

Perceptions of Sexual Assault: Effects of Victim Physiological Arousal and Victim Gender on Jurors' Decisions

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Limited research has assessed juror decision making in cases of female perpetrated sexual assault and the role played by factors such as victim's gender, physiological arousal, and participant's gender in the decision making process. Participants ($n = 215$) were presented with one of four trial vignettes that varied the perpetrator and victim's gender and victim's physiological arousal. The impact of these variables was examined on guilty verdicts rendered, credibility, and blameworthiness of the victim and accused. Results demonstrate that the male victim was blamed more than the female victim. Further, male participants viewed the male victim to be less credible than the female victim. Lastly, male participants viewed the accused to be more credible when the victim was depicted as male with signs of physiological arousal. The results reveal the disadvantages a male victim of female perpetrated sexual assault may face if he pursues his sexual assault at trial.

Keywords: sexual assault, rape myths, juror bias, gender, physiological arousal

La prise de décision par un jury en matière d'agression sexuelle perpétrée par une femme et le rôle joué par des facteurs tels que le sexe de la victime, l'excitation physiologique et le sexe du participant sont aujourd'hui peu étudiés. Deux cent quinze participants ont reçu l'une des quatre vignettes variant le sexe et l'excitation physiologique de la victime. Ces variables ont été examinées sur le blâme, la crédibilité et la culpabilité de la victime et de l'accusé. Les résultats ont montré que la victime masculine était plus blâmée que la victime féminine. Les participants masculins croyaient que la victime masculine était moins crédible que la victime féminine. Enfin, les hommes ont estimé que l'accusé était plus crédible lorsque la victime était un homme montrant des signes d'excitation physiologique. Les résultats montrent les conséquences négatives qu'un homme victime d'agression sexuelle perpétrée par une femme subira s'il porte plainte.

Mots-clés : agression sexuelle, mythes sur le viol, parti pris des jurés, genre, excitation physiologique

Within the legal system, beliefs or expectancies about a specific crime can play a detrimental role in jurors' decisions. This is especially apparent in sexual assault cases, where much of the evidence is ambiguous and circumstantial (Schuller, McKimmie, Masser, & Klippenstine, 2010). Sexual assault is defined by Canada's criminal code as "sexual contact with another person without that other person's consent" (Consolidated Federal Laws of Canada, Criminal Code, s. 271). There are approximately 460,000 sexual assaults in Canada each year, with only 5% of victims reporting their sexual assault (Canadian Association of Chiefs of Police, 2017). Even when sexual assault victims do report their assault, the legal system often has difficulty identifying and prosecuting the perpetrators. Indeed, research notes that sexual assault cases have the highest rates of acquittal and lowest rates of

guilt, compared to other offences (Allen, 2016; Boyce, 2015; Conroy & Cotter, 2017; Keighley, 2017). This may be due to the generally accepted notions held by many of those within our legal system (jurors, judges, and law enforcement officers) and their propensity to perceive victims of sexual assault in negative terms (Schuller et al., 2010). Sexual assault victims tend to be judged on factors that are outside the scope of the determination of consent and these judgements are often influenced by rape myths, which are defined as "prejudicial, stereotyped or false beliefs about rape, rape victims, and rapists" (Burt, 1980; Cadaret, Johnson, & Devencenzi, 2019), that bias the juror (Abbey, Clinton, McAuslan, Zawacki, & Buck, 2002; Abrams, Viki, Masser, & Bohner, 2003; Conroy & Cotter, 2017; Schuller et al., 2010).

The majority of research examining juror bias and rape myths has focused on female victims of male perpetrated sexual assault (Abbey et al., 2002; Abrams et al., 2003; Schuller et al., 2010; Taylor & Mouzos, 2006). These studies suggest that for a female victim of sexual assault to be considered a "true victim" by

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jurors, she has to fall within the parameters of the “genuine” rape victim. For instance, she had to be sober at the time of the assault, had to have resisted the assailant, and to have been assaulted by a stranger (Gager & Schurr, 1976; Schuller et al., 2010; Viki & Abrams, 2002). These are important studies and provide valuable information for our legal system, but the singular focus on only one type of victim (i.e., female) perpetuates the false narrative that only females are victims of sexual assaults and only men are the perpetrators (Anderson, I., 2007).

Despite limited research devoted to rape myths associated with male victims of sexual assault, the existing literature suggests that different rape myths do exist for male victims of sexual assault. Irina Anderson (2007) outlined several rape myths that prevail for male victims of sexual assault. These myths include: 1) men cannot be sexually assaulted; 2) real men can defend themselves against sexual assault; 3) only gay men are victims of sexual assault; 4) a woman cannot sexually assault a man; 5) male sexual assault only occurs in prisons; 6) if a victim does not physically resist his assaulter, he must have wanted it; and 7) physiological arousal only occurs in consensual sex. In light of this research, the focus of the present study was to ascertain how the gender of the victim and victim’s signs of physiological arousal influence both men and women’s judgements in sexual assault cases.

As mentioned, sexual assault crimes are extremely underreported (Conroy & Cotter, 2017). This is especially apparent in male sexual assault cases (Bullock & Beckson, 2011). Research has demonstrated that male sexual assault is notoriously underreported compared to its estimated prevalence, with researchers suggesting that only approximately 13% of male survivors of sexual assault will report their sexual assault (Conroy & Cotter, 2017). The exact number of sexual assaults occurring, however, is unknown. This conceivably might be due to the stigma surrounding male victims of sexual assault and the notion held that men could not be victims of sexual assault (I. Anderson, 2007). Research suggests that even when victims do report their sexual assaults, they are not always provided with sufficient resources to support them (Maddox, Lee, & Barker, 2012; Mgoqi-Mbalo, Zhang, & Ntuli, 2017; Weiss, 2010; Wyatt, Ahrens, Cabral, & Abeling, 2017). This is especially apparent for male victims of sexual assault (Beckson & Beckson, 2011).

Perhaps, the idea of male victimization, especially by a female perpetrator, directly conflicts with the concept of gender roles that ascribes men as more assertive and women as more passive (Stemple & Meyer, 2014). As a result, male victims of sexual

assault are often blamed more for their assaults (Hammond, Berry, & Rodriguez, 2011). Few empirical studies, however, have examined a male victim with a female perpetrator, with the bulk of the research using a male perpetrator.

Irina Anderson and Bissell (2011) conducted one of the few studies that have varied the gender of the victim and perpetrator. The researchers were interested in participants’ perceptions of a male victim of female perpetrated sexual assault in relation to blame and credibility attributed to the male victim. The researchers were also interested in examining if the status of the assault (strangers, acquaintances) impacted participants’ judgments. The results found that a male victim of a stranger female perpetrated sexual assault was blamed more and seen as less credible, compared to the scenario where the victim was a woman and the perpetrator was an unknown man. Interestingly, their findings indicated that the male victim of a female acquaintance sexual assault was not blamed more than the female victim of a male acquaintance sexual assault.

Another study (Pica, Sheahan, & Pozzula, 2018) presented participants with vignettes in which a female or male professor sexually assaulted a female or male student. The study manipulated the location of the sexual assault (i.e., professor’s office or at a fraternity party), as well as the presence of intoxication of the victim and the accused. Overall, the results indicated that participants judged sober female victims more favorably (i.e., more credible, less blame, more defendant guilt) than sober male victims. Female and male intoxicated victims were similarly perceived and were viewed less favorably than their sober victim counterparts.

The above-cited research helps broaden the body of work in psychology and law regarding the influence of victim and accused gender on jurors’ decisions. However, the psycho-legal literature is missing a variable whose influence on jurors’ decisions could have serious implications. To our knowledge, no study has examined how the variable of victim’s signs of physiological arousal might influence jurors’ perceptions of the victim or the validity of the sexual assault claim. The justification to study the potential influence of victim’s signs of physiological arousal on jurors’ decisions stems from the assumption that physiological arousal is only present in times of consensual sexual activity (Bullock & Beckson, 2011). Additionally, due to the male rape myth that men are always enthralled by sex (Anderson, I., 2007), the male victim’s sign of physiological arousal is predicted to heighten participants’ acceptance of this myth and perceive the victim as being excited by this incident. This assumption seems to have entered the

legal system, as suggested by a Canadian case in 2004, where the court held that maintaining an erection may be reasonably interpreted as consent (*R. v. R.J.S.*, 2004, pp. 113-114). Physiological arousal, however, is only partially under voluntary control and is known to occur during times of extreme duress, in the absence of sexual pleasure (Giuliano & Clement, 2005). Bullock and Beckson (2011) have studied the issue of physiological arousal and suggest anxiety can cause physiological arousal. This contention is supported by several researchers who propose that involuntary physiological arousal can occur in the context of non-consensual, receptive anal or vaginal sex (Feldman, 1951; Gager & Schurr, 1976; Gerger, Kley, Bohner, & Siebler, 2007; Giuliano & Clement, 2005). The indication of physiological arousal in the absence of sexual pleasure is supported by Sarrel's (2002) collection of case reports describing several cases of men forcibly sexually assaulted, who nevertheless maintained erections during the assault. Yet, many judiciary systems in North America attest to the assumption that penile erection implies consent (Bullock & Beckson, 2011). If, as research suggests, arousal is not under human control and can occur in times of stress, for instance during a sexual assault (e.g., Bullock & Beckson, 2011), then the legal system should be apprised of the full strength of this rape myth and its potential influence on jurors, to ensure fair trials.

In summary, the above research demonstrates the strong influence that rape myths can have on people's perceptions of sexual assault. The *Rape Myth Acceptance Scale* was developed to measure individuals' endorsement of rape myth acceptance (RMA) in relation to female victims of sexual assault (Bohner, Danner, Siebler, & Samson, 2002; Payne, Lonsway, & Fitzgerald, 1999; McMahon & Farmer, 2011). To date, there is little research on the conceptual factors underlying the acceptance of rape myths regarding male victims of sexual assault, or the specific attitudes that might predict them. Nor, to our knowledge, does a scale exist that measures male rape myth acceptance.

Studies regularly report, however, that men tend to have higher scores on the *RMA Scale* than women (Chapleau, Oswald, & Russell, 2008; Davies, Pollard, & Archer, 2006). At this time, the exact reasons for why men score higher on the *RMA Scale* than women are not fully understood, but previous research examining participants' gender on perceptions of victims of sexual assault has consistently found that men blame victims more than women do (Chapleau et al., 2008; Davies et al., 2006).

The present study sought to examine the potential relationship between rape myths and how decisions

regarding guilt, blame, and credibility are influenced by the gender of the victim, the accused, and the participant due to previously established research suggesting that men are more likely to accept rape myths than women. Specifically, the study focused on the rape myths that men cannot be sexually assaulted by women and that physiological arousal only occurs in consensual sex. No previous study has examined the variable of the victim's sign of physiological arousal on jurors' decisions. Further, there is a paucity of research within the Psychology and Law field that examines both male and female victims and how jurors (both men and women) would respond to varying genders of the same victim of a sexual assault. As such, the current study contributes to the growing body of literature on juror decision making by examining how the gender of the victim, gender of the participant, as well as the victim's signs of physiological arousal influence juror decision making in sexual assault cases. The decision was made to tie the gender of victim and gender of accused to one another, whereby target gender was a function of perpetrator gender. The justification for this decision will be explained in more detail within the "Trial Material" in the Methods section.

Objectives

The objectives of the present study were:

1. To identify if male victims of female perpetrated sexual assault are judged differently than female victims of male perpetrated sexual assault.

Hypothesis 1a. In accordance with previous research (I. Anderson & Bissell, 2011; Pica et al., 2018) in which results indicated that male victims were blamed more and held less credible than female victims, it is hypothesized that male victims compared to female victims would be viewed as less credible and more blameworthy overall, regardless of condition.

Hypothesis 1b. In further accordance with these past studies, which also found less guilty verdicts when the victim was depicted as male compared to female, the present study hypothesizes that fewer guilty verdicts would be found when the victim was depicted as male compared to female.

2. To identify if the presence of physiological arousal affects jurors' decisions.

Hypothesis 2a. As previously mentioned, there is a false assumption that physiological arousal equates with enjoyment. As such, an interaction between victim gender and physiological arousal was predicted where male victims who showed signs of physiological arousal would be blamed more than

their female victim counterparts and would be viewed as less credible by both men and women participants.

Hypothesis 2b. It was predicted that physiological arousal would have more of an influence on decisions regarding male victims than female victims, due to men's physiological arousal (erection) being more evident and visible compared to women's physiological arousal (wetness). As such, it was predicted that physiological arousal would not impact perceptions regarding female victims of sexual assault.

3. To identify if men and women judge victims differently.

Hypothesis 3. In accordance with previous research (Chapleau et al., 2008; Davies et al., 2006), men compared to women will render less guilty verdicts and view the victim more negatively and the perpetrator more positively in terms of blame and credibility, when the victim was portrayed as a male compared to a female.

Methods

Procedure and Participants

Given the sensitive nature of the topic, the decision was made to use a web-based survey, which has been found to reduce the likelihood of socially desirable responding (Booth-Kewley, Edwards, & Rosenfeld, 1992). Research ethics approval was obtained from the University's Human Participant Review Subcommittee. Participants were recruited from an undergraduate research participant pool. Because of the potential stress that reading about a sexual assault could engender, participants who had shared that they experienced a sexual assault through the undergraduate research participant pool were restricted from participation. After signing the informed consent, participants received a stimulus package that contained the initial instruction sheet asking them to assume the role of a juror for the duration of the study, the trial summary, and the dependent measures. Upon completion, they were provided with a debrief form explaining the nature of the study. The study required approximately 30 minutes to complete and in return for their participation, participants received partial course credit.

Participants ($n = 215$; 106 men, 109 women) were randomly assigned to one of four conditions. The assignment was done separately for men and women to ensure an equal proportion of men and women per condition. Table 1 presents the breakdown of male and female participants in the four conditions. All participants were jury eligible (i.e., 18 years of age).

Table 1

Breakdown of Participants by Gender per Condition

Condition	Men	Women	Total
Male Victim-Female Perpetrator			
Physiological arousal	26	29	55
No physiological arousal	24	28	52
Female Victim-Male Perpetrator			
Physiological arousal	32	23	55
No physiological arousal	24	29	53
Total	106	109	215

The average age of participants was 20 ($M_{\text{age}} = 19.6$, $SD = 3.47$). The sample showed a wide range of ethnic diversity, with 16.7% identifying as South Asian, 36.1% identifying as North American, 12.1% as East Asian, 9.7% as Caribbean, 6.9% as African, 4.6% as Eastern European, 3.7% as Latin American, 8.8% as South East Asian, 16.7% as Western European, 12% as West Asian/Arab, and 3.7% identifying with a different ethnicity. The sample also showed wide diversity in religious affiliation with 34.7% identifying as Catholic, 24.5% identifying as Atheist/Agnostic, 11.6% as Muslim, 3.2% as Sikh, 5.1% as Hindu, 2.8% as Buddhist, 2.8% as Jewish, and 12% identifying with a different religious faith.

Trial Materials

Men and women were provided with one of four hypothetical trial summary vignettes depicting an acquaintance sexual assault involving either a male accusing a female of sexual assault or a female accusing a male of sexual assault. The four vignettes were identical with the exception of the victim and the accused's gender and the victim's arousal. Within these conditions, half of the participants were informed that the victim was Lauren and the accused was Ted, while the other half were told that the victim was Ted and the accused was Lauren. Within these conditions, half of the participants were informed that the victim (Ted or Lauren) displayed physiological arousal during the event (i.e., erection or genital area wet), while the other half were given no information regarding victim's physiological arousal. Physiological arousal was indicated in the trial summary by the perpetrator. In the male victim arousal condition the trial summary stated, "According to Lauren, Ted seemed to really enjoy the kissing and had an erection." The trial summary in the female victim arousal condition stated, "According to Ted, Lauren seemed to really enjoy the kissing and that, in

fact, her genital area was very wet.” The variables of gender of victim and gender of accused were tied to one another, whereby victim gender was a function of perpetrator gender. Therefore, when the victim was depicted as a man, the perpetrator was always depicted as a woman, and when the victim was depicted as a woman, the perpetrator was always depicted as a man. If the perpetrator’s gender had varied, it would have resulted in conditions that included same-sex sexual assault. This form of sexual assault has its own rape myths (Carlson, 2013; Davies, Gilston, & Rogers, 2012; White & Kurpius, 2002). As such, inclusion could have influenced the participants’ perceptions instead of the variable of interest, victim gender. All vignettes explicitly stated that both the victim and the accused abstained from drinking on the night in question and that the victim and accused briefly knew each other (the accused was a frequent visitor of the victim’s workplace). This information was provided in an attempt to avoid the inclusions of two pre-established rape myths; namely, the stranger myth and the alcohol rape myth. The stranger myth is the idea that only a stranger can commit a sexual assault (Abrams et al., 2003; Lonway & Fitzgerald, 1994). The alcohol rape myth asserts that a victim has to be sober at the time of their assault to be considered a “true victim of sexual assault” (Abbey et al., 2002; Lonway & Fitzgerald, 1994; Schuller & Wall, 1998).

Dependent Measures

Unless otherwise indicated, the dependent measures were assessed using 7-point Likert scales with the endpoints defined by either the wording of the item (*not at all appropriate* to *completely appropriate*) or participants’ degree of agreement (*not at all* to *completely*). The measures tapped guilty verdicts rendered, perceptions of given consent, credibility of both the alleged victim and the accused, and blame attributed to the alleged victim and the accused. All measures are discussed more fully below.

Guilt Assessment. Participants were asked to render a verdict (guilty, not guilty) and to rate their confidence in this decision. Guilty verdicts were assigned a score of +1 and non-guilty verdicts were assigned a score of -1. This value was then multiplied by their confidence rating in this decision. This measure formed a continuous scalar measure of guilt that ranged from +7 (*complete confidence in a guilty verdict*) to -7 (*complete confidence in a not guilty verdict*) ($\alpha = .83$). This continuous measure of guilt, originally developed by Kassin and McNall (1991), is a more sensitive measure than that of the dichotomous one and is commonly used by jury researchers (Bornstein et al., 2017; Erentzen, Schuller, & Gardner, 2018; McKimmie, Newton, Schuller, & Terry, 2013).

Case judgments. Participants’ views concerning various aspects of the case were examined along several dimensions. Specifically, participants were given separate questions designed to measure the degree of appropriateness of the two targets’ behaviours, as well as their degree of blameworthiness (e.g., *To what extent was Lauren’s behaviour on the night in question appropriate?*) and their credibility (e.g., *To what extent do you believe Lauren’s claims?*). Fourteen items in total were measured blameworthiness allocated towards the victim and accused (7 items per the two targets’ behaviours). Each of the seven items was combined and averaged to create a composite measure of victim blameworthiness and accused blameworthiness ($\alpha = .82$, for both the victim and the accused). The credibility measures combined eight items in total, tapping the targets’ credibility, as well as their claims (four questions designed to tap victim credibility and four questions to tap accused credibility). These four items were combined and averaged for the victim and accused to create composite measures of credibility ($\alpha = .81$, for complainant and accused, respectively). Finally, participants answered three questions designed to measure their attitudes surrounding the nature of the alleged victim’s consent (e.g., *To what extent did Lauren/Ted consent?*). The three items were combined and averaged to create a composite measure of consent ($\alpha = .83$).

Manipulation Checks. Participants were asked three questions regarding the manipulations of the independent variables (gender of victim, gender of accused, and victim’s physiological arousal). Participants, in a closed-ended response format, were asked the following: *Who is being accused of sexual assault? What is the name of the alleged victim?* Further, a question was posed regarding the physical arousal of the victim (i.e., Lauren testified that Ted had an erection, or this information was not provided).

In order to ensure participants were paying attention to the case, two other questions asked facts that were constant in all conditions. In the trial vignettes, it was directly stated that Lauren and Ted abstained from drinking on the night in question. A question asked participants if Ted and Lauren had been drinking that night. The other question asked where Lauren and Ted met each other. Finally, to assess if participants were paying attention, three random responding items were inserted throughout the questionnaire instructing participants to select a particular number on the 7-point Likert scale.

Rape Myth Acceptance Scale. Participants completed ten items from the *Rape Myth Acceptance Scale* (Bohner et al., 2002) which assesses a person’s

endorsement of various rape myths (e.g., *When girls get raped, it's often because the way they said "no" was unclear*). All questions were scored on a 7-point Likert scale. A composite measure of RMA was created by summing and averaging the scores across the items ($\alpha = .88$).

Results

Manipulation Checks. We examined the manipulation checks and the RMA before turning to the analyses. The results of the manipulation checks for the three target-independent variables revealed that a total of 25 participants incorrectly reported the victim's gender ($n = 13$) and the accused's gender ($n = 12$), but the decision was made to include these participants due to their correct answers regarding the case specifics (e.g., where the victim and accused met) and the random responding questions. It can be inferred from these results, however, that the rape myth that men cannot be victims of sexual assault perpetrated by a female is strong enough to influence participants' recall of the event. They were explicitly told the victim was a man, yet despite getting other details of the case correct, they answered incorrectly regarding the victim and accused's gender.

Results of the manipulation check question to measure participants' recognition of the victim's state of physiological arousal revealed that more participants in the male victim-no-arousal condition ($n = 9$) believed the victim had shown signs of physiological arousal, despite this information not being provided. In comparison, only one participant believed the female victim showed signs of physiological arousal in the female victim-no-arousal condition. Fourteen participants got the identification of the victim and perpetrator manipulation question correct, yet got the arousal manipulation question wrong. The decision to include these participants in the analysis was based on the fact that these participants were not inattentive, but perhaps believed that arousal is necessary for a sexual event to occur.

Analysis of the question regarding if Lauren and Ted had been drinking that night revealed that 41 participants believed that Lauren and Ted were drinking that night, despite being explicitly told that both abstained from alcohol. These 41 participants answered the remaining manipulation and discrimination questions correctly, thus the decision was made to include these participants within the analysis. It is suggested that the association of alcohol with sexual assault is such a widely prevalent rape myth (Schuller & Wall, 1998) that participants could not help but believe that if a sexual assault occurred, alcohol must have been involved.

Analysis of the three random responding items

revealed that two participants answered at least one of these three questions incorrectly and were excluded from the subsequent analyses as they demonstrated inattentive responding.

RMA. Analysis of RMA revealed a gender effect, where male participants had higher RMA ($M = 3.54$, $SD = 0.86$) scores compared to female participants ($M = 3.02$, $SD = 1.24$), $F(1, 118) = 7.63$, $p = .007$, $\eta^2 = .97$. As such, the decision was made to use RMA as a covariate in the analysis of variance.

Analyses of Main Measures. To investigate the impact of the manipulated variables on participants' perceptions of the case, the continuous dependent measures (i.e., scalar measure of guilt, degree of consent, credibility and blameworthiness of the victim and accused) were examined via a 2 (Victim Gender: male victim, female victim) by 2 (Physiological Arousal: present, absent) by 2 (Participant Gender: male, female) ANCOVAs using RMA as the covariate. ANCOVA was chosen as the measure of analysis due to its ability to reveal the influence of the different variables once removing the influence of the covariate. To maintain our experimental Type 1 error rate at .05, the present study employed a Bonferroni correction, making the significance threshold .025. The decision was made to use Howell's (2006) recommendation that only independent variables that are manipulated by the researchers are to be included in the Bonferroni correction.

The results displayed in Table 2 provide support for hypothesis 1a regarding participants blaming the male victim more than the female victim. This is illustrated by the significant main effect for victim gender on the measure of victim blame, $F(1, 204) = 5.25$, $p = .005$, $\eta^2 = .04$. As predicted, the male victim of a female perpetrated sexual assault was blamed more ($M = 4.04$, $SD = 0.15$) than the female victim of the male perpetrated sexual assault ($M = 3.53$, $SD = 0.15$). The results did not support hypothesis 1a regarding victim credibility. There were no significant main effects found for victim gender on the measures of victim credibility $F(1, 204) = 4.15$, $p = .043$. The male victim was not found to be less credible ($M = 4.21$, $SD = 1.28$) than the female victim ($M = 4.60$, $SD = 1.37$).

The current findings did not support hypothesis 1b that less guilty rating would be provided to the male victim ($M = .90$, $SD = 5.19$) compared to the female victim ($M = .33$, $SD = 5.51$) of the sexual assault case, $F(1, 204) = 0.04$, $p = .847$.

The study was also interested in examining if the presence of signs of physiological arousal in victims would affect jurors' decisions. Hypothesis 2a posited that male victims with signs of physiological arousal

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Table 2

Results of ANCOVAs on Scalar Measure of Guilt, Degree of Consent, Victim Blame, Victim Credibility, Accused Blame, Accused Credibility

Source	$F(\eta^2)$				
	Scalar Measure of Guilt	Victim Blame	Accused Blame	Victim Credibility	Accused Credibility
Main effects					
VG	0.04	5.25* (.04)	0.54	4.15	0.66
VPA	0.52	0.77	0.81	0.16	1.52
PG	2.69	0.72	0.04	0.40	0.60
Interactions					
VG X VPA	0.26	1.03	0.22	0.83	0.759
VG X PG	0.04	0.15	0.08	1.53* (.01)	0.84
VPA X PG	0.03	0.07	0.67	0.40	0.002
VG X VPA X PG	1.51	0.08	0.10	5.42* (.05)	3.40

Note. VG = Victim Gender. VPA = Victim Sign of Physiological Arousal. PG = Participant Gender. * $p < .25$.

would be blamed more and seen as less credible compared to male victims without signs of physiological arousal and all conditions of the female victim. Hypothesis 2b predicted that physiological arousal would have more of an influence on decisions regarding male victims than female victims of sexual assault. Results only supported both of these hypotheses with regard to credibility. The results revealed a significant three-way interaction between the victim’s gender, participants’ gender, and victim’s signs of physiological arousal on the measure of accused credibility, $F(1, 204) = 5.42, p = .002, \eta^2 = .05$. As such, when signs of physiological arousal were present for the male victim, male participants judged the accused to be more credible ($M = 4.52, SD = 0.38$) than when signs of physiological arousal were present for the female victim ($M = 3.63, SD = 0.34$) or when the male victim had no signs of physiological arousal ($M = 3.72, SD = 0.39$). In contrast, men judged the accused’s credibility rather similarly when the female victim was aroused ($M = 3.44, SD = 0.30$) or not aroused ($M = 3.81, SD = 0.37$).

No main effects or interactions were revealed for the victim’s gender, and the victim’s signs of physiological arousal on the measures of victim blame $F(1, 204) = 1.03, p = .312$. As such, victim blame did not significantly differ between the male victim with signs of physiological arousal ($M = 3.81, SD = 0.20$) and the female victim with signs of physiological arousal ($M = 3.39, SD = 0.18$) nor between the male victim without signs of physiological arousal ($M = 4.11, SD = 0.19$) and the female victim without signs of physiological arousal ($M = 3.51, SD = 1.98$). No significant main effects or interactions were revealed for the victim’s gender and the victim’s signs of physiological arousal on the measures of accused

blame $F(1, 204) = 0.22, p = .643$. The victim depicted as a male with signs of physiological arousal ($M = 4.22, SD = 0.26$) or without signs of physiological arousal ($M = 4.29, SD = 0.25$), or female with signs of physiological arousal ($M = 4.58, SD = 0.18$) or without signs of physiological arousal ($M = 4.74, SD = 0.19$) did not attribute to significantly different amounts of accused blame. Lastly, no significant main effects or interactions were revealed for the victim’s gender and the victim’s signs of physiological arousal on the measures of victim credibility $F(1, 204) = 0.09, p = .759$. Consequently, the victim depicted as a male with signs of physiological arousal ($M = 4.03, SD = 0.23$) or without signs of physiological arousal ($M = 4.26, SD = 0.22$), or female with signs of physiological arousal ($M = 4.61, SD = 0.17$) or without signs of physiological arousal ($M = 4.50, SD = 0.17$) did not attribute to significantly different amounts of victim credibility.

Results supported Hypothesis 3 in regard to credibility by revealing a significant interaction between participants’ gender and victims’ gender on the measure of victim credibility, $F(1, 204) = 1.53, p = .022, \eta^2 = .009$. The results suggest that the amount of credibility attributed towards the victim was a function of the participant’s gender, in particular males. As predicted, male participants found the victim to be less credible ($M = 3.8, SD = 0.23$) than did female participants ($M = 4.5, SD = 0.21$). The results, however, did not fully support hypothesis 3 in regards to guilty verdicts, blame attributed to the victim or the accused, or credibility attributed to the accused. No significant main effects or interactions were found for victim’s gender and participants’ gender on the measures of accused credibility $F(1, 204) = 0.84, p = .773$, whereby accused credibility did

not significantly differ for the male victim for male participants ($M = 4.10$, $SD = 0.25$) or female participants ($M = 3.10$, $SD = 0.23$), or between the female victim for male ($M = 3.92$, $SD = 0.18$) and female participants ($M = 3.80$, $SD = 0.19$). Nor were significant main effects or interactions found for the measure of victim blame, $F(1, 204) = 0.15$, $p = .098$, regarding the male victim for both male participants ($M = 4.21$, $SD = 0.23$) and female participants ($M = 3.76$, $SD = 0.22$) or when the victim was depicted as female for male participants ($M = 3.71$, $SD = 0.17$) and female participants ($M = 3.14$, $SD = 0.17$).

Lastly, no significant main effects or interactions were found on the measure of accused blame $F(1, 204) = 0.08$, $p = .774$, for when the victim was depicted as male for the male participants ($M = 4.01$, $SD = 0.26$) and female participants ($M = 4.51$, $SD = 0.19$) or when the victim was depicted as female for male participants ($M = 4.51$, $SD = 0.25$) and female participants ($M = 4.84$, $SD = 0.21$).

Discussion

No previous studies have assessed how men and women's judicial decisions in cases of female perpetrated sexual assault are influenced by having a male victim accuse a female of sexual assault and the role that physiological arousal of the victim plays on such decisions. Results of the present study illustrate that victim's gender, gender of the participants, and victim's signs of physiological arousal can play a multifaceted role in shaping observers' perceptions of sexual assault and legal decisions. The results from each hypothesis will be discussed in more detail below.

Hypothesis 1

The first research objective the researchers were interested in examining was whether jurors would judge male victims of female perpetrated sexual assault differently, in terms of blameworthiness and credibility, than female victims of male perpetrated sexual assault. The researchers expanded on previous research, which found that male victims are blamed more and viewed as less credible compared to their female counterparts. The present study, however, wanted to avoid including the pre-established rape myths that a victim needs to be sober and assaulted by a stranger in order to be viewed as credible and not blamed for the assault. Thus, participants were provided with a hypothetical acquaintance sexual assault, which purposely instructed participants that both the victim and the accused restrained from drinking the night in question. As such, Hypothesis 1a predicted male victims compared to female victims would be viewed as less credible and more

blameworthy overall, regardless of the condition. This hypothesis was partially supported. The present study found no significant effects for victim's gender on the measure of victim or accused credibility. More research is warranted to fully understand these results' outcomes. Nevertheless, the present study's results revealed a main effect for victim's gender on the measure of victim blame. These results demonstrate that the male victim was blamed more than the female victim, regardless of whether or not physiological arousal was present. Consistent with prior research (Pica et al., 2018), the results of the present study demonstrate that male victims were judged more negatively in terms of blame than female victims by both male and female participants.

The literature's focus on male perpetrated sexual assault of a female is well placed given its prevalence in our society however, this serves to marginalize other forms of sexual assault. The predominant focus by research on this one form of sexual assault helps perpetuate the notion that male sexual victimization committed by a woman is rare, and as such, facilitates its exclusion from the sexual assault discourse, research, and services. It may also help explain the present study's results, where male victims were blamed more, and their female perpetrators were blamed less, perhaps due to participants not perceiving that a man can be a victim of a female perpetrator.

The present study hypothesized that less guilty verdicts would be rendered towards the male victim of sexual assault and participants would be more confident in these verdicts. The present results did not support this hypothesis. Perhaps, participants were more aware of the issue of sexual assault, due to Canadian Universities' mandatory frosh week workshops on consent (Chung, 2015). Pica and Pozzulo (2017) examined if sexual assault familiarity influences mock jurors' decision making in terms of guilt verdicts in sexual assault cases. The results suggest that sexual assault familiarity does have the potential to influence mock jurors' decisions on guilt verdicts. Relating Pica and Pozzulo's (2017) findings to the present study, perhaps the non-significant guilt verdicts may be elucidated by the participants being familiar with sexual assault due to the mandatory frosh week education program. More research is warranted to examine the underlying causes of these results.

Hypothesis 2

The second research question proposed to examine the variable of a victim's signs of physiological arousal, which has never been empirically studied within the context of decision making in sexual assault cases. Given the often-held assumption that physiological arousal implies enjoyment, it was

predicted, within hypothesis 2a, that victims displaying signs of physiological arousal would be blamed more than victims without signs of physiological arousal. It was further predicted, within hypothesis 2b, that the male victim would be viewed as more blameworthy and seen as less credible by both male and female participants. These hypotheses were not fully supported, with statistical significance only occurring on the measure of perpetrator credibility. Nevertheless, important findings were made regarding the influence of this variable on both men and women's decision making in sexual assault cases. The results from the three-way interaction for the measure of perpetrator credibility allude to the idea that men believe in the rape myth that arousal indicates consent and enjoyment. When arousal was present for the male victim, men found the accused more credible than when it was absent. The results suggest that perhaps, this rape myth is more salient for male victims than for female victims. As predicted, it is possible that participants in the current study viewed arousal to be more evident for men than women. It is conceivable that this is due to erections being visible to perpetrators of sexual assault, whereas female arousal (i.e., wetness) may be harder to judge.

In accordance with previous research (Pica et al., 2018), female victims in the present study were judged more positively compared to male victims. This is illustrated by men judging the perpetrator as more credible when the victim was depicted as a man with signs of physiological arousal as compared to a woman with signs of physiological arousal. Humans may not be in conscious control of their physiological arousal, and as such, its presence or absence is not an indicator of perpetrator credibility. In accordance with previous research, there are numerous sound reasons why someone may be aroused that have nothing to do with enjoyment or consent. (Feldman, 1951; Giuliano & Clement, 2005; Sarrel, 2002). However, as the present study demonstrates, perpetrators with victims who displayed physiological signs of arousal will be seen as more credible by both men and women, and will be seen as even more credible if their victim was a male.

Hypothesis 3

The third question of interest in the present study was to examine if men and women judge victims differently. In harmony with previous research (Chapleau et al., 2008; Davies et al., 2006), it was predicted that men compared to women would judge the male victim more negatively and the perpetrator more positively. The third hypothesis was confirmed with regards to its credibility predictions: male participants held the male victim as less credible than did female participants.

The current study implies that the extent to which a sexual assault victim will be seen as credible is dependent upon the victim's and participants' gender. This is illustrated by the two-way interaction involving victim gender and sex of participants on the measure of victim credibility. Men judged the male victim as less credible than they judged the female victim and judged the victim overall as less credible than women did.

The third hypothesis was however not confirmed in terms of participant gender influence on the measures of guilty verdicts, blame attributed to the victim and accused, or accused credibility. Perhaps, in accordance with hypothesis 1b, guilty verdicts were not significant because participants were more aware of issues of sexual assault due to Canadian universities' mandated sexual assault awareness workshops (Chung, 2015). Research conducted by Rothman and Silverman (2007) suggests that students who partake in these programs are more likely to answer in a socially desirable manner in terms of guilt rendered towards an accused. In accordance with Rothman and Silverman's findings, it is conceivable that due to the sexual assault programs, participants in the present study answered in a socially desirable manner. Additional research is merited to examine the underlying causes of these results.

Perhaps, accused credibility was not significant for participant gender due to Benevolent sexism which refers to an evaluation of gender that appears positive in tone but is damaging to gender equality (Abrams et al., 2003)—for instance, believing that women are nurturing. This assumption, in turn, is used to blame women who choose not to have children because those who hold these benevolent sexist notions see these women as acting against the stereotype of their gender (Abrams et al., 2003). Benevolent sexism has been associated with men not viewing women as being credible (Abrams et al., 2003). These findings raise imperative questions regarding the importance of the gender distribution of juries in trials of sexual assault. As well, they open the door for future research to examine benevolent sexism's role on the victim and accused credibility in juror decision making.

It remains of interest as to why participant gender was non-significant on the measures of victim and accused blame. More research and replication of the present study is warranted to assess if the results would change if community members were used as participants rather than undergraduates. University students tend to represent a more educated and liberal population (Jaschik, 2016), and are more likely to be exposed to sexual assault education and information regarding consent and victim blame within their fresh week activities (Chung, 2015). Linda A. Anderson and

Whiston (2005) conducted a meta-analysis of the effectiveness of college sexual assault educational programs on rape attitudes and blaming attitudes, albeit the study did not specify if blame was towards the victim, the accused or both. Nevertheless, their results revealed that any form of intervention exposure lowered blaming attitudes, although longer sexual assault interventions are more effective than brief interventions for combating rape attitudes. Perhaps, Linda A. Anderson and Whiston's findings can explain why, in the current study, these mandatory sexual assault workshops did not appear to influence participants' credibility ratings for the victim. Credibility ratings are associated with rape attitudes (Wierzbicki, 2018). Perhaps, due to the short time frame of intervention during a university's frosh week (approx. 1-week duration), it is too brief to make a large enough influence on students' rape attitudes such as credibility ratings, but it is long enough to reduce blameworthiness. This, seemingly, helps to explain why in the present study, victim and accused blame was not significant but credibility was. As such, more research is warranted to assess the validity of these workshops and their influence on mock juror decision making in sexual assault cases for both the victim and the accused.

Conclusion

The present study found that extralegal factors such as victims' gender, participants' gender, and victims' signs of physiological arousal, in particular a male victim of female perpetrated sexual assault with signs of physiological arousal, may be influencing jurors' (especially males) interpretations of the event.

Limitations and Directions for Future Research.

In closing, several caveats of the present study must be noted. While the study employed a realistic trial simulation, participants completed the study in their own homes and were only exposed to a written summary of the case. They were not required to take part in juror deliberations with other participants. On this latter note, however, research has demonstrated that different modes of presentation have little impact on studying the variable of gender (Hanel & Vione, 2016).

As previously mentioned, physiological arousal was indicated in the trial summary by the perpetrator. In the male victim arousal condition, the trial summary stated, "According to Lauren, Ted seemed to really enjoy the kissing and had an erection." The trial summary in the female victim arousal condition stated, "According to Ted, Lauren seemed to really enjoy the kissing and that, in fact, her genital area was very wet." Whereas, in the no arousal condition this information was omitted. It is conceivable that participants did not believe the perpetrator that the

victim was aroused, and as such did not use it to aid in their assessments of the case.

Additionally, a potential limitation of the current study might have been including the participants who got the alcohol manipulation wrong, as perhaps their believing that alcohol was involved influenced their judgments of the case and the results. Future studies should either exclude those who get this manipulation wrong or include alcohol consumption as a variable of interest.

As stated earlier, the variables of victims' gender and perpetrators' gender were tied together. Consequently, the accused's gender was not fully crossed. This decision was made to mediate against rape myths associated with same-sex sexual assaults from influencing the present study. The goal of the present study was to ascertain how the gender of victims and victims' arousal influence men and women's decision making in sexual assault cases, with a special focus on the differences between male victims of female perpetrated sexual assault and female victims of male perpetrated sexual assault. By fully crossing perpetrator gender and creating conditions of same-sex sexual assault, this goal could have been influenced by confounds such as homophobia and the belief that female on female sex is "sexy and just a phase" (Carlson, 2013). Same-sex sexual assault is prevalent in today's society (Rothman, Exner, & Baughman, 2011) and research is certainly required to investigate decision makers' judgments around these cases, as well as to examine whether fully crossing the variable of perpetrators' genders would alter the findings of the current study.

Social Implications. The issue of a victim's gender becomes imperative when we realize that due to the underreporting of male victims of female perpetrated sexual assault and its previous exclusion from the literature, there is no known data on its prevalence. With that said, the present study endeavoured to bring male victims of female perpetrated sexual assault to the conversation pertaining to sexual assault, in the hopes of opening the door to more research about this underrepresented population.

The issue of a victim's signs of physiological arousal becomes a variable of interest when we realize that people are not necessarily in control of their outward expressions of arousal. As indicated by research, signs of physiological arousal can become apparent in times of stress. An unwarranted sexual encounter would cause a multitude of stress, and there is no way to definitively prove that one is aroused due to sexual attraction or as a consequence of stress (Giuliano & Rampin, 2004; Sarrel, 2002). As such, physiological signs of arousal should not be used as an

indicator of consent. As revealed by the present study, if a male victim showed signs of arousal, decision-makers (especially males) viewed the perpetrator as more credible. This can have damaging effects on the rendering of fair trials and outcomes. Future research should continue to examine the variable of victim's signs of physiological arousal on juror decision making and include other indicators of arousal. Erection and wetness are good indicators of sexual arousal, but a victim can also have an orgasm or an ejaculation. Therefore more research is warranted to examine all variations of the forms of physiological arousal to continue to understand the full impact of this variable on jurors' decisions.

A number of important findings emerged from the study that demonstrate the disadvantages a male victim of sexual assault with signs of physiological arousal faces if he pursues his sexual assault claim at trial. Results indicate that participants, mainly males, were making their decisions about the victim and the perpetrator, in the current case of sexual assault, based on the victim's gender and the victim's signs of physiological arousal.

Overall, the results of the present study illustrate that male victims of female perpetrated sexual assault with signs of physiological arousal will be judged more negatively in terms of blameworthiness and credibility and their accuser will be judged more positively, especially if their jury is made up of more men than women.

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