

A SURVEY OF RAPE
ADA, BANNOCK, KOOTENAI COUNTIES
1976

NCJRS

AUG 14 1978

ACQUISITIONS

Law Enforcement Planning Commission
Statistical Analysis Center
November, 1977

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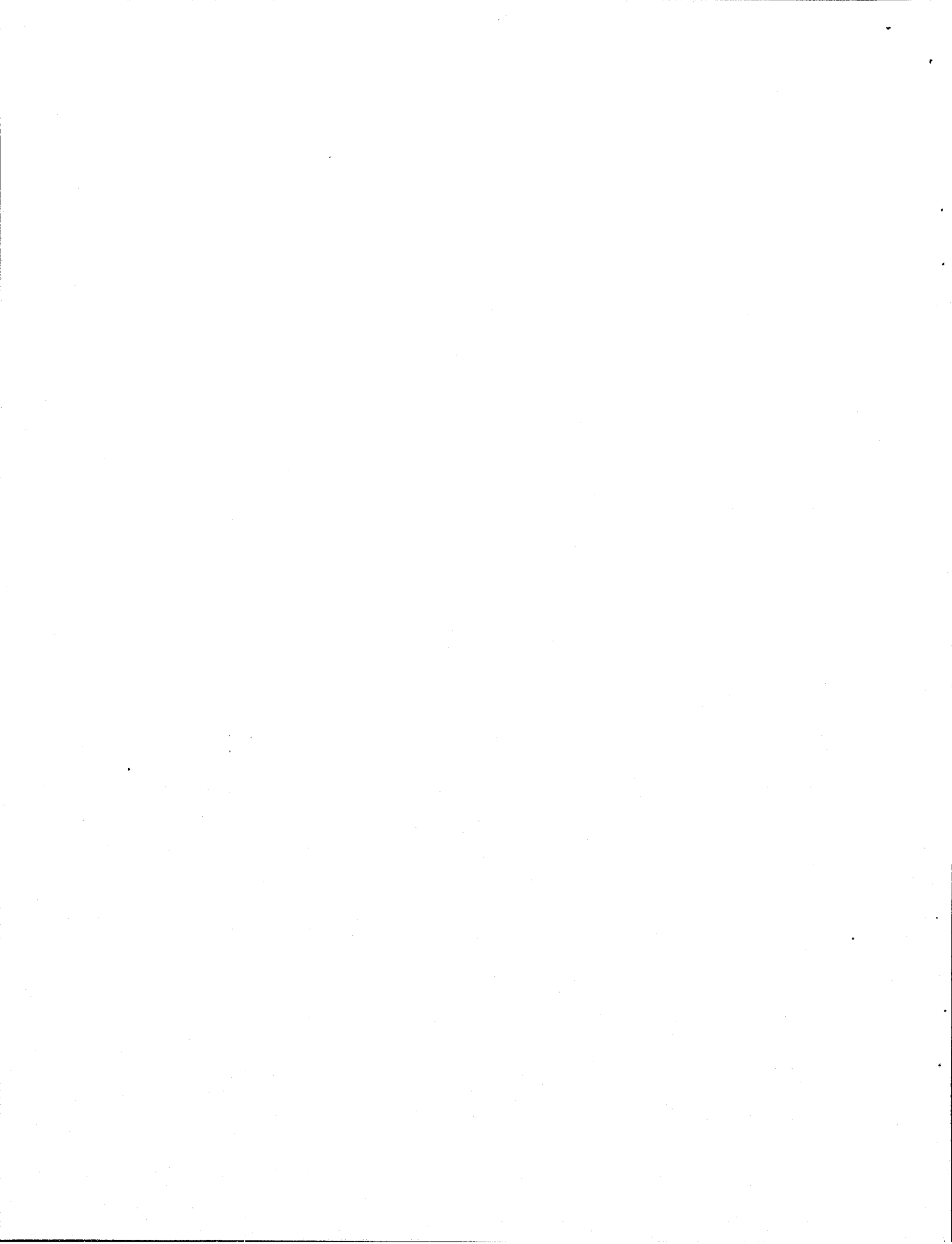
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I N T R O D U C T I O N

In October 1977 the Statistical Analysis Center of the Idaho Law Enforcement Planning Commission initiated a study of forcible rapes and attempted rapes that were reported in Ada, Bannock, and Kootenai Counties during 1976. Research originated at local agencies in each of the three counties. Individual offense reports were reviewed and pertinent data elements tallied. Arrested offenders were then tracked through the system to determine ultimate dispositions.

Appreciation is extended to the staff of the Ada County Sheriff's Office, the Kootenai County Sheriff's Office, the Boise Police Department, the Pocatello Police Department, the Coeur d'Alene Police Department, the Criminal Investigation Bureau of the Department of Law Enforcement, the Idaho State Correctional Institution, and the court clerks and prosecutors' secretaries who assisted in the completion of this report.



HIGHLIGHTS OF THE FINDINGS

RAPE

1. Forty-one percent (41%) of Idaho counties reported no rape offenses in 1976.
2. Only 21 of the 95 (22%) reporting agencies reported two or more offenses.
3. Both nationwide and Idaho data indicated that forcible rape is most likely to occur during the summer months.
4. Approximately 42% of the reported rapes analyzed occurred on Saturdays and Sundays with relatively few occurring on Mondays.
5. Approximately 65% were reported to have occurred between 10:00 p.m. and 3:00 a.m.
6. Fifty percent (50%) of the rapes were committed by total strangers. Less than 27% involved persons who had known each other over a period of time prior to the day the offense occurred.
7. Weapons were used in the commission of the offenses in less than one-fourth of the reported cases.
8. In 73% of the offenses, rape victims reported no additional physical injuries.
9. Of victims who resisted, physical resistance was more successful than verbal resistance.
10. Of victims who resisted and were unsuccessful, 38% sustained additional injuries. Four received bruises, two were bruised and choked, one was cut with a knife and one was thrown to the ground.
11. Fifty-four percent (54%) of the offenders were reported to be 25 years of age or less.
12. Seventy-three percent (73%) of the victims were 25 years or less and almost one-third were under 18 years of age.
13. Only four (5%) of the offenders in the 84 cases studied received prison sentences.

Thus based on the national victimization reporting rate of 51.8% the 84 reported rapes implies 162 total rapes. Therefore:

- a. The chance of being prosecuted as a result of an arrest for rape is less than one in eight.
 - b. The chance of any conviction occurring as a result of an arrest for rape is less than one of 11.
 - c. The chance of going to prison for rape is one in 40.
14. Eleven of 17 cases cleared by exception could not be prosecuted due to un-cooperative victims. Ten of 15 cases cleared by arrest were also lost because of problems with victims.
 15. Of seven juveniles arrested for rape, four were found within the purview of the YRA and all four were committed to the custody of Health and Welfare with recommendations that three be sent to St. Anthony and one to Edgemoade.

16. At least five of the seven juveniles had prior criminal records.
17. Only six of the 29 adults had prior felony criminal records.
18. Defendants with other felony arrests showed predominant involvement in person-to-person crimes of rape, assault, and robbery.

A SURVEY OF FORCIBLE RAPE

By UCR* definition, forcible rape is the carnal knowledge of a female forcibly and against her will. Included in this definition are all assaults with intent to rape and all attempts to rape.

Table 1 lists the agencies that reported rapes in Idaho in 1976 by reporting agency, number of offenses cleared and number of offenders arrested. Twenty-six of Idaho's 44 counties reported offenses of forcible rape or attempted forcible rape in 1976. In these 26 counties, 50 law enforcement agencies reported 154 offenses; 29 (58%) reported one offense and 21 (42%) reported two or more offenses. Agencies in Ada County reported the highest number of offenses, 54; Kootenai County was second highest, 17, and Bannock County third, 16. Cases cleared numbered 76 (65 adults and 11 juveniles); arrests totaled 67 (50 adults and 17 juveniles). (Cases are cleared in one of two ways: (1) by arrest, and (2) by exception. An offense is considered cleared by arrest when at least one person is arrested and charged with the commission of the offense. Clearances by exception occur in certain situations when some element beyond police control precludes the placing of formal charges against the offender. Examples of these situations are victim's refusal to prosecute after the offender is identified, the offender is being prosecuted elsewhere for a crime committed in another jurisdiction, or extradition is denied.)

Approximately 40% of Idaho counties reported no rape offenses in 1976: Adams, Benewah, Blaine, Boundary, Camas, Caribou, Clark, Elmore, Franklin, Fremont, Gem, Jefferson, Jerome, Lemhi, Lincoln, Oneida, Teton, and Washington Counties.

Crime Analysis

An analysis was conducted of the rapes that were reported in Ada, Bannock, and Kootenai Counties in 1976. The 84** reported rapes that occurred in these three counties, whose residents comprised 29.1% of Idaho's estimated 831,000 population, represent 54.5% of the Statewide total reported for that year.

EVENT

Times of Occurrence

Analyzed by month of occurrence, more rapes (14) were reported as occurring in August than any other month, with the month of November second highest (12).

*Uniform Crime Report

**Rape offenses analyzed in Ada County totaled 54, Bannock County 15, and Kootenai County 15. This is a slight variation from UCR statistics for Kootenai and Bannock Counties due to one duplication in count between a local agency and the sheriff's office and the unavailability of two other reports.

TABLE 1
 REPORTED RAPES IN IDAHO BY AGENCY
 CLEARANCES AND ARRESTS

1976

Agency by County	Number Reported	Cleared	Number Arrested
Ada	54	31 (6J)*	25 (10J)
Boise	36	19 (2J)	18 (6J)
Meridian	2	1	
Co. SO**	16	11 (4J)	7 (4J)
Bannock	16	4	6
Chubbuck	1	1	1
Pocatello	15	3	5
Bear Lake	1		
Montpelier	1		
Bingham	4	2	1
Blackfoot	1	1	
Co. SO	3	1	1
Boise	1	1	1
Co. SO	1	1	1
Bonner	1		
Co. SO	1		
Bonneville	9	5	4
Idaho Falls	8	4	2
Co. SO	1	1	2
Butte	1	1J	
Co. SO	1	1J	
Canyon	15	5 (1J)	4 (1J)
Caldwell	5		
Nampa	6	2 (1J)	1J
Co. SO	4	3	3
Cassia	1		
Co. SO	1		
Clearwater	1		
Co. SO	1		
Custer	1	1 (1J)	2J
Co. SO	1	1 (1J)	2J
Gooding	2	1 (1J)	2J
Gooding	1		
Co. SO	1	1 (1J)	2J
Idaho	3	2	2
Grangeville	1		
Co. SO	2	2	2
Kootenai	17	9	5
Coeur d'Alene	8	4	4
Co. SO	9	5	1

*Indicates number of juveniles involved
 **County Sheriff's Office

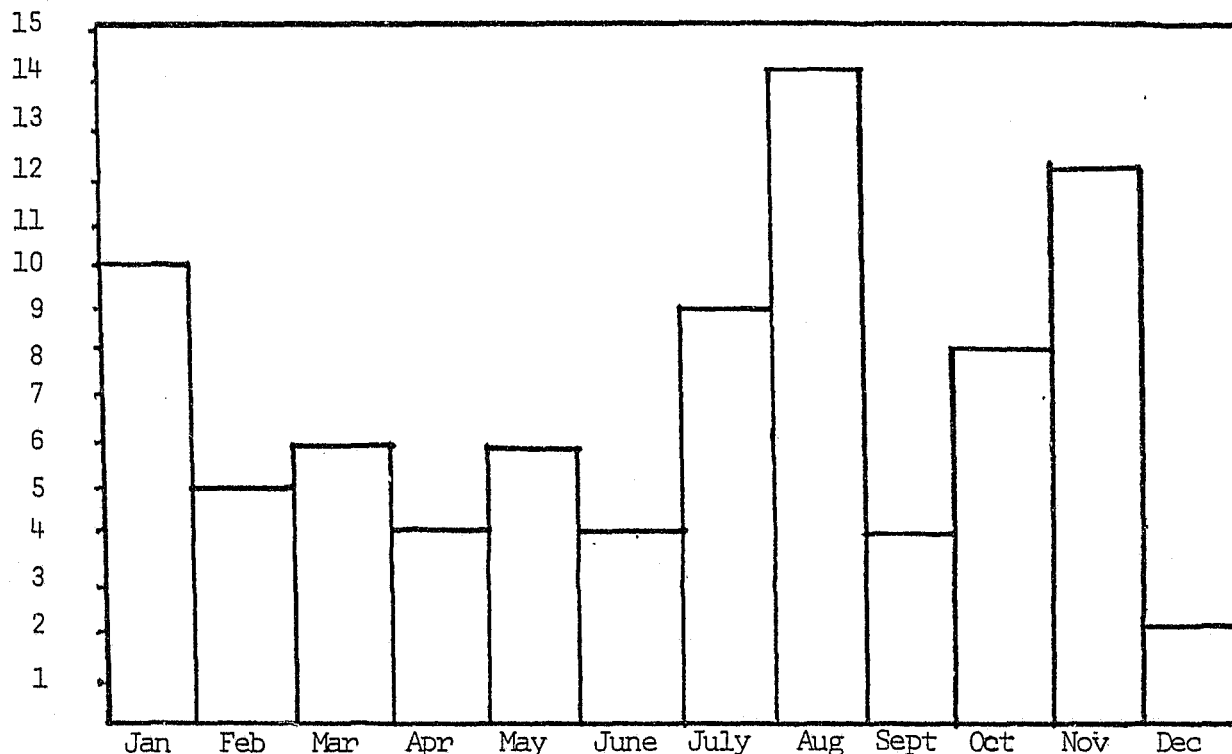
Table 1 (cont'd.)

Agency by County	Number Reported	Cleared	Number Arrested
Latah	1	1	
Moscow	1	1	
Lewis	1		
Co. SO	1		
Madison	2	1	1
Rexburg	1		
Co. SO	1	1	1
Minidoka	3	1 (1J)	2J
Rupert	1		
Co. SO	2	1 (1J)	2J
Nez Perce	4	3	5
Lewiston	4	3	5
Owyhee	2	1	
Homedale	2	1	
Payette	2	2	1
Fruitland	1	1	1
Co. SO	1	1	
Power	2	1	
American Falls	1		
Co. SO	1	1	
Shoshone	2	2	2
Kellogg	1	1	1
Co. SO	1	1	1
Twin Falls	7	2	4
Buhl	1		
Kimberly	1	1	1
Twin Falls	2		
Co. SO	3	1	3
Valley	1		
McCall	1		
State Totals	154	76 (11J)	67 (17J)

December was the month with the lowest number of rapes reported (2). These 54.5% show a close similarity to 1976 Statewide data (refer to Tables 2 and 3¹).

Statewide, by comparing months of reported rapes over the last three years, rape appears to be an unpredictable offense; in each of the three years, a different month ranked highest (see Tables 3, 4² and 5³). However, both nationwide and statewide data indicated that forcible rape is most likely to occur during the summer months.

TABLE 2
REPORTED RAPES BY MONTH OF OCCURRENCE
ADA, BANNOCK, KOOTENAI COUNTIES
1976



¹Idaho Uniform Crime Reports, 1976, page 35

²Idaho Uniform Crime Reports, 1975, page 34

³Idaho Uniform Crime Reports, 1975, page 35

TABLE 3
 FORCIBLE RAPE BY MONTH
 STATE OF IDAHO
 1976

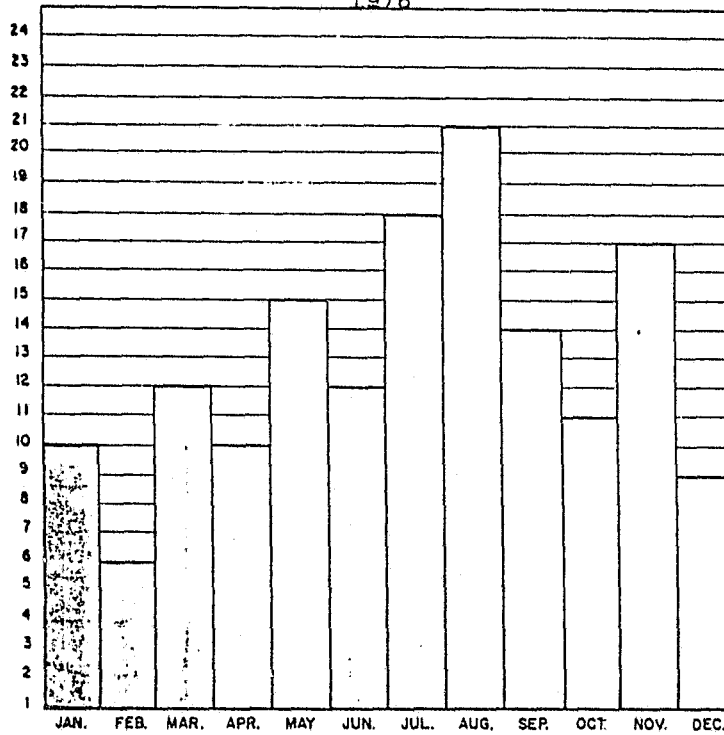


TABLE 4
 FORCIBLE RAPE BY MONTH
 STATE OF IDAHO
 1975

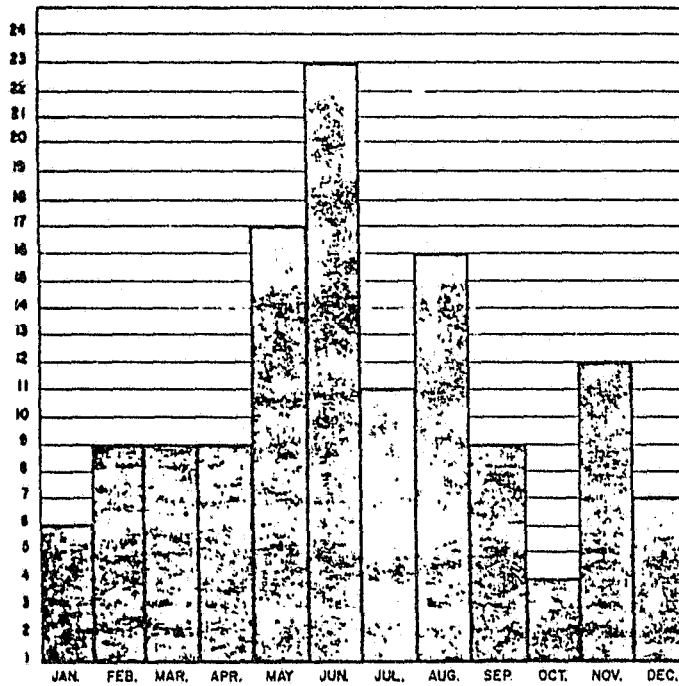


TABLE 5
 FORCIBLE RAPE BY MONTH
 STATE OF IDAHO
 1974

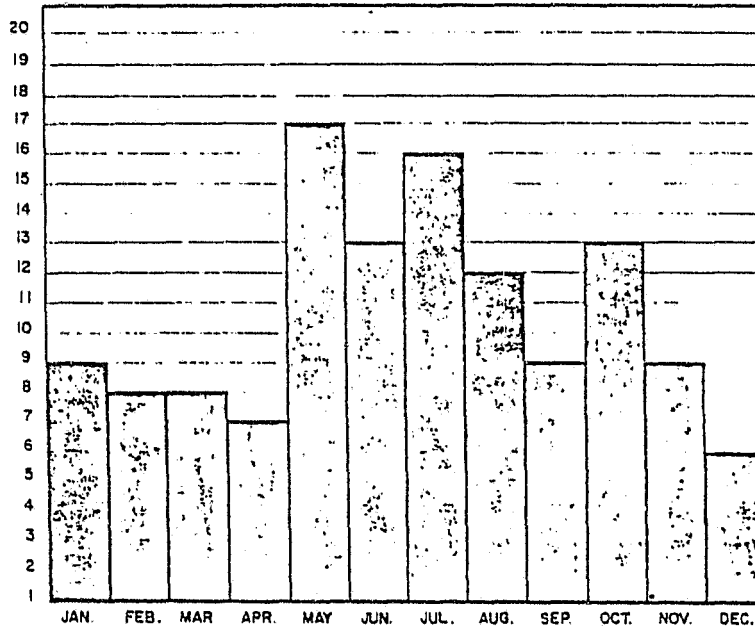
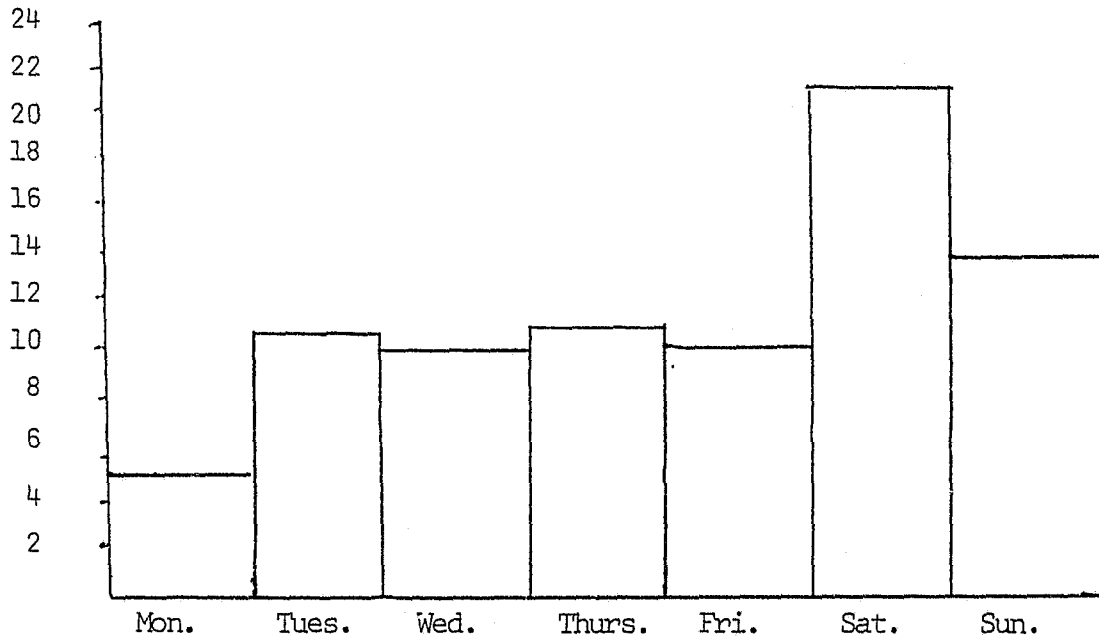


Table 6 shows that approximately 42% of the reported rapes analyzed occurred on Saturdays and Sundays. Circumstances of many of these offenses actually originated the previous day, e.g., rapes which occurred between 12 a.m. and 3 a.m. Saturday or Sunday mornings frequently were extensions of Friday or Saturday evenings' activities. Relatively few rape offenses occurred on Mondays. There was little fluctuation among the remaining four days, Tuesday-Friday.

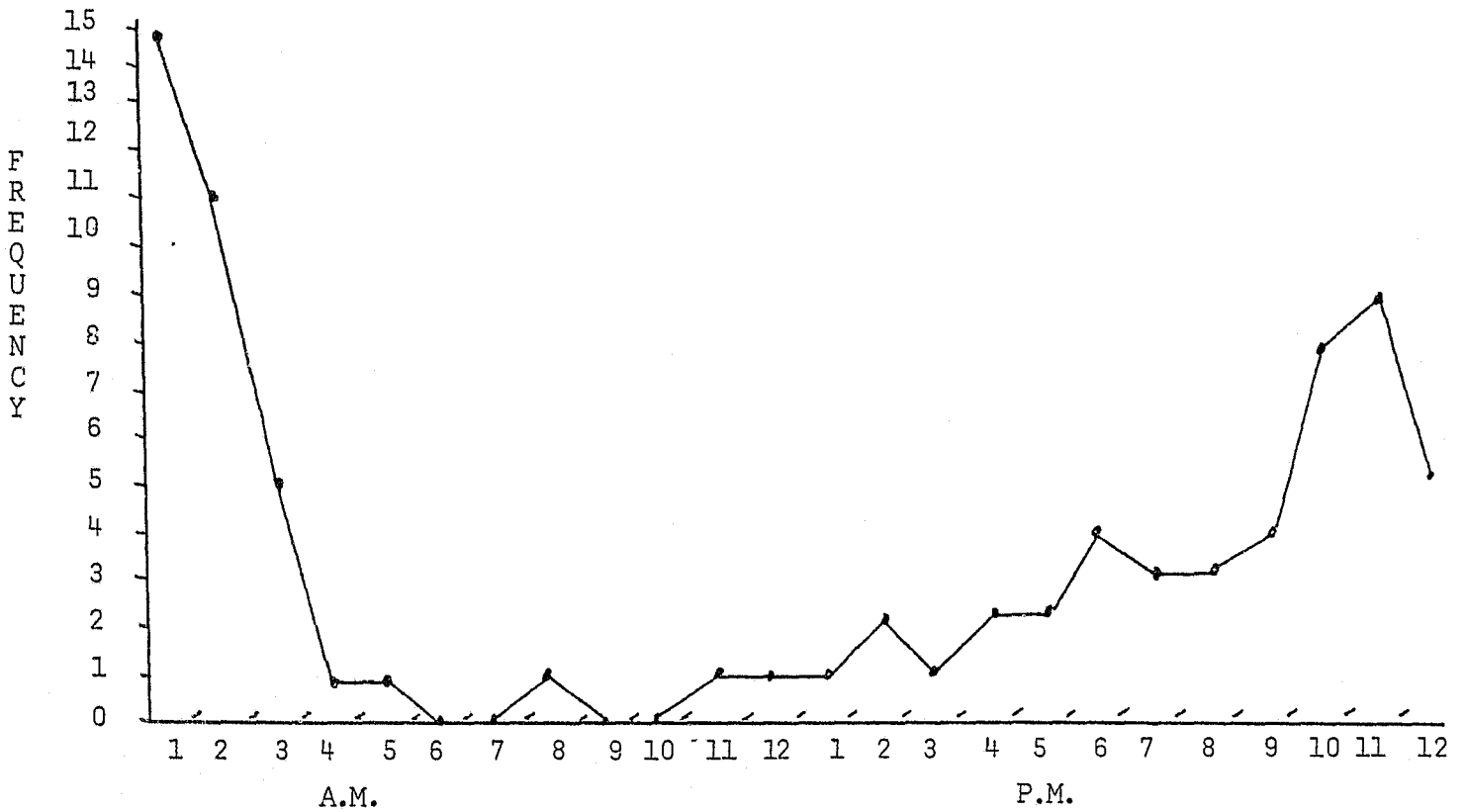
A large percent of the rapes occurred in the late evening or early morning hours. Approximately 65% were reported to have occurred between 10:00 p.m. and 3:00 a.m. Very few rapes were reported during the day, particularly between 6:00 a.m. and noon.

TABLE 6
REPORTED RAPES BY DAY OF OCCURRENCE*
ADA, BANNOCK, KOOTENAI COUNTIES
1976



*Two rapes were excluded as they involved multiple offenses which occurred over several weeks.

TABLE 7
 REPORTED RAPES BY HOUR OF OCCURRENCE*
 ADA, BANNOCK, KOOTENAI COUNTIES
 1976



*Two rapes were excluded for reasons previously stated.

Degree of Acquaintance Between Victims and Offenders

From offense reports prior relationships between victims and offenders were determined. This analysis indicates that 50% of the rapes were committed by total strangers. Approximately 27% of the rapes involved persons who had known each other over a period of time prior to the day the offense occurred. In nearly 18% of the cases, the victims allowed themselves to be "picked up" by an offender they had known for a few hours. In some instances the offenders were known to the victims only by first names or nicknames. Meetings occurred in homes of mutual friends or in public places, primarily bars. The 3.6% classified under the nickname category did not involve a pick-up situation; the victim had either admitted the offender to her home or the offender had forced his way in and was recognized by the victim.

By combining categories where the degree of acquaintance was stranger-to-stranger or involved persons acquainted over a short period of time, the percentage of victims who reported these rape offenses approached 75%. While this is contradictory to popular supposition that significant numbers of rapes occur between people who are socially acquainted, consideration should be given to the possibility that these rapes are not reported.

TABLE 8
DEGREE OF ACQUAINTANCE
ADA, BANNOCK, KOOTENAI COUNTIES
1976

Category	Frequency	Percent
Total stranger	42	50.0
Pick up	15	17.9
Neighbor	2	2.4
Hitchhiking	3	3.6
Date (1 date - 1 friend)	3	3.6
Friend/social acquaintance*	13	15.5
Nickname	3	3.6
Relative	2	2.4
Unknown	1	1.2
Total	84	100.0**

*Includes ex-husbands and ex-boyfriends

**Percentages may not equal 100% due to rounding

Victim/Offender Relationship: Race

Fourteen (16.7%) of the 84 reported rapes were interracial, i.e., victims and offenders were of different races. Victims in nine (64.3%) of the 14 cases were white; offenders in only three (21.4%) of the 14 cases were white. Of the known interracial assaults, the largest number (4) was committed by persons with Spanish surnames. (Race of one victim was unknown).

Circumstances Prior to Rape

The following table categorizes behavior of victims and offenders prior to the offense. Circumstances of most offenses were easily classified; however, some offenses involved situations that were unique only to a particular case and were classified as "Other".

Thirteen (15.5%) of the offenders forced their way into victims' homes. "Force" in this category indicates a breaking in through locked doors or windows or pushing in when the door was opened by the victim.

Illegal entry-no force occurred in 10 situations. Offenders were able to enter victims' homes through open, unlocked doors and windows.

Seven offenders were allowed entrance into the victims' homes voluntarily. These included cases where victims knew offenders and also included a variety of circumstances (offenders were admitted to use a phone or seek assistance).

"Forced auto" circumstances involved cases in which either the victims were pulled into vehicles or the offenders forced their way into the victims' cars. This method of victim-offender contact accounted for seven (8.3%) of the reported offenses.

The category, "Offering or Requesting Rides", refers to events in which victims or offenders were offering or requesting rides. Criteria for this category which differentiated it from hitchhiking were: (1) victims and offenders were known to each other, and (2) solicitation for rides did not take place on the street. The six cases in this category involved people acquainted with each other.

A substantial number of victims were assaulted in outdoor public areas. The 16 (19%) victims included women accosted by total strangers while walking on sidewalks and also women who became victims after voluntarily going with the offenders either on foot or by car. Several rapes occurred after the victims and offenders had driven to city parks and then left the vehicle.

Six (7.1%) victims were assaulted in buildings. In the majority of these cases the building was either the victim's or the offender's place of employment or victims had gone voluntarily with the offenders to a business establishment.

Six victims (7.1%) were assaulted while in the suspects' homes and three victims (3.6%) were raped as a direct result of hitchhiking.

TABLE 9
CIRCUMSTANCES PRIOR TO RAPE
ADA, BANNOCK, KOOTENAI COUNTIES
1976

	<u>Frequency</u>	<u>Percent</u>
Forced entry	13	15.5
Illegal entry-no force	10	11.9
Admitted to victim's home	7	8.3
Forced auto	7	8.3
Offering or requesting ride (non-stranger, off street)	6	7.1
Assaulted in street, park, yard, alley	16	19.0
Suspect's house	6	7.1
Assault in buildings	6	7.1
Hitchhiking	3	3.6
Other	10	11.9
Total	84	100.0

Drug/Alcohol

Nearly 50% of the 84 offenses analyzed involved the use of drugs or alcohol by victims and/or offenders. From the offense reports it was possible to record this data in approximately 75% of the cases. Few assumptions were made by the researcher in analyzing the reports; the most frequent assumptions were when victims stated they'd been in a bar or had met offenders in a bar, indications were they had been involved in the use of alcohol and were counted as such. The 50% should be viewed as a conservative figure since it is possible some of the unknown 26.2% could have been included in categories of victim/offender usage.

TABLE 10
DRUG/ALCOHOL USE, REPORTED RAPES
ADA, BANNOCK, KOOTENAI COUNTIES
1976

	<u>Number</u>	<u>Percent</u>
Victim Only	1	1.2
Offender Only	11	13.1
Both	29	34.5
Neither	21	25.0
Unknown	22	26.2
Total	84	100.0

Associate Crimes

An analysis was made to determine frequencies of other offenses occurring with the forcible rapes or attempted rapes. In 72 (86%) of the offenses no other crimes were associated with the offense analyzed. The offenses in the 12 cases where there were associate crimes were: Robbery, 3; Abduction, 3; Auto Theft, 1; Attempted Murder/Armed Robbery, 1; Burglary, 1; Battery, 1; Assault with a Deadly Weapon, 1; Assault, second degree, 1.

Person Reporting

The victim most frequently reported the offense to the police. Friends of the victim comprised the second highest category of those who informed police of the incident, followed by parents of victims.

TABLE 11
PERSON REPORTING RAPE OFFENSES
ADA, BANNOCK, KOOTENAI COUNTIES
1976

Reporting Person	Frequency	Percent
Victim	66	78.6
Parents	5	6.0
Relatives	1	1.2
Friends	7	8.3
Witness	1	1.2
Other	4	4.8
Total	84	100.0

Premise of Reported Rapes

An examination of the location of the offenses shows that nearly 50% occurred in the homes of the victims. The second highest location was county or private roads/woods.

TABLE 12
PREMISE OF REPORTED RAPES
ADA, BANNOCK, KOOTENAI COUNTIES
1976

Premise	Frequency	Percent
House	24	28.6
Apartment	12	14.3
County or private road/woods	12	14.3
Public street	7	8.3
Hotel/Motel	7*	8.3
Park	6	7.1
Private vehicles	6	7.1
Mobile home	3	3.6
Commercial vehicle	1	1.2
Commercial locations	6**	7.1
Total	84	100.0

*Included two cases where motels rented rooms as apartments
**Included locations such as bars, super markets, gas stations, etc.

Use of Weapons

Weapons were used in the commission of the offenses in less than one-fourth of the reported cases. Guns were the weapons used most frequently in cases which involved weapons.

Presence of a weapon was very much related to the degree of acquaintance between victims and offenders. Of the 18 reported incidences involving weapons, 15 (83.3%) were stranger-to-stranger contacts.

It was interesting to note that victims in Ada County, which is designated the high-crime incidence area in Idaho, were less likely to be confronted with weapons than victims in Bannock and Kootenai Counties.

TABLE 13
WEAPONS USED DURING COMMISSION OF REPORTED RAPES
ADA, BANNOCK, KOOTENAI COUNTIES
1976

Type of Weapon	Frequency	Percent
Hand gun	11	13.1
Alleged gun	1	1.2
Knife	5	6.0
Multiple weapons	1	1.2
Not armed	65	77.4
Unknown	1	1.2
Total	84	100.0

Threats

In 50 % of the offenses victims reported no threats made by the assailants. Threats of bodily harm occurred in over one-third of the 84 cases, with threats of reprisals the second most frequent indication of harm.

TABLE 14
THREATS MADE BY ASSAILANT IN REPORTED RAPES
ADA, BANNOCK, KOOTENAI COUNTIES
1976

Type of Threat	Frequency	Percent
Bodily harm	29	34.5
Weapon	1	1.2
Reprisal	7	8.3
Other	1	1.2
Unknown	4	4.8
None	42	50.0
Total	84	100.0

Victim Injury

In 72.6% of the offenses rape victims reported no additional physical injuries. The majority of victims who were injured reported relatively minor injuries with bruises the most frequent injury.

Victims were as likely to be injured by acquaintances as strangers. Twenty-three victims reported injuries; 13 were inflicted by acquaintances, 10 by strangers.

TABLE 15
INJURIES TO VICTIMS OF REPORTED RAPES
ADA, BANNOCK, KOOTENAI COUNTIES
1976

<u>Injury</u>	<u>Frequency</u>	<u>Percent</u>
Beaten seriously	1	1.2
Slapped/slight injury	2	2.4
Stabbed or cut	3	3.6
Struck with object	2	2.4
Thrown to ground	3	3.6
Bruised	6	7.1
Bit	1	1.2
Kicked/bruised	1	1.2
Choked/bruised	3	3.6
Thrown to ground/bruised	1	1.2
None	61	72.6
Total	84	100.0

Degree of Resistance

Information concerning resistance by victims was available from all but four of the 84 reported rapes. Table 16 on the following page shows that 38.1% of victims offered no resistance, either out of fear or the inability to do so. Of victims who resisted, physical resistance was more successful than verbal resistance. Seven victims used multiple types of resistance, e.g., both physical and verbal.

TABLE 16
DEGREE OF RESISTANCE IN REPORTED RAPES
ADA, BANNOCK, KOOTENAI COUNTIES
1976

<u>Resistance</u>	<u>Frequency</u>	<u>Percent</u>
No resistance	32	38.1
Physical resistance - successful	14	16.7
Physical resistance - unsuccessful	5	6.0
Verbal resistance - successful	6	7.1
Verbal resistance - unsuccessful	10	11.9
Used weapon on attacker	1	1.2
Other	5	6.0
Multiple	7	8.3
Unknown	4	4.8
Total	84	100.0

Witnesses

Approximately one in four rapes was witnessed by another individual. Of the cases which had witnesses, eye witnesses, defined as those persons who observed the rape in progress, were reported in 54.1% of the 24 cases. Corroborating-i.d. witnesses were able to identify offenders or place offenders at the scene, but did not observe the actual rapes. This type of witness was reported in 25% of the witnessed offenses. The third witness classification, corroborating-no i.d., pertains to persons who were able to substantiate some portion of the victims' stories, but had not directly observed any part of the incidents. Approximately 21% of witnesses were in this category.

TABLE 17
WITNESSES OF REPORTED RAPES
ADA, BANNOCK, KOOTENAI COUNTIES
1976

<u>Number of Witnesses</u>	<u>Frequency</u>	<u>Percent</u>
None	60	71.4
One	17	20.2
Two	2	2.4
More than two	5	6.0
Total	84	100.0

<u>Type of Witnesses</u>	<u>Frequency</u>	<u>Percent</u>
Eyewitness	13	54.1
Corroborating-ID	6	25.0
Corroborating-no ID	5	20.8
Sub-Total	24	100.0
No Witnesses	60	
Total	84	

Dollar Loss

Rape is not usually an offense that involves victims' loss of personal property. However, four robberies occurred as associated crimes with the rapes. The dollar loss ranged from a \$20-49.99 category to \$200-499.99 category. The monetary loss for one offense was not recorded on the offense report.

Offender Data

From victims' statements made to police, data was compiled regarding race and approximate age of offenders. Fourteen offenses involved multiple offenders; the total number of offenders in the 84 cases was 107. The majority of offenders were young men; 55.1% were reported to be 25 years of age or less and approximately 15% were reported to have been over 30.

TABLE 18
AGE GROUP OF OFFENDERS
ADA, BANNOCK, KOOTENAI COUNTIES
1976

<u>Age Group</u>	<u>Frequency</u>	<u>Percent</u>
to 17	12	11.2
18-20	15	14.0
21-25	28	26.2
26-30	11	10.3
31-40	11	10.3
41 +	4	3.7
Other:		
18-25	4	3.7
18-30	1	.9
21-30	1	.9
26-40	1	.9
Unknown	19	17.8
Total	107	100.0

The race of offenders, presented in Table 19, shows that in the 84 cases reported 81% of offenders were white. Other ethnic groups were involved in relatively few offenses.

Eighty-three (83) cases involved male offenders; one case involved male and female offenders.

TABLE 19
RACE OF OFFENDERS
ADA, BANNOCK, KOOTENAI COUNTIES

Ethnicity	Frequency	Percent
White	68	81.0
Black	3	3.6
Spanish surname	5	5.9
Indian	1	1.2
Mixed group	2	2.4
Unknown	5	5.9
Total	84	100.0

Number of Offenders Per Offense and Apprehension

In less than 17% of the cases analyzed were victims assaulted by more than one offender. Ten victims were attacked by two offenders, two victims by three offenders and two victims by four offenders.

Twenty-eight cases were cleared by the arrest of 36 offenders. Five cases involved the arrest of more than one offender. No arrests were made in 66.7% of the reported offenses.

TABLE 20
OFFENDERS PER OFFENSE/OFFENDERS APPREHENDED,
CASES CLEARED BY ARREST
ADA, BANNOCK, KOOTENAI COUNTIES

# of Offenders Per Offense	Frequency	Percent	# of Offenses by # Apprehended	Percent
One	70	83.3	23	27.4
Two	10	11.9	3	3.6
Three	2	2.4	1	1.2
Four	2	2.4	1	1.2
None	0		56	66.7
Total	84	100.0	84	100.0

Arrest Data

Age of arrestees is presented in Table 21. The average age of 29 persons arrested for rape in the three counties analyzed was 23½ years. However, this could be subject to change if the unknown ages for the seven individuals were available.

Race of the arrestees in the 28 cases cleared by arrest is presented in Table 22. As might be expected, the percentage of white arrestees is considerably greater than other ethnic groups; over 75% of persons arrested were white.

TABLE 21
AGES OF ARRESTEES
ADA, BANNOCK, KOOTENAI COUNTIES
1976

Age	Frequency	Percent
15	2	5.6
17	5	13.9
18	3	8.3
19	3	8.3
20	1	2.8
21	1	2.8
22	1	2.8
23	3	8.3
24	2	5.6
25	3	8.3
26	1	2.8
29	1	2.8
31	1	2.8
32	1	2.8
33	1	2.8
Unknown	7	19.4
Total	36	100.0

TABLE 22
RACE OF PERSONS ARRESTED
ADA, BANNOCK, KOOTENAI COUNTIES
1976

Ethnicity	Frequency	Percent
White	22	78.6
Black	2	7.1
Spanish surname	2	7.1
Indian	1	3.6
Mixed group	1	3.6
Total	28	100.0

Victim Data

The majority of rape victims, all females, were very young, i.e., 72.6% were 25 years of age or less. The age group that incurred the least number of reported rapes was the 31-40 year age group. As shown in Table 24, over 90% of the victims were white.

TABLE 23
 VICTIM AGE GROUP
 ADA, BANNOCK, KOOTENAI COUNTIES
 1976

Age Group	Frequency	Percent
to 17	27	32.1
18-20	19	22.6
21-25	15	17.9
26-30	8	9.5
31-40	4	4.8
41 +	9	10.7
Unknown	2	2.4
Total	84	100.0

TABLE 24
 RACE OF VICTIMS OF REPORTED RAPES
 ADA, BANNOCK, KOOTENAI COUNTIES
 1976

Ethnicity	Frequency	Percent
White	78	92.9
Black	1	1.2
Mexican ancestry	4	4.8
Unknown	1	1.2
Total	84	100.0

Victim Occupation

Occupation of victims was available in 63 (75%) of the 84 offense reports. The occupation listed most frequently was student. Twenty-four (28.6%) were students; 20 (83.3%) of the 24 were under 18. Victims employed in clerical, office positions ranked second, 13.1%, and victims who were unemployed ranked third, 9.5%.

Case Status

Cases not cleared or filed inactive totaled 39 (46.4%). Arrests of offenders cleared 28 cases (33.3%); exceptional clearances occurred in 17 (20.2%) of the 84 cases (explanation of exceptional clearances, page 1). Over 11% of the victims did not wish to pursue prosecution.

TABLE 25
CASE STATUS OF REPORTED RAPES
ADA, BANNOCK, KOOTENAI COUNTIES
1976

Status	Frequency	Percent
Inactive	16	19.0
Pending further leads	(10)	
No known suspects	(5)	
No reason specified	(1)	
Cleared	28	33.3
Arrest	(21)	
Referred Juvenile Court	(4)	
Adult/juvenile arrest	(3)	
Exceptional Clearances	17	20.2
Victim uncooperative/refused prosecution	(9)	
Prosecutor declined	(1)	
Insufficient evidence	(1)	
Victim left	(1)	
Victim uncooperative/prosecutor declined	(1)	
Unknown	(4)	
Not Cleared	23	27.4
Total	84	100.0

CRIMINAL JUSTICE SYSTEM RESPONSE

Twenty-eight cases were cleared by arrest; 29 adults and seven juveniles were apprehended for the offenses of forcible rape or attempted forcible rape. This system rates study tracks these individuals as they proceeded through the criminal justice process. Adults and juveniles are discussed separately because of differences in the two systems.

Adults

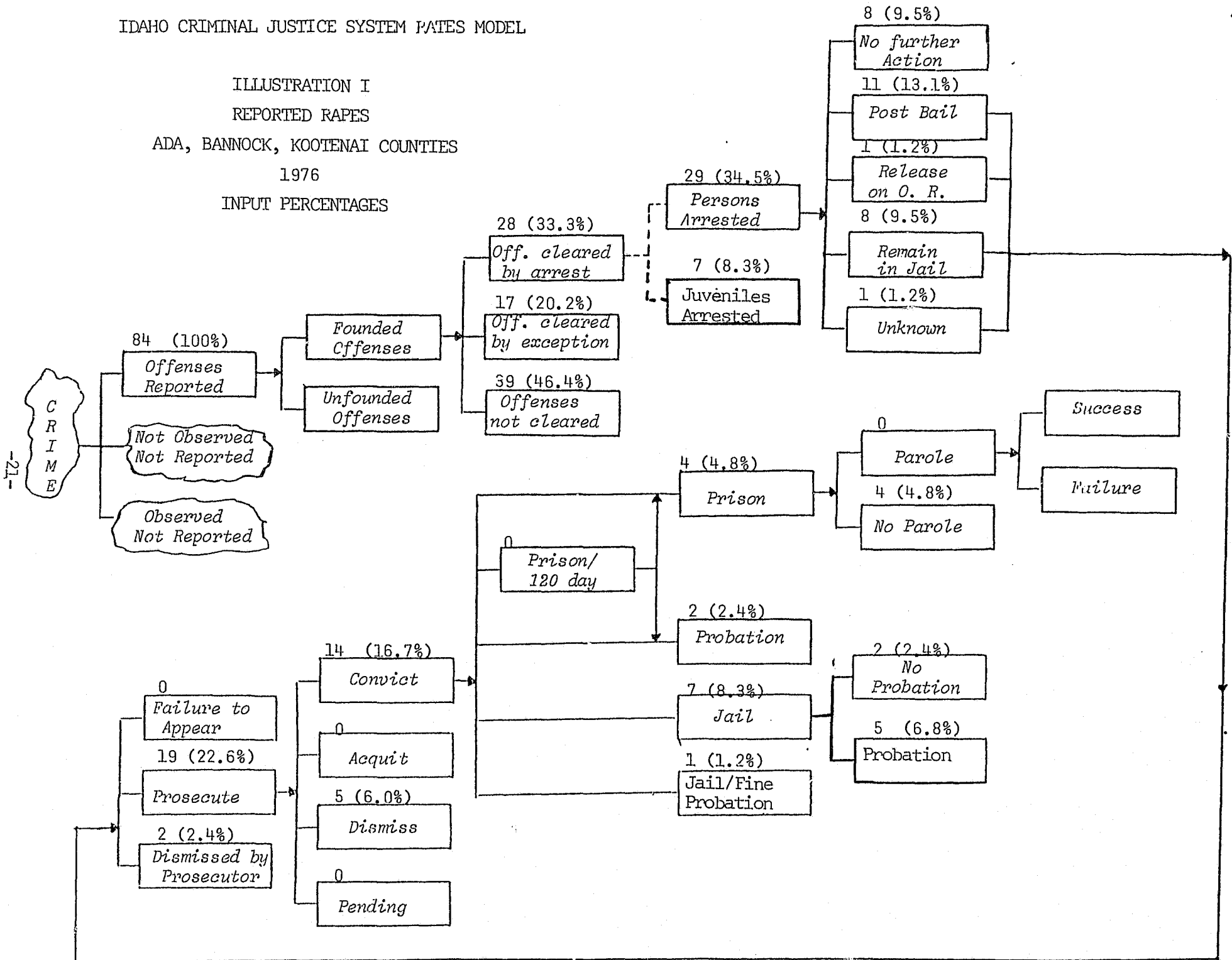
Illustration I depicts the flow of adult offenders through the Criminal Justice System by input percentages (based on 84 offenses). As seen in this Illustration, eight of the 29 adults arrested exited the system immediately since law enforcement personnel did not refer the cases to prosecuting attorneys. Upon receiving the remaining 21 cases, prosecutors dismissed charges against two more arrestees because (1) further investigation revealed insufficient evidence to obtain a conviction; and (2) victim could not be located. Prosecution was initiated against 19 defendants; 14 convictions were obtained and five additional cases dismissed.

Illustration II is similar except percentages reflect the number of persons entering each branch of the system. Observe from these two illustrations that only 16.7% of offenders (based on the 84 rapes or attempted rapes) were convicted, but 73.7% of those prosecuted were convicted.



IDAHO CRIMINAL JUSTICE SYSTEM PATES MODEL

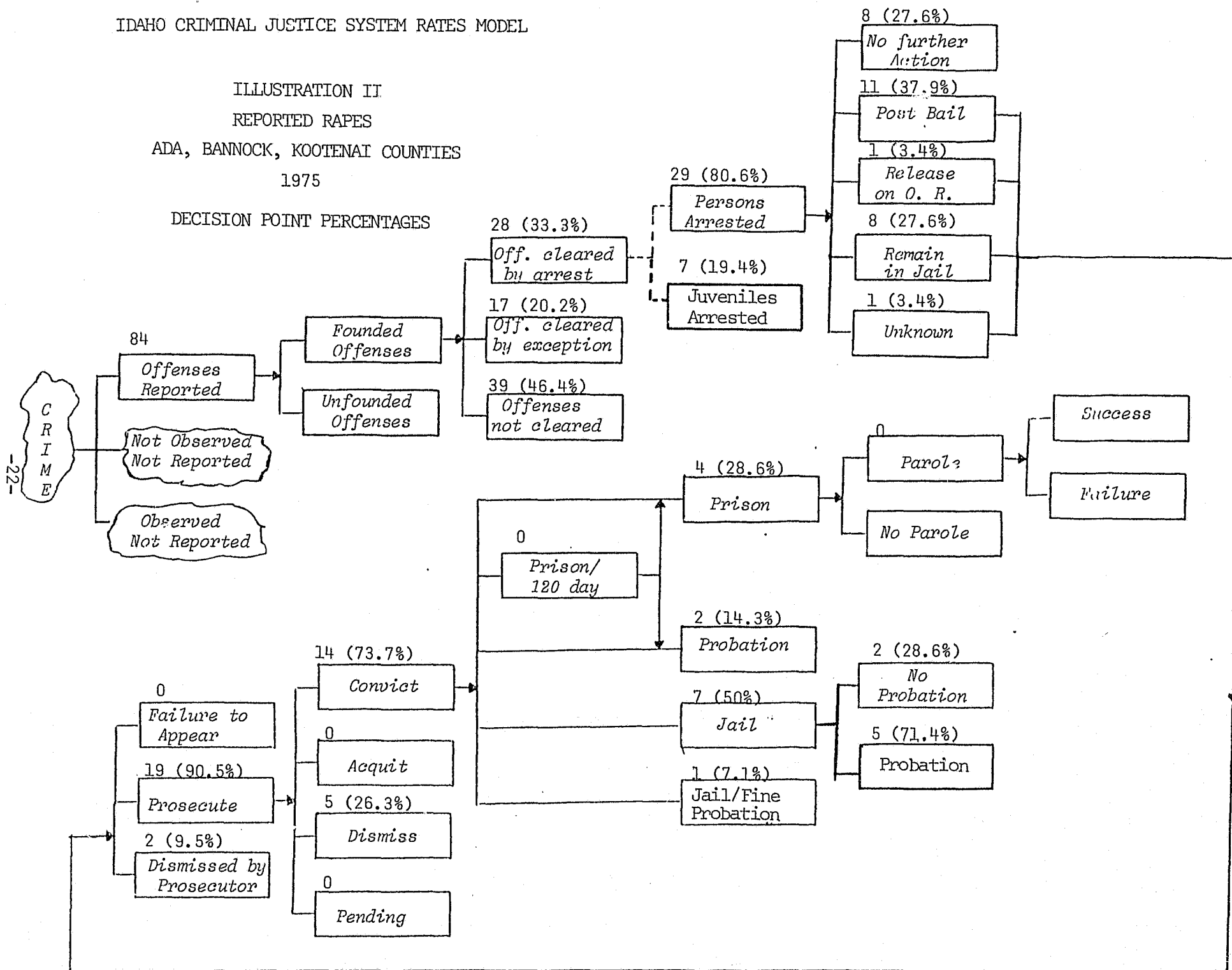
ILLUSTRATION I
 REPORTED RAPES
 ADA, BANNOCK, KOOTENAI COUNTIES
 1976
 INPUT PERCENTAGES



IDAHO CRIMINAL JUSTICE SYSTEM RATES MODEL

ILLUSTRATION II
 REPORTED RAPES
 ADA, BANNOCK, KOOTENAI COUNTIES
 1975

DECISION POINT PERCENTAGES



Pre-Trial Release

Of the 20 defendants for whom pre-trial placements were determined, 11 posted bond at some point during the legal proceedings, while eight remained in jail. Three of these eight eventually had the charges dismissed. Two of the three dismissals were due to lack of cooperation from victims; the charge of rape against the third defendant was dismissed after he was committed to the State Board of Health in civil proceedings. Of the five convicted, three defendants were sentenced to ISCI (Idaho State Correctional Institution) and two were convicted of misdemeanor offenses, receiving extremely light sentences.

One defendant was released on his own recognizance (OR) and one defendant's placement was not available from the records.

Analysis of Case Disposition

The overall analysis of case disposition (see Table 26) shows that of the 14 cases in which convictions were obtained, four defendants pled guilty to original charges. (Original charges are defined as those charges for which the arrest was made, specifically, a rape offense). However, in three cases, additional charges or counts filed against the defendants were dismissed. In the fourth case, the defendant pled guilty after the information was amended to attempted statutory rape from attempted rape. Eight defendants were found guilty of lesser, or reduced charges, including one defendant who was convicted in a jury trial. Two defendants pled guilty to other felonies.

Prosecutors filed motions for dismissals with the court in six of the seven cases dismissed. The seventh case was dismissed by the court when no probable cause was found.

TABLE 26
ANALYSIS OF CASE DISPOSITION
RAPE SYSTEM RATES STUDY
ADA, BANNOCK, KOOTENAI COUNTIES
1976

Original Charge		Lesser Charge		Other Felony		Dismissed	
Freq.	%*	Freq.	%	Freq.	%	Freq.	%
4	19.0	8	38.1	2	9.5	7	33.3

*Percentages based on 21 adult prosecutions

Comparison of Original Plea with Plea at Disposition

Eleven (78.5%) defendants originally entered pleas of not guilty during the arraignment stage of the legal process. Ten (71.4%) defendants eventually changed their pleas to guilty; one defendant maintained innocence and was found guilty of a lesser offense through a jury trial. Of the two who changed their pleas, three pled guilty to original charges (as defined previously), six to lesser charges, and one to another felony.

TABLE 27
 COMPARISON OF ORIGINAL PLEA WITH PLEA AT DISPOSITION
 RAPE SYSTEM RATES STUDY
 ADA, BANNOCK, KOOTENAI COUNTIES

1976

Not Guilty		Guilty Plea To Original Charge		Change of Plea From Not Guilty to Guilty		Guilty Plea To Lesser Charge		Guilty Plea To Other Felony	
Freq.	%	Freq.	%	Freq.	%	Freq.	%	Freq.	%
1	7.1	1	7.1	10	71.4	1	7.1	1	7.1

Cases Dismissed

Fifteen (51.7%) of the 29 adults arrested were released by law enforcement or dismissed from the Criminal Justice System before conviction. Victims, themselves, were responsible for lack of prosecution of ten offenders. Two victims stated they couldn't positively identify the offender after police had made an arrest. The majority of victims either declined prosecution or withdrew cooperation from cases in which prosecution was initiated.

TABLE 28
 RAPE CASES DISMISSED
 ADA, BANNOCK, KOOTENAI COUNTIES

1976

Number of Dismissals	Reason	Action
1	Dismissed - request of witness	Police
1	Released - victim couldn't identify	Police
3	Victim declined prosecution	Police
1	Victim didn't appear for polygraph	Police
1	Unable to locate victim	Police
1	Victim couldn't positively identify	Police
1	Unable to locate victim	Magistrate Court
1	Further investigation indicates insufficient evidence to obtain conviction	Magistrate Court
1	Committed to State Board of Health in civil proceedings	Magistrate Court
1	No probable cause	Magistrate Court
3	Victim unavailable - doesn't wish to pursue prosecution	District Court

15

Sentences

All cases in this study involved the use of force as reported by victims to law enforcement officers. No cases of statutory rape which implies lack of force with a female below the age of consent were included in the original 84. This is important to remember during the discussion of the following table.

The Table, Sentences for Convictions, lists sentences, charges filed in court, and changes which resulted in final dispositions.

Three defendants were convicted of misdemeanors in magistrate court. All three were sentenced to serve time in jail; one defendant was given credit for time served and had served his sentence prior to receiving it. One defendant bound over to district court was remanded to magistrate court on the misdemeanor offense.

Eleven defendants reached final disposition in district court. Ten were found guilty of felonies and one of a misdemeanor; of the ten, four were incarcerated at ISCI. None of the four had been released on parole as of November 1, 1977. The remaining six, plus the one convicted of a misdemeanor, were placed on probation for varying periods ranging from 25 years to one year. In five cases, jail time was also imposed; three defendants fulfilled this obligation prior to sentencing.

Three of the four defendants who served time in jail after sentencing filed motions with the court for reduction of sentence. The court granted all three, decreasing jail time by approximately one-half in two cases and by one month in the third case.

TABLE 29
 SENTENCES FOR CONVICTIONS
 RAPE SYSTEM RATES STUDY
 ADA, BANNOCK, KOOTENAI COUNTIES
 1976

MAGISTRATE COURT

<u>Sentence</u>	<u>Number</u>	<u>Charge</u>	<u>Amended To</u>
<u>Jail</u>			
60 days-28 suspended/ 180 days probation/fine	1	Statutory Rape	Battery
3 months	1	Attempted Rape	Assault
16 days credit for 16 days time served	1	Obstructing Officer, Grand Larceny, Reckless Driving	Obstructing Officer, Inattentive Driving

DISTRICT COURT

Prison

15 years	1	Rape/Robbery	Rape
14 years	1	AWDW/Robbery	Assault with
		Battery/Assault with Intent to Rape	Deadly Weapon/ Grand Larceny
6 years	1	Att. Rape	Att. Stat. Rape
5 years	1	Assault with Intent to Rape/Robbery/Kidnap-2nd	Assault with Intent to Rape/Kidnap-2nd

Prison Suspended

25 Years Suspended

25 years probation	1	Rape	Kidnap-2nd
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3 Years Suspended

4 months jail/3 years probation	1	Assault with Intent to Rape/Att. Burglary/ Burglary	Agg. Assault
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Jail/Probation

55 days credit for 55/5 years probation	3	Rape	Att. Stat. Rape
90 days with workout/3 years probation	1	Att. Rape/Agg. Battery/ AWDW/Assault w/Intent to Rape	Att. Rape

Probation

1 year	1	Statutory Rape	Enticing unmarried female of chaste character under 18 into prostitution or illicit sexual connection.
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JUVENILES

Petitions were filed on all seven juveniles who were arrested for rape. Illustrations III and IV show the flow of the petitions through the Juvenile Criminal Justice System. The system is the same for each chart with percentages dependent upon decision point or input percentages as previously explained.

Custody

Six of the seven juveniles were detained (four in detention, two in jail) after law enforcement placed them in custody. One was released to his parents. After detention hearings, four remained in custody and two were released pending final disposition.

Case Analysis

One petition was dismissed by the court without a hearing when the juvenile was returned to another state to live with his father.

Hearings were held before the court on the remaining six petitions. Petitions were dismissed in the cases of two juveniles who were not permanent residents of Idaho. One petition was dismissed when the victim failed to pass a polygraph examination; the juvenile offender in this case was currently on probation to another state. The second petition was dismissed without prejudice for two reasons: (1) the child fled the court's jurisdiction;* and (2) insufficient evidence existed as to his involvement in the perpetration of the crime.

Four juveniles were found within the purview of the Youth Rehabilitation Act (YRA) and were committed to the custody of Health and Welfare with recommendations that three be sent to St. Anthony, a juvenile correctional facility, and one to Edgemoade, a treatment facility. None of the four denied the charges and no evidentiaries were held.

A detailed analysis of all charges involved in these seven cases is given in Table 30. Two juveniles had charges against them pending at the time the rape petition was filed.

Prior Record

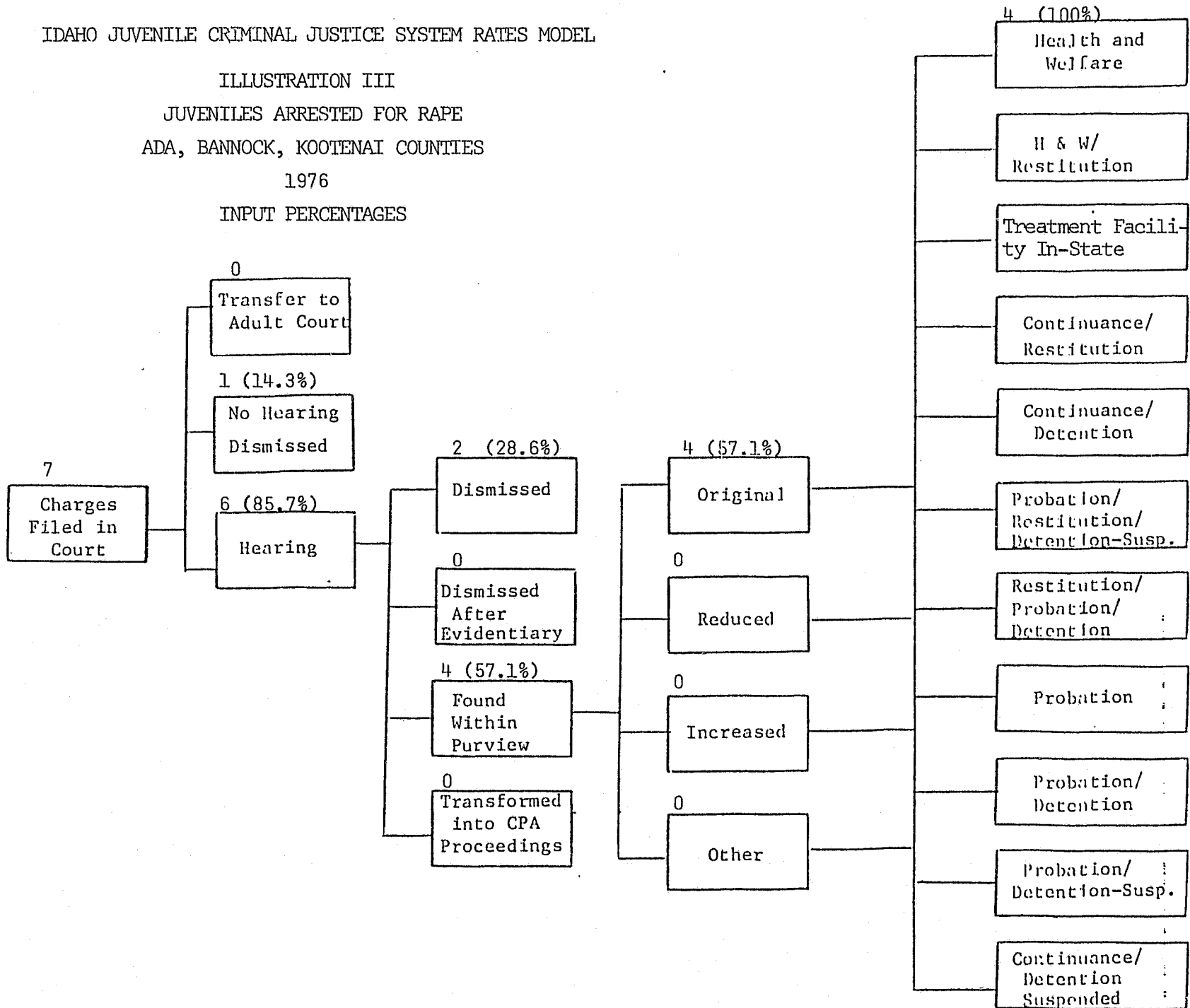
Information concerning prior contacts with the Juvenile Criminal Justice System was noted, where available. Prior records of the two juveniles who were in Idaho temporarily were unavailable other than an indication that one was on probation to another state for a criminal offense.

Of the remaining five juveniles, one had no prior record of contacts with law enforcement. The other four had records for both status and criminal offenses, and three of the four also indicated prior warn and releases primarily for criminal offenses.

*Permission to leave had been granted by a counselor who was unaware of the pending charge; however, the juvenile was expected to return.

IDAHO JUVENILE CRIMINAL JUSTICE SYSTEM RATES MODEL

ILLUSTRATION III
 JUVENILES ARRESTED FOR RAPE
 ADA, BANNOCK, KOOTENAI COUNTIES
 1976
 INPUT PERCENTAGES



IDAHO JUVENILE CRIMINAL JUSTICE SYSTEM RATES MODEL

ILLUSTRATION IV

JUVENILES ARRESTED FOR RAPE

ADA, BANNOCK, KOOTENAI COUNTIES

1976

DECISION POINT PERCENTAGES

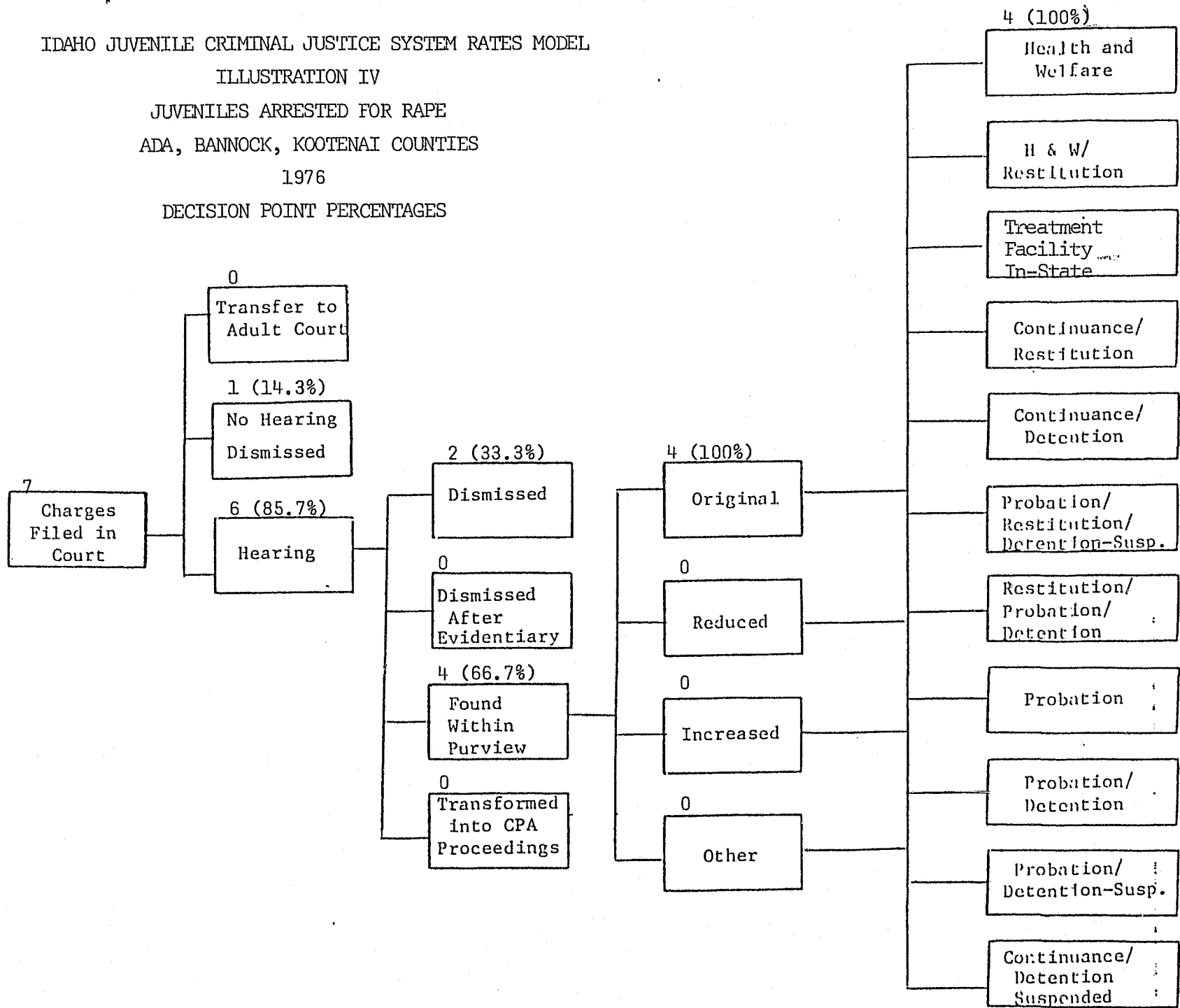


TABLE 30
ANALYSIS OF CASES PROSECUTED
RAPE SYSTEM RATES STUDY
1976

<u>Charge at Arrest</u>	<u>Charge in Petition</u>	<u>Charge at Disposition</u>	<u>Disposition</u>
Rape/Kidnap - 2 counts	Rape/Robbery Kidnap-- 2 counts AWDW-2 counts	Rape Kidnap--2 counts	Health & Welfare, St. Anthony
Rape/Kidnap - 2 counts	Rape/Kidnap 2-2counts Robbery*	Rape/Kidnap 2- counts Robbery*	Health & Welfare, St. Anthony
Rape	Rape Aggravated Assault* Burglary*	Rape Aggravated Assault* Burglary*	Health & Welfare, St. Anthony
Rape	Lewd & Lascivious	Lewd & Lascivious	Health & Welfare, Edgemeade
Rape	Beyond Control	Beyond Control	Dismissed
Rape	Statutory Rape	Statutory Rape	Dismissed
Rape	Rape Ill. Consumption Beer	Rape Ill. Consumption Beer	Dismissed

*These charges were not related to the rape offense, but received dispositions in conjunction with the petitions for rape.

Three (42.9%) were on probation to the court at the time of the rape offense and one (14.3%) was in the custody of Health & Welfare. (See Table 31, below.)

TABLE 31
PRIOR RECORD OF JUVENILE OFFENDERS
RAPE SYSTEM RATES STUDY

1976

<u>Only Status Offenses</u>		<u>Only Criminal Offenses</u>		<u>Both Status and Criminal</u>		<u>Probation</u>		<u>Health and Welfare Custody</u>	
<u>Freq.</u>	<u>%</u>	<u>Freq.</u>	<u>%</u>	<u>Freq.</u>	<u>%</u>	<u>Freq.</u>	<u>%</u>	<u>Freq.</u>	<u>%</u>
0		1	14.3	4	57.1	3	42.9	1	14.3

Criminal Histories of Rape Arrestees

Criminal histories were obtained from the Criminal Identification Bureau (CIB) of the Idaho Department of Law Enforcement for 29 adults arrested for the rapes analyzed in this study. Offenses which occurred both prior and subsequent to the 1976 arrest were reviewed; however, interpretations of this data have been viewed cautiously as local agencies have not been consistent in forwarding arrest information to the CIB.

Eight of the defendants' criminal histories indicated involvement in felony criminal activity (other than the 1976 rape offense) which resulted in arrest. Six, or approximately one-fifth of the 29, were arrested prior to the 1976 rape arrest. Four of the six had prior arrests for crimes against the person, rapes, robberies and/or assaults, and two had prior arrests for crimes against property, burglary, and/or larceny.

Two of the 29 defendants had subsequent felony arrests, one for a violent crime (not rape) and one for a property crime.

From information obtained from criminal histories, it appears these 29 adults have not been extensively involved in felony criminal activity. However the information does reveal that of the recorded felony offenses, personal confrontation type crimes involving violence occurred more frequently than property crimes.

An interesting comparison of the Survey of Rape with similar studies of robbery and burglary, conducted by the Statistical Analysis Center, is presented in Table 32. For robbery and burglary, six areas studied included 83 of the 126 Statewide total robbery arrests and 372 of the 826 total Statewide burglary arrests for 1975.

As the Table illustrates, percentages for prosecutions, convictions, and incarcerations (at the Idaho State Correctional Institution) for offenders arrested for rape were not significantly different than for offenders arrested for burglary and robbery. However, criminal history information portrayed much less prior felony criminal activity for rape arrestees.

TABLE 32

Offense	% of State Total Arrests	COMPARISON DATA			% With Prior Felony Arrests
		% Prosecuted	% Convicted	% Incarcerated (ISCI)	
Rape	58%	65%	48.3%	14%	21%
Robbery	66%	65%	58%	16%	43%
Burglary	45%	71%	60%	10%	42%



END