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Woodhams, Jessica; Hollin, Clive; Bull, Ray; Cooke, Claire

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VICTIM BEHAVIOR DURING RAPE

Behavior Displayed by Female Victims during Rapes Committed by Lone and Multiple
Perpetrators.

Dr. Jessica Woodhams

University of Birmingham, U.K.

Professor Clive R. Hollin and Professor Ray Bull

University of Leicester, U.K.

Dr. Claire Cooke

University of Gloucestershire, U.K.

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Abstract

Research with both the general public and members of the criminal justice system reports a pervasive rape myth of a violent offender and a physically resistant victim. Despite research being conducted on victims' post-rape behavior, few studies have examined victim behavior *during* sexual assaults, and many of those which have been conducted have tended to focus on physical resistance. This paper reports two studies which examined qualitatively the behavior of female rape victims during sexual assaults. The first study is an analysis of 78 stranger sexual assaults, committed in the United Kingdom, by male offenders. The second study is an analysis of 89 allegations of stranger rape, again from the United Kingdom, perpetrated by multiple male suspects. Information about victim behavior was extracted from victims' accounts made to the police. More than 100 different victim behaviors were identified in each study, and more than 80 behaviors were common across studies. Myth-congruent behaviors were present in the sample, however the behaviors engaged in by victims were complex and diverse. Indirect and face-saving communications were used by victims and are discussed in terms of expectations regarding victim behavior and rape stereotypes. The implications of the findings for training legal professionals, educating jurors, and counseling victims are discussed.

Keywords: rape avoidance, resistance, coping, sexual assault, group rape

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Behavior Displayed by Female Victims during Rapes Committed by Lone and Multiple Perpetrators.

The percentage of rapes reported to police that result in a conviction is notoriously small across many countries, including England and Wales (Walker, Kershaw, & Nicholas, 2006), South Africa (South African Law Commission, n.d.) and the United States (Sinclair & Bourne, 1998). These small percentages might partially be explained by pervasive rape myths and stereotypes existing in our societies which affect decision-making at each stage of the criminal justice process and negatively affect the treatment of victimsⁱ. How this can occur is outlined in more detail below, however, in summary, rape myths and stereotypes can affect whether a victim chooses to report their assault to the police (DuMont, Miller, & Myhr, 2003), their treatment by investigators (Jordan, 2004), whether their case is chosen for prosecution (HMCPSI, 2002; Lievore, 2004), how they are treated under cross-examination (Ponterrotto, 2007), the decision-making of potential jurors (Ellison & Munro, 2009a), the likelihood of the defendant being convicted (Borgida & White, 1978; Harris & Grace, 1999), the support the victim receives from family and friends (Campbell, Ahrens, Self, Wasco, & Barnes, 2001; Filipas & Ullman, 2001), and their recovery (Rizvi, Kaysen, Gutner, Griffin, & Resnick, 2008). Prior to discussing the research in each of these areas, we present definitions of rape myths and stereotypes, and some recent research on their prevalence in our societies and in the media. The focus of this paper is on rape victim behavior during the offense, therefore particular attention is given to myths, stereotypes and expectations regarding rape victim behavior, such as the expectation that women must resist rape both physically and verbally (Ullman, 2007).

Rape Myths and Stereotypes

Rape myths are “prejudicial, stereotyped or false beliefs about rape, rape victims, and rapists” (Burt, 1980, p. 217) and “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). Lonsway and Fitzgerald (1994) go on to state:

Rape myths are perhaps best conceptualized as stereotypes. As with other stereotypes, any particular incident of sexual assault may or may not conform to the myths about rape; however, isolated incidents that are in accordance with the myth tend to be widely publicized. The vast majority of rapes that contradict the myth, however, are overlooked (pp. 134-135).

To paraphrase several authors, these myths include; that rape is rare, that women lie about rape, that only certain types of women are raped, that women can avoid rape if they want to, that if a women is raped she deserved or wanted it, that many rape allegations are false, and that rapists are sadistic, insane, and sex-starved (Ardovini-Brooker & Caringella-MacDonald, 2002; Burt, 1980; Franuik, Seefeldt, & Vandello, 2008; Giacomassi & Dull, 1986). Broadly speaking, rape myths fall into four categories: (a) myths that blame the victim; (b) myths that express disbelief in claims of rape; (c) myths that exonerate the perpetrator; and (d) myths that suggest only certain types of women are raped (Eyssel & Bohner, in press).

Traditionally, the endorsement of rape myths by the general population is measured using various rape myth acceptance scales (e.g., Burt, 1980; Payne, Lonsway, & Fitzgerald, 1999, see Lonsway & Fitzgerald, 1994 for others). Using such scales,

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between 18% and 75% of students were found to moderately or strongly agree with at least one statement which represented a rape myth (Giacopassi & Dull, 1986). For example, 17% of students believed that women could not be forced into sex and 30% endorsed the statement that women *often* falsely accuse men of rape. Using a more subtle measure of rape myth acceptance, the Acceptance of Modern Myths about Sexual Aggression (AMMSA; Gerger, Kley, Bohner, & Siebler, 2007), between 12 and 23% of participants were found to score on or above the mid-point, indicating a greater tendency to endorse rape myths (G. Bohner, personal communication, September 9, 2010). Most of these participants were from Germany, Austria, UK, USA, Canada and the Netherlands (Gerger et al., 2007). In a study of German residents, where participants were provided with selected items from the AMMSA, nearly one-third 'tended to agree' or 'completely agreed' with the statement "Any woman who is careless enough to walk through 'dark alleys' at night is partly to be blamed if she is raped", and more than one-half endorsed the item "Women like to play coy. This does not mean that they do not want sex" (Süssenbach & Bohner, in press). A survey of members of the general public in England and Wales found that 37% of respondents held a woman 'partially' or 'totally responsible' for a rape if she had failed to say "no" clearly to the man, 35% if she had behaved in a flirtatious manner, over 30% if she was drunk, over 25% if she was wearing sexy or revealing clothing, and 22% if she had had many previous sexual partners or was alone in a dangerous or deserted area (Amnesty International UK, 2005).

An analysis of victims' accounts of their own experiences also highlights the influence of rape myths. Weiss (2009) analyzed 944 women's accounts of rape, attempted rape and sexual assault from the National Crime Victimization Survey in the

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United States. One in five victims excused or justified their offender's behaviour, often drawing on myths and stereotypes about rape. These myths included that male sexual aggression is natural, that in the absence of serious injuries it was not really a rape, that women precipitate sexual victimization by acting inappropriately or facilitate the completion of a rape by not resisting effectively. Only four of these 193 women reported their experience to the Police. Statistics such as these indicate that rape myths continue to be prevalent in our societies.

Media Coverage of Rape

The prevalence of rape myths within the general population has been partially attributed to the portrayal of rape in the popular media which focuses on sensational, unusual and stereotypical cases, and which endorses rape myths (Ardovini-Brooker & Caringella-MacDonald, 2002; Franiuk et al., 2008; Franiuk, Seefelt, Cephress, & Vandello, 2008; Korn & Efrat, 2004; Meyer, 2010; Mooney, 2007). The media's focus on force, as defined by severe acts of violence perpetrated by the offender, is argued to hide the rapist's manipulation of power in rape (Kitzinger, 2009). Other ways in which rape is distorted by the media include casting victims as either "good girls or bad girls", utilizing language which implies a degree of consent on the part of the victim, and the limited reporting of the rape of minority women (Ardovini-Brooker & Caringella-MacDonald, 2002; Caringella-MacDonald, 1998). Exposure to rape myths reported in the media has been found to decrease perceptions of a suspect's guilt and increase beliefs that a victim was lying about the rape (Franiuk, Seefelt, Cephress, et al., 2008), although such effects might be limited to male participants (Franiuk et al., 2008).

Reporting Rape to the Police

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Rape myths and stereotypes are believed to affect victims' decisions of whether or not to report their offense to the police. This is inferred from findings that stereotypical rapes characterized by the following attributes are most often reported (Bachman, 1993; Clay-Warner & Burt, 2005; Du Mont et al., 2003; Williams, 1984): stranger rapes, multiple perpetrator rapes, rapes that involve force, the use of a weapon, or the use of threats, and rapes where a victim has injuries, which is often considered necessary to confirm victim resistance (Jordan, 2005). Alternatively, rather than indicating rape stereotypes and myths, this pattern of reporting could reflect the victims' perceptions of the seriousness of the offense they experienced. A study of the influence of assault characteristics on the reporting of sexual assaults compared to physical assaults found few differences, contrary to expectations that sexual assault reporting would be more strongly influenced by assault characteristics (Chen & Ullman, 2010). The degree of physical force used by the offender did differentiate the two types of assault, being more influential for the reporting of sexual assaults. This finding suggests that the stereotype of the violent rapist could be influential in rape reporting. That further differences were not found cannot, however, be used to dismiss suggestions that rape myths and stereotypes affect rape victim reporting since this study gave relatively limited consideration to the potential influence of the victim's own behavior during the assault.

While victims' perceptions of the severity of their sexual assault experiences no doubt affect their reporting behavior (see Weiss, 2009 for examples), there is additional evidence that reporting decisions are also influenced by rape myths and stereotypes. Several studies report that victims scoring high in rape myth acceptance, including endorsement of the myth that physical resistance is necessary for a rape to have occurred,

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are less likely to recognize their experience as a sexual assault or report it to others (Campbell, Dworkin, & Cabral, 2009; Littleton, Rhatigan, & Axsom, 2007 for reviews). Similarly, Weiss (2009) reported that if a rape did not involve the use of violence by the offender, then some women are not inclined to define their experience as a rape (Weiss, 2009). Other women reported that they did not inform anyone of the rape they had experienced because they felt they should have been able to stop the offender and therefore they felt they had “failed to resist effectively” (Weiss, 2009). Patterson and Campbell (2010) present a quote from one of their interviewees who explained “...I thought it didn’t constitute a rape because I didn’t fight back” (p. 197).

These findings show that some victims will not define their experience as a rape or sexual assault if it does not correspond with societal stereotypes. Further, even if a victim does define her experience as a rape, she may not report it for fear that if her behavior did not match that of the stereotypical victim she may not be believed.

Reactions of the Criminal Justice System

Since rape myths are prevalent in popular media and since they seem to affect the attributions and decision-making of victims, it is also plausible that they affect the attributions and decision-making of criminal justice employees. Several studies have researched the decision-making of police officers in order to determine if rape victims are right to have concerns about being believed. These studies have investigated decision-making as recorded in police files (Jordan, 2004; McNickle-Rose & Randall, 1982) or by seeking police officers’ views through questionnaires (Page, 2008) or interviews (Harris & Grace, 1999). Other studies have surveyed victims of sexual assault for their

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perceptions of the response they received from police officers (Felson & Pare, 2008; Jamel, Bull, & Sheridan, 2008).

A survey of male and female rape victims in Australia, UK, USA, New Zealand, Ireland and Canada reported positive accounts of interactions with police investigators with victims expressing their gratitude at being believed (Jamel et al., 2008). However, negative interactions were also reported which involved negative credibility assessments based on the victims' backgrounds and their delayed reporting, inappropriate humour, and discouragement from pursuing the case. Negative interactions were also reported within National Violence Against Women (and Men) Survey data from the United States where it was found that victims of sexual assault were particularly likely to complain about insensitivity on the part of police officers, compared to victims of physical assault (Felson & Pare, 2008).

Police officers have been reported to consider the degree of victim resistance when deciding whether to pursue a rape investigation or whether to discourage a rape victim from pursuing an allegation (Harris & Grace, 1999; Jordan, 2004; McNickle-Rose & Randall, 1982). Jordan's (2004) study of New Zealand police files found victim credibility assessments to be influenced by other types of victim behavior, such as whether the victim had consented to sex with a suspect's acquaintance and whether the victim was intoxicated or "high".

Page (2008) reports a reduction in rape myth acceptance by police officers in the United States over time, although some police officers still strongly endorsed some rape myths. When asked about their decision-making about rape cases, police officers reported being influenced by their expectations of the prosecutor's reactions to a case

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(Page, 2008). Therefore, police officers may not endorse rape myths themselves but may instead be influenced by rape myths indirectly, when assessing the likely future prosecution of a case.

Police officers' expectations of prosecutors' reactions may not be mistaken. Studies of prosecutor decision-making indicate that this is influenced by legal factors, such as the existence of corroborating evidence (Brown, Hamilton, & O'Neill, 2007; Frazier & Haney, 1996), and extra-legal factors pertaining to the victim's perceived credibility (Frohmann, 1991; Spohn, Beichner, & Davis-Frenzel, 2002; Stanko, 1981-2), which can reflect rape myths and stereotypes.

In terms of credibility assessments, Stanko (1981-2) investigated prosecutorial decision-making for rape, robbery and attempted murder cases. The prosecutors in trying to anticipate the reaction of the judge and the jury to the victim were found to draw on stereotypes regarding the type of person the victim was and their "fit" with the crime scenario. Lievore's (2004) review of the prosecutorial decision-making in 141 adult sexual assault cases in Australia found that the verbal or physical expression of non-consent by a victim during a sexual assault was associated with the case being significantly more likely to proceed to trial. There are also examples of United States' prosecutors using deviation from "typical" rape victim behavior as a reason not to proceed with a case (Frohmann, 1991; Spohn et al., 2002). These examples include victim behavior pre-, during and immediately post-offense: for example, one of the prosecutors in Spohn et al.'s sample cited the victim engaging in initial minor sexual contact with the defendant and allowing the defendant to drive her home after the alleged assault as "atypical". In the UK, Brown et al. (2007) reported a prosecutor recounting a

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case for which the police were advised to take no further action because the victim had made a conscious decision to sleep in a colleague's bedroom for the night and the prosecutor expected the jury to react negatively to this. Similar decisions were made if the victim had consumed alcohol.

Decision-making by prosecutors regarding rape cases also appears to be influenced by stereotypes regarding rape victim behavior: however, once again, this does not mean that the prosecutors themselves endorse rape myths and stereotypes. Rather, rape myths and stereotypes can indirectly influence prosecutorial decision-making due to prosecutors' expectations of how jurors will react to the case. However, if stereotypical rape cases are prioritized for investigation and prosecution, the result will be a self-fulfilling cycle (McNickle-Rose & Randall, 1982). For example, delay in the follow-up of myth-incongruent cases could well result in the loss of forensic or corroboratory evidence which would negatively affect the investigation and possible prosecution of such cases.

The use of myths and stereotypes of "real rape victim" behavior by defense barristers to discredit a victim under cross-examination was remarked upon in Her Majesty's Crown Prosecution Service Inspectorate/Her Majesty's Inspectorate of Constabulary joint report on the prosecution of rape (HMCPSI, 2002). Specifically, "the myths and preconceptions" that the "defence so often try and reinforce" (p. 12) were highlighted. As reported by Ponterotto (2007) rape myths and stereotypes can be used to suggest commission ("You went up to his room"), omission ("You didn't cry out") and consent ("You kissed him").

Judges in the UK typically make summing up statements to jurors and some of these have been found to contain rape myths (Gray, 2006). This is problematic since UK

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mock jurors were found by Gray to be influenced by judges' summing up statements. Statements made by judges that were congruent with rape myths were associated with a greater number of innocent verdicts by jurors (Gray, 2006).

The effect of rape myths held by some members of the general public appears to cascade down through the different stages of the criminal justice process. Anticipation of the reactions of jurors to a victim or to a case is reported to affect the decisions made by prosecutors and police officers, and victims, in terms of their reporting behavior. If a rape case makes it to trial, rape myths may surface in the courtroom during cross-examination by defense barristers and/or when referred to in the summing up statements of judges. All of this contributes to what Sinclair and Bourne (1998) call the "cycle-of-blame" by which rape myths contribute to the high conviction rate for myth-congruent rapes but the not guilty verdicts for myth-incongruent rapes also reinforce rape myths in society. Thus, even if more victims reported myth-incongruent rapes, if police officers and prosecutors investigated and prosecuted them, and if judges avoided myth-congruent summing up statements, a not guilty verdict could still result, due to jury decision-making. As suggested by Sinclair and Bourne (1998), one way to combat rape myths at a societal level would be to reduce juries' rejections of rape cases on the basis that they were myth-incongruent.

To achieve this aim, jurors could be informed about how rape victims behave in reality (Office for Criminal Justice Reform, 2006). This is not a new suggestion but is a strategy that has been considered for some time (Tetreault, 1989) and similar arguments have been made with regards to domestic violence and partner homicide (Faigman, 1986), particularly with respect to imparting this knowledge through expert evidence.

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Typically a distinction has been made between syndrome evidence and general expert testimony (Ellison, 2005). Rape trauma syndrome (RTS) evidence is described as typically consisting “of a description of the aftereffects of rape (i.e. RTS) and an opinion that a particular complainant’s behavior is consistent with having been raped” (Frazier & Borgida, 1992, p. 293). Such evidence has been deemed helpful in some cases because it educates jurors regarding common misconceptions of post-rape victim behavior (Frazier & Borgida, 1992). However, Ellison (2005) discusses several problems associated with syndrome evidence: these are (a) that it can be viewed as evidence that the victim has definitely been raped and thus the defendant is guilty, (b) that the symptoms can occur following other types of trauma, and (c) that it can imply the victim is mentally ill which causes additional problems for victim credibility. Since the focus of the present paper is on victim behavior *during* a sexual assault, rather than post-assault behavior, rape syndrome evidence is not discussed further. For reviews see Biggers and Yim (2003), Frazier and Borgida (1992) and Kennedy (2009).

General expert testimony, “draws instead on generalized social science data to provide a context against which a complainant’s account can be more fairly assessed” (Ellison, 2005, p. 257). This type of testimony has also been referred to as social framework evidence (Walker & Monahan, 1987) and social agency evidence (Schuller, McKimmie & Janz, 2004). In his critique of expert evidence on “battered woman syndrome”, Faigman (1986) argues that an individual approach should be taken to each case rather than talking about a “generalized syndrome”. He suggests that *valid* empirical evidence can play a role in providing a context against which the jury can consider the reasonableness of the defendant’s behaviour in killing her partner. Similarly, Tetreault

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(1989) suggested using examples of behaviors typically reported during rape by large numbers of victims to assist in deciding the facts of the case in question. In this paper, Tetreault summarized two studies which appeared to show the positive effects of such expert testimony (Brekke & Borgida, 1988; Tetreault & Bristow, 1988). Similar findings have been reported with social agency expert testimony regarding battered women who have killed their partner (Schuller et al., 2004). More recently, Ellison and Munro (2009b) failed to replicate these positive findings when they presented mock jurors with general expert testimony that rape victims may freeze during an attack. However, as they themselves note, the way in which such evidence is delivered to the jury can affect how readily it is accepted and utilized. For example, juror decisions are reported to be influenced by perceptions of the expert as a “hired gun” (Boccacini & Brodsky, 2002; Devine, Clayton, Dunford, Seyring & Price, 2001), the gender of the expert (Schuller, Terry & McKimmie, 2005), the presence/absence of opposing expert evidence (Brekke & Borgida, 1988; Levett & Kovera, 2008, 2009), perceptions of the general acceptance of the evidence (Levett & Kovera, 2009), the scientific/unscientific nature of the testimony (Krauss & Sales, 2001; McCabe, Krauss & Lieberman, 2010), its complexity (Schuller, et al., 2005), and by juror characteristics, such as need for cognition, mode of processing (experiential versus rational) and gender (Krauss, Lieberman & Olson, 2004; Levett & Kovera, 2008; McCabe et al., 2010; Schuller et al., 2004). In terms of research specifically on expert evidence of rape victim behavior, Ellison and Munro (2009b) found that such expert evidence would be more likely accepted by jurors if it was accompanied by references to research and went beyond presenting facts, instead explaining *why* a victim might behave in a myth-incongruent way.

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Expert evidence is not the only medium through which valid empirically-derived knowledge of rape victim behavior can be imparted to jurors. In 1986, Faigman suggested such evidence could be delivered via judicial instruction. Similarly, Ellison and Munro (2009b) suggest the use of extended judicial instruction or that prosecutors could refer to research in their rebuttals of defense lawyers' claims.

When initially discussing social framework evidence, Walker and Monahan (1987) raised the question of whether such evidence would be outside the knowledge of the juror. This is a relevant question to consider regardless of the medium through which knowledge is passed to the juror. At the start of this literature review, several studies were cited which illustrated the prevalence of rape myths in our society. Tetreault (1989) argued that it is because of this prevalence that we cannot expect jurors to be aware of common misconceptions regarding rape. Preliminary research in the United Kingdom supports this contention. With regard to expectations of rapist behavior, Charron and Woodhams (2010) report mock jurors stating during deliberation; "I would have thought...ripping off someone's lower clothing and underwear was going to happen", and "manual strangulation could happen in almost any (rape)". Such claims by (mock) jurors contrast with empirically derived knowledge of rapist behaviors which indicates their occurrence is far less frequent. Similarly, Ellison and Munro (2009a) report quotes highlighting (mock) jurors' expectations that a victim would physically struggle in a rape. Ellison and Munro state "Their commitment to the belief that a 'normal' response to sexual assault would be to struggle physically was, in many cases, unshakeable" (p. 206). In a further study, Sleath and Woodhams (2010) found greater emphasis was given to verbal and physical resistance when undergraduates were asked to write an account of

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what they perceived to be a credible rape scenario compared to when they were asked to write a non-credible rape scenario.

In summary, myths and stereotypes about rape victim behavior appear to influence each stage in the criminal justice process resulting in a bias towards the successful prosecution of myth-congruent rapes. As Sinclair and Bourne (1998) suggest, it is with the jury that intervention might be most successful. Countering myths and stereotypes that may be held by jurors through the use of empirically-derived knowledge is not a new idea and could be achieved through various means (e.g., prosecutors' rebuttals of defense claims, extended judicial instruction or general expert evidence). Before such interventions can be subject to empirical scrutiny, we would first need a body of valid empirical research regarding victim behavior, not just post-rape, but during the rape itself.

Recovery Following Rape

The effect of rape myths and stereotypes is not limited to the processing of rape cases or the victims' experience of the criminal justice system; they affect victim recovery through the negative reactions received from family and friends, which include questioning the victim's behavior in a rape-myth supportive manner and blaming the victim (Campbell et al., 2001; Filipas & Ullman, 2001; Galliano, Noble, Travis, & Puechl, 1993). Also, when a victim's experience of rape does not fit societal stereotypes *self-blame* is more likely (Easteal, 1992; Harned, 2005 as cited in Campbell et al., 2009). Self-blame is also associated with poor recovery (Campbell et al., 2009; Frazier, 1990; Frazier, Mortensen, & Steward, 2005; Koss & Figueredo, 2004), although not all studies have found this association (Ullman, Filipas, Townsend, & Starzynski, 2007; Ullman &

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Najdowski, in press). The association between self-blame and poor recovery is thought to be mediated by social withdrawal, not seeking help, and maladaptive beliefs (Frazier et al., 2005; Koss & Figueredo, 2004; Wasco, 2003). As Frazier et al. (2005) explain, “It makes intuitive sense that rape survivors who blame their own behaviors might not want to talk to others...and perhaps risk being blamed by them as well” (p. 272). As a result, it is recommended that self-blame by victims be tackled in therapy (Littleton & Bretkopf, 2006).

Rizvi et al. (2008) specifically investigated the relationship between victims’ self-reported behavior during a sexual assault and their post-traumatic response. Victims who used forceful forms of resistance, such as punching or kicking, adjusted better than those who reported freezing or dissociating. Less active forms of resistance and freezing were associated with post-traumatic stress disorder and depressive symptomatology (Rizvi et al., 2008). If the cause of such a relationship is self-blame or blame from others, therapists could tackle stereotypes regarding “typical” victim behavior in therapy using empirically-derived knowledge. Such techniques can help validate the victim’s reaction as a “positive adaptive mechanism” thereby alleviating “guilt suffered by a victim who may think, ‘I did not do enough – I could have done more’” (Burgess & Holmstrom, 1976, p. 417).

In summary, research studies have illustrated the prevalence of rape myths and stereotypes within our society and throughout the criminal justice system. They hinder the reporting of rape to the authorities and they can negatively affect victim recovery. Several authors have suggested that their deleterious effect on the criminal justice system could be tackled by including in the training of prosecutors information about the realities

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of rape victim behavior, and by educating jurors. Further, it is suggested that self-blame by rape victims could be addressed in therapy by utilizing empirically derived knowledge of victim behavior *during* rape. This raises the question of the current state of research on victim behavior during rape.

Research on Rape Victim Offense Behavior

Whilst a number of studies have investigated victim behavior during sexual assaults, few were explicitly conducted with the intention of providing a *comprehensive* account. The exceptions are Burgess and Holmstrom's (1976) landmark study of the coping behavior of rape victims who attended an emergency department in the USA, and Jordan's (2005) interviews with women attacked by a serial rapist in New Zealand. Rather than focus solely on these two comprehensive studies of rape victim behavior, we first provide an overview of all the relevant researchⁱⁱ before giving greatest attention to these two in-depth studies.

Several studies describe rape victim behaviors without providing actual figures for their frequencies. Studies sampling rapes and sexual assaults from the UK and the Netherlands report victims using verbal protests, struggling and fighting, responding to suspects' questions, directing questions to the suspect, screaming and shouting, fleeing, using a ploy, and freezing in fear, (Biljeveld et al., 2007; Fossi et al., 2005; Wright & West, 1981).

Other studies have provided statistics for different *types* of victim behavior as defined by the authors. Cohen (1984) interviewed 127 adult females in the United States who had been raped either by multiple or lone (representing the majority) perpetrators. Most often the women reported employing a type of verbal defense (36%), followed by a

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combination of verbal and physical strategies (23%), other defenses (18%), and a physical type of defense only (8%). No victims reported trying to flee from the offender(s) and 18% used no form of defense.

Of a sample of 347 stranger rapes (by lone and multiple perpetrators) forming part of US National Crime Survey data from the 1970s, almost one-half of victims reported engaging in some form of “resistance” (Block & Skogan, 1986). Forty-nine per cent of victims engaged in “non-forceful resistance”, which included verbal behaviors of reasoning, threatening, arguing and shouting for help, and a physical behavior or running away. One-third of the victims reported engaging in “forceful resistance”, which involved physically fighting the offender(s) and/or the use of a weapon.

Koss, Dinero, Seibel, and Cox (1988) reported the resistance strategies used by a sample of 489 USA college students as ascertained from a self-report questionnaire. The findings, in terms of the frequency for stranger rapes and the frequency for acquaintance rapes, respectively, were; 71% and 77% of victims reported “turning cold”, 77% and 83% pleaded or reasoned with the offender, 53% and 46% cried or sobbed, 32% and 11% screamed for help, 22% and 11% ran away, and 69% and 70% struggled with the offender.

From an analysis of US National Crime Victimization Survey data, Greenfeld (1997) reported that 72% of victims took some form of “self-protective action” which included struggling or chasing the offender (19%), warning or scaring the offender (11%), trying to appease or persuade the offender (11%), running away or hiding (7%), physical fighting (6%), screaming in pain or fear (4%), and seeking help or giving the alarm (4%). The remaining 10% of victims used “other” strategies.

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Hauffe and Porter (2009) investigated victim behaviors displayed in group and lone sexual offenses from the UK, USA, and Israel. The data were extracted from law transcripts and books. Most victims engaged in some type of resistance (Lone = 83%, Group = 57%). Verbal resistance was reported by 48% and 67% of the victims, 10% and 12% of victims phoned or threatened to phone the police, 5% and 7% lost consciousness, 23% and 25% of victims screamed, 28% and 55% struggled, 5% and 13% pushed the suspect(s), 2% and 15% removed their own clothes, 32% and 60% physically fought their offender(s), and 2% and 3% kicked the offender(s) (all percentages stated for group and lone assaults respectively).

Of the studies that have focused solely on multiple perpetrator rape, Amir (1971) reported that 34% of victims resisted and 14% physically fought their offenders. Amir's data were taken from USA police reports. With a sample of 223 group rape offenses from a range of countries, Porter and Alison (2006) reported 10 different strategies used by victims: struggling (31%), screaming (25%), running (22%), pleading (22%), refusing (18%), crying (13%), fighting (8%), threatening to report the offense (1%), insulting the offender(s) (1%), and telling a story (e.g., a ploy) (1%). The information about these victims' behaviors was largely extracted from media reports, books and journals, and law reports.

As noted above, two studies stand out for their in-depth investigation of rape victim behavior during the offense itself. Burgess and Holmstrom (1976) interviewed 92 women who presented at a hospital in the USA over a one year period. They divided the sexual offense into three stages before considering the strategies reported by the victims. The first stage 'threat of attack' corresponded with the time at which the victim realized

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she was in danger. The next stage corresponded to the sexual assault itself and the final stage was “after the attack”. During the first stage, more than one-third of the women reported feeling paralyzed and hence did not act. More than one-half used verbal coping strategies, including stalling for time, flattering the offender, or verbal aggression.

Attempts to escape or fight the offender were reported by more than one-fifth of victims.

During the attack itself, victims reported using similar strategies: for example, a small number of women tried verbal strategies such as telling the offender someone else was returning home soon, while some women (approximately 15%) shouted or screamed.

Physical forms of resistance were reported by a similar number of women, which included struggling with and fighting the offender. Approximately one-third reported using cognitive coping strategies which included trying to focus on something else, or memorizing details about the offender(s). Although no figures were provided, within the final stage victims reported bargaining with the offender for freedom, reassuring him that they would not report the offense, and freeing themselves from blindfolds or bindings.

In 2005, Jordan interviewed 14 women who had been sexually assaulted and raped by the same convicted stranger rapist in New Zealand. Jordan analyzed qualitatively how these women “resisted” and “survived” their ordeals and drew particular attention to the variety of strategies used both across the sample and within individual sexual assaults. Some women engaged in physical resistance, struggling, fleeing, fighting, and pursuing the offender, whereas others made a conscious decision not to resist physically having already been the recipient of physical violence from the offender, and/or appraising the offender’s superior strength and inferring his strong commitment to the rape. Some tried to talk to the offender, asking him questions about

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his intentions and motive; others tried ploys to put him off, and others made requests of him. The women tried to attract assistance from witnesses by verbal and/or physical means. They also reported using strategies which are less often discussed in the research literature. These included trying to calm the offender through compliments and trying to talk to him about alternative ways in which he could be sexually intimate with people in a consensual manner. Some of the women dissociated from the sexual assault and others faked unconsciousness. Overall, Jordan notes that whilst the women's strategies may not have been effective, something that the women themselves recognized, what was important to them was being active in their efforts at trying to regain some control of the situation. If they were unable physically to resist the offender, the women reported using emotional and mental forms of resistance.

Rationale

At the start of this paper, we argued that there are pervasive myths about rape victim behavior operating in many societies and criminal justice systems. Our review of past studies of victim behavior during sexual assaults indicates that, contrary to stereotypes, not all victims engage in forms of physical resistance. Instead, a range of behaviors is reported. However, the frequencies of different types of victim behavior are not always reported, or where they are reported they vary across studies making comparisons and conclusions difficult. This variation exists for several reasons. First, the source of information regarding rape victim behavior differs across (and within) studies, from self-report questionnaires and interviews with victims, to police records, to interviews with suspects, to the collation of court or media reports of rapes. Each source has its advantages and disadvantages. Although it has been argued that court and media

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reports of rapes represent more “robust” allegations (Porter & Alison, 2006), they will also be a less representative sample of allegations considering the select nature of cases reported in the media (Franiuk et al., 2008) and the bias evident in the prosecution of rape cases (HMCPSI, 2002; Lievore, 2004). This same bias would exist for studies sampling convicted offenders which may also be unreliable as some offenders deny or minimize their offenses and can be reluctant to discuss their offending (Ahlmeyer, Heil, McKee, & English, 2000; Groth & Lored, 1981; Saunders & Awad, 1988). Police files containing victims’ accounts of rape are an alternative information source. They will be less biased than samples of cases prosecuted or reported in the media, however there is still a bias in the types of rapes reported by victims to the police, namely that those reported are more likely to be stereotypical and reflect rape myths (e.g. Clay-Warner & Burt, 2005). In interviewing self-identified victims researchers have ensured a less biased sample, in that the rapes described in these studies may be less stereotypical. However, depending on the method used, there can be time delays between the rape occurring and the victim being interviewed, which can result in memory errors (Lynch & Addington, 2009).

A second reason for the variation in findings regarding rape victim behavior lies in the different ways rape victim behavior is described and defined across studies. Some studies refer to “resistance” in general (Amir, 1971), others group “resistance” into categories (Block & Skogan, 1986; Cohen, 1984; Greenfeld, 1997), and some studies report the discrete victim behaviors themselves (Porter & Alison, 2006). Arguably, if we are to understand the complexity and diversity of rape victim behavior, studies should report the discrete behaviors.

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Finally, most studies have analyzed a sample of rapes that contain a mixture of victim-offender relationships. How a victim reacts during a rape perpetrated by someone she knows as compared to someone she does not know will vary (Koss et al., 1988). It is therefore prudent to limit analysis to a type of victim-offender relationship or to consider the effects of differences in relationship in the presentation of findings.

In addition to these methodological limitations, there is a larger issue within the literature. The way in which some researchers define and investigate rape victim behavior can unwittingly perpetuate stereotypes. For example, in some studies resistance has been defined narrowly, as representing forms of physical aggression, struggling or running away, or as direct forms of verbal communication, such as screaming, shouting, or threatening the offender(s). Instead, a broader definition is required whereby we consider as resistance any behavior where a woman resists the rapist's control (Jordan, 2005).

The prevalence of rape myths means that researchers need to be cognizant that their own preconceptions of rape might be myth-laden. This issue presents difficulties when researchers develop hypotheses about rape victim behavior which they then test by applying preconceived categories of behavior to data, or by specifying behavioral acts/types of resistance in questionnaires. Instead a qualitative analytical framework based on principles from grounded theory, as used by Jordan (2005), may be preferred. Grounded theory refers to a method of analysis whereby theory "is generated from (hence is grounded in) a close inspection and analysis of a corpus of complex qualitative data" (Henwood & Pigeon, 2006, p. 344). This approach reduces the effect of the researcher's preconceptions on the derivation of themes or categories (Willig, 2001). Taking a

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qualitative approach to a topic such as understanding rape victim behavior also reduces the likelihood of less common behaviors being missed (Jordan, 2005).

Part of the rationale for the two studies reported in this paper was to update Burgess and Holmstrom's (1976) comprehensive analysis of rape victim behavior. Although Jordan (2005) has recently provided such an analysis, her qualitative study focused on a small sample of 14 women assaulted by the *same* convicted stranger rapist. In this paper we present two comprehensive and systematic qualitative analyses of much larger samples. Specifically, we have avoided sampling a mixture of victim-offender relationships and have focused on stranger sexual assaults. Like Jordan (2005), we recognize that stranger sexual offenses more closely reflect stereotypes operating in our society and this should be remembered when interpreting the findings. We chose to sample victims' accounts made to the police since they are usually detailed accounts which are recorded with minimal delay between the offense occurring and recall (Feist, Ashe, Lawrence, McPhee, & Wilson, 2007). In conducting a systematic and comprehensive analysis of rape victim behavior, we also wanted to be confident that our findings would not be discounted as being developed from a sample that was not "robust". Our awareness of the prevalence of rape myths including the myth that false allegations of rape are common led us to favor a "robust" sample. In Study 1 (Stranger Sex Offenses) we therefore sampled rapes which had resulted in convictions. In Study 2 (Multiple Perpetrator Rapes) we sampled allegations made to the Police. As our literature review indicates, by sampling accounts of rape made to the police, particularly those resulting in a conviction, our samples will *not* represent how victims behave in *all* sexual assaults because our samples may reflect rape stereotypes. Nonetheless, we believe these

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samples represent a starting point for systematic investigation of how female victims behave in stranger sex offenses. It is also important to recognize that the offenses in both studies were committed by men who were strangers to the victims and therefore the findings would not necessarily apply to rapes by acquaintances or intimate partnersⁱⁱⁱ.

Study 1: Victim Behavior in Convicted Stranger Sex Offenses

Method

Sample. Details of victim behaviors were extracted from police files held by the Serious Crime Analysis Section (SCAS) of the National Policing Improvement Agency. SCAS is a police analytical unit located in the UK with national responsibility to carry out analytical work on behalf of all police forces. SCAS collates and analyzes information on serious crimes that fulfil its criteria, predominately stranger murders and serious sexual assaults and/or rapes. This unit holds the most comprehensive collection of police files regarding cases of stranger sexual assault in the UK.

The sample constituted 78 stranger sexual assaults for which the offender(s) had been convicted. For nine offenses physical evidence, such as fingerprints or DNA, linked the offender to the crime. Most of the offenses had been committed by a lone offender ($n = 72$). Where multiple offenders were involved, three offenses were committed by two offenders, two offenses by three offenders and one offense by four offenders. All offenders were male and their mean age^{iv} was 16 years ($SD = 2.65$, Range = 11–26). All victims were female. Their mean age was 26 years ($SD = 13.72$, Range = 10–81). In all, 39 of the 78 offenses were committed by 13 serial offenders, thus 52 offenders were responsible for the 78 offenses.

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Procedure. The case file for each of the offenses was read by the first author and a narrative of each offense was created on the SCAS's secure premises from the victim's report of the event. Victims' accounts of sexual assault are not limited to a description of the offense but also contain information about the victim's work/home/personal life, how the sexual assault has affected them, and what the victim was doing prior to encountering the offender. Such information was not required for the purposes of our analyses, therefore the case file for each offense was read and a narrative of each offense was written from the victim's account that focused solely on what occurred during the offense itself. This narrative preserved the order in which the behaviours of the victim, offender and witnesses were reported to occur, and how they were described by the victim. Any identifying information, such as names, dates or places, was not included in the narratives to protect the identity of all parties. The narrative therefore represented an accurate record of what the victim reported occurring in the offense and in the order in which she reported it, as recorded in the police file. The form of analysis used in this study necessitated re-visiting the victims' accounts on numerous occasions, which is the reason why the narratives were created: the police files could not be taken away from the secure site and the first author could not repeatedly return to read the police files.

The victims' accounts contained in the police files were in three cases verbatim, in that a transcript of the victim's interview with the police could be read. In 65 cases the source of the victim's account was a victim statement, which is an account of the crime written by the interviewing officer and the victim collaboratively. For four cases notes from the victim's interview which were written by an officer present during the interview

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were read, for three cases there was a court report, and for three cases there was a crime analyst's report.

Within each narrative the stage of offense at which each behavior occurred was recorded. The three stages of a rape are:

[The approach stage which] encompasses the process of making contact with the victim and gaining an initial control over her, the maintenance stage includes sexual and non-sexual interaction with the victim between approach and closure, and the closure stage itself comprises departure from the victim (Dale, Davies & Wei, 1997, p. 660).

As was argued above, it can be problematic for researchers to impose preconceived categories of rape victim behavior onto a dataset since such preconceptions could reflect rape myths and stereotypes. Therefore, a grounded theory approach (Ritchie & Spencer, 1994; Swallow & Jacoby, 2001) was used whereby the codes were generated from the data rather than being imposed by the researcher. This analysis followed several steps which are common to grounded theory studies (Henwood & Pidgeon, 2006). The corpus (i.e., the narratives of the victims' accounts) was repeatedly read to ensure familiarity with the content^v. Once familiar with the dataset, the next step is coding. In line with grounded theory principles, coding occurred on a row-by-row basis whereby one row of the narrative was focused on at a time. Each row in the narrative represented a natural break in the offender-victim interaction. Each row of each narrative was read and assigned a code (representing a victim behavior). For example, if the row in the narrative read "I screamed hoping someone would hear me" this would have been given the code "seeks help verbally". Initially, on encountering each new victim behavior a new code is

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created. However, as one progresses through the corpus, examples of the same behavior are repeatedly encountered. When a victim behavior was encountered for which a code had already been created the narrative in question was labelled with the existing code. Assigning codes on a row-by-row basis ensures the researcher attends to all available information and also that the resulting codes or themes are truly grounded in the data (Willig, 2001). When a new code is created an accompanying definition is recorded^{vi}. The codes and their respective definitions are referred to as a coding framework or an indexing system (Henwood & Pidgeon, 2006; Ritchie & Spencer, 1994).

In line with grounded theory principles (Bradley, Curry, & Devers, 2007; Henwood & Pidgeon, 2006), the codes and their definitions were re-visited and refined where necessary. This process is termed “constant comparison”. Two or more codes might be combined into one larger new code or an existing code might be split into two or more new codes to recognize a distinction in previously grouped behaviors. When there was a change to the coding framework, the narratives were re-annotated with the new codes. Therefore, the stages of coding and indexing are cyclical. Grounded theory principles also require the researcher to engage in “memoing”, which involves keeping records about any decisions that are made about the development and refinement of codes (Henwood & Pidgeon, 2006). During the grounded theory process, higher level conceptual codes are formed from lower-level codes (Willig, 2001) and these were recorded as part of memoing. The higher-level concepts that were observed during coding are reported in the Results and Discussion section.

When the coding framework was complete, the presence or absence of each lower-level code (victim behavior) in each narrative was numerically recorded using

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binary coding. A 1 was recorded for a narrative where the victim behavior occurred and a 0 when it was not recorded as occurring. Ten per cent of the narratives ($n = 8$), chosen at random, were dual coded (by the first and fourth author) to assess inter-rater reliability of the coding framework (Bradley et al., 2007). Kappa was 0.79, representing a substantial level of agreement (Cicchetti, 1994; Landis & Koch, 1977), which indicates that another person could reliably apply the coding framework to the same data. Using the binary coding, the frequency of each victim behavior was calculated for the offense in its entirety and for each stage of the offense.

Study 2: Victim Behavior in Multiple Perpetrator Stranger Rapes

Method

Sample. Data were collected on 89 allegations of multiple perpetrator rape committed by 240 male suspects against 89 female victims. These data were also obtained from SCAS through examination of case files. For 42 cases the source of information about the offense was the victim statement, for 36 it was a record of the victim's interview written by the interviewing officers. Interview transcripts were the source of information for three cases and for four cases the actual DVD recording of the victim's interview was watched. In two cases both a DVD and the record of interview were available and in one case there was both a case summary prepared for the Crown Prosecution Service and the record of the victim's interview.

For the majority of offenses ($n = 82$) the suspects were all strangers to the victim. In the remaining cases, at least one suspect in the group was a stranger to the victim. Overall, 96% of the suspects were strangers to the victim, 3% were casual acquaintances and for 1% of the suspects the relationship was not specified in the file. The mean victim

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age was 25 years ($SD = 9.21$, Range = 13-55). Most victims were of White ethnicity (87%), 3% were Black ($n = 3$) and for 10% ($n = 9$) their ethnicity was not recorded. The age of two victims was not known. The suspects' ages ranged from 16 to 40 years ($M = 25.76$, $SD = 5.85$)^{vii}. The suspects' ages were not known for 13 allegations. Most groups consisted of two suspects ($n = 46$) with the largest group consisting of seven suspects.

Procedure. The same procedure for data collection and analysis used in Study 1 (Stranger Sex Offences) was used in Study 2. All narratives were coded using the framework created through qualitative analysis in Study 1. New lower-level codes (victim behaviors) were identified and incorporated into the framework. The reliability of the coding was assessed using approximately 10% of the allegations in the sample ($n=10$) which were chosen at random and dual coded by the first and fourth author. Kappa was 0.76, representing a substantial level of agreement. The presence or absence of each code (victim behavior) in each narrative was numerically recorded in a binary fashion, as described in Study 1, allowing for the calculation of frequencies for each victim behavior overall, and by stage of offense. Observations regarding higher level conceptual themes were recorded through memoing, as in Study 1.

Results and Discussion

As reported above, the qualitative analysis used first involved identifying lower-level codes representing victim behaviors which, through the process of developing a coding framework, were interpreted to represent higher level concepts or conceptual themes. The structure of this combined Results and Discussion section reflects these stages of analysis: The lower-level codes of victim behaviors are reported first for the sample in Study 1 (Stranger Sex Offenses) and then for the sample in Study 2 (Multiple

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Perpetrator Rapes), followed by the conceptual themes which span both studies. The implications of these findings are reported in the General Discussion section.

Rape Victim Behaviors

The adoption of a qualitative approach in our studies enabled a comprehensive analysis at the level of discrete behaviors which revealed a large and diverse set of behaviors engaged in by rape victims. In reflecting on these behaviors it should be remembered that the approach stage of the rape was included in this analysis. By definition, during this stage the victim is unaware of the offender's intention to commit rape hence her wishes are not diametrically opposed to the offender's. In Study 1 (Stranger Sex Offences), 122 different victim behaviors were identified (see Table 1).

****Insert Table 1 approximately here****

Within Table 1, the discrete victim behaviors are arranged in a ranked order representing how frequently they were reported in the sample. Thus, struggling was the most common behavior as reported in 60% of the victims' accounts. However, struggling tends to occur most frequently in the maintenance stage of a sexual offense, which corresponds with when the victim has realized the offender's intent and forced sexual activity occurs. Similarly, the behaviors of the victim seeking help verbally (screaming, shouting) and giving the offender an order, such as to "get off", were reported in over 40% of the cases, and were also concentrated in the maintenance stage. Acts of physical violence were reported but their occurrence was less common: for example, 17% of victims kicked the offender, 13% punched the offender, 5% hit or slapped the offender, and 4% bit him.

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Behaviors that might be seen in day-to-day interpersonal encounters were also present: for example, 25% of victims responded to an offender's question truthfully, 9% of victims asked the offender a personal question, 8% of victims continued a conversation with the offender, 5% of victims helped the offender in some way, 3% accepted the offender's apology, and 3% responded to a salutation from the offender. These behaviors were more common in the approach stage of the offense. How the victims reacted to the offender departing the scene varied: approximately 7% reassured the offender they would not report the offense, 19% ran away, and 9% walked (or cycled) away. More than 10% of victims obeyed the offender's wishes which included staying still until the offender had departed the scene, or obeying his orders not to look where he was going. A small number of victims (5%) pursued the offender to try to prevent his escape.

In Study 2 (Multiple Perpetrator Rapes), 114 victim behaviors were identified during the qualitative analysis (see Table 2). These are arranged in rank order according to their frequency overall. Thirty-eight of the behaviors identified in Study 1 (Stranger Sex Offenses) were not reported in Study 2. Thirty-three new behaviors were identified in Study 2 as indicated by italicized font in Table 2.

****Insert Table 2 approximately here****

The most common behavior in Study 2 (Multiple Perpetrator Rapes) was the victim giving the offender(s) an order (reported by 61% of victims). Most occurrences of giving orders were concentrated in the maintenance stages when the sexual assault is underway. Struggling was the second most common victim behavior occurring in 57% of the offenses. As with giving an order, the occurrence of struggling was concentrated in the maintenance stage. Other behaviors that tended to occur most often in the

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maintenance stage were the victim seeking help through verbal means (e.g., screaming, shouting), which was reported by 28% of the victims, the victim moving into a less vulnerable position (28%), and crying (34%). Eleven per cent of victims reported avoiding looking at the offenders, which only occurred in the maintenance stage. Twelve per cent of victims reported not engaging in physical resistance at all or making a conscious decision to cease physical resistance for reasons such as fear of being killed. This was not the same as freezing, reported by 5% of victims, which was described by victims as more of an involuntary reaction.

As in Study 1 (Stranger Sex Offences), acts of physical violence, including kicking, punching, slapping, scratching and biting, were reported. The most common form of physical violence was the victim kicking the offender(s), however, it was only reported by 16% of the victims. All other acts of physical violence occurred in less than 7% of the offenses.

Some behaviors were more commonly reported to occur in the closure stage of the offense, where the offender(s) and victim part company. Across all stages, just over one-half of the victims reported re-dressing or covering themselves with 48% reporting this in the closure stage. Twenty-one per cent of victims reported running away during the offense, or trying to, with nearly all of these incidents occurring in the closure stage. Prior to departing the scene, 16% of victims reported gathering up their belongings.

As was the case in Study 1 (Stranger Sex Offences), behaviors that we might expect to observe in day-to-day interpersonal exchanges were also reported in this sample. Twenty four per cent of victims continued a conversation with the offenders, 23% responded to an offender's question truthfully, 17% consumed alcohol and/or drugs

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with the offender(s), 14% accepted a form of gift from the offender(s), 11% voluntarily sat with the offender(s), 11% engaged in consenting sexual acts with an offender, 5% helped an offender, and 3% offered a form of gift. It was more typical for these behaviors to be reported in the approach stage.

In summary, in both studies, a considerable range of victim behaviors were identified through the qualitative analysis. Considerable overlap was observed between the two samples in terms of the discrete victim behaviors with 81 victim behaviors shared across the samples. This commonality suggests that victim behavior in allegations of multiple perpetrator stranger rape is similar to victim behavior in convicted stranger sexual assaults. Seven of the ten most commonly reported behaviors in each sample were the same: these related to the victim struggling, giving the offender an order (e.g., “Get off me”), obeying the offender’s wishes, seeking help verbally (e.g., screaming or shouting), walking or cycling away, requesting a behavior of the offender, and directly declining a request from the offender.

There were, however, some differences in victim behavior between the two studies. More victims reported crying in Study 2 (Multiple Perpetrator Rapes) than Study 1 (Stranger Sex Offenses). Seeking help verbally and pursuing the offender were less common in Study 2. Although the overall frequencies are similar, more victims in Study 2 reported truthfully responding to an offender’s question in the approach stage. The victim commenting on a conversational topic was also more commonly reported, as were the victim engaging in consensual sexual acts with one of the perpetrators, accepting a gift, sitting with a suspect, and removing clothing of her own accord. Whilst analyzing the victims’ accounts, it was observed that some of the alleged multiple perpetrator rapes

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would initially commence as a dating-type scenario. Whether these differences in victim behaviors resulted from the multiple perpetrator rapes (Study 2) being more often characterized by the pretense of a date, compared to lone stranger sex offenses (Study 1), or whether they were a result of differences in the nature of the samples, where one represented allegations to the police (Study 2 – Multiple Perpetrator Rapes) and the other represented offenses for which a conviction had been secured (Study 1 – Stranger Sex Offenses), could not be disentangled. This issue would, however, be a fruitful avenue for future research. In addition, systematic investigations of behavior in rapes where there are different relationships between the offender(s) and victim (e.g., stranger, acquaintance, intimate) are warranted.

There is some overlap between the victim behaviors reported in our samples and previous studies. Like previous studies (Amir, 1971; Biljeveld et al., 2007; Block & Skogan, 1986; Burgess & Holmstrom, 1976; Cohen, 1984; Fossi et al., 2007; Greenfeld, 1997; Hauffe & Porter, 2009; Jordan, 2005; Porter & Alison, 2006; Wright & West, 1981), the victims in our samples reported giving orders, struggling, fighting, shouting and screaming, using ploys (such as put-offs and pretending a witness is coming), fleeing, pursuing the offender, using a weapon, threatening, arguing, pleading, crying, hiding, refusing the offender, and insulting the offender. However, much of the previous research has, intentionally or unintentionally, given greater emphasis to physically resistant behaviors which has masked the diversity of behaviors in which rape victims engage. In contrast, like Burgess and Holmstrom (1976) and Jordan (2005), we found a larger range of behaviors which go beyond physical resistance to other ways in which the victim resists the offender's power, such as negotiating with him or only partially

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complying with his request. Such behaviors were used when the victim was aware of the offender's intention to commit rape. Victims would also try and deceive the offender in various ways, for example, by pretending she couldn't comply with his wishes, or by making vague or false responses to questions he put to her, by surreptitiously collecting physical evidence, or collecting information or memorizing details about the offender for future use. As with Burgess and Holmstrom (1976) and Jordan (2005), the women also reported freezing and ceasing or not engaging in physical resistance.

Contrary to the stereotype of the physically resistant rape victim, in our samples only 57% and 60% of victims reported struggling, 21% and 27% reported running away, and physical violence by the victim was relatively infrequent. The most common form of physical violence in both samples was kicking which occurred in only 16% and 17% of cases.

Conceptual Themes

As noted above, during qualitative analysis the researcher engages in memoing whereby they record higher level concepts or themes that are noted in the data they are analyzing. During the qualitative analysis several such observations were made and each is discussed in turn below.

Shared Functions

Although a large number of discrete victim behaviors (low level codes) were identified through the qualitative analysis, some appeared to share common functions. A general theme of compliance was present within the victims' accounts which bridged the three stages of a rape. In the approach stage, when by definition the victim is unaware of the offender's intention to commit rape, compliance took the form of the victim

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complying with societal conventions. For example, this included being polite and the victim responding to an offender's questions truthfully during an initial interaction.

Whilst one could argue that an offender may misinterpret such initial actions as encouragement, the current victims clearly communicated their lack of consent to the offender(s) later in the interaction and prior to the sexual assault/rape occurring. During the maintenance stage compliance was observed with the victims engaging in or experiencing sexual acts as a result of fear, threats, coercion and/or violence. However, victims also reported complying with what they perceived the offender(s) to expect of them as victims (e.g., staying quiet without receiving direction to do so). Similarly, at the start of the maintenance stage some victims spontaneously gave the offender(s) their property without being directed. This behavior tended to occur because the victims misunderstood the offenders' intention to be robbery rather than rape and hence they were complying with what they believed the offender(s) wanted by referring to the common framework for robbery (Luckenbill, 1981).

In addition, a theme of non-compliance was present in the victims' accounts. This theme included a range of behaviors whereby the victim opposed the wishes of the offender(s). These behaviors were heterogeneous and varied in terms of their directness, as discussed below, and whether they were threatening to or protective of the offenders' self image (referred to as face-threatening or face-saving, respectively) (Thomas, 1995). Examples of face-threatening non-compliance included refusing to speak when the perpetrator(s) had requested it and denigrating the perpetrator(s). Such behaviours occurred within all three rape stages. Some forms of face-saving non-compliance disguised the victim's true intent of non-compliance. For example, some victims would

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respond to a personal question from the offender(s) by making a false disclosure. This tactic gives the perpetrator the impression that the victim is complying with his demand, however, she is in fact resisting his goal since she has been able to hide details about herself. Such behaviors “fool” the offender(s) and can provide the victim with a sense of control (Jordan, 2005). Face-saving forms of non-compliance also appeared to be used to compensate for forms of face-threatening non-compliance thereby reinstating the power to the perpetrator(s). For example, in the approach stage having received an invitation to accompany the perpetrator, the victim might directly decline but immediately provide a plausible justification for her refusal (e.g., that she has a boyfriend). The former represents a form of face-threatening non-compliance and the latter a face-saving form of non-compliance. Such examples of face-saving non-compliance seek to protect or restore the offender’s self-image.

With regards to the sequencing of behaviors within each offense it was not the case that compliance always followed non-compliance as would be the case in a rape stereotype where the victim first resists (a narrow definition of non-compliance) but is then forced to comply with the offender’s wishes due to threats and/or violence. An example of compliance→non-compliance which recognizes the broader definition being used here would be where the victim initially accepts the offender’s invitation to accompany him to a location but, on realizing that she instead is being taken elsewhere, she requests that they cease their journey.

The victims in our samples reported engaging in behaviors which seemed to provide the offender(s) with an opportunity to alter the course of his/their behavior of his/their own accord. This goal appeared to be achieved in different ways by, for

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example, disclosing something to the offender(s) to make the situation, or the victim herself, less attractive. This would include using a range of put-offs, such as telling the offender(s) she was menstruating. Such behaviors are partially face-saving, in that the victim is providing the offender(s) with the opportunity to desist in his/their behavior and is giving him/them a plausible reason to do so. He/they could therefore take the opportunity offered without losing face. An alternative strategy was for victims to invoke social conventions. This strategy tended to involve the use of verbal behaviors which ordinarily would evoke sympathy or empathy from the recipient or embarrassment for breaking social norms. Such behaviors included crying, confronting the offender(s) about his/their behavior, and drawing parallels between herself and women who might be in the offenders' lives.

Finally, a group of behaviors appeared to share the common function of gathering information. These behaviors included asking the offender(s) questions or visually appraising the offender(s) to understand better his/their capabilities. Similar information gathering strategies have been reported by victims of robberies (Luckenbill, 1981). Several victims reported making the conscious decision to comply with the offenders' demands so they might survive the assault, however, they concentrated their efforts on remembering as much about the offender(s) as possible so that this information might be used to apprehend him/them at a later date. The women in Jordan's (2005) study gave similar accounts. Although the victim may not be physically resisting the offender(s) she is not passive, rather she is active and by engaging in information gathering behaviors the victim can feel that she is regaining some control of the situation by "fooling" the

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offender(s) (Jordan, 2005) or gathering information to redress the power imbalance at a later date.

A Continuum of Directness

Dichotomies between forceful and non-forceful resistance, or taking self-protective action or not, have been articulated in previous research (Block & Skogan, 1986; Greenfeld, 1997). However, our qualitative analysis suggests such divisions are artificial and rather than behaviors being either forceful or non-forceful, they instead represent a continuum where behaviors vary depending on how directly they communicate the victim's intent and state of mind. Within both samples, victim behaviors were identified that varied in directness. This finding is similar to Porter and Alison's (2006) observation that victim behaviors varied in their dataset of multiple perpetrator rapes in terms of how much they represented dominance or submission. In the two new studies reported here, communication was most direct when the victim engaged in behaviors such as giving orders, struggling, fighting, running away, confronting the offender(s), or name-calling. More indirect behaviors including the victim not responding to an order from the offender(s): For example, if the offender(s) told the victim to remove her clothes she might instead stand stationary. In such a scenario, she is not directly refusing the offender(s) but neither does she comply with his/their wishes. That we found indirect forms of communications within the samples should not be surprising when we consider (1) how often indirectness is used in non-coercive situations, and (2) that women are socialized to be indirect and passive in their interactions with men (Cohen, 1984; Jordan, 2005). The irony that female rape victims, during a sexual assault, are expected to behave in a way that is in direct contrast to the

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way they have been socialized throughout their lives has not gone unnoticed (Jordan, 2005).

Thomas (1995) explains that when individuals have competing goals they communicate in an indirect manner with the expectation that the hearer will interpret the true meaning of their utterance and recognize their competing goals. For example, within the current samples indirectness was used in the approach stage of an offense, where a victim wished to leave the company of the perpetrator(s) but did not wish to offend him/them, representing two competing goals. Rather than tell the offender(s) that she was not interested in spending further time with him/them, she instead invented a prior engagement to which, it was explained, she must depart.

An important advantage of indirect communications, such as using hints, vagueness and ambiguity, is that they are face-saving, (Thomas, 1995). Within our samples, such behaviors were found. Where perpetrators sought personal information from a victim which she did not wish to disclose, such as where she lived, vagueness was sometimes used. For example, if asked where she lived or worked, the victim would refer to a general geographic area or make a vague statement, such as “nearby”.

These findings have a number of similarities with behaviors reported in the literature on heterosexual women’s refusals of unwanted sexual advances in non-coercive situations. Women in this context have also been noted to “balance the goals of an effective ‘no’ with socially appropriate secondary goals” (Lannutti & Monahan, 2004, para. 8). As well as trying to save the face of the man, women will also try to protect their own self-image in the way they communicate refusals (Lannutti & Monahan, 2004). The literature suggests that it is beneficial for women to use indirectness when

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communicating refusals since the use of more direct refusals can result in negative peer evaluations (Garcia, 1998).

However, the danger with indirect communications is that they may be misunderstood by the hearer or the hearer may choose to ignore the speaker's true intention (Thomas, 1995; VanWie & Gross, 2001). It has been found that men who score high on rape myth acceptance are more likely to view women's initial refusals as token resistance (Garcia, 1998). Numerous research studies have indicated that incarcerated sex offenders and self-reported sexually coercive men in the community score high on rape myth acceptance (Bohner, Siebler, & Schmelcher, 2006). During a sexual assault, where a perpetrator ignores or fails to recognize the female victim's indirect refusal and continues in his pursuit, a victim has to choose which of her competing goals is more important. She can either achieve her goal of not offending the perpetrator(s) by complying with his/their wishes or she can be more direct in her communications. Research suggests that this choice may well be influenced by the sexual intimacy of the perpetrator's approach. Women are reportedly less direct in their refusals of a male when the male's approach is lower in sexual intimacy (Byers, Giles & Price, 1987). In the literature on rebutting unwanted sexual advances in non-coercive situations it has been observed that women's communications of their disinterest become more direct if their initial refusal is perceived to be ignored (Afifi & Lee, 2000; Lannutti & Monahan, 2004). Directness tends to be used when speakers feel they have a right to be direct and if they feel the hearer has an obligation to comply (Thomas, 1995). Such explanations from everyday interactions are mirrored in the current datasets where behaviors representing direct forms of communication (e.g., orders, struggling, fighting) occur more frequently

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in the maintenance stage (when the sexual assault occurs) compared to the approach stage.

Where victims have not previously experienced a sexual assault or rape, it is likely they are relying on scripts for rejecting unwanted sexual advances in non-coercive situations when trying to dissuade the perpetrator(s). Initially the victim's communications might be more indirect, becoming progressively more direct the more sexually intimate the perpetrator(s) becomes. When the victim realizes that the offenders' intent is to coerce her into a sexual act it is likely that she feels she has the right to be direct because the offender(s) is violating social norms.

However, it should be noted that some indirect behaviors were still observed within the maintenance stage, which, by definition, is when the victim is aware of the perpetrators' true intent (Dale et al., 1997). It is likely that such strategies are still used by victims in the maintenance stage in an attempt to avoid angering the perpetrator(s) and thus being the recipient of physical violence. For example, one victim pretended she did not know what the offender meant when he requested she perform a particular sexual act. Further, they were also used during the maintenance stage when more direct behaviors were unsuccessful such as where a victim has initially used orders and protests which were unsuccessful and instead tries to evoke sympathy from the offender by, for example, telling him he is hurting her, or trying to put him off using a ploy.

General Discussion

As argued in the introduction, the findings of the two new studies presented here have a number of important implications. In terms of deciding which cases to prosecute, the research (Spohn et al., 2002) suggests that some prosecutors refer to rape stereotypes

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in their decision-making. One way to address prosecutors making erroneous judgments regarding what is “typical” and what is “atypical” rape victim behavior is to provide training on this topic. In England and Wales, a joint report by Her Majesty’s Crown Prosecution Service Inspectorate and Her Majesty’s Inspectorate of Constabulary (HMIC, 2007) has recommended improved training for prosecutors of rape cases. Such training should encompass what is known from empirical research regarding rape victim behavior. Pre- and post- assessments of prosecutors’ beliefs regarding rape victim behavior could be used to assess the effectiveness of such training.

Empirically-derived findings could also be used by prosecutors of rape cases to combat defense lawyers’ strategies to discredit rape victims. If we take Ponterotto’s (2007) example of defense lawyers using omission to discredit rape victims whereby accusations are made to the victim that “You didn’t cry out”, statistics provided in the current studies could be used to undermine this strategy. We found that more than one-half of the victims in our samples did not report trying to seek help through verbal means (shouting, screaming or calling out) and therefore it is not unusual for rape victims not to cry out.

In addition, prosecutors could locate rape victim behavior within social norms and conventions that dictate non-coercive interactions. That women are socialized to be indirect and mindful of other people’s “face” during interactions, and that being direct can have negative social consequences, is something that could be explained to jurors. It follows that in the approach stage of a rape, it should not be surprising that a victim will refrain from directness when the intentions of the perpetrator(s) to commit rape are not yet known to her or the situation is ambiguous.

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As was intimated in the introduction, the best efforts of police officers and prosecutors in supporting the investigation and prosecution of myth-incongruent rapes can still be undermined by the actions of the jury. In the introduction, we presented research findings regarding the prevalence of rape myths and stereotypes in various societies indicating that it is likely that they will influence juror decision-making. As Ellison and Munro (2009a) note, some of their mock jurors held very strong beliefs that the “normal” response to a sexual assault was to struggle physically. Our statistics stand in stark contrast to this belief. Even with a sample of potentially more myth-congruent rapes (Study 1 – Convicted Stranger Sex Offenses), 40% of victims did not report struggling.

The potential use of expert evidence or extended judicial instructions to address myths regarding victim behavior during rape has been investigated in only a handful of studies. Ellison and Munro (2009b) experienced little success in educating jurors about the likelihood of a victim freezing during a rape. They suggest that such evidence might be utilized by jurors if it was accompanied by references to research and if it explains to the jurors why a particular behavior might be displayed. Statistics provided by studies such as those cited in the introduction as well as our own findings could be used for just this purpose. As noted above, by locating rape victim behavior within social norms and conventions that govern non-coercive interactions, jurors might better understand *why* a victim behaved in a certain way. Whether expert evidence or judicial instruction which incorporates empirically-derived knowledge is more effective is something that warrants investigation. Investigations such as these would also need to consider other factors listed in the introduction which have been found to affect the acceptance and utilization of

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expert evidence by jurors. Systematic experimental manipulation is needed to determine the most effective means of delivering such knowledge to jurors.

The implications of the findings reported in this paper go beyond intervening within the criminal justice system. They could also be used to assist victim recovery (Burgess & Holmstrom, 1976). In several studies of rape victims, self-blame has been associated with a poorer recovery (Campbell et al., 2009; Frazier, 1990; Frazier, Mortensen, & Steward, 2005; Koss & Figueredo, 2004) and the importance of tackling self-blame in therapy has been highlighted (Littleton & Breitkopf, 2006). Self-blame is more likely to occur when a victim's experience of rape does not fit with societal stereotypes (Easteal, 1992; Harned, 2005 as cited in Campbell et al., 2009). Empirically-derived knowledge of rape victim behavior could therefore be used to counter the effects of societal stereotypes in therapy and reduce self-blame by reassuring victims that their behavior was not "atypical". Also, by making reference to the literature on women's strategies for avoiding non-coercive sexual advances, it can be explained that the strategies they chose would have been successful in such situations.

Limitations and Future Directions

It is important to recognize the select nature of the cases from which our findings were developed, the limitations of the data source, and the nature of qualitative analysis. As noted, the current studies sampled rapes that had been reported to the police and, in the case of Study 1 (Stranger Sex Offences), which had resulted in convictions. These crimes will not therefore be representative of all stranger rapes. In addition, the information about the victims' behavior was taken from police files following a victim interview. The purpose of the victim interview and statement taking process is to

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produce an account for use in the judicial system (Rock, 2001) and therefore the interviewing officer will be attempting to elicit information that defined whether or not a particular sexual offense took place. It is likely that the focus of the interview will therefore be on if and how the victim *resisted* the advances of the offender(s). To gain a more complete picture of how victims behave during stranger rapes, researchers will need to investigate this systematically with samples of different types.

Adopting a grounded theory approach involves interpretation of the data by the researcher and therefore it is important to recognize that other researchers might develop different behavioral codes from the same dataset. Although the victim behavior codes were developed from victim accounts where explanation for their behaviors was given, the victims were not interviewed directly by the authors, making it impossible to determine whether the victims would agree with the labels given to their behaviors. However, that behaviors similar to those noted here have also been found by researchers who did interview victims directly (e.g., Jordan, 2005), provides validity to the findings. In addition, the codes developed could be identified in the same dataset by different coders with substantial inter-rater reliability.

Conclusion

Research suggests that pervasive myths and stereotypes regarding rape, rape victim and offender behavior exist within our societies and that they can negatively affect the prosecution of rape cases and the recovery and treatment of victims. Using two different samples, we aimed to provide a systematic and comprehensive investigation of how victims behave in stranger sexual assaults. A diverse range of behaviors was uncovered which varied in function, directness, and face-threatening/saving quality.

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Frequency calculations indicate that, at least in these samples, by no means do all victims engage in physical forms of resistance. Such empirically-derived knowledge stands in stark contrast to some people's expectations of rape victims' behavior and adds weight to the argument that action needs to be taken to address the effects of rape stereotypes in our legal systems (Ellison & Munro, 2009a, 2009b) and, consequently, in our societies (Sinclair & Bourne, 1998).

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VICTIM BEHAVIOR DURING RAPE

Table 1: Percentages of Individual Victim Behaviors in the 75 Stranger Sex Offenses for the Overall Offense and by Stage of Offense (Approach, Maintenance and Closure Stages).

| Behavior | | % Overall Offense | % Approach | % Maintenance | % Closure |
|----------|-------------------------------|----------------------|---------------|------------------|--------------|
| 1. | Struggles | 60.0 | 5.3 | 57.3 | 1.3 |
| 2. | Seeks help verbally | 42.7 | 1.3 | 40.0 | 6.6 |
| 3. | Gives an order | 41.3 | 9.3 | 34.6 | 3.9 |
| 4. | Obeys wishes | 33.3 | 13.4 | 24.1 | 10.7 |
| 5. | Walks/cycles away | 30.6 | 17.0 | 10.7 | 9.3 |
| 6. | Directly declines | 26.7 | 8.0 | 19.9 | 1.3 |
| 7. | Runs away | 26.7 | 0 | 10.7 | 18.7 |
| 8. | Truthful response to question | 25.3 | 9.3 | 18.7 | 5.3 |
| 9. | Justifies behavior | 22.7 | 6.7 | 13.3 | 4.0 |
| 10. | Requests behavior | 20.0 | 1.3 | 20.0 | 1.3 |
| 11. | Moves away | 18.7 | 2.7 | 16.0 | 0 |
| 12. | Turns around | 18.7 | 5.3 | 13.3 | 1.3 |
| 13. | Kicks | 17.3 | 1.3 | 16.0 | 0 |
| 14. | Cries | 17.3 | 0 | 16.0 | 2.6 |
| 15. | Less vulnerable positioning | 17.3 | 0 | 14.7 | 2.7 |
| 16. | Punches | 13.3 | 0 | 13.3 | 0 |
| 17. | Physical non-compliance | 13.3 | 1.3 | 12.0 | 0 |

VICTIM BEHAVIOR DURING RAPE

| | | | | | |
|-----|----------------------------------|------|-----|-----|-----|
| 18. | Confronts suspect | 12.0 | 1.3 | 6.7 | 4.0 |
| 19. | Indicates can't help | 12.0 | 8.0 | 4.0 | 1.3 |
| 20. | Re-dresses/covers self | 10.7 | 0 | 9.3 | 2.6 |
| 21. | Queries intentions | 10.7 | 4.0 | 6.7 | 0 |
| 22. | Seeks clarification | 9.3 | 6.6 | 4.0 | 0 |
| 23. | Asks personal question | 9.3 | 4.0 | 5.3 | 0 |
| 24. | Assures won't report | 9.3 | 0 | 2.7 | 6.7 |
| 25. | Farewell/ends conversation | 9.3 | 8.0 | 8.0 | 0 |
| 26. | Comments on a conversation topic | 8.0 | 6.7 | 1.3 | 0 |
| 27. | Physical help-seeking | 8.0 | 0 | 4.0 | 4.0 |
| 28. | Name calling | 8.0 | 0 | 4.0 | 4.0 |
| 29. | Freezes | 8.0 | 0 | 8.0 | 1.3 |
| 30. | Pursues/prevents escape | 6.7 | 1.3 | 0 | 5.3 |
| 31. | Refuses to speak | 6.7 | 2.7 | 4.0 | 1.3 |
| 32. | False disclosure | 6.7 | 2.7 | 2.7 | 2.7 |
| 33. | Vague disclosure | 6.7 | 4.0 | 2.7 | 0 |
| 34. | Moves to let past | 5.3 | 5.3 | 0 | 0 |
| 35. | Helps suspect | 5.3 | 4.0 | 1.3 | 0 |
| 36. | No physical resistance | 5.3 | 0 | 5.3 | 0 |
| 37. | Hits/slaps (open hand) | 5.3 | 0 | 5.3 | 0 |

VICTIM BEHAVIOR DURING RAPE

| | | | | | |
|-----|------------------------------------|-----|-----|-----|-----|
| 38. | Takes weapon | 5.3 | 0 | 5.3 | 0 |
| 39. | Throws weapon away | 5.3 | 0 | 4.0 | 1.3 |
| 40. | Promise reminder | 5.3 | 0 | 5.3 | 0 |
| 41. | Requests permission to act | 5.3 | 0 | 5.3 | 0 |
| 42. | Indirectly declines | 5.3 | 1.3 | 4.0 | 0 |
| 43. | Tells suspect it hurts | 5.3 | 0 | 5.3 | 0 |
| 44. | Blocks access | 5.3 | 1.3 | 4.0 | 0 |
| 45. | Walks around | 5.3 | 1.3 | 4.0 | 0 |
| 46. | Looks at suspect | 4.0 | 0 | 4.0 | 0 |
| 47. | Denigrates suspect | 4.0 | 2.7 | 1.3 | 0 |
| 48. | Pretends witness nearby | 4.0 | 0 | 4.0 | 0 |
| 49. | Expresses disbelief | 4.0 | 2.7 | 1.3 | 0 |
| 50. | Bites | 4.0 | 0 | 4.0 | 0 |
| 51. | Says doesn't like suspect behavior | 4.0 | 0 | 4.0 | 0 |
| 52. | Negotiation | 4.0 | 0 | 4.0 | 0 |
| 53. | Safe location | 4.0 | 0 | 4.0 | 0 |
| 54. | Threatens suspect | 4.0 | 0 | 4.0 | 0 |
| 55. | Quickens pace | 4.0 | 2.7 | 1.3 | 0 |
| 56. | Pretends can't comply | 2.7 | 1.3 | 1.3 | 0 |
| 57. | Indicates child | 2.7 | 0 | 2.7 | 0 |

VICTIM BEHAVIOR DURING RAPE

| | | | | | |
|-----|----------------------------|-----|-----|-----|-----|
| 58. | Provides way out | 2.7 | 0 | 2.7 | 0 |
| 59. | Lies – reason to leave | 2.7 | 2.7 | 0 | 0 |
| 60. | Elbows | 2.7 | 0 | 2.7 | 0 |
| 61. | Finds mobile phone | 2.7 | 0 | 1.3 | 1.3 |
| 62. | Gags/chokes | 2.7 | 0 | 2.7 | 0 |
| 63. | Hits with object | 2.7 | 0 | 2.7 | 0 |
| 64. | Gets out enclosed space | 2.7 | 0 | 2.7 | 0 |
| 65. | Reports frightened | 2.7 | 1.3 | 1.3 | 0 |
| 66. | Does not return smile | 2.7 | 2.7 | 0 | 0 |
| 67. | Accepts apology | 2.7 | 1.3 | 0 | 1.3 |
| 68. | Finds house-keys | 2.7 | 1.3 | 1.3 | 0 |
| 69. | Spits semen | 2.7 | 0 | 2.7 | 0 |
| 70. | Makes assurances to comply | 2.7 | 0 | 2.7 | 0 |
| 71. | Partial compliance | 2.7 | 0 | 1.3 | 1.3 |
| 72. | Removes blindfold | 2.7 | 0 | 2.7 | 0 |
| 73. | Avoids looking | 2.7 | 0 | 2.7 | 0 |
| 74. | Gathers belongings | 2.7 | 0 | 0 | 2.7 |
| 75. | Responds to salutation | 2.7 | 2.7 | 0 | 0 |
| 76. | Suggests location change | 2.7 | 0 | 2.7 | 0 |
| 77. | Answers with question | 2.7 | 1.3 | 1.3 | 0 |

VICTIM BEHAVIOR DURING RAPE

| | | | | | |
|-----|-------------------------------------|-----|-----|-----|-----|
| 78. | Expresses intention to act | 2.7 | 1.3 | 1.3 | 0 |
| 79. | Don't believe | 2.7 | 0 | 1.3 | 1.3 |
| 80. | Escorts suspect out | 2.7 | 1.3 | 0 | 2.7 |
| 81. | Seeks understanding of why | 2.7 | 0 | 1.3 | 1.3 |
| 82. | Police – put off | 1.3 | 0 | 1.3 | 0 |
| 83. | Takes drugs/alcohol | 1.3 | 0 | 1.3 | 0 |
| 84. | Reports can't breathe | 1.3 | 0 | 1.3 | 0 |
| 85. | Disease – put off | 1.3 | 0 | 1.3 | 0 |
| 86. | Taxi home | 1.3 | 0 | 0 | 1.3 |
| 87. | Agrees action to get rid of suspect | 1.3 | 1.3 | 0 | 0 |
| 88. | Apologizes for non-compliance | 1.3 | 0 | 1.3 | 0 |
| 89. | Gives suspect advice | 1.3 | 0 | 1.3 | 0 |
| 90. | Acknowledges suspect's threat | 1.3 | 0 | 1.3 | 0 |
| 91. | Tries to speak to the suspect | 1.3 | 0 | 1.3 | 0 |
| 92. | Expresses disgust | 1.3 | 0 | 1.3 | 0 |
| 93. | Draws parallels | 1.3 | 0 | 1.3 | 0 |
| 94. | Tells suspect already obeyed order | 1.3 | 0 | 1.3 | 0 |
| 95. | Queries route | 1.3 | 1.3 | 0 | 0 |
| 96. | Recognizes | 1.3 | 0 | 1.3 | 0 |
| 97. | Asks if finished | 1.3 | 0 | 1.3 | 0 |

VICTIM BEHAVIOR DURING RAPE

| | | | | | |
|------|---|-----|-----|-----|-----|
| 98. | Pretends doesn't understand | 1.3 | 0 | 1.3 | 0 |
| 99. | Verbal non-compliance | 1.3 | 0 | 1.3 | 0 |
| 100. | Makes assurances to stay | 1.3 | 0 | 0 | 1.3 |
| 101. | Removes hat | 1.3 | 0 | 1.3 | 0 |
| 102. | Pulls hair | 1.3 | 0 | 1.3 | 0 |
| 103. | Scratches | 1.3 | 0 | 1.3 | 0 |
| 104. | Crosses road | 1.3 | 1.3 | 0 | 0 |
| 105. | Fakes unconsciousness | 1.3 | 0 | 1.3 | 0 |
| 106. | Spontaneously gives property | 1.3 | 0 | 1.3 | 0 |
| 107. | Drops bags/belongings | 1.3 | 0 | 1.3 | 0 |
| 108. | Stays quiet | 1.3 | 0 | 1.3 | 0 |
| 109. | Cries out in pain | 1.3 | 0 | 1.3 | 0 |
| 110. | Releases suspect | 1.3 | 0 | 0 | 1.3 |
| 111. | Accompanies suspect as witnesses will be present | 1.3 | 1.3 | 0 | 0 |
| 112. | Refuses to answer question | 1.3 | 1.3 | 0 | 0 |
| 113. | Kneels suspect | 1.3 | 0 | 1.3 | 0 |
| 114. | Hides property | 1.3 | 0 | 1.3 | 0 |
| 115. | Encourages offender in a less severe sexual behavior | 1.3 | 0 | 1.3 | 0 |

VICTIM BEHAVIOR DURING RAPE

| | | | | | |
|------|-------------------------|-----|-----|-----|-----|
| 116. | Expresses indifference | 1.3 | 0 | 1.3 | 0 |
| 117. | Physical distraction | 1.3 | 0 | 1.3 | 0 |
| 118. | Tries to find weapon | 1.3 | 0 | 1.3 | 0 |
| 119. | Tears suspect's clothes | 1.3 | 0 | 1.3 | 0 |
| 120. | Falls asleep | 1.3 | 0 | 0 | 1.3 |
| 121. | Age – put off | 1.3 | 0 | 1.3 | 0 |
| 122. | Hails bus | 1.3 | 1.3 | 0 | 0 |

VICTIM BEHAVIOR DURING RAPE

Table 2: Percentages of Individual Victim Behaviors in the 89 Allegations of Multiple Perpetrator Rape for the Offense Overall and by Stage of Offense (Approach, Maintenance and Closure Stages).

| Behavior | % | % | % | % |
|--------------------------------------|-----------------|----------|-------------|---------|
| | Overall Offense | Approach | Maintenance | Closure |
| 1. Gives an order | 60.7 | 12.3 | 50.6 | 9.0 |
| 2. Struggles | 57.3 | 1.1 | 56.1 | 3.3 |
| 3. Re-dresses/covers self | 52.8 | 1.1 | 14.6 | 48.3 |
| 4. Obeys wishes | 51.7 | 38.1 | 28.5 | 6.6 |
| 5. Requests behavior from suspect | 48.3 | 19.0 | 28.0 | 14.6 |
| 6. Directly declines | 36.0 | 20.2 | 24.7 | 6.7 |
| 7. Cries | 33.7 | 0 | 30.4 | 11.3 |
| 8. Walks/cycles away | 29.2 | 12.4 | 3.3 | 19.1 |
| 9. Less vulnerable positioning | 28.1 | 1.1 | 22.4 | 7.8 |
| 10. Seeks help verbally | 28.1 | 1.1 | 20.3 | 10.1 |
| 11. Justifies behavior | 23.6 | 11.3 | 13.5 | 3.3 |
| 12. Comments on a conversation topic | 23.6 | 22.5 | 0 | 1.1 |
| 13. Truthful response to question | 22.5 | 18.0 | 4.5 | 1.1 |
| 14. Runs away | 21.3 | 0 | 1.1 | 20.2 |
| 15. Moves away | 18.0 | 1.1 | 15.7 | 3.3 |

VICTIM BEHAVIOR DURING RAPE

| | | | | |
|--|-------------|-------------|------------|------------|
| 16. Queries intentions | 16.9 | 7.8 | 8.9 | 2.2 |
| 17. Consumes drugs/alcohol | 16.8 | 14.6 | 1.1 | 1.1 |
| 18. Gathers belongings | 16.8 | 0 | 1.1 | 15.7 |
| 19. Kicks | 15.7 | 0 | 15.7 | 0 |
| 20. Gets out enclosed space | 15.7 | 0 | 10.1 | 7.8 |
| 21. Expresses intention to act | 14.6 | 5.6 | 5.6 | 6.7 |
| 22. <i>Accepts gift</i> | <i>13.5</i> | <i>7.8</i> | <i>1.1</i> | <i>5.6</i> |
| 23. No physical resistance | 12.4 | 0 | 12.4 | 0 |
| 24. Confronts suspect | 12.4 | 1.1 | 10.1 | 2.2 |
| 25. Avoids looking | 11.2 | 0 | 11.2 | 0 |
| 26. Indicates don't like suspect behavior | 11.2 | 1.1 | 10.1 | 0 |
| 27. <i>Sat with suspect</i> | <i>11.2</i> | <i>9.0</i> | <i>2.2</i> | <i>0</i> |
| 28. <i>Consenting acts</i> | <i>11.2</i> | <i>11.2</i> | <i>0</i> | <i>0</i> |
| 29. Indirectly declines | 10.1 | 7.9 | 2.2 | 0 |
| 30. Falls asleep | 10.1 | 4.4 | 1.1 | 6.7 |
| 31. Physical non-compliance | 7.9 | 3.4 | 4.5 | 0 |
| 32. Denigrates suspect | 7.8 | 4.5 | 2.2 | 1.1 |
| 33. <i>Queries location</i> | <i>7.8</i> | <i>2.2</i> | <i>0</i> | <i>5.6</i> |
| 34. Finds mobile phone | 7.8 | 0 | 2.2 | 5.6 |

VICTIM BEHAVIOR DURING RAPE

| | | | | |
|------------------------------|-----|-----|-----|-----|
| 35. Physical help-seeking | 6.8 | 0 | 3.4 | 3.4 |
| 36. Negotiation | 6.7 | 3.4 | 2.2 | 1.1 |
| 37. Punches | 6.7 | 0 | 4.5 | 2.2 |
| 38. Hits/slaps (open hand) | 6.7 | 0 | 5.6 | 1.1 |
| 39. <i>Argues</i> | 5.6 | 1.1 | 4.5 | 1.1 |
| 40. Name calling | 5.6 | 1.1 | 1.1 | 3.4 |
| 41. Scratches | 5.6 | 0 | 5.6 | 0 |
| 42. Queries route | 4.5 | 1.1 | 3.4 | 0 |
| 43. Gags/chokes | 4.5 | 0 | 4.5 | 0 |
| 44. Threatens | 4.5 | 0 | 2.2 | 2.2 |
| 45. Helps suspect | 4.5 | 3.4 | 1.1 | 0 |
| 46. False disclosure | 4.5 | 0 | 1.1 | 3.4 |
| 47. Freezes | 4.5 | 0 | 4.5 | 0 |
| 48. Expresses disbelief | 4.5 | 0 | 4.5 | 0 |
| 49. Police – put off | 4.5 | 0 | 1.1 | 3.4 |
| 50. Stays quiet | 4.5 | 0 | 4.5 | 0 |
| 51. <i>Curls up</i> | 4.5 | 0 | 1.1 | 3.4 |
| 52. <i>Invitation</i> | 4.5 | 4.5 | 0 | 0 |
| 53. <i>Collects evidence</i> | 3.4 | 0 | 2.2 | 2.2 |
| 54. <i>Offers gift</i> | 3.4 | 3.4 | 0 | 0 |

VICTIM BEHAVIOR DURING RAPE

| | | | | |
|--------------------------------|-----|-----|-----|-----|
| 55. <i>Dissociates</i> | 3.4 | 0 | 3.4 | 0 |
| 56. Taxi home | 3.4 | 0 | 0 | 3.4 |
| 57. Bites | 3.4 | 0 | 3.4 | 0 |
| 58. Blocks access | 3.4 | 0 | 2.2 | 2.2 |
| 59. Seeks clarification | 3.4 | 0 | 3.4 | 0 |
| 60. Refuses to speak | 3.3 | 1.1 | 0 | 2.2 |
| 61. Indicates can't help | 3.3 | 1.1 | 2.2 | 0 |
| 62. <i>Queries situation</i> | 3.3 | 0 | 1.1 | 2.2 |
| 63. <i>Removes clothes</i> | 3.3 | 2.2 | 1.1 | 0 |
| 64. <i>Shaking</i> | 3.3 | 0 | 2.2 | 1.1 |
| 65. Turns around | 3.3 | 2.1 | 1.1 | 0 |
| 66. Asks personal question | 3.3 | 0 | 2.2 | 1.1 |
| 67. <i>Cleans</i> | 2.2 | 0 | 1.1 | 1.1 |
| 68. <i>Takes back property</i> | 2.2 | 1.1 | 0 | 1.1 |
| 69. Requests permission to act | 2.2 | 0 | 1.1 | 2.2 |
| 70. Responds to salutation | 2.2 | 2.2 | 0 | 0 |
| 71. Tells suspect it hurts | 2.2 | 0 | 2.2 | 0 |
| 72. Hits with object | 2.2 | 0 | 2.2 | 0 |
| 73. Spits semen | 2.2 | 0 | 2.2 | 0 |
| 74. Pulls hair | 2.2 | 0 | 2.2 | 0 |

VICTIM BEHAVIOR DURING RAPE

| | | | | |
|---------------------------------------|-----|-----|-----|-----|
| 75. <i>Lies down</i> | 2.2 | 2.2 | 0 | 0 |
| 76. <i>Vandalizes</i> | 2.2 | 1.1 | 0 | 1.1 |
| 77. <i>Queries route home</i> | 2.2 | 0 | 0 | 2.2 |
| 78. <i>Vomits</i> | 2.2 | 0 | 0 | 2.2 |
| 79. <i>Menstruation-put off</i> | 2.2 | 1.1 | 1.1 | 0 |
| 80. <i>Safe location</i> | 2.2 | 0 | 1.1 | 1.1 |
| 81. <i>Verbal non-compliance</i> | 1.1 | 0 | 1.1 | 0 |
| 82. <i>Seeks understanding of why</i> | 1.1 | 0 | 1.1 | 0 |
| 83. <i>Crosses road</i> | 1.1 | 1.1 | 0 | 0 |
| 84. <i>Cries out in pain</i> | 1.1 | 0 | 1.1 | 0 |
| 85. <i>Partial compliance</i> | 1.1 | 0 | 1.1 | 0 |
| 86. <i>Quickens pace</i> | 1.1 | 1.1 | 0 | 0 |
| 87. <i>Pursues/prevents escape</i> | 1.1 | 0 | 0 | 1.1 |
| 88. <i>Looks at suspect</i> | 1.1 | 0 | 1.1 | 0 |
| 89. <i>Assures won't report.</i> | 1.1 | 0 | 0 | 1.1 |
| 90. <i>Farewell/ends conversation</i> | 1.1 | 0 | 0 | 1.1 |
| 91. <i>Vague disclosure</i> | 1.1 | 1.1 | 0 | 0 |
| 92. <i>Lies re. property</i> | 1.1 | 0 | 1.1 | 0 |
| 93. <i>Pinches</i> | 1.1 | 0 | 1.1 | 0 |
| 94. <i>Thanks no hurt</i> | 1.1 | 0 | 0 | 1.1 |

VICTIM BEHAVIOR DURING RAPE

| | | | | |
|---|-----|-----|-----|-----|
| 95. <i>Changes route home</i> | 1.1 | 1.1 | 0 | 0 |
| 96. <i>Disclosure – sympathy</i> | 1.1 | 0 | 1.1 | 1.1 |
| 97. <i>Accepts compliment</i> | 1.1 | 0 | 0 | 1.1 |
| 98. <i>Takes property</i> | 1.1 | 0 | 0 | 1.1 |
| 99. <i>Hides</i> | 1.1 | 1.1 | 0 | 0 |
| 100. <i>Protects child</i> | 1.1 | 0 | 1.1 | 0 |
| 101. <i>Pulls penis</i> | 1.1 | 0 | 1.1 | 0 |
| 102. <i>Fakes asleep</i> | 1.1 | 0 | 1.1 | 0 |
| 103. <i>Kindness reminder</i> | 1.1 | 0 | 1.1 | 0 |
| 104. <i>Reports unwell</i> | 1.1 | 1.1 | 1.1 | 0 |
| 105. <i>Finds house-keys</i> | 1.1 | 0 | 1.1 | 0 |
| 106. <i>Suggests location change</i> | 1.1 | 0 | 1.1 | 0 |
| 107. <i>Agrees action to get rid of suspect</i> | 1.1 | 0 | 0 | 1.1 |
| 108. <i>Draws parallels</i> | 1.1 | 0 | 1.1 | 0 |
| 109. <i>Spontaneously gives property</i> | 1.1 | 0 | 1.1 | 0 |
| 110. <i>Removes hat</i> | 1.1 | 0 | 1.1 | 0 |
| 111. <i>Drops bags/belongings</i> | 1.1 | 0 | 1.1 | 0 |
| 112. <i>Hides property</i> | 1.1 | 0 | 1.1 | 0 |
| 113. <i>Tries to find weapon</i> | 1.1 | 0 | 0 | 1.1 |

VICTIM BEHAVIOR DURING RAPE

| | | | | |
|----------------------------|-----|-----|---|---|
| 114. Answers with question | 1.1 | 1.1 | 0 | 0 |
|----------------------------|-----|-----|---|---|

Note: Italicized behaviors were only present in this sample.

ⁱ Both men and women are victims of rape, however the focus of this paper is on female rape victims. Where the term “rape victim” is used we are referring to female rape victims.

ⁱⁱ All studies’ samples comprise a mixture of rapes perpetrated by offenders who have differing relationships with the victims (e.g., a mixture of stranger and acquaintance rapes) unless otherwise stated. In two studies it was not possible to ascertain the nature of the relationships of the offenders with the victims.

ⁱⁱⁱ For example, in England and Wales, it is estimated that stranger rapes represent 14% of all rapes reported to the police (Feist et al., 2007). The British Crime Survey (a survey of victims) of 2004/5 found 62% of less serious sexual assaults, and 11% of serious sexual assaults, to be committed by a stranger (Finney, 2006).

^{iv} Where two or more offenders were responsible for an offense, their mean age was calculated.

^v Three offenses were excluded at this point because they contained no reported victim behaviors.

^{vi} Two victim behaviors could not coded due to insufficient detail being provided in the victims’ accounts.

^{vii} As with Study 1, where two or more offenders were responsible for an offense, their mean age was calculated.