



EXAMINING RAPE MYTHS THROUGH THE LENS OF CRIMINAL CASE OUTCOMES

CHRISTOPHER HOWES

Degree Project in Criminology
30 Credits Two-Year
Master in Criminology
May 2023

Malmö University
Faculty of Health and Society
205 06 Malmö

EXAMINING RAPE MYTHS THROUGH THE LENS OF CRIMINAL CASE OUTCOMES

CHRISTOPHER HOWES

Howes, C. Examining Rape Myths Through the Lens of Criminal Case Outcomes. *Degree project in Criminology 30 Credits*. Malmö University: Faculty of Health and Society, Department of Criminology, 2023.

Rape myths are pervasive and play a major role in the perpetuation and substantiation of sexual violence against women. This study sought to examine if rape myths could affect criminal case outcomes. An overview of rape myths and their foundations in feminist theories was presented. Four major rape myths (*husbands cannot rape their wives, women enjoy rape, women ask to be raped, and women lie about rape*) were operationalized into victim and case characteristics and subsequently assessed to determine if there is a relationship between the variables and criminal case outcomes (*suspect arrest* and *suspect conviction*). A sample (n = 463) of cases that were gathered from two jurisdictions in a north-eastern U.S. state were analysed. Results indicate that *victim participation, consent defence, and other crimes* being present in the initial police report were the strongest predictors of *suspect arrest* and *suspect conviction*. *Weapon use* was a strong predictor of *suspect arrest* and *substance use* was a strong predictor of *suspect conviction*.

Keywords: criminal case, feminism, history, rape myths, victims

Table of Contents

| | |
|---|----|
| INTRODUCTION | 1 |
| OBJECTIVE | 1 |
| HISTORY OF RAPE | 2 |
| Feminist Theories | 3 |
| RAPE MYTHS | 3 |
| Function of Rape Myths | 4 |
| Belief in Rape Myths | 4 |
| Measuring Rape Myths | 5 |
| Evidence for Rape Myths | 5 |
| Victim Perception and the Criminal Justice System | 7 |
| METHODOLOGY | 8 |
| Sample | 8 |
| Variables | 9 |
| Ethical Considerations | 11 |
| Analysis | 11 |
| Results | 11 |
| DISCUSSION | 13 |
| CONCLUSION | 15 |
| ACKNOWLEDGEMENT | 16 |
| REFERENCES | 17 |

Introduction

In the United States, 17.6% of women report being a victim of either completed or attempted rape in their lifetime (Tjaden & Thoennes, 2000). Extensive research has been conducted to determine the pervasive reach of rape within the United States, and elsewhere. One area that has garnered significant attention is how the acceptance and propagation of “rape myths” in society is related to sexually aggressive tendencies and to doubting a victim's claim of rape (Lonsway & Fitzgerald, 1994). The belief in rape myths is transplanted into the criminal justice system as police, attorneys, and juries all play a role in case outcomes.

The concept of rape myths was given the spotlight in the 1970's with insights from Schwendinger and Schwendinger (1974), Brownmiller (1975), and by Feild (1978). Lonsway and Fitzgerald (1994) described rape myths as “attitudes and beliefs that are generally false but are widely and persistently held, and that serve to deny and justify male sexual aggression against women” (p. 134). Rape myths can have a powerful effect as they can influence how both victims and suspects are perceived and therefore, judged. The victim may not be considered a “real” victim because she does not fit the characteristics of a “typical” rape victim in the eyes of society (Burt, 1980; Page, 2008; Bohner et al., 2009).

The research on rape myths has focused on assessing rape myth prevalence within the general population, with a specific focus on college students (Edwards et al., 2011). The belief in rape myths has generally been evaluated through the use of a variety of instruments. The Rape Myth Acceptance Scale (RMAS), developed by Burt (1980), and the Attitude Towards Rape scale (ATR), developed by Feild (1978), were the first examples of such instruments being developed. Further iterations include the Illinois Rape Myth Acceptance Scale (Payne et al., 1999), a modification of Burt's (1980) original instrument. These scales have since been adapted, shortened, and refined (for a review, see Lonsway & Fitzgerald, 1994; Suarez & Gadalla, 2010).

Objective

Where past studies have sought to look at the levels of belief of rape myths and how those beliefs impact opinions about rape, this study seeks to address how those beliefs could be manifested in a real-life situation. The clearest avenue for examining this is by analyzing rape cases and seeing how they progress through the criminal justice system. If rape myths are prevalent, we should be able to see their affects when examining criminal case outcomes.

The various rape myths will be operationalized in the form of victim and case characteristics. These characteristics will be assessed to determine if they affect case outcomes, namely arrest and conviction. While previous research has assessed how victim and case characteristics affect the likelihood of arrest and conviction (LaFree, 1981; LaFree, 1985; Frazier & Haney, 1996; Bouffard, 2000; Spohn & Tellis, 2012; Dinos et al., 2015), none of them have conceptualized their study in relation to rape myths. While there has been some research into how victim and case characteristics affect case outcomes, the number of studies is limited. It is intended that this research will add to that body of work. Thus, this

study aims to determine whether victim and case characteristics will be associated with variation in rates of suspect arrest and suspect conviction.

This study will test the following hypotheses:

Hypothesis 1: Victim injury, victim participation, weapon use, verbal threats, assault occurring outdoors, and other crimes committed during the offence will all be positively associated with arrest and conviction.

Hypothesis 2: Victim knowing the suspect, victim substance use, claimed consent, victim soliciting will all be negatively associated with arrest and conviction.

Before continuing with the methodology that will be utilized, it is necessary to discuss the historical background of rape culture, and to assess it through the lens of feminist theories. Further discussion will outline what rape myths are and how they are expressed in society.

History of Rape

The culture surrounding women and the value they are given within society has allowed a rape culture to become prevalent. In the Code of Hammurabi, the first codified set of laws a woman was “either a betrothed virgin, living in the house of her father, or she was somebody’s lawfully wedded wife and lived in the house of her husband” (Brownmiller, 1975, p. 19). Raping a betrothed virgin in Babylon would cost the man his life; however, if a married woman was raped, she would share the fate of their attacker and be bound and thrown into the river. If her husband wished, he could save her or leave her to her fate (Brownmiller, 1975).

Ancient Hebrews treated women in their society in much the same way, except that “adulterous” women were stoned to death instead. For the ancient Hebrews, a woman was a piece of property that was traded from one man to another, from father to prospective husband. The woman’s value was not figurative, the price of a daughter’s virginity would fetch fifty pieces of silver. Rape was not considered a serious crime because of the bodily violation that had been enacted upon the women, but because it was theft of what was rightfully owed to the father (Brownmiller, 1975).

The idea that a woman was merely a piece of property to be traded continued into western history. William Blackstone (1765), an eighteenth-century English jurist, stated that husband and wife are considered one person in the eyes of the law. Through this unification it is the existence of the wife that is expunged in the legal sense and the husband remains as a legal entity to represent both husband and wife. Blackstone (1765) states that if there be any injury to the wife’s person or property, she cannot seek remedy unless her husband concurs. Nevertheless, the wife can still be indicted and punished separately from her husband. However, the wife is still capable of being found guilty in her own right. This “unity” of husband and wife also makes it impossible for the husband to be guilty of raping his wife, because in the legal sense, they are the same person (Caringella-MacDonald, 1988).

Much of the legal history of England transferred to the United States through common law. Prior to the 1970s, rape cases in the United States were judged by

rules that were not present in any other form of crime. The victim of rape was required to resist as much as possible for as long as the attack went on. Reputation and sexual history all became important factors in judging the veracity of a victim's claim. And as a remnant from common law, husbands were still legally allowed to rape their wives (Brownmiller, 1975; Caringella-MacDonald, 1988). The fight to remove marital rape exemptions from the lawbooks was spearheaded by the women's movement in the 1970s but it still took decades for the laws to change on a large scale (Kirkwood & Cecil, 2001).

Feminist Theories

Early feminist accounts of rape from authors such as Brownmiller (1975) state that rape is a cultural phenomenon, and that western culture objectifies women and supports the physical and sexual abuse of women. Rape culture is propagated through society with the help of the media, in all of its forms. According to Brownmiller (1975), rape's function in society is a "process of intimidation by which *all men keep all women* in a state of fear" (p. 15, emphasis in original). Patriarchal societies create situations which benefit men and subjugate women. This can be seen in the form of gender constructions. Masculine characteristics, such as intelligence, aggressiveness, and virility are pitted against feminine characteristics of subjugation, docility, passivity, and naivete (Johnson, 1997, as cited in Page, 2008). The differences created by gender constructions stratify the sexes and influence how males and, especially females, live their lives.

West and Zimmerman (1987) described the socially constructed nature of gender through the term "doing gender". They stated that "doing gender means creating differences between girls and boys and women and men, differences that are not natural, essential, or biological. Once the differences have been constructed, they are used to reinforce the 'essentialness' of gender" (West & Zimmerman, 1987, p. 137). By "doing gender", we perpetuate the differences between the sexes which inevitably leads to stereotypes. These stereotypes are generally unfavourable to women and lead to sexist attitudes, both explicit and implicit. The "performance" of one's gender limits an individual's expression, and women who stray from their gender role are punished accordingly (West & Zimmerman, 1987; Page, 2008).

The limits of one's "allowed" expression becomes even more important in cases of rape. A woman acting outside of her gender norms may have her credibility questioned. Her demeanor, expression, sexual history, and general behavior all become important talking points that are used to cast doubt on the woman's claim of violation (Page, 2008). Stereotypes about women and the belief that some behaviours and expression are unbecoming of a woman are at the foundation of what rape myths are.

Rape Myths

Before delving too deep into the topic of rape myths, it is important to clarify what a rape myth actually is. While rape myths had been a topic of conversation for many years, it was Burt (1980) that first provided a lasting definition of what a rape myth is. Burt (1980) described rape myths as "prejudicial, stereotyped and false beliefs about rape, rape victims and rapists" (p. 217). The definition of rape myths has been widely used; however, it has been criticized by Lonsway and Fitzgerald (1994) who deemed that the definition didn't provide enough clarity.

They developed a definition that they believed to be more grounded in theory and articulated more clearly. Their definition is as follows: “attitudes and beliefs that are generally false but are widely and persistently held, and that serve to deny and justify male sexual aggression against women” (Lonsway & Fitzgerald, 1994, p. 134).

This definition also drew criticism from Gerger et al. (2007) for they believed that including the requirement of falsehood and that the myth be “widely and persistently held” was unnecessarily restrictive. They utilized a definition which states that “rape myths are descriptive or prescriptive beliefs about rape (i.e., about its causes, context, consequences, perpetrators, victims, and their interaction) that serve to deny, downplay or justify sexual violence that men commit against women” (Bohner, 1998, as cited in Gerger et al., 2007).

Function of Rape Myths

Rape myths can be seen to have a number of different functions depending on the myth that is employed. Based on feminist analysis, the function of rape myths is to undermine the credibility of rape accusations and the victim themselves, to deny that a problem even exists and, if it does, its merely trivial and not worth investigating (Brownmiller, 1975; Burt, 1980). The continued oppression of women who shape their behaviour around the fear of being raped is a critical aspect of rape myths and their purpose.

As noted by Bohner et al. (2009), rape myths will often place the blame on the victim in a number of ways. They may make the claim that women provoke males to rape them by dressing or acting in certain ways. Or that women secretly desire to be raped. Rape myths can also serve to exonerate the perpetrator. It is often claimed that perpetrators rape their victims because they have passed a threshold of sexual stimulation and that their actions are no longer within their control. As a result, they can no longer be held responsible for their actions.

Other rape myths, such as “most claims of rape are false” and “women exaggerate how much rape affects them” cast doubt on the claim itself and diminish the impact of the violation. Rape myths can also be used to police female behavior, by claiming that “only promiscuous women and women who stay out late are raped” or that “if a woman dresses in revealing clothing they were asking for it” (Burt, 1980; Lonsway & Fitzgerald, 1994; Payne, Lonsway, & Fitzgerald, 1999; Gerger et al., 2007; Bohner et al., 2009; Edwards et al., 2011). All of these rape myths restrict the behaviors that women are allowed to perform (Page, 2008).

Belief in Rape Myths

The belief in rape myths is widespread but it has been found that a greater proportion of men are accepting of rape myths compared to women (Feild, 1978; Burt, 1980; Lonsway & Fitzgerald, 1994; Johnson et al., 1997; McMahan, 2010). The increased belief in rape myths has also been found to be correlated with the belief in a “just world” (Burt, 1980; Lonsway & Fitzgerald, 1994; Bohner et al., 2009). This belief is simply that good things happen to good people and, conversely, bad things happen to bad people. People want to believe that if they are a good person then their life will have positive outcomes. A belief in a just world can lead to negative opinions towards victims of rape. If a woman was raped, then she must have been doing something to provoke such an action. Whether it be dressing inappropriately, being out late at night, or drinking too

much alcohol, these are all excuses for why the woman deserved her fate. Such a belief can place the blame at the foot of the victim and exonerate the actions of the perpetrator (Burt, 1980; Lonsway & Fitzgerald, 1994; Bohner et al., 2009).

Measuring Rape Myths

To measure an individual's belief in rape myths, researchers have generally employed instruments that work to operationalize and measure rape related beliefs. The most widespread instrument for this purpose is the Rape Myth Acceptance Scale (RMAS), developed by Burt (1980). The scale has 19 items and is in 7-point Likert format (strongly agree to strongly disagree). Example items include "any healthy woman can successfully resist a rapist if she really wants to" and "in the majority of rapes, the victim is promiscuous or has a bad reputation" (Burt, 1980). This instrument has received numerous revisions over the years, one such example being the Illinois Rape Myth Acceptance Scale (IRMA) developed by Payne et al. (1999).

Another widely used classical rape myth acceptance scale is the Attitude Towards Rape (ATR) scale developed by Feild (1978). The ATR is a 32-item scale graded on a 6-point Likert scale. Factor analysis revealed eight factors in the ATR: woman's responsibility in rape prevention, sex as a motivation for rape, severe punishment for rape, victim precipitation of rape, normality of rapists, power as motivation for rape, favourable perception of a woman after rape, and resistance as woman's role during rape (Feild, 1978; see Lonsway & Fitzgerald, 1994, for a review of rape myth research).

Evidence for Rape Myths

In research using the various instruments previously discussed, between 25% and 35% of respondents have been found to agree with the majority of rape myths (Lonsway & Fitzgerald, 1994). In this section, specific rape myths will be introduced along with the evidence supporting their existence. These rape myths include husbands cannot rape their wives, women enjoy rape, women ask to be raped, and women lie about being raped.

Husbands cannot rape their wives

The belief that a husband cannot rape his wife has deep historical roots in western society. Blackstone's (1765) unity theory that a man and woman become a single legal entity after marriage made it impossible for women to seek remedy for marital rape. As noted earlier, marital rape laws only began to recede significantly in the 1970s with the rise of the women's movement (Caringella-MacDonald, 1988; Kirkwood & Cecil, 2001). Despite the societal shift, there are still individual's who believe that a man cannot rape his wife.

In a study of college students, Kirkwood and Cecil (2001) found that 8.9% of males and 4.7% of females believed that vaginal intercourse with the use of force did not constitute as rape in a marital relationship. They also found that 31.2% of males and 19% of females believed that vaginal intercourse without consent did not constitute as rape when committed by a husband against his wife. However, it was up to the participant to determine what consent meant in this context. They noted that 74% of respondents believed that vaginal intercourse without consent is rape in a marital relationship whereas more than 90% of respondents felt it was rape if the offender was either a stranger, a date, separated, or an ex-spouse (i.e. not in a marital relationship). These results suggest that marriage is a mitigating

factor for believing a rape victim's claim (Kirkwood & Cecil, 2001).

Studies have also found that young males were more accepting of marital rape myths when compared to females and older males (Kirkwood & Cecil, 2001; Aromaki et al., 2002). However, a study by Luddy and Thompson (1997) did not find a difference in acceptance of marital rape between college students and their fathers.

Women enjoy rape

Blackstone (1765) held the belief that women should resist her attacker as much as possible. The lack of resistance from the victim was seen as evidence that she must have enjoyed being raped. Therefore, the lack of injury to the victim, or the lack of a weapon used during the commission of the offence is often used as evidence against the victim. This view carried over to the United States and the use of physical force or threat of physical force was a requirement for successful prosecution in some states (Bryden, 2000).

The belief that women enjoy being raped was studied by Edwards et al. (2010), who found that as many as 15-16% of men believe that women secretly desire to be raped and that 11% of college men believe that women exaggerate about the affect rape has on their lives (Johnson et al., 1997; Edwards et al., 2010, as cited in Edwards et al., 2011). This myth is tied to women's supposed gender roles and the belief that women should not express open interest in sex (Muehlenhard & Rodgers, 1998; Rozee & Koss, 2001). Despite the widespread belief in "token resistance", that "no" actually means "yes", studies have found that when men or women say "no", the overwhelming majority of them mean "no" (Muehlenhard & Rodgers, 1998).

Women ask to be raped

This rape myth encompasses a number of other myths which, in effect, police how women can behave. Dressing provocatively, substance use, walking alone at night, and prior sexual history are all relevant to this myth. A study of undergraduate women by Carmody and Washington (2001) found that 21% of participants agree with the statement "when women go around braless or wearing short skirts and tight tops, they are just asking for trouble" (p. 429). An Amnesty International Poll conducted in 2005 found that 26% of respondents believed that a woman was partially or totally responsible for being raped if she was wearing sexy or revealing clothing (Walklate, 2008).

Johnson et al. (1997) found a striking difference between males and females with 26.6% of men and 10.1% of women believing that most rapes could be prevented if women did not provoke them. They also found that 48.4% of men agree with the statement that men have sexual urges they can't control, whereas only 25.3% of women agreed with this statement. The belief that men have uncontrollable urges puts the responsibility on the women to act, behave, dress, and be in certain locations at certain times (Cahill, 2000).

Further victim behaviours, such as alcohol consumption also result in blame being placed on the victim. In the aforementioned Amnesty International Poll, 30% of respondents blamed the women if she was drunk when she was raped (Walklate, 2008). Drug, alcohol consumption, and soliciting all have been found to have an affect on the outcomes of criminal cases, possibly because the police, prosecutors,

and jurors don't believe that such characteristics belong to a "real" victim (LaFree, 1981; LaFree et al., 1985; Schuller & Stewart, 2000).

Women lie about being raped

Falsified rape accusations have a long and storied history. One example, taken from the bible, is the story of Potiphar's wife. She had repeatedly attempted to seduce a slave in her household by the name of Joseph the Israelite. One day, the two of them were alone in the house together and she once again asked Joseph to lie with her. Joseph refused and ran out of the house. In the aftermath, Potiphar's wife claimed that Joseph had attempted to rape her (Brownmiller, 1975). Stories such as these entrench themselves in the cultural lexicon and further the myth that women often lie about being raped.

In the first empirical study of rape myths, Burt (1980) found that 50% of men and women in the community believed that women lie about being raped. Despite such a large number of people believing in this myth, the reality is likely quite different. Clark and Lewis (1977) examined rape cases in Toronto and found that 6% of cases were false reports. In a report of rape cases over a 15-year period, British police classified 8% as false reports. However, these classifications were based on personal judgments of the police. Further analysis by Kelly et al. (2005) lowered the rate of false reports to 2.5%. In an analysis of the literature on false reports, Lonsway et al. (2007) estimate the percentage of false reports to be in the range of 2-8%.

Victim Perception and the Criminal Justice System

Males and females are provided with "differential expectations about acceptable behavior" (Page, 2008, p. 389). These unique socializations impact our evaluations of gender and sexuality which alters our perception of what is and what isn't rape (Page, 2008). Perception is especially important for individuals in the justice system who come into contact with victims of rape. Whether they are police officers, attorneys, judges, or jurors; everyone is influenced by their socialization and affected by the social construct of gender.

Whether members of the justice system have a belief in these various rape myths is important because very few rape cases are reported to the police, and of the ones that are, very few end in successful prosecution. In the United Kingdom, Kelly et al. (2005) notes that between half and two-thirds of rape cases drop off during the investigative phase. Other important points of attrition include discontinuance by the prosecutor and the trial itself (Bohner et al., 2009).

If we want to increase the number of victims who are willing to report cases of rape, steps need to be taken to improve police interactions with victims. They are the first point of contact that victims have with the justice system, and it is critical the interaction is a positive one. Page (2008) found that police officers do endorse some rape myths, although the officers with higher levels of education were less likely to believe in rape myths. In general, officers were more likely to discredit rape victims if they didn't fit what they considered to be the rape victim stereotype.

Police officers' belief in rape myths has led to some countries taking measures to re-educate and re-socialize the police in ways that are better suited for dealing with victims of rape; however, many victims are often still left unsatisfied with the

process (Temkin, 1997; Jordan, 2001). The police officer's role as a crime-fighter and problem solver is often at odds with the needs of the victim who are merely seeking healing and to re-establish control over their lives (Jordan, 2001).

Rape myth acceptance is not just isolated to police officers, as prosecuting attorney's have also been found to hold such beliefs. In a study performed in a Midwestern state in the United States, prosecuting attorneys were found to have moderate to high levels of acceptance for rape myths (Gyls & McNamara, 1996). In general, the belief that women lie about being raped is widespread and police officers and prosecutors over-estimate the scale of false allegations. This scepticism often leads to the victim having a lack of confidence in the police and the criminal justice system in general (Kelly et al., 2005).

In a systematic review of jury assessments of rape victims, Dinos et al. (2015) found that the majority of studies fully ($n = 6$) or partially ($n = 2$) supported the hypothesis that rape myths affect juror decision making. Only one study did not support the hypothesis. The study also found that individual jurors were more likely to find a defendant not guilty if they held stereotypical attitudes towards rape (Dinos et al., 2015).

Methodology

The data for this analysis is open data that was retrieved from the National Archive of Criminal Justice Data (NACJD) website. The data comes from a mixed methods study performed by Zweig and Walsh (2020) which involved a review of sexual assault cases in a northeastern state in the United States. The data was collected between 2015 and 2017 and came from two different jurisdictions within the state. A total of 534 sexual assault cases were included in the original sample. Selection criteria for the sample required that: (1) the suspect was an adult, (2), the victim was age 13 or older, and (3) the case had an initial charge recorded by the police related to sexual misconduct and assault within the state's statute (Zweig and Walsh, 2020).

Other publications using the data include a study by Tiry et al. (2022) titled *Beyond Forensic Evidence: Examining Sexual Assault Medical Forensic Exam Mechanisms that Influence Sexual Assault Case Outcomes*, a study by Yu et al. (2022) titled *The Link Between the SAMFE and Police Perceptions of Victim Credibility*, and a study by Kettrey et al., (2023) titled *Taking the Test: Participation in a Sexual Assault Medical Forensic Exam as an Indicator of Victim Cooperation with the Criminal Justice System and a Predictor of Suspect Arrest*.

Sample

The focus of this study was how rape myths are manifested in real life situations. The definitions for rape myths always include a reference to male on female violence. For that reason, all cases involving male victims ($n = 46$) and all cases involving female suspects ($n = 24$) were removed from the sample (for a review of male sexual victimization, see Davies, 2002). In addition, all cases involving male-to-female transgender ($n = 2$) individual's and female-to-male transgender ($n = 1$) individuals were also removed from the sample. The removal was due to the small sample size and the unique struggles that transgender people have to deal

with (for a review of transgender victimization in the United States, see Stotzer, 2009). Finally, cases involving multiple victims ($n = 5$) and multiple suspects ($n = 16$) were removed from the sample due to the small sample size and the unique nature of these encounters. The final sample size for the analysis is 463.

Variables

Some of the variables in the sample included unknown values, these values were recoded as missing. Variables with unknown values includes victim injury ($n = 5$), substance use ($n = 39$), victim soliciting ($n = 16$), claimed consent ($n = 36$), assaulted outdoors, ($n = 50$), and weapon use ($n = 8$). There may or may not be a pattern related to why some information was not recorded in the police reports. Without knowing the exact reason why certain information was not recorded, it was deemed best to exclude the unknowns from the analysis by coding them as missing. Descriptive statistics for the dependent and independent variables can be seen in Table 1.

Case outcomes, or the dependent variables, were represented by *suspect arrested*, which indicated whether any suspect was arrested in the case, (yes / no), and by *suspect convicted*, which indicated whether a suspect was convicted in the case (yes / no).

Table 1. Descriptive Statistics for Independent and Dependent Variables (N = 463)

| | Coding | N | Percentage |
|---------------------------------|--------|-----|------------|
| Victim age | | | |
| 17-26 | 0 | 329 | 71.5% |
| 27-36 | 1 | 65 | 14.1% |
| 37-46 | 2 | 31 | 6.7% |
| 47+ | 3 | 35 | 7.6% |
| Missing | | 3 | 0.6% |
| Victim injury | | | |
| No | 0 | 404 | 87.4% |
| Yes | 1 | 53 | 11.5% |
| Missing | | 6 | 1.3% |
| Victim-offender relationship | | | |
| Other | 0 | 359 | 77.5% |
| Married/intimate partner/dating | 1 | 104 | 22.5% |
| Missing | | - | - |
| Substance use | | | |
| No | 0 | 311 | 69.7% |
| Yes | 1 | 96 | 21.5% |
| Missing | | 56 | 12.1% |
| Victim participation | | | |
| No | 0 | 179 | 38.7% |
| Yes | 1 | 284 | 61.3% |
| Missing | | - | - |
| Victim soliciting | | | |
| No | 0 | 418 | 90.7% |
| Yes | 1 | 27 | 5.9% |
| Missing | | 18 | 3.9% |

| | Coding | N | Percentage |
|--------------------|--------|-----|------------|
| Claimed consent | | | |
| No | 0 | 195 | 53.1% |
| Yes | 1 | 136 | 37.1% |
| Missing | | 132 | 28.5% |
| Verbal threats | | | |
| No | 0 | 448 | 96.8% |
| Yes | 1 | 15 | 3.2% |
| Missing | | - | - |
| Assaulted outdoors | | | |
| No | 0 | 371 | 80.5% |
| Yes | 1 | 40 | 8.7% |
| Missing | | 52 | 11.2% |
| Weapon use | | | |
| No | 0 | 361 | 78% |
| Yes | 1 | 94 | 20.3% |
| Missing | | 8 | 1.7% |
| Other crimes | | | |
| No | 0 | 372 | 80.3% |
| Yes | 1 | 91 | 19.7% |
| Missing | | - | - |
| Suspect arrested | | | |
| No | 0 | 254 | 66.5% |
| Yes | 1 | 128 | 33.5% |
| Missing | | 81 | 17.5% |
| Suspect convicted | | | |
| No | 0 | 277 | 76.9% |
| Yes | 1 | 83 | 23.1% |
| Missing | | 103 | 22.2% |

Four rape myths were presented in this study: husbands cannot rape their wives, women enjoy rape, women ask to be raped, and women lie about being raped. The first myth, husbands lie about being raped, was operationalized with the binary *victim-offender relationship* variable (married, intimate partner, dating / other). The variable would have been coded to just include married couples but only four cases of marital rape existed in the sample.

The women enjoy rape myth makes the claim that if women didn't enjoy rape, they would struggle, and greater levels of force would be required. If this myth was realized, it would mean that the use of force or threats would lead to higher levels of arrest and conviction). The myth was operationalized with several variables, including *victim injury* (was the victim injured, yes / no), *weapon use* (was a weapon used in commission of the offence, yes / no), *verbal threats* (suspect made verbal threats to the victim, yes / no), and *other crimes* (other crimes recorded in initial police report, yes / no).

The women ask to be raped myth encompasses the idea that women who dress provocatively, abuse substances, go outside late at night, and have numerous sexual partners will be more likely to be raped and that they will be deserving of their fate. The myth was operationalized with several variables, including

substance use (victim in the case willingly took/consumed drugs or alcohol on the day of the incident, yes / no), *assaulted outdoors* (did the incident occur outdoors, yes / no), and *victim soliciting* (was the victim suspected of soliciting at the time of the incident, yes / no)

The final rape myth, that women lie about being raped, is difficult to operationalize. In this instance, the variable of *claimed consent* (any suspect in the case used consent as a defence, yes / no) was utilized. If people believe that women lie about being raped, then the suspect claiming consent should be related to reduced arrest and conviction rates.

Two further variables that had been found to be related to suspect arrest and conviction rates were included in the sample. The first is *victim age*, a categorical variable that is broken up into four age-groups: 17-26, 27-36, 37-46, and 47+. The second is *victim participation* (victim participated throughout case processing, yes / no).

Ethical Considerations

This study utilizes data that had already been collected by another researcher. However, ethics is still a necessary consideration to ensure that participants are not harmed by their involvement in the research (Lowman & Palys, 2001).

Confidentiality and anonymity are a central concern in ethical research. Personal information that could be used to identify the victim or suspect should be obscured or removed (Lowman & Palys, 2001; Jaquier et al., 2010). In this dataset, the precise location of the data collection was not given. The state where the data collection occurred was referred to as a “northeastern” state and the two jurisdictions within the state were also not mentioned. Information about the size of the cities within the jurisdiction were provided along with the approximate number of residents (Zweig & Walsh, 2020). By obscuring the location, it makes it harder to identify any specific individual involved in the dataset.

It is necessary to do as much as possible to avoid revictimization of vulnerable populations, such as victims of sexual violence. With few details that can be tied to a victim, it makes it less likely that the victims in this dataset will be harmed. The sensitive nature of questions asked towards victims of sexual assault is also an important consideration (Jaquier et al., 2010). In this instance, the researchers did not ask the questions, instead they coded the cases based on existing police reports.

Analysis

All statistics analysis was performed using SPSS (version 29.0.0.0). To explore differences in the distribution of the variables, a series of chi-square tests of independence will be performed. Two instances of binary logistic regression were performed for each dependent variable. Standardized and unstandardized regression coefficients will be reported in the results.

Results

Results of a series of chi-square tests of independence (see Table 2) revealed a significant association between victim age and suspect arrest ($X^2 = 6.933$, $df = 3$, $p = .073$). A significant association was found between *victim injury* and *suspect arrest* ($X^2 = 3.826$, $df = 1$, $p = .050$) and *suspect conviction* ($X^2 = 3.148$, $df = 1$, p

= .076). Cases where the victim was injured were more likely to lead to arrest and conviction. A significant association was found between *victim-offender relationship* and *suspect arrest* ($X^2 = 8.903$, $df = 2$, $p = .003$) and *suspect conviction* ($X^2 = 4.558$, $df = 1$, $p = .033$). Cases where the victim was married, in an intimate relationship, or dating were less likely to lead to arrest and conviction. *Victim participation* was found to be significantly associated with *suspect arrest* ($X^2 = 82.833$, $df = 1$, $p < .001$) and *suspect conviction* ($X^2 = 51.038$, $df = 1$, $p < .001$). Cases where the victim participated throughout case processing were more likely to lead to arrest and conviction. *Victim soliciting* was found to be significantly associated with *suspect arrest* ($X^2 = 2.923$, $df = 1$, $p = .087$). Cases where the victim was suspected of soliciting were less likely to lead to arrest.

A significant association was found between *claimed consent* and *suspect arrest* ($X^2 = 4.091$, $df = 1$, $p = .043$) and *suspect conviction* ($X^2 = 5.222$, $df = 1$, $p = .022$). Suspects who claimed consent were more likely to be arrested and convicted. A significant association was found between *weapon use* and *suspect arrest* ($X^2 = 5.004$, $df = 1$, $p = .025$) with *weapon use* being more likely to lead to *suspect arrest*. A significant association was found between *other crimes* and *suspect arrest* ($X^2 = 9.042$, $df = 1$, $p = .003$) and *suspect conviction* ($X^2 = 6.060$, $df = 1$, $p = .014$). *Other crimes* reported in the initial police report were more likely to lead to suspect arrest and conviction.

Table 2. Chi-square test of independence for the dependent and independent variables

| | Suspect Arrest (n = 353) | | | Suspect Conviction (n = 334) | | |
|------------------------------|--------------------------|----|-----------------------------------|------------------------------|----|-----------------------------------|
| | Pearson chi-square | df | Asymptotic significance (2-sided) | Pearson chi-square | df | Asymptotic significance (2-sided) |
| Victim age | 6.933 | 3 | .074* | 5.454 | 3 | .141 |
| Victim injury | 3.826 | 1 | .050* | 3.148 | 1 | .076* |
| Victim-offender relationship | 8.903 | 1 | .003** | 4.558 | 1 | .033** |
| Substance use | .112 | 1 | .738 | 1.627 | 1 | .202 |
| Victim participation | 82.833 | 1 | <.001*** | 51.038 | 1 | <.001*** |
| Victim soliciting | 2.923 | 1 | .087* | .944 | 1 | .331 |
| Claimed consent | 4.091 | 1 | .043** | 5.222 | 1 | .022** |
| Verbal threats | .058 | 1 | .809 | .017 | 1 | .895 |
| Assaulted outdoors | .007 | 1 | .932 | .017 | 1 | .897 |
| Weapon use | 5.004 | 1 | .025** | .925 | 1 | .336 |
| Other crimes | 9.042 | 1 | .003** | 6.060 | 1 | .014** |

* $p < 0.10$; ** $p < 0.05$; *** $p < 0.001$

Table 3 presents the results of the binary logistic regression. Several variables had a significant effect on both suspect arrest and suspect conviction, several had a significant effect on either suspect arrest or conviction, and many had no significant effect at all. *Victim participation* was the strongest predictor for *suspect arrest* (OR = 35.287) and *suspect conviction* (OR = 21.697) out of the dependent variables. *Claimed consent* was a significant predictor of both *suspect arrest* (OR

= 2.858) and *suspect conviction* (OR = 3.737).

Whether there was another crime reported in the initial police report was a significant predictor of *suspect arrest* (OR = 2.349) *suspect conviction* (OR = 2.147). *Weapon use* was a significant predictor for *suspect arrest* (OR = 2.651) but not for *suspect conviction*. Conversely, *substance use* was a significant predictor for *suspect conviction* (OR = .307) but not for *suspect arrest*.

Table 3. Logistic regression analysis estimating victim and case characteristic effects on suspect arrest and suspect conviction

| | Suspect Arrest (n = 353) | | Suspect Conviction (n = 334) | |
|------------------------------|--------------------------|--------------------------------|------------------------------|--------------------------------|
| | β (S.E.) | Odds ratio (95% CI) | β (S.E.) | Odds ratio (95% CI) |
| Victim age | -.180 (.244) | .835 (.508 – 1.347) | -.428 (.300) | .652 (.362 – 1.174) |
| Victim injury | .520 (.630) | 1.682 (.489 – 5.779) | .735 (.656) | 2.085 (.576 – 7.548) |
| Victim-offender relationship | -.540 (.518) | .583 (.211 – 1.609) | -.491 (.554) | .612 (.206 – 1.813) |
| Substance use | -.603 (.423) | .547 (.239 – 1.253) | -1.179 (.515) | .307 (.112 – .843)** |
| Victim participation | 3.564 (.774) | 35.287 (7.735 – 160.990)*** | 3.077 (.789) | 21.697 (4.626 – 101.774)*** |
| Victim soliciting | -1.448 (1.057) | .235 (.030 – 1.867) | -.682 (1.075) | .506 (.061 – 4.159) |
| Claimed consent | 1.050 (.362) | 2.858 (1.405 – 5.814)** | 1.318 (.405) | 3.737 (1.691 – 8.258)*** |
| Verbal threats | -.089 (1.060) | .915 (.114 – 7.312) | .094 (1.319) | 1.098 (.083 – 14.566) |
| Assaulted outdoors | -.052 (.667) | 1.054 (.285 – 3.896) | -.323 (.776) | .724 (.158 – 3.312) |
| Weapon use | .975 (.494) | 2.651 (1.007 – 6.980)** | .600 (.541) | 1.821 (.631 – 5.255) |
| Other crimes | .854 (.418) | 2.349 (1.036 – 5.327)** | .764 (.436) | 2.147 (.913 – 5.049)* |

* $p < 0.10$; ** $p < 0.05$; *** $p < 0.001$

Victim age, victim injury, victim-offender relationship, victim soliciting, verbal threats, and assaulted outdoors were not significant predictors of either *suspect arrest* or *suspect conviction*.

Discussion

Before addressing the results, it is important to discuss the limitations of this

study. One of the main limitations is the small sample size. This limitation was specifically apparent when trying to operationalize the myth that ‘husbands cannot rape their wives’. In the sample there were only four victims who were raped by their husband. As a compromise, the relationship status of married was merged with intimate partner/dating. While it was worthwhile to test such a variable, it is not a completely accurate representation of the rape myth.

Another limitation is that the data for this study was retrieved from two jurisdictions within a single state. This limitation provides a significant barrier for the generalizability of the results. A broader dataset that included case information from a larger entity, such as a country, would be better in this regard. Another limitation of the dataset is that there is no clear indication of what factors caused the prosecutors to pursue conviction. More information on the prosecution side of the criminal justice system would have been informative.

Despite the limitations mentioned, the study provided for some interesting results. The chi-square test found significant associations for *victim injury*, *victim-offender relationship*, *victim participation*, *claimed consent*, and *other crimes* in relation to both *suspect conviction* and *suspect arrest*. *Victim age*, *victim soliciting*, and *weapon use* were also found to be significantly associated with *suspect arrest* but not with *suspect conviction*.

This study attempted to operationalize four, well documented rape myths: “husbands cannot rape their wives”, “women enjoy rape”, “women ask to be raped”, and “women lie about being raped”. The variable of *victim-offender relationship* was used to represent the myth that husbands cannot rape their wives. As stated in the hypothesis, a significant, negative relationship was expected for *victim-offender relationship*, in line with the conceptualization of the rape myth and the previous research (LaFree, 1981; LaFree, 1985; Frazier & Haney, 1996; Bouffard, 2000). However, no such relationship was found in this instance. As previously mentioned, this may be due to the limitations of the dataset and the lack of married couples in the sample.

The second rape myth to be operationalized was that “women enjoy rape”. This myth was represented by the variables *victim injury*, *weapon use*, *verbal threats*, and *other crimes*. It was expected that all variables relating to this myth would be positively and significantly associated with increased *suspect arrest* and *suspect conviction*. In the logistic regression, *victim injury* was not found to have a relationship with either *suspect arrest* or *suspect conviction*. The reason for this finding could simply be related to the limitations of the dataset. Or perhaps there is a shifting perception and victim injury is no longer as important a factor in case outcomes.

In the past there has been mixed results on the use of a weapon and its effect on case outcomes (LaFree, 1981, Frazier & Haney, 1996, and Bouffard, 2000). This study did find a significant relationship between *weapon use* and *suspect arrest* but not with *suspect conviction*. This finding goes along with the findings by LaFree (1981) that weapon use is a significant for police decision making regarding arrest. The fact that *verbal threats* were not found to have an impact on either *suspect arrest* or *suspect conviction* could have been foreseen. *Verbal threats* in the form of coercion or deception are not generally considered as serious when compared to threats of violence or actual violence (Bryden, 2000).

Other crimes being noted during the original police report were found to be significantly associated with *suspect arrest* and *suspect conviction*. This finding is consistent with previous research (Bouffard, 2000; Spohn & Tellis, 2012). The presence of other crimes committed by the victim seems to increase the seriousness of the offence and lead to higher arrest and conviction.

The third myth to be operationalized was that “women ask to be raped”. This myth was represented by the variables *substance use*, *assaulted outdoors*, and *victim soliciting*. Prior research has stressed the importance of victim *substance use* on jury and police decision making (LaFree, 1981; LaFree, 1985). In this study, victim *substance use* on the day of the incident did not have an effect on *suspect arrest*, but it did have a significant effect on *suspect conviction*. This result suggests juries might be more susceptible to characteristics that put doubt on the victim’s credibility.

Victim credibility assessments often play a crucial role in the criminal justice process (see Bouffard, 2000; Schuller & Stewart, 2000), and it was believed that a negative association would exist between suspected soliciting and *suspect arrest* and *suspect conviction*. However, this result was not found. A limitation here may be that the individual’s were suspected of soliciting based on the subjective opinion of the police. A study targeted specifically at prostitutes may obtain more accurate results. It was expected that being raped outdoors would lead to higher rates of suspect arrest and conviction (Bouffard, 2000). This part of the hypothesis was not supported in the data.

The fourth and final myth is that “women lie about being raped”. This myth was represented by the variable *consent defence*. In line with rape myth research, it was expected that the woman’s claim of rape would be doubted even more so if the suspect claimed consent. However, the opposite was found during the logistic regression; suspects who used consent as a defence were more likely to be arrested and convicted. One potential explanation is that by claiming consent the suspect is admitting that sexual intercourse did occur and, along with other corroborating evidence, this causes the case to more likely lead to arrest and conviction.

The strongest predictor indicated by the regression was not related to a specific rape myth. The literature is conclusive that *victim participation* has a significant effect on case outcomes (LaFree, 1981, Frazier & Haney, 1996; Bouffard, 2000; Spohn & Tellis, 2012). This study’s findings echo that research. This effect may be due to the increased cooperation between victim and criminal justice system and that further evidence could be obtained. *Victim participation* may indicate that the victim is serious about the accusation and, therefore, convince individuals in the justice system that her claims are legitimate. Finally, prior research has found *victim age* to have a relationship with case outcomes (LaFree, 1981; Bouffard, 2000; Spohn & Tellis, 2012). This study found no such relationship.

Conclusion

This study attempted to operationalize rape myths and test to see if they have an affect on rates of suspect arrest and suspect conviction. Overall, some aspects of

the hypotheses were supported by the findings, while others were not. Victim and case characteristics have been studied before, as have rape myths, but they have not been conceptualized together. This study sought to bridge the gap and measure rape myths in a way that had not previously been achieved. It is hoped that the findings will add to the growing body of work in this area. Rape myths are prevalent and resilient in western society, and it is necessary to continue studying their effects on daily life.

Acknowledgement

I want to thank my supervisor, Alberto Chrysoulakis, lecturer at the Department of Criminology at Malmö University. His guidance and advice were crucial to the completion of this paper.

References

- Aromäki, A. S., Haebich, K., & Lindman, R. (2003). Age as a modifier of sexually aggressive attitudes in men. *Scandinavian Journal of Psychology, 43*, 419-23. <https://doi.org/10.1111/1467-9450.00310>.
- Blackstone, W. (1765). *Commentaries on the Laws of England*. Clarendon Press.
- Bohner, G., Eyssel, F., Pina, A., Siebler, F., & Viki, G. (2009). Rape myth acceptance: cognitive, affective and behavioural effects of beliefs that blame the victim and exonerate the perpetrator. In Horvath, M., & Brown, J. (Eds.), *Rape: Challenging Contemporary Thinking* (pp. 17-45). Willan Publishing.
- Bouffard, J. A. (2000). Predicting type of sexual assault case closure from victim, suspect, and case characteristics. *Journal of Criminal Justice, 28*(6), 527-542. [https://doi.org/10.1016/S0047-2352\(00\)00068-4](https://doi.org/10.1016/S0047-2352(00)00068-4).
- Brownmiller, S. (1975). *Against our will: Men, women and rape*. Simon and Schuster.
- Bryden, D. P. (2000). Redefining rape. *Buffalo Criminal Law Review, 3*(2), 317-479. <https://doi.org/10.1525/nclr.2000.3.2.317>
- Burt, M. R. (1980). Cultural myths and supports for rape. *Journal of Personality and Social Psychology, 38*(2), 217-230. <https://doi.org/10.1037/0022-3514.38.2.217>
- Cahill, A. (2000). Foucault, rape, and the construction of the feminine body. *Hypatia, 15*(1), 43-63. <https://doi.org/10.1111/j.1527-2001.2000.tb01079.x>.
- Caringella-MacDonald, S. (1988). Parallels and pitfalls: The aftermath of legal reform for sexual assault, marital rape, and domestic violence victims. *Journal of Interpersonal Violence, 3*(2), 174-189. <https://doi.org/10.1177/088626088003002004>
- Carmody, D. C., & Washington, L. M. (2001). Rape myth acceptance among college women: The impact of race and prior victimization. *Journal of Interpersonal Violence, 16*(5), 424-436. <https://doi.org/10.1177/088626001016005003>
- Clark, L., & Lewis, D. (1977). *Rape: The price of coercive sexuality*. The Women's Press.
- Davies, M. (2002). Male sexual assault victims: A selective review of the literature and implications for support services. *Aggression and Violent Behavior, 7*(3), 203-214. [https://doi.org/10.1016/S1359-1789\(00\)00043-4](https://doi.org/10.1016/S1359-1789(00)00043-4)
- Dinos, S., Burrowes, N., Hammond, K., & Cunliffe, C. (2015). A systematic review of juries assessment of rape victims: Do rape myths impact on juror decision-making? *International Journal of Law, Crime and Justice, 43*(1), 36-49. <https://doi.org/10.1016/j.ijlcj.2014.07.001>
- Edwards, K. M., Turchik, J. A., Dardis, C. M., Reynolds, N., & Gidycz, C. A. (2011). Rape myths: History, individual and institutional-level presence, and implications for change. *Sex Roles, 65*, 761-773. <https://doi.org/10.1007/s11199-011-9943-2>
- Feild, H. S. (1978). Attitudes toward rape: A comparative analysis of police, rapists, crisis counselors, and citizens. *Journal of Personality and Social Psychology, 36*, pp. 166-179.
- Frazier, P. A. & Haney, B. (1996). Sexual assault cases in the legal system: Police, prosecutor and victim perspectives. *Law and Human Behavior, 20*, 607-628. <https://doi.org/10.1007/BF01499234>
- Gerger, H., Kley, H., Bohner, G., & Siebler, F. (2007). The acceptance of modern myths about sexual aggression scale: development and validation in

- German and English. *Aggressive behavior*, 33(5), 422–440.
<https://doi.org/10.1002/ab.20195>
- Gyls, J. A., & McNamara, J. R. (1996). Acceptance of rape myths among prosecuting attorneys. *Psychological Reports*, 79(1), 15–18.
<https://doi.org/10.2466/pr0.1996.79.1.15>
- Jaquier, V., Johnson, H., & Fisher, B. (2010). Research Methods, Measures, and Ethics. In C. M., Renzetti, J. L. Edleson, & R. K. Bergen (Eds.), *Sourcebook on Violence Against Women* (2nd ed., pp. 24-48). SAGE.
- Johnson, B. E., Kuck, D. L. & Schander, P. R. (1997). Rape myth acceptance and sociodemographic characteristics: A multidimensional analysis. *Sex Roles*, 36, 693–707. <https://doi.org/10.1023/A:1025671021697>
- Jordan, J. (2001). Worlds apart? Women, rape and the police reporting process. *British Journal of Criminology*, 41, 679-706.
<https://doi.org/10.1093/bjc/41.4.679>.
- Kelly, L., Lovett, J., & Regan, L. (2005). A gap or a chasm? Attrition in reported rape cases, *Home Office Research Study 293*.
- Kettrey, H. H., Davis, A. J., Liberman, J., & Seeman, A. (2023). Taking the test: Participation in a Sexual Assault Medical Forensic Exam as an indicator of victim cooperation with the criminal justice system and a predictor of suspect arrest. *Justice Quarterly*, 40(3), 385-402.
<https://doi.org/10.1080/07418825.2022.2058986>
- Kirkwood, M. K., & Cecil, D. K. (2001). Marital rape: A student assessment of rape laws and the marital exemption. *Violence Against Women*, 7(11), 1234–1253. <https://doi.org/10.1177/1077801201007011003>
- Lafree, G. D. (1981). Official reactions to social problems: Police decisions in sexual assault cases. *Social Problems*, 28(5), 582–594.
<https://doi.org/10.2307/800232>
- Lafree, G. D., Reskin, B. F., & Visher, C. A. (1985). Jurors' responses to victims' behavior and legal issues in sexual assault trials. *Social Problems*, 32(4), 389–407. <https://doi.org/10.2307/800760>
- Lonsway, K. A., & Fitzgerald, L. F. (1994). Rape myths: In review. *Psychology of Women Quarterly*, 18(2), 133–164. <https://doi.org/10.1111/j.1471-6402.1994.tb00448.x>
- Lonsway, K. A., Archambault, J., & Lisak, D. (2007). False reports: Moving beyond the issue to successfully investigate and prosecute nonstranger sexual assault. *National Center for the Prosecution of Violence Against Women*. Retrieved from <https://www.nsvrc.org/publications/articles/false-reports-moving-beyond-issue-successfully-investigate-and-prosecute-non-stranger-sexual-assault>
- Lowman, J., & Palys, T. (2001). The ethics and law of confidentiality in criminal justice research: A comparison of Canada and the United States. *International Criminal Justice Review*, 11(1), 1-33.
- Luddy, J. G., & Thompson, E. H. (1997). Masculinities and violence: A father-son comparison of gender traditionality and perceptions of heterosexual rape. *Journal of Family Psychology*, 11, 462– 477. <https://doi.org/10.1037/0893-3200.11.4.462>.
- McMahon, S. (2010). Rape myth beliefs and bystander attitudes among incoming college students. *Journal of American College Health*, 59(1), 3-11.
<https://doi.org/10.1080/07448481.2010.483715>
- Muehlenhard, C. L., & Rodgers, C. S. (1998). Token resistance to sex: New perspectives on an old stereotype. *Psychology of Women Quarterly*, 22(3), 443–463. <https://doi.org/10.1111/j.1471-6402.1998.tb00167.x>

- Page, A. D. (2008). Judging women and defining crime: Police officers' attitudes toward women and rape. *Sociological Spectrum*, 28(4), 389-411. <https://doi.org/10.1080/02732170802053621>
- Payne, D. L., Lonsway, K. A., & Fitzgerald, L. F. (1999). Rape myth acceptance: Exploration of its structure and its measurement using the Illinois Rape Myth Acceptance Scale. *Journal of Research in Personality*, 33(1), 27-68. <https://doi.org/10.1006/jrpe.1998.2238>.
- Rozee, P. D., & Koss, M. P. (2001). Rape: A century of resistance. *Psychology of Women Quarterly*, 25(4), 295-311. <https://doi.org/10.1111/1471-6402.00030>
- Schuller, R. A., & Stewart, A. (2000). Police responses to sexual assault complaints: The role of perpetrator/complainant intoxication. *Law and Human Behavior*, 24, 535-551. <https://doi.org/10.1023/A:1005519028528>
- Schwendinger, J. R., & Schwendinger, H. (1974). Rape myths: In legal, theoretical, and everyday practice. *Crime and Social Justice*, 1, 18-26. <http://www.jstor.org/stable/29765884>
- Spohn, C. & Tellis, K. (2012). *Policing and prosecuting sexual assault in Los Angeles City and County: A collaborative study in partnership with the Los Angeles Police Department, the Los Angeles County Sheriff's Department, and the Los Angeles County District Attorney's Office*. Final Report to the National Institute of Justice. Retrieved from www.ncjrs.gov/pdffiles1/nij/grants/237582.pdf.
- Stotzer, R. L. (2009). Violence against transgender people: A review of United States data, *Aggression and Violent Behavior*, 14(3), 170-179. <https://doi.org/10.1016/j.avb.2009.01.006>.
- Suarez, E., & Gadalla, T. M. (2010). Stop blaming the victim: A meta-analysis on rape myths. *Journal of interpersonal violence*, 25(11), 2010-2035. <https://doi.org/10.1177/0886260509354503>
- Tiry, E., Zweig, J., Walsh, K., Farrell, L., & Yu, L. (2022). Beyond forensic evidence: Examining sexual assault medical forensic exam mechanisms that influence sexual assault case outcomes. *Journal of Interpersonal Violence*, 37(7-8). <https://doi.org/10.1177/0886260520961870>
- Temkin, J. (1997). Plus ca change: Reporting rape in the 1990s. *The British Journal of Criminology*, 37(4), 507-528. <http://www.jstor.org/stable/23638673>
- Tjaden, P., & Thoennes, N. (2000). *Full report of the prevalence, incidence, and consequences of violence against women: Findings from the National Violence Against Women Survey*. U.S. Department of Justice. Retrieved from <https://www.ojp.gov/pdffiles1/nij/183781.pdf>
- Walklate, S. (2008). What is to be done about violence against women? Gender, Violence, Cosmopolitanism and the Law. *The British Journal of Criminology*, 48(1), 39-54. <https://doi.org/10.1093/bjc/azm050>
- West, C., & Zimmerman, D. H. (1987). Doing gender. *Gender and Society*, 1(2), 125-151. <http://www.jstor.org/stable/189945>
- Yu, L., Walsh, K., & Zweig, J. M. (2022). The link between the SAMFE and police perceptions of victim credibility. *Feminist Criminology*, 17(1), 26-49. <https://doi.org/10.1177/15570851211012468>
- Zweig, J. M., & Walsh, K. (2020). *Evidence, sexual assaults, and case outcomes: Understanding the role of sexual assault kits, non-forensic evidence, and case characteristics, 2015-2017*. Inter-university Consortium for Political and Social Research. Retrieved from <https://doi.org/10.3886/ICPSR37261.v1>