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Running Head: Policy and Reporting of Sexual Assault

YES MEANS YES BUT DOES IT WORK?: AN EMPIRICAL INVESTIGATION ON THE  
PERFORMANCE OF AFFIRMATIVE CONSENT POLICIES ON HETEROSEXUAL  
SEXUAL ASSAULT SCENARIOS

by

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A Dissertation

Submitted to the Graduate Faculty

of the

University of North Dakota

in partial fulfillment of the requirements

for the degree of

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2018

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This dissertation, submitted by Kathryn LaBore in partial fulfillment of the requirements for the Doctor of Philosophy from the University of North Dakota, has been read by the Faculty Advisory Committee under whom the work has been done and is hereby approved.

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This dissertation is being submitted by the appointed advisory committee as having met all of the requirements of the School of Graduate Studies at the University of North Dakota and is hereby approved.

Wayne Swisher  
Dean of the Graduate School

7/11/2018  
Date

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Title            Yes Means Yes, but Does it Work?: An empirical investigation on the performance of affirmative consent policies on heterosexual sexual assault scenarios

Department    Counseling Psychology and Community Services

Degree         Doctor of Philosophy

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Kathryn LaBore  
4/19/2018

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## ABSTRACT

Affirmative consent seeks to clarify when sexual assault occurs by framing consent in terms of agreement through positive verbal and non-verbal communication (Little, 2005). Affirmative consent can theoretically account for college students' limited ability to identify sexual assault outside stereotypical rape scenarios (i.e. stranger rape) (Hammock & Richardson, 1997), thereby decreasing a common barrier to reporting confusion (Brubaker, 2009; McMahon, 2008). Fifteen states are currently considering passing a statewide mandate requiring affirmative consent (the affirmative consent project, 2015); however, universities lack agreement on whether or not affirmative consent should be required to include *either* verbal *or* behavioral affirmations, or *both* verbal *or* behavioral affirmations. Within current research, it is unclear whether affirmative consent matches college students' typical modes of communicating and interpreting consent. The present study examined the impact of affirmative consent policies on sexual assault identification and likelihood of reporting. Participants read one of three policies containing a policy definition of affirmative consent and one of three consent communication scenarios that varied consent communication on a non-verbal to verbal spectrum. There was no evidence suggesting that affirmative consent definitions impacted sexual assault or likelihood of reporting, even after controlling for Rape Myth Acceptance. Results strongly suggest a need for continued research examining the empirical backing for affirmative consent.



## CHAPTER I INTRODUCTION

Emma Sulkowicz dragged a mattress across the stage at her graduation (Maycan, 2015). She carried a mattress around every day for one year in protest of her assault being deemed consensual by her university's administration (Kaplan, 2014). Her case and many others point to the issue of consent as central in determining whether or not a sexual assault occurred. Despite efforts to decrease sexual assaults on campus numbers remain consistent, approximately one in five college women experience sexual assault and a small number of that proportion decide to report (McMahon, 2008; National Center for Disease Control, 2012). It is not surprising that activists, politicians, lawyers, and universities are paying attention to consent. Specifically, the concept of affirmative consent gains popularity by simply defining consent as any action or behavior that communicates "yes" to a sexual interaction. Despite its popularity, there are few studies examining affirmative consent. The present investigation is an experimental design testing how versions of affirmative consent influences sexual assault identification and reporting.

Affirmative consent attempts to remove ambiguity and assumption from the consent process. It is a marked effort to depart from "no means no." Beres (2007) observed that "no means no" campaigns alert men to the presence of "no" as a barometer for when consent does not occur. Such a standard creates a scenario in which passive action may be reasonably viewed as consent and implies that men function as sexual initiators. Affirmative consent then aims to shift responsibility of negotiating consent on both parties and placing attention on ways in which

sexual partners say “yes” within sexual interactions (Pineau, 1989). However, there is a lack of consensus on whether or not “yes” is determined through clear words or actions.

Affirmative consent is required in some states. California recently passed a bill requiring affirmative consent policies at California universities in order for institutions to receive funding (De Leon & Jackson, 2014). According to a non-profit organization for affirmative consent, there are ten other states considering an affirmative consent standard (Affirmative Consent Project, 2015). In addition, many universities have updated their sexual policies in the wake of the reauthorization of the Violence Against Women Act. Institutions do not only have to define consent with the most recent authorization, but are required to disseminate this definition amongst other educational materials to incoming students (American Council on Education, 2014). Given that affirmative consent is gaining popularity, it appears that many schools may be endorsing affirmative consent policies without answering an essential question: “Does it work?”

Before answering the question of “Does it work?” it is important to consider “how” affirmative consent works. Proponents of affirmative consent suggest that affirmative consent can help improve communication between partners, stop the extent to which perpetrators can hide behind the “ambiguity” of consent, and shift the burden of proof off the victim (Little, 2005; Pineau, 1989; Subotnik, 2008; See Chapter 2 for a more in depth analysis of these functions). The present investigation focuses on the extent to which affirmative consent clarifies communication. More specifically, the study investigates sexual assault identification and likelihood of reporting. If individuals are more engaged and clear within the consent process, it follows that ambiguous sexual assault scenarios will be more easily identified and victims will be more likely to report.

The question of “Does it work?” becomes even more complex when considering the variations that come with affirmative consent policy wording. When Pineau (1989) originally formulated affirmative consent, she defined consent as including both clear words and actions. Other applications of affirmative consent, such as Antioch College, support a more stringent definition exclusively requiring verbal consent. At present analysis, it is unclear whether or not defining affirmative consent as including *either* clear words or actions, or *both* clear or actions impacts how college students view sexual assault scenarios. Understanding which policies better clarify consent may serve an important function in terms of reporting decisions. Hence, the present study will directly test two how separate definitions of consent, affirmative both (defining consent as requiring *both* words and actions) and affirmative either (defining consent as requiring *either* words and actions), perform in comparison to a control condition on sexual assault identification and likelihood of reporting.

There is mixed support for affirmative consent based on the integration of literature addressing sexual assault identification and consent. College students consistently cannot identify sexual assaults that do not resemble a stereotypical rape (Littleton & Axon, 2003). This lack of identification may be integral in explaining why a significant proportion of victims do not report their assaults. Affirmative consent should theoretically increase sexual assault identification and likelihood of reporting. However, simply identifying a sexual assault does not explain how sexual assault occurs.

The miscommunication theory is a popular explanation to why sexual assault occurs on college campuses. It elegantly states that sexual assaults occur due to misreading sexual communication (Frith & Kitzinger, 1997). This miscommunication is assumed to occur between heterosexual couples due to strict gendered sexual scripts. As a result of these scripts, men

assume they must obtain and initiate sex and women must resist sex to avoid being labeled as a “slut” (Check & Malamuth, 1983). This creates a sexual scenario in which women’s resistance is misunderstood as a mere social convention, prompting men to act more sexually persistent.

Studies in support of the miscommunication hypothesis suggest that sexually aggressive men commonly overestimate and misperceive a woman’s willingness to have sex (Bouffard & Bouffard, 2010). The miscommunication theory implies that sexual assaults can occur without intentions to rape on the perpetrator’s end. Since college students are notoriously sexually active with casual partners (Feilder & Carey, 2010), it appears there may be more opportunities to engage in rape as compared to community samples.

Consent can be communicated verbally (e.g., expressing enjoyment the sexual event) or non-verbally (e.g., taking off one’s clothes). It can also be expressed directly (e.g., asking whether or not a partner wants to engage in sex?) or indirectly (e.g., taking off a partner’s pants). Studies suggest that college students primarily communicate their consent non-verbally (Hall, 1998) and treat consent as if it is implied (Jozkowski & Peterson, 2013). Hickman and Muelenhard (1999) commented that non-verbal consent behaviors lack clarity. For example: if a female takes off her undergarments it is unclear whether or not she is consenting to oral sex, sexual intercourse, or genital touching. While this may appear ambiguous, there is some research suggesting that college students know how to navigate ambiguous consent scenarios by tuning into the responses of their partners (Beres, 2010). Beres found that college students demonstrated sensitivity through their awareness of their partner’s responses, such as understanding physical tension in the body as an indication of refusal or need to slow down the sexual interaction.

It is unclear whether or not college students miscommunicate consent at present assessment. The wide range at which students can communicate consent (i.e., verbal, non-verbal,

passive, direct, an indirect) may intersect with sexual assault policies. An affirmative consent policy should function as a means to identify sexual assault and prompt reporting regardless of the type of consent communication. The present study will include a manipulation of consent communication in order to emulate real factors that influence the interpretation of consent. Additionally, the range of consent communication also brings into question the extent to which policy definitions appear congruent with student communications of consent.

Requiring both verbal and non-verbal affirmation is a more stringent definition by accounting for more ambiguity or mixed messages. From a policy perspective, it provides a clear standard for consent, yet it is unclear how congruent this version of consent is with students' method of communication. Specifically, it does not appear that students struggle with negotiating ambiguous consent scenarios (Beres, 2010). Hence, it is unclear whether or not students perceive a need for affirmative consent. The extent to which versions of affirmative consent match college students' natural methods of consent is also unclear.

The gap between affirmative consent goals and the natural consent communication styles of college students may be further exacerbated by rape myth acceptance. Rape myth acceptance is a set of beliefs that perpetuate when and how sexual assaults occur (e.g., wearing a woman wearing a short skirt invites rape). It has been linked with decreased sexual assault identification and reporting (Heath, Lynch, Fritch, & Wong, 2013), increased likelihood to engage in sexually aggressive behaviors (DeGue, DiLillo, & Scalora, 2010), passive consent style and decreased use verbal consent in women (Jozkowski & Peterson, 2014), and initiator and removal consent styles in men (Jozkowski & Peterson). As a result, it is likely that rape myth acceptance will impact how a student applies an affirmative consent policy as well as whether or not they view an ambiguous sexual scenario as a representative of a sexual assault.

## **Purpose of the Study**

The intention of the present investigation is to create a movement towards empirically informed policy. Affirmative consent needs to be established in terms of its effectiveness and efficacy on both a systemic and individual level. An investigation of how affirmative consent impacts the judicial process is beyond the scope of this dissertation. This investigation will serve as a means to establish efficacy on affirmative consent by directly testing each definition's (affirmative both/affirmative either) ability to lead to sexual assault identification and increased likelihood of reporting. As such, this investigation may be perceived as a means to investigate one of the intended functions of affirmative consent by seeing how affirmative consent can clarify sexual communication.

Exclusively testing the efficacy of definitions would be a disservice to the complexity of sexual assault. This investigation intends to not only examine the efficacy of affirmative consent, but also attempts to emulate factors that would theoretically impact its performance by including a manipulation of consent communication and utilizing a covariate rape myth acceptance (RMA). Hence, the present study will be an experimental investigation examining the impact of affirmative consent definitions and consent communication types on sexual assault reporting and likelihood of reporting. The present study will be a 3 (consent definition) x 3 (consent communication) with a covariate of rape myth acceptance. The outcome variable will be sexual assault identification and likelihood of reporting. See chapter three for a more thorough discussion and rationalization of the methodology.

## **Significance of the Investigation**

By engaging in an empirical investigation, this study hopes to begin the process of empirically validating sexual assault consent policies. To present knowledge, this is one of the

first studies directly and experimentally examining affirmative consent. The study accounts for a gap in the literature by combining sexual assault identification research, policy trends, and consent research. In doing so, this study can inform whether or not empirically examining policies in this manner is feasible within sexual assault research with the hope that this study will lead to more investigations testing the efficacy of affirmative consent on an individual and systemic level.

On an individual level, this study will help us further understand how individual factors such as consent communication and rape myth acceptance intersect with policy and reporting. A large proportion of sexual assaults go unreported due to a self-identified lack of knowledge regarding whether or not an assault occurred (McMahon, 2009). Understanding the dynamics that contribute to this tendency is invaluable for both college programming and resources for victims. If results suggest that there is an intersection, further results can be utilized to influence how institutions disseminate information to incoming students. For example: if rape myth acceptance largely influences the efficacy of consent policy, then it warrants the examination of interventions to reduce rape myth acceptance as well as adjustments to consent policy to address directly address rape myth acceptance. This is especially important given that the reauthorization of Violence Against Woman Act mandates that universities share their consent policies with incoming students (American Council on Education, 2014).

On a university level, results of this study will help inform selection of policy such as adopting versions of affirmative consent that increase the likelihood of reporting in order to ensure that victims have more access to services. Finally, this study aims to inform conversations on the goals and intentions of affirmative consent policies. This will hopefully lead to more intentionality in the application of affirmative consent as well as improvements within victims'

access to services. This is particularly important considering that entire states have adopted the policy with only rationally based support.

### **Summary of Research Questions**

First and foremost, this study is asking whether or not versions of affirmative consent impact likelihood of reporting and sexual assault identification. For the purpose of this investigation, affirmative consent manipulations will be identified using the following language. Affirmative both will refer to the condition that defines consent as requiring *both* clear words *and* actions. Affirmative either will refer to the condition that defines consent as requiring *either* clear words *or* actions. It is hypothesized that there will be a main effect of individuals within the affirmative either condition. Regardless of consent communication and rape myth acceptance, individuals within the affirmative either condition will have the highest ratings of vignettes as representing sexual assaults and likelihood of reporting. Second, this study examines how the type of affirmative consent (affirmative both/affirmative either) intersects with consent communication types (verbal or non-verbal combinations of consent, refusals, and passive responses). It is hypothesized that there will be significant interactions between the version of the consent definition and consent communication type. See the end of chapter two for specific hypotheses in regards to interaction effects.



## **CHAPTER II LITERATURE REVIEW**

Following the reauthorization of the Violence Against Woman Act, universities were called upon to update their consent policies. Many universities are moving to affirmative consent despite its lack of empirical validation. This study intends to investigate the efficacy of affirmative consent by testing the performance of affirmative consent definitions within realistic dynamics. In order to emulate such dynamics, it will account for rape myth acceptance and consent communication type (i.e., verbal, non-verbal, and passive). This chapter will contain a literature reviewing engaging in an in-depth exploration of the relevant constructs. It will be sectioned into three portions: 1) consent and affirmative consent, 2) sexual assault policy, identification, and reporting, and 3) rape myth acceptance.

The first portion focuses on both consent in practice and affirmative consent. The discussions within these sections will function as a means to analyze the two independent variables within the study: consent communication type and affirmative consent policy. The consent communication section will analyze literature on college student consent behaviors and communication to rationalize the levels and use of consent communication as an independent variable. The discussion of affirmative consent will explore its intended functioning according the communicative theory of sexuality. This will include a discussion of the policy's potential to improve sexual communication by addressing the miscommunication hypothesis, reducing the ambiguity of consent that may protect sexual aggressors, and shifting the burden of proof off of

the victim. An exploration of the limitations and a rationalization of the levels of the affirmative consent policy independent variables (affirmative both/affirmative either) will follow.

The second section will examine policy dynamics by addressing relevant political history and contextual factors. In addition, it will include literature addressing reporting dynamics within university settings by discussing how sexual identification as a precursor to reporting and common barriers to reporting. The third portion will address rape myth acceptance and its integral role within both of the dependent variables within the study, sexual assault identification and likelihood of reporting. The final portion will present a summary containing the specific research aims and associated hypothesis.

### **Consent and Affirmative Consent**

Simply put, sexual assault depends on consent. However, consent in research and practice appears much more complex. Researchers traditionally utilize students' natural definitions of consent assuming that everyone conceptualizes consent the same (Beres, 2007). In an effort to remedy this pattern, researchers shifted to understanding how college students and young adults understand and practice consent. Findings present consent as a complex dynamic changing based on the relationship context (Humphreys & Harold, 2007; Vannier & O'Sullivan, 2011), the sexual behaviors (Hall, 1998), gender (Jozkowski, Peterson, Sanders, Dennis, & Reece, 2014), and mode of communication (Lim & Roloff, 1999).

Bridging consent research with policy is essential in terms of creating policies that are congruent with the actual issues college students' experience. Tailoring policies to college students requires a thorough understanding of how college students communicate and conceptualize consent. It is important to integrate an understanding of college students consent habits, the intentions and theory behind affirmative consent, and the limitations of affirmative

consent. This section will analyze and explore literature relevant to the two independent variables in the present study: consent communication pattern and affirmative consent policy type.

### **Consent.**

Beres (2007) described consent as a verbal act, behavioral act, or mental act. This description suggests that individuals carry different definitions of consent based on their adherence to traditional sex roles, personal beliefs about the nature of consent, and behaviors. As a verbal act, consent relates to what words communicate consent directly or indirectly. As a behavioral act, consent relates to what actions determine consent and refusal. As a mental act, consent may be conceptualized as how one defines consent or a decision process to determine when or how one sexually engages. Finally, consent can also be conceptualized as passive, meaning consent due to a lack of refusal or action.

**Consent as a verbal or behavioral act.** Given that past studies presumed consent definitions, much of consent research is qualitative with the aim to fully describe and understand college students' consent behaviors. Jozkowski and Peterson (2014) categorized qualitative responses into a scale of measuring consent styles. There were general categories that aligned with both verbal and behavioral strategies. In terms of verbal communication, there was evidence of both direct and indirect verbal consent. Asking for a condom would be a direct communication of consent in which the partner has an opportunity to express their desire to engage in sex, whereas expressing enjoyment of an activity would be an indirect indicator of consent (Hickman & Muehlenhard, 1999). Research examining verbal consent is important because it suggests that while verbal behaviors have the potential to be clear, they can also have indirect qualities.

Common non-verbal strategies include moving physically closer, rubbing an individual's genitals, or smiling (Hickman & Muelenhard, 1999; Jozkowski & Peterson, 2014). Some research suggests that non-verbal consent strategies are primarily utilized within relationships (Jozkowski & Peterson; Vannier & O'Sullivan, 2011). This is likely due to an experience of implied consent that accompanies the agreement to be in a monogamous relationship. However, this is some evidence suggesting that students outside of relationships utilize behavioral consent communications. Both Hall (1998) and Jozkowski and Peterson (2014) found that a predominant number of participants utilized non-verbal consent strategies for a majority of their most recent sexual interactions, though once partners began negotiating intercourse many students shifted to verbal consent behaviors.

There is some evidence of gender differences based on consent. Women consistently express a preference for men to engage in permission seeking for sexual interactions (Jozkowski & Peterson, 2014). Additionally, women endorse more use of verbal methods to communicate and interpret consent (Hickman & Muelenhard, 1999; Jozkowski & Peterson). In contrast, men tended to endorse more non-verbal strategies (Hickman & Muelenhard; Jozkowski & Peterson; Vannier & O'Sullivan, 1999). Such findings are inconsistent with Humphreys and Harold (2007), who found that a sample of students tended to endorse verbal strategies. They are also inconsistent with previous studies that have reported small effects sizes in regards to gender differences with consent communication and perception (Hickman & Muelenhard, 1999).

Vannier and O'Sullivan (2011) examined consent communication within couples and found evidence for indirect verbal behaviors, such as asking a partner to go lay down in the bed. These behaviors speak to consent as a process, in which an individual within a relationship is creating an opportunity for sex by indirectly asking a partner to relocate to an environment where

sex may be possible. After relocation, consent may need to be further negotiated. For example, for one individual in a couple, going to a private location may be granting consent to engage in kissing but not sexual intercourse.

Early affirmative consent policies intended to exclusively utilize a verbally based standard of consent. Proponents suggested that doing so would eliminate any ambiguity in determining whether or not consent occurred. Lim and Roloff (1999) examined whether or not a verbal indicator of consent clarified perceptions of consent by presenting vignettes featuring a manipulation of verbal consent (i.e., male partner asking to engage in sex) or non-verbal consent (i.e., the couple engaging in kissing prior to sex). Results indicated that participants tended to view the verbal conditions of consent to be clearer in terms of consent when compared to the non-verbal conditions.

While results from Lim and Roloff (1999) appear promising in the applicability of a verbal standard of consent, there may be confounding related to the direct or indirect nature of consent utilized within the vignettes. Asking permission for sex is a direct instance of verbal consent, whereas making out prior to sex is an indirect behavioral indicator of consent. As a result, the consent conditions not only differ on consent communication (i.e., verbal or non-verbal) or type of consent (i.e. direct or indirect). It is presently unclear whether or not the findings of Lim and Roloff suggest that verbal consent strategies or direct strategies clarify when consent occurs.

**Consent as a mental act.** Consent as a mental act can feature a wide range of dynamics. It can be viewed as an event or a process, a cognitive definition, or an experience of wantedness or willingness. As a mental act, the process of consent intersects with indirect or direct types of consent as well as verbal and non-verbal instances of consent. For example: agreeing to go to a

person's dorm room (i.e. direct verbal) could imply consent for any sexual activity or it could imply the beginning of the process of consenting. Removing one's underwear could be an event of non-verbally consenting to sexual intercourse, or it could be consenting to genital touch. It is unsurprising that Hickman & Muelenhard (1999) argued that conceptualizing consent as a mental act creates ambiguity. However, findings generally can provide useful information in terms of how students conceptualize and negotiate consent.

Some research suggests that individuals perceive consent at one level of interaction granting consent for other levels of sexual interaction (Jozkowski & Peterson, 2013). For example: viewing genital touching as consent to sexual intercourse. Vignettes featuring verbal indicators of consent are generally perceived as clearer than non-verbal indicators (Lim & Roloff, 1999). When analyzing non-coercive scenarios, Lim and Roloff (1999) found that ratings for perceived consent and clarity of consent were above the midpoint. This suggests that both verbal and nonverbal indicators can clarify consent.

Implied consent based on previous behaviors or words is also observed in qualitative analysis. When engaging in content analysis, Jozkowski & Peterson (2013) found that participants reported that if a woman engaged in previous sexual behaviors (i.e. oral sex, or kissing) during the sexual encounter, it implied an obligation to engage in sexual intercourse. This indicates that implied consent not only impacts how one perceives a sexual interaction but also may impact the decision-making and expectations of how and when one consents. Interestingly, findings on implied consent appear at odds with reports of preferences to utilize verbally-based means of consent when engaging in sexual intercourse (Hall, 1998; Jozkowski and Peterson, 1998). Research on definitions of consent may provide more insight into this apparent gap.

Jozkowski, Peterson, Sanders, Dennis, and Reece (2014) aimed to understand how college students defined consent through a qualitative investigation. The study suggested that an overwhelming amount of the sample defined consent as an agreement or permission giving, yet this definition was inconsistent with behavioral tactics endorsed by respondents. Men would typically communicate and interpret consent utilizing non-verbal cues, suggesting that their behavioral interpretation and communication did not match the explicit definition. This creates a situation in which the actual definition of consent lacks ambiguity but its application does not lend itself to clearly appearing consensual. This may imply that students are aware of the definition of consent, but do not connect how their definitions and behaviors differ. As a result, some researchers have turned to “willingness” as a different but potentially useful barometer of a sexual consent.

Beres (2014) noted that when students discussed willingness to have sex and consent they utilized consent and willingness interchangeably. Students viewed consent as a minimal standard for ethical sexual interactions and described it as an event rather than a process. She found a differentiation between communicating consent and communicating willingness to have sex, such that willingness was described as a process or exchange of sexual signals. Beres (2010) found that communication of willingness was understood as “knowing it when they saw it,” an absence of refusals, and “active participation,” or subtle communication of consent. These findings reinforce the gap between how students conceptualize and practice consent.

When focusing on both consent and willingness, it appears that college students are generally comfortable navigating that process. For example, Beres (2010) found that participants acknowledged that consent could be revoked at any time. Additionally, when discussing refusals, men and women alluded to utilizing the appearance of discomfort as a means to gauge a

partner's willingness. Consistent non-verbal impressions of refusal included behaviors such as tensing up or pulling away. Active participation was described as behaviors communicating consent such as heavy breathing or moaning. Findings clearly demonstrate that when communicating and interpreting willingness, young adults successfully negotiate this process.

**Consent as a lack of action.** Students commonly identify consent as a lack of resistance (Beres, 2014; Hall, 1998; Hickman & Muelenhard, 1999; Jozkowski & Peterson, 2014). Passive consent could be described as a lack of refusal (Beres, 2014), and communicated by not stopping sexual advances from a partner (Jozkowski & Peterson). However, this becomes confounded when referring back to consent as a mental act. A lack of resistance does not communicate the mental processes of the partner. For example, doing nothing when a sexual partner begins touching his or her genitals could communicate consent or enjoyment, or could be a sign of discomfort.

When passive consent was utilized in non-coercive scenarios, initiators tended to describe themselves as looking for signs of discomfort (i.e., tensing up or freezing) (Beres, 2010). This suggests that in order for sexual communication to function regardless of how consent is communicated both partners need to be aware of the reactions of their partners. However, some results have suggested that men will take advantage of the concept of passive consent.

During their qualitative investigation, Jozkowski and Peterson (2013) found evidence of coercive tactics of passive consent. Some men reported "accidentally" slipping their penises into a woman's vagina until she expressed resistance. Additionally, women that identified themselves as having an unwanted sexual experience tended to view their lack of resistance as communicating consent, even though the behavioral descriptions of the sexual events were consistent with rape (Hickman & Muelenhard, 2007). This suggests that while many students can



negotiate passive consent by being aware of sexual cues, use and conceptualization of passive consent may impact how and when a sexual assault occurs within college students' perceptions. Specifically, passive consent may lead to situations in which men may be able to "hide" their sexual aggression or coercion. Victims may be likely to label their experiences as sexual assault thereby decreasing opportunities to receive support services.

### **Analysis of Consent Communication Independent Variable.**

The present study utilizes consent communication as an independent variable. Consent is a complex process that intersects with verbal, behavioral, and cognitive dimensions. As such, it is important to investigate how these complexities intersect with affirmative consent policies, sexual assault identification, and likelihood to report. Given that in practice consent is perceived as more of a process than an event (Beres, 2010; Beres, 2014), the present study will utilize more than one instance of consent communication. This will create a more realistic scenario of consent. Previous studies suggest that consent exists on a continuum from verbal to non-verbal, and direct to indirect (Hall, 1998; Hickman & Muelenhard, 1999; Jozkowski & Peterson, 2014). Lim & Roloff (1999) found that direct verbal communication tended to be clearer when compared to indirect non-verbal communication. Hence, the present study will utilize more indirect combinations of verbal and non-verbal communication in order to match common actual variation in how consent can be communicated. Additionally, given the endorsement of passive consent behaviors and some adherence to a lack of resistance definition of consent (Hall; Hickman & Muelenhard), there will also be a vignette featuring passive communication.

### **Affirmative consent and the Communicative Sexuality Theory.**

Most people know affirmative consent as the "yes means yes" consent movement. It marks a shift from defining consent as passive, or defining rape as requiring proof of resistance,

to focusing on “yes” behaviors and words. The affirmative consent project, a non-profit organization dedicated to advocating for affirmative consent within all 50 states, defines communication of affirmative consent by “words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity.” (Affirmative Consent Project, 2015). Other aspects of affirmative consent policies include assertions that silence does not imply consent, a requirement of mutually agreed upon sexual events, a requirement of consent at every level of a sexual interaction, and indicating that previous sexual interactions with an individual do not imply consent (De Leon & Jackson, 2014).

Affirmative consent as a movement gained awareness in the 1990s when Antioch University unveiled an affirmative consent policy requiring verbal permission granted at every level of interaction. This policy implied that the initiator of sexual contact was required to ask for consent at every new level of sexual interaction. The policy gained national attention sparking both research and conversations on the nature of consent (Hickman & Muelenhard, 1999). Since its emergence, over 800 schools have adopted an affirmative consent policy (NCHERM, 2014), ten states are currently considering an affirmative consent standard, and over 1,500 articles have commented on affirmative consent policies (Affirmative Consent Project, 2015). Despite its popularity and proposed functioning, universities cannot agree on affirmative either (defining consent as requiring *either* clear words *or* actions) or affirmative both (defining consent as *both* clear words *and* actions). In addition, researchers have expressed concern about the empirical backing for affirmative consent (Humphreys, 2000; Hickman & Muehlenhard, 1999; Lim & Roloff, 2000).

Affirmative consent emerged from the communicative sexuality theory, which prompts for a change of consent from being a passive agreement or resistance to an informed process

(Pineau, 1989). Pineau explained that affirmative consent moves from contractual notions of consent in which consent is assumed unless there is a refusal. This definition is mirrored within early legal definitions of rape requiring both proof of force and resistance (Little, 2005). As a result, the process shifts to focus on mutually enjoyed sexual interactions (Pineau). In addition to being mutually enjoyed, affirmative consent pivots on the notion that consent is given “freely.” Beres (2007) explained that this is an effort to remove the possibility of an agreement to sex being obtained coercively (i.e. threat of force). Hence, affirmative consent marks a shift to non-coercive communication between sexual partners to open, conversational-like communication.

While affirmative consent cannot eliminate sexual aggression, it does have proposed benefits. It is intended to function in three ways: by accounting and clarifying sexual miscommunication, reducing the extent to which rapists can “hide” behind the ambiguity of consent, and lessening the burden of proof of consent on victims. The following sections will explore each of these proposed aspects in detail. Following the discussion, there will be an outline of the limitations of affirmative consent, and a discussion of the benefits and disadvantages of the proposed variations of affirmative consent utilized within this study (i.e., affirmative consent as both verbal and non-verbal, or affirmative consent as either verbal or non-verbal).

**Miscommunication Theory.** Miscommunication theory assumes that consent becomes ambiguous due to gendered sexual scripts (Frith & Kitzinger, 1997). Sexual assault is presumed to occur when gendered sexual scripts are enacted or misread. Sexual scripts stem from cultural beliefs outlining when and how sexual interactions occur (Frith & Kitzinger, 2001). Frith & Kitzinger explained men misperceive a woman’s refusal as indicative of her wanting and desiring sex. When a man’s interpretation is incongruent with her actual desires, men can engage

in sexual assault without perceiving it as such. Presumed sources of miscommunication include men as sexual initiators, men misperceiving a woman's sexual interest, and women's token sexual resistance.

Check and Malamuth (1983) indicated that due to sex role stereotyping men have developed a belief that the sexual role of being a male is to initiate sex. As an extension, the authors note that this belief may help to rationalize sexually coercive behaviors because "he is just enacting his role as a man." Consistent with this theory, studies examining consent confirm that men are placed in an initiator role. Beres (2010) found that when discussing willingness to have sex, women tended to overlook men's willingness due to their assumption that men initiated sex. When examining couples, Vannier & O'Sullivan (2011) found that men tended to report initiating sex more than women.

Jozkowski & Peterson (2013) performed a content analysis on 16 open-ended questions on consent. Results found that participants in their sample tended to have traditional sexual scripts related to consent, meaning that women were expected to function as gatekeepers and men as sexual initiators. When in the gatekeeper role, women's resistance may be interpreted as obligatory in order to avoid being labeled a "slut" for engaging in sexual behaviors, hence a woman's refusal communicates "try harder." This suggests that there is a subset of men that are not only initiators but men that enact their sexual roles in a manner consistent with traditional sexual scripts.

Misperceiving a woman's sexual interest may prompt a man to elevate the level of sexual interaction by assuming consent. Check & Malamuth (1983) found that males tended to view a female rape victim as enjoying an acquaintance rape scenario. More recently, Bouffard and Bouffard (2010) found a link between perceived willingness of a female target and higher

rationalization to utilize coercive tactics. When combined with the common use of non-verbal tactics by men (Jozkowski & Peterson, 2014), this suggests that men may miss a step by not verbally asking permission.

Token resistance refers to an individual saying “no” when they mean “yes.” It is an expected sexual script for women as sexual gatekeepers (Check & Malamuth, 1983). As a sexual gatekeeper, a woman must “fake” resistance in order to avoid being labeled a “slut.” Hall (1998) found that approximately 30% of women endorsed utilizing this tactic during a sexual interaction. When discussing results, Hall identified interpreting token resistance as difficult given that it is unclear whether or not the “no” reflects ambivalence or an intention to say “yes.” This was also supported by findings that suggested that students understood questions asking about token resistance saying as related to sexual scenarios where partners lacked a condom, meaning that the partner said “no” due to the lack of contraceptives, but would say “yes” with condom present.

**Ambiguity as Protecting Sexual Aggressors.** Subotnik (2008) proposed that some men may hide behind consent policies, and avoid consequences due to the largely ambiguous consent process. Coercive strategies endorsed by a subset of men support this assertion. Jozkowski and Peterson (2013) found men tended to engage in coercive strategies until refusal occurred from the female. In these cases, if a female freezes up, her case would be unidentified as a sexual assault in a non-affirmative consent policy due to the lack of resistance. Additionally, studies have found approximately 30% of men will endorse intentions to use force but deny rape (Edwards, Bradshaw, & Hinz, 2015; Malamuth, 1981). This suggests that there may be dispositions or subsets of men that engage in sexually aggressive tactics but do not label their experiences as rape.

**Shifting the Burden of Proof.** Little (2005) explained that affirmative consent shifts focus on the process of consenting. Specifically, he explained that affirmative consent should prompt rational behavior in men by prompting them to ask as well as rational behavior in women by encouraging them to communicate their desires. In terms of communication, a goal of affirmative consent is to have words like “no” or “yes” imply their conversational meaning within a sexual context (Pineau, 1989). Within affirmative consent, a sexual initiator bears a responsibility to show that he or she asked for consent. Under this requirement, judicial proceeding focuses on whether or not a perpetrator can demonstrate whether or not he asked for consent rather than focusing on the victim’s response (Little, 2005; Pineau, 1989).

While exploring the judicial process is beyond the scope of the present investigation, the judicial process has important implications for how an affirmative consent policy is worded. Removing the burden of proof by requiring the initiator to ask permission only applies to verbally based consent policies. Subotnik (2008) refers to this as a “hard” affirmative consent policy as compared to a “soft” affirmative consent policy, which expands affirmative consent to include clear actions in addition to words. It is also interesting to note that within the national movement to expand affirmative consent to all 50 states, there is a movement towards “soft” affirmative consent (Affirmative Consent Policy, 2015). As a result, the inclusion of noting responsibility of the initiator asking permission is not included in the wording.

It appears that many of the modern approaches to affirmative consent do not necessarily reflect the initial intentions of affirmative consent. This is interesting when considering that the one experimental investigation of affirmative consent tested the specific dynamic of asking for permission (Lim & Roloff, 1999). Given the popularity of consent definitions that do not include responsibility of the initiator to obtain consent, the present investigation does not include this

specific component. Testing the role of permission asking will be an important follow up to the present study.

### **Limitations of Affirmative Consent.**

Humphreys (2000) examined reactions to the Antioch policy. Compared to many affirmative consent policies, Antioch's policy assumes non-consent until there is a "yes" behavior and statement. It also requires verbal permission asking at every level of sexual interaction. By requiring permission asking, the policy attempts to emulate the original aim of the policy: to encourage sexual communication rather than merely explicitly defining consent. In response to the policy, students expressed concerns about policy enforcement, the university mandating specific sexual communication patterns, and decreased intimacy within sexual interactions.

Students specifically had a strong reaction to the requirement of verbal permission asking (Humphreys, 2000). Given that evidence suggests that students typically can navigate willingness and consent scenarios (Beres, 2010), it is not surprising that students had a reaction to Antioch's policy. It is also important to note that 15 years later there are national movements towards affirmative consent, but these national movements are inconsistent with aspects of the initial theory (i.e., permission asking and verbal behavior). It is unclear whether or not students would be open to current iterations of affirmative consent policy.

Affirmative consent intends to account for the miscommunication hypothesis, which assumes that men and women are prone to misperceive or miscommunicate sexual consent. Despite some studies supporting dimensions of the miscommunication hypothesis (Bouffard & Bouffard, 2010; Vannier & O'Sullivan, 2011), there are some mixed findings on the support of the miscommunication hypothesis. When investigating scenarios in which women said no to sex

when they meant yes, many individuals described scenarios that were inconsistent with the expected stereotype (Muelenhard & Rogers, 1998). The findings of Muehlenhard and Rogers (1998) suggest a potential confound when measuring token resistance to sex. Students perceive the question as pertaining to instances where they could not have sex due to contraceptives. Further, Beres (2010) found no evidence of miscommunication within a qualitative analysis, suggesting that students may have an ability to negotiate ambiguous consent scenarios. At present analysis, it is unclear whether or not the miscommunication hypothesis is supported and how affirmative consent accounts for miscommunication.

### **Analysis of Affirmative Consent Variations.**

Universities vary on whether or not affirmative consent requires *both* a verbal and non-verbal component of consent, or *either* a verbal or non-verbal component of consent. However, no empirical studies to date have investigated the efficacy of affirmative consent of any kind versus “standard” policy (i.e. policy not defining consent). The present study will examine the effects of two variations of affirmative consent policy (i.e., consent involving *both* verbal and nonverbal cues, or *either* verbal and nonverbal cues) on identification of sexual assault and likelihood of reporting. The following section outlines the benefits and limitations of each definition given the consent and affirmative consent literature, as well as outlines the hypothesis related to each definition.

**Both verbal and behavioral definition.** Hickman & Muelenhard (1999) observed that non-verbal behavior may be unclear when it comes to consent communication. As a result, an affirmative consent standard that includes both verbal and behavioral congruence should eliminate any ambiguity in regards to sexual consent. While this definition may appear to lend itself to the over-classification of sexual interactions as sexual assaults, it is important to note



that a large proportion of sexual events are going to be mutually perceived as consensual. It is expected that the both affirmative consent policy definition condition will perform better than the control condition because it provides more clarity.

There is some evidence supporting the idea that some sexually coercive men will utilize notions of passive consent as a means to engage in sexual behavior without affirmative consent. For example, Jozkowski and Peterson (2013) found evidence of men “accidentally” having sex with females and not stopping their behavior until their partner removed consent. A consent standard that is both verbal and non-verbal will help reduce the extent to which sexually coercive men can utilize unclear consent communication as a rationalization of their behavior during university sexual assault hearings. This affirmative consent does not allow for passive behaviors to be interpreted as consent due to the lack of verbal responses. As a result, there is an expected interaction between the passive consent vignette condition and affirmative both condition.

A more stringent affirmative consent standard may help reduce ambiguity and lead to more fair sexual assault hearings, yet it also presents limitations. Previous research has demonstrated that college students are less open to stringent definitions of consent due to worries about the enforcement of the policy enforced and the extent to which they reduce intimacy (Humphreys, 2000; Little, 2005). This suggests that students may be less open to an affirmative consent definition that they perceive as outlining how they consent. In addition, it may increase concerns about increases in false reporting due to the extent to which it classifies more interactions as sexual assaults than a less stringent definition.

A majority of the research suggests that college students are able to negotiate consent utilizing a combination of both verbal and non-verbal tactics, suggesting that a policy requiring both verbal and non-verbal evidence of consent is incongruent with student consent

communication (Beres, 2010; Jozkowski and Peterson, 2014). In order for this definition to function in its ideal capacity, students will need to adjust their sexual communication styles in order to create more affirmative consent policies. Examining the extent to which such a policy changes the consent behavior of students is beyond the scope of this investigation, yet it is an important consideration when considering how a stringent affirmative consent definition might function.

**Either verbal or behavioral.** Students naturally, fluidly, and successfully utilize both non-verbal and verbal strategies for consent (Beres, 2010; Jozkowski & Peterson, 2014). A less stringent affirmative consent policy defined by requiring either verbal or behavior affirmation would not require students to adjust their behaviors to match the policy. This may be more amenable to students as it does not require a specific standard of consent. Further, consent researchers have advocated for flexible conceptualizations of consent when discussing their findings (Humphrey & Harold, 2007; Jozkowski & Peterson 2014). This suggests that an affirmative consent policy requiring *either* verbal *or* behavioral evidence of consent will match the flexibility of students' consent definition. As a result, it is expected that regardless of the consent communication condition, the affirmative either consent condition will perform better than the affirmative both consent condition and control condition.

Previous research has demonstrated that verbal behavior tends to be perceived as clearer than non-verbal behavior (Lim & Roloff, 1999). Beres (2010) found that students tended to consistently perceive refusals. The present study utilizes manipulations of verbal consent and refusals within vignettes. Students may more willingly apply a more flexible definition (affirmative either) to a vignette featuring a verbal refusal. It is expected that there will be an interaction between the non-verbal consent/verbal refusal communication condition and the

affirmative either consent condition. Those in the policy condition defining consent in *either* behavioral *or* non-verbal and consent communication condition communicating consent nonverbally and refusing sex verbally will have a higher rating of sexual assault identification and likelihood to report.

While a more flexible definition may be more congruent with a student's natural impression of consent, sexual assault scenarios may still be perceived as ambiguous due to the potential reliance on non-verbal behaviors. This may be more relevant in situations in which there is some evidence of a behavioral indicator of consent. Behavioral indicators in an outside perspective may be more susceptible to ambiguity, allowing for potentially sexually coercive men to "hide" under the ambiguity. As a result, it is unclear whether or not this version of affirmative consent helps the judicial process in that respect. Such findings for either definition are beyond the scope of this study.

### **Sexual Assault Policy, Identification, and Reporting**

Based on the consent literature, it appears that college students understand how to communicate and read consent. Regardless of the bearings such findings have on the miscommunication hypothesis, sexual assault rates are still a major concern on college campuses. As a result, it is important to determine whether or not sexual assault occurs and how likely a student is to report a sexual assault after exposure to an affirmative consent policy. It is important to acknowledge that sexual assault identification and reporting do not happen in a vacuum. As such, it is essential to understand the historical context of sexual assault policy, reporting barriers and likelihood of reporting, and sexual assault identification as a precursor to reporting.

### **Historical context of sexual assault policy.**

Before 1990, people assumed colleges lacked any crimes or instances of sexual violence. Universities did not have to disclose crime statistics until the rape and murder of a student in 1986 (Janosik & Gehring, 2003). As a result, the Clery Act emerged to increase transparency by requiring campus crime data, support for victims, timely delivery of information about crimes occurring on campus, and policies that outline support services for victims (Clerycenter.org, 2015). The Clery Act also ensured that campuses could no longer deny the occurrence of sexual violence on their campuses (McNeal, 2007). Most importantly, it marks the first instance in which the government actively shaped how and when universities must attend to instances of sexual violence.

Janosik and Gehring (2003) indicated that the Clery Act functions in two primary ways. First, the act informs students about crimes that occur on campus. The intention of this is to empower students to protect themselves by knowing where and when crimes have occurred. However, there is some evidence suggesting that the Clery Act does little to impact student behaviors. Among a national sample of college students, Janosik & Gehring (2003) found that only a quarter of students were aware of the Clery Act, and an even fewer number of students consumed the information, let alone utilized it to impact their behavior.

Secondly, the Clery Act also functions to allow students to factor in campus safety when deciding on a college. However, this function of Clery Act may be counterproductive for colleges. Imagine you are a parent helping your child decide between two universities. In your review of each school, you read that University A has high rates of sexual assaults and University B has low rates of sexual assaults. By intuition alone, you are more likely to send your child to University B because it appears that sexual assaults do not occur on that particular

campus. However, low reporting rates do not guarantee a safe campus or absence of sexual aggression on the campus. For example: if reporting rates are low it could indicate that sexual assault prevention efforts are effectively reducing the occurrence of sexual aggression on campuses (Brubaker, 2009), or low rates of reporting could also reflect a campus culture in which survivors of sexual assault do not feel comfortable reporting events to an institution.

As a result, it is not surprising that colleges currently appear reluctant to comply with Clery Act standards. McNeal (2007) observed an increase in Clery Act violations. At closer glance, a national review of colleges and universities revealed that a mere 37% of institutions follow regulations of the Clery Act (Karjane et al., 2005). This hesitancy is understood as reluctance to avoid having a university appear unsafe. It is not surprising that within a survey of campus law administrators many attributed the lack of compliance to limited support from the institution, in addition to lack of clarity within the act and budget restrictions (McNeal).

In a discussion of the Clery Act, Fisher, Hartman, Cullen, and Turner (2002) differentiated between the functions of the Clery Act as symbolic of taking action against campus crime versus its ability to reliably disseminate information for students. Specifically, the authors questioned the extent to which information within the Clery Act is reliable and valid. When paired with the concerns about the Clery Act's ability to impact student behavior (Janosik & Gehring, 2003) and institutional hesitancy to comply Clery Act standards (Karjane et al., 2005; McNeal, 2007), it appears that the effectiveness of the Clery Act comes into question. Most importantly, the analysis by Fisher et al. engenders an important dynamic for both universities and political movements that shows there is an inherent need to take action in order to avoid the implications of inaction, regardless of the effectiveness of action.

The most recent example of an action is the reauthorization of the Violence Against Women Act (VAWA) in 2013. The Department of Education recently released a document outlining how amendments to the bill impact reporting procedures through the Clery Act for college campuses (Department of Education). Regulations for colleges came into effect in July 2015. As a result of new regulations, universities will need to address and report the prevalence of dating violence, domestic violence, sexual assault, and stalking (Clerycenter.org, 2015; Department of Education, 2014). Unlike the Clery Act, the VAWA provides definitions on what constitutes sexual assaults, thereby addressing previous concerns about vague definitions within the Clery Act.

Most importantly, mandates from the VAWA require university policy to define sexual consent and present these definitions to the student body within other educational materials (American Council of Education, 2014). Such a mandate should function as a means to help individuals within the campus community identify whether or not a sexual assault occurred, understand their access to resources, and increase knowledge of reporting options. As a whole, these mandates should function as a means for victims to make informed decisions regarding reporting and receiving support. Given that studies identified sexual assault identification as a boundary to reporting (McMahon, 2008), it would follow that assisting students in identifying sexual assaults would be an important step in changing campus culture.

While the National Institute of Justice requires a definition of sexual assault and consent in order for a university to be compliant with the Clery Act and the VAWA (American Council of Education, 2014; McMahon, 2008), there is evidence that suggests that only a proportion of universities are providing definitions of sexual assault or consent. For example, only 4% of Ohio universities provided a definition of sexual assault (Krivoshey, Adkins, Hayes, Nemeth, & Klien,

2013). There is no data examining the extent to which universities provide definitions of consent and sexual assault on a national level. However, when combined with evidence that suggests that approximately 1/3 of schools are not Clery Act compliant (Karjane et al., 2005), it becomes realistic to imagine that a substantial proportion of schools are not providing definitions of sexual assault and consent.

Despite the requirement to provide sexual assault definitions, the VAWA and Clery Act do not provide a unified definition of consent in regards to sexual assault. Practically speaking, having a national consent definition would present scenarios in which universities are at odds with the state definition of sexual assault. As a result, some universities defer to state policy or formulate their own based on local law enforcement practices. Different states may require different definitions of sexual assault or rape, which may further create ambiguity on the discussions of sexual assault policy on a national level. In response, some groups are advocating for state-mandated affirmative consent policies. An advocacy group called the “Affirmative Consent Project” recently stated that fifteen states are considering passing a statewide mandate requiring affirmative consent despite a lack of empirical evidence for affirmative consent (Affirmative Consent Project, 2015).

Sexual assault policy has historically functioned as a means to increase transparency and support resources for victims, yet students and institutions demonstrate inconsistent use of the Clery Act (Janosik & Gehring, 2003; Karjane et al., 2005; McNeal, 2007). It probable that institutions may be relating to these requirements as symbols to exhibit efforts towards reducing sexual assault without the reliability and validity of the political requirements (Fisher, Hartman, Cullen, & Turner, 2002). Given the recent requirements of consent definitions with the reauthorization of the VAWA, it appears that affirmative consent could be falling victim to the

same symbolic function. It is essential to empirically investigate the ways in which affirmative consent policies can help in terms of the aims of policy: sexual assault identification and likelihood of reporting.

### **Sexual Assault Identification as a Precursor to Reporting.**

Sexual assaults are stereotypically assumed to occur as spontaneous events from a stranger. As a result, it is not surprising that women perceive the risk of becoming a victim of rape as unlikely (Fisher & Sloan, 2003) and are more likely to report a sexual assault when it is perpetrated by an unknown assailant (Heath, Lynch, Fritch, and Wong, 2013). However, such impressions do not align with data suggesting that 90 percent of victims know their assailant (Brubaker, 2009). This implies incongruence between the actual scenario in which sexual assaults are committed and an individual's perception of sexual assault. Therefore, in order to build policies that help students identify and report sexual assault, it is essential to understand what factors intersect with sexual assault identification.

Many studies examining sexual assault identification examine situational factors. Situational factors primarily relate to conditions present in the environment. For example, the way the victim dresses, where the rape occurs, or whether or not alcohol was consumed are all situational factors that influence an individual's perception of who is responsible for the event and whether or not a sexual assault occurred. These are especially important because situational factors often distinguish between a stereotypical rape (e.g., forcible rape) and less stereotyped rape (e.g., acquaintance rape, date rape, rape occurring at parties).

Alcohol can play an influential role in regards to policy, law, consent definitions, and perception of sexual assault. Many studies have demonstrated that individuals are more likely to perceive the victim as having higher amounts of responsibility when alcohol is consumed within



a description of sexual assault (Hammock & Richardson, 1997). Contrary to most studies, Krahe (1988) found that alcohol consumption did not influence reports of responsibility on the victim. However, it is important to note that Krahe utilized a stranger rape vignette, which consistently has less ambiguity when compared to acquaintance and date rape. Hence, alcohol influencing the identification of sexual assault likely occurs in party rape, acquaintance rape, and date rape scenarios.

Littleton and Axon (2003) investigated the similarities and differences between college students' seduction scripts and rape scripts. Rape scripts uniquely contained violent tactics, negative outcomes for the woman, negative descriptors of the man, and resistance of the man's tactics. This suggests that primary markers of rape scenarios relate to motivations and actions of a presumably male perpetrator. On the contrary, both rape and seduction sexual scripts shared commonalities of alcohol use, sexual contact occurring on a first encounter, and manipulation on the part of the man (e.g., selection of the woman, planning the event, and engaging in compliments). Such overlap may explain why students do not identify casual sex as sexual assault.

While results support the idea that there is overlap between rape scripts and seduction scripts, the sample primarily consisted of men. Women may have different sexual scripts and rape scripts (Littleton & Axon, 2003). Littleton, Tabernik, Canales, & Backstrom (2009) examined the potential of hook-ups becoming rape scenarios within a sample of women. According to researchers, hook-ups are time limited sexual encounters which may or may not include sexual intercourse, but do include some form of sexual behavior, and occur between an individual known or unknown to the individual (Paul, McManus, & Hayes, 2000, p. 79). Hook-ups occur within 60-80% of college students (Feilder & Carey, 2010; Garcia & Reiber, 2008;

Owen, Fincham, & Moore, 2011), and typically are facilitated by going to a bar or a party on a college campus. Given the common presence of alcohol and party context, it follows that hook-ups may be a common context for sexual assaults to occur. While a substantial portion of women acknowledged that an assailant could be a date, friend, or stranger, few women described the possibility of a hook-up becoming a sexual assault (Littleton et al.). Further, 37.6% of women described rape as occurring with a stranger. This suggests that both women and men may struggle with identifying date rape, which may occur within the context of a college party.

In regards to rapes occurring at college parties, Armstrong, Hamilton, and Sweeney (2006) conducted an ethnographic study on students within a “party dorm,” or a dorm filled with students that are known to attend parties at a higher rate than other residence halls. Specifically, the study focused on content analysis of the process of attending fraternities. Researchers identified peer dynamics identified dynamics contributing to a rape supportive environment as heightened anxiety related to the tasks of making friends, lack of transportation home, consumption of alcohol, the belief that parties are safe environment, and belief that parties are exclusively fun.

Armstrong, Hamilton, and Sweeney (2006) attributed students’ desire to maintain the lighthearted reputation of the party scene as engendering tendencies to blame the victim. If the sexual assault occurs because of false reporting or naivety on the victim’s end, then students can maintain that sexual assault and rape do not happen within the party scene. Parties remain protected as a safe and fun environments within the students’ perspective. Such beliefs may also impact partygoers’ ability to identify a party rape. However, no studies to date have examined the sexual assault identification with a party vignette. Hence, the present study will utilize a

sexual assault vignette occurring at a party in order to gain insight into how policy influences interpretation.

In addition to examining the interaction between hook-up culture and rape identification, researchers have examined the effect of previous relationship history on sexual assault identification. More specifically, researchers are interested in how being in a monogamous relationship impacts rape identification. Monson, Langhinrichensen-Rohling, and Binderup (1996) presented undergraduate participants with sexual assault vignettes with different levels of familiarity between victim and perpetrator (i.e. stranger, acquaintance, or committed relationship) and found that participants tended to blame the victim more often and have more rape supportive attitudes when the perpetrator and victim were more familiar with each other. Similarly, Whatley (2005) presented undergraduates with vignettes depicting marital rape and found that when the victim was more provocatively dressed participants tended to assign her more blame. This suggests that situational variables such as the victim's dress and relationship status matter when working to identify a sexual assault.

Gender may also be an important variable when considering sexual assault identification. Whatley (2005) found that when comparing a sample of men and women, men tended to view women within a sexual assault vignette as more deserving of the sexual violence. Monson, Langhinrichensen-Rohling, and Binderup (1996) found that when males rated less stereotypical sexual assault scenarios (i.e. marital rape), men tended to assign a lot more blame and exhibit higher rape supportive attitudes when compared to women. However, other studies have found mixed results on the role of gender in sexual assault identification.

Angelone, Mitchell, and Lucente (2012) examined factors associated with the interpretation of a sexual assault vignette. Participants were prompted to read "alleged sexual

assault reports” containing variations on a perpetrator’s motivations, and length of the relationship. Contrary to prior research, length of relationship and gender did not influence perceptions of responsibility to the victim. However, researchers found that knowing that the motivations of the perpetrator were violent resulted in the most responsibility assigned the perpetrator, and more egalitarian beliefs related to less assignment of blame to the victim. In interpreting these results, it is important to note that most individuals interpreting a sexual assault scenario will not know perpetrator motivations.

Being able to identify an event as sexual assault is an important first step to reporting a sexual assault, yet it appears that college students struggle with identifying sexual assault outside of a stereotypical scenario. It appears that this may be due to the overlap between the contexts in which seduction and rape occur (Littleton & Axom, 2003), alcohol consumption, relationship status, and dress (Monson, Langhinrichensen-Rohling, & Binderup, 1996; Whatley, 2005). Policies have the ability to outline when and how sexual assaults occur by defining parameters. Consent is one potential parameter that universities can set, and it is essential to examine how such parameters impact sexual assault identification. The present study will test how affirmative consent policies function within a party rape scenario in order to incorporate important situational variables, such as alcohol or protection of the party environment.

## **Reporting**

Deciding on whether or not to report a sexual assault is a vulnerable process that comes with the realization of experiencing unwanted or nonconsensual sex. While the decision to report is highly individualized depending on the conditions of the sexual assault, the role of the institution can create barriers and even exacerbate mental health symptoms. Smith & Freyd (2013) found that half of participants experiencing unwanted sexual events experienced

“institutional betrayal” described as having an unsupportive reaction from university professionals. Experiencing “institutional betrayal” related to an increase mental health symptoms such as anxiety, dissociation, post-traumatic stress symptoms, or sexual functioning issues (Smith & Freyd). Such results help explain why many students choose not report sexual assault. The following section will examine reporting barriers and reporting behaviors as a means to understand factors that impact likelihood of reporting.

**Reporting barriers.** Understanding barriers to reporting helps colleges understand cultural and institutional changes that need to be addressed to prompt reporting. This becomes especially relevant when considering that a large proportion of sexual assaults are not reported (Wolitzky-Taylor, Resnick, Amstader, McCauley, Ruggiero, & Kilpatrick, 2011). It is important to note that students that have experienced a sexual assault likely have many different avenues to report, and each avenue will likely have different barriers. For example: reporting to the police may have a different set of expectations and barriers when compared to reporting to the Dean of Students. Overall, barriers could relate to internal experiences, institutional responses to sexual assault, or resources.

Oftentimes survivors express worry about shame or embarrassment in regards to the reporting process (Brubaker, 2009). McMahon (2008) noted that this could be related to a lack of knowledge in regards to the confidentiality of reporting process. However, some policies will require disclosure of the identity of the victim to the perpetrator. By having anonymity in the process of reporting, experiences of shame and embarrassment will decrease and students will be able to make the decision on whether or not to pursue legal action.

It is unsurprising that the National Institute of Justice recommends access to anonymous reporting options. Despite the importance of anonymous reporting, Krivoshey, Adkins, Hayes,

Nemeth, & Klein (2013) found in a review of university sexual assault policies that only 13% of Ohio universities provided anonymous reporting options. While Ohio is not representative of all states, it does suggest that shame or embarrassment may be a valid concern. Universities may not be taking actions to account for this barrier by offering anonymous reporting options.

Knowing the offender can also be a barrier to reporting an instance of sexual assault (McMahon, 2008). In utilizing data from a national sample, Brubaker (2009) reported that 90 percent of women knew their perpetrator. A large barrier is reprisal by the offender (Brubaker; Sable, Danis, Mauzy, & Gallagher, 2006). This concern may shed light on a reason that many sexual assaults go unreported. Research also suggests that protection of the party scene may facilitate victim blaming (Armstrong, Hamilton, & Sweeney, 2006). If the victim is an active member of the party scene at a university and shares a friend circle with the perpetrator, the victim may be less like to report for fear of social implications or judgment from peers.

Finally, Brubaker (2009) noted that policies requiring adjudication and policies that engage in victim blaming tend to deter reporting for college students. For example, Fisher and Sloan (2003) noted that engaging in prevention efforts that encourage the use of escort services and prompt women to avoid certain areas of campus may inadvertently communicate victim blaming and increase fear of sexual assault. Such policies place the responsibility on women to protect themselves from sexual perpetrators and imply that women bear part of the responsibility for not adequately protecting themselves if they get assaulted.

Situational variables of the sexual assault also influence reporting to police. For example: when force or injury has occurred within a sexual assault, victims are more likely to report (Rennison, Dekeseedy, & Dragowicz, 2012; Wolitzky-Taylor, Resnick, Amstader, McCauley, Ruggiero, & Kilpatrick, 2011). Wolitzky-Taylor et al. (2011) found the likelihood of reporting

decreased such that women who experienced forcible sexual assault were 6.77 times more likely to report to law enforcement when compared to sexual assault survivors that voluntarily or involuntarily ingested drugs. Overall, results for barriers to reporting suggest that perceived ambiguity or worries about blame impacts reporting. By extension, consumption of alcohol may prompt a scenario in which an individual worries that she will be blamed for her behaviors.

Some studies indicate that individuals are less likely to report an instance of sexual aggression when an individual feels unsure about whether or not a crime occurred (Brubaker, 2009; McMahon, 2008). While observations on reporting behaviors suggest that college students may be more likely to consult with their friends in regards to the occurrence of sexual assault (Brubaker), students ideally should look to their school's policy as a means to help sift through the ambiguity of a potential sexual assault. When combined with survivors' worry that authorities may inadvertently shame survivors (McMahon), it follows that survivors may not feel empowered or assured when reading consent definitions from their university. However, it should be noted that no research has been done in regards to the intersection between policy, reporting, and identification of sexual assault.

**Reporting behaviors.** Overall, there is little research on reporting behaviors of college student victims of sexual assault. However, there is some research examining victim experiences of reporting with law enforcement. Murphy, Edwards, Bennett, Bibeau, & Sichelstiel (2014) examined police decisions to pursue a case in recent victims of sexual assault. One third of the cases from 12 communities decided to not pursue a case. Results suggested that a variety of factors impacted the legal course of action of sexual assaults. These factors include lack of subsequent contact between the police officer and survivor, refusal to have a medical evaluation, issues related to credibility, lack of evidence, if the survivor sought other support, or if the

survivor refused to provide a statement. While most reports have minimal reasons for dropping the case, the authors did prompt for more awareness on the reasons victims drop cases and advocated for awareness in regards to how interactions with police officers may impact reporting. While this study did not explicitly address victims' experiences with police officers, it did highlight the importance of understanding more about an individual's process in making a decision to report or not report an instance of sexual violence.

Unlike community members, college students have many options for reporting, including professors, counselors, Residence Life staff (i.e. RAs and RDs), police, or friends. However, survey research indicates that individuals are most likely to report instances of sexual assault to friends or acquaintances (Brubaker, 2009). For example, Amacker and Littleton (2013) found that half of their sample of females had a victim disclose a sexual assault to them as a friend. Further, disclosing to a friend does not necessitate reporting from a policy perspective and creates a scenario in which an individual's experience of a potential sexual assault intersects with another individual's definition of consent.

Research has demonstrated that a victim's first disclosure impacts the recovery process. Specifically, survivors that remain silent engage in self-blame and fear of judgment (Heath, Lynch, Fritch, McArthur, & Smith, 2011). Hence, a friend's response in terms of validating the event as indicative of sexual assault may influence both recovery and reporting. When combined with research that indicates that many college students struggle to identify sexual assault scenarios (Littleton & Axom, 2003) it follows that many students are unlikely to follow up with universities in terms of reporting because their social support may not understand the event as a sexual assault. The present study examines the importance of both sexual assault identification and likelihood of reporting.



## **Rape Myth Acceptance**

In August 2012, Representative Todd Akin, a Missouri congressman, commented that women's bodies shut down from becoming pregnant when a "legitimate rape" occurs (Sanchez, 2012). This is an example of a rape myth, or a false belief that contributes to prejudice or stereotyped beliefs about rapists and survivors of rape contributing to a hostile environment for rape victims (Burt, 1980, p. 217). In general, rape myth acceptance (RMA) has been correlated with acceptance of interpersonal violence, sexist beliefs, and hostility towards women (Forbs, Adam-Curtis, & White, 2004; Lonsway & Fitzgerald, 1995). Many studies have demonstrated its role as a differentiating variable for sexually aggressive men versus non-sexually aggressive men (DeGue, DiLillo, & Scalora, 2010; Rando, Rogers, & Brittan-Powell, 1998; Malamuth, 1981).

Bouffard and Bouffard (2010) examined the role of RMA and likelihood of rape within the framework of a cost/benefit analysis. Within their analysis, they found that RMA related to higher perceived willingness of the victim and increased self-reported likelihood of using alcohol in a coercive manner. When combined with research on rape identification, it may suggest that rape myth acceptance may play a role in the identification and judgment of rape scenarios. However, little research has examined the role of RMA in reporting.

Heath, Lynch, Fritch, and Wong (2013) examined how RMA and sexual assault type (stranger or partner) influenced incarcerated women's reporting behaviors. Heath et al. found that RMA made filing a report 98.1% less likely when controlling for education level, ethnicity, and perpetrator. When combined with a known perpetrator and high levels of rape myth acceptance, the probability of reporting to the police decreased dramatically. Results support the role of RMA as an attitudinal predictor to a lack of reporting.

While it is important to note that utilizing a sample of incarcerated women does not necessarily translate to college students, such results suggest that RMA could serve as a barrier to reporting for college women. This becomes even more relevant when considering that a large proportion of sexual assaults occur with an acquaintance (Brubaker, 2009). When combined with data suggesting that RMA impact perceptions of an ambiguous scenario as rape (Bouffard & Bouffard, 2010), it follows that RMA may serve as an attitudinal predictor of likelihood of reporting.

Frese, Moya, & Megias (2004) investigated the extent to which RMA functions across rape situations (stranger rape, marital rape, and acquaintance rape), perceptions of responsibility of perpetrator and victims, and likelihood of reporting. Results indicated that individuals with high RMA tended to assign more responsibility victim for acquaintance and stranger rape. Results also indicated that people high in RMA were less likely to recommend the reporting to the police than individuals low in RMA. Further, Frese, Moya, & Megias found no effects for gender across situational variables and likelihood of reporting. This could be explained by RMA being a factor, which accounts for differences in gender (Frese, Moya, & Megias). Specifically, participants' beliefs about rape account for their identification of sexual assault better than gender differences.

Overall, results suggest that RMA is an important factor when examining sexual assault policy based on its impact on both sexual assault reporting (Frese, Moya, & Megias, 2004; Heath, Lynch, Fritch, and Wong, 2013) and identification (Bouffard & Bouffard, 2010). It is essential that RMA is addressed within an examination of affirmative consent. An affirmative consent policy should ideally function regardless of rape myth acceptance. To fully test and understand affirmative consent, RMA will be a covariate within the present investigation.

## Summary and Objectives

The purpose of the present study is to empirically investigate the performance of affirmative consent policies in terms of their ability to increase sexual assault identification and likelihood of reporting. Based on recent policy changes related to the passing of the VAMA and passing of state laws related to affirmative consent, there appears to be a need to empirically investigate affirmative consent. This seems especially relevant given the consistent findings that demonstrate that college students struggle with identifying differences between sexual assault scenarios and seduction scenarios (Littleton & Axom, 2003), as well as continued reports of survivors' uncertainty of whether or not a crime occurred as a barrier to reporting (Brubaker, 2009; McMahon, 2008). Overall, this suggests that policy needs to function as a means to assist students in sifting through the ambiguity prompted by the current campus culture of sexual assault in order to engage in informed reporting practices.

It is unclear based on the current literature whether or not the popularity of affirmative consent functions as a symbol of changing the culture or as an effective policy. Consent is complex, regardless of evidence suggesting that college students can adequately navigate ambiguous sexual scenarios (Beres, 2010). Specifically, consent becomes complex and ambiguous when incorporating indirect verbal, nonverbal and passive communication. The present study includes an independent variable of consent communication. This will serve as an important means of demonstrating that affirmative consent can assist students in sexual assault identification and increase their likelihood to report regardless of the type of consent communication.

Within the history of affirmative consent and current political context, there is inconsistency in terms of which variation of affirmative consent is most appropriate for college

students. The present study compares to definitions of affirmative consent defining affirmative consent as both verbal and non-verbal behavior, or either verbal or non-verbal behaviors to a control condition. Finally, in order to account for attitudes that may influence the extent to which students identify events as sexual assault or reporting, the present study will test how affirmative consent functions regardless of RMA.

**Research Questions and Hypothesis.** The present study has three primary aims listed below. The condition definition affirmative consent as both verbal and non-verbal behavior will be listed as “affirmative both,” and the condition defining affirmative consent as either verbal or non-verbal will be listed as “affirmative either.” There is no hypothesis in regards to main effects of consent communication impacts likelihood of reporting or sexual assault. This is because consent communications conditions were formulated to be equally ambiguous in terms of the representativeness of sexual assault and likelihood of reporting. See Chapter 2 for a discussion on the formulation of the vignettes.

**Research Question I:** Does affirmative consent policies in any form prompt higher likelihood of reporting and sexual assault identification compared to no consent policy?

- *Hypothesis I:* Both levels of affirmative consent (affirmative both and affirmative either) are expected to result in higher identification of sexual assault and higher likelihood of reporting when compared to the control condition, regardless of the consent communication conditions and RMA.

**Research Question II:** Which version of affirmative consent performs better in terms of increased sexual assault identification and likelihood of reporting?

- *Hypothesis II:* Post Hoc analysis will demonstrate affirmative either will have the highest ratings of sexual assault identification and likelihood of reporting when

compared the affirmative both condition and control condition, regardless of the consent communication definition and RMA.

**Research Question III:** How do affirmative consent definitions intersect with consent communication?

- *Hypothesis III:* Compared to other combinations within the affirmative both condition, affirmative both will have an interaction with the passive communication condition leading to higher ratings of sexual assault identification and likelihood of reporting, after controlling for RMA.

## **CHAPTER III METHODOLOGY**

This chapter outlines the design and materials utilized in the present study. Two pilot studies were conducted prior to starting the main study. The first pilot examined the consent communication vignettes. The second pilot informed instrument selection for the dependent variables and RMA measure. See Appendix A for an overview of the vignette pilot and Appendix C for an overview of the Instrument selection pilot. The remainder of the chapter overviews the study design, participants, measures, materials, procedure, and data cleaning.

### **Study Design and Planned Analysis**

The present study intends to explore how policy definitions, consent communication behaviors, and RMA impact both sexual assault identification and the likelihood of reporting. The study utilized a 3 (consent policy definition) x 3 (consent communication) between subject's design with a covariate of RMA. The three levels of the consent definition independent variable included (a) affirmative consent policy that required both verbal and non-verbal affirmations, (b) affirmative consent policy that required either verbal or non-verbal affirmations, and (c) a control condition (i.e., a policy definition of sexual assault). The three levels of the consent communication independent variable include (a) initial verbal consent followed by a non-verbal refusal, (b) initial non-verbal consent followed by a verbal refusal, and (c) one passive response. The two dependent variables included the participant's ratings on the extent to which the vignette depicts a sexual assault (sexual assault identification), and the likelihood of reporting the event to a wide range of campus individuals (i.e., Resident Assistants, Dean of Students, Title XI coordinator, Counseling Center, or anonymous reporting line).

The first ANCOVA included 3 policy definition (affirmative either, affirmative both, control) x 3 consent communication (passive communication, verbal consent/non-verbal refusal, verbal refusal/non-verbal consent) with RMA as a covariate and sexual assault identification as the dependent variable. The second ANCOVA was a 3 policy definition (affirmative either, affirmative both, control) x 3 consent communication (passive communication, verbal consent/non-verbal refusal, verbal refusal/non-verbal consent) with RMA as a covariate and likelihood of reporting as a dependent variable.

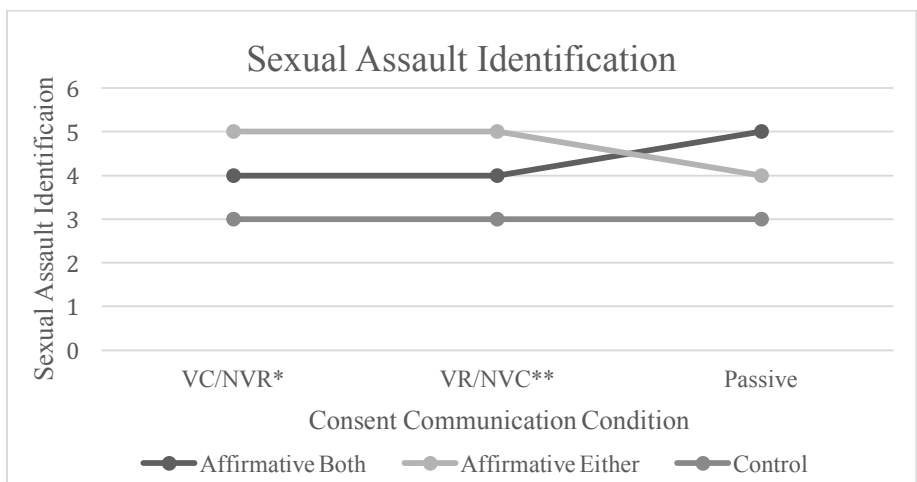


Figure 1. Expected means for Sexual Assault Identification  
 \*VC/NVR refers to vignettes featuring verbal consent and non-verbal refusal  
 \*\*VR/NVC refers to vignettes featuring verbal refusal and non-verbal consent

It was hypothesized that there would be a main effect for the policy conditions, as well as interactions between consent communication conditions and policy conditions. Post hoc analysis tested the hypothesis that the affirmative either condition will have higher sexual assault recognition and likelihood to report when compared to the affirmative both condition and control condition. Additionally, there are expected interactions between affirmative consent both and the passive consent condition, and an interaction between affirmative consent either and the non-

verbal consent/verbal refusal condition. See Figure 1 for expected means for sexual assault identification, and Figure 2 for expected means for likelihood of reporting.

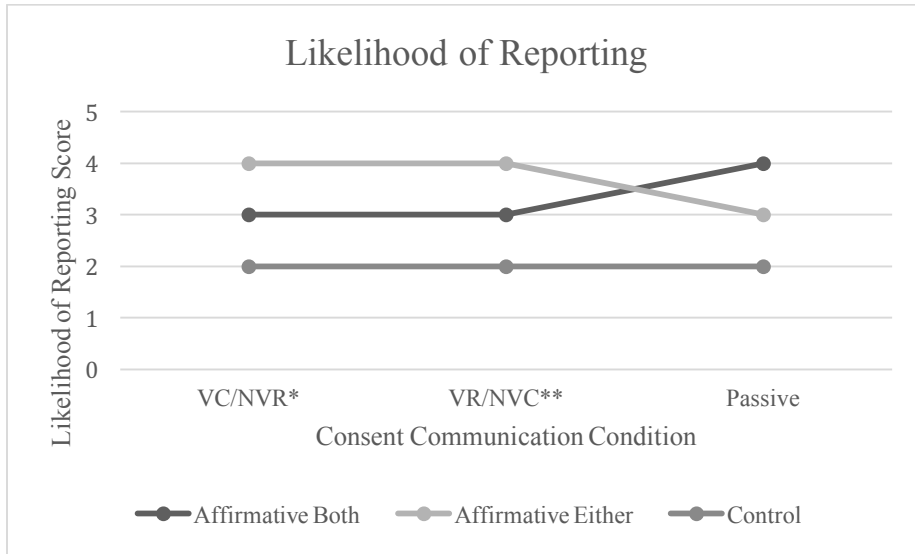


Figure 2. Expected means for Likelihood of reporting

\*VC/NVR refers to vignettes featuring verbal consent and non-verbal refusal

\*\*VR/NVC refers to vignettes featuring verbal refusal and non-verbal consent

Assuming a medium effects size ( $d = .25$ ) and 95% power using a two way ANCOVA at an alpha level of .05, a sample of 302 individuals is needed to detect any meaningful interactions. Beyond the primary analysis, there will be follow up analysis of one qualitative question regarding the participant's personal opinion of the policy condition. The qualitative analysis will function as a means to evaluate participant reactions to the consent policies. Responses will be analyzed utilizing a summative content analysis (Hsieh & Shannon, 2005).

### Participants.

The final data set included 369 participants. Participants were aged 18-28 with an average age of 20.2 ( $SD = 2.35$ ). Majority of participants identified as female ( $n = 257, 69.6%$ ) and males ( $n = 109, 29.5%$ ), with a smaller percent of individuals identifying as MTF transgender ( $n = 1,$



0.3%) and other ( $n = 2$ , 0.5%). The sample was predominantly heterosexual ( $n = 322$ , 87.3%), with a smaller portion the sample identifying as bisexual ( $n = 26$ , 7.0%), gay ( $n = 6$ , 1.6%), questioning ( $n = 5$ , 1.4%), lesbian ( $n = 3$ , 0.8%), queer ( $n = 3$ , 0.8%), and asexual ( $n = 3$ , 0.8%). One participant preferred to not disclose their sexual orientation. Racial identities included white ( $n = 339$ , 91.9%), African American ( $n = 9$ , 2.4%), Hispanic ( $n = 3$ , 0.8%), Asian ( $n = 7$ , 1.9%), Native American ( $n = 4$ , 1.1%), Pacific Islander ( $n = 1$ , 0.3%), and other ( $n = 6$ , 1.6%). Most participants were either single ( $n = 137$ , 37.1%) or in a committed monogamous relationship ( $n = 157$ , 42.5%). The remainder of the participants were seeking out casual sex ( $n = 23$ , 6.2%), casually dating ( $n = 28$ , 7.6%), engaged ( $n = 10$ , 2.7%), or married ( $n = 13$ , 3.5%). Distribution of demographic data by conditions is contained within Table 1.

Participants predominantly live in North Dakota ( $n = 244$ , 66.1%) and Minnesota ( $n = 45$ , 12.2%). Many participants currently attend a public university ( $n = 340$ , 92.4%), with the remainder attending a private university ( $n = 23$ , 6.2%) or a community college ( $n = 5$ , 1.4%). The average GPA within the sample was 3.40 ( $n = 350$ ,  $SD = 0.49$ ). A number of participants endorsed some form of sexual assault ( $n = 130$ , 35.2%) occurring within their lifetime as measured by the Sexual Experiences Survey (Koss & Oros, 1987), which includes unwanted touching, oral sex, and penetration. Majority of the sample had never been accused of sexual assault ( $n = 363$ , 98.5%). A small subset of participants indicated that they had been accused of sexual assault ( $n = 6$ , 1.6%). Two participants endorsed previously committing a sexual assault (0.5%). A large portion of the sample ( $n = 280$ , 75.9%) endorsed familiarity with the sexual assault consent policy at their university. The remainder of the sample ( $n = 89$ , 24.1%) were unfamiliar with their university's sexual consent policy.

**Table 1: Distribution of Demographics by Condition**

		Policy Condition		
		<i>Either / Or</i>	<i>Both / And</i>	<i>Control</i>
Age*	<i>Verbal yes/Nonverbal no</i>	20.00 (1.66) <i>n</i> = 46	20.29 (2.19) <i>n</i> = 45	20.30 (3.15) <i>n</i> = 44
	<i>Non-verbal yes/verbal no</i>	19.51 (1.72) <i>n</i> = 38	20.28 (2.40) <i>n</i> = 40	20.23 (2.25) <i>n</i> = 31
	<i>Passive</i>	20.09 (2.14) <i>n</i> = 45	20.43 (2.52) <i>n</i> = 44	20.40 (2.81) <i>n</i> = 35
Female	<i>Verbal yes/Nonverbal no</i>	69.6%, <i>n</i> = 32	66.7%, <i>n</i> = 30	77.3%, <i>n</i> = 34
	<i>Non-verbal yes/verbal no</i>	65.8%, <i>n</i> = 25	67.5%, <i>n</i> = 27	74.2%, <i>n</i> = 23
	<i>Passive</i>	77.8%, <i>n</i> = 35	61.4%, <i>n</i> = 27	65.7%, <i>n</i> = 23
White	<i>Verbal yes/Nonverbal no</i>	95.7%, <i>n</i> = 44	95.6%, <i>n</i> = 43	90.9%, <i>n</i> = 40
	<i>Non-verbal yes/verbal no</i>	86.8%, <i>n</i> = 33	95.0%, <i>n</i> = 38	87.1%, <i>n</i> = 27
	<i>Passive</i>	88.9%, <i>n</i> = 40	95.5%, <i>n</i> = 42	88.6%, <i>n</i> = 31
African American	<i>Verbal yes/Nonverbal no</i>	2.20%, <i>n</i> = 1	0.00%, <i>n</i> = 0	6.80%, <i>n</i> = 3
	<i>Non-verbal yes/verbal no</i>	0.00%, <i>n</i> = 0	5.00%, <i>n</i> = 2	3.20%, <i>n</i> = 1
	<i>Passive</i>	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0	5.70%, <i>n</i> = 2
Hispanic	<i>Verbal yes/Nonverbal no</i>	0.00%, <i>n</i> = 0	2.20%, <i>n</i> = 1	0.00%, <i>n</i> = 0
	<i>Non-verbal yes/verbal no</i>	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0	3.20%, <i>n</i> = 1
	<i>Passive</i>	2.20%, <i>n</i> = 1	0.00%, <i>n</i> = 0	2.90%, <i>n</i> = 1
Asian	<i>Verbal yes/Nonverbal no</i>	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0
	<i>Non-verbal yes/verbal no</i>	5.30%, <i>n</i> = 2	0.00%, <i>n</i> = 0	3.20%, <i>n</i> = 1
	<i>Passive</i>	4.40%, <i>n</i> = 2	2.30%, <i>n</i> = 1	2.90%, <i>n</i> = 1
Native American	<i>Verbal yes/Nonverbal no</i>	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0	2.30%, <i>n</i> = 1
	<i>Non-verbal yes/verbal no</i>	2.60%, <i>n</i> = 1	0.00%, <i>n</i> = 0	3.20%, <i>n</i> = 1
	<i>Passive</i>	0.00%, <i>n</i> = 0	2.30%, <i>n</i> = 1	0.00%, <i>n</i> = 0
Other	<i>Verbal yes/Nonverbal no</i>	2.20%, <i>n</i> = 1	2.20%, <i>n</i> = 1	0.00%, <i>n</i> = 0
	<i>Non-verbal yes/verbal no</i>	5.30%, <i>n</i> = 2	0.00%, <i>n</i> = 0	3.20%, <i>n</i> = 1
	<i>Passive</i>	4.40%, <i>n</i> = 2	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0
Single	<i>Verbal yes/Nonverbal no</i>	45.7%, <i>n</i> = 21	46.67%, <i>n</i> = 21	36.3%, <i>n</i> = 16
	<i>Non-verbal yes/verbal no</i>	50.0%, <i>n</i> = 19	57.5%, <i>n</i> = 23	87.1%, <i>n</i> = 27
	<i>Passive</i>	48.8%, <i>n</i> = 22	56.81%, <i>n</i> = 25	57.1%, <i>n</i> = 20
Heterosexual	<i>Verbal yes Nonverbal no</i>	82.6%, <i>n</i> = 38	91.1%, <i>n</i> = 41	90.9%, <i>n</i> = 40
	<i>Non-verbal yes/ verbal no</i>	84.2%, <i>n</i> = 32	87.5%, <i>n</i> = 35	87.1%, <i>n</i> = 27
	<i>Passive</i>	91.1%, <i>n</i> = 41	90.9%, <i>n</i> = 40	77.1%, <i>n</i> = 27
Bisexual	<i>Verbal yes Nonverbal no</i>	13.0%, <i>n</i> = 6	2.20%, <i>n</i> = 1	2.30%, <i>n</i> = 1
	<i>Non-verbal yes/ verbal no</i>	5.30%, <i>n</i> = 2	10.0%, <i>n</i> = 4	6.20%, <i>n</i> = 2
	<i>Passive</i>	4.40%, <i>n</i> = 2	4.50%, <i>n</i> = 2	17.1%, <i>n</i> = 6
Lesbian	<i>Verbal yes Nonverbal no</i>	0.00%, <i>n</i> = 0	2.20%, <i>n</i> = 1	2.30%, <i>n</i> = 1
	<i>Non-verbal yes/ verbal no</i>	2.60%, <i>n</i> = 1	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0
	<i>Passive</i>	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0
Gay	<i>Verbal yes Nonverbal no</i>	2.20%, <i>n</i> = 1	2.20%, <i>n</i> = 1	0.00%, <i>n</i> = 0
	<i>Non-verbal yes/ verbal no</i>	2.60%, <i>n</i> = 1	2.50%, <i>n</i> = 1	0.00%, <i>n</i> = 0
	<i>Passive</i>	2.20%, <i>n</i> = 1	2.30%, <i>n</i> = 1	0.00%, <i>n</i> = 0
Queer	<i>Verbal yes Nonverbal no</i>	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0
	<i>Non-verbal yes/ verbal no</i>	2.60%, <i>n</i> = 1	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0
	<i>Passive</i>	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0	5.70%, <i>n</i> = 2
Questioning	<i>Verbal yes Nonverbal no</i>	2.20%, <i>n</i> = 1	0.00%, <i>n</i> = 0	2.30%, <i>n</i> = 1
	<i>Non-verbal yes/ verbal no</i>	2.60%, <i>n</i> = 1	0.00%, <i>n</i> = 0	3.20%, <i>n</i> = 1
	<i>Passive</i>	0.00%, <i>n</i> = 0	2.30%, <i>n</i> = 1	00.0%, <i>n</i> = 0
Asexual	<i>Verbal yes Nonverbal no</i>	0.00%, <i>n</i> = 0	2.20%, <i>n</i> = 1	2.30%, <i>n</i> = 1
	<i>Non-verbal yes/ verbal no</i>	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0	3.20%, <i>n</i> = 1
	<i>Passive</i>	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0	0.00%, <i>n</i> = 0

\*Data contained within the table for age includes means and standard deviations. Standard deviations are contained within parenthesis

## Measures

**Sexual Assault Identification.** Sexual assault identification scale is a five-item measure examining the extent to which participants identify events as depicting a sexual assault. After reading a vignette, participants reviewed a series of statements. Examples include, “This scenario depicted a sexual assault,” and “The sexual interaction in this scenario was consensual.” Participants rate their agreement with the statements using 1 (strongly disagree) -7 (strongly agree) Likert scale. A total score is derived from averaging the items. Higher scores indicate higher sexual assault identification. A pilot investigation contained within Appendix C with a sample of college students demonstrated appropriate reliability ( $\alpha = .84$ ). For the present sample, reliability fell within the appropriate range ( $\alpha = .87$ ). Appendix G lists all sexual assault identification items.

**Likelihood of Reporting.** The likelihood of reporting scale is a seven-item measure examining the extent to which participants believe the female in the vignette should report. Participants were asked to rate a series of statements with the instructions: “Based on the story you read, what do you think the female student should do in this situation.” Statements reflected a wide range of reporting options including close relationships (e.g., friend), university professionals (e.g., Residence Director, professor), confidential support services (e.g., Counseling Center), and formal reporting outlets (e.g., police, Title XI office). Participants rated their agreement with each statement utilizing a 1 (Strongly disagree) - 7 (Strongly agree) Likert scale. A total score was computed utilizing the averaged total sum. Higher numbers indicate increased likelihood of reporting. A pilot study utilizing a sample of students demonstrated appropriate reliability ( $\alpha = .95$ ). The reliability for the present sample appeared to be within the appropriate bounds ( $\alpha = .92$ ). Items See Appendix G for scale items and instructions.

### **Rape Myth Acceptance – Acceptance of Modern Myths of Sexual Aggression**

(AMMSA; Gerger, Kley, Bohner, & Siebler, 2007). The Acceptance of Modern Myths of Sexual Aggression scale features 30 items intended to capture the extent to which the participant endorses subtle rape myths. Items include, “Many women tend to misinterpret a well-meant gesture as a ‘sexual assault,’” or “When a single woman invites a single man to her flat she signals that is not averse to having sex.” Items are rated on a 1 (strongly disagree) – 7 (strongly agree) Likert scale. Scores are averaged and higher scores reflect an increased acceptance of subtle rape myths. An investigation utilizing a sample of U.S. college students found evidence for convergent validity. AMMSA scores correlated with other related and established concepts including an earlier measure of Rape Myth Acceptance, Sex Role Stereotyping, and Adversarial Sexual Beliefs (Watson, 2016). Reliability coefficients from the original study reflected adequate reliability ( $\alpha = .90-95$ ). The reliability for the present sample fell within a similar range ( $\alpha = .92$ ). Items are contained within Appendix E.

**Policy Opinion.** In order to measure the participants’ perception of policy, participants responded to a qualitative item. Participants replied to the following prompt: “Please share your opinion on the policy you read earlier.” Author coded and organized responses utilizing Summative Content Analysis. For analysis, the author deployed a procedure outlined by Hsieh & Shannon (2005). See the results section for a detailed recollection of analytical procedures.

### **Materials**

**Vignettes.** Three vignettes contained the independent variable, consent communication. Author adapted the vignettes from a previous study (Loftgreen, 2014). Appendix A details the development and adaptation of the original vignettes. All vignettes followed the same series of events: a male and female student meet at an off-campus party, consume a “couple of drinks,” go

to the male student's apartment, flirt, make-out, and undress. As the male initiates sexual intercourse, the female provides a series of responses depending on the condition. In order to avoid perceptions of mixed messages, the phrase "after a couple minutes" was placed between the initial and final response. For the verbal consent / non-verbal refusal condition, the female provides initial verbal consent ("this feels really good") in response to the initiation, followed by a non-verbal refusal ("She pushes away from Chris"). For the non-verbal consent / verbal refusal condition, the female initially responds with physical consent ("She pushes her hips into Chris"), followed by a verbal refusal ("She says, 'I'm not so sure about this.'"). The passive communication condition included one response ("She lies still and doesn't say anything."). Appendix B contains the full version of the vignettes. After reading each vignette, participants completed a manipulation check rating the extent to which they perceived the female's verbal and non-verbal behavior as consensual using a 1 (Strongly Disagree) -7 (Strongly Agree) Likert scale with higher numbers indicating more level of agreement.

**Consent Policy Definitions.** Three policy iterations contained the policy consent definition independent variable. The structure and content of the definition varied depending on the condition. The affirmative consent conditions (Either / Or; Both / And) contained the policy definition of sexual assault, an affirmative consent manipulation, followed by information on the nature and limits of consent (e.g., silence does not imply consent, people under the legal age cannot provide consent). The control condition only contained a definition of sexual assault. After reading each policy, participants completed a manipulation check asking them to "summarize the university policy you read." The paragraphs below detail the development of the affirmative consent manipulation and supporting policy information.

The two definitions of affirmative consent reflected a flexible definition (consent as either verbal or non-verbal behavior) and stringent definition (consent verbal and non-verbal behavior). The author adapted the affirmative consent definition from the Affirmative Consent Project (Affirmative Consent Project, 2015), a non-profit aimed at establishing affirmative consent on a national level. The definition contained the following information: “Consent is given by (either/both) words (or/both) actions, as long as those words (or/and) actions create clear permission regarding willingness to engage in the sexual activity.” Information within the parenthesis contained the manipulations reflecting a flexible definition that defines consent as either word or behaviors, and a stringent definition that defines consent as both words and actions. Because the affirmative consent definition contains the primary manipulation, the affirmative consent definition was bolded.

The final section of the definition outlined the nature and limits of consent. This included content such as prior sexual relationship does not imply consent and mention of the legal age of consent. Definitions intended to reflect the most common elements in order to emulate a realistic university policy. The author conducted a review of university sexual misconduct policies and the California Senate Bill 967 (De Leon & Jackson, 2014). The California Senate Bill delineates consent definition components required for public universities within California. The universities reviewed included Princeton, Harvard, Columbia, Stanford, University of Chicago, M.I.T., Duke, Idaho State University, University of North Texas, University of Montana, Boston University, Antioch College, University of Iowa, University of North Carolina, and St. Louis University. Not all universities utilized affirmative consent. The author reviewed five universities containing affirmative consent policies.

After initially reading all definitions, the author developed common components of all definitions. The author re-read all policies and coded definitions into common factors. Factors included a verbal standard of consent, verbal or behavioral affirmative consent, consent required at every new level of sexual behavior, silence does not imply consent, consent as withdrawn at any period, and adequate mental facility to provide consent (i.e. sober, not asleep, and mentally sound). The author combined common elements in order to form the section describing the limitations (e.g., individuals that are unable to provide consent), and nature of consent (e.g., silence does not imply consent). Appendix H contains the consent definitions.

### **Procedures**

All procedures were approved by the Institutional Review Board. Participants were recruited through Amazon Mechanical Turk, psychology department list serves, and online communities (e.g, Reddit, Facebook). Individuals accessing the survey through Amazon Mechanical Turk were paid one dollar, and other participants were given the opportunity to enter a drawing for \$20.00. Participants completed an informed consent and demographics section. All participants completed the survey on the Qualtrics survey platform.

After completing the demographics section, participants were randomly assigned to one of three consent policy definitions (Either/ Or; Both/ And; Control). After reading through the policy, participants completed a manipulation check asking them to summarize the policy (“Please summarize the policy you read earlier.”). The Manipulation Checks and Data Cleaning section outlines the evaluation and case removal process for the policy definition manipulation check.

Participants read one of three randomly assigned vignettes (initial verbal consent followed by a nonverbal refusal; initial non-verbal consent followed by a verbal refusal; passive

communication). After reviewing the vignette, participants read a set of instructions asking them to consider the policy they read earlier and answer a set of statements containing the manipulation check and dependent variables (Likelihood of Reporting and Sexual Assault Identification). While participants answered questions, the vignette remained on the screen for reference.

In order to evaluate the effectiveness of the vignette communication manipulations, means and standard deviations for two manipulation check items were examined for each condition. The manipulation check included two statements, “Jessica’s verbal behavior was consensual,” and “Jessica’s non-verbal verbal was consensual.” Participants rated their agreement with the statements on a 1 (Strongly Disagree) to 7 (Strongly Agree) Likert scale. For the passive communication condition ( $n = 124$ ), the mean for verbal behavior was 2.63 ( $SD = 1.80$ ) and the mean for her non-verbal behavior was 4.45 ( $SD = 1.97$ ). While the non-verbal consent manipulation check was higher than expected, the mean corresponds with “neither agree or disagree.” Therefore, the means remained within an acceptable range. For the initial non-verbal consent followed by verbal refusal condition ( $n = 109$ ), the mean for non-verbal behavior was 4.70 ( $SD = 1.74$ ) and the mean for verbal behavior was 2.05 ( $SD = 1.41$ ). Participants did not perceive the female character’s verbal communication as consensual and did not agree or disagree that the female character’s non-verbal communication was consensual. This appeared to moderately reflect the intentions of the vignette. For the final condition containing an initial verbal consent followed by a non-verbal refusal, the mean for verbal behavior was 4.94 ( $SD = 1.72$ ) and the mean for non-verbal behavior was 2.40 ( $SD = 1.62$ ). This also appeared to moderately reflect the expected pattern. No changes were made to the data.



During the last portion of the questionnaire, participants answered a series of questions on their sexual history and opinions of the policy. The AMMASA (Gerger, Kley, Bohner, & Siebler, 2007) was the final measure given that previous studies have suggested a tendency for RMA to prime rape myths and influence experiment results (Bohner, Siebler, & Schmelcher, 2006). After completing the study, participants were provided a debriefing page including sexual assault statistics, bystander interventions, and hotline numbers in case of adverse reactions.

### **Manipulation Checks and Data Cleaning**

Data cleaning procedures included an initial screen of data, followed by a review of manipulation checks for the policy definition condition. A total of 1,102 unique responses were recorded before data cleaning for incomplete responses. General data screening included assessing data quality using attention checking items and eliminating participants that did not complete the survey. Once general data screening was completed a total of 530 participants remained.

The author reviewed the data set to ensure that participants encoded the necessary information from the policy intervention. In order to be considered a pass, the participant had to highlight the specific wording or nature of the definition of consent. For example, if the participant was placed within the “either / or” condition, participants had to use some indication that consent could be obtained using verbal or non-verbal behavior. A pass example included, “Affirmative consent is the clear communication by words or actions that both parties desire to continue the sexual activity.” A fail example would only discuss the definition of sexual assault, “Sexual assault is committed when a person commits a sexual act on another without the consent of the other party,” a general definition of consent, “Before engaging in sexual acts you must acquire consent,” or persons who cannot consent, “Only people of legal age, who are

physically/mentally able, sober, and physically conscious, can provide consent.” The author coded all qualitative answers. Only participants that demonstrated evidence of understanding the consent manipulation remained within the sample. Approximately 30% ( $n = 160$ ) participants did not pass the manipulation check resulting in a final sample of 369 participants.

## **CHAPTER IV RESULTS**

The results chapter reviews all data analysis completed for the primary study. The chapter consists of two major parts: Preliminary Analysis and Primary Analysis. The preliminary analysis section contains testing of all major statistical assumptions in order to run an ANCOVA. The primary analysis presents results for ANOVA and ANCOVA to answer the three primary research questions. The chapter concludes with a qualitative content analysis of a question inquiring about participant opinion of the consent policy.

### **Preliminary Analysis**

Preliminary analyses tested the assumptions needed to conduct the ANCOVA's that make up the main analyses of this study. These procedures included an evaluation of (1) the normality of dependent variable and covariate within cell and marginal means, (2) the linearity of the relationship between the covariate and dependent variables, (3) the homogeneity of variance, and (4) the homogeneity of regression.

#### **Normality**

Normality was evaluated utilizing multivariate procedures outlined by Warner (2013). Distributions of the two dependent variables (likelihood of reporting and sexual assault identification) and covariate (rape myth acceptance) were examined within each cell and marginal means. Procedures employed included mean, standard deviation, range, skewness, kurtosis, histograms, boxplots, and the Shapiro Wilks test. Results are discussed in detail below.

Overall, analysis suggested that the Likelihood of Reporting scores, Sexual Assault Identification scores, and Rape Myth Acceptance scores appeared to be sampled from a normal population distribution.

**Likelihood of Reporting.** Table 2 contains statistics related to the normalcy of the dependent variable, Likelihood of Reporting. Within individual cells, means ranged from 4.01 to 4.48 and standard deviations ranged from 0.88 – 1.41. Generally, ranges appeared within appropriate bounds. The Either / Or x Non-verbal yes / Verbal no cell (2.27 – 5.82, *SD* = 0.98) and Both / And x Non-verbal yes / Verbal no cell (2.64 – 6.09, *SD* = 0.88) appeared restricted in variance. No adjustments were made to the data set in regards to the variance of these two cells. Within each cell, there was no evidence of skewness or kurtosis assuming a +/- 1.96 cut off score (Warner, 2013). The Either / Or x Passive communication cell had a significant Shapiro Wilk's statistics (Statistic = .94, *n* = 45). No adjustments were made considering that skewness (-0.73) and kurtosis (0.20) statistics were within normal ranges and the ability for an ANOVA to adjust for non-normal distributions (Warner, 2013).

**Table 2: Descriptive Statistics for Likelihood of Reporting Scores across Conditions**

<i>Policy Condition</i>	<i>Vignette Condition</i>	<i>N</i>	<i>Mean</i>	<i>SD</i>	<i>Range</i>	<i>Skewness</i>	<i>Kurtosis</i>	<i>Shapiro Wilks</i>	<i>p</i>
Control	Passive	35	4.01	1.41	1.2 – 6.2	-0.20	-0.87	.96	.25
	Verbal Yes / Non-verbal No	30	4.48	1.30	2.0 – 7.0	-0.20	-0.30	.96	.34
	Verbal No / Non-verbal Yes	44	4.01	1.28	1.1 – 6.4	-0.09	-0.08	.99	.56
Either / Or	Passive	45	4.35	1.31	1.4 – 7.0	-0.73	0.20	.94	.01*
	Verbal Yes / Non-verbal No	38	4.31	0.98	2.3 – 5.8	-0.24	-0.65	.96	.24
	Verbal No / Non-verbal Yes	46	4.33	1.20	1.1 – 7.0	-0.15	0.35	.98	.83
Both / and	Passive	44	4.28	1.38	1.6 – 6.5	-0.24	-0.91	.96	.14
	Verbal Yes / Non-verbal No	40	4.25	0.88	2.6 – 6.1	0.09	-0.53	.98	.62
	Verbal No / Non-verbal Yes	45	4.24	1.14	1.1 – 6.3	-1.05	0.93	.91	.01*

**Table 2 continued**

<i>Marginal Means</i>	<i>N</i>	<i>Mean</i>	<i>SD</i>	<i>Range</i>	<i>Skewness</i>	<i>Kurtosis</i>	<i>Shapiro Wilks</i>	<i>p</i>
Control	109	4.12	1.33	1.1 – 7.0	-0.98	-0.52	.99	.38
Either / Or	129	4.33	1.18	1.2 – 7.0	-0.43	0.19	.98	.05
Both / And	130	4.27	1.15	1.1 – 6.6	-0.46	-0.77	.97	.03
Passive	124	4.23	1.36	1.3 – 7.0	-0.39	-0.64	.97	.01*
Verbal Yes / Non-verbal No	108	4.33	1.03	2.0 – 7.0	-0.54	-0.26	.99	.65
Verbal No / Non-verbal Yes	135	4.20	1.21	1.1 – 7.0	-0.32	0.15	.98	.18

\*Significant at a  $p < .01$  level

Most of the marginal means appeared normally distributed with means ranging from 4.12 to 4.33, standard deviations ranging from 1.13 to 1.38, and skewness and kurtosis falling within normal limits. There was some evidence suggesting a non-normal distribution within the passive vignette condition (Shapiro Wilk's Statistic = .96,  $n = 124$ ,  $p < .01$ ). Because skewness (-0.54) and kurtosis (-0.64) statistics appear within the normal range, there were no transformations to the scores.

**Sexual Assault Identification.** Table 3 contains descriptive statistics for the Sexual Assault identification scale by cell and marginal means. Means within each cell ranged from 4.24 to 4.95 with standard deviations of 1.15 to 1.64. Similarly, ranges appeared within appropriate bounds. Skewness and Kurtosis statistics did not reach exceed +/-1.96 and Shapiro Wilk's statistic were not significant. Overall, the sexual assault identification scores contained within each cell appeared to be normally distributed.

Means for the policy conditions and vignette conditions appeared appropriate. Average scores ranged from 4.45 to 4.66 with standard deviations ranging from 1.32 to 1.53. Ranges did not appear to be restricted. There was no evidence of skewness or kurtosis. The marginal mean for the Non-verbal Yes/ Verbal No condition was significant utilizing the Shapiro Wilk's test (Statistic = .97,  $n = 124$ ,  $p < .01$ ). Because skewness (-0.25) and kurtosis (-0.73) statistics

appears within normal bounds and cell means appeared normally distributed, no transformations to the data will be made.

**Table 3: Descriptive Statistics for Sexual Assault Identification Scores across Conditions**

<i>Policy Condition</i>	<i>Vignette Condition</i>	<i>N</i>	<i>Mean</i>	<i>SD</i>	<i>Range</i>	<i>Skewness</i>	<i>Kurtosis</i>	<i>Shapiro Wilks</i>	<i>p</i>
Control	Passive	35	4.24	1.5	1.2 – 7.0	-0.47	-0.91	.97	.52
	Verbal Yes / Non-verbal No	30	4.64	1.5	2.0 – 7.0	-1.10	-1.14	.94	.14
	Verbal No / Non-verbal Yes	44	4.48	1.4	1.2 – 7.0	-0.15	-0.59	.98	.60
Either / Or	Passive	45	4.95	1.3	1.4 – 7.0	-0.55	0.13	.95	.07
	Verbal Yes / Non-verbal No	38	4.47	1.2	2.0 – 7.0	-0.37	-0.53	.99	.88
	Verbal No / Non-verbal Yes	46	4.50	1.3	1.2 – 6.8	-0.21	-0.45	.98	.58
Both / and	Passive	44	4.39	1.6	1.0 – 7.0	-0.07	-0.89	.96	.17
	Verbal Yes / Non-verbal No	40	4.33	1.2	2.2 – 6.8	0.34	-0.34	.97	.45
	Verbal No / Non-verbal Yes	45	4.59	1.4	1.6 – 7.0	-0.18	-0.40	.98	.62
<i>Marginal Means</i>		<i>N</i>	<i>Mean</i>	<i>SD</i>	<i>Range</i>	<i>Skewness</i>	<i>Kurtosis</i>	<i>Shapiro Wilks</i>	<i>p</i>
Control		109	4.45	1.5	1.2 – 7.0	-0.11	-0.87	.97	.02
Either / Or		129	4.66	1.3	1.2 – 7.0	-0.24	-0.44	.98	.07
Both / and		130	4.45	1.4	1.0 – 7.0	-0.33	-0.55	.98	.09
Passive		124	4.55	1.5	1.0 – 7.0	-0.25	-0.73	.97	.01*
Verbal Yes / Non-verbal No		108	4.46	1.3	2.0 – 7.0	0.12	-0.74	.97	.04
Verbal No / Non-verbal Yes		135	4.53	1.3	1.2 – 7.0	-0.18	-0.53	.98	.11

\*Significant at a  $p < 0.01$  level

**Rape Myth Acceptance.** Table 4 contains all the descriptive data for Rape Myth Acceptance (RMA) by cells and across conditions. Across cells, RMA appeared to be normally distributed. Means ranged from 2.88 to 3.21 with standard deviations ranging from 0.80 to 0.99. Ranges did not appear restricted. Skewness and kurtosis statistics were in the acceptable range and the Shapiro Wilk's tests were non-significant. Data for marginal means followed a similar pattern. Means ranged from 2.86 to 3.00 with standard deviations ranging from 0.78 to 0.87. Ranges did not appear restricted. Distributions appeared normal as evident by appropriate skewness and kurtosis statistics and non-significant Shapiro Wilk's statistic.

**Table 4: Descriptive Statistics for Rape Myth Acceptance Scores across conditions**

<i>Policy Condition</i>	<i>Vignette Condition</i>	<i>N</i>	<i>Mean</i>	<i>SD</i>	<i>Range</i>	<i>Skewness</i>	<i>Kurtosis</i>	<i>Shapiro Wilks</i>	<i>p</i>
Control	Passive	35	2.92	1.20	1.6 – 4.3	-0.22	-0.94	.97	.52
	Verbal Yes / Non-verbal No	30	2.94	0.80	1.4 – 5.0	-0.30	-0.71	.98	.85
	Verbal No / Non-verbal Yes	44	2.85	0.99	1.2 – 5.0	0.26	-0.52	.97	.38
Either / Or	Passive	45	2.95	0.79	1.4 – 4.5	-0.22	-0.70	.96	.16
	Verbal Yes / Non-verbal No	38	3.21	0.70	1.7 – 4.3	-0.42	-0.63	.96	.20
	Verbal No / Non-verbal Yes	46	2.80	0.86	1.1 – 4.3	0.73	-0.72	.96	.26
Both / and	Passive	44	3.00	0.85	1.5 – 4.6	0.10	-0.81	.97	.77
	Verbal Yes / Non-verbal No	40	2.83	0.82	1.2 – 4.4	-0.11	-0.68	.93	.44
	Verbal No / Non-verbal Yes	45	2.88	0.78	1.6 – 4.7	0.06	-0.57	.97	.40
<i>Marginal Means</i>		<i>N</i>	<i>Mean</i>	<i>SD</i>	<i>Range</i>	<i>Skewness</i>	<i>Kurtosis</i>	<i>Shapiro Wilks</i>	<i>p</i>
Control		109	2.90	0.85	1.2 – 5.0	0.19	-.47	.98	.33
Either / Or		129	2.99	0.78	1.1 – 4.5	-0.19	-.71	.98	.07
Both / and		130	2.91	0.81	1.2 – 4.7	0.05	-.69	.98	.14
Passive		124	2.96	0.79	1.4 – 4.6	-0.20	-.73	.98	.04
Verbal Yes / Non-verbal No		108	3.00	0.79	1.2 – 4.9	-0.13	-.57	.98	.40
Verbal No / Non-verbal Yes		135	2.86	0.87	1.1 – 5.0	0.15	-.60	.99	.18

### Linear Relationship between Covariate and Dependent Variables

In order for the RMA (Rape Myth Acceptance) to function as a covariate, there needs to be an established relationship between RMA and the dependent variables (Likelihood of Reporting and Sexual Assault Identification). Scatter plots and correlation coefficients were generated in order to explore the appropriateness of RMA as a covariate. Correlation coefficients are contained within Table 5. Figures 3 – 8 contain scatterplots for Likelihood of Reporting in total and by each level of the independent variable. The scatterplot between RMA and Likelihood of Reporting scores (Figure 3) appears to have somewhat of a linear trend. Patterns within each level of the independent variable do contain some scatter (Figures 4-8). Overall, there is a moderate negative correlation between RMA and Likelihood of Reporting ( $r = -.31, N = 369, p < .01$ ). Based on the data, it appears that there is a sufficient linear relationship between

Likelihood of Reporting scores and Rape Myth Acceptances scores to support the use of RMA as a covariate.

**Table 5: Correlations between dependent variables and covariate.**

<i>Measure</i>	<i>Mean</i>	<i>SD</i>	<i>1</i>	<i>2</i>
1. AMASA*	2.93	0.87		
2. Sexual Assault Identification	4.51	1.38	-.39**	
3. Likelihood of reporting	4.25	1.21	-.31**	.65**

\*AMASA – Acceptance of Modern Myths of Sexual Aggression functioned as the measure of Rape Myth Acceptance \*\*p < 0.01

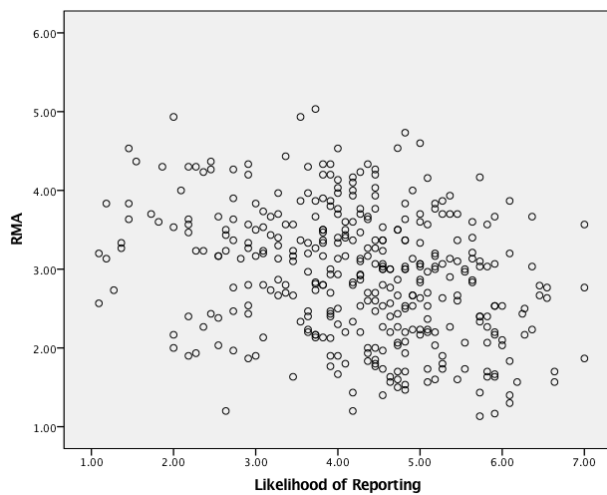


Figure 3. Scatterplot Between Scores on the AMASA (RMA) and Likelihood of Reporting Scale

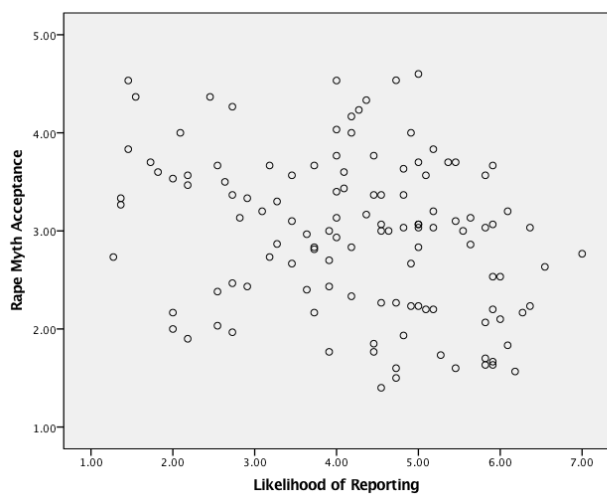


Figure 4. Scatter plot Between Scores on the AMASA (RMA) and Likelihood of Reporting for those in the passive consent condition.



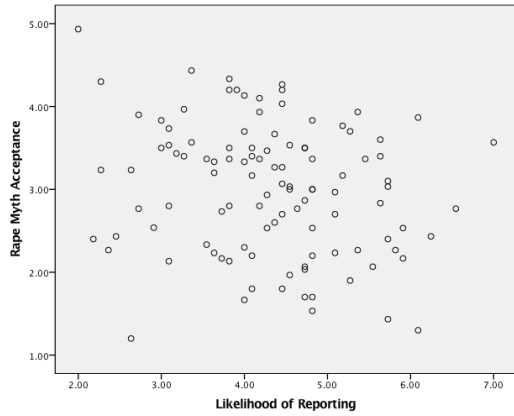


Figure 5. Scatter plot Between Scores on the AMASA (RMA) and Likelihood of Reporting for those in the Non-verbal no / Verbal yes condition

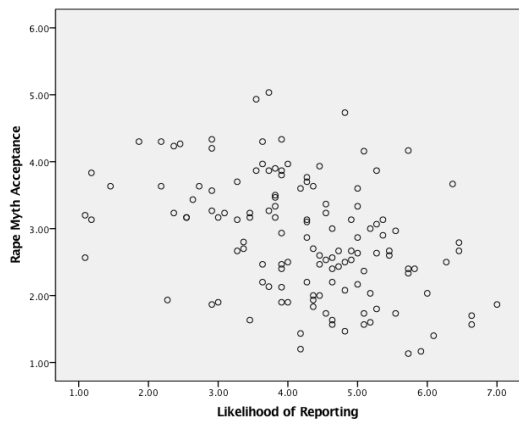


Figure 6. Scatter plot Between Scores on the AMASA (RMA) and Likelihood of Reporting for those in the Non-verbal yes / Verbal no condition

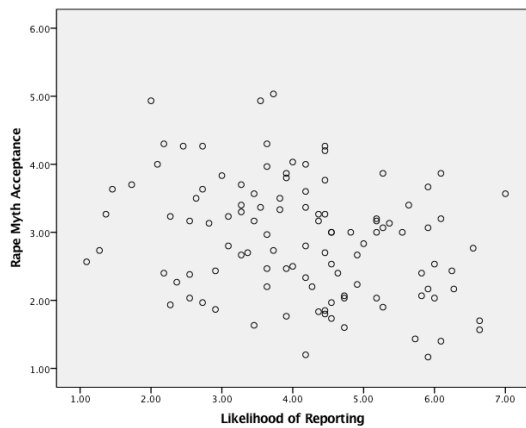


Figure 7. Scatter plot Between Scores on the AMASA (RMA) and Likelihood of Reporting for the policy control condition

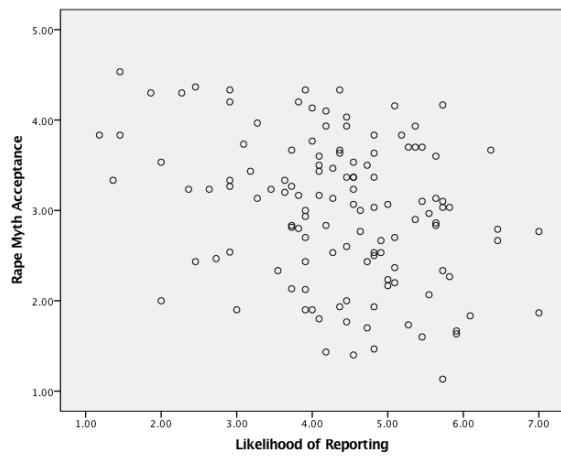


Figure 8. Scatter plot Between Scores on the AMASA (RMA) and Likelihood of Reporting for the Either / Or Affirmative Consent Policy condition

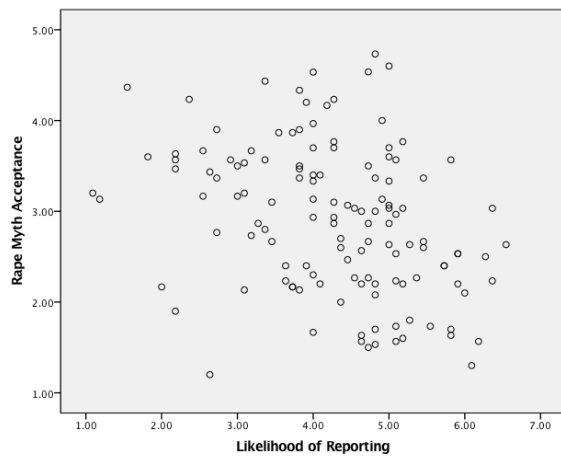


Figure 9. Scatter plot Between Scores on the AMASA (RMA) and Likelihood of Reporting for the Both / And policy condition

Scatterplots for sexual assault identification are present in figures 10-16. A similar pattern can be observed with the relationship between sexual assault identification and RMA. The scatterplot (Figure 10) appears to have a loose linear relationship. This can also be observed within the scatter plots for each level of the independent variable (Figures 11-16). This was supported by the correlation coefficient ( $r = -.39, N = 369, p < .01$ ), suggesting a moderate negative correlation. Based on the correlational data, it appears that there is enough evidence to suggest a linear relationship between the co-variate and Sexual Assault Identification scores.

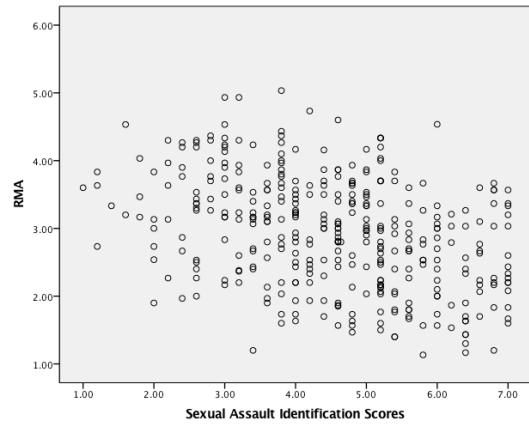


Figure 10. Scatterplot between scores on the AMASA (RMA) and Sexual Assault Identification

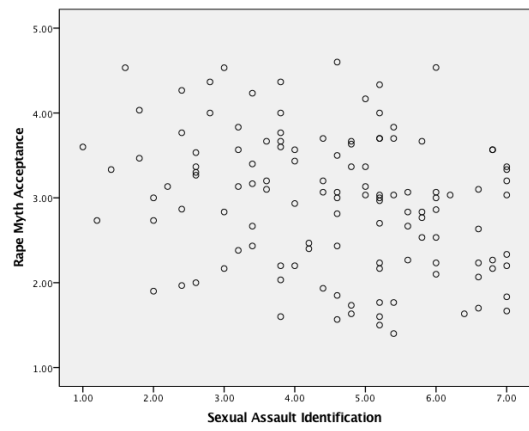


Figure 11. Scatterplot between scores on the AMASA (RMA) and Sexual Assault Identification for the Passive vignette condition

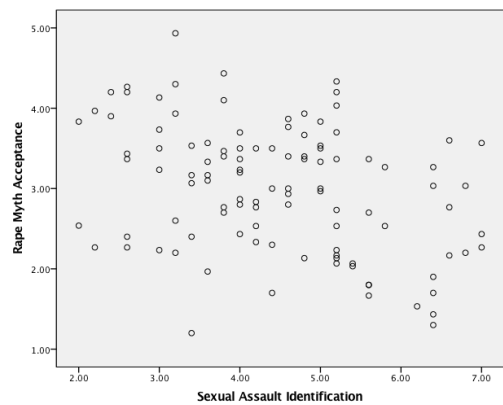


Figure 12. Scatterplot between scores on the AMASA (RMA) and Sexual Assault Identification for the Non-verbal no / Verbal yes condition

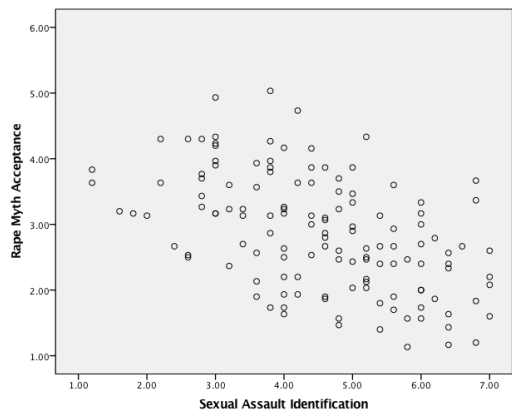


Figure 13. Scatterplot between scores on the AMASA (RMA) and Sexual Assault Identification for the Non-verbal yes / Verbal no condition

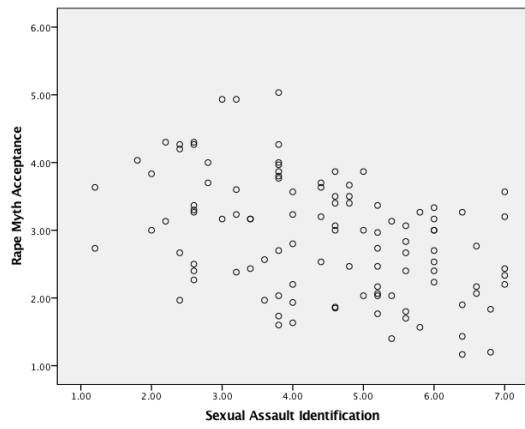


Figure 14. Scatterplot between scores on the AMASA (RMA) and Sexual Assault Identification for the control policy condition

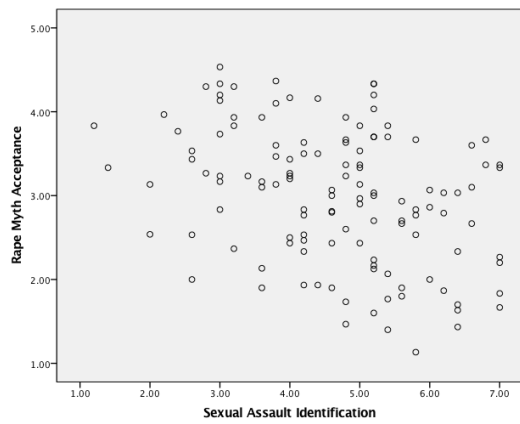


Figure 15. Scatterplot between scores on the AMASA (RMA) and Sexual Assault Identification for the Either / or policy condition

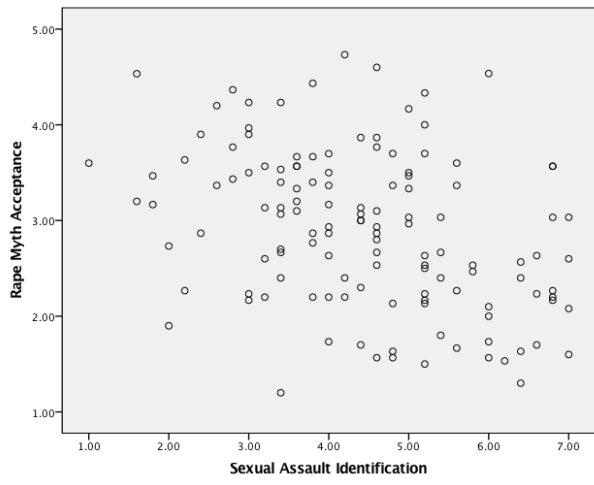


Figure 16. Scatterplot between scores on the AMASA (RMA) and Sexual Assault Identification for the Both / And policy condition

### Homogeneity of Variance

Homogeneity of variance was examined by conducting two-way ANOVAs for the dependent variables and examining the results of the Levene's test. The Levene's test was non-significant ( $F[8, 359] = 1.71, p = .94$ ) for Likelihood of Reporting scores. The Levene's test for Sexual Assault Identification was also non-significant ( $F[8, 359] = 1.39, p = .20$ ). There is no evidence of differing variance across all levels of both the dependent variables suggesting that the assumption of homogeneity of variance is met.

### Examination of confounds between the independent variables

In order to ensure that the covariate is not systematically different across levels of the independent variables, two-way ANOVAs for each independent variable with RMA as the dependent variable were conducted. The mean values of RMA scores did not differ significantly across vignette conditions,  $F(2,8) = 0.93, p = .40$ , or consent policy definition conditions,  $F(2,8) = 0.59, p = .55$ , or interactions between vignette and consent policy definition conditions,  $F(4,8)$

= 0.82,  $p = .51$ ). It does not appear that RMA scores were confounded across or within any of the conditions.

### **Homogeneity of Regression Slopes**

In order to ensure that there was no interaction between the covariate and conditions, a two way ANCOVA custom model was conducted. The model explored interaction terms for each independent variable and the covariate for both dependent variables. Interaction terms included consent policy definition x vignette, consent policy definition x vignette x RMA, vignette x RMA, and consent policy definition x RMA. For Sexual Assault Identification, there did not appear to be any evidence of differences of regression slopes between vignette x consent policy definition ( $F[8, 17] = 0.63, p = .75$ ), consent policy definition x RMA, ( $F[2, 17] = 0.82, p = .44$ ), vignette x RMA, ( $F[2, 17] = 0.24, p = .79$ ), and vignette x consent policy definition x RMA ( $F[4, 17] = 0.56, p = .69$ ). It appears that the assumption for homogeneity of variance for Sexual Assault Identification has been met. For Likelihood of Reporting, there did not appear to be any evidence of difference of regression slopes between consent policy definition x vignette ( $F[8, 17] = 0.42, p = .91$ ), consent policy definition x RMA ( $F[2, 17] = 1.16, p = .32$ ), vignette x RMA ( $F[2, 17] = 0.04, p = .97$ ), and consent policy definition x vignette x RMA ( $F[4, 17] = 0.29, p = .89$ ). Based on these results, it appears that the assumption for homogeneity of regression has been met for Likelihood of Reporting.

### **Primary Analysis**

Two Factorial ANOVAs and Two Factorial ANCOVAs were conducted in order to examine the results of the primary analysis. Both ANOVA's and ANCOVA's were employed per recommendations of Warner (2013). Results are organized by research questions and hypothesis as outlined in Chapter Two.

## Research Question I

Research question one aimed to determine whether affirmative consent policy definitions increase Likelihood of Reporting and Sexual Assault Identification scores compared to no consent policy. It was hypothesized that both levels of the affirmative consent policy definitions (Both / And and Either / Or) were expected to result in higher Sexual Assault Identification and higher Likelihood of Reporting when compared to the Consent Policy Control Condition, regardless of the consent communication vignette conditions and RMA. Both an ANOVA and ANCOVA were conducted to examine main effects when controlling for Rape Myth Acceptance scores, per recommendations of Warner (2013).

**Sexual Assault Identification.** In conducting a two way factorial ANOVA, there was no evidence of a main effect for any policy for Sexual Assault Identification,  $F(2,358) = 0.89, p = .41, \eta_p^2 = 0.01$ . Relevant statistical data including F values, p-values, partial eta square, and marginal means are contained within Table 6. Controlling for RMA did not produce a main effect of policy conditions on Sexual Assault Identification,  $F(2,358) = 1.79, p = .17, \eta_p^2 = 0.01$ . See Table 7 for data. RMA scores did account for a statistically significant amount of variance in Sexual Assault Identification scores,  $F(1,367) = 63.4, p < .001, \eta_p^2 = 0.15$  Based on the results of both the ANOVA and ANCOVA, it appears that Hypothesis I is not supported for Sexual Assault Identification. This means that exposure to an affirmative consent policy did not produce changes in Sexual Assault Identification scores, even after controlling for RMA.

**Table 6: ANOVA for the factors policy and consent communication with sexual assault identification as the DV**

<i>Main Effect</i>	<i>F</i>	<i>p</i>	$\eta_p^2$	<i>M<sub>group1</sub></i>	<i>M<sub>group2</sub></i>	<i>M<sub>group3</sub></i>
Policy	0.89	0.41	0.01	4.45	4.66	4.44
Vignette	0.05	0.97	0.00	4.55	4.47	4.53
Policy x Vignette	1.29	0.27	0.01			

Note. Factors for policy: group 1 = control, group 2 = either / or, group 3 = both/and; Factors for vignette: group 1 = passive consent, group 2 = non-verbal yes/verbal no, group 3 = verbal yes/non-verbal no

**Table 7: ANCOVA for the factors policy and consent communication with sexual assault identification as the DV and rape myth acceptance as the covariate**

<i>Main Effect</i>	<i>F</i>	<i>p</i>	$\eta_p^2$	<i>M<sub>group1</sub></i>	<i>M<sub>group2</sub></i>	<i>M<sub>group3</sub></i>
Policy	1.79	.17	0.01	4.44	4.69	4.42
Vignette	0.07	.93	0.00	4.54	4.53	4.48
Policy x Vignette	1.48	.21	0.01			
<i>Covariate</i>	<i>F</i>	<i>p</i>	$\eta_p^2$			
AMASA	63.4	0.00	0.15			

Note. Factors for policy: group 1 = control, group 2 = either / or, group 3 = both/and; Factors for vignette: group 1 = passive consent, group 2 = non-verbal yes/verbal no, group 3 = verbal yes/non-verbal no

**Likelihood of Reporting.** There was no evidence of a main effect for any consent policy definition for Likelihood of Reporting scores ( $F[2, 358] = 0.63, p = .53, \eta_p^2 = 0.01$ ). Table 8 contains statistical data from the ANOVA. A factorial ANCOVA was conducted to see the effect of consent policy definition on Likelihood of Reporting after controlling for RMA. Results were non-significant, ( $F[2,358] = 1.12, p = .33, \eta_p^2 = 0.01$ ). Relevant data is contained in Table 9. RMA scores did account for a significant amount of variance in Likelihood of Reporting scores, ( $F[1,367] = 39.9, p < .001, \eta_p^2 = 0.10$ ). There was no evidence in either the ANOVA or ANCOVA that any consent policy definition had an impact on Likelihood of Reporting scores. Hypothesis I was not supported for Likelihood of Reporting.

**Table 8: ANOVA for the factors policy and consent communication with likelihood of reporting as the DV**

<i>Main Effect</i>	<i>F</i>	<i>p</i>	$\eta_p^2$	<i>M<sub>group1</sub></i>	<i>M<sub>group2</sub></i>	<i>M<sub>group3</sub></i>
Policy	0.63	.53	0.01	4.13	4.33	4.26
Vignette	0.40	.67	0.00	4.23	4.32	4.20
Policy x Vignette	0.52	.73	0.01			

Note. Factors for policy: group 1 = control, group 2 = either / or, group 3 = both/and; Factors for vignette: group 1 = passive consent, group 2 = non-verbal yes/verbal no, group 3 = verbal yes/non-verbal no



**Table 9: ANCOVA for the factors policy and consent communication with likelihood of reporting as the DV and rape myth acceptance as the covariate**

<i>Main Effect</i>	<i>F</i>	<i>p</i>	$\eta_p^2$	<i>M<sub>group1</sub></i>	<i>M<sub>group2</sub></i>	<i>M<sub>group3</sub></i>
Policy	1.18	.33	0.01	4.14	4.37	4.25
Vignette	0.88	.42	0.01	4.22	4.36	4.16
Policy x Vignette	0.60	.33	0.01			
<i>Covariate</i>	<i>F</i>	<i>p</i>	$\eta_p^2$			
AMASA	39.9	.00	0.10			

Note. Factors for policy: group 1 = passive consent, group 2 = non-verbal yes/verbal no, group 3 = verbal yes/non-verbal no; Factors for vignette: group 1 = passive, group 2 = either / or, group 3 = both/and

## Research Question II

Research question two sought to examine which version of affirmative consent policy definition performs better in terms of increased Sexual Assault Identification and Likelihood of Reporting scores. It was expected that post hoc analysis would demonstrate that the highest rating of Sexual Assault Identification and Likelihood of Reporting would occur for those exposed to the affirmative consent Either / Or policy definition condition. In order to evaluate the data in light of Hypothesis II, marginal means of policy are examined across conditions and are discussed utilizing adjusted means from the ANCOVA. Post-hoc analyses were conducted utilizing Bonferroni Pair Wise comparisons.

**Sexual Assault Identification.** Marginal means for Sexual Assault Identification scores are contained within Table 6 and mean Sexual Assault Identification scores by consent policy definitions are graphed on Figure 17. Adjusted marginal means for Sexual Assault Identification scores appeared to perform in the expected pattern. Individuals exposed to the Either / Or policy across vignettes had the highest sexual assault identification scores ( $M = 4.69, n = 169$ ). Individuals exposed to the control policy ( $M = 4.44, n = 110$ ) and Both / And policy ( $M = 4.42, n = 129$ ) scored within similar ranges across vignette conditions.

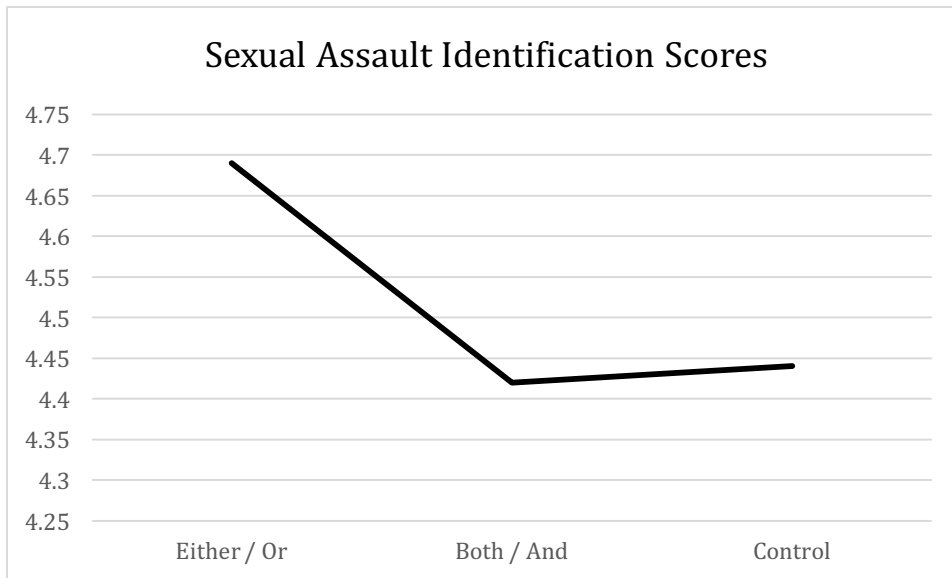


Figure 17. Sexual Assault Identification scores by policy condition

Post Hoc Bonferroni Pair Wise comparisons were conducted to examine if Sexual Assault Identification scores within the Either / Or consent policy definition condition were significantly different than Both / And consent policy definition and control definition. Sexual Assault Identification Scores in the Either / Or condition ( $M = 3.69$ ) were not significantly higher than the Control Condition ( $M = 4.43$ ),  $p = .37$ . Sexual Assault Identification scores within the Either / Or condition ( $M = 4.69$ ) were also not significantly higher than the Both / And condition ( $M = 4.21$ ),  $p = .27$ . Based on the post-hoc analysis, there was no support for the second hypothesis. This means that being exposed to a consent policy definition defining consent as either verbal or non-verbal behaviors did not increase Sexual Assault Identification scores.

**Likelihood of Reporting.** Marginal means for Likelihood of Reporting are depicted in Table 8 and means for Likelihood of Reporting organized by consent policy definitions are graphed within Figure 18. Similar to Sexual Assault Identification, individuals exposed to the Either / Or policy tended to have the highest Likelihood of Reporting scores ( $M = 4.37$ ,  $n = 129$ ).

Individuals exposed to the control policy tended to have the lowest score ( $M = 4.14$ ,  $n = 110$ ) and individuals exposed to the Both / And policy fell in between ( $M = 4.25$ ,  $n = 129$ ).

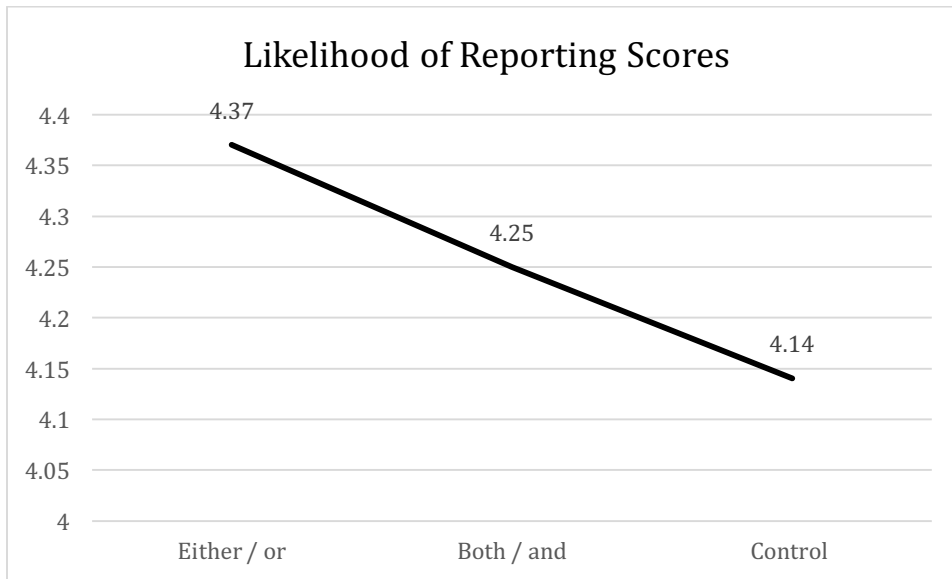


Figure 18. Likelihood of Reporting scores by policy condition

Post-hoc Bonferroni pairwise comparisons were utilized to examine if Likelihood of Reporting scores were significantly different within the Either / Or policy definition condition as compared to the Both / And policy and control policy. Likelihood of Reporting scores within the Either / Or condition ( $M = 4.37$ ) were not significantly different from the Control condition ( $M = 4.14$ ),  $p = .41$ . Similarly, Likelihood of Reporting scores within the Either / Or condition ( $M = 4.37$ ) were not significantly different from the Both / And condition ( $M = 4.25$ ),  $p = 1.0$ . Based on the post-hoc pairwise comparisons, there is no evidence suggesting that being exposed to the Either / Or consent policy definition contributed to higher Likelihood of Reporting scores.

### Research Question III:

Research Question III aimed to explore how affirmative consent policy definitions intersect with varied expression of consent communication within vignettes. It was expected that compared to other combinations, Affirmative Both / And would produce higher Sexual Assault

Identification and Likelihood of Reporting scores with a vignette depicting passive consent communication. Results are discussed below in light of sexual assault identification and likelihood of reporting scores by reviewing interaction effects and patterns of means. Post-hoc analysis was conducted utilizing a two independent samples t-tests with participants exposed to passive communication vignette assuming a Bonferroni adjustment of  $p < .025$ . The first t-test compared the Either / Or policy definition to the Both / And policy definition condition. The second t-test compared the Both / And policy definition to the Control policy definition.

**Sexual Assault Identification.** A two way ANOVA did not produce a significant interaction effect for Sexual Assault Identification scores,  $F(4,358) = 2.50, p = .27, \eta_p^2 = 0.01$ . This was also reflected in the ANCOVA. When controlling for RMA, there was no evidence of an interaction effect,  $F(4, 358) = 1.48, p = .17$ . Adjusted means are contained within Table 10. No individual policy performed best across all consent conditions. Within the passive consent conditions, the Either/ Or policy performed the best ( $M = 4.96$ ) contrary to the expectation that Both / And ( $M = 4.43$ ) would perform best. The control condition ( $M = 4.65$ ) and Either / Or condition ( $M = 4.66$ ) performed equally on the non-verbal yes/verbal no vignette. Finally, the Both / And policy ( $M = 4.56$ ) performed best for the verbal yes/non-verbal no policy.

Post-hoc independent samples t-tests were utilized to examine whether or not being exposed to the Both / And policy condition produced a significantly different Sexual Assault Identification scores within the passive communication vignette. The first independent t-test compared mean Sexual Assault Identification scores for the Either / Or consent policy definition condition and Both / And consent policy definition. There was no significant difference between the Either / Or consent policy definition ( $M = 4.95, SD = 1.34, n = 45$ ) and Both / And consent policy definition ( $M = 4.39, SD = 1.63, n = 44$ ) for those in the Passive consent condition,  $t(87) =$

1.77,  $p = .08$ . The second independent samples t-test compared mean Sexual Assault Identification scores for the Both / And consent policy definition condition and Control consent policy definition condition for individuals within the passive consent condition. There were no significant differences on Sexual Assault Identification scores for the Control condition ( $M = 4.24$ ,  $SD = 1.56$ ,  $n = 35$ ) and Both / And consent policy definition ( $M = 4.39$ ,  $SD = 1.64$ ,  $n = 44$ ),  $t(77) = -0.42$ ,  $p = .68$ . Based on the pattern of means, ANOVA, ANCOVA, and post-hoc testing, there was no support for Hypothesis III in any form, meaning that exposure to a Both / And consent policy definition did not produce a change in Sexual Assault Identification scores within a vignette featuring passive communication.

**Table 10: Adjusted Means Sexual Assault Identification means across both independent variables**

<i>Condition</i>	Passive Consent	Non-verbal yes / Verbal no	Verbal yes / Non-verbal no
Control	4.23	4.65	4.43
Either / Or	4.96	4.66	4.47
Both / And	4.43	4.28	4.56

**Likelihood of Reporting.** There was no evidence of an interaction effect for Likelihood of Reporting scores within a two way ANOVA,  $F(4,358) = 0.77$ ,  $p = .73$ ,  $\eta_p^2 = 0.01$ . Controlling for RMA did not produce a significant interaction effect for Likelihood of Reporting scores,  $F(4,358) = 0.77$ ,  $p = .73$ . Unlike Sexual Assault Identification, there was one policy that performed best across all three conditions for Likelihood of Reporting. The Either / Or policy produced the highest means for the passive communication vignette ( $M = 4.31$ ), non-verbal yes / verbal no vignette ( $M = 4.46$ ), and verbal yes / non-verbal no vignette ( $M = 4.30$ ).

Two independent samples t-test were conducted to compare Likelihood of Reporting scores within the passive communication condition. The first independent samples t-test compared mean Likelihood of Reporting scores between the Either / Or consent policy definition

condition and Both / And policy definition condition. There were no significant differences on Likelihood of Reporting between the Either / Or consent policy definition condition ( $M = 4.35$ ,  $SD = 1.32$ ,  $n = 45$ ) and the Both / And consent policy definition condition ( $M = 4.28$ ,  $SD = 1.39$ ,  $n = 45$ ),  $t(87) = 0.23$ ,  $p = .82$ . The second independent sample t-test compared mean Likelihood of Reporting scores for the Both / And policy consent condition and control policy consent condition. There were no significant differences on Likelihood of Reporting scores for the control condition ( $M = 4.01$ ,  $SD = 1.42$ ,  $n = 35$ ) and Both / And condition ( $M = 4.28$ ,  $SD = 1.39$ ,  $n = 44$ ),  $t(77) = 0.86$ ,  $p = .39$ . Based on the examination of the means, ANOVA, ANCOVA, and post-hoc testing, there was no support for hypothesis III. This means that exposure to the Both / And policy did not produce changes in Likelihood of Reporting scores for individuals in the Passive consent condition.

**Table 11 Adjusted Likelihood of Reporting means across both independent variables**

<i>Condition</i>	Passive Consent	Non-verbal yes / Verbal no	Verbal yes / Non-verbal no
Control	4.00	4.44	3.98
Either / Or	4.36	4.46	4.30
Both / And	4.31	4.21	4.22

### Power Analysis

Power analysis was conducted before data collection in order to determine the sample size needed for a two way ANCOVA assuming a medium effects size. While there were enough participants to detect a medium effects size, the effect of the actual interventions may have been small. Posthoc power analysis was conducted utilizing the statistical package G\*Power for the actual power of the sample when utilizing an ANCOVA. The effects size for a policy main effect for likelihood of reporting and sexual assault identification had the same effects size value ( $\eta_p^2 = 0.01$ ). Only one power analysis was performed considering that all relevant data remained the

same. Given an effects size  $F$  (Statistic = 0.10) and alpha of .05, the observed power within the sample was low (statistic = 0.27).

### **Qualitative Data Analysis**

Participants answered a question regarding their opinion of the consent policy definition (“Please share your opinion of the policy you read earlier.”). Of the 369 participants, 13.6% ( $n = 50$ ) did not provide a response. The remaining responses were coded and analyzed utilizing summative content analysis. Data analysis followed procedures outlined by Hsieh and Shannon (2005). The author reviewed all responses to generate initial ideas of themes. Adaptation of the initial themes occurred by reading five random responses from each condition in order to generate content themes. The author then read each response and coded under the general themes and subcategories under each theme. As new themes emerged, the author made a note describing the new content. New content notes were integrated into novel or existing themes. Rates of themes were generated into percentages. Content analysis functions as means to gauge how student’s opinions may have interacted with the application of the policy. In order to function in this manner, content analysis is discussed within each condition. Table 12 contains descriptive statistics across conditions.

**Control Definition.** Individuals in the control definition read a policy containing a definition of sexual assault with a vague mention of consent. A small portion of the sample did not have an opinion regarding the policy ( $n = 16$ , 14.5%). The remaining ninety-four responses are discussed below. Approximately one quarter of the participants perceived the policy as vague ( $n = 27$ , 24.5%). Participants provided four reasons for perceiving the policy as vague. A small portion of the sample ( $n = 7$ , 6.4%) referred to the policy as generally vague (“I thought the policy was slightly vague and left some gray area for misinterpretation”). A larger portion ( $n =$

15, 13.6%) noted that the definition of sexual assault appeared limited to intercourse (“It excluded oral sex and other unwanted touches from its definition of sexual assault.”). One participant (0.9%) expressed concern regarding a lack of resources for victims (“I think the policy touched on everything but actions you should take if you’ve been sexually harassed.”).

**Table 12: Summative Content Analysis Themes by condition**

Theme	Sub-Category	Control Definition <i>n</i> = 110		Either / Or <i>n</i> = 129		Both / And <i>n</i> = 130	
		Percent	<i>n</i>	Percent	<i>n</i>	Percent	<i>n</i>
No		14.5%	16	12.4%	16	13.8%	18
Vague		24.5%	27	15.0%	17	14.6%	19
	Generally Vague	6.4%	7	6.2%	8	6.9%	9
	Sexual Assault Definition	13.6%	15	6.2%	8	6.2%	8
	Reporting Resource	0.9%	1	0.8%	1	1.5%	2
	Other	0.0%	4	0.0%	0	0.0%	0
<b>General Opinion</b>							
	Disagree	1.8%	2	0.8%	1	0.8%	1
	Agree, But	10.0%	11	4.7%	6	12.3%	16
	Agree	35.5%	39	45.7%	59	54.6%	71
	Fine	5.5%	6	3.9%	5	3.1%	4
<b>Opinion on Consent</b>		20.0%	22	38.0%	49	20.0%	26
	For	0.0%	0	18.6%	24	10.0%	13
	Against	20.0%	22	19.4%	25	10.0%	13
<b>Reasons</b>							
	Vague	14.5%	19	3.9%	5	5.4%	7
	Either word or actions	0.0%	0	3.1%	4	0.8%	1
	Both words or actions	0.0%	0	3.1%	4	5.4%	7
	Just Words	0.0%	0	11.6%	15	2.3%	3
	Other	2.7%	3	3.1%	4	1.5%	2
<b>Other</b>							
	Alcohol	2.7%	3	1.6%	2	0.8%	1
	Loopholes	1.8%	2	1.6%	2	0.8%	1
	Standard	0.0%	0	0.8%	1	3.1%	4
	Other	3.6%	4	4.7%	6	3.1%	4

Four general categories of general opinion emerged including disagreement with the policy, referring to the policy as good or agreeable but with reservations, indicating agreement with the policy, and referring to the policy as fine. Few participants disagreed with the policy (*n* = 2, 1.8%; “I disagree with the policy I read earlier.”). A smaller portion described the policy as



fine ( $n = 6$ , 5.5%; “Its fine.”), or indicated agreement with reservations ( $n = 11$ , 10.0%; “I think it is a good policy currently, but I also believe that many people aren’t going to know about it or respect it.”). Majority of participants agreed with the policy or described it as good ( $n = 39$ , 35.5%; “I agree with it,” or “I liked that policy.”).

Approximately twenty percent of participants ( $n = 22$ ) endorsed an opinion on the policies perspective on consent. None of the participants agreed with the policy ( $n = 0$ ). Of those who noted a critique of the consent portion of the policy, majority described the policy as vague ( $n = 19$ ; 14.5%). Example critiques included “Should have defined consent and explained it,” or “I think the policy is not as descriptive as what consent is.” Other comments ( $n = 3$ , 2.7%) included mentioning that the policy does not address withdrawal of consent, or vague comments on victim responsibility. Comments that did not fit within the larger categories included expressing concern about loopholes within the policy ( $n = 2$ , 1.8%), or mention of alcohol ( $n = 3$ , 2.7%). Other responses ( $n = 4$ , 3.6%) did not fit within any theme (e.g. “Consent is always needed,” Or “People know the policy is there and some people choose to use it.”).

Overall it appears the most common comments for the control policy included describing the definition of sexual assault as vague or missing information (24.5%,  $n = 27$ ) or commenting on the lack of detail within the consent definition ( $n = 22$ , 20.0%). These critiques are consistent with the shortcomings of the control condition. Despite these disagreements, there was still a portion of participants that indicated agreement with the policy ( $n = 38$ , 35.5%) with very few participants explicitly disagreeing with the policy ( $n = 2$ , 0.8%).

**Either / Or Definition.** Individuals within the Either / Or consent policy definition condition read a policy defining consent as either words or actions. A small portion of the participants exposed to the Either / Or policy definition did not endorse any opinion ( $n = 16$ ,

12.4%). Some participants described the policy as vague ( $n = 17, 15.0\%$ ). Of the participants describing the policy as vague, there was a split between general comments ( $n = 8, 6.2\%$ ; “It was not written detailed enough”), and comments on the sexual assault definition ( $n = 8, 6.2\%$ , “I think the policy was not inclusive enough of what actions can be considered sexual assault.”). One participant made a comment on reporting ( $n = 1, 0.8\%$ ; “I think there should be more options to help the victims.”). In regards to general opinion, approximately half of the participants agreed with the policy ( $n = 59, 45.7\%$ ; “I agree with the points made.”). The remainder described the policy as fine ( $n = 5, 3.9\%$ ; “It seemed fine.”), in agreement with reservations ( $n = 6, 4.7\%$ ; “I think the policy I read earlier was pretty clear. I think the verbal of consent is more important than the action piece.”) or disagreed with the policy ( $n = 1, 0.8\%$ ; “Pretty terrible policy.”).

A notable portion commented on the consent policy ( $n = 49, 38.0\%$ ). Participants appeared split on being for ( $n = 24, 18.6\%$ ) or against ( $n = 25, 19.4\%$ ) the consent portion of the policy. Some participants described the standard of words or actions as vague ( $n = 5, 3.9\%$ , “Should have possibly listed some specific word phrases for consent.”). Others described consent as being both words and actions rather than words or actions ( $n = 4, 3.1\%$ ; “People need both words and actions to have consent, not just actions”). The most common critique was perceiving consent as only verbal ( $n = 15, 11.6\%$ , “I think that it needs to say verbally give consent, not verbally or physically.”). Other comments ( $n = 4, 3.1\%$ ) noted issues with age standards or need for described affirmative consent as enthusiastic. Comments that did not fall within specific categories included commenting on providing consent when intoxicated ( $n = 2, 1.6\%$ ; “I believe it is dangerous to regulate drunken sex on college campuses.”), worry about loopholes within the

definition ( $n = 2$ , 1.6%; “People will always try to find loopholes around their situation.”), or the definition appearing standard ( $n = 1$ , 1.8%, “Just like every other consent policy.”).

Overall, participants appeared to agree with the policies ( $n = 59$ , 45.7%). With only one participant noting explicit disagreement ( $n = 1$ , 0.8%). Some participants expressed concern about the flexibility of the definition being vague. Regarding the consent definition, there was a notable percentage that expressed concern about the policy ( $n = 25$ , 19.4%) Others actively suggested stricter policies such as consent being both word and actions ( $n = 4$ , 3.1%). Others noted that they considered consent to be verbal ( $n = 15$ , 11.6%). These trends suggest that a small portion of the sample took issue with the flexibility of the policy, yet most participants endorsed agreement with the policy.

**Both / And Definitions.** The Both / And consent definition condition defined consent as requiring both words and actions. A smaller portion of participants did not express any opinion on the policy ( $n = 18$ , 13.8%). Some participants described the policy as vague ( $n = 19$ , 14.6%). Participants referred to the policy as generally vague ( $n = 9$ , 6.9%; “I think it is good, but also somewhat vague”), the sexual assault definition as vague ( $n = 16$ , 12.3%; “I think that using hurtful words and obtaining inappropriate pictures is also a form of sexual assault”), and in need of reporting resources ( $n = 2$ , 1.5%; “Counseling and psychological help need to be made available”). Majority of the participants agreed with the policy or described the policy as “good” ( $n = 71$ , 54.6%; “I agree with the policy.”). Some participants agreed with reservations ( $n = 16$ , 12.3%; “It was fairly accurate although could stand to be more specific.”). The remainder described the policy as fine ( $n = 4$ , 3.1%; “It’s a fine policy.”). One participant disagreed with the policy ( $n = 1$ , 0.8%; “I don’t agree with that policy, because a girl could be showing that she is

having fun, but just because her body seems like she wants to have intercourse, does not mean she wants to, you need a for sure verbal answer.”).

One fifth of participants expressed an opinion about the consent portion of the policy ( $n = 26$ , 20.0%). There was an even split between participants indicating that they agreed ( $n = 13$ , 10.0%) and disagreed ( $n = 13$ , 10.0%) with the policy. Participants commonly described the consent policy as vague ( $n = 7$ , 5.4%; “They should be more specific about what permission and consent mean.”). Some participants actively agreed with the consent definition utilized in the policy ( $n = 7$ , 5.4%; “I think it’s a good policy on what consent is and that it should be given by both verbal actions and bodily actions.”). Others advocated for a more stringent policy defining consent verbally ( $n = 3$ , 2.3%; “It should be changed to verbally because actions don’t mean consent.”). One participant indicated that consent should have been indicated as words or actions ( $n = 1$ , 0.8%; “I believe that consent should be not be given by actions AND words, but by words OR actions.”). Remaining comments fit within the other category, which included comments about the need to use the word “enthusiastic” to describe consent ( $n = 2$ , 1.5%). Finally, Other comments included mention of intoxication ( $n = 1$ , 0.8%), loopholes ( $n = 1$ , 0.8%), and the definition appearing standard ( $n = 3$ , 3.1%). Other comments ( $n = 4$ , 3.1%) included comments on the age standard, amount of information, false accusations, and the vignette.

Majority of participants indicated agreement with the policy ( $n = 71$ , 54.6%). With regard to consent, it appeared that ten percent of the condition disagreed with the consent policy ( $n = 13$ , 10.0%). Reasons for disagreement included the policy being vague by not providing specific examples ( $n = 7$ , 5.4%), and the need for a stricter policy containing a purely verbal standard ( $n = 3$ , 2.3%). Only one participant actively called for a more flexible policy ( $n = 1$ , 0.8%). It is interesting to note that overall, participants agreed with the policy with fewer critiques.

**Comparison.** In examining descriptive statistics across all three conditions. It appears that the Both / And consent definition policy elicited the highest percentage of agreement ( $n = 71$ , 54.6%) compared to the Either / Or consent definition policy ( $n = 59$ , 45.7%), and control definition ( $n = 39$ , 35.5%). The Both / And condition also elicited the smallest percent of disagreement with the policy ( $n = 13$ , 10.0%). This is further supported by the most common critique of the Either / Or policy calling for a stricter policy by defining consent in both words and actions ( $n = 4$ , 3.1%) or verbally ( $n = 15$ , 11.6%). Overall, this suggests that participants may be more accepting of stricter policies that reduce ambiguity.

## **CHAPTER V DISCUSSION**

The final chapter reviews the findings of the investigation in light of the current literature. There are five primary sections of the discussion including a summary of the study's findings, examination of each hypothesis, limitations, implications for practice and policy, recommendations for further research, and conclusions. The summary of the findings provides a short outline of the results. The examination of hypothesis portion discusses the results of each hypothesis in light of the literature. The limitations section reviews three primary limitations including the vignette content, application of the policy, and sample size. Implications for practice and policy integrates results in light of current sexual assault policies and relevant literature. Recommendations for further research provides insights into potential follow up investigations.

### **Summary of the Study's Findings**

The present investigation did not find support for the any of the hypothesis of this study. Specifically, there was no evidence that affirmative consent policies, as presented in this study, increased sexual assault identification or likelihood of reporting. As it follows, the affirmative consent policy definition Either / Or policy (defining consent either words or actions) condition did not uniquely contribute to higher sexual assault identification and likelihood of reporting. While there was some evidence that the means followed the expected pattern, the differences among the means did not produce statistically significant differences. Finally, there was no evidence suggesting that being exposed to the affirmative Both / And policy (defining consent as both words and actions) produced the highest rates of sexual assault identification

and likelihood of reporting within a passive communication scenario. As expected, rape myth acceptance (RMA) did account for a significant amount of variance in sexual assault identification and likelihood of reporting.

### **Examination of Hypothesis**

#### **Hypothesis I: Affirmative consent policies in any form will produce higher levels of sexual assault identification and likelihood of reporting**

One of the goals of this study was to examine the extent to which affirmative consent could function to clarify whether or not a sexual assault occurred. Because victims will often disclose to close friends, the present investigation examined a bystander's perspective of vignettes containing ambiguous sexual assault scenarios. Affirmative consent policies are written with the goal of reducing ambiguity around consent, even in situations of more ambiguity (Subotnik, 2008). Consequently, it was expected that an affirmative consent policy in any form would contribute to higher levels of sexual assault identification and likelihood of reporting. Results found no differences between consent conditions and the control condition, suggesting that any affirmative consent policy did not appear to increase sexual assault identification or likelihood of reporting. The results of the investigation are consistent with researchers expressing concern about the empirical backing for affirmative consent policies (Humphreys, 2000; Hickman & Muehlenhard, 1999; Lim & Roloff, 2000).

While the null findings of hypothesis I prompts some questioning of the empirical support for affirmative consent, it is also important to understand why affirmative consent policies did not produce the expected impact in the present investigation. Such insights provide suggestions on future research and potential university policy changes. There are three primary explanations providing possible insights. First, the theory behind affirmative consent aims to

change gendered consent behaviors. Changing consent behavior may not have been achievable through a policy only intervention. Second, the overlap between sexual assault scripts and hook up scripts within the vignette impacted the participants' ability to identify the events as a sexual assault. Third, consistent with the cultural cognition theory, students' worldviews may have biased their interpretation negating the impact of policy. Worldviews such as Rape Myth Acceptance (RMA), college party culture, social norms around consent communication, or skepticism towards a universities ability to address sexual assault may have disrupted the application of policies.

**Affirmative consent as a culture change.** The first possibility explaining the null findings of hypothesis I relates to cultural change. The communicative theory of sexuality aims to shift the culture around consent reflected in both legal definitions and interpersonal communication factors. Historically, legal definitions of consent hinged on the need for proof of resistance (Little, 2005). Pineau (1987) suggested that instead of assuming consent or requiring refusal, consent should reflect an informed and active process of permission granting that requires mutual engagement of both partners. Requiring an informed process of consent theoretically functions to account for gendered sexual scripts that can potentially contribute to campus sexual assault (e.g., women as sexual gatekeepers and men as sexual initiators) (Frith & Kitzinger, 1997).

The complexities of gendered consent communication present a challenging context to clarify communication. Policies may be one opportunity to imply culture change. Addressing gendered sexual scripts reflects a top down policy approach. Kahan (2010) referred to this type of legal approach as norm-reconstruction. This means that in order to account for the harmful byproducts of gendered miscommunication to victims, such as perpetrators hiding behind the



ambiguity of consent (Subotnik, 2008), universities change the culture by creating institutional consequences. While the present study did not look at how affirmative consent creates behavioral change, the policy did look at a bi-products of clearer consent policies, likelihood of reporting and sexual assault identification.

The extent to which a policy clarifies consent behaviors may depend on the wording of the policies. Neither policy produced a shift in sexual assault identification or likelihood of reporting. It may be that defining consent as both words and actions, or either words or actions, may have been too ambiguous to produce the intended effect. A large number of participants did not pass the manipulation check, meaning that the differences in wording may have been too subtle to elicit any change.

While possible subtleties of wording may have obscured the present results, it is important to speculate on alternative policies that may have better functioned in a norm-reconstruction function. A verbal only consent standard may have better clarify sexual assault identification and likelihood of reporting. Only a small percentage of students advocated for an entirely verbal policy as reflected in the results of the qualitative analysis. Such a policy may subject to student's common concerns of producing false positives (Humphreys, 2000).

Overall, it appears that subtly in wording may have contributed to the null results within the study. Evidence includes the number of participants lost in the manipulation check and general agreement with the policies regardless of the condition, as demonstrated in qualitative analysis. Issues with the policies in the present study may reflect a larger issue with the way affirmative consent policies are launched. Universities may intend for affirmative consent policies are intended to change culture, but may not do so. While the present study did not

examine direct culture change (e.g., consent behaviors), results prompt researchers and policy makers to consider how the intention of the communicative theory translates into policy.

**Difficulties with sexual assault identification.** Another possibility for the lack of effects may be due to conceptualization of what behaviors constitute sexual assault. Sexual assaults perpetrated by a stranger are more likely to be reported (Heath, Lynch, Finch, & Wong, 2013). This is because rape perpetrated by a stranger fits a stereotype. One interesting and relevant finding from previous literature is the overlap between college students' rape and seduction scripts. Littleton and Axon (2003) found that both rape and seduction scripts included alcohol use, and sexual contact. These overlaps within the vignette may have prompted students to view the events within the vignette as a hook-up. These implications highlight the importance of considering the intersection of hook-up culture and sexual assault policies.

Hook-ups are casual sexual encounters common among college students. The range of behaviors can include kissing to sexual intercourse. Engaging in a hook-up does not guarantee agreement to intercourse. Hook-ups can occur with a friend, acquaintance, or stranger (Paul, McManus, & Hayes, 2000). A large majority of college students endorse engaging in hook-ups (Feilder & Carrey, 2010), making the probability of sexual assaults occurring within a hook-up common. Because students believe that becoming a victim of rape is unlikely (Fisher & Sloan, 2003) and hook-ups are unlikely to become sexual assaults (Littleton, Tabernik, Canales, & Backstrom, 2009), it follows that students would struggle identifying non-consent within vignettes mirroring elements of hook up culture (e.g., acquaintances meeting in a party setting). It is unclear whether or not participants perceived the vignettes within the present study as more consistent with a hook-up script or rape script, yet it remains possible that participants perceived the vignettes as hook-ups impacting the extent to which they perceived the policy as relevant.

**Affirmative Consent and Cultural Cognition Theory.** The theory of cultural cognition provides an alternative explanation for the null findings for hypothesis I. Cultural cognition is a theory from legal scholars suggesting that our cultural worldviews influence our interpretation of facts (Kahan & Braman, 2006). Specifically, Kahan and Braman suggest that, “what citizens believe about the empirical consequences of those policies derives from their cultural worldviews,” (p. 150). This means that an individual’s cultural context and worldview biases their interpretation of facts rendering policies irrelevant.

Kahan (2010) suggest that people are most likely to misinterpret facts on polices connected to politically changed debates. Such debates include issues such as gun control and sexual assault. For example, a common rape myth is many women lie about sexual assault allegations. According to the cultural cognition theory, this belief should impact how an individual interprets consequences of affirmative consent policies. In the above example, a person believing false allegations are common would be likely to evaluate a policy in terms of the probability that the policy may facilitate false allegations.

There is some evidence suggesting that the cultural cognition theory plays a role within the evaluation of sexual assault scenarios. Kahan (2010) examined the cultural cognition theory with a group of adults placed in a mock jury setting. Participants evaluated a date-rape scenario featuring possible token resistance. The scenario featured a victim that said “no” to sexual intercourse based on a controversial legal case where the refusal was interpreted as feigning resistance to protect her reputation. In order to test the cultural cognition hypothesis, the researcher examined two independent variables, varied legal sexual assault definitions and cultural worldviews. Sexual assault definitions included the requirement of refusal, use of threat or force, proof of intent, and an affirmative consent definition defining consent as words or

actions. Cultural worldviews included a measure examining sex role perceptions as traditional (e.g., meaning traditional sex roles assuming men in a position of power) or egalitarian.

Consistent with the hypothesis, Kahan (2010) found that a participant's egalitarian or traditional sex role worldview accounted for a large amount of the variance in perceptions of guilt within the accused party. Only one of the five policies accounted for a significant amount of variance, the policy defining consent as requiring a "no." This finding is largely unsurprising given that the case included the female victim actively saying "no" and the policy defined consent as requiring a verbal "no." Overall, the results do suggest that the cultural cognition theory potentially plays a role in sexual assault evaluations.

The cultural cognition theory may help explain the null findings in the present investigation. The similarities between the methodology in the present study and Kahan (2010) supports the possibility that participants' cultural worldviews overrode the application of the policies. Because participants were not in the role of a juror and were reviewing ambiguous sexual assault scenarios, they may have been further inclined to default to their cultural worldview. This may have further increased the likelihood of overriding the policy.

If the cultural cognition theory played a role in the present study, it is important to consider the possible shared worldviews that interrupted the impact of the policy. This is important because it points out potential opportunities of intervention and cultural change at the institutional level. There are several possible worldviews that may have interfered with the policy conditions and vignette interpretations including (a) Rape Myth Acceptance (RMA) (b) Social norms around party culture (c) Perceptions of open consent communication (d) institutional mistrust. The present study only examined one of the above, RMA. However, the others will be reviewed as possible explanations or avenues for future study.

***Rape myth acceptance.*** Rape myths coincide with gendered sexual scripts suggesting that women should function as sexual gatekeepers (Shafer, Ortiz, Thompson & Huemmer, 2018). These beliefs manifest within a larger culture that sexualizes women as objects and questions the validity of rape allegations. Hildebrand and Najdowski (2015) suggested that rape myths are reflected in our justice system as evidenced by the tendency to prosecute stranger rape cases, but acquit date-rape and marital rape cases. Shafer et al. (2018) found that RMA was associated with decreased ability to correctly interpret consent scenarios. Given that rape myths can extend to beliefs about consent and interpretation of consent, it is unsurprising that RMA accounted for a significant amount of variance in sexual assault identification and likelihood of reporting scores. The consent beliefs implicit within RMA may have interrupted interpretations of both policy and the vignettes, which appears to provide some support for the cultural cognition theory. However, the present investigation utilized an ANCOVA, so no directional conclusions can be made to confirm this possibility.

Another important factor when considering RMA is examining what factors may increase RMA within college samples. A previous study examining RMA in college students found that males and heavy drinkers maintained higher levels of RMA compared to females and low drinkers (Hayes, Abbot, & Cook, 2016). It is unclear whether or not this played a key role within the present study given the lack of measurement of alcohol consumption, party attendance, or adherence to party norms. It can be noted that majority of the sample came from North Dakota, which falls within the top five states in the United States for binge drinking (America's Health Ranking, 2015). However, this possibility prompts further exploration regarding how drinking norms within the sample may have contributed to the RMA in the present study.

***Social norms regarding party culture.*** Attending parties and drinking is a common college student rite of passage. Large scale studies of college students found that approximately 75% of students attended an off-campus party within the past 30 days (Harford, Wechsler, & Seibring, 2002). Despite the normality of attending parties for college students, party culture poses increased risk of sexual assault. Lindo, Siminski, & Swenson (2016) found reports of sexual assault increased by 28% following Division I football games, where large scale parties and drinking can be common. It is unknown if students are aware of increased for sexual assault risk within parties.

Acknowledging such risks may compete with college students valuing the social connections available within party culture. Armstrong, Hamilton, and Sweeney (2006) examined the dissonance that can occur for college students between valuing party culture and the increased probability of sexual assault. Researchers followed a group of students living in a “party dorm.” Students that maintained the belief that college parties are a “fun” necessary component of the college experience, also endorsed victim blaming beliefs. Results suggest that students are resistant to criticize the party scene and default to gendered sexual scripts and rape myths, such as placing women in the gatekeeper role or believe that women that get assaulted as “whores.” Placed within the context of the cultural cognition theory and present study, such dynamics may have played a role the null findings. However, there is no way to ascertain this given that lack of data to clarify this within the present study.

***Perceptions of open consent communication.*** Another possible worldview that may have interrupted the impact of the policies is college students’ perceptions of open conversations about sex. Some students may believe that actively talking about sexual consent will impact the mood of the sexual interaction. Humphreys (2000) found that when students read an affirmative

consent policy defining consent as verbal, student perceived the policy as potentially, “ruining the mood.” Knowing that a partner may not appreciate open sexual communication can impact a students’ willingness to communicate. When participants anticipated a negative reaction from their partner regarding active and open sexual communication, participants were less likely to exhibit affirmative consent behaviors (e.g., asking for consent or actively providing consent; Humphreys & Brosseau, 2010).

It is unclear whether or not participants in the sample participated in the norm that communicating consent actively threatens the “sexiness” of sexual interactions. Some studies examining this concern were conducted over a decade ago and the conversation regarding consent has likely shifted. If students perceived the policies as dictating sexual behavior, students may have included this concern when expressing their written opinion of the policy. There was no evidence that participants perceived the policy as restrictive of their sexual communication. This questions the extent to which the norm that open sexual communication ruins the mood possibly contributed to the null findings in the present study.

***Institutional Mistrust.*** The final worldview that could have contributed to the null findings through the cultural cognition theory for hypothesis I is institutional mistrust. Institutional mistrust occurs when students perceive universities as handling salient topics such as sexual assault, violence, or racism poorly. Institutional mistrust can be understood on an individual or community level. Survivors that experienced institutional mistrust, such as a university representative responding in an unsupportive manner, experienced increased levels of anxiety, trauma symptoms, dissociation, and sexual dysfunction (Smith & Freyd, 2013). This helps explain the common barriers to reporting such as fear of confidentially being broken or not being believed (Sable, Danis, Mauzy, & Gallagher, 2006). A small portion of participants

expressed concerns about loopholes within the policy on the qualitative section, suggesting the possibility of general mistrust towards university policies. Taken together, the culture and trust towards the institution matters for the psychological recovery and decision making process of survivors of sexual assault.

On the intuitional level, there has been increased attention to campus sexual assault. This began with the 2011 Dear Colleague letter which shifted the evidence standard allowing for an increased number of investigations to be launched (Ali, 2011). In 2012-2013, there were twenty-one Title XI violation investigations launched against universities (Title XI Chronical of Higher Education, 2018). The number of cases opened between 2016-2017 increased almost 400% with 106 cases examining Title XI violations. Being at a university under Title XI investigation, would likely reduce the confidence in the institution to appropriately handle sexual assault cases. This general distrust is compounded by increased media attention to sexual assault on college campuses.

Institutional mistrust on an individual and institutional level may have influenced participants' reactions to the policies. Students would be unlikely to apply and heed to a university policy if they perceive a university as incapable of justly addressing sexual assault. While the present study did not directly examine institutional mistrust, it may have been a factor given the percentage of participants (35%) experienced some form of sexual assault. However, if institutional mistrust was playing a role, there may have been a difference between sexual assault identification scores and likelihood of reporting. Scores did not appear different. It may be helpful to further investigate the role institutional mistrust plays in reporting decisions and application of policies.



**Hypothesis II: Post Hoc analysis will demonstrate affirmative either will have the highest ratings of sexual assault identification and likelihood of reporting when compared the affirmative both condition and control condition, regardless of the consent communication definition and RMA**

Affirmative consent Either / Or was expected to produce a main effect due to its natural match with existing college student consent communication. Students can communicate consent from a wide pallet of consent responses from verbal to non-verbal. Given that students report predominantly communicating consent non-verbally (Beres, 2010; Jozkowski & Peterson, 2014), students may be hesitant to fully endorse a consent policy defining consent as both words and actions. The affirmative Both / And policy would call for changes in the sexual communication in college students. This may be a barrier given that Humphreys (2000) found that many students tended to perceive verbal affirmative consent policies as overly controlling. It was expected that the Affirmative Either / Or consent policy definition would have the highest ratings of sexual assault identification and likelihood of reporting in light of increased adaptability to the range of consent communication and congruence with college students' typical means of consenting. Contrary to expectations, the Affirmative Either / Or condition did not produce a main effect for sexual assault identification or likelihood of reporting. There are several possible theories that provide insight into the null findings including (a) cultural cognition hypothesis (b) miscommunication hypothesis (c) misapplication of the Either / Or Affirmative consent policy (d) participant reactions to the policy.

**Cultural cognition hypothesis.** The lack of significance for the second hypothesis could have been accounted for by the cultural cognition theory discussed above (Kahan, 2010). According to cultural cognition theory, participants' cultural worldviews biased their

interpretation of the facts and reactions to the policies. Several possible worldviews as interrupting the policies discussed above included rape myth acceptance, party cultural norms, norms regarding open sexual communication, and institutional mistrust. See above for a more in-depth discussion.

**Miscommunication hypothesis.** The lack of the significant impact may also be linked to the miscommunication hypothesis. According to the miscommunication hypothesis, heterosexual sexual assault results from the natural miscommunication that is a bi-product of gendered sexual scripts. In traditional heterosexual gendered sexual scripts, men act as sexual initiators and women act as sexual gatekeepers (Frith & Kitzinger, 1997). Women function as sexual gatekeepers because they are expected to maintain a pure reputation to avoid being labeled a slut. In order avoid being labeled slutty, women may feign resistance. This is known as token resistance.

Because of concepts such as token resistance, heterosexual men are not socialized to identify and observe consent behaviors. Previous research suggests that men may be prone to misperceiving willingness (Bouffard & Bouffard, 2010; Check & Malamuth, 1983). Jozkowski, Marcantino, and Hunt (2017) conducted qualitative interviews on sexual communication in college students and found gendered scripts did tend to relate to communication patterns. These gendered patterns were postulated to directly impact the workability of affirmative consent policies (Jozkowski, Marcantino, & Hunt 2017).

Gendered sexual scripts may have been particularly impactful for the Either / Or policy. While utilizing a more flexible definition allows for a natural match with college students typical means of providing consent, the flexibility comes at a price. Because there was a wide range of behaviors to interpret, gendered sexual scripts may have further obscured perceptions of consent.

This may imply that passive behaviors were more likely to be perceived as consensual, or saying, “I’m not so sure about this,” may also have been perceived as confused but consensual behavior. However, there is no way to determine this particular element due to lack of data regarding participants’ adherence to the miscommunication hypothesis.

**Misapplication of the Either / Or policy.** The Either / Or affirmative consent definition may have been confusing to apply to the vignettes, making them largely ineffective. The vignettes included an initial comment of consent followed by a form of refusal. Participants may have interpreted the female character as already having consented in light of the Either / Or affirmative consent definition. While this may have contributed to some misinterpretation of the policy by participants, it seems unlikely given that overall there were no differences between conditions. If participants were applying the Either / Or affirmative consent definition in this manner, we would have expected to see an overall decrease in scores within this condition.

**Participant’s reaction to policies.** The qualitative responses provides some unique insights into how participants may have interpreted the Either / Or affirmative consent definition policy. Almost half of the participants indicated some sort of agreement with the policy. There was only one participant that actively disagreed with the policy in general. In terms of the consent definition within the Either / Or policy, approximately 20% of the sample disagreed with the policy because they perceived the definition as vague or needing to be stricter (e.g., both words and actions, or just words). Despite some disagreement, majority of the sample agreed or did not express a strong opinion of the Either / Or consent policy definition. Participants may have been largely unaffected by the policy and defaulted to their typical interpretations of consent.

Participants did not only agree with the Either / Or policy, but also the Both / And policy. A higher majority of participants agreed with the Both / And affirmative consent policy definition. Yet, participants did not actively apply the policy. Students may be unlikely to fully embrace a policy unless they actively think about how it impacts their existing communication. There may be a need to implement policies in response to student led movements or in conjunction with educational materials. Further discussion of ways to implement such programming are explored within implications for policies and procedures section.

**Hypothesis III: Compared to other combinations within the affirmative both condition, affirmative both will have an interaction with the passive communication condition leading to higher ratings of sexual assault identification and likelihood of reporting, regardless of RMA.**

It was expected that there would be an interaction effect between the Both / And affirmative consent policy condition and passive communication condition. Previous literature suggests that some men will escalate sexual interactions until they hear a refusal (Jozkowski & Peterson, 2013). Further, a portion of students endorse perceiving consent as a lack of refusal or endorse implementing passive behavior with the intention to consent (Hall, 1998; Hickman & Muelenhard, 1999). These behaviors are at odds with the more recent movements that silence does not imply consent. It was expected that the most stringent policy within the study defining consent as both words and actions would perform best in a vignette featuring a lack of communication. Contrary to expectations, there was no interaction effect between the Affirmative Both / And affirmative consent policy and passive communication condition.

Advocacy groups and sexual assault policies often emphasize that, “silence does not imply consent,” yet there is evidence that students may conceptualize consent in a passive

manner despite this guidance (Hall, 1998), and in this case, despite specific policy to the contrary. Students define consent as a lack of resistance suggesting that passive communication may be interpreted as consent (Beres, 2014). When interpreting consent, students tend to look for refusal based behaviors instead of affirming behaviors to gauge consent in sexual interactions (Jozkowski & Peterson, 2014). Despite efforts to create programming and policies that state that silence is not consent, it may be that student populations are not yet to a point where they consistently identify silence as non-consent.

One factor that may contribute to misperceiving passive behaviors as consensual may be the tendency for students to look for notable signs of discomfort. Beres (2010) noted that during non-coercive scenarios college students note looking for freezing up or discomfort. The present vignette utilized the wording, “Jessica lied still and did not say anything.” Because discomfort could only be inferred, participants may not have interpreted passive communication as non-consensual. As a result, the cultural worldviews discussed in the prior hypothesis may have played a bigger role in the interpretation of consent communication.

Perceiving a lack of action or protest as consensual is an experience that trickles down to the experiences of survivors. Some women will label their experiences as unwanted sexual experiences instead of sexual assault because they did not actively resist (Hickman & Muelenhard, 2007). Marcantonio, Jozkowski, and Lo (2018) found that some women do communicate refusals by using indirect non-verbal behavior such as not responding. Given that 35% of the sample endorsed some form of sexual assault, this may have been a factor with how participants interpreted the vignettes.

Beyond students’ difficulty with seeing passive behavior as non-consensual, passive communication is an important measure for policy. Subotnik (2008) suggested that one of the

primary functions of affirmative consent is to reduce the extent to which perpetrators can hide behind the ambiguity of consent. Passive communication may be the most obvious scenarios in which ambiguity is the most likely. When a participant does not respond, they could be enjoying the scenario, feeling fear or discomfort. It is notable that the present investigation did not provide evidence that the most stringent and clear policy did not produce higher identification or likelihood of reporting in a scenario with no communication.

### **Rape Myth Acceptance**

For the current study, the impact of positive consent policies was examined after controlling for the impact of RMA. Across all tests of hypothesis I, II, and III, RMA accounted for a significant amount of variance. As mentioned in the previous discussion on the cultural cognition theory, RMA may have functioned as a cultural worldview that overrode the interpretation of policy. However, this conclusion is unclear given the statistical procedures utilized in the present investigation and overall lack of significant results from the policy conditions.

Beyond the possible function of RMA within the cultural cognition theory, the role of RMA as impacting perceptions of victim blaming and sexual assault identification is well established within the literature. Men with higher RMA scores perceived a female victim as more willingness to engage in sexual interactions (Bouffard & Bouffard, 2010). Higher RMA was associated with decreased likelihood of report filing (Heath, Lynch, Fritch, & Wong, 2013), and increased victim blaming in acquaintance rape scenarios (Frese, Moya, & Medias, 2004). The findings within the present study are consistent with previous literature suggesting that RMA impacts both likelihood of reporting and sexual assault identification.

## **Limitations**

### **Vignette Content.**

Utilizing ambiguous sexual assault scenarios allowed for the opportunity to examine cases which may reflect the reality of many sexual assaults, however, vignettes may have been overly ambiguous which may have impacted the manner in which the policy was applied. Kahan (2010) found that policies were poorly applied when utilizing a less ambiguous scenario where the victim said “no,” as opposed to the present investigation where the verbal refusal was indirect (“I’m not sure about this”). Hence, it is not surprising that participants struggled with identifying ambiguous sexual assault scenarios.

Ambiguity playing a role in the interpretation of the vignette is further supported by the means of vignette sexual assault identification scores and likelihood of reporting scores being around the midpoint. More specifically, with the midpoint of the Likert scale reflecting a neutral response, it is notable that participants may have defaulted to neutral, rather than making a specific judgement about whether or not the content of the vignette reflected a sexual assault. Having a neutral anchor point in response to the vignettes likely impacted the responding style of participants. Future investigations should adjust the response scale to not include a neutral midpoint.

Another component that may have limited the present investigation was the type of consent communication used in the vignettes. Consent contained within the vignettes was primarily delivered on an indirect basis (e.g., not moving, pushing away, verbally expressing ambivalence) (Jozkowski & Peterson, 2014). Indirect communication was utilized within the present study due to students’ endorsement of utilizing perceived discomfort as a means to gauge willingness within sexual scenarios. This is consistent with more recent literature suggesting that

women will indirectly non-verbally refuse sexual contact (Marcantonio, Jozkowski & Lo, 2018). Consent refusals within the investigation emulated behaviors that were noted to indicate discomfort throughout the literature (Beres, 2010; Jozkowski & Peterson, 2014, Loftgreen, 2014; Vannier & O'sullivan, 2011). However, the present investigation did not include a measure of perceived discomfort.

Without having a direct measure of perceived discomfort within the dependent variable, it is unclear whether or not participants within the present study interpreted refusals (as presented in the vignettes) as discomfort, non-consent, nervousness, inexperience or other perceived internal reactions. This may have been especially relevant for the passive consent vignette, where the manipulation stated, "She lies still and doesn't say anything." This manipulation may not have reached a threshold that could be likely interpreted as discomfort, as compared to denoting physical tension. Hence, participants' interpretation of the refusal behaviors likely influenced the whether or not they perceived the events as non-consensual.

While discomfort may be an important signifier of non-consent, applying it to written vignettes may prove challenging. It is important that such adjustments not overly cue discomfort. For example, if the passive vignette said, "Jessica appeared uncomfortable, so she lied still and didn't say anything," participants may have been more likely to rate scenario as a sexual assault. Labeling a person as "uncomfortable" doesn't allow the opportunity to test the extent to which college students accurately perceive discomfort. Given that discomfort functions as an important variable that college students use to gauge consent (Beres, 2010), it may be helpful to utilize video vignettes that allow for behaviors that may communicate discomfort (e.g., uncomfortable laughing, looking around, furrowed brows).



In addition to the limitation of utilizing written vignettes, including two forms of consent and refusal may have made the vignette overly complicated. There is some evidence suggesting that students perceive consent as an event rather than a process (Beres, 2014). The vignettes contained both consent and refusal communication with the iteration of consent occurring before the refusal. As mentioned before, students may have interpreted the female in the story as willing to continue given that she consents to the first portion of the sexual interaction. While it is important to continue to generate scenarios that reflect the process of consent, this may have confounded the results. The study may have benefited from a less complex communication process, or just examining refusal statements.

Finally, the vignette may have been limited to accurately reflect the experience that someone undergoes during the disclosure of a sexual assault. The present study utilized a vignette to mirror the limited information that bystanders receive when asked to evaluate a sexual assault scenario. A major difference between the present study and real life is that sexual assault disclosures for college students typically accompany an established relationship history. Participants were not connected to the male or female in the stories, as such the vignette did not capture all the complicated dynamics that can accompany sexual assault disclosures.

### **Application of Policy.**

Policies within the study were presented in a realistic manner, meaning delivered as how they might be listed within a Student Code of Conduct. In doing so, the goal was to replicate the context that students may be exposed to sexual assault/consent policies. While this presentation of the policy may have been realistic, students may not have engaged in the policy critically. For example, the instructions prompted students to remember components of the definition, but did not inform them that they would be evaluating a possible sexual assault. The lack of information

on how to interact with the policy may have washed out the differences between conditions. The study may have benefited from more information within the instructions on how to the policy would be utilized later in the study.

The impact of the lack of instructions on how to engage with the policy was the policy was reflected within the data cleaning and content analysis. As mentioned before, a large number of participants were dropped from the study because they did not pass the manipulation check. Consent definition iterations included defining consent as “either verbal or non-verbal behaviors,” or “both verbal and non-verbal behaviors.” Content analysis suggested that participants had difficult picking up on the implication and subtly of the wording based on the amount of agreement with the policy. This is important considering that a “both verbal and non-verbal” standard essentially functions as a verbal standard. Requiring both verbal and non-verbal communication requires students to shift their typical means of communicating, making the Both / And policy more stringent. It may have been important to include a verbal only standard as mentioned in the discussion of hypothesis I.

### **Sample.**

The present study employed a small sample in light of the intended statistical procedures. Power analysis suggested that there was enough power to detect significant differences assuming a small effects size. It may be likely that the effects of the policy could be found with a assuming a medium or large effects size, which would have warranted a larger sample. Additionally, cell sizes were unequal which may have also impacted the study. Future studies should consider generating a sample big enough to detect a medium effects size.

In addition to the possibility of needing a larger sample to detect a medium effects size, there were limits within the sample. The sample was predominantly white and heterosexual.

Such a sample is largely reflective of convenience and does not accurately represent general college population. These limitations reflect a larger systemic issue within the sexual assault research to examine white heterosexual couples rather than LGBTQAI couples or women of color. This is especially important given that women of color are at elevated risk for sexual assault, and the intersection between racism and sexual assault victimization makes receiving services difficult (Olive, 2012). Future studies should aim to broaden samples to include a wider and more representative sample.

### **Implications for Practice and Policy**

Above all, this study demonstrates the need for further investigation of sexual assault policies. The present investigation found no evidence that the affirmative consent policies presented in this study clarified sexual assault identification or reporting in ambiguous (vignette) scenarios. The null findings of this study are certainly not extensive enough to dismiss the potential merits of an affirmative consent policy, but highlight a clear need to think critically about these policies. Fisher, Hartman, Cullen, and Turner (2002) observed that sexual assault can function as symbols or effective responses. It remains unclear whether or not affirmative consent policies function as a symbol that universities' can utilize to feign progress or realistic solutions to amend common issues with sexual assault identification, reporting barriers and the adjudication process.

The intention for affirmative consent is reflected in the communicative theory of sexuality. The communicative theory of sexuality aims to change gendered sexual communication by emphasizing affirmative communication and mutual communication by both parties (Pineau, 1987). The affirmative consent policies utilized today do not reflect the original intention of the communicative sexuality theory. Within the original theory, Pineau emphasized

the need for intentionally engaging with one's partner by actively asking for permission when interested. Many of the policies reviewed to generate the policy interventions within the present study did not include the standard of an initiator asking for consent. Asking for consent creates a situation that guarantees one receives a "yes" word or action if the party is interested in the proposed activity. This dynamic most concisely captures the communicative theory of sexuality and provides a direct way to change one's communication behavior. This difference between focusing on consent wording versus cultural change may have contributed to the null findings within the study.

The present study did not find that differences in wordings of affirmative consent policies impacted Likelihood of Reporting or Sexual Assault Identification scores. Based on that results, not only should universities carefully consider policy selection, but should clarify their intention of utilizing policies. There are no direct recommendations on which policy to use in light of the null findings and limited scope of the present investigation. However, universities should consider whether or not they are utilizing the policy to evoke a culture change or to impact their adjudication process. These intentions would likely inform a different decision making and implementation process.

Universities make an important decision when they decide to define consent on a more stringent (e.g. only verbal consent, or both words and actions) or flexible basis (e.g. either words or actions). While the present study found no differences between defining consent in both words and actions, and either words or action communication, it is important that universities approach this delineation carefully. Within the present study, participants may not have actively considered how policies influenced their own consent communication. Others studies suggest that students were largely opposed to verbally based consent policies (Humphreys, 2000). The

present study did find that approximately 13% did advocate for a stringent consent policy. It is essential that universities prompt their students to consider how changes within consent policies may trickle down to students' sexual communication. This component speaks to the need to implement such policies with programming aimed to change the culture of sexual communication.

While the present study did not directly examine any specific programs, it can provide some insight into mechanisms that could be addressed by universities. The present study found when participants were asked their opinions of the policy, they largely described it as fair, regardless of the condition. This suggests that students may be unlikely to think critically about how policies may influence them. Programming may help bridge the cultural cognition gap by including examples of how college students typically consent, the role of gender, and how ambiguity of consent contributes to maintaining a negative culture around sexual assault. Essentially, students need to think critically and vicariously experience how their sexual communication may be contributing to larger cultural components related to sexual assault.

In terms of programming related to sexual assault and cultural cognitions, one of the more common programs is the Bystander intervention model. The bystander intervention model activates university community members to intervene on sexual assaults early by interrupting early warning factors (Burn, 2009). The research in this area is promising, with more recent studies finding that perceived levels of community support predicted more willingness to engage in bystander behaviors. Hatten and Gray (2017) also found that when students were informed that bystander intervention behavior was normative as compared to uncommon (the control group) participant's willingness to engage in bystander interventions increased.

A similar dynamic can be observed with willingness to engage in sexual communication among college students. Seifert (2016) found support that intentions to engage in active sexual communication appeared consistent with the theory of planned behavior. This means that students' attitudes towards sexual communication, perceived acceptability of talking about sex within close groups, and perceived ability to talk about sex predicted behavioral intentions to discuss sex (p. 128). Seifert found that masculinity and femininity also predicting intentions to engage in sexual communication.

There are several implications that can be taken from these studies. Colleges may benefit from gathering data on the specific norms regarding sexual communication within that university. This may help students understand how their peers are communicating consent and allow for students to pay increased attention to important signals. Providing information on specific student bodies may increase students' willingness to actively engage in behavior changes. Consistent with findings from Hatten and Gray (2017), it may be helpful to work in tandem with students that are passionate about affirmative consent norms. This may create a more reliable culture change because students will perceive their peers as engaged in the process, reducing the extent to which a university is dictating sexual communication.

Programs may also be needed to increase comfort with sexual communication. Consistent with findings from Seifert (2016), programming may need to differ based on gender identity. Discussion groups broken out by gender may allow for discussions on how gendered communication from sexual scripts trickle down into consent communication patterns. Programs could provide research informed discussions on how students are communicating consent.

When implementing such programming, there are several important considerations to make programming empowering and inclusive. First, it is important that programming with

females not exclusively focus on communicating refusal, as such programs can reinforce victim blaming attitudes (Jozkowski, Marcantino, & Hunt 2017). When working with females, programs should discuss cultural elements such as victim blaming, rape myths, female sexuality, explore seeking consent in sexual interactions, and ways to improve confidence with affirmative consent. Second, programming should avoid heteronormativity when discussing consent and sexuality. This may be achieved by providing education on a diverse pallet of research including sexual communication for same sex couples. Further, any case examples used should reflect a wide range of racial identities, gender identities, and sexual orientations.

Programming cannot be limited to addressing behaviors within student populations. It is essential that universities address Rape Myths. RMA consistently accounted for a large amount of variance in both sexual assault identification and likelihood of reporting scores. Given that none of the policy conditions were significant, it is unclear if rape myths directly interact with policy interpretations. RMA may have direct impact on survivors given that past studies suggest that it impacts both likelihood of reporting and sexual assault identification (Heath, Lynch, Fritch, & Wong, 2013). The impact of RMA may manifest itself during the disclosure process for victims. Heath, Lynch, Fritch, Macarthur, and Smith (2011) found that first disclosures matter impact self-blame, help seeking, and other mental health factors. If students are likely to interpret ambiguous sexual assault scenarios from the standpoint of rape myths, it is essential that universities start to provide programming on how to support victims. Such programming may be more effective for reducing barriers than subtle policy changes.

Lastly, the present study considered two relevant measures for policy effectiveness, sexual assault identification and likelihood of reporting. These may be important markers for policy, but only if colleges are willing to see a potential increase in rates of sexual assault. It is

essential that researchers, policy makers, and university personnel consider other measurements of effective policy including perceived support of the victim, relative fairness, decrease in ambiguity, changes in sexual communication, and timeliness.

### **Recommendations for Further Research**

The present investigation is a small step to clarifying the benefits, disadvantages, and effectiveness of affirmative consent. Previous research suggests that perceptions of discomfort are an important factor within determining willingness to engage in sexual behaviors (Beres, 2010). Future research may need to further explore the extent to which this is a key mechanism in consent interpretation. Implications include measuring perceptions of discomfort as a possible mechanism of consent interpretation. When examining discomfort, it may be important to explore video scenarios that include overt and subtle examples of discomfort. This may also serve a secondary function in terms of identifying individual factors that may influence interpretation of discomfort (e.g., intoxication, arousal level, attitudinal components).

In addition to incorporating measures of discomfort, it is essential that future studies continue to look at the original functions of the communicative theory of sexuality. The goals of affirmative consent include reducing gendered miscommunication, reducing the extent to which perpetrators can “hide” behind consent ambiguity, and shifting the burden of proof from the victim to the accused (Subotnik, 2008). There needs to be more studies examining the other intended functions. One particular component is examining the extent to which affirmative consent shifts the burden of proof. This may involve testing policies that include a requirement that initiators ask permission, or examine how burden of proof functions within Title IX investigations at universities that employ Affirmative Consent policies as compared to those that employ different policies.



Beyond just looking at how policy clarifies sexual assault identification, reporting, and the adjudication process, it is important that studies examine effective ways to implement cultural shifts. One likely implications of this study is that simply implementing an affirmative consent policy, without implementing corresponding programming, is unlikely to prompt the cultural changes required for the policies to take root. This may involve developing and testing programs mentioned above including education on the complicated dynamics of consent and how socialized gender dynamics impact interpretation of consent.

While the present study did not find support for any hypothesis, it did function as an important initial step in examining affirmative consent. Most notably, the present study examined the functionality of affirmative consent within ambiguous consent scenario. There was no support that affirmative consent policies increased sexual assault identification or likelihood of reporting, yet it is still important to continue examining how affirmative consent policies function with stereotypical (and less ambiguous) sexual assault scenarios. Future studies should continue to explore how affirmative consent functions, specifically examining what scenarios it may be effective.

Finally, research examining violence against women tends to be overly focused on white women. Crenshaw (1991) explained that women of color that experience sexual assault experience compound marginalization at the intersection between race and gender (p. 1282). It is essential that sexual assault research begins to examine these intersections, especially in light of social judgements by students. It is also important to expand these findings to same-sex couples in order to examine how these policies and consent interpretations may be perceived within the LGBTQAI college population. Specifically, it may be important to not only identify the

intersection between prejudice and sexism towards women of color, but also teaching students how to support victims that are not white and heterosexual.

### **Conclusions**

The present study did not find evidence that affirmative consent policies (absent the requirement to require asking for consent) increased sexual assault identification or likelihood of reporting within ambiguous heterosexual assault scenarios. These results do not imply that affirmative consent is ineffective, but rather suggest continued need to investigate the content, presentation, and programming of affirmative consent policies on university campuses. The results do suggest that affirmative consent policies, as presented in this research study, may not impact individual responses to ambiguous sexual encounter scenarios. These results should prompt universities to consider how to approach less stereotypical sexual assaults. Tackling this issue is essential to effective policies considering that survivors are unsure about whether or not their experiences reflect a sexual assault (Brubaker, 2009; McMahon, 2008) and majority of sexual assault do not fit stereotypes (Brubaker).

Survivors' will likely disclose their experiences to peers in an attempt to gain clarity. The present investigation suggests that students struggle with identifying ambiguous experiences as sexual assaults and may not encourage a reporting peer to seek additional resources. Such responses may create more stress and less empowerment for victims. It is important that institutions begin to address this dynamic through both education on supporting victims and considering how policy can help clarify sexual assaults.

The present results suggest that affirmative consent policies alone may not be possible to address rape culture, rape myths, and the identification and reporting of sexual assault. Pineau (1989) suggested that affirmative consent shifts sexual communication from passive to

empowering by prompting both partners to be active within their communication of desires.

While the present study did not implement associated interventions targeted at adjusting norms of sexual communication, there is a need for continued research on affirmative consent. It may be important to investigate how to prompt students to critically consider their sexual communication.

## **APPENDICES**

## **Appendix A**

### **Pilot Sexual Assault Vignettes**

#### **Vignette Development**

Three vignettes were created to have varied verbal, non-verbal, and passive communication of consent and refusal. All vignettes were intended to represent an ambiguous sexual scenario between two heterosexual college aged students. Two vignettes featured a combination of an affirmative consent communication (verbal or non-verbal) and a refusal based communication (verbal or non-verbal), and one vignette featured a passive response. Vignettes feature verbal affirmative consent and non-verbal refusal, non-verbal affirmative consent and verbal refusal, and a passive communication of consent.

A shell of the vignette was adapted from a previous study (Loftgreen, 2014). Changes to the vignette included adjusting the setting to a party environment and changing the names of the characters. Hammock and Richardson (1997) found that the presence of alcohol consumption by both parties increased victim blaming. Excessive alcohol use might impact a participant's response, but a lack of alcohol consumption would appear unrealistic. It is important that the vignette allude to alcohol use but does not imply that both participants are excessively intoxicated. There was no evidence or descriptors suggesting that either character in the vignette was incapacitated to extent that they could not reasonably provide consent. Finally, the most common male and female names, Chris and Jessica, of children born in 1994 (birth year of most current college students) were utilized in the vignettes to keep them current.

Consent literature was reviewed in order to generate a list verbal and non-verbal affirmative consent responses and refusals. Consent responses and refusals were intended to balance both ambiguity and clarity. If responses reflected too much ambiguity, there would be no differences between the vignette conditions. On the other end, an extremely clear verbal refusal

(i.e., a person stating that they do not want to have sex) paired with a clear affirmative consent behavior (i.e., grabbing a condom) would present an unrealistic and confusing scenario. Once initial responses were generated, a panel reviewed the initial drafts.

A panel of six graduate students assisted in the initial analysis of five vignettes. Vignettes were analyzed on the extent to which the scenario seemed realistic for college students, whether or not Jessica's verbal and non-verbal behaviors indicated consent, and the amount that the entire vignette represented sexual assault or rape. Panelists provided general feedback on the wording of verbal and non-verbal consent and refusal communications. After review, some of the items were deemed overly ambiguous (i.e. Jessica moved her hips in response) resulting in changes to reflect a non-verbal affirmative consent (i.e. Jessica pushed her hips into Chris) and non-verbal refusal (i.e., Jessica pulled away from Chris). Three vignettes were selected from the initial sample five and prepared for a pilot study with a sample of college-aged students. See below for vignette utilized in the study.

### **Pilot Sexual Assault Vignettes.**

**Instructions:** You are going to read a scenario and answer some questions, please be honest and take a moment to think about your perceptions of the scenario.

*Vignette one: Verbal consent and non-verbal refusal (Adapted from, Loftgreen, 2014).*

Chris and Jessica spent the evening at an off campus party. They met in the kitchen, and ended up hitting it off. After some fun conversation and a couple drinks, they decided to head back to Chris's apartment for privacy. After chatting and flirting for a while, Chris and Jessica start making out. Within a few minutes, Chris and Jessica are mostly undressed. Chris starts to move his hands down Jessica's body and starts to touch her clit. Chris, feeling really turned on, initiates sex by moving his penis into Jessica's vagina. In response, **Jessica, says "this feels really good,"** after a couple minutes **she pulls away from Chris.** Chris continues have sex with Jessica.

*Vignette two: Non-verbal consent and verbal refusal (Adapted from, Loftgreen, 2014).*

Chris and Jessica spent the evening at an off campus party. They met in the kitchen, and ended up hitting it off. After some fun conversation and a couple drinks, they decided to head back to

Chris's apartment for privacy. After chatting and flirting for a while, Chris and Jessica start making out. Within a few minutes, Chris and Jessica are mostly undressed. Chris starts to move his hands down Jessica's body and starts to touch her clit. Chris, feeling really turned on, initiates sex by moving his penis into Jessica's vagina. In response, **Jessica, pushes her hips into Chris**, after a couple of minutes **she says, "I'm not really sure about this."** Chris continues have sex with Jessica.

*Vignette three: Passive communication (Adapted from, Loftgreen, 2014).*

Chris and Jessica spent the evening at an off campus party. They met in the kitchen, and ended up hitting it off. After some fun conversation and a couple drinks, they decided to head back to Chris's apartment for privacy. After chatting and flirting for a while, Chris and Jessica start making out. Within a few minutes, Chris and Jessica are mostly undressed. Chris starts to move his hands down Jessica's body and starts to touch her clit. Chris, feeling really turned on, initiates sex by moving his penis into Jessica's vagina. **In response, Jessica lies still and doesn't say anything.** Chris continues have sex with Jessica.

### **Pilot Study Design**

Vignettes needed to fit the following criteria in order to be utilized within the primary study: deemed realistic, sufficiently ambiguous, consent and refusal perceptions matching the intentions of the vignette variation, and ambiguous in terms of sexual assault identification.

Because vignettes were similar in wording, participants were randomly assigned to read one of three vignettes.

### **Participants**

Participants aged 18-28 years old were recruited from a general online sample as well as Amazon Mechanical Turk, a crowd sourcing data collection site. A total of 87 people participated in the pilot study. Nearly fifty-three percent of the sample came from Amazon Mechanical Turk ( $n = 46$ ) and 46.0% individuals came from general online participants ( $n = 40$ ). The sample consisted of 60.5% males ( $n = 52$ ), 36% females ( $n = 31$ ), and 3.5% transgender males ( $n = 3$ ). Majority of the sample was heterosexual 74.7% ( $n = 65$ ) and white 74.7% ( $n = 65$ ). The mean age of the sample was 24.20 years old ( $SD = 2.852$ ).

### **Measures**

After each vignette, participants answered seven items on a 1-7 Likert scale. Two items assessed how realistic the scenario seemed for college students rated on a scale from “extremely unrealistic” to “extremely realistic”, and how ambiguous the consent seemed in the vignette rated on a scale from “extremely ambiguous” to “extremely unambiguous.” The five remaining statements were rated a 1-7 Likert scale ranging from “strongly disagree” to “strongly agree.” Items addressed the extent to which Jessica’s verbal and non-verbal behavior communicated consent, and the extent to which the vignette depicted a sexual assault, a consensual interaction, and rape. See Below for items utilized in the pilot study.

**Instructions:** Answer the following questions about your perceptions of the scenario above

How realistic does this scenario seem for college students?	Extremely unrealistic (1)	(2)	Unrealistic (3)	(4)	Realistic (5)	(6)	Extremely realistic (7)
How ambiguous did you think this scenario is in terms of consent?	Extremely ambiguous (1)	(2)	Ambiguous (3)	(4)	Unambiguous (5)	(6)	Extremely unambiguous (7)
Jessica’s non-verbal behavior communicated consent.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
Jessica’s verbal behavior communicated consent.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
This scenario depicted a sexual assault.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
The sexual interaction described in this scenario was consensual.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
This scenario depicted rape.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)

## Outcome Criteria

Ideal means and actual means are listed in Table 1 for each vignette criteria. All vignettes had similar ideal means for ratings on how realistic the vignette seemed for college students ( $\bar{x} \geq 5$ ), ambiguity of the consent communication ( $\bar{x} \approx 4$ ), representativeness of sexual assault ( $\bar{x} \approx$



4), and extent to which the vignette appeared consensual ( $\bar{x} \approx 4$ ). Previous studies have demonstrated that when adding the label rape to a sexual event, individuals respond differently when compared to behaviorally descriptive items (Koss, 1998). Additionally, Lim and Roloff (1999) found that participants utilized more conservative estimates when referring to a scenario as rape when responding to vignettes. As a result, it is likely that labeling an experience as rape may be reserved for stereotypical rapes. Hence, the ideal mean for the extent to which the vignette depicted rape ( $\bar{x} \approx 3$ ) was proposed to be somewhat lower.

Ideal means based on communication were based on the direction of the vignette communication. For example, for verbal consent it was expected that participants perceive the female character's verbal behavior as greater than or equal to five. Whereas with a verbal refusal perceptions of the female's consent refusal were expected to be rated as less than or equal to three. Ideal means for the remaining consent communications and refusal are listed in Table 13.

## **Procedure**

Participants were randomly assigned to read a vignette containing either a passive response, a non-verbal consent/verbal refusal, or a verbal consent/non-verbal refusal. Vignette 1 featured verbal consent ("Jessica says, 'this feels really good.'") and non-verbal refusal ("she pulls away from Chris."). Vignette 2 featured non-verbal consent ("Jessica pushes her hips into Chris.") and verbal refusal ("she says, 'I'm not really sure about this.'"). Vignette 3 features passive consent style ("Jessica lies still and doesn't say anything.")

## **Results**

Vignette 1 included a verbal indicator of consent and a non-verbal refusal. The ideal mean for the extent to which Jessica's verbal communication represented consent was greater than or equal to five, and her non-verbal refusal was less than or equal to three. Based on the

criteria, vignette one was deemed realistic ( $M = 5.43$ ,  $SD = .936$ ), sufficiently ambiguous ( $M = 3.63$ ,  $SD = 1.38$ ), not intuitively representative as a sexual assault ( $M = 3.30$ ,  $SD = 1.54$ ), rape ( $M = 2.82$ ,  $SD = 1.60$ ) or non-consensual ( $M = 4.20$ ,  $SD = 1.54$ ). In terms of the consent communication manipulation, the verbal consent manipulation matched the intended mean ( $M = 5.07$ ,  $SD = 1.31$ ). The non-verbal refusal was higher than expected ( $M = 3.97$ ,  $SD = 1.69$ ).

**Table 13. Pilot Study: Vignette Criteria and Results**

<b>Vignette Measures</b>	<b>Ideal mean</b>	<b>Actual mean</b>	<b>SD</b>
<b>Vignette 1* (n = 30)</b>			
Realistic	$\bar{x} \geq 5$	5.43	0.93
Ambiguous consent	$\bar{x} \approx 4$	3.63	1.38
Verbal Consensual	$\bar{x} \geq 5$	5.07	1.31
Non-verbal Consensual	$\bar{x} \leq 3$	3.97	1.70
Sexual Assault	$\bar{x} \approx 4$	3.30	1.54
Consensual	$\bar{x} \approx 4$	4.20	1.54
Rape	$\bar{x} \approx 3$	2.82	1.60
<b>Vignette 2** (n = 31)</b>			
Realistic	$\bar{x} \geq 5$	5.06	1.34
Ambiguous consent	$\bar{x} \approx 4$	4.48	1.55
Verbal Consensual	$\bar{x} \geq 3$	3.03	1.40
Non-verbal Consensual	$\bar{x} \leq 5$	5.16	1.53
Sexual Assault	$\bar{x} \approx 4$	4.06	1.65
Consensual	$\bar{x} \approx 4$	3.90	1.49
Rape	$\bar{x} \approx 3$	3.58	1.73
<b>Vignette 3*** (n = 26)</b>			
Realistic	$\bar{x} \geq 5$	5.08	0.89
Ambiguous consent	$\bar{x} \approx 4$	4.00	1.38
Verbal Consensual	$\bar{x} \approx 3$	3.12	1.61
Non-verbal Consensual	$\bar{x} \approx 4$	4.00	1.58
Sexual Assault	$\bar{x} \approx 4$	3.72	1.69
Consensual	$\bar{x} \approx 4$	4.31	1.32
Rape	$\bar{x} \approx 3$	3.08	1.77

\*Note. \*Vignette 1: Verbal consent/non-verbal refusal, \*\*Vignette 2: Verbal refusal/non-verbal consent, \*\*\*Vignette 3: Passive response

Vignette 2 included a non-verbal indicator of consent and a verbal refusal. Ideally, the mean for a Jessica's non-verbal behavior representing consent was greater than or equal to five, and ratings for her verbal behavior representing consent was less than or equal to three. Vignette two was deemed realistic ( $M = 5.06$ ,  $SD = 1.34$ ), not intuitively representative as a sexual assault

( $M = 4.06$ ,  $SD = 1.53$ ), rape ( $M = 3.58$ ,  $SD = 1.72$ ), or non-consensual ( $M = 3.90$ ,  $SD = 1.49$ ).

The rating in regards for ambiguity was higher than expected ( $M = 4.48$ ,  $SD = 1.55$ ). In terms of the consent communication manipulation, the nonverbal consent manipulation ( $M = 5.16$ ,  $SD = 1.31$ ) and the verbal consent manipulation ( $M = 3.03$ ,  $SD = 1.40$ ) matched the intended mean.

Vignette 3 represented a passive consent communication. Ideally, the mean for a Jessica's non-verbal passive communication was approximately equal to 4, and verbal consent communication was approximately equal to 3. Vignette three was deemed realistic ( $M = 5.08$ ,  $SD = .89$ ), sufficiently ambiguous ( $M = 4.00$ ,  $SD = 1.38$ ), not intuitively representative as a sexual assault ( $M = 3.72$ ,  $SD = 1.687$ ), rape ( $M = 3.08$ ,  $SD = 1.77$ ), or non-consensual ( $M = 4.31$ ,  $SD = 1.32$ ). In terms of the consent communication manipulation, the nonverbal consent manipulation ( $M = 4.00$ ,  $SD = 1.38$ ) and the verbal consent manipulation ( $M = 3.12$ ,  $SD = 1.61$ ) matched the intended mean.

Based on the results, vignettes generally matched the intended criteria. In vignette one (verbal consent/non-verbal refusal), Jessica's nonverbal behavior mean was higher than the intended mean. This is likely because nearly pulling away could be miscommunicated as flirtatious or playful. In order to adjust the non-verbal consent refusal, wording was adjusted to, "After a couple of minutes, she pushes away from Chris." Vignette two (verbal refusal/non-verbal consent) ratings of the ambiguity of consent was higher than expected. This is likely because verbal indicators reflect more clear barometers of consent (Loftgreen, 2014). Interestingly, perceiving the interaction as less ambiguous in terms of consent did not appear to impact the extent to which the vignette was perceived as a sexual assault. As a result, no changes will be made to vignette 2 given that the intended means of the consent communication means

were met and the impressions of the vignette depicting a sexual assault were not impacted. Finally, vignette three (passive consent) matched the intended vignette criteria.

### **Secondary Pilot Analysis Vignette 1**

Vignette 1 (verbal consent/non-verbal refusal) did not fully meet criteria. An abbreviated pilot analysis was conducted in order to examine the whether or not the updated wording for a non-verbal refusal, “after a couple of minutes, she pushes away from Chris” matched the intended means. The verbal consent, “this feels really good,” remained the same. The same criteria from the first pilot study were utilized in the second pilot.

### **Participants.**

Fifty-three participants (all college students) completed the study. The sample was predominantly female ( $n = 31$ , 39.6%) remainder of the sample identified as male ( $n = 21$ , 39.6%), MTF transgender ( $n = 1$ , 1.9%). In terms of sexual orientation most of the sample identified as and heterosexual ( $n = 45$ , 84.9%), with a smaller percent identifying as gay ( $n = 1$ , 1.9%), bisexual ( $n = 2$ , 3.8%), asexual ( $n = 3$ , 5.7), and preferring not to answer ( $n = 2$ , 3.8%). Most participants identified as white ( $n = 47$ , 88.7%). The remaining sample identified as African American ( $n = 4$ , 7.5%), Native American ( $n = 1$ , 1.9%), and other ( $n = 1$ , 1.9%).

### **Measures**

Participants completed two items rating their agreement with two statements, indicating whether or not they perceived Jessica’s verbal and non-verbal behavior as consensual. Items were rated on a 1-7 Likert scale with higher numbers indicating higher levels of agreement. Participants also rated a statement indicating the extent to which they viewed the events as indicative of a sexual assault using a 1-7 Likert scale. Higher scores on this item corresponded with high sexual assault perception.

## **Procedures**

Participants completed the study online on personal computers. Participants completed an informed consent, demographics section, read the vignette of interest, and completed the dependent variables. After completing the dependent variable, participants completed a debriefing.

## **Results.**

The updated vignette met the intended criteria. Participants perceived the female's verbal behavior ( $M = 4.92$ ,  $SD = 1.67$ , ideal mean  $\geq 5$ ) and non-verbal behavior ( $M = 2.23$ ,  $SD = 1.27$ , ideal mean  $\leq 3$ ) within the intended range. Perceptions of the events as a sexual assault appeared adequately ambiguous ( $M = 4.87$ ,  $SD = 1.64$ , ideal mean  $\approx 4$ ). Based on the results of both the first and secondary pilot, the vignettes utilized in the study appear to match the intended criteria and reflect ambiguous sexual assault scenarios with varied consent communication. Appendix C features the final iterations of the vignettes.

## Appendix B Final Sexual Assault Vignettes.

**Instructions:** You are going to read a story about two people in college. Keep it in mind, as you will be asked about it later.

*Vignette one: Verbal consent and non-verbal refusal (Adapted from, Loftgreen, 2014).*

Chris and Jessica spent the evening at an off campus party. They met in the kitchen, and ended up hitting it off. After some fun conversation and a couple drinks, they decided to head back to Chris's apartment for privacy. After chatting and flirting for a while, Chris and Jessica start making out. Within a few minutes, Chris and Jessica are mostly undressed. Chris starts to move his hands down Jessica's body and starts to touch her clit. Chris, feeling really turned on, and initiates sex by moving his penis into Jessica's vagina. In response, **Jessica, says "this feels really good,"** after a couple minutes, **she pushes away from Chris.** Chris continues have sex with Jessica.

*Vignette two: Non-verbal consent and verbal refusal (Adapted from, Loftgreen, 2014).*

Chris and Jessica spent the evening at an off campus party. They met in the kitchen, and ended up hitting it off. After some fun conversation and a couple drinks, they decided to head back to Chris's apartment for privacy. After chatting and flirting for a while, Chris and Jessica start making out. Within a few minutes, Chris and Jessica are mostly undressed. Chris starts to move his hands down Jessica's body and starts to touch her clit. Chris, feeling really turned on, and initiates sex by moving his penis into Jessica's vagina. In response, **Jessica, pushes her hips into Chris,** after a couple of minutes **she says, "I'm not really sure about this."** Chris continues have sex with Jessica.

*Vignette three: Passive communication (Adapted from, Loftgreen, 2014).*

Chris and Jessica spent the evening at an off campus party. They met in the kitchen, and ended up hitting it off. After some fun conversation and a couple drinks, they decided to head back to Chris's apartment for privacy. After chatting and flirting for a while, Chris and Jessica start making out. Within a few minutes, Chris and Jessica are mostly undressed. Chris starts to move his hands down Jessica's body and starts to touch her clit. Chris, feeling really turned on, and initiates sex by moving his penis into Jessica's vagina. **In response, Jessica lies still and doesn't say anything.** Chris continues have sex with Jessica.

**Manipulation Check**

**Instructions:** Please rate your agreement with the following statements

Jessica's non-verbal behavior communicated consent.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
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Jessica's verbal behavior communicated consent.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
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## **Appendix C**

### **Instrument Selection Pilot**

A pilot study was conducted in order to select the appropriate instruments for the primary investigation. Tasks included addressing (a) the psychometric properties of two different measures of Rape Myth Acceptance, (b) the wording (using “report” versus “tell”) within the likelihood of reporting dependent variable, and (c) examination of the psychometric properties of the sexual assault identification dependent variable. Results from this pilot study are intended to inform selection and validation of the instruments utilized within the primary investigation.

Payne, Lonsway, and Fitzgerald (1999) noted that the language and behaviors associated with rape myths change within time periods. For example, Burt’s (1980) original scale included an item stating, “Women who get raped while hitchhiking, get what they deserve” (p. 223). People may still believe that a woman that gets raped when traveling alone is “asking for it,” yet hitchhiking is less common than in the 1980s. Changes in culture from the 1980s prompted Payne et al. to update the measure fifteen years ago. While the Illinois Rape Myth Acceptance Scale is frequently used, it is unclear if rape myths employed fifteen years ago are still relevant. As result, a pilot study was conducted including two measures of RMA, the *Illinois Rape Myth Acceptance Scale* (IRMA; Payne, Lonsway, & Fitzgerald, 1999) and the *Acceptance of Modern Myths About Sexual Aggression Scale* (AMMASA; Gerger, Kley, Bohner, & Siebler, 2007). Both scales were evaluated on their reliability, normalcy of the distribution, and conceptual fit with the intentions of the present study.

The pilot study also aimed to examine the use of the words “report” versus “tell” within the likelihood of reporting dependent variable. Per federal mandate, many university professionals, students, and student workers receive training about support resources and official sexual assault reporting offices. A survivor may disclose to a supervisor, professor, co-worker, or



residence assistant and immediately be linked to a reporting office such as Title XI, Dean of Students, or campus police depending on the university system. As such, it is likely that a survivor may end up within a reporting office without intentions to file an official report. Because there are many avenues that lead to official reporting, measuring likelihood of reporting in a university setting highlights a complicated context for measurement.

Measuring likelihood of reporting within a university context needs to reflect the circumstances in which a survivor may be prompted to report, while also acknowledging that disclosure within these contexts does not imply an intention to report. For example, a survivor might “tell” a trusted professor without intentions to report, but would be unlikely to merely “tell” the police about a sexual assault. As such, it is necessary to understand how college students interpret the differences in these wordings in order to construct a measure that matches the intentions of the present investigation – to pursue an avenue leading to investigation or additional supports. The pilot study tested two iterations of the dependent variable using a between subjects designs of ratings of likelihood of reporting after a vignette featuring a verbal refusal and non-verbal consent.

Finally, the pilot explored the psychometric properties of the Sexual Assault identification measure. The measure was evaluated in terms of analysis of descriptive statistics and reliability. Given that the measure has not been utilized within other studies, factor structure was examined utilizing an exploratory factor analysis. Final decisions about which items to include within the measure were based on the results of the EFA and theoretical goals of the investigation.

## **Participants.**

Ninety-five participants attempted to complete this pilot study. Of those 95 participants, 18 did not complete the study data and 6 others were not currently enrolled as an undergraduate student and did not meet criteria for participation. The remaining 72 cases were included in the pilot study. The majority of the sample (66.7%,  $n = 64$ ) identified as male. Approximately 30% ( $n = 30$ ) identified as female, and a small portion of the sample (2.1%) identified as FTM transgender. In terms of sexual orientation, 75% of the sample identified as predominantly heterosexual ( $n = 72$ ). The remainder of the sample identified as Gay ( $n = 3$ , 3.1%), Bisexual ( $n = 14$ , 14.6%), Queer ( $n = 4$ , 4.2%), Asexual ( $n = 2$ , 2.1%), and one individual preferred to not disclose their sexual orientation. Eighty-two participants identified as white (85.4%). The remaining portion identified as African American ( $n = 3$ , 3.1%), Hispanic ( $n = 3$ , 3.1%), Asian ( $n = 3$ , 3.1%), Native American ( $n = 2$ , 2.1%), Pacific Islander ( $n = 2$ , 2.1%), and one participant identified as “other.”

## **Measures**

**Illinois Rape Myth Acceptance Scale – Short Form (IRMA-SF; Payne, Lonsway, Fitzgerald, 1999).** The Illinois Rape Myth Acceptance – Short form is a 22-item scale assessing the extent to which an individual holds attitudes related rape myths such as believing that a woman asks for rape, or believing that women lie about rape. Participants rated their agreement with rape myths by rating their agreement using a 1-5 Likert scale. The Illinois Rape Myth Acceptance scale can be computed as a four-factor scale reflecting specific patterns of rape myths (She asked for it, he didn't mean to, it wasn't rape, and she lied), or as a total scale. The current study intends to utilize the scale as a covariate therefore, the total score was calculated. Higher agreement was indicative of more endorsement of rape myths. In the present sample, the

scale demonstrated good reliability within the pilot population ( $\alpha = 0.92$ ). See Appendix D for items.

**The Acceptance of Modern Myths About Sexual Aggression Scale; (AMMASA; Gerger, Kley, Bohner, & Siebler, 2007).** The Acceptance of Modern Myth About Sexual Aggression Scale is a 30-item scale that subtly records endorsement of rape myth such as believing that victims receive enough support, and that aggressive tactics are normal for men. Items are rated on a 1-7 Likert scale with lower ratings associated with less agreement. Items were totaled and averaged across all statements. In the present study, the scale demonstrated good reliability within the pilot population ( $\alpha = 0.94$ ) See appendix E for items.

**Likelihood of Reporting.** The pilot likelihood of reporting measure included two iterations of the scale using the words “report” and “tell.” Items listed common sources of reporting for college students in a university setting including a friend, family member, roommate, RA, RD, Professor, University counseling employee, anonymous reporting line, dean of student, or campus police. Items followed the format, “She should report/tell a friend.” Items were rated on a 1-7 Likert scale with higher ratings indicating more likelihood of reporting. Total sums on the report and tell measures were averaged. Reliability for the report ( $\alpha = .95$ ) and tell ( $\alpha = .91$ ) demonstrated good reliability. See Appendix F for items tested.

**Qualitative Items.** Two qualitative items were included in order to determine differences between how participants relate to items featuring the word “report” or “tell.” Participants in the report condition were asked, “How do you interpret the word report?” and “How would you interpret it differently if it said tell?” Participants in the tell conditions were asked, “How do you interpret the word tell?” and “How would you interpret it differently if it said the word report?”

**Sexual Assault Identification.** Six items measuring sexual assault identification were included within the pilot to examine the psychometric properties of the sexual assault identification scale created for the primary investigation. Participants rated the extent to which they perceived the events in the story as reflective of being “non-consensual,” a “sexual assault,” “sexual coercion,” “rape,” “unwanted, but consensual,” and “consensual.” One item included the text, “The scenario depicted a sexual assault.” Items were rated on a 1 (strongly disagree)-7(strongly agree) Likert scale with higher scores indicating a higher level of agreement.

## **Materials**

**Vignette.** All participants were exposed to the vignette featuring initial non-verbal consent (“Jessica presses her hips into Chris.”) followed by verbal refusal (“I’m not so sure about this”). The presence of a verbal refusal may be more intuitively indicative of a sexual assault and was utilized in order to introduce more variability into the report vs. tell responses.

## **Procedure**

Participants completed an informed consent, demographics section, and read a vignette featuring non-verbal consent followed by verbal refusal manipulation. After reading the vignette, participants were randomly assigned to a condition featuring items using the word “report,” or items using the word “tell.” Once participants completed the sexual assault identification measure and a version of the likelihood of reporting scale (report versus tell items), participants completed qualitative item providing insight into how their interpretation would have changed with the alternative wording. Participants then completed the two measures of RMA (AMMASA & IRMA) followed by a debriefing.

## **Results: Rape Myth Acceptance Selection**

The Illinois Rape Myth Acceptance Scale (IRMA) required participants to rate their agreement with common rape myths on a 1-5 Likert scale with higher numbers indicating more endorsement of rape myths. The mean of the IRMA was 2.26 with a range of 1 – 4.09, and a standard deviation of 0.68. Measures of skewness (0.15) or Kurtosis (-0.29) did not suggest any concerns about outliers or homogeneity of the sample. A Shapiro-Wilks test was not significant, suggesting that the population appeared normally distributed (Statistic = .99,  $n = 72$ ,  $p = .58$ ). The mean of this scale was slightly below the midpoint of the scale, suggesting that the majority of participants did not endorse strong agreement with rape myths. Cronbach's alpha was run to examine the reliability of the IRMA with 77 participants that completed all items. Alpha was .91 suggesting high reliability.

Acceptance of Modern myths about Sexual Aggression was computed by averaging all items. Participants rated agreement with statements on a 1-7 scale with higher scores indicating more agreement. The mean of the AMASA was 3.37, the range was 1.30 to 5.50, and the standard deviation was 1.04. Similar to the RMA, the means of the AMASA was slightly lower than the midpoint, suggesting that a majority of the sample did not strongly endorse strong agreement with rape myths. Measures of skewness (-0.34) or Kurtosis (-0.30) did not suggest any concerns about outliers or homogeneity of the sample. A Shapiro-Wilks test was utilized to examine the normalcy of the distribution and was not significant (Statistic = .97,  $n = 72$ ,  $p = .15$ ). Cronbach's alpha was run to examine the reliability of the AMASA with 72 participants that completed all items. Alpha was .94 suggesting high reliability.

The original AMMASA study compared responses between the IRMA and AMMASA scores. One of the predominant concerns was the positive skewness of the IRMA (Gerger, Kley,

Bohner, & Siebler, 2007). Neither scale showed any significant skewness according to measures of skewness, kurtosis, and Shapiro-Wilks normality test. In addition, both measures appeared to be reliable for the intended sample and endorsement for each scale was just slightly below the midpoint of the scales. In terms of basic psychometric properties, the scales appear to be performing adequately well.

Given the psychometric similarity of the measures, it is important to note their conceptual difference. The Illinois Rape Myth Acceptance Scale covers rape myths that predominantly reflect interpersonally based rape myths, meaning that they reflect the dynamics between men and women that lead to myths such as false reports. For example, the item, “If a girl initiates kissing or hooking up, she should not be surprised if a guy assumes she wants to have sex,” reflects a common rape myth that kissing implies consent for other sexual behaviors. The Acceptance of Modern Myths about Sexual Aggression also covers those dynamics “When a single woman invites a single man to her flat she signals that she is not averse to having sex,” as well as more broad beliefs that sexual assault is not an issue, “Instead of worrying about alleged victims of sexual violence society should rather attend to more urgent problems, such as environmental destruction.” College students receive ample education on sexual assault prevention due to federal regulations under Title IX, which makes institutional level rape myths an important factor. Further, the AMMASA reflects a subtler set of items. Hence, the present study will utilize the AMMASA.

### **Results: Report vs. Tell**

The two likelihood of reporting scales were examined in terms of general psychometric properties and conceptual fit in light of the present investigation. The mean of the sample for the reports condition was 3.64 (SD = 1.34) with a range of 0.92 to 6.17. There was no indication of

skewness (-0.10) or kurtosis (-0.77). The Shapiro-Wilks test was not significant (Statistic = .98,  $n = 44$ ,  $p = 0.48$ ). Reliability appeared adequate for the present sample ( $\alpha = .95$ ). The mean of the sample for the tell condition was 3.27 ( $SD = 1.12$ ) with a range of 1.33 to 5.00. There did not appear to be any skewness (-0.19) or kurtosis (-1.25). The Shapiro-Wilks test was significant (Statistic = .94,  $n = 46$ ,  $p = .02$ ) suggesting that the distribution for the Tell condition was not normally distributed. The tell measure appeared to have adequate reliability ( $\alpha = .91$ ). An independent samples T-Test was run in order to examine whether or not there were wording differences between utilizing “report” or “tell” on scales looking at potential relations to express concerns to. There were no differences on the means score for the report condition ( $M = 3.64$ ,  $SD = 1.34$ ) and tell condition ( $M = 3.27$ ,  $SD = 1.12$ ;  $t(88) = 1.41$ ,  $p = .16$ ).

Content analysis was conducted utilizing the process outlined by Hsieh and Shannon (2005). Due to the difference in wording, the report and tell conditions were initially analyzed separately to find content themes. Across all four analysis, 32-63% described report or tell in either neutral terms (e.g. definition, means of communication, being the same as tell), or making no difference in their responses to the questions following the vignette. When there were reported differences reflected in the units, responses tended to align with the pattern that report tended to imply some sort of action, and telling implied inaction. This was reflected in 40-56% of the answers. Overall, this suggests that there is a clear split such that participants will either see no difference in reporting versus telling, or consider report to imply action.

Overall, there did not appear to be any statistically significant differences between the report and tell outcome measures. Both scales demonstrated adequate reliability coefficients, however, there was some evidence of issues with normality for the tell condition given the presence of a statistically significant Shapiro-Wilks. This significant finding should be

approached with caution given the small sample size ( $n = 46$ ) and restricted range of the variable being on a 1-7 Likert scale. It is important to note results from the content analysis suggested that when there was a perceived difference between report and tell, participants viewed report as implying action. The present study aims to look at policy definition and how they influence likelihood of gaining support, because support is considered an action the present study will utilize the word report over tell.

As a final means of validation, all items within the likelihood to report scale were factor analyzed. Seventy-two participants were utilized to examine the dependent variable of likelihood to report. Eleven items were factor analyze with principal axis factoring using a varimax rotation. The analysis yielded a one factor solution accounting for 60.81% of the variance. Table 14 contains factor loadings, communalities, eigenvalues, and variance accounted for all items in the scale. Items with lower factor loadings were maintained to theoretical consistency with the variable of interest, likelihood of reporting. By keeping all of the reporting source that a student can access within a university setting, the final iteration of the scale represents a wide range of feasible reporting options relevant to college students.

**Table 14: Factor Analysis Table for Likelihood of Reporting**

	Loadings	
	Factor 1	Communalities
She should do nothing*	.55	.31
She should report the event to her friend	.51	.27
She should report the event to her family	.80	.65
She should report the event to her roommate	.65	.42
She should report the event to a residence assistant	.86	.73
She should report the event to the residence director or manager	.89	.79
She should report the event to a professor	.69	.48
She should report the event to the counseling center	.73	.53
She should report the event to the campus anonymous sexual assault response team	.85	.72
She should report the event to the dean of students or university administration	.81	.62
She should report the event to the campus police	.88	.77
	Eigenvalue	6.70
	% of Total Variance	60.88%

\*Reverse Scored



## Results: Sexual Assault Identification

The same ninety nine participants were gathered in order to run an exploratory factor analysis on the sexual assault identification dependent variable. Six questions related to sexual assault identification were factor analyzed using principal axis factoring extraction with a varimax rotation. The analysis yielded a one factor solution accounting for 64.62% of the variance (Eigenvalue [3.87]). One item (“The sexual interaction was unwanted but consensual”) did not appropriately load on the solution (component loading = -.67) and negatively correlated with all the other items. A second EFA was run in order to test the remaining five items. The EFA conducted with the five items yielded a one factor solution accounting for 69.93% of the variance. Factor loadings and communalities for the final iteration are listed in Table 3. One item had a lower factor loading compared to the other items, but was maintained due to its conceptual relevance to the dependent variable. This is because many definitions of sexual assault and consent indicate that consent must be obtained without coercion. When the final iteration of the scale was calculated the mean was 3.90 ( $SD = 1.49$ ). There was no indication of skewness (-0.39) or kurtosis (-0.81). Reliability appeared adequate for the present sample ( $\alpha = .84$ ). Based on the present analysis, the present scale appears adequate for the present investigation.

**Table 15: Factor Analysis Table for Sexual Assault Identification**

	Loadings	
	Factor 1	Communalities
This scenario was non-consensual	.87	.76
This scenario depicted a sexual assault	.89	.79
This scenario depicted sexual coercion	.44	.19
This scenario depicted rape	.89	.81
The sexual interaction described in this scenario was consensual*	.81	.66
	Eigenvalue	3.50
	% of Total Variance	69.93%

\*Reverse Scored

## **Appendix D**

### **Illinois Rape Myth Acceptance**

**Answer the following questions on a 1-5 scale with 1 indicating strongly agree, and 5 indicating strongly disagree**

1. If a girl is raped while she is drunk, she is at least somewhat responsible for letting things get out of hand.
2. When girls go to parties wearing slutty clothes, they are asking for trouble.
3. If a girl goes to a room alone with a guy at a party, it is her own fault if she is raped.
4. If a girl acts like a slut, eventually she is going to get into trouble.
5. When girls get raped, it's often because the way they said "no" was unclear.
6. If a girl initiates kissing or hooking up, she should not be surprised if a guy assumes she wants to have sex.
7. When guys rape, it is usually because of their strong desire for sex.
8. Guys don't usually intend to force sex on a girl, but sometimes they get too sexually carried away.
9. Rape happens when a guy's sex drive goes out of control.
10. If a guy is drunk, he might rape someone unintentionally.
11. It shouldn't be considered rape if a guy is drunk and didn't realize what he was doing.
12. If both people are drunk, It can't be rape.
13. If a girl doesn't physically resist sex — even if protesting verbally —it can't be considered rape
14. If a girl doesn't physically fight back, you can't really say it was rape.
15. A rape probably doesn't happen if a girl doesn't have any bruises or marks.
16. If the accused "rapist" doesn't have a weapon, you really can't call it rape.

17. If a girl doesn't say "no" she can't claim rape.
18. A lot of times, girls who say they were raped agreed to have sex and then regret it.
19. Rape accusations are often used as a way of getting back at guys.
20. A lot of times, girls who say they were raped often led the guy on and then had regrets.
21. A lot of times, girls who claim they were raped have emotional problems.
22. Girls who are caught cheating on their boyfriends sometimes claim it was rape.

**Appendix E**  
**The Acceptance of Modern Myths About Sexual Aggression Scale**

1. When it comes to sexual contacts, women expect men to take the lead
2. Once a man and a woman have started "making out", a woman's misgivings against sex will automatically disappear
3. A lot of women strongly complain about sexual infringements for no real reason, just to appear emancipated
4. To get custody for their children, women often falsely accuse their ex-husband of a tendency towards sexual violence
5. Interpreting harmless gestures as "sexual harassment" is a popular weapon in the battle of the sexes
6. It is a biological necessity for men to release sexual pressure from time to time
7. After a rape, women nowadays receive ample support
8. Nowadays, a large proportion of rapes is partly caused by the depiction of sexuality in the media as this raises the sex drive of potential perpetrators
9. If a woman invites a man to her home for a cup of coffee after a night out this means that she wants to have sex
10. As long as they don't go too far, suggestive remarks and allusions simply tell a woman that she is attractive
11. Any woman who is careless enough to walk through "dark alleys" at night is partly to be blamed if she is raped
12. When a woman starts a relationship with a man, she must be aware that the man will assert his right to have sex
13. Most women prefer to be praised for their looks rather than their intelligence
14. Because the fascination caused by sex is disproportionately large, our society's sensitivity to crimes in this area is disproportionate as well
15. Women like to play coy. This does not mean that they do not want sex
16. Many women tend to exaggerate the problem of male violence
17. When a man urges his female partner to have sex, this cannot be called rape
18. When a single woman invites a single man to her flat she signals that she is not averse to having sex

19. When politicians deal with the topic of rape, they do so mainly because this topic is likely to attract the attention of the media
20. When defining "marital rape", there is no clear-cut distinction between normal conjugal intercourse and rape
21. A man's sexuality functions like a steam boiler – when the pressure gets to high, he has to "let off steam"
22. Women often accuse their husbands of marital rape just to retaliate for a failed relationship
23. The discussion about sexual harassment on the job has mainly resulted in many a harmless behavior being misinterpreted as harassment
24. In dating situations the general expectation is that the woman "hits the brakes" and the man "pushes ahead"
25. Although the victims of armed robbery have to fear for their lives, they receive far less psychological support than do rape victims
26. Alcohol is often the culprit when a man rapes a woman
27. Many women tend to misinterpret a well-meant gesture as a "sexual assault"
28. Nowadays, the victims of sexual violence receive sufficient help in the form of women's shelters, therapy offers, and support groups
29. Instead of worrying about alleged victims of sexual violence society should rather attend to more urgent problems, such as environmental destruction
30. Nowadays, men who really sexually assault women are punished justly

## Appendix F Report vs. Tell Pilot Questions

**Instructions:** Earlier you read a policy related to a common occurrence for women on college campuses. Keep this in mind while you answer this question. Rate the following statements.

### Report Condition

She should do nothing.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to her friend	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to her family	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to her roommate	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the Residence Assistant	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the Resident Director or Manager	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the professor	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the counseling center	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the campus anonymous sexual assault response team	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the Dean of Students or University	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the campus police	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the community policy	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)

### Qualitative Items – Report

Regarding the wording for the questions above, how do you interpret the word report?

Regarding the wording for the questions above, how would you interpret it differently if it said tell?

## Tell Condition

She should do nothing.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should tell her friend	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should tell her family	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should tell her roommate	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should tell her Residence Assistant	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should Tell her Resident Director or Manager	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should tell a professor	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should tell the counseling center	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should tell the campus anonymous sexual assault response team	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should tell the Dean of Students or University	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should tell the campus police	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should tell the community policy	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)

## Qualitative Items – Tell

Regarding the wording for the questions above, how do you interpret the word tell?

Regarding the wording for the questions above, how would you interpret it differently if it said report?

## Appendix G Dependent Variable Questions

**Instructions:** Earlier you read a policy related to a common occurrence for women on college campuses. Keep this in mind while you answer this question. Rate the following statements.

This scenario was non-consensual.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
This scenario depicted a sexual assault.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
This scenario depicted sexual coercion	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
This scenario depicted rape.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
The sexual interaction described in this scenario was consensual.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)

**Instructions:** Based on the story you read, what do you think the female student should do in this situation. Rate the following statements on a 1-7 scale with a higher number indicating a higher level of agreement.

She should do nothing.	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to her friend	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to her family	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to her roommate	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the Residence Assistant	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the Resident Director or Manager	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the professor	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the counseling center	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the campus anonymous sexual assault response team	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)



She should report the event to the Dean of Students or University	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the campus police	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)
She should report the event to the community police	Strongly Disagree (1)	(2)	Disagree (3)	(4)	Agree (5)	(6)	Strongly Agree (7)

## Appendix H Consent Definition Manipulations

*Instructions:* Below is a University's or College's Policy and definition of sexual assault. Try to remember as much of it as possible, as you will be asked to summarize it. Pay specific attention to portions that are bolded.

### **Affirmative Either:**

Sexual assault occurs when a person engages in sexual intercourse (anal or vaginal) (a) without the consent of the person, (b) with a person incapable of giving consent due to their mental or physical state, or (c) when the person is under 16 years of age. Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. **Consent is given by *either words or actions*, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity.**

It is the responsibility of the person who wants to engage in the sexual activity to ensure that consent is obtained from the other person to engage in the activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. The existence of a dating relationship between the persons involved or the fact of a past sexual relationship does not imply consent to future sexual acts. Consent must be present throughout the sexual activity -- at any time, a participant can communicate a desire to no longer consent to continuing the activity. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent is not procured by the use of physical force, compelling threats, intimidating behavior, or coercion.

The following persons are unable to give consent:

Persons who are asleep, unconscious, or involuntarily restrained physically;

Persons who are incapacitated due to the influence of drugs, alcohol, or medication;

Persons who are unable to communicate consent due to a mental or physical condition;

Persons who are not of legal age according to State Law.

### **Affirmative Both:**

Sexual assault occurs when an actor subjects a person to sexual penetration or sexual assault (a) without the consent of the person, (b) when the actor knew or should have known that the other person was mentally or physically incapable of resisting or appreciating the nature of the person's own conduct, or (c) when the person is under 16 years of age. Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. **Consent is given by *both words and actions*, as long as those words and actions create clear permission regarding willingness to engage in the sexual activity**

It is the responsibility of the person who wants to engage in the sexual activity to ensure that consent is obtained from the other person to engage in the activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. The existence of a dating relationship between the persons involved or the fact of a past sexual relationship does not imply consent to future sexual acts. Consent must be present throughout the sexual activity -- at any time, a participant can communicate a desire to no longer consent to continuing the activity. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent is not procured by the use of physical force, compelling threats, intimidating behavior, or coercion.

The following persons are unable to give consent:

Persons who are asleep, unconscious, or involuntarily restrained physically;

Persons who are incapacitated due to the influence of drugs, alcohol, or medication;

Persons who are unable to communicate consent due to a mental or physical condition;

Persons who are not of legal age according to State Law.

**Control:**

Sexual assault occurs when an actor subjects a person to sexual penetration or sexual assault (a) without the consent of the person, (b) when the actor knew or should have known that the other person was mentally or physically incapable of resisting or appreciating the nature of the person's own conduct, or (c) when the person is under 16 years of age.

**Manipulation check**

Summarize the university policy you read.

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