

EFFECTS OF BOLDNESS AND DISINHIBITION ON PERCEPTIONS OF
A WHITE-COLLAR CRIMINAL DEFENDANT

A Thesis

by

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ABSTRACT

Despite the profound impact and pervasiveness of white-collar crime, few studies have assessed how white-collar criminals' personality affects juror perceptions of defendants. The current study aimed to provide insight regarding layperson perceptions of white-collar criminal defendants by examining how those views are impacted by manipulating the presentation of the defendant's personality traits (i.e., boldness and disinhibition). Although typically regarded as an adaptive and socially desirable trait, it was hypothesized that boldness would be perceived negatively within the context of deviant behavior (i.e., white-collar crimes). To examine these issues, participants (330 community members, recruited via Amazon's Mechanical Turk website) read a short vignette about a white-collar criminal defendant, in which the defendant's degree of boldness and disinhibition was manipulated, then provided sentence recommendations and rated the defendant's level of psychopathy and other negative attributes. As hypothesized, manipulating boldness and disinhibition impacted negative views toward the defendant with the boldness manipulation more consistently predicting higher psychopathy, "evil," and meanness ratings. Surprisingly, neither manipulation predicted more punitive sentence recommendations, but higher psychopathy and "evil" ratings did correlate with more punitive sentence recommendations. The present results are consistent with prior research on juror perceptions within the context of violent crime, such that perceiving the defendant as more psychopathic correlated with more punitive views. These findings also suggest that the presence of personality traits that typically

are seen as advantageous or socially desirable *can* be perceived as more dysfunctional when they occur in the context of criminal behavior.

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INTRODUCTION

Historical Trends in the Conceptualization of Psychopathic Personality

Psychopathic personality disorder (psychopathy) is generally defined by affective deficits and interpersonal dysfunction as well as externalizing behaviors and deviance (Hare, 1996); however, psychologists continue to debate the defining characteristics of the disorder (Hare & Neumann, 2010; Skeem & Cooke, 2010). Descriptions of individuals who appear free of observable mental impairment but who show a propensity for charming and manipulative interactions with little regard for others predate the formation of clinical psychology as a field of study. References to psychopathic-type individuals can be found within biblical, classical, and historical documents. During the 18th century, Pinel (1792; as cited by Cleckley, 1941) famously depicted a psychopathic-type personality as *manie sans delire* (“madness without delirium”), which referred to an individual who appeared psychologically deviant but lacked any signs of psychosis. In 1905, Krafft-Ebing described a similar personality type as “morally depraved.”

In 1941, Hervey Cleckley provided the most comprehensive clinical conceptualization of psychopathy. He reported his observations of a group of patients who he believed possessed that same “madness without delirium” and “moral depravity” as described above. Cleckley determined 16 personality characteristics that he believed were the core features of the psychopath prototype, and this model quickly became accepted as the standard set of features for defining the disorder. Some of the characteristics ruled out other psychological dysfunction (e.g., absence of delusions and irrational thinking, absence of anxiety, good intelligence), whereas others addressed the

presence of specific traits or behaviors (e.g., unreliable, untruthful, lack of remorse, impersonal sex life, egocentricity and incapacity for love). Although Cleckley (1941) elucidated those 16 personality characteristics, he did not provide any clinical diagnostic information, such as specific assessment criteria for each characteristic, the extent to which each trait must be present in an individual, or how many traits an individual must possess before being diagnosed as a “psychopath.”

Since Cleckley’s seminal publication, researchers have attempted to more concretely operationalize psychopathy. For example, Hare (1980, 1996) developed the Psychopathy Checklist (and the current revised version: PCL-R) with the intent to create an assessment instrument for this disorder. The PCL-R was based, at least in part, on the “Cleckley criteria.” However, Hare did not include all 16 characteristics (e.g., lack of anxiety, “fearlessness,” good intelligence) and included some additional items that were absent from Cleckley’s original depiction (e.g., versatile antisocial behavior, juvenile delinquency). Arguably, the biggest difference between Cleckley’s criteria and Hare’s checklist was the new emphasis placed on historical criminal behavior in the PCL-R. Cleckley (1941) included a single item regarding “*inadequately* motivated antisocial behavior” (emphasis added). Conversely, Hare (1996) included numerous highly specific items regarding criminal activities (e.g., versatility of crimes, failure on conditional release, juvenile crimes, childhood delinquency). Hare (1996) did not provide a theoretical rationale for why he chose to exclude or include certain criterion, aside from asserting that the retained PCL-R items maintained the core traditional psychopathic prototype components. He also acknowledged that, “the conceptual boundaries of the

disorder are the subject of much speculation,” (p. 27; Hare, 1996). Despite the limited explanation regarding his selection for the items, the PCL-R has often been lauded as the “gold standard” psychopathy assessment. It remains the most frequently used instrument to operationalize the construct in applied settings (Hare, 2003), and generally accepted models of psychopathy are in line with the PCL-R. In fact, many definitions of psychopathy are simply a reiteration of the factors of the measure (i.e., interpersonal and affective deficits and social deviance). Cooke, Michie, Hart, and Clark (2004) warned against inappropriately relying on a particular measure (i.e., the PCL-R) to define the construct. Yet, over a decade later, the PCL-R-based model of psychopathy continues to dominate the psychopathy literature and beyond—often utilized as a prominent measure within risk assessment protocols (Heilbrun, Yasuhara, & Shah, 2010; DeMatteo, Edens, & Hart, 2010).

Although this current conceptualization has been utilized for decades to define and characterize “psychopaths,” it differs in significant ways from previous descriptions of psychopathy (i.e., Cleckley, 1941) and relies heavily on the presence of highly specific previous criminal behaviors in conceptualizing what is supposed to represent a personality disorder. Therefore, despite its prominent use within both research and applied areas, this conceptualization may provide an inadequate framework for emerging research among, for example, variants of psychopathy (i.e., “white-collar psychopaths”) that may not be involved with any antisocial behaviors despite exhibiting the other core traits that define the construct.

Alternative Models of Psychopathy

More recently, researchers have developed new models of psychopathy (e.g., Cooke, Hart, Logan, & Michie, 2004; Patrick, Fowles, & Krueger, 2009) that seek to redress the emphasis on antisocial and criminal behaviors relative to historical conceptualizations (e.g., Cleckley, 1941). One such emergent model, the Triarchic model of psychopathy (Patrick et al., 2009), defines the construct as a constellation of three broad features including disinhibition, meanness, and boldness. The former two constructs are largely accepted as aspects of psychopathy in most models of the disorder (e.g., Hare, 2003; Cooke, Hart, Logan, & Michie, 2012), although perhaps using different terms for disinhibition (e.g., social deviance) and meanness (e.g., callous/unemotional traits, disregard for others). Within the Triarchic model (Patrick et al., 2009), disinhibition encompasses impulse control deficit and poor behavioral restraint, and meanness represents lack of empathy, exploitative interpersonal style, and cruelty.

The inclusion of boldness (i.e., social dominance, venturesomeness, fearlessness) as a core feature of psychopathy, however, remains more contentious. In particular, Miller and Lynam (2012, 2015) recently asserted that the presence or absence of boldness is merely coincidental and irrelevant to the conceptualization of the disorder. This perspective is congruent with the many assessment instruments tapping psychopathic traits that do not emphasize boldness as a central component of the disorder (e.g., the PCL-R; Hare, 2003, the Comprehensive Assessment of Psychopathic Personality [CAPP]; Cooke, Hart, et al., 2004, the Levenson Self-Report Psychopathy

scale [LSRP]; Levenson, Kiehl, & Fitzpatrick, 1995). For example, utilizing a 2-factor structure of the PCL-R, Factor 1 represents interpersonal and affective dysfunction, which is largely composed of items that reflect meanness, and the Factor 2 items (e.g., impulsivity) primarily reflect disinhibition (Patrick et al., 2009), whereas boldness is essentially unrepresented by any specific item on the PCL-R (although the Factor 1 items superficial charm and egocentricity tap somewhat related constructs; Poythress et al., 2010). Others (Lilienfeld, Patrick, et al., 2012) have countered that historical accounts of the disorder (e.g., Cleckley, 1941) frequently cited the unique ability to have at least short-term interpersonal success and charm as hallmark characteristics of psychopathy, noting that a non-bold psychopath would make “a spectacularly unsuccessful con artist” (p. 336). They contend that most contemporary conceptualizations that fail to capture this important characteristic of psychopathy are largely equating psychopathy with antisocial personality disorder and ignoring an important personality feature that differentiates this disorder from more non-specific forms of social deviance.

Boldness further differs from disinhibition and meanness, because boldness as a personality trait in isolation appears to have adaptive characteristics associated with it. In fact, boldness has been linked to heroism and altruism (Smith, Lilienfeld, Coffey, & Dabbs, 2013) and was even predictive of more successful presidential terms and ratings of leadership among previous U.S. presidents (Lilienfeld, Waldman, et al., 2012). Although psychopathy is typically considered to be a constellation of maladaptive traits, the inclusion of various adaptive traits as core features of psychopathy is not without

precedent. Cleckley (1941) maintained that it would not be unlikely for a psychopath to present as “affable and impressive” and demonstrate success, such as being an award-winning college student, the top sales associate, or a state legislator, despite “incredible failures and follies” (p. 22). Several criteria of psychopathy from his seminal publication (Cleckley, 1941) were ostensibly adaptive traits (e.g., lack of nervousness or anxiety, above average intelligence).

Interestingly, despite empirical evidence that boldness can be an adaptive trait, *self-reported* boldness has correlated with *informant*-reports of aggressive behavior (Kelley, Edens, Mowle, & Sörman, 2015). Additionally, the confluence of boldness *and* disinhibition or meanness has been shown in some research to predict negative outcomes such as predatory violence (Smith, Edens, & McDermott, 2013) and proactive and reactive aggression (Cima & Raine, 2009). This suggests that boldness may separately be an adaptive trait, but compound the likelihood for negative outcomes when present within the context of other psychopathic traits. A bold and fearless interpersonal style in the absence of externalizing characteristics may have prosocial implications, but combined with a disinhibited, impulsive temperament may result in adverse consequences.

Layperson Perceptions of Psychopathy

Although social scientists continue to debate the most accurate conceptualization of psychopathy and the possible role of putatively adaptive traits within the disorder, survey data suggest the general public tends to view psychopathy mostly as a constellation of highly negative and socially undesirable traits. This is evidenced by

laypersons' endorsement of deleterious descriptors such as "evil" (Edens, Clark, Smith, Cox, & Kelley, 2013) or "monster" (Helfgott, 1997) and providing spontaneous responses of serial killers and fictional murderers when asked to identify who they think of as a prototypical psychopath. However, in addition to "evil," laypersons also associate psychopathy with boldness and intelligence (Edens et al., 2013). Similarly, in a survey study of community members in the United Kingdom, participants endorsed items referring to psychopaths possessing high intelligence, social skills, and the ability to be high achievers (Furnham, Daoud, & Swami, 2009). This association between psychopathy and boldness and intelligence suggests that laypersons do not view generally adaptive traits as inherently antithetical to psychopathy.

The lay public's perceptions of psychopathy should not establish the scientific community's conceptualization of the construct, but the public's perception of psychopathy is highly relevant given its increasing use within the criminal justice system and its potential impact on jurors' decision-making in legal proceedings (DeMatteo & Edens, 2006; DeMatteo et al., 2014). Specifically, accumulating evidence suggests that jurors who attribute psychopathic traits to a defendant may be more likely to convict, return a death sentence instead of a life sentence, or have more punitive views toward the defendant (Cox, Clark, Edens, Smith, & Magyar, 2013; Edens, Davis, Fernandez, Smith, & Guy, 2012; Sundby, 1998). However, not all aspects of psychopathy are equally predictive of harsher responses from jurors. For example, in a capital case simulation the defendant's perceived remorselessness predicted death verdicts beyond other psychopathic facets, and perceptions of grandiosity and a manipulative

interpersonal style were also influential (Cox et al., 2013). These data suggest that jurors' perceptions regarding the presence of Interpersonal/Affective psychopathic characteristics, or "meanness" within the Triarchic model, may be particularly detrimental for defendants.

Most of the research examining layperson perceptions of psychopaths has focused on violent criminals, particularly murderers and sexual offenders. There is, however, growing interest in the role of dysfunctional personality characteristics, in employment settings in general and "white-collar" or "corporate psychopaths" (Perri, Terrance, Lichtenwald, & Mieczkowska, 2014) in particular, whose antisocial characteristics may not be expressed through interpersonally violent acts (Hall & Benning, 2006). The current study aims to add to this limited research on layperson perceptions of white-collar psychopathy.

White-Collar Crime

Before addressing white-collar psychopathy and layperson perceptions of it, a definition of "white-collar crime" must be established. The immense cost and prevalence of white-collar crime will also be discussed to demonstrate its impact. Although distinctions between "common" or violent criminals and exploitative or profit-motivated criminals have been made throughout the 19th and early 20th century (Friedrichs, 2007; Ross, 1907), Edwin Sutherland is often credited with providing the first definition of "white-collar crime" (Sutherland, 1940; Friedrichs, 2007). Sutherland (1940) described white-collar crime as "crime in the upper or white-collar class, composed of respectable or at least respected business and professional men" (p. 1). Unfortunately, this vague

definition led to confusion regarding the meaning and appropriate use of the term. Exacerbating the confusion, numerous terms (e.g., occupational crime, corporate crime, governmental crime, business crime, invisible crime; Friedrichs, 2007) have been used to describe crimes that may or may not fit or overlap with the definition of “white-collar crime” and call into question the potential relevance of an offender’s location, socioeconomic status, and motivation for the criminal behavior (Ragatz, Fremouw, & Baker, 2012). Despite the definitional and conceptual debate, it is generally agreed that white-collar crime 1) occurs in a legitimate occupational context, 2) is motivated by the objective of economic gain or occupational success, and 3) is not characterized by direct, intentional violence (Friedrichs, 2007, p. 4).

Even with a generally agreed upon definition, researchers can only estimate the cost and prevalence of white-collar crime. The cost of specific high profile white-collar fraud schemes is challenging to quantify, such as the approximated \$50 billion loss due to Bernie Madoff’s fraud scheme (Henriques & Berenon, 2008) or the supposed \$70 billion market value of Enron prior to declaring bankruptcy (Friedrichs, 2007; Cullen, 2014). Given the difficulty in estimating costs of individual fraud cases, total financial losses due to all white-collar crime in the United States is immensely challenging to approximate. However, with estimates as high as \$1 trillion annually (Friedrichs, 2007; Schlegel, 2000), the economic loss due to white-collar crime is profound.

Another measure of the prevalence is the number of prosecutions for white-collar crime. The white-collar crime data from the Federal Judiciary of the U. S. Courts indicated over 12,000 fraud, forgery, and embezzlement cases in 2007 alone (Huff,

Desilets, & Kane, 2010). However, this metric vastly underestimates the prevalence (Ragatz, et al., 2012), given that only successfully prosecuted cases are included. To account for crimes that may go unprosecuted, the National Public Survey on White-Collar Crime (Huff et al., 2010) surveyed 2,503 adults in the United States to assess their experience as victims of white-collar crime. According to the survey, 17% of individuals reported experiencing at least one form of white-collar victimization within the previous year. When compared to the results of the Bureau of Justice Statistics' 2008 Criminal Victimization Survey (Rand, 2009), these results indicate that white-collar crime victimization occurs much more frequently than property crime and violent crime combined (Huff et al., 2010). Despite the high rate of individuals who reported being victims of white-collar crime, this metric also likely underestimates the prevalence and impact of white-collar crime, as victims of white-collar crime may be unaware of their victimization while nevertheless suffering indirect costs such as higher taxes, reduced job prospects, and higher cost of goods and services (Friedrichs, 2007).

Layperson Perceptions of White-Collar Crime and Psychopathy

Regardless of an individual's direct experience with white-collar crime, the National Public Survey on White-Collar Crime respondents endorsed attitudes suggesting they are aware of its far-reaching negative impact. Seventy percent of respondents stated that white-collar crime has contributed to the economic crisis occurring at the time of the survey, and nearly half of the participants (43.2%) said the government is not devoting enough resources to combat white-collar crimes (Huff et al., 2010).

Despite the profound impact of white-collar crime and the layperson perception of its strong negative impact, few studies have assessed the impact of a white-collar crime on juror perceptions of defendants. One recent study examined the impact of crime type on juror perceptions and sentencing recommendations (Filone, Strohmaier, Murphy, & DeMatteo, 2014). Participants were recruited via Amazon's Mechanical Turk (mTurk) website and included 293 United States citizens who would be eligible for jury duty. Filone et al. (2014) presented the participants with a case vignette depicting either a white-collar or violent crime. In the white-collar crime condition, the defendant was convicted of embezzling \$70,000 from client trusts over several years. In the violent crime condition, the defendant was convicted of aggravated assault after physically attacking a client, which caused bodily harm. Participants were provided identical sentencing recommendations regardless of crime type and could deviate from the recommendations as they saw fit. Overall, the white-collar defendant elicited significantly lengthier sentencing recommendations than the violent crime defendant. Filone et al. (2014) conjectured that these results may have been driven by participants' awareness of high-profile embezzlement cases depicted by the media or stereotypical representations of white-collar criminals as "well-educated and greedy."

Filone et al. (2014) also manipulated the diagnostic label regarding a mental health diagnosis for the defendant by asserting that the defendant met criteria for Antisocial Personality Disorder (APD), Dyssocial Personality Disorder (DPD), or Psychopathy. The defendant description ("fairly charming, spontaneous, and smooth-talking" single lawyer) and the criteria for the diagnosis ("a lack of remorse or guilt,

callousness, manipulative tendencies, lack of empathy, dishonesty, and failure to accept responsibility for one's actions") were identical regardless of diagnostic label or crime type. Perhaps not surprisingly, given that identical definitions were provided to participants, diagnostic label did not impact participants' sentencing recommendations. Although this finding was seemingly contradictory to numerous previous studies that suggest a deleterious impact of affixing a "psychopath" label to a criminal defendant (e.g., Cox et al., 2013; Edens et al., 2013), the defendant in each condition of this vignette was described as having what are clearly prototypically psychopathic traits. Therefore, this suggests that mock jurors may attend to the characterological description regardless of diagnostic label.

In a similar white-collar case simulation (Cox, Edens, Rulsey, & Clark, 2015), participants read a fictitious case summary about a defendant who was convicted of embezzlement and money laundering. The defendant was described as a seemingly successful investor who stole millions of dollars to cover up bad investments while repeatedly lying to cover up his actions and living a lavish lifestyle. In addition to recommending a sentence for the defendant, participants rated the defendant's degree of psychopathy based on the items of the PCL-R. Participant ratings of the defendant's perceived level of Interpersonal/Affective psychopathic traits significantly predicted harsher sentences compared to their perceptions of the defendant's level of Social Deviance traits, which did not significantly predict their sentencing recommendations. Further analyses indicated that the predictive utility of Social Deviance was driven by jurors' perception of the defendant's level of *affective* traits associated with psychopathy

(e.g., remorselessness). These results were generally consistent with findings from mock jury studies focusing on violent criminal defendants (Cox et al., 2013; Edens et al., 2012).

Cox et al. (2015) also assessed the mock jurors' perceptions of other traits, including fearlessness, social dominance, and intelligence. Interestingly, jurors' perceptions of each trait within the defendant correlated with the sentence, such that the more fearless, socially dominant, or intelligent the mock jurors perceived the defendant, the harsher the sentence. This suggests that putatively adaptive traits may be viewed negatively if they occur in the context of deviant behavior, such as white-collar crimes (cf. Cox et al., 2013). This is consistent with the explanation provided by Filone et al. (2014) that white-collar defendants may be judged more harshly in part due to perceptions of positive attributes (i.e., being well-educated and privileged, as opposed to violent criminals who may be viewed as victims of unfortunate life circumstances).

Many of the same traits that define psychopathic personality, including those traits most predictive of more punitive juror decisions in both violent criminal cases and the recent white-collar case simulation (e.g., remorselessness, grandiosity, and manipulativeness), are compatible with or even encouraged among high-level corporate positions (Robinson & Murphy, 2009). Babiak, Neumann, and Hare (2010) demonstrated that ratings of upper-level managers' degree of "charisma and presentation style" were positively correlated with the interpersonal facet of psychopathy. Charisma and presentation style was defined by positive attributes such as creativity, strategic thinking, and communication skills. These traits were ascertained through the

corporations' in-house assessment and performance ratings. Upper-level managers who had higher scores on "charisma and presentation style" tended to have higher Interpersonal/Affective psychopathic scores. This provides further support that certain core aspects of psychopathy can be associated with positive traits; however, it also seemingly conflicts with research suggesting that the perception of Interpersonal/Affective psychopathic traits is predictive of more negative perceptions by others. Importantly, previous findings that suggest that the presence of Interpersonal/Affective psychopathic traits are predictive of negative views by others were within the context of other deviant behavior (e.g., engaging in violent crime). It is unclear what the impact of the presence of positive traits (e.g., creativity, strategic thinking, and communication skills) and Interpersonal/Affective psychopathic characteristics would have on others' perceptions in conjunction with overtly deviant (albeit nonviolent) behavior.

The Present Study

The current study had two major aims. First, this study aimed to add to the limited research on layperson perceptions of white-collar defendants, specifically as it pertains to psychopathic personality. The second major aim of the current study, was to examine whether boldness, a putatively adaptive and socially desirable trait, would be viewed negatively within the context of deviant behavior (i.e., white-collar crimes). Although psychopathy is one of the most extensively researched personality disorders, there is a dearth of literature on white-collar psychopathy. The preceding project on which this study is largely modeled (Cox et al., 2015) assessed the relation between juror

perceptions of a white-collar defendant and juror sentencing. That study, however, did not provide any personality-relevant descriptions of the defendant to the participants. Although jurors' perception of the interpersonal and affective psychopathic traits exhibited by the defendant correlated with sentence severity (Cox et al., 2015), that study did not address whether direct evidence regarding the defendant's personality traits would impact jurors' attitudes about the defendant.

To examine these issues, participants read a short vignette about a white-collar criminal defendant and provided sentence recommendations, ratings of his psychopathic traits (as defined by both the TriPM and the PCL-R) and other features that may be associated with the construct (i.e., "evil"). A 2 x 2 research design was employed to manipulate the degree of boldness and disinhibition exhibited by the defendant. A fifth "baseline" condition, similar in design to the stimulus materials used by Cox et al. (2015), omitted information pertaining to the defendant's personality (i.e., boldness and disinhibition).

Independently, self-reported boldness is often considered an adaptive trait and may be perceived as having prosocial correlates; however, prototypically bold characteristics *in conjunction with* white-collar criminal behavior (as well as other psychopathic traits) may be perceived much more negatively and be viewed as highly maladaptive (at least in terms of its effects on others) or even "evil." In terms of specific hypotheses, it was predicted that disinhibition, which is largely accepted as a component of psychopathy (e.g., Hare, 2003; Cooke et al., 2012), would result in more negative responses toward the defendant as measured by higher psychopathy, "evil," and

meanness ratings, and more punitive sentence recommendations. It was also predicted that *boldness* (i.e., social acumen, perseverance, emotional stability), a putatively adaptive and socially desirable trait would produce similar negative responses toward the white-collar defendant.

It was also hypothesized that low disinhibition would predict more lenient sentences only when coupled with low boldness. A person exhibiting low disinhibition may be perceived as particularly cold and calculating in the presence of other psychopathic traits (i.e., high boldness) and within the context of other deviant behavior (i.e., white-collar crime). Finally, based on earlier studies suggesting that perceived psychopathic traits result in more negative responses to criminal defendants (e.g., Cox et al., 2015; Edens et al., 2013), it was hypothesized that juror perceptions of the defendants' level of psychopathy would correlate with more punitive sentence recommendations, with Interpersonal/Affective deficit ratings being incrementally predictive of recommended sentence.

METHOD

Participants

The initial sample included 346 community members who chose to participate through Amazon's Mechanical Turk website. Participants were removed from the analyses if they provided an incorrect response to one or more comprehension checks (4.05% of participants) described later in the Method or if they provided no response regarding the sentencing recommendation (0.58% of participants), which yielded a final sample of 330 (43.3% female).

Participants' ages ranged from 18 to 73 years old ($M = 35.03$, $SD = 12.60$). A large portion of the sample self-identified as White or Caucasian (76.1%), followed by Asian (9.7%), Black or African American (7.0%), Hispanic (4.8%), and "Other" (2.4%). The demographic information of the 300 participants who received the experimental manipulation did not significantly differ from the 30 participants who served as the baseline control.

Stimulus Materials and Measures

Case Vignette

The case summary was a modified version of the vignette used in Cox et al. (2015). The vignette was approximately one page of text (each experimental version was between 416 and 424 words and the baseline condition was 270 words) and described a fictitious criminal case in which the defendant was charged with and convicted of money laundering and embezzlement. The defendant was described as the founder of a seemingly successful financial investment firm. He stole more than a million dollars

from multiple clients over an eight-year period while repeatedly lying to cover up his actions. According to the case summary, upon his arrest the defendant was found destroying evidence of the crime and planning to abscond to a foreign country. Evidence suggesting several years of prescription medication abuse was also recovered at that time.

To manipulate the psychopathic traits demonstrated by the defendant, a 2 (high versus low boldness) x 2 (high versus low disinhibition) between-subjects design was employed. This was achieved by inserting characterological descriptions that matched specific wording from items in the Triarchic Psychopathy Measure (TriPM; Patrick et al., 2009) associated with the respective feature (i.e., high boldness, high disinhibition) and the inverse for other conditions (i.e., low boldness, low disinhibition). The descriptions of the defendant reviewed by the jurors came from “former clients” of the defendant and a “mental health expert” who testified during the trial. For example, the *High Boldness* conditions included characterological descriptors such as “born leader,” “courageous,” and “resilient,” and certain behaviors were attributed to “a pattern of thrill-seeking behavior.” In comparison, the *Low Boldness* descriptions included “shy person,” “uncomfortable in social situations,” and “scared,” with the same certain behaviors attributed to “a history of stress and anxiety.” The conditions describing the defendant as *High Disinhibition* included descriptions such as “impulsive” and “prone to angry outbursts” compared to “planful and methodical” and “good control over himself” for *Low Disinhibition*. The baseline condition did not include any characterological

information regarding boldness or disinhibition and served as a means to more fully assess the impact of the experimental manipulations.

Particular attention was paid to ensure the vignette for each condition made practical sense and the characterological descriptions did not appear contradictory. For example, the descriptors used to depict the defendant as high (and low) bold needed to make conceptual sense with the descriptors used to depict the defendant as both disinhibited and not disinhibited. (See Appendix A for the stimulus materials.)

Sentencing Options

To allow for direct comparisons with previous work, the sentencing options were replicated from Cox et al. (2015). Although it would be unusual for jurors to be tasked with meting out a sentence for money laundering and embezzlement, sentence length was utilized as a way to operationalize punitive attitudes toward the defendant. Sentencing options included the minimum (2 years supervised probation), maximum (20 years in federal prison), as well as an option to write in any other sentence between the minimum and maximum. The minimum and maximum sentences were based on actual sentences imposed for similar embezzlement crimes (Marquet International, Ltd., 2012) and were selected to offer participants a realistic and reasonable framework to consider when determining sentencing (Cox et al., 2015). To account for the wide variability among the write-in responses, analyses regarding recommended sentence length were conducted on a continuous variable of total years in prison. Therefore, sentence length was coded as “zero” when participants selected the minimum sentence (i.e., two years of supervised probation) or wrote in any other sentence that did not include prison time

(e.g., four years supervised probation and community service). Occasionally, participants wrote in a range of years of incarceration (e.g., “recommended 5-10 years in prison.”). In these instances, the midpoint between the two options (e.g., 7.5 years) was coded. Some participants wrote in a sentence that included years in prison *and* probation (e.g. “recommended 10 years in prison and 3 years of probation”). To remain consistent, these responses were coded based solely on the prison sentence (e.g., 10 years). This coding system allowed for subsequent analyses to include a continuous dependent variable of total recommended years in prison.

Given the negatively skewed nature of the sentencing recommendations (i.e., a large percentage of participants supported the maximum sentence) reported by Cox et al. (2015), to avoid restricting the range of variability among sentence recommendations, an additional sentencing question was added following the initial sentencing options. If the maximum (20 years in federal prison) was selected, then an additional item queried sentencing recommendation with the maximum increased to 40 years in prison and sentence options in 5-year increments. (See Appendix B.)

Nearly a third of participants (32.4%) endorsed the maximum punishment of 20 years in federal prison. A smaller minority (16.1%) recommended probation and no prison term. The remaining participants (51.5%) wrote in a sentence including a prison term but less than the maximum of 20 years. The mean recommended sentence was 10.25 years ($SD = 7.71$). When the maximum sentencing option increased to up to 40 years in prison, only 30.0% of participants who initially endorsed the maximum (9.7% of the total sample) increased their recommendation beyond 20 years.

Utilizing this extended sentencing option did not yield meaningful differences for any analyses related to the main study hypotheses; however, visual inspection of both forms of the Sentence variable (i.e., the 20-year maximum and the extended 40-year maximum) suggested a non-normal distribution. Therefore, a third set of analyses were conducted with a categorical variable. The five categories included: 0, >0-5, >5-10, >10-20, and >20-40 years in prison. Again, this did not yield meaningful differences for any analyses but did allow for a normal distribution. The categorical Sentence variable correlated extremely highly with both continuous Sentence variables across all five conditions and the total sample (r 's $\geq .93$, $p < .001$). See Table 1 for individual cell means and standard deviations. Unless otherwise stated, all analyses regarding recommended sentence were reported based on the *categorical* variable of participants' sentence recommendation.

Table 1. *Descriptive Information of Recommended Sentence.*

Sample (<i>n</i>)	Categorical	Continuous 20-year maximum	Continuous 40-year maximum
High Bold High Disinhibition (75)	2.04 (1.27)	10.69 (7.48)	12.16 (10.05)
High Bold Low Disinhibition (75)	1.87 (1.23)	9.81 (7.82)	11.07 (10.34)
Low Bold High Disinhibition (75)	1.93 (1.27)	10.59 (8.06)	11.65 (10.12)
Low Bold Low Disinhibition (75)	1.79 (1.18)	9.67 (7.52)	10.20 (8.65)
Baseline (30)	2.03 (1.27)	10.83 (7.89)	12.50 (10.97)
<i>Total across experimental conditions (300)</i>	1.91(1.23)	10.19 (7.70)	11.27 (9.79)
<i>Total (330)</i>	1.92 (1.24)	10.25 (7.71)	11.38 (9.89)

Psychopathic Traits and Other Personality Ratings

A psychopathic traits form instructed participants to rate the degree to which they would expect an individual like the defendant in the current case to have each trait. The items consisted of trait descriptors adapted from the items comprising the PCL-R (Hare, 2003). Some items were slightly reworded or elaborated upon to better enable participants' understanding of each item, as participants did not receive any training or education regarding psychopathic traits. For example, the PCL-R item "Shallow Affect" was described as "Shallow emotions (for example, cold or generally unemotional)" and the PCL-R item "Parasitic Lifestyle" was described as "Parasitic lifestyle (such as, living off other even though capable of work)." Consistent with the PCL-R, the rating options were 0 (not at all), 1 (somewhat), and 2 (very much). (See Appendix C.) These items were summed to create a Total Psychopathy score, as well as Affective/Interpersonal deficits and Social Deviance scores. Cronbach's alpha values were .87, .84, and .75, respectively. Items were also summarized into four facets, yielding the following Cronbach's alpha values: Affective Deficit = .76, Interpersonal = .79, Lifestyle = .57, Antisocial = .72. See Table 2 for individual cell means and standard deviations.

Table 2. *Descriptive Information of Psychopathy Ratings.*

Sample (<i>n</i>)	Total Psychopathy Rating	Affective/Interpersonal Rating	Social Deviance Rating
High Bold High Disinhibition (75)	26.48 (5.46)	13.41 (2.44)	11.45 (3.03)
High Bold Low Disinhibition (75)	23.83 (6.76)	12.85 (2.78)	9.41 (4.06)

Table 2 Continued. *Descriptive Information of Psychopathy Ratings.*

Sample (<i>n</i>)	Total Psychopathy Rating	Affective/Inter-personal Rating	Social Deviance Rating
Low Bold High Disinhibition (75)	19.95 (6.72)	10.08 (3.62)	9.09 (3.39)
Low Bold Low Disinhibition (75)	17.48 (6.69)	9.40 (3.89)	7.33 (3.19)
Baseline (30)	25.83 (6.31)	14.03 (1.77)	10.43 (4.02)
<i>Total across experimental conditions (300)</i>	21.93 (7.28)	11.44 (3.65)	9.32 (3.72)
<i>Total (330)</i>	22.29 (7.28)	11.67 (3.60)	9.42 (3.76)

Four additional personality items were accompanied by a 10-point Likert scale. One item tapped each construct of the Triarchic model (i.e., bold, disinhibited, mean). Each construct was accompanied by several descriptor words to assist participants in understanding the item. (See Appendix D.) The Boldness and Disinhibition items served as manipulation checks to ensure, for example, that the description of the defendant as ‘bold’ resulted in participants perceiving these characteristics as being indicative of his personality. The Meanness item was used as another indicator of participants’ negative views toward the defendant. Similarly, the fourth item assessed the defendant’s perceived level of being “evil” as another measure of harsh perceptions of the defendant and to examine the relation between perceptions of psychopathy and “evil.” See Table 3 for individual cell means and standard deviations.

Table 3. Descriptive Information of Additional Personality Ratings.

Sample (<i>n</i>)	Boldness Rating	Disinhibition Rating	Meanness Rating	Evil Rating
High Bold High Disinhibition (75)	8.64 (1.52)	8.25 (1.79)	6.97 (2.25)	5.77 (2.67)
High Bold Low Disinhibition (75)	8.47 (1.48)	6.71 (2.67)	6.31 (2.45)	5.51 (2.91)
Low Bold High Disinhibition (75)	5.56 (2.93)	7.45 (2.34)	5.61 (2.75)	5.23 (2.72)
Low Bold Low Disinhibition (75)	4.24 (2.80)	5.69 (2.68)	5.31 (2.54)	4.75 (2.35)
Baseline (30)	8.43 (1.28)	7.43 (1.98)	7.77 (1.96)	6.97 (2.19)
<i>Total across experimental conditions (300)</i>	6.73 (2.96)	7.03 (2.57)	6.05 (2.57)	5.31 (2.68)
<i>Total (330)</i>	6.88 (2.89)	7.06 (2.52)	6.21 (2.57)	5.46 (2.68)

Comprehension Checks

Additional questions were included to assess participant understanding of the case information. Items related to information about the defendant's crime and various facts of the case. These questions were designed to screen out any participants who did not appropriately attend to study materials. (See Appendix E.)

Demographic Questionnaire

Finally, a standard demographic questionnaire was used to determine participants' age, race, level of education, and gender.

Procedure

The study was completed entirely online. Participants were recruited via Amazon's Mechanical Turk website. The survey was only accessible to individuals whose country of residence was the United States. If they elected to learn more about the study, they followed an electronic link to a survey hosted by Qualtrics Survey Software.

Prior to beginning the study, participants viewed an information page regarding the study, which included the study procedures, compensation, risks, benefits, and confidentiality. If individuals elected to participate in the study, they were randomly assigned to one of the conditions with 75 participants completing each of the four experimental conditions and 30 participants completing the baseline condition.

Participants read the case vignette associated with their randomly assigned condition then recommended a sentence for the defendant. Participants then completed the ratings questionnaire regarding their opinion of the defendant's personality and completed the three comprehension check questions. Finally, participants completed the demographics questionnaire.

Upon completion of the survey, participants were provided with a code to enter on the Mechanical Turk website to receive remuneration for their participation. Participants received \$0.60 payment as compensation for their involvement in this study. The average time to complete the survey was 6 minutes and 53 seconds with a high degree of variation among participants ($SD = 6$ minutes, 41 seconds). Six percent of respondents completed the survey in under 3 minutes. Due to concerns regarding the integrity of those data, analyses were run both with and without those 6% of respondents, which yielded no significant or meaningful differences. Therefore, all analyses are inclusive of those respondents.

RESULTS

Manipulation Checks

Before examining outcome measures for this research, it is important to assess the extent to which the experimental manipulations were successful in altering participant perceptions of the defendant. Analysis of the participants' ratings of the defendant's level of Boldness and Disinhibition revealed that the manipulations had the intended effect of influencing perceptions that he exhibited these traits.

The boldness and disinhibition manipulations impacted participants' ratings of the defendant's level of Boldness, $F(4, 325) = 58.33, p < .001$. As expected, participants in a High Bold condition ($M = 8.55, SD = 1.50$) rated the defendant as significantly bolder than participants in a Low Bold condition ($M = 4.90, SD = 2.93$), $F(1, 296) = 191.15, p < .001$; $d = 1.57$. Ratings of Boldness also differed by the manipulation of disinhibition, such that those in a High Disinhibition condition ($M = 7.10, SD = 2.79$) rated the defendant as significantly bolder than participants in a Low Disinhibition condition ($M = 6.35, SD = 3.08$), $F(1, 296) = 7.98, p = .005$; $d = .26$. A significant Boldness by Disinhibition on Sentence interaction ($F(1, 296) = 4.71, p = .03$) and visual inspection revealed that this effect of the disinhibition manipulation on Boldness rating was absent in the High Bold conditions. The ratings of Boldness did not differ between the two High Bold (i.e., High Bold-High Disinhibition and High Bold-Low Disinhibition) conditions as a function of Disinhibition, $p = .63$.

Similarly, the boldness and disinhibition manipulations impacted participants' ratings of the defendant's level of Disinhibition, $F(4, 325) = 12.19, p < .001$. As

expected, participants in a High Disinhibition condition ($M = 7.85$, $SD = 2.12$) rated the defendant as significantly more disinhibited than participants in a Low Disinhibition condition ($M = 6.20$, $SD = 2.71$), $F(1, 296) = 35.69$, $p < .001$; although this effect ($d = .68$), was much less pronounced than it was for the boldness manipulation on ratings of Boldness. Ratings of Disinhibition also differed as a function of the boldness manipulation, such that those in the High Bold condition ($M = 7.48$, $SD = 2.39$) rated the defendant as significantly more disinhibited than participants in the Low Bold condition ($M = 6.57$, $SD = 2.66$), $F(1, 296) = 10.73$, $p = .001$; $d = .36$. Unlike the pattern for ratings of Boldness, there was no Disinhibition condition by Boldness condition on ratings of Disinhibition interaction, $p = .70$.

Although the boldness and disinhibition manipulations had the intended effect of impacting perceptions of these traits, these results were also considered in relation to the ratings of these traits in the absence of boldness and disinhibition manipulations (i.e., the baseline condition). Participants' rated the defendant as bolder in the Baseline ($M = 8.43$, $SD = 1.28$) compared to when the defendant was described as Low Bold ($M = 4.90$, $SD = 2.93$), $p < .001$; $d = 1.56$, and as equally bold as when the defendant was described as High Bold ($M = 8.55$, $SD = 1.50$), $p = .79$; $d = .09$. Similarly, participants in the Baseline ($M = 7.43$, $SD = 1.98$) rated the defendant as more disinhibited compared to when the defendant was described as Low Disinhibition ($M = 6.20$, $SD = 2.71$), $p < .001$; $d = .52$, and as equally disinhibited as when the defendant was described as High Disinhibition ($M = 7.85$, $SD = 2.12$), $p = .38$; $d = .20$. See Table 4 for means and standard deviations across the High and Low Bold/Disinhibition conditions and the Baseline condition.

Table 4. Descriptive Information of Boldness and Disinhibition Across Condition.

Sample (<i>n</i>)	Boldness Rating	Disinhibition Rating
High Bold (150)	8.55 (1.50)	7.48 (2.93)
Low Bold (150)	4.90 (2.93)	6.57 (2.66)
High Disinhibition (150)	7.10 (2.97)	7.85 (2.12)
Low Disinhibition (150)	6.35 (3.08)	6.20 (2.71)
Baseline (30)	8.43 (1.28)	7.43 (1.98)

These findings suggest that the manipulation worked by *reducing* perceptions of boldness and disinhibition (in the Low Bold and Low Disinhibition conditions, respectively), rather than *increasing* perceptions of the traits (in the High Bold and High Disinhibition conditions). Regardless, these data provide further support that the manipulations had the intended effect of influencing perceptions of the defendant's degree of boldness and disinhibition. As such, all subsequent analyses were conducted using the sample of 300 participants of the four experimental conditions.

Primary Analyses

Psychopathy Ratings

First, the relationship between the Boldness and Disinhibition manipulations and Total Psychopathy ratings ($M = 22.29$, $SD = 7.28$) was examined. As hypothesized, the manipulations impacted Total Psychopathy ratings, $F(3, 296) = 29.04$, $p < .001$. Participants provided higher psychopathy ratings when the defendant was described as High Bold ($M = 25.15$, $SD = 6.27$) compared to Low Bold ($M = 18.71$, $SD = 6.80$), $F(3,$

$F(3, 296) = 75.21, p < .001$; $d = .98$. Similarly, participants provided higher psychopathy ratings when the defendant was described as High Disinhibition ($M = 23.21, SD = 6.93$) compared to Low Disinhibition ($M = 20.65, SD = 7.42$), $F(3, 296) = 11.89, p = .001$, although the magnitude of this effect ($d = .36$) was more modest than it was for Boldness. There was no Boldness x Disinhibition manipulation interaction on Total Psychopathy ratings, $p = .90$.

The impact of the experimental manipulations differed in relation to the Affective/Interpersonal deficits and Social Deviance features of psychopathy. Higher Boldness resulted in higher Affective/Interpersonal deficit ratings, $F(1, 296) = 82.43, p < .001$; $d = 1.05$. Disinhibition did not impact Affective/Interpersonal deficit ratings, $F(1, 296) = 2.75, p = .10$; $d = .17$. There was no Boldness by Disinhibition interaction on Affective/Interpersonal ratings, $p = .87$. However, both higher Boldness ($F(1, 296) = 31.23, p < .001$; $d = .62$) and higher Disinhibition ($F(1, 296) = 22.87, p < .001$; $d = .53$) resulted in higher Social Deviance ratings. Again, there was no Boldness x Disinhibition interaction on Social Deviance ratings, $p = .73$.

Other Negative Attributes

The relationship between the Boldness and Disinhibition manipulations and endorsement of the defendants' degree of being "evil" and mean was examined. Boldness impacted endorsement of the defendant as evil, ($F(1, 296) = 4.49, p = .035, d = .24$) with participants who read a High Bold ($M = 5.64, SD = 2.78$) description of the defendant rating him as more evil than those who read a Low Bold ($M = 4.99, SD = 2.55$) description. Conversely, Disinhibition did not impact endorsement of the

defendant as evil, $p = .23$, $d = .14$. There was no Boldness x Disinhibition interaction on Evil ratings, $p = .73$.

Regarding Meanness ratings, High Boldness ($M = 6.64$, $SD = 2.37$) predicted endorsement of the defendant being more “mean,” compared to Low Boldness ($M = 5.46$, $SD = 2.64$), $F(1, 296) = 16.68$, $p < .001$; $d = .47$. Disinhibition did not impact endorsement of the defendant as mean, $p = .09$; $d = .19$, and there was no Boldness x Disinhibition interaction on Meanness ratings, $p = .53$.

Sentencing Recommendations

Next, the relationship between the Boldness and Disinhibition manipulations and sentencing was examined. Counter to the hypothesis, the manipulations did not impact Sentence, $F(3, 296) = .56$, $p = .64$. Participants did not provide harsher sentences when the defendant was described as High Bold ($M = 1.95$, $SD = 1.25$) compared to Low Bold ($M = 1.86$, $SD = 1.22$), $F(1, 296) = .43$, $p = .51$; $d = .07$. Similarly, participants did not provide harsher sentences when the defendant was described as High Disinhibition ($M = 1.99$, $SD = 1.26$) compared to Low Disinhibition ($M = 1.83$, $SD = 1.20$), $F(1, 296) = 1.26$, $p = .26$; $d = .13$.

Psychopathy Ratings & Sentencing Recommendations

Next, the relation between ratings of perceived psychopathic traits and sentencing recommendations was assessed. Total Psychopathy ratings correlated with Sentence ($r = .23$, $p < .001$), as did both Interpersonal/Affective deficit ($r = .29$, $p < .001$) and Social Deviance ratings ($r = .13$ $p = .015$). When psychopathy ratings were

parsed into four factors, Interpersonal, Affective, and Lifestyle ratings remained significant (r^2 's = .14 - .23, $p \leq .02$) but Antisocial ratings did not ($r = .08$, $p = .15$).

This pattern also varied across the four different conditions. In the High Bold conditions, none of the psychopathy ratings (i.e., Total, Interpersonal/Affective, Social Deviance, and each of the individual four factors) significantly correlated with Sentence (r 's = -.07 - .19, p 's $\geq .10$). When Low Boldness was coupled with High Disinhibition, Total Psychopathy ($r = .31$, $p = .006$) and Interpersonal/Affective deficit ($r = .44$, $p < .001$) ratings correlated with Sentence but Social Deviance did not ($r = .10$, $p = .40$). When Low Boldness was coupled with Low Disinhibition, all psychopathy ratings significantly correlated with Sentence (r 's = .23 - .37, $p \leq .045$).

Given the variation across condition, a regression model was fit to further examine the relationship between Affective/Interpersonal psychopathy ratings and Social Deviance psychopathy ratings on Sentence. The continuous variable (40-year maximum) for Sentence was utilized and the psychopathy ratings were centered for the analysis. The overall model demonstrated acceptable fit, $F(2, 297) = 10.97$, $p < .001$, but the two psychopathy factors were not equally predictive. Affective/Interpersonal psychopathy ratings uniquely explained 4.67% of the variance in Sentence, $t(297) = 3.86$, $p < .001$. Social Deviance did not uniquely explain any (<.01%) variance in Sentence, $t(297) = .06$, $p = .95$.

Supplemental Analyses

As expected, participants' total psychopathy ratings correlated positively with Evil ratings ($r = .36$, $p < .001$). Given the positive correlation between both Evil and

Psychopathy ratings on Sentence, both ratings were regressed onto Sentence ($r^2 = .14$; $F(2, 297) = 23.36, p < .001$) to further examine that relationship. The continuous variable (40-year maximum) for Sentence was utilized and Evil and Psychopathy ratings were centered for this analysis. Evil ratings remained a significant predictor, uniquely explaining 8.30% of the variance of Sentence, $\beta = 1.16, t(297) = 5.33, p < .001$. Total Psychopathy ratings uniquely explained only .74% of the variance of Sentence, $\beta = .13, t(297) = 1.60, p = .11$.

Given the varied strength of the correlation between Psychopathy ratings and Sentence when Psychopathy ratings were parsed into Interpersonal/Affective and Social Deviance factors, another regression model was conducted with Evil ratings and both psychopathy factors entered as predictors, which yielded a similar overall fit, $r^2 = .14; F(3, 296) = 16.52, p < .001$. However, in this model both Evil ratings ($\beta = 1.12, t(296) = 5.08, p < .001$) and Interpersonal/Affective ratings ($\beta = .40, t(297) = 2.21, p = .03$) significantly predicted Sentence, uniquely explaining 7.45% and 1.41% of the variance, respectively. Social Deviance psychopathy ratings were not predictive of Sentence, $\beta = -.10, t(296) = -.61, p = .54$.

DISCUSSION

Research has suggested that jurors are more punitive toward white-collar criminals than violent criminals (Filone et al., 2014). Further research (Cox et al., 2015) has demonstrated that punitiveness toward white-collar criminal defendants is associated with holding views that the defendant exhibits the Interpersonal/Affective features of psychopathy. Other scholars have asserted that those same Interpersonal/Affective psychopathic features are compatible with, or even seen as desirable among, high-level corporate positions (Robinson & Murphy, 2009). That assertion was supported by an applied study in a corporate setting that demonstrated that Interpersonal/Affective psychopathic traits were correlated with positive corporate attributes like “charisma and presentation style” (e.g., creativity, strategic thinking, and communication skills; Babiak et al., 2010). Therefore, despite certain traits being seen as highly adaptive in most settings, the presence of those putatively adaptive traits may be judged to be highly undesirable (resulting in more negative perceptions by others) when they co-occur with criminal behavior.

Numerous studies (e.g. Cox et al., 2013) have similarly demonstrated that the perception of Interpersonal/Affective psychopathic traits (i.e., remorselessness, callousness), predict harsher views in violent criminal cases, particularly murderers and sexual offenders. However, there is growing interest in antisocial characteristics that may not be expressed through interpersonally aggressive acts (Hall & Benning, 2006).

Standard assessment measures of psychopathy (i.e., PCL-R) have emphasized the diagnostic relevance of previous criminal behavior regarding psychopathy and largely

equated psychopathy with antisocial personality disorder, while minimizing an important personality feature that differentiates this disorder from more non-specific forms of social deviance. That framework limits the study of individuals who possess core personality features of psychopathy (e.g., interpersonal manipulative style, callous disregard for others, impulsivity) but lack a documented criminal history (i.e., “white-collar psychopaths”). The current study is the first to experimentally investigate the role of boldness, an ostensibly adaptive trait within the corporate workplace, on perceptions of a white-collar defendant in the presence/absence of a trait that is largely accepted as a component of psychopathy (i.e., disinhibition).

As hypothesized, manipulating the defendant’s degree of boldness and disinhibition impacted negative views toward the defendant with the boldness manipulation more consistently predicting psychopathy ratings, evilness and meanness ratings. High Boldness and High Disinhibition both resulted in higher Total Psychopathy ratings and Social Deviance psychopathy ratings, but Boldness alone impacted Interpersonal/Affective deficit ratings. High Boldness also resulted in higher evil and meanness ratings, whereas disinhibition did not impact evil or meanness ratings. Taken together, perceiving the defendant as being bolder led to a more negative (i.e., more psychopathic, more “evil,” and meaner) view of him. Being perceived as bold in the face of adversity is generally socially desirable and adaptive, particularly in the corporate setting, but perhaps is viewed negatively when combined with negative outcomes (i.e., embezzlement charge) where humility and remorsefulness may be expected.

Regarding the final measure of “harshness,” neither Boldness nor Disinhibition impacted Sentence. This was a surprising finding given that, as predicted, Boldness and Disinhibition impacted psychopathy ratings and psychopathy ratings predicted the Sentence variable. It is unclear why Boldness and Disinhibition did not directly impact Sentence. The further hypothesis that there would be an interaction, such that low disinhibition would predict more lenient sentences only when coupled with low boldness, was also not supported as there was no Boldness by Disinhibition interaction on Sentence.

Despite the null results of Boldness and Disinhibition on Sentence, higher psychopathy ratings correlated with harsher sentencing recommendations as hypothesized. Given some variation across the various conditions, the relationship between Interpersonal/Affective psychopathic ratings and Social Deviance psychopathic ratings was more closely examined via a regression analysis. As predicted, Interpersonal/Affective psychopathic ratings were incrementally predictive of recommended sentence, which was a relationship that was not present for Social Deviance ratings.

Taken together, provided with identical information about a white-collar criminal case, community members rated the defendant as more psychopathic and more “evil” when the defendant demonstrated higher social acumen and perseverance. Higher ratings of psychopathy and evilness both resulted in more punitive sentencing. As such, it may behoove defendants to *not* appear optimistic or courageous in the face of adversity. As

an important caveat, however, reading a case about the highly bold defendant did not directly result in more punitive sentencing.

In the absence of any overt description of traits of boldness and disinhibition, mock jurors rated the white-collar criminal as being highly bold, highly disinhibited, highly psychopathic, and “evil.” The participants’ attitudes toward the defendant in the baseline condition was consistent with their attitude toward the defendant specifically described as possessing High Boldness ($d = .09$) and High Disinhibition ($d = .20$). The baseline condition was included to further demonstrate the effectiveness of the manipulations and these results do provide support for the success of the manipulations; however, interestingly, these findings also suggest that jurors will assume a white-collar criminal defendant to be highly bold and disinhibited unless evidence is provided to suggest otherwise. These “default” harsher ratings are consistent with previous findings (Filone et al., 2014) showing mock jurors are particularly hostile toward white-collar defendants based solely on their crime, even when compared to violent criminal defendants. Of note, there were substantially fewer participants in the baseline condition (30 participants), so further research should be conducted to determine the replicability of this finding. However, given the strength of the effect of condition on ratings of boldness and disinhibition when comparing the Baseline condition to the *Low Bold* ($d = 1.56$) and *Low Disinhibition* ($d = .52$) conditions, respectively, it is unlikely that the lack of effect between the Baseline and *High Bold* and *High Disinhibition* is a spurious finding.

Limitations to this study include the sentence recommendations that, in order to obtain a more normal distribution, were recoded into categories. Future studies may be able to utilize cases or vignettes that allow for greater heterogeneity of responses that do not require further manipulations. More generally, another limitation is the use of sentence recommendations for a defendant who had already been found guilty, which presents a concern for generalizability as jurors would likely not be tasked with similarly sentencing defendants in white-collar cases. Further, mock jury research will always have inherent limitations due to the knowledge that recommendations are not made within the context of a real trial with real consequences (Diamond, 1997) and contextual limitations. For example, a one-page vignette serving as the participants' only information regarding the defendant cannot replicate the complexities of sitting through a trial and then deliberations before rendering a verdict. Additionally, the vignettes used in this current study provide information that might differ in meaningful ways compared to what might be available throughout legitimate trial proceedings (e.g., the defendant's thought process, personality tendencies). However, simulations have been utilized repeatedly in previous literature (e.g., Filone et al., 2014; Cox et al., 2013; Edens et al., 2012) and these "artificial" aspects are also defensible through theory (see Mook, 1983), as there is value in examining how these personality characteristics impact perceptions of a white-collar criminal defendant in a controlled setting. The sentencing recommendation was utilized as a proxy for the participants' level of harshness toward the defendant, not as indication of what would likely happen to a defendant who committed these crimes and was facing sentencing. Similarly, the vignette served to

provide participants with information in an easily controlled way to ascertain how attitudes shifted in regard to specific characterological manipulations. For a clearer understanding of how jurors might react to a white-collar defendant during an actual trial, additional studies that make use of more extensive mock trials or focus groups should be conducted.

Another limitation is the use of Amazon's Mechanical Turk to recruit participants. Given the online nature, there is no way to standardize the setting in which mTurk users complete the study. Similarly, there is no way to verify the demographic information provided by the participant. However, this data collection tool also remains a strength of this study given that mTurk users are significantly more demographically diverse than typical American college samples (Buhrmester, Kwang, & Gosling, 2011), which makes the sample more similar to the population from which juries are derived. This was demonstrated by the sample obtained for this study (i.e., 43.3% female; age range: 18 to 73 years old, $M = 35.03$, $SD = 12.60$). Additionally, data obtained via mTurk has been shown to be as reliable as data obtained through traditional methods (Buhrmester et al., 2011). This was also supported by the current study as only a limited number of participants (4.1%) needed to be removed from analyses due to answering any one of three comprehension questions incorrectly. Participants were not warned ahead of time regarding the presence of comprehension questions and could not return to reread the vignette, suggesting that participants read the vignette as directed and applied appropriate focus to the subject matter.

SUMMARY AND CONCLUSIONS

White-collar crime has a profound negative impact on all members of the public (Friedrichs, 2007), but despite the tremendous damaging effect of white-collar crime on the public and corresponding punitive views of jurors regarding white-collar criminals, limited research exists regarding the effect of white-collar crime on juror perceptions of defendants. This study involving a white-collar criminal defendant replicates previous findings (e.g., Cox et al., 2013), which are largely within the context of violent criminal cases, that perceptions of psychopathic traits correlate with more punitive sentencing decision-making. Further, these results are consistent with the pattern of the predictive utility of psychopathy ratings in regard to sentencing recommendations being limited to the interpersonal and affective traits.

This study also suggests that the presence of boldness can predict more negative perceptions within the context of a white-collar court case. These findings do not address whether boldness is a component of psychopathy's nomological network, but they do indicate that generally adaptive and socially desirable traits are not inherently antithetical to negative evaluations under certain conditions (e.g., when they occur in the context of taking advantage of other people). This runs counter to arguments that boldness—at least as perceived by others—is consistently an “adaptive” disposition per se.

Finally, a somewhat surprising finding in this study showed that the defendant was rated as highly bold and disinhibited in the absence of trait descriptions (i.e., Baseline condition) as he was in the conditions that specifically sought to portray those traits (i.e., High Bold, High Disinhibition conditions). This lends support to previous

findings (Filone et al., 2014; Huff et al., 2010) that suggest that the act of committing a white-collar crime is viewed especially harshly among the public and may automatically elicit negative connotations about the defendant unless other information is available to directly suggest otherwise.

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APPENDIX A

[Baseline]

United States of America v. J.B. Branch

John Brandon Branch established a small investment firm in 1999. Mr. Branch quickly built up a clientele of over 100 clients investing approximately \$20 million. Some of Mr. Branch's clients were quite wealthy, however, the majority of his clients made between \$40,000 and \$60,000 per year. During the later years of his business Mr. Branch advertised the ability to double the average client's investment within three years.

Mr. Branch's business appeared to do quite well; however, at some point during the first few years of operating his business, Mr. Branch made multiple bad investments with his client's money. He began to steal money from new investor accounts including taking large sums of money from various client retirement and saving accounts. He repeatedly lied to investors to cover up his actions. After complaints from numerous investors, the U.S. government began an investigation into Mr. Branch's company and found evidence that, dating back to 2002, he had embezzled over a million dollars with the hope of covering up his faulty business decisions and continuing to supplement his own personal income.

At the time of Mr. Branch's arrest, officials found him in his home office burning documents related to his crime. His passport, multiple suitcases, and an airline ticket for a foreign country were also found on his person. Prescription records and medication bottles found at his home indicated he had been abusing prescription medication for several years.

Following a short period of deliberation, Mr. Branch was convicted on two counts money laundering and five counts embezzlement. A sentencing hearing was then held to determine what sentence the jury believes in most appropriate.

[High Bold, High Disinhibition]

United States of America v. J.B. Branch

John Brandon Branch established a small investment firm in 1999. Mr. Branch quickly built up a clientele of over 100 clients investing approximately \$20 million. Some of Mr. Branch's clients were quite wealthy, however, the majority of his clients made between \$40,000 and \$60,000 per year. During the later years of his business Mr. Branch advertised the ability to double the average client's investment within three years.

Mr. Branch's business appeared to do quite well; however, at some point during the first few years of operating his business, Mr. Branch made multiple bad investments with his client's money. He began to steal money from new investor accounts including taking large sums of money from various client retirement and saving accounts. He repeatedly lied to investors to cover up his actions. After complaints from numerous investors, the U.S. government began an investigation into Mr. Branch's company and found evidence that, dating back to 2002, he had embezzled over a million dollars with the hope of covering up his faulty business decisions and continuing to supplement his own personal income.

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Former clients described him as a born leader who had a knack for influencing people. One client testified, "Mr. Branch could talk you into or out of anything he wanted. His self-confidence made me trust his reputation for turning a profit."

A mental health expert testified during the trial that his medication abuse was consistent with a pattern of thrill-seeking behavior. The expert described Mr. Branch as an impulsive person who often acts on immediate needs and jumps into things without thinking. While he currently appears unusually calm and resilient, reports indicate the defendant is prone to angry outbursts.

Mr. Branch stated that once his business began to lose money, he did not consider the consequences of misappropriating his clients' funds. Mr. Branch stated that he intends to remain optimistic and courageous in the face of adversity and uncertainty.

Following a short period of deliberation, Mr. Branch was convicted on two counts money laundering and five counts embezzlement. A sentencing hearing was then held to determine what sentence the jury believes is most appropriate.

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United States of America v. J.B. Branch

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Former clients described him as a shy person who often appeared timid and apprehensive. One client testified, "Mr. Branch always seemed uncomfortable in most social situations. Despite his lack of self-confidence, I trusted his reputation for turning a profit."

A mental health expert testified during the trial that his medication abuse was consistent with a pattern of stress and anxiety. The expert described Mr. Branch as a planful and methodical person who often thinks through his options carefully before jumping into anything. While he currently appears scared and worried about the uncertainty of his current situation, reports indicate the defendant has good control over himself.

Mr. Branch stated that once his business began to lose money, he considered the consequences but misappropriating his clients' funds was the only plan he could develop. Mr. Branch stated that he is embarrassed by his circumstances and concerned for the future.

Following a short period of deliberation, Mr. Branch was convicted on two counts money laundering and five counts embezzlement. A sentencing hearing was then held to determine what sentence the jury believes is most appropriate.

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APPENDIX B

The judge has outlined the minimum and maximum sentences allowed for the combined seven counts.

The **MINIMUM** sentence that Mr. Branch can serve is 2 years supervised probation, meaning he will not serve time in prison but will be required to report to a probation officer weekly and follow strict behavioral guidelines.

The **MAXIMUM** sentence that Mr. Branch can serve is 20 years in a federal prison.

As a jury member you can decide to sentence Mr. Branch to the minimum or maximum sentences, or to any sentence falling in between these two extremes.

In terms of sentence, based on this brief review of this case, if you served on Mr. Branch's jury, which of the following sentences would you recommend?

2 years supervised probation

20 years in federal prison

Other

If you selected other, please identify a sentence between the minimum and maximum:

If the sentencing options for Mr. Branch ranged from supervised probation to 40 years in a federal prison, which of the following sentences would you recommend? (check one)

Probation—5 years—10 years—15 years—20 years—25 years—30 years—35 years—40 years

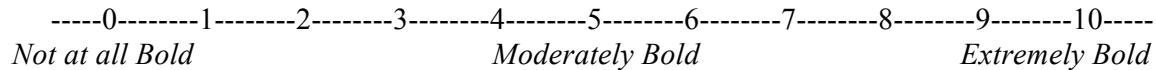
APPENDIX C

Given the facts of this case, please rate whether you think Mr. Branch has the following personality traits and characteristics. (For these ratings, please select 0, 1, or 2)

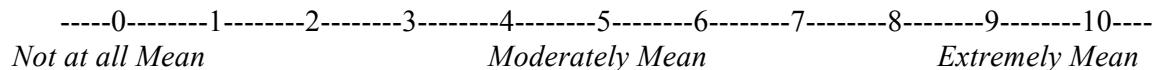
	<i>Not At All</i>	<i>Somewhat</i>	<i>Very Much</i>
Superficially charming or glib	0	1	2
Inflated sense of self-worth/egotistical	0	1	2
Need for stimulation/easily bored	0	1	2
Pathological lying	0	1	2
Conning/manipulative	0	1	2
Lack of remorse or guilt for past bad acts	0	1	2
Shallow emotions (for example, cold or generally unemotional)	0	1	2
Callous/Lack of empathy for other people	0	1	2
Parasitic lifestyle (such as living off others even though capable of working)	0	1	2
Poor behavioral controls (for example, prone to fighting and aggressive behavior)	0	1	2
Promiscuous sexual behavior	0	1	2
Early childhood behavior problems (such as serious trouble in elementary school)	0	1	2
Lack of realistic long-term life goals (for example, no plans or unrealistic plans)	0	1	2
Impulsive (for example, does things on the "spur of the moment")	0	1	2
Irresponsible behavior (such as owes money, poor work history, drunk driving)	0	1	2
Fails to accept responsibility for bad actions	0	1	2
Many short-term marital relationships	0	1	2
History of juvenile delinquency (that is, arrests before age 18)	0	1	2
Having a history of failure on parole or conditional release	0	1	2
Criminal versatility	0	1	2

APPENDIX D

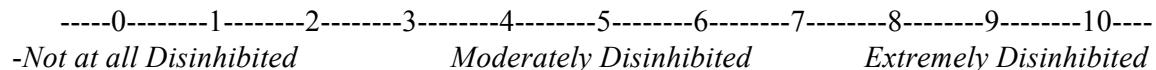
In general, how *bold* (e.g., socially dominant, confident, fearless) do you think Mr. Branch is?



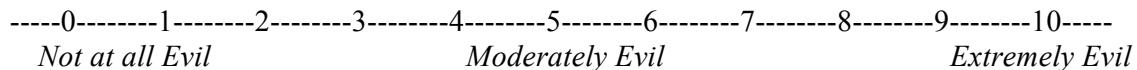
In general, how *mean* (e.g., disregard for others, callous) do you think Mr. Branch is?



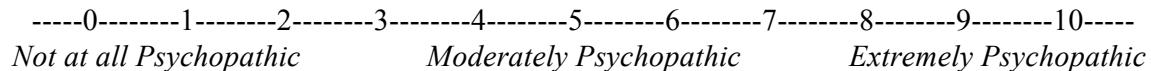
In general, how *disinhibited* (e.g., spontaneous, poor impulse control) do you think Mr. Branch is?



In general, how *evil* do you think Mr. Branch is?



In general, how *psychopathic* (i.e. how much of a psychopath) do you think Mr. Branch is?



APPENDIX E

Mr. Branch was on trial for which of the following crimes?

Murder

Embezzlement and Fraud

At the time of his arrest, the police found Mr. Branch:

Preparing to flee the country

Preparing to turn himself in

What did Mr. Branch do with the money that he stole?

Supplement his own personal income

Donated it to charity