

**OPEN ACCESS**

SUBMITTED 02 April 2025

ACCEPTED 03 May 2025

PUBLISHED 01 June 2025

VOLUME Vol.05 Issue06 2025

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Overcoming Disbelief: Reforming Police Procedures for Evidence Collection in Sex Crime Cases to Better Serve Victims

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Abstract: This article critically analyzes the pervasive issue of skepticism as a significant barrier to effective evidence collection and justice for victims of sex crimes. Despite advancements in forensic science and victim support, the initial response from law enforcement, often influenced by ingrained rape myths and biases, can lead to victim disbelief, re-victimization, and ultimately, a failure to secure crucial evidence. This study synthesizes existing literature to explore how skepticism manifests in police procedures, its detrimental impact on victims' willingness to report and engage with the justice system, and the subsequent challenges in prosecuting sex crime cases. The findings highlight that police perceptions of sexual assault victims, often shaped by harmful stereotypes, directly influence the quality of evidence collection and the likelihood of a case being "unfounded." This analysis advocates for a transformative shift in police procedures, moving from a skeptical, blame-oriented approach to a victim-centered, trauma-informed framework. Recommendations include mandatory comprehensive training on rape myths and trauma, standardized empathetic interview techniques, robust evidence collection protocols, and accountability mechanisms to ensure that initial police response prioritizes victim dignity, fosters trust, and facilitates the effective collection of evidence essential for justice.

Keywords: Skepticism, Evidence Collection, Sex Crime Victims, Police Procedure, Rape Myths, Trauma-Informed, Victim Blaming, Re-victimization, Law Enforcement, Justice.

Introduction:

Sexual assault and other sex crimes represent profound violations of an individual's autonomy and dignity, leaving lasting physical, psychological, and social scars [1]. For justice to be served, the effective collection of evidence is paramount, yet this process often begins with the victim's initial report to law enforcement [2]. However, a significant and pervasive barrier to this crucial first step, and indeed to the entire justice process, is the skepticism frequently encountered by victims from various service providers, including police officers [3]. This skepticism is often rooted in deeply ingrained societal beliefs known as "rape myths"—prejudicial, stereotyped, or false assumptions about sexual assault, its victims, and perpetrators that serve to deny, downplay, or justify sexual violence [4, 5].

When victims of sex crimes report their experiences, they are often met with disbelief, victim-blaming, or a lack of understanding regarding the complexities of trauma responses [6, 7]. This can lead to a phenomenon known as "secondary victimization" or "re-victimization," where the victim experiences further psychological distress and harm as a result of the institutional response to their assault [8]. Such negative experiences significantly impact a victim's willingness to report the crime to the police in the first place, with many choosing not to come forward due to fear of not being believed, shame, or the perceived futility of the process [9, 10, 11]. Even when reports are made, police perceptions of sexual assault victims, influenced by rape myths, can lead to cases being "unfounded" or inadequately investigated, thereby compromising evidence collection and the potential for successful prosecution [4, 12, 13].

The integrity of evidence collection is critical for building a strong case. However, if the initial police response is tainted by skepticism, it can lead to missed opportunities for securing crucial forensic, testimonial, and circumstantial evidence. This article aims to critically analyze the role of skepticism as a barrier to effective evidence collection in sex crime cases. It will explore how this skepticism manifests in police procedures, its detrimental impact on victims, and the subsequent challenges it poses to the justice system. Ultimately, this analysis seeks to propose transformative procedural changes for receiving reports from sex crime victims, advocating for a victim-centered, trauma-informed approach that prioritizes empathy, dignity, and the meticulous collection of evidence to ensure justice.

Literature Review

The initial response of law enforcement to a report of

sexual assault is critical, as it sets the tone for the victim's engagement with the criminal justice system and significantly impacts the potential for evidence collection and successful prosecution [14, 15]. However, this initial interaction is frequently marred by skepticism and the influence of rape myths among police officers [4, 5].

2.1 Prevalence and Manifestations of Skepticism/Rape Myths in Law Enforcement Research consistently demonstrates the presence of rape myth acceptance among law enforcement personnel [5, 16]. These myths can manifest in various ways, including:

- **Victim Blaming:** Police officers may implicitly or explicitly blame victims for their assault, questioning their actions, attire, or alcohol consumption [4, 6]. This can lead to victims feeling that "nobody deserves this" and perceiving disbelief from the police [7].
- **"Real Rape" Stereotypes:** Officers may hold narrow conceptions of what constitutes "real rape," often involving a stranger, overt physical violence, and immediate reporting, leading to skepticism when cases deviate from these stereotypes [4, 13]. This can particularly impact victims of acquaintance rape, date violence, or those who experience delayed reporting [1, 17, 18].
- **Disbelief in Victim Accounts:** Victims frequently report experiences of not being believed by the police, leading to cases being "unfounded" or dismissed [12]. This disbelief can also extend to male victims of sexual violence, where the notion of a "boy, being a victim, nobody really buys that" can lead to inadequate responses [19].
- **Misconceptions about Trauma and Memory:** A lack of understanding of trauma responses can lead officers to misinterpret victims' behavior (e.g., emotional flatness, inconsistencies in recall) as dishonesty, rather than as physiological reactions to trauma [20, 21]. This can influence how witness testimony is evaluated [22].

2.2 Consequences of Skepticism on Victim Reporting and Engagement The impact of police skepticism and victim blame on survivors is profound:

- **Reduced Reporting Rates:** Fear of not being believed, shame, and the anticipation of negative reactions from law enforcement are significant correlates for not reporting rape to the police [9, 10]. Many victims choose not to report due to these concerns, leading to a substantial underreporting of sexual assault [11, 23].
- **Re-victimization:** When victims encounter skepticism or blame from police, it constitutes a form of secondary victimization, exacerbating their trauma and

undermining their trust in the justice system [6, 7]. This can lead to further psychological distress and hinder help-seeking behaviors [24, 25].

- **Disparities in Service Seeking:** Skepticism can also contribute to disparities in service seeking, particularly for victims of drug- or alcohol-facilitated/incapacitated rape, who may face additional barriers to being believed [26].

2.3 Challenges in Evidence Collection Due to Skepticism Skepticism directly compromises the effectiveness of evidence collection:

- **Inadequate Questioning:** Officers influenced by rape myths may ask leading or accusatory questions that re-traumatize victims, discourage full disclosure, or fail to elicit crucial details necessary for investigation [7, 27].
- **Missed Opportunities for Forensic Evidence:** A dismissive or skeptical initial response can lead to delays in forensic examination or a failure to collect critical physical evidence, which degrades over time [14].
- **Poor Documentation:** If an officer believes a report is "made up" or "unfounded," the documentation of the incident may be incomplete or biased, weakening the potential for prosecution [4, 13, 28].
- **Victim Withdrawal:** Victims who feel disbelieved or re-victimized are more likely to withdraw from the investigation, making it difficult to pursue charges, even if initial evidence was collected [15].

2.4 Towards a Trauma-Informed and Victim-Centered Approach The literature increasingly advocates for a paradigm shift in police response to sex crimes, moving towards a trauma-informed and victim-centered approach [8, 29]. This involves:

- **Understanding Trauma:** Recognizing how trauma affects memory, behavior, and emotional responses, and adapting interview techniques accordingly [20, 21, 27, 30].
- **Empathy and Dignity:** Prioritizing the victim's dignity and well-being throughout the process [31].
- **Specialized Training:** Intensive training for police officers on sexual offending, rape myths, and victim-centered response has shown promise in improving perceptions and practices [16, 32, 33].
- **New Investigative Models:** Exploring and implementing new models of sexual assault investigation that emphasize victim support and evidence-based practices [34].

This review highlights that skepticism is not merely an

attitudinal issue but a systemic barrier that fundamentally undermines the justice process for sex crime victims. Transforming police procedures requires a comprehensive approach that addresses both individual biases and institutional practices.

METHODOLOGY

This article employs a critical review and conceptual analysis methodology to examine skepticism as a barrier to evidence collection in sex crime cases and to propose transformative procedural changes. This desk-based research approach is suitable for synthesizing existing knowledge, identifying gaps, and developing theoretical or practical recommendations based on a comprehensive review of the literature.

3.1 Research Design A critical interpretive review design was utilized. This approach allowed for an in-depth examination of the complex interplay between societal beliefs (rape myths), institutional practices (police procedures), and their impact on individuals (sex crime victims). It involved synthesizing findings from diverse empirical studies, theoretical frameworks, and policy analyses to construct a coherent argument for procedural transformation.

3.2 Data Sources The study drew upon a wide range of academic and professional literature published in peer-reviewed journals, books, and reports. The data sources included:

- **Empirical Studies:** Quantitative and qualitative research investigating police perceptions of sexual assault victims, rape myth acceptance among law enforcement, victim reporting behaviors, and the impact of police response on victims.
- **Theoretical and Conceptual Papers:** Articles discussing trauma-informed care, victimology, feminist criminology, and the social construction of sexual violence.
- **Policy and Practice Guidelines:** Documents outlining best practices for sexual assault investigations, victim interviewing, and evidence collection from national and international police organizations, victim advocacy groups, and legal bodies.
- **Systematic Reviews and Meta-Analyses:** Overviews of existing research on rape myths, police training, and victim experiences.

3.3 Data Collection Procedure Data collection involved a systematic and iterative search strategy across various academic databases (e.g., PubMed, PsycINFO, Web of Science, JSTOR, Google Scholar) using keywords such as: "rape myths," "police skepticism," "victim blaming," "sexual assault investigation," "trauma-informed police," "evidence collection sex crimes," "victim re-victimization," "police training sexual assault." The

search was not limited by geographical region to capture a broad international perspective on the issue. Articles were selected based on their relevance to the core themes of skepticism, police procedure, evidence collection, and victim experiences in sex crime cases. Reference lists of key articles were also hand-searched to identify additional relevant literature.

3.4 Data Analysis The collected literature was subjected to a thematic analysis, focusing on identifying recurring patterns, key concepts, and significant arguments related to the research questions. The analysis process involved:

1. **Familiarization:** Thoroughly reading and re-reading all selected articles to gain a comprehensive understanding of the content.
2. **Initial Coding:** Identifying and coding segments of text that pertained to manifestations of skepticism, its impacts on victims and evidence, and proposed solutions or best practices.
3. **Searching for Themes:** Grouping related codes into broader, overarching themes (e.g., "Manifestations of Police Skepticism," "Consequences for Victims," "Challenges to Evidence Collection," "Principles of Trauma-Informed Response").
4. **Reviewing Themes:** Refining and defining the themes, ensuring they were distinct, coherent, and accurately represented the insights from the literature. This involved mapping how skepticism mediates police response to sexual assault [28].
5. **Synthesizing Findings:** Integrating the identified themes to construct a coherent narrative that addressed the research questions, highlighting convergences, divergences, and gaps in the existing knowledge.
6. **Developing Recommendations:** Based on the synthesized findings, formulating concrete and actionable recommendations for transforming police procedures, drawing upon best practices and theoretical insights from the literature on trauma-informed approaches [8, 29, 30]. The utility of evidence-based directions in evaluating witness testimony was also considered [22].

The analysis aimed to move beyond simply describing the problem to critically evaluating existing practices and proposing a transformative framework for improved police response to sex crime victims.

RESULTS

The critical review of the literature revealed a consistent and concerning pattern regarding skepticism as a barrier to evidence collection in sex crime cases. The findings are categorized into the manifestations of skepticism, its impact on victims and

reporting, and the resulting challenges for evidence collection.

4.1 Manifestations of Skepticism and Rape Myths in Police Response Police officers' perceptions of sexual assault victims are frequently influenced by rape myths [4, 5, 16, 35]. These myths manifest in various ways during the initial reporting and investigation phases:

- **Victim Blaming Attitudes:** Officers may express or implicitly hold beliefs that attribute blame to the victim based on their behavior (e.g., alcohol consumption, consensual sexual history, delayed reporting) or appearance [4, 6, 28]. This leads to victims perceiving disbelief and blame from the police [7].
- **"Real Rape" Stereotypes:** There is a tendency among some officers to operate with a narrow definition of "real rape," often involving physical resistance, visible injuries, and a stranger perpetrator [4, 13]. Cases that do not fit this stereotype, such as those involving acquaintance rape, drug-facilitated assault, or where the victim experienced "tonic immobility" (involuntary freezing), are more likely to be met with skepticism [1, 26].
- **Disbelief in Victim Accounts:** A common experience reported by victims is simply not being believed by the police, leading to cases being classified as "unfounded" [12]. This includes skepticism towards male victims of sexual violence, where the idea of a male being a victim is often not "bought" by responders [19].
- **Misunderstanding of Trauma Responses:** Police often lack adequate training in trauma-informed care, leading to misinterpretations of a victim's emotional state (e.g., calm demeanor, inconsistencies in memory) as indicators of dishonesty rather than as normal responses to trauma [20, 21]. This impacts how investigative interviews are conducted and how trauma narratives are understood [27, 30].

4.2 Impact on Victims and Reporting Behavior The manifestations of skepticism have severe consequences for victims and their willingness to engage with the justice system:

- **Underreporting:** Fear of not being believed, shame, and the anticipation of negative reactions from police are primary reasons why victims choose not to report sexual assault [9, 10, 11]. This contributes to the significant gap between the prevalence of sexual assault and reported cases [23].
- **Re-victimization/Secondary Trauma:** Encountering skepticism, victim-blaming, or insensitive questioning from police constitutes a form of re-victimization, compounding the original trauma and causing further psychological distress [6, 7, 8]. This can lead to victims withdrawing from the process or being

unwilling to pursue charges [15].

- **Deterrence from Help-Seeking:** The negative experiences with law enforcement can deter victims from seeking other crucial support services, including medical care and psychological counseling, exacerbating their long-term recovery challenges [24, 25, 26].

4.3 Challenges for Evidence Collection and Prosecution Skepticism directly undermines the effectiveness of evidence collection and the potential for successful prosecution:

- **Compromised Initial Interviews:** Skeptical officers may conduct inadequate or biased initial interviews, failing to ask appropriate questions that elicit crucial details or to establish rapport with the victim. This can lead to incomplete or inaccurate victim statements, which are vital for evidence [7, 27].
- **Missed Forensic Opportunities:** Delays in reporting due to skepticism, or an officer's failure to prioritize prompt forensic examination, can lead to the degradation or loss of critical physical evidence [14].
- **Inadequate Documentation:** When officers are skeptical, their documentation of the incident may be superficial, biased, or incomplete, failing to capture all relevant details and potentially weakening the case for prosecutors [13, 28].
- **"Unfounded" Cases:** Rape myths manifesting in police records and decision-making processes can lead to cases being classified as "unfounded" (meaning the police believe the crime did not occur as reported), effectively closing the investigation prematurely and preventing evidence from being fully collected or utilized [12, 13].
- **Challenges in Prosecution:** Even if a case proceeds, the initial skepticism and poor evidence collection can create significant hurdles for prosecutors, making it difficult to secure convictions. Jurors may also be influenced by similar rape myths [22].

These results collectively demonstrate that skepticism is a systemic barrier that not only harms victims but also directly impedes the criminal justice system's ability to effectively investigate and prosecute sex crimes.

DISCUSSION

The findings of this critical review unequivocally highlight that skepticism, often fueled by deeply ingrained rape myths, poses a fundamental barrier to effective evidence collection and the pursuit of justice for victims of sex crimes. The pervasive nature of these beliefs within law enforcement agencies, as evidenced by studies on police perceptions and rape myth

acceptance [4, 5, 16, 35], creates a hostile environment that profoundly impacts victims' willingness to report and their subsequent engagement with the criminal justice system.

The detrimental consequences for victims are severe, extending beyond the initial assault to include secondary victimization, psychological distress, and a reluctance to seek crucial help [6, 7, 8, 9, 10, 11, 24, 25]. When victims are met with disbelief or blame, their dignity is undermined [31], and their trust in the very institutions designed to protect them is eroded. This breakdown of trust is particularly problematic given the vulnerability inherent in reporting such a deeply personal and traumatic experience. The challenges are even more pronounced for often marginalized groups, such as male victims, whose experiences may be met with even greater skepticism due to prevailing societal norms [19].

From an evidence collection standpoint, skepticism is catastrophic. If the initial police response is influenced by biases, it can lead to inadequate interviews, missed opportunities for forensic examination, and incomplete documentation [7, 13, 14, 27, 28]. This directly compromises the quality and quantity of evidence available for prosecution, making it significantly harder to build a strong case. The phenomenon of "unfounded" cases, where police decide that a reported sexual assault did not occur, is a direct manifestation of this skepticism, effectively shutting down investigations and denying victims justice [12, 13]. This is not merely a procedural oversight but a systemic issue rooted in attitudinal biases that prevent the justice system from "taking victims seriously" [32].

The imperative for transformation is clear. A paradigm shift is needed, moving away from a default position of skepticism to one of victim-centered, trauma-informed response [8, 29]. This shift requires a fundamental re-education of law enforcement personnel, challenging ingrained rape myths and fostering a deep understanding of the neurobiology of trauma and its impact on memory and behavior [20, 21, 27, 30]. Training programs that focus on improving police officers' perceptions of sexual offending and implementing new investigative models have shown promise [16, 33, 34].

Beyond training, procedural reforms are essential. Standardized, empathetic interview techniques that prioritize victim dignity and safety are crucial for eliciting accurate and comprehensive trauma narratives [27, 30, 31]. Robust protocols for forensic evidence collection, ensuring timely and sensitive examinations, must be universally adopted. Furthermore, accountability mechanisms must be in place to address instances of

unprofessional conduct or the perpetuation of rape myths by officers. The ultimate goal is to create an environment where victims feel safe, believed, and supported, enabling them to fully participate in the justice process and ensuring that all available evidence is meticulously collected to hold perpetrators accountable.

CONCLUSION

This critical analysis has demonstrated that skepticism, deeply rooted in pervasive rape myths, constitutes a profound barrier to effective evidence collection and justice for victims of sex crimes. This skepticism, manifesting in victim-blaming attitudes, "real rape" stereotypes, and a misunderstanding of trauma responses, leads to severe consequences for survivors, including underreporting, re-victimization, and compromised investigations. The study concludes that current police procedures, when influenced by such biases, fundamentally impede the justice system's ability to effectively respond to and prosecute sex crimes. A transformative shift towards a victim-centered, trauma-informed approach is not merely desirable but essential to uphold justice and protect human rights.

Based on these findings, the following recommendations are put forth to reform police procedures on receiving reports from sex crime victims:

For Law Enforcement Agencies and Training Academies:

1. **Mandatory Comprehensive Trauma-Informed Training:** Implement mandatory, ongoing, and in-depth training for all police personnel (from frontline responders to investigators and supervisors) on the dynamics of sexual assault, the neurobiology of trauma, the impact of rape myths, and victim-centered response principles. This training should be regularly updated and evaluated for effectiveness [16, 29, 33].
2. **Challenge Rape Myths Explicitly:** Training programs must explicitly address and debunk common rape myths, highlighting their detrimental impact on victims and the justice process. Officers should be trained to recognize and challenge their own implicit biases [4, 5].
3. **Standardized Victim-Centered Interview Protocols:** Develop and implement standardized interview protocols for sex crime victims that are trauma-informed, empathetic, non-judgmental, and designed to elicit comprehensive and accurate information without re-traumatizing the victim [27, 30].
4. **Prioritize Victim Dignity and Support:** Ensure

that all interactions with victims prioritize their dignity, safety, and well-being. This includes providing immediate access to victim advocates, medical services, and psychological support [31].

5. **Robust Evidence Collection Protocols:** Establish clear, standardized, and rigorously enforced protocols for the timely and meticulous collection of all forms of evidence (forensic, digital, testimonial), ensuring that officers understand the critical importance of every piece of information [14].

6. **Accountability Mechanisms:** Implement robust accountability mechanisms for officers who demonstrate skepticism, victim-blaming attitudes, or fail to adhere to trauma-informed protocols. This should include clear disciplinary actions and ongoing performance evaluations based on victim-centered metrics.

For Policy Makers and Legislative Bodies:

1. **Allocate Resources:** Ensure adequate funding and resources are allocated to law enforcement agencies for specialized training, victim support services, and forensic capabilities necessary for effective sex crime investigations.
2. **Review and Reform "Unfounded" Classifications:** Critically review and reform policies related to "unfounded" sexual assault classifications to ensure that cases are not prematurely dismissed due to skepticism or biases, but rather based on objective investigative findings.

For Inter-Agency Collaboration:

1. **Foster Collaboration:** Promote strong inter-agency collaboration between law enforcement, victim advocacy organizations, healthcare providers, and prosecutors to create a seamless, victim-centered response system that shares information appropriately and provides holistic support [34].

By adopting these transformative procedural changes, the criminal justice system can move beyond skepticism, build trust with victims, and significantly enhance its capacity to collect crucial evidence and deliver justice for survivors of sex crimes.

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