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Perceptions of Male-Perpetrated Sexual Assault: The Impact of Victim Gender and Perceived Sexual Orientation

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The present study examined the impact of victim gender, victim sexual orientation, and participant gender on judgments in a sexual assault case. Community members ($N = 267$) read a fictional trial summary in which a male perpetrator allegedly sodomized either (a) a straight man, (b) a gay man, (c) an ambiguous man (i.e., sexual orientation not stated), or (d) a straight woman. Overall, participants were more provictim (e.g., higher perceptions of victim credibility) when the victim was a woman versus a man and participants were more sympathetic toward the straight man victim compared to the nonstraight male victims (i.e., gay and ambiguous). Structural equation modeling revealed that beliefs that a male victim was attracted to men were associated with perceptions that the victim wanted sex, which led to lower victim credibility and lower ratings of defendant guilt. Notably, beliefs that the female victim was attracted to men did not have a direct effect on perceptions that the victim wanted sex, nor an indirect effect on verdict. These results indicate that when a male victim is perceived as being attracted to men, he is less likely to be believed that the sex was nonconsensual when sexually assaulted—regardless of his actual sexual orientation. Implications are discussed in terms of barriers to men who are victims of sexual assault and education of the public to reduce sexual assault myths in jurors.

Public Significance Statement

Findings reveal significant juror biases against male victims of male-perpetrated sexual assault, as well as evidence of more sympathy toward straight male victims compared to nonstraight male victims. The results highlight the barriers to men, particularly nonstraight men, who are victims of sexual assault in the criminal justice system, and the need for public education to reduce sexual assault myths in jurors.

Keywords: sexual assault, sexual orientation, male victim, male sexual assault

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In hearing the term “sexual assault,” one might immediately think of a scenario involving a man sexually assaulting a woman. Indeed, Felson and Cundiff (2014) examined data from the National Incident-Based Reporting System (NIBRS) and found that almost 91% of all reported sexual assaults fit this category. The NIBRS data, which did not include prison sexual assault, found that about 8% of sexual assaults involved a male perpetrator and a male victim (Felson & Cundiff, 2014). Although this percentage was relatively low, male victims of sexual assault, compared to female victims, were even less likely to report the assault (Basile et al., 2022;

Davies & Rogers, 2006; Walker et al., 2005; Weiss, 2010). In one nationally representative survey asking participants about experiences of sexual victimization, it was found that approximately one in 26 men reported lifetime experiences of attempted or completed rape, and about 77% of these male victims reported only ever being victimized by male perpetrators (Basile et al., 2022). These prevalence rates of sexual assault among men also differ by sexual orientation, as it has been shown that sexual minority men are at even greater risk of sexual victimization than straight men (Messinger & Koon-Magnin, 2019). Moreover, Davies and Rogers (2006) noted that, like cases of women sexually assaulted by men, the number of perpetrators going unpunished and victims going without needed assistance from police or mental health professionals is high. Given the clear presence of male-perpetrated sexual assault for all individuals, not just women, it is important to expand investigations of jury decision making in sexual assault trials to male victims. Thus, the purpose of the present study is to investigate perceptions of male sexual assault victims in the courtroom.

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Male sexual assault has received some attention in the research literature, but there are conflicting findings regarding how male victims of male-perpetrated sexual assault scenarios are perceived outside of the courtroom. On one hand, researchers have demonstrated that male sexual assault victims are held more responsible for their sexual assault compared to female victims because of the belief that men should be able to fight off their attackers (Judson et al., 2013; Ostermann, 2023; Perrott & Webber, 1996). On the other hand, Doherty and Anderson (2004) suggest that male victims tend to be blamed relatively less for their sexual assault than female victims because men are not expected to foresee sexual assault as a potential occurrence (see also Anderson, 1999; McCaul et al., 1990; Schneider et al., 1994). Another study investigating how participants label a sexual assault scenario using mixed-gender and same-gender perpetrator and victim combinations found that participants presented with a same-gender combination (e.g., men sexually assaulted by men) were more likely to label the event as sexual assault than those in mixed-gender conditions (Ballman et al., 2016). Due to the conflicting literature on perceptions of male sexual assault victims, it is unclear how male victims would be perceived in court compared to a heteronormative female victim (i.e., a straight woman).

Past research on legal decision making and sexual assault has focused almost exclusively on female victim/male defendant sexual assault cases. As noted by Golding et al. (2022), this research has typically manipulated victim and/or defendant characteristics and examined how certain variables impact jurors regarding verdict and other dependent measures (e.g., victim credibility, victim blame). Regarding legal decision-making research and male sexual assault victims, the literature can best be described as “limited.” Only a small portion of the few studies that have investigated male sexual assault in a legal context had participants render a verdict in a criminal trial. Examples of studies in which participants did not render a verdict include Schneider et al. (1994), which had participants read a vignette of a gang sexual assault scenario where either a male or female victim was orally or anally sexually assaulted by three male defendants. Participants rated their perceptions of the victim in the assault and found an effect of victim gender; participants placed more blame on female victims than male victims (see also Anderson, 1999; Doherty & Anderson, 2004; McCaul et al., 1990). The researchers suggested that these results were because of the perception that women were expected to actively avoid being sexually assaulted, while men were not.

Another male sexual assault victim study in a legal context included a paradigm in which participants were asked to rate the likelihood of winning a fictitious court case in which they were the victim of a sexual assault (Gerber et al., 2004). For male participants, the perceived likelihood of winning was higher when there was a male perpetrator compared to a female perpetrator, but for females, there was no difference in perceived likelihood of winning based on the perpetrator’s gender. Similarly, male participants were less likely to perceive that they had been sexually assaulted if the perpetrator were a female than a male, while female participants believed they would consider the incident sexual assault regardless of the gender of the perpetrator. Additionally, Bosma et al. (2018) investigated sexual assault involving a male victim by examining how participants responded to victim gender (i.e., male or female) and victim emotional expression (i.e., expression of sadness or anger). Participants read a short vignette of a sexual assault victim’s impact

statement and then reported how credible they believed the victim to be and evaluated the character of the victim, among other questions. The researchers found that participants perceived a male victim to be less credible and have a more negative character (e.g., less competent and less warm) than a female victim, regardless of emotional expression. Bosma et al. theorized that this difference was because the male victim did not fit the stereotypical idea of a sexual assault victim and went against the participants’ expectations.

Very few studies have investigated juror perceptions of both male and female victims in a legal context in which the participant is asked to render a verdict. Both studies that we identified in which this was examined utilized undergraduate samples and stranger sexual assault scenarios (Carter et al., 2023; Ellingwood et al., 2022). Findings from these studies indicate that there was not a significant difference in guilty verdicts rendered when comparing cisgender male and female victims. Carter et al.’s findings did suggest, however, that participants viewed the cisgender male victim’s sexual assault as less severe than the female victim’s. These findings are in opposition to previously described research, which has found a clear difference in perceptions of male and female victims of sexual assault in legal settings (Bosma et al., 2018; Gerber et al., 2004; Schneider et al., 1994).

Further complicating how male victims of sexual assault may be perceived in court is the issue of victim sexual orientation. Male victims of male-perpetrated sexual assault are typically assumed to be gay (Stermac et al., 2004). This may be because of perceptions of sexual orientation, as research indicates that men are perceived to be more fixed in their sexuality than women (Diamond, 2003; Peplau, 2003). Thus, when a man has even one sexual encounter with another man (regardless of consent), he is labeled “gay.” However, women are not typically perceived as a lesbian if they have had a single sexual encounter with another woman. Additionally, because of the belief that men should be able to fight off their attackers (Judson et al., 2013), male victims of sexual assault may be perceived as “allowing” the assault to happen and thus wanting the assault to occur, which speaks to their sexual orientation. This again may not be the case for women, as female victims are not expected to fight off perpetrators in the same way that men are.

Several studies have examined attributions of blame and responsibility concerning male sexual assault victims and their sexual orientation (see Davies & Rogers, 2006 for a review). The sexual orientation of the male sexual assault victim in male-perpetrated sexual assault scenarios was manipulated in each study. The results of these studies consistently showed that (a) male sexual assault victims were blamed more than female sexual assault victims (Davies & Rogers, 2006; Gerber et al., 2004); (b) gay men who were sexual assault victims were blamed more than straight men who were sexual assault victims (Davies & Rogers, 2006; Davies et al., 2006; Ford et al., 1998; Wakelin & Long, 2006); and (c) male participants attribute more blame to male victims of sexual assault than female participants (Davies et al., 2006; Wakelin & Long, 2006). There have, however, been more recent findings that suggest that there is no impact of male victim sexual orientation on participant blame toward the sexual assault victim (Spiker, 2022). It is important to note that while participants in these studies were given a sexual assault vignette, these studies did not use a court scenario, nor were participants asked to render a verdict or provide a guilt judgment.

The only published study, to our knowledge, that has examined the impact of a male sexual assault victim's sexual orientation on juror decision making in which jurors were asked to render a verdict, was conducted by Ellingwood et al. (2022). This study presented an undergraduate sample with a trial summary in which the victim's gender and sexual orientation were explicitly stated and manipulated. Findings from this study revealed no significant impact of sexual orientation on verdict, including no significant differences on guilty verdicts rendered when comparing gay, straight, and bisexual male victim conditions. Taken together, findings from Ellingwood et al. (2022) and from the previously described studies examining perceptions of male sexual assault victims (Davies & Rogers, 2006; Davies et al., 2006; Ford et al., 1998; Spiker, 2022; Wakelin & Long, 2006) paint an ambiguous picture of how gay and straight male victims of sexual assault are perceived in court.

To summarize, the present literature on perceptions of male sexual assault victims in the legal context suggests that male victims are viewed more negatively compared to female victims (Bosma et al., 2018; Gerber et al., 2004; Schneider et al., 1994), the few studies that have investigated verdict decisions related to victim gender have not found a significant effect (Carter et al., 2023; Ellingwood et al., 2022). Similarly, there are mixed findings regarding how gay versus straight male victims of sexual assault are perceived in court as well, and how these perceptions may impact juror decision making (Davies & Rogers, 2006; Ellingwood et al., 2022; Spiker, 2022). The present study aims to help clarify the current state of the literature by examining juror perceptions and decision making in a sexual assault case in which the victim's gender and sexual orientation are manipulated. Additionally, the current study will add to the current findings by investigating why participants rendered their chosen verdict using qualitative data.

The Present Study

In the present study, we employed a 2 (participant gender) \times 4 (victim type) between-participants design. Victim type included four levels: (a) ambiguous male victim (i.e., sexual orientation not mentioned), (b) gay male victim, (c) straight male victim, and (d) straight female victim, which served as a control. A straight female victim was used as a control because prior research involving adult female victims offers a clear pattern of results for this condition (e.g., female participants were more pro-victim than male participants toward female victims; see Golding et al., 2022). Based on prior research, we generated the following hypotheses.

Hypothesis 1: Victim Type Condition

We expected participants' perceptions of the victim and defendant to differ as a function of victim type. We hypothesized that: (H1a) the female victim would be judged more favorably than any of the male victims (e.g., more guilty verdicts, higher perceived credibility), (H1b) the straight male victim would be judged more favorably than the nonstraight (i.e., gay and ambiguous) male victims, (H1c) the ambiguous male victim would be judged more favorably than the gay male victim, and (H1d) the gay male victim would be judged less favorably than the woman, straight man, and ambiguous man. These specific predictions were based on the current literature, which suggested that male victims of sexual assault were blamed more for their sexual assault than female victims, and gay male victims were blamed more for their sexual assault than straight male

victims (Bosma et al., 2018; see Davies & Rogers, 2006 for a review).

Hypothesis 2: Hypothesized Path Model—Direct Effects

We expected that there would be distinct differences between juror perceptions of a male sexual assault victim compared to a female sexual assault victim (see below), given the prior research on the topic (see Davies & Rogers, 2006 for a review). We ran two separate path models for male and female victims to gain a better understanding of how perceptions of a victim might differ based on gender and influence juror decision making.

First (H2a), we expected that the impact of perceptions of the victim being attracted to men on jury perceptions of the victim's want for sex would be different depending on the victim's gender. Specifically, we anticipated that perceptions of the male victim as being attracted to men would be positively associated with juror perceptions of whether the victim wanted sex (Davies et al., 2001; Ford et al., 1998). However, for female victims, we did not expect that perceptions of victim attraction to men would impact perceptions of victim desire for sex, because a female victim would fall under the heteronormative sexual assault scenario (i.e., a man assaulting a woman). In such a scenario, a woman's sexuality or attraction to men is typically not introduced as a factor regarding her want for sex in the same manner that a man's sexuality is brought into question when there is a male victim (McMahon & Farmer, 2011; Turchik & Edwards, 2012).

Second (H2b), we expected higher perceptions of victim desire for sex to be associated with decreased victim credibility for both male and female victims (Lynch et al., 2017). We did not expect any differences based on victim gender. Lastly, (H2c), we expected ratings of victim credibility to be positively associated with guilty verdicts for both male and female victims (Lynch et al., 2013). Again as in H2b, we did not expect results to differ by victim gender.

Hypothesis 3: Hypothesized Path Model—Indirect Effects

We predicted that the indirect effect of perceptions that the victim was attracted to men on victim credibility through victim desire for sex would be different for male and female victims (H3a). For male victims, we believed that perceptions that the victim was attracted to men would increase perceptions of victim desire for sex, leading to a decrease in victim credibility. However, for female victims, we did not expect to see any significant indirect effects of perception of victim attraction to men on victim credibility through victim desire for sex (McMahon & Farmer, 2011; Turchik & Edwards, 2012). We also expected to find different effects for male and female victims for the indirect effect of perceptions of victim desire for sex on guilty verdicts through victim credibility. Specifically, we hypothesized that this relationship would be significant for male victims, that is, higher perceptions that the victim wanted sex would lead to a decrease in credibility, and thus a decrease in guilty verdicts rendered. However, we hypothesized that this effect would be nonsignificant for female victims (H3b). Lastly, we anticipated that we would find different effects for male and female victims for the indirect effect of perceptions of victim attraction to men on guilty verdicts through victim desire for sex and credibility (H3c). Specifically, for male victims only, we expected the association between participants' perceptions of how much the victim was attracted to men and verdict to be sequentially mediated by victim desire for sex and credibility

(Davies et al., 2001; Ford et al., 1998; Lynch et al., 2013, 2017), such that an increased perception of victim attraction to men would be associated with increased want for sex, decreased perception of victim credibility, and decreased guilty verdicts rendered.

Hypothesis 4: Participant Gender

We predicted a main effect of participant gender such that women would be more provictim (more guilty verdicts, higher victim credibility) than men. This hypothesis is based on research investigating sexual assault with female adult sexual assault victims (e.g., Golding et al., 2016; Lynch et al., 2017, 2019), as well as adult male sexual assault victims (Zidenberg & Olver, 2017).

Hypothesis 5: Cognitive Network Models

We collected qualitative data regarding why participants rendered a not-guilty verdict and used these data to construct cognitive network models in hopes of better understanding juror decision making in the case. These networks were created using Pathfinder analyses. Pathfinder applies a psychometrically established scaling technique (Schvaneveldt, 1990) to create a representation of the data based on the similarity between concepts in semantic memory. The use of cognitive networks has been used effectively in other legal decision-making studies involving victimization (e.g., Levi et al., 2022; Magyarics et al., 2015). We only analyzed data from participants who rendered a not-guilty verdict, as we wanted to focus on why participants did not believe the sexual assault occurred and whether victim sexual orientation influenced these beliefs. Further, we focused on data from the straight male and gay male conditions, as we believed these two conditions would offer the starkest potential differences in juror reasoning, leading to a clearer picture of differences in juror reasoning between straight male victims and nonstraight male victims. Additionally, we did not investigate juror reasoning data in the straight female condition, as several prior studies have demonstrated how these cognitive networks appear in an adult sexual assault case with a female victim (Le Grand et al., 2021; Lynch et al., 2019).

We anticipated that participants would often state that the straight male victim could have fought off the defendant as a reason for rendering a not-guilty verdict. This hypothesis was based on the idea that participants would ascribe more traditional ideas of masculinity to straight men (e.g., being tough, strong), which would translate into ideas that straight men should be able to fight their attackers (Judson et al., 2013; Perrott & Webber, 1996). Thus, we believed that terms involving concepts of masculinity would be more central in the male victim, not-guilty verdict networks. We also anticipated that participants would describe the gay man as wanting the sexual assault in some way because of his attraction to men as a reason for rendering a not-guilty verdict. This would support and triangulate H2 and H3.

Method

Participants

We recruited 283 community members via Mechanical Turk (MTurk), a participant recruitment service hosted by Amazon.com (Buhrmester et al., 2011). All participants were at least 18 years old and U.S. citizens (i.e., jury eligible). Participants were paid 50

cents for the completion of the survey. The data of 16 participants were excluded from the analyses because of their failure to accurately answer the manipulation check question. The final sample consisted of 267 participants, which was above the required 210 needed for sufficient power (.95) at a medium effect size (GPower Software; Faul et al., 2009). The mean age was 37 years old (range = 18–72 years old; $SD = 11.97$); 24 participants had previously served on a jury. Participants identified as cisgender women ($n = 159$) or cisgender men ($n = 108$)—response options were limited to these categories. The racial and ethnic composition was 78% White/Caucasian, 10% African American/Black, 6% Hispanic/Latinx, 3% Asian/Asian American, and 3% multiracial or other. Regarding sexual orientation, most participants identified as straight (89.1%), while 4.1% of participants identified as bisexual, 4.1% of participants identified as gay men or lesbian women, and 2.6% identified as “other.”

Materials

Criminal Trial Summary

Participants read a summary of a fictional trial for a sodomy case (i.e., anal intercourse) in which the defendant allegedly sodomized the victim by forcible compulsion. The summary was approximately 1,700 words and presented a general overview of the trial, followed by the prosecution’s case, the defense’s case, direct and cross-examination of each witness, and the judge’s instructions to the jurors (see the online supplemental materials for example trial summary). The summary used in the present study was based on prior mock-trial research investigating adult rape (Golding et al., 2022). For each condition, the trial summary described the same case facts, except for the details required to manipulate the independent variables of victim sexual orientation and gender (i.e., victim type). For all conditions, the trial summary stated that the victim was sodomized by a man with whom they had a conversation at a concert. The alleged assault occurred in the victim’s apartment after returning from the concert. The defendant and victim are stated to have shared a cab to the victim’s home after the concert, at which time the victim testified the defendant threatened the victim with a knife to assault the victim. The prosecution’s case included testimony from the victim and a police detective. The detective assigned to the case testified that he was called to the victim’s apartment, where he noticed that the alleged victim appeared unkempt and there seemed to be bruises on the victim’s arms. He took the victim to the hospital so that they could be examined.

The victim’s sexual orientation and gender varied by condition, though the victim was always sodomized by a male defendant (described as a “man” in the trial summary). First, the ambiguous male victim condition stated that the victim was a man who currently lived with his significant other, who was referred to using they/them pronouns; there was no indication of the victim’s sexual behavior or sexual orientation. In the straight male victim condition, the summary indicated that the victim was living with his girlfriend. In the gay male victim condition, the victim stated that he was living with his boyfriend. For the straight female victim condition, the victim stated that she was living with her boyfriend. It should be noted that the sexual orientation of the victim was not explicitly stated in any of the conditions. The only reference to sexual orientation or sexual behavior of the victim was stating the gender of the victim’s

partner. The trial summary was the same in all conditions except for these details.

For all conditions, the defense's case provided testimony from the defendant and the victim's friend. The defendant denied the charge and claimed that the sex was consensual. The victim's friend testified that she saw the victim and defendant talking throughout the night, but she was not close enough to hear the conversation. She also stated that at no time did she notice any aggressive or sexual behavior from the defendant. Also, for all conditions, the judge's instructions were based on Kentucky Revised Statutes (510.070; 2010) and specified that jurors should find the defendant guilty of Sodomy in the First Degree "if, and only if, they believed from the evidence beyond a reasonable doubt that the defendant engaged in deviate sexual intercourse with the victim by forcible compulsion."

Trial Questionnaire

Participants rated various aspects of the trial on 10-point scales with only the end points labeled. First, participants answered questions about the sexual desire of the victim and defendant by rating: how sexually attracted the victim and defendant were to men and women (1 = *not at all*, 10 = *completely*), how much the victim wanted to have sex with the defendant (1 = *not at all*, 10 = *a lot*), and how much the defendant wanted to have sex with the victim (1 = *not at all*, 10 = *a lot*). Next, participants evaluated the victim and defendant on several characteristics relevant to the trial: how credible, honest, and believable the victim and defendant seemed, how sympathetic participants felt toward the victim and defendant, and how responsible the victim and defendant were for the incident (1 = *not at all*, 10 = *very*). Last, participants were asked to render a verdict (*guilty* or *not guilty*) for the charge of Sodomy in the First Degree. We combined the victim's credibility, honesty, and believability scores into a victim credibility scale (henceforth referred to as "victim credibility," Cronbach's $\alpha = .96$), as well as the defendant's credibility, honesty, and believability scores ("defendant credibility," Cronbach's $\alpha = .96$).

Procedure

All procedures will be approved by the first author's Institutional Review Board. We informed participants in the instructions listed on MTurk that they would read an online summary of a trial and then answer questions about this trial. Once they consented to participate via an online form, we directed participants to the survey on surveymonkey.com. To ensure that participants were paying attention, they were required after every page to answer a multiple-choice question pertaining to the information on that page (there were nine such questions; see Oppenheimer et al., 2009). For eight of these questions (there was one manipulation-check question) across the 267 participants, 98.3% were answered correctly. The one manipulation-check question asked the participants to recognize with whom the victim was living: boyfriend, girlfriend, or significant other. Participants were unable to look back at the previous page of information in the trial summary when answering questions. After completing the trial summary and questionnaire, we directed participants to a webpage that debriefed them on the purpose of the study. The study took approximately 25 min to complete.

Analytic Plan

The results are presented in five primary sections based on each hypothesis. In the sections for Hypotheses 1 and 4, we used 4

(trial condition) \times 2 (participant gender) between-participant analyses of variance (ANOVAs) to test differences in the dependent measures as a function of the two independent variables (i.e., victim type condition and participant gender).¹ We used planned contrast coding to detect differences among the victim type condition levels when we found a significant main effect of victim type. The planned contrasts were: (a) female victim condition versus three male victim condition; (b) straight male condition versus nonstraight male condition; (c) ambiguous male victim condition versus gay male victim condition; and (d) gay male victim condition versus the female, straight male, and ambiguous male victim conditions.

We did not find any significant participant gender by victim type condition interactions. In the sections for Hypotheses 2 and 3, we used stratified mediation analyses to test our predicted model for male versus female victims. We tested all associations in H2 and H3 as path analyses for (a) the conditions where the victim was a man and (b) the condition where the victim was a woman. In this section, we outline the predicted model fit indices and the significant direct and indirect effects for the two path analysis models.

In the Hypothesis 5 section, we used cognitive networks to further investigate participant reasoning for rendering a not-guilty verdict in the straight male and gay male conditions. These models were constructed using the Pathfinder data scaling technique (Schvaneveldt, 1990). Pathfinder takes as input the open-ended mock juror responses and outputs a cognitive network based on a measurement of the degree of the relationship (e.g., similarity, distance) between terms (i.e., words or phrases) in the responses. Meaningful terms are represented in the network by nodes, which are connected to each other by links. Links represent the strength of the relationships between nodes as well as a node's importance (Freeman, 1978). Nodes with higher degrees (more links to other nodes) indicate that they are the most significant in participants' reasoning for their decision. Cognitive networks have been used by previous researchers investigating mock juror perceptions to better understand how cases of victimization are conceptualized (e.g., Lippert et al., 2018; Lynch et al., 2019).

To construct the two networks, we used the vector space model (Salton et al., 1975) to represent the statements given by participants. To build each network, each statement from that group of responses (e.g., responses from mock jurors who rendered a not-guilty verdict when the victim was a gay man) was converted into a row vector with dimensions equal to the number of unique terms across all responses for that group. Each cell in the resulting vector space model contained the frequency of occurrence of each unique term for a given statement. We used the $tf \times idf$ global weighting method (Sparck-Jones, 1972), a widely used statistic for automatic key-term extraction, to rank order, these unique terms by importance. From this rank order, we retained the top seven to 10 terms, since this number seemed to provide the most useful visualization of major themes. From this reduced vector space model, we computed the pairwise cosine similarities (Gomaa & Fahmy, 2013) between the terms. This similarity matrix represented a fully

¹ We ran correlations between participant sexual orientation and all outcome variables. The only significant correlation found was between participant sexual orientation and the belief that the victim was attracted to men, $r(265) = -.13, p = .029$; all other correlations were nonsignificant.

connected network (all nodes are connected to all other nodes) with terms as nodes and similarities as link strengths. This network was then scaled using the Pathfinder scaling algorithm to represent the conceptual organization of the terms. We carried out the network construction for each of the four groups of responses using MATLAB (2012) computing software.

Results

Hypothesis 1: Victim Type Condition

The ANOVAs revealed a significant effect of victim type condition for victim sympathy, $F(3, 263) = 6.13, p < .001, \eta_p^2 = .07$, victim credibility, $F(3, 263) = 3.90, p = .009, \eta_p^2 = .04$, defendant sympathy, $F(3, 263) = 2.92, p = .035, \eta_p^2 = .03$, and defendant credibility, $F(3, 263) = 3.28, p = .022, \eta_p^2 = .04$; see Table 1. To further examine the differences between each victim type condition on each of the four significant outcome variables, we conducted planned contrasts.

The results of these contrasts are presented in Table 2. For all four rating variables (victim sympathy, victim credibility, defendant sympathy, and defendant credibility), there was a significant difference between the female victim condition and the three male victim conditions. There was also a significant difference between the straight male and nonstraight male conditions (i.e., gay and ambiguous victims) for victim sympathy only. Additionally, there were no significant differences for the ambiguous male victim condition versus the gay male victim condition, or the gay male victim condition versus the female, straight male, and ambiguous male victim conditions for these rating variables.

This pattern of results was partially consistent with H1a. That is, participants rendered the highest provictim ratings when the victim was a woman compared to a man (H1a) in all four previously stated significant outcome variables. H1b was also partially supported, in that participants had more sympathy for the victim (higher provictim rating) when the victim was a straight man compared to a gay or ambiguous man. However, H1c and H1d were not supported. There were no significant differences between the ambiguous and gay male conditions (H1c), nor were there significant differences in provictim rating when comparing the gay male condition to the female, straight male, and ambiguous male conditions (H1d).

Table 1

Descriptive Statistics (Mean [SD]) of Primary Dependent Variables as a Function of Victim Type Condition (N = 267)

Variable	Victim condition				Participant gender	
	Gay male (n = 63)	Ambiguous male (n = 62)	Straight male (n = 68)	Female (n = 74)	Male (n = 108)	Female (n = 159)
Victim attracted to men	9.65 (1.01)	6.47 (2.61)	2.69 (1.93)	8.07 (2.27)	7.10 (3.03)	6.43 (3.44)
Victim attracted to women	1.48 (1.11)	4.21 (2.39)	8.37 (1.84)	2.01 (1.63)	3.97 (3.24)	4.04 (3.29)
Victim wanted sex	2.79 (2.45)	3.31 (2.53)	2.76 (2.34)	2.45 (2.27)	3.44 (2.58)	2.38 (2.18)
Victim sympathy	7.13 (2.54)	6.50 (2.67)	7.74 (2.49)	8.23 (2.25)	6.53 (2.73)	8.06 (2.22)
Victim credibility	6.92 (2.38)	6.81 (2.12)	7.34 (2.29)	7.95 (1.97)	6.57 (2.32)	7.78 (2.02)
Victim responsibility	3.50 (2.31)	3.84 (2.52)	3.01 (2.09)	3.20 (2.57)	3.87 (2.57)	3.04 (2.21)
Defendant sympathy	3.22 (2.67)	3.19 (2.41)	2.69 (2.05)	2.21 (2.12)	3.11 (2.43)	2.59 (2.26)
Defendant credibility	4.53 (2.29)	4.85 (2.31)	4.10 (2.15)	3.71 (2.35)	4.74 (2.33)	3.95 (2.33)
Defendant responsibility	7.76 (2.42)	7.42 (2.25)	7.88 (2.28)	8.07 (2.46)	7.40 (2.54)	8.06 (2.19)
Verdict (% guilty)	54.0%	53.2%	58.8%	66.2%	51.9%	62.9%

Note. Bolded variables were significant at the $p < .05$ level.

Hypothesis 2: Hypothesized Path Models—Direct Effects

We tested our hypotheses for the direct effects via path analysis using PROCESS (Hayes, 2017), based on the full-hypothesized serial mediation model (see Figure 1 for the model for participants in the male victim conditions, and Figure 2 for the model for participants in the female victim condition).

Male Victim Model

As seen in Figure 1, all direct effects were significant in the male victim model which supported our predictions for the male victim model. Participants' perceptions of how much the victim was attracted to men was significantly associated with increased perceptions of victim desire for sex (H2a). Perceptions of victim desire for sex were significantly associated with lower ratings of victim credibility (H2b). Finally, ratings of victim credibility were significantly positively associated with guilty verdicts (H2c).

Female Victim Model

When looking at the model for the female victim condition (see Figure 2 for the full serial mediation model), we also find that all three of our hypotheses were supported. In line with Ha, and unlike the male victim model, participants' perceptions of how much the victim was attracted to men were not associated with perceived victim desire for sex. However, like the male victim condition model and in support of H2b, perceptions that the victim wanted sex were significantly associated with decreased victim credibility. Additionally, ratings of victim credibility were significantly positively associated with guilty verdicts (H2c).

Hypothesis 3: Hypothesized Path Models—Indirect Effects

To examine the indirect effects hypotheses, we tested the significance of indirect effects for males and females using bootstrapping within PROCESS, and 95% confidence intervals (CIs) were based on 5,000 bootstrapped samples. Because there were no missing data, no cases were excluded from bootstrapping analyses. All coefficients reported are standardized estimates.

Table 2
Planned Contrasts Between Victim Type Conditions

Orthogonal contrasts	Contrast weight				Contrast test, <i>t</i>			
	Straight female	Straight male	Ambiguous male	Gay male	Victim sympathy	Victim credibility	Defendant sympathy	Defendant credibility
Female versus all males	-0.99	0.33	0.33	0.33	-1.10**	-0.91**	0.81**	0.78*
Straight male versus gay and ambiguous male	0	-1	0.5	0.5	-0.92*	-0.50	0.52	0.60
Ambiguous male versus gay male	0	0	-1	1	0.63	0.11	0.03	-0.31
Gay male versus straight male, ambiguous male, and female	-0.33	-0.33	-0.33	0.99	-0.36	-0.45	0.52	0.32

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

Male Victim Model

All three of our predicted indirect effects were significant in the male victim model and were tested using simple mediation (H3a and H3b) and serial mediation (H3c; see Table 3). First, viewing the victim as being attracted to men, was associated with higher ratings than the victim as wanting sex following the concert, which was associated with lower ratings of victim credibility (supporting H3a) and decreased guilty verdicts (supporting H3b). Further, H3c was also supported as the perception that the victim was attracted to men was associated with an increase in the perception the victim wanted sex and this was associated with a decrease in victim credibility ratings, which was associated with a decrease in guilty verdicts rendered.

Female Victim Model

As seen in Table 3, our predictions regarding the female victim model were partially supported. The perception of the victim’s attraction to men did not have a significant indirect effect when the victim was a woman, supporting H3a and H3c. We did find, however, one indirect effect in the female victim condition model: the belief that the victim wanted sex was associated with lower victim credibility ratings, which was associated with fewer guilty verdicts rendered. Therefore, participants’ perceptions of how much the victim was attracted to men had an indirect effect on perceptions of the victim and guilt was specific to the male victim condition. However, regardless of the gender of the victim, belief that the victim wanted sex indirectly was associated with guilt through victim credibility, which did not support H3b.

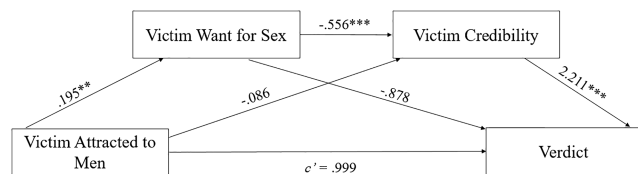
Hypothesis 4: Participant Gender

Hypothesis 4 was supported; women were significantly more pro-victim than men for all measures except verdict, defendant sympathy, and rating of the victim’s attraction to men and women (see Table 1 for means). The ratings for defendant sympathy and verdict, while not significant, were in the anticipated direction (i.e., women as more pro-victim than men). Women were less likely to view the victim as not wanting to have sex with the defendant in comparison to men, $F(1, 265) = 12.91, p < .001, \eta_p^2 = .05$. Regarding the victim/defendant ratings, women were more sympathetic toward the victim than men, women rated the victim as more credible than men, and women viewed the victim as less responsible for the incident than men (all $F_s > 7$, all $p_s < .01$). Additionally, women rated the defendant as less credible than men, and women viewed the defendant as more responsible for the incident than men (all $F_s > 5$, all $p_s < .05$).

Hypothesis 5: Cognitive Network Models

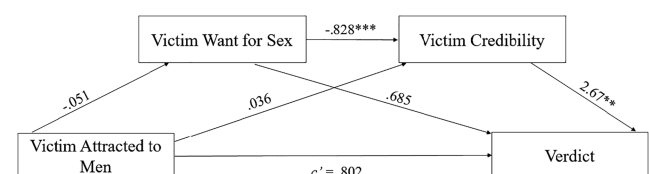
We analyzed the data provided from an open-ended question asking participants to describe why they rendered their chosen verdict. We examined data from participants who rendered a not-guilty verdict in only the straight male and gay male conditions. H5 was partially supported. Participants who rendered a not-guilty verdict in the straight male condition described doing so because they did not believe the victim, there was reasonable doubt that the sexual assault occurred, and because the victim did not fight back (see Figure 3). Indeed, the nodes “didn’t believe victim” and “reasonable doubt” were among the most central nodes (Degree 2) in the straight male, not guilty condition network. The node “didn’t fight back”

Figure 1
Model for Male Victims



Note. The serial mediation model for participants in the male victim conditions. All values are presented as standardized coefficients with the exception of pathways leading to verdict. These values represent odds ratios given verdict is a binary variable.

Figure 2
Model for Female Victim



Note. The serial mediation model for participants in the female victim conditions. All values are presented as standardized coefficients with the exception of pathways leading to verdict. These values represent odds ratios given verdict is a binary variable.

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Table 3

Standardized Coefficients, Odds Ratios, SEs, and Confidence Intervals of Indirect Effects for Male Victim and Female Victim Mediation Models

Path	Male model				Female model			
	Estimate	SE	95% CI		Estimate	SE	95% CI	
			Lower	Upper			Lower	Upper
Simple meditation models								
Victim attract to men → want for sex → victim credibility	-0.109	0.04	-0.187	-0.031	0.042	0.096	-0.124	0.247
Want for sex → victim credibility → verdict	0.656	0.103	0.510	0.758	0.517	0.636	0.243	0.803
Serial meditation model								
Victim attract to men → want for sex → victim credibility → verdict	0.945	0.024	0.895	0.985	1.036	0.110	0.876	1.34

Note. Bolded paths were significant at the $p < .05$ level. Verdict is a binary variable; coefficients and CIs related to this variable are displayed as odds ratios. All other coefficients presented are standardized regression coefficients. SE = standard error; CI = confidence interval.

was also included in the network but it was of Degree 1, indicating it was a less important reason for mock jurors in rendering a not-guilty verdict. For the gay male victim condition, central nodes in the network representing not-guilty verdicts were similar to those in the straight male condition (i.e., lack of clear evidence): it was a he-said-he-said situation (Degree 3) and that there was not enough evidence (Degree 3; see Figure 4). However, unlike the straight male network, the gay male network contained the node “excuse for cheating.” This node alludes to thoughts that the intercourse between the victim and defendant was consensual and ultimately desired by the victim, which is in line with our hypothesis. Again, it should be noted that this “excuse for cheating” node was not a central node (Degree 1) and thus was less important to participants in their decision to render a not-guilty verdict in this condition.

Discussion

The results of the present study extended prior research in several ways. It adds to the dearth of research in legal decision making involving sexual assault cases of men sexually assaulted by men. These findings also extend our knowledge regarding how juror perceptions of male sexual assault victims differ based on the victim’s sexual orientation compared to a straight woman, and how these perceptions influence decision making. Our use of path analysis and cognitive networks allowed us to expand past simply finding a

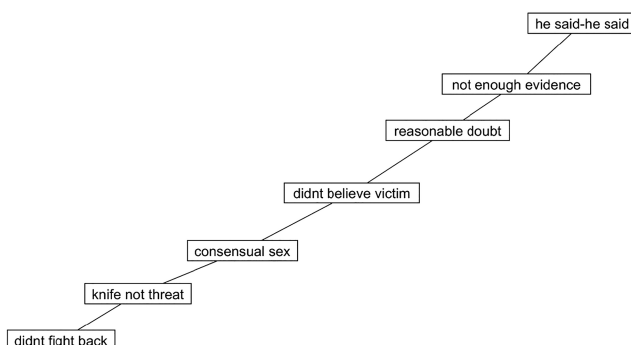
difference between the groups to understanding why these differences may have occurred.

Regarding the differences between female and male victims, our models indicated that participant perceptions that a female victim was attracted to men did not lead to the belief that she wanted sex. Conversely, when participants perceived a male victim to be attracted to men, participants took that attraction as an indication that the male victim wanted to have sex, ultimately leading to lower victim credibility and lower guilt ratings. The ANOVA and planned contrast analyses supported these differences, as participants were generally more provictim toward female victims than male victims. This was consistent with past research indicating that male victims of sexual assault were perceived more negatively than female victims (e.g., Davies & Rogers, 2006; Gerber et al., 2004; McCracken & Stevenson, 2017). However, the tendency to “victim blame” has been found for both female victims and male victims (e.g., Abrams et al., 2003; Davies & McCartney, 2003; Davies et al., 2006, 2012). Thus, it is unsurprising that the remainder of the two path models were the same for both female and male victims; the indirect effect of victim’s desire for sex on guilt through victim credibility did not vary by victim gender.

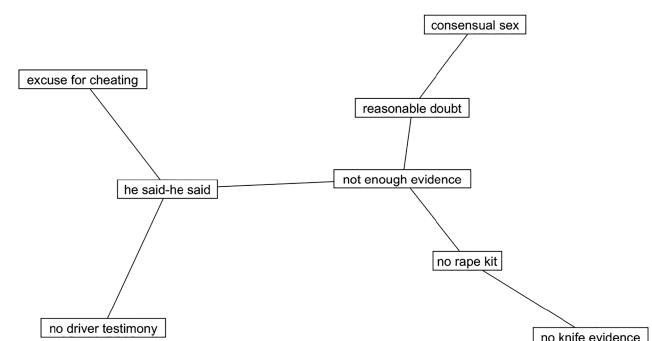
Regarding the types of male victims, the results were complex. We did not find significant differences between the gay male and ambiguous male victim scenarios, and differences between the straight male and nonstraight male conditions were only found for ratings of sympathy felt toward the victim. These findings indicate

Figure 3

Cognitive Network Representing Reason Data for a Not Guilty Verdict in the Straight Male Victim Condition

**Figure 4**

Cognitive Network Representing Reason Data for a Not Guilty Verdict in the Gay Male Victim Condition



that there may be some impact of victim sexual orientation on juror perceptions of male victims, yet these effects may not be strong enough to influence juror decision making, which is constituent with prior research (Ellingwood et al., 2022; Spiker, 2022). This is supported by the cognitive networks, which indicated that jurors rendered a not-guilty verdict for reasons related to the straight male's masculinity and the gay male's sexual orientation, yet neither of these reasons were central nodes (i.e., less important to jurors). Additionally, given the conflicting literature on perceptions of male sexual assault victims (Anderson, 1999; Doherty & Anderson, 2004; Judson et al., 2013; Schneider et al., 1994) and participants' reasoning in the network models, it may be that male sexual assault victims illicit negative perceptions from jurors regardless of sexual orientation. For example, a straight male victim may be perceived as more masculine and thus able to fight off an attacker (Judson et al., 2013), leading jurors to render a not-guilty verdict. Whereas nonstraight male victims may provoke heterosexist biases in jurors, leading to perceptions that the victim desired sex and a subsequent not-guilty verdict.

Our results are consistent with previous research by Doherty and Anderson (2004), which demonstrated an effect of victim gender and sexual orientation on perceptions of sexual assault victims. In Doherty and Anderson's (2004) study, they asked participants to read a newspaper account of a stranger's sexual assault with either a female or male victim, and then discuss the case with another participant. Through their conversations, participants established a "hierarchy of suffering"; sexual assault was thought to be worse for straight men than for women or gay men. Specifically, participants reasoned that although "all sexual assault is pretty horrible" (p. 93), straight men were less likely to find support or talk about their experience and were more likely to encounter judgment for not being "real men." The belief that sexual assault was worse for some individuals based on their gender or sexuality may imply that some sexual assault victims are perceived as more responsible for the assault and subsequently blamed more. Myths about male sexual assault victims, such as "a man should be capable of preventing a sexual assault," "men who are sexually assaulted are less masculine," and "men cannot be sexually assaulted at all" (for a review, see Chapleau et al., 2008), likely contribute to the reluctance of male victims to come forward and report a sexual assault. Thus, if individuals endorse these gender-specific myths, they may be even less inclined to believe that a sexual assault occurred than when the victim is a woman.

Limitations

Despite the importance of the present findings, we must note several potential limitations. First, it is possible that participant sexual orientation could affect ratings. As noted, we did find that participant sexual orientation was significantly related to the belief that the victim was attracted to men. However, we did not have a large enough number of nonstraight participants to test sexual orientation as a potential moderator for our model.² Future research should aim to discover if there are variations in ratings by participant sexual orientation. Similarly, we chose to investigate participant gender using stratified analyses rather than moderation. While stratified samples analyses still shed light on how men and women differ in their perceptions, we recognize that moderation analyses may provide more robust findings. However, we were not sufficiently powered to

investigate how participant gender might moderate our models, and thus we believe this is a limitation of the current study. Furthermore, we are potentially limited by how we defined the victim's sexual orientation in this paradigm; we chose to mention (or not mention) the gender of the victim's partner, rather than specifically stating the sexual orientation with which the victim personally identified. By defining sexual orientation in this way, we could not ensure that the victim would be perceived as being of one specific sexual orientation (i.e., gay or straight). For example, it is possible that the victim may have been perceived as bisexual in all conditions by participants. This limitation may have impacted our results; however, we deliberately chose this route because it is more ecologically valid as the sexual orientation of a victim cannot be directly queried in court.

Additionally, though it was beyond the scope of this study, it is possible that different results would be found with a female perpetrator. If the perpetrator were a woman, it is likely that a straight man would have been assumed to have wanted sex (Hosoda & Stone, 2000), and also would have been seen as less credible because research indicates that people do not believe that women are capable of perpetrating sexual assault (e.g., Sarrel & Masters, 1982; Smith et al., 1988; Struckman-Johnson & Struckman-Johnson, 1993). Future research should examine the effects of victim gender and sexual orientation with a female perpetrator. Similarly, results may differ with gender-diverse victims or perpetrators (e.g., a transgender victim). Regarding the latter, the scant research on perceptions of transgender individuals in the legal system makes it difficult to predict how participants would react, but because transgender individuals are perceived as lower on a warmth thermometer than gay men (Norton & Herek, 2013), they might be perceived as even less credible than gay men in a sexual assault context.

Implications and Conclusion

The findings of the current study have important implications for both the literature on sexual assault trial outcomes, as well as courtroom procedures. The current study adds to the current literature by not only investigating the impact of both gender and male sexual orientation on juror perceptions and decision making, but also by providing a clear pathway to help identify why these decisions are being made. In terms of societal perceptions of sexual assault and the prosecution of sexual assault cases, the current study highlights the negative outcomes that may occur in cases involving a man sexually assaulted by a man when the victim is not straight. These findings further demonstrate the barriers that men face regarding their experiences with sexual assault, and why men may be less likely to report their sexual assault and seek criminal charges against their rapist (Davies & Rogers, 2006; Walker et al., 2005; Weiss, 2010). Our results also indicate a need for more education of the public about sexual assault myths, specifically those surrounding male victims. Bringing more awareness to the biases that many people hold toward male victims of sexual assault could help reduce the prevalence and impact of these sexual assault myths, which could ultimately lead to more informed and less biased jury decision making.

² In a post hoc analysis to ensure the robustness of our results given the possible impact of participant sexual orientation, we reran our analyses while including participant sexual orientation as a covariate in our models. Including sexual orientation as a covariate did not alter the direction nor significance of any of the results.

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