Mock jurors’ expectations regarding the psychological harm experienced by rape victims as a function of rape prototypicality

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ABSTRACT
We examined mock jurors’ judgments in a rape case that was either prototypical (late-night assault by a stranger in a public place) or non-prototypical (daytime assault by an acquaintance in a private home). We also varied the psychological harm experienced by the victim as a result of the rape (mild anxiety or posttraumatic stress disorder (PTSD)). We hypothesized that participants’ expectations regarding the level of harm the victim is likely to experience would mediate the effect of harm level on ratings of the victim’s credibility, and this indirect effect would be contingent on the prototypicality of the case. In a pilot experiment we demonstrated that people expect prototypical rape cases to be more traumatic for victims than non-prototypical cases. In the main experiment, and as predicted, participants in the Prototypical condition expected the victim to develop PTSD more than mild anxiety, but Non-Prototypical condition participants expected the opposite. In addition, a level of harm that was consistent rather than inconsistent with their expectations led participants to rate the victim as more credible; they also rated her as less responsible for what happened, and they thought the defendant was more likely guilty and that he should be incarcerated for a longer period of time.

During many criminal and civil trials, jurors may learn about psychological harm suffered by the victim, usually through the victim’s testimony or the testimony of the victim’s therapist (Vallano, 2013). For example, in cases involving medical malpractice, sexual harassment, or rape, victims may claim to have experienced emotional distress (with or without a concomitant physical injury), and this information could affect jurors’ judgments. One might predict that higher levels of harm would increase the likelihood that jurors’ verdicts, liability, and/or damage determinations would favor the victim. Existing research does generally support this hypothesis (Gentry & Pickel, 2014; Vallano, 2013; Vallano, Winter, & Charman, 2012). Notice, however, that from a legal perspective the severity of the harm should influence only punishment preferences (because defendants who cause more harm deserve harsher penalties) and not guilt judgments (which should depend solely on whether the defendant’s conduct caused a negative consequence to the victim).
victim, regardless of how serious the consequence was; Robbennolt, 2000; Vallano, 2013). Studies have also demonstrated, though, that jurors’ expectations interact with the level of harm (Gentry & Pickel, 2015; Vallano et al., 2012). Vallano et al.’s participants read a sexual harassment case that included a court-appointed therapist’s testimony. In different conditions, the therapist explained either that victims in such cases typically experience mild psychological injuries (e.g. embarrassment) or that the injuries could range from mild to severe (e.g. depression). The researchers also manipulated the severity of the victim’s actual psychological symptoms (from ‘minimal’ to ‘extreme’), according to her testimony. Most participants who expected minor harm considered only ‘minimal’ and ‘mild’ injuries to be reasonable (i.e. likely to happen to a ‘reasonable’ person in similar circumstances). In addition, as the severity of the victim’s alleged injuries increased, these participants rated her allegations as less credible, and they became less willing to find the defendant liable. In sum, it appears that jurors’ expectations regarding the amount of harm that is likely to occur, in addition to the reported harm level, must be taken into account when predicting jurors’ judgments.

The present study examines how mock jurors’ expectations about harm can influence their evaluations of a rape case involving a female victim. In the sections below, we first describe common beliefs about the typical circumstances surrounding the crime of rape, as well as individuals’ presumptions concerning the psychological effects victims are likely to experience in different cases. We then propose that jurors may use information about the prototypicality of the rape, in combination with the level of harm the victim claims to have suffered, as they evaluate the case.

Rape myths and schemas

Rape trials are challenging for jurors because there is often no physical evidence that unambiguously reveals what occurred, and there are typically no independent witnesses who can corroborate either the victim’s or the defendant’s version of the event (Ask & Landström, 2010; Hackett, Day, & Mohr, 2008; Klippenstine & Schuller, 2012). Moreover, the point of contention between the two individuals is usually not whether they had sexual intercourse but instead whether the victim consented. As a result, verdicts in rape cases depend heavily on the credibility of the victim. Yet credibility is difficult to determine, and consequently jurors may end up relying heavily on their cognitive schemas (McKimmie, Masser, & Bongiorno, 2014) – in this case, rape myths to which they have been exposed. Although rape victims can be male as well as female, the current study focuses on the more prevalent type of case, involving a female victim and a male perpetrator, and the schemas associated with such cases.

Rape myths are commonly held (but generally mistaken) cultural beliefs about how and why rape happens (Ellison & Munro, 2010; Franiuk, Seefelt, & Vandello, 2008; Lonsway & Fitzgerald, 1994; Ryan, 2011). They include the ideas that women may falsely accuse men of rape, say no when they mean yes, and invite rape by drinking too much alcohol or dressing provocatively. Researchers have argued that these myths serve the purposes of permitting men to justify or distance themselves from sexual violence against women and allowing women to minimize their feelings of vulnerability about potentially becoming victims themselves.
Although rape myths encourage blaming the victim rather than the perpetrator, they also acknowledge that some cases may constitute ‘real rape’ (Du Mont, Miller, & Myhr, 2003; Krahé, 1991; Ryan, 2011). In the prototypical ‘real rape’, the male perpetrator, who is a stranger to the female victim, surprises her when she is walking alone late at night. The ambush occurs in a deserted public place, but the perpetrator may push or drag the victim to a more secluded space to complete the assault. She may physically resist, or she may be too frightened to struggle, but either way she is unable to escape. The incident leaves her emotionally traumatized for many years, perhaps for the rest of her life. In reality, in the majority of rape cases at least some details conflict with this story; for example, most victims know the perpetrator, and few assaults occur outdoors (Du Mont et al., 2003). However, studies show that the more closely an episode matches the ‘real rape’ prototype, the more likely it is that evaluators (including mock jurors) will view the victim as credible and blameless and the perpetrator as culpable (Ellison & Munro, 2010; Frese, Moya, & Megías, 2004; Krahé, Temkin, & Bieneck, 2007; McKimmie et al., 2014).

When used to evaluate sexual assault cases, the ‘real rape’ prototype seems to function like a crime schema (Smith, 1991, 1993) that jurors can use to inform their attributions of blame and their verdict decisions. Researchers have discovered that people possess general knowledge about the components of various crimes, such as burglary and kidnapping. Multiple schemas may exist for any given crime type; for example, a ‘murder for hire’ incorporates a somewhat different constellation of features than a ‘child murder’ (Wiener, Richmond, Seib, Rauch, & Hackney, 2002). People’s crime schemas often diverge from the legal definitions. The ‘kidnapping’ schema, for instance, includes ‘a ransom demand’ even though this feature is not legally required (Smith, 1991, 1993). Nevertheless, jurors reference their schemas as they judge whether the case before them qualifies as an instance of the crime category. They expect certain features to be present within the crime event (Smith & Studebaker, 1996), and a guilty verdict becomes more probable when the case shares many rather than few features with the prototype (Smith, 1991). Furthermore, jurors resist attempts to instruct them to disregard their prior knowledge and to adhere to the legal definitions provided by the judge instead (Smith, 1993).

**Expectations regarding psychological harm in rape cases**

As noted previously, one component of the (‘real’) rape crime schema is that the victim becomes psychologically traumatized by the assault (Du Mont et al., 2003; Krahé, 1991; Ryan, 2011). Therefore, one might predict that people expect a woman to experience traumatization if she has been the victim of a prototypical rape (i.e. a sexual assault that matches most or all of the other elements of the rape schema, besides the element related to the psychological impact on the victim). On the other hand, people might not expect a non-prototypical rape, such as one committed by an acquaintance inside a private home during the daytime, to cause much emotional distress to the victim, for at least two reasons. First, given that the non-prototypical rape diverges from the schema in some ways (i.e. the relationship between the victim and perpetrator and the location and time of the attack), people might logically infer that it diverges in other ways as well (i.e. the psychological impact on the victim). Second, it is common for people to suspect that non-prototypical rapes are not ‘real’ rapes (Franiuk et al., 2008; Lonsway &
Fitzgerald, 1994), and they may reason that it is doubtful that a woman would feel traumatized if she had not truly been coerced into sexual contact against her will.

We located only one study that directly measured participants’ expectations regarding the victim’s traumatization as a function of the degree to which the rape matched the prototype. Frese et al. (2004) asked participants to read one-sentence vignettes describing a man forcing a woman to have sex. Although the authors left most of the elements of the prototype unspecified within the vignettes, in two different conditions the man was either a stranger or an acquaintance. In line with our hypothesis above, the participants thought the stranger assault would probably be more traumatic for the victim than the one committed by the acquaintance.

Several researchers (Ask & Landström, 2010; Bollingmo, Wessel, Sandvold, Eilertsen, & Magnussen, 2009; Ellison & Munro, 2009; Hackett et al., 2008; Klippenstine & Schuller, 2012; Lens, van Doorn, Pemberton, & Bogaerts, 2014; Schuller, McKimmie, Masser, & Klippenstine, 2010) have assessed participants’ expectations regarding the emotional reaction of a victim of prototypical rape (i.e. they looked at prototypical cases only and did not manipulate prototypicality). Their findings suggest that people do in fact believe that a ‘real’ rape victim would be distraught (although some of Hackett et al.’s participants reported that victims might respond in various ways).

Assuming that people expect victims of prototypical versus non-prototypical rape to feel more traumatized, do these expectations influence their evaluations of rape cases? Studies of decisions involving other offenses (Gentry & Pickel, 2015; Vallano et al., 2012) suggest that people’s judgments will be more supportive of the victim when their expectations are confirmed rather than violated. In other words, in prototypical rape cases, judgments might favor victims who are more rather than less traumatized, but in non-prototypical cases the opposite effect may occur. We could find no research examining how the psychological harm experienced by the victim affects judgments in non-prototypical rape cases. However, when presented with cases that seem prototypical, people react more positively to victims who appear traumatized as opposed to calm or neutral. Several studies have investigated the effect of the level of emotional distress communicated by a female rape victim through her nonverbal or paralinguistic behavior (e.g. whether she cries or speaks hesitantly) or through the content of her statement (i.e. whether she explicitly says that she is upset, anxious, fearful, and so on). These results demonstrate that more intense expressions of distress by the victim when reporting the assault to police (Ask & Landström, 2010; Bollingmo et al., 2009; Hackett et al., 2008; Kaufmann, Drevland, Wessel, Overskeid, & Magnussen, 2003), when testifying at trial (Ellison & Munro, 2009; Klippenstine & Schuller, 2012), or when making a victim impact statement prior to the defendant’s sentencing (Lens et al., 2014) are associated with more pro-victim judgments, including assessments of the victim’s credibility, attitudes toward the victim, judgments of whether the rape actually occurred as the victim described, and probability of guilt estimates.

In the studies described above, the researchers manipulated the victim’s demeanor or the content of her remarks, and the participants had to use this information to infer her level of emotional distress. In actual trials, evidence of psychological harm might be presented more objectively, through a statement from the therapist who is treating the victim (Vallano, 2013). The therapist would be able to discuss the victim’s emotional state but could also identify her diagnosis and describe her specific symptoms.
The current study

We asked participants to act as jurors and to evaluate a fictional rape trial. We manipulated some of the details so that the case was either prototypical or non-prototypical. In addition, we varied the psychological harm experienced by the victim as a result of the assault, as revealed through a report submitted by her therapist as well as through her own testimony. Specifically, the victim was diagnosed with either mild anxiety or posttraumatic stress disorder (PTSD), both of which are common in rape victims (Boudreaux, Kilpatrick, Resnick, Best, & Saunders, 1998; Gutner, Rizvi, Monson, & Resick, 2006; Shapiro & Schwarz, 1997) but clearly distinct from each other in terms of severity.

We tested two hypotheses. First, we predicted that people expect a victim of a prototypical rape to experience a higher level of traumatization compared to a victim of a non-prototypical rape. Second, we thought that mock jurors would evaluate a rape case differently depending on whether or not their expectations were confirmed. Thus, in a prototypical case, judgments should be more favorable to the victim when she suffers from PTSD rather than mild anxiety, but the opposite pattern should emerge in a non-prototypical case. To specify this hypothesis more completely, we predicted that participants’ expectations would mediate the effect of harm level on ratings of the victim’s credibility, and this indirect effect should be contingent upon the prototypicality of the case (i.e. participants expect different levels of harm depending on prototypicality). We considered the victim’s credibility to be the measure of primary interest based on previous data indicating that it drives other judgments in rape cases, such as verdicts and sentence preferences (Ask & Landström, 2010; Hackett et al., 2008; Klippenstine & Schuller, 2012), but we expected the independent variables to affect all case judgments similarly.

In addition to testing these hypotheses, we also compared male and female participants’ judgments. Men express stronger support for rape myths than women do (Lonsway & Fitzgerald, 1994; Suarez & Gadalla, 2010), and they may be more influenced by deviations from prototypicality (McKimmie et al., 2014). On the other hand, some studies have reported no sex differences in terms of judgments of blame or responsibility, credibility, and guilt (Bollingmo et al., 2009; Frese et al., 2004; Krahé, 1991). Therefore, we made no specific prediction regarding sex differences.

In a pilot experiment, we established that participants do in fact expect victims of prototypical as opposed to non-prototypical rape to experience greater traumatization. In the main experiment, we showed that, when the level of traumatization is congruent rather than incongruent with mock jurors’ expectations, they tend to rate the victim as more credible and less responsible and to judge the defendant more harshly in terms of guilt and recommended punishment.

Pilot experiment

The pilot experiment had three main purposes. First, we wanted to verify that, compared to participants assigned to the Non-Prototypical condition, those in the Prototypical condition would in fact rate the rape case as more prototypical. Second, we intended to demonstrate that participants in the Prototypical condition versus the Non-Prototypical condition would expect the victim to be more psychologically traumatized and more likely to develop PTSD in response to being raped. Third, we hoped to rule out the
possibility that the prototypicality manipulation was confounded with other variables that could conceivably affect the participants’ expectations regarding the victim's psychological trauma.

**Method**

**Participants**
The participants (N = 66) were undergraduate psychology students at a medium-sized, Midwestern US university who received course credit for taking part in the study. They ranged in age from 18 to 36 years (M = 19.68, SD = 2.83); 73% were female, and 82% reported their race as White.

**Materials and procedure**
After completing an informed consent form, the participants read a one-page summary of a rape case in the form of a statement given to a police detective by a female college student. In order to allow the participants to evaluate the facts of the case without having to factor in the victim’s credibility, the participants were told that the police arrested a suspect who confessed to raping the victim and who agreed that her account of the crime was accurate.

There were two versions of the summary. In the Prototypical version, three critical details of the crime conformed to the rape schema identified by previous researchers. These details involved the relationship between the victim and the perpetrator, the time that the rape occurred, and the location. Specifically, the victim stated that that perpetrator was a stranger to her, that the attack occurred late at night, and that it was initiated in a deserted public place before moving to a more secluded area. In the Non-Prototypical version, the victim described the perpetrator as an acquaintance and reported that he assaulted her in the early evening in a private residence. In both versions, participants were given the definition of ‘rape’ according to the criminal code in Indiana (Indiana General Assembly, 2015), where the incident took place: ‘A person who knowingly or intentionally has sexual intercourse with another person, when the other person is compelled by force or imminent threat of force, commits rape, a Level 3 felony’.

After reading the case summary, the participants completed a questionnaire. Some items were multiple-choice memory checks whose purpose was to ensure that the participants noticed and remembered the critical crime details (the relationship between the victim and the perpetrator and the location and time of the assault).

A second group of questions was expected to reveal certain differences between the two conditions. First, as a manipulation check, the participants used an 11-point scale to rate the prototypicality of the rape, given the crime details (from 0 = not at all to 10 = extremely). We hoped to verify that those in the Prototypical condition would provide higher ratings than would those in the Non-Prototypical condition. In addition, the participants rated on an 11-point scale how emotionally traumatic the rape was for the victim from (0 = not at all to 10 = extremely), and, given a definition of PTSD based on the *DSM-5* criteria (American Psychiatric Association, 2013), they estimated the probability that the victim would develop that disorder in response to being raped. We predicted that the participants in the Prototypical condition would expect the victim to be
more traumatized and more likely to develop PTSD compared to those in the alternate condition.

We recognized that there might be extraneous variables confounded with the prototypicality manipulation that could conceivably influence participants’ expectations regarding the victim’s traumatization. Therefore, we included a third set of questionnaire items to rule out this possibility. The participants were asked whether they believed the perpetrator had a weapon (in both conditions, he did not, according to the summary), and they rated on an 11-point scale how credible the victim’s account was (from 0 = not at all to 10 = completely), the severity of her physical injuries (from 0 = not at all to 10 = very severe), and the extent to which (a) the perpetrator threatened to kill her during the rape (from 0 = not at all to 10 = very much), (b) she feared being severely physically injured (from 0 = not at all to 10 = very much), (c) she feared being killed (from 0 = not at all to 10 = very much), and (d) she communicated to the perpetrator that she did not want to have sex with him (from 0 = not at all to 10 = very much).

In the final section of the questionnaire, the participants reported demographic information. After completing this part, they were thanked and debriefed.

**Results and discussion**

Except for the memory checks, all dependent variables below were analyzed using a factorial analysis of variance with prototypicality and participants’ sex as the factors.

**Memory checks**

The participants were asked to remember the relationship between the victim and the perpetrator as well as the location and time that the rape occurred. Four participants failed one or more of these items, and their data were discarded, leaving a sample size of 62.

**Ratings of prototypicality and psychological trauma**

As a manipulation check, we asked participants to rate the prototypicality of the rape. As predicted, we obtained a main effect such that participants in the Prototypical condition provided significantly higher ratings compared to those in the Non-Prototypical condition (see Table 1 for all ratings related to prototypicality and traumatization), $F(1, 58) = 53.71$,

<table>
<thead>
<tr>
<th>Condition</th>
<th>Prototypicality rating</th>
<th>How emotionally traumatic?</th>
<th>Prob. of PTSD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prototypical</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men</td>
<td>8.00 (1.94)</td>
<td>8.22 (1.92)</td>
<td>.59 (.22)</td>
</tr>
<tr>
<td>Women</td>
<td>9.18 (1.40)</td>
<td>8.32 (2.32)</td>
<td>.69 (.19)</td>
</tr>
<tr>
<td>Total prototypical</td>
<td>8.84 (1.64)</td>
<td>8.29 (2.18)</td>
<td>.66 (.20)</td>
</tr>
<tr>
<td>Non-prototypical</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men</td>
<td>4.38 (2.07)</td>
<td>6.75 (2.61)</td>
<td>.48 (.20)</td>
</tr>
<tr>
<td>Women</td>
<td>5.13 (2.07)</td>
<td>7.00 (1.93)</td>
<td>.56 (.15)</td>
</tr>
<tr>
<td>Total non-prototypical</td>
<td>4.94 (2.07)</td>
<td>6.94 (2.08)</td>
<td>.54 (.17)</td>
</tr>
<tr>
<td>Total men</td>
<td>6.29 (2.69)</td>
<td>7.53 (2.32)</td>
<td>.54 (.21)</td>
</tr>
<tr>
<td>Total women</td>
<td>7.11 (2.70)</td>
<td>7.64 (2.21)</td>
<td>.62 (.18)</td>
</tr>
</tbody>
</table>

Note: For all variables, means are reported with standard deviations in parentheses. Ratings of prototypicality and extent of victim’s emotional trauma were made on an 11-point scale, with higher numbers reflecting greater amounts. The main effect of prototypicality is significant for prototypicality ratings ($p < .001$) as well as for the other two dependent variables ($p < .05$).
$p < .001$, $\eta^2 = .48$. The main effect of participants’ sex approached significance, $F(1, 58) = 3.42$, $p = .07$, $\eta^2 = .06$. The interaction was not significant ($p = .69$). Thus, we were able to verify that the prototypicality manipulation was effective.

We also obtained support for the hypothesis that the participants in the Prototypical condition would rate the rape as more traumatic for the victim than those in the Non-Prototypical condition, as shown by a significant main effect, $F(1, 58) = 5.11$, $p = .03$, $\eta^2 = .08$. No other effects were significant ($ps \geq .78$).

Additionally, compared to participants in the Non-Prototypical condition, those in the Prototypical condition thought there was a higher probability that the victim would develop PTSD in response to being raped, $F(1, 58) = 5.15$, $p = .03$, $\eta^2 = .08$. We found no other effects ($ps \geq .10$).

**Analyses of possible confounding variables**

We obtained no evidence that any variables were confounded with the prototypicality manipulation. All participants correctly remembered that the perpetrator did not have a weapon. Furthermore, there were no effects related to ratings of the victim’s credibility ($ps \geq .40$; overall $M = 9.15$, $SD = 1.47$), the severity of her physical injuries ($ps \geq .31$; overall $M = 3.39$, $SD = 1.25$), the extent to which the perpetrator threatened to kill her during the rape ($ps \geq .12$; overall $M = 1.69$, $SD = 1.50$), her fear of being severely physically injured ($ps \geq .49$; overall $M = 5.94$, $SD = 2.83$), her fear of being killed ($ps \geq .21$; overall $M = 3.47$, $SD = 2.40$), or the extent to which she communicated to the perpetrator that she did not want to have sex with him ($ps \geq .41$; overall $M = 8.81$, $SD = 2.70$).

**Main experiment**

The pilot results verified that individuals expect prototypical rape cases to be more traumatic for victims than non-prototypical cases and more likely to cause victims to develop PTSD. Furthermore, these results emerged while controlling for a number of other variables that could conceivably have affected participants’ expectations. The next step was to test the hypothesis that, when the assault is prototypical, a diagnosis of PTSD rather than mild anxiety for the victim is more congruent with mock jurors’ expectations and thus increases ratings of the victim’s credibility, along with related judgments (i.e. the proportion of guilty verdicts, probability of guilt estimates, and length of recommended sentence). In contrast, when the assault is non-prototypical, a diagnosis of PTSD, as opposed to mild anxiety, should be less compatible with participants’ expectations and should therefore reduce the victim’s credibility as well as the probability that the participants will make other judgments in her favor.

**Method**

**Participants**

Undergraduate psychology students ($N = 129$) attending the same university as the pilot participants received course credit for taking part in this study. None of them participated in the pilot experiment. The students ranged in age from 18 to 41 years ($M = 19.35$, $SD = 2.25$). Most were female (74%) and reported their race as White (80%).
Materials and procedure

The participants were tested in groups of up to 10 students. They first completed an informed consent form. Next, they acted as jurors and listened to an audio recording (21–22 min in length, depending on condition) of a rape trial based on the case details that were included in the summary given to the pilot participants. The trial begins with the judge explaining that the male defendant is charged with rape and reading the legal definition of this charge according to the Indiana Code. After opening arguments from both sides, the prosecutor calls the female victim, a 22-year-old college student, to testify. She states that the defendant forced her to have sexual intercourse although she told him she did not want to have sex. He did not explicitly threaten to hurt or kill her, she says, but he physically overpowered her, removed her jeans, and vaginally penetrated her. She asked him to stop, but he refused. She further explains that she called the police immediately after the attack and was taken to a rape crisis center, where she was found to have only slight physical injuries (mild bruising to her thighs and genitals). After the prosecution rests, the defendant, a 24-year-old student, takes the stand. He admits having sex with the victim but claims that she consented after the two of them had talked for a while. At the end of the recording, the judge reads general instructions to the jury, including the definition of ‘reasonable doubt’ and (once again) ‘rape’. The details described thus far are the same across all conditions.

We manipulated two independent variables by changing some of the details presented at trial. One variable was the prototypicality of the rape. As in the pilot experiment, in the Prototypical version the victim and the perpetrator are strangers, and the crime took place late at night (after midnight), with the perpetrator initiating contact in a deserted public area (the victim says the perpetrator first approached her on a sidewalk outside her campus residence hall and then forced her into an empty common room just inside the building). In the Non-Prototypical version, the two individuals are acquaintances (he is a neighbor of her aunt and uncle), and the incident occurred in the early evening (just after 5 pm) during a social gathering in her relatives’ house. Notice that none of the manipulated details are related to probative value (e.g. whether the victim consented) or the severity of the crime (e.g. whether the victim was physically injured), so legally they should not affect participants’ judgments about guilt or punishment.

The second independent variable was the level of psychological harm experienced by the victim, which is communicated through the victim’s testimony and through a report written by her therapist that the prosecution submits as evidence. In the first of the two harm conditions, the therapist writes that, in her professional opinion, the victim is suffering from mild anxiety as a result of being raped, and she goes on to describe her symptoms, which are corroborated by the victim’s own testimony. These symptoms include occasionally having intrusive memories of being assaulted and feeling emotionally upset as a consequence, sometimes having trouble sleeping, being somewhat reluctant to leave her dorm room (although she still attends classes), taking less pleasure in the activities she used to enjoy, and feeling uneasy and worried from time to time. All of the symptoms are described as rather mild and infrequent. In the other harm condition, the therapist writes in her report that she has diagnosed the victim with PTSD, which she defines in accordance with the DSM-5 criteria. Through the report and through the victim’s testimony, the mock jurors in this condition learned that the victim often has
recurrent, involuntary, and intrusive memories of being assaulted, which precipitate physiological reactions (e.g. trembling) and emotional distress. She also experiences debilitating fear and anxiety, she is hypervigilant, and she has significant problems concentrating and sleeping. Additionally, she try and avoid reminders of the rape by staying alone in her dorm room as much as possible, sometimes even skipping classes, so she has become disconnected from friends who might support her.

After listening to the trial, the mock jurors completed a questionnaire that was divided into five sections. The first section, which included a written definition of ‘rape’ according to Indiana law, asked for several judgments related to guilt and punishment. Specifically, the participants chose a verdict (guilty of rape or not guilty), rated their confidence that their verdict was appropriate using an 11-point scale (from 0 = not at all to 10 = completely), estimated the probability of the defendant’s guilt by writing down a specific numerical probability, and recommended a sentence for the defendant if he were found guilty by a jury (regardless of their own verdict). Concerning the last item, participants were asked to report the sentence they would prefer, given that individuals found guilty of this offense in Indiana receive sentences of 3–16 years of imprisonment; they did so by writing down a specific number of years and a specific number of months.

The second section of the questionnaire required the mock jurors to use an 11-point scale to make separate ratings indicating how credible the victim and the defendant were (from 0 = not at all to 10 = completely). They also rated the extent to which each individual was responsible for what happened (from 0 = not at all to 10 = completely), in their opinion.

The questionnaire’s third section asked the participants about the details of the case according to the trial testimony. Four of these items were multiple-choice memory checks, and participants were required to choose the one correct answer. The first question was ‘What was the relationship between the victim and the defendant?’ (response options: strangers, acquaintances, good friends, dating). The second question was ‘When did the alleged rape take place?’ (response options: in the morning, in the late afternoon/early evening, late at night). The third question was ‘Where did the victim and the defendant encounter each other at the time of the alleged rape?’ (response options: in the home of some of [the victim’s] relatives, in a bar, on the sidewalk outside a campus building). The fourth question was ‘What physical injuries did the victim experience?’ (response options: none, mild bruising, extensive and severe bruising, broken bones). Two additional items were manipulation checks. To examine participants’ perceptions of prototypicality, we asked them to rate the extent to which the circumstances of the case match the circumstances of a typical rape using an 11-point scale (from 0 = not at all to 10 = extremely). We also asked participants what psychological effects the victim is currently experiencing, according to the therapist’s report; they chose one of four responses (no psychological effects, mild anxiety, PTSD, or a suicide attempt).

In the fourth section of the questionnaire, we measured the degree to which the harm level experienced by the victim is in line with participants’ expectations. Specifically, the participants used an 11-point scale to rate the extent to which they would expect the victim to experience the psychological effects she is currently experiencing (from 0 = not at all to 10 = very much), assuming the incident happened as she described it. The final section of the questionnaire requested demographic information. After finishing these items, the participants were thanked and debriefed.
**Results and discussion**

Except as noted, all dependent variables were analyzed using a factorial analysis of variance with prototypicality and level of harm as factors. Preliminary analyses revealed that there were no significant effects related to the participants’ sex ($ps \geq .14$), so this variable was not included as a factor in the analyses reported below.

**Memory and manipulation checks**

Seven participants incorrectly remembered the relationship between the victim and the perpetrator and/or the location and time that the incident occurred, and one incorrectly remembered the victim’s diagnosis. The responses from these 8 participants were excluded from the analyses, leaving 121 in the sample.

The prototypicality manipulation was successful. A main effect emerged such that the ratings made by participants in the Prototypical condition were significantly higher ($M = 8.83, SD = 1.87$) than those made by participants in the Non-Prototypical condition ($M = 4.41, SD = 2.22$), $F(1, 117) = 138.56, p < .001, \eta^2 = .54$. No other effects were significant ($ps \geq .64$).

**Expectancy rating**

The participants were asked to rate the extent to which the level of harm experienced by the victim agreed with their expectations. We hypothesized that, among participants in the Prototypical condition, those who learned that the victim has been diagnosed with PTSD would provide higher ratings than those who learned that she is experiencing mild anxiety. Furthermore, the pattern should be reversed among participants in the Non-Prototypical condition. We obtained a main effect such that Prototypical condition mock jurors expected either one of the psychological injuries more than did those in the Non-Prototypical condition (see Table 2), $F(1, 117) = 9.38, p < .01, \eta^2 = .07$. More importantly, the predicted interaction emerged, $F(1, 117) = 64.09, p < .001, \eta^2 = .35$. Simple effects analyses revealed that, in the Prototypical condition, expectancy ratings were

| Table 2. Case judgments as a function of prototypicality and level of harm. |
|---------------------------|-----------------|----------------|----------------|----------------|
| Condition           | Expectancy | Victim credibility | Defendant credibility | Victim responsibility | Defendant responsibility |
| Prototypical                  |             |                  |                       |                           |                            |
| Mild anxiety         | 7.40 (2.22)*** | 7.10 (1.58)*     | 6.03 (1.90)           | 4.67 (2.98)*              | 7.90 (2.33)                |
| PTSD                 | 9.63 (1.73)*** | 8.10 (1.86)***   | 5.40 (2.16)           | 3.10 (1.81)*              | 8.80 (2.19)                |
| Total prototypical   | 8.52 (2.27)*** | 7.60 (1.77)***   | 5.72 (2.04)           | 3.88 (2.57)               | 8.35 (2.28)                |
| Non-prototypical      |             |                  |                       |                           |                            |
| Mild anxiety         | 9.10 (1.38)*** | 8.06 (1.59)**    | 5.74 (1.77)           | 4.26 (2.86)*              | 7.32 (2.73)                |
| PTSD                 | 5.83 (2.12)*** | 6.60 (2.11)**    | 6.37 (1.75)           | 5.97 (2.43)*              | 6.60 (1.73)                |
| Total non-prototypical |         |                  |                       |                           |                            |
| Total mild anxiety   | 7.49 (2.41)    | 7.34 (1.99)      | 6.05 (1.77)           | 5.10 (2.77)               | 6.97 (2.30)                |
| Total PTSD           | 8.26 (2.02)*** | 7.59 (1.65)***   | 5.89 (1.83)           | 4.46 (2.90)               | 7.61 (2.53)                |
|                       | 7.73 (2.71)    | 7.35 (2.11)      | 5.88 (2.01)           | 4.53 (2.57)               | 7.70 (2.25)                |

Note: For all variables, means are reported with standard deviations in parentheses. Ratings were made on an 11-point scale, with higher numbers reflecting greater amounts. Within the Prototypical or the Non-Prototypical condition, means in the same column that have asterisks differ significantly according to simple effects analyses that were calculated to clarify significant interactions.

* $p < .05$.
** $p \leq .01$.
*** $p \leq .001$. 

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significantly higher when the victim suffered from PTSD rather than mild anxiety, $F(1, 117) = 21.02, p < .001, \eta^2 = .25$, whereas the difference was significant in the opposite direction in the Non-Prototypical condition, $F(1, 117) = 45.61, p < .001, \eta^2 = .46$. The main effect of level of harm was not significant ($p = .14$).

In sum, mock jurors in the Prototypical condition expected a diagnosis of PTSD more than they expected a diagnosis of mild anxiety. In the Non-Prototypical condition, these expectations were reversed.

**Credibility and responsibility ratings for the victim and defendant**

For participants’ ratings of the credibility of the victim, we found a significant interaction between prototypicality and harm level (see Table 2 for all judgments related to credibility and responsibility), $F(1, 117) = 14.27, p < .001, \eta^2 = .11$. Simple effects analyses clarified that Prototypical condition mock jurors thought the victim was more credible when she was diagnosed with PTSD instead of mild anxiety, $F(1, 117) = 4.66, p < .05, \eta^2 = .08$. In contrast, Non-Prototypical condition participants rated the victim as less credible when she reported experiencing PTSD versus mild anxiety, $F(1, 117) = 10.16, p < .01, \eta^2 = .14$. No other effects were significant ($ps \geq .41$).

Concerning the defendant’s credibility, there were no significant effects ($ps \geq .07$). However, the interaction approached significance ($p = .07$), and the simple effects were in the predicted directions.

The participants also rated how responsible each individual was for what happened. Regarding the victim, ratings were lower in the Prototypical than the Non-Prototypical condition, $F(1, 117) = 6.96, p = .009, \eta^2 = .06$. The interaction was also significant, $F(1, 117) = 12.35, p = .001, \eta^2 = .10$, with simple effects analyses indicating that the victim in the Prototypical condition seemed less responsible when she suffered from PTSD rather than mild anxiety, $F(1, 117) = 5.60, p < .05, \eta^2 = .09$, but the effect of harm level was reversed in the Non-Prototypical condition, $F(1, 117) = 6.77, p < .05, \eta^2 = .10$. The main effect of harm was not significant ($p = .88$).

For the defendant, ratings of responsibility were higher in the Prototypical than the Non-Prototypical condition, $F(1, 117) = 11.27, p = .001, \eta^2 = .09$. The main effect of level of harm was not significant ($p = .83$). The interaction approached significance ($p = .052$).

**Conditional process analysis**

We predicted that mock jurors’ expectations regarding the plausibility of the harm reported by the victim would mediate the effect of harm level on their ratings of the victim’s credibility. However, we also thought this indirect effect would be moderated by the prototypicality of the rape. Specifically, when the rape is prototypical, a higher rather than a lower level of harm should be expected, but participants should expect the opposite when the rape is non-prototypical. Figure 1(a) shows a conceptual diagram of this model.

To test this prediction, we conducted a conditional process analysis using Hayes’ (2013) PROCESS macro for SPSS (Model 7, 5000 bootstrap samples), entering level of harm as the initial variable, expectancy ratings as the mediator, prototypicality as the moderator, and credibility ratings for the victim as the outcome variable. As anticipated (see Figure 1(b)), the unstandardized regression coefficient ($B$) for the interaction between harm level and prototypicality was significant ($−5.50, p < .001$), indicating that the effect of level of harm
on expectancy ratings is contingent on prototypicality. To specify this interaction more completely, we examined the bias-corrected 95% bootstrap confidence intervals for the conditional indirect effect using each of the two possible values of prototypicality. The results revealed that, for the Prototypical condition, mock jurors reported a greater expectation for a higher rather than lower level of harm [.49, 1.52], but they expected a lower rather than higher level of harm in the Non-Prototypical condition [−2.12, −.74].

As hypothesized, we also found a significant unstandardized regression coefficient (B) for the path from expectancy ratings to victim credibility ratings (.42, p < .001). Furthermore, the direct effect of level of harm on victim credibility ratings was not statistically significant when holding constant expectancy ratings and prototypicality (−.02, p = .95).

Overall, we found evidence that the effect of level of harm on ratings of the victim’s credibility is mediated by the extent to which the harm is in line with mock jurors’ expectations. Also, mock jurors apparently form different expectations about the harm the victim was likely to experience depending on the prototypicality of the rape.

Figure 1. A conditional process analysis investigated the prediction that the indirect effect of level of harm on ratings of the victim’s credibility via expectancy ratings is conditional upon the prototypicality of the rape. The model is depicted conceptually (a) and statistically (b). For level of harm, the Mild Anxiety condition was coded as 0, and the PTSD condition was coded as 1. For prototypicality, the Prototypical condition was coded as 1, and the Non-Prototypical condition was coded as 2. Each value is an unstandardized regression coefficient (B); an asterisk indicates statistical significance at p ≤ .001.
Guilt judgments and sentences

We examined participants’ verdicts using a hierarchical loglinear analysis. There was a significant main effect of prototypicality (see Table 3 for all judgments related to guilt and sentencing); a greater proportion of participants in the Prototypical than the Non-Prototypical condition chose a guilty verdict, $\chi^2(1, N = 121) = 23.32, p < .001$, Cramer’s $V = .44$. As predicted, the interaction between prototypicality and harm level was also significant, $\chi^2(1, N = 121) = 15.96, p < .001$, Cramer’s $V = .36$. Follow-up chi-square tests of independence clarified that, in the Prototypical condition, there was a greater proportion of guilty verdicts in the PTSD than the Mild Anxiety condition, $\chi^2(1, N = 60) = 6.41, p = .01$, Cramer’s $V = .23$, but the effect of harm level was significant in the opposite direction in the Non-Prototypical condition, $\chi^2(1, N = 61) = 10.48, p = .001$, Cramer’s $V = .41$. In the overall analysis, the main effect of harm was not significant ($p = .24$).

Participants rated their confidence in the appropriateness of their verdict. There were no significant effects ($p_s \geq .20$).

Participants’ probability of guilt estimates were higher in the Prototypical than the Non-Prototypical condition, $F(1, 117) = 51.75, p < .001$, $\eta^2 = .31$. Moreover, we found a significant interaction between prototypicality and harm level, $F(1, 117) = 33.83, p < .001$, $\eta^2 = .22$. Simple effects analyses indicated that, in the Prototypical condition, guilt estimates rose as the harm increased from mild anxiety to PTSD, $F(1, 117) = 11.99, p < .001$, $\eta^2 = .19$. In contrast, the effect of harm level was reversed in the Non-Prototypical condition, $F(1, 117) = 22.73, p < .001$, $\eta^2 = .26$. There was no significant main effect of level of harm ($p = .37$).

An analysis of sentence recommendations revealed that mock jurors in the Prototypical condition preferred more months of incarceration for the defendant (if he were to be found guilty) than did those in the Non-Prototypical condition, $F(1, 117) = 17.46, p < .001$, $\eta^2 = .13$. We also found a significant interaction, $F(1, 117) = 15.71, p < .001$, $\eta^2 = .12$. According to simple effects analyses, mock jurors in the Prototypical condition recommended a harsher sentence when the victim suffered from PTSD as opposed to mild anxiety, $F(1, 117) = 12.84, p < .001$, $\eta^2 = .12$. However, participants in the Non-Prototypical

Table 3. Judgments related to guilt and punishment as a function of prototypicality and level of harm.

<table>
<thead>
<tr>
<th>Condition</th>
<th>Verdict</th>
<th>Confidence</th>
<th>Probability of guilt</th>
<th>Recommended sentence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prototypical</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mild anxiety</td>
<td>.73**</td>
<td>7.50 (1.78)</td>
<td>.68 (.14)**</td>
<td>57.03 (29.90)***</td>
</tr>
<tr>
<td>PTSD</td>
<td>.97**</td>
<td>7.60 (1.75)</td>
<td>.82 (.14)**</td>
<td>86.13 (48.71)***</td>
</tr>
<tr>
<td><strong>Total prototypical</strong></td>
<td>.85</td>
<td>7.55 (1.75)</td>
<td>.75 (.15)</td>
<td>71.58 (42.67)</td>
</tr>
<tr>
<td>Non-prototypical</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mild anxiety</td>
<td>.65***</td>
<td>7.03 (1.94)</td>
<td>.65 (.15)**</td>
<td>55.81 (19.47)*</td>
</tr>
<tr>
<td>PTSD</td>
<td>.23***</td>
<td>7.77 (1.61)</td>
<td>.47 (.16)**</td>
<td>39.57 (18.22)*</td>
</tr>
<tr>
<td><strong>Total non-prototypical</strong></td>
<td>.44</td>
<td>7.39 (1.81)</td>
<td>.56 (.18)</td>
<td>47.82 (20.42)</td>
</tr>
<tr>
<td><strong>Total mild anxiety</strong></td>
<td>.69</td>
<td>7.26 (1.86)</td>
<td>.66 (.14)</td>
<td>56.41 (24.94)</td>
</tr>
<tr>
<td><strong>Total PTSD</strong></td>
<td>.60</td>
<td>7.68 (1.67)</td>
<td>.64 (.23)</td>
<td>62.85 (43.37)</td>
</tr>
</tbody>
</table>

Note: For all variables except verdict, means are reported with standard deviations in parentheses. For verdicts, the values are the proportion of guilty verdicts. Ratings of confidence were made on an 11-point scale, with higher numbers reflecting greater confidence. For recommended sentences, the values are months of incarceration. Within the Prototypical or the Non-Prototypical condition, means in the same column that have asterisks differ significantly according to simple effects analyses that were calculated to clarify significant interactions.

* $p < .05$.
** $p < .01$.
*** $p < .001$. 

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condition suggested a more lenient sentence when the victim’s diagnosis was PTSD instead of mild anxiety, $F(1, 117) = 4.06, p < .05$, $\eta^2 = .16$. The effect of harm level was not significant ($p = .26$).

The analyses of all three judgments related to guilt and punishment supported our hypothesis that Prototypical condition participants’ judgments would be more favorable toward the victim diagnosed with PTSD rather than mild anxiety but the judgments of Non-Prototypical condition participants would show the opposite pattern.

**General discussion**

Our first prediction was that people expect the victim of a prototypical rather than a non-prototypical rape to feel more traumatized. In support of this prediction, the pilot participants who read about a prototypical rape rated the experience as more traumatic for the victim than did those who read about a non-prototypical case, and they also thought it was more likely that the victim would develop PTSD as a result of the assault. Moreover, these differences were not related to the presence of a weapon, the victim’s credibility, the severity of her physical injuries, her fear of being physically injured or killed, the extent to which she communicated that she did not want to have sexual intercourse, or the degree to which the perpetrator threatened to kill her. Earlier, we suggested two possible explanations for the effect of prototypicality on expectations. First, psychological traumatization is part of the crime schema for rape (i.e. the ‘real rape’ schema; Du Mont et al., 2003; Krahé, 1991; Ryan, 2011), so people may assume this element is present in a prototypical rape case but not in a non-prototypical one. Alternatively, because people are often skeptical that the victim was actually raped in a non-prototypical case and instead may have simply developed some regrets afterwards about her decision to have sex or may for some reason want to hurt the man she has accused (Franiuk et al., 2008; Lonsway & Fitzgerald, 1994), they may infer that she probably would not feel particularly traumatized in such a case. Additional research is needed to learn more about the origin of people’s expectations.

We also predicted that mock jurors’ expectations about the level of harm the victim is likely to experience would mediate the effect of harm level on ratings of the victim’s credibility, and this indirect effect would be moderated by the prototypicality of the case. Specifically, mock jurors who heard a prototypical case should expect the victim to experience PTSD more than mild anxiety, but those who heard a non-prototypical case should expect the reverse. For both groups of participants, a confirmed expectation should lead to higher ratings of the victim’s credibility. Furthermore, given that the credibility of the victim is strongly linked to judgments about guilt and punishment (Ask & Landström, 2010; Hackett et al., 2008; Klippenstine & Schuller, 2012), we hypothesized that prototypicality and level of harm would interact to produce the same effects on these variables as on credibility. As anticipated, the mock jurors in the Prototypical condition of the main experiment reported that they expected the victim to develop PTSD more than mild anxiety in response to being raped, but Non-Prototypical condition participants expected mild anxiety more than PTSD. In addition, a level of harm that was consistent rather than inconsistent with their expectations led mock jurors to rate the victim as more credible and less responsible for what happened, and they thought the defendant was more likely guilty and that he should be incarcerated for a longer period of time.
Overall, the results suggest that jurors have crime schemas for rape (Smith, 1991, 1993; Smith & Studebaker, 1996; Wiener et al., 2002) that are based on rape myths (Du Mont et al., 2003; Krahé, 1991; Ryan, 2011), and these schemas influence their beliefs about the impact of rape on victims. Depending on contextual factors, the case may be more or less congruent with the ‘real rape’ schema. More prototypical cases are generally more likely to lead to guilty verdicts and harsher sentence recommendations (Ellison & Munro, 2010; Frese et al., 2004; Krahé et al., 2007; McKimmie et al., 2014), as demonstrated by the main effect of prototypicality on these measures. However, prototypicality also affects jurors’ interpretations of evidence about harm by changing their expectations. As in other studies, we found that greater harm will not produce more pro-victim judgments if participants expect a relatively low level of harm (Gentry & Pickel, 2015; Vallano et al., 2012). The victim perhaps seems less credible to jurors when she reports a different level of harm than expected (Vallano, 2013; Vallano et al., 2012). For example, if the victim claims to have experienced more harm than jurors anticipated, they may conclude that she is exaggerating her symptoms or that the harm was caused by something other than the defendant’s conduct (Gentry & Pickel, 2015), which in turn raises doubts about her entire story and reduces the probability of a guilty verdict.

Analyses of two case judgments related to the defendant did not reveal significant interactions between prototypicality and harm level as we predicted. The interaction was marginally significant for ratings of the defendant’s responsibility ($p = .05$) and only approached significance for ratings of his credibility ($p = .07$). For both measures, however, the simple effects were in the hypothesized direction. There are several possible reasons why our manipulations had a weaker effect on these evaluations compared to ratings of the victim’s credibility and responsibility. First, rape is unlike most other crimes in that people may believe that many rape accusations are false (e.g. Ellison & Munro, 2010), so evaluators naturally focus more on the credibility of the victim rather than the defendant as they try to figure out what really happened (Ask & Landström, 2010; Hackett et al., 2008; Klippenstine & Schuller, 2012). Second, in any criminal case, the burden of proof is on the prosecution. Given that the victim is usually the major (or only) prosecution witness, her testimony and behavior may be more salient than the defendant’s. Third, the harm manipulation in the present study was more relevant to the victim than the defendant; she was the one who allegedly experienced the symptoms that were described. Consequently, participants may have paid more attention to her than they would have if detailed psychological injury evidence had not been introduced.

**Limitations and future research**

One limitation of the current study is that the participants were undergraduates, and actual juries would typically be made up of an older and more diverse group of adults. Such demographic differences could matter. Because our victim and defendant were both students in their early 20s, for instance, the mock jurors may have identified with at least one of them to a greater extent than older, non-student participants would have. Consequently, they might have made dissimilar judgments. On the other hand, previous research related to the current study has not uncovered different findings as a function of sample type, as far as we know. For example, Suarez and Gadalla’s (2010)
meta-analysis of predictors of rape myth acceptance revealed the same correlations between this criterion variable and various behavioral and attitudinal indicators regardless of whether student or community samples were involved. Additionally, studies have shown that both student (Frese et al., 2004) and non-student participants (Ellison & Munro, 2010; Krahé et al., 2007; McKimmie et al., 2014) tend to make more pro-victim judgments when a rape case is more rather than less prototypical. Moreover, the conclusion that people expect the victim of a prototypical rape to be distraught is based on non-student (Ask & Landström, 2010; Ellison & Munro, 2009) as well as student samples (Bollingmo et al., 2009; Hackett et al., 2008; Klippenstine & Schuller, 2012; Lens et al., 2014; Schuller et al., 2010). Although these studies suggest that our participants could effectively represent real jurors, we subscribe to Wiener, Krauss, and Lieberman’s (2011) view that researchers should follow a two-stage process in which they first establish the existence of interesting effects using convenience samples and ‘minimalist paradigms’ with high internal validity and then try to verify the results using community samples and more realistic paradigms. Now that we have completed the first step, we recommend that future researchers should attempt to replicate our data with a non-student sample.

Another limitation is that our mock jurors did not deliberate. It is unclear whether deliberation would change the pattern of results. Usually, individual verdicts strongly predict group verdicts (Bornstein & Greene, 2011; Salerno & Diamond, 2010), but, again, additional investigation is needed.

We did not obtain any effects of participants’ sex, even though some researchers have reported differences in men’s and women’s judgments (e.g. McKimmie et al., 2014) and previous work indicates that men are more supportive of rape myths (e.g. Lonsway & Fitzgerald, 1994). It is possible that we would have uncovered significant effects if our samples had included a higher proportion of male participants. On the other hand, sex differences are not always found (e.g. Bollingmo et al., 2009; Frese et al., 2004; Krahé et al., 2007). It would be useful to learn more about the circumstances under which they will emerge.

Future research could also examine the possibility that jurors could be educated about the range of levels of psychological injury that rape victims may experience. In the current study, the victim’s therapist simply reported her symptoms, but she could have normalized the victim’s level of traumatization by informing jurors that it is well within the typical range. It is possible that this testimony would alter jurors’ expectations, which in turn would affect their case decisions (Vallano et al., 2012). In this way, the interaction between prototypicality and harm level might disappear, and jurors might make more pro-victim judgments in the PTSD condition than the Mild Anxiety condition regardless of prototypicality.

As a final suggestion, researchers could determine whether the interaction we obtained would emerge in cases involving a male rather than a female victim. It is unclear whether people expect male rape victims to feel severely or only mildly traumatized and whether the prototypicality of the case would influence their expectations. In addition, it is not known whether people would apply the same rape crime schema when the victim is a man or whether they would classify the offense into a completely different schematic category, given that ‘the victim is female’ is probably one of the more important elements of their rape schema.
**Implications and conclusion**

Consistent with previous results (Ellison & Munro, 2010; Frese et al., 2004; Krahé et al., 2007; McKimmie et al., 2014), our data indicate that victims in less prototypical cases are not as likely as victims in prototypical cases to see their attacker convicted in court, even though a majority of cases actually deviate from the prototype in some way (Du Mont et al., 2003). Extending prior studies, we also found that victims in non-prototypical cases may reduce their chance of getting a guilty verdict if they testify that they are experiencing a higher rather than lower level of traumatization; this result stands in contrast to the typical effect of the level of harm in criminal and civil cases (Vallano, 2013). It is important to note that severe traumatization (such as PTSD) is commonly diagnosed in rape victims, including those assaulted by an acquaintance (Boudreaux et al., 1998; Gutner et al., 2006; Shapiro & Schwarz, 1997).

Negative outcomes in court could lead to the ‘revictimization’ of women who have been raped (Hackett et al., 2008; Lens et al., 2014) and could discourage other victims from reporting sexual assaults to the police and from cooperating with prosecutors. As it is, rape is underreported, in part because victims worry about not being believed (Du Mont et al., 2003). In fact, many people suppose that false allegations of rape are common (Ellison & Munro, 2010), although they are not (Lisak, Gardinier, Nicksa, & Cote, 2010; Rumney, 2006). Unfortunately, the present data suggest that the situation may be even worse than prior results indicate: Victims of a non-prototypical rape who decide to tell the jury about the severe emotional distress and anguish they feel may discover to their dismay that the decision backfires. Attempts at replication are needed, of course, to determine how well our findings would apply to real-world cases. However, it seems clear that future studies should identify methods of altering jurors’ expectations about victims’ traumatization (e.g. through expert testimony) to help them understand that victims may experience various levels of psychological distress ranging from mild to severe, regardless of the circumstances of the crime. In addition, jurors hearing rape trials should be educated about the prevalence of non-prototypical assaults.

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