

REASONS WOMEN MAKE VARIOUS FALSE SEXUAL ALLEGATIONS -CLINICALLY OR LEGALLY DOCUMENTED-

INSTITUTE for PSYCHOLOGICAL THERAPIES (IPT Journal), Frank S. Zepezauer, Vol. 6, No. 2, 1994

BELIEVE HER: THE WOMAN NEVER LIES MYTH

This article reviews various studies, which include the type of circumstances in which false accusations occur, and the types of false accusations.

Sexual Harassment

Randy Daniels, deputy Mayor of York City, almost lost his appointment to a false allegation of sexual harassment. In his research, he discovered that in 1991, the Equal Opportunity Commission (EEOC) investigated/mediated 2119 cases of sexual harassment and found 59% were determined to have no cause.

Divorce

In a 1988 study by Wakefield and Underwagner¹, 1990, it was reported that molestation charges in divorces are probably false 1/3 of the time. One study in 1988 by the Association of Family and Conciliation Courts reported 75% of the false allegations in divorces were affected by emotional instability or mental illness (Dvorchak, 1992)². They noted there was a tendency to emphasize what the victim *felt*, or perceived, rather than what really happened: "Thus a woman can truthfully say she felt raped, abused or harassed by behavior which is substantially non-criminal".

The reviewers recorded the following motivations as cause of false accusations:

- 1) Spite, revenge
- 2) Compensation for feelings of guilt or shame,
- 3) Extortion and or
- 4) Publicity: The example of Mike Tyson was cited, who was falsely accused by 11 women from the Miss Black America Pageant, who would have relieved approximately \$20 million each.

Conclusion: Within a case of false accusation, is an "invisible victim": "False allegations of sexual misconduct have deprived a rapidly growing number of men and women of their reputations, their fortunes, their children, their livelihood, and their freedom; have wasted the time and money of countless tax-supported agencies; have destroyed not only individuals but

¹ Wakefield, H., & Underwager, IL (1990), *Personality characteristics of parents making false accusations in sexual custody disputes, Issues in Child Abuse Accusations*, 2(3), 121-136.

² Dvorchak, R. (1992, August 22). Sex Abuse Charge, "Ultimate Weapon" in Custody Cases, Houston Chronicle

entire families and communities; and have left some so desperate they have taken their own lives” (p.13).

This article cites law professor Alan Dershowitz (1991) who stated that an FBI annual survey of 1600 law enforcement agencies discovered 8% of all rape charges are completely unfounded.

Archives of Sexual Behavior, Eugene Kanin, PhD. Vol 23, No.1, 1994

FALSE RAPE ACCUSATIONS

This article documents a nine year study of 45 cases, in a small mid-western town population 70,000. The following motivations by “victims” who recanted (not conjecture) were found:

- 1) Providing an alibi or “cover story” because of fear of pregnancy, sexually transmitted diseases, or getting pregnant in unrelated consensual sexual event;
- 2) Obtaining sympathy and attention.

The false accusations constituted 41% of all the forcible rape cases studied.

The Forensic Examiner, Bruce Gross, PhD, MBA, Spring 2009

FALSE RAPE ALLEGATIONS: AN ASSAULT ON JUSTICE

This article documents these reasons:

- 1) “Cover story” or alibi: to solve a perceived problem the accuser was facing, or anticipated facing,
- 2) Something that caused shame and guilt in the accuser, which was bound to be discovered and negatively received by family or friends,
- 3) Denial of responsibility by creating an alternate reality in which to escape,
- 4) Revenge, rage, retribution resulting from a perceived wrong, rejection, or betrayal by the alleged rapist,
- 5) Need to compensate for a personal failure,
- 6) Meet an overwhelming need for attention often associated with a mental disorder, either Borderline Personality Disorder, or Munchausen Syndrome
- 7) Extortion.

Additionally, the article noted that few negative consequences exist for false accusers because: 1) they are not prosecuted, although legally there are grounds, 2) and the false allegation is often excluded or suppressed as evidence in subsequent accusations, 3) the “victim” never has to admit falsity.This article cites a study by (Rumney, 2006) that reviewed studies of

false rape accusations conducted between 1968 and 2005, and reported a range in percentages of false accusations between 1-90%. The authors also cite Charles P. McDowell, a researcher for the United States Air Force Special Studies Division, who discovered in his studies that 212 out of 1,218 reports of rape made between 1980 and 1984 were found “disproved” when the victim convincingly admitted the accusation was a “hoax” at some point in the initial investigation. When the 546 remaining cases were further investigated, and those complainants were informed they were going to be polygraphed, an additional 27% admitted they had fabricated their accusations. In total, 45% of the total rape accusations were false.

Journal of Psychiatric Practice, Richard C.W. Hall, MD, and Ryan C.W. Hall, MA, September 2001, 343-346.

LAW AND PSYCHIATRY: FALSE ALLEGATIONS: The Role of the Forensic Psychiatrist

The author’s state false accusations occur with some regularity, particularly against health care providers, and note that it is very difficult to find the truth, especially when most of the evidence is self-reported, or subjective. They suggest eleven questions to consider when reviewing factors of each allegation for falsity. The authors suggest that particular attention should be paid to

- 1) Whether or not the patient has been counseled by someone with a vested interest
- 2) Whether other allegations have been made previously ---Is there a pattern? A pattern bears a detailed full investigation.
- 3) Is there a personality disorder involved: antisocial, narcissistic, borderline, dissociative disorder, factitious disorder in either party?
- 4) Were there secondary passive personality traits in either party?
- 5) Was there a history of alcohol abuse in either party?
- 6) Was there purpose, reward, or ulterior motive evident related to the investigation?

The authors record two case histories. In the second “Kimberly Mays” was switched at birth and raised by non-birth parents. She accused her non-birth father of sexual abuse, to “establish boundaries” and for media attention. As a result, Kimberly moved in with birth parents. Later she admitted the falsity of her allegations and to fabricating the entire story.³ In the second case, a young high school student accused her teacher of sexual abuse, to protect herself from her father’s reaction to her bad grades. She reported she received them for refusing the teachers sexual advances. After a time, she confessed her false accusation and the charges were dropped, after his standing in the community was ruined.

³ Orlando Sentinel, 6B, 1994

M. Matas, M.D. and A. Marriott, M.S.W., American Journal of Psychiatry Vol. 32, May 1987, 305-309

THE GIRL WHO CRIED WOLF: PSEUDOLOGIA PHANTASTICA AND SEXUAL ABUSE

The authors note that lies are usually 1) goal directed, and 2) can be a gratification in itself, "like poetry", identifying them as "fantasy-lies", a daydream communicated as a reality with a wish-fulfillment component, often sexual in nature.

In the first case, "Miss S." a young blind woman accused her psychiatrist of three years of rape. She also reported a total of three rapes, with inconsistent stories. She reported all of the following, but later retracted (admitted falsity) when the lies became apparent:

- 1) She was adopted,
- 2) She went drinking with her father as a teenager,
- 3) She was an incest victim at about age 16, for three times per week, for 6 months, telling graphic and lurid details, of her father's assaults.

She admitted a pattern of lying because she wanted "things she didn't get out of life", and wanted a closer relationship with her father, and felt her parents didn't care about her. Her mental health diagnosis was Major Depression Recurrent, Histrionic Personality Disorder, and Borderline Personality Disorder.

In the second case, "Kathleen Webb" of Illinois accused Gary Dotson of rape, because she feared a loss of parental love due to a possible pregnancy, using the accusation as a cover story for the consensual sex she had with a boyfriend. M.s Webb later recants publically stating "it was a figment of my fertile imagination" and reported guilt motivated her. In 1985, she became 'famous', making the cover of People magazine for her attempts to free Dotson. Eventually, his sentence was commuted by the Governor of Illinois.

INSTITUTE for PSHCHOLOGICAL THERAPIES (IPT Journal), Hollida Wakefield and Ralph Underwagner, Vol. 2(3), 1990, 121-136

PERSONALITY CHARACTERISTICS OF PARENTS MAKING FALSE ACCUSATIONS IN SEXUAL CUSTODY DISPUTES, ISSUES IN CHILD ABUSE ACCUSATIONS

The authors compared the personality traits of 72 pairs of falsely accusing parents and 103 falsely accused parents to each other and a control group of 67 custody parents, who were without allegations of sexual abuse. This well researched and valuable article includes results of MMPI's, showing an interesting pattern of answers by accusers.

The authors record the following rewards of making a false accusation: social approval, free legal counsel, welfare payments, approbation from mental health professionals, therapists, friends, family, neighbors, revenge, getting a judges attention.

The authors noted that 72% of falsely accusing females were more likely to have a personality disorder diagnosis, while 32 % did not. Falsely accusing parents were more likely to have Histrionic Personality Disorder (1/3), Borderline Personality, passive aggressive or paranoid traits.

The article includes three types of personality patterns discovered (Ross and Blush, 1990) observed in falsely accusing parents:

1) Histrionic Personality:

“This individual appears anxious, concerned, and nervous and presents herself as victimized by her estranged spouse. She describes herself as manipulated, coerced, and physically or psychologically abused...

2) Justified Vindicator:

“A variation on the histrionic personality: This woman initially offers an organized, assertive, and justified agenda with many facts, figures, and opinions supporting her evidence. She presents herself as justifiably outraged and concerned by the behavior of her spouse. However, when clarification is sought regarding the details, she becomes hostile, resistant, and passive aggressive. She will argue and counter even carefully framed questions, is likely to discontinue contact with the evaluator who challenges her statements, and may threaten to sue or make ethical complaints”.

3) Borderline Personality: “By virtue of a basic histrionic propensity and the stress of the divorce, functions in a highly dysfunctional way and may lose contact with reality. This person may be most readily identified by peculiar and bizarre descriptions of events in her history”.

They concluded “In the absence of corroborating evidence, when a parent making the accusation is disturbed and the accuser is psychologically normal, false accusation should be considered.

The article compared several studies and concluded that false accusations range from 1/3 to 4/5 of the total accusations in custody disputes.

Critical Care Medicine, Hansen-Flaschen, John MD; Alder, Betty S. JD, 27(2): 437-440, February 1999

ALLEGATIONS OF SEXUAL ABUSE IN AN INTENSIVE CARE UNIT

This article describes allegations of sexual abuse in two separate cases by critically ill patients both sedated with Lorazepam.

- 1) In the first case, a 57 year old man misperceived a “rectal intubation” as a sexual assault.
- 2) In the second case, a 31 year old woman misperceived a perineal bed bath as a sexual assault.

The authors conclude “Under the influence of commonly used psychotropic drugs, some acutely ill hospitalized patients misperceived routine perineal care as sexual abuse”.

These articles do not exhaust the subject. The statistics are limited because of limitations in the studies. Other lesser sexual crimes, such as sexual battery were studied even less, because the researchers reported the crime was difficult to quantify, and the elements varied by statute in each state making correlation of information too difficult, whereas the elements of rape were clearer across state lines. The main point is *false sexual accusation does occur with startling regularity and frequency* by persons with who have a variety of selfish motives.

False accusations destroy the lives of many innocent people, who become invisible victims with little resources to defend themselves. There is no disincentive for a person making a false report to not do so, because the justice system does not prosecute these types of cases of perjury.

ADDENDUM

EXONERATIONS IN THE UNITED STATES 1989 THROUGH 2003

Published in the Journal of Criminal Law and Criminology, Samuel R. Gross, Kristen Jacoby, Daniel J. Matheson, Nicholas Montgomery, & Sujata Patil, Vol. 95. No. 2, Copyright 2005 by Northwestern University, School of Law

This report researched exonerations the authors stated resulted from limited sources of documented cases of false accusations related to convictions for murder and/or rape. The exonerations were a result of the United States legal system’s “official act of declaring a defendant not guilty of a crime for which he or she had previously been convicted” (p. 523).

In 90% of rape cases, 88% (101/121 cases) of the exonerations, the defendant (the accused) was later determined to be a victim of eyewitness misidentification (p. 530).

In 14/60 rape cases later determined to be false accusations, the accuser was a complaining witness who deliberately lied about the crime: a supposed victim, participant, or eyewitness

(p. 543): “The authors discovered reports of perjury by police officers in five cases, and in an additional 24 cases they have similar information on perjury by forensic scientists testifying for the government... In 17 cases, the real criminal lied under oath to get the defendant convicted.... In at least 97 cases, a civilian witness who did not claim to be directly involved in the crime committed perjury ---usually a jailhouse snitch or other witness who stood to gain from the false testimony” (p. 543-544).

As a group, those persons wrongfully imprisoned for crimes they did not commit had been “imprisoned for more than five years on average, and as a group spent more than 3400 years in prison for crimes they did not commit” (p. 543).