THE IMPACT OF DELAYED REPORTING, ASSAULT TYPE, VICTIM GENDER, AND VICTIM-DEFENDANT FAMILIARITY ON MOCK-JURORS' JUDGMENTS

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The current studies sought to examine whether assault type, among various extralegal variables, influenced mock-jurors' judgments. Study 1 investigated whether assault type (physical vs. sexual), delay in reporting (one year vs. ten years), and the victim's familiarity with the defendant (familiar vs. not familiar) influenced mock-jurors' judgments. Mock-jurors ($N = 238$) read a mock-trial transcript of either a physical or sexual assault that occurred at the victim's camp one year or ten years prior. The alleged perpetrator was a camp counselor that the victim had never met before or met their first year at the camp. Study 2 ($N = 464$) investigated whether assault type, delayed reporting, familiarity and victim gender were influential. The overarching theme present in the results is that sexual assault is perceived more negatively than physical assault as evidenced by higher guilt ratings and less favorable perceptions attributed to the defendant. Additionally, mock-jurors appear to be more hesitant to believe a victim who delayed her reporting of physical assault, compared to a delayed reporting of sexual assault. Implications of these findings and ideas for future research are discussed.

Keywords: physical assault; sexual assault; delayed reporting; familiarity; juror decision making

The majority of juror decision making research that includes victim testimony focuses on the accusation of someone unknown to the victim. This is problematic given the high frequency of eyewitness/victim—defendant familiarity in real-world cases. For example, Gross and colleagues (2005) examined exonerations in the United States that occurred between 1989 and 2003 and found that the defendants were familiar with one or more of the eyewitnesses in 86% of murder cases. Additionally, Flowe and colleagues (2011) examined

criminal cases and found that eyewitnesses often are familiar with the perpetrator such that the defendant and at least one eyewitness knew each other in roughly half of the crimes reported. While researchers have taken a step in the right direction to examine the influence of familiarity on mock-jurors' judgments, far fewer researchers have examined how familiarity can influence jurors' judgments in assault and/or abuse cases where the *victim* is familiar with the defendant. Given that victims are familiar with their assaulters in many cases (e.g., Flowe et al., 2011), it is imperative to understand how this shared familiarity (or lack thereof) impacts mock-jurors' decision making in assault cases.

Familiarity

Familiarity is an elusive concept that has not been well defined in the juror decision- making literature (Pozzulo et al., 2019). It can, however, be thought of as existing on a continuum ranging from zero familiarity, in essence, a stranger, to very familiar, such as an immediate family member. One factor that does appear to influence a perceived sense of familiarity with an individual is the mere exposure effect where the more exposures we have to a stimulus/person, the more familiar we are likely to feel (Mandler, 2008). In the context of juror decision making, researchers have operationalized familiarity in a number of ways such as number of prior exposures (Pozzulo et al., 2014), context of exposures (Thompson et al., 2019), and relationship (Pica et al., 2018).

One of the earliest studies to systematically examine the influence of familiarity on mock-jurors' judgments was conducted by Pozzulo and colleagues (2014). Familiarity was defined as having seen the defendant zero, three, or six times prior to the alleged crime; however, no effect of familiarity was found. Sheahan and colleagues (2018) varied the number of prior exposures between zero and eight and found that when the eyewitness reported seeing the defendant eight times prior to the crime, the defendant received more guilty verdicts and higher guilt ratings. Pica and colleagues (2018) varied familiarity between a stranger, an acquaintance relationship, and a familiar relationship across three studies. While familiarity did not affect dichotomous guilt, mock-jurors were more likely to assign higher guilt ratings when the eyewitness and defendant shared a familiar relationship compared to when they were strangers. These findings suggest that more research is needed to determine what, if any, effect familiarity has on mock-jurors' judgments.

Assault Type

Perceptions of crime, and those involved with the crime, can vary based on the crime type. For example, it is to be expected that a petty theft would be perceived differently from a serious crime such as murder. Researchers have found support for this whereby more serious crimes have resulted in more guilty verdicts for the defendant and more punitive sentencing (e.g., Pica et al., 2019; Walker & Woody, 2011). The type of crime committed against an individual has been found to influence jurors' judgments across a variety of contexts. The majority of this research examines type of abuse (i.e., physical, sexual, emotional) against another individual. In this realm, researchers have found that people are more likely to rate physical abuse as more serious than other forms of abuse such as neglect and/or psychological abuse (Dukes & Kean, 1989). Bornstein and colleagues (2007) examined lay persons' perceptions of abuse and varied the abuse between physical,

mild sexual, and severe sexual abuse. Overall, severe sexual abuse was rated as the most traumatic and severe, and this was most pronounced when the perpetrator was the victim's parent compared to a babysitter.

Sheahan and colleagues (2021) further examined whether sexual or physical abuse would influence mock-jurors' judgments and found that the defendant was perceived more negatively when the abuse was sexual in nature as opposed to physical. While there were no direct effects of type of abuse on mock-jurors' guilt judgments, type of abuse did interact with defendant and victim age whereby mock-jurors were most influenced when both the defendant and victim were young adults and the abuse was sexual. Sheahan and colleagues speculate that this may due to mock-jurors perceiving the abuse more so as assault given the ages of the victim and defendant, 20-years-old and 25-years-old, respectively.

Assault type and familiarity. As mentioned previously, researchers have found that eyewitnesses and defendants are familiar with each other in the majority of felony cases (Flowe et al., 2011). Moreover, in many cases of sexual assault, the victims also are familiar with their assaulter (Child Welfare Information Gateway, 2019; Statistics Canada, 2015). As such, it is important to understand how familiarity may impact jurors' judgments both in physical and sexual assault cases. While the majority of research examining the influence of familiarity has focused on non-sexual crimes, and eyewitness-defendant familiarity, Bottoms and colleagues (2014, Experiment 1) varied abuse type and familiarity between a victim and perpetrator to determine whether it influenced mock-jurors' judgments. Abuse type varied between incest, day-care abuse, teacher assault, and a stranger abduction. Bottoms and colleagues found that familiarity was influential whereby mock-jurors attributed more guilt to the defendant in cases where the victim reported being familiar with the defendant.

More recently, Sheahan and colleagues (2020) examined whether victim age, the use of a testimonial aid, and familiarity shared between a victim and defendant influenced mock-jurors' judgments. Familiarity did influence their perceptions of the defendant such that the defendant was perceived more negatively when he was familiar with the victim (i.e., the victim's step-father) compared to when he was unfamiliar with the victim (i.e., a handyman for the family). Mock-jurors also were more likely to hold favourable perceptions of the victim when the defendant was the victim's stepfather compared to the family's handyman. While there was no influence of familiarity on mock-jurors' dichotomous or continuous guilt responses, Sheahan and colleagues do add to the scarce literature examining the influence of familiarity between a *victim* and perpetrator. Further, Pica and colleagues (2019) examined the influence of victim/eyewitness age, familiarity, and the nature of the crime (personal vs. non-personal) on mock-jurors' judgments. Familiarity and crime type were found to interact whereby mock-jurors were more likely to assign higher guilt ratings to the defendant when the defendant was personally familiar to the witness and the crime was personal (i.e., an abduction) compared to non-personal (i.e., a theft). Pica and colleagues suggest that this may be due to the fact that mock-jurors may be more confident in a witness' testimony when he or she is familiar with the defendant, and also more likely to remember the perpetrator when he or she is personally victimized.

Delayed Reporting

It is not uncommon for victims to delay their reporting to the authorities, especially in cases of sexual assault (Connolly & Read, 2006) and that it is relatively common in both child sexual abuse and adult assault victims (Clay-Warner & Burt, 2005; Lyon, 2009). Given that memories can fade over time, it is important to understand how potential jurors may perceive delayed reporting, and ultimately, how delayed reporting can influence perceptions of a victim. The majority of research that examines the impact of delay on mock-jurors' judgment compares an immediate reporting to some time having elapsed between the incident and reporting, with immediate reporting being more influential than delayed reporting whereby more guilty verdicts are observed. For example, Franiuk and colleagues (2019) examined whether reporting a sexual assault immediately or two months later influenced mock-jurors' judgments. They found that when the victim reported the sexual assault immediately, more guilt was attributed to the defendant, as well as higher perceived victim credibility, compared to when the reporting took place two months later. However, it remains unclear whether longer delays to report, in combination with familiarity, influences jurors' judgments.

The Current Study

The purpose of Study 1 was to examine how victim—defendant familiarity, assault type, and delay in reporting influenced mock-jurors' judgments. Based on previous research examining assault type (e.g., Bornstein et al., 2007; Sheahan et al., 2021), we predicted that mock-jurors would be more inclined to reach a guilty verdict, attribute higher guilt ratings to the defendant, and perceive the victim more favourably when the assault was sexual in nature as opposed to physical in nature. Additionally, we predicted that when the victim reported being familiar with the defendant, mock-jurors would be more likely to reach a guilty verdict, attribute higher guilt ratings to the defendant, and have more favourable perceptions of the victim compared to when the victim and defendant are unfamiliar. Previous researchers have found shorter delays in reporting sexual assault to be more influential to jurors (e.g., Franiuk et al., 2020), as such, we predicted that mock-jurors would hold more favourable perceptions of the victim and more guilty verdicts for the defendant when she waited only one year to report the assault as opposed to ten years.

Given the lack of research concerning assault type, we also included exploratory predictions. In regard to assault type and familiarity, we predicted that when the assault was sexual in nature, and the victim reported being familiar with the defendant, this would increase guilt ratings and guilty verdicts compared to a physical assault perpetuated by a stranger. Additionally, we predicted that when the victim reported being familiar with the defendant, the delayed reporting would not be as influential compared to when the victim reported being a stranger to the defendant.

Method

Participants. Participants (N = 238; 63% female) were undergraduate students recruited from a university in Eastern Ontario, Canada. All participants were juror eligible in Ontario (i.e., Canadian citizen and over the age of 18). Participants' age ranged from 18- to 43-years-old (M = 19.51, SD = 2.94). The majority of participants (60.9%) self-identified as

White/Caucasian, followed by Asian (21%), Black/African-American (8.4%), Latino/Latina (1.3%), Indigenous (0.8%), or mixed race or "other" (7.1%). Participants received course credit for their participation in the study.

Design. A 2 (crime: physical assault vs. sexual assault) x 2 (defendant—victim familiarity: yes vs. no) x 2 (delayed reporting: one year vs. ten years) between-subjects factorial design was used.

Measures.
Trial transcript. Eight versions of an eight-page trial transcript were created that varied crime type, defendant – victim familiarity, and delayed reporting. In the transcript, the alleged assault was described as occurring at a summer camp between the victim and their camp counsellor (i.e., the defendant). To operationalize familiarity, the victim was described as having met the defendant at the summer camp for the first time when the alleged assault occurred (unfamiliar condition). In the familiar condition, the victim was described as having met the defendant at the summer camp one year previously, and therefore, the witness knew the camp counselor one year before the alleged assault (familiar condition). The type of assault (i.e., physical or sexual) and the delay in victim reporting of the alleged assault (i.e., one year or ten years) were also varied across trial transcripts. All other details of the trial transcript were held constant. Each transcript begins with instructions from the judge, followed by excerpts from the trial. Six witnesses provide testimony (i.e., the lead detective, medical examiner, victim, defendant's manager, defendant's co-worker, and the defendant). The transcript ends with closing statements from the lawyers and some guidelines and instructions to the jurors.

Verdict form. Participants were asked to rate the degree to which they feel that the defendant is guilty on a 100-point rating scale (0 = Not Guilty, 100 = Guilty). Participants also were asked to place a check mark in one of two appropriate boxes to render a dichotomous verdict (Not Guilty or Guilty).

Defendant and victim ratings. Participants were asked to rate their opinions of the eyewitness, defendant, and victim across a number of characteristics (e.g., reliability, truthfulness, accuracy, responsibility, credibility, and control over the situation), as well as their perception of how much weight their testimony should be given on Likert-type scales, ranging from 1 = Not at all to 6 = Very much so. In addition to these questions, participants also were asked how much sympathy they felt for the victim and how much the fact that the victim waited to report the assault influenced their perceptions. In regard to the defendant, participants also were asked whether he abused his authority and how much weight his testimony should be given.

Procedure. Data were collected with the online survey tool Qualtrics. Upon clicking the study URL, participants were asked to read an informed consent form. Those who agreed to participate were randomly presented with one of the eight trial transcripts and then answered the related questionnaires regarding their verdict and perceptions of the defendant and victim. Once they completed the questionnaires, they were prompted to read the debriefing form and thanked for their time.

Results

Dichotomous verdict. A sequential, logistic regression was conducted to determine whether assault type, familiarity, and delayed reporting influenced mock-jurors' dichotomous verdicts. Model 1 included the main effects, Model 2 included the main effects and two-way interactions, and Model 3 included the main effects, two-way interactions, and the three-way interactions. Model 1 was not significant, $\chi^2(3) = 5.54$, $p = .14$, thus suggesting there was no effect of the independent variables on mock-jurors' dichotomous verdicts.

Continuous guilt. An analysis of variance was conducted to determine whether assault type, familiarity, and delayed reporting influenced mock-jurors' continuous guilt ratings. Only a significant effect of assault type emerged, $F(1, 227) = 6.69$, $p = .01$, $\eta_p^2 = .03$. Mock-jurors attributed higher continuous guilt ratings to the defendant when the assault was sexual in nature ($M = 68.06$, $SD = 23.62$) compared to when the assault was physical ($M = 59.20$, $SD = 29.03$). No other significant effects emerged.

Victim perceptions. Questions concerning mock-jurors' perceptions of the victim all were significantly correlated ($p < .001$), as such, a composite score was created ($\alpha = .88$). An analysis of variance was conducted to determine whether assault type, familiarity, and delayed reporting influenced mock-jurors' perceptions of the victim. Again, only a significant effect of assault type emerged, $F(1, 230) = 12.18$, $p = .001$, $\eta_p^2 = .05$. Mock-jurors held significantly more favourable perceptions of the victim when the assault was sexual in nature ($M = 4.61$, $SD = 0.81$) compared to when the assault was physical ($M = 4.21$, $SD = 0.97$). No other significant effects emerged.

Participants also were asked how the victims' delayed report of the assault influenced their perceptions of the victim. An ANOVA was conducted to determine whether the length of delay, familiarity, and assault type influenced their perceptions. There was a significant effect of delay, $F(1, 230) = 11.54$, $p = .001$, $\eta_p^2 = .05$. Participants were more likely to report that the delay was influential in their perceptions of the victim when the victim waited ten years to report ($M = 3.05$, $SD = 1.63$) compared to one year ($M = 2.40$, $SD = 1.52$). There also was a significant effect of assault type, $F(1, 230) = 11.20$, $p = .001$, $\eta_p^2 = .05$. Participants were more likely to report that the delay was influential in their perceptions of the victim when the assault was physical ($M = 3.05$, $SD = 1.78$) compared to when the assault was sexual in nature ($M = 2.40$, $SD = 1.35$). However, these effects must be interpreted in light of a significant two-way interaction between delay and assault type, $F(1, 230) = 5.28$, $p = .02$, $\eta_p^2 = .02$. Specifically, when the victim waited ten years to report the assault, mock-jurors were more influenced by the delay when the assault was physical ($M = 3.64$, $SD = 1.77$) compared to when it was sexual in nature ($M = 2.52$, $SD = 1.29$), $t(116) = -3.97$, $p < .001$, $d = 0.72$. No significant differences were found when the delay was one year.

Defendant perceptions. Questions concerning mock-jurors' perceptions of the defendant all were significantly correlated ($p < .001$), as such, a composite scale was created ($\alpha = .90$). An analysis of variance was conducted to determine whether assault type, familiarity, and delayed reporting influenced mock-jurors' perceptions of the defendant. Again, only a significant effect of assault type emerged, $F(1, 229) = 5.83$, $p = .02$, $\eta_p^2 = .03$. Mock-

jurors held significantly more favorable perceptions of the defendant when the assault was physical ($M = 2.67$, $SD = 0.96$) compared to when the assault was sexual in nature ($M = 2.38$, $SD = 0.92$). No other significant effects emerged.

STUDY 2

The purpose Study 2 was to further investigate the effects of assault type, victim—defendant familiarity, and delayed reporting when the victim was male *or* female. The Centers for Disease Control and Prevention (2020) reported that roughly 1 in 3 women and 1 in 4 men experienced sexual violence at some point in their lifetime. Victim gender has been found to be an influential factor in jurors' judgments. For example, researchers have typically found that male victims are perceived as more blameworthy and responsible than female victims in cases concerning sexual misconduct (e.g., Davies et al., 2009; Gerber et al., 2004; Sommer et al., 2016). Research concerning sexual assault specifically has found that female victims are perceived more favourably compared to male victims (Davies et al., 2009).

Based on the results of Study 1, we predicted that mock-jurors would be more inclined to reach a guilty verdict and attribute higher guilt ratings to the defendant when the assault was sexual in nature as opposed to physical in nature, as well as have more favorable perceptions of the victim. Also based on the results of Study 1, we predicted that mock-jurors would hold more favourable perceptions of the victim when she waited only one year to report the assault as opposed to ten years. Based on prior research, we predicted the female victim would be perceived more positively than the male victim. Similar to Study 1, exploratory predictors were made concerning the effect of assault type and victim gender on mock-jurors' judgments.

Method

Participants. Participants (N = 464; 67% female) were undergraduate students recruited from a university in Eastern Ontario, Canada. All participants were juror eligible in Ontario (i.e., Canadian citizen and over the age of 18). Participants' age ranged from 18- to 68-years-old (M = 21.28, SD = 5.41). The majority of participants (65.3%) self-identified as White/Caucasian, followed by Asian (16.7%), Black/African-American (8.6%), Latino/Latina (2.4%), Indigenous (1.9%), and mixed-race or "other" (4.9%). Participants received course credit for their participation in the study.

Design. A 2 (crime: assault vs. sexual assault) x 2 (defendant—victim familiarity: yes vs. no) x 2 (delayed reporting: one year vs. ten years) x 2 (victim gender: male vs. female) between-subjects factorial design was used.

Measures and procedure. The materials and procedures used were identical to those used in Study 1 with the exception of the addition of victim gender to the trial transcript.

Results

Dichotomous verdict. A sequential, logistic regression was conducted to determine whether assault type, familiarity, delayed reporting, and victim gender influenced

mock-jurors' dichotomous verdicts. Model 1 included the main effects, Model 2 included the main effects and two-way interactions, Model 3 included the main effects, two-way interactions, and the three-way interactions, and Model 4 included the main effects, two-way interactions, three-way interactions, and the four-way interaction. Only Model 1 was significant, $\chi^2(4) = 9.85$, $p = .04$. A main effect of assault type emerged, $B = .38$, $SE = .19$, $p = .05$; participants were more likely to vote guilty when the assault was sexual in nature compared to physical.

Continuous guilt. An analysis of variance was conducted to determine whether assault type, familiarity, delayed reporting, and victim gender influenced mock-jurors' continuous guilt ratings. There was a significant effect of delay, $F(1, 446) = 13.19$, $p < .001$, $\eta_p^2 = .03$. Mock-jurors attributed higher continuous guilt ratings to the defendant when the delay in reporting was one-year ($M = 69.41$, $SD = 24.65$) compared to when the delay was ten-years ($M = 60.75$, $SD = 27.23$). There also was a significant effect of victim gender, $F(1, 446) = 4.62$, $p = .03$, $\eta_p^2 = .01$. Mock-jurors attributed higher guilt ratings to the defendant when the victim was male ($M = 67.81$, $SD = 26.31$) compared to female ($M = 62.74$, $SD = 26.06$). No other significant effects or interactions emerged.

Victim perceptions. Questions concerning mock-jurors' perceptions of the victim all were significantly correlated ($p < .001$), as such, a composite score was created ($\alpha = .87$). An analysis of variance was conducted to determine whether assault type, familiarity, delayed reporting, and victim gender influenced mock-jurors' perceptions of the victim. A significant effect of assault type emerged, $F(1, 445) = 9.63$, $p = .002$, $\eta_p^2 = .02$. Mock-jurors held significantly more favourable perceptions of the victim when the assault was sexual in nature ($M = 4.69$, $SD = 0.83$) compared to physical ($M = 4.44$, $SD = 0.88$). However, this must be interpreted in light of a significant two-way interaction between assault type and familiarity, $F(1, 445) = 6.71$, $p = .01$, $\eta_p^2 = .02$. When the assault was physical, mock-jurors held more favourable perceptions of the victim when they were not familiar with the defendant ($M = 4.56$, $SD = .88$) compared to when they were familiar with the defendant ($M = 4.31$, $SD = .87$), $t(228) = 2.16$, $p = .03$, $d = .29$. There were no significant differences when the assault was sexual in nature. No other significant effects emerged.

Participants also were asked how the victims' delayed report of the assault influenced their perceptions of the victim. An ANOVA was conducted to determine whether the length of delay, familiarity, assault type and victim gender influenced their perceptions. There was only a significant effect of delay, $F(1, 447) = 8.64$, $p = .031$, $\eta_p^2 = .02$. The delay was more influential to mock-jurors when the victim had waited ten years to report ($M = 2.96$, $SD = 1.66$) compared to one year ($M = 2.53$, $SD = 1.55$). No other effects were significant.

Defendant perceptions. Questions concerning mock-jurors' perceptions of the defendant all were significantly correlated (p < .001), as such, a composite score was created ($\alpha = .87$). An analysis of variance was conducted to determine whether assault type, familiarity, delayed reporting, and victim gender influenced mock-jurors' perceptions of the defendant. There was a significant effect of assault type, F(1, 443) = 5.12, p = .02, ηp2 = .01. Mock-jurors held significantly more favourable perceptions of the defendant when

the assault was physical (M = 2.58, SD = 0.93) compared to when the assault was sexual in nature (M = 2.43, SD = 0.89). There also was a significant two-way interaction between assault type and familiarity, F(1, 443) = 4.84, p = .03, ηp2 = .01. When the assault was physical in nature, mock-jurors held more favourable perceptions of the victim when they were familiar with the defendant (M = 2.71, SD = .89) compared to when they were not familiar with the defendant (M = 2.45, SD = .96), t(228) = -2.10, p = .04, d = .28. No other significant effects emerged.

DISCUSSION

Conviction rates are low for sexual assault cases (37%) and even more troubling, only 18% of prosecuted sexual assault cases have resulted in a conviction (Tjaden & Thoennes, 2006). One reason for the delayed reporting by victims, if they decide to report at all, is the fear of not being believed, especially given such a low conviction rate. Another reason is that they do not want to re-live their trauma by having to explain it to the police officers, then in the courtroom, and so forth. Victims may wait until they are in a better place, psychologically, before coming forward with the allegations. There are many effects, both short-lived and long-lived that a sexual assault victim experiences. For example, as noted by Campbell and colleagues (2009), estimates of post-traumatic stress disorder (PTSD) in sexual assault victims ranges from 17% to 65%. Experiences of sexual abuse and/or sexual assault also have been associated with other mental health issues, such as depression and anxiety, eating disorders, and has also been linked to suicidal thoughts, attempts, and/or suicide, dissociation, panic disorder and psychological distress (Mental Health America, 2020; Washington Coalition of Sexual Assault Programs, 2020). Sexual abuse also has been associated with negative health outcomes (Irish et al., 2010; World Health Organization, 2012), as well as substance use and alcohol use (Mental Health America, 2020; Rhew et al., 2017; World Health Organization, 2012) and behavioral outcomes such as engaging in high-risk behaviors (e.g., risky sexual behavior; World Health Organization, 2012). Experiencing physical abuse, particularly in childhood, is also associated with a number of negative outcomes into adulthood, such as mental health issues (e.g., depressive disorders), drug use, suicide attempts, and sexually transmitted infections and engagement in risky sexual behavior (Norman et al., 2012).

Many sexual assault victims delay reporting (Clay-Warner & Burt, 2005; Fisher et al., 2003; World Health Organization, 2012), which, in turn, can influence jurors' perceptions of a victim's credibility (Ellison & Munro, 2009). Often times, victims do not come forward as they fear they won't be believed and they want to avoid the revictimization of living through what happened (Campbell & Raja, 1999). Although a delay in reporting may be more likely with sexual assault, it may be viewed more negatively when there is a delay compared to delaying reporting a physical assault.

Often times, the victim is assaulted by someone they know (Child Welfare Information Gateway, 2019; Statistics Canada, 2015), and this familiarity with the perpetrator could also hinder a victim's coming forward as the victim may believe that no one will believe that "Person x" would commit this crime. For example, a recent case out

of Ontario highlights how familiarity can influence a victim's decision to report. In this case, a 13-year-old was sexually harassed by her theatre director (Abma, 2020). The victim reported that she confided in older members in the theatre, but they did not believe her because they didn't think the director could ever do such a thing. Given that no one had believed her, she ultimately quit acting.

Therefore, the purpose of the current studies was to examine how the nature of the assault, victim—defendant familiarity, delay in reporting (Studies 1 and 2), as well as victim gender (Study 2) influenced mock-jurors' judgments. Juror decision-making can be influenced by myriad of factors. With physical assault being the most common type of violent offence in Canada in 2018 and the rate of sexual assault being 78 incidents per 100,000 population in Canada (accounting for 7% of violent crime; Moreau, 2019), it is important to understand whether there are certain factors that mitigate jurors' judgments in these cases. Similar observations are made in the United states with a rate of 248.9 per 100,000 persons for assault and a rate of 41.7 per 100,000 persons for sexual assault (Criminal Justice Information Services Divisions, 2017). The overarching theme present in this study is that when an assault is sexual in nature, mock-jurors were more likely to view this type of crime more negatively compared to when the assault is physical in nature. This is evidenced by higher guilt ratings and less favourable perceptions attributed to the defendant and more favourable perceptions of the victim. Research has documented that college aged women are more likely to fear being sexually assaulted when compared to men; whereas men are more likely to fear robbery (e.g., Lane et al., 2009). Given that our sample is majority female, it is possible that this, at least in part, explains our finding. This finding also is consistent with past research that has found mock-jurors perceive sexual assault more negatively than other types of crimes, such as physical assault. Specifically, research suggests that sexual crimes (e.g., sexual abuse), are perceived to be more serious and traumatic when compared to physical abuse (e.g., Bornstein et al., 2007).

These results also suggest that mock-jurors are differentially impacted when an assault is delayed in reporting, depending on assault type, as found in Study 1. Given that mock-jurors were more likely to be influenced by the ten-year delay when the assault was physical. Given the highly publicized victims coming forward after a delay and them speaking to their feelings of shame and embarrassment (e.g., Lindsay, 2020), mock-jurors may be more understanding in these instances. However, when a delay is present after a physical assault, mock-jurors seem to be more punitive toward the victim. This may be due to the fact that delayed reporting for other types of crimes, such as physical assault, is less likely. One theory of juror decision-making is the Director's Cut model (Devine, 2012) which posits that jurors will construct mental models to determine which "story" had the most likelihood of occurring. Mock- jurors in the current study may have believed it was more likely to delay reporting a sexual assault as opposed to a physical assault. This is concerning as some researchers have found that children are more reluctant to disclose physical abuse as the first discussion of physical abuse comes during a forensic interview (Hershkowitz et al., 2005; Rush et al., 2014). While the current study examined the physical assault of a then 15-year-old, the reluctancy to report may still be there. Study 2 found independent effects

of delay whereby mock-jurors attributed higher ratings of guilt to the defendant when the delay was one year compared to 10 years, thus confirming prior research that shows more immediate delays are looked at as working in the victim's favour (e.g., Franiuk et al., 2020).

Similar to previous research (e.g., Pozzulo et al., 2014; Pica et al., 2017), familiarity alone did not play a role in mock-jurors' judgments. Familiarity in the current study was operationalized between knowing the camp counselor from the previous year or never having met the camp counselor before the alleged assault. Given that summer camps generally happen only once a year, this may not have elicited a perceived sense of familiarity between the victim and defendant in the mock- jurors' eyes. Pica and colleagues (2017, Study 3) found no effects of familiarity when it was varied between a neighbour and stranger. Given that the recency of familiarity was examined, it could be that having a camp counselor for one week the year prior would not be as influential on its own. However, in Study 2, we found that mock-jurors held more favourable perceptions of the victim when they were familiar with the defendant in a physical assault case compared to when they were strangers. While speculative, this may be because victim blame decreases with a familiar defendant. Mock jurors may be less likely to hold a victim accountable for their assault when the defendant is familiar with him or her, akin to a breach of trust on the defendant's part. This is another area future researchers could follow-up on.

Study 2 also examined victim gender, and the defendant was given higher guilt ratings when the victim was male compared to female. This may be due to the fact that when people hear "sexual assault" they think it's the stereotypical male perpetrator—female victim. While this does deviate from prior research, these results may be due to the heightened awareness surrounding male victims. As Turchik and Edwards (2012) report, it is estimated that 5-10% of rape victims are male. Moreover, as Fiske and Glick (1995) discuss, when the victim is of the same sex as the perpetrator, the behavior may be viewed as more unwelcoming as it goes against common stereotypes. Previous researchers that have examined same-sex versus cross-sex harassment cases have found that participants were more likely to find the defendant guilty in same-sex harassment cases compared to cross-sex (Wayne et al., 2001). While we did not fully cross perpetrator—victim gender, this may be an avenue for future researchers to explore.

Conclusion and Future Directions

The results of the current study pave the way for future researchers to examine ways in which assault type, and delay in reporting, influence jurors' judgment. To our knowledge, this is the first study to examine mock-jurors' perceptions of a delayed reporting of a physical assault. Given that this was most influential, future researchers may want to examine why this is the case.

Research on the influence of familiarity on jurors' judgments is still in its infancy, as such, future researchers should examine familiarity with different operationalizations and in different contexts to determine how jurors perceive different familiar relationships.

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