Pathways to Justice: Adult Female Sexual Assault Case Attrition in the Criminal Justice System

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Sexual violence continues to be a widespread community problem, with roughly 59% of women reporting that they have been sexually victimized (inclusive of attempted and completed rape, sexual coercion, and unwanted sexual contact) during their lifetime (Black, et al., 2011). Despite the high prevalence, sexual violence remains the least reported violent crime in the United States (Catalano, 2006), with approximately 5% to 41% of victims reporting their assault to police (Fisher, Cullen & Turner, 2000; Rand & Catalano, 2007). Moreover, research also has documented that many of the sexual assault cases that are reported to the police do not result in arrest and/or successful prosecution (see Spohn & Tellis, 2012 for a review). Although more dated research has suggested that high rates of case attrition are not unique to sexual assault cases (i.e., there are high case attrition rates for most violence crimes; Galvin & Polk, 1983; Myers & LaFree, 1973), more recent research has suggested that, especially at the arrest level, sexual assault cases have higher case attrition than other violence crimes (see Lonsway & Archambault, 2012 for a review). While the existing research has been informative, only one known study (i.e., Rosay, Wood, Rivera, Postle & TePas, 2011) has followed sexual assault cases through the entire criminal justice system (i.e., from reporting to conviction), and no known research has specifically explored the documented reasons described in official records for why sexual assault cases are dropped. Examining these official documented reasons for sexual assault case attrition is critical because official records serve as the only available mechanism of following cases through the criminal justice process. Thus, the purpose of the present study is to explore the case attrition of adult female sexual assault cases at the arrest and prosecutorial levels, examining both the rates and reasoning for case attrition as documented by police and prosecutors in case files.

Prevalence and Reasoning for Attrition at the Arrest Level

Prior research has explored the prevalence of case attrition at the arrest level. For example, Alderden & Ullman (2012) examined 328 cases of sexual assault reported to a midwestern police department and found that roughly 27% resulted in arrest. Similarly, Spohn & Tellis (2011) found that of the sexual assault cases reported to Los Angeles Police Departments from 2005-2009, approximately 12% to 35% were cleared by arrest. Rosay and colleagues (2011) also examined the case attrition of sexual assault cases in Alaska and found that 45.7% of the reported cases were referred for prosecution. The low rates of arrest are even more alarming.
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changed in 2012, when our organizations facilitated a dynamic community effort to engage diverse stakeholders in the movement to stop sexual abuse. The result: a group of community leaders hosted the “It’s Everyone’s Business: Summit to Prevent Domestic and Sexual Violence,” an interactive, multi-media conference designed to inspire a new group of community members against sexual and domestic violence. This one-day summit led to long-term changes in the Fargo-Moorhead community that are helping change minds and engage new voices to prevent violence.

The Issue: Sexual Violence in Fargo-Moorhead

Each year thousands of women, men, and children become the victims of sexual violence in communities across the Fargo-Moorhead region, an area comprising Clay County, North Dakota and Cass County, Minnesota. Since its creation nearly 40 years ago, the Rape and Abuse Crisis Center of Fargo-Moorhead (RACC) has served over 80,000 victims of domestic violence, sexual assault, and child sexual abuse. In 2014 alone, RACC served over 2,800 victims, including 484 children, by providing crisis intervention, support during sexual assault evidence collection exams, counseling, and other services. While RACC works to reach and support every victim that it can, we know that many more cases go unreported each year.

Although effective advocacy and support has made a crucial difference in the lives of many victims, the widespread prevalence of sexual violence continues to plague the Fargo-Moorhead communities. The region is home to a number of populations that are disproportionately affected by sexual assault and abuse. In tribal communities, for example, sexual violence has reached epidemic levels; American Indian women are 2.5 times more likely than caucasian women to be raped or sexually assaulted during their lives (Tjaden & Thoennes, 2000). Sexual assault is also common in refugee communities, but refugee victims are also far less likely to report attacks as a result of cultural taboos and language barriers. College students are frequently targeted as well, and sexual assault and acquaintance rape occur at critically high rates on college campuses across the region.

Preventing sexual violence has always been at the core of RACC’s mission. In addition to providing direct services for victims and their families, RACC has worked to engage a wide range of community groups—from health care professionals and educators to legislators, business leaders, and law enforcement officials—to raise awareness about sexual abuse and assault and identify new ways to prevent it.

In the mid-2000s, national policymakers, including leaders at the Centers for Disease Control and Prevention (CDC), began calling for effective primary prevention programs in the fight against sexual violence. As a strategy used by public health practitioners to prevent the actual onset of disease, the primary prevention targeting sexual assault requires moving “upstream” to address the social, cultural, and economic factors that ultimately can lead to violence. In response to this national campaign, RACC joined with the North Dakota Department of Health and other policymakers, public health professionals, preventionists, and advocates to develop state and local primary prevention plans. With broad-based support from diverse community stakeholders, and with training and evaluation expertise with The Improve Group, RACC and other leaders began to implement new strategies designed to combat sexual violence before it ever begins.

The Challenge: Engaging Community Leaders in Violence Prevention

As part of the community’s focused attention on primary prevention, Cass County conducted a Needs and Resource Assessment which focused on identifying what tools, funding, and other resources were already in place to implement prevention programs, as well as what more would be needed. Based on one of the assessment’s core recommendations, Cass County leaders established three task forces charged with addressing sexual violence prevention strategies for three target populations: middle and high school students, college students, and the general public. They recruited task force members who brought needed perspective, experience, and a strong commitment to reducing sexual violence in the region.

Almost immediately after beginning their work, task force members struggled to make any significant progress. Some challenges were internal; it became clear that, even within the advocacy community, there was not consensus around either the root causes of sexual violence or which primary prevention strategies are most effective to combat it.

The Solution: Planning a Community Summit on Preventing Violence

Using these new techniques, RACC’s team, task force members, and other core leaders began to raise awareness and fuel community engagement around prevention. Inspired by the success of Minnesota’s Summit to Prevent Sexual Violence, the College Task Force suggested hosting a community summit to energize a new group centered on prevention. Members of the other two task forces saw the value of this approach, and initial plans for the “It’s Everyone’s Business: Summit to Prevent
Domestic and Sexual Violence” began to emerge. The RACC team launched a nine-month process to unite community leaders against sexual violence.

In planning the summit, RACC’s primary goal was to transform a group of community leaders with diverse roles and perspectives into advocates for primary prevention. The extensive planning process, designed to educate summit organizers about the social and cultural norms that create a climate of violence, ultimately deepened their commitment. Above all, summit planning helped community leaders realize the importance of raising their own voices and using their influence in preventing violence. The Improve Group team helped prepare prevention coordinators to facilitate their community engagement efforts, offering crucial feedback and support throughout the process.

From the first planning meetings, community leaders expressed a strong desire to engage some “unusual suspects” on the issue of sexual violence. Planners wanted to attract summit participants with no obvious connection to the issue, thereby identifying a new and unexpected group of prevention advocates. They used innovative outreach methods. For example, the committee charged with public relations developed a powerful video featuring diverse community leaders—a business owner, a state senator, a university athletic director—speaking frankly about why they feel personally responsible for fighting sexual violence. Each repeated the key message that prevention is “everyone’s business.” Integrated into the summit invitation, the video hit a nerve, and new community leaders began to take notice.

The Summit: Awakening Community Commitment to Prevent Violence

In September 2012, the “It’s Everyone’s Business: Summit to Prevent Domestic and Sexual Violence” brought together 177 community leaders from government, industry, academia, media, philanthropy, faith and the nonprofit sectors. During the day-long conference, participants took part in interactive sessions designed to boost knowledge, inspire action, and create a personal, deeply emotional connection to the issue of sexual violence.

Planners used innovative multimedia tools throughout the day, such as the invitation video, visual art, and live music to encourage dialogue and personal reflection. Summit participants entered the room through a set of false walls covered with images from magazines and other media that normalize or condone sexual violence. During the day, participants wrote and drew on a 30-foot mural of the city, reflecting on the question of what life would be like in a community where there was no sexual abuse. During the summit, a local folk singer performed a song commissioned for the event with lyrics addressing the five social norms that allow violence to occur.

Presenters reflected the diverse range of stakeholders working on the issue. State and national experts spoke on the societal and cultural structures that create a climate where violence becomes acceptable. Survivors spoke openly about the extraordinary toll violence takes on individuals, families, and communities. A male survivor spoke about his own experience growing up in a home where domestic violence was part of daily life. During his remarks, he asked that members of the audience raise their hands if sexual violence had ever touched their lives; nearly everyone did. In that moment, simply by a show of hands, participants understood how pervasive sexual and domestic violence is in our society and the urgency of prevention efforts.

Throughout the day, participants gathered in small groups to discuss topics ranging from understanding the social norms that allow violence to occur, to promoting healthier relationships and safe environments, to using personal and political influence to support effective prevention efforts. Participants also discussed how to take action and move beyond education and intervention at the personal level to bring about systemic change through targeted funding, legislation, and advocacy.

With support from The Improve Group team, planners measured the impact of the summit in real time. Using audience response technology, including surveys taken via cell phone at the beginning and toward the summit’s conclusion, participants answered key questions designed to assess their knowledge of sexual and domestic abuse as well as their commitment to take action promoting primary prevention strategies. The results were clear: Participants’ knowledge and commitment to prevention increased significantly. The summit increased their understanding of the social structures that condone sexual violence, as well as what tools and practices support healthy relationships. More critically, participants were motivated to take action. Following the summit, participants were asked how many hours they could commit each month to supporting primary prevention efforts: Nearly everyone was willing to commit at least two hours, and 30% were prepared to devote eight hours to violence prevention.

The Outcomes: Community Champions Carry the Torch

The “It’s Everyone’s Business” summit successfully identified a new group of community members committed to preventing sexual assault in Fargo-Moorhead. After the summit concluded, 35 community planners formed a standing committee with the mission to increase and sustain primary prevention programs. In the spring of 2013, they developed an innovative community road map to boost prevention efforts based on the latest social science research. Using this information to guide their work, committee members continue to educate and motivate other community leaders to prevent sexual abuse. Going forward, the committee is planning another summit that will focus specifically on reducing dating violence and sexual assault among youth. The event will center on educating local youth and identifying a new generation of prevention coordinators that will target efforts in schools and on college campuses. Summit planners are developing youth action teams to work in local schools to raise awareness about the prevalence of sexual violence among youth.

Following the summit, RACC also increased its focus and resources on effective prevention efforts, developing an action plan to encourage community leaders in their advocacy work. They communicate regularly through a prevention webpage and e-newsletter, support leaders who speak publicly about prevention efforts in the community, and provide technical assistance to institutions preparing to engage in prevention efforts.

Coordinators are now incorporating effective evaluation strategies into these prevention efforts. Throughout the summit planning process, The Improve Group team used an “empowerment evaluation” approach to give community leaders and preventionists the tools and skills to independently integrate evaluation into their work. Using effective evaluation strategies, North Dakota coordinators collect sound evidence to inform key policy decisions regarding prevention.

Indeed, RACC and the Department of Health continue to monitor public awareness of sexual violence at the individual,
relationship, community, and societal levels. The Community Readiness Assessment, which initially revealed low community engagement prior to the summit, has been repeated to measure changes in broad-based community awareness and commitment to prevention. In addition, prevention coordinators continue to monitor changes through the Behavior Risk Factor Surveillance System (BRFSS), a national phone-based public health survey administered by the CDC and conducted by individual state health departments. BRFSS data collected between 2007 and 2012 reveal that prevention efforts are changing community awareness in Fargo-Moorhead. For example, the number of people who agreed that sexual violence regularly occurs in the community increased by 6%. The number of people who believe a woman under the influence of drugs or alcohol is at least somewhat responsible when she is raped or assaulted decreased by 15%. And 13% fewer people believe it is acceptable for a man to have sexual intercourse with a woman against her will if they are married or in a relationship (North Dakota Dept. of Health, 2007, 2012).

Community efforts to raise awareness about the prevalence of sexual and domestic violence—and the urgent need to stop it before it starts—are making a significant impact in Fargo-Moorhead. There is, however, much more to be done. RACC is focused now on using results from the Community Readiness Assessment to identify new ways to deepen community investment in prevention programs. At the same time, the community leaders who planned the summit continue to voice their personal and collective commitment to ending sexual violence. Through the success of the community-led summit, sexual violence is becoming everyone’s business.

References

The heart of the book is Chapter 8, which presents the Strengths and Shadows model. This simple, concrete model can assist members of an organization to see patterns that contribute to organizational trauma. In the middle of a crisis, it can stop members from blaming each other for what are systemic issues. Vivian and Hormann write that mission-driven organizations have both strengths—those values and behaviors that are acknowledged as part of and contribute to its mission, as well as shadows—hidden aspects of those same values that develop as members try to act on their values in an often hostile environment. For example, an organizational strength might be its focus on social change. However, when change does not come quickly, collective guilt or a sense of failure may form a shadow in the organization. Another strength may be staff efforts to respond creatively and openly to clients; in the process, staff may develop a disregard for rules and personal boundaries, which becomes a shadow.

Each organization has its own unique pattern of strengths and shadows and identifying them can help staff members begin to identify and heal from cumulative trauma. When I have used it in workshops, I have found that this model resonates with participants and they are quickly able to identify significant organizational patterns that contribute to their individual stress.

Chapter 9 focuses on aspects of leadership that can help an organization move past trauma. These qualities mirror the functions of a good trauma therapist: Helping staff name and identify trauma, providing a container for strong feelings, offering hope and optimism, helping staff make meaning of their experiences, focusing attention on organizational strengths, modeling self-care, compassion, and healthy boundaries, and soliciting outside help when necessary. For those who might be interested in becoming or seeking a consultant for a traumatized organization, Chapter 10 focuses on the qualities necessary for a competent organizational consultant.

This book is easy to read and full of examples from Vivian and Hormann’s decades of consultation with organizations. If I have any criticism, it is that for a book written by academics, it has remarkably few references to foundational work on trauma and secondary trauma. Further, the book could have been enhanced by more references to seminal work in organizational development for those of us unfamiliar with this discipline. That said, as a how-to for people in the trenches Organizational Trauma and Healing is a welcome and valuable resource.

References

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