

Graphics for

# A TRUCE IN THE DISTRIBUTIVE PRINCIPLE WARS? COERCIVE CRIME CONTROL, MORAL CREDIBILITY, AND EMPIRICAL DESERT

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Figure 1



Figure 2

	PERCEPTION	INTUITION SYSTEM 1	REASONING SYSTEM 2
PROCESS		Fast Parallel Automatic Effortless Associative Slow-learning Emotional	Slow Serial Controlled Effortful Rule-governed Flexible Neutral
CONTENT	Percepts Current stimulation Stimulus-bound	Conceptual representations Past, Present and Future Can be evoked by language	

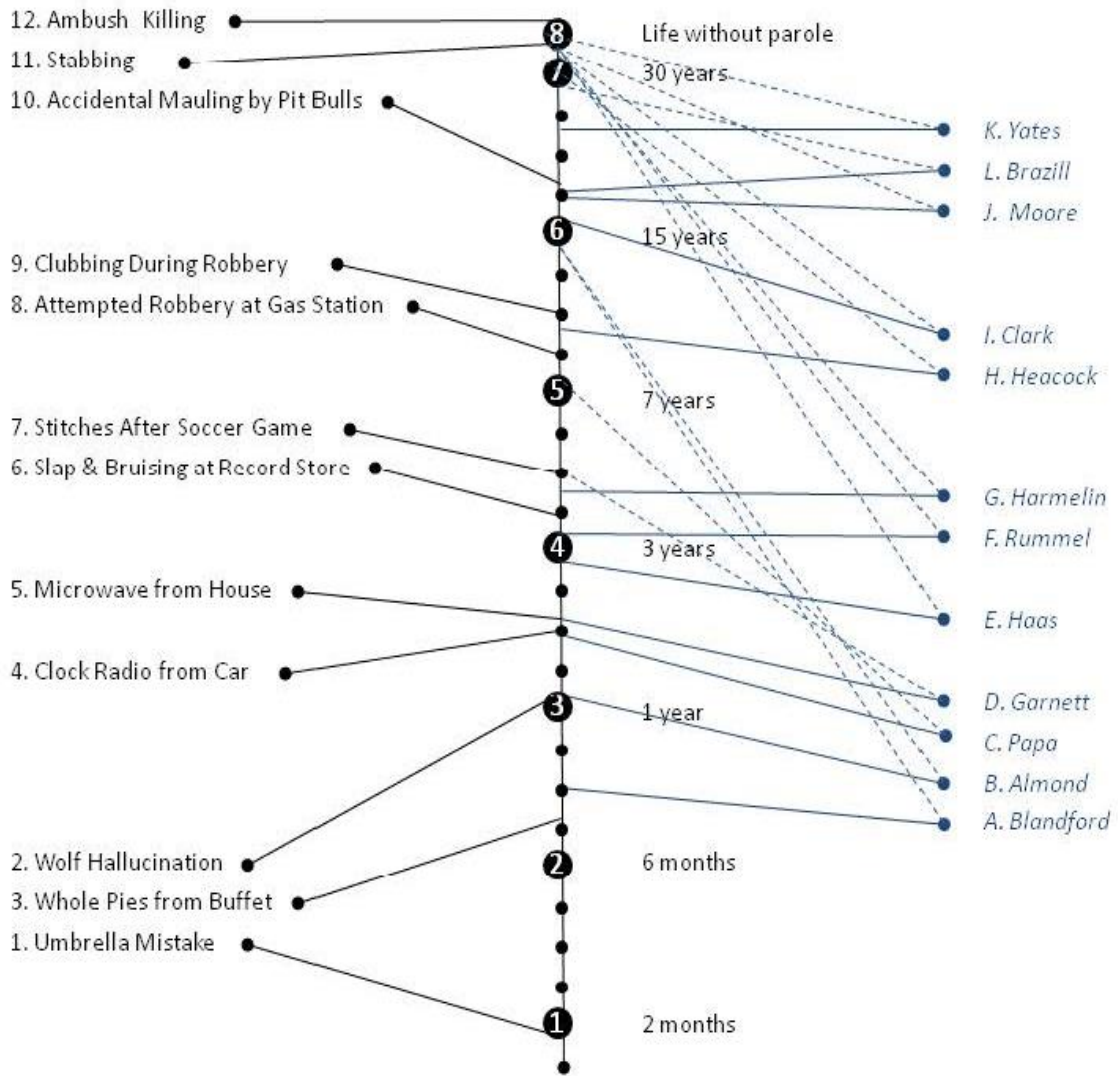
Figure 3

<b>Scenario</b>	<b>Case Name</b>	<b>Offense</b>	<b>Crime-Control Doctrine</b>	<b>Actual Court Sentence</b>
L. Accidental teacher shooting	<i>Brazill</i>	Murder	Adult Prosecution of Juveniles	28 years w/o parole
K. Drowning children to save them from hell	<i>Yates</i>	Murder	Narrowing Insanity Defense	life
J. Accomplice killing during burglary	<i>Moore</i>	Felony murder, burglary	Felony Murder	life at hard labor w/o parole
I. Killing officer believed to be alien	<i>Clark</i>	Murder	Narrowing Insanity Defense	life
H. Cocaine overdose	<i>Heacock</i>	Felony murder, unlawful distribution of controlled substance	Felony Murder	40 years
G. Cocaine in trunk	<i>Harmelin</i>	Complicity in unlawful distribution of controlled substance	Drug Offense Penalties	life w/o parole
F. Air conditioner fraud	<i>Rummel</i>	Petty fraud	Three Strikes	life
E. Sex with female reasonably believed overage	<i>Haas</i>	Statutory rape	Strict Liability	40 to 60 years
D. Underage sex by mentally retarded man	<i>Garnett</i>	Statutory rape	Strict Liability	5 years
C. Marijuana unloading	<i>Papa</i>	Unlawful possession of controlled substance	Drug Offense Penalties	8 years
B. Shooting of TV	<i>Almond</i>	Unlawfully discharging firearm	Three Strikes	15 years w/o parole
A. Incorrect lobster container	<i>Blandford</i>	Violation of importation regulations	Criminalizing Regulatory Violations	15 years to life

Figure 4

Scenario	Subjects' Mean Sentence	Actual Court Sentence
<b>12 Ambush shooting</b>	<b>between life and death</b>	
<b>11 Stabbing</b>	<b>essentially life</b>	
<b>10 Accidental mauling by pit bulls</b>	<b>20.6 years</b>	
<i>L Accidental teacher shooting (juvenile)</i>	<i>19.2 years</i>	<i>28 years w/o parole</i>
<i>K Drowning children to save them from hell (insanity)</i>	<i>26.3 years</i>	<i>life</i>
<i>J Accomplice killing during burglary (felony murder)</i>	<i>17.7 years</i>	<i>life at hard labor w/o parole</i>
<b>9 Clubbing during robbery</b>	<b>12.0 years</b>	
<b>8 Attempted robbery at gas station</b>	<b>9.1 years</b>	
<i>I Killing officer believed to be alien (insanity)</i>	<i>16.5 years</i>	<i>life</i>
<i>H Cocaine overdose (felony murder)</i>	<i>10.7 years</i>	<i>40 years</i>
<b>7 Stitches after soccer game</b>	<b>5.0 years</b>	
<b>6 Slap &amp; bruising at record store</b>	<b>3.9 years</b>	
<i>G Cocaine in trunk (drugs)</i>	<i>4.2 years</i>	<i>life w/o parole</i>
<i>F Air conditioner fraud (3 strikes)</i>	<i>3.1 years</i>	<i>life w/o parole</i>
<b>5 Microwave from house</b>	<b>2.3 years</b>	
<i>E Sex with female reasonably believed overage (strict liability)</i>	<i>2.9 years</i>	<i>40 to 60 years</i>
<b>4 Clock radio from car</b>	<b>1.9 years</b>	
<i>D Underage sex by mentally retarded man (strict liability)</i>	<i>2.3 years</i>	<i>5 years</i>
<i>C Marijuana unloading (drugs)</i>	<i>1.9 years</i>	<i>8 years</i>
<i>B Shooting of TV (3 strikes)</i>	<i>1.1 years</i>	<i>15 years w/o parole</i>
<b>3 Whole pies from buffet</b>	<b>8.3 months</b>	
<i>A Incorrect lobster container (regulatory)</i>	<i>9.7 months</i>	<i>15 years to life</i>
<b>2 Wolf hallucination</b>	<b>1.1 years</b>	
<b>1 Umbrella mistake</b>	<b>1.8 months</b>	

Figure 5



Subjects' sentence \_\_\_\_\_

Law's sentence - - - - -

Figure 6

**Table 8. Study 2a Pre- and Post-Stimulation Averages**

<b>Question</b>	<b>Baseline average</b>	<b>Post-stimulation avrg.</b>	<b>Significance</b>
1. Life sentence means offense conduct must be heinous	6.46	5.14	p<.001
2. Law prohibition means posting false comments must be condemnable	6.14	5.76	p<.07
3. High sentence for financial maneuver means condemnable	5.25	4.63	p<.02
4. Report removal of arrowhead	5.93	5.14	p<.01
5. Give found handgun to police	6.66	5.56	p<.001
6. Report dog violation to authorities	5.15	4.59	p<.01
7. Go back and report your mistake to gas station	7.05	5.69	p<.001
8. Go back and report your mistake to restaurant	7.15	5.71	p<.001

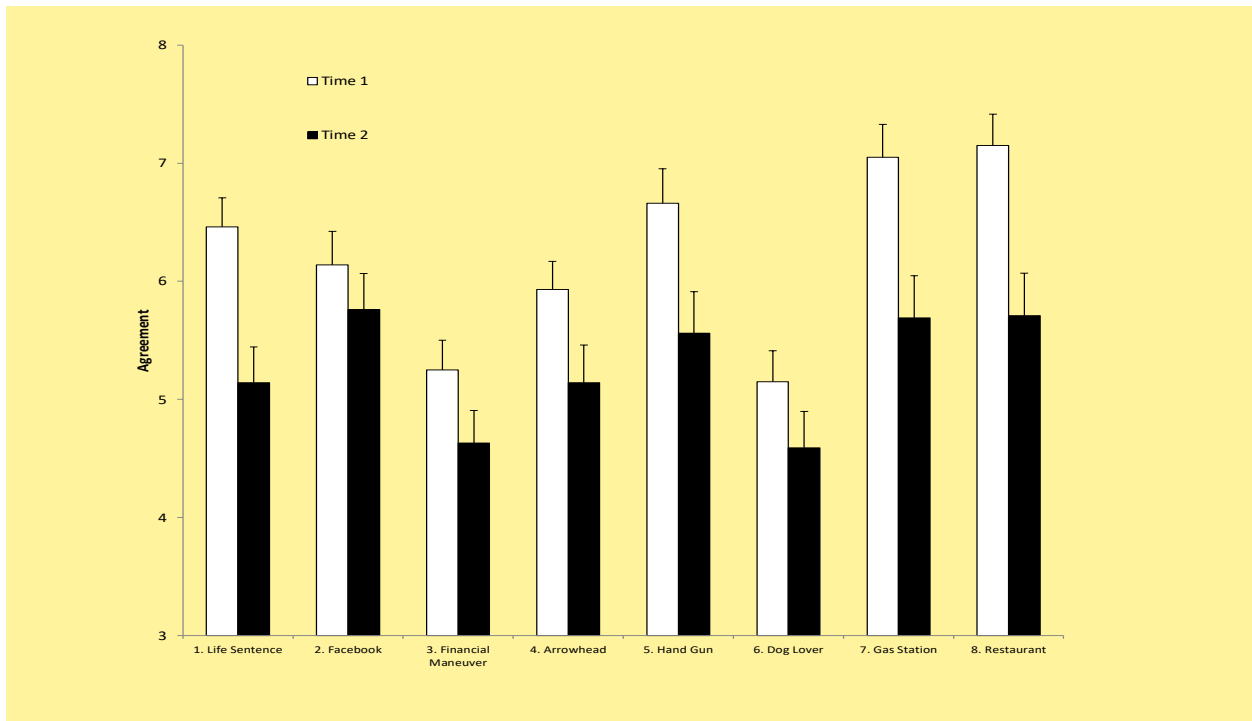


Figure 7

## Results of between-subjects study

Item	Study 2a baseline No disillusionment	Study 2b Low disillusionment	Study 2b High disillusionment
1. Life sentence means heinous	6.46 <sup>a</sup>	6.59 <sup>a</sup>	5.35 <sup>b</sup>
2. Posting condemnable	6.14 <sup>a</sup>	5.38 <sup>b</sup>	5.59 <sup>b</sup>
3. Financial move condemnable	5.25 <sup>a</sup>	5.16 <sup>a</sup>	4.34 <sup>b</sup>
4. Report arrowhead	5.93 <sup>a</sup>	5.65 <sup>a</sup>	4.95 <sup>b</sup>
5. Turn in hand gun	6.66 <sup>a</sup>	5.40 <sup>b</sup>	4.32 <sup>c</sup>
6. Report dogs violation	5.15 <sup>a</sup>	4.75 <sup>a,b</sup>	4.43 <sup>b</sup>
7. Return to gas station	7.05 <sup>a</sup>	6.63 <sup>a</sup>	5.63 <sup>b</sup>
8. Return to restaurant	7.15 <sup>a</sup>	6.47 <sup>b</sup>	5.84 <sup>c</sup>

Where two cells on a row DO NOT share the same letter, they are statistically different.

Figure 8

### OLS REGRESSION MODEL

<i>Variable</i>	<i>Willingness to Defer to the Criminal Justice System in the Future</i>	
	<i>Standardized Regression Coefficient</i>	<i>Significance Level</i>
<i>Moral Credibility</i>	.265	.002
<i>Male</i>	-.072	.395
<i>Age</i>	-.128	.148
<i>White</i>	.062	.476
<i>Education</i>	-.134	.144
<i>Household Income</i>	.017	.859
<i>Married</i>	.167	.069