

False Allegations of Adult Sexual Assault

Sexual assault advocates are frequently asked, “But what about false allegations? Don’t they happen all the time?” It is helpful to be able to refer to the research on this topic, and to sort out the issues involved.

What is actually meant by a “false allegation”? This seems simple, but in fact it is a complex issue. According to Lonsway (2010), we need to distinguish between **deliberate falsehoods**, **untrue statements without malice** (such as by a person with a severe mental illness), **inconsistent statements** (which may be due to trauma rather than absence of a crime), and “**unfounded**” **criminal cases**, which may simply indicate a lack of sufficient evidence for prosecution, the victim’s inability to cooperate, or preconceptions by law enforcement (Venema, 2014).

Recent research on the rate of false allegations has included the following studies. David Lisak and colleagues (2010) studied rape allegations at a university and concluded that 5.9% were untrue. They also conducted an extensive literature review, concluding that the true rate of false reports is between 2% and 10%. Spohn, White, and Tellis (2014) thoroughly investigated cases of sexual assault reported to the Los Angeles Police Department and concluded that 4.5% were false reports (defined as “a *thorough investigation* led the police to conclude that the *allegation was false* and that no crime occurred” (p.171).

O’Neal and colleagues (2014) conducted one of the few examinations of the complex reasons why individuals might claim to have been sexually assaulted when the evidence showed this did not happen; the women in this study had high levels of distress and mental illness. In fact, recantation due to fear or pressure is more common than false allegations (Spohn, White, & Tellis, 2014). Recent research (Hull, Sheplavy, & Hull, 2015) has also shown that some individuals don’t identify what has happened to them as sexual violence until they are given information about legal definitions.

Overall, the research on false allegations indicates that it does happen, but rarely. It is important to have a clear definition of what is meant by a false report or a false allegation. Better training on the effect of trauma on memory may help law enforcement to classify fewer reports as false (Cambell, 2012).

References

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