

## **Addressing Questions about False Accusations of Sexual Harassment and Sexual Assault**

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Questions and comments about false accusations may be motivated by skepticism and resistance to the issue or by a sincere desire to understand it. In either case, someone who raises the issue of false accusations should be taken seriously and their concerns need to be addressed thoughtfully because there are many misconceptions about this issue, as well as the fact that false accusations do occur. The following points are worth considering in relation to this subject:

- Scientific research on three continents has established that false accusations tend to occur at a rate of 3-10%. These studies involve collaboration with police departments to examine case records. A false accusation is defined as one in which the evidence establishes that accusation was not true. When it is not possible to verify the truth of an accusation, in most cases this is due to insufficient evidence rather than the accusation itself being false. In other cases an incident may not be investigated because it does not involve illegal behavior or a violation of policy, in which case it must be considered as unproven rather than false.
- Due to the preponderance of true reports, it is important to begin by considering all reports as legitimate. We must therefore 'start by believing' and offer an empathic and empowering trauma-informed process that does not re-victimize or harm the person reporting.
- From an investigative point of view as well, the best way to examine and investigate a claim of harassment or assault is to treat it *as if* it were legitimate. An empathic, trauma-informed investigation which gently asks for more information and clarification of discrepancies is the most effective strategy for uncovering evidence that a claim is false.
- When accusations are made we must live with a paradox. While it is important to accept all reports as if they were true, the existence of false accusations also requires that we treat all accused individuals as 'innocent until proven guilty' and offer them a fair and empathic process. Although an accusation of illegal behavior may only be true or false, as long as a claim has not been carefully and appropriately investigated and hopefully resolved, we must live with this paradox.

- In the case of a false accusation, both the accused and the accuser deserve our compassion. In situations where falsely accusing is a violation of a policy or law, the accuser should be held accountable, even when the accusation may have been based on emotion or psychological issues.
- Research confirms that the incidence of false accusations is dramatically overestimated. Thus, a fear of being falsely accused in most cases can be considered as a ‘false fear of false accusation.’ There are many cultural and psychological influences that serve to foster this over-estimation, including media attention to the perception of false reports, much less attention to documented harassment and assaults, as well as cases with insufficient evidence being considered as false. This in turn results in victims being treated as less believable and perpetrators being given unwarranted ‘benefit of the doubt.’ The issue is complicated further when cultural stereotypes result in individuals from certain groups being treated as less believable when reporting, or as more likely to have perpetrated when accused.
- The psychology of perpetration is such that most individuals who are accused will *feel* that they are being falsely accused, claiming that they had consent, when in fact their behavior was coercive. The emotional response of the accused may thus lead others to accept their definition of the situation. In addition, men who have a ‘false fear of false accusation’ may be inclined to identify with the accused and uncritically accept the belief that the accusation is false. It is therefore important when dealing with individuals who report being falsely accused that we empathize with their emotional distress but that we do not automatically accept as true their version of what happened without a thorough investigation and evidence, in addition to carefully examining our own feelings and assumptions about the issue
- Increasing attention and awareness regarding the issues of sexual harassment and assault has resulted in some individuals developing fear and anxiety about the possibility of being falsely accused. While this concern is understandable, it is important to emphasize that when individuals are treated with respect and dignity and when consent is sought in an explicit and clear manner, the possibility of a false accusation is very, very small. A healthy response to being concerned about false accusation can thus be transformed into attitudes and behaviors which will foster meaningful, consensual activity and render the possibility of a false accusation extremely unlikely.

Conclusion: On the one hand, all reports should be initially approached as valid and investigated thoroughly, while at the same time we must allow for the possibility that a small percentage will be false or baseless. It is thus important that we understand the dynamics, myths and misconceptions associated with the phenomenon of false accusation.

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