Police Disposition of Sexual Assault Complaints
July 14, 2018

Susan Howley: Good afternoon, everyone. My name is Susan Howley, and I am with the Justice Research and Statistics Association. JRSA is a national nonprofit organization dedicated to the use of research and analysis to inform criminal and juvenile justice decision-making. We're comprised of a network of researchers and practitioners, the core of which includes directors and staff from state statistical analysis centers. We'd like to thank our partners at the Bureau of Justice Statistics, US Department of Justice, for helping to make this and our other webinars possible.

Susan Howley: It is my pleasure today to welcome you to our webinar on police disposition of sexual assaults complaints. I would also like to welcome today's presenters, April Pattavina, Melissa Morabito, and Linda Williams. April and Melissa are professors in the Department of Criminology and Justice Studies at the University of Massachusetts Lowell. Linda is the director of the Justice and Gender-Based Violence Research Initiative at Wellesley Centers for Women at Wellesley College. And with that, I'd like to turn the microphone over to April, Melissa and Linda. Welcome.

April Pattavina: Thank you, Susan, and thank you, JRSA for hosting this webinar. We're pleased to be here, and welcome, everybody. I would like to just start with a bit of a disclaimer. We're going to talk about a project that was funded by the National Institute of Justice, and we wanted to make clear that the preliminary findings we present today reflect ... The opinions and findings and conclusions are those of the authors, and do not necessarily reflect those of the Department of Justice or National Institute of Justice.

April Pattavina: We also would like to thank our program managers from the National Institute of Justice, including Angela Moore and Bethany Backes, have been very supportive throughout this project. So, we look forward to sharing our experiences with conducting sexual assault case attrition.

April Pattavina: The way that we will move through the presentation is that Melissa and Linda and I will share in the presentation, presenting at different stages. So, we'll make sure we'll move quickly through. The topics that we want to cover in this webinar, that we want to share with you, involve planning sexual assault attrition research. We want to share with you our experiences with doing this type of research. We want to share with you some preliminary findings from a replication study that we are in the process of completing. That will involve mapping sexual assault cases through the system, starting from the police report and through final case disposition. And we want to look at some of the correlates of case outcomes that resulted from a sexual assault complaint reported to the police. Then, finally, we want to put sexual assault research in contemporary context.

April Pattavina: It's first important to start out by defining what we mean by sexual assault case attrition. Attrition really involves a systemic focus that follows incidents, beginning with the first report to the police through the prosecution and
disposition of a sexual assault complaint. It does not address the reasons why victims do or do not report incidents to police. We know that many sexual assaults do not get reported to the police, but where attrition research is systemic, once these complaints are in the system we can begin to understand what victim, suspect and incident characteristics move a case from report through the prosecution.

April Pattavina: If we wanted to put in a graphical context here, we have how cases may flow through key decision points and outcomes in the system. We start with the incident getting reported to the police, and the investigation may commence. The case may be cleared or end as assault, or it may be unfounded by the police. In that case, the police have decided that no crime has been committed. One of the key decision points here is whether or not to arrest the identified suspect.

April Pattavina: Then, it moves to the prosecutorial stage. Prosecutors make the decision on whether to charge the suspect with a sexual assault. Here charges can be filed by the prosecutor or they can be declined. In cases where charges are filed, then prosecution commences, and there could be a conviction, acquittal, dismissal, or not concluded. For cases that end in a conviction, of course, there'll be a sentence, and that could be probation, jail, prison, or some combination therein.

April Pattavina: Why do we need attrition research? We need attrition research because the studies that have been conducted, and there have been several recently, show that the percentage of cases that end in arrest continues to be fairly small, and there is variation. In fact, some studies show variation can range from 12% to 45% across studies, but most are on the lower end of this percentage. Research on attrition at the arrest and prosecutorial stages has typically found that case decisions are influenced by both legal and extra-legal factors, and we'll discuss those a little bit later on. There's also emerging research that's drawing attention away from understanding the way cases proceed through the system from a linear approach toward a system where the boundaries between the police and prosecutors overlap. So, we're interested in really trying to unpack and describe these relationships in a way that has meaning for sexual assault case attrition research.

April Pattavina: Designing a case study. There are lots of issues and challenges associated with doing this kind of research. What we're going to share with you and focus on today, is a project, again, that was funded by the National Institute of Justice that's designed to replicate and expand upon a study that was conducted by a Cassia Spohn and Katherine Tellis, on sexual assault cases reported to the Los Angeles Police Department and the Los Angeles Sheriff's Department, reported from 2005 to 2009. This is a multi-site and mixed-methods approach, so there are lots of issues that we confronted in designing the study, that we'll talk about.
Police Disposition of Sexual Assault Complaints
July 14, 2018

April Pattavina: First, NIJ wanted this multi-site investigation to involve six to eight jurisdictions across the US that represented small, medium and large jurisdictions, with diverse populations. We did select six jurisdictions across four states representing different areas of the country, and were able to select small, medium and large police departments.

April Pattavina: One of the challenges that we needed to confront was how we were going to identify the cases that would be included in our sexual assault categories, if you will. One of the things that we decided on early on was that we would consider agencies that were NIBRS reporting agencies. NIBRS is the National Incident-Based Reporting System. That is the sum of the Uniformed Crime Reports, where information on all incidents is collected, rather than summary types of reports that are provided to the FBI. So, what made NIBRS reporting agencies attractive to us was that there were standard classification for reporting sexual violence crimes. So, NIBRS is really much more comprehensive than UCR in that it includes information on incidents that cover about 46 crime categories.

April Pattavina: We picked the most serious sexual assault categories, which included sexual assault, sodomy, and sexual assault with an object. In order to the NIBRS reporting agency, it is voluntary, but it does require certification. That means that specific victim, suspect, and intimate details associated with each report must be submitted to the FBI. So, this process required training and a commitment to more complete report writing by the police. We had reason to believe that these reports would be more comprehensive, and somewhat standardized across these agencies, which certainly helps with being able to make some comparisons across jurisdictions.

April Pattavina: It also helped us to gauge the number of cases to expect in each jurisdiction, for planning purposes, and presented an opportunity to serve as a sample frame. So, we had some idea of how many cases we could expect in jurisdictions, and that helped us plan how to collect the data, what type of resources we would need. That was another advantage to using NIBRS.

April Pattavina: The sample selection presented some unique challenges as well. In sexual assault case attrition, if we think back to that graph, we wanted to consider several types of case outcomes, starting from the arrest decision, which comes from the police report, charging decisions, which are prosecutorial decisions, and then case dispositions, that come from the courts. The outcomes are from very different data sources and require linking across records management systems which are often maintained by the police, and court systems. So, we needed to find out from the police who would arrest, and then follow through the court system.

April Pattavina: Most of the records management systems were automated. In the court systems, some of them were, some of them weren't. But more important, what was central to our planning, was that given the low percentage of cases that ended in arrest and prosecution, we decided to collect information on all the
sexual assault cases that reported to the police involving victims 12 and over, which was consistent with what Spohn and Tellis had done. We ended up with a total sample of 3,269 victims for the years 2008 to 2010, with a little bit of expanded time for the smaller jurisdictions. This includes males and females.

April Pattavina: We do have a multi-method approach to doing this project, and we'll talk a little bit about the quantitative approach first. We did both quantitative, and then qualitative. Where our study was intended to serve as a replication, the data collection strategy was very similar to Spohn and Tellis, their report that was issued in 2012. We designed a coding instrument to gather victim, suspect, and incident characteristics, and the coding instruments captured both the police and the prosecutorial decision making elements. We also designed a coding instrument to gather details related to disposition from the courts, and that information captured the court outcomes. We ended with a fairly involved coding instrument that will be able to capture hundreds of variables associated with sexual assault case reporting, and will certainly be good opportunity for lots of researchers moving forward, including us.

April Pattavina: Regarding the police decision making outcomes, when the police are dealing with a sexual assault that’s been reported, there are several types of case outcomes that are possible. One is it could be unfounded, meaning that the police decided that a crime did not happen. The police may make an arrest for the incident. It can be left open, which I have listed last here, or it could be cleared by exceptional means. This is something that has generated some interesting findings, particularly in the Spohn and Tellis, and in our study, as well.

April Pattavina: When a case is cleared by exceptional means, this is in official FBI classifications schema, and the way that exceptional means should work, according to the FBI, is that there must be probable cause to make an arrest and the suspect should be identified, but there's some reason why the police can't make the arrest. Some are quite obvious, such as the death of the suspect. The suspect may be in custody in another jurisdiction, or in cases of juveniles, there might be some kind of a juvenile diversion.

April Pattavina: The final two that have garnered some interest of late are the police close the case, or clear it by exceptional means, with this classification that the victim has refused to cooperate. So, that's why they've decided not to move forward, but they're closing that case. And finally is the prosecutorial decline, where the police present the case to the prosecutors, at the pre-arrest stage, very often, and the prosecutor declines to take the case. Not necessarily always expressing what the reasons are.

April Pattavina: Moving forward, I'm now going to turn the microphone over to Linda Williams, who's going to talk about mapping some of the cases through the system based on the data that we collected.
Linda Williams: Thanks, April, and hi, everyone. This is Linda Williams, and Dr. Pattavina has put in a description of 10, 11 slides. A huge amount of work. But I'm sure those of you who do this kind of research know that we're talking about six jurisdictions, you know, the efforts of really getting these cases, and of course we were very thankful for the cooperation of the police departments who made these records available to us and who'd also be involved in some later stages of the rolling out of the data. And they're confidential, but you'll see on this map, on this diagram, that we're talking here about 2,887 reports.

Linda Williams: The reason that's different from the final number on the prior slide is that these are only, and it should say this on the title, but these are only for female complainants. We have a small number of cases involving men. There were some differences in the ways they panned out, and so we're reporting here on the female complaints, which were the vast majority of our cases.

Linda Williams: It's notable, and there'll be more on the next slide but we can stick with this one for now, that we looked at the unfounded, which Professor Morabito, which Melissa, will be talking about in more detail in a bit. But we see a proportion of 7%, roughly, that ended up being unfounded. This is somewhat lower than you see in other prior studies, and certainly lower than from the Spohn and Tellis research. Perhaps there's a moving away from using the unfounded classification, and we talk about why in another point.

Linda Williams: Open/inactive is pretty huge, and investigation continues in 44% of the cases. These are from 2008 to 2010, were still open after time that we collected the data, which was pretty much in 2014 through '16, '17. You know, that's a methodological issue to discuss in the future, about when you're following up, and how long do you wait to see what's going to happen with these cases?

Linda Williams: Notably, of those where cases were closed, 1,404, which were nearly half of the cases, 48%, only 17.5% ... I'm sorry. There were about half closed, and of the total sample, only just under 18% of cases were cleared by arrest. So, the number that we get here is less than one in five cases ends up in a clearance by an arrest. This ties in with other ... It fits into the ranges that we've seen in other studies, but it's still, as April pointed out, a low proportion.

Linda Williams: Many were exceptionally cleared, close to 30%. We have different jurisdictions, and our small, medium and large didn't vary greatly in proportion ending in arrest. It was from 15% to 18%. There's some differences on exceptionally cleared, as we could talk about another time. Adults were arrested, 504. So, you have 2,887 cases, and 505 adult arrests for those cases in terms of clearance by arrest. Charges are filed, out of those cases where there's an adult arrest, in about 72% of those cases. So, we're whittling down to 363 cases going forward.

Linda Williams: We'll go to the next slide, then. This summarizes a little bit of what I just said. The key point is that comparing this to Spohn and Tellis, that's the S&T here. S&T's report of clearing by arrest is from 12% in the LAPD and 32% in the LASD.
They had bigger differences than we found when we compared up six jurisdictions. But we're in the range there, and there's reasons why you're going to get different numbers comparing across jurisdiction. And, again, 30% were cleared by exceptional means. Let's go to the next slide.

Linda Williams: This is a map of what happens with those cases where there were charges filed. Some we didn't know outcomes, but we have 354 cases we were able to follow up. We did go on and on about the difficulties of going between systems, to track cases from police jurisdictions to what happens with court outcomes, but here we have the outcomes of charges being filed, 354 cases. To draw your attention to [inaudible 00:20:27] excuse me, prosecution goes forward in, excuse me, in ... What's the proportion it goes forward? Charges filed, so, cases don't move forward in about 33% of the cases. Those that did go forward, we see a very large proportion ended up with a guilty outcome. 189 cases. These guilty outcomes were mostly because of a guilty plea.

Linda Williams: So, one of the things we find is that prosecutors tend to go forward with cases that they're more assured of an outcome, in fact, assured of because of the plea by an individual. Prosecutors, when they talked to us in the qualitative interviews, talked about that they were really doing a negotiated sentence more than a negotiated plea, and they were looking to also tie this into outcomes.

Linda Williams: You see that most of those, in the lower part, who did end up with a guilty verdict or outcome, do end up getting incarcerated. One other important thing to mention here is that if you look at all the guilty, it's 189 cases, guilty by a jury trial was 13% of those, or 25 cases. Guilty by a trial before a judge was 7%. So, we basically have very few jury trials. We can go to the next slide, but only 36 cases went to a jury trial.

April Pattavina: We spend a lot of time working towards jury trials, with a lot of concern about what the outcome's going to be, and that concern is justified. But really, start with over 2,800 cases, you end up with only 36 jury trials. Kind of an interesting point. Overall, you're finding, also, in this mapping diagram, that 6% of all reports result in a conviction, either through a guilty plea, mostly through a guilty plea or through a trial. Okay. I think that's everything for there. Going back to April. April, yes, and then you'll move us along.

April Pattavina: Right. Thanks. So, consistent with the Spohn and Tellis study, they conducted an investigation into the factors that lead to both unfounding and arrest. I'm going to talk a little bit just about those predictors, and a little bit about maybe some of the coding, how we approached that. And then I'll have Melissa present some of the results of the analysis on the unfounded, and then I'll follow up with the arrest.

April Pattavina: So, consistent with Spohn and Tellis, and with just reflecting a little bit back on the beginning of the presentation, we talked about how both legal and extra-legal factors have been identified in prior studies, that have looked at different
stages. Not a full attrition, they may have only looked at the arrest outcome, or may have only looked at the prosecutorial outcome. And there's very few studies that have followed things through from the police all the way through disposition.

April Pattavina: There are lots of studies that summarize the legal and extra-legal factors. I won't go into them here just in the interests of time, but just to identify them in terms of how we organized them, were for the legal factors, of course, things that were important are related to the case seriousness. So, was there a physical assault in addition to the sexual assault? One of the things we did add that Spohn and Tellis did not have was that we did find, especially in cases where the victim may have been drinking, that they didn't recall the details of the assault. So, it was really hard for them to determine whether or not they had been physically assaulted as well. So, we included an element to try to capture whether or not the victim recalled all the assault details.

April Pattavina: The use of a weapon. A collateral injury. And did the victim engage in any type of resistance, whether it be verbal, physical, or both? Strength of the evidence is also important consideration, and the variables that are considered are whether or not it was reported within one day. Spohn and Tellis had within one hour, but we needed to expand that. The number of witnesses, whether or not the victim was cooperative during the investigation, and whether or not there was physical evidence that was gathered.

April Pattavina: These don't necessarily include all the ones that we may want to consider, moving forward, and again, we have a lot of data and a lot of ways to measure factors. But, again, these are the ones that were consistent with Spohn and Tellis. So, the extra-legal factors that were considered were age, race, relationship between the victim and suspect, risk-taking behavior, which captures things like was the victim walking alone at night? Taking a ride from a stranger? Was in a bar alone? Was drinking or was drunk?

April Pattavina: Then, questions about the victim's character. Were they a sex worker? Have reasons to lie? And then we have mental illness or mental health issues as identified in self police reports. Some of these are much more vague than others, and so we really were concerned about reliability. In order to try to identify the signals in police reports that maybe suggest challenges to victim character or credibility, we needed to pay attention to issues of reliability.

April Pattavina: For example, cases where the victim had a motive to lie may be determined in cases where there were details in the report to suggest that the victim may be reporting to cover up an infidelity, or that the victim was past curfew and did not want to get in trouble. It was up to the coders to identify these signals in their written reports, and so it was important for us to conduct a reliability test. On some of these more vague characteristics, we did determine that there was a moderate level of reliability when we started the project for some of these factors.
April Pattavina: So, what we did was we engaged in further training with the coders in order to identify these types of factors, whether or not they were present, and we also added some consistency checks. So, on some cases we asked for, rather than just a check off box, which we would ask for, we would also ask for some written details too, so we could go back and check to make sure that we were in agreement on these types of measures. I’m going to turn it over to Dr. Morabito, who's going to talk to us about unfounding cases.

Melissa Morabito: Hi. Unfounding is one of those dispositions that is of particular concern in reference to sexual assault. Right? And for those of you who are unfamiliar, unfounding means that the police department has determined that there's no evidence of a crime. So, this would be a big deal for sexual assault, and somewhat unexpectedly, we found a very small number of unfounded reports. About 212 cases were unfounded across all six sites.

Melissa Morabito: It was so low, in fact, that we were unable to break this down by site, or even by clusters of sites, because there were so few cases. So, what we found was that victim recantation was the strongest predictor of the likelihood of unfounding, and that the report was much more likely to be unfounded by the police if the victim alleged that she was assaulted by a stranger than by a non-stranger or intimate partner.

Melissa Morabito: I should say that this differs somewhat from Spohn and Tellis, and some of that may be a reflection of the changing attitudes about the use of unfounding as a disposition for sexual assault cases. For example, victim recantation was a strong reflect, was strongly related to unfounding, but much less so in our research than in what Spohn and Tellis found.

Melissa Morabito: This really came up in some of the interviews with police, as well, where detectives told us that even if a victim recants, they don't necessarily believe that the assault didn't happen. But there are lots of reasons why a victim may choose to recant that maybe aren't related to whether or not a crime occurred. As you'll see, Spohn and Tellis found that mental illness or mental health issues were positively correlated with unfounding. We did not find evidence of that. Same for victim character and collateral physical injury.

Melissa Morabito: We did find that when there was a physical assault in addition to the sexual assault the police were much less likely to unfound. When the victim was cooperative, however, the police were more likely to unfound a case. So, there are definitely some different things happening, and as I said, I do think this reflects some of the changing attitudes and a cracking down on the improper use of unfounding across agencies. I'm going to turn back over to April for a moment.

April Pattavina: Okay. So, I'm going to talk about the results of ... The predictors of the arrest. These are logistic regression results, so multivariate analysis. We only included the factors that were significant in either study. So, I went through the litany of
all the factors that we did consider, and these were ones that were significant in either study. There are some interesting findings here.

April Pattavina: For both studies, and for the extra-legal factors, we found that non-strangers were more likely to end in arrest than strangers as well as intimate partners. Here, strangers were the reference category. However, that was really the only extra-legal factor in the Spohn and Tellis study that was found to be significant. In the replication study, we found that several more of those extra-legal factors were significant, and ended up having a lower odds of arrest. For example, risk-taking behavior at the time of the incident, those cases were significantly less likely to end in arrest in the replication studies. If the victim had mental health issues, that was also less likely to end in arrest. And if the police had indicated the victim had a motive to lie was also negatively associated with arrest.

April Pattavina: The victim was not able to recall the assault. Remember, Spohn and Tellis did not include that variable in their model. We did, and found that it was also negatively associated with the likelihood of arrest. Spohn and Tellis included the most serious charge is rape. We did not because all of our cases were the most [inaudible 00:33:00] we had very few recants. So we did not include that variable.

April Pattavina: Collateral injury, now, we're moving into the evidence-based, or the legal factors, were found to be both be positive predictors of arrest in both studies. Verbal and physical resistance, significant in the replication, not Spohn and Tellis. Reported in one day, positively significant in both, as was the number of witnesses. Physical evidence, and finally that the victim was cooperative, was also a positive predictor of arrest.

April Pattavina: I will add, here, we did include site-specific variables. Small, medium, and large. And, we did find that small and large jurisdictions were more likely to have their incidents end in arrest than the medium-sized jurisdictions. Spohn and Tellis did not find differences in the two sites that they used. So, there was no differences across sites. It's interesting, here, that we found more of an influence of some of these extra-legal factors than Spohn and Tellis found in their study.

Melissa Morabito: Okay. This is Melissa again. In addition to the quantitative analysis, we used a mixed-method approach, and we also felt that the qualitative was particularly important. It wasn't enough to just collect the records, but we wanted to understand what the records were telling us. So, we interviewed, in total, 42 practitioners. 18 police and 24 prosecutors. The police were mostly detectives. We had attempted, in the beginning, to interview some patrol officers, learn about that first contact, but found that they had so few sexual assault contact that we weren't really learning a lot from those interests.

Melissa Morabito: We used the qualitative to explain and understand the quantitative findings. We did these interviews, we conducted them until saturation was reached, or until all practitioners who wanted to speak with us were interviewed. In some of our
smaller sites, that wasn't very many detectives to interview to reach saturation, and same with prosecutors, as well.

Melissa Morabito: We also conducted focus groups with victim service providers, which we will not be speaking about today, but, again, to get that victim perspective on what was happening with the attrition process. In terms of the police interviews, as I said, we only interviewed a couple of patrol officers before realizing that we weren't getting the information that we were looking for. The detectives that we interviewed had between five and 34 years of experience in policing, so there was quite a range.

Melissa Morabito: In terms of sexual assault investigation, we had some with decades of experience, and we had a couple who had just gotten in position and were there for a couple of days. What we learned, and particularly some of our folks had been in a variety of units within the agencies, was that responding to sexual assaults is different from every other type of crime. That victims called more, they wanted to be in the loop more. Victim interaction was different.

Melissa Morabito: They told us that the initial patrol contact was crucial to gaining victim trust and establishing rapport, and that a lot of their time was spent backtracking from those initial contacts that they didn't go well. They felt that evidence was crucial for a successful investigation, particularly came up with the consent [inaudible 00:36:33] that without additional evidence, those are very hard cases to move forward. They told us that incomplete disclosures were often a deciding factor in whether to move forward, that victims sometimes didn't share the whole story of what happened, which means the case is difficult to investigate.

Melissa Morabito: They did express an unwillingness to unfound cases. What came up, again, was that prosecutors play a big role in the investigation, and at an earlier point than the system timeline would suggest. That these are not discreet decision-making points. I'm going to turn back to Linda for a moment who's going to talk about the prosecutorial interviews.

Linda Williams: Thanks. So, prosecutorial interviews. We did interview 24 prosecutors in six jurisdictions. They were mostly females, but nine males, and 16 females, and many of them had a lot of experience with these cases, although some had less, with an average of 10 years of prosecuting felony sexual assault cases. One thing that comes up, we also anecdotally noted this as we were working to make sure we had good relations to cluster data, that there's a lot of turnover. The police turnover can also be discussed, but our interviewees, the assistant district attorneys and so forth, told us about many, many, many position turnovers. One had worked for four different district attorneys, so it's an issue for them.

Linda Williams: They also stressed, in the interviews, the importance of the victim in all cases. Here's one quote, "Cases begin and end with the victim." They also talk about
the critical importance, as we found in our quantitative data, of plea bargaining in adjudication of these cases. So if we were to look at how factors influence going forward, you know, we see most of these case characteristics influencing decisions at the police level, or the cleared by exceptional means, and once we get to the later stages, really we're talking about victim cooperation, and also plea bargaining, which ties into that as well.

Linda Williams: Prosecutors stated they were not ... So, this is about how are they assessed? Do they make decisions about going forward so they can get a raise and look good because it's going to get a conviction? Everybody wants to win. They, over and over, said that was not how the assessment was made, but they also belied that a bit in many of their comments, because they're emphasizing the need to take forward cases that are going to lead to a guilty verdict. So the outcome is important, of course. One doesn't want to pursue cases where there's not enough evidence, when maybe the person wasn't guilty. But there was a lot of stress on the guilty verdict, or guilty plea.

Linda Williams: They were clear that many cases could not be taken forward for a variety of reasons, and very much looking at the credibility issues, and the victim's cooperation. An interesting point is that prosecutors stress the need to reduce the number of cases that a unit takes forward to a manageable level, given the resources available. Problems with prosecutor burnout and likelihood of convictions. So, part of this is not just about winning, but it's about taking cases forward that can be handled given the current state of the art and resources. This came some from the managers of the units, too, that trying to avoid prosecutor burnout. So, there's a lot of cases with a lot of problems and issues, and let's take the ones that'll work. Going back to ...

April Pattavina: So, as we're coming to a close here, we thought it would be helpful if we were to talk to you about some of the challenges that we faced, and what we learned while doing this research, which has been quite a while now. So, one of the things that we struggled with from the beginning was how to ensure that there were enough cases that were adjudicated? So, there were a number of considerations that we took in the beginning, was do we start with cases that ended up in court? Do we start ... I mean, [inaudible 00:41:07] backwards. But we were fearful if we did that we would have missed out on some of the cases that got knocked out early on, and how would we capture those?

April Pattavina: We contemplated doing a sample versus a population of cases, as Spohn and Tellis did a sample of cases in Los Angeles, and we wondered if we were to do a replication, should it be the same way? In the end, we decided with the population. We've spoken recently about how that was the right decision, given how few cases ended in arrest, and how few cases went to trial. I'm not sure that we would have gotten enough, or, we're not sure that we would have gotten enough of those cases, had we moved in the other direction.
April Pattavina: In addition to that, we also had to make adjustments for some of the smaller sites. An issue for me, as a police researcher, and for all of us, is that smaller agencies sometimes get left out of the research. Part of that is that there were not enough cases. Which is great. There shouldn't be a lot of sexual assault in smaller jurisdictions. But at the same time, being able to look at variation, we need to have a large enough number. So, for our smaller sites we had to add in years to get enough cases so that we could look at some of that variation.

April Pattavina: One of the other challenges was jurisdictional differences. Spohn and Tellis looked at assaults against victims who were 13 and older, and that 13 caused us some different challenges at different agencies, depending on state law, depending on agency practices, and then how to get access to those juvenile records. So that became an issue as well, and maybe a metaphor for some of the differences just in accessing records such as [inaudible 00:42:49] across different states.

April Pattavina: There were also differing relationships across agencies in the different jurisdictions, between police and prosecutor, between victim and advocate, between the child issues, there were just different relationships, and it's nuanced across jurisdictions. Some of that are varying norms and procedures. There's even what gets included in a report. So, when we have our coders looking through to try to get information from a police report, a research assistant, what is even in that report and how is it stated? And there were differences across jurisdictions that are important to keep in mind when you're designing a data collection form.

April Pattavina: One of the other things that my colleagues have alluded to is the agency turnover. That agency turnover was backed even within the few years that we were collecting data. Some of that was access. At the time that a new person came in who was in charge, we had to come back and say, "Hey, this is our study, this is who we are. We had an agreement with your predecessor. We hope that you will continue with that agreement." And this was a time-consuming, necessary but time-consuming, part of the research process.

April Pattavina: But, with that change in staff there's also change in relationship and procedures to keep in mind between the police and the prosecutor, and the shifting of priorities about where sexual assault falls in the hierarchy of reporting. So there were some big challenges that kept popping up throughout the process that we wanted to make sure that you were aware of.

April Pattavina: Just to finish up with where we see the need for additional research with sexual violence attrition, understanding that variation in reporting across jurisdictions. We think it's particularly important. Spohn and Tellis didn't find a significant difference between their two sites, but we do see differences, looking at a larger group of agencies and jurisdictions. And that's something that we will need additional research, to look at what is causing that. We didn't collect
enough data on organizational differences, because there were only the six sites, there were only limited variation in that regard.

April Pattavina: Another issue is unpacking that victim refuses to cooperate. At what point in the process is the victim refusing to cooperate? And we'll be able to do some of that with our research, but it's going to need additional information as well. And some of it, also, is identifying the role of judges and juries in the attrition process. There was a lot of discussion in our interviews from prosecutors and police about what they thought juries would do, and there's a lot of guessing about how they're going to act, but there's not a lot of data, not a lot of data points to back that up, because there are so few cases that actually end in jury trials.

April Pattavina: And, finally, when we say the differentiating the experiences of these under-studied victims, of men, clearly, as Linda pointed out. We pulled them from the analysis for you today, but also, of young adults versus children. I mean, at what point are young people considered to be adults versus children, and how does that change the system response to what's occurring with them? So, with that, I would say thank you very much, and I guess we'll open up for questions.

Susan Howley: Great. A reminder, everyone, if you want to ask a question of our panelists, please put it in our chat box, please select Host, Presenters, or Panelists. We have had one question come in already. Linda, this was for you. Back when you were talking about law enforcement closing of cases and you talked about law enforcement closing cases for reasons of arrest, what were some of the other reasons that they might have closed cases?

Linda Williams: Yeah. So, the main categories we were looking at was closed because of clearance by arrest, or clearance by exceptional means. The clearance by exceptional means is something we're looking at in great detail. April described how there's different reasons why that can happen, and we see the victim cooperation and the prosecutorial decline as being very important there. So, those are really those only two that we looked at. I think there's a couple of cases where they went to another jurisdiction, you know, it was a jurisdictional issue, it didn't really belong to this issue. So, that's the others. Yes. Right. Right.

Susan Howley: Okay. Great. We did have a question about whether the recording of this webinar will be available, and yes, it will be, but the questioner also wonders if you will be publishing a report any time soon?

April Pattavina: Yes, we will. We are probably days away from submitting our draft to NIJ, and then it will have to go through the review process. But, yeah. Yes, and we do want to emphasize that these results are preliminary. So please keep that in mind.

Susan Howley: Great. Well, I'll look forward to that report, and I'm sure that JRSA will try to provide a link to that report, to the webinar recording at a later date. Another
question has come in. Did you find that communities with less resources tend to close cases faster?

April Pattavina: We didn't really look at the time it took to close cases. That is a very good question. We didn't look to see how long they were open and active for, versus cleared by exceptional means. So, unfortunately, I don't think we'd be able to answer that question.

Susan Howley: Okay. Well, folks out there, please go ahead and keep entering your questions into the chat box, and we're going to go ahead and open up the poll just so it is here for people. If you still want to work in the chat box and you're afraid because it looks like it disappeared on your screen, go up and click on chat. The chat box will reopen and you can enter your question.

Linda Williams: Hi, this is Linda. May I add a point for some clarification?

Susan Howley: Please do.

Linda Williams: Oh, thank you. So, the point about understanding what are the factors in the case records, and training our coders, which was a big part of the work, that we were looking at what the police had in the records in terms of these case characteristics. Both the evidentiary, what we coin the legal factors, and then the extra-legal factors. So, it's not as if we were having our coders interpret that. It may have been because of that, but it was important that the police had noted something like the victim might be lying, the victim had reason to lie. That's one of the challenges, of course, of doing this research and then comparing across studies, because you have to determine what are the police putting in the records, and how are they recording it? Thanks.

Susan Howley: Good point. Thank you. All right. I don't see any other questions coming in. Are there any other closing thoughts about this research or what you'd like to look at next? Or encouraging thoughts for researchers out there?

Linda Williams: We would like to say thank you for this opportunity to discuss our research, and we're grateful to all our partners, police agencies, that allowed us to come in and go through their records, and continue to give us access. So, we're grateful to them. We can't name them, but we're grateful to them.

Susan Howley: Well, this is such important work, and we are grateful to the three of you for doing this work and for sharing this with the audience today. Thank you so much. If anyone out there has additional questions, and you didn't get a chance to ask them today, go ahead and send them to JRSA. We will forward them to our presenters and circulate questions and answers later. So, with that, I'll close, and thank everyone for your time today.

Linda Williams: Thank you.
April Pattavina: Thanks everyone.

Linda Williams: Thanks, JRSA.

Susan Howley: All right. Bye-bye.