

Recanted rape a Catch-22

Police say informing public more important that embarrassment later

By Kelly McBride
Staff writer

SPOKANE — After alerting the public to a heinous gang rape only to retract the report 24 hours later, Spokane police are wondering who's to blame — themselves or the woman who made the false claim.

Besides embarrassing the department and possibly discrediting real victims, the case demonstrates the volume of competing interests a detective must wade through while investigating a rape.

That's because rape is more than just a crime in our society, it's a loaded subject.

On one side of the debate are victim advocates, who argue that women rarely lie about being raped and are often victimized by the legal system. On the other side are

"We absolutely have to believe the victim's story."

Police Capt. Steve Braun

now," he said.

"Would that deter another victim from coming forward? I don't know," he said. "I don't always make the right decisions, but I know that putting this person's name in the paper will certainly be detrimental to her."

The case started early Sunday morning in the 4300 block of East Eighth, when residents called police because a distraught 26-year-old woman was asking for help.

Braun said the woman was asking residents to call her husband, but they called 911 instead.

said the rape did not occur. The sex with the five men was consensual, Braun said.

"Should we have done it? No," Braun said of the original press release. "But you're damned if you do, damned if you don't. We could have waited to put it out and if another of these had occurred, there would have been no way to justify (withholding the information)."

Whenever investigators are assigned a criminal case, their job is to determine the truth and capture the lawbreakers. But rape victims are particularly difficult to interview, detectives and victim advocates said. The crime carries such a stigma that victims are emotionally fragile, even suicidal.

The investigative process itself is almost as traumatic as the actual assault, Stewart said.

"Most of the times we don't know all the facts," she said. "A lot of times, they are afraid to give all the facts because they will be seen as contributing to the events."

skeptics who feel most victims bring on their fate with risky behavior.

"The police certainly don't have an easy job," said Darby Stewart, director of the Spokane Sexual Assault Center, which is run by Lutheran Social Services. "The only thing (that would help) in situations like this is maybe more training."

Police Capt. Steve Braun said his detectives were angry about the time they wasted investigating the crime. They were pushing him to charge the woman with making a false report and release her name to the public.

Braun was resisting doing so on Thursday, but pointed out he may be overruled by one of his superiors or the prosecutor's office.

"Almost everybody wants her name right

When patrol officers arrived, she told them that while she was driving her van, five men in another vehicle began harassing her. After she mistakenly turned onto the dead-end street in an attempt to lose them, they entered her van and took turns raping her, the woman told the officers.

The woman was taken to a hospital, where she was examined, evidence was gathered and she was released.

The report was sent to the major crimes unit, where it was sorted and assigned on Monday. On Tuesday, after interviewing the woman, the detective and Braun decided to release the information to the news media in order to warn other potential victims.

After seeing and reading the news reports, the victim called on Wednesday and

Still, that's no reason to doubt that a rape occurred in most investigations, she said.

False reports are usually brought to light by the physical evidence, said Debbie Andrews of the Rape Abuse and Incest Network in Washington, D.C.

"Generally there are medical indications when sex is forcible rape," she said.

Detectives will not discuss the specific evidence of this case.

Braun did say that with most criminal cases, particularly rape cases, the benefit of the doubt generally goes with the victim.

"We absolutely have to believe the victim's story," he said. "From there, you start investigating it. It may be in the first five minutes or not until the first five weeks that you start to say this is not plausible."