

Judicial Judgment Task

Background: She was returning to her apartment near the downtown area of San Diego at about 11:30 PM. As she passed through a small wooded park, she heard footsteps behind her. Before she could turn around she was grabbed from behind in the dark. Her male assailant placed a knife at her throat and threatened to kill her if she screamed or resisted. He then took her to a brushy area of the park, where he raped her.

As Jane T.'s assailant ran from the scene following the rape, she screamed and called for help. A police patrol car which was passing the park stopped, and the suspect was apprehended at gunpoint as he attempted to flee the scene. Jane T. positively identified the suspect as her assailant.

Jane T. is a 26-year old unmarried woman who lives in San Diego, California. She is employed as a topless-bottomless dancer in a downtown cocktail lounge. On September 23, 1971 the following incident occurred: Jane T. had been dancing during the 3 PM to 11 PM shift at the cocktail lounge.

The suspect, was identified as Charles W., an unemployed salesman who lived in San Diego. Jane T. recognized him as an occasional customer at the topless-bottomless cocktail lounge where she danced. She stated that he had been to the cocktail lounge on approximately four occasions and she recalled speaking briefly with him on each occasion. Charles W. admitted knowing the victim, but refused to make additional statements.

Task: After all group members are finished reading, begin discussions to reach a consensus and corresponding justification on the following questions:

1. How responsible was Jane T. for this incident? (11-point scale ranging from "Not at all responsible" to "Very responsible").
2. How careless do you think Jane T. is? (11-point scale ranging from "Very careful" to "Very careless").

3. How much do you think Jane's being the victim was due to chance? (11-point scale: "Not at all due to chance" to "Completely due to chance").
4. How likely do you feel Jane T. is to have done something which would have encouraged the rape? (1-point scale: "Highly unlikely" to "Highly likely").
5. How do you feel personally about Jane T? (11-point scale: "Very negative" to "Very positive").
6. How responsible was Charles W. for this incident? (11-point scale: "Not at all responsible" to "Very responsible").
7. If the assailant who raped Jane were proven guilty, what prison sentence would you recommend for him? (8-point scale of alternatives ranging from "less than 1 year" to "30 years or more").
8. How much do you identify with Jane? (11-point scale: "Not at all" to "Very much").