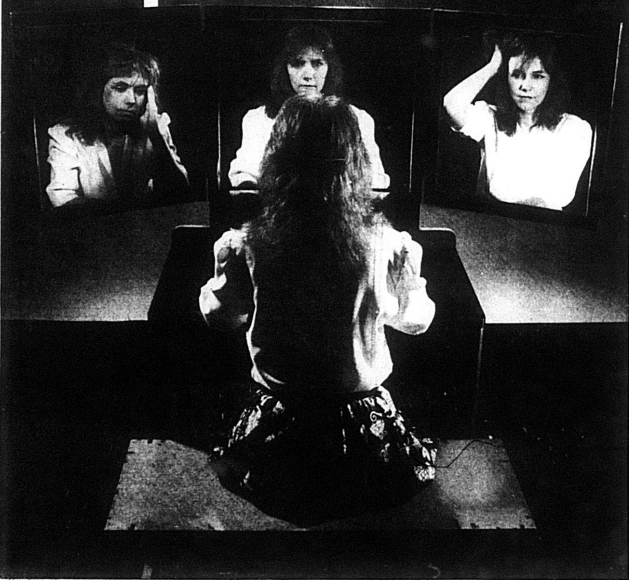


Tempo



Thurs photo by Bill Fife

Redefining society's perceptions of rape

By Stevenson Swanson

On March 1, the case that advocates of rape reform had dreaded broke into the news when Cathy Crowell Webb claimed on national television that she had lied about being raped in 1977. The story would not go away. The Webb case was big news all through the spring.

But hers was not the only case of its kind. At about the same time that Webb was breaking into the headlines, Donna Dugan, a 19-year-old college student, claimed to have been raped at knifepoint on the campus of Lake Superior State College in Sault Ste. Marie, Mich. Her elaborate description of the man resulted in a composite drawing that ran on the front page of the local paper. She later changed her story to implicate a fellow student who was then arrested and jailed. Soon, however, the second story crumbled, and police became convinced that there had been no rape.

The Dugan story didn't capture the attention that Webb's did, but it may be more significant. Webb brought up the 300-



year-old prejudice inherited from English justice: "Rape is an accusation easily to be made and hard to be proved." Dugan has become the target of justice. She has been charged with filing a false report and could face up to 90 days in jail.

Rape reform advocates look at the two cases and wonder if the tide is changing after a decade or so of progress that has resulted in tougher laws and more compassion for victims. Police and prosecutors wonder when the next Dugan

Revelations of false charges have brought a change in attitude toward the crime and the 'criminals.'

or Webb will come along and whether they will be able to detect her. Real rape victims worry that their stories will not be taken seriously. Rape counselors hope the bad publicity does not result in a permanent setback for real victims.

The questioning and reexamination of procedures and attitudes toward rape are caused by a numerically small category of misbehavior. The FBI reported 78,918 rapes nationally in 1983, the last year for which figures are available. Barbara Engel, director of women's

services at the Loop YWCA, says that false reports of rape, like false reports of any other crime, make up only 2 to 6 percent of all such reports. Using that percentage range, from 1,500 to 4,700 reports of rape may have been false, but no statistics are kept by the FBI for such cases.

Such statistics are not kept by Chicago police either, except in a general way. According to Chief of Detectives George McMahon, 286 "criminal sexual assaults" (a classification that includes incest and

other sex crimes as well as rape) had been reported during March, of which 13 were dismissed as "unfounded," a determination by a detective and his superior that the claim does not hold up, but not necessarily because the woman is lying.

The low incidence of unfounded cases may demonstrate that the Chicago Police Department, like other departments around the country, has a new attitude toward rape that, they say, will not be damaged by false rape reports. Until recently, the police across the country were notoriously unsympathetic to rape victims. In the past, Chicago police declared as unfounded many more reports, as many as 40 percent of all reported rapes. Detectives now routinely receive special training to investigate the cases carefully and deal with victims sensitively.

Still, the discretion to dismiss cases as unfounded is a sore point with Engels, who believes that many police officers—the first authorities to decide whether to believe a woman who says she has been raped—

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Perceptions of rape come under new scrutiny

Continued from first Tempo page
 reveal their true feelings about rape in the cases they don't pursue.
 "A lot of police officers believe you can be raped by someone you know, or they think rape victims are just prostitutes trying to use the police as a collection agency," she said.

One reason for police and even public skepticism about women who say they have been raped is that often the women do not conform to what Engels calls the "TV victim of a rape victim," a sobbing woman, cuddled in the corner of a hospital waiting room. In reality, a rape victim often acts as if nothing happened.

"Most women want to get control back," said Engel. "They want to get their feet back on the ground as soon as possible. The police are not very sophisticated in understanding such a reaction."

McMahon acknowledges that unfounded cases were once far more common, but maintains that those days are gone. "I might have agreed [with Engel] 10 or 15 years ago, but not now. These investigators have been around, they know times have changed. Prostitutes can be raped, too. That doesn't matter. It's my belief that if someone says they're a victim of a crime—rape, robbery, assault, anything—you don't think they're a liar and go out to prove they're a liar."

Even in a small town such as Sault Ste. Marie, where only about 15 cases of adult and child sexual abuse are reported yearly, questions of believability occur—various college and police officials say privately that Donna Dugan's story was suspect from the start—but each case can be checked out more thoroughly than is always possible in a big city.

"We have to treat each case seriously," said Det. Wayne Gierke, who found the inconsistencies in Dugan's story. "I just can't say to a woman, 'I think you're lying,' because she'll stand up and say, 'I want to see the chief,' and if he doesn't help her, she can see the mayor."

For prosecutors, rape cases are a challenge. The last thing they want is for a rape victim, in the midst of a trial, to be revealed to have been lying all along. Chippewa County prosecutor Patrick Shannon felt the best way to prevent a rash of false rape reports was to charge Donna Dugan with filing a false report, for which she could be fined \$100 and spend 90 days in jail. [Because her false charge case is pending trial, her attorney refused to let her be interviewed.] Shannon, who has been in office five years, has tried to make the prosecution of rape cases timely and vigorous. He said he does not know of a similar false rape case in which the woman was charged, but the decision to prosecute seemed inevitable to him.

"Rape cases are hard enough to prosecute," he said. "There are so many skeptics out there who think all rapes are trumped-up charges. I file these



Will the negative publicity from the rape recant case of Gary Dotson (right) and Cathy Crowell Webb affect real victims?

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The felony review system leaves the state's attorney's office open to the complaint made by Engel that the office does a good job with rape cases once it decides it can win a case, but "it isn't willing to take that many cases to court." In any event, the office says it can weed out bad cases and plans no changes in procedure because of the Webb recantation.

Once a case reaches court, rape victims and prosecutors can take advantage of some flexibility in the judicial system to lessen any damage they fear the recent publicity over Webb and Dugan may have done. If prosecutors and rape victims are worried about the attitudes of a jury, they can enter a motion for a bench trial in which the judge also acts as jury. A judge is, in theory, less likely to be swayed by public opinion. Prosecutors also could try out less bringing rape cases to trial until public attention dies down, according to Marie Howard, a rape victim who conducts rape prevention classes with her husband in high schools and colleges.

But if the effect of false rape claims on the law enforcement and judicial systems is likely to be short-lived, the harm to past, present and future rape victims could be subtler and longer-lasting. The fear most often expressed is that women will be more reluctant to report rapes because they will worry about being believed.

The Webb and Dugan cases are having an effect not just on rape victims whose cases are in court. In Chicago, rape counselors are getting calls from former clients who because of the publicity of the Webb case are reexperiencing the difficulties they had in making the authorities believe their stories. And working with recent rape victims is likely to become more difficult.

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Or, women may blame themselves for not saying so strongly enough. "Most rape victims feel guilty about that," Engel said. "That's one of the biggest problems in rape. You turn this kind of stuff [about Dotson et al.] loose, and I'm afraid this will just set us back. It will reopen doors about how much we're supposed to fight, the death-before-dishonor kind of thing."

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A common assumption is that the women who make up such reports want to get even with a man, and it does happen occasionally. In a case in Pittsburgh, for example, William Davis spent almost three years in prison before the woman who accused him of rape, Rhonda Baker, admitted she made the story up because she was mad at Davis for beating her mother.

It is a risky method of vengeance. "It's a hardy to lie, I think, about a sexual assault because you're stigmatized, damaged goods," Engel said. "Also, the likelihood of conviction is low. You've got to convince the police, the prosecutor, the jury or the judge. The fastest you're going to get through court is nine months, and most cases take two years from the attack to the end of the trial. It's not a real easy way to get back at somebody. It's very ineffective because you can't have much control over what happens once you say you've been raped."

Unresolved emotions from an earlier incident, such as a childhood molestation, could lead a woman to say she was raped because the emotions might cause her to re-experience the childhood incident during consensual sex. Dickelle Fonda, assistant director of women's services at the Loop YWCA, sees such a situation as presenting an opportunity to the woman to "heal" to resolve the earlier trauma.

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changed by the experience. If Dotson is innocent, his calm acceptance after six years in prison is saintly. More typical is Robert Dorer, who served three years in Attica prison in New York before his case was reopened and he was freed. Dorer clearly controlled his emotions when he was asked on a recent "Donahue" television show how he felt about being accused of rape by a woman who is now serving time for arson.

"I have feelings," he said. "But I try to put the most positive light on things that I can."

The man who spent two nights in the Sault Ste. Marie jail after Donna Dugan claimed he had raped her, said he is trying not to let the incident affect his opinion of women. "But in some ways, my opinion has hit a new low," he said, after requesting anonymity to think a woman could damage someone's life like this. It'll probably make me reluctant to get involved with another girl."

He and Dugan had been platonic friends until the spring night when they had sex for the first time. Later that week, the police led him away from his job campus place of work in handcuffs. "Up until the time I was picked up, I believed she had been raped by this mystery man," he said, his voice shaking. "I felt something terrible had happened to her. I've had to block it out since. If I don't think of her, I don't think of what happened, and that's the way I want it."

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"The issue is that women lie," she said. "The Dotson case and others like it give momentum to a very old and women-hating attitude. They gave that a new airing."

"If there's any way that people can go through the escape hatch and say all the women are lying, they will," said Pauline Bart, a visiting sociologist at the University of California at Los Angeles who has studied attitudes toward rape. "This [old belief] gives men and women a way out. It's more appealing to women than the knowledge that they can be good people and not do anything wrong and be raped. That means the world is not safe. It makes life almost unendurable. Men are willing to admit that there are these weird guys who do this. Those men are sick, they tell themselves, but rape has nothing to do with the men they know, and that's just not true."

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"I'll never forget it as a prosecutor," he said. "I think it'll make us better investigators, so we'll have better cases to take to court."

In Cook County, a woman who falsely claims to have been raped can be charged with perjury, but the state's attorney's felony review system is supposed to winnow out any spurious charges as the flow of cases moves from the police to the courts. During felony review, an assistant state's attorney evaluates the evidence in a case to determine whether it can be won in court.

"We don't talk about false rape charges," said Julie Harms, an assistant state's attorney who works on the new state rape law that went into effect last July. "Our position has always been that the criminal justice system knows how to weed them out. It's difficult anyway to get a rape case

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CHICAGO TRIBUNE

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"They worry about the legal process as a result of her (Dugan's) case," said Doreen Howson, director of the town's Domestic Violence Shelter, which runs the year-old rape crisis program. "One in particular was scared that charges could be pressed against her, and I explained that if she were honest she wouldn't be charged with anything."

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