

What I thought I knew about Investigating sexual assaults

Major case detective spells out why some officers and agencies struggle with these challenging cases

by Mike Schentrup

I currently serve as the Commander of the Criminal Investigations Division of a medium size agency in a college town and most of my career has been spent working investigations.

I began as a robbery/homicide detective in 2003. Although robberies and homicides made up most of my caseload, I'd pick-up a sexual battery periodically while working a night shift rotation or on a call-out. I will admit there were many times where the victim's veracity seemed poor.

Their stories were inconsistent, they left out core details, or they waited several days to report.

As a well-trained interviewer, these were the classic signs of deception. Although I never actually called them a liar, I never worked the case as hard as I should have.

I figured it was a case of morning after regret or their current boyfriend was making them report it. I couldn't have been more wrong.

Fast forward to 2016, I'm now the boss over the special victim's unit, as well as, other major case squads.

I attended a two-day training with Russell Strand, the US Army Investigator who developed the FETI (Forensic Experiential Trauma In-

terview) process and speaks widely on the neurobiology of trauma.

This was quite an "Aha" moment for me. It became clear that all the classic signs of deception I had learned throughout my career was completely normal for a victim of trauma.

The inconsistent statements and lack of core details should be expected.

None of these were signs of deception. On top of that, the suspects are usually much more believable since they were not suffering the effects of trauma.

I learned I should also accept that MOST victims will delay their report somewhat, due to feelings of shame and embarrassment.

Needless to say, my current squad of SVU detectives also knows this and they are second to none at helping survivors of sexual assault. Not long after Strand's training, we had a case that became a sounding board for me.

There was a young college co-ed, about 18 years old, who I will call Mary.

Mary went to a local college bar and began to drink. She met a guy there who I will call Sam. They drank and danced and were having fun. They kissed a little and then Sam asked her to go to his car to "make-out."

Mary reluctantly agreed but said that all she would do is kiss because she had never had sex.

Unfortunately, Mary was raped in the back seat of Sam's car. As Sam drove her home, he struck a curb which attracted the attention of a nearby officer.

The officer attempted to conduct a traffic stop, believing the driver (Sam) to be a possible drunk driver; however, Sam fled in his



vehicle, driving a few blocks away, and then running from the car.

As the officer approached the car, he saw Mary crying uncontrollably in the back seat. She told the officer she had been raped. Sam was eventually captured and charged with sexual battery.

This seems cut-and-dry, which it is, but let me pose the alternative: Instead of being intercepted by the police for possibly driving drunk, Sam took Mary to her home and dropped her off. This is a much more likely scenario. The odds are Mary would have waited a couple days to report it, due to shame and embarrassment.

Her account would be inconsistent due to the trauma and alcohol.

In the past, I would have suspected she was "regretting" her decision to make her first sexual encounter in the back seat of a car behind a local bar.

With his lack of trauma, Sam would have come to the station and given a perfectly clear account of meeting a girl in a college bar and "hooking up" with her out in his car.

This case was another "Aha" moment for me because ten years ago, I had a case very similar to this.

I now regret how I handled those cases early in my

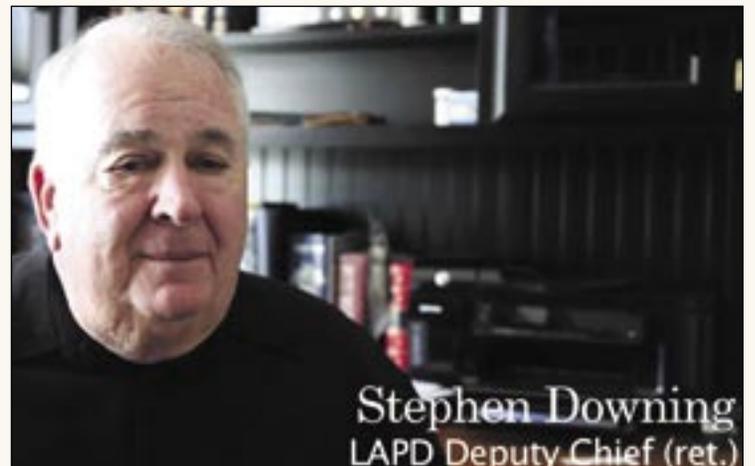
career. However, the science was not clear and there was no training in this area.

We know only 20 percent of victims of rape report the crime to law enforcement and we know most suspects re-offend multiple times, so we have very few chances to catch the predator. Now that we know all these things, we must do a better job. First for the survivor we are working with and to protect others from being victims in the future.

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Wise words from a career lawman...

"A red flag should go up anytime a person in a position of responsibility utters the words 'zero tolerance,' because that means they do not have the confidence to make a decision in their discipline, they do not have the compassion to see differences between situations, and they do not have the administrative or managerial skills to make the kind of decisions that create a thriving institution."



Stephen Downing, above, is from a law enforcement family. Check out his son Michael's excellent farewell speech to his colleagues as he prepares to retire from the LAPD. It's on page 17.