



# FALSE ALLEGATIONS

*of intimate partner violence*

False allegations are a serious concern in all crimes. What sets allegations of intimate partner violence apart from other crimes is that it involves relationships, and gender-based stereotypes can influence beliefs about false allegations. Dr. Lauri Jensen-Campbell explores commonality of false allegations in intimate partner relationships.

Prepared By  
Dr. Lauri Jensen-Campbell  
Executive VP of Research & Development

The Archway

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# FALSE ALLEGATIONS OF INTIMATE PARTNER VIOLENCE

Intimate partner violence in the United States is an epidemic. 32.5% of women experience severe physical violence. Intimate partner violence is different from many other crimes because there is a close relationship between the abuser and his victim. As such, law enforcement's response to intimate partner violence (IPV) can vary widely, especially when considering the veracity of the IPV complaint.

False allegations are a serious concern in all crimes. What sets allegations of IPV apart from other crimes is that it involves intimate relationships, and gender-based stereotypes can influence beliefs about false allegations. It is often assumed that women are manipulative and vengeful in their relationships. They lie about their partners or ex-partners to get back at them for perceived grievances or to gain an advantage in a divorce or custody arrangement. This myth that women falsely claim a partner has abused them is pervasive. Epstein and Goodman describe the discounting of women's experiences of IPV as "facing a Gaslight-style gauntlet of doubt, disbelief, and dismissal of their stories (p. 399).[1]"

The public overestimates rates of false IPV reporting and believes false claims may be as high as 30% to 40% of all cases reported to the police. Some police officers believe the rate of false claims is even higher and think that half of all reported IPV reports are false [2,3]. More troubling, police officers' beliefs about false allegations can influence the likelihood that IPV

cases are classified as false. Officers who believe exaggerated rates of false reporting are more likely to ignore a woman's claims or file her case as false.

Additionally, male evaluators in child custody situations involving IPV are more likely to believe that women falsely accuse men to gain advantage [4].

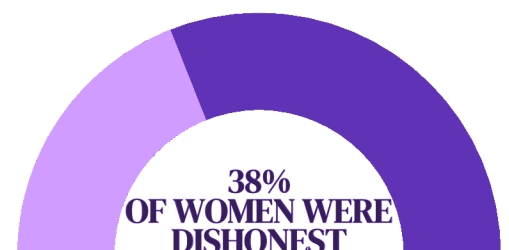
Child custody evaluators who also hold more traditional views of sex roles are more likely to believe that:

- Considering IPV is not necessary in child custody arrangements
- Women lie about IPV,
- Women are trying to alienate their children from their partner
- Fathers do not make false allegations [4].

## ► So, do women lie more than men?

Research on lying has not supported a sex difference in lying. Some studies have found no differences between men's and women's willingness to lie. However, when examining research that tempted people to lie, 42% of men and only 38% of women were dishonest [5]. *Men were likelier to tell lies that benefited themselves [6] and were more successful liars than women [7].* Interestingly, there were no differences in lying when it benefitted both the liar and their partner [8]. In summary, *women do not lie more than men.*

### WHEN *TEMPTED* TO LIE





## ► Are women more manipulative?

That is, do women try to manipulate the emotions of others for self-serving reasons (e.g., to gain custody or get a better divorce settlement)? Again, research does not support this commonly held belief. Men have been consistently found to be more emotionally manipulative than women [9–11]. In one study, men reported having more ability to manipulate emotions and were more willing to do so [11]. Many factors, besides sex differences, influence the use of emotional manipulation, such as controlling tendencies and aggression [12,13]. Abusers in intimate relationships, by definition, use control tactics and aggression to dominate their partners. In summary, women are not more emotionally manipulative than men.

## ► Do women over-report or exaggerate?

Are women more likely to over-report, even if they are not necessarily trying to be dishonest? IPV is considerably underreported to authorities [14–16]



**The U.S. Department of Justice estimates that over half of IPV (53%) and domestic violence (52%) cases are *not reported* to the police.**

The U.S. Department of Justice estimates that over half of intimate partner violence (53%) and domestic violence (52%) cases are not reported to the police.

Additionally, men make up 49% of the U.S. population but commit 75% of violent crimes, which is 1.5 times the number of men who live in the USA [16].

## ► How common are false reports?

Experts agree that false allegations are uncommon. Based on rigorous research, false reports account for approximately 2% to 8% of the cases reported to police [3,17–22]. *It is far more likely that a woman will not report her abuse than it is that she would intentionally lie about being abused.*

Not surprisingly, no one knows (or can know) the exact rate of false reporting, and it is challenging to establish an estimated rate. An important question involves how criminal justice defines false reporting. False allegations of IPV are grouped under the umbrella term "unfounded," and unfounded cases can be classified as false or baseless.

In a baseless case, the woman files a police report that she believes is true. Still, there is insufficient evidence that a crime has occurred, or the behavior does not currently meet the definition of IPV. For example, all 50 states currently have stalking laws, but the first was not enacted until 1990. Before 1990, a woman could report stalking as part of a pattern of IPV, but it would have been considered baseless.

A false report is when someone deliberately makes up a story and reports it as abuse, knowing that no abuse occurred.

“ False reports must also be separated from cases where victims recant due to fear, coercion, or other factors (e.g., she wants to protect her abuser, or she is financially dependent on him).

”

For example, offering an abuse victim a polygraph can be coercive and further traumatize the victim. Polygraph findings are also more likely to report a false positive for abuse survivors. These women are suffering from trauma and are being forced to remember their traumatic event(s) during a polygraph. Recalling trauma is related to increased respiration, heart rate, skin perspiration, and blood pressure, which are also supposed indicators of lying [22]. Polygraphs for sexual assault victims have been banned in 26 states.

It is also critical to differentiate between a false report and lying about specific details in a report. Women will sometimes lie about some information they provide because they are afraid the police will not believe them (e.g., the use of alcohol or drugs) [23]. Lying in these cases is not suggestive of false reporting. Victims may also provide inaccurate information because traumatic events can negatively affect memory [24,25]. Severe physical violence can cause traumatic brain injuries (TBIs), which also negatively influence brain functioning [26]. These inaccuracies are, again, not a sign that the report is false.

Finally, police officers often use victim characteristics to decide the veracity of a victim's statement. Some examples of victim characteristics that should never be used in making decisions about IPV cases include [27]:

- A victim's emotional status
- A victim's reluctance to have her partner arrested
- A victim's criminal background
- A victim's use of alcohol or drugs

# What studies are helpful when examining rates of false reporting?

Most of the rigorous studies on false reporting in IPV focus almost exclusively on sexual assault. This is only one type of abuse victims of IBV experience (e.g., emotional, physical, psychological, economic, and sexual). However, sexual assaults provide us with a starting point for understanding false reporting; only 16.7% of women are raped by a stranger [28]. Below is a list of useful studies for understanding false reporting rates (See Table 1).

## Lisak, Gardinier, Nicksa and Cote (2010) [19]

This study focused on sexual assault and did not distinguish between sexual assault with an intimate partner versus a stranger. They examined 136 sexual assault cases provided by university police that happened from 1998– 2007.

Details about the study include:

- A critical review of older often cited studies with issues with how "false" was defined.
- A false allegation was defined as "the crime did not occur."
- Independent analysis (i.e., made evaluation separate from police decision).
- Two teams coded all the cases separately and had a 94.9% rate of agreement.
- **Cases were coded as false reports (5.9%)**, 61 did not proceed (44.9%), 48 cases proceeded for prosecution or disciplinary action (35.3%), and 19 cases did not have enough information to proceed (13.9%).
- **Only a 5.9% rate of false reporting**

## Kelly (2010) [3]

This study focused on false reports of rape. Again, they did look at rape in intimate partner relationships. Data from two European studies were examined. The first was a prospective study that tracked more than 3500 cases in England. The second study examined 120 cases classified as false reports from 11 countries.

- Study 1 – examined the "no crime" category



- 216 were designated as false (8%)
- 83 were designated as "no evidence of assault" (3%).
- Study 2 – false report examination
  - 53 – the victim admitted it was a false report
  - 28 – case involved retractions
  - 3 – the victim refused to cooperate
  - 56 – cases classified as false based entirely on police perceptions.
  - **Only 3% were "probable or possible" false – so the rate is probably lower than the 8% found in Study 1.**

## Spohn, White, & Tellis (2014) [21]

used a mixed methods approach (uses both qualitative and quantitative data) on sexual assault cases that were reported to the LAPD in 2008.

- Used a stratified random sample of cases (the final sample was 401 cases)
  - 81 complaints classified as unfounded
    - 31 – recanted and no evidence that a crime occurred
    - 24 – evidence crime did not happen or no evidence that crime occurred
    - 5 – baseless but not false
- The sample of 81 unfounded cases is not a random sample of all cases, so weighted calculation was used to determine false report rates.
  - 2% – the complainant recanted, and evidence that a crime did not occur
  - 2.3% – The complainant did not recant but proof that a crime did not occur
  - **4.5% were false reports**
    - 2.21% were false reports with a stranger
    - 1.64% were false reports with a non-stranger
    - **< 1 % were false reports with an intimate partner (0.65%).**
- LAPD was clearing most (but not all) cases appropriately.

## Burton et al. (2012) [17]

The Ministry of Justice published this report to understand the progression of serious cases through their criminal justice system. A subsection (4.11) examined false allegations. Again, the study focused on false reports of rape.

- The broader definition includes non-malicious and malicious intent. Non-malicious can include intoxicated victims, delays in reporting, witness retractions, and lack of medical evidence.
  - Rape - 36 of the 299 (12%) reported cases were classified as false
  - **Grievance bodily harm (GBH) – using the broader definition – 12 out of 558 cases (2%) were considered false**
- The narrow definition only includes cases where police or prosecutors consider situations where the complaint is malicious or there is strong evidence that the complaint is untrue.
  - **Only 9 of the 299 (3%) reported rape cases were malicious complaints**
  - No numbers for GBH were given for the narrow definition.

## Ferguson and Malouff (2016) [18]

Examined the rate of false reports of rape to police by taking seven studies and combining them statistically (meta-analysis).

- All samples were law enforcement-based
  - A proportion of cases in some of the studies included here were equivocal (cases that cannot be confirmed or denied).
- **The meta-analysis found the rate of false reports to be 5.2%**
  - Rates of false reports ranged from 2.1 to 10.3%.
- Studies in the meta-analysis were "heterogeneous," suggesting the false report rates varied considerably by study.
- If false reporting rates included confirmed and equivocal cases, the rate would be higher than the 5% found in the study.

## The “Making a Difference” (MAD) Project [22]

End Violence Against Women International (EVAWI) conducted this large-scale project on sexual assault. They collected data from law enforcement agencies in eight U.S. communities over approximately 24 months. Austin, Texas was one of the participating communities. The project was started in October 2002. The final sample included 2059 sexual assault cases. Intimate partner assault made up one-quarter to one-third of cases. **Only 140 (7%) of all cases were classified as a false report.** There were no statistics available on false reports within intimate relationships.

## Heenan and Murray (2006) [29]

This study analyzed the 850 rapes reported to Victoria Police from 2000–2003. They found that **only 2.1% of cases were designated as false.**

## YouGov Survey (2020) [22]

This survey data is only included because it is often cited online. It included a nationally representative sample of 2407 US adults who completed surveys between September 23 – 25, 2020. The survey attempts to get self-report data on false reports of child abuse, IPV, sexual assault, or any other form of abuse. Only one question directly asks, “Have you ever been falsely accused of abuse?” No questions were asked about whether the person had ever falsely accused someone of abuse.

There are additional problems with this survey. First, in this question, they do not separate abuse by type (as they did when they asked the respondent if they knew someone who was falsely accused of abuse). Second, we do not know who made the allegation (e.g., the victim or some third party). Third, we also do not know the gender of the person making the supposed allegation. Fourth, we do not know if the false report involved the criminal system. Finally, self-reports are often biased. **That being said, only 8% reported that they had been falsely accused of abuse (11% Men; 6% Women).**

Other older studies that made some effort to scrutinize police classifications or used the IACP definition of a false report include:

- 8.3% – Grace, S., Lloyd, C., & Smith, L. (1992). Rape: From recording to conviction (Research and Planning Unit paper, No. 71). London, England: Home Office.
- 10.9% – Harris, J., & Grace, S. (1999). A question of evidence? Investigating and prosecuting rape in the 1990s (Home Office Research Study, No. 196). London, England: Home Office.



## Conclusions and Future Directions

Experts agree that false allegations are uncommon. In the sexual assault literature, these rates are estimated to be between 2% and 8%. In one study, where you could examine sexual assault in IPV, the rate of false reports dropped below 1%. It is much more likely that a woman experiencing IPV will not report her abuse rather than invent allegations against her partner.

To better understand the rates of false reporting in IPV, studies need to focus on cases of IPV specifically. Methodologies should use rigorous empirical methods like those that examined sexual assault false reporting. A project like the EVAW MAD project for intimate partner violence that includes information about false reporting is essential. Additionally, a survey-style study with a representative sample could ask specific questions about false reports in IPV. One could assess whether they filed a false report or whether they believe they were the victim of false reporting. Additionally, information on who made the false report and the gender of the accuser is necessary for a better understanding of IPV false reports.

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# Table 1: Summary of Papers Assessing False Allegations

Article	Major Finding	Strengths	Limitations
Brownmiller (1975)	2% false report rate	Historical article that is often cited	Nonempirical; no independent analysis; does not address IPV directly
Burton et al. (2012)	3% false reports of rape; 2% false reports of assault	False reports based on definition of malicious motive	Does not address IPV directly and is not a peer-reviewed paper
Ferguson & Malouff (2016)	5.2% false reports of sexual assault	Meta-analysis of false reporting rate	False reports include both confirmed and equivocal and does not include IPV directly
Kanin (1994) *	41% false report rate		No independent analysis, recanting classified as a false report
Kelly (2010) **	Study 1 – 8%; Study 2 – 3% of "possible" or "probable" false rape reports when re-coded	Independently analyzed files; used correct classification standard	Does not focus on IPV directly
Lisak et al. (2010) **	Only 5.9% were coded as false allegations.	Independently reviewed files and met with police to review; Correct classification standard	Does not directly focus on IPV; data collected from only one college campus

Article	Major Finding	Strengths	Limitations
Spohn et al. (2014) **	4.5% false report rate; < 1 % were false reports with an intimate partner	Independently analyzed files; used correct classification standards; could look at false reports of rape in intimate relationships	Only one major US city is included and does not directly focus on IPV
YouGov Survey	8% report being falsely accused of abuse	Nationally represented sample	The question was, "Have you ever been falsely accused of abuse?" based on self-report, do not know who made the allegation, and it does not provide false reporting for IPV only

*\*Although often cited by Men's Rights Groups, it is not a rigorous or high-quality study. (See Weiser, 2017).*

**\*\* Recommended Articles**



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