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## FINAL REPORT

### NATIONAL INSTITUTE OF JUSTICE VISITING FELLOWSHIP

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### ABSTRACT

This project began as a qualitative investigation into the views of sexual assault detectives. However, in consultation with NIJ Managers, the decision was made to add a quantitative component. Since these two parts are related, but are comprised of vastly different data gathering and analysis schemes, so too this report will be similarly split. The first part of this report covers what was designed to be an exploratory study to explore the attitudes and experiences of active and experienced police rape investigators. The second half of the study, a pencil and paper study of active duty patrol officers (as opposed to investigators), will be reported in the second section of this report.

An important supposition behind this study has been that despite an enormous literature on police investigation of sexual assault, very little of this prior study involved speaking to police officers themselves. In particular, part one of the study was designed to ask police detectives what they perceived as their frustrations, roadblocks, or obstacles to successfully completing a rape investigation, and then as a follow-up to ask these same

officers what they have been able to successfully do in order to bypass these roadblocks or obstacles.

In these qualitative interviews a variety of subtopics was drawn from the literature to be investigated. In some cases these subtopics were ones commonly represented in the literature as problems often faced by police. In other cases, informants, women's groups, and the various published stories of rape survivors suggested other topics that traditionally have not been discussed extensively in the police literature. Finally, some attempt was made to discuss frustrations or roadblocks that officers might have within their own organizations, with other organizations (e.g., the district attorney's office) that might hinder successful prosecution of cases, from their point of view.

In the report below, the basic literature that led to the various questions and topics will be reviewed. After this, the literature in each of the subtopics will be introduced, and the findings of this study will be explained in that area. The most important findings will appear toward the end, in dealing with false reports. Finally, a first attempt at recommendations that come out of this study will be made.

## **I. Introduction**

Certainly there have been a substantial number of articles written on sexual assault. They have not, however, covered the entire field of possible topics for scholarly investigation. Rather, they have centered on the nature of the offense, the reactions of the victim, the nature of the offender, treatment for the victim and treatment for the offender. Missing from this list is the scholarly investigation of the actions of police detectives and patrol officers. There have been statistical analyses of such things as reports, arrests and prosecutions, of

course. There are manuals written on police investigation of sexual assault, and certainly many complaints about police practices from victim advocates. However, there has been less scholarly work on police investigators themselves. Police investigators have not been studied to see what they see as the obstacles, roadblocks, frustrations and hindrances to the successful completion of a rape investigation. Nor has there been any investigation into what police investigators see as the best way to overcome these problems. This study asked police officers about these issues not only in relation to stranger rape, but also intimate sexual assault, same-sex rape, false reports, false confessions, drug-facilitated rape, rape of prostitutes, and the emotional labor problems of people who work with rape victims.

## ***II. Literature Review***

### **A. Attacks on Policing**

The investigation of rape by the state or state-sponsored authorities is not a new phenomenon. For better or worse, rape investigations (at least of certain victims) have been going on as far back as we have written authority. However, starting about 40 years ago, groups across the country began to “speak out” on forcible rape (Jordan, 2001). It was no secret that rape was a good rallying issue for organizing feminist groups because women from all races, classes, occupations, and religions were to some degree or another worried about being raped. It was an issue that touched a large percentage of the population. The key hurdle was identified then as police attitudes toward women. The argument was that police automatically presume that most women who filed rape reports were lying (Estrich, 1988). Women who behaved in a manner which the police did not approve (sex outside marriage, drinking in a bar without an escort, use of bad language, wearing immodest

clothing) were not allowed to file rape complaints at all, or had their complaints listed as false reports or “unfounded.” Fairstein (1993) even claims that several localities stamped certain rape complaints where the police had no respect for the victim as NHI, for “no human involved.” Current studies continue to claim that the further women are from the approved mainstream, the harder it has been to get police to take rape complaints. For example, Miller and Schwartz (1995) interviewed prostitutes who said that they could not go to the police. Jane, to choose one woman, said she was gang-raped, but the police “don’t have no pity for no prostitutes. They figure if you out there whoring you s’posed to take what’s coming to you...”

Feminist literature has made it clear that most police investigations may have been half-hearted or outright disbelieving, but certainly there is more interest now in conducting a proper investigation. Today, there are many guides to the police investigation of rape, including the classic Hazelwood and Burgess (2008) reader, now in its fourth edition, and the government sponsored Epstein and Langenbahn (1994) set of recommendations.<sup>1</sup> The popularity of these guides is rooted in the belief that the police are the most important criminal justice officials in a rape case (Lord & Rassel, 2002).

Whatever people believe, there is no question that police behavior has been the most scrutinized of the various criminal justice officials. No matter how important prosecution or judicial authorities are in advancing or retarding conviction rates, the literature on the influence of courts on rape convictions is relatively thin. At the same time, the literature is replete with complaints about the way in which police investigators have traditionally handled

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<sup>1</sup> Other guides include Strandberg, 2001; Macdonald & Haney, 1990; Powers, 1996; Gaensslen & Lee, 2002; LeBeau et al., 1999; Rossmo, 1995; Eastal, F1992; AIMS, 1994, O’Reilly, 1982; Moody & Hayes, 1980; Murphy, 1980.

rape cases. To deal with these complaints about the police, officials generally agree that it is essential for police operations to be studied by researchers (McDonald & Paramchik, 1996), not necessarily to uncover flaws in technique, but to point out methods of improving service.

## **B. False Reports**

Police attitudes toward the victims of rape have often been studied (Coombs, 1986; LeDoux & Hazelwood, 1985; Madigan & Gamble, 1991; LaFree, 1989; Adler, 1987) and too often the results of such investigations show that, in fact, the police are distrustful of women. They believe that women who are not of perfect virtue (whatever that might be) may be lying (DuMont, Miller & Myhr, 2003; Jordan, 2001; Temkin, 1997). In fact, from the victim's standpoint, the extreme pressure and harassment of a police investigator working from this ideological position has been called "the second rape," (Madigan & Gamble, 1991) with some discussion of whether in fact the first or the second rape is worse (McMullen, 1990).

The issue or problem (researchers believe) is that in these cases police investigators suppose that large numbers of rape reports are false (Burgess & Hazelwood, 2001). In addition to the difficulty discussed above that women of whom the police do not approve may not be allowed to make reports at all, in some cases police investigators are suspicious of all women, most women, or a great many women (Temkin, 2002). Susan Estrich (1988), for example, reports that although she was raped outdoors, essentially on a snow bank in some bushes, investigating officers had questions as to whether she may have been a willing participant in the sex act. Luckily for her, she reports, the rapist also stole her car, and the investigators decided that it was impossible that she would willingly give away her car to a stranger. That a Harvard University law student might decide to have sex in a snow bank

along a public path with a stranger seemed perhaps believable to them, she reports. Certainly to this day, rape complainants in many departments are routinely given polygraph tests as a first order of business (Lord & Rassel, 2002; Temkin, 2002), an investigative technique rarely used with victims in any other criminal complaint.

Yet, even though it has been widely reported that a tremendous number of people in the criminal justice system believe that many or most rape victimization reports are false, it is a major problem in the literature that there have been few studies of false reports of rape. The studies that have been done have been spectacularly divergent in their results. McDowell (1990) and Kanin (2001) believe that there are a substantial number of malicious and false reports, while Lees (2002) reports on her analysis of the extant research and her study of the police that the rate is very low. Fairstein (1993) similarly argues that her 10 years as a Manhattan sex crimes prosecutor has proven to her that there are very few false reports. Of course, even less studied are false confessions to rape by men (Leo, 2001; Johnson, 1997, White 1997), which are similarly an important problem for police investigators.

### **C. Have Policing Practices Changed?**

To counteract complaints about police practice, there have been many exhortations and much training of police to act sensitively and with compassion toward rape victims.<sup>2</sup> Certainly this is also the creed of most of the investigation manuals. This not only is something that any crime victim deserves, but it also furthers the investigative goal, because crime victims are more likely to cooperate and help in the investigation and prosecution of

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<sup>2</sup> These include Coombs, 1996; LeDoux & Hazelwood, 1985; LaFree, 1989; Madigan & Gamble, 1991; and Adler, 1987.

rapists when they see the police as more sensitive. They are also more likely to report rape in the first place.

It is common for observers today to report that the average police officer now knows that he or she is supposed to be supportive and sympathetic toward women reporting rape victimization, and some observers feel that the police are getting better all of the time (Lord & Rassel, 2002). This view, however, is not unanimous. Lonsway, Welch and Fitzgerald (2001), some of the more important rape researchers in the field of Psychology, report that sensitivity training and education about rape may improve officer behavior. Unfortunately, they did not discover any evidence that such training changes the officers' attitudes toward and opinions of rape victims. Presumably such attitudinal change would improve the quality of rape investigations, but a lack of attitudinal change would impede any change in rape investigation quality.

Moving from attitude into practice, some researchers have found no improvement at all in police practice (DuMont, Miller & Myhr, 2003; Jordan, 2001; Temkin, 1997). Other investigators find that police culture is still sexist and homophobic (Lees, 2002), and that police have not, in fact, done very much in many locations to improve things (Lord & Rassel, 2002; Gregory & Lees, 2003). The strongest statement is from Hodgson (2002), who argues that the changes that people may be seeing in police attitudes toward rape victims are superficial. Changes in police procedures, he charges, amount to little more than "impression management," where "internal operations, for the most part, go unchanged and unchallenged" (p. 173).



## **D. Victim Reporting**

The first problem facing both police and researchers is that most rapes are not reported (Rennison, 2002; Eastal, 1992; LeDoux & Hazelwood, 1985). There is no way of knowing what percentage of the total number of rapes are reported to the National Crime Victimization Survey, but it is possible to calculate the percentage of rapes reported to the NCVS that are also reported to police. Of the rapes the NCVS statisticians know about, 36 percent of completed rapes, 34 percent of attempted rapes, and 26 percent of sexual assaults were reported to the police in the period 1992-2000 (Rennison, 2002). These numbers could be very high. The British Crime Survey, using Computer Assisted Self-Interview technology, found that less than 20 percent of rape victims reported to the police (Temkin, 2002). Diana Russell (1984) estimated, based on her representative sample of California women, that less than 10 percent reported their victimization, while on college campuses researchers have found that reporting can be as low as 5 percent (Schwartz & DeKeseredy, 1997; Koss, 1988).

No doubt there are a number of ecological factors that affect the reporting rate. For example, Ruback and Menard (2001) recently found that although rape rates were higher in rural areas, rape reporting rates were higher in urban areas. The one general constant is a low or relatively low rate of reporting. Whether this is due to the reputation of police, or private reasons of the victims, the point still remains that the police can rarely engage in the investigation of rapes that are not reported to them by the victim.

Perhaps another strong factor, though, is that victims themselves grow up and live in the same culture as everyone else. Like the police, they accept certain rape myths as true, and when they are raped under circumstances similar to these myths they, too, believe that

what happened to them was not rape (Peterson and Muehlenhard, 2004) or not a police matter (DuMont et al., 2003). For example, women who are raped by a former boyfriend, even if it is a violent rape that takes place long after the relationship has ended, often believe that what happened is not rape. If they are married to or living with the rapist, or in the process of breaking up with the man, then they are almost certain not to believe that they can report it to the police (DeKeseredy and Schwartz, 2009). The police in turn are almost certain not to accept it as a “real rape.”

## **E. Rape Myths**

Underlying the entire notion outlined above that some people, including police investigators, don't believe rape survivors are telling the truth is based on a set of beliefs about rape that are often considered wrong. A central tenet of sociological and psychological inquiry into these beliefs, and certainly of feminist analysis, has been that these beliefs about women do not involve truth or reality, but rather are myths. They are stereotypes or presumptions about women that are not true: whether some women are more likely to be raped than others (always the women who behave in ways we don't like); how women should act after being raped (e.g., women who are too calm are lying); whether women use rape commonly and typically as an accusation to get men into trouble; whether it is possible for prostitutes to be raped, or whether women lie about rape for instrumental reasons – to provide an excuse that keeps them from getting into trouble if they are out late or doing something else that they should not have done.

Within the sociological, psychological and feminist activist literature, there have been a number of definitions used for rape myths, but the one used here is taken from Lonsway and

Fitzgerald (1994): “attitudes and generally false beliefs about rape that are widely and persistently held, and that serve to deny and justify male sexual aggression against women.” These myths are typically considered to be held by men, and in the extreme case are used by rapists to justify their behavior (Lea and Auburn, 2001). Still, it isn’t only rapists or even only men who subscribe to rape myths. They are also part of the belief systems maintained by a minority but substantial number of women (Carmody and Washington, 2001). In fact, Peterson and Muehlenhard (2004) argue that one reason that rape victims do not label their experience as “rape” is that they too hold rape myths that serve to excuse the male offender.

For example, Schwartz and Leggett (1999) found that fully 25% of those women who had been raped claimed that the blame was 100% theirs, and another 50% said that they shared the blame with their rapist. They explained this finding by arguing that these women held beliefs that suggested that women who behaved in certain ways or placed themselves in certain situations, “deserved” to be raped. Similarly, DuMont, Miller and Myhr (2003) found that women who reported rape to the police were likely to believe that only violent sexual assaults were rapes. Thus, we assume that a woman raped but without accompanying strong physical violence might conclude that it wasn’t a real rape, and thus would not report it to the police. Pitts and Schwartz (1997) found that the women in their sample who were told by close associates that they were at fault for being where they were when they were raped all claimed that they had never been raped; women with identical behavior who were told that they were not at fault all claimed that they had been raped. Thus, a problem remains: to many scholars, rape complainants must still battle to gain credibility in the eyes of a broad variety of police investigators (Jordan, 2004). Of course, as suggested above, this does not and has never applied to all victims. One issue is that some victims are better suited to the

role of “credible victim” than others (Ekstrom, 2003, Estrich, 1988), and rape myths still affect many people’s perception of victim blame (Frese, Moya and Megias, 2004). Throughout history, wealthy women raped by poor men, and especially minority men, were accorded much more respect than the reverse, to give just one example.

## ***II. THE METHODOLOGY OF THE INTERVIEW STUDY***

The sample was developed through the help of several people in the field. Those known to be experts were solicited to help, which often led to contacts with others. These in turn led to police departments. When the proper authorities were reached, the project explained, and a request bumped up the chain of command, permission was almost always granted to interview detectives, although this could take as long as six months to set a firm date.

Interviews were conducted with 49 detectives who specialized in sexual assault, usually by being attached to a special sexual assault unit. Of this group, 39 were male and 12 female. All detectives were experienced police officers, with at least 1-3 years of sexual assault unit experience. All but four were white: there were two African American males and two African American women. Of the 49, 21 had 8 or more years of sexual assault unit experience. However, police officers invariably start out as uniformed first response officers, and if promoted to detective almost invariably begin their careers in street narcotics or in economic crimes (check fraud, auto theft, etc.). As will be seen below, there are real differences in the kind of training these officers have had. All had basic police school training, usually for about six months, although the amount of time spent on sexual assault was negligible. Virtually all were additionally sent to some sort of basic detective or basic

investigation training after being promoted to detective. Much of this training, however, is mechanical: which forms to fill out, departmental filing systems, the nature of the state law, when to make an arrest under department policy, preparing a case for the prosecutor, etc. Some detectives received more training when they were moved from other detective units to sexual assault, generally consisting of a three-day to one-week sexual assault school held statewide or citywide. A much smaller number have had more extensive training, including special schools held around the country in sexual assault, or occasionally training put on by their own department (guest speakers) or the statewide coalition against sexual assault. But about half have had no special training at all, often being scornful of training and insisting that “on the job” training was all that was needed in detective work. One officer rather haughtily told me that he had a family and under no conditions was he ever leaving town for any reason whatsoever (specifically training) and leaving them behind.

The goal in scheduling police interviews was to talk to detectives from a wide range of departments. Although confidentiality promises prevent listing the specific departments, detectives were interviewed in a total of 16 departments, including two extremely large cities, cities with major crime problems, very large suburban police departments, smaller town police departments, university police and college town police to talk about the special problems there, and rural sheriff’s departments. The interviews were semi-structured, with similar questions asked of each officer. However, the officers themselves often influenced the direction of the interviews and the order of the questions, although eventually all were asked the same questions. Interviews were conducted at police stations, almost always in suspect interview rooms, but occasionally in a quiet time at an officer’s desk. One officer

refused to be interviewed unless the interview took place over lunch in a bar, which is where we went. The interviews took a minimum of an hour and sometimes 90 minutes.

All officers signed a written consent form to being tape recorded, and all tapes were transcribed for analysis. A doctoral criminology student with secretarial skills and former employment in a police department (to assure knowledge of confidentiality problems) transcribed all of the tapes. After transcribing, all tapes were destroyed.

### **III. THE *FINDINGS***

There was a tremendous amount of information uncovered, with more than 1,200 pages of transcripts analyzed. Here I will focus on issues related to training and false reports, but there are some other findings that can be quickly mentioned:

#### *A) Acquaintance Rape*

One of the most important findings in this study was that detectives in every jurisdiction reported that the ratio of acquaintance rape to stranger rape was about 80/20, although many thought that this was too low, and estimated the percentage of acquaintance rapes to be as high as 98%. Only one large city detective felt that the split was nearer to 50/50. All agreed that the concept of “acquaintance” covered a very broad field, ranging from someone who had just been met in a bar, to a neighborhood figure not well known to the victim (e.g., the custodian in a girlfriend’s building), all the way up to incestuous rape. From the detective’s point of view, the key is whether the victim can tell them who did it, although the city detectives generally reported that it was very common that the woman only knew the man’s street name. This was not seen as a problem: all agreed that a description like “Boo-

Boo; he often hangs with Tony over to the Paramount” would be enough for any detective to immediately pick the man up.

What is interesting is that most of the examples given, and most of the discussion was about stranger rape, serial rape, or at least cases where forensic evidence was important. Yet, upon questioning, most detectives agreed that the overwhelming bulk of their business consisted of cases reported long enough after the event that forensic evidence was not available. Further, all of those who had gone to training reported that (even though 80% of rape was acquaintance rape) all of their training was on stranger rape. Of course, forensics may be important even in an acquaintance rape, such as when the offender denies having had sexual intercourse with the victim. However, none of the detectives reported having had specific training on how to deal with acquaintance rape, although only a couple volunteered this as a problem.

#### *B) Some Departments Seem to be Better than Others*

It was relatively easy to discover which departments were having problems. Sometimes a problem is that leadership does not provide physical facilities. For example, one very large department does not have an interview room for either victims or offenders. A rape victim can only be publicly interviewed at a detective’s desk, which sits in an open arrangement, and can only sit down if a chair is available to be borrowed from another detective’s desk. For another example, in some departments all requests for training are routinely refused. However, some departments are constantly seeking to become better. These include departments where the leadership works closely with community groups to bring in speakers to provide free training on a broad variety of issues.

### *C) Cleared Cases*

One of the standard measures used in North American and British style policing to determine police effectiveness is to calculate the percentage of cleared cases. In other words, of all of the cases on the books, what percentage has been “cleared” by arrest? In the case of a serial rapist, it is possible that one arrest can clear multiple cases. It may seem confusing that the most professional and the least professional departments report similar clearance rates. Departments where detectives report extensive training, follow rules carefully, have close supervision, and consider themselves professional, have the same clearance rates as departments where there is no training at all and supervision seems fairly loose. In both cases, detectives at least informally report exceptionally high clearance rates, usually in the region of 80 percent. In later informal discussions outside the interviews to try to determine why these rates were so high, it became clear that some departments find ways to “dispose” of cases that they did not like. They then calculated the clearance rate on the “good” cases. Susan Estrich (1988) discusses this phenomenon in detail, where cases that did not meet the officer’s definition of a “proper” victim were denied the status of “real rape,” and were not taken seriously. The clearance rate would then be calculated on a base of real rapes only. Interestingly, in this study virtually all detectives insisted that they accepted all cases and sent them forward to the prosecutor for a decision on whether to prosecute. Unfortunately privately, or when questioned in detail, they outlined situations where they would not take reports from certain women, or else other detectives said that some detectives in their unit did this commonly.

Some detectives made no effort to hide the fact that they dismissed certain types of cases out of hand. One detective at a major college campus, for example, reported that rape



reports at his campus were all or mostly attempts by women to get out of exams, so there was no point in taking them seriously. As another example, one big city detective announced that he would not accept any case where the girl or woman claimed to be forced into a car or van:

Whenever they say – what’s the word I’m looking for – abduction, it’s not true. If the word abduction is used by a complainant in any kind of complaint, it’s not true. I’ll tell you what it is, it’s two girls that went out, met these guys, gotten laid, smoking weed, were supposed to be home, didn’t come home, and that’s where – now they’re in trouble.

Others made it clear that there are many stories that they would just not believe. The problem, of course, is that these stories are often enough true. One lieutenant said:

We had a young lady who claimed she had been raped on one of our busiest – I mean, abducted from one of our busiest corners here by two male blacks, taken to a par...forced at gunpoint, raped at gunpoint, okay. She was there at the corner, a white Cadillac pulled up and they grabbed her, put her in the car, took her to a park and raped her at gunpoint. And, two of them. I had problems with the busiest corner that nobody saw this and nobody called it in. But, going beyond that, I felt like she wasn’t telling me everything.

After investigation, and a re-interview by a female investigator,

it was determined that she was holding back information that she wasn’t actually sexually raped, she was forced to give oral sex and she had a problem with coming out with that information, but she passed that it did occur.

Thus, although this issue cannot be definitively answered in this exploratory study, it is certainly an issue for future studies or departments themselves to look into clearance rates. Here we found reason to believe that some clearance rates may be manipulated and reported to the public at an artificially high level.

#### D) *Impression Management*

Virtually all of the detectives in this study (although not all) said that a major issue was that girls and women commonly come to them telling a story that does not seem right to them, and that it isn't until after extensive questioning that the detectives come to a story that they are willing to accept as the truth. One sergeant pointed out that:

But, a lot of times, they don't want to be either embarrassed or whatever, or people think it's their fault because society typically blames the victim. And the police a lot of times said, "You shouldn't have been there," even though it's not really our place to say that, but it does happen. So, the victims in a lot of cases will lie to us, even if it's about one little thing.

Following convention in the symbolic interactionist school of social psychology, I refer to this as "impression management." People don't like to admit that they were doing something that they think, or that they believe that others think, was a bad choice. They find it easier to manipulate a few facts around the sexual assault that they feel will put them in a better light. Thus, a victim who was grabbed cutting through a dark alley that she had been often warned to avoid might tell the truth, but claim that she was grabbed on the main street where she was supposed to have been walking. Typically, this is a major problem in interviewing offenders;

for example, offenders often claim that victims were willing participants. But, with the victim, the problem with the slight manipulation of facts is, as a Midwestern detective pointed out:

...they're afraid that if they divulge some part of the story that may make them look bad... they're afraid to tell. It will hurt their case or we'll pass judgment on them in some way, so they don't tell that part of the story. But, then when it comes out, it makes it look like they're not being completely truthful and it hurts their case eventually.

The detectives were somewhat split as to what they do when they find a woman untruthful in at least part of her story, although all agreed that it was a common and typical part of rape investigation. Some obviously were counting all of these cases as false reports. Some looked sad that they could not bring such cases to the prosecutor, but were convinced that the prosecutor would not take a case where the woman had changed her story, especially if she changed it more than once. For the most part, the most sympathetic detectives talked about how to get the rape victim to tell the truth, but then pointed out that the case would not be prosecuted if she had changed her story. Interestingly, several detectives claimed that they had developed long standing relationships with prosecutors that convinced them to take strong cases even if the woman had initially changed her story. Only a few detectives told me that they just did not take initial reports on suspicious cases until the girl or woman had a couple of chances to develop her final story. One said that he had learned to take notes on initial reports in a shorthand that was undecipherable even to cryptologists; thus if his files were obtained by defense attorneys they would be unable to read them. When he got to what he considered the truth he would type up his final report. Most detectives, however, even the ones who claimed to be the most sympathetic to the

victim, reported that they took complete notes and wrote up a report on what aspects of her story had changed. When I pointed out that these reports could be obtained by defense attorneys, they all agreed that this was a problem, but not one they planned to deal with.

#### *E) Better Practices*

One of the original goals of this project was to locate better practices as used by detectives in a variety of agencies, and then to be in a position to recommend them to other departments. While a number of detectives made suggestions to me about things that could improve their work, there remains the problem that for all intents and purposes these detectives are all doing the same thing. There seem to be no magic wands or special activities that these detectives have discovered that will make things flow better. Even the departments with the most extensive overhaul and redevelopment of practices in rape investigation still seemed to be essentially doing the same things as other departments.

#### ***IV. Specific Crimes and Circumstances***

In my original plan I proposed to investigate several other things. Here are the results of these investigations.

##### *a) Drug Facilitated Sexual Assault*

Considering the publicity and literature about so-called date rape drugs, the amount of information we have is sparse indeed. After a lengthy NIJ investigation in the late 1990s, a final conclusion developed in a highly charged political atmosphere was reached that we have no idea how widespread the problem is, and that there is “a considerable amount of conflicting information amid differing viewpoints” (Fitzgerald & Riley, 2000, p. 9). Certainly there is sufficient forensic literature on how to conduct a toxicological investigation (e.g.,

Vogel, 2002; Riveira & Hart, 2000; Chapman, 2000; LeBeau et al., 1999), but little else in the literature to guide police officers.

The detectives in this study generally did not find drug-facilitated sexual assault to be at the top of their list of concerns. All had handled or heard of cases where the complainant said that she had been drugged. However, most had very few or no cases where the complaint was made within the short amount of time that current knowledge of toxicology would allow for testing of the victim. Generally, testing must be done within 72 hours, or any drugs of the various sorts that are considered to render a person unconscious and available for sexual exploitation would be completely passed through the human system. While expensive drug kits specifically designed to test for date rape drugs have been stocked at local hospitals in some jurisdictions I studied, and often used, no detective in this study had ever heard of a positive result. One detective said that he has been extremely active in statewide sexual assault policing task forces and groups, but:

the big stories was in the media years ago about the roofies and these are the date-rape drug and people were – had all concerns about roofies, and I've talked to people who are in the state. Nobody's ever had a positive result of somebody taking rohypnol or roofies.

Interestingly, several said that it was possible that they would not have heard of any result, because the results might have gone directly to the prosecutors or senior police officials, but these were the main investigating officers on these cases, and they made it very clear that lab and forensic results were important parts of their cases normally. They would expect to receive any lab results.

Of course, all of those who discussed this issue argued that the main date rape drug they dealt with was alcohol, and many said that victims who could not account for their dizziness and lack of memory often turned out to be extremely drunk at the time. In fact, several detectives said that one of the best forensic devices that they had, particularly in college communities and among older victims, was the credit card. Sometimes a victim who claims to only have had one or two drinks will be found to have signed for as many as 10 or 12 identical mixed drinks on her credit card. This does not mean that she was not raped; in fact, it could make her extremely vulnerable to a sexual predator. The detectives, however, felt that this kind of evidence would suggest that she was not the victim of rohypnol or other drugs.

#### *b) Female Offenders*

Although there are not a large number of female sex offenders, any police investigator could be faced with one. Women can be charged with facilitating or aiding a male-on-female rape, or being the primary offender, commonly of children or adolescents (Warren & Hislop, 2001). They may also be the primary offender of another woman. There is general agreement in the literature that one certainty is that lesbians do not report same-sex rape in great numbers, making it difficult to be sure of this crime's frequency. Generally, academic researchers studying this problem have concluded that too often lesbians do not feel that a homophobic and heterosexist legal system will provide any help to them, so they will not report victimization to the police (Girshick, 2002; Ristock, 2002).

Whether it is because these crimes do not often occur, or because they are unreported, the detectives in this study unanimously reported that they did not see many cases. Most had seen a few, or had heard of a few cases of female offenders victimizing

young children, but only a couple reported even hearing about female on female rape. There is, of course, no way to check on the accuracy of such statements, but several detectives reported that if they had come across such cases they would treat them in the same way as male on female cases.

### *c) Male Rape*

Unlike the case with lesbian rape, authors who write about male-on-male rape argue that male victims account for about five to 10 percent of all rape reports to the police (Scarce, 1997; McMullen, 1990). These numbers may be particularly high given the suspicion among them that men report male-on-male rape at a much lower rate than women report male-on-female rape. Of course, there is no way in a study such as this to investigate the accuracy of such estimates, but both academics and detectives do report that there does not seem to be any differences between male and female victims in terms of reactions, except that both heterosexual and homosexual men are afraid of being publicly branded as being gay as a result of rape victimization (Scarce, 1997).

The few academics writing in this area have been strongly convinced that few of these cases are taken as seriously by police investigators as the rape of women. With one exception, the detectives in this study strongly disputed some of the arguments of these male rape scholars. None disputed the problems that male victims face with general society, and most felt that this kept reporting rates down. At the same time, all felt that the police gave the same support and attention to male victims as to female victims. However, few had seen more than an occasional case here and there. Although this was not universally agreed upon, most detectives felt that the dynamics of male-on-male rape were identical to male-on-female acquaintance rape: two people meet in a gay bar, have drinks, have a good time, but

at the end of the evening one wishes to have sex and the other has no intention of intimate relations. The first forces the second. There have been no studies of whether this is indeed the typical scenario, but the detectives certainly believe that it is.

None of the detectives had heard of female-on-male rape, although it is something that is biologically possible. None expressed any opinions on the subject.

#### *d) Rape of Prostitutes*

While this will more properly be covered later in this report under the findings for rape myths, detectives were asked about reports of rape by prostitutes, and how they were treated by the detectives and the department. Overall, sexual assault detectives were dismissive of prostitutes and whether they could be raped. Many considered it an “economic crime,” although for some reason they did not ever compare it to armed robbery, which is exactly what they were claiming that it was. Rather, most treated reports of rape by prostitutes as false reports. This was not universal, as several detectives claimed that they not only took these cases seriously, but they were able to convince prosecutors to take the cases, and they were convinced that their work was resulting in a high rate of conviction in these cases.

#### *e) Personal Problems for Rape Investigators: Stress*

Lanning and Hazelwood (2001) argue that one of the major problems of being a rape investigator is that other police officers tend to malign, make fun of, and make life generally difficult for rape investigators. These officers can come under pressure to tell and listen to dirty jokes, and to produce pictures from evidence files to be used as pornography. They may be constantly referred to in sexually demeaning terms, associating them with parts of the female anatomy.



The detectives in this study unanimously denied that there was any stress from this quarter, and were sure that authors such as Lanning and Hazelwood had been influenced by looking at one badly abnormal department. In fact, this point of view seems to be supported by the fact that in many of the larger departments there were 5 to 25 applications for transfer into the sexual assault unit each time an opening arose. One older highly experienced woman suggested in her interview that some of these problems existed when she joined the force, but that strong efforts both within and outside police forces over the past 30 years had served to professionalize the police more and more, making the average sexual assault squad a more elite unit, like robbery (but not quite as elite as homicide).

Still, to some degree many detectives did share some of this problem. Although Mattley (1997) was talking about academic researchers rather than police investigators, she developed a useful term to describe the position in which many investigators find themselves. Sociologists may talk about *courtesy stigma* as the acceptance a discredited group can give to an outsider that allows the outsider to share in the activities of the discredited group (drug addicts, gang members, street criminals). Mattley argues that the lack of respect given by mainstream academic society to anyone investigating issues related to sexual behavior, and particularly deviant sexual behavior warrants the term *(dis)courtesy stigma* for what she went through when he studied telephone pornography centers. Stanko (1997) generally agrees with this notion, arguing that people who deal with rape victims need to find a way to deal with their own personal emotions in a productive manner. She recalls that early in her career, after hearing an experienced investigator's interview with a 14-year-old rape victim, she needed to go into the women's room and start to kick the wall in tears.

The detectives in this study generally agreed that they had to find ways to deal with this stress, but perhaps unsurprisingly for police virtually all felt that they were perfectly able to just go home and watch TV and forget the office. Some of them occasionally reported that they were haunted years later by a particularly gory case, especially with child victims, but denied that this caused them any trouble. There did not seem to be gender differences in this, because there were several women who were militantly rigid and several men who were open about their problems.

One very large department studied in another country<sup>3</sup> has a mandatory procedure whereby all detectives must discuss their feelings with their sergeant every six months, and discuss whether they are in need of a referral to a mental health professional for help in dealing with their emotions. Unfortunately, I did not find out about this until I returned home (no detective there saw fit to mention it to me when we discussed stress), and to say that American detectives were not enamored with the idea would be an extreme understatement. Of the roughly 30 American detectives I discussed this with, generally men were quite actively opposed to discussing emotions with their sergeant, and women who had a “tough” demeanor were equally opposed. Women who felt that their femininity was an asset to the job tended to feel that measures designed to reduce stress would be an advantage, although they also reported that their male police colleagues would not go to a mental health professional unless specifically ordered to do so officially.

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<sup>3</sup> One of the conditions of anonymity given to these departments was that they would not be identified.

## **VI. Rape Myths**

All of the preliminary work for this study interviewing national level police experts and leaders of victim advocate groups led to suggestions that it would not be worthwhile to ask experienced detectives directly and specifically about rape myths. Although some detectives were more than happy to expound on any “politically incorrect” views, generally most knew what they were supposed to say about some subjects. For example, as it turned out, the overwhelming majority of detectives insisted that all victims were treated equally, and that all were treated with care and compassion. All detectives insisted to me that all cases were followed up completely, a full case report was prepared, and only the prosecutor decided whether to go forward or not. This was even true in those departments where 30 to 50% of all cases were “unfounded,” or in some other way dropped, and not brought to the prosecutor. In virtually every other area identified in the extensive literature as rape myths, most municipal police today know the “right” answers, experts claim. Asking them directly would not yield meaningful information.

Thus, as a way to ask about rape myths, detectives were instead asked to talk about false reports. This was not difficult. It was in fact common for the detectives to bring up the subject themselves in the first few minutes of the interview. What was difficult for them, but they were pressed (sometimes for up to 10 minutes) to do, was to estimate what percentage of all of their cases was made up of women who filed a malicious report: although he was innocent, a specific man was named. This was defined as a situation where, if she had been believed, an innocent man could have gone to jail for a couple of days at least. A second question similarly forced the detectives to estimate what overall percentage of the cases were true reports, but the facts of the case were not true as reported. For example, a woman was

raped at a crack house but reports it to the police as an abduction. Finally, the detectives were asked to estimate what percentage of all cases that she or he had seen in a career just plain did not happen; were false reports.

Looking at the third question, one of the first things that can be seen from these interviews is that those detectives with more experience specifically in sexual assault squads tend to estimate that the total number of false reports is lower than that reported by those with less experience. It is important to note that in addition to time on sexual assault squads, most of these detectives have years on the street in patrol, possibly time as entry level investigators in street narcotics, and time as a detective in fraud, theft, or robbery squads. In the smallest departments, detectives cover all of these things.

In Table 1, the percentage of perceived false reports is split up into three reasonably equal categories, each with about a third of the detectives: they perceive that less than 10% of all reports are completely false, 11 to 39% are false reports, and 40 to 80% are false. No detective estimated more than 80% false reports.

A clear majority of both those detectives with limited experience (1 to 3 years), and those of moderate experience (3 to 7 years) estimated that more than 40% (and up to 80%) of all reports were false. At the same time, of those with eight or more years experience an identical clear majority either said the number was “low,” or estimated it as less than 10%. Many detectives could not come to a specific estimate, but were comfortable having their views represented as “low.” Many were able to come to a conclusion that the correct rate was between 2 percent and 8 percent. For whatever reason, years of experience on a sexual assault squad does seem to reduce the expectation and perceived experience of false reports. I wondered whether this was simply an artifact of the most misogynist detectives

being weeded out and moved to other assignments before they obtained eight years of experience. However, when asked about this, most detectives said that their squads had very little turnover, being affected mostly by retirement. Although there was one department where detectives still rotated between squads, the overwhelming majority of these detectives either were on a squad that was a career assignment, or were in a small enough department that the question was not relevant.

**TABLE 1**

**Does Experience Affect “False Report” Perceptions?**

Yrs in SA Investigation	<10% or “low”	11% -39%	40%-80%	Total
1-3 yrs	5	2	10 <b><u>59%</u> (row)</b>	17
4-7 yrs	2	3	6 <b><u>55%</u> (row)</b>	11
8+ yrs	12 <b><u>57%</u> (row)</b>	8	1	21
<b>TOTAL</b>	<b>19 39% (table)</b>	<b>13 27% (table)</b>	<b>17 35% (table)</b>	

**N = 49 (1 refused to answer)**

A first question many people have is whether there is a sex difference in the results in Table 1. A quick answer is yes. As can be seen from Table 2, 58% of all women, no matter what their level of experience, estimated the number of false reports as “low” or less than 10% (compared to 32% of all men). To be sure, this finding can be overdone, since close to 50% of the women estimated the false reports higher, and in the second column (11% to

39%) the estimates were not close to 10, but actually nearer to 25%. Still, 17% of the women reported that false reports were 40 to 80%, while 46% of the men made such estimates. Of course, a greater percentage of the men were relatively inexperienced.

**TABLE 2**

**THE EFFECT OF SEX ON “FALSE REPORT” PERCEPTIONS**

**REPEATING TABLE 1 WITH ONLY FEMALES IN THE TABLE**

Yrs in Sexual Assault Investig.	<10% or “low”	10% -39%	40%-80%
1-3 yrs	2 17%	---	1 8%
4-7 yrs	---	---	1 8%
8+ yrs	5 42%	3 25%	---
<b>TOTAL</b>	<b>7 <u>58%</u></b>	<b>3 25%</b>	<b>2 17%</b>

**N = 12 (Females Only)**

All percentages are table percentages

A third rape myths question is whether training affects the perception of false reports. Data were not gathered, and detectives were not prepared, to carefully quantify exactly what training they had had over what was for many a 20-year or more police career. For example, it was possible in some departments to attend occasional lectures or half-day training sessions regularly for a decade or more. However, it was clear that some detectives had taken advantage of a number of training events, including enthusiastic participation in statewide training, local training by rape crisis centers or other victim-oriented community groups, or trainings organized by command (e.g., local defense lawyers lecturing on the law). Therefore, while fine gradations were not possible, it was possible to just divide all officers into “highly trained” or “less well trained.” Most of the latter were in departments where the detectives proclaimed themselves proud of the fact that they received only on-the-job training, and in fact often insisted that such training was better than going to school. These departments were more likely to be big city departments where there was little tradition of training. While this may seem counterintuitive, police trainers know that rural and small department police are more likely to feel insecure and to seek training, while some (not all) big city police are more likely to feel that they already know the answers.

**TABLE 3**

**DOES TRAINING AFFECT “FALSE REPORTS”?**

Are Detectives Highly Trained or “Just the Basics/Mainly On-the-Job”?						
	<10% or “low”	10%-35%	40%-80%	Refused	Total N=50	
<b>Highly Trained</b>	14 <b>61% (row)</b>	6 26%	3 13%		23	
<b>Less Trained</b>	4 15%	8 31%	14 <b>54% (row)</b>	(1)	26 (+1)	

Here, as can be seen in Table 3, there is a spread across all of the categories, so that while people at any level of training can predict any level of false reports, the great majority (61%) of highly trained detectives reported a low experience of false reports, while a majority of the less trained detectives (54%) reported that 40 to 80% of their total cases were false reports. No doubt much of the result is due to the crudity of the measure.



## **IV. PRELIMINARY (QUALITATIVE) CONCLUSIONS**

### **A. Training**

Most obviously there is a direct relationship between training and a lowered perception of false reports. While the relationship is not perfectly linear, some of this may be due to the fact that it was impossible to differentiate general training from specific rape training. Some of these sexual assault investigators have been trained in interviewing techniques, changing state laws, homicide, forensic examinations and the handling of evidence, and a variety of other topics that may or may not be expected to affect victims. In fact, an investigation school reported by one officer that trained detectives to get interviewees to break down and admit that they have been lying might be turned against complainants, convincing them to drop charges or refuse to continue to cooperate. Other detectives told stories of how trainers gave them a much deeper appreciation for what victims go through. These detectives invariably said that they rarely came across completely false reports.

Further, when asked about training even directly in sexual assault, virtually all reported that they were trained only in stranger rape and forensic evidence. Considering that the overwhelming bulk of their casework is in acquaintance rape, the training that they do receive seems to be less than optimal.

### **B. Impression Management**

A second area that came out of these interviews seems to be that the greatest obstacle to convictions is that victims engage in impression management, and do not always tell the complete truth immediately. For example, campus police point out that there is often

enormous attention being given to underage drinking. It is not unusual today for a traditionally aged student to have her parents notified, and to be placed on probation for being caught involved in underage drinking. The campus police detectives I talked to said that a university woman raped while drunk will (on the extremely rare occasion that she reports the crime) usually insist that she either wasn't drinking or that she only had one or two drinks. Most campus police expressed exasperation at the notion that they would arrest a rape victim for underage drinking, but they also recognize that a defense counsel could make much of a woman who claimed to have two drinks when it could easily be proven that she had consumed ten.

The greatest problem police reported in this area seems to be with adolescent girls, although there was no way at all to tell whether this is a police belief or in fact is the major problem. Still, police from a wide variety of jurisdictions and departments claim that adolescents typically believe that they will be in deep trouble with their parents unless they paint a picture of themselves as completely blameless in every way. A common method of obtaining access to adolescents, police claim, is to offer them access to drugs, alcohol, rides in flashy cars, access to restricted parties, or other things of which the girls know their parents would not approve. However, except for a few street smart-kids in a few neighborhoods, the consensus of the detectives was that adolescents make up stories that are easy to break down. The detectives insist that the girls are unaware of how many surveillance videos exist, and that they come up with places and scenarios that are unlikely. For example, they claim to have been kidnapped from a specific place, being unaware that there is a surveillance camera trained on that spot.

Unfortunately, many detectives automatically “unfound” such cases, or presume that the entire event is a lie. Others, more sympathetic to the girl or woman, put in a lot of time until they are satisfied that they have a true story. However, they present to the prosecutor all of the stories, with the full expectation in most (but not all) jurisdictions that the case will be dropped.

One problem is that there needs to be some educational mechanism to convince potential rape victims to tell the complete truth immediately, to avoid having the cases dropped. Given that we know that very few adolescent and university women actually report to the police, it is unfortunate to lose most of the rest because the victim is engaging in impression management.

### **C. Rape of Prostitutes**

One myth that stands out is the relationship of rape myths to the treatment of prostitutes. Although the relationship is not perfect, in general those investigators who thought that a large number of cases were false reports, similarly dismissed all cases by prostitutes as “economic crimes.” In some jurisdictions the detectives thought that they were acting in the same way as they would for an insurance agency, writing up a report that the woman could take back to her pimp to explain why she did not make money that night. As mentioned earlier, the fact that she had been the victim of rape and armed robbery was dismissed by these detectives as an “economic” crime, for some unexplained reason of no interest to the police. The detectives in one jurisdiction generally felt that all prostitute reports were attempts to get the free mandated medical exam given to rape victims. However, among those detectives who perceived few false reports overall, there was a tendency also

to take prostitutes seriously. In these cases, these detectives reported not only making positive reports to the prosecutor but obtaining convictions.

## PART TWO

### THE QUANTITATIVE STUDY

In the first part of this project, detectives were found to believe in a number of rape myths. This was manifested most particularly in the number of findings of false reports, most particularly among the men, the less experienced, and the less trained. This had a number of poor results, including a high number of unfounded cases, cases written up in a fashion that virtually guaranteed that prosecutors would not proceed with them, and the poor treatment of people the investigators felt were lying (adolescents who told minor lies, prostitutes, etc.).

The second part of this study, in consultation with the NIJ, had a very different goal. Here the objects of the study were first responders, police officers “on the street” who would be the first to respond to any call about a sexual assault. The role of the first responder is very important in obtaining a conviction in a rape case. Rape counselors and advocates often point out that poor behavior on the part of a first responder can convince a survivor not to cooperate with the police department at all. Detective supervisors pointed out to me instances where untrained but concerned first responders destroyed or contaminated a case. For example, in one case the victim said the offender had on a plaid shirt, and the officer said “what do you mean, like a red plaid shirt?” For some reason, the victim agreed (was confused, wanted the questioning to stop, etc.).. When it turned out that the offender was in fact wearing a blue plaid shirt, the defense attorney convinced the prosecutor to drop the charges.

The most important goal of this part of the study was to determine the extent to which first responders held specific rape myth beliefs. However, learning from the results of the first part of the study, all first responders were also asked to estimate the percentage of reports that are false. It was possible that first responders believed in rape myths, but were sophisticated in test taking, and knew the right answers to give.

## **Methodology**

This study was set up by NIJ to be run by one person alone, with the data gathering to be completed in a short period of time. This precluded a great many methodologies, and limited the study to a form of snowball techniques.<sup>4</sup>

In the first instance, the literature was searched for rape myth scales used with a variety of audiences. Questions were finally drawn from the Rape Myths Scale (Lonsway and Fitzgerald, 1995), the Rape Attitude and Perception Questionnaire (Hinck and Thomas, 1999), the Rape Myth Acceptance Scale (Carmody and Washington, 2001), Campbell and Johnson (1997), and questions drawn from the qualitative interviews with sexual assault investigators.

A second scale was developed to measure the effect of police subcultures and cynicism. Questions were drawn from Cochran and Bromley (2003), and also questions provided by Dr. Edith Lynn of Kean College that were part of her doctoral dissertation at John Jay College of Criminal Justice. The ultimate goal here will be to try to determine whether “crime control” police who emphasize the importance of arrest are different in their responses on rape than officers who are “service” oriented.

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<sup>4</sup> The study was to be a part of a short term visiting research fellowship.

The questionnaire was pre-tested on several classes of students in the Washington, D.C. area, including many students who were working in the criminal justice system. When a final survey instrument was developed (see Appendix A), a decision was made to accept an offer from the University of Maryland to use their research Memorandum of Understanding with Montgomery (MD) County Police Department. The officers who work with the Department of Criminology at the University promised to provide all of the 150 officers required by NIJ. This department has 1,100 sworn officers in a county of 875,000 residents. Unfortunately, this meant that I had to go through the University of Maryland IRB to gain their approval first, a process that took two months. As it turned out, Montgomery County was unable to provide a full complement of police officers. Other departments were then asked to provide officers to take the surveys. As this was an exploratory study, in consultation with several statisticians at NIJ, the decision was made to recruit simply based on contacts: who could provide officers. Usually, someone who knew a person high in command would clear the fact that I would be calling, and then we would work out a method by which the anonymous questionnaires could be distributed to first responders. Those cooperating included a large city department and a large county department in Virginia. A smaller number of officers from departments in large cities in North Carolina and Texas also took part. The final sample of municipal police officers numbered 202. No doubt these officers were better educated than average, reporting a mean level of education of close to a bachelor's degree/

A second sample was developed of campus police officers. This was to allow a comparison between campus police, and the city and county police officers. In general, the small literature on campus police suggests that they are more highly trained on sexual assault, and are more community-oriented or "service-oriented" than most city or county

police forces. Further, since they operate in a university environment where pressure can more easily be brought to bear than in a large diffuse community, the suggestion has been made that campus police officers would be more likely to be empathetic toward young women. Finally, the Office of Violence Against Women of the USDOJ has been leading strong efforts to train campus police for close to a decade.

Overall, however, if there is any unanimity in the literature on campus police, it is that there is very little literature on campus policing (e.g., Falcone and Gehrand, 2003). In fact, most of the literature that is there simply points out that there is no literature, or else gives a history of campus policing. This history is not very old. Evidently, Yale University hired the first campus police officer in 1894, and for most of the 20<sup>th</sup> Century campus police were simply security guards who checked doors and fire extinguishers. They were somewhat universally considered unfit physically or mentally for the job, very untrained, and possibly not very smart (Peak, 1995).

The seeds of change were planted in the 1960s, an era of massive campus demonstrations. This, and the 1970s, were also eras of major drug use on college campuses, while street crime dramatically increased on college campuses in the 1980s. All of these things convinced college administrators that security guards were not the way to go. Rather, Peak (1995) argues, there has been a steady evolution of a professional model in campus policing. These include such things as entrance tests for recruits, the same academy training that municipal police receive, the same uniforms as municipal police (badges, guns and uniforms purchased from the same suppliers), and more use of technology. On some campuses they became autonomous from the Department of the Physical Plant, and began



to report directly to a vice president. Just like municipal police, they have cars, radios, dispatch services, forensic tools, stun guns, and pepper spray. Most now carry guns.

Thus, one of the questions of this study is whether the campus police have become the counterparts of the municipal police. A small literature has sprung up making exactly this claim. Bromley and Reeves (1998a, 1998b), and Paoline and Sloan (1993) say that campus police today look just like municipal police not only in their uniforms, but also in their attitudes and performance. Falcone and Gehrand (2003) argue that college departments are moving toward community-oriented policing, but then again many municipal departments are doing the same.

Unfortunately, campus police departments range from small to very small. Building a reasonable sample of campus officers to match the sample of city and county police was a slow process, especially since participation must be fully voluntary. Eventually, 15 departments participated, spread out in Virginia, Kentucky, Maryland, Washington, D.C. and Ohio. A snowball technique was used in part, where the policing specialist in several criminal justice departments at major universities was asked to help recruit the local police chief for this project. The association of campus police chiefs in Ohio agreed to promote the study among their members, and several ended up participating. The final sample of campus police officers numbered 237. These officers reported a high level of education, with an average of better than an associate's degree.

Given the two diverse samples here, the bulk of this report will be based on a comparison of the municipal to the campus police. This is an interesting area in its own right, but of further interest specifically in the area of sexual assault, where a tremendously high

proportion of the persons on these campuses are in the prime ages for victimization and victimizing.

One technical problem that might be noted in passing dealt with missing data. In any survey data project of this size some respondents will leave some questions blank. An extensive literature review, and extensive discussions with experts at NIJ and in the field, gave the impression that substitution of mean values for missing values is frowned upon. However, there does not seem to be any particular reason to presume that such models as Multiple Imputation (MI) (Schafer, 1997) are easily workable. One can be certain that they are expensive, not easily available, and difficult to manage. One other drawback to MI is that it gives a different result every time it is used (Allison, 2001). Probably the most interesting discussion in the literature for the data in this study is Reidel (2000), who agrees with other experts that mean substitution reduces variability in the data set. However, he argues that this may at times be a theoretical point, rather than a practical one. He calculates the specific effect of substituting mean values for missing data in an N=500 data set. When the number of missing values is 25, “mean substitution will produce the least distortion,” and “will not have a biasing effect on comparisons.” Since the N here was 428, and the number of missing values here was well under 25, the decision was made to use mean substitution.

## **FINDINGS**

The rape myth findings were both powerful and disappointing. Through factor analysis, a 16-item rape myth scale (See Appendix) was developed with high reliability ( $\alpha = .790$ ). It worked very well in various analyses. However, it was easier to see the results in comparing the campus police to the municipal police by T-tests. There were in fact differences – statistically significant differences – on a number of the measures. Yet a visual

examination of the data made it clear that the highly statistically significant findings might not be substantively significant. There were real differences between the two groups, and there was a substantial amount of power in the analysis. However, it may not be substantively important to know that while both groups disagreed with a specific myth, one disagreed three or four percent more. With the power of this sample, small differences were being picked up easily.

The police subculture index that was developed had similar results when used to attempt to predict rape myth attitudes. The index, a subset of the police subculture questions, had an alpha of .76. Once again, the problem is that most police officers answered the rape myth questions the same way.

## **I. The Police Know the Answers**

The campus police and the municipal police are substantially identical in answering questions on rape. On the rape scale, campus police scored an average of 46.09 and municipal police officers scored 45.39. On a survey form where the power was so high that even the most miniscule difference was showing up as statistically significant, this difference (on a two-tailed test) was .151. In general, a visual examination of the findings shows that most of the police officers knew the “correct” answers to the questions. This finding can be taken in either of two ways. On the one hand, it can be seen as a positive sign that police are answering the rape myth questions in the “correct” manner for the most part. There has been extensive training in recent years, and this can be seen as proof that at least in these departments that the training has been working: that officers have overcome a long legacy of

believing in rape myths and no longer hold on to these outmoded beliefs. This would be a very positive finding indeed, especially for rape survivors.

On the other hand, Hodgson (2002) makes the strong argument that these changes are impression management, where business as usual is the rule of the day, and the major change is that police have learned to speak in a more politically acceptable way. This certainly could be easily seen in the first part of this study, which was used to develop some of the questions for this second study. We learned earlier that police were quick to say all of the right things, including and especially the fact that all cases were investigated dispassionately by the detectives, written up objectively, and passed on without prejudice. Yet, when the microphone was off again and again (or even while the microphone was on) these detectives admitted that there were a large number of cases where they “unfounded” the case rather than continue with it. Evidently if they just plain didn’t believe the victim, then this did not count as a case of “real rape” that would be turned over to the prosecutors. If the victim was treated poorly, and she chose not to continue with her complaint, this was another sign that the case could be ignored. Perhaps the only sign that things were changing was that many officers were willing to admit that there could be, or even had been, cases of prostitutes, promiscuous women, etc. who were telling the truth. Whether this made a difference in their actions was impossible to tell.

In all of those areas where there was training, or where the “correct” answer was known, there was widespread agreement among the first response officers on their answers. Thus, an attempt was made to ask a question that would not have an obvious answer, or had not been “trained.” Further, it responded to what was learned in the qualitative part of this study. It was:

**What percentage of rape reports do you think (your gut feeling) never happened; they are false reports? We don't mean dismissed cases, but flat out never happened.**

With the wording of this question the respondent is alerted to the fact that that the proper answer is not to report the department's "unfounded rate," or the rate of cases that are dropped because the victim will not cooperate with the police investigation. Rather, even the beginning patrol officer should be able to report her or his own feelings on how many cases just plain never happened; the woman is completely lying.

Overall, the 428 patrol officers who answered this question estimated that 32.7% of all reported cases were false. This is an extraordinary finding for a group of people who almost invariably got the questions on a rape myth scale "correct." There were no significant differences between the men and the women, or between white, African-American and Hispanic officers.

The one place where there was a statistically significant difference between groups is with the place of employment. Municipal police officers estimated the rate of false reports at 36.71%, and there was no significant difference between those who had responded to a rape call in their career and those who had not. Campus police, on the other hand, estimated that 29.36% of all rape reports were false, also with no statistically significant difference between those who had responded to a rape call and those who had not. There may be several reasons for this difference between municipal and campus police. Campus police are more likely to be trained in community policing, and to perceive themselves as order keepers or the providers of social services. This may make them more sympathetic to crime victims. Further, as mentioned earlier, campus police may be influenced more by mandatory training,

women's groups on campus, and university administrations more sensitized to this issue than city administrations. Campus communities, even the largest ones, are more likely to be smaller and more intimate than large municipalities.

These findings, however, mask a tremendous disagreement within the ranks. Overall, 27.3% of all patrol officers came up with an estimate of the rate of false reports that ranged from 0 to 10%. However, a similar number, 28.8%, came up with an estimate that was at 50% or above, and some estimated that 95 to 100% were false reports. There are important differences between the groups, as 35.6% of the municipal officers came up with an estimate that was 50% or higher, as compared to 23.2% of the campus police officers.

Still, looking at campus police, an estimate overall of false reports of 29.36%, while 23.2% of the officers estimated a rate of 50% or higher, are extremely high proposed rates of false reports. On the one hand, one may compare these rates to the 36.71% overall and 35.6% for 50% or higher for municipal police, and see a major improvement in the campus police forces. Or, one may look at the campus police numbers standing alone, and see that they are remarkably high numbers, and an astonishing statement about the way in which rape victims are perceived on college campuses today. Given that the bulk of the campuses participating catered to traditionally aged students, and that the majority of students on each of these campuses were women, the level of cynicism here about college-aged young women is astounding. In fact, this entire analysis suggests that a great many police officers still believe in rape myths, and specifically the one that women lie.

To speak to another stereotype, these were not departments made up mainly of uneducated and untrained men and women. Both the municipal departments and the campus departments may be above average nationally in postsecondary education. That

departments so high in formal higher education still estimate a rate of false reports of nearly 40% is close to scandalous and a cause for serious concern.

## II. Prostitutes

A second question was highlighted in the qualitative surveys as an area where rape myths might still hold. While by no means unanimous, some detectives still argued that prostitutes could not be raped, that prostitutes who filed rape reports were only annoyed because someone stole their money (as if armed robbery were a petty offense), or extraordinarily, in one city it was common practice to claim that prostitutes claimed rape only to get the free gynecological examination required by the city.

Here I asked the following question, in a Likert scale where respondents could agree or disagree:

**Most rape reports by prostitutes are economic crimes; her real concern is that he didn't pay or that he stole her money.**

Overall, 43.8% of the officers agreed with this statement, suggesting that in an area of rape myths where there has not been specific training that officers still maintain these beliefs. However, the picture is extraordinarily stark when divided up between municipal and campus officers. Fully 62.8% of the municipal officers agreed with this statement, while 27.6% of campus officers agreed. While to some degree a greater familiarity with prostitutes might be claimed for municipal officers that would allow them to know more about the subject, it must be kept in mind that first response officers do not investigate sexual assaults. Usually, they are limited to finding out if the woman is injured, securing the scene, and obtaining enough of a statement to tell the detectives what is going on. All of the municipal departments here were very large urban departments with highly active sexual assault bureaus or squads, and

in the qualitative part of the study the detectives complained bitterly that first response officers did not know what they were talking about.

### III. Comparisons between campus police and municipal police

a) Age. Lonsway and Fitzgerald (1994) argue that there is no theoretical basis for assuming a relationship between age and rape myth beliefs, and indeed a one-way Anova shows no differences in our total sample. Broken into groups, the campus police officers are older than the municipal officers, with a mean of 37.4 as compared to 33.6. While this is statistically significant, in a sample of this size, even in a multivariate analysis, it is hard to see how it is meaningful, and in fact does not seem to be related in any way to the rape scale.

b) Experience as a sworn officer. There are some mixed suggestions here. In the qualitative part of this study officers with more years of experience were less likely to believe in rape myths. On the other hand, Neiderhoffer (1967) argued that among police cynicism increases over time, while Regoli and Poole discovered (1978) that these cynical, experienced officers were more resistant to change. Here there is no question that the campus police have more experience, with 11.3 years as compared to 8.7 years for the municipal police. This is also a significant difference. However, experience as a sworn officer has no relationship to the rape scale.

c) Belief in the rape scale. This measure is the score of each group on the rape scale developed for this study. Here there is no significant difference between the two groups on a two-tailed test, and a significance of .042 on a one-tailed test. Testing a hypothesis that the campus environment would make the campus police officers less likely to hold rape myths



would seem to be confirmed. However, as suggested earlier, the amount of the difference in significance level is quite minimal, and the difference in raw numbers is truly minimal (45.2 to 46.1, where the higher number disagrees with the rape myths).

d) Freedom to do investigations. The question here, coded 1 for “yes” and 0 for “no,” was: “... your department require(s) that when you respond to a rape you only establish the basic facts and then call a sexual assault detective?” This was on the survey because it was a common complaint among detectives that patrol officers went far beyond this requirement and, in fact, at times ruined good cases. Further, it was thought interesting to see what kinds of beliefs people would have when they were not allowed to investigate sexual assault crimes. Interestingly, there is a difference, with municipal departments reporting agreement with this statement (.715), and campus departments in the middle (.472). The problem in interpreting this is that all of the municipal officers were from large departments with special sexual assault squads, some of which were staffed 24 hours a day. None of the campus police were in a department with more than 50 employees, the size of the police departments at the largest universities in the country. Some of these departments might only have one investigator, who might often be busy with other work.

e) Police subculture. This scale, which includes several questions on police cynicism, does show a statistically significant difference between the two groups. As one might expect, the campus police are more likely to disagree with such statements as “most people lie when answering questions asked by law enforcement officers,” “many people lack the proper level of respect for law enforcement officers,” or “many of the decisions made by courts interfere with the ability of law enforcement officers to fight crime.” There were statistically significant differences at better than the .01 level for all of these questions and several more, and the

scale itself differentiated between the municipal and the campus groups at the .000 level of statistical significance. Overall, the municipal police scored a mean of 22.66 on the scale (lower is more agreement; more cynical) and campus police scored 24.84. In other words, campus police disagreed slightly more often with questions in Appendix B. This will need to be investigated in depth. This scale was not a central part of the analysis here, but will need to be in the future, as it is a powerful differentiator. It is possible that all that is being measured is that municipal environments are different than campus environments, or that there are greater community-oriented policing emphases on campuses. At the same time it might be relevant that a less cynical police force is also less likely to carry rape myths.

f) Training. Interestingly, one of the larger differences is in the answers to two questions on how much training the police have had to deal with sexual assault. The first question asked about training officers had at the beginning of their career. This question was worded: “When I first joined the force I received enough specialized training to respond to rape and sexual assault cases.” Here there was a strong differentiation, although it must be kept in mind that this is a subjective, not an objective question. On a scale that ranged from 1 for strongly agree, to 2 for agree, to 3 for disagree to 4 for strongly disagree, the municipal police had an average of 2.39 and the campus police an average of 2.82. In other words, the municipal police were fairly neutral on this question, with perhaps a slight nudge into the disagree column. Campus police, however, were very close to an average of “disagree.” This finding is statistically significant on a t-test at the .000 level. Of course, as noted, this question is measuring opinion rather than reality. Perhaps the campus police had the same training as the municipal police, but they are concerned about the level of this training and are less willing to label it “enough.”

However, there is a second training question, which was located on a different part of the survey form. Here, respondents were asked whether they “had additional training (beyond the academy) related to rape and sexual assault.” Once again, this is an open-ended question that does not differentiate between attending a lecture and going to a four-day school. However, that problem should work out identically for municipal and campus police. Here, where “yes” was coded 1 and “no” was coded 0, the mean for municipal police was .381 and the mean for campus police was .563. This difference was statistically significant on a t-test at the .01 level. Thus, municipal police are reporting that they are less likely than the campus police to have had sexual assault training after the academy. Given what we intuitively know about programs on major college campuses, and the money being spent by the USDOJ Office of Violence Against Women to fund campus police training programs, this would seem logical. Meanwhile, the “additional training” variable is related to the rape scale at the statistically significant level, in the assumed direction: those who have had additional training have lower scores on the rape myth scale (less adherence to rape myths). Interestingly, although campus police are more likely to have additional training, in a multivariate analysis this relationship between training and the rape myth scale holds true, while the department type is not significant.

g) Have you responded to rape? Officers were asked if they had ever responded to a rape or sexual assault call. There was some worry in the initial stages that questions might be asked of people with no experience in sexual assault. Here again the answers were coded 1 for “yes” and 0 for “no.” Although there was a statistically significant difference between the groups, the overwhelming bulk of these officers had responded to a rape call. For municipal officers the average was .936, or almost unanimous. For campus police

officers the score was .857, or very high. Virtually all of the officers in the sample had responded to a rape call.

MULTIVARIATE ANALYSIS: To show all of the above in one easy to understand table, the rape myth scale, the police subculture scale, and the prediction of what percentage of rapes are false reports, were all regressed on the dichotomous department variable. This was repeated several ways, including logistic regression and discriminate function analysis, where technically the data were a better fit to the statistical requirements of the methods. However, the data are robust enough that all of these methods produce the same results. Here, simply because more people can easily read an OLS regression table, that is the one provided.

In Table 4 it can be seen that the police subculture scale does differentiate well between the municipal and the campus departments, the rape myth scale does so in a statistically significant manner, and the prediction of false reports is also statistically significant in this chore. Overall, however, the model is of limited value in explaining variance, so more work will be needed to develop alternative explanations.

TABLE 4. REGRESSION MODEL: RAPE MYTH SCALE, POLICE SUBCULTURE SCALE, AND PREDICTIONS OF FALSE RAPE REPORTS, REGRESSED ON DEPARTMENT TYPE

**Model Summary**

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	Change Statistics				
					R Square Change	F Change	df1	df2	Sig. F Change
1	.312 <sup>a</sup>	.097	.090	.945	.097	14.464	3	403	.000

a. Predictors: (Constant), What percentage of rape reports do you think (your gut feeling) never happened; they are false reports? We don't mean dismissed cases, but flat out never happened., Police Subculture Scale, Rape Myth Scale

**ANOVA<sup>b</sup>**

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	38.786	3	12.929	14.464	.000 <sup>a</sup>
	Residual	360.231	403	.894		
	Total	399.017	406			

a. Predictors: (Constant), What percentage of rape reports do you think (your gut feeling) never happened; they are false reports? We don't mean dismissed cases, but flat out never happened., Police Subculture Scale, Rape Myth Scale

b. Dependent Variable: Department type

**Coefficients<sup>a</sup>**

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	1.551	.491		3.158	.002
	Rape Myth Scale	-.023	.011	-.117	-2.075	.039
	Police Subculture Scale	.075	.014	.303	5.502	.000
	What percentage of rape reports do you think (your gut feeling) never happened; they are false reports? We don't mean dismissed cases, but flat out never happened.	-.005	.002	-.126	-2.484	.013

a. Dependent Variable: Department type

## Conclusions

This section will only quickly highlight and review conclusions reached in the material above, with an eye both to what are currently gaps in our knowledge and practice suggestions for change.

The basic conclusion has two parts. In the first place, the bulk of the police officers, whether detectives or first responders, are aware of the basic “rape myths” and know the “correct” answers to give. They know that women who dress revealingly can be raped, that women can be raped by men with whom they have previously had consensual sex, and that it is wrong to argue that women share the blame for being raped. However, when asked questions for which they have not been provided the “politically correct” answers, a major difference can be found. In the prediction of how many of the total cases of rape reported to the police are flat-out false reports, and in the reporting of whether prostitutes can be victims of rape or are simply the victims of theft who report rape for some unspecified reason, the police officers paint a very different canvas. Indeed, they support strongly the concept of “impression management,” which is to say that they talk in great detail about the new ways in which rape victims are treated, but in fact there has been little change in the way they are perceived by a large number of police officers (Hodgson, 2002). This, indeed, has been supported by several studies in the United States, New Zealand and England (DuMont, Miller & Myhr, 2003; Jordan, 2001; Gregory & Lees, 2003; Lord & Rasse, 2002, Tamkin, 1997).

Using the rape scale here shows that despite many years of training, a large number of police officers still maintain attitudes and opinions that get strongly in the way of treating rape victims well. Detectives conduct examinations in a way that makes conviction very

unlikely, especially for confused young women trying to protect their reputations, and were almost unanimously hostile to changing to a system that would protect victims. Police practice in general is detrimental to investigations, as few to no departments engage in any experimental or innovative practices. An early goal of this study was to discover the “best practices,” and to publicize them. Unfortunately, there are no “best practices.” Most departments are doing exactly the same thing, some better than others. The idea of talking to others either within or outside the department to attempt to gain fresh ideas to break cases was greeted with universal derision.

In terms of recommendations, one obvious one is that training seems to be related to a lesser allegiance to rape myths. It seems evident, then, that more training is needed. More particularly, these officers need training that is specific to sexual assault. Much of the training they have had deals with interviewing offenders, forensic examinations, searching for evidence, and interviewing witnesses. Much of what they called training was in fact training to interview offenders, which was adapted to interviewing victims. In other words, victims are presumed to be lying and are examined closely for evidence of this.

When training is provided on sexual assault, it seems that virtually all of it is provided on stranger assault, even though virtually all of the detectives reported that 80% of their caseload was acquaintance rape. Training on acquaintance rape seems to be rare and an obvious area for improvement.

It is a common complaint of detectives that patrol officers need to be trained more on procedure in a sexual assault case. Their point of view is to make sure that a good case is not compromised by the actions of the patrol officer, which they seem to believe, is a common occurrence.

The most difficult recommendation I took away from this study was not in policing. Given the way that police act, it may be even more important to train college women and high school girls in what to do when raped. Of course, if a female does not wish to report a rape, then all that can be done is to urge them to talk to counselors in the nearest rape crisis center. Other studies have shown that often young women do not understand that they have been raped, or have been convinced by people in their lives that they rather than the man is at fault (Pitts & Schwartz, 1997). If she does report to the police, however, it seems essential to find a way to convince them that they must tell the truth right off. The presumption here is that if a female is reporting the crime to the police, she has some interest in seeing the case move forward. However, if her story is embellished, or key parts are left out in an attempt at impression management, then the police have major problems in trusting her credibility. Typically, this happens when people are raped at a time when they are in a place where they are not supposed to be (a dark alley they were warned about), or doing something they were not supposed to be doing (going with strangers to a party to do drugs). Without in any way suggesting that police should not be trained to take reports and treat rape victims equally, the fact remains that rape myths and misogyny are so embedded in the police (including many female police) that this will remain a problem.

The noted mystery writer Dorothy Sayers, in one of her Lord Peter Wimsey books (1927), has a famous barrister, Sir Impey Biggs, note that such behavior by crime victims and witnesses is perfectly normal and to be completely expected in virtually all cases. In fact, it is what keeps lawyers in business: “Why, if everyone came forward and told the truth, the whole truth, and nothing but the truth straight out, we should all retire to the workhouse.” Unfortunately, it has the opposite effect in rape cases, as many prosecutors will drop any



case under normal circumstances when the victim has changed her story. This has not been a study of prosecutor, judge, and jury belief in rape myths, but certainly the police are typically doing little to nothing to improve the problem.

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## APPENDIX A.

### RAPE MYTH SCALE

alpha = .790

1. A woman can be raped by someone she had consensual sex with at an earlier time.
2. Forced sex isn't a crime or a police matter unless the offender has a weapon
3. The perpetrators in most rape cases are strangers to the victims.
4. Most rape victims tell the truth about the incident.
5. Women commonly exaggerate the emotional impact of rape.
6. When a rape charge is made, it is often difficult to establish whether consent was given.
7. Victims often share the responsibility for being raped.
8. Date rape sometimes involves women who report rape after they regret having sex with someone
9. Women who get drunk are partially responsible if they are raped.
10. One of the early steps in any rape investigation would be to investigate whether the woman is promiscuous or has a bad reputation.
11. When a woman reports to the police a rape that took place days or weeks earlier, it is probably a false report.
12. Women who wear very revealing clothes in public are partially responsible if they are raped.
13. One reason why women might report rape is to get revenge when a relationship goes bad.
14. Men can get so carried away sexually that they will have sex even when a woman says no.

## APPENDIX B.

### POLICE SUBCULTURE\_SCALE

alpha = .757

1. If law enforcement officers act in a service capacity (community policing, helping people in need), it detracts from their ability to fight crime.
2. Many of the decisions made by courts interfere with the ability of law enforcement officers to fight crime.
3. Most people lie when answering questions asked by law enforcement officers.
4. Most people lack the proper level of respect for law enforcement officers
5. Law enforcement officers should not have to handle calls that involve social or personal problems where no crime is involved.
6. Making an arrest isn't worth it if it really disrupts my home life.
7. Arrest policies depend more on "politics" than on concepts of sound crime-fighting.
8. Arrest statistics are manipulated by the higher brass to make them look good.
9. A bad arrest probably isn't all that bad if you figure that the perpetrator has committed many other crimes.

## APPENDIX C. FIRST RESPONDER SURVEY FORM

### **U.S. Department of Justice, National Institute of Justice Martin D. Schwartz, Ph.D.**

The following questions concern the experience, knowledge and opinions you may hold as a law enforcement officer in a variety of areas, but particularly on arrests and in responding to cases of rape and sexual assault.

Since these questions ask about your personal thoughts and experiences, we are greatly concerned about security and privacy, and have taken several steps to ensure total confidentiality. Please do NOT put your name or other identifying information on this form, and please seal the completed form when you are done in an envelope (see below).

We are researchers unconnected to any police department, and we guarantee that your answers will be held in complete confidence. Answers will be put into a data file, with no identifiers, and then the survey forms will be immediately destroyed (shredded).

We hope this helps you to feel comfortable answering each question honestly.

#### **Confidentiality Instructions Summary**

- Do NOT put your name or any other identifying mark or number on these forms.
- When you are done, please place your completed form in the smaller envelope AND SEAL IT immediately, again making NO mark on the envelope.
- You and the others taking the survey with you should immediately place all smaller envelopes in the provided larger envelopes addressed to Martin Schwartz. This also should be sealed at this time and placed in the U.S. Mail at your earliest convenience.
- **IMPORTANT NOTICE:** Surveys provided will be destroyed (shredded) as soon as information is transferred to a computer data file. Only group numbers will be used and analyzed – never individual survey answers.

**FEDERAL RULES ON GUARANTEED CONFIDENTIALITY:** As a federal project, this research is covered by federal law 42 USC 3789g, which provides that these surveys cannot be subpoenaed by any court, confiscated by any authority, or turned over to any persons other than the Principal Investigator (Dr. Martin D. Schwartz) and the Research Associate (Jennifer Gibbs, MS). In simple English, it is a violation of federal law for administrators or internal affairs to be given these forms, or for them to use them in any way.

**TITLE 42. CHAPTER 46. Sec. 3789g: Confidentiality of information**

**(a) Research or statistical information; immunity from process; prohibition against admission as evidence or use in any proceedings**

..... no officer or employee of the Federal Government, and no recipient of assistance under the provisions of this chapter shall use or reveal any research or statistical information furnished under this chapter by any person and identifiable to any specific private person for any purpose other than the purpose for which it was obtained in accordance with this chapter. Such information and copies thereof shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceedings.

## Section 1. Background.

1. Sex:

0	Female
1	Male

2. Department Type:

1	Municipal, over 100 sworn officers
2	Municipal, less than 100 sworn officers
3	Campus/University/any size

**For questions 3 and 4, please write your answer on the lines beside the question.**

3. Age (years): \_\_\_\_\_

4. How long have you been a sworn officer (in years)? \_\_\_\_\_

**In the next section, please let us know how much you agree or disagree with the following statements. Your answers will be held in complete confidence.**

	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>
5. If law enforcement officers act in a service capacity (community policing, helping people in need), it detracts from their ability to fight crime.	1	2	3	4
6. Many of the decisions made by courts interfere with the ability of law enforcement officers to fight crime.	1	2	3	4
7. Most people lie when answering questions asked by law enforcement officers.	1	2	3	4
8. Most people lack the proper level of respect for law enforcement officers.	1	2	3	4
9. Law enforcement officers should not have to handle calls that involve social or personal problems where no crime is involved.	1	2	3	4
10. Making an arrest isn't worth it if it really disrupts my home life.	1	2	3	4
11. Arrest policies depend more on "politics" than on concepts of sound crime-fighting.	1	2	3	4
12. Arrest statistics are manipulated by the higher brass to make them look good.	1	2	3	4
13. Arrests represent the way society enforces standards of right and wrong.	1	2	3	4

	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>
14. Rape crisis counselors are a great help to the police.	1	2	3	4
15. A bad arrest probably isn't all that bad if you figure that the perpetrator has committed many other crimes.	1	2	3	4
16. Police interrogation methods can lead to false confessions.	1	2	3	4

**This section asks about your background and departmental policies.**

	Yes	No
17. Have you had additional training (beyond the academy) related to rape and sexual assault?	1	0
18. Have you ever responded to a rape or sexual assault call?	1	0
19. Does your departmental policy require that when you respond to a rape you only establish the basic facts and then call a sexual assault detective?	1	0

	Yes	Don't Know	No
20. In your department, the decision on whether to proceed in a rape case is affected by whether the police believe that the prosecutor will take the case.	1	9	0

**In the next section, please let us know how much you agree or disagree with the following statements. Your answers will be held in complete confidence.**

	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>
21. A woman can be raped by someone she had consensual sex with at an earlier time.	1	2	3	4
22. Forced sex isn't a crime or a police matter unless the offender has a weapon.	1	2	3	4
23. Female officers are better at dealing with rape victims.	1	2	3	4
24. When I first joined the force I received enough specialized training to respond to rape and sexual assault cases.	1	2	3	4
25. The perpetrators in most rape cases are strangers to the victims.	1	2	3	4
26. Most rape victims tell the truth about the incident.	1	2	3	4
27. Women commonly exaggerate the emotional impact of rape.	1	2	3	4
28. When a rape charge is made, it is often difficult to establish whether consent was given.	1	2	3	4
29. Victims often share some of the responsibility for being raped.	1	2	3	4
30. Most rape reports by prostitutes are economic crimes; her real concern is that he didn't pay or that he stole her money.	1	2	3	4
31. A man can control his sexual behavior no matter how attracted he is to someone.	1	2	3	4
32. With the direction that rape laws have taken, the only way that men can be assured that they won't be accused of rape is to require a sex partner to give verbal consent each time that they have sex.	1	2	3	4



	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>
33. When a woman reports to the police a rape that took place days or weeks earlier, it is probably a false report.	1	2	3	4
34. Women who wear very revealing clothes in public are partially responsible if they are raped.	1	2	3	4
35. One reason why women might report rape is to get revenge when a relationship goes bad.	1	2	3	4
36. Men can get so carried away sexually that they will have sex even when a woman says no.	1	2	3	4
37. Date rape sometimes involves women who report rape after they regret having sex with someone.	1	2	3	4
38. Women who get drunk are partially responsible if they are raped.	1	2	3	4
39. One of the early steps in any rape investigation would be to investigate whether the woman is promiscuous or has a bad reputation.	1	2	3	4

**For question 40, please write your answer on the line beside the question.**

40. What percentage of rape reports do you think (your gut feeling) never happened; they are false reports? We don't mean dismissed cases, but flat out never happened.

\_\_\_\_\_ %

**Please tell us a bit about yourself.**

41. How central to your life is the role of religion or spirituality?

1	It is very important; I consider myself a religious person.
2	It is important, even if I do not attend services regularly.
3	I am a believer, although it isn't the central defining part of my life.
4	I am not sure; I don't think about religion very much.
5	I am not a believer or religious.

42. Race/ethnicity: Please check the category that is nearest to how you normally describe yourself. If none of the categories are appropriate, please list in "other" the description you find most accurate.

1	White/Caucasian
2	Black or African-American
3	Native American or Alaskan Native
4	Latino/Hispanic (Mexican, Puerto Rican, Cuban, or other Latin-American)
5	Asian-American or Pacific Islander (Chinese, Japanese, Hawaiian, Laotian, etc.)
9	Other or biracial, or describe _____

43. Current Marital Status

1	Single/Never Married
2	Living Together, but Not Married
3	Married
4	Separated
5	Divorced
6	Widowed

44. What is the highest level of education you have completed?

1	Some High School
2	High School diploma or GED

3	Some college
4	Associate's degree
5	Bachelor's degree
6	Teacher certification or other certification beyond the Bachelor's degree
7	Master's degree
8	Ph.D., J.D., Ed.D. or similar advanced degree

45. Were you ever in the military?

1	Yes
0	No

46. What is the highest level of education you have completed?

1	Some High School
2	High School diploma or GED
3	Some college
4	Associate's degree
5	Bachelor's degree
6	Teacher certification or other certification beyond the Bachelor's degree
7	Master's degree
8	Ph.D., J.D., Ed.D. or similar advanced degree

47. Were you ever in the military?

1	Yes
0	No

If so, how many years were you in the military? \_\_\_\_\_

Which branch?

1	Air Force
2	Army
3	Marine Corps
4	Navy
5	Coast Guard

Active Duty?

1	Active Duty
0	Reserves / National Guard

### **ANY COMMENTS?**

In any survey of this sort, some people have more to say than can be contained in the answers above. Also, we realize we may not have asked the right questions. If you have any comments, additions, explanations, or anything else to tell us, we would love to hear from you in the space provided on the following page.

*Thank you for completing this survey.*

## APPENDIX D. CONSENT FORM FOR QUANTITATIVE RESPONDENTS

### CONSENT FORM

Title of Research: Police Investigations of Rape

Principal Investigator: Martin D. Schwartz, Ph.D  
Sociology and Anthropology, Ohio University  
National Institute of Justice Visiting Fellow

Federal and university regulations require consent for participation in research involving human subjects.

The survey you are being asked to fill out today is designed to help us study several aspects of police investigation, including the value of arrests and several things about rape investigation. Among our goals, it is our hope that we can begin to locate areas where police officials can identify the need for further training. We believe that there is no risk or discomfort to you in taking this survey, which will take about 15 to 20 minutes, although there will be no direct benefit to you either. There will be an indirect benefit, in that this list of problems will be shared both within the police community, and made available to researchers who might wish to investigate solutions. Further, it is a goal of this research to attempt to locate “preferred practices” by police officers and organizations that can be brought together into a document that can be shared.

**You should know that every step will be taken to maintain complete and total confidentiality of your responses on the survey itself.** We are completely uninterested in any single individual's response, but only in those of an entire group of people. Your survey will be sealed in an envelope, kept in a locked file at the U.S. Department of Justice, and not opened until a later date. When the information is coded onto a computer program, the survey will be destroyed. No record will be kept in any way of who filled out any specific form. No one will see the original survey form except the typist who codes the data; even the researcher will only see the coded data.

For any further information please contact Dr. Martin D. Schwartz, National Institute of Justice, 810 Seventh St., Washington, D.C. 20531 (202) 514-6446, or, preferably, [3](#). If you have any questions regarding your rights as a research participant, please contact Jo Ellen Sherow, Director of Research Compliance, Ohio University, (740) 593-0664.

*I certify that I have read and understand this consent form and agree to participate as a subject in the research described. I agree that known risks to me have been explained to my satisfaction and I understand that no compensation is available from Ohio University or the University of Maryland or its employees for any injury resulting from my participation in this research. I certify that I am 18 years of age or older. My participation in this research is given voluntarily. I understand that I may discontinue participation at any time without penalty or loss of any benefits to which I may otherwise be entitled. I certify that I have been offered a copy of this consent form to take with me.*

Completion and return of the attached survey implies your consent to participate in the research.