

**WHAT IMPACT WILL THE CRIME OF  
FEMALE RAPE  
HAVE ON CALIFORNIA LAW ENFORCEMENT  
BY THE YEAR 2000?**



**AN INDEPENDENT STUDY PROJECT COMPLETED FOR THE CALIFORNIA  
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

**COMMAND COLLEGE  
CLASS FIVE**

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**NOVEMBER 1987**







This Command College Independent Study Project is a **FUTURES** study on a particular emerging issue in law enforcement. Its purpose is **NOT** to predict the future, but rather to project a number of possible scenarios for strategic planning consideration.

Studying the future differs from studying the past because the future has not yet happened. In this project, useful alternatives have been formulated systematically so that the planner can respond to a range of possible future environments.

Managing the future means influencing the future -- creating it, constraining it, adapting to it. **A futures study points the way.**







"What Impact Will The Crime Of Female Rape Have Upon  
California Law Enforcement By The Year 2000?"

AN INDEPENDENT STUDY

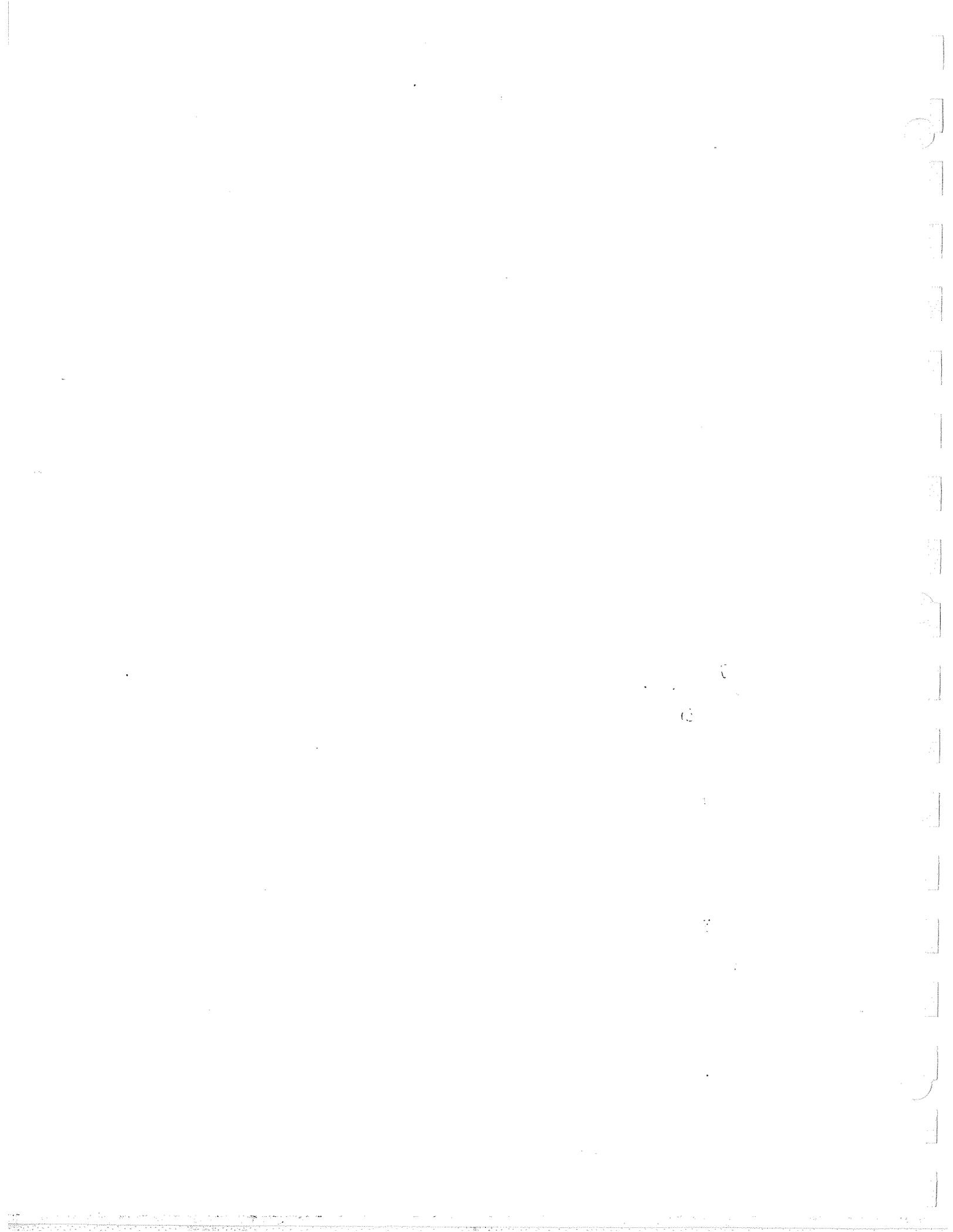
By

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AND TRAINING COMMAND COLLEGE

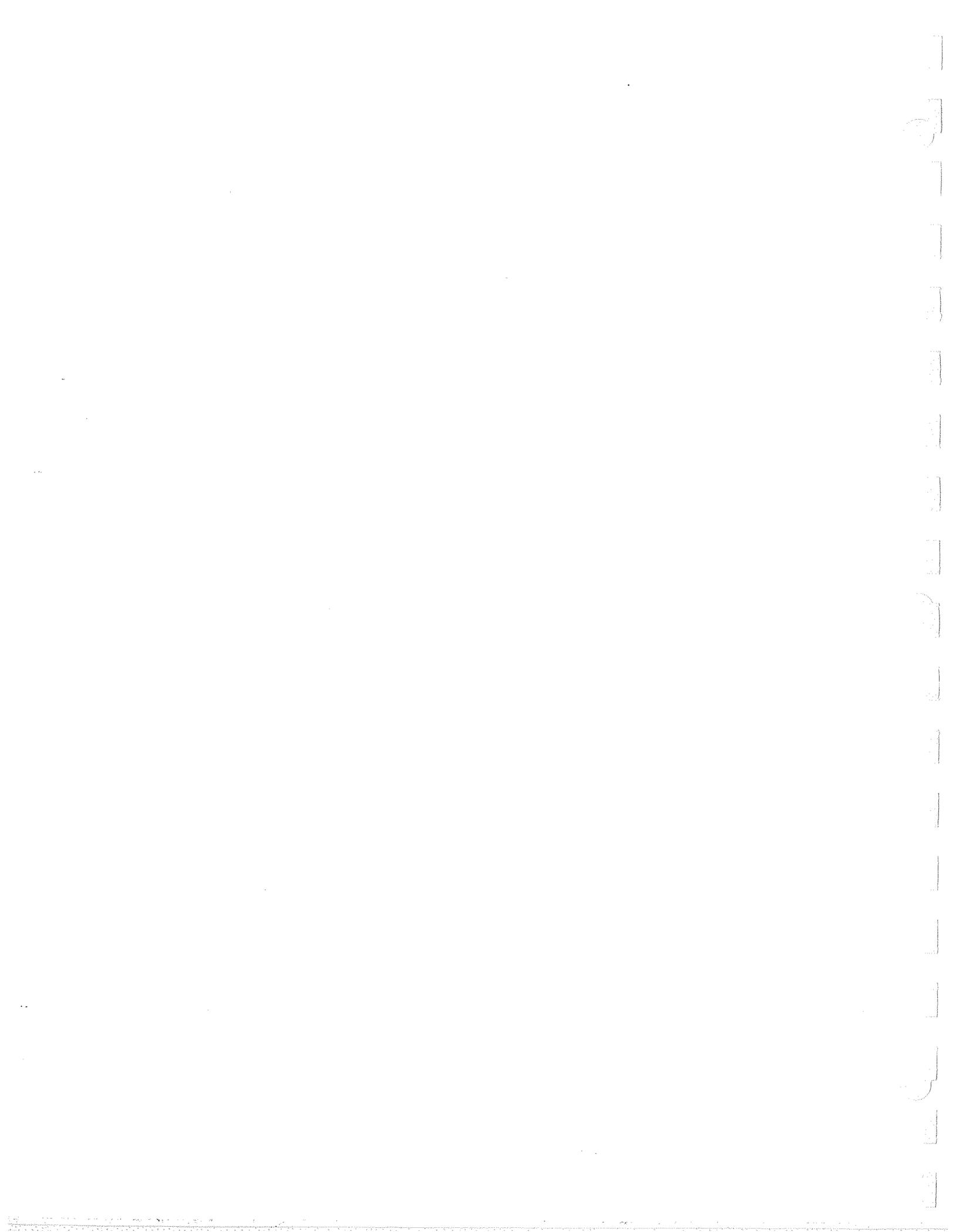
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This project centers on one specific area, the rape of women. Although this is a major problem in our society, it is not the only rape that occurs. Male rape, especially the rape of young men, also takes place in our community. While the psychiatric make-up of the assailant may be different in some cases, the rape itself is no less violent and must be prevented at all costs. For this reason, much of the information contained within, dealing with future technology, the profile of the rapist, and prevention, is equally as important for males as well as females.

There is a general overall hypothesis which covers this entire project. It, in effect, states that if current trends develop, society's attitudes about reporting and continuing to stay involved throughout the litigation process will improve. The sub-hypothesis involves positive change through awareness education. This includes pivotal groups in communities, training at police academies and an emphasis on understanding the violence of rape, the post traumatic stress disorder, and our ability as a nation to prevent the crime and apathy toward its victim in the future.



## EXECUTIVE SUMMARY

Rape is a crime which involves a complex and professional interaction among many community agencies. It is an interpersonal offense; both sexual and violent in nature. Up until the early 1960s the issue of violence and a sensitivity to the victim's plight were seldom addressed. It is believed that only between one in ten and one in 20 sexual assaults were reported at that time.

As a result of womens' groups, the police and the community working together, some changes have become evident. Hospitals, while still understaffed, have attempted to improve their approaches to treating victims. Law enforcement has made a sincere effort to listen and modify procedures accordingly. There has also been important court reform. All these factors have increased reporting to 50 percent, a significant increase over statistics from 25 years ago. More than anytime in history, victims are responding by placing their trust in the judicial system.

The concern for the rape victim has led directly to an interest in the offender, how to profile him and what can be done with men who commit sexual assault. Rapists, themselves, have been willing to talk about rape and its violence. The public is slowly starting to realize the dynamics of rape, the crime's aftermath, and the importance of a united effort to prevent it. While improvements are laudable, many experts in the fields of criminology, social science, public administration and psychology feel that we have only scratched the surface and that a lot more needs to be done. Sensitivity training, for instance, is a subject which continues to surface in all literature and in conversations with professionals who work with those who have been attacked.

This project focuses on this environment, how it evolved and its impact on the future. Five major trends, compiled through the nominal group technique and compared with the results of a literature research, are discussed in depth. If the experiences of the past are to interact successfully with the likely introduction of innovative new technologies, we must find a way to deal with reduced funding while, at the same time, building a strong educational approach in our schools and neighborhoods, sensitizing police personnel and continuing to reduce the stigma related to this crime.

This report draws upon the expertise of many critical thinkers. By means of their perceptions and recommendations, a strategy is developed which, if followed, will prepare the law enforcement profession to lead the way in the next vital step of understanding the crime of female rape, the victim and the offender.

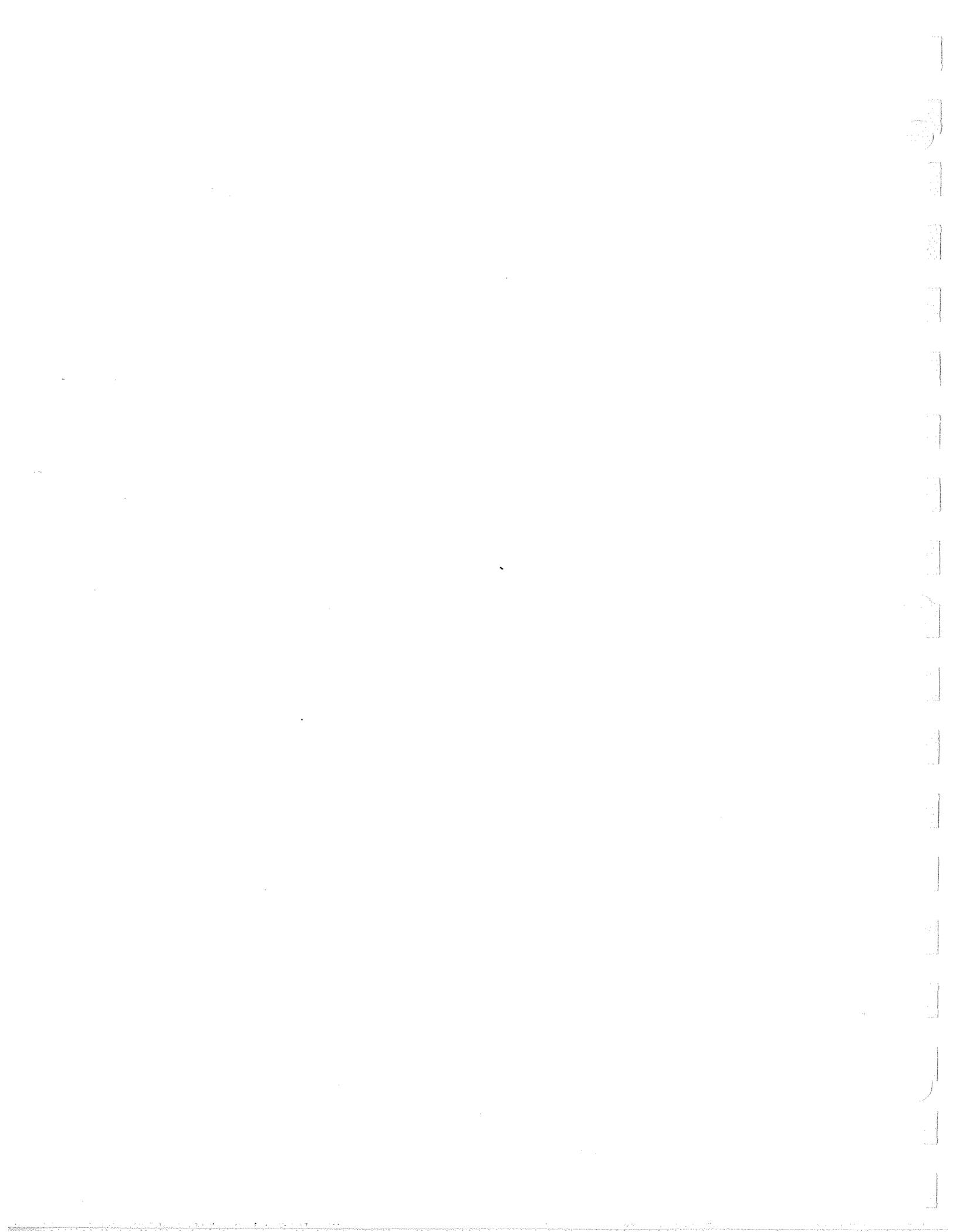


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## METHODOLOGY

### GENERAL OVERVIEW

This project was completed by using the techniques of:

Content Validation

Nominal Group Process

Futures Wheel

Relevance Tree

Trends and Events Forecasting

Cross-Impact Analysis

Literature Scan

Social, Technical, Environmental, Economic and  
Political (STEEP) Method of Research

Brainstorming

Personal Interviews

Surveys

Situation, Mission, Execution, Administration  
and Control (SMEAC) Method of Implementation

Scenarios

Department and Statewide Capability Analysis

Policy Delphi

Critical Mass

### SPECIFIC METHODOLOGY

Four "traditional" and two futures oriented forms of research were used to compile needed information.



## METHODOLOGY

### CONTENT VALIDATION

Statements from well known experts throughout the United States were compared against each other in an effort to compile information which would support other methodology.

### LITERATURE SCANNING

Two computer scans were conducted; one at the University of California at Irvine; one at the National Institute of Justice in Rockville, Maryland. The general topic of female rape has been the subject of numerous articles. Numerous books, periodicals, and journals were obtained from all across America. Most information focused on the past, but through this modern electronic technology, data did become available which validated the trends developed during the Nominal Group Technique.

### NOMINAL GROUP TECHNIQUE

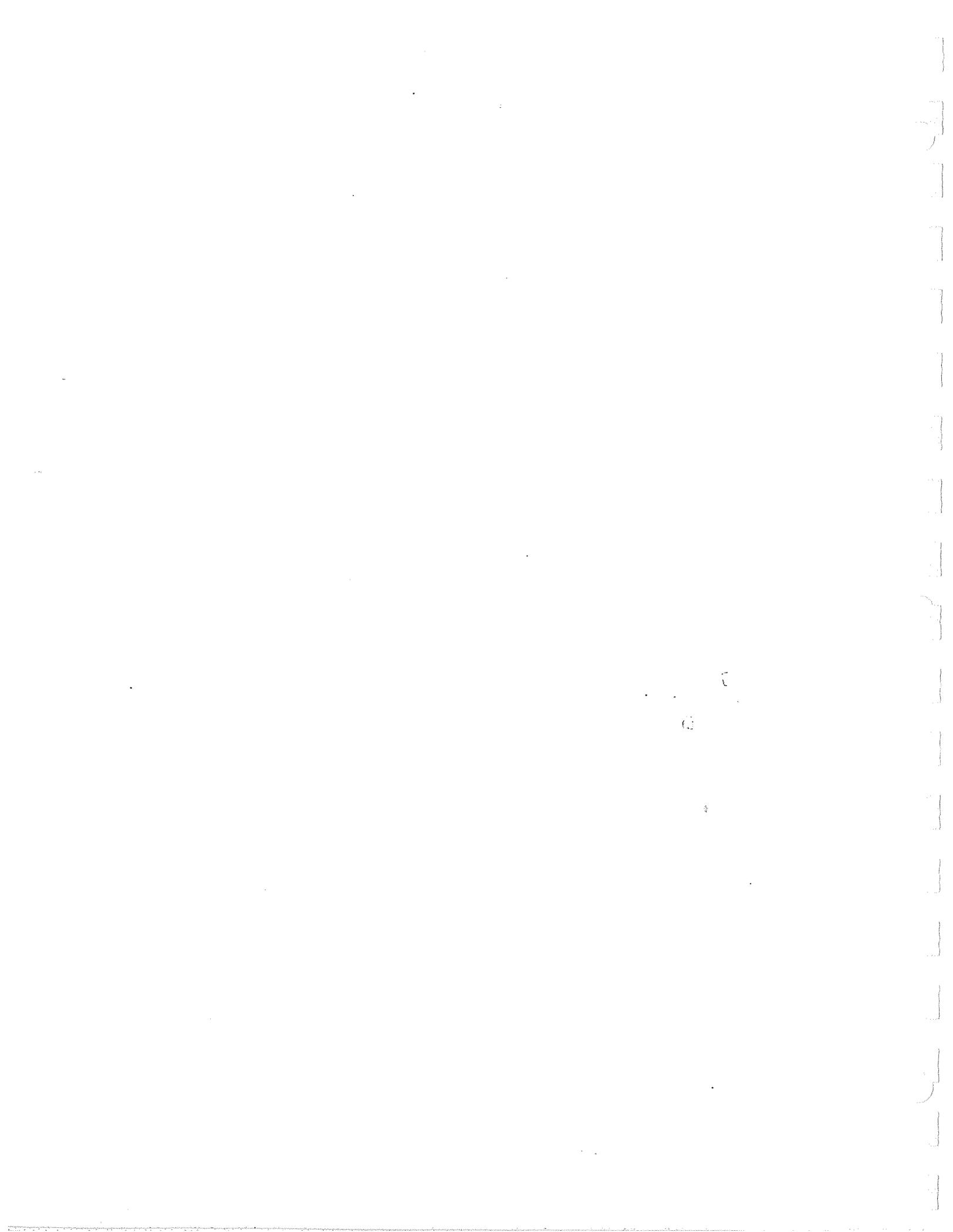
The Nominal Group Technique process involves a group meeting of persons who are asked to use their collective professional experience, insight, and imagination to "brainstorm" future trends and events that may have an impact on the issue. Two meetings were held with executives representing the disciplines of public administration, youth service programs, victim/witness services, the field of education, and law enforcement. The first session involved the Nominal Group process. The next session involved the Policy Delphi.

### POLICY DELPHI

A Policy Delphi was used in the creation of a policy to implement the desired scenario. This process involved submitting a packet of information which contained an updated review of the project and of what had so far been accomplished. The group was then asked to present (and vote for) the possibilities they felt the trends would cause to happen by the year 2000. The literature, Nominal Group and Policy Delphi were all validated by in-depth personal interviews and survey questionnaires.

### PERSONAL INTERVIEWS

A significant number of personal interviews were held with professors, public administrators, and individuals from the judicial system. Their observations and perceptions were compared with available literature. Many of those interviewed are established authors in their own right.



## METHODOLOGY

### SURVEY QUESTIONNAIRES

In an effort to validate the literature, personal interviews, and the trends identified during the Nominal Group process, three separate surveys were conducted. Surveys involved personal contacts and presentations by this author, as well as correspondence by mail. Two surveys were tabulated by hand. One survey, the nation wide questionnaire, was tabulated by coding all responses into the computer donated by the management at the Security Division, Leisure World, Laguna Hills, located in South Orange County. The specific questions asked are included in the Appendix. The survey results are referred to throughout the study.



GLOSSARY OF SPECIFIC TERMINOLOGY

BIOMETRICS - The identification of people through their physical characteristics.

DNA - Deoxyribonucleic acid, biological materials recovered as criminal evidence can provide the means by which the physical make-up of an assailant may be determined.

DEPARTMENT OF JUSTICE - Federal agency which coordinates training with agencies throughout California.

HAZARDOUS DEVICE UNIT - Technical name for Bomb Squad.

ISIS - Acronym for Computerized Input and Search Information Systems.

INVESTIGATOR - Many agencies use the name "Investigator" rather than "Detective", but they are synonymous.

SEROLOGY - The science dealing with the properties and actions of serums.

STATE CRIMINAL JUSTICE OFFICE - Operates in the Attorney General's Office and has similar responsibilities for training and research that the Federal agency Department of Justice does.

TACTICAL SUPPORT - Technical name given to "S.W.A.T.", which means Strategic Weapons Attack Team.



"What Impact Will The Crime Of Female Rape Have Upon California  
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## BACKGROUND

### HISTORY.

The word rape is derived from the Latin word "rapere". It means to steal, seize or carry away. It is the oldest means by which a man seized or stole a wife. In reality, it constituted enforced marriage since a man simply took whatever woman he wanted, used her sexually and brought her into his tribe.<sup>1</sup> Rape was actually conducted under the guise of respectable behavior, rewarding the rapist for the misuse and abuse of women.<sup>2</sup>

The history of rape is seen almost exclusively in terms of women as things, owned by men.<sup>3</sup> Tracing rape back to the Code of Hammurabi and then through Hebrew, Christian and English law, a woman's worth as men's property was measured in terms of her chastity, and rape represented property damage, either wholly so as in ancient Israel, or only partially so as in fourteenth century Venice. The emphasis, in short, is once again on the argument that women were considered as property more than as people. In Susan Brownmiller's, (1975) work on rape, Against Our Will, she states that the status of women during these times was centered on their sexual worth, based on their behavior regarding both consensual and nonconsensual sex.<sup>4</sup>

Eventually the focus of attitudes surrounding rape shifted. The respectability of the rapist was no longer of chief concern; attention, instead, shifted to blaming the victim. This attitude was mentioned as early as 500 B.C.. Herodotus, known as the father of history, noted the abduction of young women was not a lawful act, but it made no sense to make a fuss about it after the incident had already taken place. He said the only sensible thing was to take notice, for it was obvious no young woman would be abducted if she did not want to be.<sup>5</sup>

When marriage evolved into a respectable tribal function, forcible rape became a crime. Women were then perceived as property and were deemed to be of considerable value. If a man desired a wife, he was compelled by tribal law to buy her. As the law existed, women were owned by their fathers. Upon marriage, and following the transfer of a large sum of money, the right of ownership passed from father to husband. Any injury to this "property" was a direct offense against the property owner and a crime against the community and forced sexual intercourse by any other man damaged the woman's worth.<sup>6</sup> This view of rape was based purely on the issue of economics. If a married woman was raped, her husband was the one who was wronged. If she was unmarried, the father suffered since his investment depreciated. In essence, the woman's monetary value determined the crime. Under law a woman had no personal rights and her emotions were discounted.<sup>7</sup> Only the man and his feelings were considered.

In most times and places it has been the privilege of victorious soldiers to indulge in rape in the modern sense of that word. According to legend, many Trojan women were raped by the victors of Troy. The paradox here is the Greeks did not condone this crime and often stoned men to death who committed it.<sup>8</sup> In 1453, the year Constantinople fell, the city's women were attacked by as many as 250,000 Ottoman troops.<sup>9</sup> In more recent times, the 1937 fall of Nanking to the Japanese army resulted in a wholesale rape of its women. This event became known as the "Rape of Nanking".<sup>10</sup>

Early English common law set different punishments for the crime of rape. Justice was administered on the basis of social position, varying with the rank of the rapist and his victim. For example, a man who had intercourse with a maiden belonging to, but not married to, the king had to pay 50 shillings for the rape, but if she was a "slave" the amount was only 25 shillings. If a man raped a nobleman's serving maid, he was fined 12 shillings; a commoner's serving maid was 5 shillings. If a

slave, however, raped a commoner's serving maid, he was castrated and if he raped anyone above that position he was killed.<sup>11</sup> The most ancient statute on the subject of rape is included in the English First Statutes of Westminster in 1275 A.D.<sup>12</sup> This statute made the crime of rape, which had previously been a felony at common law, a misdemeanor and declared that no man should "ravish a maiden within age, neither by her own consent, nor without her consent, nor a wife or maiden of full age, nor other woman against her will".<sup>13</sup> Thirty-four years later, the Second Statute of Westminster reversed its decision and the commission of rape was once again considered a felony, punishable by death.<sup>14</sup>

The earliest American statute concerning rape was passed in 1642 in Massachusetts. The legal definition of rape stated: "1) if any man shall unlawfully have carnal copulation with any woman child under ten years of age, he shall be put to death, whether it were with or without the girl's consent; 2) if any man shall forcibly and without consent ravish any maid or woman that is lawfully married or contracted, he shall be put to death; 3) if any man shall ravish any maid or single woman, committing carnal copulation with her by force, or against her will, that is above the age of ten years, he shall either be punished with death or with some other grievous punishment according to circumstances".<sup>15</sup> It is interesting to note that all three provisions had the same definition, but the punishment varied with the marital status of the victim. This is another reflection of the idea of women as property.<sup>16</sup> If a woman belongs to no man, the damage appears less severe as when she is married or claimed by a man.

As the twentieth century progressed there was little change toward a more balanced perspective. From the early 1900s until the late 1960s, attention was rarely focused on rape victims and their adjustment problems. The perspective served both to express and to reinforce a range of assumptions about male-female sexuality and

roles, about rape victims and their assailants in particular. Victims were assumed by many to be defiled by and responsible for the actions of rapists, who seemed to be exercising, in extremis, a male prerogative.<sup>17</sup> Silence, then, was a socially endorsed form of contempt since it could so easily be mistaken for an expression of protectiveness and pity for these now "fallen" women.<sup>18</sup>

#### SOCIETY AND RAPE TODAY

The societal view of rape has recently been radically altered over the past several years, in large part because of the feminist movement. A focal point of feminist ideology is the reconceptualization of rape from a "sex" crime to a "violent" crime. While the crime is still a sexual act, the emphasis on violence is in the context of a humanistic, feminist view, a critique applicable to men who see violence as a proper means to an end.<sup>19</sup> Rape is seen as epiphenomenal to violence, thus a current demand for police sensitivity and court reform to better assist those who have faced such an ordeal.

The history of rape, thus seems to reflect society's attempts to grapple with the historic differences in status enjoyed by men and women. Laws governing rape, like the laws and regulations of all institutions at any given point in time, are nothing more than manifestations of the prevailing social norms and values. The indifference to women as human beings and the acceptance of subservient, abused roles for them were components of the inherited social climate, not parts of malicious schemes. Traditionally, women took their places as second class citizens without complaining and many women never realized they were without certain rights and liberties. It was only when society changed its broad perspectives on issues like equity, the plight of victims, and human rights generally that it was ready for major refocusing on the crime of rape. Robert "Roy" Hazelwood, one of the nation's leading

authorities on rape, at the FBI academy's National Center for the Analysis of Violent Crime (NCAVC) in Quantico, Virginia states that while rape must be looked upon as a sexual act, it is nevertheless one of the most brutal of all crimes.<sup>20</sup> Rape victims need sustain no physical injury to suffer severe and lasting pain; few crimes are better calculated to leave their victims with lasting psychic wounds.<sup>21</sup> Rape is one of the most feared of all crimes. Only murder ranks higher, as indicated both by the severity of law's sanctions and by studies of the public's ratings of various crimes.<sup>22</sup> If a person regards rape as just an act of sex, his or her overall view of the crime can be seriously distorted, giving the feeling that rape is really something which belongs in the area of morality. If we look upon rape as a violent crime against the person, we can be more disposed to see it as we would view any other aggressive crime, such as robbery, murder and assault.

Despite the "new morality", sex is still a highly emotional issue. All components of society, the victim, family, police, doctors, courts and society in general have difficulty dealing with rape coolly and objectively. Even the most hardened police officer, for instance, often reports difficulty in dealing with a case of rape. The special feeling about sex in our culture are revealed by the fact that, in many states, laws dealing with other crimes differ significantly from laws dealing with sex crimes.<sup>23</sup> For example, a woman carrying a purse is ordinarily not considered to be "asking for" a mugging, but a woman in a short dress is often accused of "asking" to be raped. No other crime has such stringent corroboration rules or requires such blameless character or conduct on the part of the victim. Recent research suggests the intent of the offender is more often aggressive than sexual. This, it is believed, is to prove his own masculinity and invulnerability by scapegoating and degrading the victim.<sup>24</sup> Contrary to popular belief, the average rapist is probably not someone for whom sexual outlets

are unavailable. Often too, the crime may follow a fight with a mother, a girlfriend or a wife and be a displacement of hostility against that woman.<sup>25</sup>

Though it is essentially a crime of violence, assaulted women are usually more damaged psychologically than physically. According to rape crisis therapists, such as Noreen Grella and Debbie Huffman from Orange County Victims for Victims and Social Services, respectfully this statement is true because of the way in which women look at themselves sexually. From their studies and experience, it is the opinion of many therapists that if, in their own eyes and in the eyes of their families, women feel they have lost their pure image the harm can be great.<sup>26</sup> While society considers the assaulted woman as the obvious victim, there are many others adversely affected. Parents of the sex offenders feel guilty and inadequate; they are often angry, sometimes hurt and, on occasion, suspicious that the victim may have somehow encouraged the crime. Brothers and sisters of both participants suffer humiliation and so do their spouses and their children.<sup>27</sup>

#### THE FEELING OF GUILT

When a woman has been raped, she will forever ask herself why she left a social event with someone she never met before, picked up a hitchhiker, or hitchhiked herself; why she did not fight harder; why she did not think of some trick to break away; or why she did not engage in some other act, obvious to her now, which would have prevented the assault. What is even more traumatizing is the fact that other people will bring these subjects up to her. Well-meaning parents, husbands, boyfriends and friends, who are often outraged themselves, feeling the rape as a personal attack on their person, will ask the victim questions trying to solicit some response which will help make this whole "crazy" incident seem a little more

"sane".<sup>28</sup> If the rape happened on a very warm summer evening and the rapist crawled in a window which the victim left partly open to cool off her bedroom, she will be asked why she did not block the window somehow; why she did not realize an open window, even on the second floor is an invitation to an intruder. She will be forced to shamefully admit over and over again that she just did not think about it.

To some extent, it is always true when an accident or crime occurs, it may have been prevented by adequate forethought on the part of the victim. She makes a sudden left turn in traffic, figuring the distance a little too short, and gets hit by another car. She forgets to lock her car and finds someone has stolen her camera out of the glove compartment. She leaves her garage door open and finds a burglar has entered her home through the connecting door and has removed some of her most valuable possessions. In all of these cases, she can chastise herself for being so careless. More finger shaking is added by friends, neighbors and, perhaps, the police who will also point out her lack of security. This chastisement, however, her own and others, is limited to the carelessness which was directly responsible for the crime. No one will imply she was trying to be hit by the oncoming car, or she wanted to lose her camera or her possessions that were inside her home. This is not so with rape. The slightest evidence of avoidability will bring not only the useless question, "Why didn't you.....?", but it will also bring forth smirks, innuendos and sometimes outright accusations that she wanted to be raped.<sup>29</sup>

The victim whose guilt feelings have already brought her ego to an all time low could be devastated by this attitude. Since rape rarely occurs with witnesses, the victim has nothing to rely on but her own insistence, especially if she was not beaten or visibly bruised, that she in no way wanted this horror to befall her. If people closest to

her do not understand, who will? She is obligated to protest her innocence over and over again, even to herself. All this either continues to diminish her ego or engenders an ever increasing hatred and need for vengeance to the person who attacked her, or both. Since the rapist is rarely available to receive her ire, she may let her frustrations out at some man who had nothing to do with the crime or against men in general. The more guileless she is, the more she will resent the need to constantly reaffirm her innocence.<sup>30</sup>

#### MYTHS AND REALITIES

An extensive study of the general problem of rape, entitled Patterns in Forcible Rape, was published in 1971 by Dr. Menachem Amir. The results of his research showed that many beliefs about rape and rapists were only myths. Dr. Amir's work was largely supported by Richard Hardy and Susan Race, (1975), Curriculum on Teenage Rape and Prostitution, and by Thomas McCahill, Linda Meyer and Arthur Fischman (1979), in their book, The Aftermath of Rape. The most recent support for Amir's findings came from the London Rape Crisis Center in 1984. Their findings were published in the book, Sexual Violence, The Reality For Women. One myth Amir dealt with surrounds the belief a rapist does not have an opportunity for sexual release. Research shows many offenders, in some instances as high as 60 percent, lead normal sexual lives with their wives or mates.<sup>31</sup> Finally, Dr. William Pendergast, men's prison physician employed at the New Jersey State Prison, conducted research on antisocial behavior. He reports all of the rapists he has studied had available sexual relationships.<sup>32</sup>

Dr. Amir carried the contradiction of rape a step further, stating those who believe rape is committed by men who are carried away by a sudden uncontrollable surge of sexual desire are wrong. In actuality, rape is not a crime of impulse, but a calculated plan.

That helps us understand why victims are often physically mistreated above and beyond the act of sexual intercourse. The rapist is not just after sex. The fact is, violence and rage are the motivating factors in rape and sex is merely the chosen mode of expression.

Another myth is that most rapes occur in dark alleys or to women who hitchhike. Although a significant number of attacks occur in these situations, over one-third of all rapes are committed by men who force their way into a victim's home.<sup>33</sup> This contradicts those who feel a woman can avoid attack if she locks herself up like a hermit. The age old myth black men rape white women at every opportunity is still perpetuated even though Amir reports in 93 percent of rape cases, both the man and woman are of the same race.<sup>34</sup> Many people are inclined to believe the woman was at fault, that she somehow provoked the attack. This provocation may consist of only a gesture or a way of dressing. Even using this extreme scale, the Federal Commission on Crimes of Violence reports only four percent of reported rapes involve any precipitative behavior on the part of the woman.<sup>35</sup> In some cases precipitative behavior is nothing more than walking and dressing in a way that is socially defined as attractive. Our society lauds women who are beautiful and "sexy" but those unlucky enough to become victims of rape are often condemned.

Much of the available literature states many men in our society believe in a myth that women actually want to be raped.<sup>36</sup> It is inconceivable a woman would wish to be a victim of sexual assault. This does not mean women do not make mistakes; surely everyone sometimes fail to use good judgment. Unfortunately, the rapist interprets the situation and only relates to it in terms of himself and his intentions. Some persons really believe rape is impossible without consent, that a normal man cannot rape a normal woman unless he has assistance. This simply is not true. A woman who does not want to be raped can always prevent it. Frequently, the most ardent

believers of the myth are women themselves. Many people believe "you can't thread a moving needle" or "a woman with her skirt up can run faster than a man with his pants down". With this notion goes the assumption that unless a woman is beaten to a pulp she was not raped. Women are often beaten, but oftentimes submit because they fear for their life if they struggle against the attacker. Most men are physically stronger than most women and the attacker has the advantage of surprise. There have been instances in which experienced policewomen, trained in self defense and emergency situations, have themselves been raped despite all their efforts to resist.<sup>37</sup> In the last few years we have seen a lot of media attention relating to the fact that men have been sexually assaulted by another man and could not fight off the attack.

Among other myths common in our society are the following: if a woman has ever been involved in an intimate relationship with a man, she cannot then claim he raped her; "good" women stay home at night or go out accompanied by a responsible man, only "bad" women go out alone; a woman cannot be raped by a man she has invited into her home, she must have consented to it either verbally or by her actions; nice girls do not get raped and bad girls should not complain; if a woman is calm and rational rather than hysterical and in a state of shock after a rape she is obviously making up the attack; a prostitute cannot be raped; women who hitchhike or wear tight clothing are inviting rape and, in fact, desire it. A close look at all of these myths surrounding rape has found them to be untrue. The double standard society has created between men and women is slowly being swept away, largely due to the raised consciousness brought about by the women's movement. Women are no longer content to believe their fate is governed by the mores and standards of hundreds of years ago. The myths surrounding rape must go as well. Discussions with rape victims, rape crisis workers, interviews with police officers and medical personnel as well as common sense realities in our modern day world show women do not want to be raped.<sup>38</sup>

## FUTURE CONCERNS

Reported rapes have been increasing approximately three percent a year in the United States. In 1960 there were 15,000 reports while by 1976 the number had increased to over 50,000.<sup>39</sup> At that time, a risk rate of twenty-six women being raped per 100,000 existed.<sup>40</sup> Approximately 87,000 reports and a risk rate of 37 per 100,000 existed in 1985; in 1986 over 90,000 reports were made for a risk rate of 38 per 100,000.<sup>41</sup>

No one knows for sure how many actual rapes occur each year. What we do know is the growing awareness that rape as an act of violence has sent shock waves into our communities and into our entire society.<sup>42</sup> As a result, society has been able to see how a single act of violence can affect the human community. The individual, her neighbors, the city or town she lives in, even her state and her country are involved on her behalf. (See Figure 1) Professionals have begun to identify the "ripple effect" of the rape act and to describe its consequences on the victim, on the victim's family, on friends, on the neighborhood in which the incident occurs, on the police who became involved in investigating the crime, on hospitals or mental health facilities attending to the victim's physical and psychic injuries and, ultimately, on the court system who must judge the act.

Ripple Effect of the Act of Rape  
MAP OF GEOGRAPHICAL DEFINITION OF COMMUNITY

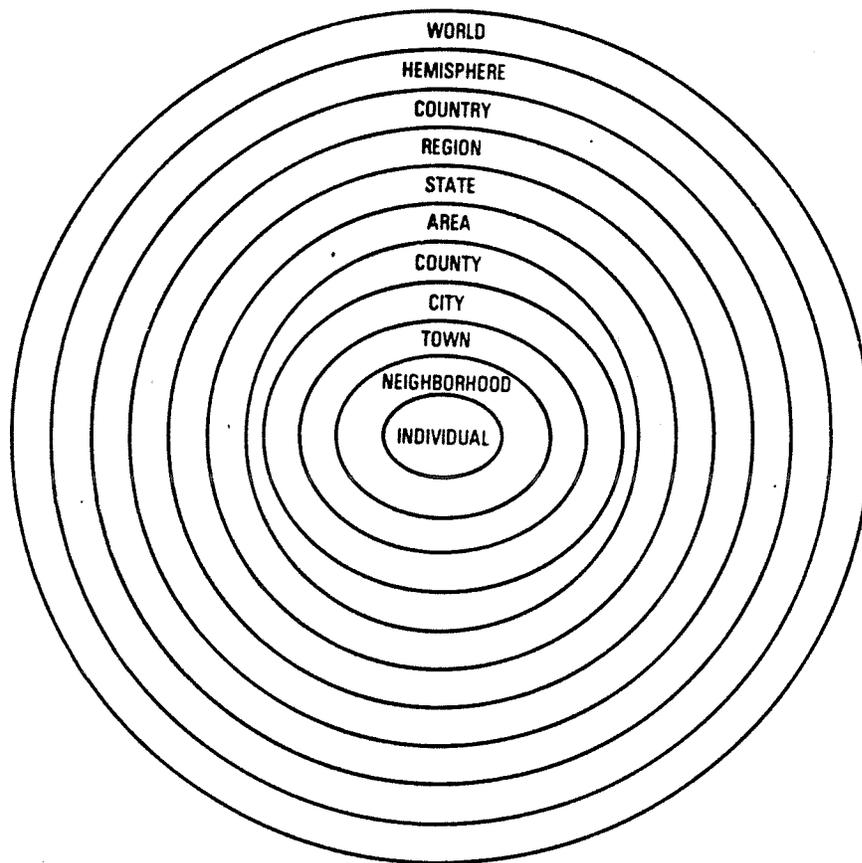


Figure 1

It is clear that increasing familiarity with the circumstances and problems of rape have broadened the perspective of society.<sup>44</sup> At first, in the 60s and 70s, only feminist groups focused their attention on the dilemma of the victim and, as a result of social pressure, were able to make others take notice.<sup>45</sup> Now, as we look toward the future, we see the police willing to accept help from special interest groups, teach prevention and devise special techniques on how to work with victims in crisis. The future will not only see more emphasis on overall training but special investigative squads composed of both policemen and policewomen will be utilized to help reduce the trauma the public now perceives may take place when making a report.<sup>46</sup>

Eduard Ziegenhagan, (1976), in the book Criminal Justice and the Victim, states research shows actual police treatment conforms to expectations of police treatment.<sup>47</sup> Those victims who expect to be treated better or worse than, or the same as, others, report the police actually treat them in such a manner.<sup>48</sup> The feeling law enforcement and related professions are becoming sensitized to rape has, along with the "ripple effect", increased the confidence individuals have in the belief they will be treated with dignity and understanding if they report the crime. In the near future, by 1992, police, hospital personnel and court staff will be regularly resensitized to the suffering of victims.<sup>49</sup> There will also be emotional support for these personnel to help them deal with their own feelings.<sup>50</sup>

Sensitivity will also continue to be a very important issue in the area of technology. As "biometrics", the identification of people through their physical characteristics, becomes a reality, or "DNA fingerprinting", matching evidence found at a crime scene increases the chances a suspect will be caught, or the ability to lift a fingerprint off of skin is widely used, victims will feel comfortable

in making a report so the offender will not have the opportunity to strike at someone else. If, due to sensitivity training, the public believes those who handle their case can truly sympathize with their plight, reports will continue to increase. If, on the other hand, the perception falls back to pre-60s, it will seriously stifle the technological advances to vital to arrest and prosecution.

As the long range future unfolds, between 1993 to 1997, not only women and the police, but doctors, lawyers, parents, school administrators, just to name a few, will have become more aware of what rape is all about. The more information, better training, less stigma, the better chance to deal with it and, hopefully, prevent it. Rape is a sexual act only because sex organs are involved. Its true nature reveals itself by violently humiliating a victim who happens to be vulnerable and handy at the time. It is really the ultimate invasion of privacy.<sup>51</sup> It is also still terribly misunderstood.<sup>52</sup> Too many people think if women wore longer skirts and looser clothing everything would be okay. They should know that recently, during a one year period of time, the majority of rape victims in Chicago wore turtlenecks and slacks, hardly seductive attire.<sup>53</sup> When women understand rape is violent they will take rape prevention more seriously. When the community as a whole has a better understanding of the crime of rape they will be able to deal with the victim with more compassion thus affecting a major change for the better. Future technology will become a reality including the increased validity of criminal profiling. The Survivor's Bill of Rights will happen and police sensitivity training will occur in every academy and advanced training session throughout the state of California.

THE NOMINAL GROUP PROCESS

Futures Wheel/Relevance Tree Using the Brainstorming Technique

Five police managers assisted this author in developing a futures wheel and subsequently focused topic to be submitted as a proposal for study. (See Figure 2) The objective was to select a topic of study from the issue of increasing violent crime. Many different possibilities were presented. The subject of female rape was selected. The original proposal suggested a topic covering all sexual assaults. This subject was too broad and the futures wheel allowed for much narrower focus.

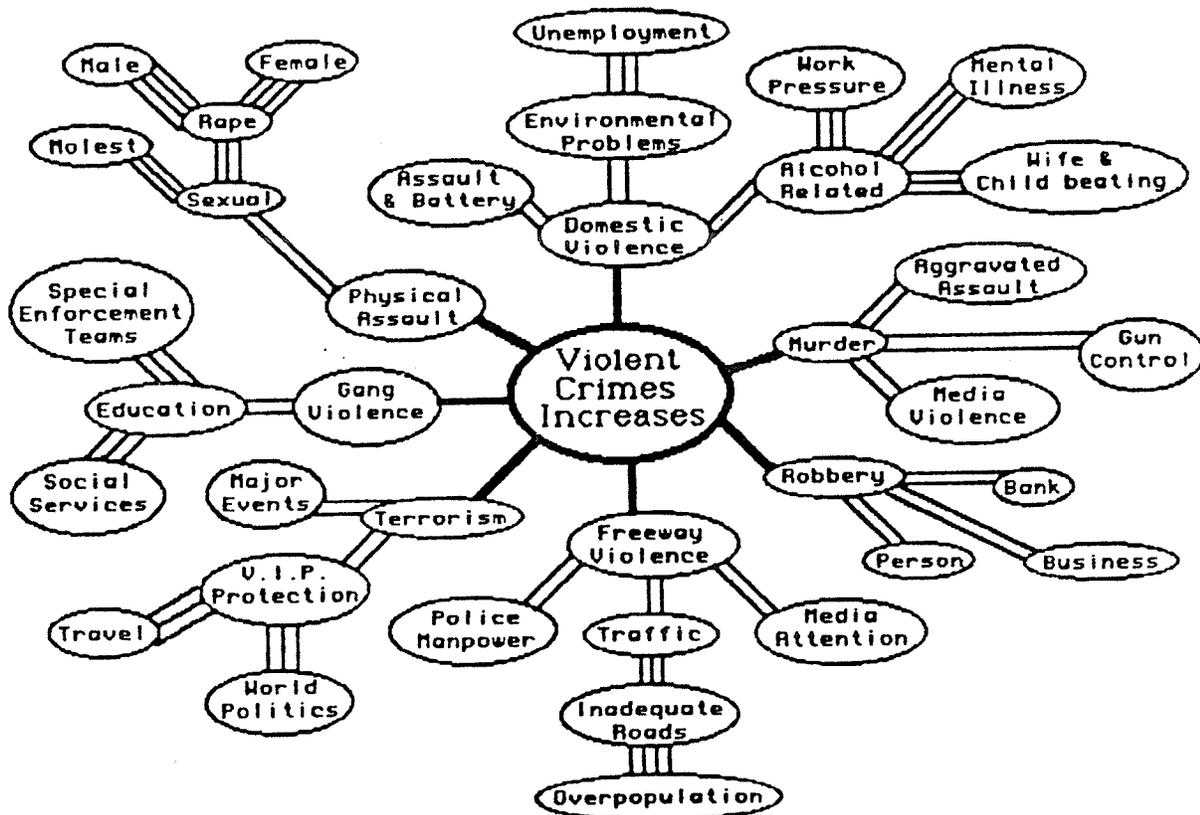
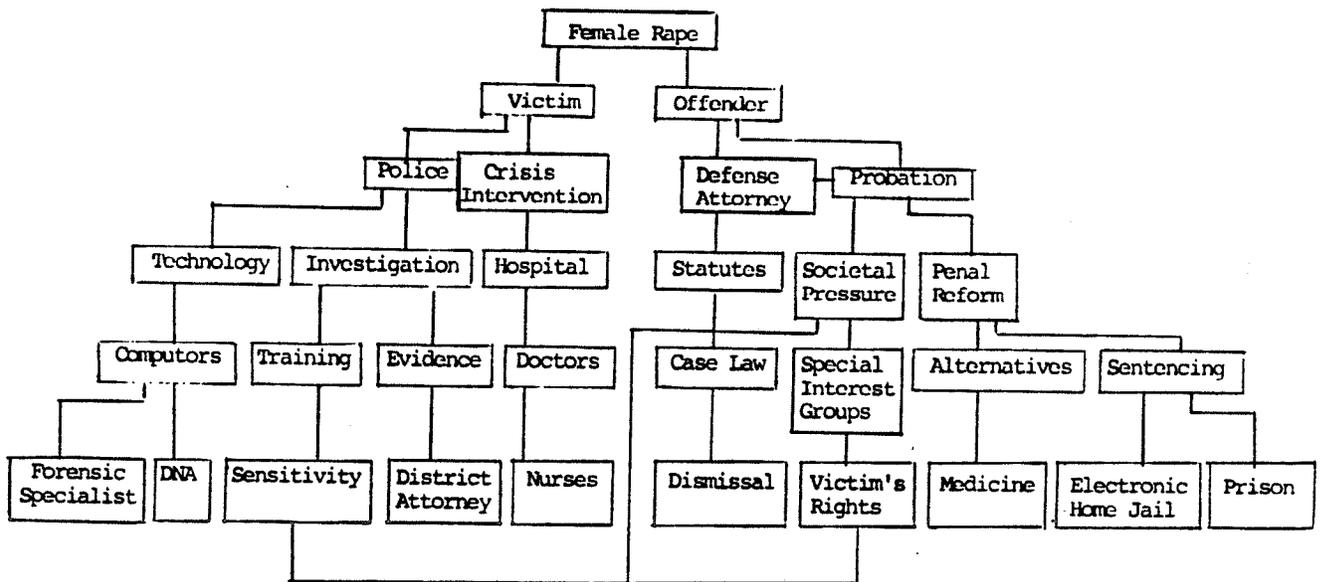


Figure 2

Nine people from the areas of education, law enforcement, victim/witness services and youth service programs were then invited to participate in two group meetings to "brainstorm" current trends and critical future events which may influence the issue: the crime of female rape and its impact on California law enforcement by the year 2000. There were five women and four men joined together as a nominal group. One woman, representing the Orange County Community Service Program, also has a background in law and public administration. One woman, from the Orange County Victim/Witness Program, has a background in sexual assault. One woman is a teacher and chair of a municipal advisory board for a city of 70,000 people. One woman, a police officer, is a sexual assault investigator. All four men have police backgrounds; two are chiefs, one is a lieutenant, one is a sergeant. All have training, research and public administration backgrounds.

Each participant was contacted individually and given a complete overview of the Command College, its goals and the "NGT" process. The group was asked to be prepared to offer general and specific trends occurring in their respective professions and in society which will have an impact on the issue and the future. They were also asked to generate a list of possible future events.

As the first meeting got underway the members were well prepared and immediately started offering suggestions to help develop a relevance tree. (It is shown in Figure 3.) This procedure helped develop a list of related topics, many of which eventually surfaced as the transition to identifying trends took place.



Female Rape Relevance Tree

Figure 3

## TRENDS AND EVENTS

This exercise helped set the stage to put together a list of 60 emerging trends and 24 possible events. At the conclusion of each brainstorming session, a discussion session was held to answer any questions and clarify any of the ideas offered. The group was instructed how to "vote" individually and privately for the five trends and five events each individual felt were the most significant. At the conclusion, each person graphed his opinion of the expected value of each of the future trends and the probability of occurrence of each of the events.

The group met twice and was able to help compile the results and the creation of the event evaluation form and the cross-impact analysis.

The five trends the group believed would have the most significant impact on the future are:

### Social

All police officers will be exposed to sensitivity training.

### Technical

There will be specialized sexual assault teams designed specifically to assist victims and use modern technology to obtain critical evidence.

### Environmental

There will be a stronger educational approach, including interagency cooperation, rape prevention, and media attention to deal with attitudes and behavior that currently prevail in society.

### Economic

There will continue to be reduced funding while demand for services is increasing.

### Political

There will be legislation which will change the wording in penal statutes, official reports, court proceedings and sexual assault

details, thus helping to eliminate the stigma of the word rape. The group was asked to graph the level of impact of each of the five trends, estimating what the impact "will be" and "could be" by the year 2000. A median level of the projected impact was determined for each trend.

Figure 4 shows the trend of sensitivity training for police officers. The group predicted a nominal change of 300 percent by the year 2000 in comparison to the impact experienced in 1980.

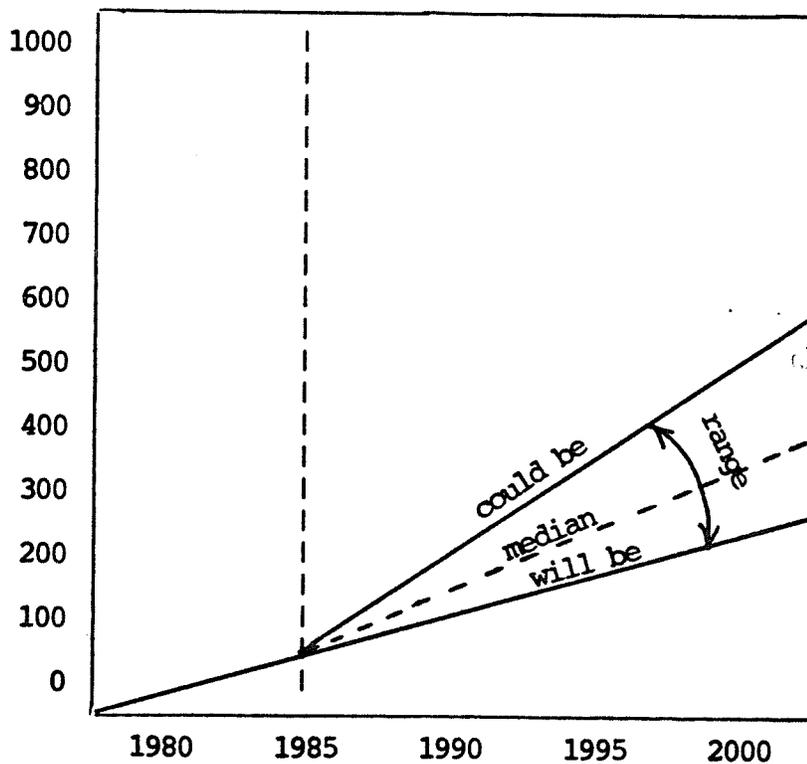


FIGURE 4

Figure 5 shows the trend of specialized sexual assault teams designed specifically to assist victims and use modern technology to obtain critical evidence. The group predicted a nominal change of 400 percent by the year 2000 in comparison to units of this type available in 1980.

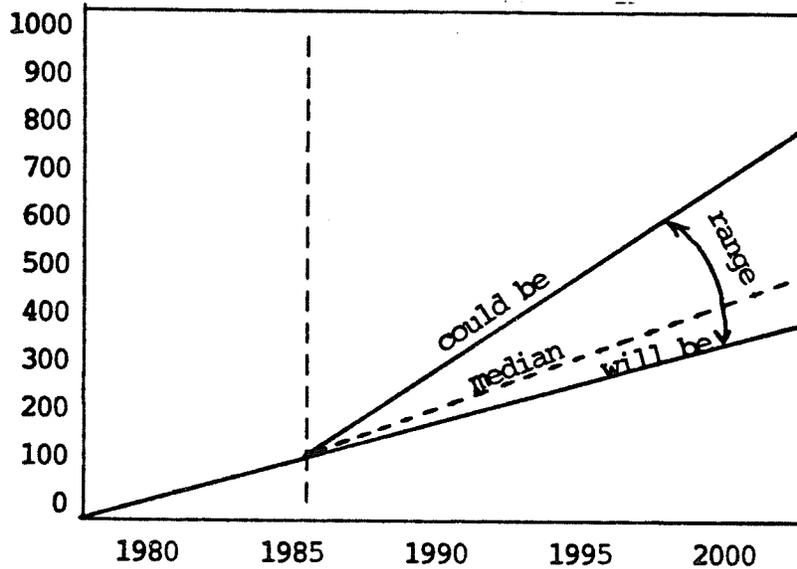


FIGURE 5

Figure 6 shows the trend of a stronger educational approach, including interagency cooperation, rape prevention and media attention to deal with attitudes that currently prevail in society.

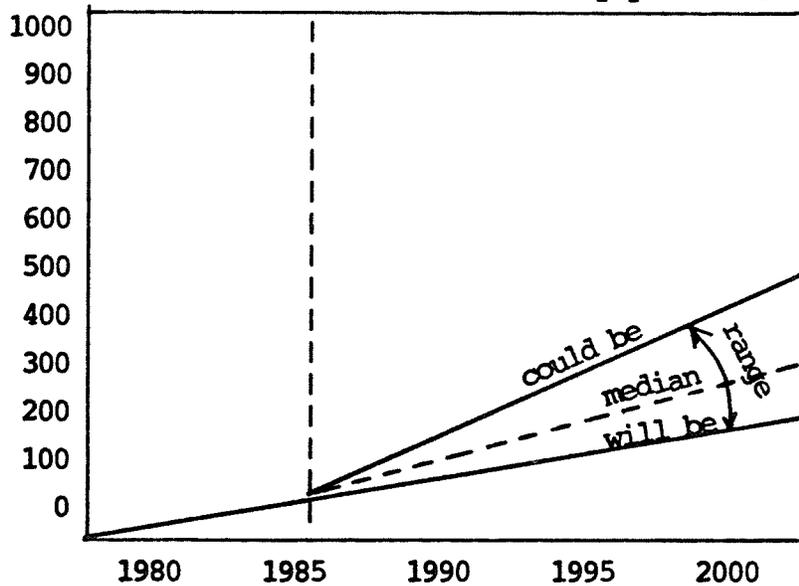


FIGURE 6

Figure 7 shows the trend of a continued reduction of funding while demand for services increases. The group predicted a nominal change of 200 percent in comparison to available funds and calls for service in 1980.

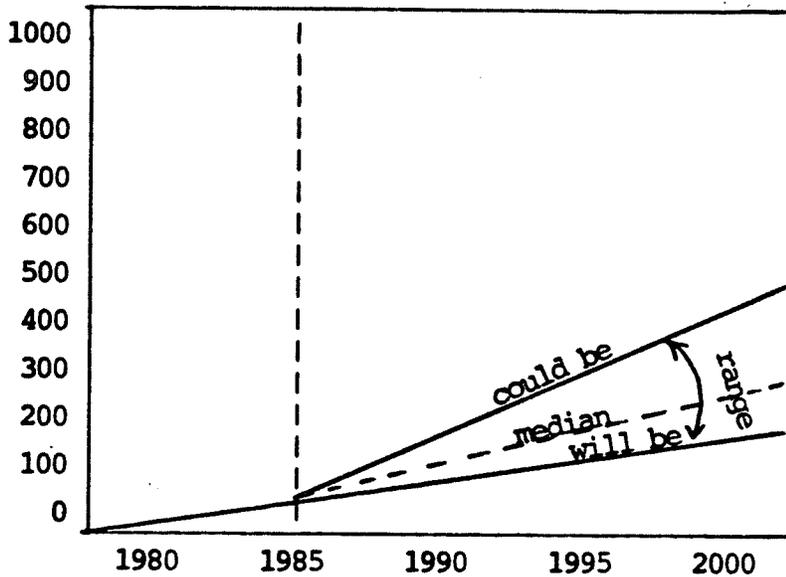


FIGURE 7

Figure 8 shows the trend toward legislation which will change the stigma identified with the word rape. The group predicted a nominal change of 100 percent in comparison with the reality of this trend coming true in 1980.

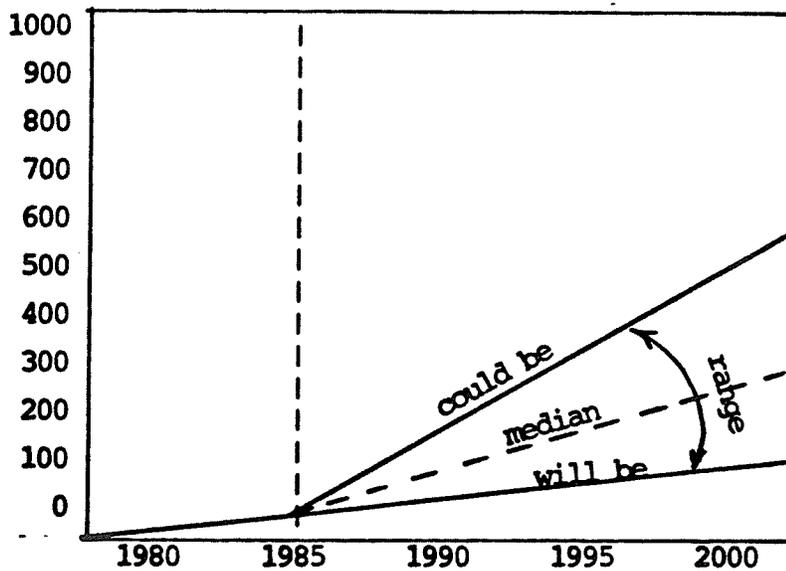


FIGURE 8

The five most significant critical events identified by the group are:

1. Rape survivors Bill of Rights legislation passes.
2. Cure for AIDS found.
3. P.O.S.T. mandates sensitivity training for all sworn personnel.
4. No parole for convicted sex offenders becomes law.
5. New technological discoveries lead to breakthrough in identifying suspects from evidence obtained from their victims.

The group assigned numerical figures to each indicating the probability of the event taking place by the years 1995 and 2000. Table 1 shows the median probabilities the event will occur and the median numbers for the net impact of the event as it applies to law enforcement.

Table 1

EVENT STATEMENT	PROBABILITY		NET IMPACT ON THE ISSUE AREA -10 TO +10	NET IMPACT ON LAW ENFORCEMENT -10 TO +10
	By 1995	By 2000		
	0 - 100	0 - 100		
Survivors' Bill of Rights legislation passes	50	70	+8	+10
Cure for AIDS found	60	80	+5	+4
P.O.S.T. mandates sensitivity training for sworn personnel	50	50	+10	+10
No parole for convicted sex offenders becomes law	20	30	+5	+5
New technological discoveries leads to breakthrough in identifying suspects from evidence obtained from their victims.	50	70	+5	+7

Table 2

Cross-Impact Graph  
(Probability of Occurrence by the Year 2000)

Suppose this event actually  
with this nominal probability.....How would the probability of the events shown below be affected?

		TRENDS									
		E1	E2	E3	E4	E5	T1	T2	T3	T4	T5
E1	70%	X	No effect	Increase to 70%	Increase to 50%	No effect	Increase 20%	Increase 20%	Increase 30%	Decrease 10%	Increase 50%
E2	80%	Increase to 80%	X	Increase to 60%	Decrease to 20%	No effect	No effect	Increase 5%	Increase 5%	Decrease 20%	No effect
E3	50%	Increase to 80%	No effect	X	No effect	No effect	Increase 100%	Increase 10%	Increase 10%	Increase 5%	Increase 10%
E4	30%	Increase to 80%	No effect	Increase to 60%	X	No effect	Increase 20%	Increase 20%	Increase 10%	Increase 5%	Increase 10%
E5	70%	Increase to 80%	No effect	Increase to 70%	No effect	X	Increase 10%	Increase 30%	Increase 5%	No effect	Increase 5%

percent chance  
of occurrence

- Event 1 - Survivors' Bill of Rights 70%
- Event 2 - Cure for AIDS 80%
- Event 3 - P.O.S.T. mandated sensitivity training 50%
- Event 4 - No parole for convicted sex offenders 30%
- Event 5 - New technological discoveries 70%
- Trend 1 - All police officers undergo sensitivity training
- Trend 2 - Specialized sexual assault teams
- Trend 3 - Stronger educational approach
- Trend 4 - Reduced funding/increased demand
- Trend 5 - Stigma elimination

### Analysis of the Cross-Impact Evaluation

Placing the events and trends in a grid framework allows the reader to draw some conclusions about their inter-relatedness, specifically the impact that one event may have if it were to occur.

#### Event to Event Cross-Impact

1. If a Survivors' Bill of Rights were to become law it will have no effect in increasing or decreasing the possibility of a cure for AIDS.

The bill will increase the chance of P.O.S.T. mandating sensitivity training for all sworn personnel from 50 percent to 70 percent. This will occur because the use of video testimony, no victim identification to public, and the victim's right to a "speedy" trial will increase rape reports significantly. The potential for more women to become witnesses, thus the probability of more convictions, means the first responder must set the stage for a system of quick response and understanding.

This bill will increase the probability of no parole for convicted sex offenders from 30 percent to 50 percent. The popularity and subsequent success of the Survivor's Bill of Rights will help special interest groups obtain support for their cause to make a conviction for sexual assault a no parole offense.

If legislative action takes place which will cause the Victim's Bill of Rights to become law, the nominal probability of technological discoveries leading to a breakthrough in identifying suspects from evidence obtained from their victims will not be affected.

2. If a cure for AIDS is found, the nominal probability for the Victim's Bill of Rights legislation to pass will increase from 70

percent to 80 percent. This will happen, of course, because once a cure for AIDS is announced there will be an immediate increase in social activity, such as single bars, dating and casual sex. There will be many more women for the rapist to choose from. Reports of rape will rise considerably; more rapes, more witnesses and more support for the Survivors' Bill of Rights.

Like the Survivors' Bill, the cure for AIDS will increase the incidents of rape, thus increasing rape investigations. This, in turn, will increase the probability of P.O.S.T. mandating sensitivity training for all sworn personnel from 50 percent to 60 percent.

If a cure for AIDS is found, sexual promiscuity and the singles scene will return. The probability of no parole for convicted sex offenders will then decrease from 30 percent to 20 percent. When more rapes are reported and more witnesses are willing to testify due to the Survivors' Bill of Rights and sensitivity training, more suspects will go to prison. No parole will mean additional crowding in what is already an overcrowded penal system.

If a cure for AIDS is found it will have no effect on increasing or decreasing the possibility of a new discovery to identify suspects from evidence left with the victim.

3. If P.O.S.T. mandates sensitivity training for all sworn personnel, the nominal probability for the Survivors' Bill of Rights to become a reality will increase from 70 percent to 80 percent. This will occur because the same special interest groups who helped put through the P.O.S.T. mandate will now be able to concentrate fully on passage of the Survivor's Bill of Rights. They will be able to argue that, as the new training becomes a positive factor in getting women to report rape, it is imperative the judicial system be changed so once a victim makes a report she will continue to testify

and thus help increase prosecutions.

P.O.S.T. mandating sensitive training will have no effect on increasing or decreasing the cure for AIDS, no parole for convicted sex offenders, or a new technology leading to the breakthrough in identifying suspects.

4. If the event of no parole for convicted sex offenders becomes law, the nominal probability of a Survivor's Bill of Rights becoming law will increase from 70 percent to 80 percent. If there are enough votes in the legislature to make no parole a law, it is reasoned the same politicians will be persuaded to support the Survivor's Bill.

No parole for sex offenders will have no effect on increasing or decreasing the cure for AIDS. It will increase the probability of P.O.S.T. mandating sensitivity training from 50 percent to 60 percent. No parole means more rape reports. More rape reports mean more investigations and thus more officer contacts. It will be important for victims to continue to be willing to prosecute. No parole for offenders and sensitivity training will have such an affect.

The event, no parole for sex offenders, will not increase or decrease the probability of a new discovery leading to a breakthrough in identifying suspects from evidence obtained from their victims.

5. The event of new technological discoveries leading to a breakthrough in identifying suspects from evidence obtained from their victims will change the probability of the Survivor's Bill of Rights legislation passing from 70 percent to 80 percent. Victims will report the crime because they will realize there is a good chance the suspects will be caught. The legislature will be influenced by this discovery and the increase of victims willing to testify.

New technology will not increase or decrease the probability of a cure for AIDS. The procedure will affect P.O.S.T. mandated sensitivity training by increasing its probability from 50 percent to 70 percent. This will occur because of an increase in victims willing to report and prosecute their assailants.

The new technology leading to a breakthrough in identifying suspects will have no effect on increasing or decreasing the possibility of no parole for convicted sex offenders.

EVENT TO TREND CROSS-IMPACT

1. If the event, Survivors' Bill of Rights legislation, passes and it will cause a plus 20 percent impact on the trend of all police officers being required to undergo sensitivity training. Once the Survivor's Bill of Rights becomes law, the increase in rape reports will once again raise the consciousness of the American public. There will be increasing pressure to do everything possible to treat the victim with dignity, while, at the same time, obtain as much information and evidence as possible. The willingness of victims to report and, once the suspect is in custody, to prosecute will mean every contact must be as professional as possible. Sensitivity training for first responders, investigators and supervisory personnel will be imperative.

The Survivors' Bill of Rights will increase the trend of specialized sexual assault teams designed specifically to assist victims and use modern technology to obtain critical evidence by 20 percent. Just as there are now strategic weapons teams and hazardous device (bomb) squads to handle those incidents requiring specific expertise, public pressure to have tactical units available to handle extremely serious cases or a series of violent attacks will help this trend become a reality.

The event of a Survivors' Bill of Rights becoming law will increase the possibility of a stronger educational approach, including interagency cooperation, rape prevention, and media attention to deal with attitudes and behavior by 30 percent. Special interest groups will rally around law enforcement's effort not only to educate its own ranks but also help to develop an awareness throughout the community about the crime of rape and what is being done to help prevent and properly investigate it. Social service agencies and the district attorney's office will be a significant help in this effort. The Survivors' Bill of Rights will cause a 10 percent decrease in the trend of reduced funding occurring the same time a demand for services is increasing. The Bill of Rights will be such a popular issue the public will be willing to increase taxes just to pay for services which will help educate, investigate and prosecute.

The Survivors' Bill of Rights will increase the trend of legislation to change wording in penal statutes, reports and sexual assault details, thus reducing or eliminating the stigma identified with the crime of rape by 50 percent. The political support mustered by special interest groups to get the Bill of Rights into law will carry over into future committee debates and since the issue impacts the feelings of not only victims but those who may become victims, it will easily become law.

2. If the critical event, a cure for AIDS occurs, it will have no plus or minus impact on the trend of sensitivity training for all police officers. It will increase the trend for specialized sexual assault teams by five percent. A cure for AIDS will increase social activity and, as a result, more cases of rape will be reported.

A cure for AIDS will increase the probability of the trend for a stronger educational approach by five percent. Again, this event will increase dating and other social activities and, in turn, more

rape will occur. Education, prevention and better interagency cooperation will result.

Once a cure for AIDS is found, the tremendous cost for research, special housing and insurance will gradually be reduced. Citizens will be willing to change their focus on other priorities, thus the impact of reduced funding will be decreased by 20 percent.

The cure for AIDS will have no significant impact on changing the wording in the statutes which will help eliminate the stigma of the word rape.

3. The occurrence of the event, P.O.S.T., mandates sensitivity training for all sworn personnel, will increase the trend of all police officers being exposed to sensitivity training by 100 percent. The trend will now be a reality. This same event will increase the trend of specialized assault teams by 10 percent. The increase in trained law enforcement personnel will allow victims to feel more comfortable in reporting. The knowledge someone is trying to help will allow people to get involved, to be witnesses and prosecute offenders. The ability of special teams to interview victims, profile, seek out and arrest suspects will be greatly enhanced by the public's willingness to become involved.

Sensitivity training will increase the trend for a stronger educational approach by ten percent. Once sensitivity training is publicized, the issue of rape will become prominent in the news. Interagency cooperation and the willingness for law enforcement to accept support from rape assistance groups and social service agencies will help set the stage for rape prevention programs in high schools, colleges and civic groups.

P.O.S.T. mandated sensitivity training for all sworn law enforcement personnel will increase the trend of reduced funding while demand for

services increase by five percent. Much of the training will be absorbed into current basic academy curriculums, but other training, especially for investigators and supervisors, will require a slight increase of funding.

When sensitivity training becomes a reality, it will address the moral issue of rape and thus impact the trend toward rewording of rape statutes by an increase of ten percent. The issue of the stigma of rape is very much bound up with the issue of sensitivity, meaning there is more to investigating this crime than merely taking a report. Communication, including body language, for example, plays an important role in treating the victim fairly while at the same time obtaining vital information. Any assistance, including the use of the word survivor, rather than rape victim will be of great importance.

4. Occurrence of the event, no parole for convicted sex offenders, will increase the trend of sensitivity training for all police officers by 20 percent. Media attention about sexual assault and the rape trauma syndrome will precede this event. Once in place, no parole for sex offenders will significantly increase the willingness of victims to come forward and testify. It will be expected that first and subsequent contacts by police must meet every standard of professional ethics.

No parole for sex offenders will increase the trend for specialized sexual assault teams designed specifically to assist victims and use modern technology to obtain critical evidence by 20 percent. Much of the success of these teams will be due largely to the amount of publicity about the crime of rape before no parole became law. Once the event takes place women victims, as well as witnesses from both sexes, will more readily get involved. Citizens in general will support the team effort and be much more willing to testify against

assailants.

No parole for sex offenders will have a ten percent increase on the trend of a stronger educational approach, including interagency cooperation, rape prevention and media attention to deal with attitudes and behavior that currently prevail in society. Again, the publicity rendered prior to the no parole decision will have made a strong impression on the public at large. There will be widespread support for rape victims. This concern will affect agencies which are devoted to increasing awareness, prevention and arrests of offenders.

Rape is a felony. Convicted rapists will be housed in state prisons. This means an increase in the cost of running the penal system and this occurrence thus increases, by five percent, the trend of reduced funding while demand for service continues to rise.

Women's groups have long argued the word rape brings with it connotations of shame and degradation. They would much rather have society think of them as survivors, victims of an attack over which they had no control. If no parole for the individuals who commit these attacks becomes law, it will increase the trend to reduce such stigmatization by ten percent.

5. Occurrence of the event, new technological discoveries, leads to breakthrough in identifying suspects from evidence obtained from their victims; it will increase the trend toward sensitivity training for all police officers by ten percent. The increased likelihood of the suspect being arrested if the crime is reported will significantly increase rape reports, thus also increase the demand for officers to be in control, confident, aware of verbal and body language communication, and sensitive to the victim's feelings and needs.

New technology will increase the trend for specialized sexual assault teams by 30 percent. The special teams will be made up of not only well trained law enforcement personnel, but doctors, nurses and social workers using the latest state of the art equipment and techniques. The feeling someone cares and something will be done will increase victim's willingness to report and to presecute.

New technology will increase a stronger educational approach by 5%. With continued efforts toward profiling and as the country learns about the possibility of obtaining fingerprints off of another person's skin, or positively matching hair samples to a specific individual, or identifying a suspect by his perspiration or semen, demands for awareness and prevention programs will increase dramatically.

The trend of reduced funding while demand for services increases will not decrease or increase if the event of new technology takes place. There will be a five percent increase in eliminating the stigma of rape.

As new methods of investigation and training emerge, more knowledge about the subject will be known, politicians will be more likely to agree with special interest groups and change the wording of penal statutes.

## RESEARCH

### REVIEW OF LITERATURE

#### Social

It is universally recognized that the number of rape offenses reported is not a true picture of the number of rapes which have actually occurred. During the 1960s when the consciousness of rape began to surface, it was estimated that only one in ten forcible acts of rape were reported. Dr. Menachim Amir, who was briefly discussed in the background section of this report, in his book, Patterns in Forcible Rape, suggested in 1971 that 25 percent of all rapes were reported at that time.<sup>54</sup> Sylvana Tomaselli and Roy Porter, (1986), in the book simply titled Rape, state there is a perception the police lack the proper sensitivity to properly interview victims and this is one major variable which keeps reporting low. One ascertains from this book, however, as more training takes place and improved relations between victims and the police prevail, increased reporting will result. The United States National Crime Survey (NCS), for instance, estimated that 50 percent of forcible rapes were reported to the police.<sup>55</sup> This estimate is considerably higher than that reported by Amir. Unfortunately, the latest research indicates still only 50 percent of sexual assaults are ever formally investigated.<sup>56</sup> A major problem, therefore, still exists. Attitudes and behavior of police about sexual assault is one area of concern that needs to be improved.<sup>57</sup>

Carmen Germaine Warner, (1980), Rape and Sexual Assault, Management and Intervention, states that although training has improved, barriers between victims and the police still exist. According to Warner, these barriers often hinder rape investigations and contribute to the trauma experienced by the victim. Important barriers are the police officer's lack of knowledge, misperceptions, and negative personal feelings.<sup>58</sup> Calm, unemotional victims are

sometimes viewed with suspicion or doubt by some officers. It is not unusual however, for many victims to respond with shock and rather quiet denial in extremely stressful situations.<sup>59</sup> Warner states sensitivity training can help an officer become aware of the myths surrounding rape so there is no chance of personal feelings to color the officer's evaluation of rape cases.

In many cases officers have developed their feelings because of negative experiences in handling rape cases. False reports, for instance, do occur.<sup>60</sup> Some victims may not be willing to press charges or may allow days, or even weeks, to pass before reporting a rape. These experiences are frustrating to a police officer and sometimes result in the adoption of cynical attitudes.<sup>61</sup> These negatives must be overcome, however, as most reports are not false and late reports do not negate the fact a rape occurred.

In their book, The Second Assault, Rape and Public Attitudes, Joyce Williams and Karen Holmes (1981), draw attention to sensitivity training not only for police but for district attorneys, doctors and nurses as well.<sup>62</sup> One critical area discussed involves basic communication skills and body language. Victims often feel hospital staff members, surprising as it may sound, do not understand what emotional trauma they are experiencing.<sup>63</sup> This may not be accepted with the police, but it can be more understood in that arena than in a medical treatment setting. Another area of concern discussed in the book is the problem of not apprising the victim of what is taking place. In many instances, the simple procedure of first responder explaining why certain questions are being asked, what immediate steps will take place and what follow up action will occur is not being done. This "information gap" must be closed if law enforcement is going to be successful in helping disperse the stigma of rape, get everyone to report the offense and, in turn, make an impact on this crime in society by not only arresting the assailants but by finally

getting a handle on how many actual assaults are taking place.

Judge James Morris, (1983), who wrote the book, Victim Aftershock, believes the improvement in attitudes toward the crime of rape have, in fact, encouraged rape victims to report their attacks.<sup>64</sup> These reports have increased arrests. Due to increased reporting, police now apprehend approximately 48 percent of forceable rapists in this country.<sup>65</sup> Morris makes it clear that law enforcement, the judicial system in general, must continue to try and understand what the rape victim has gone through.

Michael Tonry and Norval Morris, Crime and Justice, 1983, state many injuries in rape attacks are sustained by battering as the offender tries to subdue a struggling victim. Some injuries occur when the rapist vents his anger or when he uses force to enhance sexual satisfaction. Tonry and Morris spend a great deal of time discussing this trauma, education, awareness and sensitivity. There are cases, even when physical injury is not present, when victims, prepared to submit, are subjected to gratuitous insults and other psychological humiliations.<sup>66</sup> This book, and the literature in general, states there is an ever increasing awareness to these cruelties and some improvement, especially by law enforcement, to seriously attempt to be more sensitive. The hypothesis is this compassion will increase reports, arrests and, ultimately, convictions because victims will no longer be apprehensive in coming to authorities.

#### Technical

In looking to future technology, the booklet, Electronic Latent Print Detection, by Edward German, (1985), is one of the most current documentaries. Latent fingerprints are the most dynamic physical evidence known to exist.<sup>67</sup> Dramatic scientific advances in latent print development techniques have greatly enhanced the future capability to recover crime scene latent prints. These techniques

include laser technology, development of latent prints on human skin and latent print computerization.

The value of the laser is credited to Dr. E. Roland Menzel of the Xerox Research Centre of Canada, who in 1976 developed this means of detecting latent prints.<sup>68</sup> Research was conducted by the F.B.I. at their various laboratories and, in 1978, this organization went on record recommending its use. At first, in its infancy, the laser received only limited use. Then important breakthroughs started to develop. One of the most dynamic illustrations of the laser's value occurred in 1982. On August 13, 1984, Valerian Trifa, the former archbishop of the Romanian Orthodox Church of America, departed the United States for Portugal. His departure culminated more than nine years of litigation to strip him of his U.S. citizenship and deport him from this country. Trifa's fate was brought about by sophisticated laser technology utilized by the FBI.

Trifa was born on June 28, 1914 in Campeni, Romania. He entered the United States on July 17, 1950 from Italy. In 1952 he was consecrated as a bishop of the Romanian Orthodox Church of the United States and in 1957 he was naturalized as a U.S. citizen. In 1975, the U.S. Department of Justice instituted deportation proceedings against Trifa, alleging he concealed material facts in obtaining his U.S. citizenship. It was alleged in 1941, while in Romania, Trifa was a major figure in the violent fascist and anti-Semitic Romanian Iron Guard and he was responsible for the deaths of thousands of Jews in Romania. He reportedly received protection from the Nazis from 1941 to 1944.<sup>69</sup>

In May, 1982, at the request of the U.S. Government, the West German government, through its embassy in Washington, D.C., made available to the FBI's Identification Division certain documents for latent

fingerprint examination. One such document was a postcard dated June 14, 1942, allegedly authored by Trifa and addressed to Heinrich Himmler, one of Hitler's close associates and a top Nazi official. Trifa emphatically denied authoring the document. The West German government insisted that examination of the document not in any way deface or alter its condition. By using laser technology, a latent impression of a left thumbprint was developed on the postcard and, subsequently, identified as being placed there by Trifa.<sup>70</sup> Based on this information, Trifa was deported to Portugal on August 13, 1984. Thus, through the use of laser technology, F. B. I. fingerprint experts were able to detect a latent fingerprint over 40 years old, a remarkable accomplishment in the pursuit of justice.<sup>71</sup>

Since that time, many important cases have been solved through use of the laser. The most recent, highly publicized, 1986 arrest involved Mr. Richard Ramirez, the alleged "night stalker", who terrorized Southern California by raping and murdering some 14 people. The Orange County Board of Supervisors, in granting Sheriff Brad Gates the funding for this equipment, never dreamed it would have to be used to solve one of the most heinous crimes of all times. Approximately ten million people throughout a five county area breathed a sigh of relief for this foresight. One print was lifted from an automobile which subsequently led to Ramirez' incarceration.

The next ten to 12 years will see the laser continue to become more and more sophisticated. One may hypothesize the publicity surrounding such detentions as Ramirez will increase the public's initiative to report assaults because of the confidence in the system's ability to apprehend the suspect.

As early as 1975, the book Significant Advances in the Science of Fingerprints, by Robert Hazen, identifies one of the most important technological breakthroughs of the future will be the development of

latent prints on human skin. The lack of a practical, effective method of developing identifiable latent prints on human skin has long been a major problem confronting the law enforcement profession. Successful development of such impressions would be of extreme value in the investigation of rapes, aggravated assaults, homicides, and other crimes where the subject would logically have touched the victim.<sup>72</sup> Recognizing the need for this type of latent print development, research has been initiated to determine (1) whether or not latent prints could be developed on human skin and (2) if such a process would be practical. Scientists, futurists in their own right, believe the next ten years will see this become a reality. In fact, while not yet perfected experimental use is warranted now.<sup>73</sup> It should be noted, even when perfected, time will be of the essence. The time lapsing between the time the victim is subjected to manual contact and the time the victim is examined for latent prints will be of vital importance.<sup>74</sup>

One of the most exciting technological events of the future will be the use of "DNA fingerprinting" to identify some rapists. Alan Giusti, Michael Baird, Sam Pasquale, Ivan Balazs, and Jeffery Glassberg, in their article, "Application of DNA to the Analysis of DNA Recovered from Sperm", which appeared in the Journal of Forensic Sciences, April, 1986, state the future of identifying some suspects from sperm and hair samples looks promising.<sup>75</sup>

In the booklet, Forensic DNA Analysis, Cecilia H. von Beroldingen and George H. von Sensabaugh, (1986), are very hopeful for the future of DNA technology. They do state that while the DNA fingerprinting technique has tremendous potential, its development is significantly in the future as there are a number of hurdles yet to be jumped. The authors are optimistic, however, referring to the tremendous advances

made in science during the last ten years as an example of future developments.<sup>76</sup>

### Environmental

As discussed above, sexual assault is a concern being addressed by professionals in law enforcement, medicine, psychology and social work, as well as neighborhood anti-crime groups, feminist organizations and commercial businesses which sell a variety of weapons and promote "quickie" self defense courses. In April 1978, Suzanne Tindall from the Dade County Public Safety Department in Miami, Florida, stated in the FBI Law Enforcement Bulletin that in spite of great diversity in their approach, these groups have reached general agreement on the correct proactive approach to reduce the incidence rate of rape in the future. To avoid an attack situation, the same measures advised for deterring robbery, burglary and mugging are recommended for sexual assault.<sup>77</sup> These precautions follow traditional "target hardening" procedures - installing deadbolt locks and security alarms in residences; having adequate lighting in yards, parking lots, and along streets; and avoiding the dangers of unlocked cars, hitchhiking and encounters with strangers.<sup>78</sup>

A woman should do everything possible to avoid an attack. These preventive measures must be practiced daily by women who do not live in fear, but who take a common sense approach that will make their everyday lives as safe as possible. While exercising precaution, a woman must prepare herself for the possibility of an attack, both mentally and physically. Tindall states that community and law enforcement must work together to involve women, support them and help them prevent assault. She goes on to warn, however, great controversy exists regarding the correct reactive measures which should be employed in the event precautions fail and an attack is imminent or underway.<sup>79</sup> According to Tindall, women are being told: "scream", "no, don't show fear"; "fight back", "no, stay calm and

cool".<sup>80</sup> Should an attack occur, no expert will be there to answer the victim's questions. She will be totally on her own, reacting within microseconds of the initial perception of danger. She will be the only person who can gauge the situational factors, her own priorities and have a sense of the attacker's level of violence. Examining and weighing these factors rapidly, and under stress, she will select her response instinctively rather than methodically. Nonetheless, the intended victim is the best, and only, person who can decide which tactics to use.<sup>81</sup>

During any conversation about education for prevention of rape, one book certain to be mentioned is How to Say No to a Rapist and Survive, by Frederic Storaska, (1975). This man has devoted many years of his life to lecturing and writing about rape. He makes many of his points with humor, relies heavily on common sense perspectives, uses stories of actual events, concrete suggestions and encouragement for handling the actual rape situation. Many women's groups have castigated Storaska, saying he is often irreverent and has a "chauvinistic" attitude of "lie back and enjoy the inevitable without fighting". Many women argue there is no place for humor in what they feel is a deadly serious situation. Despite those who speak out against Storaska, he still continues to draw a large following, even today. Some high school and college teachers, civic groups and many in police circles feel Storaska presents a realistic view to the rape situation. He says a woman may have to "treat the rapist as a human being", and go along with him rather than put up an attack that, in fact, may only make her assailant more violent.<sup>82</sup> No matter whether one agrees or disagrees, Storaska's book is worthy of being read. Storaska is one of our nation's leading experts on rape prevention. His book emphasizes how to avoid and survive severe assaults. Storaska feels the most urgent concern of any woman should be to mentally prepare themselves in case an attack should occur. It is Storaska's opinion this psychological preparation may, in fact, be women's best defensive weapon.

One critical variable, of course, is to get women involved in this preparation. Educational institutions are more eager to help, but they rely on law enforcement experts to actually carry out presentations. With dwindling resources, many officers are overworked now. The news media are valuable assets; unfortunately, these types of articles are only written after a particularly violent, or series of violent attacks, have already taken place. The police, the media and others must join forces to use whatever sources are available, including the possibility of training volunteer help to carry out this mission.

When looking toward the future, we may see a sudden increase in the concern about what is being tagged "date rape". Storaska explores the sociological pressures of dating and points out a large percent of rapes take place on dates or in other circumstances where women are raped by men they know.<sup>83</sup> Storaska leans heavily on preventing rape situations of this type from occurring. If an attack does take place, he believes the conventional methods of self-defense are worthless. He states no matter how perfect a woman's knowledge of self-defense is, she cannot be sure of its effectiveness. Thus, the past emphasis on self-defense must be changed to a future commitment to teach and understand prevention. The fact is, most women have very little knowledge of self-defense nor have they made any preparation to use it. In most cases, the rapist has equal or greater knowledge of self-defense than his victim. Instead of physical self-defense, Storaska teaches certain laws he believes must be taught in the future to help protect women in our society from violence upon her person.

Storaska advocates certain laws for prevention.

The first law: Do not antagonize the rapist. He is an angry, possibly emotionally disturbed person.<sup>84</sup> When someone antagonizes a

person who is not emotionally disturbed, an individual who is not already upset by screaming, fighting, hitting, or using weapons against him, he will become angry. Storaska asks his reader to imagine what happens when a woman does the same thing to a man who is already in an unstable condition. He contends there is a good chance the attacker may explode.

The second law: Do not commit your behavior. Storaska believes any action a victim takes should be reversible. If she tries to kick her attacker in the groin and misses, or hit him over the head and it does not work, what does she do? He feels the victim's actions set the ground rules for confrontation. If she struggled, screamed, kicked, used weapons or practiced her self-defense techniques on the rapist, the ground rules start with violence and there is no turning back. At the other extreme, if a woman faints she is, from that moment on, defenseless. This situation will cause her to be totally helpless should the attacker decide to murder her.

The third law: Do nothing that can hurt you. In other words, whatever a woman does, she should make sure it will either work all the time or, if it happens not to work, at least it will not make things worse. Storaska believes any kind of antagonistic behavior, from fighting to cursing or making a nasty face, can often make the situation worse.

Storaska admits screaming, struggling, crying, begging or doing anything else that could be perceived by the attacker as being antagonistic or violent will, 50 percent of the time, cause him to turn and run. He feels, however, the risks are high because the other 50 percent of the time the attacker hits the victim with his fists, cuts her, maims her, rapes her more violently and sometimes kills her.

Against Rape by Andra Medea and Kathleen Thompson, (1975), deals with the options women have regarding rape prevention. They use pregnancy prevention as an example, stating a woman could lead a hermit's existence or live in a cloister. Then she would never become pregnant. This same existence, though not realistic, would mean there is a fairly good chance a woman would not become a rape victim. Even this could not be guaranteed 100 percent effective, but it is as close as a woman is likely to get.

Like Storaska and just about everyone else, these authors feel women must avoid possible dangerous situations. Unlike Storaska, however, they state one option open to a woman is taking a good self-defense course and working at becoming strong, healthy and skilled in karate and street fighting. Medea and Thompson feel a woman would then have more confidence and be able to think more clearly in any situation. The authors feel that although a woman would still have to be careful, her life would not have to be so restricted. One problem is that most women do not get involved in this type of training that could take years to perfect.

Medea and Thompson stress that women should try to understand critical features of rape. She should learn how and when it is likely to happen, and how her manner of relating to men can lead her into the kind of situation in which rape occurs. There is no conflict with Storaska here.

The previously mentioned books emphasized the importance of women realizing their lifestyles can be critical factors in either increasing or decreasing their safety against a sexual attack. The motive behind Lady Beware by Peter Arnold, (1974), is to make women think about their everyday lives and the precautions they should be taking to protect themselves. This is an excellent book, well written and easy to understand, and very much in accord with the

nominal group trend of a stronger educational approach, especially in prevention. Arnold has included valuable information on rape prevention inside and outside one's home, on vacation, walking, driving, dating and an exceptionally good chapter is devoted to the danger of hitchhiking. This book would be especially adaptable to a volunteer program to be used in high schools, colleges and civic groups.

In Defense of Ourselves by Linda Sanford and Ann Fetter, (1979), there is a consistent emphasis on how important it is for a woman to think "prevention" and do everything possible to avoid situations that could possibly make her more vulnerable to attack. Although half of this book covers self-defense and self-defense techniques, the authors make it clear a woman must do everything she can to avoid an attack and self-defense, although critical to overall protection, is only an option; it is something a woman can do, not something she has to do. There are many good reasons why a woman might choose not to defend herself in an assault situation, including religious convictions, pacifist political feelings or the feeling it would be wrong to hurt another person. Therefore, in these situations, physical self defense is not something certain women would do. She may, however, question herself after the assault, thinking she should have done more. It is at this time police and victim advocates can be of assistance. The book, Invisible Wound, by Shelley Neiderback, (1986), indicates victims do not always know which tactics to use and they need support and understanding because they may not be in proper control of their faculties. In April, 1985, Gary L. Griffiths, "The Overlooked Evidence in Rape Investigations", printed in the FBI Law Enforcement Bulletin states we must learn to understand many rape victims undergo shock and disbelief. She may, for the reason, appear calm and collected. In the past, this may have caused the police to be skeptical or try to entice the victim into speaking out, not understanding what she has just

experienced. The victim has been severely traumatized and is suffering post traumatic stress disorder, but no one recognizes it. This behavior, while in the past made some feel the rape did not occur, in reality is evidence that it did. Griffiths states law enforcement must understand the major coping task of some rape victims has not been to fight and become hysterical, but to survive. While she may have suffered both physical and mental trauma, her stress manifests itself in a relaxed mood rather than appear highly emotional.

Forcible Rape: The Crime, The Victim and The Offender, by Duncan Chappell, (1977), is a compilation of 17 articles on the subject of rape. All of these articles contain excellent material, all worthwhile reading but, particularly important to future efforts, are the articles on hitchhiking, the psychology of the rapist and the rape trauma syndrome. These subjects are all areas of importance that should be discussed during any rape prevention program. The information in this book, specifically these critical areas, can help provide the information necessary that will convince even the most complacent women to take every possible precaution to prevent a sexual attack.

Many women who choose to avoid safety measures think only of the possibility of a single attacker. However, the future educational programs will also have to deal with the increase of gang rapes.<sup>86</sup> They constitute some of the most brutal and certainly the most traumatic of all rapes.<sup>87</sup> The Trouble With Rape, by Carolyn Hursch, (1978), brings attention to this issue, stating a woman must take some action to keep from placing herself in a vulnerable position. Hursch believes many of the street rapes and those others which take place outside of a woman's home could be avoided if the woman is always conscious of the fact she is a possible target.

In looking at the future, Hursch feels basic safety rules must be taught. This valuable information is often overlooked by the potential rape victim. Hursch states escape is the toughest problem of all, which is why considerable emphasis should be placed on avoidance. When an attack occurs, each situation is different and must be handled according to the woman's own personal capabilities, self confidence and her evaluation of the attacker's violent potential. All this must be computed in a few seconds. This information must be presented to every woman in our society. It will be law enforcement's responsibility to act as a nucleus for this goal. How to best accomplish this task is open for discussion. Hursch emphasizes whoever does the instructing, police officers, volunteers, teachers, or social workers, only suggestions, not concrete instructions can be offered ahead of time for attack situations in general. The Trouble With Rape is an honest book, centering on basic common sense self-protection. Myths, the rapist, the victim, rape prevention and self-defense are all covered.

There are a number of books written on basic safety measures which should be used around a person's home. Two of the better books containing this information are, How to Avoid Burglary, Housebreaking and Other Crimes by Ulrich Kaufmann, (1975), and How to Protect Yourself From Crime by Ira A. Lipman, (1975). A rape prevention program must cover safety measures at home. Doors, windows, interior security, dogs, lighting, children, delivery men, strangers and the telephone are just a few of the subjects covered in these books.

While most of the literature suggests education for prevention over physical reaction, there are a couple of well known works that give a sensible approach to self defense. Mary Conroy (1977), in The Rational Woman's Guide to Self Defense, agrees with Storaska and others on many aspects of common sense prevention and what should be

taught to the public. In addition, however, she covers a wide range of self defense techniques, an area in which Storaska would disagree.

Dr. Conroy's book is one of the most widely used texts in junior high schools, senior high schools, colleges and citizen rape prevention seminars. Her first approach is to convince the reader that most dangerous situations can be eliminated. She states, in order for a woman to eliminate danger, she must realize its presence in her daily life and take precautionary measures for her personal safety. Conroy states police are constantly astounded at how naive women are about the danger of rape. Most police officers feel the majority of attacks on women could be remedied by "common sense". Conroy states there are two ways for a woman to achieve this intellect: (1) the hard way, by surviving a personal assault, and (2) by a united effort of teaching preventive techniques, involving citizens and law enforcement which in the future will involve schools, hospitals, business organizations, both public and private sectors and the community as a whole.

She argues further, that most women think self-defense involves the highly skillful arts of karate, judo and kung fu. As mentioned earlier, this concept was an option the authors of Against Rape discussed. On the contrary, Conroy points out, self-defense need involve no physical skill whatsoever. Eliminating dangers at home, at work, on the street, in her car and avoiding those dangers by talking, running and screaming are the first strategies to be taught in future programs.<sup>88</sup> The only time a woman will use the strategy of self-defense, fighting, is when her life is in immediate danger.

Conroy's book has the reputation of offering a realistic common sense approach to avoiding danger and the use of self defense.<sup>89</sup>

Although not as well known, another excellent book on self-defense is Personal Safety and Defense for Women, (1979), by Patricia Stock. The book covers every conceivable precaution, realistically, in easy to understand terms. A large part of this book is devoted to self-defense in the traditional sense of the expression, but particularly impressive is the area covering body conditioning. Self defense is no easy chore. The preparation for self-defense takes months and sometimes years to perfect emphasizing body conditioning. To be effective at self-defense, a woman must vigorously condition her body in a consistent and long lasting manner. This book offers any woman who is seriously interested in preparing herself for self defense a series of illustrated conditioning exercises with explanations that guide her through each step. The book could be a valuable tool in helping future instructors teach women how to find out what their capabilities are, how strong they are, their agility level, and quickness; all of these qualities are vital in estimating how successful they might be in a physical altercation.

In Sexual Assault: Confronting Rape in America, Nancy Gager and Cathleen Schurr, (1976), state prevention of sex crimes has received too little public attention. There are some crisis centers now available, and with the help of the police, they could be a valuable resource in educating the public about the many precautions which can be taken to reduce rape. Education about sexual assaults and assailants is an essential ingredient of all rape prevention.<sup>90</sup> The authors feel that if state, county, city and town authorities would launch continuous campaigns to prevent assaults, enormous changes could be effected. According to the authors, such campaigns could include lectures, widespread dissemination of pamphlets with precautions, medical advice and information about community resources for victims. Lectures and handout material could be given away in schools, libraries, churches and stores. Other suggestions the authors offer are: rape warnings, including descriptions of

assailants, hotline telephone numbers and recommended medical procedures regularly flashed on radio and television; more street lights in high-rape neighborhoods and shopping areas; citizen's street call boxes to police stations and free instructions for girls and women through schools and adult education classes.

In January, 1974, an excellent article appeared in The Journal of California Law Enforcement.<sup>91</sup> The writing is mentioned because it focuses on formal education and the initiation of law enforcement programs throughout our school system. The article, at that time, believed law enforcement and the school system should work together in the future to be a liaison of culture and behavior to our youth. It was just about the time of this article when this concept was starting to take hold, only to be severely crushed by many sudden funding cutbacks, Proposition 13 among them. The concept, viable and worthwhile has never truly had an opportunity to blossom. The future is still out there, however, and with the use of alternative resources, this program could still become a reality.

Our schools are the best equipped resource to impress important issues upon our young people. The attitudes of youngsters are not as deeply entrenched as those of adults.<sup>92</sup> As a premise, it could be stated young people have a non-negative attitude until exposed to a negative situation.<sup>93</sup> Proceeding from this premise, it is apparent from the standpoint of experience, a program of long range objectives aimed at influencing attitudes about rape, its prevention, why the crime must be reported and what to expect once the investigation begins should be a part of a law enforcement program in our schools.

In the July 1978 issue of The California Crime Prevention Review, Philip M. Erdman discussed the Fresno County's Youth and the Law class: "As in many types of delinquency prevention programs, it is difficult to objectively evaluate the results; however, based on our

analysis of the statistics derived from the Youth and the Law class, we can reasonably conclude the whole Youth and the Law program has the effect of reducing crime and delinquency through education."<sup>94</sup>

As previously mentioned, youth and law programs suffered under Proposition 13, but programs to reduce crime and education on how to lessen the chances of becoming a victim can still be conducted.

### Economic

Law enforcement is the most expensive single service in a local government budget. A study of the 88 largest U.S. cities found police expenditures increased almost six times between the years of 1938 and 1982.<sup>95</sup> The book-type report, Police Employment and Expenditure Trends, published by the U. S. Department of Justice, 1981, states in 88 cities studied from 1940 to 1980, the police share of city budgets almost doubled, increasing from eight percent in 1940 to 14 percent in 1980. When looking at the trend of reduced funding we find these rising costs continue to escalate in spite of a reduction in the total number of police employees. From 1975 through 1982, these same 88 cities had a ten percent decline in total police personnel. Phillip Coleman in his project, What is the Future of Retired Peace Officers as Volunteers in Law Enforcement?, submitted to the California Peace Officer Standards and Training Command College in May, 1987, stated "Efforts to cope with increasing law enforcement costs are met with a loss in revenue. A need for more police personnel is answered with a decline in the available worker market. When these trends are projected into the future, they are shown to become even more critical". Now we are faced with a very perplexing dilemma. At a time when society is changing its attitude about sexual assault, reports will increase, more victim contacts will be made, and the need for increased training for police personnel and education to the public will skyrocket; costs are at an all time high and, over all, manpower has decreased. Schools and

colleges will open their doors for prevention education but, at present just as in the past, law enforcement is expected to carry out this role.

Sam Souryal, (1977), Police Administration and Management, states the volunteer citizen role in helping meet future needs is a realistic possibility. In the United States today, according to a 1983 Gallup poll, over 92 million Americans participated in some form of volunteer work.<sup>96</sup> In the information presented by the American Association of Retired Persons, Volunteerism in Law Enforcement, responses to a nationwide survey in 1984 revealed an estimated 600,000 volunteers assist law enforcement throughout America.<sup>97</sup> Yet, in spite of what appears to be impressive numbers, the study also reported the current level of police volunteers was only one percent of the total adult volunteer effort in this country.<sup>98</sup> In summary, it appears the literature is telling us law enforcement could substantially increase service to the community by involving more volunteers in police work and training those who are qualified to help in specialized areas, rape prevention in particular.

The departments of the Los Angeles police, Los Angeles sheriff, Orange County sheriff, San Diego sheriff, San Francisco police and Ventura sheriff, to name just a few, have large, efficient reserve forces who very adequately supplement each agency's investigation, jail, patrol and personnel divisions. To date, however, this vital resource has not been tapped and utilized to help educate the public in schools, civic groups and homes thus reducing the cost of this important function considerably.

#### Political

In her book, The Politics of Rape: The Victim's Perspective, Diana Russell (1975), discussed the importance of continued political changes in reducing the stigma of what, until recently, has often been

viewed as a crime the victim helped perpetrate.<sup>99</sup> It is only since about 1973 rape has been recognized as a widespread and serious problem. People did not want to know about it before. Some victims are beginning to speak out so, in the future, it will become impossible for people to bury their heads in the sand and continue pretending rapists are the crazy few and rape victims the provocative few who deserve what they get.<sup>100</sup> Russell also believes special interest groups will slowly receive support from the community at large which, in turn, will convince politicians to help fund law enforcement, victim/witness programs and crisis centers.

Carol Goldstein, (1976), in The Dilemma of the Rape Victim: A Descriptive Analysis, agreed with Russell's assessment. Goldstein points out that law enforcement, the district attorneys and the political circle, will not only be faced with requests for increase in funding, but future dilemmas as well. As mentioned earlier general attitudes and beliefs on the part of men and women are leading to one such concern, "the date rape". Dating patterns in the United States seem to be directly responsible for many rapes in which even the victim is never sure she has been victimized.<sup>101</sup> The pattern generally starts out with the man asking the woman out for an evening of entertainment. He is expected to show her a good time and pay for all the expenses. In return, the woman is expected to allow the man some degree of sexual intimacy.<sup>102</sup> In the March 23, 1987, issue of Time, Russell's and Goldstein's predictions are discussed. This article substantiates the belief that it is only a matter of time before increases in reports will start to occur; more manpower for critical investigations will be needed; special interest groups will ask Sacramento to help reduce the stigma associated with the word rape. In the past, acquaintance rapes were not reported because victims did not define themselves as actually having been raped. Recently, Kent State psychologist Mary Koss found as many as 15 percent of all women have had experiences which met legal

definitions of forcible rape.<sup>103</sup> According to Koss, over half of these are date rapes.<sup>104</sup> Koss states women do not report being assaulted because of the stigma related to the term rape.<sup>105</sup> Linda Lytle Holmstrom and Ann Wolbert Burgess, (1983), The Victim of Rape, state the political atmosphere of the future will not only involve lack of funding for the police, lack of continuity of services for rape victims, but also sensitizing not only the police but hospitals, district attorneys and court staff as well.<sup>106</sup> Holmstrom and Burgess feel the future Victim Bill of Rights will be an issue. Victim privacy, video tape testimony, interviewing techniques, accuracy of recorded information, and right of the victim to demand a speedy trial will open debates involving the Congress and the courts in the next few years.

#### PERSONAL INTERVIEWS

##### Brainstorming

Brainstorming sessions were conducted with 32 individuals from different areas of law enforcement, district attorney's office, victim/witness programs, rape crisis centers, the medical field and education. These meetings were held in Denver, Colorado; Quantico, Virginia; Atlanta, Georgia; Houston, Texas; Orange and Los Angeles Counties in California. Each group was given an outline of this project and asked to be prepared to discuss the subject, in depth, upon my arrival.

Each session was conducted in an extremely professional manner. Without exception, every participant arrived on time, was very well versed and was able to add valuable insight to each gathering. Although different geographical locations were involved, similar trends emerged from each meeting. Police officer sensitivity training surfaced as one of five top priorities in all six sessions. Technological initiatives and education/prevention received top priorities in four groups, and reduced funding and reducing stigma in

three groups. All five trends appeared in the top ten of all six groups. These five trends were voted in the nominal group process as most important. It appears the trends developed through the nominal group in California, are representative of the trends developing in law enforcement circles and the community in other parts of the country as well.

#### Individual Communication

A group of very well known professionals was selected for personal interviews. Two medical doctors, one judge, six Ph.D.'s and one very successful police administrator who has a background in sexual assault research were willing to give up time from their busy schedules to discuss the project with this author. The purpose of these interviews was to substantiate or contradict available literature. The first such conversation took place with John MacDonald, M.D., Professor of Psychiatry at the University of Colorado. Dr. MacDonald is the author of some ten books, over half of which deal with sexual assault in some degree.

#### Knowledge About Assailants

Dr. MacDonald feels the public must somehow be educated about who rapes in hopes this knowledge will help prevent sexual assault. He believes that women, especially those in high school and college, might take prevention much more seriously if they understood how violent the act itself can be. Dr. MacDonald also feels that without proper education, a woman, especially if she is young, finding herself in a physical confrontation, may escalate her danger by arousing the rapist to more violence. This assessment is in complete agreement with A.Nicholas Groth's, (1979), Men Who Rape: The Psychology of the Offender.<sup>107</sup> "Different motives operate in different offenders and, therefore, what might be successful in dissuading one type of assailant might, in fact, only aggravate the situation with a different type of offender."<sup>108</sup> It is further

substantiated in the June, 1986 FBI article by Agents Robert "Roy" Hazelwood and Joseph Harpold titled, "Rape: The Dangers of Providing Confrontational Advice".<sup>109</sup> These researchers refer to documentation from actual rapists who indicate rape can be prevented, and prevention versus physical confrontation after an assault is the first imperative issue. The next important consideration is preparation, should the unfortunate opportunity arise, to react. The third emphasis is how to react. Twenty years ago, all that was being taught was self defense. Today, and in the future, consideration must be given to the location of the confrontation, the motivation of the assailant, then, finally and maybe most importantly, the personality of the victim. Dr. MacDonald states it is useless, and possibly dangerous, to try and convince a woman she can kick a rapist in the shins and jab her fingers in his eyes while, at the same time, freeing herself from his grip if just the thought of such action makes her question if she would have the courage to take such action.

Dr. MacDonald and supportive literature is agreed to by rapists themselves. All four convicted rapists who volunteered to be interviewed in the 1975 film, "Rape, A Preventive Inquiry", stated rapists have usually committed the acts numerous times. It was easy to find victims because no prevention techniques were used, and not one of their victims was able to physically resist.<sup>110</sup> One prisoner admits he killed his victim because she did fight back. This does not mean self defense will not work; certainly it can. It must be spontaneous, however, proficient and in a situation where help is nearby. If a young college student is walking from class to her automobile and is suddenly grabbed, immediate physical reaction, using well planned and well practiced techniques, may buy her enough freedom to break away and run back to a building where there are people. If she freely accepts a ride with a stranger however, hitchhikes or goes with an individual she has met at a social event and suddenly finds herself in a one on one confrontation, alone, in an isolated area, no one can give her the exact answer as to what to

do. From the information we have ascertained from actual rapists, however, we do know fighting back with no one nearby to assist, can and has caused more serious trauma to the victim. This is what Agents Hazelwood and Harpold were talking about when they echoed Dr. MacDonald's feeling of education and prevention being so very important. Groth, Hazelwood, Harpold and Dr. MacDonald are all supported by Charles Bemis, M.D., former professor of psychology and psychiatry at the University of Southern California,<sup>111</sup> now in private practice. It is clear there are some specific characteristics present in rapists which differentiate them from other criminals and from other sexual offenders.<sup>112</sup> Dr. Bemis categorizes rapists as "opportunist", "sexual aim", "aggressive aim" and "sexual aim, aggressively diffused". Groth and company refer to the same personalities as "opportunist", "power-assurance rapist", "power-assertive" and "anger-excitabile rapist". Dr. MacDonald and Dr. Bemis both feel a definition of the types of individuals who fall into these categories, and an understanding of the violence incurred, will certainly substantiate the theory that once women are made aware of the type of individuals who may commit rape, they will seriously try to lead a safer lifestyle.

#### Opportunist

Dr. MacDonald believes to understand the crime, one must understand the rapist. The opportunist, for instance, is the individual who makes advances at his date; she says, "no", but he interprets this somewhat hesitant denial as really meaning "yes". He may be the individual who meets a woman at a social event, or at a bar, or picks up a hitchhiker and feels, because of the nature of their meeting, whatever sexual advances he makes will be readily accepted by the victim. In some instances the "opportunist" will be convinced his victim really means "no" and will stop his advances. In other circumstances, the victim may physically convince the attacker and he will back off or flee. Although the "opportunist" is unpredictable,

he will not usually hurt his victim. The danger is, the victim will have no idea what the psychiatric makeup of her attacker is. Suppose he is not the "opportunist", but a much more dangerous individual? If someone is within hearing range, there is a chance of help, or the victim may be able to break away and run for help. If, however, she allows herself to be taken to an isolated area, and the attacker turns out to be someone other than the "opportunist", she could be placing herself in great danger if she tries to use physical force against him. Both professionals also feel law enforcement officers must undergo sensitivity training in order to better prepare them to have an understanding of the circumstance which the victim has survived.

#### Power-Assurance (Sexual Aim)

Dr. MacDonald calls the "power-assurance rapist", "the gentleman rapist" because he avoids profanity, and apologizes for his behavior. He is usually a passive, inadequate person, a loner with few friends who has difficulty relating to women.<sup>113</sup> He is always sexually aroused and fully aware of what he is doing, although at times he feels as if he were performing under a compulsion. Unlike the "opportunist", the victim is a stranger but not one he comes upon by accident. She is usually someone he has seen while on a streetcar or bus and he follows her off when she leaves.<sup>114</sup> This is not an impulsive act, however. It is a scene he has fantasized many times. In the fantasy, the woman he attacks first protests and then submits. During the sexual act, he performs with great skill and the woman in his fantasy receives such intense pleasure she falls in love with him and pleads with him to return.

The sexual fantasies are not the only indication of a disturbed sexual life. From early adolescence he has acted out fantasies. Perversions involving partial aims, part objects and substitute objects. Although he developed erotic feelings toward both boys and girls, there has been a marked inhibition to any form of

interpersonal sexuality. He is voyeuristic, fetishistic and exhibitionistic, but a real heterosexuality exists only in fantasy.<sup>115</sup>

Dr. MacDonald believes that as this man develops through adolescence, the guilt and shame he felt regarding his perversions, together with the need to defend by avoiding homosexual wishes, affects all peer relationships. As the sense of loneliness increases, he becomes shy and increasingly inept and defective in social skills. As he approaches the end of adolescence or enters young adult life, the passive solution gives added strength to the underlying homosexual feelings and a breakthrough of such feelings becomes a real threat. The acts of rape occur at this time, but not only as a defense against the homosexuality wish. The acts also serve to protest and deny the feelings of being an impotent castrate. They serve as attempts to relieve the shame related to the pregenital perversions. These offenders are able to describe the act of rape in great detail, including their thoughts and feelings and they do this in diagnostic interviews and early in psychotherapy.<sup>116</sup>

Dr. MacDonald states the "power assurance rapist's" motive is sexual. He does not want to inflict trauma but he will use enough force to culminate his fantasy. Once the act is complete, he will often ask for verbal reassurance regarding his sexual performance. "Tell me you like it"; "tell me you want to see me again". He may question the victim about her work, her boyfriend and her social life. He wants to believe the victim has enjoyed the experience. He may even ask her out on a date or try to telephone her as early as the next day. He often apologizes. He usually takes a souvenir from the victim.

Power-Assertive Rapist (Aggressive Aim)

According to Dr. MacDonald, this macho male has no need to reassure himself of his masculinity. He is athletically inclined and is very body conscious. A good dresser, he drives a flashy car or four wheel drive pickup and he frequents singles bars. He uses, but does not abuse, alcohol or drugs because he likes to be in control of himself at all times. He may have been married several times, but his marriages do not last long because of his domineering, selfish attitude and his infidelity. He is very self centered and cannot stand criticism.<sup>117</sup>

His purpose in rape is to express his virility. The anger he has for women is clearly a displacement of hate which is most frequently against his mother, a wife or girlfriend.<sup>118</sup> A few rapes occur in the offender's automobile. The victim is usually forced into the auto by physical force or by threat with a weapon. Many rapes occur in the victim's home with the offender gaining entrance by some ruse, acting as a delivery man, repair man, housing or building inspector. The rapes often occur in a series and they appear as isolated instances in an otherwise relatively normal social and psychiatric history.<sup>119</sup> There is, however, a long history of difficulty in heterosexual relations in conjunction with an sexual life.<sup>120</sup>

This rapist is easily angered. He may be aroused to violence by a victim's resistance. There may be repeated sexual assaults on the victim, including anal assault.

Anger-Excitation Rapist (Sexual Aim, Aggressively Diffused)

Dr. MacDonald states this is the most dangerous rapist. His purpose is to inflict pain, both physical and psychological.<sup>121</sup> He displays strong sadistic characteristics and cannot experience sexual excitement without causing some degree of violence. A study of 120 convicted rapists under treatment at South Florida State Hospital, in

a sex offender program directed by psychologist Geraldine Boozer, revealed a number of interesting facts. Many started out as "peeping toms" and then progressed to rape; a few began as exhibitionists. More than half of the group had been married while they were raping women and most had children. Usually, the offender's wife was the last to suspect he was a rapist. Rapists tended to rape women at least once a week, although some raped three or four times a week. Convicted rapists said when they were not raping a woman they were thinking about it. These men tended to become increasingly more violent with time, since it took progressively more violence to arouse them.<sup>122</sup>

This rapist may use varying degrees of sadism, the worst of which may cause serious injury or even death. This is rare, however. Usually some form of violence is used in a forcible rape situation and, after intercourse, there is no further aggression. Such an offender is sometimes impotent with a woman until she resists and he overcomes her resistance with force and violence. This type of rapist often sees the struggling of the victim, not as a refusal, but as a part of her own sexual excitement. It is their theory women like being roughed up. This feeling is held even if the victim has had to fight for her life and was brutally injured by the offender in order to force her to submit.

#### The Victim

Dr. Michele Sabino, education coordinator for the Houston Police Academy told this author the future will not only deal with teaching the community how important it is to understand the rapist and focus on prevention, but police officers must also learn about the rapist. "Every officer must be educated about the rapist in order to be able to understand what the victim has gone through".<sup>123</sup> She has been moved against her will, held hostage, bombarded with the worst vulgarities known to man, hit, kicked, forced to commit fellatio, undergo anal intercourse and other acts against her will. In a

discussion with ten different sexual assault investigators in Orange County, each officer had investigated numerous cases where the suspect was not satisfied with committing rape, the victim was also urinated on, defecated on, or both. Dr. Sabino feels the more informed an officer is, the easier it will be to help the victim.

Cynthia Sulton, administrator of planning and research for Houston Police Department, who is a Ph.D. candidate with a sexual assault background, agrees with Dr. Sabino. Ms. Sultan also believes hospital staff and deputy district attorneys must be sensitized to the victim's plight.<sup>124</sup> Both women also believe women in our society should understand not only the rapist and prevention, but should be aware of the mental trauma a victim may go through should she be attacked.

Although rape has existed since prehistoric times, the study of rape victims is a relatively new field.<sup>125</sup> Recently, rape crisis centers and victim/witness programs have established themselves as an integral part of the community. They can be an asset to both the victim and law enforcement. Rape victims require specialized treatment, understanding and support. Without someone to talk to victims can suffer psychological problems, personality disorders, fear, phobias, broken relationships and careers.<sup>126</sup> Dr. Sabino and Ms. Sultan both feel that while standardized psychological treatment is acceptable and beneficial, the first responder's attitude, in fact, the array of professionals with whom the victim must communicate must all understand what the victim has experienced.

#### Rape Trauma Syndrome

Many crisis workers agree with Dr. Sabino and Ms. Sulton, who both state anyone working in law enforcement today must understand the needs of the rape victim and know the resources that are available to her. Studies show a phenomenon called the rape trauma syndrome

takes place in one or more stages with almost every rape victim.<sup>127</sup> The police, the public and especially any woman who becomes a victim, must know what the rape trauma syndrome is and how to deal with it. The first of three stages of the syndrome is commonly called the "initial stage", "impact stage" or "acute reaction phase". This phase refers to the behavior by the victim immediately following the assault and may last a few days or a few weeks. It is at this time personality disorganization in varying degrees may be manifested. It is imperative police officers understand what is happening here and have the presence to ask for crisis support if need, or help the victim find such assistance as quickly as is appropriate.<sup>128</sup>

The victim's initial reactions may take a variety of forms which may include disbelief and dismay. This is usually followed by fear, anger and anxiety. The victim may be tense, agitated, sobbing, have decreased alertness and a narrowed attention span.<sup>129</sup> During phase one, the victim is sometimes incoherent, highly volatile and may be in a state of shock. She may be unable to talk about the incident or describe her assailant or her feelings. She may be unable to say the word 'rape' or know what to do about what happened to her.<sup>130</sup> A victim may also appear to be very stable, leading others to believe she is in total control. She may be the victim, however, who will break down at the first unexpected reminder of the incident. Some victims may feel an uncontrollable need to talk. Behavior, at this time, may become automatic and conditioned by learned responses from other crisis situations. This has to do with the victim's prior life, how many prior crises she has encountered and the amount of stress with which she has learned to cope.<sup>131</sup>

Ms. Sulton believes everything said, every action taken or not taken, after an assault can have a positive or negative impact on the victim. The initial phase, and these immediate responses may help a victim not go into phase two or, unfortunately, hasten this trauma.

The second phase reaction of the syndrome, sometimes referred to as the "secondary stage" is accentuated by the victim's worry and concern about telling her family or friends. She will be concerned about their understanding or rejection. Because of the deeply ingrained societal attitudes to "blame the victim", prosecution is a concern to most victims.<sup>132</sup> Such behavior only serves to compound the victim's emotional stress and other problems. Any problems, no matter how small, cause victims to display more complex and longer lasting personality disorganization. Phase two is the area where some of the myths arise about victims not needing any further help. It is in this area that many hot line counselors never see a victim. Her outward appearance may give the impression of having made a "perfect" adjustment. This is the "game playing" period and does not represent a final resolution to the event nor the feelings it has aroused. Instead, it is a phase of denial and suppression. The impact of the crime is ignored in the interest of self protection. She may become very active in outside activities or a new relationship or put up a good front during the day, only to "fall apart" when she is alone.<sup>133</sup> At this point, victims often turn away from family and friends and, in some instances, alcohol becomes a substitute for companionship. This is the phase when help is extremely important. Repression will only manifest itself by later eruption in the form of maladjustments. These maladjustments may appear to have nothing to do with the rape, especially when they occur at a later date. Behavioral changes occur at this time, such as intensified efforts toward cleanliness, misdirected anger, changing residences or geographical location in order to flee from internal feeling, changed relationships with old friends, dissolving of relationships, acquisition of new friends and a damaged image of self.<sup>134</sup>

Phase three, or the "long term stage" begins when the victim's depression gains control. Although she has a real need, she will

usually resist talking about the assault. The depression can become severe, depending on the treatment or lack of it in phase one and two. When this occurs, the victim may refuse to communicate with others and, eventually, recoil into a world of misery, often manifested as self pity. This action may occur any time from three months to eighteen months or longer after the incident occurred. Many variables are present in this stage. What has been superficially dealt with or denied in phase one or two may reappear with much more impact. Rape crisis workers state phase three often appears natural, but the depression is very real and must be carefully monitored.<sup>135</sup> These same workers state they have seen phase three at work one month following the crime as well as twenty years later.<sup>136</sup>

During personal conversation with Dr. Oswald Gibbons, coordinator for the criminal justice program at the University of Houston, he stated he agreed with Dr. Sabino, Ms. Sulton and available literature. Dr. Gibbons was also in complete agreement with the current trends selected by both brainstorming sessions and the nominal group. His first priority in sensitivity training for supervisory personnel, feeling the actions of the first responder is either a good or bad example of the leadership of the organization. Dr. Gibbons also felt education about rape, the suspect, the victim, the trauma involved, should be conducted in schools as well as in academies. Mr. L. Brodyaga, (1971), in his book, Rape And Its Victims, echoes Dr. Gibbons feelings when he states exposure to rape education can reduce excess denial or unawareness of the danger that exists. If an assault does occur, the preliminary mental prevention can contribute to a successful psychological adjustment. This preventive behavior is experienced in fire drills in schools, wearing seat belts and first aid training.<sup>137</sup> Rape education in our police academies, our schools, our communities, can better prepare us as a society to interface with a woman who has been raped.

Dr. Ola Barnett, Professor of Psychology at Pepperdine University in Malibu, California, Social Science Division, shared with this author the feeling from many professionals, some improvement in dealing with rape has occurred since the early 1960's, but far too many assaults still go unreported because this slight improvement has not been enough. Dr. Barrett feels most people in our society have not received enough information about rape to make rational decisions. She feels projects of this type can help everyone, not just the victims and the police. Dr. Barnett feels sensitivity training can help officers during the interview of the rape victim. Dr. Barnett feels traditional interview techniques may have to be changed considerably when talking with a rape victim. She also feels women who have a polarity of ages will, quite often, present themselves differently.

Dr. Ardith Peters, the director of planning and research for the Atlanta Police Department, agreed with Dr. Barnett. She feels sensitivity training can help the perception of how law enforcement deals with rape victims and, in turn, will increase rape reports. Dr. Peters feels one of the most initiative programs to date are the victim/witness organizations. She believes that through the interaction of police, victim/witness, and the district attorney, coupled by the developing trends, early in the 1990's we could see many more victims willing to prosecute, fewer dismissals and more convictions than ever before. Dr. Peters feels many victims do not report rape for fear of reprisal, guilt and fear of the justice system. She also feels there is a certain percent of victims who would fall in the category of "date rape". Dr. Peters feels these victims may not know they have been raped, or they blame themselves for it. Dr. Peters feels a strong educational approach to all segments of our society would be a great help in dispelling fear and lack of knowledge about the system.

Dr. Barnett also agrees with the concept of women, especially young women in intermediate or high school, may take prevention more seriously if they attended educational classes. She feels many women do not understand the profile of the rapist or the victim.

The books, Rape, Crisis and Recovery, by Wolbert Burgess and Lynda Holmstrom, (1979), and Stopping Rape by Pauline Bart and Patricia O'Brien, (1985), and two articles, one by Ira Packer, Ph.D. on the post traumatic stress disorder, the other by Bernard Raum, Esq., on the rape trauma syndrome which appeared in the summer issue, 1983, of the Journal of Psychiatry Law, all support the interviews. The written material states the "just the facts, ma'am" approach that is laudable under some other circumstances will be counterproductive in a rape interview since it tends to limit the flow of information about the psychological impact of the event and may even further traumatize the victim if she interprets this as skepticism or hostility. Those interviewed and the literature agree law enforcement must continue to encourage a maximum amount of sympathy and concern. By expressing interest and understanding, officers not only facilitate the collection of psychological evidence but, by demonstrating concern for the victim as a person rather than as a mere source of evidence, or worse, as an additional problem, they also lessen the impact of the aftermath of rape.

In an interview with Dr. William Tafoya, futurist at the FBI Academy in Quantico, Virginia, whose forecasts have been reported in many major U.S. newspapers, feels victims themselves are causing changes in training. He feels citizens are expressing a willingness to become involved. Neighborhood watch, consolidation, volunteer police reserves are just a few examples. Dr. Tafoya feels there is a trend toward enforcing laws concerning violent crimes more stringently. Dr. Tafoya feels education about rape can and will change society's attitude about reporting the crime and the stigma

related to it. He feels sensitivity training for patrol officers as first responders is important, because these officers will have more knowledge about the crime even if they do not get called to many actual cases. Their knowledge can be a valuable tool toward the goal of future education. Dr. Tafoya feels we must go one step further, however, and train special teams of investigators who will roll to every rape scene and relieve the patrol first responder. Dr. Tafoya believes law enforcement must visualize a technological future, where equipment, once thought of as science fiction, will readily identify suspects and help capture them. Specialization will play an important roll in making this equipment effective.

Dr. Jack Seitzinger, Administrator of the Career Development Bureau for Houston Police Department feels Dr. Tafoya is correct. He told this author the advantages of specialization far outweigh the disadvantages. The literature also agrees with these two Ph.D.s. The recent National Institute of Law Enforcement and Criminal Justice Police Volume IV on forcible rape states, if "Effectiveness of investigations is taken into account, the increased costs of specialization are well worth their while".

Dr. Seitzinger feels law enforcement, the district attorney, judges, city and county fiscal administrators must all work together. What are the problems with officer's reports? How can plans be made for training? How can arrangements be made for the same investigator and deputy D.A. to stay with the victim throughout the entire judicial process? How many specialists are adequate? How many cases can a specialist adequately handle each week? Each month? In a year? Dr. Seitzinger feels sensitivity training is very important, but it must extend beyond the basic academy. He and Dr. Tafoya both feel specialization is the wave of the future and, through an expert panel in each geographical area, plans for the future, including the answer to these questions, can be made.

One of the most renowned advocates for change and professionalism in the country today is Judge Pamela Iles. Judge Iles is Presiding Judge at the South Orange County Judicial District in southern Orange County, California. The judge has been asked to speak at literally hundreds of major training seminars at universities, academies, state meetings and national organization conferences all over the United States. She has been the recipient of numerous awards for her involvement in helping victims of abuse, molest and rape. Judge Iles, more or less, tied the nominal group, interviews and literature search together. She agreed with the trends, stating future sensitivity training, new technology and an educational approach are going to cause a dramatic change in the procedures of handling rape victims. She feels the biggest revolution will be the political reality that society's attitude is changing and this is going to build support for new resources.

Judge Iles feels the future will see "interdisciplinary squads" who will, in fact, be specialists. She feels it will be important for the first responder to have undergone role playing to develop skills not achieved otherwise. Judge Iles also feels sexual assault investigators and district attorneys must undergo similar training. She feels the future described by the literature and those interviewed, which talks about specialized teams, is correct. She especially agrees with the concept of one investigator, one victim/witness advocate and one deputy district attorney being assigned to handle each victim. This continuity is very important.

Judge Iles feels the reality of a rape survivor's Bill of Rights may happen in part, but video testimony would never take place. She is not sure of no parole for convicted offenders and demand from the victim for a speedy trial is a possibility, but it will still be open to debate in court. Judge Iles feels there has been a partial rape survivors' Bill of Rights already passed in California. The victim,

for instance, has the right, by law, to attend all sentencing proceedings and shall be given adequate notice by the probation officer of all sentencing proceedings concerning the person who committed the crime. Another major change is, in most cases, a victim's sexual history cannot be used against her. Judge Iles feels the future will see more changes; one she feels is overdue is the rape victim having to pay her own medical bills. "If a burglary occurs, we dust a victim's home for free. If a woman is raped, we bill her for a pelvic exam." Two crimes, both felonies, one victim must pay, the other does not. Judge Iles feels, through education, society will cause a political change in this area in the future.

Judge Iles feels education about the rape trauma syndrome is important, but she feels the emphasis must be on the post traumatic stress disorder. She feels the post traumatic stress disorder is clinically sound and admissible in court. She says, in the past victims suffering under this trauma were treated as if the crime did not occur, when actually it was proof the crime did occur. Gary Griffiths, FBI Bulletin, 1985, agrees with Judge Iles, stating while the rape trauma syndrome is important and offers a good understanding of the victim's trauma to the first responder, it is now accepted as a subcategory of the post traumatic stress disorder. Severe depression, change of personality, phobic fears of crowds, elevators or stairs, people behind them, or of being alone are typical victim reactions. Judge Iles and Griffiths both feel specialists must undergo training in interviewing techniques which will allow them the opportunity to understand the victim more clearly. Both also agree the major concern in gaining information is, of course, to avoid "leading" the victim into describing symptoms she has not experienced because she believes the interviewer expects her to undergo such feelings.

Judge Iles believes victims will be more willing to prosecute if

police concentrate of establishing a rapport with them. She feels both male and female officers can do equally as well. Judge Iles believes about half of the women in our society, if given a choice, would want a female officer to handle their case; the other half do not care which gender responds as long as they are properly trained. She goes on to state most victims, no matter what their preference, will respond favorably to either sex if they are treated properly.

Judge Iles feels law enforcement can have a positive influence in the next ten to twelve years. "As the police show a sincere interest, so will society." Judge Iles feels the future will not only help women, but it will also try to find causes and how to help offenders. The hope is to stop potential offenders before they commit an assault. This can be done through education and making facilities and doctors available for men to turn to when they realize they have a problem.

Judge Iles feels the final step in this chapter is to involve judges. She feels that due to new technology and training, we will see a completely different arena in courtrooms throughout the land. There will still be arguments and challenges but, generally, rape trials will be more subdued and evidence more corroborated than in years past. Judges will control attacks upon the victim's character and new technology will substantiate her testimony.

Law and Order magazine, January, 1982, The National Institute of Law Enforcement and Criminal Justice on Forcible Rape, (1980), Police Chief, November, 1981, and the aforementioned FBI Bulletin, April, 1985, all agree with Judge Iles assessment.

#### SURVEY NUMBER ONE

One of the emerging trends, validated by the literature and personal interviews, involves a stronger educational approach and prevention. The main hypothesis developed here is that prevention is extremely important. Most women do not know who the rapist is, or why he

rapes, and thus do not understand just how valuable avoiding the confrontation can be.

This author selected 145 from approximately 400 women of all ages, including high school students, at educational programs in south Orange County. The question was asked, "Is education lacking about rapists, the rape trauma syndrome and prevention?" Every second or third woman in each group was asked if she would have any objections to participating in the survey; no one did. Pre-test questionnaires were passed out, completed and collected before each lecture. Post-test questionnaires were passed out to the same individuals once the program was completed. It should be noted that, as closely as possible, each group received the same instruction. One hundred sixty questionnaires were actually completed. One hundred forty-five women had no previous training and fifteen did.

The questionnaires were graded individually. "No understanding or knowledge" was used as a grade for those respondents who could not give any type of acceptable explanation. "Some understanding or knowledge" was used to identify those who demonstrated a small amount. "Good understanding" represents an above average grasp of the subject. "Excellent" means the individual can explain the rapist's profile, and why avoidance is crucial.

The first sub-hypothesis related to women thinking of rape prevention in terms of self defense rather than taking preventive measures.

Frequency and percent are illustrated by "freq." and "%" in all tables documenting comparison of numbers.

Table 3

Relationship between pre and post-test responses to the question,  
"Can you briefly explain what rape prevention means to you?"

	PRE-TEST		POST-TEST	
	freq.	%	freq.	%
No understanding or knowledge	45	31	8	6
Some understanding or knowledge	82	57	10	7
Good understanding or knowledge	16	11	95	65
Excellent understanding or knowledge	2	1	32	22
<hr/>				
TOTAL	145	100%	145	100%

The sub-hypothesis was basically upheld. Many women, in fact, did list self-defense techniques as prevention measures, i.e., screaming, kicking, et cetera. A much higher percentage of women than anticipated, however, had some understanding or knowledge. They all listed good common sense everyday precautions. The most logical reason for this date was media attention, which started around 1975, covering what people can do to keep themselves safe at home, in their car and on the street. The post-test responses indicated the information delivered did cause a considerable increase in understanding what prevention really means, with much emphasis being made toward multiple safety measures rather than just one or two. An example would be one woman's response on the pre-test not to hitchhike or go with strangers, and the post-test she not only related to hitchhiking and strangers, but also her car, her neighborhood, her home and her everyday life. In other words, she became very aware of the danger and violence of rape, looked at her lifestyle and was able to list factors which have proven to be effective preventive techniques.

Table 4 relates to the hypothesis many women do not have knowledge of the different types of rapists and thus cannot adequately understand how violent rape can be.

Table 4

Relationship between pre and post-test responses to the question, "Can you describe the different types of rapists?"

	PRE-TEST		POST-TEST	
	freq.	%	freq.	%
No understanding or knowledge	97	67	3	2
Some understanding or knowledge	24	17	19	13
Good understanding or knowledge	22	15	84	58
Excellent understanding or knowledge	2	1	39	27
<hr/>				
TOTAL	145	100%	145	100%

While many respondents did state they thought there was only one type of rapist, some women referred to power and anger-retaliation, two profiles, in their answers. The hypothesis basically held, however, as pre-test respondents they either did not know who rapes or listed mental, sick or no place for sexual release as a motive for rape. A large percentage wrote nothing at all.

After the presentation there was a good understanding of the different type of rapists and why it is so important to prevent his attack.

Table 5

Relationship between pre and post-test responses to the question,  
"Can you explain why hitchhiking is so dangerous?"

	PRE-TEST		POST-TEST	
	freq.	%	freq.	%
Number and percent who could not explain why hitchhiking was dangerous.	95	66	13	9
Number and percent who could explain why hitchhiking was dangerous	50	24	132	91
<hr/>				
TOTAL	145	100%	145	100%

As indicated in Table 5, the presentations were of value in improving the understanding rapists are violent and those who hitchhike are placing themselves in an extremely dangerous situation.

Table 6

Relationship between pre and post-test responses to the question,  
"Can you explain what the Rape Trauma Syndrome is?"

	PRE-TEST		POST-TEST	
	freq.	%	freq.	%
No understanding or knowledge	95	66	32	22
Some understanding or knowledge	44	30	6	4
Good understanding or knowledge	6	4	56	39
Excellent understanding or knowledge	0	0	51	35
<hr/>				
TOTAL	145	100%	145	100%

Table 6 shows women really do not have a good understanding of the mental trauma which affects a victim after a sexual attack. It is important for this information to be made available to the community, especially to young people who may not realize what is happening to them. A victim may be in a state of shock; she may be afraid or angry and unable to describe her feelings or even understand them herself. There were seven possible answers relating to an understanding of the rape trauma syndrome: initial stage, secondary stage, long term phase, severe depression, mental trauma, guilt feelings, need to talk, (counseling). It should be noted here that like the question on rapists, there may have been more understanding listed if the question had been reworded. It is felt many women who did not write anything on the pre-test may have actually been able to refer to some trauma but did not understand the question as it was stated. The survey validated the feelings of the doctoral staff who were interviewed and the statements made by authors Brodyaga, Groth, Hazelwood, Harpold, Holmes, Warner and Williams. Knowledge about the danger of rape and psychological trauma related to its aftermath is an assignment for the future. Prevention is often thought of as a reactive measure rather than a plan to avoid. If education emphasizes who commits rape, and why, prevention will be taken much more seriously.

#### SURVEY NUMBER TWO

During the interview with Dr. Jack Seitzinger, he stated one of the most important responsibilities of training officers, is to actually modify recruit behavior, in the short span of four to five months. Certainly, the safety of officers and the citizens they serve, is of utmost importance. Dr. Seitzinger also feels, however, public relations is of primary importance. He stated, every citizen contact by an officer represents a contact by the Chief of Police or the Sheriff, himself. Dr. Seitzinger feels this is no more evident and requires no more sensitivity than a death notification or in the crimes of rape and murder.

Part of sensitivity training is the knowledge of rapists and the Rape Trauma Syndrome. This will allow the officer the opportunity to understand the reasons for rape, the treatment the victim has experienced, and her current behavior.

The hypothesis is police officers may receive information on what the penal statute describes as a crime of rape, but unless educational classes are conducted at police agencies or police academies which include sensitivity, the trauma syndrome and the need for multi-agency cooperation, the willingness of victims to report and prosecute may once again be in jeopardy.

To test the hypothesis, a scenario was developed. Forty two basic recruits from the Orange County Sheriff's Basic Training Academy were divided into two groups. The scenario of group one is they receive no sensitivity training. They graduate, as hundreds of recruits graduate around the state each month, with no role playing, no instruction about the rapist or what the victim may have experienced, no idea why the victim is reacting the way she is, in short, no sensitivity training.

Group one, made up of both men and women officers, was given a pre-instruction questionnaire, the idea being this would represent their knowledge without adequate instruction.

Table 7

Response of group one recruit officers to the question, "Can you describe the different type of rapists?"

	<u>freq.</u>	<u>%</u>
No understanding or knowledge	15	71
Some understanding or knowledge	2	10
Good understanding or knowledge	4	19
Excellent understanding or knowledge	0	0
	<hr/>	
TOTAL	21	100%

Table 8

Response of recruit officers to the question, "Can you explain what the Rape Trauma Syndrome is?"

	<u>freq.</u>	<u>%</u>
No understanding or knowledge	13	61
Some understanding or knowledge	5	24
Good understanding or knowledge	1	5
Excellent understanding or knowledge	2	10
	<hr/>	
TOTAL	21	100%

As expected, the recruits did not fare any better than women in the community.

Group two, making up the other half of the respondents, was given a pre-instruction questionnaire before the presentation and a post-test questionnaire at the end of the class.

Table 9

Response of group two recruit officers in pre and post-test answers to the question, "Can you describe the different types of rapists?"

	<u>Pre-test</u>		<u>Post-test</u>	
	<u>freq.</u>	<u>%</u>	<u>freq.</u>	<u>%</u>
No understanding or knowledge	12	57	1	5
Some understanding or knowledge	4	19	3	14
Good understanding or knowledge	4	19	13	62
Excellent understanding or knowledge	1	5	4	19
	<hr/>		<hr/>	
TOTAL	21	100%	21	100%

Table 10

Response of group two recruit officers to the question, "Can you explain what the rape trauma syndrome is?"

	<u>freq.</u>		<u>freq.</u>	
	<u>freq.</u>	<u>%</u>	<u>freq.</u>	<u>%</u>
No understanding or knowledge	10	48	1	5
Some understanding or knowledge	6	28	3	14
Good understanding or knowledge	3	14	13	62
Excellent understanding or knowledge	2	10	4	19
	<hr/>		<hr/>	
TOTAL	21	100%	21	100%

The educational program, abridged from the full program which will be presented in the future, upheld the hypothesis knowledge can change attitude. This in itself will not mold behavior, but in the case of recruit training, any negative behavior has not had a chance to

blossom. For experienced officers, just the education by itself may change behavior; if, in fact, it needs to be changed. It most certainly eliminates any excuse for not dealing with the victim in a professional manner. Referring again to the interview with Dr. Gibbons, for those officers who continue to need help, sensitivity training for line supervisors will ensure departmental policy is always carried out.

Survey Number Three

In order to obtain some idea on how many training centers in California currently conduct sensitivity training and criminal profiling, a questionnaire, along with a cover letter, was developed and mailed to 30 P.O.S.T. academies throughout the states; 25 responded. This number represents approximately two thirds of all the P.O.S.T. training facilities in California.

Table 11

Results of training centers surveyed in answering the question, "Does your basic academy have a class on sex crime law?"

	<u>freq.</u>	<u>%</u>
NO	0	0
YES	25	100%
	<hr/>	
TOTAL	25	100%

Table 12

Results of training centers surveyed in answering the question, "Does your basic academy have a class on rape law?"

	<u>freq.</u>	<u>%</u>
NO	0	0
YES	25	100%
TOTAL	25	100%

Table 13

Results of training centers surveyed in answering the question, "Does your basic academy have a separate class on rape sensitivity training?"

	<u>freq.</u>	<u>%</u>
NO	15	60
YES	10	40
TOTAL	25	100%

Table 14

Results of training centers surveyed in answering the question, "Does your basic academy have a separate period of instruction on sexual assailant profiling?"

	<u>freq.</u>	<u>%</u>
NO	19	76
YES	6	24
TOTAL	25	100%

All basic academies surveyed offer classes in basic law. This instruction covers elements of what constitutes a crime. Only 40 percent of the respondents indicated their courses include sensitivity training for recruits. Survey instrument did not ask for specifics, so the type and length of classes are not known at this time. Further study is recommended to determine the exact curriculum being used by each agency. From this information a comparison can be done with the recommended format.

Approximately three fourths of those responding did not teach criminal profiling in the basic academy. Future study with those institutions which do should be done. The hypothesis that future technology, including criminal profiling, will be of value to police personnel, must be investigated. Many of these officers will eventually be investigators but, in the meantime, most of them will be patrolmen and patrolwomen and, thus, first responders. Their knowledge of sensitivity and new technology can only help apprehend the suspect, benefit the victim and, ultimately, law enforcement.

Table 15

Results of training centers surveyed in answering the question, "Do you have advanced training for patrol officers?"

	<u>freq.</u>	<u>%</u>
NO	3	12
YES	22	88
	<hr/>	
TOTAL	25	100%

Table 16

Results of training centers who offer advanced training for patrol officers to the question, "Does your advanced training cover sex crime and rape law?"

	<u>freq.</u>	<u>%</u>
NO	10	45
YES	12	55
	<hr/>	
TOTAL	22	100%

Table 17

Results of training centers who offer advanced training for patrol officers to the question, "Does the advanced training cover profiling of sexual assailants?"

	<u>freq.</u>	<u>%</u>
NO	14	64
YES	8	36
	<hr/>	
TOTAL	22	100%

Table 18

Results of training centers who offer advanced training for patrol officers to the question, "Does the advanced training contain a separate class on sensitivity?"

	<u>freq.</u>	<u>%</u>
NO	15	68
YES	7	32
<hr/>		
TOTAL	22	100%

Almost four-fifths of the respondents conduct advanced training for patrol personnel, a little over half of them review sex crimes. The centers that offer advanced training for criminal profiling to patrol officers increased from 24 percent to 36 percent, but those offering sensitivity training went down from 40 percent to 32 percent.

Table 19

Results of training centers to the question, "Does your facility train investigation personnel?"

	<u>freq.</u>	<u>%</u>
NO	10	45
YES	12	55
<hr/>		
TOTAL	22	100%

Table 20

Results of training centers to the question, "Does your center review sex crime and rape law for investigators?"

	<u>freq.</u>	<u>%</u>
NO	14	64
YES	8	36
TOTAL	22	100%

Table 21

Results of training centers to the question, "Does the investigator training cover profiling of sexual assailants?"

	<u>freq.</u>	<u>%</u>
NO	16	73
YES	6	27
TOTAL	22	100%

Table 22

Results of training centers to the question, "Is there a sensitivity training class for investigators?"

	<u>freq.</u>	<u>%</u>
NO	16	73
YES	6	27
TOTAL	22	100%

Over half of the respondents train investigative personnel. Just a little over a third review sex crimes with these detectives. Only a little over one-fourth of the academies cover criminal profiling with their investigators.

Table 23

Results of training centers to the question, "Is there sexual assault, sexual assailant profiling or sensitivity training for sergeants or above?"

	<u>freq.</u>	<u>%</u>
NO	16	73
YES	6	27
	<hr/>	
TOTAL	22	100%

The future will see new technology perfected. Many suspects will be identified through "biometrics". This technology will also include the perfection of criminal profiling. As these advances are published, the public will respond with support; reports and the willingness to prosecute will increase significantly. Every officer must receive sensitivity training and at least all investigative personnel must become proficient in profiling. This is not occurring today. The hypothesis is made, as profiling is perfected, training will advance from what is taught today and, as the community continues to applaud law enforcement's efforts to help the victim, sensitivity training will eventually be taught in every academy. The previous three surveys show the literature and interviews are correct. There is a lack of understanding about the rapist, the trauma syndrome and, currently, there is a lack of training dealing with sensitivity.

### Community Feelings

The literature and interviews state one of the stereotypes surrounding the issue of rape is police officers are insensitive and judgmental in dealing with victims. Barbara J. Rodabaugh and Melanie Austin, (1981), Sexual Assault: A Guide For Community Action, feel education is a means of changing officers' behavior so inappropriate remarks will not be made. Doctors Barrett, Seitzinger, Tafoya and Judge Iles agree.

Ronald Nelson, (1981), "Establishing Rapport With Victims", Police Chief, states sensitivity training and proper interviewing techniques for police personnel is the key to effective investigations. Most police officers understand the technical aspects of collecting evidence, but Nelson, who is a consultant to the Lisle and Woodridge Police Departments in DePage County, Illinois, states officers have difficulty and feel uncomfortable when interviewing a rape victim. In fact, many officers feel this is the most difficult job they encounter.

John Bruckman, (1977), Project Rape Response Evaluation, reports the uncomfortableness police feel often manifests itself in the perception by the victim that the officer is insensitive and does not want to be there. Bruckman states one reason women do not report rape to the police is primarily because of attitudes and expectations about police behavior. Bruckman does state there has been some improvement in recent years and when victims are handled by officers who have been trained they report they were generally treated well.

Thomas McCahill, et al, (1979), The Aftermath of Rape, reports the general hypothesis is rape victims would feel better about the police if females handled the case. Cahill's research showed a policewoman was only preferred 40 percent of the time. He states ten percent request a male and 50 percent of the time victims have no

preference. Cahill states that while the hypothesis is only 40 percent factual, there does appear to be more cooperation, less complaints and a healthier atmosphere when a policewoman is present during an interview whether she is the case agent or just assisting. Cahill states this is true even if a secretary is the only woman present.

This literature is important as very little research has been accomplished which would verify or deny the hypothesis women should investigate rape. There is rumor some California cities researched the hypothesis. A check was made with the administration of each one of these three cities and the rumor was also found to be false. The only other research available is the earlier documented National Institute of Law Enforcement and Criminal Justice Report on Forcible Rape. Their survey agreed with Cahill's research, showing both men and women can be motivated, sensitive and understanding. The majority of the rape victims the Justice Survey contacted had no preference of a male or female officer. There was a small percent, assumed to be about 20 percent, of the respondents who did prefer a female officer. The recommendation is to train both genders and attempt to have a female officer present if requested. A check with the F.B.I. Behavioral Science Unit at Quantico, Virginia, (Robert Roy Hazelwood, Ken Lanning), found this information is disseminated at the National Academy.

#### SURVEY NUMBER THREE

In a further attempt to validate or question the nominal group, stated literature, and personal interviews, contact was made with 44 crisis centers; 26 in California; 18 from the five geographical areas where the brainstorming and personal interview sessions were conducted. Thirty-three groups responded, 21 in California and 12 from around the nation. It was physically impossible for this author to travel and conduct a personal survey at each center but, due to

the sensitivity of the issue, a liaison was set up with each facility director. The program was explained to each applicant and confidentiality was assured by the individual respondent either mailing the document back anonymously by herself or by placing the questionnaire into an enclosed box or sack containing other completed questionnaires. Participation was completely on a volunteer basis.

It was anticipated that most of the respondents from crisis centers would be victims. In order to obtain an equal amount of non-victim volunteers, eight additional contacts were conducted by this author making appointments for personal visits with womens' groups at businesses, schools, P.T.A. groups, courts and victim/witness programs. The same instruction was given, questionnaires filled out voluntarily and confidentiality was protected during collection. A total of 416 questionnaires were returned; 305 from California, 111 from around the nation. One hundred ninety-three respondents are 34 years of age and younger; 178 are between the ages of 35 and 54; 45 individuals are 55 and older.

The process resulted in totals of 222 victims and 194 non-victims. The minimum age of respondents accepted is 18, the maximum age is 86. The average age of all respondents is 36. Ethnicity is 26 black, 354 white, 28 Hispanic and eight Oriental. Two-thirds of those who had been victims classified their assault as rape. No significant difference in reporting occurs when attempted rape and rape responses are separated, however. Also, this study was to compare California respondents with those from other geographical locations. Just as brainstorming and interview sessions were quite similar, however, no polarity occurs when results are separated. For this reason, all assaults and all responses were tabulated together.

Based on previous research, a number of hypotheses were drawn:

- 1) Approximately 50 percent of all rapes are reported.
- 2) The more violent the attack, the better chance of being reported.
- 3) Victims age 34 and younger have a higher incidence of reporting today, than victims 55 and older who were assaulted when they were 34 or younger.
- 4) Most women have no preference which gender handles a rape case aslong as the officer is professional in his or her approach.
- 5) Most agencies send male officers to handle rape calls.
- 6) Most agencies do not offer the victim a choice of a male or female officer to handle the request.
- 7) Most victims, while they may feel sensitivity improvement is needed, will feel they have been treated professionally.
- 8) Fear of the judicial system is the biggest reason for not reporting.
- 9) Sensitivity and an educational approach are areas most women feel are important for future training.
- 10) When a report is made, most victims report to the police first.
- 11) When a report is made to the police first, the police help the victim find a crisis center.

Table 24

Results of all women victims surveyed in answering the question, "Would you say the attack was non-violent, moderately violent or very violent?"

	<u>freq.</u>	<u>%</u>
Non-violent	62	28
Moderately violent	102	46
Very violent	55	25
Did not answer	3	1
TOTAL	222	100%

Table 25

Results of all women victims surveyed in answering the question, "Did you report the crime to the police?"

	<u>freq.</u>	<u>%</u>
NO	128	58
YES	94	42
TOTAL	222	100%

Table 26

Results of victims surveyed on the amount of violence incurred and the percent who reported.

	<u>REPORTED</u>		<u>TOTAL VICTIMS</u>		<u>PERCENT</u>
Non-violent	11	of	62	=	18
Moderately violent	44	of	102	=	43
Very violent	38	of	55	=	69
No answer	1	of	3	=	N/A

The literature states reporting has improved from approximately one in ten assaults being known in 1960 to 25 percent in the early 1970's, to approximately 50 percent in the 1980s. This survey contradicts the literature somewhat, showing a 42 percent level of reporting. In an environment of proximity, however, 42 percent shows a continual improvement over 1960 through the 1970s. One possible variable suggested for future research is the suggestion that recent publicity about "date rape" may be increasing the amount of individuals who feel they have been victimized but, at the time of occurrence, did not report.

The hypothesis the more violent the assault, the better chance of the crime being reported was supported. It should be noted all those

interviewed agreed all rape is violent but, for purposes of perceptual identification, the category of non-violent was used to distinguish the least amount of violence compared to the more serious behavior. Of 62 victims who perceived their attack was non-violent, only eleven, or 18 percent, reported the event. Of 102 moderately violent perceptions, 44, or 43 percent, reported. Of the 55 most violent occurrences 38, or 69 percent, called for an investigation of the assault.

Table 27

Results of victims surveyed, age 55 and older, who were victimized at age 34 or younger, in answering the question, "Did you report the crime to the police?"

	<u>freq.</u>	<u>%</u>
NO	10	83
YES	2	17
TOTAL	12	100%

Table 28

Results of victims surveyed, age 34 and younger, who were assaulted, in answering the question, "Did you report the crime to the police?"

	<u>freq.</u>	<u>%</u>
NO	56	51
YES	53	49
TOTAL	109	100%

Although the one sample size is low, it appears that the hypothesis is correct in stating that the environment encourages reporting more frequently today than ten or more years ago.

Table 29

Results of non-victims who answered the question, "If you were to become the victim of a sexual assault, who do you feel you would want to handle your initial report?.....your follow up report?"

	INITIAL	
	<u>freq.</u>	<u>%</u>
Well trained female	103	53
Well trained male	5	3
Well trained either	84	43
Did not answer	2	1
TOTAL	194	100%

	FOLLOW-UP	
	<u>freq.</u>	<u>%</u>
Well trained female	63	32
Well trained male	12	6
Well trained either	117	61
Did not answer	2	1
TOTAL	194	100%

Table 30

Results of victims surveyed who reported in answering the question, "Before the assault and subsequent investigation, what were your feelings about having a man or woman officer investigate a sexual assault against a female?"

	<u>freq.</u>	<u>%</u>
Female	47	50
Male	3	3
Either	42	45
No answer	2	2
TOTAL	94	100%

Table 31

Results of victims who reported in answering the question, "What are your feelings now that you have experienced a sexual assault which was investigated by the police?"

	<u>freq.</u>	<u>%</u>
Female	24	26
Male	9	10
Either	59	62
No answer	2	2
TOTAL	94	100%

In surveying non-victims, 53 percent felt they would prefer a female, 43 percent said either, and only three percent felt they would request a male. There appears to be slightly less concern at follow-up investigations. Where only 32 percent would prefer a female while 61 percent felt either male or female would be appropriate; only six percent would prefer a male.

When studying actual victims, we see a very similar trend regarding feelings before the assault. Fifty percent would have preferred a female to handle the initial report, 45 percent a male and, again, only three percent would have preferred a male. With the exception of the request for strictly a male officer, the survey results were closely in accord with literature and interviews. What is of significant importance is the feelings of victims after their assault has been investigated. Twenty-six percent continued to feel female officers should handle all rape incidents, the feeling for male preference increased to ten percent, and 62 percent of the victims stated either a well trained male or female officer could do the job. This response is more in line with the research accomplished by the aforementioned National Institute of Law Enforcement and taught at the FBI National Academy.

Table 32

Results of victims surveyed who reported the assault in answering the question, "If you were assaulted and you reported the attack, was your case initially handled by a female or male officer?"

	<u>freq.</u>	<u>%</u>
Female	18	19
Male	76	81
TOTAL	94	100%

Table 33

Results of victims surveyed who reported the assault in answering the question, "Did you have a choice of male or female officer?"

	<u>freq.</u>	<u>%</u>
No	33	35
Yes	9	10
Do not know	45	48
No answer	7	7
TOTAL	94	100%

Table 34

Results of victims surveyed who reported the assault in answering the question, "Was there a follow-up investigation after the initial report?"

	<u>freq.</u>	<u>%</u>
NO	18	19
YES	76	81
TOTAL	94	100%

Table 35

Results of victims surveyed who reported the assault in answering the question, "Was the follow-up investigation handled by a male or female officer?"

	<u>freq.</u>	<u>%</u>
Female	18	24
Male	57	75
No answer	1	1
TOTAL	76	100%

Table 36

Results of victims surveyed who reported the assault in answering the question, "Did you have a choice of a male or female follow-up investigator?"

	<u>freq.</u>	<u>%</u>
NO	20	26
YES	4	5
Do not know	49	65
No answer	3	4
TOTAL	76	100%

The hypothesis most agencies send male officers to handle rape calls was supported; 81 percent male versus 19 percent female. In answering the question as to whether the victim had a choice of responders, 35 percent said no, only ten percent said yes and an astounding 48 percent did not know.

Eighty-one percent of initial reports received follow-up investigation. Twenty-four percent of the follow-up personnel were female, 75 percent were male. Only five percent of the victims stated they had a choice. Twenty-six percent stated they had no choice but, again, a large percent, in this case 65 percent, of the victims did not know if they had a choice or not.

The literature research and this survey forecast a future of both men and women officers as first responders and follow-up investigators. While the future will see between 60 and 70 percent of victims having no preference as to male or female, departments will have to be staffed and women officers adequately trained to respond to handle a case upon request.

Table 37

Results of victims surveyed who reported the assault in answering the question, "If you reported the assault to a police agency, do you feel you were treated professionally and with the proper sensitivity?"

	<u>freq.</u>	<u>%</u>
NO	25	27
YES	66	70
Did Not Answer	3	3
TOTAL	94	100%

Table 38

Results of victims surveyed who reported the assault and stated they were treated professionally.

	<u>YES</u>	
	<u>freq.</u>	<u>%</u>
Outstanding	18	27
Good	26	39
Average	18	27
Mediocre	3	5
Did Not Rate	1	2
TOTAL	66	100%

Table 39

Results of victims surveyed who did not report the crime, and their response to "Please give a short reason why, if you were attacked and did not make a report."

	<u>freq.</u>	<u>%</u>
Fear of Reprisal	31	24
Guilt, Self Blame	26	20
Denial	17	13
Shield Family Members	6	5
Shield Professional Person	2	2
Fear of Justice System	29	23
Marital Rape	3	2
Date Rape	10	8
Not Reported in Those Days	4	3
TOTAL	128	100%

Table 40

Results of non-victims surveyed in answering the question, "If you were a sexual assault victim, do you feel you would report the incident to the police?"

	<u>freq.</u>	<u>%</u>
NO	27	14
YES	154	79
Do Not Know	10	5
Did Not Answer	3	2
TOTAL	194	100%

Table 41

Results of non-victims surveyed in answering yes and the reason for reporting.

	<u>freq.</u>	<u>%</u>
Convict Attacker	113	69
Help Treat Attacker	9	5
Confidence in System	2	1
Public Awareness	3	2
Citizen Responsibility	8	5
Will Seek Counseling	2	1
Anger	2	1
No Answer	<u>27</u>	<u>16</u>
TOTAL	166	100%

Table 42

Results of non-victims surveyed in answering the question, "If you were assaulted and reported the crime to a police agency, do you feel you would be handled professionally and with proper sensitivity?"

	<u>freq.</u>	<u>%</u>
NO	22	11
YES	66	34
Do Not Know	98	51
No Answer	<u>8</u>	<u>4</u>
TOTAL	194	100%

Thirty-four percent of non-victims believe they would be treated professionally. Only eleven percent felt they would be treated improperly. Fifty-one percent, however, answered they did not know. This statement supports the trends of sensitivity training and a strong educational approach. As more victims are treated in an "outstanding" manner, less complaints against police insensitivity

will occur. This in itself will improve perception of treatment. A strong educational approach will not only increase knowledge and prevention, but will also enhance positive feelings about police behavior.

Over two-thirds of the victims who reported their assault to the police felt they were treated professionally. While this finding supports the hypothesis it, nevertheless, also points out a large percent who answered negatively. The perception of how professionally the victims were treated shows only 27 percent made an outstanding impression, 39 percent fared good, and 27 percent were average. If the premise is made that good and outstanding equals proper response, 66 percent of the victims who felt they received professional treatment perceived such action as above average.

The hypothesis, based on available literature states fear of the judicial system is the reason victims do not report. It is indeed a factor, but there appear to be many contributing variables. One is the much talked about but seldom documented fear of reprisal. Another which is documented is guilt and self blame. Denial, date rape, shielding a family member, shielding a professional person and marital rape all received a low percentage but are, nevertheless, good examples of the many reasons victims choose to keep rape a secret. An analogy can be drawn here. The literature states approximately one half of all rape victims report the crime. This study basically supports that position, showing a 42 percent response. In asking non-victims if they would report the incident, however, 79 percent said they would. Their main reason was to convict the rapist. It appears the variables mentioned enter the picture once a rape takes place and, while an individual's state of mind may be to report before an attack, the reasons mentioned not realized until after the attack, cause some women to change their mind.

Table 43

Results of victims who responded in answering the question, "Do you have any suggestions for future training for police personnel?"

	<u>freq.</u>	<u>%</u>
Sensitivity Training	50	30
Advanced Training	18	11
Communication Skills	20	12
Change Police Attitudes	5	3
Date Rape/Marital Rape	5	3
No Photos by Males	4	2
Do Not Touch Victims	6	4
Interview Techniques	5	3
Role Playing	7	4
Invite Support Agencies	16	10
Don't Be Judgmental	14	9
Keep Victim Informed	14	9
SUB TOTAL	164	100%
NO RESPONSE	58	
TOTAL	222	

Table 44

Results of non-victims who responded in answering the question, "Do you have any suggestions for future training for police personnel?"

	<u>freq.</u>	<u>% of subtotal</u>
Sensitivity	64	43
Myths and Realities	15	10
Sex Crimes Uniqueness	8	6
Crisis Intervention		
Techniques	17	12
Trauma Syndrome	13	9
Psychology Courses	7	5
Self Defense	1	1
Prevention Education	6	4
Interviewing Techniques	14	10
SUBTOTAL	145	100%
NO RESPONSE	49	
TOTAL	194	

In assessing Tables 43 and 44, attention must be drawn to the possibility that sensitivity received the highest recommendation in both sets of responses, because it was mentioned in the questionnaire. Nevertheless, the overall response patterning does seem to support the relevant hypothesis.

Table 45

Results of victims surveyed who reported in answering the question, "Which agency did you report the attack to first?"

	<u>freq.</u>	<u>%</u>
Police	53	57
Rape Crisis Center	21	22
Did Not Answer	20	21
TOTAL	94	100%

Table 46

Results of victims surveyed who reported in answering the question,  
"Did the police help you find a rape crisis center?"

	<u>freq.</u>	<u>%</u>
NO	27	28
YES	41	44
None Desired	14	15
Did Not Answer	12	13
TOTAL	94	100%

Fifty-seven percent of the respondents stated they reported the crime to the police first. This is in agreement with the hypothesis. In disagreement, however, is the response of only 44 percent of victims who stated the police helped them find a rape crisis center. While 15 percent of the victims who did not desire a contact, it is noteworthy that 28 percent of the victims stated they received no assistance. That is surprising, since the general impression is that police agencies routinely inform victims of crisis centers.

Summary

With the exception of 11 crisis centers who chose not to respond, all participants were more than eager to assist in this study. The time constraint in completing the project allowed for a smaller sample than desired, but the information that was received was, for the most part, quite in accord with the literature, interviews and nominal group.

Of importance is the fact sexual assault reports are becoming more regular. Of equal note is the fact the more violent the attack the more likely the victim will report the rapist to the police.

In discussing who should investigate these assaults, we are reminded of a popular hypothesis which prevails in many cities across our land, that women only want female officers to handle rape cases. The literature and interviews do not support this belief. Both indicate 40 to 50 percent of the women in this country would request a female, but the other 50 percent have no preference. This study, moreover, indicated that some women who preferred a female before an assault actually changed their minds in favor of either a male or female after they became victims. Most agencies do send male officers to a scene. One reason, of course, is there are more males than females in the ranks. As sensitivity training and education continue, the future will see the feeling of having a male or female officer investigate increase to 70 percent. This means approximately ten to 20 percent of the victims police came in contact with will still request a female officer. As the future unfolds, it is imperative police officers train available female personnel and staff accordingly in order to meet this need.

## FUTURE SCENARIOS

The Nominal Group Technique (NGT) generated trends and events which, supplemented by a literature scan, personal interviews and surveys, provided a structure for a series of future scenarios. These pictures of our future are not "best" or "worst" case predictions but, merely, different slices of time in possible future states. The scenarios have a common thread of importance; each one assumes the community and the police, through an effort of mutual cooperation, will continue to develop the importance of reduced rape victim trauma through education, training and technology.

Up until the 1960s the myths about rape; the way it was investigated, if in fact it was reported at all; and the lack of community concern surrounded the subject with a great deal of controversy. Thanks to women's groups, victim/witness assistance programs, police procedures and the structure of the law, trends have emerged which seem to promote more understanding and pave the way for a brighter future. The level of impact of these trends and the events which will affect them, will partially determine the external social/legal environment that is becoming such an important part of daily enforcement operations.

### SENARIO NUMBER ONE

"Good morning, Southern California, today is Thursday, September 24 in the year 2000. The time is 6:00 a.m."

The voice on the radio urges people to prepare for another day's work. A great many individuals have left their homes, some as much as two hours ago, and are listening to the newscaster in their automobile. Due to overcrowding, this part of the state now has 15 million residents; mandated staggered work hours see the day's first employees leaving home as early as 4:00 a.m. to arrive at work by 7:00 a.m. The cheerful reporter continues, "All Los Angeles, Orange

and San Diego freeways have been gridlocked since 5:00 a.m., about 15 minutes later than usual. The California Highway Patrol reports accidents are light today and, according to transportation authorities, congestion will start to thin out to 20 miles per hour at approximately 11:30 a.m.. Traffic should flow well until 3:00 p.m.. At 4:00 p.m. gridlock will again occur until 10:30 p.m." At no time during a 24 hour period since 1997 has traffic been able to move faster than 20 miles per hour on any Southern California freeway. As a result of idling vehicles with places to go but no other way to get there, the pollution has created the "greenhouse effect" which was predicted by scientists in the early 1970's.

"Our regular feature, "Crime Watch", will be presented after this word from one of our sponsors." After a low key promotion which advertises home mortgage rates at a reduced 19%, "Crime Watch", a compilation of major crime occurring throughout each area of the state during the previous 24 hours, is presented. The reporter continues, "The last 24 hours have been fairly quiet for this part of the state. There were only 3 murders, 6 rapes, now described as acts of interpersonal violence, 42 robberies....."

The reporter drones on, reciting a litany of criminal activity, which surprises none of the listeners. Nor would these figures raise an eyebrow in any other part of the state. The year 2000 has brought with it not only a host of technological breakthroughs, but a list of sociological ills as well. Not the least of these is the problem of interpersonal violence.

For more than 20 years, many governmental agencies and volunteer groups have addressed the issue of "rape", as it was known then. Law enforcement, traditionally a reactive group has, in this area, become generally proactive as it seeks to protect victims while using modern technology and training to apprehend the suspects. The Commission on P.O.S.T. has mandated 40 hours of sensitivity training, including expertise in profiling, not only in the basic academy, but for all

line supervisors as well. In metropolitan communities, smaller cities have long since disbanded the high cost of police services and opted instead to consolidate costs by contracting law enforcement through what are now large, well trained, well equipped metropolitan Sheriff Departments.

These organization, along with major police departments, house specialized tactical support teams (S.W.A.T.), hazardous device units (bomb squads), and behavioral science teams who are highly specialized in communication skills, profiling of rapists and use of technology. The year 2000 has also witnessed the continued effort of stigma reduction. The word rape is no longer used in the media, by law enforcement, or counseling centers. The viable words today are interpersonal violence, sexual assault victim, and survivor .

In the year 2000, when a rape is reported to the police, the first responder has been trained in communication skills, perceptual analysis of body language, investigative techniques and sensitivity training. These officers are experts at both report writing and interviewing, and complaints about their treatment of victims is virtually nonexistent. The victim is cared for medically and initial information is obtained. First responders take element information only. The summary is turned over to the behavioral science team upon its arrival at the scene or hospital. On occasion, the victim will be transported to police headquarters. The behavioral science unit is no longer located in the same area with the rest of the department's investigation division. This detail may even be located outside the police station proper. Every effort is always taken to allow the victim the courtesy of as much privacy as possible. All of these procedures continually enhance the credibility of law enforcement's educational approach to investigation, prevention and reporting procedures.

In the year 2000 the prompt arrival of a specialized behavioral science unit composed of highly skilled investigators with access to modern technology, has increased arrests and convictions over 50 percent. Forensic scientists will be part of this detail. They will collect every vital piece of evidence at the crime scene. Any evidence left with the victim, semen, hair samples, fibers, et cetera, will be collected and transported to the crime lab from the hospital. Through the process of "DNA fingerprinting", over 70 percent of all suspects will be entered into a national computer.

The special team of investigators will put together a profile of the offender. The DNA "signature", obtained from the computer, in conjunction with the method of operation, physical description and profiling often results in a positive identification being made and a warrant issued within a few hours of the assault.

During the entire process, and following the initial interview, part of the specialized team, comprised of specially trained crisis intervention counselors, begin a program designed to mitigate the victim's trauma. This treatment is government funded and remains in place as long as necessary.

#### SCENARIO NUMBER TWO

Now that the 21st century has arrived, the United States finds itself with a unique problem. Rape reports have skyrocketed out of proportion to all other crimes. The crime of rape, now referred to as merely first degree assault, will be reported 200,000 times in the year 2000. A risk rate of 104 victims per 100,000 women exists. Historians believe this risk rate was also prevalent in 1987, but victims did not report as readily as they do today. The recent numbers are a result of a major phenomenon. Research shows the advent of sensitivity training, investigative technology, stigma reduction and education has increased reporting to a point where it is believed 80 percent of all assailants are now reported. At the same time, the police and community approach to prevention has

reduced attacks by 30 percent. Without these changes, the year 2000 would have seen approximately 290,000 rapes, with a risk rate of 142 per 100,000; yet fewer than 145,000 victims would have had the courage to come forward.

One major variable responsible for victim's confidence in law enforcement's ability to arrest the suspect, thus a willingness to report, is the continued improvement of "DNA fingerprinting." In 1993, a powerful, new crime solving tool became available for use in some cases by California's forensic specialists. It was through the use of DNA that the first successful prosecution of a first degree assault, using "DNA fingerprinting", occurred just one year later. At that time, it was shown DNA, which is found in the chromosomes of all living beings, was actually a blueprint of the body. Scientists proved each person's DNA is duplicated in every cell, including those of forensic interest such as spermatazoa, white blood cells, hair cells and skin.

Up until this landmark case, evidence from what is now described as first degree assault, formerly rape, was stored without analysis in a forensic laboratory until a suspect was identified. Even if a potential suspect was located, serological analysis could not positively link the physiological evidence to the suspect. Serology capability in crime laboratories included three specific systems of grouping blood types. While selective, none of the systems, whether used singularly or in combination, constituted an unequivocal identification of the donor of the blood sample. The prosecution in this case was able to prove a hair sample found during a doctor's examination positively came from a white male, green eyes, reddish blonde hair, large frame with a window of 180 to 200 pounds, 5 feet, 10 inches to 6 feet tall and a blood type of B minus; the exact description of the suspect.

From 1994 until 2000, DNA's potential increased beyond what could be achieved in a criminal lab. Another variable in a victim's

willingness to state she had been assaulted was the DNA analytical data being integrated into a computerized state and national data base which can now be searched from remote locations. In the year 2000, DNA systems are to biological materials what Cal-ID was to fingerprints back in the early 1980's. Just as the Cal-ID program revolutionized law enforcement through the application of state of the art technology, a similar data base now exists for DNA. Thousands of DNA probes were perfected and agreement was reached for the best forensic purposes and what combination of probes would constitute identification. Once this was accomplished, training, method validation and the designing of a computer system to store and retrieve suspect information was perfected.

In 1984, the California forensic community lacked the resources and expertise to successfully study and manage the overall DNA issue. In 1995, a collective effort and an infusion of unique critical resources encouraged rapid progress. The Department of Justice housed the original foundation of the DNA program and because this organization had the data processing and training capabilities, the years 1996 though 2000 saw this agency coordinate a statewide network involving the data storage of serological analysis results on convicted sex offenders released from California prisons.

One additional variable, which was actually conceived back in 1987, is the now very successful "Input and Search Information System", (ISIS). The computer asks criminologists, forensic scientists, forensic specialists, behavioral science experts, district attorneys, beat officers and others to provide factors describing how procedures are carried out. Once the information is entered into the computer, the system then examines the data bases for circumstances which meet the needs of the investigator. The recommendation returned advises the user what tests might be performed or techniques to follow. The computer then gives supporting reasons "why" and explains how to do specific tasks. Finally, the computer tells the user how to calculate the probabilities.

Since 1990, law enforcement, private industry and the armed forces have shared in the need to develop simple interfaces and experts to access large volume data bases. Prior to this initiative investigators rarely knew the full range of experts available to assist them, nor did they have time to restate their needs to each of them. This integrated system made it possible for a single request form to be used, which now speeds information to the officer from a centralized repository.

In the year 2000 every first responder has received extensive sensitivity training. His or her reputation has preceded him or her. The victim trusts the responder. The initial interview is accomplished without incident. Two investigators and a forensic specialist and a counselor from the victim/witness program arrive. The suspect is quickly profiled and information fed into the "ISIS" computer. Evidence obtained from the victim is processed for DNA identification. Blood typing, race, probably size, color of hair and eyes are now known. Within hours ten possible offenders are identified. Once apprehended, and in the year 2000, 70 percent of all rapists are arrested, a deputy district attorney will be assigned to work with the victim. The police team, the crisis counselor and the same district attorney will take the victim through the entire justice proceeding.

#### SCENARIO NUMBER THREE

The year is 2000. Law enforcement agencies across the country are chronically understaffed. Some Americans continue to be enamored with materialism, consequently, public service is not attractive. Low pay, difficult working conditions and changing attitudes have made police recruitment difficult. To add to that difficulty, the last ten years has seen a growing polarity between the "haves" and "have nots" in our society. This occurrence has been responsible for economic deprivation and urban unrest. As reduced funding continues, police agencies suddenly find themselves reassigning resources to deal with the constant civil disorder.

The public is demanding law and order. Much more stringent penalties for criminal behavior have been enacted, but this has only acted as a triggering mechanism for further anarchy. Law enforcement administrators warned of problems ahead, but year after year manpower, equipment and budgets remained the same. There was a feeling of euphoria among the affluent; no evidence of smoldering underbrush in their neighborhoods. Police chiefs and sheriff's organizations continually put ballot measures to the public, asking for increased special enforcement taxes; not one of these initiatives passed throughout the entire state. The public, city councils, board of directors, refused to believe that the rioting and the criminal activity of the 1960's would return. But it has, and now everyone is demanding quick and sure action. Consequently, effort has been launched to keep the situation under control.

At the same time, the specter of AIDS has drastically altered the sexual mores of our people. The "single scene" has all but disappeared and sexual encounters, other than in marriages or between individuals who know each other very well, is almost nonexistent. With more than 100,000 Americans dying from AIDS each year, prostitution is a thing of the past.

At first, in the early 1990s, it appeared the advent of technology, sensitivity training, specialized investigative teams and a mutual police-community effort was helping to educate the public to report and to prevent the act of rape. Between 1993 and 1997, however, the fear of AIDS began panic reporting. The emphasis, however, to control the ever increasing threats of political terrorism, computer crimes and civil disobedience severely impacted the use of available funding and manpower. Gradually, the law enforcement led educational programs started to slip. Little by little, the concept of specialized teams gave way to the more traditional approach of handling each case. New facilities, separate sexual assault investigation areas are no longer a reality. New scientific equipment and computers are not being procured and many of the old

ones are no longer reliable. The priorities are guard duty, patrol of the cities, and intelligence details who seek out career criminals, antagonizers and looters. Special interest groups are attempting to make their voices heard but the resources are no longer there. Reports continue to increase but arrests are minimal.

There is reduced funding, a manpower shortage, equipment shortage, and now the changing profile of the rape victim has suddenly added more pressure for law enforcement to do something. Prior to the spread of AIDS the majority of victims were under 30 years of age, with a median of 23. The victims today include the middle aged housewife living in suburbia, married teachers, older businesswomen, even the elderly assaults have risen dramatically. Social scientists feel the AIDS epidemic is somewhat responsible. The social activities which once allowed rapists a wide selection of young women is no longer available. The majority of women victims in 1987 were under 25 years of age. Today the majority is over 25. In addition, some men in the 18 to 35 age group who may have been able to use self control in the past, suddenly find themselves angered at a situation over which they have no control. The fear of contacting AIDS has caused the rapist to target "safe" victims. His perception is the middle aged housewife probably does not have the fatal disease.

As the crime rate for all crimes generally continues to increase, sexual assaults among them, there continues to be fewer police and other trained personnel to handle the work load. Specialized teams are extremely rare and overworked hospital staff are perceived to be insensitive to the victim's needs. Insufficient personnel unavailable to respond quickly has negated the gains made by high technology when it comes to suspect apprehension. The sheer numbers of victims have caused group counseling sessions. Personal, private psychiatric help is not possible for any but the very wealthy. The net result is that the victims of sexual assault, in spite of all efforts, are not treated with any more compassion or expertise than they were twenty years ago. Reports are up because of AIDS and the

changing victim profile, but arrests are down. High technology has not been able to compensate for lack of police personnel. The assessment here is we are doing just about the same job as we did in 1980.

#### SCENARIO NUMBER FOUR

As we look at our present governmental structure, this, the year 2000, we see that due to severe funding problems, which to a large degree resulted from a repetition of services, the state of California has developed into 58 county police districts. Each county has its own metropolitan police force. Each county has also eliminated duplicate fire services and now is protected by a metro fire department. All cities are under the auspices of one public works agency social services, personnel division, records division and fiscal department. One of the formerly largest service agencies throughout the state, the probation department, was drastically reduced in each geographical jurisdiction. Changes in societal attitudes about crime and the computerization of arrest information reduced probation services to skeletal crews, used mostly for juveniles and to assist in court research for serious felony defendants. Electronic home jails have reduced overcrowding in local detention facilities. Computerized tracking devices which cannot be removed from the person follow probationers every minute of the day. This technology is considerably less expensive than probation officers and more proficient.

The consolidation of services actually began in 1992 when the California League of Cities, in an effort to help communities in financial difficulty, presented a five day seminar on how to cut duplication of effort and still maintain the same protection. City councils and county boards of supervisors began working on consolidation in 1993. The last county police department was formed in 1998. Consolidation and elimination of effort duplication became a very popular issue. Cities could still maintain control of their own destiny, yet the idea of every community having its own records,

supervisors in charge of records, their own police buildings, tactical support teams, helicopters, et cetera, quickly became a past practice.

From 1988 until 1992 violent crime continued to increase while costs for services were too great to continue to add more and more personnel. The public became increasingly alarmed and, in 1992, a tax initiative was placed on the state ballot which dealt specifically with crimes such as murder and rape. The initiative passed overwhelmingly. It redefined rape as a crime of violence rather than sexual misbehavior. It set aside separate funds to be applied to training, manpower, prevention and equipment. These new monies and mandates brought many different agencies together, forming mutual investigative units, specialized teams, if you will, to handle all sexual assaults taking place in each county. This concept made an easy transition possible when city and county agencies became metro departments.

In addition to redefining rape and establishing new tax funds, the initiative also asked the legislature to pass a bill demanding every convicted rapist to undergo mandatory psychological hospitalization plus a minimum prison sentence of ten years with no parole. In 1998, the legislature enacted a state bill which increased the punishment for rape from three, six or eight years to four, six or ten years with no possibility of parole. This was not the law hoped for and it only passed because of the continued efforts by special interest groups to have a Victim Bill of Rights passed. As of the year 2000, compromises such as the no parole clause is the closest these groups have been able to get.

This has been only one small setback, however. In addition to more severe punishments for convicted rapists, the initiative produced funding for research which helped establish numerous scientific breakthroughs responsible in apprehending an increased number of suspects. Foremost was the ability to perfect "DNA fingerprinting".

Law enforcement can now identify many suspects through DNA computer analysis. Latent items of evidence, such as hair follicles, saliva or semen and blood samples can now be compared to data recorded at birth, marriage, entry into government service or in obtaining a driver's license. Another giant step forward came when tax funds directed toward research allowed forensic scientists to tell the world they could now lift a fingerprint off of a victim's skin, feed it into a computer and, if the suspect's print is in the data base, identify the individual within a relatively short period of time.

Another advance made possible by the tax initiative and consolidation efforts is the West Coast Forensic College, built in 1993 and which opened its doors in February 1994. In 1991, the State Criminal Justice Office, which operates directly under the state Attorney General, obtained funding from the tax initiative and built the new facility. The first six month class of 100 officers, all members of specialized sexual assault teams, and 50 forensic specialists graduated July 20, 1994. Two classes a year have gone through the school ever since.

One of the core courses taught to investigative teams is automated criminal profiling. Most teams are made up of three to five members. Each team has a designated investigator who summarizes the assault at the scene and submits a report. Utilizing a computer network linked between the FBI headquarters in Washington, D.C. and the West Coast Forensic College in Sacramento, a possibility of ten matches relating to the recent attack is released. The investigative teams learn how to develop reports, enter data, bypass useless investigative paths which, historically, have proven fruitless in identifying offenders, preserve and recall knowledge of similar personalities, preserve vital information in an active knowledge base, develop and use decision rules which accelerate computation time, as well as allow the investigator to be aware of any specific problems.

In the year 2000, thanks to the tax initiative, every P.O.S.T. Academy in the state conducts 24 hours of sensitivity training to all recruits in basic training and eight hour refresher courses every third year to all line personnel, including supervisors. Such training includes: information about common reactions to rape; awareness of officer's own feelings; the teaching of sensitive interview techniques; presentation of actual cases to assist officers in learning how to handle common situations he or she may encounter when handling a call; role playing; critiques. It took a few years, but the continued professionalization of law enforcement, the public's tax initiative, new technology, new lab facilities and new training have significantly changed the community's attitude about law enforcement's ability to investigate the crime of rape.

#### SCENARIO NUMBER FIVE

By the mid 1980s, the crime of female rape was escalating to unprecedented prominence in the American society due not only to the increasing incidents, but also the increasing brutality. But since 1985 there has been a remarkable reversal of this long term trend, the result of a multifaceted approach by law enforcement agencies, the judicial system and legislative action.

The stigma of rape and the plethora of negative connotations connected with the word, by the victim, her relatives and sometimes individual peace officers, as well as the general public from which juries are selected, was greatly reduced by reclassifying rape as an act of interpersonal violence. This emphasized the criminality of the violence and trauma of the act and reduced the misconception that it is just an act of sexuality.

In the same vein, selected peace officers in most departments throughout California began intensive sensitivity training to prevent additional trauma to the victim. This training included role playing scenarios with the officer, male or female, assuming the role of whatever character the victim seemed most comfortable to relate

with. This might be "the disinterested stranger", a "parental figure" or a variety of other roles that have been established as those most frequently, often unknowingly, looked for by rape victims to whom to unburden themselves.

Special interest groups are now strongly supported by peace officer associations throughout the state. Though organized, generally, to offer assistance to victims, these groups have also been able to assist in the curriculum of sensitivity training programs.

The impact of generally more conservative judicial and legislative action has also assisted in reducing both the number of incidents and the degree of brutality incurred. Among these judicial and legislative actions has been the success in reducing the sale and rental of pornographic literature, films and videos, particularly the type that graphically illustrates one or more persons, usually female, as a victim rather than participant. Mandatory prison terms for first offenses and the increase of time served has also sent a message to the general public that rape is not something to be condoned.

All of these activities during the last fifteen years has had the additional positive impact of encouraging females in our society to quickly report the crime of interpersonal violence every time it happens. The true significance of the reduction of this criminal activity can only be estimated since, even in the worst peaks of activity in the mid 1980's, it was still the most under reported crime in the nation. This, in turn, has been an encouragement to individual investigators who work these cases because the victims now come forward immediately, are able to discuss the crime more openly and often with more significant detail, support prosecution more often and have proved to be exceptionally credible witnesses.

THE DESIRED FUTURE: Sensitivity, Technology and Prevention; A Police and Community Issue

The next 12 years will see the stereotypes surrounding the issue of rape and insensitivity of police officers slowly disappear. As is the case with many stereotypes, there was an element of truth in the feeling some law enforcement personnel displayed, what appeared to be negative or uncaring attitudes toward victims and advocates. Much of the criticism came about through misunderstanding. Such comments as, "You shouldn't have been hitchhiking", or, "You really asked for it by leaving your window open", may have been made through frustration and outrage at the suspect. The comments were often factual but, to the victim, such remarks served only to reinforce feelings of responsibility, guilt and self blame.<sup>138</sup>

In the past, many officers' reactions often reflected their own discomfort and feelings of helplessness about what to do for the victim. Some officers were very brusque during questioning, usually an indication they were uncomfortable. Others often tried to relieve tension by joking. Still others only concentrated on the mechanical aspects of getting their job done as a way of avoiding having to deal with the emotional trauma of the victim.<sup>139</sup>

By the year 2000 all police officers in the state of California, at least all line personnel, will have received, and will regularly undergo sensitivity training which in turn will help each individual do his or her job by:

- 1) Learning how to deal with common reactions to rape.
- 2) Discovering how to be aware of personal feelings about rape and interviewing the rape survivor.
- 3) Learning of sensitive interview techniques.
- 4) Being presented actual cases to assist him or her in learning how to handle some common situations they may encounter in investigating a rape.

Three major goals in investigating the crime of rape are: 1) obtain

accurate information; 2) insure the survivors cooperation with the reporting and judicial process; 3) apprehend the suspect. Mandated sensitivity training will help accomplish these objectives. An example of a typical lesson plan to be adopted in future training is as follows:

I Introduction

II Goals of Training Session

- A. Clarify use of the term survivor vs. victim
- B. Assist officer to do his or her job by:
  - 1. Knowledge of rapist.
  - 2. Information about common reactions to rape.  
(Although this presentation deals with rape specifically, the skills learned will assist officers in any crisis intervention).
  - 3. Awareness of officer's feeling about rape and interviewing the rape survivor.
  - 4. The teaching of sensitive interview techniques.
  - 5. Presenting actual cases to assist officers in learning how to handle some common situations they may encounter in investigating a rape.

III Profile of Rapists

- A. Who rapes
- B. Why he rapes
  - 1. Opportunist
  - 2. Power - Assurance
  - 3. Power - Assertive
  - 4. Anger - Excitation
- C. What victim has experienced

IV Goals in Investigating a Rape

- A. Need for accurate information
- B. Insure survivors cooperation with the reporting and judicial process
- C. Discussion

Some women have described being raped as living through one's own murder. It can be very difficult to get accurate

information when a person is emotionally upset. It can also be difficult to convey to the survivor the officer is really interested in helping her. Because rape is as much of an emotional trauma as a physical trauma, the best officers approach a rape investigation with exceptional sensitivity to the survivor's emotional state. If the survivor perceives the officer as insensitive, you can be sure she will:

1. Clam up, deciding that it is of no value to her to give you the information you need.
  2. Be uncooperative with the investigation.
  3. Decide not to follow through the reporting process.
- These actions on the part of the survivor can be demoralizing to the officer who really wants to protect citizens from crime. If the above reactions occurred repeatedly, the officer might begin to feel that rape investigations aren't worth his time.

So, how does the officer make sure that he gets the needed information and cooperation of the survivor?

1. By knowing what to expect
  - a. the survivor's possible reactions
  - b. the officer's possible reactions
2. The development of skills to effectively handle the situation.

V Since officers will be roleplaying investigating a rape during this training session, the following information is very important.

A. The rape survivors reactions -

Ask officers how they would expect women to react following a rape, what their reactions may be related to.

1. Emotional, expression of feelings, i.e.:
  - a. hysterical crying
  - b. feeling overwhelmed
  - c. very anxious
  - d. scared
  - e. angry
  - f. suspicious

2. Controlled, feelings handled by keeping them in
  - a. exceptionally calm
  - b. embarrassed, very quiet
  - c. denial, act as if nothing serious happened

3. Combination

Officer may see alternation from very expressive to very controlled.

- B. Ask the officers what their probable reactions might be, why, and how they would deal with those feelings.
  1. Dread at handling emotionally charged situation.
  2. Feelings of inadequacy - new on the job, inexperienced.
  3. Embarrassment - dealing with sensitive subject, especially sexual.
  4. Anger - that no one could have protected the woman, at the nature of the crime, that the woman used poor judgement, that the woman does not cooperate or accept your help.
  5. Concern - that a human is in pain, wanting to help her deal with the situations as effectively as possible.

## VI Intervention

- A. Rule of thumb - treat the survivor as you would wish someone to treat your wife, your sister, a best friend, yourself.
  1. Give accurate information

Because the woman will have just undergone a devastating emotional and physical trauma, she may have difficulty concentrating, she may not trust anyone...therefore it is important to give her accurate information about:

    - a. What the investigation involves (I'm here to get some info about what happened to you, a description of the assailant, etc.)
    - b. If you feel that she is upset with the questions, let her know you need the information (i.e., marital status, nature of the sex act, weapons, threats).
    - c. If she has not taken care of her medical needs, make sure that she knows about the importance of going to

the doctor. You might let her know about the state policy of paying emergency room care if the woman reports the rape. Let her know about hospitals if you know, or ask her to call Rape Crisis for a list of hospitals in her area.

- d. Evidence collection - no shower, no douche or changing clothes; rape kit.
  - e. The investigation process - let her know about the statement to Sex Crimes.
  - f. Community resources.
2. Let the D.A. decide the merits of the case.
- Many women have dropped cases because of an off-handed comment by the investigating officer, i.e., doesn't look like we can make a case on this one.
3. a. Take your time.
- b. Pace the interview.
- c. Speak in a calm voice that communicates concern and your ability to handle the situation.
- d. Allow time for the woman to compose herself.
- e. Allow for silence - this allows for the woman to tell her story.
- f. Try not to be too directive/leading with your questions or she may just nod instead of telling you what really happened.
- g. Use open ended questions:
- 1) Can you tell me what happened? Not your guess about what happened.
  - 2) What did he look like? Not: Was he tall, Mexican, etc.
  - 3) Anything else you can add? Not: And then did he \_\_\_\_\_? (Push you, etc.)
  - 4) Anything else I can help you with?
  - 5) Any other concerns?
- Close ended questions lead the survivor. You may end up with your story instead of hers.

4. Attempt to understand the victim's behavior from her point of view.
  - a. If she's angry, acknowledge her anger. (You sound very angry.)
  - b. If you can, support her in her reaction. (It makes a lot of sense for you to be very angry, to be very upset, to be having a hard time talking about this.)
  - c. Let the woman experience whatever feelings she is having.
    - 1) Do not try to cheer her up - that appears to be patronizing, not taking her seriously.
    - 2) Do not tell her it could have been worse.
    - 3) Do not hurriedly rush into a litany of questions in an attempt to keep her from crying.

Remember that the woman is not reacting primarily to you. She is reacting to the trauma. If she is angry, it is at herself, the rapist, the world - but it does not really involve you. (Unless you are acting inappropriately.)

A woman's reaction to a rape should not be judged or evaluated - her response is based on her current life situations, her life experiences, her age, how she feels about herself in general, and how she feels about the way she handled herself during and immediately after the rape.

There is no correct way to react.

5. Use your observation skills.
  - a. Pay attention to the woman's reactions and behavior to give you clues about what happened.
  - b. Act on your hunches. If the woman reports a burglary, yet you notice bruises or scratches and suspect a rape, ask—but sensitively.
  - c. Use eye contact to establish rapport. You may want to stop taking notes at times to establish eye contact and enhance rapport.

6. In order to encourage the woman to tell her story, you may use words, such as:
  - a. Um, Hm...
  - b. I see...
  - c. Oh...
  - d. Tell me more about that.
7. Clarify what you hear by:
  - a. Paraphrasing - using your words to repeat what she said.
    - 1) "In other words..."
    - 2) "So, he came up behind you and..."
  - b. Repeat her sentence or phrase verbatim.
    - 1) "He put the knife to your throat."
    - 2) "He said, 'If you scream, I'm going to pull the trigger!'"
  - c. If you don't understand something, ask!!!  
 The story may be confusing, because the woman may be confused or having a hard time concentrating. If you don't understand the facts of the case, your report will not be helpful to the detectives.

Remember, by asking questions, paraphrasing and repeating some of her story, you are:

- 1) Clarifying the case for yourself.
  - 2) Encouraging her to continue talking so that you get the info.
  - 3) Helping her to understand what happened to her.
8. Use the language of the client. You would use different words in talking with a 65 year old woman than with an 18 year old.
  9. Be aware of your values re: reporting. You can give information about the reporting process, however, the decision to report or not is the woman's personal decision. Avoid:
    - a. Shoulds...You shouldn't have \_\_\_\_\_ (screamed, left the door open, etc.)
    - b. Whys.....Why did you \_\_\_\_\_?
    - c. Judging the woman's actions, behavior. Even if she used

poor judgment (i.e., walking alone at night, accepting a ride with a stranger) no woman asks to be raped.

d. Minimizing what happened.

1) It could have been worse.

2) You'll probably forget it even happened in a few weeks.

B. After such a traumatic experience, it is important for the woman to begin to take steps toward her own recovery. Although officers can assist her with information, support and concern, she will need to begin to take steps to take control of her life again. Allow her to do what she can on her own, i.e., making decisions on her own about the next steps to take. If you will let her know about the Rape Crisis Program, they will assist her with information and support.

The next step will be role playing. This teaching format must be designed to teach, not to intimidate the officer. We all learn most effectively by doing, which makes role playing so valuable. Through taking risks and making mistakes all of us are helped to learn from our actions. Possible role playing models may include:

1. Effective methods to elicit information from a hysterical woman.
2. How to handle a hostile victim.
3. Emotional family members.
4. Rape of prostitute.
5. Teenage victim.
6. Date rape.

END

Future America will no longer consider the rape victim impure, "spoiled goods". In 1975, the feeling of being stigmatized and lack of sensitivity was a major reason many women did not want to report their experiences to the police. Between then and the year 2000, this country's culture has still valued female virginity but, because of a continued educational approach, terminology has been revised, there is an emphasis on training and community relations, victims are treated as survivors; suspects are the criminals.

By the year 2000 a piece of hair left by the perpetrator at the scene of the assault, or skin found under a victim's fingernails, or semen found by a doctor's examination at the hospital will, in many instances, allow "DNA fingerprinting" to identify the suspect within hours. Fingerprints will be readily lifted off of human flesh, and with the use of the computer, will positively match the assailant to the crime. Upon apprehension, especially by arrest within a short time after the attack, the victim's hair samples, fibers, or other evidence found on the suspect will prove he was the person who committed the aggression against her.

Many small agencies will have joined together with larger police or sheriff's departments, forming metropolitan forces throughout the state of California. These large organizations will incorporate specialized sexual assault teams to handle these crimes within their jurisdictions.<sup>141</sup> These teams will not always be the first responders. They, most likely, will operate in similar fashion to hazardous device squads or tactical support teams. The nearest patrol officer will usually be the first police officer to speak with the victim. He or she will assess the situation, take immediate action and call for a specialized team. The special teams will not only have modern technological tools at their disposal, they will also have been trained on profiling and diagnostic computerization of rapists who, for varied reasons, cannot be traced through "DNA fingerprinting" or to supplement this process.

In the future, law enforcement will be classified as a professional endeavor. The entry level will be an Associates Degree. To rise above the rank of patrol officer and be selected as an investigator, sergeant or lieutenant an individual will be required to have a Bachelors Degree, and all captains and above must have at least a Masters Degree. Over 50 percent of all chiefs, sheriffs and their immediate assistant will have a Doctorate. Citizens will have a good

feeling about our profession. In the area of sexual assault, investigators are trained better than at anytime in our history. Insensitivity complaints are at an all time low. Reports, arrests and convictions have never been more successful. Sexual Assault Details, now called Behavioral Science Units, have a separate building or office away from other details, offering the victim every area of privacy. Each victim has the same counselor, police investigator, and deputy district attorney assigned to her case from the time she makes a report all the way through the trial.

From 1992 until the year 2000 a continual interest in prevention programs, greatly helped by the media, will draw wide attention to proactive education rather than reactive self defense. In the early 1980's many crime prevention experts advocated training individuals in self defense tactics, screaming, using noisemaking devices such as whistles, use of chemicals like mace, use of weapons, pretext of pregnancy or venereal disease, and vomiting to ward off an attack. Studies proved these techniques often caused additional physical and mental trauma to many victims. Research showed victims must, instead, tailor their type of resistance to the environment in which the attacks occur.<sup>142</sup>

The year is 2000. The emphasis is to educate the public about rape in schools, colleges, through the P.T.A., at civic group functions, homeowner's association meetings and in homes themselves, often through neighborhood watch programs. The subject is the crime of rape, who the rapist is, and why it is so important to take steps ahead of time to prevent assault versus waiting until it is too late. The idea of physical defense has long been replaced by preventing the possibility of becoming a victim altogether. Self defense is still taught, but it is given honest limitations. The feeling now is a woman's arsenal of self defense skills includes

psychological as well as physical abilities. People believe self defense competence includes psychological assertiveness and self confidence as well as physical mastery of the martial arts.<sup>143</sup> The truth is, most people never take time to adequately prepare themselves to the point martial arts could protect them. So, in this, the beginning of a new century, an analysis of individual fears, behavior patterns, and life styles is the most useful means of avoidance.

The year is 2000. An AIDS vaccine has been in existence for some three years now, rapists are sentenced to prison for a minimum of four, six or ten years with no possibility of parole. The rape Survivors' Bill of Rights is law. It includes, but is not limited to, a right to a speedy trial, the option of video testimony and free medical and psychological treatment. Victims are now referred to as survivors and kept abreast of all investigative and judicial proceedings. The elderly population and reserve forces have picked up some of the slack in reduced funding. They have been trained in neighborhood watch, burglary prevention and rape prevention techniques. Prevention is working. Sensitivity training is also working. The community of schools, civic groups, the media and law enforcement are working together to stop rape whenever possible, treat the victim professionally, use modern technology to arrest the suspect and tie everything together to successfully prosecute the offender once he is apprehended.

#### POLICY CONSIDERATIONS

On the basis of the trends and events which have been identified and the scenarios projected, there are some concerns that police agencies must deal with in respect to the crime of rape. The future role of the police is extremely important. Law enforcement's ability and willingness to professionalize its approach to handling rape will be a catalyst for change throughout the nation.

Rape is obviously one of the most difficult types of incident the police must handle. Generally, the first person to respond to a reported rape is a uniformed officer who is dispatched to the scene of the crime or to the address from which the rape is reported. This officer's first responsibility is to aid the victim, after which a report is taken. This is an extremely critical time for both the victim and the police. Stereotypes often form barriers between victims and police officers which hinder rape investigations and contribute to the trauma experienced by the victim. These barriers often arise from lack of knowledge, misperceptions or personal feelings of both parties. Less frequently, barriers may occur when the officer tries to communicate with a victim experiencing mental distress resulting from serious mental trauma.<sup>144</sup> The victim's immediate reaction to a sexual assault may be acute shock.<sup>145</sup> The victim is sometimes incoherent, agitated or hysterical and may experience sudden and extreme mood changes. In addition, phobic reactions are often experienced in relation to objects and places which remind the victim of the assault.<sup>146</sup> A victim may be unable to discuss what happened or describe the person(s) who assaulted her. These symptoms of trauma make communication difficult and may frustrate those trying to help. When communication difficulties result from the victim's state of trauma, the full interview should be postponed and only the most necessary questions should be asked. Often, when a victim's account of rape is inconsistent between two interviews, it is because the victim was questioned when she was incapable of answering questions rationally.<sup>147</sup>

In many cases, barriers result from the victim's lack of knowledge, misperceptions or personal feelings. Perhaps someone other than the victim has called the police and the victim is unprepared for police intervention. Many victims, even those who called the police themselves, are not prepared for the sudden barrage of police questions. In addition, the victim may have been influenced by media

reports critical of police treatment of rape victims and, whether deserved or not, this criticism may reinforce a victim's reluctance to interact with police.<sup>148</sup> The victim may be unfamiliar with procedures and may underestimate the amount of time she must spend working with the police. Most people do not realize how complex the investigation can be and, to someone in distress, it may seem as if it takes forever. Many victims do not realize they will be asked to undergo a physical examination and, when confronted with the exam, may become uncooperative. Many times victims misperceive the role of law enforcement and expect the officer to act as an advocate. The officer's role is to be as objective as possible. Unfortunately, impartiality is no comfort to someone in distress, and the victim may interpret such action as disbelief.<sup>149</sup> Training and the program of specialized teams will combat this problem.

Future training must not only focus on developing specialized sexual assault teams who undergo specific courses to deal with the victim syndrome, but all police officers, especially recruits, patrol personnel and supervisory line staff, must regularly attend sensitivity training, a process not currently practiced. Part of sensitivity training is to learn to simply be informative. Rape victims frequently complain they were not told what was happening during the initial report, evidence gathering and during the later stages of the investigation.<sup>150</sup> One of the best ways to reduce barriers is for the police officer to describe why certain questions have to be asked and what is done with the information. The same procedure should be used to describe each step of the investigation and explain why that step is necessary. Although explanations require a lot of the police officer's time, in a rape investigation they are vital in establishing an effective working relationship with a rape victim.<sup>151</sup> This is another critical reason for specialization. Patrol personnel must quickly take a report and get back into service as soon as possible. When a special team is available, the first responder can release the initial investigation

to the team. When a specialist is not available, the department must understand these cases are very time consuming and cannot be rushed. This often is not the case at present.

Barriers are further reduced if the officer realizes a person experiencing physical and/or psychological trauma cannot be expected to behave in a reliable or rational manner. Each person copes with stress in a different way. It has been found when officers reassure the victim a reaction is appropriate, it helps the victim accept distress and work it through. Sharing knowledge about the reactions of other victims helps the victim realize her reactions are not abnormal.<sup>152</sup> Mandated sensitivity training will teach police officers the proper way to handle this approach.

The future is not only going to see special courses, most likely conducted through P.O.S.T. academy, but the advent of specialized rape teams is a concept whose time has come.<sup>153</sup> These teams will be composed of both men and women who have received additional training in psychology designed to make them aware of the emotional needs of the victim.<sup>154</sup> Both male and female officers will be available to interview and accompany the victim to the hospital. A team officer, along with personnel from support groups will also be available to offer moral support to the victim during the judicial proceedings.<sup>155</sup>

One of the most important policy considerations is for law enforcement administrators and the community to understand future sensitivity training and special rape squads will increase reports of rape and victim cooperation. By the year 2000, many smaller departments will have united into one larger agency or will have become part of a current large police or sheriff's department. Each large agency will have a specialized squad. During the transition

years the larger agencies will develop teams and, through mutual aid, these units will support those organizations who may need assistance.

If police sensitivity will increase reporting, cooperation and, ultimately, arrests and convictions, one can only surmise this phenomenon will be greatly enhanced by the advent of new technology. If a victim perceives she will be well treated, and through her willingness to report there is a strong possibility the suspect will be caught, significantly more women can be expected to relate their experience. Violent criminals, by the very nature of their acts, produce human biological evidence as a result of hair, fiber, and body fluid interchange with the victim and the scene.<sup>156</sup> Since the discovery of typing blood, it has been a central theme of forensic scientists to exploit the possibility of identifying individuals from small specimens of blood, semen, hair or other tissue.<sup>157</sup> Since the late 1960's, it has been known the DNA contained within each cell nucleus falls into two broad classes, one composed of unique sequence genes and the other composed of repeated sequences of unknown function.<sup>158</sup> (DNA sequences refers to the ordering of the four DNA bases. It is this order that comprises the information content of the DNA molecule.) In 1986, Alec Jeffreys and co-workers at the Lister Institute in England published a series of papers about the sequence of DNA molecule and its stability. Jeffreys showed that a four year old blood stain has been shown to contain high molecular weight DNA.<sup>159</sup> If perfected, the future will show DNA typing especially useful in rape cases because up to 70 percent of vaginal swabs obtained from rape victims contain sperm, many of which would contain sufficient high molecular weight DNA for identification purposes.<sup>160</sup> It appears the sooner a vaginal swab is accomplished, the more successful the opportunity will be to match a "DNA fingerprint". The most recent research showed it was possible to identify a male's blood "DNA fingerprint" and prove it was very different from that obtained from the blood of a female by obtaining sperm from a vaginal swab with 6.5 hours after intercourse.<sup>161</sup>

When "DNA fingerprinting" is a reality, its success in helping to identify some suspects will depend largely on how quickly victims make a report, the response time of law enforcement, and how quickly the victim is treated at a hospital or medical center. Getting the victims to promptly report will require a strong educational approach, accomplished through lectures, supplemental handout material and the media. Once the reports begin to increase, a well trained staff of professionals must be ready to act, otherwise the credibility of the professed system will be seriously tainted. This will require all police officers, hospital staffs, forensic specialists and deputy district attorneys to be trained as a team.

The policies of every training center in the state of California teaching sensitivity education to all police recruits, patrol officers and line staff and their officers adapting procedures to interact with support personnel will take a strong commitment from P.O.S.T., victim/witness agencies, crisis centers and from police agencies themselves. The need for specialized services and state of the art technology, including a west coast forensic training center will require the taxpayers to pass a law enforcement initiative; a future challenge for sure. Reduced funding will mean the importance of education in schools and the community will rest on the ability of law enforcement to recruit the services of the superintendent of schools and his staff, reserve forces, retired police personnel and elderly volunteers.

## THE STRATEGIC PLAN

The police response to sexual assault is critical in improving services for victims and in ensuring justice is served in the community.<sup>162</sup> Rape cases are difficult to manage and can provoke strong emotional responses to everyone involved. To learn how to handle the initial response to a rape call and how to conduct a thorough investigation, all pertinent personnel need to be adequately trained.<sup>163</sup>

In the future, P.O.S.T. will mandate sensitivity training for all line and appropriate investigative personnel. Due to a continued reduction of services, community resources will play an important future training role. Certified rape crisis centers and victim/witness personnel, for example, will assist professional officers in teaching at academies. Health centers will provide training crisis intervention; this will help officers handle a variety of traumatic situations in addition to rape.<sup>164</sup> Mental health specialists will also provide counseling and care consultation for police officers. Every department will have a psychiatrist assigned to it. These specialists will also provide consultation with departments in helping to set up training for candidates and specialized investigation teams. Resources from retired police personnel, the elderly, qualified reserve forces and school district personnel will be an important asset in a stronger educational approach. This strategy will help combat reduced funding while, at the same time, meeting the demand for additional services. Rape will be referred to as sexual assault and the victim as an assault survivor. "DNA fingerprinting" will cause an increase in reporting. This will all come together by involved agencies in the community network assisting the police in obtaining better advocacy support for victims and improving coordination between law enforcement and other support systems for victims and their families.

### ENVIRONMENTAL ANALYSIS

The environmental analysis will focus on "the big picture", the broad social spectrum that transcends local and state boundaries. The focus will narrow as specific "stakeholders" and strategies for implementation are discussed.

The trends identified by the nominal group assembled for this project very accurately summarize the environment police agencies must contend with today and in the future. The demand from the community for all police officers to undergo sensitivity training, the need for specialization, the advent of new technology, a stronger educational approach, increased emphasis on prevention, reduced stigma, increased reporting, all occurring during a period of reduced funding, paint a picture of a challenging future for law enforcement.

Women of all ages, races and social status are victims of rape. Rape is considered the second most serious crime indexed by the FBI.<sup>165</sup> Since rape is underreported, statistics themselves underestimate the actual amount of rape that is occurring.<sup>166</sup> Victimization studies, such as the national crime survey mentioned earlier in this project, are conducted in an attempt to estimate the true rate of crime. In years past, the estimates were as little as ten percent of all rapes were reported. These victimization researchers generally agreed that a victim's hesitancy to report stemmed primarily from her knowledge of the ill treatment that other victims have received at the hands of police officers, court officials and medical and social service providers.<sup>167</sup> Through education, a continued effort by special interest groups, and a willingness for the community at large to take notice, the stigma of rape is changing. Awareness of the crime, its brutality and its aftermath have brought about recent social reform. The trends identified in this study have increased reporting to 50 percent.<sup>168</sup>

The environment is slowly changing. Crisis centers are becoming well established all over the country. Victims for victims and victim/

witness programs are now the norm in many locations throughout America. Victims themselves are changing the stigma of rape. They are willing to get involved and talk about their experience. They, and the groups they belong to, applaud law enforcement's acceptance of sensitivity training. A recent publication by the "Houston Area Women's Center" printed remarks such as, "very effective.....", "I feel this was one of the best classes I have ever had...", "I gained a lot of insight...", and "I now have an open mind which will help me interview better...", that were made by officers who received sensitivity training.<sup>169</sup> These statements and the acceptance of the program by officers in Houston has spread throughout the victim service network. The trend of these organization is to change the wording of rape victim to survivor. These groups would also like to see the legislature change 'rape' sections in the penal code to sexual assault under an offenses against the person section. Rape would be referred to as deviate sexual intercourse.

This author has spoken with literally hundreds of police officers throughout this state. Without exception, every one of them is open to suggestions that will continue to improve police-community relations. They feel sensitivity training will work, that new technology is exciting and a way can be found to educate students, and older citizens as well, in how to prevent rape. This environment will continue to increase cooperation from women's groups, crisis centers, victims and the community as a whole. Reports of assaults will continue to increase, profiling and technology will increase arrests, and sensitivity training will not only increase prosecution because of victim's testimony, it will greatly reduce complaints against the way they were treated.<sup>170</sup>

This environment, the feeling society's attitude is changing, has caused victim's groups to suggest future political action which will include a Survivor's Bill of Rights.<sup>171</sup> Such a law might encompass such statements as:

- to be able to demand a speedy trial.

- to be treated with dignity.
- to be given free medical and psychological treatment by sympathetic, sensitive and skilled personnel.
- to be informed about preventive medication and given a choice of medical alternatives, including a therapeutic abortion.
- to have access to emotional support resources, such as trained crisis center workers.
- to have rape defined as sex assaults on any part of the body, including oral and anal penetration.
- to be given responsible, expert, thorough and sensitive police treatment and investigation.
- to be educated about legal procedures and the role as a witness for the state.
- to have personal privacy throughout all procedures.
- no previous sexual history to be admitted in court.
- to be considered a credible witness equal to one in any other crime.
- spousal rape.
- to financial compensation by state and/or federal agencies as has been recommended for victims of other crimes.
- to be advised about the possibility of pursuing a civil case.

Two possible additions are video tape testimony for victims and no parole for offenders. In the state of California, spousal rape and no prior sexual experience admissible in court have been on the books for some time.

As more knowledge about rapists and their victims becomes known, the environment of the future will see the public demanding laws concerning this violent crime be very stringently enforced.<sup>172</sup> Georgette Bennett, in her recent book titled Crime Warps (1987), states, due to new technology, arrests will increase.<sup>173</sup> Criminal profiling, "DNA fingerprinting", computer input and search systems,

expert systems and computer assisted graphics enforcement will soon be available for specialists to use.

Due to knowledge about the rapist and the impact of his actions on his victims the emphasis on prevention is slowly replacing the idea of only teaching self defense. As this transition emerges, the environment will require the police to invite assistance from the community. With reduced funding, manpower will be utilized in the role of training, investigation, which includes follow through with the victim, and apprehension. The hundreds of hours donated each year in each geographical jurisdiction will have to be accomplished by citizens who will be trained as volunteers or police reserves. Two recent works, one titled Law Enforcement and Older Persons,<sup>174</sup> the other, Expansion of Crime Prevention Utilizing Retired Officers and Volunteers,<sup>175</sup> both state the environment currently exists for a program of this magnitude to begin.

#### CAPABILITY ANALYSIS OVERVIEW

The first step in this exercise was to contact 40 individuals, both sworn and civilian, to discuss the trends and prepare for the work ahead. Two surveys were given to a cross section of police chiefs, business executives, school administrators, and P.O.S.T. affiliates. An average of the responses was plotted on the master copies of the survey sheets.

#### State of California Present Capability

The first statewide survey reflected mixed feelings about police services throughout the state:

<u>Strengths</u>	<u>Weaknesses</u>
Technology	Manpower
Equipment	Money
Facilities	Calls for service
Management skills	CAO/Boards
Supervisory skills	Sworn/Non sworn ratio
Peace officer skills	Sick leave rates
Training	
Community support	
Growth potential	

(All other areas were average and acceptable.)

Professionals throughout the state have confidence in police technology, equipment and facilities used. As we look toward to the next 12 years, these perceived assets give us the feeling our stated leadership is prepared. It assures confidence to know these strengths are in place. Equally confident is the belief the state's overall management, supervision and peace officer skills are in good order.

It is not surprising to see manpower and money as weaknesses. One can relate these two subjects to the other topics listed. Calls for service, the off balance sworn/non sworn ratio and overly used sick leave are a direct reflection of reduced funding and manpower. The demand for service continues to increase, but agencies do everything possible to adjust with resources available. Emergency calls are handled as always, but other calls are placed in priority order. Some departments are even asking citizens to come into the office to report certain types of incidents. As manpower shrinks, less supervisors can be promoted and span of control becomes larger. When departments are understaffed, those who are hired are asked to continually extend themselves, thus an increase in sick leave usage. Finally, the perceived culprit in these weaknesses is the city or county administrative officer, city council or board of supervisors. (See Table 47)

#### State of California Future Adaptability

The second statewide survey shows that the state of California generally seeks familiar, related and novel change. (See Table 47). This analysis supports the belief that this state is a trend setter and committed to the idea of professionalizing the business of police work. This is no more evidenced than by the fact, in 1959, the first Peace Officer Standards and Training Development Center was started in California.

AVERAGE RESPONSE TO STATEWIDE CAPABILITY ANALYSIS

Based on your knowledge and expertise, developed through your experience as a \_\_\_\_\_, please evaluate the Police services in the State of California.

Judge each item as appropriate, on the basis of the following criteria:

- I. Superior - Better than other parts of the country - Beyond present need.
- II. Better than average - suitable performance - no problems
- III. Average - Acceptable - Equal to competition - Not good - Not bad
- IV. Problems here - Not as good as it should be - Deteriorating - Must be improved.
- V. Real cause for concern - Situation bad crisis - Must take action to improve.

Category	I	II	III	IV	V
Manpower	_____	_____	_____	<u>  X  </u>	_____
Technology	_____	<u>  X  </u>	_____	_____	_____
Equipment	_____	<u>  X  </u>	_____	_____	_____
Facilities	_____	<u>  X  </u>	_____	_____	_____
Money	_____	_____	_____	<u>  X  </u>	_____
Calls for Service	_____	_____	_____	<u>  X  </u>	_____
Supplies	_____	_____	<u>  X  </u>	_____	_____
Management Skills	<u>  X  </u>	_____	_____	_____	_____
P. O. Skills	_____	<u>  X  </u>	_____	_____	_____
Supervisory Skills	_____	<u>  X  </u>	_____	_____	_____
Training	<u>  X  </u>	_____	_____	_____	_____
Attitudes	_____	_____	<u>  X  </u>	_____	_____
Image	_____	_____	<u>  X  </u>	_____	_____
CAO/Board	_____	_____	_____	<u>  X  </u>	_____
Community Support	_____	<u>  X  </u>	_____	_____	_____
Growth Potential	_____	<u>  X  </u>	_____	_____	_____
Specialties	_____	_____	<u>  X  </u>	_____	_____
Management Flexibility	_____	_____	<u>  X  </u>	_____	_____
Sworn/Non sworn Ratio	_____	_____	_____	<u>  X  </u>	_____
Pay Scales	_____	_____	<u>  X  </u>	_____	_____
Benefits	_____	_____	<u>  X  </u>	_____	_____
Turnover	_____	_____	<u>  X  </u>	_____	_____
Complaints Received	_____	_____	<u>  X  </u>	_____	_____
Enforcement Index	_____	_____	<u>  X  </u>	_____	_____
Traffic Index	_____	_____	<u>  X  </u>	_____	_____
Sick Leave Rates	_____	_____	_____	<u>  X  </u>	_____
Morale	_____	_____	<u>  X  </u>	_____	_____

Table 48

AVERAGE RESPONSE TO STATEWIDE FUTURE ADAPTABILITY

**Instructions**

Based on your knowledge and expertise, developed through your experience as a \_\_\_\_\_, please evaluate the type of activity you feel police services encourage in the state of California.

Evaluate each item for your agency as to what type of activity it encourages.

- I Custodial - Rejects Change
- II Production - Adapts to Minor Changes
- III Marketing - Seeks Familiar Change
- IV Strategic - Seeks Related Change
- V Flexible - Seeks Novel Change

Category	I	II	III	IV	V
<b>TOP MANAGERS:</b>					
Mentality Personality	_____	_____	<u>  X  </u>	_____	_____
Skills/Talents	_____	_____	_____	<u>  X  </u>	_____
Knowledge/Education	_____	_____	_____	<u>  X  </u>	_____
<b>ORGANIZATION CLIMATE:</b>					
Culture/Norms	_____	<u>  X  </u>	_____	_____	_____
Rewards/Incentives	_____	_____	_____	<u>  X  </u>	_____
Power Structure	_____	_____	<u>  X  </u>	_____	_____
<b>ORGANIZATION COMPETENCE:</b>					
Structures	_____	_____	_____	<u>  X  </u>	_____
Resources	_____	_____	_____	<u>  X  </u>	_____
Middle Management	_____	_____	_____	<u>  X  </u>	_____
Line Personnel	_____	_____	<u>  X  </u>	_____	_____

## Orange County Sheriff's Department Overview

The next step in this exercise was to, again, contact forty individuals, both sworn and civilian, to discuss the selected trends, draw an analysis of our agency and compare our capability with the state's.

The Orange County Sheriff's Department, encompassing approximately 1,400 safety officers, 600 non-safety staff members, and 500 volunteer personnel, is the largest organization in the county and the fifth largest in the state. Every possible service and detail is part of this modern organization including, but not limited to, a state of the art crime lab, hazardous device squad, three tactical support teams, helicopters, police dogs, two training centers and well trained, well equipped jail, patrol and investigation divisions.

As with the state survey, in order to ascertain the perception of our agency's present capabilities, as well as future adaptability, two surveys were given to a cross range of departmental personnel. An average of 32 responses was plotted on the master copies of the survey sheets.

## Orange County Sheriff's Department's Present Capability

The first departmental survey reflected a strong department overall, capitalizing on modern technology, management and training.

### Strengths

Technology  
Equipment  
Calls for Service  
Management Skills  
Supervisor Skills  
Peace Officer Skills  
Training  
Community Support  
Growth Potential  
Morale  
Attitudes

### Weaknesses

Manpower  
Facilities  
Money  
CAO/Board Support

(All other areas were average and acceptable)

This department continues to grow and has, in fact, outgrown many of its current facilities. It is also obvious from the questionnaire that departmental personnel feel the County Administrative Office (CAO) and the Board of Supervisors do not give the Sheriff the support his department should have, i.e., manpower. This is surprising since the department is in other ways well supported. There are always new horizons, of course, but both the CAO and Board seem to be reactive only allowing resources after a need is shown. This action is often perceived as a lack of support. (See Table 49.)

#### Orange County Sheriff's Department Future Adaptability

The second departmental survey shows our agency to be one that has the strategic ability to seek out and make related changes. (See Table 50.) This analysis is not surprising since the population explosion and changes in demographics in Orange County has seen the Sheriff's Department expand its two honor farms, build an intake release center, go from two person to one person patrol cars, add two more tactical support teams, another horse squad, bomb dogs, police dogs, an intelligence bureau and career criminal apprehension team, all in the last few years.

What is surprising is the feeling this agency does not have the CAO and Board's support when, in fact, all of these additions had to be approved by these two agencies.

Table 49

Response to Orange County Sheriff's Department's capability questionnaire.

Evaluate for each item, as appropriate, on the basis of the following criteria:

- I Superior. Better than anyone else. Beyond present need.
- II Better than average. Suitable performance. No problems.
- III Average. Acceptable. Equal to competition. Noot good. Not bad.
- IV Problems here. Not as good as it should be. Deteriorating. Must be improved.
- V Real cause for concern. Situation bad. Crisis. Must take action to improve.

Category	I	II	III	IV	V	Category	I	II	III	IV	V
Manpower	---	---	---	X	---	C.M. Support	---	---	---	---	---
Technology	---	X	---	---	---	Growth Potential	X	---	---	---	---
Equipment	---	---	X	---	---	Specialties	---	---	X	---	---
Facilities	---	---	---	X	---	Mgmt. Flexibility	---	---	X	---	---
Money	---	---	---	X	---	Sworn/Non Sworn Ratio	---	---	X	---	---
Calls for Service	---	X	---	---	---	Pay Scale	---	---	X	---	---
Supplies	---	---	X	---	---	Benefits	---	---	X	---	---
Management Skills	---	X	---	---	---	Turnover	---	---	X	---	---
P.O. Skills	---	---	X	---	---	Community Support	---	X	---	---	---
Supervisory Skills	---	---	X	---	---	Complaints Received	---	---	X	---	---
Training	---	X	---	---	---	Enforcement Index	---	---	X	---	---
Attitudes	---	---	X	---	---	Traffic Index	---	---	X	---	---
Image	---	---	X	---	---	Sick Leave Rates	---	---	X	---	---
CAC/BOARD	---	---	---	X	---	Morale	---	---	X	---	---

Table 50

Response to Orange County Sheriff's Department Future Adaptability Questionnaire

Evaluate each item for your agency as to what type of activity it encourages:

- I Custodial. Rejects change
- II Production. Adapts to minor changes
- III Marketing. Seeks familiar change
- IV Strategic. Seeks related change
- V Flexible. Seeks novel change.

Category	I	II	III	IV	V
<b>TOP MANAGERS:</b>					
Mentality Personality	---	---	X	---	---
Skills/Talents	---	---	---	X	---
Knowledge/Education	---	---	---	X	---
<b>ORGANIZATION CLIMATE:</b>					
Culture Norms	---	---	---	X	---
Rewards/Incentives	---	---	---	---	X
Power Structure	---	---	X	---	---
<b>ORGANIZATION COMPETENCE:</b>					
Structure	---	---	---	X	---
Resources	---	---	---	X	---
Middle Management	---	---	---	X	---
Line Personnel	---	---	---	X	---

### County/State Comparison

Using the Orange County Sheriff's Department as a typical large police agency, the type destined for the future of all 58 California counties, a comparison was made with the statewide surveys.

Both the department and statewide surveys reflect strong confidence in technology, equipment, management, supervisory and peace officer skills, training, community support and growth potential.

Respondants to the statewide survey felt good about available facilities. Sheriff's Department results showed more facilities needed, or current facilities overcrowded. Statewide surveys reflect morale and attitudes adequate, neither strong or weak. Sheriff's surveys indicated both morale and attitude strong. Sheriff's personnel also feel calls for service are a strong point while statewide officials actually listed this area as a weakness. This perception must be corrected as it is imperative future responses to community need be at least adequate if not outstanding.

Both sets of questionnaires listed concerns over manpower and money. This feeling seemed to be unanimously reflected by both surveys naming the city or County Administrative Office, Board of Supervisors or County Council in the weakness column.

Using the Orange County Sheriff's Department as an example of future large, well equipped agencies and considering the feeling of mutual strengths, and the listing of average and acceptable service of both county and state responses, California is quite capable to address the desired future.

In the area of adaptability, both state and county surveys reflect a mood of related and novel change. The evaluation here is the leadership shown by chiefs, sheriffs, top administrators throughout the state and P.O.S.T., have developed an atmosphere for innovation, improvement and positive change.

### STAKEHOLDERS: Identification and Assumptions

No public agency functions in a vacuum. Organizations influence and, in turn, are influenced by other organizations, cultures, law, special circumstances and the people in general. The list is virtually endless.

The development of a strategic plan must include the identification of major stakeholders. A stakeholder is defined as any vested special interest group whose behavior is affected or where behavior in turn affects the issue. In this case, the issue is the impact of the crime of female rape on law enforcement by the year 2000. The nominal group gathered once more. The question was asked: "Who will be the stakeholders if the selected trends of sensitivity training, new technology, education, prevention, reduced funding and stigma reduction become a reality?"

By utilizing the brainstorming technique, a list of stakeholders was developed. The group was asked to be aware of the "snail darter" effect; the "snail darter", in this case, being a small, hidden, non-obvious group of individual that might be the stakeholder who unexpectedly surfaces to change or temporarily halt the desired future.

- 1) Trial lawyers association
- 2) Police organizations
- 3) Women's rights groups
- 4) Agency for victim/witness
- 5) Board of psychiatry
- 6) State teacher's association
- 7) Behavioral board of examiners
- 8) P.O.S.T
- 9) Taxpayers
- 10) Victims rights group
- 11) Legislature
- 12) Forensic science examiners association
- 13) American Psychological Association

- 14) American Medical Association
- 15) Tax and political interest groups
- 16) Occupational safety and health organizations
- 17) Deputy district attorney's association
- 18) Bar association
- 20) Attorney General's office
- 21) Public defenders association
- 22) Sexual assault investigators
- 23) Rape trauma centers
- 24) A.C.L.U.
- 25) Department of Justice
- 26) F.B.I.
- 27) Local police departments
- 28) County sheriff's departments
- 29) Doctors/Nurses
- 30) City councils
- 31) CAO/Board of Supervisors
- 32) Computer industry
- 33) Politicians
- 34) Hospitals
- 35) School districts
- 36) Insurance companies
- 37) Private security
- 38) Reserve officers
- 39) Retired persons associations
- 40) Parent teacher groups
- 41) Civic groups
- 42) Neighborhood watch programs
- 43) California Supreme Court
- 44) News media

Division of law enforcement

The group was asked to scrutinize the list and discuss any consolidations or changes before coming up with stakeholders who will have the largest impact on the issue. The following were chosen:

- 1) Trial lawyers association
- 2) Police chiefs and sheriff's associations
- 3) P.O.S.T.
- 4) Victim/Witness
- 5) Taxpayers
- 6) Judges/Courts
- 7) District attorney's association
- 8) School districts
- 9) CAO/Board of Supervisors/City Council
- 10) Division of law enforcement/Attorney General's office
- 11) Sexual assault investigators association
- 12) Legislature
- 13) Media
- 14) Hospitals
- 15) Reserve officers association
- 16) Retired community

After comparing each of the stakeholders to the emerging trends, a list of assumptions was then drawn:

- 1) Trial lawyers association -
  - + More arrests mean more defense cases.
  - + No parole will give opportunity to plea for lesser sentence.  
(snail darter)
  - Less stigma means more witnesses willing to prosecute.
  - No plea bargaining before trial.
  - New technology will help corroborate witnesses testimony.
  - Will challenge new methods.
- 2) Police chief and sheriff's association +
  - + Mandated sensitivity training will mean better community relations.
  - + Sensitivity courses will mean better trained officers.

- + Sensitivity training will mean less stress to personnel.
  - + New technology will increase arrests and convictions.
  - More reports, increased costs.
  - Reduced funding.
- 3) P.O.S.T. +
- + California mandated sensitivity training will impact the rest of the nation.
  - + Mandated training will professionalize the treatment of victims; this will be a direct reflection on standards set in Sacramento.
  - Possibility of rebuttal against additional regulations.
- 4) Victim/Witness +
- + Victims less stigmatized
  - + More victims coming forward
  - Reduced funding
  - Increased work load
- 5) Taxpayers -
- + More officers mean better service to rape victims
  - + An elimination of a duplication of records, equipment and personnel will mean cost savings in the future
  - More arrests and convictions mean increased prison costs.
  - More personnel cost more money
  - Increased emphasis for sensitivity courses will increase training hours and cost.
- 6) Judges/Courts +
- + Judges who carry out tough sentences will receive praise from the community.
  - + The control of the courtroom and protecting the victim from badgering will win favor for judges
  - Judges who chose to give a minimum sentence because of no possibility of parole will receive scrutiny from the public. (Snail darter)
  - The elimination of all plea bargaining will increase the amount of court time and cases which must be heard
  - Judges and courts will be under heavy media pressure if

they decide a case in a way the public is not happy with

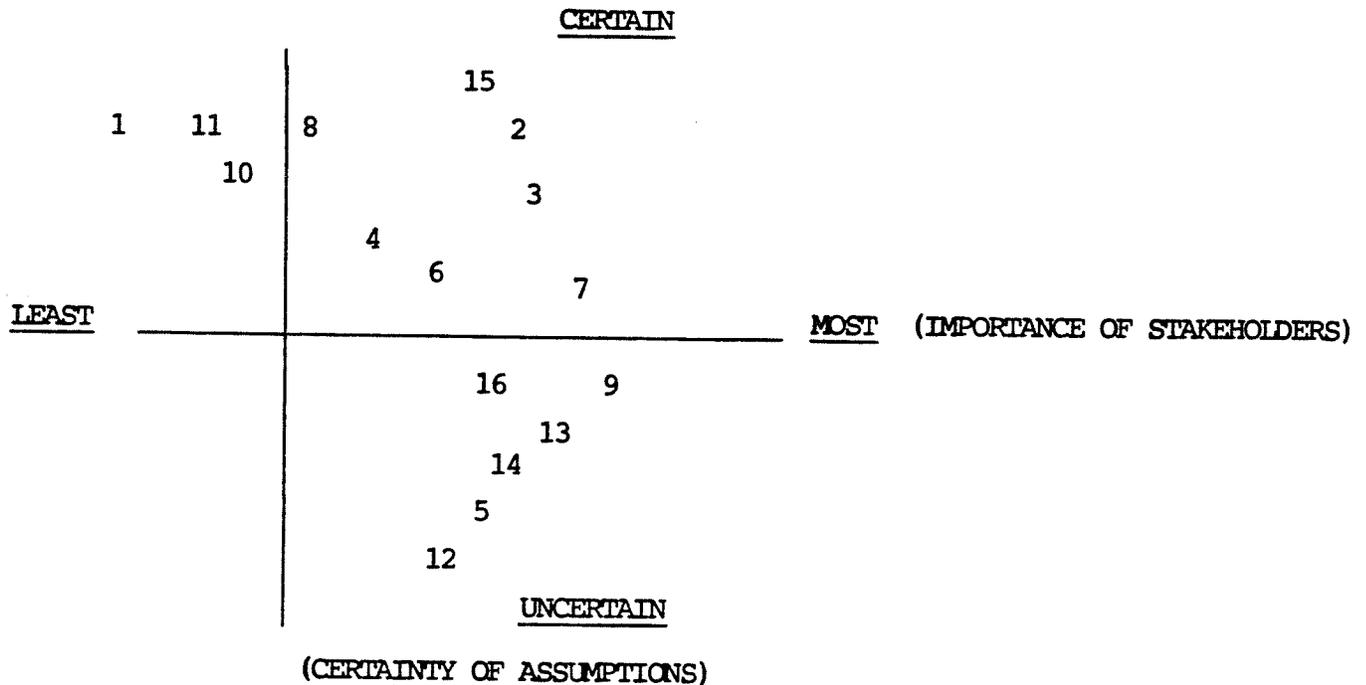
- 7) District attorney's association +
  - + More convictions
  - + More cooperative victims
  - + Better relationship with the public
  - + Part of specialized team
  - Increased work load
- 8) School Districts +
  - + Education and prevention classes will be well accepted in the community
  - + Less students will be victimized
  - Increased hours of instruction
- 9) CAO/Board of Supervisors/City councils +
  - + Favorable response from police agencies for more manpower
  - + Favorable response for state of the art equipment
  - + Praise from victims groups
  - Increase in expenditures
  - Argument for funding from groups with other interests
- 10) California division of law enforcement/attorney general's office +
  - + New training center will mean new equipment
  - + New jobs
  - + Will be able to share costs of facilities with Department of Justice
  - + West coast will have a forensic training center
  - Will cost some California tax dollars
  - No federal dollars
- 11) Sexual assault investigators association +
  - + Specialized investigative teams
  - + New innovations
  - + Ability to get involved in seminar training
  - + Added prestige
- 12) Legislature -
  - + Some parts of the Victim Bill of Rights are already law
  - + Favor from victims groups for a law to pay medical bills

- increased cost for medical support for victims
  - very difficult to change wording of statues which are already in place.
  - Supreme Court would not allow video testimony (snail darter)
- 13) Media +
- + The media will be involved in controversy, news about changing trends, different views of stakeholders, information about arrests, public service about wanted criminals and continual printing about demands from special interest groups
- 14) Hospitals
- + New technology
  - + More convictions
  - Increased costs to treat victims
  - Increased man hours
  - Increased court time for hospital staff
- 15) Reserve officers +
- + New training
  - + A feeling of being able to help prevent crime
  - New demand on volunteer hours
  - Cost for training
- 16) Retired community +
- + Opportunity to get involved
  - + Unlimited manpower resource
  - Many people do not have a law enforcement background
  - Costs for training

A graph of the degree of certainty of the assumptions was then drawn to overview the importance of the stakeholders in reference to each other as well as how valid the assumptions made were.

Figure Number 9

Importance of stakeholders and certainty of assumptions as the trends of sensitivity training, new technology, education, prevention, consolidation and volunteerism to combat reduced funding, and stigma reduction emerge.



1. Trial lawyers association
2. Police chief and Sheriff's Associations
3. P.O.S.T.
4. Victim/Witness
5. Taxpayers
6. Judges/Courts
7. District Attorney's Association
8. School Districts
9. CAO/Board of Supervisors/City Council
10. Division of law enforcement/Attorney General's office
11. Sexual assault investigators association
12. Legislature
13. Media
14. Hospitals
15. Reserve officers association
16. Retired Community

## SUMMARY OF STAKEHOLDERS/ASSUMPTIONS

Almost all stakeholders have both positive and negative variables. As future trends develop, these changes will cause both individuals and businesses alike, to benefit or lose ground.

The overall positive versus negative stakeholder assumptions favors the positive 70 percent to 30 percent. This by no means gives the nod to the pluses. Taxpayers, for instance, must be convinced they should help law enforcement correct the trend of reduce funding. The ability to convince taxpayers of this dilemma is very important but quite uncertain. Without needed funding, it will make forming specialized teams more difficult. Also, unless the California division of law enforcement can obtain federal funding, the dream of a west coast forensic center may not become a reality without the passage of a law enforcement initiative. The invention of new technology means new equipment and training. This cannot be done without money.

As sensitivity training becomes the norm, police chiefs and sheriffs will reap the benefits of much better trained first responders and investigators. Community relations with victim and victim advocate groups will increase. Confidence in the police will rise. Reporting, prosecution and convictions will improve. The support of police chiefs and sheriffs is certain and very important.

The trial lawyers will certainly challenge new technology, including profiling. "DNA fingerprinting", skin fingerprinting and expert systems computerization will all help corroborate the victim's statements.<sup>176</sup> Placing them as a stakeholder is the less important column. Due to sensitivity training, more victims will be willing to prosecute and more convictions will occur. A "snail darter" appears here. By the year 2000 there will be no possibility of parole for convicted rapists. It has been suggested the current California sentence for the crime of rape be raised from three, six or eight years to ten or twenty years. It is highly unlikely this will occur.

What is possible, however, is the increase of the sentence to four, eight or ten years. This type of sentence, while it promotes a stronger message against the crime, will still allow the defense the opportunity to plead for the lesser sentence. No possibility of parole will assist the defense in this debate.<sup>177</sup>

P.O.S.T. attitudes will be certain and extremely important. The administration must be willing to add sensitivity training to the minimum training hour curriculum. If the subject is not mandated, it will only be administered part time, if at all, and will not be set up to meet a minimum standard. Another "snail darter" surfaces here. It presents itself in the form of an argument by some police officials who will feel the program should be administered voluntarily, that we do not need more regulations.

Victim/witness programs now have paid positions, but many of the personnel who work for these organizations still volunteer and are most assuredly affiliated with many volunteer groups. They will be certain support for all positive trends. Since they will be working with investigators and deputy district attorneys assigned to each case, their support is also very important.

Judges and courts will be certain and important. Both will be supportive of a better treatment for victims of rape. Judges also rank high on the credibility chart and when they act in favor of the victim they will win the support of the majority of the citizens in their jurisdiction. The possibility of a "snail darter" does exist, however. If the public demands a maximum sentence but the judge, realizing there is no parole, does not feel this individual deserves more than a minimum sentence, a controversy may occur.

District attorneys will be important. Their support is certain, but it will come only after the personnel involved realize how important

sensitivity training and special teams are in obtaining cooperative victims and an increased conviction rate. The backing of the educational system is imperative. School boards and school districts are generally very supportive of classes which inform the populace of potential danger. An added incentive is the opportunity to prevent their students from becoming a victim.

City or county administrative officers, boards of supervisors and city councils may be "snail darters". Their impact is very important, but their action is uncertain. These individuals will probably be supportive if expense for manpower and equipment can be kept to a minimum or extremely well justified. Higher costs, however, will make this stakeholder uncertain.

The emerging trends offer an opportunity for a forensic science and specialized sexual assault team training center. The California Division of Law Enforcement will be certain to support the trends. A west coast center will mean new jobs, state of the art equipment, specialized training and, very important, a place for future research.

One important variable in future development is continued training.

Support of the California Sexual Assault Investigator's Association will be needed to help coordinate training classes and promote professional training. Speakers and role playing seminars can be scheduled at no cost to the taxpayer. The effort will not only benefit those in attendance but will add prestige to the organization. Sensitivity, prevention, profiling and technology are going to be part of the future. This organization is certain to support these trends.

Future trends will have a significant impact on reducing the stigma of rape. One area of concern seems to be the word itself. Special interest groups would like to see it changed. The legislature would be involved with this issue, but their support is very uncertain.

The media is certainly very important. As the trends evolve, their development will be printed for everyone to read. The way the issues are presented and the support of the media is somewhat uncertain, however.

The ability and willingness of hospitals and hospital staffs to become involved with sensitivity education and reduced stigma will be important. Increased reporting will mean additional expense and more court time for hospitals and staff, however; thus, the certainty of hospitals is unknown.

Reduced funding means new initiatives must be implemented. Reserve officers and retired community members' support will be important. There is no doubt to the certainty of the reserves. Although the hypothesis is favorable, the jury is still out on the appropriateness and reliability of the retired persons.

#### THE MISSION OF CALIFORNIA LAW ENFORCEMENT

The mission of California law enforcement will be to meet the needs of the community by providing professional law enforcement services including, but not limited to, sensitivity training, offender profile training, education, prevention, specialized investigative teams and the best public relations possible. Police agencies will maintain adequate personnel to be available and responsive to the mandates of P.O.S.T., the legislature and the people of the state of California.

#### MISSION DIRECTION

The completed research supports most of the literature and related hypotheses. There is a need for mandated sensitivity training; profiling and new technological equipment will become a major identification tool; education and prevention will take place in schools and communities throughout the state; stigma reduction will take place through education and knowledge about the rapist and the victim; reduced funding will be addressed by training reserve forces, retired police officers and elderly citizens to assist in what will be

elderly citizens to assist in what will be a major crime prevention effort...One huge "snail darter" is the possibility of political terrorism and community unrest increasing in the early 1990's.<sup>178</sup> Unless the trend of reduced funding for law enforcement is quickly reversed and all available manpower is shifted to combat the threat of chaos, many community needs may suffer. The hypothesis is the people in this state will not allow this to happen. One alternative is the law enforcement tax initiative. Another is the consolidation of agencies, thus eliminating a tremendous amount of duplication and unnecessary loss of revenue.

#### EXECUTION

The next process in this exercise was to submit a packet of information to the group. The packet contained a review of the project thus far. The group was then asked to present the possibilities they feel the trends will cause to happen by the year 2000.

As a result, the following eight statements prevailed:

- 1) The identified emerging trends will have no impact on reporting, but new technology will increase arrests and prosecutions.
- 2) The identified emerging trends will demand the elimination of effort duplication. Reduced funding will mean no support for the other trends unless consolidation of services takes place.
- 3) The identified emerging trends will mean increased support for law enforcement if a self identified group of concerned police administrators form a committee to organize efforts to begin programs which will effect change.
- 4) The identified emerging trends will cause a law enforcement tax initiative to be passed. This initiative, along with the use of volunteer services will help combat reduced funding.

5) The identified emerging trends will mean a united effort of interagency cooperation including, but not limited to, P.O.S.T., police agencies throughout the state including the district attorney's office, school districts, the community, the California Division of Law Enforcement and the legislature.

6) The identified emergency trends means that in order to be ready for the onset of new technology, the sensitivity training program, education, prevention and plans for a west coast forensic center must begin as soon as possible.

7) The identified emerging trends will mean each county will consolidate services into one metropolitan agency. Each agency will have a behavioral science bureau made up of specialized investigative teams. A victim advocate, forensic specialist, and deputy district attorney will be assigned to work with each team.

8) The identified emerging trends will mean every police academy will have regularly scheduled sensitivity training. Specialized investigative classes which will include criminal profiling, will take place at all advanced academies. New technology will be taught at a west coast forensic training center, built with both state and federal funds.

## Policy Delphi

A rating sheet for these policies was given to each group participant. Each person was asked to rate the feasibility and desirability of each statement.

Figure Number 10

### Rating Sheet for Policy Delphi

Alternative 1: <u>Score = 15</u>		Alternative 5: <u>Score = 21</u>	
Feasibility	DF PF PI DI	Feasibility of PF PF PI DI	
	(3) (2) (1) (0)		(3) (2) (1) (0)
Desirability	VD D U VU	Desirability	VD D U VU
	(3) (2) (1) (0)		(3) (2) (1) (0)
Alternative 2: <u>Score = 6</u>		Alternative 6: <u>Score = 23</u>	
Feasibility	DF PF PI DI	Feasibility	DF PF PI DI
	(3) (2) (1) (0)		(3) (2) (1) (0)
Desirability	VD D U VU	Desirability	VD D U VU
	(3) (2) (1) (0)		(3) (2) (1) (0)
Alternative 3: <u>Score = 19</u>		Alternative 7: <u>Score = 18</u>	
Feasibility	DF PF PI DI	Feasibility	DF PF PI DI
	(3) (2) (1) (0)		(3) (2) (1) (0)
Desirability	VD D U VU	Desirability	VD D U VU
	(3) (2) (1) (0)		(3) (2) (1) (0)
Alternative 4: <u>Score = 15</u>		Alternative 8: <u>Score = 22</u>	
Feasibility	DF PF PI DI	Feasibility	DF PF PI DI
	(3) (2) (1) (0)		(3) (2) (1) (0)
Desirability	VD D U VU	Desirability	VD D U VU
	(3) (2) (1) (0)		(3) (2) (1) (0)

**Feasibility:**

Definitely Feasible	No hindrance to implementation No R&D required No political roadblocks
Possibly Feasible	Acceptable to the public Indication this is implementable Some R&D still required Further consideration to be given to political or public reaction
Possibly Infeasible	Some indication unworkable Significant unanswered questions
Definitely Infeasible	All indications are negative Unworkable Cannot be implemented

**Desirability:**

Very Desirable	Will have positive effect and little or no negative effect Extremely beneficial Justifiable on its own merits
Desirable	Will have positive effect, negative effects minor Beneficial Justifiable as a by-product or in conjunction with other items
Undesirable	Will have a negative effect Harmful May be justified only as a by-product of a very desirable item
Very Undesirable	Will have a major negative effect Extremely harmful

Recommended Strategies

The results of the policy delphi were as follows:

- Alternative 6
- Alternative 8
- Alternative 5
- Alternative 3 (most polarized)

Another vote was administered to see if alternative 3 could overtake either 5, 6 or 8. The order remained the same.

Alternative 6 is a viable method of preparing the environment to be ready to meet the impact of future technology. The literature, interviews, surveys,

nominal groups and now delphi groups all seem to agree sensitivity training must be initiated. Alternative number 6 makes a compatible transition to alternative 8, focusing on specialized investigative classes and the future of a west coast training center. Alternative 5 ties all three strategies together by stating any successful effort must include a working relationship between involved organizations.

#### COURSE OF ACTION

This is not just a law enforcement problem; it is a concern which has the possibility of causing mental or physical trauma to every individual in America. Thus, America needs to talk about this crime. Education must take place in schools, businesses, organizations and homes. The stigma of this crime must be completely erased. When a burglary occurs, we treat the victim as such, and the offender as the criminal. If someone is robbed, or steps in front of a speeding car, we immediately go to the victim's aid. Relatives, friends, neighbors, no one has a problem understanding the victim is afraid and hurt, that he or she needs immediate support and understanding from those around them. As a society, we are beginning to change our feelings about rape. There has been court reforming crisis centers, and limited sensitivity training. Barbara Phillips, Head Administrator for the County of Orange Victim/Witness Program, recently agreed with this author in the following assessment. We have come along way since 1960, but we are only now shifting into second gear. Now is the time to establish a united course of action that will open the doors to the future and allow this nation to shift into third gear, fourth gear and into overdrive by the year 2000.

The immediate course of action is for P.O.S.T. to establish a committee of sexual assault experts from throughout the state. The players involved in the future of this project are P.O.S.T., victim/witness experts, mental health professionals, retired police

officers, retired citizen groups, police reserves, school districts, the legislature, forensic science specialists, city and county administrative offices, boards of supervisors, chiefs and sheriffs associations, district attorney's offices and the California Division of Law Enforcement.

Sensitivity training in all basic academies should be the first course of action, followed by training for all operational personnel in each agency in the state. Next, a specialized investigative team will be formed. Education, prevention, new technology and community involvement will now help reduce rape while, at the same time, see that offenders are apprehended and prosecuted.

#### ADMINISTRATION AND LOGISTICS

Initially, nine departments from throughout the state will each have to be willing to allow one sexual assault expert to be assigned to a P.O.S.T. committee for a period of three months. In order to establish a rapport and develop support, a personal visit to all chiefs and sheriff's association presidents and staff will be conducted. The committee will then identify a liaison in each department in the state. Each agency will be required to complete a statement of knowledge of trends and mission. Each academy in the state will be contacted and arrangements made for training seminars to be conducted at each location. This will require a time and personnel commitment from each department involved with the training center.

As specialized teams are formed, commitments must again be made from law enforcement agencies, and from victim/witness programs and district attorney's offices as well. Eventually, the California Division of Law Enforcement will build a west coast training center; until then, investigators from each team will be sent to FBI training in Quantico, Virginia. As future large departments emerge,

specialized investigators will come from agency and will be supported by personnel from victim/witness and the district attorney. Until this trend occurs, medium and large departments will assist smaller agencies, especially on serial rape or especially serious type incidents.

As stigma reduction and more confidence in law enforcement's treatment of victims occurs, reports will increase. More manpower will be needed to meet additional demand. Additional manpower will also be needed to form specialized teams. This cost will be somewhat offset, however, once the program of volunteers is started. No overtime for community programs will be spent, thus allowing administration to channel funds to on duty investigation. Overtime budgets will still have to be adequate, however, especially when new technology becomes a reality. When a rape occurs it will be reported immediately. A team will relieve the first responder as quickly as possible. As evidence is collected, profiled and computerized, 70 percent of suspects will be identified within a few hours. This process and subsequent investigation will require overtime hours on most cases.

The greatest expense to taxpayers will be increased training hours, the purchase of new equipment and the construction of the west coast training center. The costs will not come all at once, however, and if adequately budgeted, should not receive much rebuttal from city, county or state administrative officers.

#### PLANNING SYSTEMS

The first step in the recommended strategy is, one, P.O.S.T. will develop a team of experts from around the state. Next, a liaison must be set up with each department. Liaison personnel will survey all key staff and employees in each agency to ascertain current knowledge of trends and missions for the future. A set of goals and

objectives must then be presented to P.O.S.T. and a plan outlined which will set the standard of instruction to be administered at each academy.

Each training center will receive the outline by appointment only. A letter of introduction to the program will precede a visit from a member or members from the team of experts. The letter will lay out the program, which will give each region the opportunity to include professionals from different disciplines within the respective community. A training seminar will be conducted at each location, after which the program will be instituted.

The sensitivity program will be administered to all basic academies. In addition to recruits, all patrol officers, sexual assault investigators, patrol sergeants and other appropriate line staff will attend an abridged session once every two years. These advanced sessions and their records will be controlled by each academy, but they may be held as part of in service training. Many officers and supervisors are currently handling calls who have never undergone any type of sensitivity training. In addition, researchers are on the verge of new information and new technology which is best taught through formal education rather than training bulletins.

A program must also be developed to form specialized sexual assault teams. The teams will consist of two highly skilled investigators, a forensic specialist, a victim/witness advocate and a deputy district attorney. All members will undergo sensitivity training. The investigators will be trained in state of the art criminal profiling. Until the California Division of Law Enforcement can build a west coast training center, this expertise must be obtained at the FBI Academy Training Center in Quantico, Virginia.

As with the development of academy programs, members from the team of experts will visit each chief's and sheriff's association. Future trends and verified research will be presented. The cooperation of each department head is extremely important. The relationship between sensitivity training, specialized teams and the perception of law enforcement's ability to deal with the crime of rape is at stake. The cooperation and assistance of the police chief's and sheriff's association is vital.

Once an agreement is reached from the police and sheriff's association, the same commitment must be obtained from the district attorney's office. While not vital, it is nevertheless, very important the district attorney allow his deputies to be part of this specialized team. The more commitment the judicial system makes to the victim, the more the victim will want to prosecute, and the less trauma she will receive during the process.

This author made personal contact with the Victim/Witness Assistance Program in Orange County. The feeling from that organization is the idea of one investigator, one D.A. and one victim/witness advocate staying with the victim throughout the investigation and trial in a realistic approach to treating the victim with dignity and allowing her the opportunity and giving her the strength to prosecute. The end product benefits society as a whole.

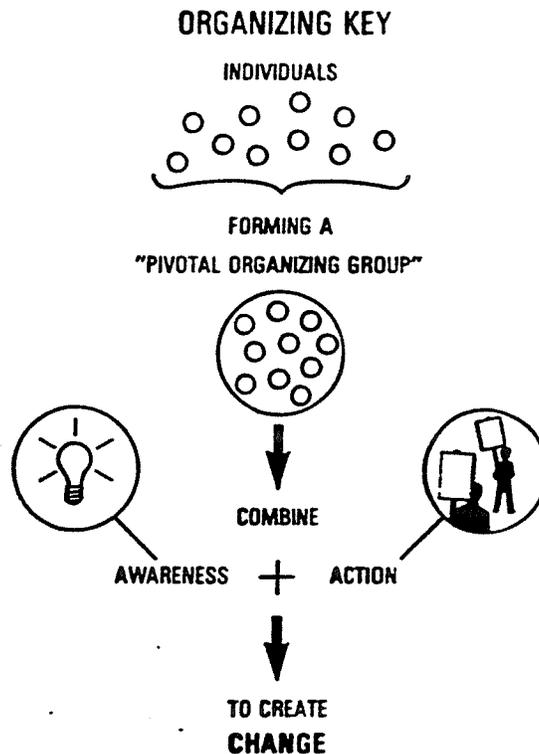
Due to reduced funding, it may be impossible for agencies to put officers into elementary, intermediate and high schools on a regular basis. Literally, thousands of schools exist all over this great state. Education and prevention to students is an ongoing commitment. It must be conducted on a regular basis. It must have a purpose, be factual and interesting enough to hold a young person's attention. Aside from the school system, there are colleges, universities, civic groups, PTA groups, homeowner's associations,

clubhouses, women's organizations and more. If we are going to sincerely make an impact, we must convince retired police officers, retired citizens and reserve forces to volunteer to undergo extensive training which will be so vital in making this part of the project a success. If a person will imagine for a minute a group of trained volunteers involved in each county, supported by the press, once established and in a working mode, may attract qualified teachers, nurses, reserve firepersons and crisis workers who will want to be trained and help their community in this worthwhile effort.

Sensitivity training, specialized teams, criminal profiling, education and prevention will, in itself, reduce the stigma of rape. The willingness of communities to support this effort will also help effect change. In fact, the citizens themselves, once they become involved, will be pivotal to creating prevention and stigma reduction.

Figure Number 11

Forming a Pivotal Organizing Group to Create Change



With concerned individuals from groups committed to action, the result is change. The nominal group identified the trend, the word rape being changed in penal statutes, reports and literature in general, as a future trend. Even the terminology, "rape victim" is changing to "sexual assault survivor". Interviews with experts who represent the epitomy of excellence in their respective fields, state the deletion of the word rape by the year 2000 is a strong possibility. It will follow the culmination of the other trends and it will become a reality because of pivotal organized groups.

When a series of groups mobilize the time, energy and resources of its members, events and activities begin revolving around it. As future groups formulate their message to the legislature to change 'rape' section to offenses against the person, and the word 'rape' to 'deviate sexual intercourse' or 'first degree assault', the media will become involved and leaders of the group will be asked to speak on television, radio interviews, give interviews to newspapers and magazines.<sup>180</sup> A wide variety of community groups, from P.T.A.'s to service clubs, may request speakers from the groups. This action will win support from state senators who will subsequently make the change.

During the first three years, the community as a whole will experience only small, subtle changes with fairly certain predictability. Books have been written but only small changes have taken place. Victims feel they are still stigmatized by society and law enforcement, technology is in its infancy, sensitivity training is low, a united effort of education and prevention does not exist.

From four to seven years, victim and victim rights groups will become very vocal. Societal attitudes will rapidly be changing. There will be demand for tougher penalties, no parole, and changes in terminology. Reports will be increasing at an alarming rate. New

technology is now available, a west coast training center is built, both increasing local, county and state budgets. All segments of the community are involved. As changes continue, stakeholders will be affected, turbulence will be high. Reactions will be somewhat unpredictable.

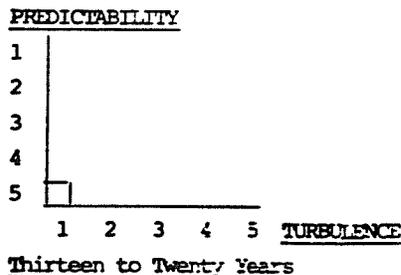
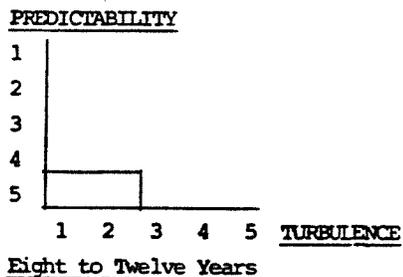
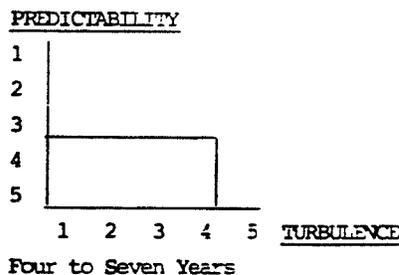
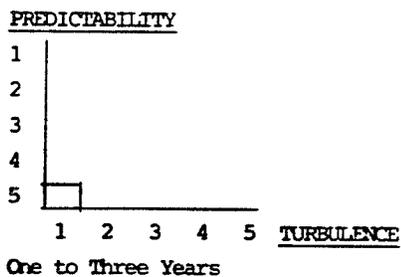
From eight to twelve years, things will begin to settle down. Attitudes, investigative techniques, new technology, education and prevention throughout our schools and community is now the norm. We as a state are completely supportive of our united efforts.

From 13 to 20 years, turbulence will remain fairly stable. There will be an occasional wave as new equipment, or costs for state of the art training, are requested, but once the system is built and functional, no major storm is expected.

Future Analysis

Figure Number 12

The future turbulence relating to the incorporation of rape sensitivity training, new technology, education, prevention and stigma reduction in the state of California.



LEVEL OF TURBULENCE

- 1 = Lowest Level of Predictability/Turbulence
- 5 = Highest Level of Predictability/Turbulence

## TRANSITION MANAGEMENT

The transition management plan is the link between the information generated in the strategic plan and the desired future. The environmental analysis completed in the strategic plan established the fact that law enforcement's role is continually changing and departments must look for ways to prepare themselves to meet future issues and problems. A group of individuals and organizations have surfaced as the "critical mass". These are stakeholders whose level of commitment to the program is critical to its success. The components of the "critical mass" must be viewed in the context of what tactics must be used to gain their support rather than just simply assessing their position on the issue.

The plan of action and the strategies selected have been translated into a transition management structure which will allow each department in the state to carry out sensitivity training, education, prevention and prepare for the future of new technology.

### NON-NEGOTIABLE ISSUES

The mandate of sensitivity training in every P.O.S.T. certified academy is a non-negotiable issue. The rape investigation is frequently one of the most challenging and frustrating tasks a police officer can undertake. The victim may have been beaten into insensibility, or she may have received little, if any, physical injury at all. Both, and all situations in between, must be handled with the utmost understanding and compassion. Victim's groups, victim/witness program personnel, the victims themselves, tell us this is not being done. While there has been some improvement, only half the rape victims in our society are willing to report. This cannot totally be blamed on law enforcement. Stigma related to rape also shares in the blame. It is up to the police, however, to be the focal point of change.

An extension of sensitivity training and an example of its importance, is specialized training for investigators. Criminal profiling of the rapist can only be accomplished if the victim is willing to report. Sensitivity training is the first step. In preparing a rapist profile, a careful and professional interview of the victim regarding the rapist's behavior is essential. Specialized investigation, covering modern state of the art techniques, sensitivity, the future of profiling, and preparation for the advent of future technology is not negotiable. The P.O.S.T. committee of a team of experts is the coordinating body for this project. This unit cannot be compromised. Another group, the liaison officer from each department cannot be negotiated. If the goal is to eventually train every recruit and line officer in the state, a detail must be organized to put the program together.

#### NEGOTIABLE ISSUES

While sensitivity training, including an understanding of the rapists, the victim and post traumatic stress disorder, is not negotiable, the total hour of the program is. Research will have to be conducted to see how many hours of classroom instruction and how many hours of role playing are necessary to make the program successful. The hour of follow-up training, either during roll call or at a designated training facility can also be discussed.

The demand for video testimony to help reduce stigma is most certainly negotiable. The type of wording changes in penal statutes and increased cost for medical services are items which will be argued for some time. Some give and take is inevitable.

Although significant cost savings will be realized by training reserve officers, retired citizens and retired police officers, exactly how this is to be accomplished, and how many individuals will be required, are points willing to give on.

### STAKEHOLDERS POINTS OF NEGOTIATION

It is anticipated the police chiefs and sheriffs associations from each county will be in support of this project and P.O.S.T. will have little difficulty in putting together a committee of a team of experts from among these agencies. Some discussion may ensue, however, around the length of time each individual must be assigned. Some may feel it is too long, some may feel more time is needed. The number of committee members and their salary will almost certainly be a topic of discussion.

P.O.S.T. will demand that the sensitivity training be carried out in a professional manner. There will be continuity throughout the training network. As long as the mandate is met, however, some latitude as to speakers, time allotted and exact curriculum will be somewhat flexible.

The increase in reports, along with the advent of specialized teams, will mean more of a time and work load commitment from victim/witness programs and the district attorney's office. If the goal of specialized teams is to have a victim advocate and deputy district attorney available at each scene and these same individuals stay with the victim through the complete judicial process, victim/witness administrators and district attorneys will eventually budget for more personnel. In those counties where boards of supervisors agree to this additional cost, the problem will be solved. If, however, a board should disallow the increase, compromise on how to keep victim/witness involved but cut back on their time and manpower commitment must be developed. Volunteer services are an option but volunteers, while usually reliable, are under no specific obligation and, in the case of personal help to the victim, it is better if the same person accompanies the victim during all proceedings. No volunteers can replace the deputy district attorney assigned. If the board refuses additional manpower, reorganization within each district attorney's unit is a possibility.

Judge's associations will generally be in favor of the emerging trends. Judges are well respected in our society; their support will gain interest from the community. Judges will not want to be scrutinized however. They will want to run their courtrooms as they see fit. This means that, on occasion, they will give a minimum sentence, allow bargaining and questioning of the witness which some special interest groups will rebut. A win/win situation can be brought about here by not putting undue pressure on judges when this occurs.

City and county administrative officers, city councils and county boards of supervisors will want to support new procedures and new technology which will help change arrest rates, improve victim reporting, increase prevention and reduce stigma. These groups are extremely budget conscious. It is also politically important for these groups to please their constituents. The respective organizations will study all alternatives possible, however, before committing new funds. Such a study will undoubtedly cover use of volunteers, reserve forces and the future trend of consolidating services.

#### TRENDS IN NEGOTIATING

A supportive and trusting climate must be established with every stakeholder. Even stakeholders who are completely in favor of the program must be included in all correspondence. There is also the chance a "snail darter" can surface at any time. Negotiations should be flexible, but should set definite goals which must be reached if the program is to succeed. Give and take, or win/win strategy, is permissible if each issue is framed as a joint search for objective criteria. Negotiators, who are forming the P.O.S.T. committee of

experts, working on sensitivity outlines, meeting with police associations, volunteers, setting up school programs, prevention programs in the community and developing training on future technology becomes a reality, must use reason and be open to reason as to which standards are most appropriate and how they should be applied. Negotiators must never yield to pressure, only to principle.

#### THE CRITICAL MASS

The "critical mass" is the organization; groups or individuals who have an interest in or are affected by the future trends, and whose influence could make or break the plan. The success of this project will ultimately hinge on the degree of commitment or resistance each member of the critical exerts on the decision.

The "critical mass" in this project consists of:

1. Police chiefs and sheriffs associations.
2. P.O.S.T.
3. Victim/witness personnel
4. Taxpayers.
5. Judges/courts.
6. District attorney's associations.
7. School districts.
8. City and county boards.
9. California division of law enforcement.
10. California sexual assault investigator's association.

11. Legislature.
12. Hospitals.
13. Reserve and retired officer's associations.
14. Retired community.

The Commitment Planning Chart depicts the assessment of the current level of commitment each of these critical mass groups has toward the plan, to either agree and/or rebut sensitivity training, new technology, education, prevention and stigma reduction.

Figure Number 13

PLAN OF COMMITMENT CHART

CRITICAL MASS PLAYERS	Block Change	No Commitment	Let Change Happen	Help Change Happen	Make Change Happen
President and staff of police chiefs and sheriffs associations		X → →	→ → →	→ 0	
P.O.S.T.				X → →	→ 0
Victim/Witness				(X)	
Taxpayers	X →	→ → → →	→ → →	→ 0	
Judges associations		X → →	→ → →	→ 0	
District attorney's associations		X → →	→ → →	→ 0	
School districts		X → →	→ → →	→ 0	
City and county boards		X → →	→ 0		
California Division of Law Enforcement				(X)	
California Sexual Assault Investigators Association				X → →	→ 0
Legislature	X →	→ → → →	→ → →	→ 0	
Hospitals	X →	→ → 0			
Reserve and Retired Officers Associations				(X)	
Retired community		X → →	→ → →	→ 0	

X = Present position

0 = Desired position

## NARRATIVE ASSESSMENT

P.O.S.T. will contact the police agencies throughout the state. A letter of introduction to future trends and this project will help identify the sexual assault experts who would be available to serve on a P.O.S.T. committee. P.O.S.T., a contingent from the F.B.I., and the California Division of Law Enforcement will review submitted applications from which a committee of nine experts will be formed.

The president and staff of the police chiefs and sheriff's associations in each county will be officially briefed by a personal visit from a member or members of the P.O.S.T. committee. Without a former explanation and a copy of the research, future trends and plan of action, these top police officials will have no commitment. Once evidence is provided which shows sensitivity training must be initiated, technology is just around the corner and, through education, law enforcement can win community support, these important associations will move to help change happen.

P.O.S.T. was the first of its kind in the nation. For almost 29 years this organization has led the way for new innovations, high standards and methods of training. P.O.S.T. has been instrumental in making California one of the best trained contingents of police officers in the world. Whenever a need is presented and shown to receive an appropriate response, P.O.S.T. has been quick to act. Initially, P.O.S.T. will be willing to help sensitivity training, specialized teams and other trends take place. Once involved, P.O.S.T. staff will have such influence as to make change happen.

Victim/witness organizations are finally a reality in California. They have been well received and supported by the general public. The staff and employees of victim/witness programs will be ready and willing to help change occur. This group should remain in the help change column. Their assistance is extremely valuable, but they are

a support group and should not be asked to be involved in attempting to make change happen.

The taxpayers of this state are also the citizens and possible victims. No one likes the thought of increased spending and, although vitally needed, the taxpayers have expressed this feeling numerous times in recent years by voting down crucial bond issues and tax initiatives for new facilities, roads, et cetera. Reduced funding for law enforcement is a continuing trend which has been addressed, however, and at some point the hypothesis is the citizens of this state will vote a police funding initiative. Initially, any funding for new technology and manpower will not be supported by this group. The united effort of the pivotal groups in each county will eventually change the attitude of this group to move from blocking change to letting change happen.

Originally, judges will have no solid commitment toward the project. Once they recognize law enforcement has made a commitment to sensitivity, education, prevention and technology; once reports begin to reflect an understanding of the past traumatic stress disorder; once victims are willing to prosecute, judges will experience less turmoil in their court. Judges are very influential. Their positive feeling about law enforcement's professionalism will help change occur.

Like the judges, deputy district attorneys will originally make no commitment. They may even attempt to block change at first. Once the program of specialized teams is in effect, and deputy D.A.'s see the result of the police and their positive treatment of victims, this group will also move to help change happen.

School districts will at first have no commitment, mainly because their support has not been solicited. Once the value of such a

project can be shown, however, school administrators, teachers and staff will immediately see the value in administering such a program. Once personnel are trained, schools will provide classroom facilities, help with scheduling, and provide letters to parents about the instruction. These same school district personnel will lend their support to setting up prevention programs. Throughout the community, through these continued efforts, this group will move from no commitment to helping change take place.

City councils and board of supervisors will be uncommitted. Law enforcement and the community must work together to present an environment favorable to change. Every effort must be made to study trends, present facts and consolidate costs whenever possible. As the future unfolds, so will the effects of sensitivity training, education and prevention. As additional manpower and expense for new technology becomes a reality, public support and the proof the program is working will cause these boards to let change happen.

The California Division of Law Enforcement is in a position to work closely with the F.B.I. to initiate criminal profile training for specialized investigative teams. This organization is also the instrument to a west coast training center to train forensic specialists in future technology. Both profiling and technology will increase arrests and convictions. Sensitivity training is an avenue to these trends, thus this organization will want to immediately help change happen.

The California Sexual Assault Investigators Association will be very supportive and will want to immediately become involved. The members of this group are knowledgeable, dedicated and willing. Since P.O.S.T. must take the lead in making change happen, however, this group will be asked to move back a step and allow its members to be utilized to help change happen.

The legislature is extremely busy. Any change in the wording of statutes will be initially blocked. In the future, however, public sentiment will use the words "rape survivor" rather than rape victim. Police reports will reflect this attitude. Special interest groups will approach state senators and ask that the word rape be changed to "sexual assault" or "deviate sexual intercourse" and the rape section be changed to "offenses against the person" section. It is difficult to project this coming true by the year 2000, but the fact society's attitude will be drastically changing will, in fact, move the political arena to allow change to happen.

Hospitals are shorthanded and overworked. This is no more evident than in emergency rooms where most examinations of victims takes place. At first, as more and more victims come forward, hospital staff will not be supportive. As victims become more willing to prosecute, this feeling will be compounded by the additional time doctors and nurses are required to spend in court. As education takes place, some hospitals will volunteer to get involved, thus reducing the stress to just a few. Community support will also help hospital staff justify new initiatives and personnel to meet the demand. As hospital staff witness the appreciation voiced by the community for attempting to help, this group will at least not block change and will move to not voicing an opinion either way.

The reserve officers associations and the retired officers associations in each county are a vital link between the beginning of sensitivity training and the complete cooperation of a united community effort. Due to reduced funding, it is imperative these groups become involved. The literature mentioned in this project and the known history of these organizations places them in the help change column. They will begin in that position and remain there.

The retired community is one of the valuable resources in our nation. Unfortunately, with the exception of some local hospitals, this vital part of our community is hardly ever asked to participate. There is a plethora of retired professional personnel, well educated, in good health, who would jump at the chance to volunteer to help their fellow man. We have only to ask them. The projection for this group is one of moving from no commitment to help change.

#### MANAGEMENT STRUCTURE

In developing a comprehensive program, the concept of quality must be foremost. In order to achieve this high standard, every effort must be taken to involve key personnel in each county who are not only knowledgeable, but have the energy to organize and keep the program alive.

P.O.S.T. will approve the course outline for sensitivity training in each basic academy in the state. They will also approve advanced training and in service outlines for investigation, supervision and patrol personnel. Utilizing this project as a pilot, the P.O.S.T. select committee of experts will unite the proposed outline, with recommendations, and present them to P.O.S.T. administration.

Once approved, each academy commander and staff will be calendared for a personal visit. The program and its future will be discussed. Each training center will have the option of utilizing qualified civilian professionals to assist the academy instructors. It is suggested at least 50 percent of the time allotted for instruction be assigned to law enforcement personnel.

The identified liaison officers from each department will make arrangements for representative training sergeants from operation divisions to be a part of the introduction phase. They will meet the

P.O.S.T. committee members at the training center. Ideas for training for investigators and roll call training will be discussed. One alternative to roll call training is to add sensitivity training as a three hour block of time to all advanced patrol and investigation update training every one to two years.

The liaison officer in each agency will help set up appointments with school administrators, community group leaders, civic groups, P.T.A.'s, et cetera. A pivotal group will be developed in each location. The P.O.S.T. committee will set up programs in each geographical area. Local expertise will be utilized to coordinate and train volunteer forces who will, in turn, become part of the crime prevention unit. Each unit leader will schedule programs and monitor progress. All data will be returned to P.O.S.T. on a yearly summary.

P.O.S.T. and the California Division of Law Enforcement sexual assault unit will liaison with the F.B.I. in Quantico to begin profile and post traumatic stress disorder training for investigators throughout the state. As the year 1994 arrives, the west coast training center will be accepting these students in Sacramento. In the meantime, they will be trained in Quantico.

When "DNA fingerprinting" and computerized expert systems are available, law enforcement, the stakeholders and the California community will be ready for the second phase of training which will see sensitized officers, specialized investigative teams and highly skilled forensic specialists preparing police work as a profession to meet the impact of the year 2000.

#### PROCESS PLAN

Planning, in any society, is confronted with several obstacles: competing and/or conflicting values, competing interests and

insufficient resources to address all needs. The major challenge is for all parties to thoroughly understand the social context within which the planning is to occur and to develop appropriate strategies to overcome these obstacles. Planning is not a pure science with predictable inputs and outcomes, but rather requires the planners understand and orchestrate the social environment which will allow them to achieve the desired objectives.

P.O.S.T. administration will direct the initial meeting. Future assignments, goals, objectives and deadlines will be set. Everyone involved will know exactly what has happened in the past and what is expected for the future. The plan committee will consist of P.O.S.T., a representative from the California Chiefs Association; a representative from the State Sheriff's Association, the California District Attorney's Association, California Sexual Assault Investigators Association, California Division of Law Enforcement, the F.B.I., forensic sciences, the Los Angeles Police Department's Behavioral Science Unit and this author.

The first meeting will take place in Sacramento. It will be a two day team building workshop. A PhD from one of the major universities who specializes in transition management and teaches at the Command College will sit in on the first session. Committee members will discuss personal biases. They will be encouraged to have a voice in the future strategic plan, and to be instrumental in helping develop the P.O.S.T. committee of experts. Agendas and schedules will be set.

The goals and objectives of the plan, and implementation of change must be purposeful, all tasks must be clearly identified, adaptable and agreed to by P.O.S.T.. The planning committee will select one or more frameworks of planning which include: planning as future control; planning as cause; planning as power; planning as adaptation; planning as process.

Planning as future control means planning is seen as the capacity to control future circumstances by planned activity in the present. Planning as cause means planning has occurred when a group or society is able to cause a desired outcome. Planning as power is the capacity to create change in others despite opposition. Power relationships are reciprocal in that they are defined by both the responses of the powerful and the capacity of the respondent. This framework, therefore, not only considers the ability of the powerful to prevail, but also the capacity of the respondent to predictably respond.

Central to the concept of planning as adaptation is the notion circumstances are beyond our control and the planner's role is to identify where society is headed and create objectives which will bring society to that point. As changing social circumstances alter the future, it may be necessary to modify previous objectives. Thus a critical event may impact a planned for trend, causing a different scenario which may require a different approach.

Author West Churchman in his book, The Systems Approach, proposed planning as a process. He stated planning consists of multistage decision making and "...hence must study (1) a decision maker who (2) chooses among alternative courses of action in order to reach (3) certain first stage goals which lead to (4) other stage objectives". The basic elements in process planning are:

- problem identification
- development of options
- evaluating alternatives
- selecting alternatives
- implementation
- evaluation of consequences

The committee will document the situation, define the mission, cause the mission to be executed, administered and controlled. Once

direction is given, the P.O.S.T. committee of experts selected, and the plan of action begun, the planning committee will officially become the steering committee. Periodic meetings will take place with P.O.S.T., the expert committee and the steering committee. When the initial phase has started and the expert committee is disbanded, the steering committee will remain in force. Some of the expert committee will, in fact, be asked to become a part of the steering committee. The future will see organization directing one of the most challenging attempts to combat rape ever undertaken in this state. It will deal with the trends in a professional manner and set an example which will hopefully be adopted throughout the nation.

## CONCLUSIONS

The primary objective of this project has been to study future trends which relate to the crime of rape and their impact on law enforcement and the community. Using the nominal group technique, the major future endeavors were identified in the form of social, technical, environmental, economic and political forecasts. Police officer sensitivity training, specialized sexual assault teams, "DNA fingerprinting", a stronger educational approach, prevention, initiatives to deal with reduced funding, and stigma identification was validated through a lengthy literature search and interviews with many of the top professionals in the country.

### Business at Hand

The research for this project has unveiled the history of man's attempt to legally deal with rape has merely been a reflection of society's efforts to grapple with the differences in status of both men and women. The literature states laws governing rape, like the laws and regulations of all institutions are nothing more than manifestations of the prevailing social norms and values. This means law enforcement, as a business, must examine contemporary social values to understand the nature of past problems, current progress, and the challenges which lie ahead.

We have learned reported rapes have been increasing approximately three percent a year. At present, based on approximately 90,000 reports, women have a risk rate of 38 per every 100,000. The literature tells us, however, that only half of all rapes are known to authorities. Thus the risk rate is more likely to be twice what is stated. No one knows for sure how many actual rapes occur each year. What we do know is the growing awareness that rape is an act of violence. This knowledge, in itself, is quickly changing the attitudes we as a society once held.

### Knowledge

The literature points out the educational approach in dealing with rape is making society aware of the "ripple effect" which the crime of rape causes, and its impact on the victim, the victim's family, on friends, on the neighborhood in which the incident occurred, on the police who become involved in investigating the crime, on hospitals, the district attorney's office and the courts. The more educated we as a nation become about rape, the more cases will actually be reported. The attitudes which were voiced and felt about rape in the early 1960s and 70s are slowly giving way to a totally new concept. As we look toward the future, we see the police willing to accept help from special interest groups, teach prevention and devise special techniques on how to work with victims in crisis. The future will not only see more emphasis on overall training, but special investigative squads composed of both policemen and policewomen, will also be utilized to help reduce the trauma the public often perceives may take place when reporting the assault.

Sensitivity will continue to be an extremely important issue. "Biometrics" and lifting fingerprints off of human skin will become a reality. "DNA fingerprinting" will be the norm. This vital evidence will significantly increase the chances the assailant will be caught. If, due to sensitivity training, the public believes those who handle their case can truly sympathize with their plight, reports will continue to increase. Victims will be quick to take advantage of this new technology in order to apprehend the offender and prevent someone else from suffering the same trauma. If, on the other hand, law enforcement should not meet future expectations and the perception of the community falls back to the early 1960's, it will seriously stifle the technological advances so vital to arrest and prosecution.

### Willingness to Help

No man, nor any woman who has never been a victim of sexual assault can truly empathize with what a victim is experiencing. Through research, which includes discussions with both the victims as well as the offenders, law enforcement and other related disciplines can develop sympathy which will, in turn, be perceived by the victim as willingness to help. Sensitivity training will soon be mandated by P.O.S.T.; specialized teams will be able to use exciting new technology; schools, colleges and civic groups will be willing to assist in the attempt to educate the community. This in itself will have an impact on stigma reduction. Police reserves, retired police personnel and retired citizens will be recruited and trained to help fill the void of reduced funding. Deputy district attorneys, hospital staff, victim/witness and social services will join in the effort to treat the victim with dignity and the victim, in turn, will respond by first of all reporting the crime and then be willing to stay involved in the prosecution.

### Findings

The literature and professionals in the field are in basic agreement as to the history, current trends, and future developments. There has been significant improvement in society's attitude about rape in the last 25 years, but most experts feel we have only just begun. Only 50 percent of all rapes are reported. The goal by the year 2000 is to have all rapes reported. The realistic estimate, based on the trends identified in this report, is 90 percent of all assaults will be reported to the police. Some victims will request a female officer, thus departments should have women trained and available. Most victims however, will give high marks to either male or female officers if they are well trained and sensitive.

As the future unfolds, not only women and the police, but doctors, lawyers, parents, school administrators, just to name a few, will become more aware of what rape is all about. The ability to profile the rapist, understand the rape trauma syndrome, post traumatic stress disorder, and put new technology into play, will increase cooperation and reporting. The more information, better training, less stigma, the better chance to deal with it and, hopefully, prevent it.

This project contains information which provides a basic foundation for an awareness and understanding of rape. The recommended program will increase professionalism, develop community rapport, and establish an administratively sound roadway to prepare law enforcement for the year 2000.

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## APPENDIX C

### DEVELOPED TRENDS

1. Victim's willingness to report
2. Increased advocacy for victims
3. Reduced funding while demand for services in increasing
4. Increased number of women in influential political positions
5. Increased awareness and concern
6. Changes in the way evidence is collected/technology
7. Stronger educational approach
8. Interagency cooperation including media attention
9. Rape prevention
10. Education will increase reporting
11. Awarding of civil penalties for victims
12. Change in kinds of rape reported
13. Field of medicine entering into penalty phase
14. Alternative sentencing
15. Pre-identification of suspects through new technology
16. Police allowing support groups to assist
17. Change in family unit
18. Increased awareness of psychological trauma for the victim
19. Police liability
20. More DA awareness

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### DEVELOPED TRENDS

21. Increase in number of women in law enforcement supervisory and management positions
22. Increase in number of deaths related to AIDS
23. Separate incarceration for persons convicted of sexual assault crimes
24. Public demand for well trained officers
25. Public demand for sensitivity training for all police personnel
26. Police sponsored prevention programs
27. Police sponsored training for hospital emergency room staff
28. Hospital medical training for police personnel
29. Localized special sexual assault teams designed specifically to assist victims
30. Public demands more accountability for release of offenders into the community
31. Relaxed civil rights for convicted felons
32. Trend to recognize rape as both sexual and violent
33. Legislation to change wording in penal statutes, official reports, court proceeding and sexual assault details which will help reduce the stigma of the word "Rape"
34. Victim assistance becoming more institutionalized
35. Increase in substance abuse
36. Trend well trained first responder versus male or female officer
37. News media becoming involved in trials
38. Legalization of victims rights
39. Networking and profiling to aid suspect identification

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### DEVELOPED TRENDS

40. Society willing to change attitudes about rape
41. Emphasis on communication skills; verbal and body language
42. Need to understand new officers come from community with identified stereotypes
43. Increase in men and women educating the public and cooperating with each other
44. Increase in law enforcement to care more than just about the case; care for victims
45. Psychological profiling
46. Professional reports by police
47. Inservice training
48. Field training officer
49. Video tape
50. Increase in use of technology
51. Increase in reports of date rape
52. Work shops and training programs on campuses to help avoid sexual assault
53. Action programs to increase the willingness to report
54. First-line supervisor training
55. Social resources available for police
56. Alternatives to jail or prison
57. Attitudes of Departmental supervisors
58. Education to deal with attitudes relating to myths that prevail in society
59. Survivor's vulnerability
60. Community involvement to protect themselves

## APPENDIX C

### CRITICAL EVENTS

1. Prostitution is legalized
2. Executions for rape
3. Rape of a loved public figure
4. Cure for AIDS
5. Change in P.O.S.T. finding
6. Change in tax initiatives
7. Court decision making victim ID to public unnecessary
8. Sudden technical breakthrough whereby suspect can be identified by evidence left with victim
9. More of a governmental controlled day-care system
10. Party consistency on social reform
11. Depression
12. Presidential election
13. Change in funding structure as it relates to issues of public safety or education
14. No parole for sex criminals
15. Suspect ID'd to community upon release
16. Recall of Prop 13
17. Legislation to sanction public agency who is mandated to provide service but does not
18. P.O.S.T. mandated sensitivity training for all sworn personnel
19. Medical breakthrough of drug to simulate sexual satisfaction
20. Omission of jury trial
21. Rape Survivor's Bill of Rights legislation passes
22. Legislation allowing victims to testify via video tape
23. Legislation allowing hypnotized victims to testify
24. Availability of grant \$ to form a multi-agency task force to address rape prevention/education/enforcement

APPENDIX D

PRE-TEST QUESTIONNAIRE

ORANGE COUNTY SHERIFF'S DEPARTMENT RAPE PREVENTION PROGRAM

Your instructor is giving you this questionnaire in order to evaluate the information you are about to receive. Please answer the questions as honestly as possible. If you do not know the answer, leave it completely blank.

Do not put your name on this questionnaire.

1. Can you briefly explain what rape prevention means to you?
2. Can you name two basic self-defense techniques which have proven effective?
3. Can you describe the different types of rapists?
4. Can you explain what the Rape Trauma Syndrome is?
5. Can you explain why hitchhiking is so dangerous?
6. Have you had previous rape prevention training?

Age \_\_\_\_\_

POST-TEST QUESTIONNAIRE

ORANGE COUNTY SHERIFF'S DEPARTMENT RAPE PREVENTION PROGRAM

We wish to thank you for your attendance at our program. Your instructor is asking you to fill out this questionnaire in order that the information you received can be evaluated.

Please answer the questions as honestly as possible. If you do not know the answer, leave it completely blank.

1. Can you briefly explain what rape prevention means to you?
2. Can you name two basic self-defense techniques which have proven effective?
3. Can you describe the different types of rapists?
4. Can you explain what the Rape Trauma Syndrome is?
5. Can you explain why hitchhiking is so dangerous?
6. Do you feel the Orange County Sheriff's Department Rape Prevention Program was valuable to you?
7. Would you recommend the program to your friends?
8. Do you feel the program should be taught in you community's intermediate and high schools?

POST-TEST QUESTIONNAIRE

ORANGE COUNTY SHERIFF'S DEPARTMENT RAPE PREVENTION PROGRAM

9. Should the program be presented to adult groups in your community?
  
10. Do you have any suggestions that would make the program better?

Age \_\_\_\_\_



**SHERIFF-CORONER DEPARTMENT  
COUNTY OF ORANGE  
CALIFORNIA**

**BRAD GATES  
SHERIFF-CORONER**

Dear Academy Commander:

I am writing a project for the P.O.S.T. Command College titled: "What Impact Will Sexual Assault Have on California Law Enforcement Resources in the Year 2000?"

I am contacting you to ask for assistance in two areas. First, would you send me copies of any writings or material that is pertinent to this thesis? Next, please return the questionnaire to me.

It is hoped this research will promote P.O.S.T. mandated training which will benefit law enforcement in the future. Thank you for your help. Endeavors of this type are not possible without the cooperation of people like you and your staff.

Sincerely,

John "Rocky" Hewitt, Captain  
South Operations Division Commander

1. QUESTION: Does your Basic Academy have a class on sex crime law?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

2. QUESTION: Does your Basic Academy have a class on rape law?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

3. QUESTION: If yes, is rape law part of sex crime law or a separate class?

ANSWER: Part of sex crime law \_\_\_\_\_

Separate class \_\_\_\_\_

4. QUESTION: Does your Basic Academy have a separate period of instruction on sexual assailant profiling?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

5. QUESTION: Does your Basic Academy have a separate class on rape sensitivity training?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

6. QUESTION: Do you have advanced training for patrol officers?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

7. QUESTION: If yes to question 6, does the advanced training cover:

Sex crime law Yes \_\_\_\_\_

No \_\_\_\_\_

Rape law Yes \_\_\_\_\_

No \_\_\_\_\_

8. QUESTION: If yes to question 6, does the advanced training cover profiling of sexual assailants?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

9. QUESTION: If yes to question 6, does the advanced training contain a separate class on rape sensitivity?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

10. QUESTION: Does your facility train investigation personnel?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

11. QUESTION: If yes to question 10, what type of training takes place and how often does it occur?

ANSWER: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. QUESTION: If yes to question 10, does the investigator training cover:

Sex crime law Yes \_\_\_\_\_

No \_\_\_\_\_

Rape law Yes \_\_\_\_\_

No \_\_\_\_\_

13. QUESTION: If yes to question 10, does the investigator training cover profiling of sexual assailants?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

14. QUESTION: If yes to question 10, is there a sensitivity training class for investigators?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

15. QUESTION: Is there sexual assault, sexual assailant profiling or sensitivity training for sergeants or above?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

16. QUESTION: If yes to question 15, please explain:

ANSWER: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

17. COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

As mentioned in the introductory letter, I sincerely appreciate your help. It is hoped the research I am conducting will help all of us have the resources and mandated training to better address the public's perception of our role as police officers. Again, if you have any material to supplement this questionnaire, please send it to me.

Thank you.

Please mail to: Captain John "Rocky" Hewitt  
South Operations Division Commander  
Orange County Sheriff's Department  
30331 Crown Valley Parkway  
Laguna Niguel, CA 92677



**SHERIFF-CORONER DEPARTMENT  
COUNTY OF ORANGE  
CALIFORNIA**

**BRAD GATES  
SHERIFF-CORONER**

September , 1987

I am a Captian with the Orange County Sheriff's department in southern California. I have been involved in sexual assault investigation and training for a number of years. I am currently involved in completing a project for the California Peace Officers and Training Command College. This is a two year program designed to help police administrators identify future trends and coordinate activities in order to better serve the public and professionalize the business of law enforcement.

The research project I am working on is titled: "What Impact Will the Crime of Female Rape Have Upon California Law Enforcement by the Year 2000?" It is anticipated this study will help identify current attitudes as well as future needs. Enclosed you will find a set of questionnaires designed as a pilot study to test feelings about sensitivity to the rape victims from the first responder. This is an extremely delicate issue and thus every effort at confidentiality must be employed. Please be my liaison since it is physically impossible for me to travel to each crisis center. Questionnaires may be returned to me anonymously or through you. I suggest you have respondents give the document to you by dropping it in a box or large envelope which contains a number of other returns.

It is anticipated many of the participants at crisis centers will, unfortunately, have been a victim. The questionnaire may also be filled out by women who have been a victim; questions 22 - 28. Your help in explaining my goal, getting the questionnaires filled out and returned to me as quickly as possible will be deeply appreciated.

Send to:

Captain John "Rocky" Hewitt  
South Operations Division Commander  
Orange county Sheriff's Department  
30331 Crown Valley Parkway  
Laguna Niguel, Ca. 92677

Thank you again for your help. Endeavors such as this are not possible without the cooperation of people like you.

Sincerely,

John "Rocky" Hewitt

This questionnaire is to be used as part of a research document for the California Peace Officers Standards and Training Command College.

Approximately 1,000 women from five different United States geographical areas will be surveyed. The information obtained will be used to help plan and devise future police training needs and techniques.

Please do not put your name on this paper. This will ensure complete confidentiality. All data will be gathered and published collectively.

Your age: \_\_\_\_\_

Ethnic Background: \_\_\_\_\_

Area of the United States you live in: \_\_\_\_\_

Years you have lived in this area: \_\_\_\_\_

Education: \_\_\_\_\_

(Highest level attained)

If college graduate:

Bachelors \_\_\_\_\_

Masters \_\_\_\_\_

If PhD or Doctorate: \_\_\_\_\_

(Emphasis)

STATEMENT: "What impact will the crime of female rape have on law enforcement training resources by the year 2000".

1. QUESTION: Have you ever been a victim of sexual assault?  
(This question does not include lewd phone calls or indecent exposure, but refers directly to a physical attack against your person.)

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

NOTE: If your answer to number one is yes, please complete questions 2 through 21.

If your answer is no, please skip to question number 22.

2. QUESTION: Your age at the time of the assault \_\_\_\_\_

3. QUESTION: The area of the country you lived in \_\_\_\_\_

4. QUESTION: Did the attack culminate in the crime of rape or would you classify the incident as an attempt, short of rape?

ANSWER: Rape \_\_\_\_\_

Attempt Rape \_\_\_\_\_

5. QUESTION: If the incident was an attempt, would you say the attack was non violent, moderately violent, or very violent?

ANSWER: Non violent \_\_\_\_\_

Moderately violent \_\_\_\_\_

Very violent \_\_\_\_\_

6. QUESTION: If the incident was a rape, would you say the attack was non violent, moderately violent, or very violent?

ANSWER: Non violent \_\_\_\_\_

Moderately violent \_\_\_\_\_

Very violent \_\_\_\_\_

7. QUESTION: Did you report the crime to the police?  
ANSWER: Yes \_\_\_\_\_  
No \_\_\_\_\_
8. QUESTION: Did you report the crime to a rape crisis center?  
ANSWER: Yes \_\_\_\_\_  
No \_\_\_\_\_
9. QUESTION: If the previous two answers are both yes, which agency did you report the attack to first?  
ANSWER: Police \_\_\_\_\_  
Rape Crisis Center \_\_\_\_\_
10. QUESTION: If you reported the incident to the police, did that organization help you find a rape crisis center?  
ANSWER: Yes \_\_\_\_\_  
No \_\_\_\_\_  
None desired \_\_\_\_\_
11. QUESTION: If your answer is no to the above question, was a rape crisis center available in your area?  
ANSWER: Yes \_\_\_\_\_  
No \_\_\_\_\_  
Unknown \_\_\_\_\_
12. QUESTION: Please give a short reason why, if you were attacked and did not make a report.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. QUESTION: If you were assaulted and you reported the attack, was your case initially handled by a female or male officer.

ANSWER: Female \_\_\_\_\_

Male \_\_\_\_\_

14. QUESTION: Did you have a choice?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

Do not know \_\_\_\_\_

15. QUESTION: If you were assaulted and you reported the attack, was there a follow-up investigation after the initial report?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

16. QUESTION: If yes, was the follow-up investigation handled by a female or male officer?

ANSWER: Female \_\_\_\_\_

Male \_\_\_\_\_

No follow-up \_\_\_\_\_

17. QUESTION: If yes, did you have a choice?

ANSWER: Yes \_\_\_\_\_

No \_\_\_\_\_

Do not know \_\_\_\_\_

18. QUESTION: Before the assault and subsequent investigation, what were your feelings about having a male or female officer investigate a sexual assault against a female?

ANSWER: I felt I would want a professional well trained female officer

---

ANSWER:

I felt I would want a professional, well trained male officer \_\_\_\_\_

I felt it would not matter as long as the officer was professional and well trained \_\_\_\_\_

19. QUESTION: What are your feelings now that you have experienced a sexual assault which was investigated by the police?

ANSWER: I feel a professional, well trained female officer should handle these incidents \_\_\_\_\_

I feel a professional, well trained male officer should handle these incidents \_\_\_\_\_

I feel the incidents should be handled by a well trained, professional officer, male or female \_\_\_\_\_

20. QUESTION: Two Parts If you reported the assault to a police agency, do you feel you were treated professionally and with the proper sensitivity?

ANSWER: Yes \_\_\_\_\_ No \_\_\_\_\_ Did not report \_\_\_\_\_

QUESTION: If your answer to this question is yes, how would you rate the officer's overall performance in the way he or she spoke to you and handled the incident?

ANSWER: Outstanding \_\_\_\_\_

Good \_\_\_\_\_

Average \_\_\_\_\_

Mediocre \_\_\_\_\_

Poor \_\_\_\_\_

21. QUESTION: Do you have any suggestions for future training for police personnel?

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(use back if necessary)

NOTE: This completes your part of the questionnaire. Thank you for your time and assistance.

22. QUESTION: If you were the victim of a sexual assault, who do you feel you would want to handle your initial report?

ANSWER: Professional, well trained female officer \_\_\_\_\_  
Professional, well trained male officer \_\_\_\_\_  
Professional, well trained officer of either sex \_\_\_\_\_

23. QUESTION: Who do you feel should handle any follow-up investigation?

ANSWER: A professional, well trained female officer \_\_\_\_\_  
A professional, well trained male officer \_\_\_\_\_  
A professional, well trained officer of either sex \_\_\_\_\_

24. QUESTION: If you were a sexual assault victim, do you feel you would report the incident to the police?

ANSWER: Yes \_\_\_\_\_  
No \_\_\_\_\_  
Don't know \_\_\_\_\_

25. QUESTION: If you answer yes, why?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

26. QUESTION: If your answer is no, why?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

27. QUESTION: If you were sexually assaulted and reported the crime to a police agency, do you feel you would be handled professionally and with proper sensitivity?

ANSWER: Yes \_\_\_\_\_  
No \_\_\_\_\_  
Don't know \_\_\_\_\_

28. QUESTION: Do you have any suggestions for future training for police personnel?

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This completes the questionnaire. Thank you for your time in helping prepare what is hoped will be a very valuable tool to better serve sexual assault victims in the future.

APPENDIX E

STATEWIDE POLICE SERVICE CAPABILITY ANALYSIS

Based on your knowledge and expertise, developed through your experience as a \_\_\_\_\_, please evaluate the Police services in the State of California.

Judge each item as appropriate, on the basis of the following criteria:

1. Superior - Better than other parts of the country - Beyond present need
2. Better than average - suitable performance - no problems
3. Average - Acceptable - Equal to competition - Not good - not bad
4. Problems here - Not as good as it should be - Deteriorating - must be improved
5. Real cause for concern - situation bad crisis - must take action to improve.

Category	I	II	III	IV	V
Manpower	_____	_____	_____	_____	_____
Technology	_____	_____	_____	_____	_____
Equipment	_____	_____	_____	_____	_____
Facilities	_____	_____	_____	_____	_____
Money	_____	_____	_____	_____	_____
Calls for Service	_____	_____	_____	_____	_____
Supplies	_____	_____	_____	_____	_____
Management Skills	_____	_____	_____	_____	_____
P.O. Skills	_____	_____	_____	_____	_____
Supervisory Skills	_____	_____	_____	_____	_____
Training	_____	_____	_____	_____	_____
Attitudes	_____	_____	_____	_____	_____
Image	_____	_____	_____	_____	_____
CAO/Board	_____	_____	_____	_____	_____
Community Support	_____	_____	_____	_____	_____
Growth Potential	_____	_____	_____	_____	_____
Specialties	_____	_____	_____	_____	_____
Management Flexibility	_____	_____	_____	_____	_____
Sworn/Non sworn ratio	_____	_____	_____	_____	_____
Pay scales	_____	_____	_____	_____	_____
Benifits	_____	_____	_____	_____	_____
Turnover	_____	_____	_____	_____	_____
Complaints received	_____	_____	_____	_____	_____
Enforcement Index	_____	_____	_____	_____	_____
Traffic Index	_____	_____	_____	_____	_____
Sick leave rates	_____	_____	_____	_____	_____
Morale	_____	_____	_____	_____	_____

**STATEWIDE POLICE SERVICE ADAPTABILITY ANALYSIS**

**Instructions**

Based on your knowledge and expertise, developed through your experience as a \_\_\_\_\_, please evaluate the type of activity you feel

profession

Police Services encourage in the State of California.

Evaluate Each Item For Your AGENCY as to what type of activity it encourages:

- I      Custodial      - Rejects Change
- II     Production     - Adapts to Minor Changes
- III    Marketing      - Seeks Familiar Change
- IV    Strategic       - Seeks Related Change
- V     Flexible         - Seeks Novel Change

**Category**

**TOP MANAGERS:**

	I	II	III	IV	V
Mentality Personality	_____	_____	_____	_____	_____
Skills/Talents	_____	_____	_____	_____	_____
Knowledge/Education	_____	_____	_____	_____	_____

**ORGANIZATION CLIMATE:**

Culture/Norms	_____	_____	_____	_____	_____
Rewards/Incentives	_____	_____	_____	_____	_____
Power Structure	_____	_____	_____	_____	_____

**ORGANIZATION COMPETENCE:**

Structure	_____	_____	_____	_____	_____
Resources	_____	_____	_____	_____	_____
Middle Management	_____	_____	_____	_____	_____
Line Personnel	_____	_____	_____	_____	_____

DEPARTMENT POLICE SERVICE CAPABILITY ANALYSIS

Based on your knowledge and expertise, developed through your experience as a \_\_\_\_\_, please evaluate the Police services in the Orange County Sheriff's Department

Judge each item as appropriate, on the basis of the following criteria:

1. Superior - Better than other parts of the country - Beyond present need
2. Better than average - suitable performance - no problems
3. Average - Acceptable - Equal to competition - Not good - not bad
4. Problems here - Not as good as it should be - Deteriorating - must be improved
5. Real cause for concern - situation bad crisis - must take action to improve.

Category	I	II	III	IV	V
Manpower	_____	_____	_____	_____	_____
Technology	_____	_____	_____	_____	_____
Equipment	_____	_____	_____	_____	_____
Facilities	_____	_____	_____	_____	_____
Money	_____	_____	_____	_____	_____
Calls for Service	_____	_____	_____	_____	_____
Supplies	_____	_____	_____	_____	_____
Management Skills	_____	_____	_____	_____	_____
P.O. Skills	_____	_____	_____	_____	_____
Supervisory Skills	_____	_____	_____	_____	_____
Training	_____	_____	_____	_____	_____
Attitudes	_____	_____	_____	_____	_____
Image	_____	_____	_____	_____	_____
CAO/Board	_____	_____	_____	_____	_____
Community Support	_____	_____	_____	_____	_____
Growth Potential	_____	_____	_____	_____	_____
Specialties	_____	_____	_____	_____	_____
Management Flexibility	_____	_____	_____	_____	_____
Sworn/Non sworn ratio	_____	_____	_____	_____	_____
Pay scales	_____	_____	_____	_____	_____
Benifits	_____	_____	_____	_____	_____
Turnover	_____	_____	_____	_____	_____
Complaints received	_____	_____	_____	_____	_____
Enforcement Index	_____	_____	_____	_____	_____
Traffic Index	_____	_____	_____	_____	_____
Sick leave rates	_____	_____	_____	_____	_____
Morale	_____	_____	_____	_____	_____

**DEPARTMENT POLICE SERVICE ADAPTABILITY ANALYSIS**

**Instructions**

Based on your knowledge and expertise, developed through your experience as a \_\_\_\_\_, please evaluate the type of activity you feel

profession

Police Services encourage in the Orange County Sheriff's Department  
Evaluate Each Item For Your AGENCY as to what type of activity it encourages:

- I      Custodial      -   Rejects Change
- II     Production     -   Adapts to Minor Changes
- III    Marketing       -   Seeks Familiar Change
- IV     Strategic        -   Seeks Related Change
- V      Flexible         -   Seeks Novel Change

**Category**

**TOP MANAGERS:**

	I	II	III	IV	V
Mentality Personality	_____	_____	_____	_____	_____
Skills/Talents	_____	_____	_____	_____	_____
Knowledge/Education	_____	_____	_____	_____	_____

**ORGANIZATION CLIMATE:**

Culture/Norms	_____	_____	_____	_____	_____
Rewards/Incentives	_____	_____	_____	_____	_____
Power Structure	_____	_____	_____	_____	_____

**ORGANIZATION COMPETENCE:**

Structure	_____	_____	_____	_____	_____
Resources	_____	_____	_____	_____	_____
Middle Management	_____	_____	_____	_____	_____
Line Personnel	_____	_____	_____	_____	_____

APPENDIX F

ACKNOWLEDGMENTS

It is not possible for a project of this type to be the creation of one person alone. This author was most fortunate in obtaining assistance and support from individuals and organizations from all over America. Without their generosity and expertise, this study would not have been possible.

My sincere appreciation to the following persons and organizations.

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Oscar Wiley: Houston  
Ralph L. Yarborough: Houston  
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Karen Beauchamp: Denver  
Allison Britton: Denver  
Roger Hoffner: Denver  
John MacDonald, M.D.: Denver  
Marie McNally: Denver  
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Ted Hall: Atlanta  
Tom Christian: Southern California  
Richard Dana: Southern California

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Rick Johnson: Southern California  
Orville King: Southern California  
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Richard Tefank: Southern California

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Bob Eason: Stanton  
Marilyn MacDougall: Mission Viejo  
Tami Oleson: Laguna Hills  
Janet Riddle: Laguna Hills  
Bill Sterns: Seal Beach  
John Smiertelny: Orange  
Kathy Yarnell: Santa Ana

### PERSONAL INTERVIEWS

Ola Barnett, Ph.D.: Malibu  
Charles Bemis, M.D.: Los Angeles  
Oswald Gibbons, Ph.D.: Houston  
Noreen Grella: Santa Ana  
Debbi Huffman: Orange  
Judge Pamela Iles: Laguna Niguel  
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Jack Seitzinger, Ph.D.: Houston  
Cynthia Sulton: Houston  
William Tafoya, Ph.D.: Quantico

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Bob Rivas: Laguna Niguel  
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Barbara Phillips: Santa Ana  
Raul Ramos: Santa Ana  
Andy Romero: Santa Ana  
Jean Searcy: Atlanta  
Doug Storm: Santa Ana  
Doug Thomas: Sacramento

ORGANIZATIONS

Academy of Justice: Riverside, CA  
Alameda County Sheriff's Department: Pleasanton, CA  
Allan Hancock College: Santa Maria, CA  
APG/Midwest: Orange, CA  
Arapahoe County Sheriff's Department: Littleton, CO

## ACKNOWLEDGMENTS

### ORGANIZATIONS Cont.

Mental Health Crisis Services: Riverdale, GA  
Napa Valley College: Napa, CA  
National Criminal Justice Research Center: Rockville, MD  
National Organization for Victim Assistance: Washington, D.C.  
Northern California Criminal Justice Training Center: Santa Rosa, CA  
Oakland California Training Section: Oakland, CA  
Office of Criminal Justice Planning: Sacramento, CA  
Orange County Sexual Assault Network: Orange, CA  
Orange County Sheriff's Department: Santa Ana, CA  
Pepperdine University: Malibu, CA  
Project Sister: Claremont, CA  
Rancho Canada School: El Toro, CA  
Rape Assistance and Awareness: Denver, CO  
Rape Crisis Center: Pasadena, CA  
Rape Crisis Intervention: Chico, CA  
Rape Prevention Education: Irvine, CA  
Recruit Training Center: Whittier, CA  
Rio Hondo Police Academy: Whittier, CA  
Rio Hondo Regional Training Center: Whittier, CA  
Riverside Police Department, Riverside, CA  
Riverside Sheriff's Department: Riverside, CA  
Sacramento County Sheriff's Department: Sacramento, CA  
Sacramento Police Department: Sacramento, CA  
San Bernardino County Sheriff's Department: San Bernardino, CA  
San Diego County Sheriff's Department: San Diego, CA  
San Francisco Police Department: San Francisco, CA  
San Jose City College: San Jose, CA  
S.A.R.A.: Roanoke, VA  
Savas: Manassas, VA  
Social Services: Albany, GA  
Southwestern College: Chula Vista, CA  
The Women's Line: Boulder, CO

ACKNOWLEDGMENTS

ORGANIZATIONS, Cont.

Trabuco Hills High School: Mission Viejo, CA

University of California at Irvine: Irvine, CA

University of California Police Department: Davis, CA

Valencia School: Laguna Niguel, CA

Victims For Victims: Orange, CA

Victim/Witness Program: Santa Ana, CA

Williamsburg Task Force On Sexual Assault: Williamsburg, VA

