2. *In CIB research, there is no independent determination to ensure victims' sexual assault claims were true, unproven, or false.*

There are true victims of sexual assault that demonstrate a variety of reactions, including those described in this paper. But there is a tendency for CIB experts to overstate the science, ignore "*false positives*" and insinuate that counterintuitive behaviors are dispositive indicators that the complaining witness's testimony is truthful. In a sentence; CIB lacks "*discriminant validity*" – its overly "*sensitive*" at the cost of "*specificity*" (it fails to account for false reports of sexual assault). Let's try to unpack that dense sentence.

Sensitivity vs. Specificity

In medical diagnosis, test sensitivity is the ability of a test to correctly identify patients with a particular disease (true positive rate), whereas test specificity is the ability of a test to correctly identify those without the disease (true negative rate)

For instance, if a physician suspects a patient has strep throat, she might administer a "*Rapid Antigen Test*" (RAT). This test can detect strep bacteria in minutes and will correctly identify 100% of patients suffering from strep. In scientific terms, the RAT has high sensitivity to detecting strep in a patient.

However, the RAT also has a high "*false positive*" rate, meaning it will often show positive results for a person that does not have strep throat. In scientific terms, the test is overly sensitive and has a high level of "*false positives*". Another way of stating this is the RAT lacks specificity.

If the implications of a false positive are low risk, an overly sensitive test might be acceptable. For instance, treatment for strep (prescribing antibiotics) is a low-risk intervention. So, a physician might not worry about prescribing antibiotics for a person who actually does not have strep. But as the implications of a false diagnosis become more serious (i.e. diagnosing cancer or being falsely accused of a sex crime) a higher level of specificity is required.

From a scientific standpoint, CIB symptoms can be overly "*sensitive*" and lack "*specificity*".

Diagnostic sensitivity: "*Can this symptom rule in a reaction to a true sexual assault?*"

Diagnostic specificity: "*Can this symptom rule out a false claim of sexual assault?*"

Rate of Unproven and False Reports

Research on CIB typically involves anecdotal surveys about reactions to self-reported sexual victimization in the past. And herein lies one of the fundamental flaws in CIB research - there is no accounting for subjects who are mistaken or lying about sexual assault. So, in *Daubert* or in the trial phase, consider working to establish research's findings for what percent of sexual assault claims are proven, unproven or false.

We begin with a basic question: "*What percent of sexual assault claims have been found to be unproven or false?*" Unproven is different than false. You'll need to decide which of these concepts you want to include in your cross.

A) "*What percent of sexual assault claims have been found to be unproven?*"

This is intuitively the best way to ask the question. Law enforcement investigates a suspected crime and gives their findings to prosecutors, who then determine whether to move forward with charges. The American legal system doesn't seek to prove the negative – i.e. a jury does not determine "*a defendant is innocent of the crime in question*." Our legal system affirms the positive – the accused did or did not commit the crime and is innocent until proven otherwise.

What percent of sexual assault claims are ultimately unproven? Since 2003 the Department of Defense has produced an "*Annual Report on Sexual Assault in the Military*". In 2018; 482 completed cases of sexual assault were preferred for action. Of this number, **42% of the charges**

were proven and **58% remained unproven** in a court of law (acquitted, preemptive discharge, or charges dismissed).

An important distinction made in the 2018 report is that the 42% conviction rate was for penetration, sexual contact or *lesser* charges. Drilling down into the details; of trials in 2018 involving charges of penetration or sexual contact that resulted in conviction;

a) 55% were convicted of penetration or sexual contact; and
b) 45% were convicted of lesser charges.

Adding in this additional data, an interesting picture emerges. In 2018, 482 complaints of sexual assault were thoroughly investigated and resolved. Of those cases, 111 (23%) concluded with a trial conviction of penetration or sexual contact. Alternately just over three-quarters (77%) of preferred sexual assault claims were ultimately determined to be unproven ["*Other Offense*": (19%), "*Acquitted*" or "*Dismissed*": (39%)]. Bear in mind this statistic considers preemptive discharge leaves the charge unproven [RILO / DILO: (19%)]. See Appendix C for a description of this data.

B) "*What percent of sexual assault claims have been found to be false?*"

It is difficult to estimate the proportion of true-to-unfounded-to-false accusations, due in part to inconsistent definitions of what constitutes an unfounded or false accusation (Saunders, 2012). But research has discovered mistaken or false reports occur on a regular basis. Here's some of the more prominent studies.

> **Kanin (1994)** – This ground-breaking and respected research found *41% of the total disposed rape cases (n = 109) in a Midwest community were officially declared false during a 9-year period.* Interestingly, the researchers did a follow-up study at two large Midwestern universities over a three-year period (1986-1988) and found that 50% of the reported forcible rapes were determined to be false accusations (32 of the total 64).
>
> **Peter Neufeld and Barry C. Scheck** - Co-founders of the *Innocence Project* note:
>
> - *"Every year since 1989, in about 25 percent of the sexual assault cases referred to the FBI where results could be obtained, the primary suspect has been excluded by forensic DNA testing. Specifically, FBI officials report that out of roughly 10,000 sexual assault cases since 1989, about 2,000 tests have been inconclusive, about 2,000 tests have excluded the primary suspect, and about 6,000 have "matched" or included the primary suspect."*
> - The authors continue, *"these percentages have remained constant for 7 years, and the National Institute of Justice's informal survey of private laboratories reveals a strikingly similar 26 percent exclusion rate."* If the foregoing results can be extrapolated, then the rate of false reports is roughly between 20 percent (if DNA excludes an accused) to 40 percent (if inconclusive DNA is added).
> - But that percentage is likely much higher because the presence of the accused's DNA fails to rule out consensual sexual activity. For instance, someone who has been in alcohol blackout might sincerely be mistaken that they were sexually assaulted.

Specific Quotes from Lundregan
Connors, Lundregan, Miller and McEwen. Convicted by Juries, Exonerated by Science, U.S. Dept of Justice, June 1996. Pages 19-20.,

> ***DNA testing****. The DNA testing phase of these cases also has common characteristics. Nearly all the defendants had their tests performed by private laboratories. The tests were conducted using blood from defendants, blood or blood-related evidence from victims, and semen stains on articles of the victims' clothing or on nearby items (a blanket was tested in one case). In over half the cases,*

the prosecution either conducted a DNA test totally independent of that of the defense or sent test results obtained by the defendant's laboratory to a different one to determine whether the laboratory used by the defense interpreted test results properly.

Eight laboratories used Restriction Fragment Length Polymorphism (RFLP) DNA testing, 17 conducted Polymerase Chain Reaction (PCR) testing, and 2 used both tests. For one case, the type of DNA test conducted is unknown.

Preservation of evidence. In some cases, evidence samples had deteriorated to the point where DNA testing could not be performed. In Brison, the laboratory could not test cotton swabs from the rape kit but, instead, tested a semen stain from the victim's underwear. In Daye, after the appellate court affirmed the defendant's conviction and the State Supreme Court denied certification, the evidence was about to be destroyed when Daye's attorney filed to stay the destruction in order to conduct DNA testing.

The chain of custody in some of the cases also demonstrated a lack of adherence to proper procedures. Authorities on the subject note that the "mishandling of real evidence affects the integrity of the factfinding process."4 In Dabbs, the defendant's attorneys reported that the defense was initially advised by the prosecution that the evidence (victim's underwear that contained a semen stain) had been destroyed (a conclusion based on failure of authorities to find the evidence in police or court custody). Eventually, the defense found the evidence at the county crime laboratory.

Results of DNA Laboratory Survey

Conducted in June 1995, the nationwide telephone survey of 40 public and private laboratories that performed DNA tests sought answers to such questions as: From the time the laboratories began DNA testing, how many cases have they handled? Of that number, what percentage yielded results that excluded defendants as sources of the DNA evidence or were inconclusive?

The 40 surveyed laboratories yielded 19 whose available data were sufficient for the purposes of this study. The 19 included 13 at the State/local level, 4 in the private sector, an armed forces laboratory, and the FBI's laboratory.

Most of the laboratories had initiated DNA testing only within the previous few years. Twelve began testing between 1990 and 1992. Three of the four private laboratories began in 1986 or 1987, while the FBI started DNA testing in 1988.

Seven of the laboratories reported using RFLP testing; four, PCR testing; and eight, both types of tests.

The 19 laboratories reported that, since they began testing, they had received evidence in 21,621 cases for DNA analysis, with the FBI accounting for 10,060 cases. Three of the 4 private laboratories averaged 2,400 each; the State and local laboratories averaged 331 each.

In about 23 percent of the 21,621 cases, DNA test results excluded suspects, according to respondents. An additional 16 percent of the cases, approximately, yielded inconclusive results, often because the test samples had deteriorated or were too small. Inconclusive results aside, test results in the balance of the cases did not exclude the suspect.

*The FBI reported that, in the 10,060 cases it received, DNA testing results were about 20 percent inconclusive and 20 percent exclusion; the other 18 laboratories (11,561 cases) reported about 13 percent and 26 percent, respectively.**

> *If inconclusive cases were omitted, the exclusion rate for the FBI would be approximately 25 percent, and the average exclusion rate for the other 18 laboratories would be about 30 percent.*

Rumney (2006) conducted a review of 20 studies of false reporting in the US, New Zealand and the UK. The studies' findings of false rape allegations ranged from 1.5% to 90%. He draws two conclusions from his review of the literature. First, the police continue to misapply the "no-crime" or "unfounded" criteria. Rumney's second conclusion is that it is impossible to *"discern with any degree of certainty the actual rate of false allegations"* because many of the studies of false allegations have adopted unreliable or untested research methodologies.

Ferguson (2016) did a meta-analysis of seven studies and found that false reporting was a minimum of 5%, but the total false reporting rate would be greater if both confirmed false reports and equivocal cases were included.

Bottom Line:

- How have the studies the expert is citing accounted for the demonstrated high rate of unproven or false sexual assault reports?
- How has the expert accounted for an unproven / false sexual assault report that might exist in this trial?

Remember, in the trial phase the judge won't allow for actual statistics to be discussed. But they can be described in a Daubert hearing. You can get a copy of the Lundregan article at the "*Articles you should have*" section in this resource. When crossing the CIB expert during Daubert, consider asking *"What is the percentage of unfounded and false sexual assault claims?"*

- *"You are aware that the 2018 Annual Report on Sexual Assault in the Military reported that 58% of sexual assault claims were unproven, correct?*"
- *"Further, the 2018 Annual Report found just over three-quarters (77%) of preferred sexual assault claims were ultimately unproven."*
- According to FBI DNA statistics, the *false* reporting rate for sexual assault claims is at least 20-40%.
- The highly regarded Kanin study showed false claims of sexual assault range from 41%-50%.
- *"How have you accounted for that high rate of unproven or false sexual assault allegations when forming your opinion that . . . [e.g., that sexual assault victims will 'often times' engage in subsequent consensual sexual activity with their alleged assailant]?"*

Consider making the **Convicted by Juries, Exonerated by Science, Lundregan, et al., U.S. Dept of Justice, June 1996.** a defense exhibit that you can use during your cross of the expert. Defense cannot simply pre-admit articles or studies during cross-examination. However, under MRE 803(18), the *Learned Treatise Exception*, a defense counsel can make the expert aware of the articles and then ask them about the findings. Remember, in the trial phase the judge won't allow for actual statistics to be discussed. But they can be described in a Daubert hearing. You can get a copy of the Lundregan article at the "Articles you should have" section in this resource.

A tip for prosecutors – The most logical way this comes out in court is if an expert testifies on CIB as a means to rehabilitate the alleged victim's testimony. Then the MJ must find that a fair cross-examination on that testimony necessarily includes the ability to challenge the research upon which the expert is basing their opinion and how that research factors in proven/unproven allegations. Therefore, the members should only be able to consider the evidence to that end, and not for an impermissible purpose i.e. that most 120s result in NG, so this allegation is probably not true.

If you're a prosecutor and you think the Defense is going to present this kind of cross of your expert in front of members, consider asking for a closed hearing prior to cross to get a ruling on whether the MJ is going to allow this challenge based on how the direct went.

For more information on this topic, be sure to keep reading below for "*A Deeper Dive*"

A "*Deeper Dive*" into False and Unfounded Sexual Assault Allegations

A false accusation of sexual assault is the intentional reporting of a crime where no crime has occurred. It is difficult to assess the prevalence of false accusations because they are often conflated with non-prosecuted cases under the designation "*unfounded*" and not all jurisdictions have a distinct classification of false accusation. As such, there are many reasons that can result in a sexual assault case being closed as unfounded or unproven. A good starting point is to review the following article by Rumney. If you can't find the article online, email me and I'll send you a copy.

Purported False Allegations of Rape, Child Abuse and Non-Sexual Violence: Nature, Characteristics and Implications

Philip Rumney, Kieran F McCartan

The Journal of Criminal Law, First Published December 19, 2017

Abstract

The subject of false rape allegations is a subject shrouded in anxiety, confusion and misunderstanding. Despite a growing body of quality research there continue to be significant gaps in our knowledge about the topic, including the phenomenon of false allegations beyond rape and other sexual offences. The purpose of this article is to seek to deepen our understanding by examining a unique dataset comprising 701 cases involving individuals who purport to have been the subject of false accusations of rape, child sexual abuse, child abuse/neglect and other forms of wrongdoing. This article aims to provide an insight into the nature and characteristics of these allegations and explore the implications of the data for several research and policy questions. It will also critically examine some of the current literature and scholarly claims in this area, particularly around the commonality of false allegations and critique claims that discussion of this topic is dangerous and best avoided. Finally, the article sets out a future research agenda in which the complex issues raised by false allegations can be carefully considered, and the scale, impact and pathways to accusation can be better understood.

Estimates of Prevalence of False Rape Allegations

DiCanio (1993)

States that while researchers and prosecutors do not agree on the exact percentage of false allegations, they generally agree on a range of 2% to 10%.

Kanin (1994)

"False Rape Allegations" by Eugene J. Kanin Ph.D.

Eugene J. Kanin of Purdue University investigated the incidences of false rape allegations made to the police in one small urban community in the Midwest United States (population 70,000) between 1978 and 1987. He states that unlike in many larger jurisdictions, this police department had the resources to "*seriously record and pursue to closure all rape complaints, regardless of their merits.*" He further states in each investigation "*the complainant must admit that no rape had occurred. She is the sole agent who can say that the rape charge is false.*"

Kanin's findings - "*Regarding this study, **41% (n = 45) of the total disposed rape cases (n = 109) were officially declared false** during this 9-year period, that is, **by the complainant's admission that no rape had occurred and the charge, therefore, was false***." The researchers verified, whenever possible, for all of the complainants who recanted their allegations, that their new account of the events matched the accused's version of events.

After reviewing the police files, Kanin categorized the false accusations into three broad motivations: **alibis, revenge, and attention-seeking**. These motivations were assigned prevalence of roughly 50%, 30%, and 20% respectively. This categorization was supported by the details of complainant recantations and other documentation of their cases.

In their conclusion, Kanin and colleagues caution:

> *Most problematic is the question of the generalizability of these findings from a single police agency handling a relatively small number of cases. Certainly, our intent is not to suggest that the 41% incidence found here be extrapolated to other populations, particularly in light of our ignorance regarding the structural variables that might be influencing such behavior and which could be responsible for wide variations among cities. But a far greater obstacle to obtaining "true" incidence figures, especially for larger cities, would be the extraordinary variations in police agency policies (see Comment, 1968; Newsweek, 1983; Pepinsky and Jesilow, 1984); variations so diverse, in fact, that some police agencies cannot find a single rape complaint with merit, while others cannot find a single rape complaint without merit. Similarly, some police agencies report all of their unfounded rape cases to be due to false allegation, while other agencies report none of their unfounded declarations to be based on false allegation (Kanin, 1985). . .* ***On the other hand, a degree of confidence exists that the findings reported here are not exaggerations produced by some sort of atypical population, that is, nothing peculiar exists about this city's population composition to suggest that an unusual incidence or patterning of false rape allegations would occur.*** *This city is not a resort/reveling area or a center attracting a transient population of any kind, attributes that have been associated with false rape reporting (Wilson, 1978).* ***The major culprit in this city may well be a police agency that seriously records and pursues to closure all rape complaints, regardless of their merits. We may well be faced with the fact that the most efficient police departments report the higher incidence of false rape allegations. In view of these factors, perhaps the most prudent summary statement that is appropriate from these data is that false rape accusations are not uncommon.*** *Since this effort is the first at a systematic, long-term, on-site investigation of false rape allegations from a single city, future studies in other cities, with comparable policies, must assess the representativeness of these findings.* (p. 86)

Interestingly, the researchers did a follow-up study with similar results. They investigated the combined police records of two large Midwestern universities over a three-year period (1986-1988) and found that **50% of the reported forcible rapes were determined to be false accusations** (32 out of 64 total). No polygraphs were utilized, the investigations were the sole responsibility of a ranking female officer, and a rape charge was only counted as false under complainant recantation. In this sample, the motivations mentioned above were roughly evenly split between alibi and revenge, with only one case characterized as attention-seeking.

Lundregan (1996)

Convicted by juries, exonerated by science: Case studies in the use of DNA evidence to establish innocence after trial. Connors E, Lundregan T, Miller N, McEwen T. June 1996. **U.S. Department of Justice and National Institute of Justice.**

According to a 1996 Department of Justice report, "**in about 25% of the sexual assault cases referred to the FBI, ... the primary suspect has been excluded by forensic DNA testing. It should be noted that rape involves a forcible and non-consensual act, and a DNA match alone does not prove that rape occurred. So the 25% figure substantially underestimates the true extent of false allegations**.

The research conducted a study of documented 28 cases which, "with the exception of one young man of limited mental capacity who pleaded guilty," consist of individuals who were convicted by juries and, then, later exonerated by DNA tests. At the time of release, they had each served an average of 7 years in prison.

From the Report's Introduction:

The principal purpose of the study, initiated in June 1995, was to identify and review cases in which convicted persons were released from prison as a result of post-trial DNA testing of evidence. As of early 1996, researchers had found 28 such cases: DNA test results obtained subsequent to trial proved that, on the basis of DNA evidence, the convicted persons could not have committed the crimes for which they were incarcerated.

(p.12) *All 28 cases involved some form of sexual assault…All alleged assailants were male. All victims were female: most were adults, others teenagers or children. All but one case involved jury trial.*

(p.15) *The 28 cases shared several common themes in the evidence presented during and after trial.* ***Eyewitness identification****. All cases, except for homicide, involved victim identification both prior to and at trial. Many cases also had additional eye witness identification, either placing the defendant with the victim or near the crime scene…* ***many defendants presented an alibi defense, frequently corroborated by family or friends… the alibis apparently were not of sufficient weight to the juries to counter the strength of the eyewitness testimony****…A majority of the cases involved non-DNA-tested forensic evidence that was introduced at trial.*

The article included quotes from Peter Neufeld and Barry C. Scheck, prominent criminal attorneys and co-founders of the Innocence Project that seeks to release those falsely imprisoned. They stated,

> *"Every year since 1989, in* ***about 25 percent of the sexual assault cases referred to the FBI where results could be obtained, the primary suspect has been excluded by forensic DNA testing.*** *Specifically, FBI officials report that out of roughly 10,000 sexual assault cases since 1989, about 2,000 tests have been inconclusive, about 2,000 tests have excluded the primary suspect, and about 6,000 have "matched" or included the primary suspect."*

The authors continued, "**these percentages have remained constant for 7 years, and the National Institute of Justice's informal survey of private laboratories reveals a strikingly similar 26 percent exclusion rate**." **If the foregoing results can be extrapolated, then the rate of false reports is roughly between 20 (if DNA excludes an accused) to 40 percent (if inconclusive DNA is added).** The relatively low estimate of 25 to 26 percent is probably accurate, especially since it is supported by other sources.

Specific <u>Quotes</u> from Lundregan
Connors, Lundregan, Miller and McEwen. Convicted by Juries, Exonerated by Science, U.S. Dept of Justice, June 1996. <u>Pages 19-20.</u>,

> ***DNA testing****. The DNA testing phase of these cases also has common characteristics. Nearly all the defendants had their tests performed by private laboratories. The tests were conducted using blood from defendants, blood or blood-related evidence from victims, and semen stains on articles of the victims' clothing or on nearby items (a blanket was tested in one case). In over half the cases, the prosecution either conducted a DNA test totally independent of that of the defense or sent test results obtained by the defendant's laboratory to a different one to determine whether the laboratory used by the defense interpreted test results properly.*
>
> *Eight laboratories used Restriction Fragment Length Polymorphism (RFLP) DNA testing, 17 conducted Polymerase Chain Reaction (PCR) testing, and 2 used both tests. For one case, the type of DNA test conducted is unknown.*
>
> *Preservation of evidence. In some cases, evidence samples had deteriorated to the point where DNA testing could not be performed. In Brison, the laboratory could not test cotton swabs from the rape kit but, instead, tested a semen stain from the victim's underwear. In Daye, after the appellate court affirmed the defendant's conviction and the State Supreme Court denied certification, the evidence was about to be destroyed when Daye's attorney filed to stay the destruction in order to conduct DNA testing.*
>
> *The chain of custody in some of the cases also demonstrated a lack of adherence to proper procedures. Authorities on the subject note that the "mishandling of real evidence affects the integrity of the factfinding process."4 In Dabbs, the defendant's attorneys reported that the defense*

was initially advised by the prosecution that the evidence (victim's underwear that contained a semen stain) had been destroyed (a conclusion based on failure of authorities to find the evidence in police or court custody). Eventually, the defense found the evidence at the county crime laboratory.

Results of DNA Laboratory Survey
Conducted in June 1995, the nationwide telephone survey of 40 public and private laboratories that performed DNA tests sought answers to such questions as: From the time the laboratories began DNA testing, how many cases have they handled? Of that number, what percentage yielded results that excluded defendants as sources of the DNA evidence or were inconclusive?

The 40 surveyed laboratories yielded 19 whose available data were sufficient for the purposes of this study. The 19 included 13 at the State/local level, 4 in the private sector, an armed forces laboratory, and the FBI's laboratory.

Most of the laboratories had initiated DNA testing only within the previous few years. Twelve began testing between 1990 and 1992. Three of the four private laboratories began in 1986 or 1987, while the FBI started DNA testing in 1988.

Seven of the laboratories reported using RFLP testing; four, PCR testing; and eight, both types of tests.

The 19 laboratories reported that, since they began testing, they had received evidence in 21,621 cases for DNA analysis, with the FBI accounting for 10,060 cases. Three of the 4 private laboratories averaged 2,400 each; the State and local laboratories averaged 331 each.

In about 23 percent of the 21,621 cases, DNA test results excluded suspects, according to respondents. An additional 16 percent of the cases, approximately, yielded inconclusive results, often because the test samples had deteriorated or were too small. Inconclusive results aside, test results in the balance of the cases did not exclude the suspect.

*The FBI reported that, in the 10,060 cases it received, DNA testing results were about 20 percent inconclusive and 20 percent exclusion; the other 18 laboratories (11,561 cases) reported about 13 percent and 26 percent, respectively.**

> *If inconclusive cases were omitted, the exclusion rate for the FBI would be approximately 25 percent, and the average exclusion rate for the other 18 laboratories would be about 30 percent.*

FBI statistics (1995-1997)
In the United States, the FBI *Uniform Crime Report* in 1996 and the United States Department of Justice in 1997 reported that 8% of the rape accusations had been thoroughly investigated and determined to be false, a rate higher than that for any other indexed crime.

- 1995 - *The "unfounded" rate, or percentage of complaints determined through investigation to be false, is higher for forcible rape than for any other Index crime. In 1995**, 8 percent of forcible rape complaints were "unfounded,**" while the average for all Index crimes was 2 percent.*
- 1996 - *The "unfounded" rate, or percentage of complaints determined through investigation to be false, is higher for forcible rape than for any other Index crime. **Eight percent of forcible rape complaints in 1996 were "unfounded**," while the average for all Index crimes was 2 percent.*
- 1997 - *A higher percentage of complaints of forcible rape are determined "unfounded," or found by investigation to be false, than for any other Index crime. While the average of "unfounded" rates for all Crime Index offenses was 2 percent in 1997, **8 percent of forcible rape complaints were "unfounded" for the same timeframe**.*

a. Federal Bureau of Investigation (FBI). (2007). Methodology. *Uniform Crime Report: Crime in the United States*, 2006. Washington, D.C.: U.S. Department of Justice, Federal Bureau of Investigation. Retrieved from http://www.fbi.gov/ucr/cius2006/methodology.html

b. Federal Bureau of Investigation (FBI). (2008a). Crime Clock, 2007. *Uniform Crime Report: Crime in the United States*, 2007. Washington, D.C.: U.S. Department of Justice, Federal Bureau of Investigation. Retrieved from http://www.fbi.gov/ucr/cius2007/ about/crime_clock.html
c. Federal Bureau of Investigation (FBI). (2008b). Estimated number of arrests, U.S., 2007. (Table 29). Uniform Crime Report: Crime in the United States, 2007. Washington, D.C.: U.S. Department of Justice, Federal Bureau of Investigation. Retrieved from http://www.fbi. gov/ucr/cius2007/data/table_29.html
d. Federal Bureau of Investigation (FBI). (2008c). Offense analysis, U.S., 2003-2007. (Table 7). *Uniform Crime Report: Crime in the United States*, 2007. Washington, D.C.: U.S. Department of Justice, Federal Bureau of Investigation. Retrieved from http://www.fbi. gov/ucr/cius2007/data/table_07.html
e. Federal Bureau of Investigation (FBI). (2008d). Percent of crimes cleared by arrest or exceptional means, 2007. (Clearance Figure). *Uniform Crime Report: Crime in the United States*, 2007. Washington, D.C.: U.S. Department of Justice, Federal Bureau of Investigation. Retrieved from http://www.fbi.gov/ucr/cius2007/offense/ clearances/index.html#figure

Greenfield (1997)

L.A. Greenfield, Sex Offenses and Offenders: An Analysis of Data on Rape and Sexual Assault (US Department of Justice 1997), p. 7.

> In the United States, law enforcement agencies make a distinction between rape reports that are 'founded' and 'unfounded'. The Federal Bureau of Investigation's Uniform Crime Reports has stated that '*unfounding'* refers to the '*percentage of complaints determined through investigation to be false*'. The US Department of Justice, Bureau of Justice Statistics report from 1997 on sex offences and offenders has published data from more than 16,000 local, county and state law enforcement agencies. The Bureau found that '[l]*aw enforcement agencies indicated that about 8% of forcible rapes reported to them were determined to be unfounded and were excluded from the count of crimes'*. **The FBI Uniform Crime Reports have shown an unfounding rate between 1966 and 1994 of 8%–20% for rape** and between 2%–4% in other 'index crimes' such as murder or robbery.

Bavarian Police Study of False Rape Allegations (2000)

Elsner, Erich, and Wiebke, Steffen. (Munchen, 2005). Studie "Vergewaltigung und sexuelle Nötigung in Bayern" (Study: Rape and sexual assault in Bavaria). Bayerisches Landeskriminalamt. 1. Auflage. ISBN 3-924400-16-4.

> 1894 complaints of rape and sexual assault were filed to police in the state of Bavaria in 2000. The **consensus estimate of all responsible officials was that over 50% of accusations were false**. Even when accusations were very dubious, police still filed rape/sexual assault proceedings with prosecutors. Interestingly, of all the cases that were eventually dropped by the prosecution for lack of evidence, 64% of these cases had originally been considered to be false accusations by the police official in charge of the initial complaint.
>
> **Only in 7.4% of the false complaints (1 in 13, N= 140) did prosecution propose legal action against the accuser for false accusations**, when there was clear proof or confession. The results of this meticulous 320-page research about rape and sexual assault in Bavaria replicate a less rigorous study in Schleswig Holstein state in 1994/1995, where **7.6% of complaints led to filing of false police report**s. Dr. Simpson has accessed the original Bavarian study (Elsner), and viewed partial summaries of the report in English. These include:
>
> Motivations for 140 false allegations included (pp. 187-212):
>
> - Conflicts/problems in family or partnerships – 20.7% (N=29)
> - Hiding sexual relationships - 12.9% (N=18)
> - Puberty crises cover / first sexual experiences - 10.7% (N=15)
> - Attracting compassion and attention - 11.4% (N=16)
> - Justification for misconduct - 10.0% (N=10)
> - Shame/embarrassment - 3.6% (N=5)
> - Fear of pregnancy - 1.4% (N=2)
> - Counter-suing/Revenge - 7 5.0% (N=7)

- Cerebral Organically Disturbance /Alcoholism/Drug Dependency/Psych Disease - 22.1% (N=31)
- Motive not discernible - 2.1% (N=3)

The study differentiated four types of traumatic stress situations (p. 217). It turned out that among the false accusers; only 20% suffered none, 43% one, and 35% two to four of the following stress situations:

1. Family trouble, like violence, sexual abuse, neglect, foster homes, alcoholics in the family, change in important family relationships, or a dysfunctional family
2. Psychological problems: psychiatric treatment, drug abuse, alcohol dependency
3. Other problems like being runaways, making suicide attempts, or being prostitutes
4. More than one police registration for past crimes

Jordan (2004)

J. Jordan, ''Beyond Belief? Police, Rape and Women's Credibility'' (2004) 4 Criminal Justice. 29.

An analysis of the New Zealand police, this research examines how police officers determined a complaint to be false. Jordan examined 164 reports of rape and sexual assault, which included analysis of police files which allowed her to examine the basis upon which officers recorded reports of rape. 98 Jordan found that **38% of cases were deemed by police to be 'possibly true' or 'possibly false', 33% were deemed as false and 8% were cases where the complainant said the allegation was false.** Only 21% of cases, based on the file analysis, were viewed as genuine. **Thus 41% of cases were deemed false and a further 33% could not be positively categorized as either true or false**. In her analysis of the reasons for why so many cases were deemed false, Jordan found a number of factors were prominent. Delays in reporting were linked to 'credibility concerns', with **'86% of complainants who had delayed reporting being viewed suspiciously'**.

Other characteristics which were found in cases that were deemed false, included situations where the complainant was **'intellectually impaired' or 'psychologically disturbed', where there was concealment of information or lying, previous sexual victimization, intoxication, complaint withdrawal or where officers perceived the complainant as 'sluttish' or 'promiscuous'**. Like earlier studies that have analyzed police recording practice, Jordan concludes: While false complaints do occur, approximately three-quarters of the incidents concluded by the police to be false appeared to have been judged to some extent at least on the basis of stereotypes regarding the complainant's behavior, attitude, demeanor or possible motive. Suspicious file comments were made by the detectives regarding a woman who laughed while being interviewed, others who were seen as 'attention seeking,' and some who were said to be 'crying rape' for revenge or guilt motives.

Jan Jordan acknowledged the limitations of her study, which was based on case file analysis. In discussing police skepticism of rape complainants, she stated: 'It is virtually impossible to tell from the file evidence available whether or not such skepticism is well founded in reality or simply emanates from a police occupational trait of general suspiciousness'."

British Home Office study (2005)

A 2005 study, "*A gap or a chasm? Attrition in reported rape cases*" was a large study commissioned by the British Home Office on UK rape crime, from the initial reporting of a rape through to legal prosecutions. The study was based on 2,643 sexual assault cases (Kelly, Lovett, and Regan, 2005). Of these, police departments **classified 8% as false reports**.

Rumney (2006)

Rumney, P. (2006) False allegations of rape. The Cambridge Law Journal, 65 (1). 125 -158. ISSN 1469-2139

Philip N.S. Rumney conducted a review of studies of false reporting in the US, New Zealand and the UK. The studies' findings of false rape allegations ranged from 1.5% to 90%. Rumney draws two conclusions from his review of literature. First, the police continue to misapply the "no-crime" or "unfounded" criteria. Rumney's second conclusion is that it is impossible to "discern with any

degree of certainty the actual rate of false allegations" because many of the studies of false allegations have adopted unreliable or untested research methodologies.

A selection of findings on the prevalence of false rape allegations. Data from Rumney (2006).

Study	Number	False reporting rate (%)
Philadelphia police study (1968)	74 out of 370	20%
New York Rape Squad (1974)	n/a	2%
Hursch and Selkin (1974)	10 out of 545	2%
Clark and Lewis (1977)	12 out of 116	10.3%
Geis (1978)	n/a	3–31% (estimates given by police surgeons)
McCahill *et al.* (1979)	218 out of 1,198	18.2%
Maclean (1979)	16 out of 34	47%
Stewart (1981)	16 out of 18	90%
Chambers and Millar (1983)	44 out of 196	22.4%
Smith (1989)	17 out of 447	3.8%
Theilade and Thomsen (1986)	1 out of 56 4 out of 39	1.5% (minimum) 10% (maximum)
Grace *et al.* (1992)	80 out of 335	24%
Kanin (1994)	45 out of 109	41%
Gregory and Lees (1996)	49 out of 109	45%
Harris and Grace (1999)	53 out of 483 123 out of 483	10.9% ("false/malicious" claims) 25% (recorded by police as "no-crime")
U.S. Department of Justice (1997)	n/a	8%
HMCPSI/HMIC (2002)	164 out of 1,379	11.8%
Lea *et al.* (2003)	42 out of 379	11%
Jordan (2004)	68 out of 164 62 out of 164	41% ("false" claims) 38% (viewed by police as "possibly true/possibly false")
Kelly *et al.* (2005)	67 out of 2,643	3% ("possible" & "probable" false allegations) 22% (recorded by police as "no-crime")

Police in Victoria, Australia (2006)

A study of 850 rape accusations made to police in Victoria Australia between 2000 and 2003 found that 2.1% were ultimately classified by police as false, with the complainants then charged or threatened with charges for filing a false police report.

Lisak (2010)

David Lisak's study, published in 2010 in *Violence Against Women*, classified as false 8 out of the 136 (5.9%) reported rapes at an American university over a ten-year period Applying IACP guidelines, a case was classified as a false report if there was evidence that a thorough investigation was pursued and that the investigation had yielded evidence that the reported sexual assault had in fact not occurred. A thorough investigation would involve, potentially, multiple interviews of the alleged perpetrator, the victim, and other witnesses, and where applicable, the collection of other forensic evidence (e.g., medical records, security camera records). That conclusion would have been based not on a single interview, or on intuitions about the credibility of the victim, but on a "preponderance" of evidence gathered over the course of a thorough investigation.

Crown Prosecution Service report (2011–2012)

A report by the Crown Prosecution Service (CPS) examined rape allegations in England and Wales over a 17-month period between January 2011 and May 2012. It showed that in 35 cases authorities prosecuted a person for making a false allegation, while they brought 5,651 prosecutions for rape. The qualification of prosecution in determining a “false allegation” would have kept the true incidence of false accusations artificially low because many such cases are never prosecuted.

False Allegations of Adult Crimes (2012)

James McNamera and Jennifer Lawrence, FBI Law Enforcement Bulletin, Sept. 2012.

Offender Motivations

Perpetrators of false allegation crimes have various underlying motivations that fall into one or more categories. Investigators may encounter cases involving more than one motivation.[2]

- Mental illness/depression
- Attention/sympathy
- Financial/profit
- Alibi
- Revenge

A significant life problem (e.g., marital, financial, employment) that the offender does not have the skills to resolve drives the motivation. Many perpetrators have multiple life difficulties. Rather than seeking appropriate assistance from family members, coworkers, clergy members, or mental health professionals, offenders develop a self-victimization plan. These individuals may realize temporary relief from their life problems due to immediate attention and support from family, neighbors, and coworkers. And, more often than not, false allegation offenders do not consider the serious, long-term law enforcement investigation or significant media coverage that reveals the truth. In the long run, offenders are worse off than before the false allegation crime report and even may face prosecution.

Typically, female offenders want to gain attention and sympathy and will falsely allege offenses, such as interpersonal violence (e.g., sexual assault), more likely to achieve that result. While the desire for attention and sympathy also can motivate males, they tend to opt for nonsexual offenses, such as physical assault or attempted murder. Offenders who falsely allege more impersonal crimes, like theft or vandalism, more likely will have financial or profit motives. And, in cases where the perpetrator has no motive or incentive, mental health issues may prove significant.

Possible Clues

Several indicators can help investigators identify a false allegation case. While none of these signs by themselves indicate a false allegation case, investigators should strongly consider a two-prong investigation with the corroboration of two or more. The offender may:

- continue to make inconsistent statements conflicting prior claims by the individual or information provided by witnesses;
- offer descriptions or circumstances of the reported offense that do not seem plausible or realistic;
- show deception on a polygraph or refuse to take one;
- have a history of mental and emotional problems or false allegations;
- make the allegation after a similar crime received publicity (suggesting modeling or a copycat motive in which the similarity to the publicized crime offers credibility); or
- provide an allegation that lacks substantiating forensic, physical, or medical evidence and does not agree with laboratory findings.

For the FBI Bulletin (above) McNamera draws from his earlier published research.

Characteristics of false allegation adult crimes.

McNamara, James J., McDonald, Sean.

J Forensic Sci, May 2012, Vol. 57, No. 3

Abstract:

The purpose of this study was to identify common factors in false allegation adult crimes, by examining the dynamics involved in 30 confirmed false allegation cases. The authors conducted a comprehensive review of these adjudicated cases and then completed a collection instrument to capture offender demographics, offense characteristics, and motive. **The results indicated that most false allegation crimes were committed by women (73.3%) and Caucasians (93.3%). Data indicated that more interpersonally violent allegations were primarily motivated by attention/sympathy needs (50.0%), whereas more impersonal offenses involved other motivations such as providing an alibi (16.7%) or profit (13.3%).** Offenders tended to be

younger, high school graduates with no higher education (43.3%). A total of 23.3% of offenders had a prior criminal history. Male offenders appeared as likely as women to be motivated by attention/sympathy; however, men tended to select more violent, nonsexual offenses (e.g., attempted murder) than women.

Research Abstracts on False / Unfounded Sexual Assault Claims

Detecting the true nature of allegations of rape.
De Zutter, André. Horselenberg, Robert., Koppen, Peter J.
Journal of Police and Criminal Psychology, Jun 23, 2016.
Abstract:

A study was conducted to test whether it is possible to build a model to distinguish true and false allegations of rape based on the theory of fabricated rape. The theory is based on the principle that a false complainant of rape has not been raped and has to fabricate a story while the story of a true victim is based on recollections of the event. Consequently, false complainants will behave as liars do, construct their story based on their own sexual experiences and on mental representations, beliefs of how such a crime would happen (De Zutter et al. in Eur J Psychol Appl Leg Context. doi: 10.1016/j.ejpal.2016.02.002 , 2016). To test the theory and to build a model to discriminate between true and false allegations of rape, a police sample of true and false allegations was studied. A total of 129, 72 true and 57 false, allegations of rape fulfilled the stringent criteria of the current study, among others on ground truth. Fifty-four allegations of rape, 27 true and 27 false, were used to build a prediction model based on the theory of bounded rationality by Gigerenzer (2002). The remaining 75 cases, 45 true and 30 false, were blindly categorised as either true or false based on the model. The model was able to predict the true nature of the majority of allegations with an accuracy rate of 91 %. Thus, it seems possible to discriminate to a considerable extend between true and false allegations of rape

Encyclopedia of Violence: frequent, commonplace, unexpected.
DiCanio, Margaret. May, 2004.
Book:

Arranged in an A to Z format and cross-referenced, Encyclopedia of Violence by Margaret DiCanio, Ph.D. provides an overview. Entries include: violence management systems; health; law enforcement; judicial; and corrections. Strengths and flaws are revealed, particularly in juvenile and assembly-line justice. Explored are such seemingly unrelated types of crime as organized and corporate crime, both hidden from public view. Murder in various guises is described. While mass murders and serial murders by individuals capture public attention, more common are murders resulting from domestic abuse, barroom brawls, and petty squabbles. Classroom violence is covered, as is campus violence. Violence is expensive, economically, socially, and psychologically. Unlike many other nations, United States keeps relatively accurate crime statistics. Violence is not just a criminal justice problem; it is the world's major global public health problem, draining financial and human resources. Appendixes trace the roots of America's drug traffic, and provide resources.

Pathways to false allegations of sexual assault.
Engle, Jessica., O'Donohue, William.
Journal of Forensic Psychology Practice, Vol 12(2), Mar, 2012. pp. 97-123.
Abstract:

Not all **allegations** of **sexual assault** are true. Unfortunately, there has been little work on understanding the prevalence of **false allegations** or **pathways** to these. This paper proposes 11 **pathways** to **false allegations** of **sexual assault**: (a) lying, (b) implied consent, (c) **false** memories, (d) intoxication, (e) antisocial personality disorder, (f) borderline personality disorder, (g) histrionic personality disorder, (h) delirium, (i) psychotic disorders, (j) dissociation, and (k) intellectual disability. These **pathways** originate in the psychological diatheses of the individual. Further research is needed into the frequency of these **pathways**, ways to accurately detect these, and whether other **pathways** exist.

False rape allegations: An assault on justice.
Gross, Bruce. The Forensic Examiner, Vol 18(1), Spr 2009. pp. 66-70.
Abstract:

A certain percentage of rape complaints are classified as 'unfounded' by the police and excluded from the FBI's statistics. For example, in 1995, 8% of all forcible rape cases were closed as unfounded, as were 15% in 1996. According to the FBI, a report should only be considered unfounded when investigation revealed that the elements of the crime were not met or the report was 'false'. The term 'unfounded' is not a homogeneous classification and, to date, there is not a formalized, accepted definition of 'false rape allegations.' The designation of false allegation might best be used exclusively for those cases in which it is determined that the accuser intentionally fabricated the allegation of rape. That is, the accuser claims an incident of forced sexual contact took place when no such incident occurred, or the contact that did occur was consensual. In addition, this would include cases in which a rape was committed, but the victim knowingly identified the wrong person as the perpetrator.

Differentiating genuine and false rape allegations: A model to aid rape investigations.
Hunt, Laura. Serious Crime Analysis Section, National Policing Improvement Agency, England
Bull, Ray. Psychiatry, Psychology and Law, Vol 19(5), Nov, 2012. pp. 682-691.
Abstract:

The aim of this study was to compare the victimology, offence demographics and offence behaviours of genuine and false allegations of rape in order to develop a model that could be used to aid in differentiating between genuine and false rape allegations. Eighty false allegations of rape were compared with 160 genuine allegations of rape, obtained from the Serious Crime Analysis Section (SCAS). Data were taken directly from complainant statements and 62 variables were dichotomously coded. Chi-square, odds ratios and Mann-Whitney U tests were initially completed and then the more significant variables were entered into a backwards stepwise logistic regression. The resultant logistic regression model classified 91.7% of the sample correctly. The model was validated using an additional 12 cases, with an 83% success rate. This study found that a number of factors successfully discriminated between genuine and false rape allegations. It thus offers a tool that might aid police investigations, crime analysts and behavioural investigative advisors in the veracity assessment of rape allegations.

Beyond belief? Police, rape and women's credibility.
Jordan, Jan. Criminal Justice: International Journal of Policy and Practice, Vol 4(1), Feb, 2004. pp. 29-59.
Abstract:

This article reviews issues concerning perceptions of women's credibility in the context of police responses to sexual assault complainants. It is based on both quantitative and qualitative data drawn from detailed analysis of police rape and sexual assault files. Particular attention is paid to identification of the principal factors affecting police perceptions of rape complainants, addressing such issues as demeanour, intoxication and concealment. Problems arising from the misinterpretation of significant 'cues' are identified, and consideration given to possible ways in which miscommunication between rape complainants and police officers occurs. The article argues that many rape complainants must still battle to gain credibility in the eyes of some police investigative officers, and that stereotypically based judgements continue to impact negatively on police perceptions and decision making. The overall aim of the article is to prompt critical, constructive evaluation of police culture and practice in order to enhance the quality of police responses to victims of sexual violence and abuse.

False Rape Allegations.
Kanin, Eugene.
Archives of Sexual Behavior, Feb. 1994, v23, n1, p81(12)
Abstract

With the cooperation of the police agency of a small metropolitan community, 45 consecutive, disposed, false rape allegations covering a 9-year period were studied. These false rape allegations

constitute 41% the total forcible rape cases (n = 109) reported during this period. These false allegations appear to serve three major functions for the complainants: providing an alibi, seeking revenge, and obtaining sympathy and attention. False rape allegations are not the consequence of a gender-linked aberration, as frequently claimed, but reflect impulsive and desperate efforts to cope with personal and social stress situations.

False allegations of rape revisited: a replication of the kanin study.
Kennedy, Daniel..
Journal of Security Administration; June 2000; 23, 1; pg. 41
Abstract

Behavioral scientists interested in the "dark figure" of unreported crime can claim with empirical support that only 30% of rapes are made known to the police (Rand, 1998). There is far less agreement on the extent to which certain rapes may be "overreported." Do false allegations of rape occur with sufficient frequency to constitute an appreciable threat to the administration of justice? If so, are there any patterns which may be identified and motivations which may be uncovered?

False allegations of wrongdoing can have severe consequences for the American justice system. Several studies have documented the extent to which suspects have been wrongfully convicted for crimes they did not commit (Huff, Rattner, & Sagarin, 1996). Allegations of child molestation are often leveled between waning spouses in an attempt to win custody of their children (Robin,1992). Finally, to the extent that investigative authorities understand the nature of false reports of victimization, true victims of rape will not be confused with dissemblers and denied appropriate system support (McDowell & Hibler,1993).

False allegations of sexual assault: An analysis of ten years of reported cases.
Lisak, David.,Gardinier, Lori., Nicksa, Sarah C., and Cote, Ashley M.
Violence Against Women, Vol 16(12), Dec, 2010. pp. 1318-1334.
Abstract:

One of the most controversial disputes affecting the discourse related to violence against women is the dispute about the frequency of false allegations of sexual assault. In an effort to add clarity to the discourse, published research on false allegations is critiqued, and the results of a new study described. All cases (*N*=136) of sexual assault reported to a major Northeastern university over a 10-year period are analyzed to determine the percentage of false allegations. Of the 136 cases of sexual assault reported over the 10-year period, 8 (5.9%) are coded as false allegations. These results, taken in the context of an examination of previous research, indicate that the prevalence of false allegations is between 2% and 10%.

Characteristics of false allegation adult crimes.
McNamara, James **J**., **McDonald**, Sean.
Abstract:

The purpose of this study was to identify common factors in false allegation adult crimes, by examining the dynamics involved in 30 confirmed false allegation cases. The authors conducted a comprehensive review of these adjudicated cases and then completed a collection instrument to capture offender demographics, offense characteristics, and motive. The results indicated that most false allegation crimes were committed by women (73.3%) and Caucasians (93.3%). Data indicated that more interpersonally violent allegations were primarily motivated by attention/sympathy needs (50.0%), whereas more impersonal offenses involved other motivations such as providing an alibi (16.7%) or profit (13.3%). Offenders tended to be younger, high school graduates with no higher education (43.3%). A total of 23.3% of offenders had a prior criminal history. Male offenders appeared as likely as women to be motivated by attention/sympathy; however, men tended to select more violent, nonsexual offenses (e.g., attempted murder) than women.

The truth, the half-truth, and nothing like the truth: Reconceptualizing false allegations of rape.
Saunders, Candida L.. British Journal of Criminology, Vol 52(6), Nov 2012. pp. 1152-1171.
Abstract:

There is a longstanding dispute between criminal justice professionals on the one hand and researchers and commentators on the other regarding the prevalence of false allegations of rape. Prevalence, however, is contingent upon definition. If the various protagonists' definitions of a 'false allegation' do not coincide, it is virtually inevitable that their estimates will diverge. Drawing on original empirical data from in-depth research interviews conducted with police and Crown Prosecutors, this article explores the following important but much-neglected question: When criminal justice professionals tell us that false allegations of rape are common, what precisely are they talking about? What 'counts' as a false allegation?

Unfounding sexual assault: Examining the decision to unfound and identifying false reports.
Spohn, Cassia., White, Clair, Tellis, Katharine. Law & Society Review, Vol 48(1), Mar 2014. pp. 161-192.

Abstract:

One of the most controversial—and least understood—issues in the area of sexual violence is the prevalence of false reports of rape. Estimates of the rate of false reports vary widely, which reflects differences in way false reports are defined and in the methods that researchers use to identify them. We address this issue using a mixed methods approach that incorporates quantitative and qualitative data on sexual assault cases that were reported to the Los Angeles Police Department (LAPD) in 2008 and qualitative data from interviews with LAPD detectives assigned to investigate reports of sexual assault. We found that the LAPD was clearing cases as unfounded appropriately most, but not all, of the time and we estimated that the rate of false reports among cases reported to the LAPD was 4.5 percent.We also found that although complainant recantation was the strongest predictor of the unfounding decision, other factors indicative of the seriousness of the incident and the credibility of the victim also played a role. We interpret these findings using an integrated theoretical perspective that incorporates both Black's sociological theory of law and Steffensmeier, Ulmer, and Kramer's focal concerns perspective.

Motives for filing a false allegation of rape.
Zutter, André W. E. A., et al.
Archives of Sexual Behavior, Vol 47(2), Feb, 2018. pp. 457-464.

Abstract:

The list of motives by Kanin (1994) is the most cited list of motives to file a false allegation of rape. Kanin posited that complainants file a false allegation out of revenge, to produce an alibi or to get sympathy. A new list of motives is proposed in which gain is the predominant factor. In the proposed list, complainants file a false allegation out of material gain, emotional gain, or a disturbed mental state. The list can be subdivided into eight different categories: material gain, alibi, revenge, sympathy, attention, a disturbed mental state, relabeling, or regret. To test the validity of the list, a sample of 57 proven false allegations were studied at and provided by the National Unit of the Dutch National Police (NU). The complete files were studied to ensure correct classification by the NU and to identify the motives of the complainants. The results support the overall validity of the list. Complainants were primarily motivated by emotional gain. Most false allegations were used to cover up other behavior such as adultery or skipping school. Some complainants, however, reported more than one motive. A large proportion, 20% of complainants, said that they did not know why they filed a false allegation. The results confirm the complexity of motivations for filing false allegations and the difficulties associated with archival studies. In conclusion, the list of Kanin is, based on the current results, valid but insufficient to explain all the different motives of complainants to file a false allegation.