
- 3) 1 – 5 years _____
- 4) 5 – 10 years _____
- 5) 10 – 15 years _____
- 6) 15 – 20 years _____
- 7) 20 - 25 years _____
- 7) 25+ years _____

The teacher will commit the same offense again. *Please select only one response.*

Strongly										
Disagree										Agree
0	1	2	3	4	5	6				
			Neither Agree							Strongly
			Nor Disagree							

Should Newton have to register as a sex offender? If so, for how long should Newton’s name appear on the sex offender registry? *Please select only one response.*

- 1) No, should not have to register _____
- 2) Tier 1 (15 years) _____
- 3) Tier 2 (25 years) _____
- 4) Tier 3 (Life) _____

With this questionnaire, you are being asked to circle the one number that best describes your private belief that Newton should or should not be **convicted as a sex offender**. You are not being asked to state whether you believe there is sufficient evidence to convict in a court of law. Rather, it is asking about your personal and private belief.

Please circle one number that best describes your private belief about whether Newton should or should not be convicted.

-5	-4	-3	-2	-1	0	+1	+2	+3	+4	+5
Certain Newton										Certain Newton
Should NOT BE										SHOULD BE
Convicted										Convicted

APPENDIX C

PERCEPTIONS QUESTIONNAIRE

Given the following rating scale, please indicate the extent to which you agree or disagree with the following statements.

Strongly Disagree Neither Agree Strongly Agree
Nor Disagree

0 1 2 3 4 5 6

- _____ 1. The student is partly to blame for the actions of the teacher.

- _____ 2. The teacher is solely to blame for the events that took place.

- _____ 3. The teacher's actions are **not** the results of the student's behavior.

- _____ 4. The teacher's actions were reasonable.

- _____ 5. The student should know to be more careful in interactions with certain teachers.

- _____ 6. The teacher's actions were the result of unwanted attention from the student.

- _____ 7. The teacher deliberately intended to inflict harm on the student.

- _____ 8. The teacher's actions were under control.

- _____ 9. The teacher was provoked.

- _____ 10. The teacher's actions were justified.
- _____ 11. The student deserved it.
- _____ 12. Any reasonable person would have acted the same as the teacher.
- _____ 13. The teacher is mentally unstable.
- _____ 14. The student is mentally unstable.
- _____ 15. The teacher committed a sexual offense.
- _____ 16. Situations like this happen all the time.
- _____ 17. It is typical for teachers to be attracted to students.
- _____ 18. The teacher should have to register as a sex offender.
- _____ 19. The teacher committed statutory rape.
- _____ 20. This situation is very surprising as it does not occur often.
- _____ 21. Teachers are never sexually attracted to students.
- _____ 22. Students are often sexually attracted to teachers.
- _____ 23. The teacher's actions are criminal.

____24. Teachers who are sexually attracted to students should seek psychological help.

____25. The student should know better than to engage in such behavior with the teacher.

APPENDIX D

EMPATHY QUESTIONNAIRE

I can really imagine the thoughts running through Don's (Donna's), the defendant's, head.

0	1	2	3	4	5	6
Not at			Slightly			Very
all						Much

I can really feel what Don (Donna), the defendant, must have been feeling the night of the shooting.

0	1	2	3	4	5	6
Not at			Slightly			Very
all						Much

I can experience the same feelings that Don (Donna), the defendant, experienced.

0	1	2	3	4	5	6
Not at			Slightly			Very
all						Much

I can take the perspective of Don (Donna), the defendant, and understand why the shooting occurred.

0	1	2	3	4	5	6
Not at			Slightly			Very
all						Much

I can really see myself in Don's (Donna's), the defendant's, shoes.

0	1	2	3	4	5	6
Not at			Slightly			Very
all						Much

I feel like I can easily take the perspective of Don (Donna), the defendant.

0	1	2	3	4	5	6
Not at			Slightly			Very
all						Much

APPENDIX E

INFORMED CONSENT

You are invited to be in a research study about impressions of a defendant. The purpose of this research study is to gain knowledge about aspects of social and legal scenarios that may alter juror decision making. Your participation is voluntary. You may choose not to participate or you may discontinue your participation at any time without penalty or loss of benefits to which you are otherwise entitled. Your decision whether or not to participate will not affect your current or future relations with the University of North Dakota. Your consent to participate in this study will be proven by your willingness to continue participation. Approximately 120 people will take part in this study at the University of North Dakota. Your participation in the study will last no longer than an hour.

During the first part of the study you will be asked to complete a number of questionnaires. After you have completed those questionnaires, you will be invited to take part in the second part of the study via email. During the second part of the study, you will be asked to read a newspaper description of legal charges filed. After you have completed reading the article, you will be asked to answer questions about the trial as well as reach a decision as to the guilt of the alleged perpetrator.

The risks of this study are minimal. Due the evaluative nature of completing questionnaires, some participants may feel uneasy. If you become upset by questions, you may stop answering them at any time or choose to not answer a question.

You benefit personally from being in this study by learning how some psychological research is conducted. We also hope that, in the future, other people might benefit from this study because we will better understand perceptions of defendants and how potential juror members reach decisions.

You will not have any costs for being in this research study. You will be compensated with extra credit for your time for the psychology course of your choice in which you are currently enrolled. The University of North Dakota and the research team are receiving no payments from other agencies, organizations, or companies to conduct this research study.

The records of this study will be kept private to the extent permitted by law. In any report about this study that might be published, you will not be identified. Your study record may be reviewed by Government agencies, and the University of North Dakota Institutional Review Board. No identifying information about participants will be reported or kept.

The researcher conducting this study is Adam Austin. You may ask any questions you have now. If you later have questions, concerns, or complaints about the research please contact Adam Austin at adam.austin@und.edu or 320-282-1990.

If you have questions regarding your rights as a research subject, or if you have any concerns or complaints about the research, you may contact the University of North Dakota Institutional Review Board at (701) 777-4279. Please call this number if you cannot reach research staff, or you wish to talk with someone else.

You may print a copy of this form at the end of the study for your records.

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