

The Believability of Repressed Memories*

Jonathan M. Golding, Sandra A. Seago,
Rebecca Polley Sanchez, and Dawn Hasemann†

Two experiments investigated how mock jurors react to a case involving a repressed memory of child sexual assault. Subjects read a fictional civil trial (Experiment 1) or criminal trial (Experiment 2) summary involving the sexual assault of a 6-year-old female. The summary was presented in one of three conditions: (a) *child condition*: the alleged victim reported her memory of the assault in the same year that the assault occurred; (b) *repressed condition*: the alleged victim reported the assault 20 years later, after remembering it for the first time; or (c) *no-repressed condition*: the alleged victim reported the assault 20 years later, but the memory of the assault had been present for the 20 years. Although the testimony of the alleged victim was believed to some extent in all conditions, the alleged victim in the child condition was believed at the highest level, and this was associated with more decisions against the defendant. The results are discussed in terms of how delayed reporting of child sexual assault crimes is associated with lower believability of the alleged victim.

Imagine the following situation: a 26-year-old woman claims that she was sexually abused by her step-father when she was 6 years old. Moreover, her memory of the incident was only recently recovered during a therapy session. That is, her memory has been "repressed" for the past 20 years. Because of her memory of this apparently repressed event, the woman decides to bring suit against her step-father. After a bitter civil trial in which the step-father vehemently denies the charge, the jury awards the woman a substantial monetary settlement.

Does this scenario sound unbelievable? Perhaps 10 years ago, or even 5 years ago, the answer would have been "Yes." The notion that memories could be

* We would like to thank Christy Kennedy, Paula Brinegar, and Elizabeth Thomas for their assistance in collecting and scoring the data, as well as Michael Nietzel, Monica Kern, Ronald Roesch, and three anonymous reviewers for their comments on earlier drafts of this paper. Correspondence concerning this article should be addressed to Jonathan M. Golding, Department of Psychology, University of Kentucky, Lexington, KY 40506-0044 (e-mail: psy228@ukcc.uky.edu).

† University of Kentucky.

repressed might have been supported only by psychoanalysts and a few cognitive psychologists. The idea that the repressed memory would lead to a trial would probably have been unthinkable in the legal profession, yet today this scenario is not unbelievable, because similar situations are occurring throughout the United States (see Loftus, 1993 for examples).

“The essence of repression lies simply in the function of rejecting and keeping something out of consciousness” (Freud, 1915/1957, p. 105). In this way, repression serves as a defense mechanism (Freud, 1894/1962, 1896/1962). It may be the result of conscious or unconscious processes (see Erdelyi, 1985; Erdelyi & Goldberg, 1979).¹ That is, an individual may have active control of the repression. By keeping the memory out of consciousness, an individual defends himself or herself against the conscious recollection of the memory and its associated consequences. According to Freud, however, the repressed memory may still affect the individual at an unconscious level. In addition, it is possible that the repressed memory may eventually reemerge into consciousness (see Erdelyi, 1985).

Despite the extensive writings by Freud on the subject of repression, there is no consensus on whether repressed memories are psychologically real or how to distinguish accurate repressed memories from confabulated repressed memories. There are, however, a number of strong believers in the validity of repressed memories. Psychodynamically oriented therapists in particular accept the reality of repression, since it is the foundation on which most of psychoanalysis rests (Loftus, 1993). These individuals often cite numerous clinical anecdotes for repression (e.g., Rieker & Carmen, 1986; Williams, 1987), in which individuals, during the course of therapy, recover “lost” memories. Empirical studies have also been used to support the reality of repression (see Erdelyi, 1985 and Erdelyi & Goldberg, 1979 for reviews of this research), including studies on hypernesia (e.g., Erdelyi & Kleinbard, 1978), retrieval inhibition (e.g., Geiselman, Bjork, & Fishman, 1983), and autobiographical memories (Davis, 1987; Davis & Schwartz, 1987). Repression skeptics, however, argue that: (a) reports of repressed memories are “empirical observations lacking in scientific underpinnings” (Ganaway, 1992, p. 203); and (b) despite the claims of the believers, no controlled laboratory studies support the psychological reality of repression (Holmes, 1990; Loftus, 1993). It is not that these skeptics deny the existence of repressed memories, but as Loftus (1993, p. 534) states, “we do not yet have the tools for reliably distinguishing the signal of true repressed memories from the noise of false ones.”

In light of the recent interest in repressed memories, the question arises as to how people in general and jurors in particular react to repressed memory cases. This question was raised by Loftus (1993) in her examination of the psychological reality of repressed memories of childhood sexual and physical abuse. She stated that answering this question has an important theoretical implication since laypeople’s implicit or intuitive theories about repressed memories guide society’s

¹ Erdelyi (1985, p. 221) notes that textbooks often suggest that repression is the unconscious defense mechanism, whereas “suppression” is the conscious defense mechanism. Erdelyi and Goldberg (1979), however, demonstrated that Freud treated these terms interchangeably.

thinking on this topic. In addition, she stated that there are important practical implications of implicit theories of repression:

Plaintiffs' lawyers who are deciding whether to file repressed memory cases are eager to know the likelihood of a successful outcome. Defense lawyers also care, because such subjective probabilities affect their decisions about whether to proceed to trial or to settle a case early. Perhaps most importantly, the plaintiffs should care. (p. 522)

Although the implications of such cases are important, research examining this question has been almost nonexistent. The purpose of the present study is to investigate the believability of testimony involving repressed memories using a mock-juror paradigm.

There has only been one published investigation of how individuals react to repressed memory cases. Loftus, Weingardt, and Hoffman (1993) presented subjects with the case of a 20-year-old woman who accused her father of a sexual assault that had occurred when she was 10 years old. One group of subjects was informed that the woman had repressed the memory of the assault for 10 years, and that it came back to her during therapy. The other group of subjects was informed that the woman had remembered the event for the past 10 years, but only after being in therapy did she decide to file charges against her father. Loftus et al. found that the subjects were more skeptical about the case involving the repressed memory than those presented with the no-repressed memory case. This result was found for both males and females, although the males were more skeptical overall. Most importantly, Loftus et al. (1993) note that, in general, the majority of subjects believed that the claims of the woman were "true and accurate."²

The Loftus et al. (1993) study offers an excellent starting point from which to investigate the believability of repressed memories in a legal context. However, it leaves a number of questions unanswered, including the following: (a) Is the difference between the repressed and no-repressed conditions replicable? (b) Are adult repressed and nonrepressed memories of child sexual assault more believable than those coming directly from a child? (c) Is the believability of the alleged victim consistent with outcome measures such as rendering a decision in a civil trial? And (d) is jurors' recall of the alleged victim's testimony or other aspects of the court proceedings consistent with jurors' believability of the alleged victim?

In the present study, subjects were presented with a trial summary describing a sexual assault by an adult male on a 6-year-old female.³ In Experiment 1, a civil trial was used because most states do not allow for criminal trials in instances of repressed and nonrepressed memories that cover a large number of years (see

² Subsequent to the completion of this manuscript, another study has been published that addresses the issue of repression in a courtroom context. Unlike Loftus et al. (1993) and the present study, Schutte (1994) included only a repressed memory condition (i.e., no control conditions). In addition, the study by Schutte focused exclusively on outcome measures (e.g., 28.3% of the subjects ruled in favor of the plaintiff).

³ Most reported cases of child sexual abuse indicate that the alleged victim is female and the defendant is an adult male who is known to the alleged victim (Duggan et al., 1989). This stereotypical scenario was used in the present study to encourage subjects' belief that they were reading about an actual trial.

Loftus, 1993). The summary included the testimony of the alleged victim and that of the defendant. In addition, there were three "reporting" conditions. Subjects in the *child condition* read the testimony of the 6-year-old alleged victim reporting her memory of an assault in the same year that the assault occurred. Subjects in the *repressed condition* read the testimony of the alleged victim reporting the assault 20 years later. Moreover, these subjects were told that the memory of the assault had been recovered during the current year in the course of psychotherapy. Finally, subjects in the *no-repressed condition* read the testimony of the alleged victim reporting the assault 20 years later. These subjects were told that the memory of the assault had been present for the 20 years, but the alleged victim had only decided to file charges during the current year in the course of psychotherapy. After reading the trial summary, the subjects were asked to rate the believability of the alleged victim and defendant, decide for the plaintiff or defendant, award damages, and recall the trial summary.

Based on the previous research by Loftus et al. (1993), it was predicted that the alleged victim in both the repressed and no-repressed conditions would be believed to some extent. Inclusion of the child condition is critical for determining whether the alleged victim in the repressed and no-repressed conditions is believed as much as an alleged victim for which there is no delay in the reporting of the event. The child condition was not included in Loftus et al., thus leaving unclear this critical comparison.

The use of the child condition in the present study also raises the question of whether the child reporting the sexual assault with no delay will be believed. The issue of child-witness believability has been investigated in a number of studies (e.g., Goodman, Golding, & Haith, 1984; Goodman, Golding, Helgeson, Haith, & Michelli, 1987; Leippe, Manion, Romanczyk, 1992; Ross, Dunning, Toglia, & Ceci, 1990), which have generally shown that child witnesses are significantly less believable than adult witnesses. These studies have typically dealt with children as witnesses to crimes that were *not* of a sexual nature. More recent studies, however, have investigated the believability of the testimony of children who are alleged victims of sexual assault. The results of these studies have generally shown that young children (e.g., less than 10 years old) were rated as more credible than either adolescents (i.e., 13- and 14-year-olds) or adults (Duggan et al., 1989; Goodman, Bottoms, Herscovici, & Shaver, 1989; Isquith, Levine, & Scheiner, 1993; Nightingale, 1993; see also Goodman & Tobey, 1994).

In the present study, an adult alleged victim with no delay in reporting was initially not included because the concern of the present study is with repression of *child* sexual assault; the adult condition described above would have involved a case of adult sexual assault. Nonetheless, the believability of the child can be estimated by comparing the child condition with the repressed and no-repressed conditions. Given the research on children as alleged victims in sexual assault trials (e.g., Duggan et al., 1989; Goodman et al., 1989), it is predicted that the child in the present study should be believed to a high degree. Moreover, in both the repressed and no-repressed conditions the believability of the adult alleged victim should be less than that of the child alleged victim. This result would indicate that the believability of a child who has been sexually assaulted would be greatest

when there is no delay between the event and the memory or reporting of the event. It should also be noted that the believability of the defendant is expected to be inversely related to that of the alleged victim.

As for the believability of the alleged victim in the repressed condition versus the no-repressed condition, the former should be believed less than the latter. This prediction is based on the results of Loftus et al. (1993). They argue that an alleged victim in the repressed condition is believed less because mock jurors simply do not believe that the memory is reliable with the passage of time. Based on previous studies (e.g., Goodman et al., 1989), the extent to which the victim is believed (i.e., believability) should show similar patterns of results for jurors' decisions about the case. Specifically, the pattern of results for deciding for the plaintiff in the three experimental conditions should be child > no-repressed > repressed.

Our use of recall of the trial summary is unique. Therefore, it is unclear what effect the manipulation of reporting the sexual assault should have on this measure. It is possible that no differences would be found between the three reporting conditions on recall. Subjects may simply use all aspects of the trial summary when constructing their memory representation of the trial (see Devine & Ostrom, 1985). However, there may be differences between the three conditions for certain aspects of the trial summary, based on the believability of the victim. For example, lower believability in the case of the repressed condition may lead subjects to discount the circumstances surrounding the memory of the sexual assault. This discounting may lead subjects to view this information as irrelevant and thus less likely to be included in their memory representation of the trial summary.

Gender of the subjects in the study was also included as a variable to determine whether males rate believability of the alleged victim lower than females. This main effect would be consistent with other research investigating the believability of alleged victims in sexual assault cases, involving both repressed memories (Loftus et al., 1993) and memories of children with no reporting delay (see Bottoms, 1993; Goodman et al., 1989). Bottoms (1993) offers a number of explanations for these differences. Compared to males, females: (a) are more offended by child sexual assault; (b) are more pro-victim; (c) are less skeptical of children's ability as eyewitnesses to crimes; (d) feel that children's memory of traumatic events is equal to that of adults'; and (e) believe that children are not prone to sexual fantasy.

EXPERIMENT 1

Method

Subjects

The subjects were 131 introductory psychology students who participated in partial fulfillment of a course requirement. The data of eight subjects were not included in the analyses because a manipulation check showed that these subjects failed to accurately recall the age of the alleged victim; they were not replaced. The remaining 123 subjects included 57 males and 66 females.

Design

The experiment was a 3 (Reporting) \times 2 (Gender of Subject) between-subjects factorial design. The levels of Reporting were child (6-year-old alleged victim, memory was not repressed and was reported in the same year as the alleged sexual assault), repression (26-year-old alleged victim, memory was repressed for 20 years), and no-repression (26-year-old alleged victim, memory was not repressed, but was not reported for 20 years). Additionally, the defendant's relation to the child was counterbalanced across conditions to increase the generalizability of the findings. The defendant was said to be either the child's step-father or her neighbor. (Initial analyses indicated no main effect or interactions involving this variable). The dependent measures included measures of believability of the alleged victim and defendant, outcome measures involving a decision for the plaintiff or the defendant, and the determination of alleged victim compensation.

Materials

The stimulus materials consisted of a brief fictional summary of a trial (see Appendix) in which the alleged victim brought a civil suit against the defendant. A general description of the trial, the plaintiff's case, and the defendant's case were included in the summary. The general description was the same for each condition and included information about when and where the incident allegedly occurred, when the suit was filed against the defendant, what the charges were, and the amount of compensation requested.

The plaintiff's case was based primarily on the testimony of the alleged victim. She testified that on the day of the assault the defendant had seen her walking in her neighborhood. The defendant offered to drive her home, but instead drove her to a wooded area where he forced her to have oral sex with him in his car. The defendant's relationship to the alleged victim was also stated (step-father or neighbor). In conditions in which the alleged victim was a child, the civil suit was filed shortly after the alleged incident. In the repressed condition, the alleged victim claimed that after 20 years the memory had recently come back to her in the course of psychotherapy. In the no-repressed condition, the alleged victim testified that she had recently decided to file the suit while undergoing psychotherapy, although she had remembered the incident over the past 20 years.

The defense's case was identical for each condition. In this section it was stressed that the defendant denied the charge. The defendant testified that he had not driven the alleged victim to a wooded area at any time, nor had he had any sexual contact with the alleged victim at any time.

Procedure

Subjects were tested in groups of 20–30. They were first asked to confirm that they could imagine being a juror. All subjects answered "yes," and were then given a brief statement describing civil law⁴:

⁴ The use of instructions for both the civil and criminal trials addresses a concern raised by Loftus et

Civil laws define the rights and liabilities of individuals in relations to each other and to society. For example, actions in civil law may enable one person to recover money from another. In civil cases, the plaintiff asks the court to determine whether the defendant has violated the plaintiff's rights in some way. Usually the plaintiff also asks the defendant to pay damages if the jury decides the defendant caused injury to the plaintiff. A jury in a civil case finds for the plaintiff if it decides that the evidence favors the plaintiff. If the jury finds that the evidence favors the defendant, its verdict is in favor of the defendant. If the jury cannot decide which side the evidence favors, it finds for the defendant.

The subjects were then given a trial summary and a question packet. After reading the trial summary at their own pace, subjects answered questions about the summary. Subjects received their questions in the same order. On all questions requiring the use of a rating scale, only the endpoints were labeled. They rated their decision in the case on a 1 (completely in favor of the defendant) to 10 (completely in favor of the plaintiff) scale, indicated whether they would rule in favor of the defendant or the alleged victim, (if answering that they ruled in favor of the plaintiff) stated how much in damages the alleged victim should receive, rated how much they believed the alleged victim was telling the truth using a 1 (not at all) to 10 (completely) scale, and rated how much they believed the defendant was telling the truth using a 1 (not at all) to 10 (completely) scale.

Following these questions, subjects were asked for their incidental recall of the trial summary. Finally, as a manipulation check, subjects were asked the age of the alleged victim at the time of the abuse. For subjects in the repressed and no-repressed conditions, they were also asked how old the alleged victim was at the time of the trial. When all subjects had completed the questions, the materials were collected by the experimenters, and the subjects were provided feedback about the experiment.

Analyses

The use of multiple dependent variables for all subjects led to a three-step analytical plan for four of the five dependent measures involving judgments (the believability of the alleged victim and the believability of the defendant, the decision rating, and the plaintiff/defendant decision). One dependent variable, damages, was not included in this plan because only subjects who ruled in favor of the plaintiff indicated damages to be awarded to the plaintiff. The damages dependent variable was analyzed separately, using steps 2 and 3 below. For the analyses, ratings of the believability of the defendant were reverse-scored so that these ratings would be on the same scale as believability of the alleged victim (i.e., a high score means the defendant was believed less).

In Step 1, the four dependent variables mentioned above were analyzed using a multivariate analysis of variance (MANOVA) to control familywise error rate. Step 2 consisted of individual analyses of variance (ANOVAs) being conducted for each of the dependent variables. All main effects and interactions were investigated; all significant effects are reported. Step 3 was based on the specific pre-

al. (1993) regarding the jurors' awareness of differences in burden of proof in various types of court cases.

dictions outlined in the Introduction; two one-tailed planned contrasts were conducted for each dependent variable. These contrasts compared the child condition against the combined repressed and no-repressed conditions, and compared the repressed condition with the no-repressed condition. The Bonferroni procedure was used in these contrasts to control familywise error.

Results

A 3 (Reporting) \times 2 (Gender of the Subject) \times 4 (Type of Judgment) MANOVA was conducted on the dependent variables of believability of the alleged victim, believability of the defendant (after reverse scoring), decision rating, and plaintiff/defendant decision. This analysis resulted in significant main effects of Reporting, $F(2, 117) = 5.93$, $MSE = 7.85$, $p < .004$, and of Gender of Subject, $F(1, 117) = 20.83$, $MSE = 7.85$, $p < .001$. The effects of each of the four ratings were examined further.

Believability

Alleged Victim. It was predicted that the alleged victim would be believed to some extent in all conditions. The degree to which subjects believed the alleged victim was telling the truth in the repressed and no-repressed conditions, however, was predicted to be lower than in the child condition (see Duggan et al., 1989; Goodman et al., 1989). In addition, based on the results of Loftus et al. (1993), it was predicted that the repressed condition would lead to lower ratings than the no-repressed condition.

A 3 (Reporting) \times 2 (Gender of Subject) ANOVA was conducted on the ratings of the alleged victim. This analysis yielded a significant main effect of Reporting, $F(2, 117) = 5.68$, $MSE = 3.73$, $p < .01$. Based on the predictions, follow-up planned contrasts (i.e., one-tailed) were conducted on the Reporting conditions. The planned contrasts on the results presented in Table 1 showed that the alleged victim in the child condition was rated as more believable than the alleged victim when the repressed and no-repressed conditions were combined, $t(120) = 2.79$, $p < .05$. The alleged victim was rated equally believable in the repressed and no-repressed conditions, $t(120) < 1$. These results support the view

Table 1. Mean Ratings and Standard Errors (in Parentheses) for the Reporting Conditions as a Function of each Dependent Variable for Experiment 1 and Post-Hoc Control Group

	Reporting condition				
	Child immediate	Repressed	No-repressed	Combined (Repressed and No-repressed)	Adult immediate
Victim	7.29 (.32)	6.17 (.33)	6.17 (.34)	6.17 (.23)	6.40 (.53)
Defendant	7.22 (.34)	6.39 (.29)	6.34 (.31)	6.37 (.21)	6.40 (.49)
Decision rating	6.17 (.39)	4.98 (.33)	5.15 (.32)	5.06 (.23)	5.65 (.47)
Decision	.68 (.07)	.41 (.08)	.37 (.08)	.39 (.05)	.60 (.11)
Damages	56.48 (8.24)	6.43 (2.26)	11.71 (7.63)	15.04 (5.57)	46.18 (8.73)

Table 2. Mean Ratings and Standard Errors (in Parentheses) for Gender of Subject as a Function of each Dependent Variable for Experiment 1

	Gender of subject	
	Male	Female
Victim	5.67 (.28)	7.30 (.23)
Defendant	6.09 (.26)	7.14 (.24)
Decision rating	4.68 (.32)	6.08 (.24)
Decision	.32 (.06)	.64 (.06)
Damages	31.49 (7.49)	36.65 (5.84)

that an alleged victim who delays reporting her sexual assault will not be believed as much as someone who does not delay. In the present study, it did not matter whether the individual who waited indicated that her memory had been repressed during the delay. It should be made clear, however, that all alleged victims (including those who delayed their reporting) were believed to some extent.⁵

There was also a significant main effect of Gender of Subject, $F(1, 117) = 24.09$, $MSE = 3.73$, $p < .001$. Females rated the alleged victim as more believable than did males (see Table 2 for all Gender of Subject rating means).

Defendant. The degree to which subjects believed that the defendant was telling the truth was also assessed. Ratings for the believability of the defendant were reverse scored so that these ratings would be on the same scale as believability of the alleged victim. It was predicted that the defendant should be believed more in the combined repressed and no-repressed conditions compared to the defendant in the child condition, and should be believed more in the repressed condition than in the no-repressed condition.

A 3 (Reporting) \times 2 (Gender of Subject) ANOVA was conducted on these ratings after reverse scoring (1, completely, to 10, not at all). This analysis yielded a significant main effect of Reporting, $F(2, 117) = 3.17$, $MSE = 3.76$, $p < .05$. Follow-up planned contrasts on the Reporting conditions presented in Table 1 showed that the defendant in the child condition was rated as less believable than the defendant when the repressed and no-repressed conditions were combined, $t(120) = 2.22$, $p = .05$. Finally, there was no reliable difference for the rating of the defendant in the repressed and no-repressed conditions, $t(120) < 1$. There was also a main effect of Gender of Subject, $F(1, 117) = 9.97$, $MSE = 3.76$, $p < .01$. Females rated the defendant less believable than did males.

Outcome Measures

Decision Ratings. The decision ratings in favor of the plaintiff or defendant were predicted to have a similar pattern to the subjects' perceptions of the alleged

⁵ Planned contrasts for both experiments also indicated that the believability ratings were all well above the level which would be predicted if there was no believability at all, that is, a rating of 1.

victim's believability. If this were the case, the pattern of results for this rating for the three experimental conditions should be repressed < no-repressed < child.

A 3 (Reporting) \times 2 (Gender of Subject) ANOVA was conducted on the decision ratings. There was a significant main effect of Reporting, $F(2, 117) = 4.49$, $MSE = 4.56$, $p < .05$. Follow-up planned contrasts on the Reporting conditions showed that the ratings were more in favor of the plaintiff in the child condition than when the repressed and no-repressed conditions were combined, $t(120) = 2.42$, $p < .05$. There was no reliable difference between the repressed and no-repressed conditions, $t(120) < 1$. These results indicate that subjects' ratings on this outcome measure are consistent with the pattern of results for alleged victim believability. There was also a significant main effect of Gender of Subject, $F(1, 117) = 14.60$, $MSE = 4.56$, $p < .001$. Females rated more in favor of the plaintiff than did males.

Plaintiff/Defendant Decision. The results for this variable were predicted to be consistent with those of the decision ratings. That is, the proportion of subjects rendering a decision in favor of the plaintiff would be highest for the child condition, followed by the no-repressed condition and then the repressed condition.

A 3 (Reporting) \times 2 (Gender of Subject) ANOVA⁶ led to a significant main effect of Reporting, $F(2, 117) = 6.54$, $MSE = .21$, $p < .01$. As with the decision ratings, follow-up planned contrasts on the Reporting conditions showed that the number of decisions was more in favor of the plaintiff in the child condition than when the repressed and no-repressed conditions were combined, $t(120) = 3.15$, $p < .01$. There was no reliable difference between the repressed and the no-repressed conditions, $t(120) < 1$. It appears that when an alleged victim delays in reporting a sexual assault case, for any reason, she lowers the likelihood of successfully suing the defendant in a civil suit, regardless of the fact that the alleged victim may be believed to some extent. There was also a significant main effect of Gender of Subject, $F(1, 117) = 16.90$, $MSE = .21$, $p < .001$. Females decided in favor of the plaintiff more than males.

Damages. The question concerning damages awarded to the alleged victim was answered by those subjects who decided in favor of the plaintiff (child condition, 27 subjects; repressed condition, 16 subjects; no-repressed condition, 14 subjects). A 3 (Reporting) \times 2 (Gender of Subject) ANOVA was conducted on the amount of damages (in tens of thousands) awarded to the alleged victim. There was a significant main effect of Reporting, $F(2, 56) = 18.18$, $MSE = 1,001.45$, $p < .001$. Planned contrasts on the Reporting conditions showed that the damages awarded were higher in the child condition than when the repressed and no-repressed conditions were combined, $t(54) = 4.62$, $p < .01$. The difference between the repressed, and the no-repressed conditions was not reliable, $t(54) < 1$. There was also a significant main effect of Gender of Subject, $F(1, 56) = 4.67$, $MSE = 1,001.45$, $p < .03$. Females awarded the plaintiff more money than males.

⁶ The use of analysis of variance with a dichotomous variable is based on Myers and Well (1991, p. 101).

Recall

Recall was scored for 19 critical statements that were presented in the summary (see Table 3). The statements were scored as correct if they described the gist of the statement, regardless of exact wording. One scorer naive to the experimental conditions scored all of the data. Another scorer naive to the experimental conditions scored 25% of the data. Reliability (percent agreement) between these scorers was 91%.

An overall measure of recall was calculated based on the entire trial summary. This was a proportional score, since the child condition received fewer items overall (i.e., they did not receive items 3, 11, 17, 18, and 19) than either the repressed group (which received all but item 19) and the no-repressed group (which received all but item 18).

A 3 (Reporting) \times 2 (Gender of Subject) analysis of variance on overall recall was conducted on these results. (One subject failed to do the recall task). There was a significant main effect of Reporting condition, $F(2, 115) = 6.47$, $MSE = .02$, $p < .01$. Planned contrasts on the Reporting conditions showed that recall was higher in the repressed condition ($M = .55$, $SE = .02$) and the no-repressed

Table 3. Recall Statements from the Civil-Trial Summary (Experiment 1) and the Criminal-Trial Summary (Experiment 2)

Civil	Criminal	Statement
1	1	1993 or 1973.
2	2	Alleged victim was 6 years old at the time of assault.
3	3	Alleged victim is now 26 years old.
4	4	Assault occurred in defendant's car.
5	5	Alleged victim asked for \$1 million in damages.
—	6	Defendant gave initial plea of not guilty.
6	7	Defendant was alleged victim's step-father/neighbor.
7	8	Alleged victim testified that defendant saw her walking in her neighborhood.
8	9	Alleged victim testified that defendant offered her a ride home.
9	10	Alleged victim testified that defendant drove her to a wooded area.
10	11	Alleged victim testified that defendant forced her to have oral sex.
11	12	Alleged victim testified that in course of psychotherapy she decided to file suit.
12	13	Defendant denied the charge.
13	14	Defendant testified that he did not drive plaintiff to a wooded area on the date in question.
14	15	Defendant testified that he did not drive plaintiff to a wooded area at any other time.
15	16	Defendant testified that he did not have any sexual contact with plaintiff on that date.
16	17	Defendant testified that he did not have any sexual contact with plaintiff at any other time.
17	18	Assault occurred 20 years earlier.
18	19	Alleged victim had not remembered assault during the past 20 years.
19	20	Alleged victim often had memories of assault during the past 20 years.

condition ($M = .49$, $SE = .03$) than in the child condition ($M = .42$, $SE = .02$), $t(118) = 3.69$, $p < .001$, and $t(118) = 2.03$, $p < .05$, respectively. Thus, overall memory of the trial summary was not consistent with the results found for alleged victim believability. This analysis also yielded a significant effect of Gender of Subject, $F(1, 115) = 9.50$, $MSE = .02$, $p < .01$, with females ($M = .53$, $SE = .02$) recalling more than males ($M = .43$, $SE = .02$).

Because of the importance of the circumstances surrounding the memory of the sexual assault, recall of these circumstances was also analyzed. This analysis included items 11, 17, and 18 for the repressed condition and items 11, 17, and 19 for the no-repressed condition. A 2 (Reporting) \times 2 (Gender of Subject) ANOVA yielded a Reporting main effect, $F(1, 77) = 28.39$, $MSE = .10$, $p < .001$. This main effect was qualified by a significant Gender of Subject \times Reporting interaction, $F(1, 77) = 4.80$, $MSE = .10$, $p < .05$. For males, recall in the repressed condition ($M = .84$, $SE = .06$) was significantly higher than in the no-repressed condition ($M = .28$, $SE = .08$), $t(33) = 5.37$, $p < .001$. A similar trend was seen in female subjects. For female subjects, the repressed condition ($M = .75$, $SE = .07$) resulted in higher recall of the circumstances surrounding the event than the no-repressed condition ($M = .51$, $SE = .07$), $t(44) = 2.50$, $p < .05$. For the repressed condition subjects, females did not differ from males in the amount of information recalled, $t(38) < 1$. For the no-repressed condition, females recalled more of the circumstances than the males, $t(39) = 2.15$, $p < .05$.

The difference between the repressed and no-repressed conditions for the circumstances surrounding the memory of the sexual assault indicates that subjects in the repressed condition focused more on this information than no-repressed condition subjects. Although this difference was reliable, was it the case that the no-repressed condition subjects did not attend, at least minimally, to the circumstances? To examine this more closely, the subjects on the repressed and no-repressed conditions were scored for whether they had recalled anything about the circumstances. This scoring showed that *all* subjects recalled at least one piece of testimony about the circumstances. Thus, the no-repressed condition subjects did attend to the circumstances, at least enough to recall something about them.

Discussion

The results from Experiment 1 indicate that, in general, the child condition resulted in more extreme scores for believability and on outcome measures than the repressed and no-repressed conditions. Before discussing the implications of these results in detail, we extended this research to another context (a criminal trial), in order to examine the generalizability of these findings. The use of a criminal trial was deemed appropriate because some states are now extending the statute of limitations in cases involving the sexual assault of a child (Loftus, 1993). This has allowed for more criminal prosecutions in child sexual assault cases in which the alleged victim has pressed charges years after the alleged assault. In Experiment 2, subjects read trial summaries in which the evidence was identical to the summaries in Experiment 1, but was presented in the context of a criminal case.

EXPERIMENT 2

Method

Subjects

The subjects were 126 introductory psychology students who participated in partial fulfillment of a course requirement. None of these subjects participated in Experiment 1. The data of five subjects were not included in the analyses because these subjects failed to accurately recall the age of the alleged victim; they were not replaced. The remaining 121 subjects included 53 males and 68 females.

Design

The design was identical to that of Experiment 1 except that the use of a criminal trial required several outcome measures to be modified. The modified outcome measures included guilt ratings, and guilty/innocent verdict judgments.

Materials

The stimulus materials were identical to those used in Experiment 1 except for minor changes in the general description of the trial which reflected the use of a criminal trial. The assault was referred to as the "alleged crime" instead of the "alleged incident," and it was stated that the defendant had entered an initial plea of "not guilty." The statements of the prosecution's (previously the plaintiff's) and defendant's cases were identical to Experimental 1.

Procedure

Subjects were tested in groups of 20–30. They were first asked to confirm that they could imagine being a juror. All subjects answered "yes," and were then given a brief statement describing criminal law:

Criminal laws define violations that can be punished by fines, imprisonment, or even death. Such offenses include murder, armed robbery, theft, rape, kidnapping, and assault. In criminal cases, the federal or state jurisdiction acts as the plaintiff (the party bringing the complaint). The plaintiff asks the court to try an individual who is alleged to have committed a specific offense. A jury in a criminal case rules "Guilty" if there is evidence beyond a reasonable doubt that the defendant committed the crime. The jury rules "Not Guilty" if there is reasonable doubt that the defendant committed the crime.

The subjects were then given a trial summary and a question packet. After reading the trial summary at their own pace, subjects answered questions about it. Subjects received their questions in the same order. On all questions requiring the use of a rating scale, only the endpoints were labeled. They rated the likelihood that the defendant was guilty on a 1 (not at all likely) to 10 (extremely likely) scale, rendered a verdict of "guilty" or "innocent" for the defendant, and rated how much they believed the alleged victim was telling the truth using a 1 (not at all) to 10 (completely) scale, and rated how much they believed the defendant was telling the truth using 1 (not at all) to 10 (completely) scale.

After answering these questions, the subjects were asked for their incidental recall of the trial summary. Finally, as a manipulation check, subjects were asked the age of the alleged victim at the time of the abuse. For subjects in the repressed and no-repressed conditions, they were also asked how old the alleged victim was at the time of the trial. When all subjects had completed the questions, the materials were collected by the experimenters and the subjects were provided feedback about the experiment.

Results

The same three-step plan was employed as in Experiment 1, with the results first analyzed using a MANOVA, followed by separate ANOVAs for each of the dependent variables. The final step in the analyses was to conduct two planned contrasts using the Bonferroni procedure to control familywise error.

A 3 (Reporting) \times 2 (Gender of the Subject) \times 4 (Type of Judgment) MANOVA was conducted on the dependent variables of believability of the alleged victim, believability of the defendant (after reverse scoring), guilt rating, and verdict. This analysis resulted in a significant main effect of Reporting, $F(2, 114) = 3.90$, $MSE = 8.18$, $p < .05$. The effects of each of the four ratings were examined further.

Believability

Alleged Victim. The predictions concerning alleged victim believability were again supported. The alleged victim was believed to some extent in all conditions. A 3 (Reporting) \times 2 (Gender of Subject) ANOVA conducted on the ratings of the alleged victim yielded a marginally significant effect of Reporting, $F(2, 115) = 2.68$, $MSE = 4.33$, $p = .07$. Follow-up planned contrasts on the Reporting conditions were then conducted. As in Experiment 1, these contrasts were unidirectional (i.e., one-tailed). The planned contrasts on the results presented in Table 4 showed that the alleged victim in the child condition was rated as more believable than the alleged victim in the combined repressed and no-repressed condition, $t(118) = 2.34$, $p < .05$. The alleged victim was rated equally believable in the repressed and no-repressed conditions, $t(120) < 1$. Unlike Experiment 1, there

Table 4. Mean Ratings and Standard Errors (in Parentheses) for the Reporting Conditions as a Function of each Dependent Variable for Experiment 2

	Reporting condition			Combined (Repressed and No-repressed)
	Child immediate	Repressed	No-repressed	
Victim	6.81 (.29)	5.83 (.33)	6.10 (.36)	5.96 (.24)
Defendant	7.15 (.23)	6.05 (.31)	6.34 (.35)	6.19 (.23)
Guilt	6.69 (.27)	5.32 (.28)	5.83 (.28)	5.57 (.21)
Verdict	.62 (.08)	.37 (.08)	.38 (.08)	.37 (.05)

was no significant main effect of Gender of Subject for this variable or any other judgment, except for guilty/innocent verdict (see Table 5 for rating means).

Defendant. The ratings for believability of the defendant were reverse scored to put these ratings on the same scale as believability of the victim. As predicted, the pattern of believability for the defendant was the same as the alleged victim. A 3 (Reporting) \times 2 (Gender of Subject) ANOVA conducted on these ratings yielded a significant main effect of Reporting, $F(2, 115) = 3.61$, $MSE = 3.60$, $p < .05$. Planned contrasts on the Reporting conditions presented in Table 4 showed that the defendant in the child condition was rated as less believable than the defendant in the combined repressed and no-repressed condition, $t(118) = 2.57$, $p < .05$. There was no reliable difference for the rating of the defendant in the repressed and no-repressed conditions, $t(120) < 1$.

Outcome Measures

Guilt Ratings. The guilt ratings were predicted to be consistent with the subjects' perceptions of the alleged victim's believability. As in Experiment 1, this was the case. A 3 (Reporting) \times 2 (Gender of Subject) ANOVA conducted on these ratings yielded a significant main effect of Reporting, $F(2, 117) = 5.75$, $MSE = 3.34$, $p < .01$. Follow-up planned contrasts on the Reporting conditions showed that guilt was higher for the defendant in the child condition than in the combined repressed and no-repressed condition, $t(118) = 3.17$, $p < .01$. There was no reliable difference between the repressed and no-repressed conditions, $t(118) = 1.28$, $p = .20$.

Guilty/Innocent Verdict. The verdict results for this variable were shown to be consistent with those of the guilt ratings. (One subject failed to answer this question). A 3 (Reporting) \times 2 (Gender of Subject) ANOVA led to a significant main effect of Reporting, $F(2, 114) = 3.30$, $MSE = .24$, $p < .05$. The planned contrasts on the Reporting conditions showed that there were more guilty verdicts in the child condition than in the combined repressed and no-repressed conditions, $t(117) = 2.56$, $p < .01$. There was no reliable difference between the repressed and no-repressed conditions, $t(117) < 1$. There was also a significant main effect of Gender of Subject, $F(1, 114) = 4.81$, $MSE = .24$, $p < .05$. Females judged the defendant to be guilty more than males.

Table 5. Mean Ratings and Standard Errors (in Parentheses) for Gender of Subject as a Function of each Dependent Variable for Experiment 2

	Gender of subject	
	Male	Female
Victim	6.06 (.27)	6.41 (.27)
Defendant	6.26 (.26)	6.69 (.24)
Guilt	5.81 (.24)	6.03 (.24)
Verdict	.34 (.07)	.54 (.06)

Recall

Recall was scored for 20 critical statements that were presented in the summary (see Table 3). The statements were scored as correct if they described the gist of the statement, regardless of exact wording. One scorer naive to the experimental conditions scored all the data. Another scorer naive to the experimental conditions scored 25% of the data. Reliability (percent agreement) between these scorers was 91%.

An overall measure of recall was calculated based on the entire trial summary. This was a proportional score, since the child condition received fewer items overall (i.e., they did not receive items 3, 12, 18, 19, and 20) than either the repressed group (which received all but item 20) and the no-repressed group (which received all but item 19). A 3 (Reporting) \times 2 (Gender of Subject) ANOVA was conducted on these results. This analysis yielded a significant effect of Gender of Subject, $F(1, 116) = 6.27$, $MSE = .03$, $p < .01$, with females ($M = .48$, $SE = .02$) recalling more than males ($M = .42$, $SE = .02$). There was no effect of Reporting condition, $F(2, 116) < 1$. The overall mean recall was $.45$ ($SE = .01$). Thus, as in Experiment 1, overall memory of the trial summary was not consistent with the results found for alleged victim believability.

The analysis on the circumstances surrounding the memory of the sexual assault included items 12, 18, and 19 for the repressed condition and items 12, 18, and 20 for the no-repressed condition. A 2 (Reporting) \times 2 (Gender of Subject) analysis of variance yielded a main effect of Reporting, $F(1, 82) = 11.53$, $MSE = .10$, $p < .01$. Subjects in the repressed condition ($M = .69$, $SE = .05$) recalled more than subjects in the no-repressed condition, ($M = .48$, $SE = .04$).

Subjects in the repressed condition focused more on the circumstances surrounding the sexual assault than no-repressed condition subjects. As in Experiment 1, the possibility that no-repression condition subjects simply failed to attend to the circumstances of the sexual assault was examined. The subjects in the repressed and no-repressed conditions were scored for whether or not they had recalled anything about the circumstances. All subjects recalled at least one fact about the circumstances of the assault. This shows that the no-repressed condition subjects did attend at least minimally to the circumstances.

POST-HOC CONTROL GROUP

The results from Experiments 1 and 2 appear to indicate that passage of time is the critical determinant of lower ratings (i.e., the repressed and no-repressed conditions had lower ratings than the child condition). The possibility exists, however, that the age of the alleged victim at the time of reporting is affecting the results. As mentioned previously, the ideal condition to test this possibility does not exist because a condition in which an adult is sexually assaulted and reports the incident immediately would not involve child sexual assault, and thus would introduce an additional confound. Any comparisons involving this adult immediate reporting condition would have to be made with caution, because the results

may simply reflect the different issues inherent in child and adult sexual assault cases.

Nonetheless, examination of an adult immediate reporting condition could possibly shed some light on this issue. The ratings for the adult immediate reporting condition may be reliably less than the child condition, but may not be reliably different from the repressed and no-repressed conditions. If that were the case, the lower ratings for the repressed and no-repressed conditions probably reflect subjects' reactions to the age of the alleged victim when reporting the sexual assault. If, however, the adult immediate reporting condition was reliably different from both the repressed and no-repressed conditions, the passage of time would be a critical factor in subjects' ratings. There is also the possibility that the adult immediate condition would not differ reliably from the other three conditions. In this case, it would have to be concluded that both the passage of time and the age of the alleged victim testifying had an impact on the results.

To investigate these possibilities, a group of 20 control subjects (who had not participated in either Experiment 1 or 2) was run in an adult immediate reporting condition for the civil trial. This condition was identical to that of the child condition in Experiment 1, except that the alleged victim was 26 years old. The relation of the defendant to the alleged victim was counterbalanced in these conditions (i.e., step-father versus neighbor).

Comparing the adult immediate condition results with those of the other three Reporting conditions (see Table 1), the results indicated that as expected from prior research (e.g., Duggan et al., 1989; Goodman et al., 1989) the adult immediate reporting condition had lower ratings than the child condition. In addition, these ratings were all higher than those of the repressed and no-repressed conditions. Dunnett's test for comparing a control condition with multiple groups indicated, however, that the adult immediate reporting condition was generally not reliably different from the child, repressed or no-repressed conditions on any dependent variable, all t 's < 1.83 , p 's $> .10$. The only exception was for damages, in which the no-repressed condition was significantly lower than the adult immediate condition, $t(40) = 2.86$, $p < .05$. Therefore, keeping in mind the limitations involved with making a direct comparison across conditions, it appears that the age of the alleged victim at the time of reporting is (at most) a partial explanation for our findings.

GENERAL DISCUSSION

Our purpose was to investigate how mock jurors react to repressed memory cases. The results demonstrated that mock jurors are willing to attribute some degree of believability to an alleged victim's testimony involving a repressed memory (see also Loftus et al., 1993). However, these alleged victims are believed less than alleged victims of a child sexual assault who testify without a delay. In addition, the delay of reporting child sexual assault led to fewer rulings in favor of the plaintiff and less money awarded in damages (Experiment 1), and fewer guilty verdicts (Experiment 2).

These results appear to reflect societal views concerning cognition and its role in the courtroom. Specifically, the subjects in the present study seem to embrace the robust finding of cognitive psychologists that memory may be malleable, especially with the passage of time (see Loftus, 1979, 1993). Although there are exceptions to this general finding (see Alba & Hasher, 1983 for examples), numerous studies reflect this viewpoint (see Loftus, 1979). Individuals appear less willing to believe evidence that reflects a relatively long passage of time from an incident to its reporting to the authorities. Thus, subjects in the present study rated the alleged victim as less believable and the defendant as less culpable with the passage of time than when the child testified with no appreciable passage of time.

Although the present results are consistent with the finding of Loftus et al. (1993) that mock jurors will believe to some extent an alleged victim's testimony involving a repressed memory, there are some differences in the results that warrant discussion. Primarily, the present study found no reliable difference between the repressed and no-repressed conditions on any of the dependent measures, whereas Loftus et al. found that mock jurors were more skeptical about the case involving a repressed memory than about the case that did not involve a repressed memory. There are several possible explanations for the differences across these studies. One important distinction that can be made is between the vignettes used in the studies. These include that fact that the cases involved different (a) types of sexual assault (oral sex versus rape); (b) lengths of time for the repressed memory (20 years versus 10 years); (c) defense arguments (defendant's denial alone versus defendant's denial plus implication of the therapist's influence on the alleged victim's memory); and (d) ages of the alleged victim at the time of the assault (6 years versus 10 years).

Another possible explanation for the differences in results is that the Loftus et al. (1993) investigation was conducted several years earlier, prior to the onslaught of media coverage concerning repressed memories. A considerable amount of this coverage has suggested the possibility that repressed memories are, in fact, real (see Loftus, 1993); there have been a number of books (e.g., Blume, 1990) and a great deal of media coverage of repressed memories that are considered credible (see Loftus, 1993). It is possible that this type of coverage of repressed memories contributed to greater belief of the alleged victim in the present study compared to Loftus et al.

The present results also underscored two other effects. First, in Experiment 1, there was a consistent effect of the gender of the mock jurors in reacting to this sexual assault case. Compared to males, females (a) rated the alleged victim as more believable, (b) rated the defendant as less believable, (c) decided in favor of the plaintiff more often, and (d) awarded more in damages to the plaintiff. In addition, females recalled more of the trial summary than males. These results support previous research that has included a gender variable in a sexual assault trial (see Bottoms, 1993; Loftus et al., 1993). The effects of gender did not reach significance in Experiment 2, although all trends were in the same direction as in Experiment 1. It is possible that the civil and criminal trial summaries were perceived differently by mock jurors as a function of gender. An examination of

the data across the present two experiments shows that females were less supportive of the alleged victim following the criminal trial compared to the civil trial, whereas the reverse was true for males. This may reflect females feeling that a criminal trial requires more evidence against the defendant. Males, on the other hand, may be more pro-victim once the proceedings have reached the criminal court level. Of course, this explanation is speculative, and will require additional research for confirmation.

Second, the present results are consistent with previous research investigating jurors' perceptions of child alleged victims in sexual assault trials (e.g., Duggan et al., 1989; Goodman et al., 1989). Compared to the alleged victim in the repressed and no-repressed conditions, the alleged victim in the child condition was believed the most, the defendant in these cases was believed the least, and this condition led to the most decisions against the defendant. It is simply not the case that adults will never believe children in the courtroom (e.g., Goodman et al., 1984). When a young female child is the alleged victim of sexual assault, she is likely to be believed.

The believability of the alleged victim did not vary with recall of the trial summary. Overall recall of the trial summaries indicated that subjects in the child condition did not have higher overall recall than subjects in the repressed and no-repressed conditions. Additionally, although the believability of the alleged victim in the repressed and no-repressed conditions was not reliably different, the analyses on the circumstances surrounding the memory of the sexual assault showed that subjects in the repressed condition recalled more information than no-repressed condition subjects. This difference indicates that certain aspects of the trials were more memorable for certain conditions (and warrant further investigation), but that believability itself did not appear to make a significant contribution to this difference.

The use of the present methodology may render it difficult to generalize the present results to real juror decision making (e.g., Dillehay & Nietzel, 1980). This methodology was chosen partly because of the difficulties and ethical problems in manipulating the present variables of interest in the courtroom. We felt that our decision to use short vignettes was justified based on previous eyewitness testimony research that has shown that stimulus format (e.g., written summaries versus videotaped trials) has not altered the pattern of results (e.g., Bottoms & Goodman, 1994; Goodman et al., 1987). Because this was one of the first studies to investigate the believability of repressed memories, we also felt it was best to scale down the summaries in order to be able to focus on the reporting manipulation. Juror deliberation was not included because we were interested in the decisions of individual jurors before they had been influenced by others. There are also examples in the literature that have shown no reliable differences in the pattern of results for studies with and without deliberation (e.g., Goodman et al., 1987).

Our decision to use undergraduates as mock jurors was based on three facts. First, these individuals can serve as jurors. Second, previous research investigating child eyewitness testimony has generally found no differences between the use of this type of subject sample and a more representative sample of potential jurors

who actually deliberated as a group after being presented with a trial scenario (e.g., Goodman et al., 1987). Third, research involving other types of criminal cases has shown no significant differences between the use of this type of subject sample and a more representative sample of potential jurors, (Cutler, Penrod, & Dexter, 1990; Nietzel, McCarthy, & Harris, 1994).

As a result of the present methodology, the stimulus materials were less involving than a real trial, and the ultimate decisions made by the mock jurors had no impact on the participants in a trial. Nonetheless, the present study did find reliable effects of the Reporting variable, indicating that even under the present circumstances jurors find enough evidence to differentially support the alleged victim across conditions. While research conducted in this manner remains valid, it will be necessary to augment this work with the use of additional methodologies. Future research should include more realistic simulation techniques, possibly using jurors that better reflect the pool of potential jurors in the community, longer trial summaries and/or transcripts, and juror deliberations.

In summary, this study represents an initial step toward understanding how jurors react to repressed memory cases. It should not be inferred that jurors will always react in accordance with the present results. For example, there are a number of factors related to the context of the sexual assault and the repressed memories that need to be explored to gain a greater understanding of juror behavior in cases of repressed memories. For example, the length of time the memory was repressed may affect juror decision making. The present study involved a memory that had been repressed for 20 years, based on previous discussions of repressed memories in the courtroom (e.g., Loftus, 1993). It is possible that there is a relationship between the length of the repressed memory and believability of the alleged victim. Another factor that might affect jurors' decisions is the nature of the sexual assault. Believability of the alleged victim may vary based on the aggressive nature of the sexual assault. If the assault involved a great deal of aggressive behavior on the part of the accused, jurors might be more willing to believe the alleged victim's repressed memory testimony. Finally, there is the question of whether jurors are affected by the number of incidents that have been repressed. In the present study, the alleged victim recounted only one incident as part of her repressed memory. It is possible that an alleged victim who recalls many incidents as part of her testimony may be believed more than the alleged victim in the present study. The possibility exists that she will be believed less, however, if the jurors feel that the sheer number of incidents being repressed renders the alleged victim's testimony more subject to reconstruction. Research on these and other factors will increase our understanding of the processing of information by jurors when they are dealing with repressed memory testimony.

APPENDIX

Underlined text was changed to the parenthetical text for the criminal trial.

Child Condition

General Description of Trial

On April 19, 1993, a *civil suit* (complaint) was filed *in* (with) the Fayette County Court (Police) against Frank McGuire. The *suit* (complaint) charged Mr. McGuire with sexual assault against 6-year-old Elizabeth Williams. The *incident* (crime) allegedly took place on the afternoon of March 11, 1993 in Mr. McGuire's car. *The suit asked for damages of \$1 million.* (The trial started after the defendant had entered an initial plea of "not guilty").

Plaintiff's Case (Prosecution's Case)

Arguments by the *plaintiff's* (prosecuting) attorney were prefaced by the comment that the *incident* (crime) was "shocking." The *plaintiff's* (prosecution's) case against the defendant was based primarily on the testimony of Elizabeth Williams herself.

The 6-year-old *plaintiff* (alleged victim) testified that the defendant, who is her neighbor, saw her walking in her neighborhood and offered to drive her home. Instead, according to the *plaintiff* (alleged victim), the defendant drove her to an isolated wooded area, where he then forced Elizabeth to have oral sex with him in the car.

Defendant's Case

The defendant's attorney's opening statement stressed the fact that the defendant, Mr. McGuire denied the charge. Under oath, Mr. McGuire testified that he did not drive Elizabeth Williams to a wooded area on March 11, 1993 or at any other time. He further denied having any sexual contact with Elizabeth Williams on that date or at any other time.

Repressed Condition

General Description of Trial

On April 19, 1993, a *civil suit* (complaint) was filed *in* (with) the Fayette County Court (Police) against Frank McGuire. The *suit* (complaint) charged Mr. McGuire with sexual assault against 26-year-old Elizabeth Williams. The *incident* (crime) allegedly took place 20 years earlier on the afternoon of March 11, 1973 in Mr. McGuire's car. *The suit asked for damages of \$1 million.* (The trial started after the defendant entered an initial plea of "not guilty").

Plaintiff's Case (Prosecution's Case)

Arguments by the *plaintiff's* (prosecuting) attorney were prefaced by the comment that the *incident* (crime) was "shocking." The *plaintiff's* (prosecution's) case against the defendant was based primarily on the testimony of Elizabeth Williams herself.

The 26-year-old *plaintiff* (alleged victim) testified that the assault occurred 20 years earlier when she was 6 years old. Elizabeth Williams testified that she had not remembered the assault during the past 20 years. The memory of the assault came back to her recently in the course of psychotherapy, and she decided to file a *civil* (criminal) suit against the defendant. She testified that the defendant, who was her neighbor, saw her walking in her neighborhood and offered to drive her home. Instead, according to the *plaintiff* (alleged victim), the defendant drove her to an isolated wooded area, where he then forced Elizabeth to have oral sex with him in the car.

Defendant's Case

The defendant's attorney's opening statement stressed the fact that the defendant, Mr. McGuire, denied the charge. Under oath, Mr. McGuire testified that he did not drive Elizabeth Williams to a wooded area on March 11, 1973 or at any other time. He further denied having any sexual contact with Elizabeth Williams on that date or at any other time.

No-Repressed Condition

General Description of Trial

On April 19, 1993, a *civil suit* (complaint) was filed *in* (with) the Fayette County Court (Police) against Frank McGuire. The suit charged Mr. McGuire with sexual assault against 26-year-old Elizabeth Williams. The *incident* (crime) allegedly took place 20 years earlier on the afternoon of March 11, 1973 in Mr. McGuire's car. *The suit asked for damages of \$1 million.* (The trial started after the defendant entered an initial plea of "not guilty").

Plaintiff's Case (Prosecution's Case)

Arguments by the *plaintiff's* (prosecuting) attorney were prefaced by the comment that the *incident* (crime) was "shocking." The *plaintiff's* (prosecution's) case against the defendant was based primarily on the testimony of Elizabeth Williams herself.

The 26-year-old *plaintiff* (alleged victim) testified that the assault occurred 20 years earlier when she was 6 years old. Elizabeth Williams testified that although she had often had memories of the assault during the last 20 years, she recently decided to file a *civil* (criminal) suit against the defendant in the course of psychotherapy. She testified that the defendant, who was her neighbor, saw her walking in her neighborhood and offered to drive her home. Instead, according to the *plaintiff* (alleged victim), the defendant drove her to an isolated wooded area, where he then forced Elizabeth to have oral sex with him in the car.

Defendant's Case

The defendant's attorney's opening statement stressed the fact that the defendant, Mr. McGuire, denied the charge. Under oath, Mr. McGuire testified that he did not drive Elizabeth Williams to a wooded area on March 11, 1973 or at any other time. He further denied having any sexual contact with Elizabeth Williams on that date or at any other time.

REFERENCES

- Alba, J. W., & Hasher, L. (1983). Is memory schematic? *Psychological Bulletin*, *93*, 203-231.
- Blume, E. S. (1990). *Secret survivors: Uncovering incest and its aftereffects in women*. New York: Ballantine Books.
- Bottoms, B. L. (1993). Individual differences in perceptions of child sexual assault victims. In G. S. Goodman & B. Bottoms (Eds.), *Child victims, child witnesses* (pp. 229-261). New York: Guilford.
- Bottoms, B. L., & Goodman, G. S. (1994). Perceptions of children's credibility in sexual assault cases. *Journal of Applied Social Psychology*, *24*, 702-732.
- Cutler, B. L., Penrod, S. D., & Dexter, H. R. (1990). Juror sensitivity to eyewitness identification evidence. *Law and Human Behavior*, *14*, 185-191.

- Davis, P. J. (1987). Repression and the inaccessibility of affective memories. *Journal of Personality and Social Psychology*, *53*, 585–593.
- Davis, P. J., & Schwartz, G. E. (1987). Repression and the inaccessibility of affective memories. *Journal of Personality and Social Psychology*, *52*, 155–162.
- Devine, P. G., & Ostrom, T. M. (1985). Cognitive mediation in inconsistency discounting. *Journal of Personality and Social Psychology*, *49*, 5–21.
- Dillehay, R. C., & Nietzel, M. T. (1980). Constructing a science of jury behavior. In L. Wheeler (Ed.), *Review of Personality and Social Psychology* (pp. 246–264). Beverly Hills: Sage.
- Duggan, L. M., III, Aubrey, M., Doherty, E., Isquith, P., Levine, M., & Scheiner, J. (1989). The believability of children as witnesses in a simulated child sexual abuse trial. In S. J. Ceci, D. F. Ross, & M. P. Toglia (Eds.), *Perspectives on children's testimony* (pp. 71–99). New York: Springer-Verlag.
- Erdelyi, M. H. (1985). *Psychoanalysis: Freud's cognitive psychology*. New York: Freeman.
- Erdelyi, M. H., & Kleinbard, J. (1978). Has Ebbinghaus decayed with time? The growth of recall (hypernesia) over days. *Journal of Experimental Psychology: Human Learning and Memory*, *4*, 275–289.
- Erdelyi, M. H., & Goldberg, B. (1979). Let's not sweep repression under the rug: Toward a cognitive psychology of repression. In J. F. Kihlstrom & F. J. Evans (Eds.), *Functional disorders of memory* (pp. 355–402). Hillsdale, NJ: Erlbaum.
- Freud, S. (1894/1962). The neuro-psychoses of defense. In J. Strachey (Ed.), *The standard edition of the complete psychological works of Sigmund Freud* (Vol. 3). London: Hogarth Press.
- Freud, S. (1896/1962). Further remarks on the neuro-psychoses of defense. In J. Strachey (Ed.), *The standard edition of the complete psychological works of Sigmund Freud* (Vol. 3). London: Hogarth Press.
- Freud, S. (1915/1957). Repression. In J. Strachey (Ed.), *The standard edition of the complete psychological works of Sigmund Freud* (Vol. 14). London: Hogarth Press.
- Ganaway, G. K. (1992). Some additional questions. *Journal of Psychology and Theology*, *20*, 201–205.
- Geiselman, R. E., Bjork, R. A., & Fishman, D. L. (1983). Disrupted retrieval in directed forgetting: A link with posthypnotic amnesia. *Journal of Experimental Psychology: General*, *112*, 58–72.
- Goodman, G. S., Bottoms, B. L., Herscovici, B. B., & Shaver, P. (1989). Determinants of the child victim's perceived believability. In S. J. Ceci, D. F. Ross, & M. P. Toglia (Eds.), *Perspectives on children's testimony* (pp. 1–22). New York: Springer-Verlag.
- Goodman, G. S., Golding, J. M., & Haith, M. M. (1984). Jurors' reactions to child witnesses. *Journal of Social Issues*, *40*, 139–156.
- Goodman, G. S., Golding, J. M., Helgeson, V., Haith, M. M., & Michelli, J. (1987). When a child takes the stand: Jurors' perceptions of children's eyewitness testimony. *Law and Human Behavior*, *11*, 27–40.
- Goodman, G. S., & Tobey, A. E. (1994). Memory development within the context of child sexual abuse allegations. In C. B. Fisher & R. M. Lerner (Eds.), *Applied developmental psychology*. New York: McGraw-Hill.
- Holmes, D. (1990). The evidence for repression: An examination of sixty-years of research. In J. Singer (Ed.), *Repression and dissociation: Implications for personality, theory, psychopathology, and health* (pp. 85–102). Chicago: University of Chicago Press.
- Isquith, P. K., Levine, M., & Scheiner, J. (1993). Blaming the child: Attribution of responsibility to victims of child sexual abuse. In G. S. Goodman & B. Bottoms (Eds.), *Child victims, child witnesses* (pp. 203–228). New York: Guilford.
- Leippe, M. R., Manion, A. P., & Romanczyk, A. (1992). Eyewitness persuasion: How and how well do fact finders judge the accuracy of adults' and children's memory reports. *Journal of Personality and Social Psychology*, *63*, 181–197.
- Loftus, E. F. (1979). *Eyewitness testimony*. Cambridge: Harvard University Press.
- Loftus, E. F. (1993). The reality of repressed memories. *American Psychologist*, *48*, 518–537.
- Loftus, E. F., Weingardt, K., & Hoffman, H. (1993). Sleeping memories on trial: Reactions to memories that were previously repressed. *Expert Evidence*, *2*, 51–59.
- Myers, J. L., & Well, A. D. (1991). *Research design and statistical analysis*. New York: Harper Collins.

- Nietzel, M. T., McCarthy, D., & Harris, M. J. (1994, August). *Juries: The current state of the empirical literature*. Paper presented at the meeting of the American Psychological Association, Los Angeles.
- Nightingale, N. N. (1993). Juror reactions to child victim witnesses: Factors affecting trial outcome. *Law and Human Behavior, 17*(1), 679-694.
- Rieker, P. P., & Carmen, E. H. (1986). The alleged victim-to-patient process: The disconfirmation and transformation of abuse. *American Journal of Orthopsychiatry, 56*, 360-370.
- Ross, D. F., Dunning, D., Tolia, M. P., & Ceci, S. J. (1990). The child in the eyes of the jury. *Law and Human Behavior, 14*, 5-23.
- Schutte, J. W. (1994). Repressed memory lawsuits: Potential verdict predictors. *Behavioral Sciences and the Law, 12*, 409-416.
- Williams, M. (1987). Reconstruction of an early seduction and its aftereffect. *Journal of the American Psychoanalytic Association, 15*, 145-163.