



The Effects of Courtroom Decisions on Perceived Victim Credibility  
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**Background Information**

My research will focus on the effect of court decisions, such as whether or not to bring a case to trial, on the likelihood that people will believe rape victims' accounts of the sexually violent incident. Basically, I would like to know if a victim is less apt to be believed if their case never goes to trial, than if it does. Research has indicated that the negative opinions of rape victims exhibited by peers can strongly influence how others will judge rape victims (Brown & Testa, 2008). It has also been found that people want to trust the legal system's ability to seek justice, and, more specifically, to believe that their elected prosecutors are making the right choices about which cases demand penalty and which do not (Bach, 2008). While we may be inclined to pay closer scrutiny to some of our peers' opinions, since we know them personally and would be aware of any existing biases they may have, it is far less likely that the same sort of filter would be applied to the decisions of court officials. It would be reasonable to assume that a great deal of people do not have a personal relationship with their district prosecutor or judge, and often the public is unaware of many of the decisions these officials make outside of what can be seen in the news. So, there would be little basis for identifying biases or possible flaws in judgment. Given the already established effects of peer opinions (i.e., Brown & Testa, 2008), it is likely that the decisions and derived beliefs (meaning, the assumed notions of an official based on associated rulings) of court officials would have a strong influence on how those in the general public will view a victim. For instance, prosecutors are often uncomfortable pursuing sexual violence cases that deviate from the prototypical scenario (innocent victim attacked by a crazed and dangerous individual) (Bach, 2008). If a prosecutor were to routinely dismiss cases that did not fit that particular model, which would likely be the majority of cases (Dinero et al., 1988), it may reinforce false notions about victim credibility and what qualifies as rape.

Current research also indicates that jurors may already hold some biases against the victim prior to any other possible influences from court officials (Bentley, Blackwell, Daley, & Deitz, 1982). This may relate to victim blaming (i.e., the idea that a victim is deserving of the crime committed against them), which is already prevalent in our society (Franuik, Seefeldt, & Vandello, 2008; Lerner & Simmons, 1966). With negative attitudes toward sexual violence victims already present in society, it would be reasonable to assume that the dismissal of court cases against suspects in these crimes may only work to strengthen beliefs about whether or not a victim deserves to seek justice.

In short, prosecutorial decisions made to avoid pursuing cases they feel they are likely to lose, may unintentionally give support to victim blaming notions.

In my Psyc206 I was able to design and conduct my own study examining the effects of victim gender and myth acceptance (e.g., misconceptions about victims provoking the sexually violent acts) on victim blaming. I randomly presented my participants with one of four vignettes that depicted the events leading up to a sexually violent encounter, then asked them to complete a response questionnaire in assess the amount of blame attributed to the victim. The vignettes were identical except for manipulations made for gender and level of attentiveness (relating to myths that would point to carelessness as a cause for sexual violence, such as going somewhere alone at night or letting an unfamiliar person into one's home). Overall, I found that gender and attentiveness, on their own, had no significant effect on victim blaming—possibly as a result of my small sample size. The interaction of these two variables, however, had a marginally significant effect on victim blaming, suggesting that victim gender may moderate the effects of other variables on victim blaming.

Over winter break, I continued to read the literature on victim blaming, as well as how it may be related to court outcomes. Upon coming back to campus and discussing the idea with Professors Hill and Keyes, it was decided that the best course of action was find and pilot test measures of victim blaming and potential experimental manipulations to determine which would be best suited to an experiment that would effectively evaluate the potential effects of legal decisions on perceptions of victims. I then mapped out a plan for a summer research project involving the identification of which measures and manipulations to use, pilot testing and adjusting those measures and manipulations, and developing an experiment for the fall semester.

In short, my research will look at whether a victim is less likely to be seen as credible if their case is never prosecuted, than if it is. Since past research would indicate that the opinions of others greatly affect attitudes toward victims, and that people want to trust the decisions of their legal system, I would predict that the presentation of legal rulings in relation to the victim would impact attitudes about whether or not their account is credible. Findings from this research could potentially influence how these sorts of cases are tried in the future. Currently there is great concern over the large number of intimate violence cases that are dismissed (Polk, 1993), and if my findings support my hypothesis, it could strengthen the argument for bringing more of these cases to trial. It could also help to inform future intimate violence education initiatives.

### **Methodology**

For my summer research, I intend to use scales of measurement that are relevant to court decisions' influences on victim blaming in conjunction with scenarios that involve an account by a victim and the related court decision (e.g., the case was never brought to trial). I will begin by developing scenarios based on the literature review that will be conducted in the first two weeks of the summer research program. Then, I will need to determine which scales best measure the effects of manipulations of the court outcomes in the various scenarios. The manipulations made to the scenarios would be focused specifically on how the final legal decision, or lack thereof, would affect individuals' attitudes toward the victim and their credibility. Basically, I am looking at whether or not an outcome, such as opting not to bring a case to trial, will cause others to view the victim more negatively and whether individuals may then be less inclined to believe the victim's account. The particular scales I am interested in looking into are those relating to the acceptance of rape myths and attitudes toward rape victims. In addition to finding out how legal decisions affect victim credibility, I also intend to look at whether or not any other factors (such as victim or participant gender, race, socioeconomic status, etc.) will moderate these effects. For example, would the effect of case prosecution differ depending on whether the victim is of high or low socioeconomic status, or male versus female? Or, would some characteristic of the participant possibly affect how they will perceive the victim, making the effects of the manipulations more or less dramatic depending on the gender of the participant, for example? Pilot testing prior to the actual experiment would be necessary to establish these potential moderating effects. Before conducting testing of any kind—both the pilot studies and the final experiment—I will submit my materials to the campus-wide IRB for approval. Any adjustments that are made to either the measures or the scenarios will be submitted as an addendum to the chair of the department. After I have conducted the pilot studies, my final goal for this research project is to design an experiment, which would be conducted in the fall.

### **Proposed Outcomes**

The goals of my summer research are (1) to develop scenarios that depict rape victims and their court outcomes, (2) to identify the scales I will use in measuring the effects of the different court decisions on perceptions of victims and victim credibility, (3) to identify any other variables that may moderate the effects of my manipulations, and (4) to complete the design of my follow-up experiment, which will be continued in the fall semester. The final success of my project will be determined by the achievement of these goals. Further success would involve presenting my findings at a conference, such as Elkin Isaac or the Undergraduate Psychology Research Conference, or possibly publishing in a peer-reviewed journal.

## References

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- Franuik, R., Seefeldt, J. & Vandello, J. (2008). Prevalence of rape myths in headlines and their effects on attitudes toward rape. *Sex Roles*, 58, 790-801.
- Lerner, M., Simmons, C. H. (1966). Observer reaction to the 'innocent victim': Compassion or rejection? *Journal of Personality and Social Psychology*, 4 (2), 203-210.
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### **Timeline**

(descriptions are based on the assumption that IRB approval will be met by that time)

*Weeks One and Two:* Conduct a thorough literature review looking at not only court decisions and possible effects on perceived victim credibility, but if there are any moderating variables that should be included in the final study (i.e., age of participant, gender of participant/victim, etc.).

*Weeks Three and Four:* Make any necessary adjustments to the scenarios and scales depending on what information was found during the literature review. Identify any variables related to either the victim or participant (i.e., gender, age, etc.) that may function as moderators of scenario effects on victim credibility.

*Weeks Five and Six:* Begin conducting pilot testing to establish any variables that may moderate the effects of my manipulations of court decisions in the scenarios (i.e., the gender of the participant or victim), leading to different amounts of blame.

*Weeks Seven and Eight:* Analyze the pilot test results and draw conclusions. Begin to prepare for submitting the final experiment design to campus-wide IRB at the start of the semester.

### Tentative Reading List

- Allaggia, R. & Regehr, C. (2006). Perspectives of justice for victims of sexual violence. *Victims & Offenders, 1*, 33-46.
- Bell, M. E., Dutton, M. A., Goodman, L. A., & Perez, S. (2011). Battered women's perceptions of civil and criminal court helpfulness: The role of court outcome and process. *Violence Against Women, 17*, 71-88.
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- Sasson, T. (1995). *Crime Talk: How Citizens Construct a Social Problem*. Hawthorne, NY: Walter de Gruyter.