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## **Investigation and Prosecution of Sexual Assault, Domestic Violence, and Stalking**

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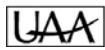


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## Investigation and Prosecution of Sexual Assault, Domestic Violence, and Stalking

### Abstract

This project examined sexual assault, domestic violence, and stalking cases reported to the Alaska State Troopers. More specifically, we examined all sexual assault and sexual abuse of minor incidents reported to Alaska State Troopers in 2003 and 2004, all assaults in domestic violence incidents reported to Alaska State Troopers in 2004, and all stalking incidents reported to Alaska State Troopers from 1994 to 2005. In addition, we examined whether cases were referred to the Alaska Department of Law for prosecution, were accepted for prosecution, and resulted in a conviction. This report provides a thorough overview of key characteristics on reports, suspects, victims, incidents, witnesses, and legal resolutions. This report also examines the predictors of legal resolutions. Finally, this report examines whether rural cases are less likely to have successful legal resolutions. Results clearly show that what Alaska State Troopers do when investigating reported offenses can increase rates of referral, acceptance, and conviction. In addition, we found no evidence of under-enforcement in rural areas. Contrary to allegations that the provision of criminal justice services is diminished in rural areas, we found that geographic isolation does not hinder case processing. These results are important for other rural jurisdictions. Most importantly, we found that cases first reported to local first responders had better legal resolutions. This finding suggests that the resources provided by these first responders (i.e., reduced response time and enhanced investigation) increase the rates of prosecutions and convictions. This finding is important not just in Alaska, but in other jurisdictions where official responders are not immediately available.

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## Section III Executive Summary

This project examined the characteristics of sexual assault, domestic violence, and stalking cases reported to Alaska State Troopers. More specifically, this project examined all sexual assault and sexual abuse of minor incidents reported to Alaska State Troopers in 2003 and 2004, all assaults involving domestic violence reported to Alaska State Troopers in 2004, and all stalking incidents reported to Alaska State Troopers from 1994 to 2005. For each type of case, the characteristics of the reports, suspects, victims, incidents, and witnesses are documented. In addition, this project examined the legal resolutions of all cases reported to Alaska State Troopers from 1999 to 2004. Finally, this project examined the factors that predicted successful legal resolutions and examined whether legal resolutions varied by race and geography. Key results are summarized below.

### A. Sexual Assault

The sample utilized for this analysis included all sexual assault and sexual abuse of minor incidents reported to Alaska State Troopers in 2003 and 2004. It included information from 989 reports, 1,903 charges, 1,050 suspects, 1,082 victims, and 771 witnesses.

#### 1. *Report Characteristics*

C Detachment and the Alaska Bureau of Investigation (ABI) handled over three-fourths of all sexual assault reports. Two units alone, Bethel Enforcement (17%) and Palmer Investigation (8%) handled 25% of all reported sexual assaults during 2003-2004. Most sexual assault cases reported to AST (61%) were referred for prosecution consideration. On average, it took 18 weeks to close a case ( $s = 23$ ). Half of the cases were closed within 8 weeks, and 75% were closed within 24 weeks of being reported. AST received 86% of the initial complaints to law enforcement, 7% were reported to a VPSO, and 7% to a VPO. The most common forms of evidence collected were physical evidence from the victim and victim sexual assault evidence collection kits, collected in 22% and 20% of cases respectively. Search warrants were obtained in 36% of cases and 13% of cases had two or more search warrants. Reports typically included multiple sexual assault charges, but included multiple victims, suspects, and witnesses less often. Of all sexual assault reports to Alaska State Troopers, 47% included at least one witness.

#### 2. *Suspect Characteristics*

The identity of most suspects (90%) was known by AST. Most suspects (97%) were male, and either Native (59%) or White (37%). On average, suspects were 29 years old ( $s = 13$ ), with 22% between 16 and 20 years of age, 25% between 21 and 30 years of age, 20% between 31 and 40 years of age, and 13% between 41 and 50 years of

age. Forty-three percent of suspects used alcohol, but only 7% had used drugs. Only one-fourth of suspects were present upon trooper arrival. Overall, 77% of suspects were interviewed and 86% of the interviews were tape recorded. Of those interviewed, 57% were interviewed within one week of the report, 80% interviewed within one month of the report, and 97% were interviewed within one year of the report. Most suspect interviews (77%) were internally consistent. On average each suspect received 1.83 charges ( $s = 1.84$ ), including an average of 1.56 sexual assault charges ( $s = 1.47$ ) and an average of 0.26 non-sexual assault charges ( $s = 0.99$ ). The most common non-sexual assault and sexual abuse of minor charges included assault, burglary, and kidnapping.

### **3. *Victim Characteristics***

Most victims (89%) were female, and either Native (61%) or White (38%). On average, victims were 16.2 years old ( $s = 10.81$ ), with 80% of victims under the age of 21. More specifically, 11% of victims were 5 years of age or younger, 25% were six to 12 years old, 29% were 13 to 15 years old, and 16% were 16 to 20 years old. Only 27% of victims had used alcohol, and only 5% had used drugs. The most common type of injury reported was general physical pain (19%). Evidence of penetration was obtained for 17% of victims. Twenty-six percent of victims received a SART exam and 80% of victims cooperated with AST throughout the investigative process. Overall, 96% of victims were interviewed. Of those interviewed, 48% were interviewed on the day of the report, 80% within one week of the report, and 92% within one month of the report. Eighty-six percent of the interviews were tape recorded and 91% of the interviews took place in person. Lastly, 85% of the victim interviews were internally consistent.

### **4. *Victim-Suspect Characteristics***

From the 989 reports, we collected information on 1,138 unique victim-suspect combinations. Nearly half (46%) of the reported incidents involved friends and acquaintances, 35% involved family members, 12% involved current or former partners, 4% involved a suspect that was an authority figure to the victims, and only 2% involved complete strangers. The vast majority of incidents were intra-racial (87%), with 91% of Native victims and 94% of Native suspects reporting involvement in an intra-racial incident. Comparatively, the proportion of White victims (84%) and White suspects (87%) involved in intra-racial incidents was only slightly lower than that of Native victims and Native suspects. Most victims (71%) were not living with the alleged suspect at the time of the assault.

### **5. *Incident Characteristics***

Of the 1,903 charges, 86% were for sexual assault and sexual abuse of a minor in the first, second, third, and fourth degrees. Thirty-four percent of the incidents had documented alcohol use (by either or both the victim and suspect), 32% did not involve any substance use, 29% had substance use documented as unknown, 4% involved drug use, and 2% involved both drug and alcohol use. Eighty-six percent of the incidents occurred in private residences. Beyond using their hands/arms to restrain or strike

victims, suspects almost never used weapons prior to or during the assaults (the most frequently used weapon beyond physically restraining victims was a knife, reported in a total of four incidents). Most of the reported sexual assaults involved some element of sexual penetration (60% of the incidents), as opposed to sexual contact only. The average number of sexual acts per incident was 2.16 ( $s = 1.82$ ). The most common sexual acts included touching the victim's external female genitalia (52% of incidents), penile penetration of the victim's vagina (40% of incidents), touching of the victim's breasts (35% of incidents), kissing (29% of incidents), and digital penetration of the victim's vagina (25% of incidents). The use of condoms was relatively low (only 10% of incidents). However, ejaculation was reported to have occurred in 35% of the incidents. Overall, 60% of the incidents were reported within one week of the assault, and 70% were reported within one month.

## **6. *Witness Characteristics***

Of the 771 witnesses included in the 989 sexual assault reports, 97% were interviewed. Most witnesses (94%) were cooperative with the investigation. Only 26% offered eyewitness testimony, while 78% offered corroborative evidence. Of all witnesses, 38% were male and 62% were female, 53% were Native and 44% were White. Thirty-one percent were between 11 and 20 years of age (while 22% were 21 to 30 years of age and 19% were between 31 and 40 years of age). Fifteen percent of the witnesses had used alcohol, but only 1% had used drugs. The vast majority of witnesses (96%) provided internally consistent interviews.

## **7. *Legal Resolutions***

Legal resolutions for sexual assault incidents reported from 2003-2004 were obtained from the Alaska Department of Law. Referrals to other agencies (e.g., the Division of Juvenile Justice) were not collected for this analysis. Of the 989 sexual assault reports, 46% were referred for prosecution to the Alaska Department of Law, 28% were accepted for prosecution by the Alaska Department of Law, and 22% resulted in a conviction with the Alaska Department of Law. Sixty-percent of cases referred to the Alaska Department of Law were accepted and 80% of cases accepted by the Alaska Department of Law resulted in a conviction.

## **8. *Predictors of Legal Resolutions***

Twelve factors were found to significantly predict referral. The odds of referral were expected to increase by a factor of 3.4 when physical or DNA evidence was collected from the suspect, by a factor of 3.2 when multiple sex acts were documented, by a factor of 3.0 when the suspect had more than one charge, by a factor of 2.6 when the suspect was tape recorded, by a factor of 2.4 when the assault occurred in a private residence, by a factor of 2.2 when the victim was Alaska Native, by a factor of 2.1 when the suspect had prior arrests against the victim, by a factor of 1.7 when the victim was cooperative, by a factor of 1.6 when the victim resisted the assault, and by a factor of 1.6

when the case was closed within two weeks. On the other hand, the odds of referral were expected to be lower when the primary charge was an unclassified felony.

Nine factors were found to significantly predict acceptance. The odds of accepting cases that had been referred for prosecution were expected to increase by a factor of 4.7 when the victim was female, by a factor of 3.7 when multiple sex acts were documented, by a factor of 3.7 when the case was closed within two weeks, by a factor of 2.6 when the first responder was a local paraprofessional (e.g., VPSO), by a factor of 2.5 when the report was investigated by C Detachment (in Western Alaska), by a factor of 2.4 when Troopers took photographs of the assault scene, by a factor of 2.3 when the suspect provided inconsistent statements to Troopers, by a factor of 1.9 when the suspect had more than one charge, and by a factor of 1.7 when the suspect was interviewed within three days of the report.

Only three factors were found to significantly predict conviction – and additional research will be needed to properly interpret these findings. The odds of conviction were expected to be significantly lower when the victim received a SART exam, when the victim was disabled, and when at least one witness provided inconsistent statements to investigators.

## **9. *Legal Resolutions by Race and Geography***

We found little empirical support for allegations of discrimination in the processing of sexual violence cases by AST or DOL on a racial or geographic basis. With the exception of SAM cases against Alaska Native victims being less likely to be founded, cases of sexual violence against Alaska Native victims were just as likely or actually more likely to receive full enforcement and prosecution when compared with cases against non-Native victims. On the basis of geography, cases occurring in locations with predominately Alaska Native populations believed to be underserved by AST were actually more likely to be dealt with by AST or DOL when compared with cases from outside those geographic areas. Our results indicate that the anecdotal evidence found in reports critical of the state's response to sexual violence against Alaska Natives does not accurately reflect the actual processing of cases of rape, sexual assault, and SAM reported to AST and prosecuted by DOL. Ultimately, these results do not support claims of unequal enforcement by the state in response to the victimization of the Alaska Native population. However, Alaska continues to experience high rates of forcible rape, and the prosecution of sexual violence continues to be difficult: the percentage of AST-founded cases that resulted in a conviction never exceeded 30 percent.

## **10. *Conclusions***

We found several factors that Alaska State Troopers can address to increase the rate of successful legal resolutions. Three factors significantly increased the odds of both referral and acceptance. More specifically, documenting multiple sex acts more than tripled the odds of referral and almost quadrupled the odds of acceptance. Closing cases within two weeks increased the odds of referral by a factor of 1.6 and increased the odds of acceptance by a factor of 3.7. Finally, the odds of referral were tripled when the suspect had multiple charges and the odds of acceptance were doubled when the suspect

had multiple charges. Four additional factors significantly increased the odds of referral – collecting physical evidence or DNA from the suspect, tape recording the suspect, tape recording the victim, and building victim cooperation. The odds of referral were increased by a factor of 3.4 when physical evidence or DNA was collected from the suspect, by a factor of 2.6 when the suspect was tape recorded, by a factor of 2.2 when the victim was tape recorded, and by a factor of 1.7 when Troopers were able to secure victim cooperation. Four additional factors significantly increased the odds of acceptance – taking photographs of the assault scene, interviewing the suspect within three days, finding inconsistencies in statements by the suspect, and having a local paraprofessional as the first responder. More specifically, the odds of acceptance were increased by a factor of 2.4 when Troopers took photographs of the assault scene, by a factor of 2.3 when Troopers documented inconsistencies in statements by the suspect, by a factor of 1.7 when the suspect was interviewed within three days, and by a factor of 2.6 when the first responder was a local paraprofessional.

These results are important because they highlight that what Alaska State Troopers do can increase the rate of successful legal resolutions. With training, time, and resources, many of these factors are easily addressed (e.g., ensuring that suspect and victim statements are tape recorded). In addition, many of these factors had a substantively large impact on the odds of referral and acceptance. Results also showed that once accepted for prosecution, cases were likely to result in conviction. Increasing the number of cases referred for prosecution and accepted for prosecution will significantly impact overall rates of conviction.

Local paraprofessionals (e.g., Village Public Safety Officers) are important in the prosecution of sexual violence. They assist Alaska State Troopers and can address some of the factors found to significantly impact rates of referral (e.g., by building victim cooperation). Local paraprofessionals also had a direct impact on acceptance, by significantly increasing the likelihood that cases referred for prosecution would be accepted for prosecution. Contrary to recent reports, we found no evidence of under-enforcement or prosecution in rural Alaska.

## **B. Domestic Violence**

The sample utilized for this analysis included all assaults in domestic violence incidents reported to Alaska State Troopers in 2004. It included information from 1,281 reports on 1,803 assault charges, 1,356 suspects, 1,523 victims, and 1,283 witnesses. This descriptive analysis documents the characteristics of these reports, charges, suspects, victims, witnesses, and legal resolutions. Key results are summarized below.

### **1. Report Characteristics**

Three detachment areas (C, D and B) handled 82% of all assaults in domestic violence incidents. The three units that handled the largest number of assaults in domestic violence incidents were the Fairbanks AST enforcement unit (23% of reports), the Palmer AST enforcement unit (18% of reports), and the Soldotna AST enforcement unit (9% of reports). Most assaults in domestic violence incidents reported to AST were closed by arrest (79%) and 13% were closed by referral. On average, it took 6.3 weeks to

close a case ( $s = 10.39$ ). Forty-seven percent of the cases were closed within two weeks, and another 20% of cases were closed within four weeks of being reported. Alaska State Troopers received 80% of the initial complaints to law enforcement, 8% were reported to a Village Public Safety Officer, and 6% were reported to a Village Police Officer or Tribal Police Officer. Reports typically included a single assault charge, a single victim, a single suspect, a single witness and a single arrest. Of all assaults in domestic violence incidents reported to Alaska State Troopers, 58% included at least one witness.

## **2. Suspect Characteristics**

Most suspects (76%) were male, and either White (51%) or Native (45%). On average, suspects were 33.13 years old ( $s = 11.7$ ), with 31% between 21 and 30 years of age, 27% between 31 and 40 years of age and 20% between 41 and 50 years of age. Six percent of suspects were under 18 years of age and 7% of suspects were 51 years of age or older. Fifty-seven percent of suspects had used alcohol prior to the assault, but only 3% had used drugs. The majority of suspects (79%) were present upon trooper arrival. Overall, 79% of suspects were interviewed and 83% of the interviews were recorded. Of those interviewed, 81% were interviewed the same day the incident was reported and 96% were interviewed within one week of the report. Most suspect interviews (87%) were internally consistent. On average, each suspect received 1.78 charges ( $s = 1.29$ ), including an average of 1.33 assault charges ( $s = 0.80$ ) and an average of 0.45 other charges ( $s = 0.87$ ). Just over 1% of suspects had a domestic violence protection order filed against them by the victim. Two percent of suspects violated a condition of release with their current charge while 4% violated a condition of probation.

## **3. Victim Characteristics**

Most victims (70%) were female, and either White (51%) or Native (47%). On average, victims were 31.98 years old ( $s = 14.51$ ). Fifteen percent of victims were minors under 18 years of age, and 10% of victims were 51 years of age or older. Nine percent of victims were 18 to 20 years old, 26% of victims were 21 to 30 years old, 21% were 31 to 40 years old, and 19% were 41 to 50 years old. Only 32% of victims had used alcohol, and only 1% had used drugs. The most common types of injury reported were bruising (38%). The majority of victims (88%) cooperated with AST throughout the investigative process. Overall, 95% of victims were interviewed. Of those interviewed, 89% were interviewed on the day of the report, and 98% were interviewed within one week of the report. In 84% of cases, the victims' interviews were recorded and 94% of the victim interviews were internally consistent. Seventy-six percent of victims did not consult anyone prior to the assault. Victims who consulted with others were most likely to consult an official or a professional (3%), a friend (7%), or a family member (11%).

## **4. Victim-Suspect Characteristics**

From the 1,281 reports, we collected information on 1,540 unique victim-suspect combinations. Over half (58%) of the incidents involved current or former intimate partners and this was more common in incidents involving female victims (66%) than

male victims (38%). Assaults between parents and children occurred in 19% of domestic violence incidents. Ten percent of assaults involved siblings, 8% involved roommates and 5% involved extended family members. The majority of incidents were intra-racial (86%), with 87% of Native victims and 89% of Native suspects reporting involvement in an intra-racial incident. Similarly, 87% of White victims and 87% of White suspects were involved in intra-racial incidents. Most victims (72%) were living with the suspect at the time of the assault. Few parties involved in assaults experienced a change in their relationship status around the time of the assault. In 6% of cases, the relationship ended before the assault took place and in another 2% of cases the assault took place during a time when the suspect had been rejected by or was attempting to reconcile with the victim. Despite the fact that the average age of suspects (33.14) and victims (31.96) in our sample was quite similar, 59% of victim-suspect combinations involved victims and suspects from different age groups.

## **5. Incident Characteristics**

The term incident refers to assaults in domestic violence incidents that took place between a unique suspect and a unique victim in a single report. Therefore, a report with multiple suspects or victims resulted in multiple incidents. On average, each incident generated 1.18 assault charges ( $s = 0.56$ ). Most incidents (86%) included only one assault charge. Of the 1,540 assault charges, most (83%) were for assault in the fourth degree. In fifty-nine percent of the incidents, alcohol use (by either or both the victim and suspect) was documented, in 1% drug use only was documented, and in 2% alcohol and drug use were documented. Twenty-seven percent of incidents included documentation on the absence of alcohol and/or drug use. Ten percent of incidents lacked documentation of alcohol or drug use so an assessment could not be made as to the presence or absence of alcohol or drugs. Most of the assaults in domestic violence incidents included physical assaults (70%) as opposed to threats only or assaults and threats. Though suspects were more likely to assault victims than threaten to do so, the most common types of threats were to kill the victim (9%) and threats of other bodily injury (7%). Other threats included threatening the victim with a gun (5%), threatening the victim with a knife (5%), making threats against the victim's family or friends (4%), threatening the victim with an object other than a traditional weapon (3%), and threatening to sexually assault the victim (1%). The most common violent acts noted in the reports were pushing, shoving or grabbing (48%), punching (29%), and slapping or hitting the victim (28%). Less common forms of violence included in the reports were choking, strangling, or suffocating the victim (11%), grabbing or pulling the victim's hair (10%), kicking the victim (9%), chasing the victim (7%), biting the victim (3%) and sexually assaulting the victim (1%).

Stalking behavior was uncommon. Evidence of stalking was documented in only 3% of reports. This percentage reflects only stalking, threats and forms of violence that were documented in reports as a result of victim disclosure or officer inquiry, rather than all forms of stalking, threats or violence that occurred. It is important to remember, when interpreting the figures on stalking and threats, that this study examined assaults in domestic violence incidents, not homicides.

Suspects rarely used weapons like knives or guns prior to or during the assaults (4% and 3% respectively), but they hit victims with an object in 10% of incidents and/or threw objects at the victim in 9% of incidents. The most common response to an assault employed by victims was calling police (37%) followed by running away (25%). Overall, 98% of the assaults were reported within one week of the incident. In most incidents (75%), the suspect and victim were living together at the time of the assault. The majority of assaults took place at a shared residence (55%), the residence of the victim (15%), or the residence of the suspect (10%). In 63% of incidents, other people were present during the assault. In 43% of incidents, the victim's and/or suspect's children were present during the assault. In 27% of incidents, only one other person was present.

## **6. *Witness Characteristics***

Of the 1,283 witnesses included in the 1,281 reported assaults in domestic violence incidents, 92% were interviewed. Of the witnesses who were interviewed, 97% provided internally consistent interviews and 96% of all witnesses were cooperative with AST. Witnesses provided information that was more consistent with information from other witnesses (81%) or from the victim (80%) than from the suspect (42%). Witnesses were eyewitnesses in 59% of reports. Eleven percent of the witnesses had used alcohol, but less than 1% had used drugs. Of all witnesses, 48% were male and 52% were female; 56% were White and 43% were Native. Most witnesses (65%) were 21 years old or older. Twenty-six percent of witnesses were minors. Eight percent were 18 to 20 years of age and 18% were 21 to 30 years of age. Witnesses were most commonly a friend or acquaintance of the victim (35%) or suspect (35%), a son or a daughter of the victim (17%) or suspect (14%), or a parent of the victim (12%) or suspect (11%).

## **7. *Legal Resolutions***

Legal resolutions examined for assaults in domestic violence incidents reported in 2004 were obtained from the Alaska Department of Law. The focus was exclusively on referrals to the Alaska Department of Law, not on referrals to other agencies, such as the Division of Juvenile Justice. Of the 1,281 assaults in domestic violence incidents reported to Alaska State Troopers, 80% were referred for prosecution to the Alaska Department of Law, 68% were accepted for prosecution by the Alaska Department of Law, and 54% resulted in a conviction with the Alaska Department of Law. Eighty-four percent of cases referred to the Alaska Department of Law were accepted and 80% of cases accepted by the Alaska Department of Law resulted in a conviction. Cases with at least one female suspect were slightly less likely to be referred for prosecution, to be accepted for prosecution, and to result in a conviction than cases with at least one male suspect.

## **8. *Predictors of Legal Resolutions***

The odds of cases being referred for prosecution were increased by a factor of 5.8 when the victim was interviewed by an Alaska State Trooper, 2.9 when the victim and

suspect were intimate partners, 2.5 when the suspect had used alcohol or drugs prior to the domestic violence incident, 2.3 when the case was closed within 19 days, 2.1 when the victim and suspect were not cohabitating, and 2.0 when the suspect was over 32 years of age.

The odds of referred cases being accepted for prosecution were increased by a factor of 3.1 when an Alaska State Trooper secured an admission of guilt or a full confession from the suspect, 2.7 when multiple charges against the suspect were referred, 2.3 when someone other than the victim reported the assault, 2.3 when the victim suffered injuries, 2.3 when children were present during the assault, 2.2 when the suspect was male.

Finally, the odds of accepted cases resulting in a conviction were increased by a factor of 2.4 when the first responder was a Village Public Safety Officer (VPSO), a Village Police Officer (VPO), or a local police department; 2.3 when the suspect was reported to have used alcohol or drugs prior to the domestic violence incident; 1.8 times when multiple charges against the suspect were referred; and 1.8 when the suspect admitted guilt or gave a full confession.

## **9. *Legal Resolutions by Race and Geography***

The consideration of disparities by victim race and geography is important because of scrutiny placed on the State of Alaska's response to violence against Alaska Native women in rural villages. Using a slightly different sample, we examined whether legal resolutions varied by victim race and geography. Examining all intimate partner violence cases with female victims reported to Alaska State Troopers in 2004, we found that cases with Alaska Native victims were never less likely to be founded, never less likely to be referred for prosecution, never less likely to be accepted for prosecution, and never less likely to result in a conviction. Similarly, we found that cases from isolated locations (i.e., locations without a Trooper post) were never less likely to be founded, never less likely to be referred for prosecution, never less likely to be accepted for prosecution, and never less likely to result in a conviction. If anything, results indicate that assault cases involving intimate partners with Alaska Native victims and with victims from isolated villages are not neglected by the State of Alaska but are instead to be fully prosecuted.

## **10. *Conclusion***

Based on our analyses, a number of report, victim, suspect, victim-suspect, and incident characteristics predict prosecution of assaults in domestic violence incidents reported to Alaska State Troopers. Some of these characteristics are not within the control of law enforcement (e.g., who called law enforcement to report the assault). Other characteristics are in control of law enforcement and these create an opportunity to modify policy and/or practice in a way that enhances prosecution of these types of assaults. Most importantly, the odds of cases being referred for prosecution were increased by a factor of 5.8 when the victim was interviewed and 2.3 when the case was closed within 19 days. The odds of referred cases being accepted for prosecution were increased by a factor of 3.1 when an admission of guilt or a full confession was secured

from the suspect, 2.7 when multiple charges against the suspect were referred, and 2.3 when the victim injuries were documented. Finally, the odds of accepted cases resulting in a conviction were increased by a factor of 1.8 times when multiple charges against the suspect were referred and 1.8 when the suspect admitted guilt or gave a full confession. These specific results indicate that with sufficient training, time, and resources, Alaska State Troopers and other first responders (e.g., Village Public Safety Officers) can increase rates of prosecution. Most importantly, Alaska State Troopers must have the training, time, and resources to interview victims, to close cases quickly, to document victim injuries, and to secure admissions of guilt or full confessions from suspects. Thorough investigations are also likely to uncover additional charges – and these additional charges will significantly increase rates of prosecution.

We also found that cases first reported to Village Public Safety Officers had better legal resolutions. This finding suggests that the resources provided by these first responders (i.e., reduced response time and enhanced investigation) increases conviction of assaults in domestic violence incidents. This finding is important not just in Alaska, but in other jurisdictions where official responders are not immediately available. Even when official responders are immediately available, locally based first responders may provide valuable assistance to both victims and official responders. In particular, first responders can assist law enforcement to interview victims, to close cases quickly, to document victim injuries, and to secure admissions of guilt or full confessions from suspects.

## C. STALKING

The sample utilized for this analysis included all stalking incidents reported to Alaska State Troopers from 1994 to 2005. It included information from 210 reports, 222 charges, 211 suspects, 216 victims, and 246 witnesses. We also examined the legal resolutions for a sub-sample of stalking incidents (those reported from 1999 to 2004) and examined the predictors of those legal resolutions. Key results are summarized below.

### 1. *Report Characteristics*

Within the first four years of anti-stalking legislation in Alaska (1994 to 1997), the number of reports averaged 22 per year ( $s = 4$ ). In subsequent years, the average number of reports dropped significantly to 15 per year ( $s = 3$ ;  $p < 0.01$ ). Three units (Fairbanks AST Enforcement, Plamer AST Enforcement, and Soldotna AST Enforcement) accounted for almost half (49%) of all stalking reports within AST jurisdiction. Over 50% of stalking reports occurred in B and D detachments. Most stalking cases reported to troopers (67%) were closed by arrest. Only 4% of cases were closed as unfounded. On average, it took 43 days to close a case ( $s = 62$ ). Half of the cases were closed within 20 days and 75% were closed within 46 days. Evidence (other than testimony) was available in 65% of cases and was collected in 67% of these cases. The most common forms of evidence available included physical evidence (available in 36% of cases) and electronic evidence (available in 30% of cases). Physical and electronic evidence were also the most likely to be collected, when available. Search warrants were obtained in 13% of cases. Reports rarely included multiple stalking

charges, suspects, or victims, but often included multiple witnesses. Of all stalking reports to Alaska State Troopers, 55% included at least one witness and 29% included two or more.

## **2. Charge Characteristics**

Of the 222 charges, 35% were for stalking in the first degree and 65% were for stalking in the second degree, 55% were between current or former intimate partners (i.e., boyfriends, girlfriends, or spouses) and 45% were between strangers, friends, and acquaintances, 21% involved alcohol use and 79% did not, and 2% involved drug use while 98% did not. The most common forms of stalking behaviors included standing outside or visiting the victim's home (found in 54% of charges), making unsolicited phone calls to victims (found in 51% of charges), following the victim (found in 39% of charges), threatening to physically assault the victim (found in 36% of charges), harassing the victim's family and friends (found in 28% of charges), trying to communicate with the victim in other ways (found in 27% of charges), standing outside or visiting the victim's work (found in 20% of charges), physically assaulting the victim (found in 19% of charges), sending the victim unsolicited mail (found in 15% of charges), and vandalizing the victim's home (found in 13% of charges). The primary locations for stalking behaviors included the victim's house (for 45% of charges), cyberspace (for 27% of charges), and public roads and parking lots (for 10% of charges). All but two charges (99%) were reported to troopers within one month (and over half were reported on the same day as the last stalking incident).

## **3. Suspect Characteristics**

Few suspects (7%) were strangers. Most suspects (93%) were known by the victim and the identity of the suspect was almost always known (98%). Most suspects (98%) were male and most (78%) were White. On average, suspects were 36 years old ( $s = 12$ ), with 55% between 21 and 40 years of age. One in five suspects (20%) had used alcohol, but only 1% had used drugs. Over half of suspects (58%) were present upon trooper arrival. Overall, 60% of suspects were interviewed, with 94% interviewed within one month of the report. Most suspect interviews (87%) were internally consistent and most (73%) included an admission of guilt, but few (21%) included a confession. Half of suspects (54%) currently were or had been in a romantic relationship with the victim, most often as an ex-boyfriend or current spouse. Over half (55%) of the victim-suspect relationships had ended prior to the stalking and 58% had ended prior to the report. Most suspects were charged with only one stalking charge, but most suspects (55%) also had at least one non-stalking charge (for a total of 267 non-stalking charges). The most common non-stalking charges included assault, violating a protective order, and harassment. While stalking the victim, 20% of suspects violated a protective order, 9% violated their conditions of release, and 9% violated conditions of probation. Overall, 30% of suspects violated at least one of these orders or conditions. In addition, 22% of suspects had a prior arrest for stalking, assaulting, or harassing the victim. More specifically, 12% of suspects had a prior arrest for stalking the victim, 8% had a prior arrest for assaulting the victim, and 5% had a prior arrest for harassing the victim.

#### **4. *Victim Characteristics***

Most victims (89%) were female and most (86%) were White. On average, victims were 33 years old ( $s = 12$ ), with 55% between 21 and 40 years of age. Very few victims (2%) had used alcohol and only victim had used drugs. Most victims (79%) reported the stalking to law enforcement themselves and most victims (70%) did not consult anyone before making the report. Most reports (93%) were made directly to an Alaska State Trooper. The majority of victims (95%) were present upon trooper arrival and 95% of victims were interviewed. On average, victims were interviewed 1.5 days after making the report ( $s = 8$ ), with 81% of victims interviewed on the same day the report was made. Most victims (90%) continued to cooperate with the investigation after the report was made. Most victims (99%) provided internally consistent interviews and (not surprisingly) most (60%) provided interviews that contradicted the suspect's interview. Victims expressed to suspects that their contact was nonconsensual most commonly by contacting law enforcement prior to the stalking report (by 74% of victims). Prior contacts with law enforcement included, for example, reports of harassment made prior to the stalking report. Other methods included ending their relationships with the suspects (by 46% of victims) and verbally informing suspects that their contact was nonconsensual (by 35% of victims). Victims often utilized two or more methods.

#### **5. *Witness Characteristics***

Of the 246 witnesses included in the 210 stalking reports, 93% were interviewed. Most witnesses (97%) were cooperative with the investigation. Most (79%) offered eyewitness testimony, while 18% offered corroborative evidence. Of all witnesses, 50% were male and 50% were female, 86% were White, and 43% were between 20 and 39 years of age (while 16% were less than 20 years of age and 3% were less than 10). Very few witnesses (1%) had used alcohol and none had used drugs. Most witnesses knew both the suspect and the victim. The most common relationships between witnesses and suspects included friends (reported by 55% of witnesses) and other family (reported by 33%). The most common relationships between witnesses and victims also included friends (reported by 51% of witnesses) and other family (reported by 29%). The vast majority of witnesses (99%) provided internally consistent interviews. Most witness interviews (91%) were consistent with victim interviews and most (94%) were consistent with interviews of other witnesses. However, only 44% of witness interviews were consistent with suspect interviews.

#### **6. *Legal Resolutions***

Legal resolutions were obtained from the Alaska Department of Law for a subsample of the stalking cases (only those reported from 1999 to 2004,  $N = 92$ ). Of these 92 stalking reports, 75% were referred for prosecution, 55% were accepted for prosecution, and 40% resulted in a conviction. 74% of referred cases were accepted and 73% of accepted cases resulted in a conviction. At first glance, convictions seem more likely in Alaska than they are elsewhere.

## **7. *Predictors of Legal Resolutions***

With very rare exceptions, we did not find any stalking cases reported to Alaska State Troopers that had less than a 50% chance of being referred for prosecution, we did not find any cases referred to the Alaska Department of Law that had less than a 50% chance of being accepted for prosecution, and we did not find any cases accepted for prosecution that had less than a 50% chance of resulting in a conviction. Oftentimes, cases had a much higher likelihoods of referral, acceptance, and conviction. We found few significant predictors of referral, acceptance, and conviction (even when using relatively relaxed statistical standards).

Cases reported to Alaska State Troopers were more likely to be referred for prosecution when investigations were closed within 45 days, when suspects were charged with stalking in the first degree, when the victim reported the offense to law enforcement within 48 hours, when the charge involved domestic violence, when the charge involved alcohol or drugs, when the suspect did not follow the victim, when the suspect harassed the victim's family and friends, when the suspect engaged in two or more different stalking behaviors, when the suspect had three or more charges, when the suspect was an intimate partner, when the relationship ended prior to the report, when the victim moved residence, when the victim used four or more methods to express that contact was nonconsensual, when witnesses provided eyewitness testimony, and when the witness testimony was consistent with the victim's.

Once referred for prosecution, cases were more likely to be accepted for prosecution when the charge involved alcohol or drugs, when the suspect made unsolicited phone calls, when the suspect threatened to physically assault the victim, when the suspect had three or more charges, when the suspect used alcohol or drugs, and when the victim used four or more methods to express that contact was nonconsensual.

Finally, once cases were accepted for prosecution, they were more likely result in a conviction when the stalking occurred primarily at the victim's home, when the suspect did not follow the victim, when the suspect did not physically assault the victim, when the suspect used alcohol or drugs, when the suspect had no prior arrest for assaulting the victim, when the victim did not consult with someone, when the victim interview was not tape recorded, when fewer than two witnesses were present, and when fewer than two witnesses were interviewed.

Because of small sample sizes, these results should be interpreted with great caution. The meaning and implication of some results remain unclear. Additional data will be required before making strong inferences from these results.

## **8. *Conclusions***

Although exact estimates are not available, all evidence currently suggests that stalking incidents are greatly under-reported and that the extent of under-reporting is greater in Alaska than it is elsewhere. It is therefore safe to conclude that awareness of stalking legislation should be increased. To do so, we should enhance public awareness of stalking as a crime and should train law enforcement to recognize the signs of stalking. Because many victims had prior contacts with law enforcement, this presents a unique

opportunity for intervention and law enforcement should be trained to capitalize on these opportunities.

Because of small sample sizes, we were only able to perform a preliminary analysis of what law enforcement can do to increase rates of referral, acceptance, and conviction. Nonetheless, we found several predictors of referral that are directly linked to the investigative work that Alaska State Troopers do. For example, we found that the odds of referral were significantly increased when investigations were closed within 45 days, when suspects were charged with stalking in the first degree, when the charge involved domestic violence, when the charge involved alcohol or drugs, when the suspect harassed the victim's family and friends, when the suspect engaged in two or more different stalking behaviors, when the suspect had three or more charges, when the victim used four or more methods to express that contact was nonconsensual, and when witnesses provided eyewitness testimony.

These results are important because they suggest that what Alaska State Troopers do can increase rates of referral, acceptance, and conviction. Generally speaking, rates of referral, acceptance, and conviction increase when Alaska State Troopers have enough time and resources to fully investigate offenses so that their full complexity and severity can be uncovered and documented. A clear example is that if Alaska State Troopers have the time and resources to investigate all of the different ways that suspects stalked victims (and can document that suspects used multiple methods) and have the time and resources to investigate all of the different ways that victims expressed to suspects that their contact was nonconsensual (and can document that victims utilized at least four different methods), cases were significantly more likely to be referred for prosecution. As Alaska State Troopers gain the time and resources to perform thorough investigations, they also enhance the likelihood of finding additional charges, and this dramatically increased the likelihood that cases would be referred for prosecution.

## Section IV

### Goals and Background for this Study

This project examined the characteristics of sexual assault, domestic violence, and stalking in Alaska. It was conducted in partnership with the Alaska State Troopers and the Alaska Department of Law. From the Alaska State Troopers, we secured detailed information on sexual assault, domestic violence, and stalking. Alaska Department of Law data were then examined to determine if cases reported to Alaska State Troopers were referred for prosecution, were accepted for prosecution, and resulted in a conviction.

More specifically, we examined all sexual assault and sexual abuse of minor cases reported to Alaska State Troopers in 2003 and 2004, all assaults involving domestic violence reported to Alaska State Troopers in 2004, and all stalking incidents reported to Alaska State Troopers from 1994 to 2005. From these reports, we collected detailed information on reports, suspects, victims, incidents, and witnesses. This information was only collected from offenses reported to Alaska State Troopers. As a result, we have no information from offenses not reported to law enforcement or from offenses reported to local or municipal departments. Microsoft Access databases were created to capture information from Alaska State Trooper reports. These databases used in this project were based on previous work that had been done in the areas of sexual violence, domestic violence, and stalking (both locally and nationally). The content of each database was also informed by consultations with law enforcement officers, prosecutors, and victim advocates in both urban and rural Alaska. In the end, we created a very thorough data collection template for each offense included in this study (see Appendix).

All reports were photocopied by Alaska State Troopers and shipped to headquarters. A team of trained research assistants then read each report (2,480 reports) and entered information about each case directly into the Microsoft Access databases. Reliability checks were performed by randomly selecting some cases to be entered into the databases by different research assistants. An on-site supervisor was present for all data entry to answer questions and to resolve discrepancies across research assistants. Throughout this project, we worked closely with Alaska State Troopers to design and conduct this study.

Throughout this project, we also worked closely with the Alaska Department of Law. The Alaska Department of Law provided all data on legal resolutions. For all sexual violence, domestic violence, and stalking cases, we examined whether cases were referred for prosecution, whether cases were accepted for prosecution, and whether cases resulted in a conviction. In the sexual assault and sexual abuse of a minor sample, we collected additional information on case processing. All information from the Alaska Department of Law was manually or electronically retrieved from a statewide management information system.

Broadly speaking, the goals of the project were to provide thorough descriptions of sexual violence, domestic violence, and stalking in Alaska. These were the first descriptions of violence against women reported to Alaska State Troopers. Although some descriptions of offenses reported to municipal agencies were available, there was

little to no information about offenses reported to the largest law enforcement agency in the State of Alaska. The Alaska State Troopers have the largest jurisdiction and the largest volume of cases. A second goal of this project was to examine the factors that predicted legal resolutions for cases of sexual violence, domestic violence, and stalking. More specifically, we examined the factors that predicted whether cases were referred for prosecution, whether cases were accepted for prosecution, and whether cases resulted in a conviction. Additional information on methodology is provided in the following sections. By obtaining a greater understanding of sexual violence, domestic violence, and stalking, we increase our ability to simultaneously hold offenders accountable while reducing overall rates of violence against women in the State of Alaska.

The final goal of this project was to closely inspect the process of justice in rural Alaska. This was important for several reasons. First, results from rural Alaska are important for other rural jurisdictions. We share similar difficulties associated with law enforcement and prosecution. Second, similar to other states, Alaska has been criticized for under-enforcement in rural areas. In general, allegations have been made that states discriminate on a geographic basis in the provision of criminal justice services to rural areas. We therefore examined the provision of criminal justice services in rural Alaska for sexual and domestic violence cases. Before further discussing the process of justice in rural jurisdictions, we begin with a review of the existing literature on the processing of cases involving violence against women.

Prior research has firmly established that high attrition rates are found within our criminal justice system across time, jurisdiction, and offense type (Bryden and Lengnick, 1997; Frazier and Haney, 1996; Gottfredson and Gottfredson, 1980; Holmstrom and Burgess, 1978; Myers and LaFree, 1982; Zeisel, 1982). Consistent with this research, statistics from the Uniform Crime Reports (UCR) indicate that in 2004, approximately 60% of forcible rapes reported to law enforcement did not result in an arrest. This represents the lowest arrest rate for all categories of violent crime (UCR, 2004). Not surprisingly, estimates from the National Crime Victimization Survey (which include both reported and unreported offenses) show even higher rates of attrition (Bachman, 1998). A recent meta-analysis by Garner and Maxwell (2009) shows that 34% of reports to law enforcement of intimate partner violence were prosecuted and that 59% of arrests for intimate partner violence were prosecuted. Overall, 51% of prosecuted cases resulted in a conviction (Garner and Maxwell, 2009).

A considerable amount of research has attempted to explain these attrition rates. Many have suggested that decision-making is structured so as to limit uncertainty (e.g., an uncertain court outcome). To avoid uncertainty, police and prosecutors can focus on cases where the likelihood of a conviction is perceived to be high. These propositions are generally well accepted (Albonetti, 1986, 1987; Frohman, 1991). On the other hand, the specific factors that are used to perceive the likelihood of a conviction are generally not well accepted – and this is particularly true in cases of violence against women. There is more uncertainty in cases of violence against women than in others because the sole source of evidence is often the victim (Myers and LaFree, 1982). As a result, police and prosecutors are likely to take into account victim characteristics when determining the convictability of the suspect (Reskin and Visher, 1986; Spears and Spohn, 1997).

Prior research has shown that decision-making is in part based on legal factors such as offense severity, the suspect's level of guilt, and the strength of the evidence

against the suspect (Albonetti, 1987; Garofalo, 1991; Hartley, 2001; Hirschel and Hutchison, 2001; Kerstetter, 1990; Kingsnorth et al., 1999; LaFree, 1980; Martin, 1994; Miller, 1969; Myers, 1982; Myers and LaFree, 1982; Nagel and Hagan, 1983; Neubauer, 1974; Rauma, 1984; Rebovich, 1996; Schmidt and Steury, 1989; Spohn et al., 1987; Spohn and Spears, 1996; Whetstone, 2001). These factors increase the convictability of suspects. In turn, this decreases uncertainty and suspects are more likely to be held accountable for their actions. A considerable amount of research has suggested that official decision-making in the criminal justice system is mainly guided by offense severity and evidentiary strength (Bryden and Lengnick, 1997; Horney and Spohn, 1996; Kerstetter, 1990; Kingsnorth et al., 1999; LaFree, 1981, 1989; Spohn and Holleran, 2001).

In particular, the importance of evidence has been repeatedly demonstrated (e.g., LaFree, 1980; Myers and LaFree, 1982; Albonetti, 1987, 1991; Spohn et al., 1987; Kerstetter, 1990; McGregor et al., 1999, 2002; Whetstone, 2001; but see Spohn and Horney, 1993; Spohn and Spears, 1996; Spears and Spohn, 1997). Based on his research, Kerstetter (1990) found that evidentiary factors were significant predictors of 11 (92%) of the 12 decisions that he studied. Kerstetter (1990:307) concluded that “it is [...] these factors that predominate in determining the official reaction to sexual assault complaints and define and control access at the gateway to justice.” Finally, as estimated by Albonetti (1987:308), “cases with physical evidence have an 80 percent chance of being prosecuted.” Among the different types of evidence she studied (exculpatory, corroborative, and physical), physical evidence was clearly the most important. Even when controlling for stereotypes of rape measured by victim attributes and alleged behavior, defendant attributes, characteristics of the incident, and victim-defendant relationship, LaFree (1980) still found significant associations between evidence and conviction. Successful legal resolutions are indeed determined by what police officers do. In a sample of intimate partner violence incidents, Whetstone (2001), for example, found that what police officers do really does impact prosecutorial decision-making. “While admitting that successful prosecution is very much case-specific, [...] this is often overcome by solid and conscientious case investigation, documentation, evidence collection and report preparation” (Whetstone, 2001:389). As Whetstone (2001:389) concluded, “such police-specific activity bolsters cases for prosecution, improves the likelihood of plea-bargaining and improves the rate of convictions.”

Additional research has shown that successful legal resolutions are more likely when genital injuries have been documented (Bouffard, 2000; Gray-Eurom et al., 2002; Kerstetter, 1990; Littel, 2001; McGregor et al., 1999, 2002; Penttila and Karhunen, 1990; Rambow et al., 1992; Sommers, 2007; Sommers et al., 2005). Similarly, research has shown that successful legal resolutions are more likely when non-genital injuries have been documented (Beichner and Spohn, 2005; Campbell et al., 2005; Crandall and Helitzer, 2003; Frazier and Haney, 1996; Gray-Eurom et al., 2002; Kingsnorth et al., 1999; McGregor et al., 1999, 2002; Rambow et al., 2002; Spohn et al., 2001; Spohn and Holleran, 2001). In a recent analysis of sexual assault nurse examinations in Alaska, Rosay and Henry (2008) found that the odds of referring a reported case for prosecution increased as the number of non-genital injuries increased. Overall, the research clearly suggests that the documentation of injury is an important evidentiary factor that increases arrest and prosecution rates.

In addition to the quantity of evidence, the quality of the evidence is clearly important. Garofalo (1991:440) evaluated a program designed to reduce “avoidable evidentiary problems” defined as problems “which would not have occurred if the police had been more thorough in their investigation and case preparation.” In this study of felony case attrition, the thoroughness of the investigation substantially increased the proportion of cases in which the suspect was convicted on all arraignment charges and substantially decreased the proportion of cases in which the suspect was convicted on charges lower than the arraignment charges (thereby substantially increasing offender accountability).

The impacts of evidence are not just limited to prosecutorial decision-making either. Reskin and Visser (1986) clearly demonstrated that the presentation of evidence was an important determinant of jurors’ decisions to convict, Hartley (2001) showed that evidence (or the lack thereof) was clearly an important defense strategy, and Myers and LaFree (1982) showed that evidence was an important reason why sexual assault cases are processed differently than other cases.

Prior research, however, has also shown that decision-making is in part based on extralegal factors such as victim characteristics. These victim characteristics include demographic characteristics, victims’ behaviors prior and during the assault (in particular risk-taking behaviors), victims’ reputations, and victims’ perceived moral character and credibility (Albonetti, 1987; Beichner and Spohn, 2005; Bryden and Lengnick, 1997; Kerstetter, 1990; LaFree, 1989; Martin, 1994; Miller, 1969; Schmidt and Steury, 1989; Spears and Spohn, 1997; Spohn et al., 2001; Stanko, 1988). The nature of the victim-suspect relationship is one of the most often examined extralegal characteristic, particularly for the processing of sexual assault cases. Because non-stranger assaults are less likely to fit the stereotypical image of a ‘real rape’ (Estrich, 1987), there is concern that non-stranger assaults receive fewer successful legal resolutions than stranger assaults. Indeed, the existing research has consistently reported that stranger rape cases are more likely to be founded than acquaintance rape cases (Bouffard, 2000; Bryden and Lengnick, 1997; Chappell and Singer, 1977; Harris and Grace, 1999; Holmstrom and Burgess, 1978; Lea et al., 2003; LeDoux and Hazelwood, 1985; Marsh et al., 1982). On the other hand, some research shows that the likelihood of an arrest is lower in stranger cases than in non-stranger cases (Bachman, 1998; Bouffard, 2000; Frazier and Haney, 1996; LaFree, 1981; McCahill et al., 1979; but see Horney and Spohn, 1996). Similarly, some research shows that the likelihood of prosecution is lower in stranger cases than in non-stranger cases (Gray-Eurom et al., 2002; Scott and Beaman, 2004; Spohn et al., 2001; Wiley et al., 2003; but see Kingsnorth et al., 1998). Of course, the victim’s ability to positively identify a suspect is an important predictor of arrest (Bouffard, 2000; Frazier and Haney, 1996; LaFree, 1981).

Some research shows that extralegal factors become increasingly less important as legal factors become increasingly more “convincing,” confirming Kalven and Zeisel’s (1966) “liberation hypothesis” (Reskin and Visser, 1986; Estrich, 1987; LaFree, 1989; Spohn and Cederblom, 1991). In other words, extralegal factors are used to determine convictability, particularly when legal factors are absent.

Ultimately, the vast majority of researchers have found that both legal and extralegal variables are important determinants of case processing (for an exception with domestic violence cases, see Hirschel and Hutchison, 2001). Schmidt and Steury (1989),

for example, predicted whether prosecutors would file charges with seven legal variables (i.e., victim's level of injury, defendant's use of instruments, documentation of victim's medical treatment, witness availability, defendant's presence at charging conference, defendant's prior convictions, and defendant's current legal status) and five extralegal variables (i.e., current relationship status, current co-habitation status, history of abuse, defendant's source of support, and defendant's use of drugs and alcohol). Their multivariate analysis showed that five variables were important determinants of whether charges would be filed by prosecutors. Prosecutors were more likely to file charges when defendants were absent at the charging conference (Odds Ratio = 5.5), when defendants had used intoxicants (OR = 4.9), when defendants did not have their own sources of support (OR = 2.7), when victims had moderate or severe injury (OR = 2.3), when defendants used more than open hands only (OR = 2.0), when defendants had adult convictions (OR = 1.9), and when victims and defendants had a history of abuse (OR = 1.7). Overall, these results suggest that both legal and extralegal variables are important determinants of the decision to prosecute. Another example is provided by Spohn et al.'s (2001) examination of prosecutorial accounts for rejecting rape cases. Prosecutors rejected charges more often if the victim was over 16 years of age, had engaged in any risk-taking behavior at the time of the assault, or if the police report contained information that could have been used to call the victim's morality into question. The likelihood of rejecting charges was not affected by the victim-suspect relationship.

More recently, the debate on factors that impact legal resolutions has shifted from legal and extra legal factors to broader societal factors. Some research, for example, is examining the impact of the Violence Against Women Act of 1994 (e.g., Boba and Lilley, 2009; Clark et al., 2002). In addition, there have been serious concerns with systematic under-enforcement in rural areas. These concerns highlight the importance of geography in enforcement, over the legal and extralegal factors that impact specific cases. The State of Alaska's response to violence in rural Alaska Native villages has faced increased scrutiny over the past decade, with criticism coming from a number of sources, including the Alaska Advisory Committee to the U.S. Commission on Civil Rights, the Alaska Inter-Tribal Council (in *AITC v. Alaska*, 110 P.3d 947, 2005), and, most recently, Amnesty International. In general, allegations have been made that the state discriminates on a geographic and racial basis in the provision of criminal justice services to Alaska Native villages that are isolated from the main road system. For example, in *AITC v. Alaska* (2005), plaintiffs argued that their equal protection rights were violated by the state's deployment of police resources in a discriminatory fashion that favored those living along the main highway system. Similarly, in a 2007 report on police and court responses to violence against American Indian and Alaska Native women (*Maze of Injustice: The Failure to Protect Indigenous Women from Sexual Violence in the USA*), Amnesty International singled out Alaska for what it considers to be a discriminatory, two-tiered deployment of police into the isolated areas of the state, said to be indicative of the state's "failing to exercise due diligence when it comes to sexual violence against [...] Alaska Native women." Amnesty International argued that with this two-tiered deployment of police resources, villages without a trooper post receive less effective police response than villages with a trooper post. The evidence put forth in the many critical reports is based primarily upon the written and oral testimony of criminal justice agency personnel as well as Alaska Native crime victims, political leaders, and legal

advocates. Although compelling, the case made against the state is largely anecdotal, failing to demonstrate a *systematic* lack of criminal justice system response to sexual violence against Alaska Natives.

At the same time, there are important reasons to hypothesize that the absence of local police would decrease the likelihood of successful legal resolutions. Except for those incorporated cities and boroughs with their own certified police departments, police services in Alaska are provided by the Alaska State Troopers. As a part of their jurisdiction over all unincorporated areas outside of city limits, the Troopers have responsibility for serving the majority of Alaska Native villages that are not connected to the state's road system. Given their relatively small populations, these villages lack the economies of scale necessary for having fully trained and state-certified police officers posted locally on a permanent basis. Instead, the full-time public safety function in these villages is filled by a host of paraprofessionals including Village Public Safety Officers (VPSOs), village police officers (VPOs), and tribal police officers (TPOs). These paraprofessionals are not certified by the state as police officers. Rather than acting in a fully recognized police capacity, these officers serve a "trip-wire" function, alerting the proper authorities about local offenses when necessary (Wood and Trostle, 1997).

Although limited in their arrest and investigative powers, the paraprofessional officers serving isolated Alaska Native villages are thought to have a positive effect upon investigations conducted in their communities. This impact begins with the reporting of an offense. The paraprofessional officer serves as an authority in a village to whom crimes can be reported. When an offense comes to the attention of paraprofessional officers, their word can underscore and legitimize reported crimes with the Troopers. Both of these factors insure that the Troopers will find out about an offense sooner which should increase the likelihood of a fruitful investigation and successful prosecution. Once notified, a fully certified Trooper will travel to the village where the offense occurred to commence an official investigation. During the time when the responding Trooper is *en route*, the local paraprofessional officer can safeguard a crime scene and gather preliminary evidence. Upon arrival in the community the paraprofessional officers help the responding Trooper identify individuals and assist the Trooper for gathering evidence and obtaining statements (Wood, 2000). Locating witnesses or victims, a difficult task even in urban settings, can be even more daunting in Alaska Native villages where houses are mostly unnumbered and streets (where they exist) usually lack any signs. With their understanding of local culture and their personal knowledge of community residents, the paraprofessional officers can also secure the participation of victims and witnesses. Given that victim and witness unwillingness to cooperate in investigations and prosecutions is a tremendous source of case attrition in assault cases (Gottfredson and Gottfredson, 1988), the paraprofessional officers' intermediate position between the Troopers and village residents can therefore help to insure the successful prosecution of cases.

As noted by many researchers, victim cooperation is a critical element of a successful prosecution. Prosecutors are likely to reject cases when victims cannot be located or do not wish to cooperate with the investigation or prosecution (McLeod, 1983; Schmidt and Steury, 1989; Spohn et al., 2001; Kingsnorth et al., 1999). Overall, as argued by Rebovich (1996:190), "the finding that deserves the most immediate attention by prosecutors is the high percentage of respondents who report the occurrence of cases

in which the victim will not serve as a witness.” Using a survey of 142 prosecutorial offices, Rebovich (1996:185) found that “the plurality (33% [45]) of respondents reported that over 55% of their cases involved uncooperative witnesses.” However, as Ford and Regoli (1993:141) eloquently argued, “victim nonparticipation is a self-fulfilling prophecy attributable to the actions of prosecutors, judges, and defense attorneys.” There is no doubt that what police officers do will affect victim cooperation with the investigation and the prosecution. Many hypothesize that a local police presence will facilitate victim cooperation. Isolation can also impact case processing because of the difficulty accessing medical care (and medical/forensic care; Averill et al., 2007; Lewis, 2003).

As helpful as they are, paraprofessional police officers serve Alaska Native villages only on a sporadic basis. Annual employment turnover rates in the VPSO program of between 40 and 50 percent are typical and result in villages being without any local police authority for months at a time (Wood, 2002). Given all of the assistance they provide to the Troopers, we expect that cases occurring in isolated villages without a local paraprofessional police presence will be less likely to be successfully prosecuted as compared to those cases in which a Trooper receives local assistance. When a trooper receives local assistance, offenses are legitimized by the word of local police. Local police, with their understanding of local cultures, are better able to obtain cooperation for interviews and investigations, particularly to assist troopers in locating suspects, victims, and witnesses. Lastly, local police can secure crime scenes and begin preliminary investigations to obtain key evidentiary factors to be used for prosecution. Consequently, we hypothesize that a local police presence will enhance offender accountability by increasing the likelihood of a full and successful prosecution. We believe that the greatest impact that a local police presence will have on the full and successful prosecution of offenders will result from greater victim cooperation. Local police will be able to gain greater victim cooperation and victim cooperation has been demonstrated to be a key determinant of prosecutorial decision-making (e.g., Kerstetter, 1990; Kingsnorth et al., 1998, 1999; Spohn et al., 2001; Wiley et al., 2003).

In this report, we examine the factors that predict whether cases will be referred for prosecution, whether cases will be accepted for prosecution, and whether cases will result in a conviction. In these analyses, we employ many of the legal and extralegal variables that have previously been examined. More specifically, we examine how legal resolutions are impacted by report characteristics, incident characteristics, suspect characteristics, victim characteristics, and witness characteristics. We then examine the extent to which legal resolutions vary by race and geography.

The report is organized into four main parts. In the first part, we provide information about the State of Alaska, the Alaska State Troopers, and the Alaska Department of Law to contextualize the results within this report. We then present a section on sexual assault, a section on domestic violence, and a section on stalking. Within each section, we provide an overview of the descriptive results from our review of Alaska State Trooper reports. We then provide an overview of legal resolutions from the Alaska Department of Law. Finally, we examine the factors that predicted successful legal resolutions. Copies of the Microsoft Access databases used to collect information on sexual violence, domestic violence, and stalking are included in the Appendix.

Dissemination activities related to this project were coordinated with the Alaska State Troopers and the Alaska Department of Law. We worked closely with Alaska State Troopers and the Alaska Department of Law to disseminate results both locally and nationally. Most importantly, we worked closely to affect practice and policy in Alaska. Dissemination activities are too numerous to list (but all are available on the Justice Center website at <http://justice.uaa.alaska.edu>). They include over ten publications and multiple local and national presentations. Most importantly, we worked closely with the Senate Judiciary Committee and the Governor's Office to impact plans to reduce sexual assault and domestic violence. Additional information on these initiatives is available online at <http://gov.state.ak.us/pdf/DVSA%20Fact%20Sheet%20final.pdf> and at [www.aksenate.org/french/101609\\_Senate\\_Judiciary\\_report\\_on\\_sexual\\_assault.pdf](http://www.aksenate.org/french/101609_Senate_Judiciary_report_on_sexual_assault.pdf). The Senate Judiciary Committee "particularly acknowledges the work done by the UAA Justice Center, which has provided vital leadership in its research regarding violence against women in Alaska." These dissemination activities would not have been possible without strong collaborative relationships between the Justice Center, the Alaska State Troopers, and the Alaska Department of Law.

## Section V State of Alaska

In one word, the State of Alaska is both easily and accurately described as “Big.” While this single adjective captures what most realize shortly after arriving, it falls short of illustrating why Alaska is such a unique place, especially in terms of law enforcement. To fully appreciate the results discussed in this report, it is important that readers have some understanding of the Alaskan context. A discussion of the geography, the climate, the population, and the law enforcement agencies will provide the necessary context. While not exhaustive, these brief commentaries will contextualize the discussion of results throughout the report. Although the State of Alaska is unique, we strongly maintain that the results within this report are generalizable to other jurisdictions. Key characteristics on geography, climate, population, and law enforcement are not unique to Alaska. Many jurisdictions throughout the United States share the Alaskan law enforcement difficulties associated with geography, climate, and population.

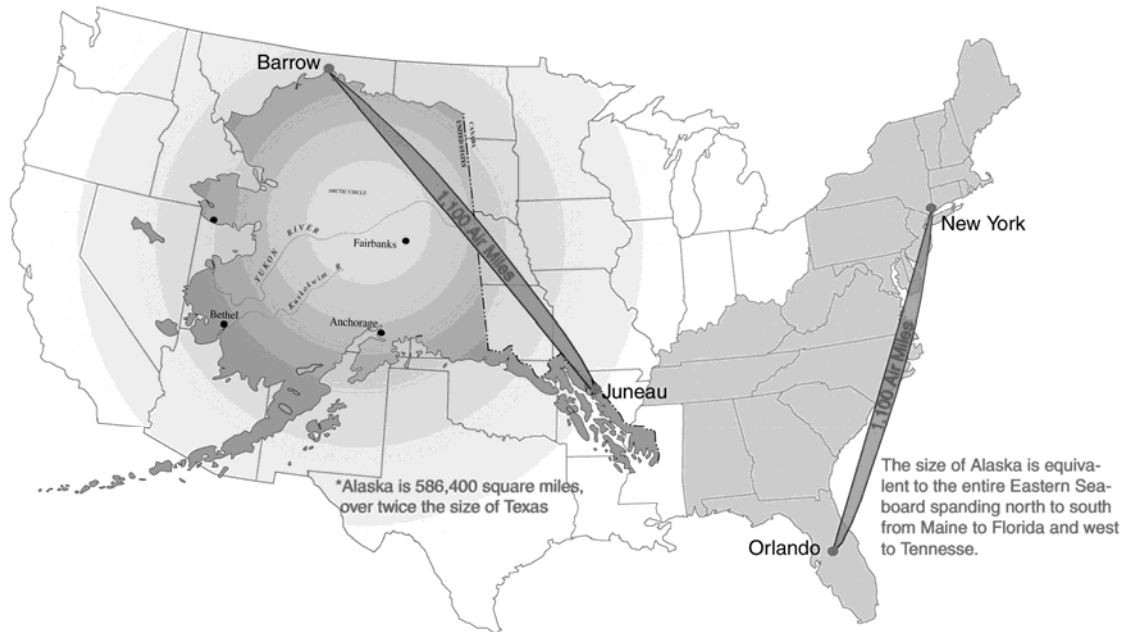
### A. Geography and Climate

The State of Alaska is one-fifth the size of the lower 48, encompasses roughly 570,000 square miles, and is 2.3 times larger than the second biggest state, Texas. The massive expanse of the state is covered by equally impressive terrain. There are several rugged mountainous regions throughout the state, home to 17 of the 20 highest peaks in the United States. Within these mountain ranges, there are roughly 70 active volcanoes and more than 100,000 glaciers. In addition to mountains and glaciers, the State of Alaska also boasts large areas of dense forest and tundra. The state is also home to over 3,000 rivers and more than three million lakes.

Similar to the terrain, the weather can also be varied and extreme. While Alaska is not always cold, dark, and frozen, extreme winter weather conditions are a fact of life. Statewide, residents and law enforcement agents alike must annually contend with sub-zero temperatures, hundreds of inches of precipitation (both rain and snow), blizzards, avalanches, winds in excess of 100 miles per hour, dense fog and low cloud ceilings, and large seasonal variations in sunlight. The Fairbanks area, located in the Interior of the state, is a perfect example of how extreme seasonal variations can be. Annually, residents of this region watch winter creep in as the sun drops below the horizon, taking with it thermometer readings. Temperatures fall below 0°F for months at a time, with lows reaching as far as -60°F. However, residents of the Interior are rewarded come summertime when the sun returns for up to 23 hours on the summer solstice. The long summer days see temperatures above 70°F for months at a time with highs reaching upwards of 90°F. It is also important to note that fog and wind often pose the biggest risks for air travel which is necessary to reach many of the rural areas of the state, particularly many Alaska Native Villages. Needless to say, traveling around the state can be a serious challenge due to its size, weather, natural terrain, the limited road system, and the remote location of many communities. At the same time, we again emphasize that these challenges exist outside of Alaska. In addition, Alaskans are used to these

challenges, and travel is less likely to be impeded by these challenges than it would be in the lower 48.

**Figure 1. State of Alaska in Comparison to Lower 48**



*Source: U.S. Marshals Service*

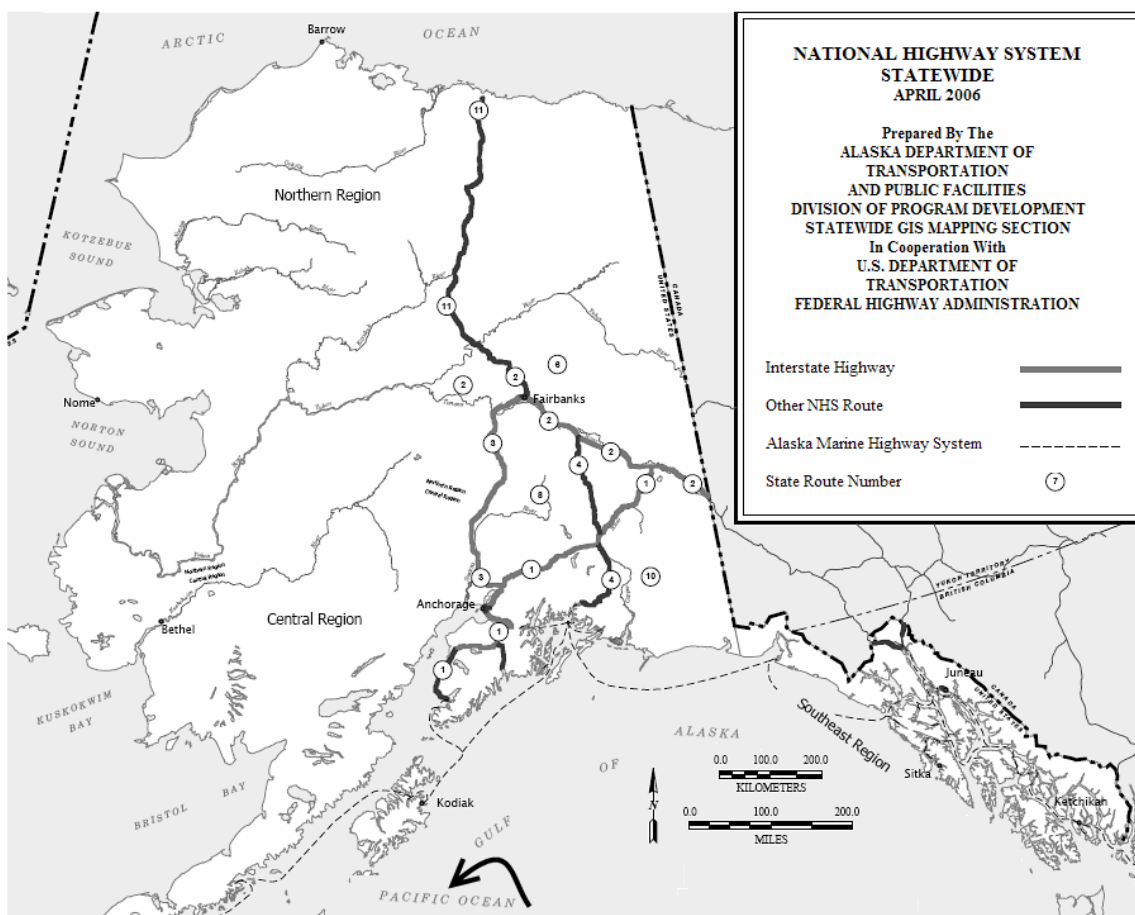
## B. Population

According to U.S. Census Bureau estimates for 2006, the State of Alaska has roughly 670,000 residents. Alaska has the fourth lowest population in the United States (U.S. Census). The population density in 2004 was about 1.15 people per square mile, compared to an average of 83.01 nationally (Alaska Department of Labor and Workforce Development). While many Alaskans reside in communities defined as “urban” by the U.S. Census Bureau (communities of more than 2,500 people), a large number of residents live in much smaller and more geographically isolated areas throughout the state. There are over 230 Alaska Native Villages spread throughout the State of Alaska. Many of the communities are located in areas that are inaccessible by standard motor vehicle transportation due to the limited road system. To better understand the context of the current research, it may be useful to think of the state as having two main parts: the areas connected to the main road system and those that are ‘off-highway.’ Within this report, we examine whether this distinction affects legal resolutions for sexual assault cases and for assault cases involving domestic violence incidents.

A 2002 report by the Alaska Advisory Committee to the U.S. Commission on Civil Rights noted that 64% of the 272 communities served by the Alaska State Troopers are only accessible by airplane, boat, or snow machine. The main highway system is accessible from two points on the Canadian border, extending north into parts of the Interior (Fairbanks area) and continuing to the southern tip of the Kenai Peninsula where

the roads literally end at the water's edge in the cities of Seward and Homer. Areas of Southeast Alaska are accessible by road traveling through Canada as well. However, they are not connected to the main State of Alaska highways. Thus, the western area of the state, the Aleutian and Kodiak Islands, and parts of the Interior are cut-off from the main road system and the majority of the state population. Communities in this territory are therefore only accessible by boat or plane. The exception to this general rule is that once you are in western Alaska, travel between villages is possible using a snow machine, boat, or ATV. Together, the weather, the state's size, the geographic isolation of many communities, and the requisite modes and conditions of travel represent challenges that Alaska State Troopers must contend with on an almost daily basis while performing their duties as law enforcement officers.

**Figure 2. State of Alaska Highway System**



*Source of data:* Alaska Department of Transportation & Public Facilities

### C. Alaska State Troopers

This section of the report begins with a brief history of the Alaska State Troopers and concludes with a discussion of the organization's current duties and geographic jurisdiction, structure and size, and statewide locations. Historically, providing law

enforcement services to residents throughout the state has been a challenge (as it is in many other jurisdictions). Since the late part of the 19<sup>th</sup> century, the major responsibilities for providing law enforcement have gradually shifted away from the local level (i.e., Alaska Native villages) towards governmental agencies (both Federal and State). The organizational roots of the Alaska State Troopers are traced back to the Territory of Alaska Highway Patrol, created by the 15<sup>th</sup> Territorial Legislature and charged with enforcing the traffic code in 1941. By the end of the decade, the Highway Patrol officers were given the full authority of peace officers, consequently expanding their duties to cover the enforcement of all Territorial laws. The Territorial Legislature reaffirmed the agency's duty to provide law enforcement across the Territory by establishing the Alaska Territorial Police in 1953, with a total of 36 officers. Once statehood was granted in 1959, the organization was designated a division of the Department of Public Safety and renamed once again to the Alaska State Police. By this time, the organization had more than doubled its strength to 78 commissioned officers. The final name change came in 1967 when Governor Wally Hickel declared the organization the Alaska State Troopers. In addition, the organization added a Criminal Bureau of Investigation in 1971 (now the Alaska Bureau of Investigation) and developed the Village Public Safety Officer (VPSO) program in the late 1970s. As shown within this report, the Village Public Safety Officer program is very important to secure successful legal resolutions in sexual assault cases and in assault cases involving domestic violence incidents.

Throughout the State of Alaska, some local and municipal governments have elected to create local police forces. However, the Alaska State Troopers remain the only agency mandated by state law to provide police services. In other words, AST is the agency primarily responsible for providing public safety services in most areas of the state, and in areas with a local law enforcement agency, AST still provides limited services. Stated differently, AST directly provides public safety services to all areas that do not have a local police force and provides support services to all local police forces statewide. The organization is also responsible for providing court services (e.g., transportation of prisoners, defendants) emergency services, and other specialized enforcement activities in all areas of the state including those with local police departments. In addition, AST is the primary law enforcement agency responsible for over 200 rural communities as well as many urban communities. Overall, all state residents have access to some of the services provided by AST. However, direct services are provided for over 204,000 state residents, roughly one-third of the state's residents. The main police services provided by AST include criminal and traffic law enforcement and investigation, search and rescue operations, court services, and wildlife law enforcement patrol and investigations.

As noted earlier, the Alaska State Troopers are a Division of the Alaska Department of Public Safety. At the time of the study, the Division of Alaska State Troopers consisted of five Trooper Detachments, the Alaska Bureau of Investigations (ABI), the Alaska Bureau of Alcohol and Drug Enforcement (ABADE), and the Alaska Bureau of Wildlife Enforcement (ABWE; ABWE then became its own separate division, the Division of Alaska Wildlife Troopers, still under the Alaska Department of Public Safety). Each of the five Detachments is responsible for providing the core law enforcement services within their geographic region (Southeast, South Central, Kenai

Peninsula, the Interior, and Western Alaska). The Alaska Bureau of Investigation consists of the Computer and Financial Crimes Unit, the Child Abuse Investigations Unit, the Wildlife Investigations Unit, the Missing Persons Unit, and the Major Crimes Investigation Units in Fairbanks, Matanuska-Susitna Valley, Soldotna, and Anchorage. The core of ABI is the Major Crime Unit which is responsible for investigating sexual assaults, homicides, and other serious crimes committed against persons statewide. Investigators from ABI also provide training for new recruits at the Department of Public Safety Training Academy in Sitka. Further, in addition to the investigations conducted by ABI members themselves, unit members routinely provide assistance to law enforcement agencies throughout the state. In terms of personnel, during FY 2005, ABI listed one Captain, one Lieutenant, six Sergeants, and 28 State Troopers for a total of 36 commissioned officers.

**Figure 3. Alaska State Trooper and Alaska Bureau of Wildlife Enforcement Posts**



*Source: Alaska Justice Forum 21(4:5), Winter 2005*

The following section provides more detailed information on each of the five AST Detachments and their respective geographic areas. “A” Detachment provides services for Southeast Alaska, also known as the Inside Passage. The Detachment headquarters is

in Ketchikan, and the remaining posts are located in Haines, Juneau, Klawock, and Petersburg. The detachment covers more than 62,000 square miles of land, the equivalent of Maryland and Delaware together, with a population of approximately 73,300 residents. Fourteen local police departments operating within A Detachment provide direct services to roughly 63,000 area residents within their 12,100 square mile coverage area. Seventeen Troopers (compared to 134 city officers) are responsible for providing public safety services for roughly 10,000 area residents spread throughout the remaining 49,900 square miles. Together, the five posts within A Detachment provide direct services to 30 communities in Southeast Alaska. Comparatively, the resident to officer ratio for city officers is approximately 470:1, whereas the resident to Trooper ratio within A Detachment is roughly 604:1.

“B” Detachment is located in South Central Alaska and shares borders with Canada, the Kenai Peninsula Borough, the Municipality of Anchorage, and the Denali Borough. The detachment headquarters is in Palmer and the remaining posts are located in Big Lake, Glennallen, and Talkeetna. Four local police departments (38 total officers) provide direct services for roughly 16,000 residents within a 239 square mile coverage area. In comparison, 43 Troopers provide services for the remaining 49,000 area residents living in 31 communities. The Troopers coverage area is roughly 55,000 square miles, approximately the size of Illinois and Iowa combined. In addition, some areas within B Detachment are reportedly the fastest growing in the State of Alaska. Comparatively, the resident to officer ratio for city officers is approximately 420:1, whereas the resident to Trooper ratio within B Detachment is roughly 1,148:1.

“C” Detachment covers western Alaska, including the Aleutian Chain and Kodiak Island, an area that is roughly 267,000 square miles. It is the largest of the five detachments, roughly the size of Texas and Connecticut combined. In addition, the communities in this region are not connected to the State of Alaska Highway system. The detachment headquarters is in Anchorage, and the remaining posts are found in Aniak, Bethel, Dillingham, King Salmon, Kodiak, Kotzebue, Nome, and St. Mary’s. Ninety officers from 12 local police departments provide services to approximately 30,000 residents throughout the region. However, these local departments are only responsible for providing services to an area roughly 450 square miles in size. In contrast, a total of 45 Troopers provide the primary law enforcement services for the remaining 40,000 residents spread throughout 125 communities within the region. Troopers in C Detachment are essentially responsible for providing services throughout the 267,000 square miles that define their geographic region. In addition, C Detachment manages the Department of Public Safety’s VPSO program which has 124 positions statewide (see Wood, 2000). Eighty-four positions are currently filled, 67 of which are within C Detachment. Comparatively, the resident to officer ratio for city officers is approximately 335:1, whereas the resident to Trooper ratio within C Detachment is roughly 883:1.

“D” Detachment has more personnel than any other detachment and provides coverage for the Interior of Alaska. The Detachment headquarters is in Fairbanks, and the remaining posts are located in Cantwell, Delta, Galena, Healy, Nenana, Northway and Tok. Approximately 51 Troopers cover roughly 205,000 square miles including 1,550 miles of highway enforcement. The coverage area is roughly the size of California and North Carolina combined. Their geographic region contains roughly 63,000 residents

spread throughout 57 separate communities. Six local police departments (total of 46 officers) provide enforcement services to roughly 35,000 residents living within 85 square miles of the region. Comparatively, the resident to officer ratio for city officers is approximately 763:1, whereas the resident to Trooper ratio within D Detachment is roughly 1,175:1.

“E” Detachment is responsible for providing coverage to South Central Alaska, otherwise known as the Kenai Peninsula. In terms of land mass, the detachment covers an area comparable to the states of New Jersey and Massachusetts combined. The detachment headquarters is located in Soldotna, and the remaining posts are found in Girdwood, Homer, and Seward. There are six local police forces, with a total of 52 officers, operating within E Detachment. These six police forces provide direct services to approximately 19,000 residents living within 119 square miles. In contrast, 31 Troopers provide direct services to the remaining 32,500 area residents living throughout 29 separate communities. These communities are spread throughout roughly 22,500 square miles of land. Similar to the Troopers within the B and D Detachments, E Detachment is also responsible for providing traffic law enforcement on the Kenai Peninsula. Comparatively, the resident to officer ratio for city officers is approximately 362:1, whereas the resident to Trooper ratio within E Detachment is roughly 1,048:1.

As noted earlier, in addition to typical law enforcement services, AST is responsible for providing a variety of additional public safety services ranging from search and rescue missions to court services and prisoner transports statewide. Like many law enforcement agencies nationwide, AST’s workload is quite substantial. Information submitted to the Governor’s Operating Budget sheds light on AST’s annual workload. As these numbers suggest, the demand for services from the Troopers is frequent and quite varied. According to the FY2006 Results Delivery Unit Budget Summary, AST:

- Handled more than 111,000 offenses in AST jurisdiction;
- Responded to more than 4,570 motor vehicle collisions;
- Performed over 55,839 prisoner transports with no escapes;
- Saved or assisted over 367 people through 234 search and rescue efforts;
- Investigated over 3,500 drug and alcohol importation related crimes;
- Solved 93 percent of the homicides that occurred within AST jurisdiction;
- Served or closed over 8,350 warrants;
- Served or closed over 28,239 writs (FY 2006 Governor’s Operating Budget).

#### **D. Alaska Department of Law**

All prosecutions described in this report are handled by the Criminal Division of the Alaska Department of Law. The division has two central offices (Anchorage and Juneau) and 13 regional district attorneys’ offices (Anchorage, Barrow, Bethel, Dillingham, Fairbanks, Juneau, Kenai, Ketchikan, Kodiak, Kotzebue, Nome, Palmer, and Sitka). Each year from 1998 to 2007, approximately 25,000 to 30,000 criminal cases were referred to the Alaska Department of Law for prosecution. Most of these criminal cases (over 80%) were misdemeanor cases. In addition to prosecuting violations of state

criminal law, the Criminal Division provides assistance to victims, witnesses, and public safety agencies (Alaska Departments of Corrections and Public Safety). Within the Office of Special Prosecutions and Appeal in the Criminal Division is the Rural Prosecutions Unit. This unit aims to strengthen prosecution efforts in rural Alaska by “handling major crimes from those offices; working with law enforcement departments in difficult cases that require substantial interaction to potentially put a case together; filling in at offices during staffing shortages; training village police officers (VPO), village public safety officers (VPSO), new Alaska State Trooper recruits, and recertification of officers” (Alaska Department of Law, 2008).

Within this report, we examine three legal resolutions. First, we examine whether Alaska State Troopers referred cases to the Alaska Department of Law for prosecution. We then examine two key outcomes from the Alaska Department of Law – whether cases were accepted for prosecution and whether cases resulted in a conviction. Once Alaska State Troopers refer a case to the Alaska Department of Law for prosecution, prosecutors must decide whether to accept the case. This legal resolution, acceptance, represents the first formal decision made by prosecutors. For every case referred by Alaska State Troopers, there are only two possible outcomes. The case is accepted and charges are filed, or prosecution is declined and the case is dismissed. In other words, when a case is accepted, the suspect has formally been “charged” with at least one criminal offense. When the case is accepted by the Alaska Department of Law for prosecution, we then examine whether the case resulted in a conviction. This third and final legal resolution, conviction, represents the final disposition, or outcome, for each accepted case (e.g., finding of guilt, acquittal, dismissal). More specifically, when a case results in a conviction (e.g., guilty plea, guilty conviction obtained by jury or bench trial), the suspect is officially “found guilty.” Alternatively, when the case is dismissed or the suspect is acquitted, the suspect is officially “found not guilty.” It should be noted that all “convictions” do not necessarily result in a suspect being incarcerated (i.e., sentenced to jail or prison), and may instead result in fines, probation, and/or court-ordered treatment. In addition, not all “convictions” resulted from trial. Finally, we should note that we focus exclusively on referrals to the Alaska Department of Law. We do not examine referrals to other agencies, such as the Division of Juvenile Justice.

## Section VI Sexual Assault

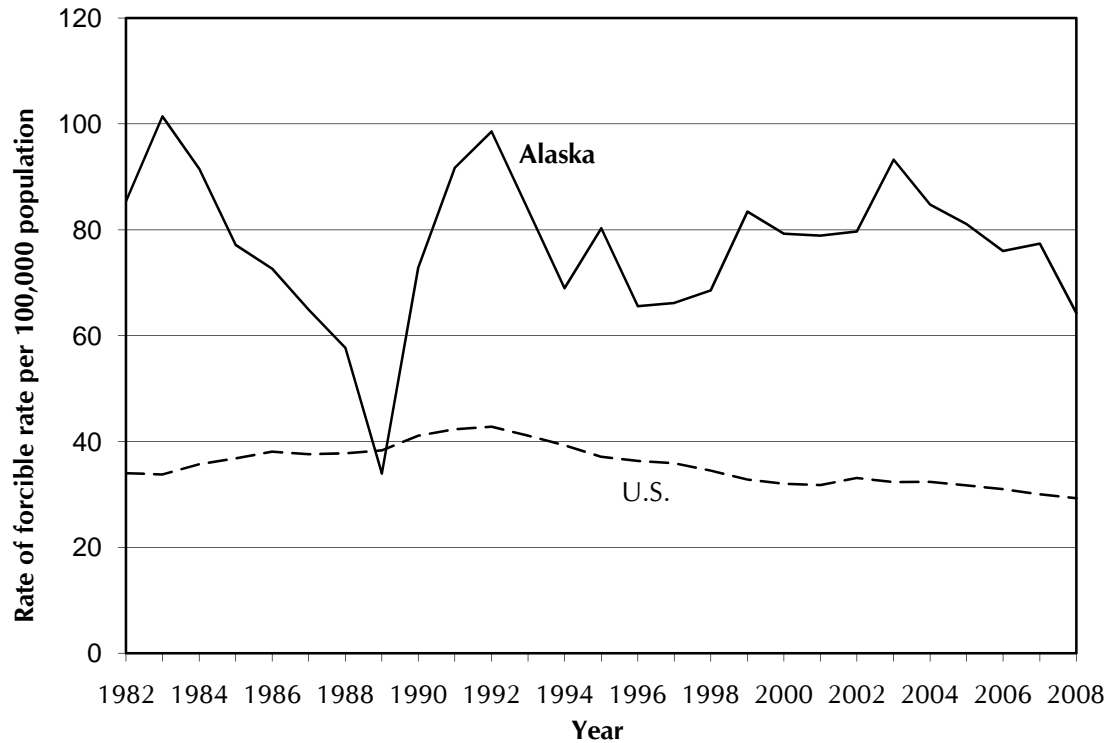
This section of the report provides an overview of the characteristics of sexual assault and sexual abuse of minor incidents reported to Alaska State Troopers (AST) from January 1, 2003 to December 31, 2004. The majority of available information on sexual assault and sexual abuse of minors in the State of Alaska is limited to Anchorage. Very little is known about the characteristics of sexual assault and sexual abuse of minors statewide. This section provides the first overview of sexual assault and sexual abuse of minor cases reported to the Alaska State Troopers. This section also describes the likelihood that sexual assault and sexual abuse of minor cases were referred for prosecution, accepted by prosecutors, and resulted in a conviction. Finally, this section examines the predictors of legal resolutions and examines whether legal resolutions varied by race and geography. We begin this section by providing a brief overview of sexual assault in Alaska and by describing our methodology. Descriptive results are then presented in seven sections. These sections present report characteristics, suspect characteristics, victim characteristics, victim-suspect characteristics, incident characteristics, and witness characteristics. After presenting report, suspect, victim, victim-suspect, incident, and witness characteristics, we conclude this section by examining three legal resolutions: whether cases were referred for prosecution, whether cases were accepted for prosecution, and whether cases resulted in a conviction.

### A. Brief Overview of Sexual Assault in Alaska

Alaska's criminal code uses a four category, gender-neutral, definition for sexual assault and sexual abuse of a minor (Alaska Statutes §11.41.410 to §11.41.427 and §11.41.434 to §11.41.438). The main distinctions between sexual assault and sexual abuse of a minor are the age of the offender, the age of the victim, and to a lesser extent the nature of the relationship between the two (e.g., the offender holds a position of authority over the victim). For both offense categories, the distinctions between first, second, third, and fourth degrees depend in large part on the elements of *sexual penetration* and *sexual contact*. Section 11.81.900 (a)(59)(A) of Article 6 in the Alaska Criminal Code defines *sexual penetration* as "genital intercourse, cunnilingus, fellatio, anal intercourse, or an intrusion, however slight, of an object or any part of a person's body into the genital or anal opening of another person's body," and sections 11.81.900 (a)(58)(A)(i) and (ii) define *sexual contact* as "knowingly touching, directly or through clothing, the victim's genitals, anus, or female breast; or knowingly causing the victim to touch, directly or through clothing, the defendant's or victim's genitals, anus, or female breast." The current sample was limited to cases involving complaints of sexual assault and sexual abuse of a minor in the first, second, third, and fourth degrees. Other sexual offenses, such as indecent exposure, were excluded from the current analyses. A critical element of these statutes is that sexual assault is not restricted to acts of sexual penetration but includes acts of sexual contact as well.

The State of Alaska has a long history of high rates of reported forcible rapes. Forcible rapes are defined in the Uniform Crime Reports as “the carnal knowledge of a female forcibly and against her will.” The Uniform Crime Reports tabulate the rate of reported forcible rapes and attempted forcible rapes in Alaska and the U.S. These data (from 1982 to 2005) are shown in the following figure.

**Figure 4. Rates of Forcible Rape in the U.S. and Alaska, 1982-2008**



*Source of data: Uniform Crime Reports (1982-2008)*

The average rate of forcible rape reported to law enforcement from 1982 to 2008 was 35.5 per 100,000 in the U.S. and 77.0 per 100,000 in Alaska. From 1982 to 2008, the average rate of forcible rape in Alaska was 2.2 times higher than the average national rate. In addition, forcible rape is a more common form of violent crime in Alaska than elsewhere. In 2007, for example, 12% of the violent crime reported to law enforcement agencies in Alaska was attributable to forcible rape while 6% of the violent crime reported nationally was attributable to forcible rape. Stated differently, violent crime victims in Alaska were two times more likely to be victims of forcible rape than violent crime victims nationally (but the proportion of violent crime arrests attributable to forcible rape were the same, at 4%).

These statistics only provide a partial description of the sexual assault problem because they do not include statutory rapes, incapacitated rapes, and other sex offenses, generally included under the umbrella category of “sexual assault.” Unlike the federal definition of forcible rape, sexual assault includes acts (and attempted acts) perpetrated against males as well as acts (and attempted acts) without forceful carnal knowledge against the victim’s will (e.g., sexual contact, incapacitated rape, statutory rape).

## B. Methodology

Our population of cases included all cases with at least one charge listed under Article 4 (Sexual Offenses) of Alaska's Criminal Code reported to Alaska State Troopers in 2003 and 2004. This population included 1,358 cases. From these 1,358 cases, we sampled all cases that were closed by referral, closed by arrest, closed declined, closed by exception, closed by investigation, or closed as unfounded. This sampling procedure excluded 166 cases that were closed logged and 95 cases that were still open. Closed logged cases were reported as sexual assault cases, but no official report was ever generated because it was determined that no crime had occurred. Our sample therefore included 1,097 (81%) of the 1,358 sexual assault cases. From our sample of 1,097 cases, we successfully collected data from 989 cases (90%). In 26 of the targeted 1,097 cases, the Alaska State Troopers were assisting an outside law enforcement agency with their investigation (e.g., conducting interviews). Forty-one of the targeted 1,097 cases had no sexual assault or sexual abuse of minor charges. These 41 cases did contain at least one charge listed under Article 4 (Sexual Offenses) of Alaska's Criminal Code. However, these cases were excluded because they did not involve actual contact between suspects and victims. Examples include cases limited to indecent exposure or possession of child pornography. Only "supplement" information, rather than the final case report, was available for 27 of the 1,097 targeted reports. Oftentimes, the supplemental information included the results of forensic computer examinations, conducted by the Alaska Bureau of Investigation, or additional witness information collected by a Trooper assisting the main case investigation. Lastly, copies of an additional 14 of the targeted 1,097 reports could not be located. Requests for copies of the final reports were sent to the appropriate AST Posts, Detachment Headquarters, and the Criminal Records and Identification Bureau (R & I), the central repository for criminal history information.

Our final sample therefore included 989 cases with a sexual assault or sexual abuse of a minor charge, reported to Troopers in 2003 and 2004, which were closed as unfounded, closed by investigation, closed by exception, closed by referral, closed but declined, or closed by arrest. The original population included 1,358 cases. We sampled 1,097 (81%) of these 1,358 cases. We collected 989 cases (90% of sampled cases, or 73% of cases in the original population). All data collection occurred on-site at the Alaska State Troopers Headquarters in Anchorage. These 989 reports included information on 1,903 charges, 1,050 suspects, 1,082 victims, and 771 witnesses. An extensive array of information was collected to describe reports, incidents, suspects, victims, and witnesses (see Appendix for data collection instrument).

Report information includes geographic information (detachment and unit information), the month and year of report, case closure codes, time from report to case closure, the law enforcement agency first notified, and characteristics of the investigation. Characteristics of the investigation include whether physical evidence was available and collected, whether trace or latent evidence was available and collected, whether electronic data were available and recovered, whether photographs of the scene and injuries sustained by victims or suspects could have been taken and were taken, whether forensic exams were requested for evidence gathered, whether notifications given to victims were documented, and whether different types of search warrants were obtained. Potential notifications given to victims include information for victims of domestic

violence, information on the Violent Crime Compensation Board, and information on the Office of Victims Rights. Types of search warrants include warrants for victims' medical records, for suspects' medical records, for scene entry, and glass warrants. Finally, report information includes the total number of charges, suspects, victims, and witnesses in each report.

Suspect information includes demographic information (gender, race, and age), whether the suspect identity was known, whether the suspect was present upon Trooper arrival, whether the suspect was cooperative, information about the suspect's use of drugs and alcohol, whether the suspect was interviewed, the amount of time from report to suspect interview, whether their interviews were tape recorded, whether suspect interviews were internally consistent, and detailed information about the suspect's charges. This information includes the total number of charges per suspects, the total number of sexual assault charges per suspect, and the total number of non-sexual assault charges per suspect.

Victim information includes demographic information (gender, race, and age), information on who the victim consulted prior to reporting, victim use of drugs and alcohol, whether the victim received a forensic medical exam (SART exam), whether the victim received emergency medical treatment, whether the victim was interviewed, when victims were interviewed, whether the victim continued to cooperate with the investigation, and whether victim interviews were tape recorded and internally consistent. Additionally, victim information includes a five-item inventory of injuries. The five types of injuries include bruising or swelling, lacerations or bite marks, bone fractures, genital injuries, and general physical pain.

Victim-suspect information includes the nature of the relationship between the victim and the suspect, the victim-suspect living arrangement, the victim-suspect race combinations, and the victim-suspect age group combinations.

Incident information includes charge severity (statute), the number of sexual assault charges per incident, time elapsed from the most recent sexual assault incident to report, whether it was documented as a crime involving domestic violence, whether the victim reported prior assaults by the same suspect, whether alcohol was involved, and whether drug use was involved. The incident information also includes the method of pick-up, the location of the pick-up, the location of the assault, the location of the drop-off, who stopped the assault and the victim's condition at the time of the assault. The incident information also details whether the suspect used any of the following weapons during the assault: a gun, a knife or other cutting instrument, a blunt object, their own hands or arms to restrain the victim, or drugs without the victim's knowledge. Further, the incident information includes a detailed inventory of the specific sexual acts victims reported for each suspect. This inventory includes whether the suspect kissed, licked, or bit the victim, touched the victim's breast, touched the victim's external genitalia, touched the victim's anus, whether the suspect performed oral sex on the victim, whether the victim performed oral sex on the suspect, whether the victim's vagina or anus were digitally penetrated, whether there was penile penetration of the victim's vagina or anus, whether ejaculation occurred, whether a condom was used, and whether there was any fondling of the suspect's (or in some instances of the victim's) penis. Lastly, the incidents information also includes an inventory of victim resistance techniques. These include whether the victim attacked the suspect, threatened the suspect, yelled or

screamed at the suspect, pleaded with the suspect, cooperated or pretended to cooperate with the suspect, ran away from the suspect, and called or yelled for help.

Witness information includes the number of witnesses per case, whether witnesses were eyewitnesses, whether witnesses were interviewed, whether their interviews were tape recorded, demographic characteristics of witnesses (gender, race, and age), drug and alcohol use by witnesses, whether witnesses cooperated, whether witness statements were internally consistent, and whether witness statements corroborated statements by the victim, suspect or other witnesses.

All outcome data were gathered directly from the Alaska Department of Law. Each case was tracked by case number to determine if it had been referred to the Alaska Department of Law for prosecution, if the Alaska Department of Law had accepted the case for prosecution, and if the case resulted in a conviction.

This project was approved by the University of Alaska Anchorage Institutional Review Board and utilized a Privacy Certificate issued by the National Institute of Justice. All sexual assault reports from 2003 and 2004 were photocopied by the Alaska State Troopers and were mailed to the Anchorage office. Research assistants then read each report and entered information directly onto a Microsoft Access database (again, see Appendix for data collection instrument).

### C. Report Characteristics

A total of 989 reports were examined. These 989 reports generated 1,645 sexual assault charges. Thirty percent of these cases had two or more sexual assault charges. The month and year of each report is summarized in the following tables.

**Table 1. Year of Report**

*Column percentages*

Year	Reports	
	N	%
2001	1	0.1 %
2002	8	0.8
2003	533	53.9
2004	446	45.1
2005	1	0.1
<b>Total</b>	<b>989</b>	

*Source of data:* AST data (2003–2004)

A total of ten reports that were made prior to or after the targeted sampling years (2003-2004) were included in the current sample (1% of cases). Lab results on DNA evidence collected during an investigation of a 2001 report indicated the presence of a second suspect, leading AST to open a separate case for this particular suspect in 2003. Stated differently, one report opened in 2003 was the result of findings from forensic DNA analysis on evidence collected during the course of an investigation from a reported incident in 2001. The eight reports listed for 2002 were all made at the end of the calendar year and were not officially “opened” (i.e., did not draw official case report numbers) until the beginning of the 2003 calendar year. Similarly, one additional report

made in December of 2004 was not officially opened until January of 2005. Overall, the number of reports remained relatively stable from 2003 to 2004 with just over half (54%) of the incidents being reported in 2003.

The following table displays the total number of reports from each month for 2003 and 2004. The number of reports made during the spring and summer months (March to August) were slightly higher (54%) than the fall and winter months (September to February).

**Table 2. Month of Report**

*Column percentages*

Month	Reports	
	N	%
January	86	8.7 %
February	69	7.0
March	92	9.3
April	92	9.3
May	98	9.9
June	88	8.9
July	93	9.4
August	72	7.3
September	70	7.1
October	82	8.3
November	76	7.7
December	71	7.2
<b>Total</b>	<b>989</b>	

*Source of data:* AST data (2003–2004)

The following two tables display information related to the geographic location of each reported case. The first table contains Detachment information and the second table contains unit information.

**Table 3. Total Number of Reports by Detachment**

*Column percentages*

Detachment	Reports	
	N	%
C	476	48.1 %
ABI	299	30.2
D	79	8.0
E	54	5.5
A	39	3.9
B	24	2.4
ABWE	18	1.8
<b>Total</b>	<b>989</b>	

*Source of data:* AST data (2003–2004)

**Table 4. Total Number of Reports by Unit***Column percentages*

Unit	Detachment	Reports	
		N	%
Bethel Enforcement	C	168	17.0 %
Palmer Investigation	ABI	83	8.4
Fairbanks Investigation	ABI	75	7.6
ABI Child Abuse Investigation Unit	ABI	66	6.7
St. Mary's Enforcement	C	57	5.8
Kotzebue Enforcement	C	55	5.6
Nome Enforcement	C	55	5.6
Soldotna Investigation	ABI	55	5.6
Fairbanks Enforcement	D	40	4.0
Kodiak Enforcement	C	38	3.8
Aniak Enforcement	C	32	3.2
Homer Enforcement	E	27	2.7
Dillingham Enforcement	C	24	2.4
King Salmon Enforcement	C	22	2.2
ABI Cold Case Investigation	ABI	20	2.0
Juneau Enforcement	A	16	1.6
Galena Enforcement	D	15	1.5
Ketchikan Enforcement	A	14	1.4
Palmer Enforcement	B	12	1.2
Glenallen Enforcement	B	11	1.1
Klawock Enforcement	A	9	0.9
Kodiak ABWE	ABWE	9	0.9
Girdwood Enforcement	E	8	0.8
Ninilchik Enforcement	E	8	0.8
Tok Enforcement	D	8	0.8
Cantwell Enforcement	D	6	0.6
Delta Junction Enforcement	D	6	0.6
Emmonak Enforcement	C	6	0.6
McGrath Enforcement	C	6	0.6
Soldotna Enforcement	E	6	0.6
Illiamna Enforcement	C	4	0.4
Seward Enforcement	E	4	0.4
Anchorage Enforcement	C	3	0.3
Illiamna ABWE	ABWE	3	0.3
Northway Enforcement	D	3	0.3
Bethel V.P.S.O.	C	2	0.2
Girdwood ABWE	ABWE	2	0.2
Unakleet Enforcement	C	2	0.2
Bethel Drug Unit	C	1	0.1
Cooper Landing Enforcement	E	1	0.1
Dutch Harbor ABWE	ABWE	1	0.1
Haines Enforcement	A	1	0.1
Homer ABWE	ABWE	1	0.1
Klawock ABWE	ABWE	1	0.1
Kodiak V.P.S.O.	C	1	0.1
Nenana Enforcement	D	1	0.1
Talkeetna Enforcement	D	1	0.1
<b>Total</b>		<b>989</b>	

*Source of data: AST data (2003–2004)*

The majority of reports (78%) were handled by C detachment and ABI. More specifically, 48% of reports were handled by C detachment and 30% were handled by

ABI. More detailed results (by unit) are shown in the previous table. Forty-seven units received at least one sexual assault or sexual abuse of a minor report in 2003-2004. The Bethel Enforcement unit received the highest percentage of sexual assault reports (17% of reports) and twice as many reports as the second highest unit, Palmer Investigation (who received 8% of reports). Together, the top five units [Bethel Enforcement (17%), Palmer Investigation (8%), Fairbanks Investigation (8%), ABI Child Abuse Investigation (7%), and St. Mary's Enforcement (6%)] had 46% of all sexual assault reports. In addition, the top ten units received 70% of all sexual assault reports in 2003-2004.

It is important to note that using Detachment and/or Unit ID as an indicator(s) of geographic distribution for the cases in our sample has some limitations. Unlike Detachments A-E, ABI and ABWE handle cases from all over the state and thus are not limited to any geographic region. More importantly, the Unit IDs for ABI and ABWE indicate the location of their office, not the location of their particular cases. To address this limitation, we used "patrol zone" information gathered from each report (a four letter code used by AST to indicate the location of an alleged incident at the city/village level) to code each case as on-highway or off-highway. All communities connected to the main State of Alaska Highway system were coded "highway." All communities that do not have direct access to the highway system were coded "off-highway." This distinction has been used to make comparisons between "Bush Alaska" and the state's urban centers elsewhere. Using this definition, the current sample included 578 reports (58% of cases) from "off-highway" communities and 411 reports (42% of cases) from "highway" communities.

The official report writing manual developed by AST provides troopers with a list of possible case closure codes used to indicate how and why, generally speaking, a case was closed subsequent to the investigation. The sample for the current project was limited to those cases that were closed by arrest (CA), closed and referred (CR), closed by investigation (CI), closed unfounded (CU), closed and declined (CD), and closed by exception (CE). The closure code CA is only used after AST has placed at least one individual under arrest. All of these cases would then generally be referred to the Department of Law (DOL) for charge screening decisions. The closure code CR is used when AST forwards a case to DOL for screening decisions, prior to actually arresting a suspect. The closure code CI is used to indicate an investigation that has exhausted all credible leads but ultimately failed to produce the evidence needed to arrest a suspect. The closure code CU is used when the initial complaint is deemed to be false or baseless. However, this does not mean that AST believed *all of the initial complaints* to be fabrications. For example, during the course of caring for their child, a parent may observe irritated skin on or around their child's genitalia. Concerned, the parent notifies AST that their child may have been sexually abused while not under their direct supervision. Pursuant to a forensic medical exam, it may ultimately be revealed that the child was merely suffering from a vaginal yeast infection and had not been sexually abused. A scenario such as this would likely lead to a closure code of CU rather than a CI. The closure code CD is used when AST has referred a case to DOL for initial screening and DOL has replied to AST that they would not accept and file charges for the case. The closure code CE is used when exceptional circumstances prevent the case from moving forward in the criminal justice system. For example, this closure code would be

used if the main suspect in a case became deceased at any point prior to the DOL formally taking control of the case.

As the following table shows, most of the cases (61%) were closed and referred for prosecution. These included cases that were closed by arrest (32%), closed and referred (26%), and closed but declined (3%). The remaining cases were closed after investigation (23%), closed as unfounded (15%), or closed by exception (1%). These latter groups of cases (excluding those closed by exception) were all closed without a suspect being arrested and in some cases without a suspect being identified (by the victim, AST, or both).

**Table 5. Case Closure Codes**

*Column percentages*

Closure Code		Reports	
		N	%
CA	Closed by arrest	316	32.0 %
CR	Closed, referred	255	25.7
CI	Closed by investigation	232	23.5
CU	Closed, unfounded	150	15.2
CD	Closed, declined	29	2.9
CE	Closed, exception	7	0.7
<b>Total</b>		<b>989</b>	

*Source of data: AST data (2003–2004)*

In the following table, case closure codes are examined for cases with at least one minor victim (defined as 17 years of age or younger) and for cases with at least one adult victim (defined as 18 years of age or older). Few differences were found but cases with minor victims were slightly less likely to be closed by investigation and slightly more likely to be closed and referred.

**Table 6. Case Closure Codes for Cases with Minor and Adult Victims**

*Column percentages*

Closure Code		Reports with Minor Victims		Reports with Adult Victims	
		N	%	N	%
CA	Closed by arrest	218	31.4 %	93	33.9 %
CR	Closed, referred	203	25.7	51	18.6
CI	Closed by investigation	148	21.3	76	27.7
CU	Closed, unfounded	102	14.7	41	15.0
CD	Closed, declined	19	2.7	10	3.6
CE	Closed, exception	4	0.6	3	1.1
<b>Total</b>		<b>694</b>		<b>274</b>	

*Source of data: AST data (2003–2004)*

The following table shows information aggregated at the case level for the 150 reports that were closed unfounded. Many of the unfounded cases (65%) contained at least one victim that was a minor (defined as 17 years of age or younger). Many of the unfounded cases also contained at least one suspect whose identity was known by AST

(69%). Eighty-one percent of the unfounded cases were reported by someone other than the victim(s). However, 75% of these cases had at least one victim that cooperated with AST after the initial report was made. Lastly, nearly two-thirds of the unfounded cases (62%) were reported within three days of the alleged incident.

**Table 7. Characteristics of Unfounded Cases**

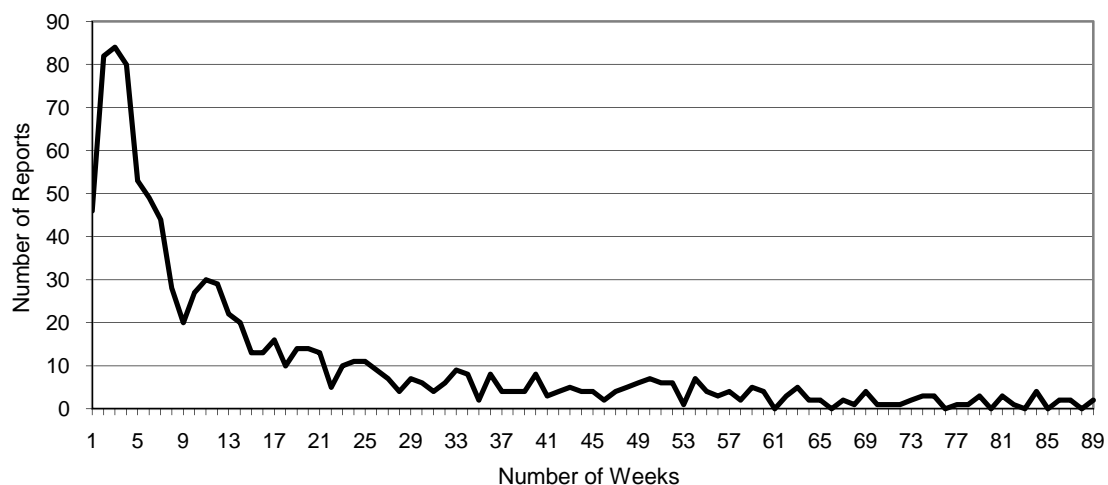
*Row percentages*

Case-Level Characteristic	No		Yes		Total
	N	%	N	%	
At least one minor victim	52	34.7 %	98	65.3 %	150
At least one adult victim	89	59.3	61	40.7	150
Reported by third party	29	19.3	121	80.7	150
Reported within 72 hours	57	38.0	93	62.0	150
At least one victim cooperated	37	24.7	113	75.3	150
At least one suspect identity known	46	30.7	104	69.3	150

*Source of data:* AST data (2003–2004)

On average, it took 18.3 weeks to close a case after it was reported ( $s = 23.4$ , results not shown). More specifically, 30% of cases were closed within 3 weeks, 50% were closed within 8 weeks, and 75% were closed within 24 weeks of being reported (results not shown). The shortest investigations were finished within one week while the longest investigation lasted 168 weeks (just over 3 years). The number of weeks from report to case closure for all cases closed within 90 weeks is shown in the following graph.

**Figure 5. Number of Weeks from Report to Case Closure**



*Source of data:* AST data (2003–2004)

The vast majority of sexual assaults were reported directly to the Alaska State Troopers (86%). Conversely, only 14% of the sexual assaults in our sample were

reported to Village Police Officers (VPO), Village Public Safety Officers (VPSO), or Tribal Police Officers (TPO). Similarly, most of the initial reports to law enforcement were made by a third party (79%). Only 21% of the initial complaints were made by victims themselves (results not shown).

**Table 8. First Agency Notified**

*Column percentages*

Agency	Reports	
	N	%
AST	831	86.2 %
VPSO	65	6.7
VPO	63	6.5
TPO	5	0.5
<b>Total</b>	964	

*Source of data:* AST data (2003–2004)

Each report was read to examine the availability and collection of several types of evidence including physical evidence, electronic data, and photographic documentation. It is important to point out that not all types of evidence are both relevant and available for each reported incident of sexual assault or sexual abuse of a minor. Two main factors determine the applicability and availability of evidence for the majority of reported incidents of sexual assault and sexual abuse of minors. The first is the nature, or severity, of the reported incident and the second is the timeliness of the report, or the time lapse between the most recent incident and the initial report and subsequent investigation. The following paragraphs contain brief descriptions and examples for each.

The severity of a reported incident is the main factor determining the applicability of many types of evidence. For example, if an incident was reported to involve only acts of sexual contact, as opposed to acts of sexual penetration, many of the evidentiary categories we were concerned with would not be applicable. If a complainant reported an incident of sexual contact only, the types of evidence collected in sexual assault evidence collection kits would not be relevant or available to the investigation. In other words, for a reported incident of sexual contact, DNA evidence has no utility for investigators and/or attorneys in terms of satisfying legal requirements regarding burden of proof (e.g., probable cause or proof beyond a reasonable doubt). The presence or absence of DNA evidence has no impact on determining innocence or guilt in such a scenario.

Still, there remain scenarios where certain types of evidence, such as physical and/or DNA evidence, would be applicable but not available. For example, if an incident of sexual penetration is reported, the time frame within which it is possible to recover DNA evidence is limited. However, prompt reports do not guarantee the recovery of DNA evidence. For example, if an incident of sexual penetration is reported within 24 hours but the victim and/or suspect's clothing is destroyed or washed, recovering physical and/or DNA evidence would be extremely difficult if not entirely impossible. Lastly, physical evidence from the scene of the crime may be removed and/or destroyed if incidents are not reported promptly, or if the investigating officer is not able to respond to the scene immediately after the initial report is made.

**Table 9. Collection of Evidence***Row percentages*

Evidence	No		Yes		Total
	N	%	N	%	
Physical evidence from victim	720	78.2 %	201	21.8 %	<b>921</b>
Victim sexual assault evidence collection kit	733	79.9	184	20.1	<b>917</b>
Physical evidence from scene	796	84.1	150	15.9	<b>946</b>
Physical evidence from suspect	820	87.0	122	13.0	<b>942</b>
Photographs of scene	797	87.3	116	12.7	<b>913</b>
Suspect sexual assault evidence collection kit	874	92.9	67	7.1	<b>941</b>

*Source of data: AST data (2003–2004)*

We examined each report to document the collection of physical evidence from the scene, physical evidence from victims and suspects (e.g., clothing), sexual assault evidence collection kits (fingernail scrapings, head and pubic hair samples, oral DNA swabs, etc.), electronic data, and trace or latent evidence. We also examined whether victims received a forensic medical exam (SART exam) and, if so, whether photographs were taken during the exam. In addition, we examined whether photographs were taken of the scene, and, when applicable, of injuries sustained by victims or suspects. These results are summarized in the previous table and the following two tables. Readers are reminded that the numbers in the following tables display information at the case level, and thus are not directly comparable to related findings within later sections of this report. For example, the number of victim and suspect sexual assault evidence collection kits in the following table indicates whether this type of evidence was collected from *any* victim or suspect within each case. It is possible that more than one victim and/or suspect sexual assault evidence collection kit was collected in any given case. In addition, it is possible that some victims may not have completed the full SART exam thereby not providing the evidence typically collected in the sexual assault evidence collection kits.

**Table 10. Applicability and Collection of Evidence***Row percentages*

Evidence	Applicable?				Total	Collected, if applicable?				Total
	No		Yes			No		Yes		
	N	%	N	%		N	%	N	%	
SART Exam Photos	692	77.1 %	206	22.9 %	<b>898</b>	45	21.8 %	161	78.2 %	<b>206</b>
Electronic Data	898	94.0	57	6.0	<b>955</b>	15	26.3	42	73.7	<b>57</b>
Victim Injury Photos	680	75.7	218	24.3	<b>898</b>	99	45.4	119	54.6	<b>218</b>
Weapon	929	97.5	24	2.5	<b>953</b>	18	75.0	6	25.0	<b>24</b>
Trace / latent	827	88.5	97	10.4	<b>934</b>	77	79.4	20	20.6	<b>97</b>
Suspect Injury Photos	864	90.9	86	9.1	<b>950</b>	69	80.2	17	19.8	<b>86</b>

*Source of data: AST data (2003–2004)*

Physical evidence from the victim (e.g., clothing) and victim sexual assault evidence collection kits were the most commonly collected types of evidence, gathered in

22% and 20% of cases respectively. Suspect sexual assault kits were collected in only 7% of cases and physical evidence from the suspect (e.g., clothing) was gathered in only 13% of cases. In the majority of cases, there was no physical evidence recovered from the scene (84% of cases) and in 87% of cases, the scene was not photographed.

Photographs of suspect injuries and the recovery of a weapon were the least common types of evidence collected (also the least available) during investigations. However, photographs of suspect injuries were taken in 20% of the applicable cases (9% of all cases), and a weapon was recovered in 25% of the applicable cases (3% of all cases). Trace or latent evidence was only applicable in 10% of the cases, but was only collected in 21% of those cases. Trace or latent evidence was considered applicable if the suspect was someone not normally associated with the scene. The opportunity to recover electronic data (e.g., e-mails, phone records) was generally not available (only available in 6% of cases). When the opportunity was available, however, electronic data were recovered in 74% of the cases. Similarly, the occasion to take photographs during a SART exam was only available in 23% of the cases. When possible, photographs were taken during SART exams in 78% of the cases. Finally, the chance to photograph injuries sustained by victims was available in 24% of cases. However, photographic documentation of victims' injuries occurred in only 55% of those cases.

**Table 11. Collection of Evidence for Cases with Minor and Adult Victims**

*Row percentages*

	No		Yes		Total
	N	%	N	%	
<b>Cases with Minor Victims</b>					
Victim sexual assault evidence collection kit	618	83.7 %	120	16.3 %	<b>738</b>
SART exam	568	77.4	166	22.6	<b>734</b>
<b>Cases with Adult Victims</b>					
Victim sexual assault evidence collection kit	180	69.8 %	78	30.2 %	<b>258</b>
SART exam	185	66.3	94	33.7	<b>279</b>

**Source of data:** AST data (2003–2004)

The previous table contains additional information on the collection of victim sexual assault kits and whether a victim received a SART exam for cases with at least one minor victim (defined as 17 years of age or younger), and for cases with at least one adult victim (defined as 18 years of age or older). Victim sexual assault evidence collection kits were collected in 16% of cases with at least one minor victim and in 30% of cases with at least one adult victim. A SART exam was conducted in 23% of cases with at least one minor victim and in 34% of cases with at least one adult victim.

The following table simultaneously displays information on the timeliness of the report and the collection of victim and suspect sexual assault evidence collection kits. Timeliness of the report measures the time elapsed between the most recent incident and the initial notification to law enforcement. Not surprisingly, of those cases where sexual assault evidence collection kits were gathered, the overwhelming majority were reported within three days, or 72 hours, of the most recent incident. More specifically, of those cases with at least one victim sexual assault evidence collection kit, 82% were reported

within three days, and 93% of the cases with at least one suspect sexual assault evidence collection kit were reported within three days.

**Table 12. Timeliness of Report and Sexual Assault Evidence Collection Kits**

*Column percentages*

Timeliness of Report	Victim Sexual Assault Evidence Collection Kit				Total	Suspect Sexual Assault Evidence Collection Kit				Total
	No		Yes			No		Yes		
	N	%	N	%		N	%	N	%	
Within three days	382	47.5 %	150	81.5 %	532	470	51.0 %	62	92.5 %	532
More than three days	423	52.5	34	18.5	457	452	49.0	5	7.5	457
<b>Total</b>	<b>805</b>		<b>184</b>		<b>989</b>	<b>922</b>		<b>67</b>		<b>989</b>

*Source of data:* AST data (2003–2004)

Search warrants were obtained in 36% of cases, and in 13% of cases two or more search warrants were obtained (results not shown). The types of warrants obtained during the investigations are described in the previous table. The most commonly obtained warrants were for the victims' medical records (26% of cases), followed by glass warrants (13% of cases), warrants for scene entry (8% of cases), and warrants for suspects' medical records (7% of cases). It should be noted, however, that if evidence is voluntarily provided, it can be collected without a warrant.

**Table 13. Search Warrants**

*Row percentages*

Warrants	No		Yes		Total
	N	%	N	%	
Victim's medical records	719	74.4 %	247	25.6 %	966
Suspect's medical records	896	92.8	70	7.2	966
Scene Entry	888	91.9	78	8.1	966
Glass	837	86.6	129	13.4	966

*Source of data:* AST data (2003–2004)

**Table 14. Forensic Exams**

*Row percentages*

Exams	No		Yes		Total
	N	%	N	%	
DNA (suspect and/or victim)	827	85.6 %	139	14.4 %	966
Trace / latent	944	97.7	22	2.3	966
Computer	942	97.5	24	2.5	966

*Source of data:* AST data (2003–2004)

Forensic exams of evidence were only requested in 16% of the cases (results not shown). The types of forensic exams requested are shown in the table above. Forensic

DNA exams were the most commonly requested (14% of cases), followed by forensic exams of electronic data (3% of cases), and forensic exams of trace or latent evidence (2% of cases).

**Table 15. Notifications Given to Victims**

*Row percentages*

Notifications	No		Yes		Total
	N	%	N	%	
VCCB	940	97.3 %	26	2.7 %	<b>966</b>
DV	922	95.4	44	4.6	<b>966</b>
OVR	954	98.8	12	1.2	<b>966</b>

*Source of data:* AST data (2003–2004)

Overwhelmingly, the reports rarely contained documentation of notifications given to victims. The following table describes the notifications given to victims after reports of sexual assault were made. Only 5% of the cases contained documentation that victims were provided specific notifications pertaining to domestic violence (although they were not applicable for all cases). Only 3% of the cases contained documentation that victims were provided information pertaining to the Violent Crime Compensation Board (VCCB), and only 1% of the cases contained documentation that victims were provided information pertaining to the Office of Victims Rights (OVR).

**Table 16. Total Number of Suspects and Victims per Report**

*Column percentages*

Number	Charges		Sexual Assault Charges		Suspects		Victims	
	N	%	N	%	N	%	N	%
One	625	63.2 %	695	70.3 %	948	95.9 %	916	92.6 %
Two	186	18.8	171	17.3	30	3.0	59	6.0
Three	63	6.4	49	5.0	6	0.6	11	1.1
Four	45	4.6	31	3.1	3	0.3	1	0.1
Five	29	2.9	11	1.1	0	0.0	1	0.1
Six or more	41	4.1	32	3.2	2	0.2	1	0.1
<b>Total</b>	<b>989</b>		<b>989</b>		<b>989</b>		<b>989</b>	

*Source of data:* AST data (2003–2004)

Sometimes sexual assault reports include multiple charges (and multiple sexual assault charges), multiple suspects, multiple victims, and multiple witnesses. We now describe the number of charges (both sexual assault and non-sexual assault charges), suspects, victims, and witnesses per report. From the 989 sexual assault reports, we gathered information on 1,903 charges. Of these 1,903 charges, 86% were sexual assault charges (N = 1,645 charges). On average, each report included 1.92 charges ( $s = 2.01$ ), and 1.66 sexual assault charges ( $s = 1.69$ , results not shown). Further, 37% of cases contained two or more charges, and 30% of cases contained two or more sexual assault charges. The number of sexual assault charges per report ranged from one to twenty, and

the total number of charges per report (including sexual assault and non-sexual assault charges) ranged from one to twenty-three.

From the 989 sexual assault reports included in our sample, we gathered information from 1,050 suspects. On average, each report included 1.06 suspects ( $s = 0.36$ , results not shown). The majority of reports contained only one suspect ( $N = 948$ ), and the highest number of suspects in any report was six ( $N = 2$ ). From the 989 sexual assault reports included in our sample, we collected information on 1,082 victims. On average, each report included 1.09 victims ( $s = 0.38$ , results not shown). Finally, most reports contained only one victim ( $N = 916$ ) and the highest number of victims in any report was also six ( $N = 1$ ). The total number of charges, sexual assault charges, suspects, and victims per report is summarized in the following table.

The total number of witnesses per report is shown in the following table. The 989 reports in our sample yielded a total of 771 witnesses. On average, each report contained 0.78 witnesses ( $s = 1.098$ , results not shown). Of the 989 reports included in our sample, 53% had no witnesses, 29% had one witness, 10% had two witnesses, and 8% had three or more witnesses. Overall, 47% of reports included at least one witness.

**Table 17. Total Number of Witnesses per Report**

*Column percentages*

Number	Reports	
	N	%
Zero	522	52.8 %
One	290	29.3
Two	100	10.1
Three	47	4.8
Four	17	1.7
Five	8	0.8
Six	4	0.4
Seven	0	0.0
Eight	1	0.1
<b>Total</b>	<b>989</b>	

*Source of data:* AST data (2003–2004)

## D. Suspect Characteristics

From the 989 sexual assault reports included in our sample, we gathered information from 1,050 suspects. The vast majority of reports (94%) contained only one suspect. Only 41 reports contained two or more suspects. A description of these 1,050 suspects is provided below. The “Total” figures in the following tables are reflective of the data that were available and collected within the 989 reports we examined. When information was not documented in the reports or when it was documented as “unknown,” it is not included in the following tables.

Information on suspect race was known for 957 of the 1,050 suspects. Results show that 59% of suspects were Native and 37% were White.

**Table 18. Race of Suspects***Column percentages*

Race	Suspects	
	N	%
Native	566	59.1 %
White	349	36.5
Black	35	3.7
Other	7	0.7
<b>Total</b>	<b>957</b>	

*Source of data: AST data (2003–2004)***Table 19. General Suspect Characteristics***Row percentages*

Characteristic	No		Yes		Total
	N	%	N	%	
Identity known	106	10.1 %	944	89.9 %	<b>1050</b>
Juvenile suspect	911	86.8	139	13.2	<b>1050</b>
Male suspect	32	3.2	960	96.8	<b>992</b>
Disabled (mental and/or physical)	932	98.8	11	1.2	<b>943</b>
Homeless	914	98.6	13	1.4	<b>927</b>
Used alcohol	458	57.0	345	43.0	<b>803</b>
Used drugs	709	93.3	51	6.7	<b>760</b>
Present upon Trooper arrival	739	74.9	248	25.1	<b>987</b>
Cooperated with AST	299	33.6	590	66.4	<b>889</b>

*Source of data: AST data (2003–2004)*

The suspect's identity was known by Troopers in most of the reports (90%). However, this does not mean that 10% of the suspects were strangers to their victims. Rather, it indicates that the suspect's identity was unknown to the investigating Trooper. The vast majority of suspects were adults (87%) and the remaining 13% were juveniles. Overwhelmingly, the suspects in our sample were male (97%) and only 32 suspects (3%) were female. Less than half (43%) of the suspects were documented as having drunk alcohol prior to the assault, and only 7% as having used some type of illicit drug other than alcohol. Only 25% of suspects were still at the scene when the investigating Trooper arrived to begin the on-scene investigation. Finally, 34% of suspects were non-cooperative with the investigating Troopers in some fashion.

Less than half (43%) of the suspects were documented as having drunk alcohol prior to the assault, and only 7% as having used some type of illicit drug other than alcohol. The proportion of sexual assault cases reported to AST that were alcohol-involved was quite a bit higher than what has been found outside of Alaska. For example, just 1 out of 14 sexual assaults (7.2%) reported in 2004 to NIBRS participating jurisdictions were classified as alcohol-involved (FBI, 2006). Across NIBRS states, the recorded alcohol-involvement in sexual assaults ranged from a low of 3.2% in Utah to a high of 24.5% in North Dakota. As was the case with assaults involving domestic violence, the proportion of alcohol-involved sexual assaults reported to AST was similar to that reported to police agencies serving American Indian reservations in the lower-48

states. According to Leonardson's (2008) analysis of BIA crime statistics for Pacific Northwest tribes, roughly half of forcible rapes and attempted forcible rapes (45.4% and 52.4%, respectively) were classified as involving alcohol.

The age of the suspect was available for 948 of the 1,050 suspects. On average, suspects were 29.2 years old ( $s = 13.48$ , results not shown) at the time of the alleged assault. The youngest suspect was 5 years old, and the oldest was 80 years old. More specifically, 4% of suspects were less than 12 years old, 9% were 13 to 15 years old, 22% were 16 to 20 years old, 25% were 21 to 30 years old, 19% were 31 to 40 years old, 13% were 41 to 50 years old, and 7% were 51 years of age or older.

**Table 20. Age of Suspects at Time of Assault**

*Column percentages*

Age group	Suspects	
	N	%
0 to 12	35	3.7 %
13 to 15	87	9.2
16 to 20	210	22.2
21 to 30	236	24.9
31 to 40	184	19.4
41 to 50	127	13.4
51 and over	69	7.3
<b>Total</b>	<b>948</b>	

*Source of data:* AST data (2003–2004)

**Table 21. Suspect Substance Use and Age Group\***

*Column percentages*

Suspect's Age Group	Substance Use		No Substance Use		Total
	N	%	N	%	
0 to 12	-	- %	33	7.4 %	<b>33</b>
13 to 15	6	1.8	74	16.6	<b>80</b>
16 to 20	68	20.4	99	22.2	<b>167</b>
21 to 30	114	34.2	95	21.3	<b>209</b>
31 to 40	87	26.1	59	13.2	<b>146</b>
41 to 50	42	12.6	51	11.4	<b>93</b>
51 or older	16	4.8	35	7.8	<b>51</b>
<b>Total</b>	<b>333</b>		<b>446</b>		<b>779</b>

*Source of data:* AST data (2003–2004)

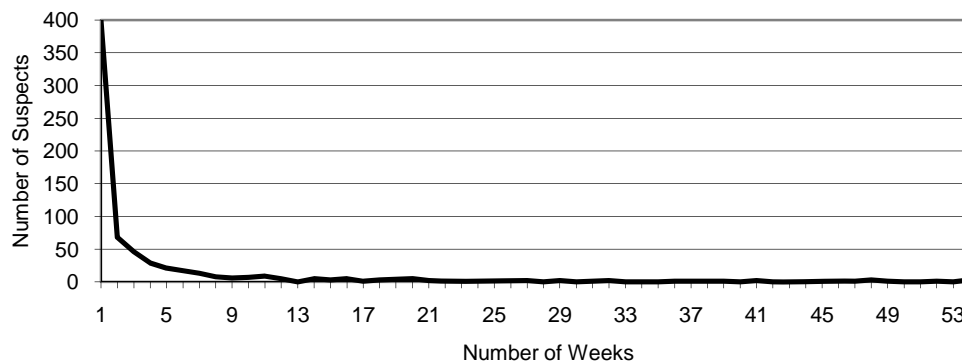
\* Analysis includes only those cases with both suspect age and suspect substance use information available.

The previous table simultaneously displays suspect age groups and substance use. Drug and alcohol use were combined for this table (shown separately in the table above). Not surprisingly, very few suspects under the age of 15 reported using any substance. More specifically, no suspect 12 years of age or younger and only 6 suspects age 13 to 15 reported any substance use. Substance use was most frequent among suspects age 21 to 30, followed by suspects age 31 to 40, and suspects age 16 to 20. Together these three age groups accounted for 81% of the substance use for all suspect age groups. More

precisely, 55% of suspects 21 to 30 years old, 60% of suspects 31 to 40 years old, and 41% of suspects 16 to 20 years old reported using any substance.

Overall, 77% of suspects were interviewed. Of those interviewed, 86% were tape recorded. The number of weeks from report to suspect interview is shown in the following figure.

**Figure 6. Number of Weeks from Report to Suspect Interview  
(for Suspects that Were Interviewed)**



*Source of data:* AST data (2003–2004)

Fifty-seven percent of suspects interviewed were interviewed within one week of the report, 80% were interviewed within one month, and 97% were interviewed within one year. On average, suspects were interviewed 5.7 weeks after the report was made ( $s = 14.66$ , results not shown).

**Table 22. Characteristics of Suspect Interviews**

*Row percentages*

Characteristic	No		Yes		Total
	N	%	N	%	
Suspect was interviewed	215	22.7 %	734	77.3 %	<b>949</b>
Interview was tape recorded	103	14.4	610	85.6	<b>713</b>
Internally consistent	184	25.8	528	74.2	<b>712</b>

*Source of data:* AST data (2003–2004)

When available, the suspect interviews were coded to examine their internal consistency. Stated differently, each suspect interview that was available was coded to reflect whether statements were consistent, rather than contradictory, in terms of the general timeline, major events and the main persons involved. For example, if a suspect initially stated that they did not engage in any sexual activity with the victim, and subsequently stated that any sexual activity that may have taken place was consensual, the interview was coded internally inconsistent. Again, we focused on the *general* timeline, *major* events and the *main* persons involved. In other words, we did not focus on minor details, such as the exact time of day they came into contact with the victim (e.g., 8:30 p.m. versus 8:45 p.m.), but on the overall version of the incident provided by the suspect. Lastly, one limitation of these data is that most of the reports we analyzed

only contained synopses of interviews rather than full transcripts. Results of suspect interviews are shown in the table above. As the table indicates, most of the suspect interviews (74%) were internally consistent.

The majority of suspects (73%) had only one sexual assault charge. However, 169 suspects (16%) had two, and 112 (11%) had three or more sexual assault charges. The total number of sexual assault charges (across suspects) was 1,645.

**Table 23. Number of Sexual Assault Charges per Suspect**

*Column percentages*

Number of sexual assault charges	Suspects		
	N	%	Cum. %
Zero	0	0.0 %	0.0 %
One	769	73.2	73.2
Two	169	16.1	89.3
Three	43	4.1	93.4
Four	31	3.0	96.4
Five	10	1.0	97.3
Six or more	28	2.7	100.0
<b>Total</b>	<b>1050</b>		

*Source of data:* AST data (2003–2004)

The following table describes the total number of charges per suspect, the total number of sexual assault charges per suspect, and the total number of non-sexual assault charges per suspect. Many suspects (34%) received multiple charges. On average, each suspect had a total of 1.83 charges ( $s = 1.84$ , results not shown), including an average of 1.56 sexual assault charges ( $s = 1.47$ , results not shown), and an average of 0.26 non-sexual assault charges ( $s = 0.99$ , results not shown).

**Table 24. Number of Sexual Assault and Non-Sexual Assault Charges per Suspect**

*Column percentages*

Number	Total charges			Sexual assault charges			Non-sexual assault charges		
	N	%	Cum. %	N	%	Cum. %	N	%	Cum. %
Zero	0	0.0 %	0.0 %	0	0.0 %	0.0 %	906	86.3 %	86.3 %
One	691	65.8	65.8	769	73.2	73.2	85	8.1	94.4
Two	183	17.4	83.2	169	16.1	89.3	31	3.0	97.3
Three	59	5.6	88.9	43	4.1	93.4	15	1.4	98.8
Four	52	5.0	93.8	31	3.0	96.4	5	0.5	99.2
Five	26	2.5	96.3	10	1.0	97.3	3	0.3	99.5
Six or more	39	3.7	100.0	28	2.7	100.0	5	0.5	100.0
<b>Total</b>	<b>1050</b>			<b>1050</b>			<b>1050</b>		

*Source of data:* AST data (2003–2004)

Some of these “additional non-sexual assault charges” include offenses that are more accurately described as “secondary” or “non-contact” sexual assault charges (e.g., incest, indecent exposure, and unlawful exploitation of a minor; all offenses that are listed as sexual offenses in the State of Alaska Criminal Code). Only 144 suspects (14%)

had a non-sexual assault charge in addition to their primary sexual assault charge(s). Across suspects, the total number of non-sexual assault charges was 258.

The following tables below show the 258 non-sexual assault charges and the 1,645 sexual assault charges. The most common non-sexual assault charges were for assault (2<sup>nd</sup> to 4<sup>th</sup> degrees), burglary (1<sup>st</sup> and 2<sup>nd</sup> degrees), and kidnapping. Together, these three offense categories accounted for 50% of the non-sexual assault charges in our sample. The remaining non-sexual assault charges included incest, unlawful exploitation of a minor, indecent exposure, murder, reckless endangerment, coercion, theft, criminal mischief, criminal trespass, contributing to the delinquency of a minor, tampering with a witness or physical evidence, resisting arrest, violating a protective order, interfering with a domestic violence report, failure to register as a sex offender, official misconduct, harassment, distribution or possession of child pornography, misconduct involving a weapon, misconduct involving a controlled substance, alcohol violations, driving violations, and disorderly conduct.

**Table 25. Additional Non-Sexual Assault Charges**

*Column percentages*

Charge	Non-sexual assault charges	
	N	%
Assault 2nd to 4th degrees	67	26.0 %
Burglary 1st and 2nd degrees	34	13.2
Kidnapping	29	11.2
Incest	17	6.6
Indecent exposure	15	5.8
Alcohol violations	14	5.4
Harassment	9	3.5
Contributing to the delinquency of a minor	8	3.1
Coercion	7	2.7
Distribution or possession of child pornography	6	2.3
Resisting arrest	6	2.3
Criminal trespass	5	1.9
Misconduct involving a controlled substance	5	1.9
Unlawful exploitation of a minor	5	1.9
Violating a protective order	5	1.9
Misconduct involving a weapon	4	1.6
Official misconduct	4	1.6
Tampering with a witness or physical evidence	4	1.6
Criminal mischief	3	1.2
Failure to register as a sex offender	2	0.8
Murder first degree	2	0.8
Theft 2nd-4th degrees	2	0.8
Disorderly conduct	1	0.4
Driving while license is revoked	1	0.4
Misconduct involving a corpse	1	0.4
Interfering with a domestic violence report	1	0.4
Reckless endangerment	1	0.4
<b>Total</b>	<b>258</b>	

*Source of data:* AST data (2003–2004)

The most common sexual assault charges were 2<sup>nd</sup> degree sexual abuse of a minor (29%), 1<sup>st</sup> degree sexual assault (22%), 2<sup>nd</sup> degree sexual assault (18%), and 1<sup>st</sup> degree

sexual abuse of a minor (12%). Together, these four charges accounted for 81% of the sexual assault charges received by the suspects in our sample. The least common sexual assault charges were 3<sup>rd</sup> and 4<sup>th</sup> degree sexual assault, and 3<sup>rd</sup> and 4<sup>th</sup> degree sexual abuse of a minor. Together, these four charges accounted for 19% of the sexual assault charges.

**Table 26. All Sexual Assault Charges**

*Column percentages*

Charge	Number	
	N	%
Sexual abuse of a minor 2nd degree	481	29.2 %
Sexual assault 1st degree	366	22.2
Sexual assault 2nd degree	292	17.8
Sexual abuse of a minor 1st degree	193	11.7
Sexual assault 3rd degree	130	7.9
Sexual abuse of a minor 3rd degree	99	6.0
Sexual abuse of a minor 4th degree	78	4.7
Sexual assault 4th degree	6	0.4
<b>Total</b>	<b>1645</b>	

*Source of data:* AST data (2003–2004)

## E. Victim Characteristics

From the 989 sexual assault reports included in our sample, we gathered information from 1,082 victims. Most reports (93%) contained only one victim, and the highest number of victims in any report was six (N = 1). Only 73 reports (7%) contained two or more victims. A description of these 1,082 victims is provided below. The “Total” figures in the following tables are reflective of the information that was available and collected within the 989 reports we examined. When information was not documented in the reports or when it was documented as “unknown,” it is not included in the following tables.

**Table 27. Race of Victims**

*Column percentages*

Race	Victims	
	N	%
Native	638	60.5 %
White	400	37.9
Black	13	1.2
Other	4	0.4
<b>Total</b>	<b>1055</b>	

*Source of data:* AST data (2003–2004)

In terms of race, information was known for 1,055 of the 1,082 victims. Similar to the suspects in our sample, 61% of victims were Native and 38% were White.

The vast majority of victims in our sample were female (89%). Only 11% were male. Physical and/or mental disabilities were documented for only 4% of the victims.

Most victims (73%) had no documented alcohol use prior to the assault, and only 5% had documented illicit drug use (other than alcohol). Most victims (74%) did not receive a forensic medical exam (SART exam). After the sexual assault was reported, most victims (80%) cooperated with AST throughout the investigative process. However, a fair number of victims (20%) were in some way non-cooperative with AST subsequent to the report. Non-cooperation includes, but is not limited to, refusing to provide an initial interview with AST, refusing to disclose information regarding a known suspect's identity (for any number of reasons), or refusing to participate in follow-up interviews (assuming the initial interview was given). It may be important to emphasize that not all victims reported the alleged assaults themselves.

**Table 28. General Victim Characteristics**

*Row percentages*

Characteristic	No		Yes		Total
	N	%	N	%	
Female victim	114	10.7 %	955	89.3 %	<b>1069</b>
Disabled (mental and/or physical)	1016	96.0	42	4.0	<b>1058</b>
Homeless	1053	99.9	1	0.1	<b>1054</b>
Used alcohol	721	73.4	261	26.6	<b>982</b>
Used drugs	906	94.9	49	5.1	<b>955</b>
Received SART exam	760	74.3	263	25.7	<b>1023</b>
Cooperated with AST	205	20.0	818	80.0	<b>1023</b>

*Source of data:* AST data (2003–2004)

Age information was available for 1,059 of the 1,082 victims. On average, victims were 16.2 years old at the time of the alleged assault ( $s = 10.8$ , results not shown), 13 years younger than the average age of suspects. The youngest victim was less than 1 year old, and the oldest was 82 years old. Overall, 65% of victims were under the age of 16, and 80% were under the age of 21. More specifically, 11% of victims were five years of age or younger, 25% were six to 12 years old, 29% were 13 to 15 years old, 9% were 16 to 17 years old, 7% were 18 to 20 years old, 10% were 21 to 30 years old, and 10% were 31 years of age or older.

**Table 29. Age of Victims at Time of Assault**

*Column percentages*

Age group	Victims	
	N	%
0 to 5	112	10.6 %
6 to 12	268	25.3
13 to 15	303	28.6
16 to 17	91	8.6
18 to 20	74	7.0
21 to 30	101	9.5
31 or older	110	10.4
<b>Total</b>	<b>1059</b>	

*Source of data:* AST data (2003–2004)

**Table 30. Victim Substance Use and Age Group\****Column percentages*

Victim's Age Group	Substance Use		No Substance Use		Total
	N	%	N	%	
0 to 5	-	-	104	14.8 %	<b>104</b>
6 to 12	7	2.7 %	242	34.4	<b>249</b>
13 to 15	71	27.1	203	28.9	<b>274</b>
16 to 17	27	10.3	58	8.3	<b>85</b>
18 to 20	43	16.3	25	3.6	<b>68</b>
21 to 30	59	22.4	33	4.7	<b>92</b>
31 or older	56	21.3	38	5.4	<b>94</b>
<b>Total</b>	<b>263</b>		<b>703</b>		<b>966</b>

*Source of data: AST data (2003–2004)*

\* Analysis includes only those cases with both victim age and victim substance use information available.

The previous table simultaneously displays victim age groups and substance use. Drug and alcohol use were again combined for this table (shown separately in the table above). Not surprisingly, very few victims under the age of 12 reported using any substance. More specifically, no victim five years of age or younger and only seven victims age six to 12 reported any substance use. Substance use was most frequent among victims age 13 to 15, followed by victims age 21 to 30 and victims age 31 or older. Together, these three age groups accounted for 71% of the substance use for all victim age groups. More specifically, 26% of victims 13 to 15 years old reported using any substance, 64% of victims 21 to 30 years old, and 60% of victims 31 or older years old reported using any substance.

Evidence of penetration was obtained for 17% of victims (result not shown). We defined “evidence of penetration” as documented genital injuries, sexually transmitted diseases, or pregnancy. Each report was also reviewed to examine whether injuries sustained by victims had been documented. When available, the results of SART exams were also examined for documented injuries. Details of victim injuries, as well as the types of emergency medical treatment victims received, are described in the following two tables.

**Table 31. Victim Injuries***Row percentages*

Injuries	No		Yes		Total
	N	%	N	%	
Bruising or swelling	832	89.8 %	94	10.2 %	<b>926</b>
Lacerations or bite marks	904	97.1	27	2.9	<b>931</b>
Bone fractures	934	99.9	1	0.1	<b>935</b>
Other physical pain	730	80.9	172	19.1	<b>902</b>

*Source of data: AST data (2003–2004)*

The most common type of injury reported was general physical pain (19%). Bruising or swelling was the next most common documented injury sustained by victims

as a result of the sexual assault. Lacerations or bite marks, as well as bone fractures, were rarely reported or documented. Overall, very few victims received any type of emergency medical treatment for injuries suffered as a result of the sexual assault. Only 4% of victims received emergency medical care for genital injuries, 2% received emergency medical care for non genital injuries, and less than 1% received emergency medical care for alcohol or drug intoxication. It is important to note that SART exams were not considered “emergency medical treatment.”

**Table 32. Emergency Medical Treatment for Injuries**

*Row percentages*

<b>Treatment</b>	<b>No</b>		<b>Yes</b>		<b>Total</b>
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	
Genital injuries	972	96.5 %	35	3.5 %	<b>1007</b>
Non genital injuries	990	98.2	18	1.8	<b>1008</b>
Alcohol / drug intoxication	1005	99.6	4	0.4	<b>1009</b>

*Source of data:* AST data (2003-2004)

The following table simultaneously displays the timeliness of the report and documented injuries sustained by victims (beyond the sexual assault itself). Victims with no documented injuries beyond “other physical pain” were not included in this specific analysis. Only 28% of victims whose incidents were reported within three days sustained documented injuries. However, as the table suggests, 72% (N = 137) of victims that sustained documented physical injuries (as defined above) had their incident reported to law enforcement within three days.

**Table 33. Timeliness of Report and Victim Injuries**

*Column percentages*

<b>Injuries</b>	<b>Reported within three days</b>		<b>Did not report within three days</b>		<b>Total</b>
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	
No	348	71.8 %	405	88.4 %	<b>753</b>
Yes	137	28.2	53	11.6	<b>190</b>
<b>Total</b>	<b>485</b>		<b>458</b>		<b>943</b>

*Source of data:* AST data (2003–2004)

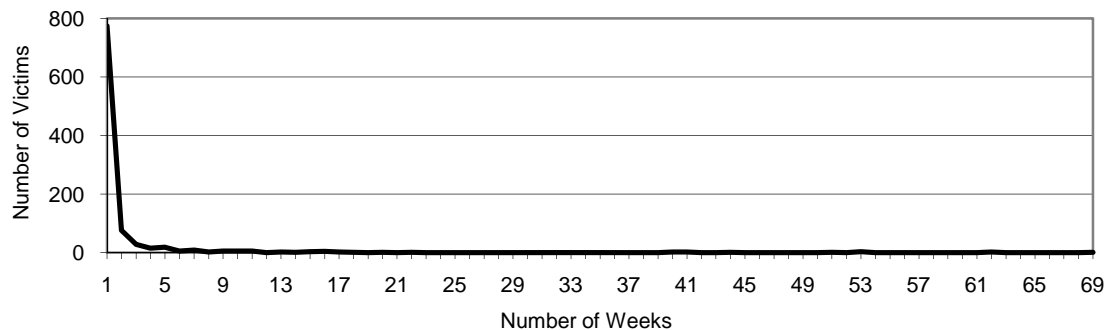
The following table simultaneously displays information on the timeliness of the report (i.e., the time elapsed between the most recent incident and the initial notification to law enforcement) and whether the victim received a SART exam. Not surprisingly, of those victims who received a SART exam (N = 263), 78% of their cases were reported within 72 hours of the most recent incident. In addition, 38% of the victims from cases reported within 72 hours (N = 534) received a SART exam. Lastly, only 12% of victims from cases that were reported more than three days after the most recent incident (N = 489) received a SART exam.

**Table 34. Timeliness of Report and SART Exams***Column percentages*

SART Exam	Reported within three days		Did not report within three days		Total
	N	%	N	%	
No	329	61.6 %	431	88.1 %	<b>760</b>
Yes	205	38.4	58	11.9	<b>263</b>
<b>Total</b>	<b>534</b>		<b>489</b>		<b>1023</b>

*Source of data: AST data (2003–2004)*

The number of weeks from report to victim interview is shown in the following figure. Overall, 96% of victims were interviewed. Not surprisingly given the high level of victim cooperation with Alaska State Troopers, most victims were interviewed shortly after reports were made. More specifically, 48% of the victims interviewed were interviewed on the day of the report, 80% were interviewed within one week of the report, and 92% were interviewed within one month of the report. On average, victims were interviewed 10 days after the report was made ( $s = 40.8$ , results not shown).

**Figure 7. Number of Weeks from Report to Victim Interview (for Victims that Were Interviewed)***Source of data: AST data (2003–2004)***Table 35. Characteristics of Victim Interviews***Row percentages*

Characteristic	No		Yes		Total
	N	%	N	%	
Victim was interviewed	38	3.6 %	1004	96.4 %	<b>1042</b>
Interview was tape recorded	143	14.5	846	85.5	<b>989</b>
Internally consistent	154	15.3	852	84.7	<b>1006</b>
Interviewed in person (vs. telephonically)	88	9.3	858	90.7	<b>946</b>

*Source of data: AST data (2003–2004)*

The table above provides information about the victim interviews. As previously noted, 96% of victims were interviewed. Of those interviewed, 86% were tape recorded. In addition, 91% of victim interviews were conducted in person. Nine percent were

conducted via telephone. Victim interviews were also coded to examine the proportion of interviews that were internally consistent (see suspect section of this report for further explanation). Stated differently, each available victim interview was coded to reflect if the victim's statements regarding the major events related to the alleged assault were consistent rather than contradictory. During their interviews with AST, the majority of victims (85%) made internally consistent statements.

## F. Victim-Suspect Characteristics

From the 989 sexual assault reports included in our sample, we gathered information from 1,138 unique victim-suspect combinations. This section of the report describes information on these unique combinations by simultaneously examining characteristics of the victim and suspect within each of the unique combinations. Stated differently, the information provided in this section examines characteristics of the victim and suspect relationship. As before, the "Total" figures in the following tables are reflective of the information that was available and collected within the 989 reports we examined. When information was not documented in the reports or when it was documented as "unknown," it is not included in the following tables.

**Table 36. Nature of Victim and Suspect Relationship\***

*Column percentages*

Relationships	Victim-suspect combinations	
	N	%
Friends or acquaintances	477	46.4 %
Relatives	360	35.1
Current or former partners	124	12.1
Authority figure (to victim)	44	4.3
Strangers	22	2.1
<b>Total</b>	<b>1027</b>	

**Source of data:** AST data (2003–2004)

\* The "relatives" category in this table includes in-laws, immediate, and extended family members. However, married couples were excluded from the "relatives" category.

The previous table describes the nature of the victim and suspect relationship at the time of the alleged assault. Overwhelmingly, the victims reported to know the suspect in some fashion (98%). Only 2% of the incidents involved complete strangers. Nearly half (46%) of the incidents involved friends or acquaintances, and 35% of the incidents involved relatives. Further, 12% of the victim-suspect relationships involved current or past intimate partners (including married couples). In addition, 4% of the relationships involved suspects that were in a position of authority over their victims. Together, friends, relatives, and intimate partners accounted for 94% of the victim-suspect relationships in our sample of cases.

The table below contains additional information on the victim-suspect relationship for minor victims (defined as 17 years of age or younger), and for adult victims. The most important difference is that minor victims were substantially more

likely to be assaulted by relatives (41%) than adult victims (17%). Stranger assaults were rare for both minor victims (1%) and adult victims (3%).

**Table 37. Nature of Victim and Suspect Relationship (Minor Victims)\***

Column percentages

Relationships	Minor Victims		Adult Victims	
	N	%	N	%
Friends or acquaintances	328	43.3 %	152	57.1 %
Relatives	308	40.6	45	16.9
Current or former partners	80	10.6	44	16.5
Authority figure (to victim)	36	4.7	17	6.4
Strangers	6	0.8	8	3.0
<b>Total</b>	<b>758</b>		<b>266</b>	

*Source of data:* AST data (2003–2004)

\* The “relatives” category in this table includes in-laws, immediate, and extended family members. However, married couples were excluded from the “relatives” category.

The low frequency of incidents that were complete strangers is consistent with the existing literature on sexual assault. Moreover, the extremely low frequency found in our sample of sexual assault cases is not surprising given that many of the cases in our sample come from relatively small communities where most everyone knows one another in some way. For comparison, data from the National Incident-Based Reporting System (NIBRS) show that 14% of sexual assaults reported to law enforcement were committed by strangers. These data include sexual assaults reported from 1991 to 1996 in 12 states (AL, CO, ID, IL, IA, MA, MI, ND, SC, UT, VT, and VA). In both the Alaska State Trooper data and the NIBRS data, friends and acquaintances were the most common types of relationships between suspects and victims.

**Table 38. Victim-Suspect Race Combinations\***

Column percentages

Suspect's Race	Victim's Race										Total
	Native		White		Black		Asian		Hispanic		
	N	%	N	%	N	%	N	%	N	%	
Native	569	91.3 %	33	8.6 %	4	28.6 %	1	50.0 %	1	50.0 %	608
White	43	6.9	321	83.8	7	50.0	1	50.0	–	–	372
Black	10	1.6	23	6.0	3	21.4	–	–	1	50.0	37
Asian	1	0.2	4	1.0	–	–	–	–	–	–	5
Hispanic	–	–	2	0.5	–	–	–	–	–	–	2
<b>Total</b>	<b>623</b>		<b>383</b>		<b>14</b>		<b>2</b>		<b>2</b>		<b>1024</b>

*Source of data:* AST data (2003–2004)

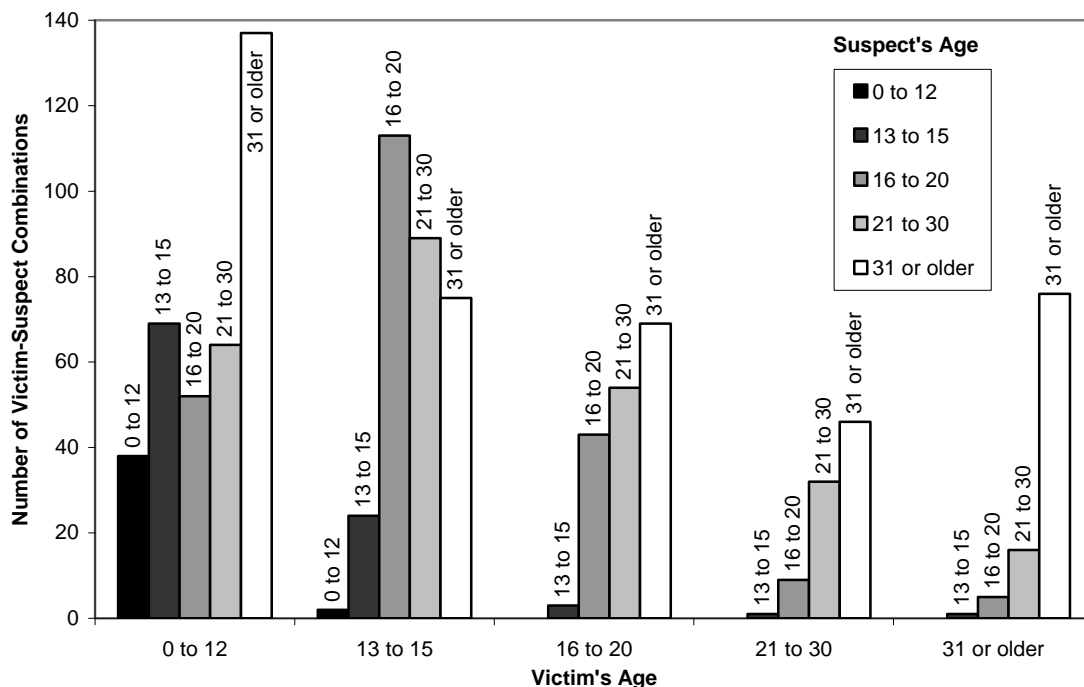
\* Analysis includes only those cases with race information available for both the victim and the suspect.

The table above displays the race of victims and suspects simultaneously. Only those incidents with race information available for both parties are included in the this table. Two racial groups, Alaska Natives and Whites, accounted for the overwhelming majority of both suspects and victims in our sample of sexual assault and sexual abuse of

minor cases. More specifically, 98% of the victims and 96% of the suspects were either White or Native. Due to the low numbers of Blacks, Asians, and Hispanics in our sample (only 2% of victims and 4% of suspects), the current discussion focuses primarily on Whites and Natives. As the table indicates, the vast majority (87%) of incidents were intra-racial. Natives were more likely to assault and be assaulted by Natives and Whites were more likely to assault and be assaulted by Whites. More specifically, 91% of Native victims and 94% of Native suspects were involved in intra-racial incidents and 84% of White victims and 87% of White suspects were involved in intra-racial incidents. Compared to Native victims and Native suspects, White victims and White suspects were more likely to be involved in inter-racial incident(s). More specifically, 9% of Native victims were assaulted by a non-Native suspect, whereas 16% of White victims were assaulted by a non-White suspect. Conversely, 14% of White suspects assaulted a non-White victim, but only 6% of Native suspects assaulted a non-Native victim. The high rate of intra-racial incidents is not surprising given the demographic homogeneity of many Alaskan communities.

The following table and figure each display the age groups of victims and suspects simultaneously. Only those incidents with age information available for both parties are included in the following table and figure. As previously discussed, one of the major statutory distinctions between sexual assault and sexual abuse of a minor is the age of both the suspect and the victim. The age groups used in the following table and figure were constructed based on the 2003 and 2004 Alaska Criminal Code.

**Figure 8. Victim-Suspect Age Combinations**



*Source of data:* AST data (2003–2004)

Unlike the race combinations discussed above, the vast majority (79%) of incidents involved victims and suspects from different age groups (as defined by the

categories below). This finding is not surprising considering the 13 year difference between the average age of suspects (29.2 years old) and victims (16.2 years old) in our sample. The previous graph displays the number of victim-suspect combinations (on vertical axis) by victim age (on horizontal axis) for five different suspect age groups (in vertical bars). Additional information is shown in the table below. Both analyses include only those cases with age information available for both the victim and the suspect.

**Table 39. Victim-Suspect Age Combinations**

*Column percentages*

Suspect's Age	Victim's Age										Total
	0-12		13-15		16-20		21-30		31 or older		
	N	%	N	%	N	%	N	%	N	%	
0-12	38	10.6	2	0.7	–	–	–	–	–	–	40
13-15	69	19.2	24	7.9	3	1.8	1	1.1	1	1.0	98
16-20	52	14.4	113	37.3	43	25.4	9	10.2	5	5.1	222
21-30	64	17.8	89	29.4	54	32.0	32	36.4	16	16.3	255
31 or older	137	38.1	75	24.8	69	40.8	46	52.3	76	77.6	403
<b>Total</b>	<b>360</b>		<b>303</b>		<b>169</b>		<b>88</b>		<b>98</b>		<b>1018</b>

*Source of data:* AST data (2003–2004)

The top five age group combinations were (1) victims 0 to 12 years old assaulted by suspects 31 years old or older (N = 137), (2) 13 to 15 year old victims assaulted by suspects 16 to 20 years old (N = 113), (3) 13 to 15 year old victims assaulted by suspects 21 to 30 years old (N = 89), (4) victims 31 years old or older assaulted by suspects also 31 years old or older (N = 76), and (5) 13 to 15 year old victims assaulted by suspects 31 years old or older (N = 75). Together, these five age group combinations accounted for 48% of the incidents in our sample (where both the age of the suspect and victim were known).

Information on the victim-suspect living arrangement at the time of the most recent incident is displayed below. As the table indicates, most victims (71%) were not living with the suspects at the time of the alleged assault. More precisely, 12% of the victims were temporarily residing with the suspect and 16% were permanently residing with the suspect at the time of the most recent alleged assault.

**Table 40. Victim and Suspect Living Arrangement**

*Column percentages*

Living arrangement	Victim-suspect combinations	
	N	%
Separate	719	71.3
Permanently common	165	16.4
Temporarily common	125	12.4
<b>Total</b>	<b>1009</b>	

*Source of data:* AST data (2003–2004)

## G. Incident Characteristics

This section contains information on the incidents of sexual assault and sexual abuse of minors reported to Alaska State Troopers. It is important for readers to keep in mind that the term “incident” refers to the time period immediately preceding the assault, the assault itself, and the time period immediately following the assault for each of the unique victim-suspect combinations within the 989 reports. As the previous section noted, some reports contained multiple suspects, victims, incidents, charges, and/or witnesses. This reality means that the total number of victims and/or suspects for our sample is necessarily greater than the total number of reports. By including information on each unique incident, we are able to describe the characteristics for multiple incidents within any given case, rather than limiting the analysis to only one incident. When multiple incidents were reported for any unique victim-suspect combination, the “assault” details were combined into one record, all other details were taken from the most recent incident. Overall, the 989 reports, 1,050 suspects, and 1,082 victims yielded a grand total of 1,138 unique incidents. The characteristics of the incidents are now discussed.

The table below displays the most serious charge for each unique incident. Thus, for those suspects charged with assaulting more than one victim (within one case) the most serious charge associated with each victim is contained in the following table. In other words, suspects charged with assaulting more than victim are counted once for *each separate victim* in the following table. Of the most serious sexual assault charges, the most common were 2<sup>nd</sup> degree sexual abuse of a minor (28%), 1<sup>st</sup> degree sexual assault (27%), 1<sup>st</sup> degree sexual abuse of a minor (18%), and 2<sup>nd</sup> degree sexual assault (17%). Together, these four charges accounted for 89% of the most serious charges across all unique incidents.

**Table 41. Most Serious Charge for Each Incident**

*Column percentages*

Most Serious Charge	Incidents	
	N	%
2nd degree sexual abuse of a minor	318	27.9 %
1st degree sexual assault	304	26.7
1st degree sexual abuse of a minor	198	17.4
2nd degree sexual assault	191	16.8
4th degree sexual abuse of a minor	52	4.6
3rd degree sexual abuse of a minor	46	4.0
3rd degree sexual assault	25	2.2
4th degree sexual assault	4	0.4
<b>Total</b>	<b>1138</b>	

*Source of data:* AST data (2003–2004)

The following table displays the total number of sexual assault charges associated with each unique incident. In the majority of instances (78%), there was only one sexual assault charge per incident. However, slightly more than one-fifth of the incidents (22%) yielded two or more sexual assault charges. On average, each incident generated 1.45 sexual assault charges ( $s = 1.24$ , results not shown).

**Table 42. Total Number of Sexual Assault Charges per Incident***Column percentages*

Number	Incidents	
	N	%
One	884	77.7 %
Two	159	14.0
Three or more	95	8.3
<b>Total</b>	<b>1138</b>	

*Source of data: AST data (2003–2004)*

The official report writing manual for the Alaska State Troopers instructs officers to list one of five possible categories relating to the involvement of substances for each charge. The five categories are none, alcohol, drugs, both, and unknown. The following table displays the documented involvement of substances for each unique incident. Overall, 61% of the incidents did not involve documented substance use of any kind. More specifically, substance use was not involved in approximately one-third (32%) of the incidents. For 29% of the incidents, the involvement of substance use was not known to the Troopers. The exclusive use of drugs was exceedingly rare (only 2% of the incidents), as was the use of both alcohol and drugs (only 4% of the incidents). However, the exclusive use of alcohol (by the suspect, victim, or both) was involved in 34% of the incidents. Finally, some form of substance use (alcohol, drugs, or both) was documented for approximately 39% of the incidents.

**Table 43. Substance Use Involved***Column percentages*

Substance	Incidents	
	N	%
Alcohol	365	33.5 %
None	349	32.0
Unknown	311	28.5
Drugs	20	4.1
Both	45	1.8
<b>Total</b>	<b>1090</b>	

*Source of data: AST data (2003–2004)*

Each report was read to gather information on the series of events surrounding the incident. We focused on three main events: the pickup, the assault, and the drop-off. The pickup was defined as the moment when the victim and suspect came into contact with each other on the day of the incident and the drop-off was defined as the moment when the victim and suspect were no longer together in the same location following the assault. The remaining tables in this section of the report all relate to these three major time frames. More specifically, we gathered information on the location of the pickup, assault, and drop-off, how the victim and suspect came into contact before the assault, whether weapons were used during the assault, the sexual acts engaged in during the assault, characteristics of victim resistance during the assault, information on who

stopped the assault, the victim's condition at the time of the assault, and the amount of time between the assault and the initial report to law enforcement. Detailed information was not always available within the official reports. Several factors contribute to the absence of specific details surrounding the major events. These factors include, but are not limited to, the inability to locate and interview victims and/or suspects, the inability of some victims to accurately recall specific details relevant to this report, non-cooperative victims, false reports (made by either the victim or a third party), and victims denying that any assault ever occurred.

The table below displays details on how the victim and suspect came into contact with each other prior to the most recent incident. This information was only available for 722 of the 1,138 incidents. It also important to note that victims and suspects who were living together at the time of the incident may have contacted each other outside of the home prior to the assault. They would therefore not be included in the "Lived together" category in the following table. The five most common ways that victims and suspects came into contact with each other prior to the incident were by living together (32%), the suspect inviting the victim somewhere (20%), the suspect attacking the victim indoors (15%), the victim inviting the suspect somewhere (10%), and the victim and suspect meeting up with each other at a party (9%). Together, these five pickup methods were used in 86% of the incidents (for which this information was available).

**Table 44. Method of Pickup**

*Column percentages*

Method	Incidents	
	N	%
Lived together	234	32.4 %
Suspect invited victim	146	20.2
Attacked indoors	109	15.1
Victim invited suspect	71	9.8
Met at a party	63	8.7
Suspect performing service	33	4.6
Jumped outdoors	23	3.2
Entered suspect's vehicle	20	2.8
Met elsewhere	13	1.8
Met in a bar	10	1.4
<b>Total</b>	<b>722</b>	

**Source of data:** AST data (2003—2004)

The following three tables provide details on the location type for each of the major events in the most recent alleged assault. More specifically, the following three tables describe the location of the pickup, assault and drop-off. The vast majority of victims and suspects came into contact with each other prior to the assault at a mutually shared residence (25%), the suspect's private residence (25%), or the victim's private residence (20%). Together, these three locations accounted for 70% of the known pickup locations. The next most common pickup locations were someone else's private residence (14%) and outdoors (10%). Overall, these five locations accounted for 94% of the known pickup locations.

**Table 45. Location of Pickup***Column percentages*

<b>Location</b>	<b>Incidents</b>	
	<b>N</b>	<b>%</b>
Suspect's house	221	25.1 %
Victim and suspect's house	221	25.1
Victim's house	175	19.9
Other's house	122	13.8
Outdoors	89	10.1
Bar	17	1.9
Vehicle (victim or suspect's)	16	1.8
Work (victim or suspect's)	12	1.4
Hotel	8	0.9
<b>Total</b>	<b>881</b>	

*Source of data: AST data (2003–2004)*

Details on the location of the most recent alleged assaults are shown below. The five most common assault locations were identical to the five most common pickup locations, differing only in terms of rank. More specifically, the most commonly reported assault locations were the suspect's private residence (30%), the victim and suspect's mutual residence (25%), the victim's private residence (17%), someone else's private residence (14%), and outdoors (7%). Overall, these five locations represented 93% of the known assault locations for our sample.

**Table 46. Location of Assault***Column percentages*

<b>Location</b>	<b>Incidents</b>	
	<b>N</b>	<b>%</b>
Suspect's house	271	29.7 %
Victim and suspect's house	232	25.4
Victim's house	159	17.4
Other's house	130	14.2
Outdoors	61	6.7
Vehicle (victim or suspect's)	38	4.2
Hotel	11	1.2
Work (victim or suspect's)	8	0.9
Bar	3	0.3
<b>Total</b>	<b>913</b>	

*Source of data: AST data (2003–2004)*

As the following table indicates, the most common drop-off locations were also identical to the most common pickup and assault locations. More specifically, the most commonly reported drop-off locations were the suspect's private residence (28%), the victim and suspect's mutual residence (26%), the victim's private residence (20%), someone else's private residence (13%), and outdoors (7%). Overall, these five locations represented 95% of the known drop-off locations for all of the incidents in our sample. Taken together, these three tables seem to suggest that once victims and suspects come

into contact with one another prior to the assault (i.e., the pickup) there is minimal movement between locations during and after the assault.

**Table 47. Location of Drop-off**

*Column percentages*

Location	Incidents	
	N	%
Suspect's house	241	28.0 %
Victim and suspect's house	223	25.9
Victim's house	179	20.8
Other's house	113	13.1
Outdoors	63	7.3
Vehicle (victim or suspect's)	17	2.0
Hotel	12	1.4
Work (victim or suspect's)	8	0.9
Bar	4	0.5
<b>Total</b>	<b>860</b>	

*Source of data:* AST data (2003–2004)

The following tables describe the victims' condition at the time of the most recent incident. The first table displays the victims' condition alone, the second table simultaneously displays the victims' condition and age group, and the third table simultaneously displays the victims' condition and the setting of the incident (i.e., highway vs. off-highway). Information regarding the victim's condition at the time of the incident was not always available. However, when it was available it may have come from multiple sources. These sources include, but are not limited to, statements made by the victim to Alaska State Troopers or a health professional, statements from witnesses, and direct observations made by the investigating Trooper. Readers are reminded that the numbers in the following tables are not directly comparable to similar results in the victim section of this report because the information came from different sources.

**Table 48. Victim Condition at Time of Assault**

*Column percentages*

Condition	Victim-suspect combinations	
	N	%
Sober	581	60.1 %
Intoxicated	152	15.7
Sleeping	134	13.9
Passed out (intoxicated)	100	10.3
<b>Total</b>	<b>967</b>	

*Source of data:* AST data (2003–2004)

For the vast majority of the incidents (60%), the victims were described as being sober and awake, and in 14% of the incidents, the victims were described as being asleep when the alleged assault began. However, in 26% of the incidents, the victim was considered to have been intoxicated (from alcohol and/or drug use). More specifically,

victims were considered to be intoxicated (and awake) in 16% of the incidents, and victims were described as intoxicated and passed out (i.e., sleeping and largely unresponsive) in 10% of the incidents.

**Table 49. Victim Age Group and Condition at Time of Assault \***

*Column percentages*

Victim's Age Group	Victim Condition at Time of Assault								Total
	Sober		Sleeping		Intoxicated		Passed Out (intoxicated)		
	N	%	N	%	N	%	N	%	
0 to 5	87	15.1 %	9	6.7 %	–	–	–	–	<b>96</b>
6 to 12	189	32.9	45	33.6	10	6.6 %	2	2.0 %	<b>246</b>
13 to 15	174	30.3	32	23.9	50	32.9	20	20.0	<b>276</b>
16 & 17	45	7.8	11	8.2	18	11.8	13	13.0	<b>87</b>
18 to 20	19	3.3	14	10.4	23	15.1	18	18.0	<b>74</b>
21 to 30	29	5.0	11	8.2	21	13.8	26	26.0	<b>87</b>
31 or older	32	5.6	12	9.0	30	19.7	21	21.0	<b>95</b>
<b>Total</b>	<b>575</b>		<b>134</b>		<b>152</b>		<b>100</b>		<b>961</b>

**Source of data:** AST data (2003–2004)

\* Analysis includes only those cases with both victim age and victim condition at time of assault information.

The previous table simultaneously displays the victims' condition at the time of the assault and age group. As the table indicates, in the vast majority of incidents with sober victims (78%), the victims were 15 years of age or younger. In over half (58%) of the incidents that involved victims who were described as being asleep at the time of the incident, the victims were 6 to 15 years of age. In two-thirds (66%) of the incidents involving victims that were described as being intoxicated (but not passed out) at the time of the assault, the victims were under the legal drinking age (i.e., 20 years of age or younger). In addition, slightly more than half (53%) of the incidents involving victims described as intoxicated and passed out involved victims that were under the legal drinking age.

**Table 50. Location of Assault and Victim Condition at Time of Assault\***

*Column percentages*

Location	Victim Condition at Time of Assault								Total
	Sober		Sleeping		Intoxicated		Passed Out (intoxicated)		
	N	%	N	%	N	%	N	%	
Off-highway	322	55.4 %	93	69.4 %	85	55.9 %	76	76.0 %	<b>576</b>
Highway	259	44.6	41	30.6	67	44.1	24	24.0	<b>391</b>
<b>Total</b>	<b>581</b>		<b>134</b>		<b>152</b>		<b>100</b>		<b>967</b>

**Source of data:** AST data (2003–2004)

\* Analysis includes only those cases with both victim age and assault location information available.

The previous table simultaneously displays the victims' condition at the time of the assault and the setting of the incident (i.e., highway vs. off-highway). As the table indicates, the percentage of incidents with sober victims was slightly higher in off-

highway locations (55%) than in highway locations (45%). The percentages are similar for incidents involving intoxicated victims, with 56% reported from off-highway locations and 44% reported from highway locations. The vast majority (69%) of incidents involving victims that were asleep were reported from off-highway locations. Again, the percentages are similar for incidents involving victims that were reportedly intoxicated and passed out, with 76% reported from off-highway locations and 24% reported from highway locations.

**Table 51. Weapons Used During Assault**

Row percentages

Weapon	No		Yes		Total
	N	%	N	%	
Hands / arms	649	70.5 %	271	29.5 %	<b>920</b>
Knife	1009	99.6	4	0.4	<b>1013</b>
Gun	1011	99.7	3	0.3	<b>1014</b>
Drugs (not including alcohol)	1009	99.8	2	0.2	<b>1011</b>
Blunt object	1015	99.9	1	0.1	<b>1016</b>

**Source of data:** AST data (2003–2004)

As the previous table indicates, the reported use of weapons by suspects was exceedingly rare in our sample of sexual assault cases. The one major exception however, was suspects' use of their hands and/or arms to physically restrain or strike their victims during the alleged assaults. In slightly less than one-third of the incidents, suspects used their hand and/or arms to restrict victims' movement or to physically assault victims (beyond the sexual assault). The remaining types of weapons, shown in the table above, were reported to have been used in less than 1% of the incidents.

Statutorily, the main factor distinguishing sexual assault from sexual abuse of a minor is the age of both the victim and suspect (the legal age of consent for the time period covered in the study was 16 years old). In terms of the varying degrees of sexual assault and sexual abuse of a minor (1<sup>st</sup> through 4<sup>th</sup> degree), the main distinguishing characteristic is the element of *sexual penetration* (as opposed to *sexual contact* only). Generally speaking, sexual assault and sexual abuse of a minor in the 1<sup>st</sup> and 3<sup>rd</sup> degrees involve *sexual penetration* (and therefore necessarily include *sexual contact*), but sexual assault and sexual abuse of a minor in the 2<sup>nd</sup> and 4<sup>th</sup> degrees involve *sexual contact* only.

Based on the 2003 and 2004 State of Alaska statutes for sexual assault and sexual abuse of a minor, we examined fifteen specific incident characteristics and sexual acts for every alleged incident within each of the 989 sexual assault reports. These specific characteristics and acts are shown in the table above. This information was gathered from victim and suspect statements, as well as from forensic medical exam reports when available. In some instances, victims had a difficult time recalling the specific details of their assault during the course of the investigation or the forensic medical exam. If specific information was not available or documented as unknown in the official report, it was not included in the specific analysis. For example, if a particular incident had 14 of the 15 elements documented as "yes" or "no," they were included in the analyses of those 14 elements and excluded from the analysis of the 15<sup>th</sup> element. Lastly, some of the more

specific sexual acts were collapsed for this report (e.g., oral copulation of genitals and oral copulation of anus were combined into a single category of oral sex).

**Table 52. Incident(s) Characteristics and Sexual Acts**

*Row percentages*

Incident Characteristics	No		Yes		Total
	N	%	N	%	
Element(s) of sexual penetration documented	373	39.9 %	561	60.1 %	<b>934</b>
Victim explicitly denied any assault took place	1053	92.5	85	7.5	<b>1138</b>
Condom used	784	90.5	82	9.5	<b>866</b>
Ejaculation occurred	501	65.0	270	35.0	<b>771</b>
<b>Sexual Acts</b>					
Touching of the external female genitalia	365	47.7	400	52.3	<b>765</b>
Penile penetration of victim's vagina	582	60.1	387	39.9	<b>969</b>
Touching of victim's breasts	483	65.0	260	35.0	<b>743</b>
Kissing	563	70.9	231	29.1	<b>794</b>
Digital penetration of victim's vagina	597	75.3	196	24.7	<b>793</b>
Touching of penis (suspect or victim's)	714	85.6	120	14.4	<b>834</b>
Touching of victim's anus	626	86.1	101	13.9	<b>727</b>
Victim performed oral sex on suspect	759	86.9	114	13.1	<b>873</b>
Suspect performed oral sex on victim	736	88.0	100	12.0	<b>836</b>
Penile penetration of victim's anus	786	91.7	71	8.3	<b>857</b>
Digital penetration of victim's anus	816	97.4	22	2.6	<b>838</b>

*Source of data:* AST data (2003–2004)

Overall, sexual penetration (as defined by Alaska law) was documented in 60% of the incidents (this includes oral sex). The victim explicitly denied that an assault took place in 8% of the incidents. The use of condoms was relatively low (in only 10% of incidents). However, ejaculation was reported to have occurred in 35% of the incidents.

The average number of sexual acts per incident was 2.16 ( $s = 1.82$ , results not shown). The most common sexual acts included touching the victim's external female genitalia (52% of incidents), penile penetration of the victim's vagina (40% of incidents), touching of the victim's breasts (35% of incidents), kissing (29% of incidents), and digital penetration of the victim's vagina (25% of incidents). Overall, 73% of the incidents had at least one of the sexual acts documented in the official report (result not shown). In other words, 27% of the incidents had *none* of the specific sexual acts documented in the affirmative. Of those incidents with no sexual acts documented in the affirmative, 18.7% had only "no" or "unknown" documented for each specific act, while 8.3% had "no" documented for all acts. Further, in 8% of the incidents ( $n = 85$ ), the victim explicitly stated that no sexual assault took place (results not shown). It is worth noting that all 78 cases involving these incidents were closed as unfounded ( $n = 64$ ) or closed by investigation ( $n = 14$ ). Lastly, of these 78 cases, 94% were reported by a third party. Additional details on incident characteristics and sexual acts for minor and adult victims are provided in the following two tables.

**Table 53. Incident(s) Characteristics and Sexual Acts for Minor Victims***Row percentages*

Incident Characteristics	No		Yes		Total
	N	%	N	%	
Element(s) of sexual penetration documented	388	57.0 %	293	43.0 %	<b>681</b>
Victim explicitly denied any assault took place	752	91.7	68	8.3	<b>820</b>
Condom used	580	89.5	68	10.5	<b>648</b>
Ejaculation occurred	382	68.1	179	31.9	<b>561</b>
<b>Sexual Acts</b>					
Touching of the external female genitalia	258	45.1	314	54.9	<b>572</b>
Penile penetration of victim's vagina	457	64.5	252	35.5	<b>709</b>
Touching of victim's breasts	377	67.7	180	32.3	<b>557</b>
Kissing	431	73.1	159	26.9	<b>590</b>
Digital penetration of victim's vagina	447	75.9	142	24.1	<b>589</b>
Touching of penis (suspect or victim's)	506	83.5	100	14.4	<b>606</b>
Touching of victim's anus	467	86.5	73	13.5	<b>540</b>
Victim performed oral sex on suspect	552	86.5	86	13.5	<b>638</b>
Suspect performed oral sex on victim	551	89.3	66	10.7	<b>617</b>
Penile penetration of victim's anus	582	91.9	51	8.1	<b>633</b>
Digital penetration of victim's anus	602	97.6	15	2.4	<b>617</b>

*Source of data: AST data (2003–2004)***Table 54. Incident(s) Characteristics and Sexual Acts for Adult Victims***Row percentages*

Incident Characteristics	No		Yes		Total
	N	%	N	%	
Element(s) of sexual penetration documented	170	69.1 %	76	30.9 %	<b>246</b>
Victim explicitly denied any assault took place	280	94.9	15	5.1	<b>295</b>
Condom used	196	94.2	12	5.8	<b>208</b>
Ejaculation occurred	114	60.0	76	40.0	<b>190</b>
<b>Sexual Acts</b>					
Touching of the external female genitalia	102	54.3	86	45.7	<b>188</b>
Penile penetration of victim's vagina	120	47.4	133	52.6	<b>253</b>
Touching of victim's breasts	100	55.6	80	44.4	<b>180</b>
Kissing	127	63.8	72	36.2	<b>199</b>
Digital penetration of victim's vagina	144	72.7	54	27.3	<b>198</b>
Touching of penis (suspect or victim's)	200	90.9	20	14.4	<b>220</b>
Touching of victim's anus	154	85.6	26	14.4	<b>180</b>
Victim performed oral sex on suspect	200	87.7	28	12.3	<b>228</b>
Suspect performed oral sex on victim	178	84.0	34	16.0	<b>212</b>
Penile penetration of victim's anus	197	91.2	19	8.8	<b>216</b>
Digital penetration of victim's anus	207	96.7	7	3.3	<b>214</b>

*Source of data: AST data (2003–2004)*

Seven separate types of victim resistance were also examined for each incident. It should be noted that the specific categories and terminology were taken directly from the National Crime Victimization Survey (NCVS), conducted annually by the Bureau of Justice Statistics (BJS). In addition, Alaska law does not require “resistance” as a

necessary criminal element of sexual assault and/or sexual abuse of a minor. When multiple incidents were reported involving the same victim and suspect, the resistance characteristics were compiled to reflect the variety of techniques a victim may have employed over the course of separate incidents.

**Table 55. Resistance Characteristics**

*Row percentages*

Actions	No		Yes		Total
	N	%	N	%	
Cooperated or pretended to cooperate	515	54.7 %	426	45.3 %	<b>941</b>
Yelled at suspect	776	82.0	170	18.0	<b>946</b>
Ran away from suspect	789	82.4	169	17.6	<b>958</b>
Attacked suspect	801	83.7	156	16.3	<b>957</b>
Argued or pleaded with suspect	718	76.0	227	14.4	<b>945</b>
Called / yelled for help	934	96.0	39	4.0	<b>973</b>
Threatened suspect	933	97.7	22	2.3	<b>955</b>

*Source of data:* AST data (2003–2004)

The table above describes these various resistance techniques in more detail. By far the most commonly reported resistance technique was to cooperate or pretend to cooperate with the suspect. Almost half of the incidents (45%) reported some form of cooperation (the high proportion of young victims – 39% were under the age of 12 – likely plays some role in the high incidence of cooperation). The next most common resistance techniques included yelling at the suspect (18% of incidents), running away from the suspect (18% of incidents), physically resisting or attacking the suspect (16% of incidents), and arguing or pleading with the suspect to stop (14% of incidents). Overall, these results suggest that a fair number of victims employ a variety of techniques in an effort to prevent or stop attempted sexual assaults from taking place.

The following tables contain information on resistance techniques for incidents involving minor and adult victims. As hypothesized, minor victims were more likely to cooperate or to pretend to (49%) than adult victims (35%). Minor victims were more likely than adult victims to yell at suspects but were substantially less likely to call or yell for help.

**Table 56. Resistance Characteristics for Minor Victims**

*Row percentages*

Actions	No		Yes		Total
	N	%	N	%	
Cooperated or pretended to cooperate	352	51.0 %	338	49.0 %	<b>690</b>
Yelled at suspect	776	89.5	91	10.5	<b>867</b>
Ran away from suspect	588	84.0	112	16.0	<b>700</b>
Attacked suspect	611	87.0	91	13.0	<b>702</b>
Argued or pleaded with suspect	555	80.2	137	14.4	<b>692</b>
Called / yelled for help	697	98.2	13	1.8	<b>710</b>
Threatened suspect	693	98.6	10	1.4	<b>703</b>

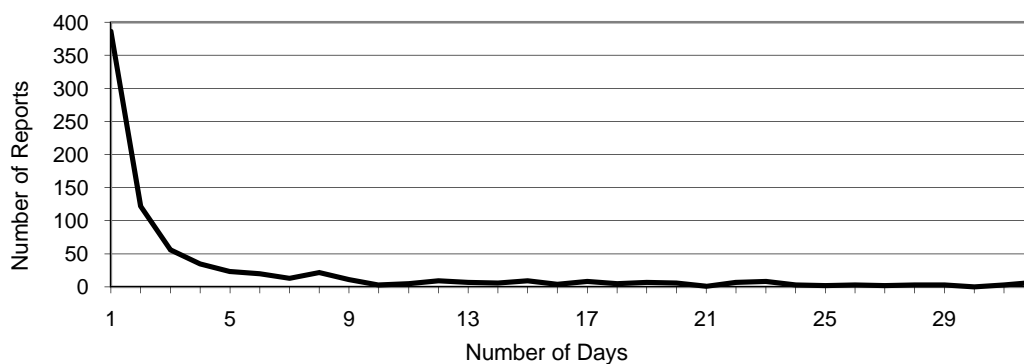
*Source of data:* AST data (2003–2004)

**Table 57. Resistance Characteristics for Adult Victims***Row percentages*

Actions	No		Yes		Total
	N	%	N	%	
Cooperated or pretended to cooperate	157	64.6 %	86	35.4 %	<b>243</b>
Yelled at suspect	164	94.8	9	5.2	<b>173</b>
Ran away from suspect	193	77.2	57	22.8	<b>250</b>
Attacked suspect	182	73.7	65	26.3	<b>247</b>
Argued or pleaded with suspect	156	63.7	89	14.4	<b>245</b>
Called / yelled for help	229	89.8	26	10.2	<b>255</b>
Threatened suspect	232	95.1	12	4.9	<b>244</b>

*Source of data: AST data (2003–2004)*

Among other things, timely reports are a key factor in law enforcement's ability to locate and interview suspects and key witnesses, and to document, collect, and preserve evidence. The final figure in this section displays the number of days between the most recent sexual assault incident and the initial complaint made to law enforcement for reports made within one month. Nearly half (45%) of the most recent incidents were reported within one day, 10% were reported from 25 to 96 hours (i.e., generally within the time frame where recovering DNA evidence is still possible), and 5% were reported from five to seven days of the incident. Overall, 60% of the most recent incidents were reported to law enforcement within one week, and 70% were reported within one month.

**Figure 9. Number of Days from Last Incident to Report  
(for Reports Made Within One Month)***Source of data: AST data (2003–2004)*

The final table in this section contains information on the timeliness of reports for incidents involving minor and adult victims. Adult victims were much more likely to report within 24 hours than minor victims. Conversely, minor victims were much more likely to report more than one month after the victimization than adult victims. It is important to note that not all reports to law enforcement were made by the victim.

**Table 58. Time from Most Recent Incident to Report***Column Percentages*

Time Frame	Minor Victims		Adult Victims	
	N	%	N	%
Within 24 hours	308	37.6 %	187	63.4 %
Within 25-72 hours	79	9.6	35	11.9
Within 4-7 days	34	4.1	19	6.4
Within 1 month	104	12.7	17	5.8
More than 1 month	295	36.0	37	12.5
<b>Total</b>	<b>820</b>		<b>295</b>	

*Source of data:* AST data (2003–2004)**H. Witness Characteristics**

From the 989 sexual assault reports included in our sample, we gathered information from 771 witnesses. Overall, just under half of the reports (47%) had at least one witness. On average, each report contained 0.78 witnesses ( $s = 1.1$ , results not shown). Of the witnesses, only 26% were actual eyewitnesses. Most of the witnesses were female (62%), and an overwhelming majority (94%) were fully cooperative with AST. Only 15% of the witnesses reported drinking any alcohol, and only 1% reported any drug use.

**Table 59. General Witness Characteristics***Row percentages*

Characteristic	No		Yes	
	N	%	N	%
Eyewitness	560	73.9 %	198	26.1 %
Female witness	281	37.9	461	62.1
Used alcohol	594	84.6	108	15.4
Used drugs	699	98.7	9	1.3
Cooperated with AST	42	5.8	683	94.2

*Source of data:* AST data (2003–2004)**Table 60. Race of Witnesses***Column percentages*

Race	Witnesses	
	N	%
Native	391	52.5 %
White	331	44.4
Black	16	2.1
Other	7	0.9
<b>Total</b>	<b>745</b>	

*Source of data:* AST data (2003–2004)

In terms of race, information was known for 748 of the 771 witnesses. Overall, slightly more than half of the witnesses were Native (53%), 44% were White, and 2% were Black.

As the following table indicates, 6% of witnesses were 10 years of age or younger, 31% were 11 to 20 years old, 22% were 21 to 30 years old, 19% were 31 to 40 years old, 13% were 41 to 50 years old, 7% were 51 to 60 years old, and 2% were 61 years of age or older. On average, witnesses were 28.2 years old ( $s = 14.0$ , results not shown).

**Table 61. Age of Witnesses**

*Column percentages*

Age group	Witnesses	
	N	%
11 to 20	231	30.8 %
21 to 30	165	22.0
31 to 40	144	19.2
41 to 50	99	13.2
51 to 60	52	6.9
Less than 11	43	5.7
61 and over	16	2.1
<b>Total</b>	<b>750</b>	

*Source of data:* AST data (2003–2004)

The following table displays results detailing the characteristics of witness interviews. Almost all (97%) of the witnesses were located and agreed to an interview with AST. Of those interviewed, 81% were tape recorded, and 76% of the interviews were conducted in person (rather than telephonically). All witness interviews were coded to determine whether they were internally consistent, and when applicable consistent with interviews of others (including suspects, victims, or other witnesses). As the table indicates, the vast majority of witnesses (96%) provided internally consistent interviews. In addition, 78% of the witness interviews contained statements that corroborated those made by suspects, victims, or other witnesses.

**Table 62. Characteristics of Witness Interviews**

*Row percentages*

Characteristic	No		Yes		Total
	N	%	N	%	
Witness was interviewed	22	2.9 %	726	97.1 %	<b>748</b>
Interview was tape recorded	132	18.7	574	81.3	<b>706</b>
Internally consistent	29	4.1	680	95.9	<b>709</b>
Consistent with other(s)	157	22.5	542	77.5	<b>699</b>
Interviewed in person (vs. telephonically)	173	24.1	546	75.9	<b>719</b>

*Source of data:* AST data (2003–2004)

## I. Legal Resolutions

The results presented in this section contain information on three separate stages of prosecution: (1) referral, (2) acceptance, and (3) conviction. At this point in the report, we focus exclusively on referrals to the Alaska Department of Law. We do not examine referrals to other agencies, such as the Division of Juvenile Justice. The results presented in this section are therefore not directly comparable to previous results. The previous results examined referrals to any agency whereas the current results only examine referrals to the Alaska Department of Law. The first stage, referral, is the forwarding of cases by AST to the Alaska Department of Law (DOL). It is at this point that prosecutors officially become aware of the case and take legal control in terms of case processing. The second stage, acceptance, represents the first formal decision made by prosecutors. For every case referred by AST, there are only two possible outcomes. The case is accepted and charges are filed, or prosecution is declined and the charges are dismissed. In other words, when a case is accepted, the suspect has formally been “charged” with a particular criminal offense. The third and final stage in the current analyses, conviction, represents the final disposition, or outcome, for each accepted case (e.g., finding of guilt, acquittal, dismissal). More specifically, when a case results in a conviction (e.g., guilty plea, guilty conviction obtained by jury or bench trial), the suspect is officially “found guilty.” Alternatively, when charges are dismissed or acquitted, the suspect is officially “found not guilty.” All “convictions” do not necessarily result in a suspect being incarcerated (i.e., sentenced to jail or prison), and may instead result in fines, probation, and/or court-ordered treatment.

At each of the three stages, referral, acceptance, and conviction, each *case* may contain multiple *charges*. We collected significantly more detailed information about case processing for sexual assault cases than for domestic violence or stalking cases. The results in this section focus on the processing of both charges and cases. Detailed information on dispositions is included. In addition, we collected detailed information showing why charges and cases were dismissed or dropped. Results from the *case-level* analyses are presented first, followed by the results from the *charge-level* analyses. It may be helpful to think of the *case-level* results as the “if any” outcomes. In other words, the results displayed in the next five tables describe whether *any charge* within a given *case* moved forward to the next stage.

Legal resolutions were examined for all 989 cases in our sample. Previous results indicated that 61% of these cases were referred for prosecution. In this section, we focus only on referrals to the Alaska Department of Law (thereby excluding referrals to other agencies). Of the 989 cases in our sample, 452 (46%) were referred to the Alaska Department of Law (DOL). Because this statistic was obtained from DOL records, it is not directly comparable to previous statistics gathered from AST records (which include referrals to other agencies, such as the Division of Juvenile Justice). The State of Alaska does not have a centralized and unified law enforcement and prosecutorial data management system. In addition, these data were collected at different points in time. The first table below describes the total number of cases reported to AST and the total number of cases referred to DOL, accepted by DOL, and convicted by DOL. As noted above, 46% (N = 452) of the cases reported to AST were referred to DOL for prosecution. Sixty percent of the cases referred to DOL (N = 273) had at least one charge

accepted and filed with the court for prosecution. Of those cases with at least one charge accepted by DOL, 80% resulted in a conviction. As the table indicates, the highest level of attrition occurs from report to referral. More importantly, once cases are referred the likelihood of at least one charge being accepted and resulting in a finding of guilt is quite high.

**Table 63. Number of Cases by Stage**

Stage	N	% of reported	% of referred	% of accepted
Reported	989	100.0 %	—	—
Referred	452	45.7	100.0 %	—
Accepted	273	27.6	60.4	100.0 %
Convicted	219	22.1	48.5	80.2

*Source of data:* Alaska Department of Law

The following two tables describe the same information as the preceding table, only they are conditioned on the presence of a witness. The first table describes those cases with at least one witness (47% of cases), followed by a description of those cases with no witnesses (53% of cases).

**Table 64. Number of Cases with At Least One Witness by Stage**

Stage	N	% of reported	% of referred	% of accepted
Reported	467	100.0 %	—	—
Referred	253	54.2 *	100.0 %	—
Accepted	160	34.3 *	63.2	100.0 %
Convicted	123	26.3 *	48.6	76.9

*Source of data:* Alaska Department of Law, AST data (2003–2004)

\* Difference by presence of witness is statistically significant ( $p < 0.05$ ).

**Table 65. Number of Cases with No Witness by Stage**

Stage	N	% of reported	% of referred	% of accepted
Reported	522	100.0 %	—	—
Referred	199	38.1 *	100.0 %	—
Accepted	113	21.6 *	56.8	100.0 %
Convicted	93	17.8 *	46.7	82.3

*Source of data:* Alaska Department of Law, AST data (2003–2004)

\* Difference by presence of witness is statistically significant ( $p < 0.05$ ).

Of those reported cases with at least one witness, just over half (54%) were referred to DOL for prosecution. However, only 38% of the reported cases that had no witnesses were referred. Thirty-four percent of the reported cases with at least one witness were accepted by DOL. However, only 22% of the reported cases with no witness were accepted by DOL for prosecution. Twenty-six percent of the reported cases with at least one witness resulted in a conviction. However, only 18% of the reported cases with no witness resulted in a conviction. These results suggest that cases lacking at

least one witness may experience significantly higher attrition from report to conviction than cases with one or more witnesses.

The following two tables describe this same information again, only this time conditioned on the geographic location of the incident (i.e., rural/off-highway vs. urban/on-highway). It is important to emphasize that these data only include offenses that were reported to Alaska State Troopers and exclude offenses reported to local or municipal police.

**Table 66. Number of Rural Cases by Stage**

Stage	N	% of reported	% of referred	% of accepted
Reported	578	100.0 %	—	—
Referred	279	48.3	100.0 %	—
Accepted	185	32.0 *	66.3 *	100.0 %
Convicted	151	26.1 *	54.1	81.6

**Source of data:** Alaska Department of Law, AST data (2003–2004)

\* Difference by presence of witness is statistically significant ( $p < 0.05$ ).

**Table 67. Number of Urban Cases by Stage**

Stage	N	% of reported	% of referred	% of accepted
Reported	411	100.0 %	—	—
Referred	173	42.1	100.0 %	—
Accepted	88	21.4 *	50.9 *	100.0 %
Convicted	68	16.5 *	39.3 *	77.3

**Source of data:** Alaska Department of Law, AST data (2003–2004)

\* Difference by presence of witness is statistically significant ( $p < 0.05$ ).

The results of the rural cases are presented first, followed by the urban cases. Thirty-two percent of the reported rural cases were accepted by DOL for prosecution. However, only 21% of the reported urban cases were accepted by DOL. Sixty-six percent of the referred rural cases were accepted compared to only 51% of the referred urban cases. Twenty-six percent of the reported rural cases ended with at least one conviction. However, only 17% of the reported urban cases resulted in a conviction. These results suggest that urban cases experience substantially higher attrition once prosecutors begin screening the referred cases. These findings are explored further in the next section.

We now turn to an examination of charges, rather than cases. The 452 reports referred by AST to DOL contained a total of 1,171 charges. Every charge referred to DOL receives a screening disposition code. The disposition codes indicate the official actions of DOL prosecutors (i.e., the detailed outcomes at the acceptance and conviction stages). In addition, charges that are declined for prosecution also receive reason codes. A complete list of disposition and reason codes used by DOL, and the data collection instrument used to gather these data, can be found in the Appendix (again, this detailed data collection was only performed for sexual assault cases).

The following table contains the disposition information for the 1,171 referred charges. Overall, 66% of the referred charges were accepted and 34% were declined.

More specifically, 63% of the charges were “Accepted as Referred,” 3% were accepted with some type of modification, 31% were declined with a required dismissal, and 3% were declined requiring no dismissal.

**Table 68. Disposition of Referred Charges**

*Column Percentages*

Disposition	Referred Charges	
	N	%
Accepted as Referred	736	62.9 %
Accepted - Same Class	3	0.3
Accepted - Higher Level	5	0.4
Accepted - Lesser Felony	20	1.7
Accepted - Lesser Misdemeanor	2	0.2
Accepted - Felony as Misdemeanor	10	0.9
Prosecution Declined - Dismissal Required	357	30.5
Prosecution Declined - No Dismissal Required	38	3.2
<b>Total</b>	<b>1171</b>	

*Source of data:* Alaska Department of Law

In addition to charges referred by law enforcement agencies, additional charges may be filed by prosecutors once a case has been referred. As the following table indicates, DOL prosecutors filed an additional 157 charges within the 452 referred cases. Thus, there were a total of 1,328 charges at some stage of prosecution within these 452 cases. More importantly, prosecutors accepted and filed a total of 993 charges.

**Table 69. Charge Progression at Referral**

Referred	Accepted		Total
	Yes	No	
Yes	776	395	<b>1171</b>
No	157	0	<b>157</b>
<b>Total</b>	<b>933</b>	<b>395</b>	<b>1328</b>

*Source of data:* Alaska Department of Law

The detailed reason codes used by DOL are divided into four main categories. These categories are (1) “victim/witness reasons,” (2) “evidentiary reasons,” (3) “discretionary reasons,” and (4) “miscellaneous reasons” (referred to here as “procedural/other reasons”). The following table displays the reason codes prosecutors recorded for not accepting charges as referred. Looking at the specific reasons for not accepting the referred charges, the top three reasons were all “evidentiary reasons.” More specifically, the three most common reasons prosecutors declined referred charges were “inadequate corroboration” (32%), “insufficient evidence – other essential element” (14%), and “other evidentiary reasons” (11%). Together, the top three reasons accounted for 57% of the charges that were not accepted as referred. It is worth noting the proportion of reasons, by category, prosecutors cited for declining referred charges. At

this stage of processing, the most frequently cited type of reason for not accepting charges as referred were “evidentiary reasons” (66%).

**Table 70. Detailed Reason for Not Accepting Charges as Referred**

*Column Percentages*

Reason	Charges	
	N	%
<b>Evidentiary Reason</b>	<b>262</b>	<b>66.3 %</b>
Inadequate Corroboration	125	31.6
Insufficient Evidence - Other Essential Element	56	14.2
Other Evidentiary Reasons	43	10.9
Another Charge More Accurate	11	2.8
Insufficient Evidence - Intent	6	1.5
Affirmative Defense Available	4	1.0
Insufficient Evidence - Recklessness	4	1.0
Exculpatory Evidence Discovered	3	0.8
Insufficient Evidence - Knowledge	3	0.8
Defendant Mentally Incompetent	2	0.5
Physical Evidence Unavailable	2	0.5
Analysis Results Insufficient	1	0.3
Inadequate Identification	1	0.3
Insufficient Evidence - Proof of Age	1	0.3
<b>Discretionary Reason</b>	<b>65</b>	<b>16.5 %</b>
Charges Consolidated	28	7.1
Other Discretionary Reason	18	4.6
Interests of Justice	5	1.3
Requested Interview Not Complete	5	1.3
Defendant Convicted in Another Case	2	0.5
Defendant Serving Another Sentence	2	0.5
Other Program Participation	2	0.5
Probation / Parole Revocation	2	0.5
To Facilitate Prosecution of Another	1	0.3
<b>Victim / Witness Reason</b>	<b>45</b>	<b>11.4 %</b>
Victim Declines to Prosecute	19	4.8
Essential Witness Uncooperative	11	2.8
Essential Witness Not Credible	6	1.5
Unable to Locate Essential Witness	6	1.5
Other Witness Problem	3	0.8
<b>Procedural/Other Reason</b>	<b>23</b>	<b>5.8 %</b>
Other Miscellaneous Reasons	11	2.8
Referred to Juvenile Authority	5	1.3
Pre-Charging Delay Problems	3	0.8
Disproportionate to Resources	2	0.5
Venue Appropriate Elsewhere	2	0.5
<b>Total</b>	<b>395</b>	

*Source of data:* Alaska Department of Law

All charges that are accepted and filed by DOL receive a disposition code once the final legal outcome has been determined. The final disposition code indicates both whether a finding of guilt was obtained (i.e., conviction), and how the particular finding was reached. It should be noted that final outcomes were still pending for 82 (9%) of the

933 accepted charges at the time of this report (these 82 charges were excluded from the remaining analyses in this section). Thus, final dispositions were available for 851 (91%) of the accepted charges in our sample. The results are displayed in the table below.

**Table 71. Disposition of Accepted Charges**

*Column Percentages*

Disposition	Charges	
	N	%
Jury Trial - Guilty As Charged	12	1.4 %
Court Trial - Guilty Lesser Included	1	0.1
Pled as Charged	161	18.9
Plea - Amended Charge	105	12.3
Probation/SIS Revoked	5	0.6
Jury Trial - Not Guilty	10	1.2
Jury Trial -Judgement of Acquittal	1	0.1
Dismissed by Prosecutor	497	58.4
Dismissed by Court	35	4.1
No True Bill	10	1.2
Probation Petition Withdrawn	14	1.6
<b>Total</b>	<b>851</b>	

*Source of data:* Alaska Department of Law

Over half (58%) of the accepted charges were eventually dismissed by prosecutors. The court dismissed an additional 4% of the accepted charges. Taken together, 62% of the accepted charges were ultimately dismissed. However, a finding of guilt was obtained for 284 (33%) of the accepted charges. For 94% of these charges, a finding of guilt was obtained by plea bargaining. Less than 5% of the guilty findings in our sample resulted from court action.

The following table displays the detailed reasons for charges being dismissed by prosecutors and why prosecutors allowed pleas to amended charges. The top three reasons were all “discretionary reasons.” More specifically, the three most common reasons were “charge consolidation” (31%), “defendant serving another sentence” (28%), and “other discretionary reasons” (17%). Together, these accounted for 76% of the reasons prosecutors cited for dismissing accepted charges or for accepting plea agreements to amended charges. Again, it is worth noting the proportion of reasons, by category, prosecutors cited at this stage. Overwhelmingly, prosecutors cited “discretionary reasons” (88%) for accepting plea agreements or dismissing the accepted charges outright.

**Table 72. Detailed Reason for Accepted Charge Being Dismissed or Pled**

Column Percentages

Reason	Charges	
	N	%
<b>Discretionary Reason</b>	<b>447</b>	<b>87.5 %</b>
Charges Consolidated	156	30.5
Defendant Serving Another Sentence	144	28.2
Other Discretionary Reason	88	17.2
Interest of Justice	25	4.9
To Facilitate the Prosecution of Another	17	3.3
Defendant Convicted in Another Case	6	1.2
Pretrial Diversion Completed	6	1.2
Probation / Parole Revocation	5	1.0
<b>Evidentiary Reason</b>	<b>41</b>	<b>8.0 %</b>
Defendant Deceased	12	2.3
Other Evidentiary Reasons	9	1.8
Insufficient Evidence - Other Essential Element	7	1.4
Inadequate Corroboration	5	1.0
Another Charge More Accurate	2	0.4
Inadequate Identification	2	0.4
Insufficient Evidence - Intent	2	0.4
Exculpatory Evidence Discovered	1	0.2
Insufficient Evidence - Reckless	1	0.2
<b>Procedural/Other Reason</b>	<b>13</b>	<b>2.5 %</b>
Referred to City Attorney	5	1.0
Other Miscellaneous Reasons	3	0.6
Referred to Juvenile Authority	2	0.4
Hung Jury	1	0.2
Necessary Evidence Suppressed	1	0.2
Rule 5(e) Dismissal	1	0.2
<b>Victim / Witness Reason</b>	<b>10</b>	<b>2.0 %</b>
Essential Witness Not Credible	6	1.2
Other Witness Problem	2	0.4
Unable to Locate Essential Witness	1	0.2
Victim Declines to Prosecute	1	0.2
<b>Total</b>	<b>511</b>	

*Source of data:* Alaska Department of Law

## J. Predictors of Legal Resolutions

When predicting legal resolutions, we utilized a subsample of cases that only included one victim and one adult suspect. From our original sample of 989 cases, we sampled 859 cases involving one victim and one suspect. Because of the large proportion of juvenile suspects and because we only collected outcome data from the Alaska Department of Law (and not from the Division of Juvenile Justice), we restricted the following analyses to adult suspects. The final sample includes 638 cases with one victim and one adult suspect. Of these 638 cases, 386 (61%) were *referred* for prosecution and 228 (59% of referred cases) were *accepted* for prosecution (see table below). The conviction rate was 29% for reported cases, 47% percent for referred cases,

and 80% for accepted cases. By focusing on adult suspects, the rates of referral are slightly higher than previously reported, but this had little impact on the rates of acceptance or conviction.

**Table 73. Number of Cases by Stage  
(for Cases with only One Victim and One Suspect)**

Stage	N	% of reported	% of referred	% of accepted
Reported	638	100.0 %	—	—
Referred	386	60.5	100.0 %	—
Accepted	228	35.7	59.1	100.0 %
Convicted	183	28.7	47.4	80.3

*Source of data:* AST & DOL data (2004)

A total of 80 sexual assault characteristics were examined as potential predictors of referral, acceptance for prosecution, and conviction. These include 18 characteristics of reports, 19 characteristics of suspects, 21 characteristics of victims, 14 characteristics of incidents, and eight characteristics of witnesses. In this section, we provide additional detail on these characteristics (and their coding) and our methodology. We then present findings. We should emphasize that these characteristics simply measure the contents of the official reports, or what was included in the reports. As an example, our first report characteristic is whether the case was first reported to a local paraprofessional. To be more precise, our first report characteristic is whether it was documented in the report that the case was first reported to a local paraprofessional.

**Table 74. Coding and Frequencies for Report Characteristics**

*Row percentages*

Variables	No = 0		Yes = 1		Total
	N	%	N	%	
First responder was local paraprofessional	536	84.0 %	102	16.0 %	<b>638</b>
Report was investigated by C Detachment	320	50.2	318	49.8	<b>638</b>
Report was investigated by ABI	464	72.7	174	27.3	<b>638</b>
Collected evidence from the scene	516	80.9	122	19.1	<b>638</b>
Took photographs of evidence	570	89.3	68	10.7	<b>638</b>
Took photographs of assault scene	546	85.6	92	14.4	<b>638</b>
Sent evidence to crime lab for analysis	521	81.7	117	18.3	<b>638</b>
Obtained warrants	389	61.0	249	39.0	<b>638</b>
Collected evidence from suspect	545	85.4	93	14.6	<b>638</b>
Collected suspect sexual assault kit	588	92.2	50	7.8	<b>638</b>
Took photographs of suspect injuries	622	97.5	16	2.5	<b>638</b>
Collected evidence from victim	499	78.2	139	21.8	<b>638</b>
Collected victim sexual assault kit	518	81.2	120	18.8	<b>638</b>
Took photographs of victim injuries	551	86.4	87	13.6	<b>638</b>
Provided SART exam to victim	476	74.6	162	25.4	<b>638</b>
Gave notifications to victim	591	92.6	47	7.4	<b>638</b>
Collected information on multiple witnesses	512	80.3	126	19.7	<b>638</b>
Case was closed within two weeks	241	37.8	397	62.2	<b>638</b>

*Source of data:* AST data (2004)

Report characteristics include detailed information on the investigation. These are important because Alaska State Troopers can address the report characteristics found to increase the rate of successful legal resolutions. Though most suspect, victim, and witness characteristics (e.g., age) cannot be changed by Alaska State Troopers to increase the rate of successful legal resolutions, most report characteristics can easily be changed (if sufficient training, time, and resources are available). Report characteristics included whether the first responder was a local paraprofessional. Sixteen percent of reports were first made to local paraprofessionals (e.g., Village Public Safety Officer or Village Police Officer) and 84% were first made directly to an Alaska State Trooper. We also examined whether the report was investigated by C Detachment (50% were) or the Alaska Bureau of Investigation (27% were). The next 13 variables measure what Alaska State Troopers did during the investigation. More specifically, we examined whether investigations included evidence collection from the scene (19% did), photographs of the evidence (11% did), photographs of the assault scene (14% did), evidence sent to the crime lab for analysis (18% did), warrants (39% did), evidence from the suspect (15% did), a suspect sexual assault kit (8% did), photographs of suspect injuries (3% did), evidence from the victim (22% did), a victim sexual assault kit (19% did), a Sexual Assault Response Team exam for the victim (25% did), and notifications to the victim regarding domestic violence, the Violent Crime Compensation Board, or the Office of Victims Rights (7% did). Finally, we examined whether Alaska State Troopers closed their investigation within two weeks of the report (62% of investigations were closed within two weeks). Additional information on what Alaska State Troopers did during the investigation (e.g., with interviews) is provided under the following suspect, victim, and witness characteristics.

Suspect characteristics included demographic characteristics on gender, race, and age. Only 3% of suspects were female, 59% were Alaska Native, and 54% were less than 30 years of age. We also examined whether suspects assaulted someone of a different racial and age group. Thirteen percent of suspects assaulted someone of a different race and 55% of suspects were 10 or more years older than their victim. Suspect characteristics also included whether the suspect had multiple sexual assault charges (25% did), multiple charges (including non-sexual assault charges; 34% did), and prior arrests against the victim (26% did). Four variables were used to capture the relationship between the suspect and the victim. More specifically, these included whether the suspect lived with the victim (27% did), was a friend or an acquaintance (43% were), was an intimate partner (17% were), or was a family member (32% were). We also measured whether suspects had used alcohol or drugs (42% had). Finally, we examined whether the suspect was present when Troopers arrived (24% were) and included five variables to describe interviews that were conducted with suspects. Seventy six percent of suspects were interviewed, with 33% interviewed within three days of the report and with 63% tape recorded. Over half of the suspects (59%) were cooperative during the investigation but 20% were inconsistent during the investigation.

**Table 75. Coding and Frequencies for Suspect Characteristics***Row percentages*

Variables	No = 0		Yes = 1		Total
	N	%	N	%	
Suspect is male	20	3.1 %	618	96.9 %	<b>638</b>
Suspect is Alaska Native	259	40.6	379	59.4	<b>638</b>
Suspect assaulted someone of different race	557	87.3	81	12.7	<b>638</b>
Suspect is less than 30 years of age	294	46.1	344	53.9	<b>638</b>
Suspect is 10+ years older than victim	286	44.8	352	55.2	<b>638</b>
Suspect has multiple sexual assault charges	478	74.9	160	25.1	<b>638</b>
Suspect has more than one charge	420	65.8	218	34.2	<b>638</b>
Suspect has prior arrests against victim	473	74.1	165	25.9	<b>638</b>
Suspect lives with victim	463	72.6	175	27.4	<b>638</b>
Suspect was a friend or acquaintance	363	56.9	275	43.1	<b>638</b>
Suspect was an intimate partner	531	83.2	107	16.8	<b>638</b>
Suspect was a family member	435	68.2	203	31.8	<b>638</b>
Suspect used alcohol or drugs	371	58.2	267	41.8	<b>638</b>
Suspect was present upon Trooper arrival	486	76.2	152	23.8	<b>638</b>
Suspect was interviewed	156	24.5	482	75.5	<b>638</b>
Suspect was interviewed within three days	425	66.6	213	33.4	<b>638</b>
Suspect was tape recorded	235	36.8	403	63.2	<b>638</b>
Suspect was cooperative	259	40.6	379	59.4	<b>638</b>
Suspect was inconsistent	510	79.9	128	20.1	<b>638</b>

*Source of data: AST data (2004)*

Victim characteristics included demographic information, information about the victim's condition during the assault, information about victim interviews, and information about victim injuries. Demographic information included gender (92% of victims were female), race (61% of victims were Alaska Native), and age (36% of victims were less than 18 years of age). Four percent of victims were disabled. Information about the victim's condition during the assault included information on alcohol or drug use – 30% of victims had used alcohol or drugs, 48% were sober at the time of the assault, and 12% were passed out. Thirteen percent of victims were sleeping at the time of the assault. We also examined whether the victim consulted someone else prior to reporting to law enforcement (56% had) and whether the report was made by the victim him/herself (25% were). Information about victim interviews included whether victims were interviewed (96% were), whether the victim was interviewed within three days of the report (67% were), whether the victim was tape recorded (82% were), whether the victim was cooperative (76% were), whether the victim was interviewed in person (80% were), and whether the victim was inconsistent (14% were). Finally, we examined whether the victim suffered nongenital injuries (12% had), suffered genital injuries (13% had), suffered pain (18% had), received emergency treatment for nongenital injuries (2% had), and received emergency treatment for genital injuries (3% had). Again, all of these characteristics were obtained directly from Alaska State Trooper reports. As a result, they measure, for example, the percentage of reports that documented pain (rather than the true percentage of victims that suffered pain).

**Table 76. Coding and Frequencies for Victim Characteristics***Row percentages*

Variables	No = 0		Yes = 1		Total
	N	%	N	%	
Victim is female	49	7.7 %	589	92.3 %	<b>638</b>
Victim is Alaska Native	248	38.9	390	61.1	<b>638</b>
Victim is less than 18 years of age	409	64.1	229	35.9	<b>638</b>
Victim is disabled	613	96.1	25	3.9	<b>638</b>
Victim used alcohol or drugs	445	69.7	193	30.3	<b>638</b>
Victim was sober at time of assault	329	51.6	309	48.4	<b>638</b>
Victim was sleeping at time of assault	553	86.7	85	13.3	<b>638</b>
Victim was passed out at time of assault	563	88.2	75	11.8	<b>638</b>
Victim consulted another prior to reporting	282	44.2	356	55.8	<b>638</b>
Report was made by victim	481	75.4	157	24.6	<b>638</b>
Victim was interviewed	27	4.2	611	95.8	<b>638</b>
Victim was interviewed within three days	208	32.6	430	67.4	<b>638</b>
Victim was tape recorded	115	18.0	523	82.0	<b>638</b>
Victim was cooperative	151	23.7	487	76.3	<b>638</b>
Victim was inconsistent	550	86.2	88	13.8	<b>638</b>
Victim was interviewed in person	128	20.1	510	79.9	<b>638</b>
Victim suffered nongenital injuries	564	88.4	74	11.6	<b>638</b>
Victim suffered genital injuries	554	86.8	84	13.2	<b>638</b>
Victim suffered pain	525	82.3	113	17.7	<b>638</b>
Victim received nongenital treatment	623	97.6	15	2.4	<b>638</b>
Victim received genital treatment	621	97.3	17	2.7	<b>638</b>

*Source of data: AST data (2004)***Table 77. Coding and Frequencies for Incident Characteristics***Row percentages*

Variables	No = 0		Yes = 1		Total
	N	%	N	%	
Charge involves domestic violence	432	67.7 %	206	32.3 %	<b>638</b>
Charge is an unclassified felony	345	54.1	293	45.9	<b>638</b>
Charge is sexual abuse of a minor	300	47.0	338	53.0	<b>638</b>
Assault was reported within three days	316	49.5	322	50.5	<b>638</b>
Assault occurred in a private residence	150	23.5	488	76.5	<b>638</b>
Assault included physical assault or weapons	474	74.3	164	25.7	<b>638</b>
Assault included fondling	288	45.1	350	54.9	<b>638</b>
Assault included oral sex	555	87.0	83	13.0	<b>638</b>
Assault included penetration	328	51.4	310	48.6	<b>638</b>
Multiple sex acts were documented	164	25.7	474	74.3	<b>638</b>
Condom was used during the assault	604	94.7	34	5.3	<b>638</b>
Ejaculation occurred during the assault	493	77.3	145	22.7	<b>638</b>
Victim stopped the assault	518	81.2	120	18.8	<b>638</b>
Victim resisted the assault	403	63.2	235	36.8	<b>638</b>

*Source of data: AST data (2004)*

Incident characteristics capture information about the assaults. First, we examined whether the assault involved domestic violence (32% did), whether the primary

charge was an unclassified felony (i.e., sexual assault in the first degree or sexual abuse of a minor in the first degree; 46% were), and whether the primary charge was for sexual abuse of a minor (53% were). Half (51%) of assaults were reported within three days. We also examined whether the assault occurred in a private residence (77% did) and whether the suspect physically attacked the victim (with hands or feet) or used a weapon during the assault (26% did). Four variables were used to capture the sex acts during the assault – 55% of assaults included fondling, 13% of assaults included oral sex, 49% of assaults included penetration, and 74% of assaults included multiple sex acts (again, this is based on what was documented in Troopers’ reports). Condoms were used in 5% of assaults and ejaculation was documented in 23% of assaults. Finally, we examined whether the assault was stopped by the victim (19% were) and whether the victim resisted the assault (37% did).

For witness characteristics, we examined whether any of the witnesses were children under the age of 18, whether any of the witnesses were eyewitnesses, and whether any of the witnesses had used alcohol or drugs. Children were witnesses in 16% of reports. Witnesses provided eyewitness testimony in 16% of reports. Eleven percent of reports included witnesses that had used alcohol or drugs. The remaining five variables measure characteristics of victim interviews – 49% of reports included at least one witness interview, 39% included at least one tape recorded witness interview, 39% included at least one witness interview that was conducted in person, 46% included at least one witness that cooperated with the investigation, but 4% included some inconsistent statements by at least one witness.

**Table 78. Coding and Frequencies for Witness Characteristics**

*Row percentages*

Variables	No = 0		Yes = 1		Total
	N	%	N	%	
At least one witness was a minor	539	84.5 %	99	15.5 %	<b>638</b>
At least one witness was an eyewitness	539	84.5	99	15.5	<b>638</b>
At least one witness used alcohol or drugs	565	88.6	73	11.4	<b>638</b>
At least one witness was interviewed	326	51.1	312	48.9	<b>638</b>
At least one witness was tape recorded	388	60.8	250	39.2	<b>638</b>
At least one witness cooperated	343	53.8	295	46.2	<b>638</b>
At least one witness was inconsistent	615	96.4	23	3.6	<b>638</b>
At least one witness interview was in person	391	61.3	247	38.7	<b>638</b>

*Source of data:* AST data (2004)

The analyses involved a three-phase procedure for each type of legal resolution (referral, acceptance, and conviction). In the first phase, each individual characteristic was analyzed as a predictor of the three legal resolutions using bivariate logistic regressions. In the second phase, bivariate predictors that were statistically significant at a probability level of 0.10 or less were selected for inclusion in multivariate logistic regression models of referral, acceptance, and conviction. Separate models were estimated for report, suspect, victim, assault, and witness characteristics. Within each model, a backward elimination procedure was used to only retain predictors that were statistically significant at a probability level of 0.10 or less. In the third phase, we

estimated multivariate logistic regression models of referral, acceptance, and conviction on all report, suspect, victim, assault, and witness characteristics selected from the second phase. Again, we used a backward elimination procedure to eliminate non-significant effects from each multivariate logistic regression model. The final models only include predictors that were statistically significant at a probability level of 0.05 or less. The following tables show the final predictors found to significantly predict referral, acceptance, and conviction. When predicting acceptance, we only used the sample of 386 cases that were referred for prosecution. When predicting conviction, we only used the sample of 228 cases that were accepted for prosecution.

**Table 79. Significant Predictors of Referral**

Variable	b	SE(b)	P	Exp(b)
Collected evidence from suspect	1.218	0.380	0.001	3.381
Case was closed within two weeks	0.446	0.215	0.039	1.561
Suspect has more than one charge	1.112	0.248	0.000	3.041
Suspect has prior arrests against victim	0.730	0.260	0.005	2.075
Suspect was tape recorded	0.954	0.230	0.000	2.596
Victim is Alaska Native	0.789	0.222	0.000	2.201
Victim was tape recorded	0.766	0.308	0.013	2.152
Victim was cooperative	0.557	0.250	0.026	1.745
Charge is an unclassified felony	-0.529	0.219	0.016	0.589
Assault occurred in a private residence	0.858	0.254	0.001	2.359
Multiple sex acts were documented	1.155	0.253	0.000	3.173
Victim resisted the assault	0.449	0.229	0.050	1.566

**Source of data:** AST & DOL data (2004)

-2 Log Likelihood = 571.68;  $\chi^2 = 284.42$ ;  $p < .01$

Of the 80 sexual assault characteristics, 68 (85%) had a bivariate association with referral that was statistically significant at a probability level of 0.10 or less (and all but six were statistically significant at a probability level of 0.05 or less). In the second phase of analysis, 28 of these associations remained statistically significant at a probability level of 0.10 or less (i.e., in logistic regressions of referral on report characteristics, of referral on suspect characteristics, of referral on victim characteristics, of referral on assault characteristics, and of referral on witness characteristics). In the final model, 12 variables remained statistically significant at a probability level of 0.05 or less.

In order of greatest impact to least impact on referral, these variables included whether physical or DNA evidence was collected from the suspect, whether multiple sex acts were documented, whether the suspect had more than one charge, whether the suspect was tape recorded, whether the assault occurred in a private residence, whether the victim was Alaska Native, whether the victim was tape recorded, whether the suspect had prior arrests against the victim, whether the victim was cooperative, whether the victim resisted the assault, whether the case was closed within two weeks, and whether the primary charge was an unclassified felony (i.e., an assault in the first degree). More specifically, the odds of referral were expected to increase by a factor of 3.4 when physical or DNA evidence was collected from the suspect, by a factor of 3.2 when multiple sex acts were documented, by a factor of 3.0 when the suspect had more than one charge, by a factor of 2.6 when the suspect was tape recorded, by a factor of 2.4

when the assault occurred in a private residence, by a factor of 2.2 when the victim was Alaska Native, by a factor of 2.1 when the suspect had prior arrests against the victim, by a factor of 1.7 when the victim was cooperative, by a factor of 1.6 when the victim resisted the assault, and by a factor of 1.6 when the case was closed within two weeks. On the other hand, the odds of referral were expected to be lower when the primary charge was an unclassified felony. The odds of referral were expected to increase by 1.7 when the primary charge was *not* an unclassified felony (result not shown). We address the significance of these findings in the conclusion.

**Table 80. Significant Predictors of Acceptance**

Variable	b	SE(b)	P	Exp(b)
First responder was local paraprofessional	0.964	0.387	0.013	2.622
Report was investigated by C Detachment	0.898	0.272	0.001	2.455
Took photographs of assault scene	0.875	0.352	0.013	2.400
Case was closed within two weeks	1.304	0.265	0.000	3.685
Suspect has more than one charge	0.653	0.252	0.009	1.922
Suspect was interviewed within three days	0.549	0.260	0.034	1.732
Suspect was inconsistent	0.821	0.290	0.005	2.273
Victim is female	1.542	0.663	0.020	4.673
Multiple sex acts were documented	1.312	0.401	0.001	3.712

*Source of data:* AST & DOL data (2004)

$-2 \text{ Log Likelihood} = 404.53; \chi^2 = 117.81; p < .01$

When predicting whether cases were accepted for prosecution, we sampled the 386 case that were referred for prosecution. Of the 80 sexual assault characteristics, 33 (41%) initially had a bivariate association with acceptance that was statistically significant at a probability level of 0.10 or less. In the second phase of analysis, 17 were selected as possible predictors of acceptance in the final model. After using a backward elimination procedure, our final model includes nine significant predictors.

The odds of accepting cases that had been referred for prosecution were expected to increase by a factor of 4.7 when the victim was female, by a factor of 3.7 when multiple sex acts were documented, by a factor of 3.7 when the case was closed within two weeks, by a factor of 2.6 when the first responder was a local paraprofessional (e.g., VPSO), by a factor of 2.5 when the report was investigated by C Detachment (in Western Alaska), by a factor of 2.4 when Troopers took photographs of the assault scene, by a factor of 2.3 when the suspect provided inconsistent statements to Troopers, by a factor of 1.9 when the suspect had more than one charge, and by a factor of 1.7 when the suspect was interviewed within three days of the report. Again, we address the significance of these findings in the conclusion.

Finally, when examining cases that had been accepted for prosecution, we found few factors that significantly predicted whether cases would result in a conviction. Of the 80 potential predictors that we began with, 20 (25%) had a bivariate association with conviction that was statistically significant at a probability level of 0.10 or less. In our final model, only three remained statistically significant at a probability level of 0.05 or less. The odds of conviction were expected to be significantly lower when the victim received a SART exam, when the victim was disabled, and when at least one witness provided inconsistent statements to investigators. It is unclear why SART exams lowered

the odds of conviction. This may reflect on over-reliance on SART exams to prove cases at the conviction stage. In addition, it may reflect uncertainty about how to properly use SART examination results at the conviction stage. It is important to emphasize that this variable only measured whether a SART exam was conducted. It did not measure the outcome of the SART exam (and some may have offered exculpatory evidence). SART exams did not significantly impact referral or acceptance, but the documentation of multiple sex acts did (and this would be included in SART examinations). In the end, we found that the odds of conviction were expected to increase by a factor of 3.2 when the victim was *not* provided a SART exam (i.e., when investigators and prosecutors were forced to rely on other evidence), by a factor of 7.2 when the victim was *not* disabled, and by a factor of 4.9 when witnesses did *not* provide inconsistent statements (results not shown).

**Table 81. Significant Predictors of Conviction**

Variable	b	SE(b)	P	Exp(b)
Provided SART exam to victim	-1.171	0.354	0.001	0.310
Victim is disabled	-1.981	0.966	0.040	0.138
At least one witness was inconsistent	-1.593	0.724	0.028	0.203

*Source of data:* AST & DOL data (2004)  
 -2 Log Likelihood = 205.30;  $\chi^2 = 21.21$ ;  $p < .01$

## K. Legal Resolutions by Race and Geography

We now explore legal resolutions in more detail, by examining whether legal resolutions vary by race and geography. The State of Alaska's response to violence in Alaska Native villages has faced increased scrutiny over the past decade, with criticism coming from a number of sources, including the Alaska Advisory Committee to the U.S. Commission on Civil Rights, the Alaska Inter-Tribal Council (in *AITC v. Alaska*, 110 P.3d 947, 2005), and, most recently, Amnesty International. In general, allegations have been made that the state discriminates on a geographic and racial basis in the provision of criminal justice services to Alaska Native villages that are isolated from the main road system. For example, in *AITC v. Alaska* (2005), plaintiffs argued that their equal protection rights were violated by the state's deployment of police resources in a discriminatory fashion that favored those living along the main highway system. Similarly, in a 2007 report on police and court responses to violence against American Indian and Alaska Native women (*Maze of Injustice: The Failure to Protect Indigenous Women from Sexual Violence in the USA*), Amnesty International singled out Alaska for what it considers to be a discriminatory, two-tiered deployment of police into the isolated areas of the state, said to be indicative of the state's "failing to exercise due diligence when it comes to sexual violence against . . . Alaska Native women." Amnesty International argued that with this two-tiered deployment of police resources, villages without a trooper post receive less effective police response than villages with a trooper post.

The evidence put forth in the many critical reports is based primarily upon the written and oral testimony of criminal justice agency personnel as well as Alaska Native crime victims, political leaders, and legal advocates. Although compelling, the case

made against the state is largely anecdotal, failing to demonstrate a systematic lack of criminal justice system response to sexual violence against Alaska Natives. In this section we consider information gathered from the case files of the Alaska State Troopers (AST) and the Alaska Department of Law (DOL) to determine if there is an empirical basis for claims of unequal enforcement of sexual violence statutes. Specifically, we consider multiple decision-making points within the criminal justice process to compare the outcomes of cases involving Alaska Native victims with cases of non-Native victims.

The results presented in this section allow for an examination of case attrition of instances of sexual violence reported to AST and prosecuted by DOL. Case attrition is a term used to describe the process by which only a portion of offenses reported to the police are eventually dealt with through criminal prosecution. At each specific decision-making point the number of cases deemed worthy of official attention is reduced, with some cases carried forward for additional processing while others are no longer subject to prosecution.

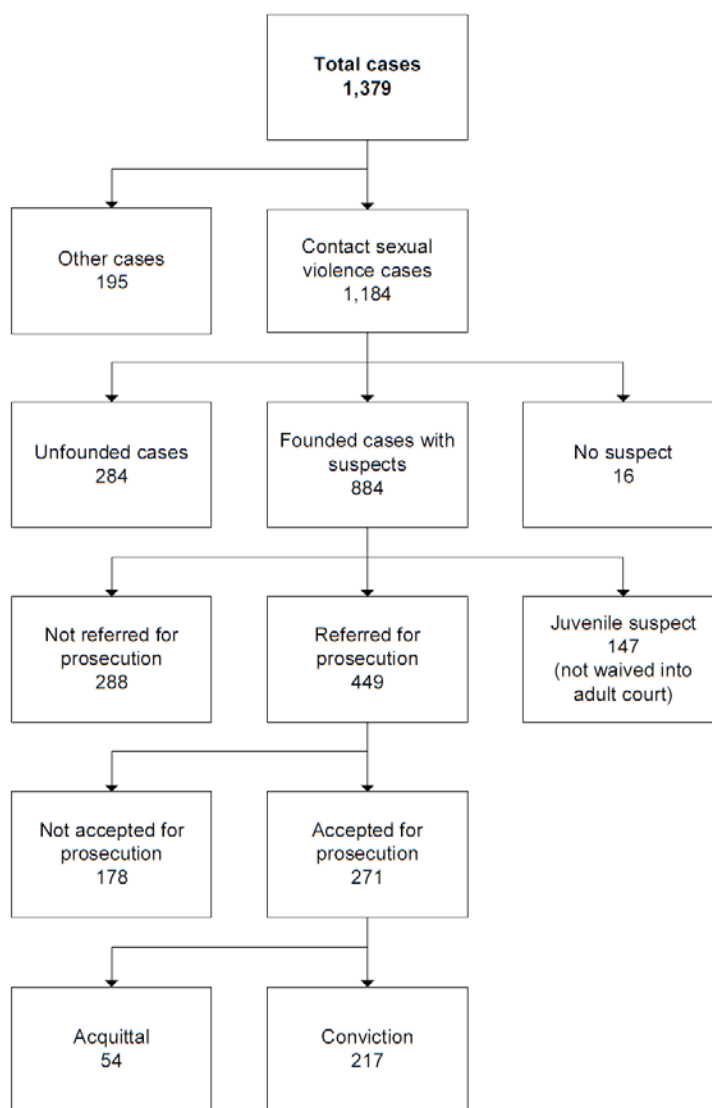
In this section, we use a different sample than previously used. This sample includes all sexual offenses reported to Alaska State Troopers in 2003 and 2004. The results within this section are therefore not directly comparable to the previous results. Overall, we examined 1,379 reports of sexual offenses made to AST. Of those original reports, 1,184 were contact sexual violence cases involving forcible rape, sexual assault, or sexual abuse of a minor. Among the other 195 cases were offenses that occurred outside of AST's geographic area of responsibility, offenses that occurred before 2003, offenses committed by children too young to form criminal intent, and non-contact sexual offenses such as indecent exposure or possession of child pornography.

The attrition of sexual violence cases reported to AST in 2003 and 2004 is shown in the following figure. In the first step in the process, the police decide if the reported offense is founded (i.e., that it actually occurred) and if there is a suspect responsible for the offense to be subject to prosecution. Roughly three-fourths (74.7%) of the 1,184 reported contact sexual violence cases were deemed by AST to have occurred and to have at least one identifiable suspect.

After the police decide that an offense has indeed occurred and also identify a suspect, the next decision is whether to refer the case for prosecution in criminal court. Half (50.8%) of the 884 founded cases with identified suspects were referred to DOL for prosecution in adult criminal court. The cases excluded from the analysis at that point included those juvenile cases that were not waived into adult court (a sixth—16.6%—of founded cases with suspects) and those that were not referred for reasons such as a lack of evidence or uncooperative victims (a third—32.6% — of founded cases with suspects).

Once referred by the police, prosecutors decide which cases to prosecute; three-fifths (60.4%) of contact sexual violence cases referred by AST to DOL were accepted for prosecution. Cases that are prosecuted eventually result either in a conviction or an acquittal. Of the cases of sexual violence accepted for prosecution by DOL, most (80.1%) resulted in a conviction. Ultimately, only 18 percent of reported cases, 25 percent of founded cases with suspects, and 48 percent of cases referred by AST to prosecution resulted in a conviction—i.e., guilty plea or conviction at trial.

**Figure 10. Processing of Sexual Violence Cases Reported to Alaska State Troopers**



*Source of data:* AST & DOL data (2003–2004)

Apart from this general consideration of the winnowing of reported sexual violence offenses as they proceed through the system, it is also possible to examine relative case attrition of offenses involving Alaska Natives versus those of non-Natives. Doing so allows for a determination of the extent to which there is systematic under-enforcement of laws against contact sexual violence in cases with Alaska Native victims. Greater degrees of attrition of Alaska Native victims' cases when compared to that for non-Native victims would lend credence to the anecdotal evidence used in reports critical of the state's provision of policing and prosecution to Alaska Native communities.

Comparisons of attrition of cases of sexual violence are made on a number of levels. First, case attrition for offenses involving Alaska Native victims is compared with attrition of non-Native victims' cases. Next, case attrition in communities located in the rural regions of Alaska is compared with case attrition in communities located outside of

the state's rural regions. Finally, the attrition of cases that occurred in isolated villages is compared with the attrition of cases that occurred in less-isolated locations. It is important to again emphasize that this analysis only includes offenses reported to Alaska State Troopers. Offenses reported to local or municipal police are not included. At each of these levels, comparisons are made on the basis of the total of all contact sexual violence offenses, and for rape/sexual assault and sexual abuse of a minor (SAM) separately. Four different decisions are considered: the Troopers' decision on whether reported cases are founded; the Troopers' decision to refer founded cases for prosecution; the prosecutors' decision to accept referred cases for prosecution; and the final court decision in cases accepted for prosecution—i.e., whether a conviction was obtained. These results are presented as a comparison between Alaska Native and non-Native victims in terms of the number and percentage of cases that were chosen to be carried forward in the criminal justice process. The results of chi-square tests of statistical significance—a test which measures the likelihood that differences in the percentage of cases carried forward are the result of chance alone and not indicative of an underlying association—are also provided.

Differences in the processing of cases involving Alaska Native and non-Native victims are shown in the following table. For the most part, these results indicate that the cases of Alaska Native victims are as likely, or are even more likely, to be processed by the criminal justice system relative to the cases of non-Native victims. For the total of all sexual violence offenses, cases involving Alaska Native victims were just as likely as cases with non-Native victims to be founded or to result in a conviction and they were more likely to be referred by AST to prosecutors and to be accepted by DOL for prosecution. Considering only cases involving the offenses of rape and sexual assault, there were statistically significant differences between Alaska Native and non-Native victims at the founding decision and at the decisions to refer cases and accept cases for prosecution; at each of these decision-making points the cases of Alaska Native victims were more likely to be carried forward. In terms of sexual abuse of a minor (SAM) cases, those cases involving Alaska Native victims were less likely to be founded. Otherwise, none of the differences in the processing rates of Alaska Native and non-Native victims' SAM cases were statistically significant.

**Table 82. Attrition of Sexual Violence Cases by Victim Race**

*Column percentages*

Decision	Total sexual violence				Rape/sexual assault				Sexual abuse of a minor			
	Alaska Native		Non-Native		Alaska Native		Non-Native		Alaska Native		Non-Native	
	N	%	N	%	N	%	N	%	N	%	N	%
Founded	512	82.4 %	351	82.0 %	268	87.3 %	148	78.7 % *	244	77.7 %	203	84.6 % *
Referred <sup>†</sup>	289	67.7	159	56.8 *	153	69.9	65	56.0 *	136	65.4	94	57.3
Accepted	185	64.0	85	53.5 *	105	68.6	29	44.6 *	80	58.8	56	59.6
Convicted	149	80.5	67	78.8	80	76.2	21	72.4	69	86.3	46	82.1

**Source of data:** AST data (2003–2004)

<sup>†</sup>Percentages based on founded cases with adult suspects.

\*Difference between Alaska Native and non-Native victims is statistically significant at the  $p < .05$  level.

**Table 83. Attrition of Sexual Violence Cases by Bush Stratum***Column percentages*

Decision	Total sexual violence				Rape/sexual assault				Sexual abuse of a minor			
	Bush		Non-Bush		Bush		Non-Bush		Bush		Non-Bush	
	N	%	N	%	N	%	N	%	N	%	N	%
Founded	447	76.1 %	453	75.9 %	233	81.5 %	197	75.2 %	214	71.1 %	256	76.6 %
Referred <sup>†</sup>	242	65.9	207	55.9 *	129	69.7	89	56.0 *	113	62.1	118	55.9
Accepted	167	69.0	104	50.2 *	95	73.6	39	43.8 *	72	63.7	65	55.1
Convicted	136	81.4	81	77.9	72	75.8	29	74.4	64	88.9	52	80.0

**Source of data:** AST data (2003–2004)<sup>†</sup>Percentages based on founded cases with adult suspects.\*Difference between Bush and non-Bush regions is statistically significant at the  $p < .05$  level.

A second set of analyses was conducted to consider the processing of cases occurring in the largely Alaska Native communities of the most rural areas of the state. The dichotomy for these analyses was drawn between cases occurring either inside or outside of what the Department of Health and Social Services in its Alaska Behavioral Risk Factor Surveillance System has termed the “Bush Stratum” – comprising the boroughs and census areas north and west of the Railbelt. Comparisons of case processing from these bush communities with cases from non-bush communities are reported in the previous table.

These results indicate that cases of sexual violence that occur in the most rural portions of Alaska have, depending upon the decision, an equal or greater chance of being subject to legal sanction when compared with cases from Alaska’s less rural areas. Similar to what was found when comparing attrition in Alaska Native victims’ cases versus non-Native victims’ cases, victims from bush communities of sexual violence in general and of rape/sexual assault were more likely to have their cases referred to prosecutors by AST and to have DOL accept those cases for prosecution.

The final set of analyses considers attrition of cases coming from the most isolated villages compared to places that are less isolated. For these analyses a village was considered isolated if it lacked a local AST post or if Troopers were unable to reach the village by automobile. The premise of this dichotomy is that travel to villages that cannot be reached by highway is more difficult and, because of that hindrance, it could be expected that conducting investigations would be more difficult—thus increasing case attrition. From the perspective behind the allegations against the state, it is in these disconnected villages that lack a locally-posted police agency certified by the Alaska Police Standards Council where the greatest disparities in the enforcement and prosecution of cases of sexual violence would be expected to occur.

The results comparing attrition of cases occurring in villages defined as isolated with cases occurring in places more easily reached are presented in the table below. Cases from isolated villages are instead actually more likely to receive full enforcement. Cases of rape/sexual assault in isolated villages were more likely to be founded, more likely to be referred for prosecution, and more likely to be accepted for prosecution. Likewise, across the total of all sexual violence offenses, cases from isolated villages were referred and accepted for prosecution at a rate greater than cases from non-isolated locations. No differences were found in the attrition of SAM cases.

**Table 84. Attrition of Sexual Violence Cases by Community Isolation***Column percentages*

Decision	Total sexual violence				Rape/sexual assault				Sexual abuse of a minor			
	Isolated		Non-Isolated		Isolated		Non-Isolated		Isolated		Non-Isolated	
	N	%	N	%	N	%	N	%	N	%	N	%
Founded	437	76.4 %	463	75.7 %	230	81.9 %	200	74.9 % *	207	71.1 %	263	76.5 %
Referred <sup>†</sup>	243	66.8	206	55.2 *	132	71.0	86	54.4 *	111	62.4	120	55.8
Accepted	166	68.3	105	51.0 *	94	71.2	40	46.5 *	72	64.9	65	54.2
Convicted	132	79.5	85	81.0	70	74.5	31	77.5	62	86.1	54	83.1

**Source of data:** AST data (2003–2004)<sup>†</sup>Percentages based on founded cases with adult suspects.\*Difference between isolated and non-isolated communities is statistically significant at the  $p < .05$  level.

The results comparing attrition of cases occurring in villages defined as isolated with cases occurring in places more easily reached are presented in the table above. Cases from isolated villages are instead actually more likely to receive full enforcement. Cases of rape/sexual assault in isolated villages were more likely to be founded, more likely to be referred for prosecution by AST, and more likely to be accepted for prosecution by DOL. Likewise, across the total of all sexual violence offenses, cases from isolated villages were referred and accepted for prosecution at a rate greater than cases from non-isolated locations. No differences were found in the attrition of SAM cases.

Overall, the results presented in this section provide little empirical support for allegations of discrimination in the processing of sexual violence cases by AST or DOL on a racial or geographic basis. With the exception of SAM cases against Alaska Native victims being less likely to be founded, cases of sexual violence against Alaska Native victims were just as likely or actually more likely to receive full enforcement and prosecution when compared with cases against non-Native victims. On the basis of geography, cases occurring in locations with predominately Alaska Native populations believed to be underserved by AST were actually more likely to be dealt with by AST or DOL when compared with cases from outside those geographic areas. Our results indicate that the anecdotal evidence found in reports critical of the state's response to sexual violence against Alaska Natives does not accurately reflect the actual processing of cases of rape, sexual assault, and SAM reported to AST and prosecuted by DOL. Ultimately, these results do not support claims of unequal enforcement by the state in response to the victimization of the Alaska Native population. However, Alaska continues to experience high rates of forcible rape, and the prosecution of sexual violence continues to be difficult: the percentage of AST-founded cases that resulted in a conviction never exceeded 30 percent.

## L. Conclusions

Twelve factors were found to significantly predict referral. Several of these factors can be addressed by Alaska State Troopers to increase referral rates. Most importantly, collecting physical or DNA evidence from suspects more than tripled the odds of referral ( $Exp(b) = 3.4$ ). Making sure that multiple sex acts were documented in

the report also significantly increased the odds of referral, by a factor of 3.2. It is clear that tape recording both the suspect and the victim is important. Tape recording the suspect or the victim more than doubled the odds of referral. Tape recording both the suspect and the victim more than tripled the odds of referral (result not shown;  $Exp(b) = 3.3$ ). When Troopers collected physical or DNA evidence from the suspects, documented that multiple sex acts had occurred, tape recorded the victim, *and* tape recorded the suspect, the odds of referral were expected to increase by a factor of 5.3 (result not shown). Finally, closing cases within two weeks was also identified as an important predictor of referral. The odds of referral were expected to be 1.6 times higher for cases closed within two weeks than for other cases. Clearly, Alaska State Troopers have the capacity to dramatically increase the rates of referral, assuming that training, time, and resources are available. When Troopers have the training, time, and resources to fully investigate cases, rates of referral dramatically (and significantly) increased. In addition to the characteristics just described (evidence collection, documentation, tape recording, and closing cases within two weeks), full investigations allow Troopers to identify additional charges against the suspect. When suspects had more than one charge, the odds of referral more than tripled.

Interestingly, we found that the odds of referral were significantly lower for the most serious sexual assault and sexual abuse of minor cases (i.e., for unclassified felonies). This is a difficult finding to explain and it will need additional research. The effect of collecting physical evidence or DNA from suspects was important for all cases, but was even more important for felony cases. In misdemeanor cases, collecting physical evidence or DNA from suspects was expected to increase the odds of referral by a factor of 4.2 ( $p = 0.01$ , result not shown). In felony cases, collecting physical evidence or DNA from suspects was expected to increase the odds of referral by a factor of 8.7 ( $p < 0.01$ , result not shown). Stated differently, unclassified felony cases were more likely to be hindered by the lack of physical evidence or DNA from suspects than other cases. Given that unclassified felonies include penetration, this result is not too surprising – but it offers further support for the importance of collecting physical evidence or DNA from suspects (particularly in cases that include penetration). In cases that included penetration, collecting physical evidence or DNA from suspects was expected to increase the odds of referral by a factor of 5.2 (result not shown). On the other hand, collecting physical evidence or DNA from suspects in cases that did not include penetration had not significant impact on referral ( $p = 0.10$ , result not shown).

Fewer factors (nine) were found to significantly predict whether referred cases were accepted for prosecution. Three of these factors also predicted whether cases would be referred for prosecution. When multiple sex acts were documented, the odds of both referral and acceptance were significantly increased. When the suspect had more than one charge, the odds of both referral and acceptance were significantly increased. Finally, when the case was closed within two weeks of the report, the odds of both referral and acceptance were again significantly increased. Troopers can further increase the odds of acceptance by taking photographs of the assault scene and by interviewing suspects within three days (and recall that tape recording suspects significantly increased the odds of referral). When we examined prosecutors' reasons for not accepting charges that were referred, the most common reasons were evidentiary reasons. This result was corroborated by qualitative interviews with prosecutors in rural Alaska. More

specifically, these prosecutors all stressed the importance of having photographs of the assault scene in order to reconstruct and contextualize the criminal event.

Perhaps the most important finding was that the odds of acceptance were expected to increase by a factor of 2.6 when the first responder was a local paraprofessional. Over ninety percent (91%) of cases responded to by a local paraprofessional were investigated by C Detachment. When the first responder was a local paraprofessional *and* the case was investigated by C Detachment, the odds of acceptance were expected to increase by a factor of 5.0 (result not shown). This presents strong evidence regarding the effectiveness of local law enforcement presence in rural communities. Our analyses of legal resolutions by geography offered further evidence. When we compared cases from the bush stratum to cases from the non-bush stratum and when we compared cases from isolated regions to cases from non-isolated regions, we found no evidence of under-enforcement or prosecution. Cases from the bush stratum and cases from isolated regions were never less likely to be founded, never less likely to be referred, never less likely to be accepted, and never less likely to result in a conviction. This was true for all sexual violence cases, for sexual assault cases, and for sexual abuse of minor cases.

In the descriptive and inferential analyses, we found two vulnerable populations that need greater attention. Seventy three percent of victims were under the age of 18. We also found that minor victims were less likely to call or yell for help and were more likely to report more than one month after the victimization. Minor victims were not disadvantaged in the legal resolution process. However, their reluctance to call for help reduces their access to important services from victim and legal advocacy. Public education efforts to prevent sexual violence should also disseminate information about the victim and legal advocacy services that are available for all crime victims. Few victims (4%) were disabled. Our inferential analyses only included 25 victims with a mental or physical disability. Of those 25 cases, only two (8%) resulted in a conviction (by comparison, 30% of cases with non-disabled victims resulted in a conviction). Cases with non-disabled victims were more than seven times more likely to result in a conviction. Although these results are based on a very small sample of disabled victims, additional research should examine the disadvantages that disabled victims experience in the legal system.

## Section VII

### Domestic Violence

This section provides an overview of the characteristics of assaults in domestic violence incidents reported to Alaska State Troopers (AST) in 2004. Our analysis is not inclusive of assaults in domestic violence incidents that were reported to municipal police agencies across Alaska. Only assaults in domestic violence incidents reported to Alaska State Troopers are described. The majority of available information on assaults in domestic violence incidents in the State of Alaska is limited to Anchorage. Very little is known about the characteristics of assaults in domestic violence incidents statewide. This analysis provides the first overview of assaults in domestic violence incidents reported to AST posts across most geographic areas of Alaska (excluding reports to Alaska municipal police agencies). This analysis also describes the likelihood that assaults in domestic violence incidents were referred for prosecution, were accepted for prosecution, and resulted in a conviction. We begin this section of the report by providing a brief description of what is currently known about assaults in domestic violence incidents and a brief overview of criminal assault statutes covering assaults in domestic violence incidents in the State of Alaska. We then discuss the methodology used for this analysis. Descriptive results are then presented in seven sections. These sections present report characteristics, suspect characteristics, victim characteristics, victim-suspect characteristics, incident characteristics, witness characteristics, and legal resolutions. Finally, we examine whether legal resolutions vary by geography and explore the characteristics that predicted successful legal resolutions.

#### A. Brief Overview of Domestic Violence in Alaska

The current sample includes reports of assaults in domestic violence incidents that resulted in at least one assault charge. Alaska's criminal code defines assault in terms of first, second, third and fourth degrees (Alaska Statutes §11.41.200, §11.41.210, §11.41.220 and §11.41.230). First degree assault is a class A felony, second degree assault is a class B felony, third degree assault is a class C felony and fourth degree assault is a class A misdemeanor.

The main distinctions between the degrees of assault are in regard to the level of intent and seriousness of resulting physical injury. First degree assault includes reckless serious physical injury resulting from a dangerous instrument, intentional serious physical injury, knowingly engaging in conduct that results in serious physical injury and recklessly causing serious physical injury by repeated assaults using a dangerous instrument. Assault in the second degree includes intent to physically injure another person by a dangerous instrument, recklessly causing serious physical injury or recklessly causing serious physical injury by repeated assaults. Assault in the third degree includes physical injury to a child less than 10 years of age requiring medical attention or on more than one occasion. The statute for third degree assault also references intent of physically injuring or repeatedly threatening death or imminent serious physical injury to a person or their family member. Fourth degree assault as defined in section 11.41.230 includes

reckless physical injury, criminally negligent physical injury resulting from a dangerous instrument, and recklessly placing another in fear of imminent physical injury.

Alaska has a mandatory arrest statute (§18.65.530), passed as part of the Domestic Violence Prevention and Victim Protection Act of 1996. Police officers are required to arrest the principal physical aggressor when there is probable cause that s/he has committed a crime involving domestic violence within the previous 12 hours. To determine who the principal physical aggressor is, officers shall consider prior complaints of domestic violence, the relative severity of the injuries inflicted on each person, the likelihood of future injury from domestic violence, and whether one of the persons acted in defense of self or others (Alaska Statute §18.65.530). In addition to mandatory arrests for crimes involving domestic violence, Alaska Statute §18.65.530 provides mandatory arrests for violations of protective orders and violations of conditions of release. If officers determine that an arrest should not be made, they must first obtain authorization from a prosecuting attorney in the jurisdiction in which the offense under investigation arose.

In this analysis, we focus on assaults in domestic violence incidents. These represent assaults between household members. *Household member* is defined in Alaska Statute § 18.66.990 as including adults or minors who are in the following relationships: current or former spouses, living together or having lived together, dating or who have dated, engaged in or who have engaged in a sexual relationship, related to each other up to the fourth degree of consanguinity, related or formerly related by marriage, or have a child together. First degree consanguinity includes parents and children. The second degree of consanguinity includes grandparents, grandchildren, and brothers or sisters. The third degree of consanguinity includes great grandparents, great grandchildren, nephews, nieces, uncles or aunts. The fourth degree of consanguinity includes great great grandchildren or grandparents, grand nieces or nephews, and great uncles or aunts.

## B. Methodology

Our population included all assaults in domestic violence incidents reported to Alaska State Troopers in 2004. Reports were selected if they included an assault charge (in the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, or 4<sup>th</sup> degree) that was classified as assaults in domestic violence incidents (according to the definitions provided in Alaska Statute §18.66.990). This population included a total of 1,441 cases. From these 1,441 cases, we sampled all cases that were closed by referral, closed by arrest, closed declined, closed by investigation, or closed as unfounded. This eliminated 75 cases that were still open or were closed logged. Closed logged cases were reported as assaults in domestic violence incidents, but no report was ever generated because it was determined that no crime had occurred. We also eliminated 29 cases because they were investigated by detachments N or W (Narcotics and Wildlife, respectively). This limited the sample to cases investigated by detachments A, B, C, D, E, or ABI. Finally, we eliminated 16 cases where only “supplement” information, rather than the final case report, was available. The supplemental information often includes additional witness information collected by a Trooper assisting the main case investigation. From our original population of 1,441 cases, we therefore included 1,321 cases (91.7% of the population) in our sample. A total of 120 cases were not included in our sample. Of these 120 cases, 75 were excluded

because they were still open or were closed logged, 29 were excluded because they were investigated by Detachments N or W, and 16 were excluded because they contained supplemental information only.

From our sample of 1,321 cases, we successfully collected 1,281 cases, or 97%. From the 40 cases that were not collected, 30 did not include an assault in domestic and less than 1% could not be found. Our final sample therefore includes 1,281 cases with an assault in domestic violence charge, reported to Troopers in 2004, from Detachments A, B, C, D, E, or ABI, that were closed by referral, closed by arrest, closed declined, closed by investigation, or closed as unfounded. To summarize, the population included 1,441 cases. We sampled 1,321 (91.7%) of these 1,441 cases. We collected 1,281 cases (97% of sampled cases, or 88.8% of cases in the population).

Requests for copies of the final reports were sent to the appropriate AST Posts, Detachment Headquarters, and the Criminal Records and Identification Bureau (R&I), the central repository for criminal history information. All data collection then occurred on-site at the Alaska State Troopers Headquarters in Anchorage. From these 1,281 cases, we collected detailed information on reports, suspects, victims, incidents, witnesses, and legal resolutions (see Appendix B for data collection instrument). These 1,281 cases contained information about 2,407 charges (including 1,803 assault charges), 1,356 suspects, 1,523 victims, and 1,283 witnesses.

Report information includes geographic information (detachment and unit information), the month and year of report, case closure codes, time from report to case closure, the law enforcement agency first notified, the person reporting the assault in domestic violence incident, and the number of charges, suspects, victims, and witnesses per report.

Suspect information includes demographic information (gender, race, and age); information about the suspect's use of drugs and alcohol; whether the suspect was present upon Trooper arrival; whether the suspect was cooperative; whether the suspect was interviewed; the amount of time from the report to the suspect interview; whether their interviews were recorded; whether suspect interviews were internally consistent; whether suspects violated a domestic violence protective order, conditions of release, or conditions of probation; and detailed information about the suspect's charges. This information includes the total number of charges per suspects, the total number of assault charges per suspect, and the total number of other charges per suspect.

Victim information includes demographic information (gender, race, and age), information on who the victim consulted prior to reporting, victim use of drugs and alcohol, whether the victim received emergency medical treatment, whether the victim was present upon Trooper arrival, whether the victim was interviewed, when victims were interviewed, whether the victim continued to cooperate with the investigation, whether victim interviews were recorded and internally consistent, and whether the victim suffered injuries.

For each victim and suspect within each case, we also describe the nature of their relationship, the status of their relationship, and their living arrangement. We also compare victims and suspects by race and age.

Incident information includes the main charge for each incident, the number of assault charges per incident, whether substance use was involved, the method of contact, the precipitating factors of the assault in domestic violence incident, the location of the

assault in domestic violence incident, the presence of others during the incident, the person responsible for stopping the assault, the victim's condition at the time of the assault, whether weapons were used during the assault, whether the victim resisted the assault, whether the victim was stalked, the time to report, and characteristics of the incidents. Characteristics of the incidents include both violent acts toward the victim and threats made to the victim. Finally, incident information includes offensive and defensive injury measures for both victims and suspects.

Witness information includes the number of witnesses per case, whether witnesses were eyewitnesses, whether witnesses were interviewed, whether their interviews were recorded, demographic characteristics of witnesses (gender, race, and age), drug and alcohol use by witnesses, whether witnesses cooperated, whether witness statements were internally consistent, and whether witness statements corroborated statements by the victim, suspect, or other witnesses.

This project was approved by the University of Alaska Anchorage Institutional Review Board and utilized a Privacy Certificate issued by the National Institute of Justice. All reports of assaults in domestic violence incidents from 2004 were photocopied by the Alaska State Troopers and were mailed to the Anchorage office. Research assistants then read each report and entered information directly onto a Microsoft Access database (again, see Appendix B for data collection instrument). Names of victims, suspects and witnesses were excluded from data collection and entry. We now describe the results of this collaborative investigation. We begin by describing report characteristics and then describe the characteristics of suspects, victims, incidents, and witnesses. We conclude with an overview of key legal outcomes and examine the predictors of legal outcomes.

### C. Report Characteristics

A total of 1,281 assaults in domestic violence incidents were included in the analyses. These 1,281 assaults in domestic violence incidents generated 1,803 assault charges.

**Table 85. Month of Report**

*Column percentages*

Month	Reports	
	N	%
January	109	8.5 %
February	100	7.8
March	91	7.1
April	106	8.3
May	140	10.9
June	95	7.4
July	103	8.0
August	111	8.7
September	100	7.8
October	109	8.5
November	103	8.0
December	114	8.9
<b>Total</b>	<b>1281</b>	

*Source of data:* AST data (2004)

All of the reports were made in 2004 and the month in which each report was made is summarized in the table above. The number of assaults in domestic violence incidents was fairly consistent from month to month, as it ranged from a low of 91 assaults in domestic violence incidents in March to a high of 140 in May. Only two months (March and June) had fewer than 100 assaults in domestic violence incidents, while the other 10 months each had 100 or more.

The reports of assaults in domestic violence incidents came from a number of different sources, but victims were the most likely people to report assaults in domestic violence incidents. As shown in the next table, 57% of reports were made by victims. After victims, the most likely people to report assaults in domestic violence incidents were family members (15%) and friends (8%). On rare occasions, reports of assaults in domestic violence incidents came from other sources including officials (health professionals, law enforcement or other officials) and suspects.

**Table 86. Person Reporting Assaults in Domestic Violence Incidents**

*Column percentages*

Reporter	Reports	
	N	%
Victims	734	57.3 %
Family	196	15.3
Friends	104	8.1
Strangers	82	6.4
Official	75	5.9
Suspect	58	4.5
Other	32	2.5
<b>Total</b>	<b>1281</b>	

*Source of data:* AST data (2004)

The number of reports varied by detachment and unit. The following tables summarize the detachment and unit information for the 1,281 reports that were analyzed. The majority of reports (82%) were handled by three detachment areas: C (32%), D (29%), and B (22%). The remaining detachment areas had fewer reports: E (13%), A (4%), and ABI (1%).

**Table 87. Total Number of Reports by Detachment**

*Column percentages*

Detachment	Reports	
	N	%
C	409	31.9 %
D	367	28.6
B	275	21.5
E	171	13.3
A	49	3.8
ABI	10	0.8
<b>Total</b>	<b>1281</b>	

*Source of data:* AST data (2004)

The next table shows the number of reports by unit. Fifty-eight units received at least one report in 2004. The Fairbanks AST Enforcement Unit received the highest number of reports (23%) with the Palmer AST Enforcement Unit and the Soldotna AST Enforcement Unit having the second and third highest percentage of reports (18% and 9% respectively). The remaining 50% of reports came from fifty-five other units with no single unit receiving more than 5% of the reports.

**Table 88. Total Number of Reports by Unit**

*Column percentages*

Detachment	Reports		Detachment	Reports	
	N	%		N	%
ALEUTIAN CHAIN VPSO	2	0.2	VPSO-LARSEN BAY	1	0.1
ANCHORAGE AST ENFORCEMENT	1	0.1	MCGRATH AST ENFORCEMENT	2	0.2
ANIAK AST ENFORCEMENT	58	4.5	NENANA AST ENFORCEMENT	1	0.1
BRISTOL BAY VPSO	1	0.1	NINILCHIK AST ENFORCEMENT	9	0.7
BETHEL AST ENFORCEMENT	35	2.7	NOME AST ENFORCEMENT	63	4.9
BETHEL V.P.S.O.	25	2	NOME V.P.S.O.	24	1.9
BIG LAKE AST ENFORCEMENT	5	0.4	NOME WAANT UNIT	1	0.1
BRISTOL BAY VPSO	6	0.5	NORTHWAY AST ENFORCEMENT	17	1.3
ABI CHILD ABUSE INV. UNIT	2	0.2	PALMER AST ENFORCEMENT	231	18.1
CANTWELL AST ENFORCEMENT	8	0.6	PALMER AST INVESTIGATIONS	5	0.4
DELTA JUNCTION AST ENFORCEMENT	10	0.8	PALMER/WASILLA AST ENFORCEMENT	1	0.1
DILLINGHAM AST ENFORCEMENT	10	0.8	VPSO-OLD HARBOR	1	0.1
EMMONAK AST	3	0.2	VPSO-KARLUK	1	0.1
FAIRBANKS AST ENFORCEMENT	294	22.9	VPSO-MANOKOTAK	2	0.2
FAIRBANKS AST INVESTIGATIONS	1	0.1	VPSO-GOODNEWS BAY	2	0.2
GALENA AST ENFORCEMENT	19	1.5	VPSO-KIPNUK	2	0.2
GIRDWOOD AST ENFORCEMENT	11	0.9	VPSO-NAPASKIAK	3	0.2
GLENNALLEN AST ENFORCEMENT	24	1.9	VPSO-SLEETMUTE	1	0.1
HEALY AST ENFORCEMENT	2	0.2	VPSO-MT. VILLAGE	1	0.1
VPSO-TYONEK	1	0.1	VPSO-KOYUK	2	0.2
HOMER AST ENFORCEMENT	23	1.8	VPSO-SHISHMAREF	1	0.1
JUNEAU AST ENFORCEMENT	13	1	SEWARD AST ENFORCEMENT	9	0.7
KETCHIKAN AST ENFORCEMENT	28	2.2	SOLDOTNA AST ENFORCEMENT	115	9
KING SALMON AST ENFORCEMENT	17	1.3	SOLDOTNA AST INVESTIGATIONS	2	0.2
KLAWOCK AST ENFORCEMENT	8	0.6	ST. MARYS AST ENFORCEMENT	33	2.6
KODIAK AST ENFORCEMENT	49	3.8	TALKEETNA AST ENFORCEMENT	13	1
KODIAK V.P.S.O.	5	0.4	TOK AST ENFORCEMENT	15	1.2
KODIAK ABWE	1	0.1	UNALAKLEET AST ENFORCEMENT	5	0.4
KOTZEBUE AST ENFORCEMENT	35	2.7			
KOTZEBUE V.P.S.O.	21	1.6	<b>Total</b>	<b>1281</b>	

*Source of data:* AST data (2004)

The proportion of all reports to Alaska State Troopers in 2004 varied by detachment and unit, but AST was not the first agency contacted in all cases (see table below). In 80% of the reports, the Troopers were the first agency to be contacted. An additional 8% of reports were made to Village Public Safety Officers (VPSO). Six percent of reports were first made to Village Police Officers (VPO) or Tribal Police

Officers (TPO). The remaining reports were made to local police departments or other officials (such as military police, Office of Children's Services or medical professionals).

**Table 89. First Agency Notified**

*Column percentages*

Agency	Reports	
	N	%
AST	1020	79.6 %
VPSO	108	8.4
VPO	79	6.2
TPO	3	0.2
Other	71	5.5
<b>Total</b>	<b>1281</b>	

**Source of data:** AST data (2004)

As the following table shows, most of the cases (96%) were closed and referred for prosecution. These included cases that were closed by arrest (79%) and closed and referred (13%). The remaining cases were closed after investigation (2%) or closed as unfounded (2%). These cases were closed without a suspect being arrested.

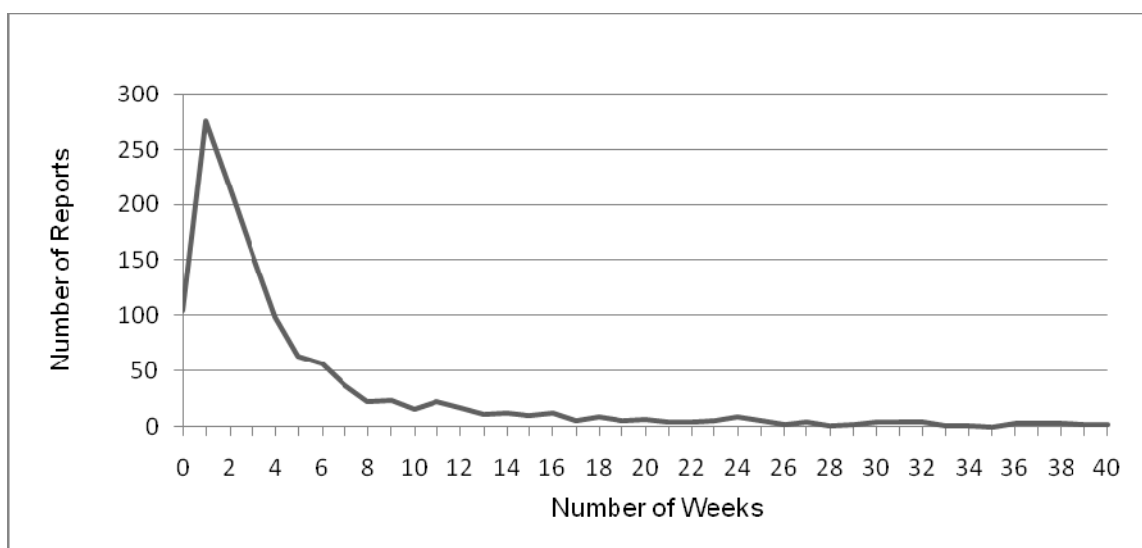
**Table 90. Case Closure Codes**

*Column percentages*

Closure Code		Reports	
		N	%
CA	Closed by arrest	1015	79.2 %
CR	Closed, referred	170	13.3
CI	Closed by investigation	26	2.0
CU	Closed, unfounded	20	1.6
CD	Closed, declined	50	3.9
<b>Total</b>		<b>1281</b>	

**Source of data:** AST data (2004)

On average, it took 6.30 weeks to close a case after it was reported ( $s = 10.39$ , results not shown). Forty-seven percent of cases were closed within two weeks of being reported. Another 20% of cases were closed within four weeks after being reported and a full 98% of cases were closed within 40 weeks of being reported (results not shown). Time to case closure ranged from less than one week to over 2 years. The number of weeks from report to case closure for cases closed within 40 weeks is shown in the following graph.

**Figure 11. Number of Weeks from Report to Case Closure (for Cases Closed within 40 Weeks)**

*Source of data:* AST data (2004)

There was variation in the number of charges resulting from a single report of an assault in a domestic violence incident. Assault in domestic violence incidents sometimes included multiple charges, multiple suspects, multiple victims, and multiple witnesses. In the following sections, we describe the number of charges (both assault and other charges), suspects, victims, and witnesses per report. The 1,281 reports of assaults in domestic violence incidents resulted in a total of 2,407 charges. Of the total 2,407 charges, 75% were assault charges (N = 1,803 charges).

The number of assault charges was not equal across all reports. On average, each report included a total of 1.88 charges ( $s = 1.35$ , results not shown), including 1.41 assault charges ( $s = 0.86$ , results not shown). Further, 48% of cases contained a total of two or more total charges while 28% of cases contained two or more assault charges. The total number of charges per report ranged from one to 15, and the number of assault charges per report ranged from one to 12.

**Table 91. Total Number of Charges, Suspects and Victims per Report**

*Column percentages*

Number	Charges		Assault Charges		Suspects		Victims	
	N	%	N	%	N	%	N	%
One	661	51.6 %	924	72.1 %	1213	94.7 %	1105	86.3 %
Two	370	28.9	261	20.4	64	5.0	136	10.6
Three	126	9.8	60	4.7	3	0.2	24	1.9
Four	67	5.2	22	1.7	0	0.0	12	0.9
Five	30	2.3	7	0.5	0	0.0	2	0.2
Six or more	27	2.1	7	0.5	1	0.1	2	0.2
<b>Total Reports</b>	<b>1281</b>		<b>1281</b>		<b>1281</b>		<b>1281</b>	

*Source of data:* AST data (2004)

From the 1,281 reports included in our sample, we gathered information from a total of 1,356 suspects and a total of 1,523 victims. On average, each report included 1.06 suspects ( $s = 0.28$ ) and 1.19 victims ( $s = 0.58$ , results not shown). The majority of reports (95%) included one suspect only and the majority (86%) included one victim only. The highest number of suspects per report was six (for one report) and the highest number of victims per report was nine (again for one report only). Only four reports had more than two suspects and 40 had more than two victims. Dual arrests were rare (in only 4% of reports).

In addition to the number of suspects and victims per report, we examined the number of witnesses. The 1,281 reports involved a total of 1,283 witnesses. The average number of witnesses per report was 1.00 ( $s = 1.21$ , results not shown). Almost half (41%) of the reports had no witnesses. An additional 34% of the reports had only one witness, 15% had two witnesses, and 6% had three. Less than 5% of assaults in domestic violence incidents had four or more witnesses. Although a relatively small number of witnesses to assaults in domestic violence incidents were common, there was at least one witness present in 58% of the assaults in domestic violence incidents.

**Table 92. Total Number of Witnesses per Report**

*Column percentages*

Number	Reports	
	N	%
Zero	530	41.4 %
One	437	34.1
Two	193	15.1
Three	70	5.5
Four	30	2.3
Five	9	0.7
Six	5	0.4
Seven	3	0.2
Eight	2	0.2
Nine	2	0.2
<b>Total</b>	<b>1281</b>	

*Source of data:* AST data (2004)

## D. Suspect Characteristics

From the 1,281 assaults in domestic violence incidents included in our sample, we gathered information on 1,356 suspects. The vast majority of assaults in domestic violence incidents (93%) involved only one suspect. Only 68 of the 1,281 assaults in domestic violence incidents (5%) contained two or more suspects. Descriptive information for the 1,356 suspects is summarized below. It should be noted that “Total” figures in the following tables are reflective of the data that were available and collected from the 1,281 assaults in domestic violence incidents we examined. More specifically, if the relative information for a particular suspect was either not documented, or documented as “unknown,” the respective suspect(s) was not included in the following tables (unknown in this case refers to unknown information for known suspects).

**Table 93. Race of Suspects***Column percentages*

Race	Suspects	
	N	%
White	695	51.4 %
Native	613	45.3
Black	36	2.7
Other	9	0.7
<b>Total</b>	<b>1353</b>	

*Source of data:* AST data (2004)

Overall, most suspects were adult, male, and White or Native. Information on suspect race and gender was known for 1,353 of the 1,356 suspects. Over three-quarters of the suspects were male while only 24% were female. Results show that 51% of suspects were White, and 45% were Native.

**Table 94. Age of Suspects at Time of Assault***Column percentages*

Age Group	Suspects	
	N	%
1 to 10	1	0.1 %
11 to 17	84	6.2
18 to 20	108	8.0
21 to 30	423	31.4
31 to 40	368	27.3
41 to 50	262	19.5
51 and over	100	7.4
<b>Total</b>	<b>1346</b>	

*Source of data:* AST data (2004)

The age of the suspect was available for 1,346 of the 1,356 suspects. On average, suspects were 33.13 years old ( $s = 11.7$ , results not shown) at the time of the assault. The youngest suspect was 10 years old, and the oldest was 88 years old. The majority of suspects were adults as only 6% were under 18 years of age. Starting with the group of suspects 21 or older, the number of suspects in each category decreased as age increased. For instance, 21-30 year olds made up 31% of suspects, 31-40 year olds made up 27% of suspects, 41-50 year olds made up 20% of suspects and suspects 51 years or older made up 7% of suspects. This pattern of decreasing criminal involvement with age is well established in the criminal justice literature.

Fifty-seven percent of the suspects were documented as having consumed alcohol prior to the assault. Forty-three percent of suspects were documented as not having consumed alcohol prior to the assault. Assaults involving domestic violence reported to AST were much less likely to involve drugs than to involve alcohol. Only 3% of suspects were documented as consuming an illicit drug other than alcohol prior to the assault.

**Table 95. General Suspect Characteristics**

*Row percentages*

Characteristic	No		Yes		Total
	N	%	N	%	
Male suspect	319	23.6 %	1034	76.4 %	<b>1353</b>
Used alcohol	537	43.0	713	57.0	<b>1250</b>
Used drugs	1237	97.4	33	2.6	<b>1270</b>
Present upon Trooper arrival	284	21.5	1035	78.5	<b>1319</b>

**Source of data:** AST data (2004)

Relative to what has been reported for jurisdictions outside of Alaska, the proportion of assaults involving domestic violence determined by AST to be alcohol-related is quite high. The best available national measure of alcohol involvement in domestic violence cases comes from the National Incident Based Reporting System (NIBRS) which collects case-level crime data on a voluntary basis from police agencies in roughly two-thirds of the states. Overall, across all the jurisdictions reporting to NIBRS in 2004, 16.4% of cases of intimate partner assault were said to involve alcohol (Federal Bureau of Investigation [FBI], 2006). Among the states that reported to NIBRS in 2004, alcohol involvement in intimate partner assault ranged from 9.0% in Connecticut to 41.7% in North Dakota (FBI, 2006). The proportion of cases of assaults involving domestic violence reported to AST that were alcohol-related is similar to that found on American Indian Reservations in the lower-48 states. According to Leonardson's (2008) analysis of crime statistics recorded by the Bureau of Indian Affairs (BIA) for tribes in the Pacific Northwest, half of aggravated assaults and nearly half of simple assaults (50% and 49.8%, respectively) reported between 2004 and 2007 were said to be committed under the influence of alcohol.

Of course, any comparisons of alcohol-involvement for offenses reported to AST with those of other jurisdictions should be made with great care. One problem is that there is a lack of standards for what it means for an assault to be defined as alcohol involved. Usually, it is left to an arresting officer when compiling her/his report to decide if alcohol use is somehow connected to a specific offense. Without specific and consistent rules for classifying cases, the judgment of the police regarding alcohol involvement varies between officers and across jurisdictions (Greenberg, 1981). In turn, this renders comparisons unreliable. A second problem is the "slippage" between the number of cases that actually involve alcohol and the number of cases where that involvement is eventually recorded. One reason for this slippage is that the police often have difficulties correctly identifying which suspects were actually drinking alcohol. Numerous studies have shown that police fail to detect many intoxicated drivers following accidents or in sobriety checkpoints (Brick & Carpenter, 2001; Ferguson, Wells, & Lund, 1995; Moskowitz, Burns, & Ferguson, 1999; Sjogren, Bjornstig, & Eriksson, 1997). A second source of slippage occurs when cases are known to be alcohol related by the police but are not chronicled as such. In some cases, drinking may be mentioned in the narrative of police reports but not in the data fields used to flag cases as alcohol involved (Davidson, 2001; Saylor et al., 2000). This occurs even when cases, by definition, should be labeled as alcohol involved. For example, 28% of driving while impaired cases known to tribal police in the Pacific Northwest were not classified as

being alcohol involved (Leonardson, 2008). All too often, as Greenberg (1981) reminds us, noting the role of alcohol in a specific offense is much less of a concern than the information necessary for charges to be laid and for a case to be successfully prosecuted.

**Table 96. Characteristics of Suspect Interviews**

*Row percentages*

Characteristic	No		Yes		Total
	N	%	N	%	
Suspect was interviewed	283	21.3 %	1044	78.7 %	<b>1327</b>
Interview was recorded	169	17.4	801	82.6	<b>970</b>
Internally consistent	133	12.9	902	87.1	<b>1035</b>
Made admissions of guilt	441	42.4	599	57.6	<b>1040</b>
Gave a full confession	823	79.1	217	20.9	<b>1040</b>

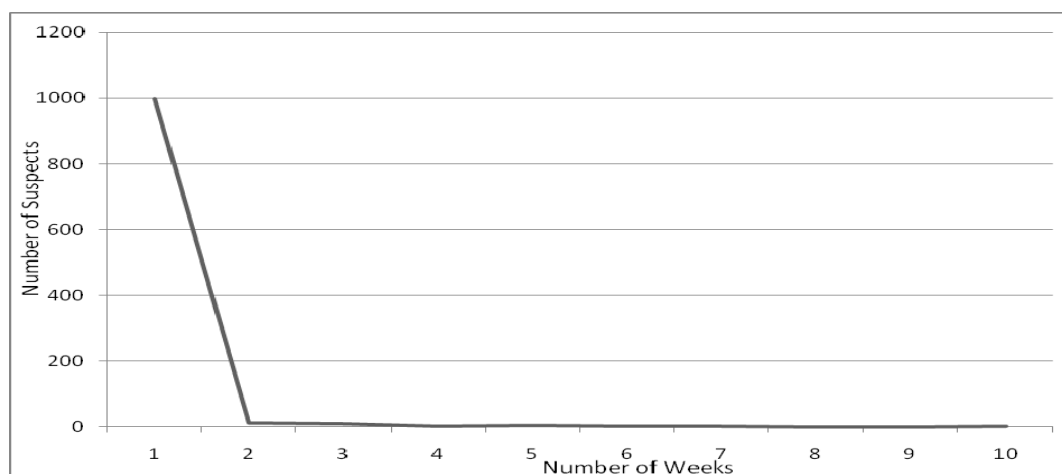
*Source of data:* AST data (2004)

Many of the suspects remained at the location where the assault took place. Specifically, 79% of the suspects were still at the scene of the assault by the time Troopers arrived and began their initial investigations (see Table 95). Overall, 79% of suspects were interviewed (see Table 96). The 21% of suspects who were not interviewed may have refused to provide a statement to Alaska State Troopers or may not have been located or otherwise available to be interviewed. The data collected for this study did not include explanations for the absence of suspect interviews.

Suspect interviews were examined to assess internal consistency. Stated differently, the statements made by suspects as part of their interview with Troopers were evaluated to determine whether the suspect's statements were consistent with rather than contradictory to one another. The results are shown in Table 96. As the table indicates, most of the suspect interviews (87%) were internally consistent and suspects did not contradict themselves. During the interview, 58% of suspects made admissions of guilt to Alaska State Troopers, but only 21% gave a full confession.

Of those interviewed, 83% were recorded. The bulk of the suspect interviews appear to have been conducted on scene as 81% were completed the same day. The timeframe between the reporting of the assault in domestic violence (frequently the day of the assault) and the suspects' interviews was quite short (see following figure). Ninety-six percent of suspect interviews were conducted within seven days of the report. The average number of days between the assault in domestic violence incident report and the suspect interview was 2.63 ( $s = 26.86$ , results not shown). In only 1% of cases two months or more elapsed between the assault in domestic violence incident report and the suspect interview.

**Figure 12. Number of Weeks from Report to Suspect Interview  
(for Suspects that Were Interviewed within Nine Weeks)**



*Source of data:* AST data (2004)

Suspects typically faced only one assault charge. In fact, 78% of the suspects received only one assault charge. However, 216 suspects (16%) received two assault charges. Six percent of suspects received three or more assault charges, with the maximum being 12 charges (N=1). The total number of assault charges (across suspects) was 1,803 for the 1,356 suspects.

**Table 97. Number of Assault Charges per Suspect**

*Column percentages*

Charges	Suspects		
	N	%	Cum. %
One	1055	77.8 %	77.8 %
Two	216	15.9	93.7
Three	54	4.0	97.7
Four	18	1.3	99.0
Five	7	0.5	99.6
Six or more	6	0.4	100.0
<b>Total</b>	<b>1356</b>		

*Source of data:* AST data (2004)

In addition to assault charges, some suspects had other charges. In the next table, we show the total number of charges per suspect (including both assault and other charges), the number of assault charges (also shown in the previous table), and the number of other charges.

**Table 98. Number of Total, Assault, and Other Charges per Suspect***Column percentages*

Number	Total Charges			Assault Charges			Other Charges		
	N	%	cum. %	N	%	cum. %	N	%	cum. %
0	0	0.0 %	0.0 %	0	0.0 %	0.0 %	955	70.4 %	70.4 %
1	776	57.2	57.2	1055	77.8	77.8	274	20.2	90.6
2	344	25.4	82.6	216	15.9	93.7	82	6.0	96.7
3	121	8.9	91.5	54	4.0	97.7	25	1.8	98.5
4	63	4.6	96.2	18	1.3	99.0	16	1.2	99.7
5	26	1.9	98.1	7	0.5	99.6	3	0.2	99.9
Six or more	26	1.9	100.0	6	0.4	100.0	1	0.1	100.0
<b>Total</b>	<b>1356</b>			<b>1356</b>			<b>1356</b>		

*Source of data: AST data (2004)*

On average, each suspect received a total of 1.78 charges ( $s = 1.29$ ), including an average of 1.33 assault charges ( $s = 0.80$ ) and 0.45 other charges ( $s = 0.87$ , results not shown). Of the 1,356 suspects, 200 (15%) had multiple assault charges and 401 (29%) had at least one other charge. As a result, 580 (43%) of the suspects therefore had a total number of charges greater than one. Overall, the 1,356 suspects generated a total of 2,407 charges, including 1,803 assault charges and 604 other charges. Assault charges and other charges are presented in more detail in the following two tables.

The first table below shows the 1,803 assault charges, and the following table shows the 604 other charges received by suspects. The number of assaults declined in frequency as the assault types increased in severity. In other words, the most common assault charges were 4<sup>th</sup> degree assault (84%). In decreasing order of frequency, the next most likely assault charges were 3<sup>rd</sup> degree assault (13%), 2<sup>nd</sup> degree assault (3%) and 1<sup>st</sup> degree assault (1%). Information was also gathered to identify the first person to use or threaten to use physical force. The first person to use or threaten to use physical force was classified as the principal aggressor. Suspects were identified as the principal aggressor in 93% of assaults in domestic violence incidents. In 7% of assaults in domestic violence incidents, suspects were not identified as principal aggressors; someone other than the suspect was the first person to use or threaten to use physical force (results not shown).

**Table 99. All Assault Charges***Column percentages*

Severity	Assault Charges	
	N	%
Assault 1st Degree	17	0.9 %
Assault 2nd Degree	45	2.5
Assault 3rd Degree	232	12.9
Assault 4th Degree	1509	83.7
<b>Total</b>	<b>1803</b>	

*Source of data: AST data (2004)*



















































































































































































































































