Successfully Investigating Acquaintance Sexual Assault
A National Training Manual for Law Enforcement

The National Center for Women and Policing
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Table of Contents

Unfounded Cases and False Allegations ................................................................. 2
  Summary ........................................................................................................... 2
  Task 1 ............................................................................................................. 2
  Task 2 ............................................................................................................. 2
  Task 3 ............................................................................................................. 2
  Task 4 ............................................................................................................. 3
  Task 5 ............................................................................................................. 3
  Task 6 ............................................................................................................. 3
  Task 7 ............................................................................................................. 3
  Task 8 ............................................................................................................. 4
  Task 9 ............................................................................................................. 4
Unfounded/False Allegations ............................................................................... 5

Unfounded Cases and False Allegations

Summary

Instructor: Law Enforcement or Advocate Time Needed: 3 hours with two 10-minute breaks Resources Needed: Flip chart for the front of the room (with markers) Newspaper articles/excerpts from Philadelphia (optional) Case study handouts

Task 1

Define the term "false allegation."

Presentation: Brief lecture Time: 10 minutes

Task 2

Discuss the range of estimates for how many sexual assault reports are false.

Presentation: Classroom polling Time: 5 minutes

Ask participants to write down their estimate for the percentage of sexual assaults reported to police that actually represent false allegations. Do not ask participants to share their estimate with others, but highlight that this type of exercise typically generates a wide range of responses.

Task 3

Explain how terminology confuses the issue of unfounded sexual assault cases versus false allegations.
Subtask 3.1
Define federal reporting requirements for unfounding.

Presentation: Brief lecture Time: 5 minutes

Subtask 3.2
Discuss factors that are commonly used as a basis for improperly unfounding cases.

Presentation: Learning pairs Time: 20 minutes Materials: Flip chart

Ask participants to pair up with someone near them. Advise learning pairs that they will need to generate 3 factors that are commonly used to improperly unfound sexual assault cases. Remind them of the federal reporting requirements for unfounding, and leave these on the overhead. After the pairs have completed their work, call on volunteers to report one idea. Ask participants to report an idea only if it has not been previously mentioned. Record ideas on a flipchart.

Task 4
Discuss the consequences of improperly unfounding sexual assault cases.

Presentation: Brainstorming exercise Time: 10 minutes

Ask participants to think for a moment of a potential consequence of improperly unfounding sexual assault cases. Give them a moment to think, and then call on volunteers. If they do not discuss the consequences for victims, police departments, and public perceptions, provide these ideas for discussion.

Task 5
Explain how noncriminal codes are used to make sexual assault cases "disappear," and discuss the consequences of this practice.

Presentation: Lecture Time: 10 minutes Materials: Newspaper articles/excerpts from Philadelphia (optional)

Task 6
Explain how police can "create" an unfounded case.

Presentation: Lecture Time: 5 minutes

Task 7
Describe appropriate procedures for unfounding and administrative closure.
Presentation: Lecture and Discussion Time: 20 minutes

After describing appropriate procedures for unfounding and administrative closure, allow time for open discussion. Participants will likely have a number of questions and concerns regarding these procedures. This will be of particular concern for participants whose departments do not follow appropriate procedures. The instructor will need to maintain a delicate balance of reinforcing appropriate procedures while not denigrating departments who diverge from this protocol.

Task 8

Discuss how to handle the frustrating reality of false allegations.

Presentation: Lecture and discussion Time: 15 minutes

Again, after briefly discussing guidelines for handling false allegations, allow time for open discussion. Validate the reality and frustration of these cases, but make sure not to undermine the messages of the previous material.

Task 9

Analyze unfounded cases and discuss the appropriate police response.

Presentation: Mini Case Studies Time: 60 minutes Materials: Case study handouts

Assign participants to groups of 4-6. Provide each group with one of the brief descriptions of unfounded cases from the San Diego Police Department. Ask groups to discuss their case, and determine whether or not it should appropriately be unfounded. If not, ask them to indicate what the appropriate response should be to this case. Inform groups that they will have 15 minutes in which to complete the task, before reconvening as a class. A volunteer from each group will then be asked to provide a brief summary of the case and the group conclusions regarding how it should be handled.

Allow groups to discuss their cases for 15 minutes, and then ask a volunteer from each group to provide a summary and conclusions from their group. After each group reports their conclusions, ask other participants to vote with their thumb to indicate whether they agree or disagree with the group's conclusions. "Thumbs up" can be used to indicate agreement and "thumbs down" can be used to suggest that the participant disagrees with the group's assessment of the case.

After allowing the group volunteer to report, and asking the other participants to vote, the instructor should provide a recommendation for how to handle the specific case. However, some time must also be provided for discussion as some participants may disagree with the instructor's assessment.
Unfounded/False Allegations

Exercise #1

CASE # 99-000000-

Crime Classification: 243.4 (d)(1) PC Sexual Battery

Injuries/Evidence: None (no Sart exam)

Victim: W/F 28 years

Relationship: The victim met the suspect the night of the incident

Suspect: W/M 39-40 years

Date of Incident: 6/11/99

Date of report: 6/11/99

Reported by: Victim

Drug/Alcohol Related: Victim states that the suspect drugged her drink with morphine, causing her to feel faint and pass out. The suspect and victim were intoxicated, however, the victim states the suspect had also been drinking morphine the night of the incident.

A 28 year old female reported having been sexually assaulted by a man whom she just met the night of the incident. The victim states the suspect drugged her drink with morphine while they were at a hotel lounge. Later, the suspect asked if he could use the phone in the victim's hotel room. The victim obliged, but as they were in the room, the victim started to feel faint and passed out. When the victim came to, she found the suspect on top of her with his pants on and shirt off. Friends of the victim happened to walk in and saw the suspect on top of the victim. The suspect then became very angry and started to throw things around the room. Later in the investigation, the victim stated that nothing happened. The victim said that the suspect was never on top of her, nor did he do anything to her. She states the suspect was drinking morphine all night. No one at this time has been able to report the whereabouts of the suspect or his true identity.

A friend of the victim and an acquaintance state they saw the suspect on top of the victim when they entered the hotel room with his shirt off. When they saw the suspect on top of the victim, the suspect became upset and started to throw things around the room. The suspect then quickly got dressed and left the room. The argument then ensued in the hallway. Hotel security showed up and escorted the suspect out of the hotel.

According to security personnel from the hotel they tried to detain the suspect, however the suspect left.
Exercise #1: Discussion Guide

According to the victim, nothing occurred on the night of the incident. The victim first reported the suspect was on top of her, then recanted and said nothing ever happened and that the suspect was never on top of her. However, witnesses state they saw the suspect on top of the victim.

SUMMARY:

This is a misdemeanor sexual battery at best. The elements of a crime could not be established based on the victim's own statements regardless of what the witnesses believed they saw.

Exercise #2

CASE # 99-000000-

Crime Classification: 261 (a)(3) Rape of Intoxicated Person

Injuries/Evidence: None (no Sart exam)

Victim: W/F 16 years

Suspect: W/M 16 years

Relationship: Victim had been dating the suspect for approximately two weeks before the incident

Date of Incident: 1/1/99

Date of report: 1/13/99

Reported by: Victim

Drug/Alcohol Related: The victim and suspect had been drinking on the day of the incident, and both were heavily intoxicated. The victim drank so much she vomited.

The mother of a 16-year-old female reported her daughter having been raped by a 16-year-old male. The mother reported the crime without knowledge of the true facts. The victim had gone to a party, thrown by the suspect. The victim and suspect were drinking at the party. The victim had vomited in a bathroom and was escorted to a vacant bed where she fell asleep. When the victim awoke, she found the suspect beside her. The victim and suspect then proceeded to have sex. The victim states the sex was consensual between her and the suspect, and was planned. The mother believes otherwise. The victim believes that a former boyfriend might have told her mother about her having sex with the suspect as a way of getting even with her and the suspect. Earlier in the evening, the suspect had gotten into a scuffle with the victim's ex-boyfriend. The victim states that she was upset that the suspect did not use a condom, however, the whole incident was consensual.

The suspect states the whole thing had been planned prior to the party.
Exercise #2: Discussion Guide

The victim and suspect stated that they had consensual sex and that no rape occurred. Both parties knew exactly what they were doing, even though they had been drinking heavily the day of the incident. Furthermore, both the victim and suspect stated that they had planned on having sex.

SUMMARY:

The elements of rape do not exist. There is a violation of statutory rape for both the minors since they both engaged in unlawful sexual intercourse. However, the prosecutor's office will not prosecute. Therefore this crime report would be canceled unfounded.

Exercise #3

CASE # 99-000000-

Crime Classification: 261 PC Rape

Injuries/Evidence: Sart exam revealed that victim suffered anal injuries consistent with anal penetration.

Victim: W/F 15 years

Suspect #1: H/M 21 years

Suspect #2: H/M 21 years

Relationship: Had no prior relationship with suspects before incident.

Date of Incident: 3/21/99

Date of report: 3/23/99

Reported by: Victim

Drug/Alcohol Related: The victim had been drinking malt liquor.

A 15 year old female reported having been raped by two males 21 years of age. The victim had gone to the park with a friend where they drank malt liquor. They then proceeded to a house about 3 blocks away, where there were several Hispanic males. The victim was drinking heavily the day of the incident. The victim said that she had sexual intercourse with two Hispanic males at the house. Furthermore, the victim stated she did not really want to have sexual intercourse, but did nothing to stop the two male suspects. As the victim put it, she just "let it go" when the two male suspects had sex with her. Note: The victim is a recovering methamphetamine addict, and has been in and out of juvenile hall. Also, when shown several pictures of possible suspects the victim failed to identify anyone.
A witness, victim’s friend, stated that the victim told her she did not remember anything that happened that night because she was so drunk.

Although coercion is possible, the elements of force or fear could not be established based on the victim’s statements. As the victim put it, she just "let it go" when the two suspects proceeded to have sex with her. The victim did not attempt to fight against having sex with the suspects.

**Exercise #3: Discussion Guide**

The detective investigated the crime as though it was a forcible rape and unfounded it as such. In reality, it is a drug facilitated sexual assault and was investigated improperly.

**SUMMARY:**

This crime report was improperly canceled as unfounded.

**Exercise #4**

**Crime Classification:** 288 (c) PC Lewd Acts with Child, Oral Copulation and Rape

**Injuries/Evidence:** None (no Sart exam)

**Victim:** H/M 14 years

**Suspect:** H/F 29 years

**Relationship:** The victim used to go over to the suspect's house to hang out

**Date of incident:** Varies

**Date of report:** 3/30/99

**Reported by:** Victim (Victim told mother of the incident)

**Drug/Alcohol Related:** n/a

A 14-year-old male reported having been molested by a 29-year-old female two years earlier. The victim stated on one occasion the suspect once got on top of him and had sex with him. The victim said that he ejaculated. The suspect warned the victim not to tell anyone of this incident. On another occasion, the victim stated the suspect orally copulated him. When the suspect was questioned about the incident, she stated that none of the incidents ever happened. The suspect said that whenever the victim came over to her house her daughter was around. The suspect took a polygraph and passed with no deception indicated. The victim volunteered to take a polygraph, however test results showed that he was being deceptive about the incidents. After the polygraph results, the victim essentially broke down and stated he lied about the sexual assaults. The victim stated he lied because he did not want to move back with his aunt, who lived near the suspect. He did not want
to move back with his aunt because she is always yelling at him and making him and his sister clean the bathroom.

**Exercise #4: Discussion Guide**

The victim admitted to lying about the sexual assault because he did not want to move back in with his aunt, who happens to live near the suspect.

**SUMMARY:**

This case was unfounded since the investigation determined the allegation was false.

**Exercise #5**

**Case #99-000000**

**Crime Classification:** 261 PC Rape

**Injuries/Evidence:** Victim initially called police five days after the incident. Victim was not feeling well and said she would seek medical treatment on her own, refusing SART exam. Victim showed up at hospital on her own. Patrol officers responded and transported to SART hospital for exam due to continuing complaint of pain. Visible findings documented: Several nongenital abrasions and bruises on victim's arms and legs. Swelling between 11 and 1 o'clock of the anus and 5 o'clock in the sinus tract. According to the examiner, findings were not unusual. Victim has chronic fissure swelling caused by constipation.

Tox Report for drugs and alcohol both came back negative.

Victim could not or would not identify suspect in a photo lineup.

No information in report about how or why victim sustained abrasions and bruises on arms and legs.

**Victim:** W/F 40 years

**Suspect:** W/M 35 years

**Date of Incident:** 4/6/99

**Date of Report:** 4/11/99

**Reported by:** Victim

Victim taking prescription medication (tranquilizers), drinking Kamikaze shooters and smoking marijuana at time of assault.

V is a topless dancer at adult entertainment club. S is a frequent customer at club, well known by the owner of the club. According to the victim's roommate and club manager, the victim showed
up for work intoxicated and continued to drink throughout the evening. The victim was asked to
leave the club due to intoxication but she would not. Basically, victim and numerous witnesses attest
to the fact that the victim got into a limousine with at least one suspect, the limousine driver and
possibly his brother. Victim's boyfriend saw the suspect caressing the victim's breast. Boyfriend
tried to get the victim to leave the limo but she would not. Victim and boyfriend got into an argument
and boyfriend left. Boyfriend, however, was concerned enough about victim to ask the doorman
to keep an eye on her because she didn't trust the suspect. V & S smoked marijuana. V next remem-
bers waking up when the suspect was choking her. V attempted to resist and fought to get away
but was unable to. S turned her face down and penetrated her anus with his penis. V believes a
second suspect took photographs during the assault. V stated she went back into the bar with the
S and he showed photos to other women/dancers in the bar.

When interviewed, boyfriend stated V got in the limo with suspect. He tried to get V to leave but
she wouldn't. When S returned home at 0200 hours on 04-07-99, V was at home with a different
man who had driven her home. Boyfriend was angry and began moving his furniture and property
out of the victim's residence.

Interview with witness who transported V home. W said V was "acting high or intoxicated". W
has known V for two years and agreed to drive her home. En route, V "kept holding his hand,
making it difficult for him to shift gears." V kept mumbling that she had had rough sex and was
bleeding. V said she had never done anything like that before. W assumed V was talking about
anal sex, but didn't ask.

W said V never mentioned anything about being raped. V also told W that her boyfriend had been
physically abusive towards her and her daughter.

**Detective's conclusion states:**

Based upon my investigation, I cannot prove a crime was committed. There are no independent
witnesses and the victim cannot positively identify a suspect. The victim had plenty of opportunities
to report the rape, but decided to wait five days. The victim was also flirtatious with the witness
who drove her home and made statements to the witness that she had participated in voluntary sex.
Several of the witnesses said the victim refused to get out of the limo. There is no physical evidence
to support the victim's claims. This case will be canceled as unfounded.

**Exercise #5: Discussion Guide**

The original investigation listed the offense as a rape. No subsection is listed, and therefore, the
elements have not been addressed. In fact, the report actually has the elements of sodomy of an
intoxicated person unable to resist, and strangulation.

The detective's follow-up incorrectly lists the crime classification as the rape of an intoxicated
person and a forcible sodomy. There was no rape and the sodomy would be of an intoxicated person,
especially since force and consent are in question. All witnesses clearly state that the victim was
extremely intoxicated.
There is no indication as to how the victim sustained nongenital injuries that might have been used to corroborate force.

The case detective contacts Vice detectives for assistance. This tactic would obviously make everyone nervous since licensing issues are involved.

The detective does not reinterview the victim about the actual sexual assault. He questions whether she practices anal sex. She admits to having consensual anal sex with her boyfriend approximately five times over the last year, the last time being approximately 3 weeks earlier. The victim stated she couldn't remember much of the incident but stated the day manager knows the suspect and limousine driver.

The detective states he cannot prove a crime was committed and states "there is no physical evidence to support the victim's claims." Detectives cannot unfound an allegation just because they are unable to prove a victim's statement true. Numerous witnesses could identify the person in the car with the victim including the boyfriend. Identification did not seem to be the issue. Neither the suspect nor his friend were interviewed.

The detective makes a conclusion that the victim was flirtatious with the witness who drove her home when his statement actually reflects that she was extremely intoxicated and complaining of pain and bleeding. The detective states the victim told the witness who drove her home that she had participated in voluntary sex. The victim actually told the witness that she "had had rough sex and was bleeding and that she had never done anything like that before." The witness assumed the victim was talking about anal sex. The detective concludes that this statement translates to consent when in fact the issue surrounding this investigation is the victim's level of intoxication.

The detective uses the five day delay in reporting as weight to substantiate an "unfounded" complaint.

**SUMMARY:**

This crime report was investigated and canceled inappropriately.

**Exercise #6**

**CASE #98-000000**

**Crime Classification:** 261 (a)(3) PC Rape: Victim Drugged

**Injuries/Evidence:** None (no sart exam)

**Victim:** W/F 17 years

**Suspect:** W/M 23 years

**Relationship:** Victim met the suspect the night of incident

**Date of incident:** 8/1/98-8/2/98
**Date of report:** 8/3/98

**Reported by:** Victim

**Drug/Alcohol Related:** Victim was drinking beer and became intoxicated.

The victim states that a 23 year old male raped her, while she was intoxicated, at a party. The victim later states that the incident was her fault, and that it just got out of hand. The sex was consensual on her part. The victim admits to having consensual sexual intercourse and oral copulation with the suspect on three different occasions that night. The victim stated she also had sex with another male that night at the party, but could not recall what happened. The victim said she never did tell the second male that she did not want to have sex with him. Furthermore, the victim said she would not cooperate with the investigation and would not testify in court or discuss the incident any further.

The victim reportedly has had sex with over 20 males. The victim states she was recently kicked out of her house and wanted to drink that day.

The victim remembers having three separate incidents of sexual intercourse and oral copulation with one suspect, and then having sex with another male on the night of the reported incident. The victim cannot recall what happened between her and the second male. No crime could be established in this case.

**Exercise #6: Discussion Guide**

The detective investigated this case as though it was a forcible rape. The investigation was not directed toward a drug-facilitated sexual assault and therefore is incomplete. The investigation should have addressed the victim's level of intoxication versus the "suspect(s)". This is a delayed report so a toxicology test is not possible, however, witnesses could still have been interviewed that might have been able to establish the victim's level of intoxication.

**SUMMARY:**

Even if the victim refused to cooperate with the investigation, the case should not have been unfounded since the elements of a sexual assault of an intoxicated person are present.

**Exercise #7**

**CASE #98-000000**

**Crime Classification:** 289 (a) PC Rape with a Foreign Object

**Injuries/Evidence:** Bruises below victim's chin. No sart exam conducted as the victim was incoherent and unable to give consent.

**Victim:** H/F 18 years

**Suspect:** W/M 30 years
Relationship: Stranger she met the night of incident

Date of incident: 1/1/98

Date of report: 1/2/98

Reported by: Victim

Drug/Alcohol Related: The victim admits to drinking heavily and smoking marijuana the night before. Also, she admits to drinking beer and smoking marijuana the night of the incident. The victim had not been taking her prescribed medication which includes: Zyprexa (anti-psychotic), Haldol (anti-psychotic), Depakote (mood stabilizer), and Ativan (anti-anxiety).

An 18 year old female reported having been raped by a 30 year old male she met that night. The victim states she got into a white truck with the suspect. The victim was depressed and wanted to talk about her problems. She states the suspect pulled into a dark alley and pulled her pants down and put his finger into her vagina. She told him to stop or she would call the police. The victim jumped out of the truck and walked down a street. While walking down the street, she met a white guy in his 50's. The victim got into his truck and went to his house. The victim said she talked to the male about her problems and cried for hours. Nothing sexual occurred with this particular male.

Later, the victim stated the guy in the white truck drove her to Mexico. The suspect parked his truck on a street in Tijuana. The suspect proceeded to jump on top of the victim and hit her face twice. The victim screamed. The suspect ended up driving the victim to the border, although the victim states they didn't drive across the border. According to the victim, there is a way of getting across the border without crossing the gate. The victim said her clothes were still in the suspect's truck.

The victim gave conflicting accounts of the crime. She does not clearly know where the incident took place. The victim's sister found her at a 7-11 without shoes and her blouse ripped open.

The officer who first took the report states the victim was disoriented and incoherent. The victim admitted to the officer she had been drinking heavily and smoking the night before. When the detective interviewed the victim, she stated that she did not drink or use drugs the night of the incident, but later she admitted she did indeed smoke marijuana and drank beer that night.

According to a nurse at the hospital, the victim is delusional and suffers from severe psychosis. The victim had not been taking her medication. She is currently under psychiatric care at the hospital. The victim does not have a conservator.

Exercise #7: Discussion Guide

The victim gave several accounts of the crime. It is unclear if a crime actually took place, due to the victim's mental state.

SUMMARY:
No crime could be established from the evidence, therefore the crime report was canceled unfounded.

**Exercise #8**

**CASE #98-000000**

**Crime Classification:** 98 1153 ZZ Hold Pending

**Injuries/Evidence:** None (no sart exam)

**Victim:** W/F 22 years

**Suspect:** B/M 27 years

**Relationship:** The victim and suspect work out at the same gym. During the previous month or so, the suspect began to pay more attention to the victim. The suspect has kissed the victim in the gym. The victim is married.

**Date of incident:** 10/18/98

**Date of report:** 10/26/98

**Reported by:** Victim

**Drug/Alcohol Related:** Victim had five to six drinks at a bar.

A married 22-year-old female reported eight days later she was raped by a 27-year-old male. The victim first reported the incident three days later to her husband. The victim's husband has since confronted the suspect about the incident. The victim states she went out to a bar with her husband's friend. Her husband stayed home and watched their daughter. The victim paged the suspect. The suspect met up with the victim at the bar. During the night, the victim was told her husband was cheating on her. The victim went to the suspect's house when the bar closed. They then proceeded to get into his truck and went to a motel. They both shared a room in the motel. The victim was sitting on the bed, with the suspect, when he started to kiss her. She states she in turn kissed him back. The suspect began to undo her blouse. The victim does not recall how her clothes were removed. She said it happened fast. The victim says the suspect was laying on her. She then got up and took a shower. When the victim finished showering, she crawled into bed with the suspect and went to sleep for a few hours. The suspect dropped her off at the house at her request.

The victim saw the suspect at the gym the following Monday. They talked about the incident. The suspect got an erection and tried to get the victim to put her hand on his penis. She told him no. The victim stated she never did say "no" or "don't" or anything of that nature before engaging in sex with the suspect. She only told him she wasn't comfortable about the situation and thought that would stop him. The victim states she was afraid of the suspect. She says he yelled at her the previous week at the gym.
Exercise #8: Discussion Guide

The victim actively kissed and fondled the suspect. At the time of the incident, the victim was upset and mad at her husband. She did not stop the suspect's advances. The victim was afraid of the suspect, but no actual force or fear was brought on by the suspect that night. When asked if she was an active participant, the victim states she "was into it a little bit."

SUMMARY:

The elements of rape do not exist in this case. Therefore, the report will remain an officer's statement, for information only.

Exercise #9

CASE #98-000000-

Crime Classification: 261 (a)(1) PC Rape: Incapable Because of Mental Disorder

Injuries/Evidence: No sart exam, however mother noticed a hickey on the victim. Victim suffers from diminished mental capacity and is on disability.

Victim: H/F 24 years

Suspect: H/M 42 years

Relationship: Both have known each other since 1991. Suspect works as a bus driver, and met the victim while riding the suspect's bus.

Date of incident: 6/29/98

Date of report: 7/3/98

Reported by: Victim

Drug/Alcohol Related: N/A

A 24-year-old female, with a diminished mental capacity, states that a 42-year-old male had non-consensual intercourse with her. The victim has had five previous undocumented sexual encounters with the suspect. These incidents included kissing, oral sex, vaginal intercourse, and attempted anal intercourse. The victim is familiar with terms such as: intercourse, oral sex, penis, and vagina, but didn't know what erection and ejaculation meant. The victim lives with her mother, but does not have a legal conservator.

The victim would meet with the suspect every weekend to ride around with him in his car. There were several sexual intercourse encounters that the victim could recall. On the day of the reported crime, the suspect picked up the victim and took her to motel. The victim states she knew he was taking her there for sex because they discussed it the day before. They both proceeded to a room
at the motel and took their clothes off. The victim orally copulated the suspect five times. The suspect then orally copulated the victim and put his fingers in her vagina. The victim said it sort of felt good. The suspect and victim engaged in intercourse but the victim wasn’t sure if it was vaginal or anal sex. She said it did hurt, but didn’t say anything to the suspect. They stayed in the room for two hours. The victim began to get tired of keeping her legs apart, so she attempted to put them together. The suspect complained that she wrestled too much. The victim states she felt a wetness on her buttocks, when the suspect finished. The victim said she never did tell the suspect she didn’t want to have sex with him. The suspect never forced or threatened the victim.

Exercise #9: Discussion Guide

The victim knew what she was doing as she consented to sex on previous occasions with the suspect. There was no force or fear present in this case. The victim is capable of consenting to sex, as she has no conservator and has completed high school and taken college classes.

SUMMARY:

No crime could be established in this case, therefore the report was canceled unfounded.

Exercise #10

CASE #98-00000-

Crime Classification: 207 (a) PC Kidnapping/261 (a)(2) PC Forcible Rape

Injuries/Evidence: Sart exam revealed superficial tears of the posterior fourchette and the fossa navicularis along with bruises found between the three and five o’clock positions of the hymen. The injuries are consistent with recent penile/vaginal penetration. The victim admitted that she had sexual intercourse with her boyfriend on the day of the incident.

Victim: B/F 14 years

Suspect: Four B/M’s and three H/M’s. Ages unknown

Relationship: Strangers

Date of incident: 12/15/98

Date of report: 12/15/98

Reported by: Victim

Drug/Alcohol Related: N/A

The victim reports that while walking to school she was abducted and sexually assaulted by four African American males and three Hispanic males. She states that the suspects felt her breasts and
vagina. It was unclear if penetration took place. The victim was distraught and crying when being questioned.

The victim's father states that on the day of the incident he received a call from his daughter's school, telling him she missed first and second period. When his daughter came home from school, she told him that while walking to school, a male grabbed her arm and pulled her into a car. His daughter told him that the suspects drove her to a park. One of the males in the car started to touch her breasts and vagina, but did not rape her. The victim told her father that there were four black males and three Hispanic males in the car. The father states that his daughter said that she was touched by at least one of the males.

When the detective questioned the victim, she would only shrug her shoulders and bite her lower lip. The victim would not speak to the detective about the incident.

Later in the investigation, the detective received a phone call from the victim's father who said the story was made up. He explained the victim made up the story so she would not be punished for skipping first and second period at school. The father told the detective his daughter was with her boyfriend during first and second period. His daughter went to her boyfriend's house where they had consensual sexual intercourse.

**Exercise #10: Discussion Guide**

The victim told her parents that she made up the story to keep from getting in trouble for missing class. The victim was actually with her boyfriend and had consensual sex with him that day which explains the victim's findings of recent penile/vaginal penetration.

**SUMMARY:**

The victim admitted to filing a false report. The crime report was canceled unfounded.