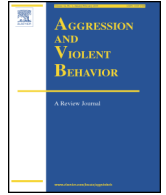




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Aggression and Violent Behavior



Police perceptions of rape victims and the impact on case decision making: A systematic review

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ABSTRACT

Police officers are frequently perceived to hold negative attitudes about rape victims. The aim of this systematic review is to: (1) synthesise the current literature on police officers' attributions of rape victim blame, assessments of rape victim credibility, and rape myth acceptance; and, (2) examine the evidence that holding these attitudes impacts on police investigative decision making in rape cases. Twenty-four articles published between 2000 and 2016 were included following a systematic search of the available literature. The findings highlight that some police officers do hold problematic attitudes about rape victims e.g., blame, rape myth acceptance, although they are frequently noted to be at a low level. Furthermore, characteristics of the victim, e.g., alcohol intoxication and emotional expression, can affect attributions of victim credibility. Assessments of victim credibility were related to police investigative decision making e.g., recommendations to charge the perpetrator, perceptions of guilt. However, the impact of rape victim blaming and rape myth acceptance is less clear. Given that the literature was predominantly vignette-based, it is unclear how these judgements have an impact in real rape investigations.

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1. Introduction

Historically, rape victims have been treated poorly by investigative and criminal justice systems (Caringella, 2009). In the 1980s, the police response (in England and Wales) to rape victims was epitomised within the BBC television series “Police” where, in one episode, an alleged rape

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victim was subjected to aggressive questioning and disbelieving attitudes by three police detectives (British Film Institute Screenonline, 2003). The broadcasting of this programme and subsequent items in national newspapers (e.g., 'The Times', which published comments from the second author of the current article) were a catalyst for change within England and Wales in relation to the police and criminal justice response to rape cases. However, although much has since changed in both police and court systems, there still exist considerable issues surrounding the treatment of rape victims particularly in relation to the investigation of rape cases. Horvath, Tong, and Williams (2011) argued that nowhere have criticisms been more consistent than those relating to the police's ability to investigate such offences. Similar challenges have arisen around the world, including the U.S.A., which is particularly problematic given the importance of the police's role in bringing cases to criminal justice systems (Spohn & Tellis, 2012).

Frequently, research has reported low levels of victim satisfaction with the police response and revealed negative or poor treatment by the police (e.g., Jordan, 2001, 2004, 2008). For example, Myhill and Allen (2002) found that only a third of their sample of rape victims were very satisfied with the police response and 22% indicated they were very dissatisfied with the way the police handled their cases. Similar findings have been reported regarding male rape victims with Walker, Archer, and Davies (2005) finding that police officers' responses to male victims included reactions such as homophobic attitudes and disinterest. However, some studies have found more positive levels of satisfaction with the police (e.g., Frazier & Haney, 1996) and the ability of some police officers to demonstrate empathy towards rape victims (Lea, Lanvers, & Shaw, 2003; Maddox, Lee, & Barker, 2011). Jordan (2001) compared interview data gathered in the 1980s with interviews carried out in the 1990s in which female rape victims discussed their experiences of the criminal justice system. She found that little of substance had changed over the years in the experiences of women reporting rape to the police, in terms of encountering negative attitudes. Although two-thirds of the victims reported some level of satisfaction with the treatment that they received from the police (in the 1990s), 15% of the victims stated that in the light of their experiences with the police, they would not encourage others to report their rapes. A later study by Jordan (2008), with a sample of victims who had been attacked by the same serial rapist, found they rated the police response much more positively, potentially suggesting change in the way police officers deal with rape cases. However, the rape victims' experiences were not always positive. One victim related an incident that occurred at a police station.

"About three days after it happened I was up at the station talking with (the detectives) and they turned around and said 'come on Kathleen, we know you are making this up. We know you were having an affair and you were having sex that morning and it all got a bit rough and you made all this up so your husband doesn't find out'" (Jordan, 2008, p. 56).

In addition to these issues, rape cases have been found to experience a high level of attrition, with a particularly high level of cases dropping out during the police investigative stage (Rape Monitoring Group, 2013/14). Ministry of Justice (2013) data revealed that in England and Wales only 25% of recorded rapes were passed to the Crown Prosecution Service (CPS) by the police for further processing. Although attrition is a problem across all stages of the criminal justice process, these data identified that the police investigative stage has the highest level of attrition for cases dropping out. Such attrition may (i) cause poor victim satisfaction with the police response and/or (ii) indicate that police decision making about rape cases may be affected by the negative attitudes of some police officers. Spohn and Tellis (2012) highlight the important gatekeeping role that police officers have in investigating rape cases in determining the amount of investigative effort they expend in a case and that investigative effort, and thus police decision making, is affected

by both legal and extralegal factors; their extralegal factors included victim, suspect, and offence characteristics, where there is potential for decision making to be affected by stereotypes about rape (e.g., rape myths) or attributions of victim blame and responsibility. Such findings suggest that there is a need to understand whether some/many police officers do hold negative attitudes about rape victims, but more importantly to examine whether negative attitudes impact on decision making in rape cases.

In determining whether police officers generally do hold negative attitudes about rape victims, there is extensive literature that such attitudes are prevalent in broader society e.g., rape myth acceptance and rape victim blame (Grubb & Harrower, 2008; Suarez & Gadalla, 2010). Police officers, as members of society, have been ascribed as having negative and disbelieving attitudes about rape victims, with their personal beliefs about rape thought to impact upon their likelihood of believing allegations of rape (Edward & MacLeod, 1999). Early research in this area suggested that police officers' rape myth acceptance actually was low (LeDoux & Hazelwood, 1985). Indeed, Koppelaar, Lange, and van de Velde (1997) found that police officers were less biased, less stereotypical, and more sympathetic towards rape victims than a sample of law students. Other studies have found that police officer samples are no more negative about rape victims than general population samples (e.g., Brown & King, 1998; Feild, 1978).

However, some studies have produced more negative findings. For example, Krahe (1991) found that the characteristics police officers attributed to a credible rape scenario did not reflect the characteristics of most actual rapes. Credibility was based upon a physically resistant victim, with no alcohol involved, with threats made by the perpetrator, and the use of a weapon. Such characteristics reflected an adherence to the 'real rape' stereotype (Estrich, 1987), a stereotype that has been shown to not reflect the reality of rape (e.g., Feist, Ashe, Lawrence, McPhee, & Wilson, 2007; Hunt & Bull, 2012). Similarly, Campbell and Johnson (1997) showed that police officers' personal definitions of rape can deviate from those laid down by legislation. Also, Feldman-Summers and Palmer (1980) found that police officers held beliefs that rape was caused by male sexual frustration, that rapists were mentally ill, or that rape was caused by the poor judgment of the victims. It is clear there are contradictions in the above research findings concerning whether police officers hold negative attitudes and whether these affect police decision making. This has led some researchers to contend that only a small proportion of police officers hold problematic attitudes about rape victims (Lea et al., 2003). However, many other researchers argue that they indicate an organisational culture that reflects a disbelief of rape allegations (Jordan, 2011).

1.1. The current review

Given the conflicting findings, this review will synthesise the research that has examined police officers' attitudes about rape victims to (i) establish whether there is evidence that police officers hold more negative attitudes about rape victims than other populations, focussing on attributions of blame and credibility and rape myth acceptance; and (ii) determine how such attitudes have an impact on police decision making. No previous review seems to have been carried out in this area, so a systematic review is needed to bring together the available literature. However, given that there is evidence that attitudes towards rape have changed over recent years (see Mennicke, Anderson, Oehme, & Kennedy, 2014), this review will only summarise literature published between 2000 and 2016. The implications of such a review may suggest that change is still needed within police forces, particularly as police officers typically represent the first point of contact with the criminal justice system for rape victims (Wentz & Archbold, 2012) and especially if there is evidence that holding these attitudes is linked to biased investigative decision making. Holding these negative attitudes may provide one important explanation for the low levels of rape victim

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