

THE ROLE OF SCHEMA CONGRUENCE IN MOCK JURORS' JUDGMENTS OF
SEXUAL ASSAULT CASES

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by
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Abstract

THE ROLE OF SCHEMA CONGRUENCE IN MOCK JURORS' JUDGMENTS OF CAMPUS SEXUAL ASSAULT CASES

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People use schemas to categorize their informational world. Schemas allow us to appraise a current social situation, or to predict future social behaviors; schemas are cognitive shortcuts that can lead to stereotyping and other forms of overgeneralizations about individuals or groups. For example, “real rape” schemas are informed by traditional gender roles, the traditional sex script, and rape myths. These schemas reflect the belief that “real rape” occurs between strangers in a sudden and violent assault, and as such, there is no doubt the alleged victim was raped. This is problematic, because most rapes do not adhere to this schema. Moreover, researchers have consistently shown that jurors are reluctant to convict in rape cases, leading to rape having the lowest rates of proven guilt than any other crime. This study examined how mock jurors’ legal judgments differ in hearing a rape case that is schema-congruent, compared to schema-incongruent. Legal judgments included a dichotomous verdict, as well as continuous ratings of perpetrator guilt, and victim blame and credibility. A significantly larger proportion of mock jurors rendered a guilty verdict in the schema-congruent condition. Further, mock jurors’ ratings of victim credibility partially

mediated the relationship between case type and verdict. Results replicate prior findings that jurors access stereotypes to render more punitive judgments in a stereotype-congruent case, and further suggest that the driving mechanism in the relationship between schema congruency and punitiveness is perceptions of victim credibility.

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Dedication

I dedicate this thesis in memory of my grandmother, Claudia Blackwood (d. October 10, 2018), whose unconditional support and encouragement allowed for my graduate education to become a possibility.

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The Role of Schema Congruence in Mock Jurors' Judgments of Sexual Assault Cases

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Abstract

People use schemas to categorize their informational world. Schemas allow us to appraise a current social situation, or to predict future social behaviors; schemas are cognitive shortcuts that can lead to stereotyping and other forms of overgeneralizations about individuals or groups. For example, “real rape” schemas are informed by traditional gender roles, the traditional sex script, and rape myths. These schemas reflect the belief that “real rape” occurs between strangers in a sudden and violent assault, and as such, there is no doubt the alleged victim was raped. This is problematic, because most rapes do not adhere to this schema. Moreover, researchers have consistently shown that jurors are reluctant to convict in rape cases, leading to rape having the lowest rates of proven guilt than any other crime. This study examined how mock jurors’ legal judgments differ in hearing a rape case that is schema-congruent, compared to schema-incongruent. Legal judgments included a dichotomous verdict, as well as continuous ratings of perpetrator guilt, and victim blame and credibility. A significantly larger proportion of mock jurors rendered a guilty verdict in the schema-congruent condition. Further, mock jurors’ ratings of victim credibility partially mediated the relationship between case type and verdict. Results replicate prior findings that jurors access stereotypes to render more punitive judgments in a stereotype-congruent case, and further suggest that the driving mechanism in the relationship between schema congruency and punitiveness is perceptions of victim credibility.

Keywords: sexual assault, schemas, juror-level decision making

The Role of Schema Congruence in Mock Jurors' Judgments of Sexual Assault Cases

Sexual violence is a large-scale societal issue. According to prevalence rates, one in five women experience sexual violence in the United States (Bureau of Justice Statistics, 2015). Sexual violence refers to sexual assault, defined “across a wide range of victimizations [...] generally involving unwanted sexual contact” (BJS, 2015). Sexual victimization may also refer to rape, defined as “the unlawful penetration of a person against their will, with use or threatened use of force” (BJS, 2015). An estimated 50 percent of sexual violence reports are attempted rape or sexual assault, while 30 percent are completed rape and 20 percent are threats (BJS, 2015). However, national sexual violence statistics are heavily underestimated. Researchers posit that as many as 70 percent of victims do not report their experiences (Hildebrand & Najdowski, 2015). Of the cases that are reported, less than ten percent are adjudicated; less than five percent of rape cases are convicted (Taylor, 2007). In fact, sexual assault results in significantly lower rates of conviction than any other crime (Taylor, 2007). The current study examines jurors' use of schemas in evaluating cases of sexual assault. More specifically, the study manipulates the schema-congruency of a sexual assault allegation and tests whether differential judgments emerge.

People use cognitive structures, including schemas, to better understand and interpret information. According to Bem (1981), a cognitive structure is “a network of associations that organizes and guides an individual's perception” (p. 355). Cognitive structures can develop consciously, such as when a student is taught to use symbolic representations to understand mathematical relationships. Cognitive structures can also develop unconsciously, such as when a child associates discomfort with going to the doctor. The latter is an example of an emotionally-loaded cognitive structure, known as a cognitive schema. Bem (1981)

proposed that schemas have an anticipatory function, such that when a schema is activated, the individual searches for and assimilates information in “schema-relevant terms” (p. 355). Schemas are useful tools, because they allow information to be encoded quickly and effectively. However, schematic processing is biased. A variety of schemas about a particular topic may exist, but an individual accesses and uses one specific schema. This processing by which one schema is chosen above all others is dependent on the cognitive availability of the schema (Bem, 1981). Further, schemas lead to cognitive biases because they facilitate judgments and decisions to be made in concordance with the specific schema that is accessed. For example, when schemas are used to appraise social situations and to predict future social behaviors, they may lead to overgeneralizations about individuals and groups. These biased attitudes about others are referred to as stereotypes.

Stereotyping is a cognitive process by which attributes of a particular group are assumed and those attributes are automatically applied to individual members of the group (Bem, 1981). In a literature review of gender stereotyping, Burgess and Borgida (1999) differentiate descriptive and prescriptive components of stereotypes: descriptive stereotypes refer to the beliefs about the attributes that characterize women and men, while prescriptive stereotypes refer to the attributes to which women and men are expected to conform. For example, descriptive gender stereotypes include that men are naturally assertive and women are naturally passive. Meanwhile, prescriptive gender stereotypes argue that men *should be* assertive and women *should be* passive. Burgess and Borgida (1999) argue that oftentimes the content of descriptive and prescriptive stereotypes overlap, but that cognitive processing of each stereotype component differs. Descriptive stereotypes function to organize information. When women are understood in terms of female stereotypes, such as believing

that women are naturally passive or soft-spoken, then women are viewed as incongruous choices for leadership positions or other traditionally masculine roles. Meanwhile, prescriptive stereotypes function to maintain social order. When women are expected to behave in traditionally feminine ways, they are perceived negatively when they act outside gender prescriptions. Further, the differential cognitive processing of descriptive and prescriptive stereotypes ultimately lead to differing behaviors. Descriptive stereotypes lead to discriminating behaviors that are unintentional, and it is equally likely that men and women discriminate based on gender stereotypes. Prescriptive stereotypes lead to discrimination motivated by the need to maintain social order, and men are more likely to actively discriminate in these contexts.

Because stereotypes are widely held generalizations about groups and group members, we can draw a direct link between stereotyping and schematic processing. Remember that schemas are unconscious categories that allow us to understand information with less cognitive demand by making generalizations. Gender schemas are used to better understand men's and women's social behaviors, and consist of descriptive and prescriptive stereotypes regarding gender and gender roles. Masculine gender roles dictate independence and assertiveness, while feminine gender roles encourage interpersonal relationships and negotiation (Wiederman, 2005). As discussed above, when individuals behave outside of their prescribed role, this gender role deviance can result in negative consequences. For example, Rudman and Fairchild (2004) conducted an empirical examination of gender deviance in the workplace. Results indicated that agentic female job applicants were considered "unlikeable" and that this perception increased as a function of qualification; conversely, communal male job applicants were likeable, but lower in competency compared

to agentic male applicants (Rudman & Fairchild, 2004). The authors argued individuals who behave in stereotype-inconsistent ways are perceived more negatively compared to people whose behaviors are stereotype-consistent. Further, this “backlash effect” prevents gender role stereotypes from being challenged or changed (Rudman & Fairchild, 2004).

Gender schemas are also informed by sexual scripts. According to social scripting theory, scripts function to prescribe appropriate social behaviors (Sakaluk, Todd, Mihausen, & Lachowsky, 2014). Social scripts “instruct members of a society as to appropriate behavior and the meanings to attach to certain behaviors” (Wiederman, 2005, p. 496). Sexual scripts are specific social scripts that ascribe gender-based expectations for sexual conduct, referring to behaviors ranging from dating to sexual intercourse. In other words, sexual scripts offer instructions for sexual behaviors, as well as for interpreting and responding to sexual cues (Wiederman, 2005).

Simon and Gagnon (1986) proposed sexual scripting theory, and argued that sexual behaviors are shaped more strongly by sociocultural forces than by biological factors. According to these researchers, sexual behaviors are entirely dependent on social constructs. Wiederman (2005) provides evidence for the gendered nature of sexual scripts, by pointing out that scripts for sexual activity differ significantly for men and women. Typically, masculine gender roles expect independence and assertiveness, and encourage exploration, while feminine gender roles expect and encourage behavioral restraint and personal control (Wiederman, 2005). Understanding these descriptive and prescriptive gender stereotypes allows the differences in women’s and men’s sexual scripts to be made clear. Sexual scripts may function to reduce ambiguity, provide expectations for behaving, and establish guidelines for interpreting sexual behaviors. Sexual scripts can also have negative impacts.

For example, men are given the role of initiators of sex, while women are supposed to be gatekeepers (Wiederman, 2005). That is, men are encouraged to pursue sex, but women are required to appear selective. The feminine role of gatekeeper signifies a boundary that the masculine role of sexual initiator is required to overcome. These roles enforce the initiator-gatekeeper aspect of traditional, heterosexual dating and sexual scripts. However, many men and women hold the stereotype that women engage in “token resistance” when saying no to sex (Muehlenhard & Rodgers, 1998). This is problematic, because if men expect women to resist sexual contact, then they are more inclined to ignore protests and persist in their sexual advances (Muehlenhard & Rodgers, 1998). Interpreting women’s denial of sexual contact as an inevitability that men must push past in order to secure consent then misconstrues and minimizes the power of a verbal no.

Consider the traditional heterosexual dating script, which consists of highly gendered expectations for how men and women should behave in courtship and dating. Researchers have found that typically, both women and men “expect the man to take control of the date, including picking up the woman, paying for the date, and taking her home” (Sakaluk et al., 2014, p. 517). This and other traditional sexual scripts establish strict, gendered roles for sexual behavior.

Traditional sexual scripts outline other socially appropriate ways men and women should behave sexually, and are a clear example of the negative effects of gender role stereotypes. For example, men are expected to be sexually experienced, and are more respected for having a history of sexual partners, while women are less respected for having prior sexual partners. Men are also considered to have a higher sex drive and a stronger biological need for sex, compared to women (Muehlenhard, 2011). Further, violations of

traditional sexual scripts result in negative attitudes toward women but not men, a phenomenon referred to as the “sexual double standard” (Muehlenhard, 2011). Sexual scripts also function in the negotiation of sexual consent. Research suggests that women and men communicate sexual consent differentially (Jozkowski, Peterson, Sanders, Dennis, & Reece, 2014). Women are more likely than men to use verbal strategies to communicate and negotiate during sex (Jozkowski et al., 2014). This finding parallels the initiator-gatekeeper dichotomy of sexual scripts, where women are given the role of sexual gatekeeper and are expected to appear sexually selective (Wiederman, 2005). Meanwhile, men are more likely than women to rely on nonverbal strategies to indicate and interpret sexual consent (Jozkowski et al., 2014). This finding mirrors the “token resistance” component of traditional sexual scripts, where women are expected to provide resistance to sex initially but ultimately will consent. Thus, at the heart of traditional sexual scripts is a process of sexual consent negotiation that is gendered and potentially harmful. Men are expected to seek consent, while women are expected to provide an initial refusal, to which men are expected to continue the sexual pursuit (Jozkowski et al., 2014). As such, men may more readily interpret sexual consent in women’s nonverbal behaviors (Hust, Rodgers, & Bayly, 2017). This may account for the high levels of rape perpetrated between acquaintances, where the man has assumed that sexual consent was granted to him nonverbally.

It is often assumed that traditional sexual scripts and double standards are outdated. However, a recent empirical examination of current sexual scripts held by adolescents and young adults found this not to be the case. Participants were surveyed on their attitudes toward dating and sexual relationships, and results suggest the dating and sexual scripts that emerged were directly consistent with traditional sexual scripts. There was strong support for

the initiator-gatekeeper dichotomy, and for the biological essentialism argument that men are “always ready” for sex (Sakaluk et al., 2014). Clearly, even contemporary understandings of dating and sex are rooted in gender role stereotypes and traditional sexual scripts.

Sexual scripts are also used to categorize unwanted sexual encounters. One example is “real rape” scripts, which outline whether a nonconsensual sexual encounter constitutes sexual assault. Rape scripts encompass beliefs about the nature of rape, including location, use of threats or force, and the characteristics of rape perpetrators; the roles of each gender in the event of a rape; and the disposition of victims preceding and following a rape (Ryan, 2011). Consistent with the finding that contemporary sexual scripts directly align with traditional scripts, as discussed above, researchers suggest people believe in and adhere to a “real rape” script (Ryan, 2011). In one study, participants were asked to describe one of two types of sexual conduct, either a typical consensual sexual encounter in which a man seduces a woman or a typical nonconsensual sexual encounter in which a man forces sex on a woman. Content analyses revealed that the consensual “seduction” scripts generated by participants were hardly reflective of communicative, verbally consensual sex (Ryan, 2011). Instead, the typical seduction described two acquaintances who were drinking alcohol and engaging in flirtatious conversation until the man seduces the woman by initiating sexual contact, to which the woman indicates her sexual consent by remaining silent and passive (Ryan, 2011). The researchers argue that in describing a typical sexual seduction, participants were actually describing an event of acquaintance rape, whereby the man uses alcohol and seduction as tools to achieve sex, and the woman’s lack of verbal protest or physical resistance indicates sexual consent (Ryan, 2011). Meanwhile, the nonconsensual scripts

generated by participants described a “blitz rape” in which a crazed male stranger attacks a woman outdoors, at night, in a sudden and physically violent assault (Ryan, 2011, p. 775).

In fact, researchers have consistently found that rape scripts contain the perpetrator’s use of physical force, the victim’s resistance, and negative psychological consequences for the victim (Littleton, Axsom, & Yoder, 2006). These factors encompass the “real rape” script: a male stranger enacts an unexpected and violent attack on a lone female, who actively resists the rape, with verbal or physical protests. Meanwhile, typical seduction scripts mirror an acquaintance rape script, involving such behaviors as using alcohol and verbal or emotional coercion to facilitate sex. It is important to note a key feature of the real rape script is that there is no doubt the victim was raped. Victims in the real rape script are blameless and not at all responsible for the rape. Consequently, nonconsensual sexual encounters that do not adhere to the real rape script are less likely to be identified as rape. Littleton et al. (2006) found that college women were less likely to label an ambiguous sexual encounter as nonconsensual; Ryan (2011) found that women who experienced a non-violent sexual assault were less likely to consider themselves victims of rape compared to women who experienced a violent sexual assault. It appears that when a woman does not verbally protest or physically resist sexual advances, then sexual consent is assumed to have been granted. This is problematic, because it disregards the fact that some victims of rape are too incapacitated to verbalize a “no” or are too fearful to physically resist. Ultimately, the real rape script may inform whether a nonconsensual sexual encounter is labeled as rape. If it is clear that a woman was forced into sex, then it is readily considered to be rape; if there is ambiguity, then there is also reluctance to regard the encounter as nonconsensual, which leads to hesitancy to label the encounter as rape.

Together, rape myths and sexual scripts combine to form a schematic understanding of nonconsensual sex. As discussed above, schemas are driven by efficiency and are heavily impacted by social factors (Sherman, Sherman, Percy, & Soderberg, 2016). To uncover the nature of rape schemas, a series of studies conducted in Australia identified stereotyped beliefs about rape and female victims (Masser, Lee, & McKimmie, 2010). Researchers assembled a variety of statements related to typical and atypical rape victim behaviors, then asked students to rate the extent to which most people would agree or disagree with each statement. What resulted were two constructs, describing the behaviors and characteristics of stereotypical victims and counterstereotypical victims of rape. Stereotypical rape victims were women who physically resisted their assailant, immediately reported to authorities, were emotionally traumatized, and were ultimately undeserving of assault (Masser et al., 2010). Counterstereotypical rape victims were women who did not physically resist, delayed reporting and were uncooperative with authorities, and did not appear to be emotionally traumatized (Masser et al., 2010). Additional studies were conducted to see the differential effects of these constructs on judgments of sexual assault. Descriptions of sexual assault cases that featured a counterstereotypical victim resulted in greater judgments of blame, responsibility, and guilt for the victim (McKimmie, Masser, & Bongiorno, 2014). In other words, when a victim was described as counterstereotypical, she was viewed as more blameworthy and more responsible for the assault compared to victims described as stereotypical. Further, vignettes featuring a counterstereotypical victim were less likely to result in a guilty verdict (McKimmie et al., 2014). The authors argue that these constructs of stereotypical and counterstereotypical victims actually reflect beliefs about how genuine a sexual assault victim is perceived to be. When a woman is considered to be a disingenuous

victim of assault, then she is judged more punitively and her case is less likely to be considered a case of rape.

Clearly, rape schemas affect perceptions and judgments of victims and perpetrators. Rape schemas work in conjunction with rape myths, to inform attributions of responsibility and blame. Rape myths are mistaken beliefs about rape, its victims, and its perpetrators; researchers define rape myths as “attitudes and beliefs that are generally false but are widely and persistently held, and that serve to deny and justify male sexual aggression against women” (Lonsway & Fitzgerald, 1994, p. 134). Common rape myths convey the message that an alleged sexual assault does not meet the social or legal definition of rape. McMahon and Farmer (2011) encapsulate these myths in their measure, the Updated Illinois Rape Myth Acceptance Scale (IRMA), which encompasses rape myths like “if a girl doesn’t physically fight back, you can’t really say it was rape” (see also Payne, Lonsway, & Fitzgerald, 1999). Other beliefs include that women who dress provocatively or drink too much are responsible or to blame for being raped. Rape myths about victims further include beliefs that women who accuse rape are lying, perhaps because she did consent but later regretted it, or she is using the rape accusation as a tool for revenge, or even that it never happened at all. Rape myths are gendered, where victim-focused rape myths are used to blame victims for their assaults or to shame victims for falsely accusing their rapist; however, rape myths focused on perpetrators are used to absolve them of guilt or responsibility for the assault. Rape myths foster social attitudes that perpetuate rape and victim-blaming. These myths are representative of a social belief system that enforces gender roles and influences sexual behaviors (Edwards, Turchik, Dardis, Reynolds, & Gidycz, 2011). Further, false beliefs about rape center on the underestimation of its prevalence, and on the overestimation of false

accusations. For example, people may think women lie or falsely accuse more often than they actually do, or that rape simply does not happen often at all.

One implication of rape schemas lies in the legal system's treatment of sexual assault. According to the Department of Justice's National Crime Victimization Survey, nearly 300,000 women in the United States are victims of sexual violence (DOJ NCVS, 2015). Despite its prevalence, perpetrators of sexual violence are less likely to go to jail or prison than perpetrators of any other crime. Out of every 1,000 reported rapes, 994 perpetrators are acquitted (DOJ NCVS, 2015). One factor that affects this low acquittal rate is law officers' attitudes toward sexual assault victims, which then relate to how these cases are processed by the legal system. Research suggests that campus law officers tend to accept rape myths, which are related to negative attitudes toward sexual assault victims (Smith, Wilkes, & Bouffard, 2016). These attitudes affect their treatment of victims and their perceptions of victims' credibility, and may ultimately affect whether these cases are brought forward for prosecution (Smith et al., 2016). Researchers have found that victims are reluctant to report their assault because they anticipate hostile treatment, and fear that their allegation will not be taken seriously (Fisher, Cullen, & Turner, 2003). This poses a problem, because campus sexual assault is increasingly prevalent on university campuses. A recent metaanalysis revealed that unwanted sexual contact and sexual coercion occur on campuses most commonly, followed by incapacitated rape and forcible rape (Fedina, Holmes, & Backes, 2018). Additionally, it was estimated that 20 percent of female students experience at least one form of sexual victimization during their four years at college (Fedina et al., 2018). In addition to how unlikely it is that a sexual assault will be reported, there are other boundaries that may prevent victims from receiving justice. Law officers who endorse rape myths are

likely to hold negative attitudes about victims, which fosters beliefs that alleged assaults are not valid and that victims are responsible or to blame. Campbell, Menaker, and King (2015) found that police investigators' decisions to present a case for prosecution were driven by what prosecutors would find necessary to proceed with sexual assault charges. Of course, prosecution decisions are often biased for all sorts of crimes. However, the biases held by law officers and prosecutors may hinder a sexual assault case from being tried in court.

If a case does make it to trial, sexual assault is one of the most difficult types of crime to successfully prosecute because juries are reluctant to render guilty verdicts in these cases (Taylor, 2007). As such, less than 10 percent of sexual assault cases result in a guilty verdict; sexual assault has the highest rates of acquittal and the lowest rates of proven guilt than any other crime (Taylor, 2007). Jurors use schemas and stereotypes to assist them in evaluating a case and its actors, and these cognitive shortcuts directly influence judgments and verdict decisions. For example, Hildebrand and Najdowski (2015) found that jurors who accept rape myths are less likely to find an alleged perpetrator guilty. Because rape myths minimize the prevalence of sexual violence and blame victims for their assault, it is logical that jurors who hold these beliefs will render punitive judgments to victims and lenient judgments to perpetrators.

Jurors who adhere to these schemas may be especially likely to acquit defendants in sexual assault cases that deviate from the real rape script (Hildebrand & Najdowski, 2015). For example, a guilty verdict is more likely when mock jurors strongly endorsed rape myths (McKimmie et al., 2014). Rape myth acceptance is also related to lower ratings of victim credibility, guilt likelihood, and perpetrator blame, and to higher ratings of victim blame (McKimmie et al., 2014). Results also reveal that when the victim was counterstereotypical,

she was more blameworthy and less credible, and the perpetrator was less likely to be guilty, in the acquaintance rape scenario. These data reflect the belief that counterstereotypical offenses are incongruent with the real rape script (Littleton et al., 2006). In one study, participants were asked to describe a “prototypical” sexual offense; the prototypical offense mirrored the real rape script, in which the perpetrator is a stranger who enacts a blitz rape on his victim (Masser et al., 2010).

In another study investigating whether emotional expressiveness biases judgments of rape victims, results indicate that an emotionally expressive victim was judged as significantly more credible only when the participant strongly expected this behavior; the researchers argue that it is expectancy violation, rather than a victim’s emotional expressiveness, that biases judgments (Hackett, Day, & Mohr, 2010). Interestingly, Campbell et al. (2014) found that when deciding whether to try a sexual assault case, prosecutors consider victim credibility to be the most important factor. Credibility refers to how believable and reliable a victim appears; because sexual assault cases often lack witnesses, the victim becomes the primary witness and her credibility becomes significant. According to an empirical study conducted by Lievore (2005), “the factors that undermine a victim’s credibility include personal characteristics relating to moral character or reputation; ‘risk-taking’ behavior; discrepancies in the victim’s accounts of the incident; and typefications about rape scenarios rape reporting, and post-assault behavior (p. 3).” Further, that victim credibility is heavily impactful on judgments of sexual assault cases is another example of how detrimental stereotype incongruence may be. When a juror perceives a case as stereotype incongruent, they may view the victim as less genuine or less credible and therefore more blameworthy, which ultimately makes them hesitant to render a guilty verdict.

These findings directly relate to the findings of Masser et al. (2010) and Mckimmie et al. (2014), where the counterstereotypical victim was perceived as disingenuous, and therefore more blameworthy. However, limitations to this series of studies exist; the researchers used an Australian sample and did not explicitly measure perceived victim credibility. There is little research on the specific role victim credibility may have in mock jurors' verdict decisions. The present study more closely investigates the role of sexual assault victim credibility.

That mock jurors are influenced by stereotypes is a robust and consistent finding (Taylor, 2007; Hildebrand & Najdowski, 2015). Further, several researchers have demonstrated that sexual assault cases not adhering to commonly held rape schemas are less likely to result in a conviction (Ryan, 2011), and that female victims not consistent with the rape victim stereotype are viewed as less trustworthy, more blameworthy, and more responsible for their assault (Masser et al., 2010; McKimmie et al., 2014). However, there lacks research on schemas specific to campus sexual assault, and research has only recently been conducted to understand the specific role of victim credibility. This study aims to fill the gaps in the literature, by providing an empirical examination of how mock jurors' judgments differentiate when a campus sexual assault case is schema-congruent compared to schema-incongruent. Participants were randomly assigned to one of two case vignettes, completed a juror questionnaire that was comprised of judgments about the alleged victim and alleged perpetrator, and completed individual differences measures including the IRMA. Additionally, mock jurors' judgments of victim credibility were assessed. The main goal of this study was to more closely investigate victim credibility's role in campus sexual assault.

Hypotheses

Hypotheses 1 and 2. I predicted a higher proportion of mock jurors would render a guilty verdict in the schema-congruent condition, compared to the schema-incongruent condition. Similarly, I predicted mock jurors in the schema-congruent condition would rate the alleged perpetrator as more likely to be guilty, on a continuous scale of guilt likelihood, compared to mock jurors in the schema-incongruent condition. This is because the schema-congruent condition was more reflective of a stereotypical sexual assault. If mock jurors were relying on stereotypes to make legal judgments, as previous literature suggests, then they would have been more likely to consider the allegation a case of “real rape” and thus believe the perpetrator to be guilty of sexual assault.

Hypotheses 3 and 4. Additionally, I predicted mock jurors’ ratings of perpetrator blame and perpetrator responsibility would be higher in the schema-congruent condition. This is again because the schema-congruent condition more closely aligns with the stereotypical sexual assault, and if mock jurors are accessing these stereotypes to assign blame and responsibility, then those reading the case in which the perpetrator acts in congruence with the rape schema would rate the perpetrator as more blameworthy and more responsible for the alleged assault.

Hypotheses 5 and 6. I predicted mock jurors’ ratings of victim blame and victim responsibility would be lower in the schema-congruent condition. These hypotheses were directly consistent with prior literature demonstrating the effects of stereotypes, where increased convictions of sexual assault occur when the proper stereotype is upheld (Hildebrand & Najdowski, 2015).

Hypothesis 7. I predicted rape myth acceptance, measured with the IRMA, would moderate the relationship between condition and guilt ratings; this relationship would be stronger in the schema-congruent condition. In other words, the extent to which a mock juror believed rape myths should have color how they perceived the case they hear and consequently, how they assigned guilt.

Hypothesis 8. I also predicted victim credibility would mediate the relationship between condition and ratings of guilt; condition would have predicted mock jurors' judgments of victim credibility, which would in turn have driven verdict decisions. In the schema-congruent condition, mock jurors would provide higher ratings of victim credibility, which would then relate to high rates of guilty verdicts. In the schema-incongruent condition, mock jurors may have perceived the victim to be less credible and would have been more likely to render a not guilty verdict. In other words, we were testing whether victim credibility would act as the driving influencer of verdict.

Method

Participants

An a priori power analysis suggested that a sample size of 536 would be sufficient to detect an effect size of 0.2, with a power level of 0.95. Amazon Mechanical Turk workers ($N = 605$) were recruited to participate in the current study. According to the demographic information collected, 37.9% ($n = 237$) of participants identified as female, 58.4% ($n = 365$) identified as male, 0.17% ($n = 1$) identified as "other" and 0.33% ($n = 2$) preferred not to respond. The mean age of the sample was 29 years ($SD = 12.18$). Most participants' political affiliation was liberal, where 13.4% ($n = 84$) identified as very liberal, 32.3% ($n = 202$) as liberal, 27.7% ($n = 173$) as moderate, 19.2% ($n = 120$) as conservative, and 4.0% ($n = 25$) as

very conservative. Most participants had a Bachelor's degree, where 0.17% ($n = 2$) attended some high school, 6.7% ($n = 42$) earned a high school diploma or equivalent, 14.9% ($n = 93$) attended some college, 7.4% ($n = 46$) earned an Associate's degree, 48.6% ($n = 304$) earned a Bachelor's degree, 15.8% ($n = 99$) earned a graduate degree, and 3.0% ($n = 19$) earned a doctorate. Additionally, the Institutional Review Board approved the current research on 06/05/2018 (Appendix A).

Materials

Case vignettes. Participants, acting as mock jurors, were randomly assigned to one of two case vignettes. As such, 49.6% ($n = 300$) of participants received the schema-congruent vignette and 50.4% ($n = 305$) of participants received the schema-incongruent vignette. Both vignettes consisted of a brief description of a fictional sexual assault case, in which a college student named Sarah alleged that another college student named Matt had sexually assaulted her on their first date. Sarah and Matt met in class, and at the end of the semester Sarah invited Matt over to her apartment for a date. They made dinner together and had a few drinks. Later in the evening, Matt began to make sexual advances toward Sarah. In both conditions, Matt argued that they had consensual sex.

In the schema-congruent condition, participants read that Sarah provided a verbal protest and when Matt persisted, she attempted to physically resist his advances. Eventually, he held her down to have sex with her. Immediately after they had sex, Sarah told Matt to leave and called 911 to report the alleged assault. When the police interviewed Sarah, she appeared upset and was shaken, but she cooperated with their investigation. Sarah remembered all the details and kept her story straight (see Appendix C).

In the schema-incongruent condition, participants read that Sarah did not provide a verbal protest and when Matt persisted, she did not physically resist his advances because she felt frozen. Two weeks after they had sex, Sarah called 911 to report the alleged assault. When the police interviewed Sarah, she remained calm and was uncooperative with their investigation because she wanted to move on from the incident. Sarah did not remember all the details and had difficulty keeping her story straight (see Appendix D).

Juror Questionnaire. Participants completed a juror questionnaire, comprised of eleven items regarding moral and legal judgments of the case (see Appendix E). The first item centered on verdict; participants rendered an ultimate verdict of guilty or not guilty of second degree sexual offense, based on the legal definition outlined by the state of North Carolina: “A person is guilty of a sexual offense in the second degree if the person engages in a sexual act with another person by force and against the will of the other person; or if the person engages in a sexual act with another person who is mentally disabled, mentally incapacitated, or physically helpless” (NC General Statute, Chapter 14, Article 7B, <https://www.ncleg.net>). The second item was a continuous rating of guilt, in which participants rated how likely they thought it that Matt was guilty of second degree sexual offense. Ratings ranged from not at all likely (1) to extremely likely (7). There were then two items regarding blame, in which participants rated how much Sarah and Matt were to blame for what happened. Ratings ranged from not at all to blame (1) to all to blame (7). There were then two items regarding responsibility, in which participants rated how responsible Sarah and Matt were for what happened. Ratings ranged from not at all responsible (1) to all responsible (7). Finally, participants completed five items comprising an adapted version of the Witness Credibility Scale (Campbell et al., 2015). For each item, participants rated the

extent to which they thought Sarah was believable, genuine, trustworthy, honest, and credible. Ratings ranged from extremely unbelievable, ingenuine, untrustworthy, dishonest, and extremely discredibile (1) to extremely believable, genuine, trustworthy, honest, and credible (7). For analyses, a total Victim Credibility score was created.

Individual differences measures. Participants also completed two individual differences measures to capture acceptance of rape myths and attitudes toward women. Rape myth acceptance was measured with the IRMA (McMahon & Farmer, 2011; Payne, Lonsway, & Fitzgerald, 1999). The IRMA is considered to be the most reliable measure of rape myth acceptance, due to its high construct validity and its particularly strong predictive validity, demonstrated by positive correlations with men's rape proclivity and sexual aggression ($\alpha = .93$; McMahon & Farmer, 2011). According to reliability analyses, the current study yielded a Cronbach's alpha of .97. The IRMA also features a full (45-item) and short (21-item) version. The current study used the short version. The IRMA consists of 21 items, divided into four subscales: she asked for it, he didn't mean to, it wasn't really rape, and she lied. Participants rated the extent to which they agreed with each statement. Responses ranged from strongly disagree (1) to strongly agree (5). A total rape myth acceptance score was created, where higher scores indicate higher rape myth acceptance (see Appendix F).

The Attitudes Toward Women scale (AWS; Spence, Helmrich, & Stapp, 1978) is a reliable and validated scale measuring attitudes toward the roles of women in society. The AWS is the most commonly used measure of attitudes toward women, and features a full (55-item) and abbreviated (25-item and 15-item) version. The current study used the 25-item version, because of its brevity and its high test-retest reliability. An investigation of the

scale's validity, reliability, and subscore differentiation concluded that the AWS-short yields an alpha of .86 (Daugherty & Dambrot, 1986). According to reliability analyses, the current study yielded a Cronbach's alpha of .84. Participants rated the extent to which they agreed with each statement from agree strongly (0) to disagree strongly (5). Twelve of the 25 items were reverse scored. A total AWS score was then created. Higher scores denote profeminist, egalitarian attitudes and lower scores denote traditional, conservative attitudes (see Appendix G).

Demographics. Participants provided basic demographic information (see Appendix H). A drop-down menu was provided for participants to select their age. They provided their gender identity as male, female, transgender, other, or prefer not to respond. They provided their political affiliation as very liberal, liberal, moderate, conservative, or very conservative. Participants also provided their highest level of education, ranging from some high school, high school diploma/GED, some college, Associate's degree, Bachelor's degree, Graduate degree, or Doctorate.

Procedure

After providing informed consent (Appendix B), participants were randomly assigned to one of the two case vignettes. They were instructed to read the case carefully, because they were to answer questions about what happened and the case would be presented once. The instructions also reminded participants to answer the questions honestly, as responses were completely confidential. After reading the case vignette, participants completed the Juror Questionnaire. Participants then completed the IRMA and the AWS. Finally, participants provided basic demographic information. The study took an average of 12 minutes to complete, and participants were paid \$0.50 when they completed the study.

Results

Preliminary analyses were conducted, in order to ensure there was no violation of the assumptions of normality or homoscedasticity. Because no violations emerged, analyses were conducted as planned. Given the high number of t-tests, a Bonferroni correction was used to lower the acceptable alpha and reduce the risk of a Type 1 error. As such, Hypotheses 1 through 6 were interpreted using a Bonferroni corrected alpha level of .008. Additionally, the confidence intervals reported with t-tests reflect confidence intervals around the mean differences. A number of bivariate correlations were then conducted, to examine the relationships between the measured variables and the individual differences measures (see Table 1). As shown in the correlation matrix, a number of relationships emerged as significant. One interesting finding that emerged was participants' IRMA scores were negatively correlated with their age, such that younger participants were more accepting of rape myths.

The current study predicted eight main hypotheses. Hypothesis 1 predicted a higher proportion of mock jurors would render a guilty verdict in the schema-congruent condition, compared to the schema-incongruent condition. To test this, a chi-square test was conducted. There were significant differences in verdict based on condition, $X^2(1, N = 602) = 51.75$, $p < .001$ (see Figure 1). More specifically, there was a 79.53% conviction rate in the schema-congruent condition, compared to a 51.64% conviction rate in the schema-incongruent condition. Results support Hypothesis 1.

Hypothesis 2 predicted mock jurors in the schema-congruent condition would rate the alleged perpetrator as more likely to be guilty compared to mock jurors in the schema-incongruent condition. To test this, an independent samples t-test was conducted. Mock

jurors in the schema-congruent condition had significantly higher ratings of guilt likelihood ($M = 5.69$, $SD = 1.16$) than mock jurors in the schema-incongruent condition ($M = 4.35$, $SD = 1.83$), $t(603) = 10.69$, $p < .001$, 95% CI [1.09, 1.58], $d = 0.87$ (see Figure 2).

Hypothesis 2 was supported.

Hypotheses 3 and 4 predicted mock jurors' ratings of perpetrator blame and perpetrator responsibility, respectively, would be higher in the schema-congruent condition compared to the schema-incongruent condition. To test this, two independent samples t-tests were conducted. Mock jurors in the schema-congruent condition rated the perpetrator as significantly more blameworthy ($M = 5.90$, $SD = 1.19$) than did mock jurors in the schema-incongruent condition ($M = 4.91$, $SD = 1.49$), $t(601) = 9.01$, $p < .001$, 95% CI [0.77, 1.20], $d = 0.74$ (see Figure 3). Mock jurors in the schema-congruent condition also rated the perpetrator as significantly more responsible ($M = 5.99$, $SD = 1.13$) than did mock jurors in the schema-incongruent condition ($M = 5.08$, $SD = 1.43$), $t(596) = 8.53$, $p < .001$, 95% CI [0.70, 1.12], $d = 0.71$ (see Figure 4). Results support Hypotheses 3 and 4.

Hypotheses 5 and 6 predicted mock jurors' ratings of victim responsibility and victim blame, respectively, would be lower in the schema-congruent condition compared to the schema-incongruent condition. To test this, two independent samples t-tests were conducted. Mock jurors in the schema-congruent condition rated the victim as significantly less responsible ($M = 3.19$, $SD = 2.01$) than did mock jurors in the schema-incongruent condition ($M = 4.16$, $SD = 1.67$), $t(597) = 6.41$, $p < .001$, 95% CI [-1.26, -0.67], $d = 0.55$ (see Figure 5). Mock jurors in the schema-congruent condition also rated the victim as significantly less blameworthy ($M = 3.06$, $SD = 1.96$) than did mock jurors in the schema-incongruent

condition ($M = 4.05$, $SD = 1.67$), $t(602) = 6.65$, $p < .001$, 95% CI [-1.28, -0.70], $d = 0.54$ (see Figure 6). Hypotheses 5 and 6 were supported.

Hypothesis 7 predicted rape myth acceptance would moderate the relationship between condition and verdict. To test whether the effect of condition on verdict would significantly differ at different values of rape myth acceptance, PROCESS version 2.16 was used to test for a moderating effect with Model 1, using 5,000 bootstrapped samples (Preacher & Hayes, 2013). This analysis found a main effect of condition ($b = 4.30$, $p < .001$, 95% CI [-5.49, -3.10] and IRMA scores ($b = -0.10$, $p < .001$, 95% CI [-0.13, -0.06]). The effect for condition is described in the discussion of Hypothesis 1, where there were significantly higher conviction rates in the schema-congruent condition. The effect of IRMA scores indicates that as IRMA scores increased, suggesting higher rape myth acceptance, the likelihood of a guilty verdict decreased. Most importantly, the interaction between condition and IRMA scores was significant ($b = 0.05$, $p < .001$, 95% CI [0.03, 0.07]). Participants higher in rape myth acceptance were less influenced by condition, compared to participants lower in rape myth acceptance (Figure 7). Simple effects analyses revealed that participants with low IRMA scores (i.e. one standard deviation below the mean) were more likely to render a guilty verdict in the schema-congruent condition, $b = -2.71$, $p < .001$, 95% CI [-3.40, -2.02]. However, participants with high IRMA scores (i.e. one standard deviation above the mean) were not significantly more likely to render a guilty verdict in the schema-congruent condition, $b = -0.40$, $p = .10$, 95% CI [-0.88, 0.08]. This analysis supports Hypothesis 7.

Hypothesis 8 predicted victim credibility would mediate the relationship between condition and verdict. More specifically, it was predicted that in the schema-congruent

condition, mock jurors would provide higher ratings of victim credibility, which would then relate to a higher proportion of guilty verdicts in this condition compared to the schema-incongruent condition. To test this, PROCESS version 2.16 was used to test for a mediating effect with Model 4, using 5,000 bootstrapped samples (Preacher & Hayes, 2013). Ratings of victim credibility mediated the effect of condition on verdict decision, indirect $b = -1.09$, $se = 0.16$, 95% CI [-1.41, -0.81], and the direct effect of condition on verdict was significant, direct $b = 0.50$, $se = 0.22$, 95% CI [-0.92, -0.07]. Participants in the schema-congruent condition rated the victim as more credible; condition also significantly predicted verdict, and this relationship remained significant after controlling for victim credibility, indicating that a partial mediation effect emerged (Figure 8). Hypothesis 8 was supported.

Exploratory analyses were then conducted. Gender differences in IRMA scores emerged, such that men ($M = 58.54$, $SD = 22.62$) were more accepting of rape myths than women ($M = 49.40$, $SD = 22.87$), $t(573) = 4.72$, $p < .001$, 95% CI [5.35, 12.97], $d = 0.40$. More specifically, men scored higher on Subscale 1: She asked for it ($M = 13.79$, $SD = 6.11$) than women ($M = 11.81$, $SD = 6.49$), $t(593) = 3.78$, $p = .03$. Men also scored higher on Subscale 3: It wasn't really rape ($M = 12.88$, $SD = 6.21$) than women ($M = 10.51$, $SD = 5.79$), $t(592) = 4.66$, $p = .02$. Finally, men scored higher on Subscale 4: She lied ($M = 15.07$, $SD = 5.80$) compared to women ($M = 12.52$, $SD = 6.19$), $t(597) = 5.12$, $p = .02$. Other gender differences emerged, including that men ($M = 3.76$, $SD = 1.87$) blamed the victim more than women ($M = 3.25$, $SD = 1.89$), $t(599) = 3.24$, $p = .001$, 95% CI [0.20, 0.82], $d = 0.27$. Men ($M = 3.87$, $SD = 1.85$) also assigned more responsibility to the victim than did women ($M = 3.38$, $SD = 1.99$), $t(594) = 3.07$, $p = .002$, 95% CI [0.18, 0.80], $d = 0.26$. Interestingly, no gender differences in AWS scores emerged either. However, both men ($M = 67.37$,

$SD = 11.01$) and women ($M = 64.34$, $SD = 11.10$) scored above the midpoint of the scale, whose scores range from 25 to 100 with higher scores reflecting a profeminist, egalitarian attitude. This may account for the relatively high conviction rates found in the current study.

Discussion

Research conducted through a feminist lens argues “Americans live in a culture that supports sexualized aggression and violence against women” (Hildebrand & Najdowski, 2015, p. 1059). This culture, in which women are sexualized and objectified in the media and sexual violence occurs frequently, is often referred to as rape culture. Rape culture may have a significant impact on juror decision-making (Hildebrand & Najdowski, 2015).

For example, sexual assault trials result in higher rates of wrongful acquittals than other crimes (Taylor, 2007). In the current study, this pattern holds true. Verdict decisions differed depending on whether mock jurors read a schema-congruent or schema-incongruent case. Mock jurors who read case facts that directly aligned with rape stereotypes—including that the perpetrator used physical force, and that the victim actively and physically resisted, immediately reported the assault, and appeared to be emotionally traumatized following the assault—were significantly more likely to render a guilty verdict when compared to participants who read case facts that challenged these stereotypes. These findings have implications for victims seeking justice in the legal system. Mainly, if the circumstances surrounding an alleged sexual assault do not follow the “real rape” script, then victims may have a more difficult time convincing a jury that a rape occurred.

This finding also supports the notion that judgments are influenced by stereotype consistency and schema congruency. When looking at stereotypic biases in social decision-making and memory, Bodenhausen (1988) experimentally tested the selective processing of

evidence by manipulating whether evidence was stereotype-consistent or stereotype-inconsistent. Participants who received stereotype-consistent evidence showed greater biases in recall and judgments of evidence relating to a stereotyped target. This finding aligns with the selective processing hypothesis, which suggests that stereotype-congruent evidence is processed more extensively compared to stereotype-incongruent evidence. Bodenhausen (1988) concluded selective processing is the mechanism underlying social judgment and decision-making. Similar to Bodenhausen (1988), the present study contextualizes the selective processing hypothesis to a mock juror decision-making task. If stereotype-inconsistent evidence is processed less extensively, then legal cases that do not match stereotypes are processed less extensively and result in biased judgments by jurors.

Consistent with verdicts, mock jurors hearing a schema-congruent case rated the alleged perpetrator as significantly more likely to be guilty. This finding has implications for the legal system. For example, defense attorneys in sexual assault cases often persuade juries that their client is not a stereotypical “rapist” and should be judged with leniency. This type of defense argument is effective. When researching mock jurors’ perceptions of guilt likelihood on overall judgments and verdict decisions, Ostrom, Werner, and Saks (1978) found mock jurors with pro-defendant attitudes judged the defendant as less likely to be guilty, and rendered lenient verdict and sentencing decisions. The current study evidences that schema-inconsistent rape cases are judged with leniency.

Similarly, mock jurors’ ratings of blame and responsibility for the victim and the perpetrator were above the midpoint of the scale, and as predicted, ratings were higher in the schema-congruent condition. In line with prior findings that jurors use stereotypes to render decisions, when a case more closely mirrored the “real rape” schema the perpetrator was

judged more harshly. This reinforces the notion that when a perpetrator does not fit the stereotypical description of a “rapist” he will be judged with leniency. As predicted, ratings of victim blame and responsibility were lower in the schema-congruent condition. This finding directly mirrors that of McKimmie et al. (2014), where a victim who was described as counterstereotypical was viewed as more blameworthy and more responsible for the assault compared to victims described as stereotypical. This supports prior findings that perceptions of victim responsibility impacts verdict decision. For example, Sperry and Siegel (2011) found increased perceptions of victim responsibility decreases victim empathy and willingness to help the victim, resulting in a higher proportion of not guilty verdicts.

An unfortunate tenet of rape culture is the tendency to justify sexual violence against women. It is often believed that if a woman alleging sexual assault did not say no or attempt to fight back, then she should be held at least somewhat responsible for her assault. This belief discounts the experiences of women who experience rape trauma. Research on rape trauma syndrome has found that some rape victims “freeze up” due to shock or fright (Giannelli, 1997). In the current study, the schema incongruent case vignette featured this phenomenon. Findings are consistent with literature demonstrating that the absence of a victim’s active resistance results in lenient legal judgments. The natural implication is that rape cases in which the alleged victim did not verbally or physically resist may result in a not guilty verdict, and thus absolve the alleged perpetrator of guilt.

Further, the effect of condition on victim blame ratings provides support for the theory that one aspect of rape culture encourages jurors to blame sexual assault on the actions and behaviors of female victims, and absolve the perpetrator of moral or legal blame, at least when the sexual assault does not align with previously held expectations about what a sexual

assault should be. This has direct implications for verdict decisions. When jurors rely on stereotypes about a “real rape” the congruency of the case may play a role in whether the jurors decide the alleged perpetrator is guilty. However, jurors who naturally rely on biased beliefs about rape, rapists, and rape victims may not be as swayed by the congruency of the case, but rather by the rape myths relevant to the alleged assault. It is worth noting that the participants could simply have been attempting to justify the verdict decision they made, considering the participants rendered their verdict before making moral judgments of the victim and perpetrator.

Results suggest a moderating effect of rape myth acceptance in the effect of condition on verdict decision. There was a differential relationship between condition and verdict, depending on levels of the IRMA. The effect of condition on verdict was insignificant when mock jurors scored high on the IRMA; the effect of condition on verdict was stronger when mock jurors scored low on the IRMA. In other words, participants higher in rape myth acceptance were not influenced by which case type they heard. Regardless of whether the case was schema-congruent or schema-incongruent, these mock jurors were more likely to render a not guilty verdict. Mock jurors who accept rape myths may naturally view female victims as more blameworthy or more responsible for rape, because they endorse beliefs that women oftentimes “ask for it” or lie about being raped. These harsh judgments of victims may prevent a guilty verdict. Mock jurors high in rape myth acceptance may also showcase leniency toward male perpetrators, because they endorse beliefs that men accused of rape “didn’t mean to” or again, that women lie about rape for attention or revenge. These sympathetic views toward perpetrators may also prevent a guilty verdict. Ultimately, participants who are high in rape myth acceptance may simply be less sensitive to case facts,

because they hold a higher standard of evidence or proof in order to convict a perpetrator of rape.

In contrast, when mock jurors were less accepting of rape myths, the effect of case type grew stronger. Although these mock jurors may not endorse specific beliefs about rape victims and rapists, they were still influenced by the schema-congruency of the alleged assault. Mock jurors low in rape myth acceptance were less likely to render a guilty verdict in the schema-incongruent condition. These participants may have accessed the “real rape” schema to determine whether the alleged assault matches the schema, and thus constitutes rape. Instead of being swayed by rape myths and other harmful beliefs, they were impacted by the extent to which the allegation appears to have been a stereotypical rape situation. This finding has a specific implication for jury selection. In the voir dire process, potential jurors in a rape case may be screened for rape myth acceptance to combat the negative impact of these beliefs on verdict decisions. However, our results suggest jurors who do not endorse rape myths are still sensitive to the extent to which the case matches the “real rape” script. The broader implication is that ambiguous or atypical rape cases may require more resources and education to select a jury removed of rape biases, in order to achieve a fair trial for victims. Or, alternatively, rape laws may change to better reflect the nuances found in real-life rape cases.

The roles of moral judgments of victims and perpetrators and rape myth acceptance are clearly demonstrated in the current study. Another potential factor in verdict decisions is mock jurors’ perceptions of victim credibility. Support for a mediating effect of victim credibility on condition and verdict decision was found. Condition predicted victim credibility ratings, where ratings were higher in the schema-congruent condition. The

schema-congruent case influenced jurors to consider the alleged victim as more credible, most likely because this victim behaved in accordance with a “genuine” victim of sexual assault; she attempted to physically resist the man’s sexual advances, immediately reported the incident, and appeared emotionally traumatized. This finding is consistent with the earlier finding that condition predicted perceptions of victim blame and responsibility. This finding also directly aligns with the findings of Masser et al. (2010) that stereotypical victims were considered more genuine and believable than counterstereotypical victims.

Condition also predicted verdict, where a higher proportion of guilty verdicts was rendered in the schema-congruent condition. Explanations for this finding are discussed above. Interestingly, condition predicted verdict still after controlling for victim credibility, suggesting the effect of case type on verdict decision does not operate fully through mock jurors’ ratings of victim credibility, but victim credibility still accounts for a significant amount of this relationship. One limitation to the study is that participants were required to render their verdict decision before making moral judgments of the victim and perpetrator; it is difficult to determine whether schema-congruency, victim credibility, or other factors are driving the differences in verdict decisions. Homing in on the specific factors influencing verdict has specific implications for the legal system. For example, if prosecutors are better able to establish that an alleged victim’s story is credible, then they may be better able to convince a jury that an alleged perpetrator is guilty, which would result in less wrongful acquittals and ultimately, justice for sexual assault victims.

Strengths and Limitations

A series of studies conducted by Masser et al. (2010) aimed to uncover the specific stereotypes that mock jurors may use when evaluating a case of sexual assault. However,

these studies were conducted in Australia, using an undergraduate sample. A strength of the current study was its use of an American sample, thus allowing research findings to generalize to other Western cultures. Further, because the current study was conducted via Amazon's Mechanical Turk, the results are able to generalize beyond undergraduate students. The average age of the current sample was 29.7 years, with a range of 18 to 80 years; participants were distributed fairly equally across political affiliations; and the sample was relatively well-educated, with 48% holding a Bachelor's degree.

One limitation to the current study is its use of juror-level decision making. A real sexual assault trial is heard by a jury of six, nine, or twelve individuals. There are different processes inherent in making individual versus group decisions, and a major component of a real trial is the jury deliberation process. Findings at the juror-level, in which one individual renders one independent decision, do not necessarily extrapolate to findings at the jury-level, in which several individuals render one unanimous decision. However, it has become an acceptable standard of practice to conduct research at the juror-level (Sakaluk et al., 2014).

Another limitation to consider is the use of vignette-style materials. Jurors in real life spend an average of four to five days at trial; our mock jurors spent an average of 12 minutes reading the case facts and rendering judgments. Jurors are also responsible for hearing all the facts of the case presented by both the prosecution and the defense; our mock jurors heard a truncated version of an allegation, which lacked the opening and closing arguments, testimony, and cross-examination of a real-life trial. Ultimately, restricting legal decision-making research to jury-level judgments lacks external validity.

A final limitation of the current study is that participants rendered their ultimate verdict decisions before making their moral judgments of the victim and perpetrator. As

such, order effects may have influenced the current study's findings. Participants may have justified their verdict decisions by updating their own attributions of responsibility, blame, and victim credibility.

Future directions

There are several directions for future research. One direction is to further examine perceptions of victim credibility by manipulating a victim's potential motives for falsely accusing rape. For example, Giacomassi and Dull (1986) conducted a survey and uncovered that nearly 30 percent of people believed "women falsely accuse men of rape" (Hildebrand & Najdowski, 2015, p. 1064). If experimental studies can discern whether victim credibility is swayed by the presence of a potential motive to lie, then researchers can better understand the effects of perceptions of victim credibility on juror and jury decision-making.

Another direction may be to research judgment and decision making in rape cases where empathy toward the victim is primed or induced. Foubert (2000) conducted a study in which men either participated or did not participate in a victim-empathy-based program; it was found that the men who participated in the program endorsed rape myths significantly less when compared to the men who did not participate in the program. Further, the effects of the victim-empathy-based program were long lasting, as the groups still differed in endorsement of rape myths seven months after the study.

Along those lines, it may be of interest to further study the relationship between prior sexual victimization and reduced victim blame. The current study did not find that women blamed the victim any less than men, contributing to the mixed findings on gender-based victim-blaming behaviors. While some studies have demonstrated that women engage in significantly less victim-blaming behaviors compared to men (Jozkowski et al., 2014), other

studies have demonstrated the opposite effect (Sperry & Siegel, 2011). Women may be more likely to blame the victim, but this may be due to women's increased likelihood for victimization; women who have themselves been victimized may judge other women's experiences more harshly, perhaps through processes of cognitive dissonance (Fisher et al., 2003). Future studies could also impose a manipulation of harm. If verdicts in sexual assault cases hinge on perceived harm toward the victim, either emotional or physical, then it may be interesting to see whether jurors who view rape as less harmful will rate an alleged perpetrator as less blameworthy or responsible, and may be less likely to render a guilty verdict.

It may also be of interest to explore perpetrators' use of force. In the current study, both vignettes featured a perpetrator who held down the victim in order to achieve sex. Future studies could manipulate use of force to determine whether jurors are sensitive to physical force or emotional coercion. Another avenue of research could be to investigate victims' appraisal of their own sexual victimization experiences. Research suggests that women who experience sexual violence are reluctant to label their own experiences as rape or assault (Littleton et al., 2006). Perhaps future studies could examine the role of victims' appraisals of sexual victimization.

Finally, the current study focuses on sexual assault against women by men. It is important to note that sexual assault affects people of all gender identities, and while it is equally important for researchers to study male victims, female perpetrators, and same-sex assault, these issues were simply beyond the scope of the current project. Future research aimed at understanding the effects of stereotypes on legal decision-making in rape cases may study other forms of sexual assault, to address this important gap in the literature.

Conclusion

This study aimed to replicate the finding that mock jurors are influenced by stereotype activation (Taylor, 2007; Hildebrand & Najdowski, 2015) and that sexual assault cases featuring schema incongruent case facts are less likely to be convicted (Ryan, 2011). This study provides support for the notion that schema-congruency and stereotypes play an important role in sexual assault cases. Further, I investigated whether female rape victims who are not viewed as “stereotypical” would be considered less credible, a finding established by Masser et al. (2010) and McKimmie et al. (2014). Mock jurors in a sexual assault case blamed the victim more and found her to be more responsible for the assault when the allegation was congruent with rape stereotypes. This study evidences that perceptions of victim credibility play an important role in legal decision-making, including verdict decision. Mock jurors were influenced by case type, victim credibility, and their own endorsement of rape myths to render a verdict. Hildebrand and Najdowski (2015) argue that rape culture results in wrongful acquittals in sexual assault trials. These results demonstrate the impact of rape culture on jurors’ legal decision-making, such that schema-incongruency resulted in lenient judgments of the perpetrator and not guilty verdicts. Researchers should continue to investigate whether atypical rape allegations result in lenient verdicts as a byproduct of rape culture, so that education and prevention programs can be developed to combat wrongful acquittals of rape trials.

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Table 1.

Correlation Matrix (N = 605)

	Means (SDs)/ Frequencies	1	2	3	4	5	6	7	8	9	10
1. Binary verdict	65.4% guilty	-									
2. Likelihood of perpetrator guilt	5.01 (1.68)	.67*	-								
3. Victim blame	3.56 (1.89)	-.32*	-.27*	-							
4. Perpetrator blame	5.40 (1.43)	.53*	.68*	-.41*	-						
5. Victim responsibility	3.68 (1.90)	-.36*	-.30*	.86*	-.46*	-					
6. Perpetrator responsibility	5.53 (1.38)	.52*	.67*	-.39*	.77*	-.43*	-				
7. Victim credibility	5.24 (1.51)	.56*	.71*	-.30*	.64*	-.36*	.63*	-			
8. Age	29.75 (12.175)	-.12*	-.20*	-.18*	-.13*	-.18*	-.11*	-.05	-		
9. Gender identity	61% men 39% women	.02	-.00	-.13*	.07	-.13*	.05	.03	.04	-	
10. IRMA	54.95 (23.09)	-.15*	-.01	.74*	-.19*	.74*	-.13*	-.10*	-.26*	-.19*	-

Note. The table above shows descriptive statistics and Pearson correlations for all correlations among variables. An asterisk indicates significance at the $p < 0.05$ level.

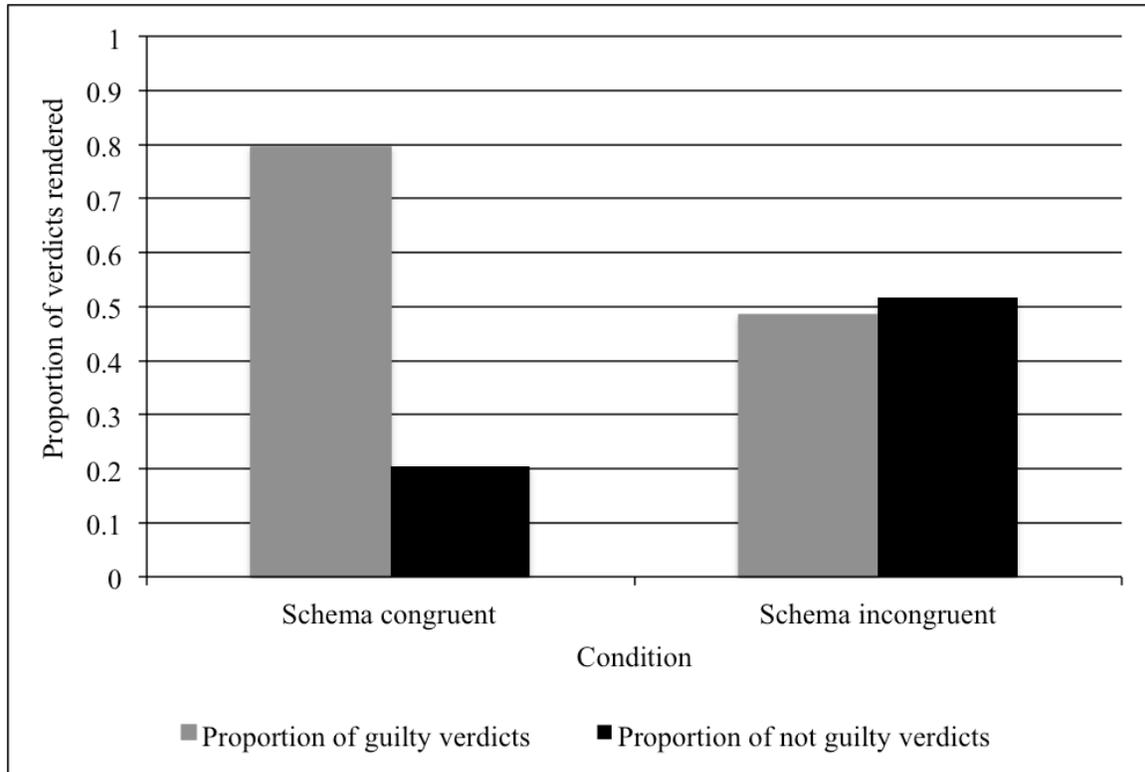


Figure 1. Proportion of guilty and not guilty verdicts rendered by condition. Chi-square analysis revealed significant differences between groups, such that a higher proportion of mock jurors in the schema-congruent condition rendered a guilty verdict (79%) compared to mock jurors in the schema-incongruent condition (48%), $X^2(1, 602) = 51.75, p < .001$.

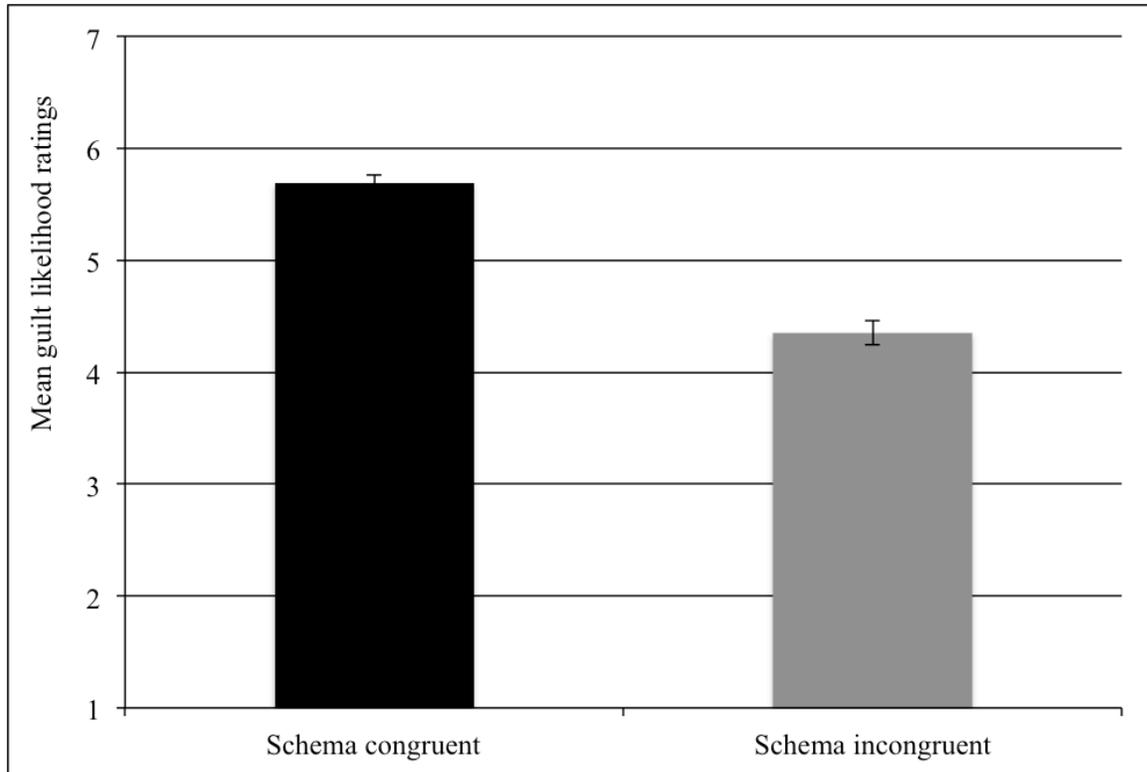


Figure 2. Mean guilt likelihood ratings by condition. Guilt likelihood was rated using a continuous scale, ranging from 1 (not at all likely) to 7 (extremely likely). Error bars indicate standard error of the mean.

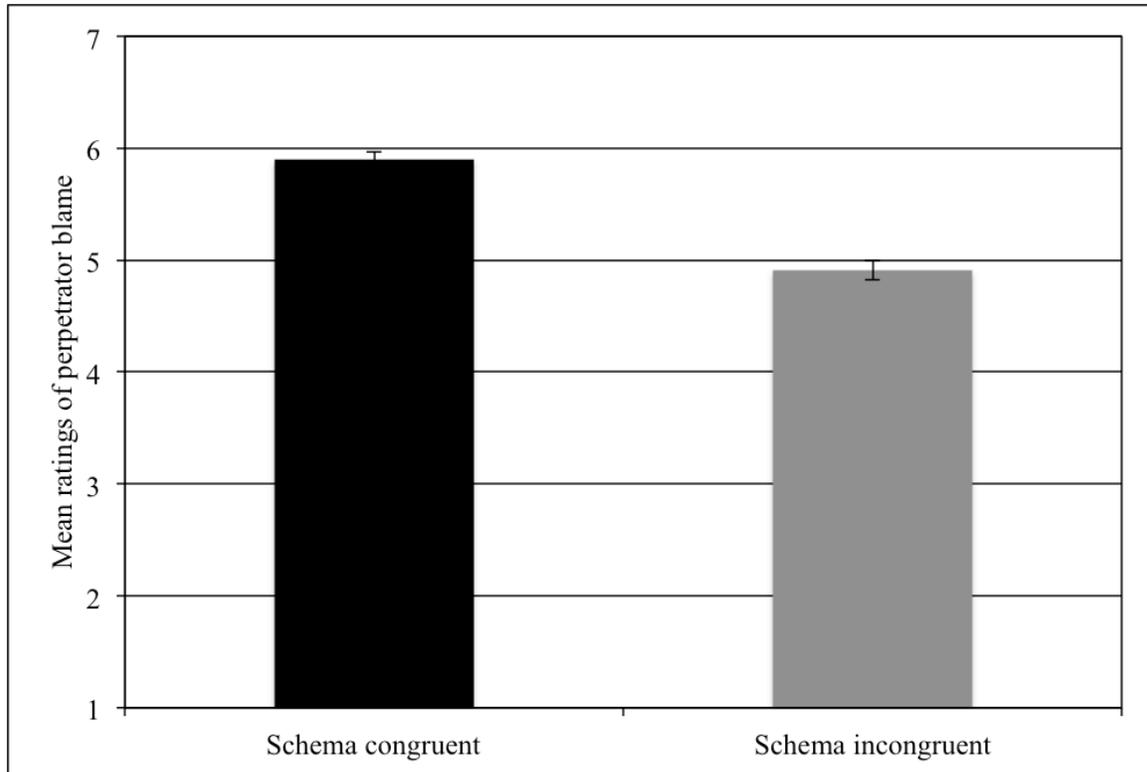


Figure 3. Mean ratings of perpetrator blame by condition. Ratings of perpetrator blame ranged from 1 (not at all to blame) to 7 (all to blame). Error bars indicate standard error of the mean.

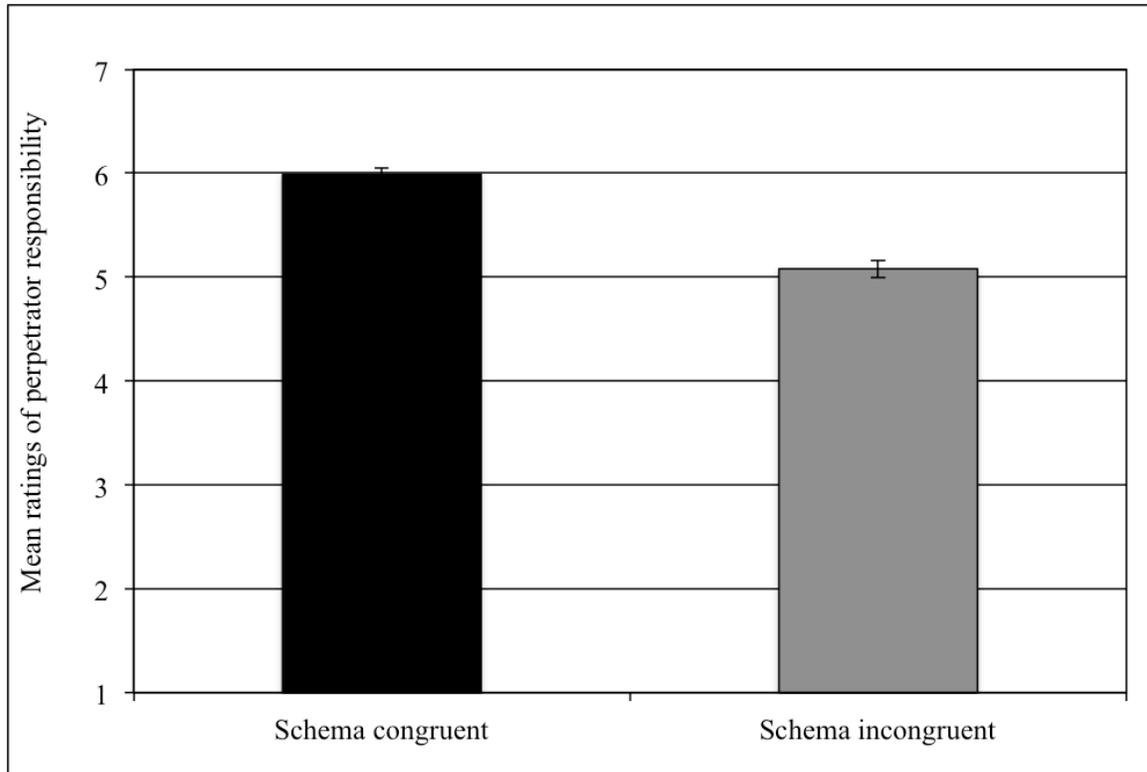


Figure 4. Mean ratings of perpetrator responsibility by condition. Ratings of perpetrator responsibility ranged from 1 (not at all responsible) to 7 (all responsible). Error bars indicate standard error of the mean.

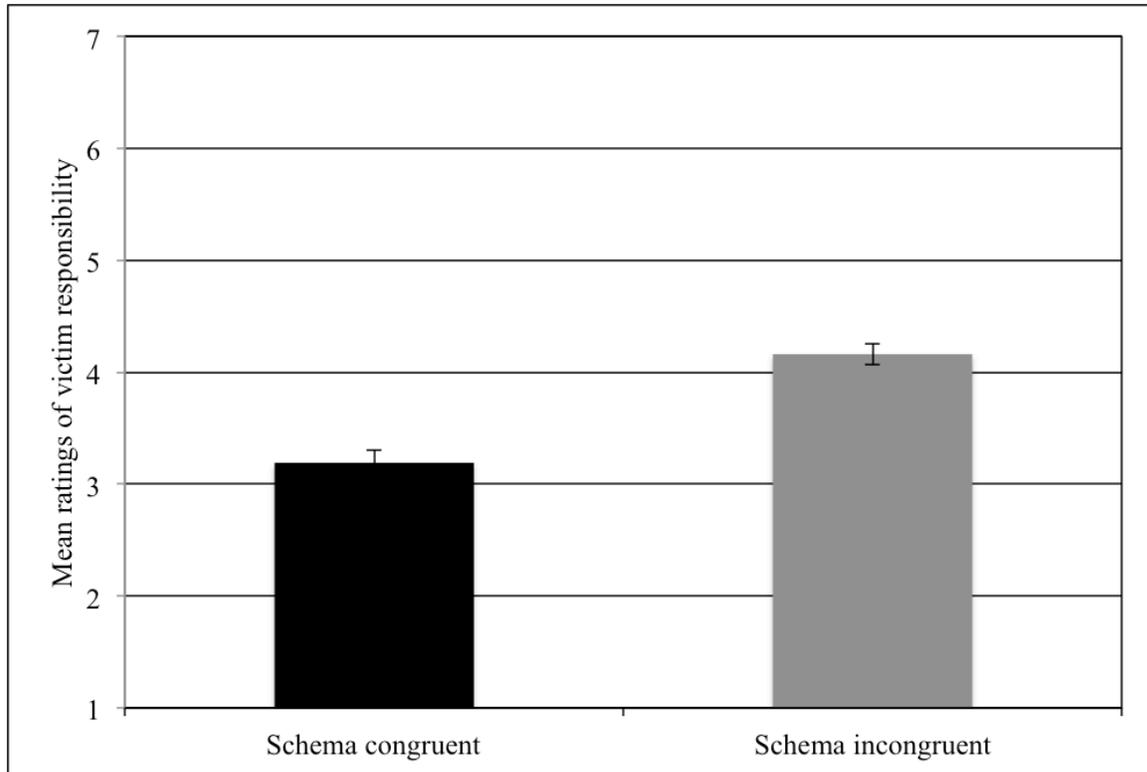


Figure 5. Mean ratings of victim responsibility by condition. Ratings of victim responsibility ranged from 1 (not at all responsible) to 7 (all responsible). Error bars indicate standard error of the mean.

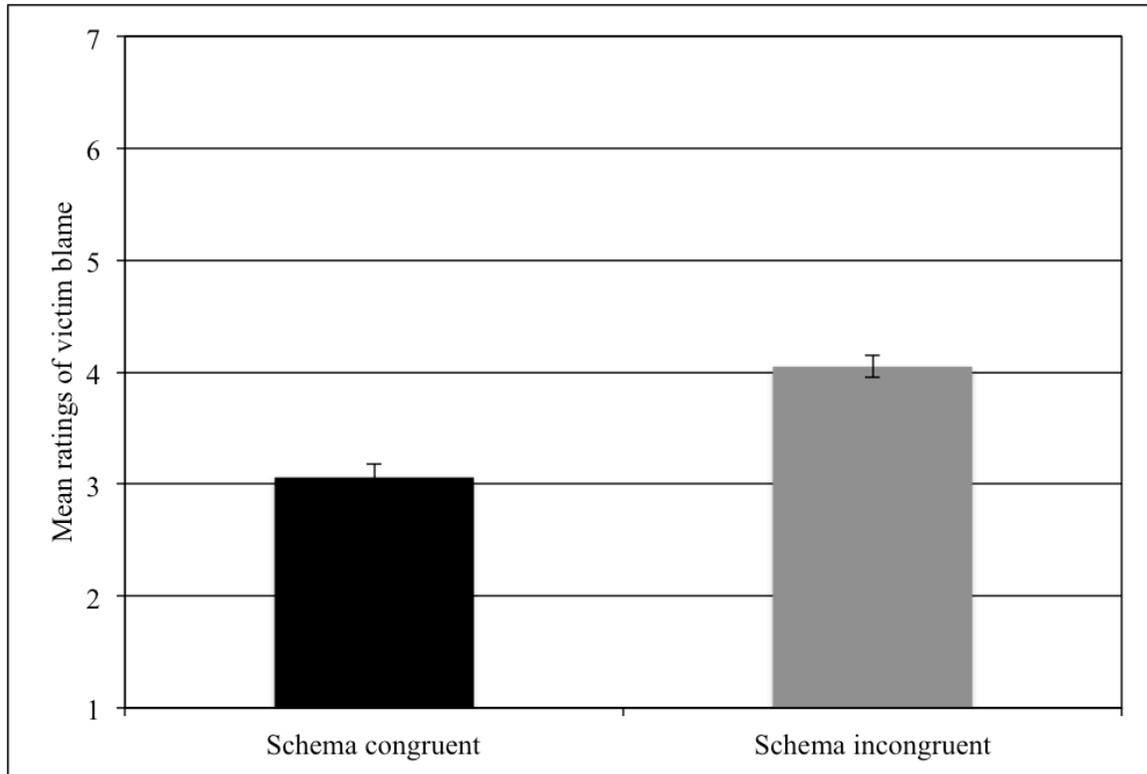


Figure 6. Mean ratings of victim blame by condition. Ratings of victim blame ranged from 1 (not at all to blame) to 7 (all to blame). Error bars indicate standard error of the mean.

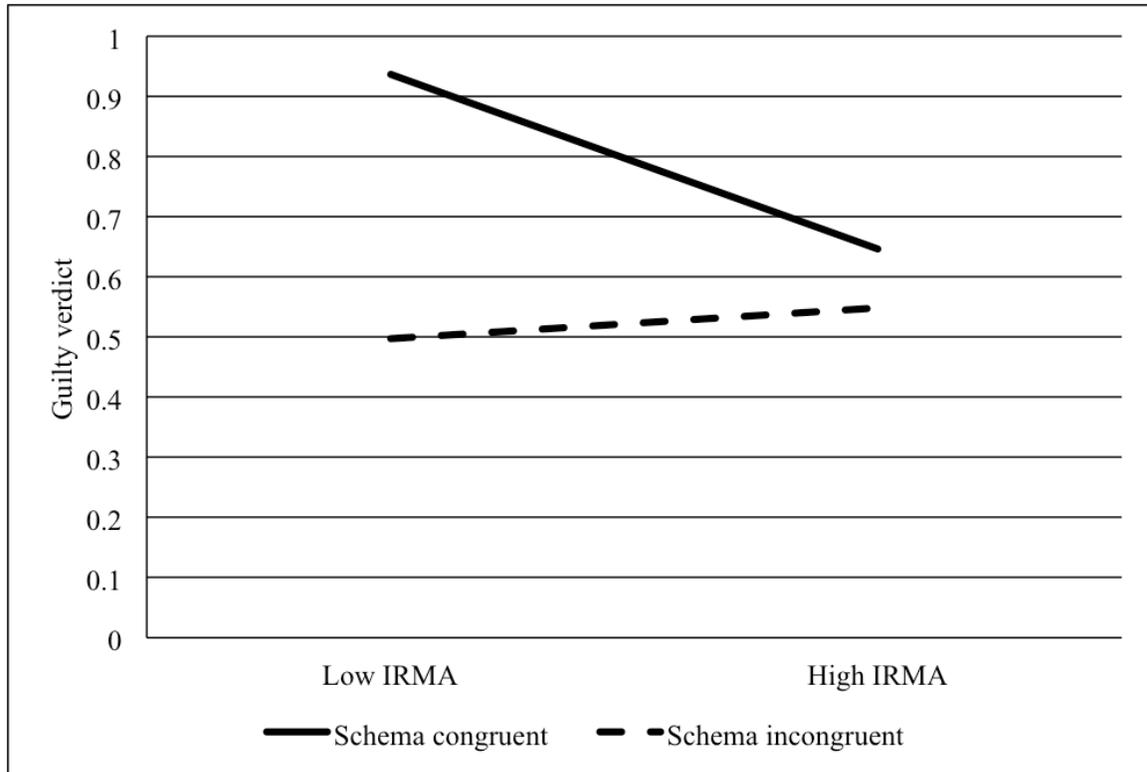


Figure 7. A significant interaction between condition and IRMA scores emerged. The relationship between condition and verdict differed significantly when mock jurors' IRMA scores were low, compared to when they were high.

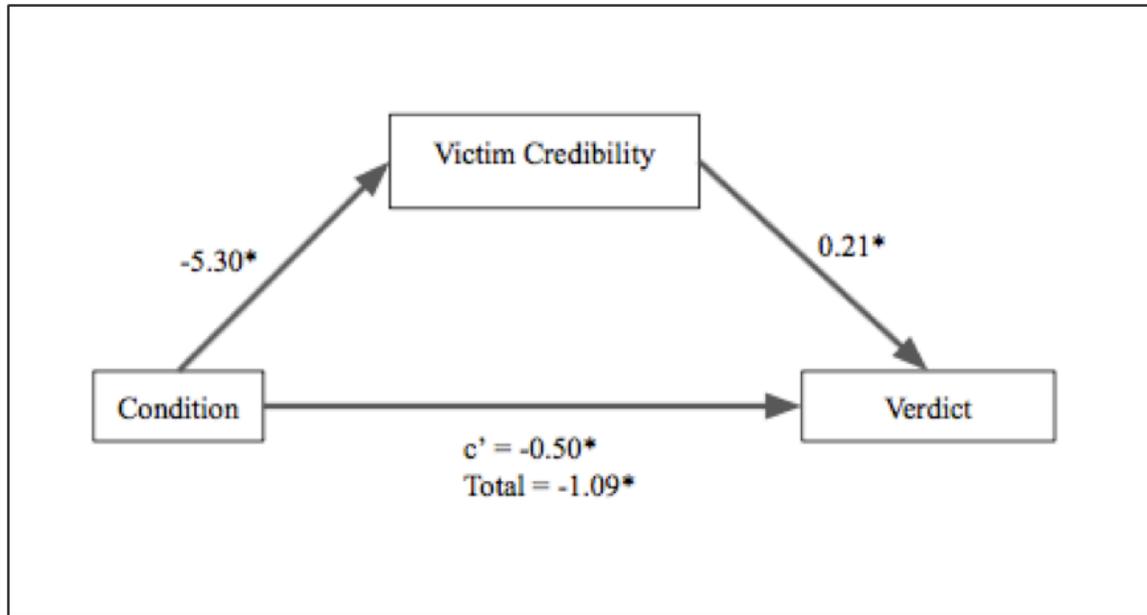


Figure 8. Mediating effect of victim credibility on the relationship between condition and verdict. Figure shows a significant direct effect, as well as a significant indirect effect after controlling for victim credibility, suggesting a partial mediation effect.

Appendix A

IRB Approval

Appalachian State University Mail - IRB Notice - 18-0331

7/3/18, 1:41 PM



Ciera Ferrone <ferronecj@appstate.edu>

IRB Notice - 18-0331

IRB <irb@appstate.edu>
To: ferronecj@appstate.edu
Cc: wingroveta@appstate.edu

Tue, Jun 5, 2018 at 10:45 AM

To: Ciera Ferrone
Psychology
CAMPUS EMAIL

From: Monica Molina, IRB Associate Administrator
Date: 6/05/2018
RE: Notice of IRB Exemption
Agrants #:
Grant Title:

STUDY #: 18-0331
STUDY TITLE: Mock juror legal and moral decision making

Exemption Category: (2) Anonymous Educational Tests; Surveys, Interviews or Observations

This study involves minimal risk and meets the exemption category cited above. In accordance with 45 CFR 46.101(b) and University policy and procedures, the research activities described in the study materials are exempt from further IRB review.

All approved documents for this study, including consent forms, can be accessed by logging into IRBIS. Use the following directions to access approved study documents.

1. Log into IRBIS
2. Click "Home" on the top toolbar
3. Click "My Studies" under the heading "All My Studies"
4. Click on the IRB number for the study you wish to access
5. Click on the reference ID for your submission
6. Click "Attachments" on the left-hand side toolbar
7. Click on the appropriate documents you wish to download

Study Change: Proposed changes to the study require further IRB review when the change involves:

- an external funding source,
- the potential for a conflict of interest,
- a change in location of the research (i.e., country, school system, off site location),
- the contact information for the Principal Investigator,
- the addition of non-Appalachian State University faculty, staff, or students to the research team, or
- the basis for the determination of exemption. Standard Operating Procedure #9 cites examples of changes which affect the basis of the determination of exemption on page 3.

Appendix B

Consent to Participate in Research

Information to Consider about this Research**Title of study: Mock juror moral and legal judgments**

Principal Investigator: Twila Wingrove

Department: Psychology

Contact Information: Twila Wingrove, J.D., Ph.D., wingroveta@appstate.edu

You are invited to participate in a research study, by acting as a “juror” and reading a fictional case describing a sexual assault allegation; you will provide legal judgments, including a final verdict of *guilty* or *not guilty*.

If you agree to be part of the research study, you will be asked to complete the following survey.

You will be compensated with \$0.50. Participating in this study is completely voluntary. Even if you decide to participate now, you may change your mind and stop at any time. You may choose not to answer any survey question for any reason.

Please be aware that any work performed on Amazon MTurk can potentially be linked to information about you on your Amazon public profile page, depending on the settings you have for your Amazon profile. We will not be accessing any personally identifiable information about you that you may have put on your Amazon public profile page. We will store your MTurk worker ID separately from the other information you provide to us.

If you have questions about this research study, you may contact Ciera Ferrone at ferronecj@appstate.edu, and Twila Wingrove at wingroveta@appstate.edu.

The Appalachian State University Institutional Review Board (IRB) has determined that this study is exempt from IRB oversight.

By continuing to the research procedures, I acknowledge that I am at least 18 years old, have read the above information, and agree to participate.

Appendix C

Schema-congruent case vignette

The police received a 911 call at 10:00 p.m. on Friday, May 1 from Sarah, a female student at a local university in North Carolina. According to Sarah, she had been raped that night by a man she had invited to her house for a first date. After the police heard Sarah's allegation, they went to her apartment for questioning.

Sarah explained that she met Matt in a senior seminar that semester, and because they talked every day in class, she decided to ask him out at the end of the semester. Sarah invited Matt to her apartment. They made dinner and had a few drinks. Later in the evening, Matt began to make sexual advances toward Sarah, by touching and kissing her. Sarah said "no" at first, because she was uncomfortable with that level of sexual activity on the first date. However, Sarah felt that Matt had not heard her. He continued to make advances, but while Sarah said "no" it appeared that Matt was not listening. Matt then tried to take Sarah's clothes off, and Sarah repeatedly tried to push him away. Eventually, Matt held Sarah down and had sex with her.

Afterwards, Sarah told Matt to leave and she immediately called 911 to report that she had been raped that night. As the police officer interviewed Sarah, she was clearly upset and appeared shaken. Nevertheless, she answered all the police officer's questions. Sarah remembered all the details of the event. She fully cooperated with their investigation and helped to locate Matt for questioning. The police found Matt at his apartment, and brought him to the police station to record his statement and get his side of the story. According to Matt, he and Sarah had both been drinking, and the sex they had was consensual. The investigators decided to charge Matt with second degree sexual offense.

Appendix D

Schema-incongruent case vignette

The police received a call at 10:00 a.m. on Friday, May 1 from Sarah, a female student at a local university in North Carolina. According to Sarah, she had been raped two weeks ago by a man she had invited to her house for a first date. After the police heard Sarah's allegation, they went to her apartment for questioning.

Sarah explained that she met Matt in a senior seminar that semester, and because they talked every day in class, she decided to ask him out at the end of the semester. Sarah invited Matt to her apartment, because her roommate was out of town that weekend. They made dinner and had a few drinks. Later in the evening, Matt began to make sexual advances toward Sarah, by touching and kissing her. Sarah said "no" at first, because she was uncomfortable with that level of sexual activity on the first date. He continued to make advances, but Sarah says she felt frozen - she did not say no or try to stop the sexual contact. Matt then tried to take Sarah's clothes off, but Sarah froze and did not push him away. Eventually, Matt had sex with her.

Afterwards, Sarah told Matt to leave. After two weeks, Sarah was still bothered by what happened between her and Matt and decided to call the police. As the police interviewed Sarah, she remained calm, and did not appear to be upset or shaken. Sarah also did not want to answer some of the police's questions, saying that she just wanted to move on. Sarah did not remember all the details of the event, and had difficulty keeping her story straight. She did not help to locate Matt for questioning because she was hesitant to get involved. However, the police eventually found Matt at his student apartment, and brought him to the police station to record his statement and ask his side of the story. According to

Matt, he and Sarah had both been drinking and the sex they had was consensual. The investigators decided to charge Matt with second degree sexual offense.

Appendix E

Juror Questionnaire

Based on the case information you were presented, respond to the following questions.

Please answer the questions honestly. Remember that your responses are completely confidential.

1. Remember that Sarah and Matt live in North Carolina. Matt is charged with second degree sexual offense. In the state of North Carolina, a person is guilty of second degree sexual offense if: "the person engages in a sexual act with another person by force and against the will of the other person; OR the person engages in a sexual act with another person who is mentally disabled, mentally incapacitated, or physically helpless." As a juror hearing this case, and considering the information that has been presented to you, is Matt guilty or not guilty of second degree sexual offense?
2. How likely do you think Matt is guilty of second degree sexual offense?
3. How much is Sarah to blame for what happened between her and Matt?
4. How much is Matt to blame for what happened between him and Sarah?
5. How much is Sarah responsible for what happened?
6. How much is Matt responsible for what happened?
7. To what extent do you think Sarah is believable?
8. To what extent do you think Sarah is genuine?
9. To what extent do you think Sarah is trustworthy?
10. To what extent do you think Sarah is honest?
11. To what extent do you think Sarah is credible?

Appendix F

Attitudes Towards Women Scale – short version (Spence, Helmrich & Stapp, 1978)

Instructions: The statements listed below describe attitudes toward the roles of women in society which different people have. There are no right or wrong answers, only opinions.

You are asked to express your feeling about each statement by indicating whether you agree strongly, agree mildly, disagree mildly, or disagree strongly.

1. Swearing and obscenity are more repulsive in the speech of a woman than of a man.
2. *Women should take increasing responsibility for leadership in solving the intellectual and social problems of the day.
3. *Both husband and wife should be allowed the same grounds for divorce.
4. Telling dirty jokes should be mostly a masculine prerogative.
5. Intoxication among women is worse than intoxication among men.
6. *Under modern economic conditions with women being active outside the home, men should share in household tasks such as washing dishes and doing the laundry.
7. *It is insulting for women to have the “obey” clause remain in the marriage service.
8. *There should be a strict merit system in job appointment and promotion without regard to sex.
9. *A woman should be free as a man to propose marriage.
10. Women should worry less about their rights and more about becoming good wives and mothers.
11. *Women earning as much as their dates should bear equally the expense when they go out together.

12. *Women should assume their rightful place in business and all the professions along with men.
13. A woman should not expect to go to exactly the same places or have quite the same freedom of action as a man.
14. Sons in a family should be given more encouragement to go to college than daughters.
15. It is ridiculous for a woman to run a locomotive and for a man to darn socks.
16. In general, the father should have greater authority than the mother in the bringing up of children.
17. Women should be encouraged not to become sexually intimate with anyone before marriage, even their fiancés.
18. *The husband should not be favored by law over the wife in the disposal of family property or income.
19. Women should be concerned with their duties of childbearing and house tending rather than with desires for professional or business careers.
20. The intellectual leadership of a community should be largely in the hands of men.
21. *Economic and social freedom is worth far more to women than acceptance of the ideal of femininity which has been set up by men.
22. On the average, women should be regarded as less capable of contributing to economic production than are men.
23. There are many jobs in which men should be given preference over women in being hired or promoted.
24. *Women should be given equal opportunity with men for apprenticeship in the various trades.

25. *The modern girl is entitled to the same freedom from regulation and control that is given to the modern boy.

In scoring the items, agree strongly = 0, agree mildly = 1, disagree mildly = 2, and disagree strongly = 3 except for the items with an asterisk where the scale is reversed. A high score indicates a profeminist, egalitarian attitude while a low score indicates a traditional, conservative attitude.

Appendix G

Updated Illinois Rape Myth Acceptance Scale – short version (Payne, Lonsway, & Fitzgerald, 1999; McMahon & Farmer, 2011)

Modified instructions: The statements listed below describe attitudes toward the roles of women in society which different people have. There are no right or wrong answers, only opinions. You are asked to express your feeling about each statement by indicating whether you strongly agree (1) to strongly disagree (2).

Subscale 1: She asked for it

1. If a girl is raped while she is drunk, she is at least somewhat responsible for letting things get out of hand.
2. When girls go to parties wearing slutty clothes, they are asking for trouble.
3. If a girl goes to a room alone with a guy at a party, it is her own fault if she is raped.
4. If a girl acts like a slut, eventually she is going to get into trouble.
5. When girls get raped, it's often because the way they said "no" was unclear.
6. If a girl initiates kissing or hooking up, she should not be surprised if a guy assumes she wants to have sex.

Subscale 2: He didn't mean to

7. When guys rape, it is usually because of their strong desire for sex.
8. Guys don't usually intend to force sex on a girl, but sometimes they get too sexually carried away.
9. Rape happens when a guy's sex drive goes out of control.
10. If a guy is drunk, he might rape someone unintentionally.
11. It shouldn't be considered rape if a guy is drunk and didn't realize what he was doing.

12. If both people are drunk, it can't be rape.

Subscale 3: It wasn't really rape

13. If a girl doesn't physically resist sex – even if protesting verbally – it can't be considered rape.

14. If a girl doesn't physically fight back, you can't really say it was rape.

15. A rape probably doesn't happen if a girl doesn't have any bruises or marks.

16. If the accused "rapist" doesn't have a weapon, you really can't call it rape.

17. If a girl doesn't say "no" she can't claim rape.

Subscale 4: She lied

18. A lot of times, girls who say they were raped agreed to have sex and then regret it.

19. Rape accusations are often used as a way of getting back at guys.

20. A lot of times, girls who say they were raped often led the guy on and then had regrets.

21. A lot of times, girls who claim they were raped have emotional problems.

22. Girls who are caught cheating on their boyfriends sometimes claim it was rape.

Scores range from 1 (strongly agree) to 5 (strongly disagree). Scores may be totaled for a cumulative score. Higher scores indicate greater rejection of rape myths.

Appendix H

Demographic Questionnaire

1. What is your age?
2. What is your gender identity?
3. What is your political affiliation?
4. What is your highest level of education?

Vita

Ciera Ferrone was born and raised in Chapel Hill, North Carolina. She graduated from Cedar Ridge High School in May 2011 with an International Baccalaureate Diploma. She wrote her extended essay in Sociology, on in-group and out-group biases in children's playmate selection. She attended Appalachian State University and earned a Bachelor of Science degree in Psychology, with minors in Statistics and Sociology, in May 2015. She graduated with University Honors and Departmental Honors in Psychology, and completed an Honors thesis on gender role stereotypes in campus sexual assault cases. In the fall of 2016, she remained at Appalachian State to earn her Master of Arts degree in Experimental Psychology. She wrote her Master's thesis on juror decision-making in cases of sexual assault. The Master of Arts degree was awarded in August 2018.