

**PAPER****GENERAL**

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## Characteristics of False Allegation Adult Crimes

**ABSTRACT:** The purpose of this study was to identify common factors in false allegation adult crimes, by examining the dynamics involved in 30 confirmed false allegation cases. The authors conducted a comprehensive review of these adjudicated cases and then completed a collection instrument to capture offender demographics, offense characteristics, and motive. The results indicated that most false allegation crimes were committed by women (73.3%) and Caucasians (93.3%). Data indicated that more interpersonally violent allegations were primarily motivated by attention/sympathy needs (50.0%), whereas more impersonal offenses involved other motivations such as providing an alibi (16.7%) or profit (13.3%). Offenders tended to be younger, high school graduates with no higher education (43.3%). A total of 23.3% of offenders had a prior criminal history. Male offenders appeared as likely as women to be motivated by attention/sympathy; however, men tended to select more violent, nonsexual offenses (e.g., attempted murder) than women.

**KEYWORDS:** forensic science, forensic psychology, false allegation crime, false victimization, false report, factitious disorder

Although false allegation cases are uncommon, they have long been an issue of concern for both law enforcement and forensic investigators. Unfortunately, there has been little research in this area (1–3). When these cases occur, they typically involve substantial investigative resources before they are eventually discovered as a false allegation. Local law enforcement agencies possess limited budgets to devote to such extensive investigations. Also, the misuse of these resources may impede the pursuit of other, actual crimes. These issues clearly serve to motivate law enforcement to identify false allegations as early in the investigative process as possible. However, the consequences of prematurely classifying a case as a false allegation when the alleged crime in fact occurred would be significant for the victim, the investigating agency, and ultimately the public. To maintain this critical balance, investigators require empirically based factors that may alert them to the possibility of a false allegation early in the investigation. The purpose of this study is to determine the existence and relationships of common factors that characterize the false allegation crimes, regardless of the type of alleged crime or gender of the offender. For the purposes of this research, false allegation was defined as an adult fabricating a report that a crime had occurred or was occurring against him/her and that a law enforcement agency received the report.

There have been a limited number of studies conducted on false allegations, with the majority of these studies having focused on false allegation of rape (4–7) and, to a lesser extent, stalking (7–9). In the studies examining false allegation in rape cases, similar motivational factors were identified. Kanin (6) found that false allegation of rape appeared to serve three major functions for the complainants: providing an alibi, seeking revenge, or obtaining sympathy and attention. Kennedy and Witkowski (10) replicated Kanin's study and reached similar conclusions on factors that may

explain the motivation of the complainant. Taupin (11) examined three unrelated cases and identified an additional factor of financial gain; however, Taupin's results have limitations given the small sample size. Hall and Hall (3) identified four primary motivations in false allegations: emotional motivations driven by some underlying pathology such as Munchausen syndrome, revenge, accusation to protect oneself from consequences of other behavior, and mixed motivations consisting of emotional needs and revenge when needs are not met. What is less clear in the literature is if these factors have any application to other types of false allegations.

There are even fewer studies evaluating false allegations of stalking. Pathe et al. (7) and Mullen et al. (9) identified five broad contexts in which false claims of stalking may emerge. First is the reversal subtype where the stalkers claim to be victims themselves and are typically characterized by intense feelings of rage and retaliation over the termination of an intimate relationship. The second is the delusional subtype, which according to the authors, is the most common. This occurs when an individual with severe mental disorder suffers from persecutory or erotomanic delusions that encompass stalking. The third type consists of those who have been stalked in the past and become hypersensitive to a possible recurrence and see stalking in the innocent actions of others. The fourth is the factitious type that seeks gratification of dependency needs through adopting the victim status. The last type is the malingerer, which involves the conscious fabrication of victimization for clear external incentives, such as financial rewards. The researchers identified the following characteristics as possible markers of false allegation stalking: convoluted account of offender behavior that cannot be verified; a lack of consistency and plausibility in the description of the offense that is present in actual cases; engagement with multiple therapists; repeated insistence of truth telling; and a likelihood to ask for help in much earlier stages than actual victims. Mohandie et al. (8) identified similar factors and also noted the increased likelihood of there being a false allegation following a significant life stressor. Further, they found a lack of substantiated details of the alleged offense also raises heightened concerns of there being a false allegation.

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Received 10 Sept. 2010; and in revised form 25 Jan. 2011; accepted 6 Mar. 2011.

In evaluating the motivation to make a false allegation, one common consideration in the absence of clear external incentives (e.g., financial, avoid criminal liability) is mental illness. More specifically, factitious disorder has been documented as a common diagnosis for persons with mental illness making false allegation claims (2,3,11). According to the Diagnostic and Statistical Manual of Mental Disorders 4th Edition Text Revised (DSM-IV TR) (1), factitious disorder, also sometimes known as Munchausen syndrome, involves the intentional production or feigning of physical or psychological signs or symptoms with the objective to assume the sick role. Such individuals do not seek external incentives of economic gain, or avoid legal responsibility, or malingering, but instead, their motivation is to assume the role of patient. Feldman et al. (2) discussed four cases of false allegation rape. The authors suggested that factitious rape may be impelled by one of the following: a search for nurturance; a dissociative experience leading individuals to believe that trauma earlier in life is ongoing; a current need to be rescued from real abuse; and projections of anger onto specific male targets. The authors argue that while factitious rape is rare, investigators should always thoroughly investigate rape claims even when alleged victims have known histories of deceptive behavior.

In considering mental health issues, another commonly identified factor in false allegations is the psychological need for attention and sympathy (6,10). Burgess and Hazelwood (4) describe this type of false accuser as being overwhelmed by the feeling of inadequacy. These accusers desperately desire and seek attention, usually in the form of concern and support from others. In response to their inadequacy, a false claim may seem like a reasonable method to obtain favorable attention from friends, relatives, as well as from authorities. Further, they may have attempted a number of other methods of attention seeking that have failed. The authors noted that the most significant difference between a genuine rape victim and the false victim is the reaction to the concern and support exhibited by others. In most legitimate rape cases, even the most supportive and compassionate response cannot fully alleviate the horror experienced by the victims. However, for individuals driven by their need for attention, this solicitude may very well meet their needs and result in quick remission of their "symptoms."

Although it may be helpful to understand the underlying motivation in some false allegation cases, it is unlikely that law enforcement would possess this information early in the investigation. Further, investigators do not want to make the critical mistake of ignoring a genuine victim who may have such a history. However, future research should address the possibility that certain types of false allegation claims are more likely to involve some underlying psychological motivation than others. For example, in false allegation arson or vandalism, the focus is on damage to inanimate objects versus interpersonal trauma suffered by the victim as observed in rape or abduction cases. An offender primarily motivated by internal factors to be a victim or gain sympathy and support is more likely to select an interpersonally traumatic event. Although recognizing the motivation may not help investigators in the early phases of the investigation, possessing this knowledge is critical in understanding how to handle the false allegation offender. An investigator would approach an offender motivated by internal need for acceptance/support far differently than one motivated by financial gain.

Historically, there have been no studies of false allegations that compared the different types of false allegation crimes in an attempt to identify common factors. The purpose of this study is to identify common factors that may apply to all false allegation crimes and to provide preliminary data on crime- and gender-specific aspects of false allegations.

## Methods

The FBI's National Center for the Analysis of Violent Crime (NCAVC) provides behavioral and investigative support in unusual, bizarre, and repetitive crime investigations to federal, state, local, and international authorities. This study utilized 30 separate false allegation cases that were submitted to the Federal Bureau of Investigation's NCAVC, by federal, state, and local law enforcement agencies, from around the nation, during a 15-year period, for investigative support. The goal of this research was to examine the characteristics inherent in false allegation adult crimes and identify commonalities that may be helpful to investigators working these types of cases.

The cases selected were subject to certain criteria. First, the case was completely adjudicated through the court system. Second, the offender was found guilty during trial, and/or plead guilty, and/or accepted a guilty plea without admitting guilt, or there was a preponderance of evidence linking the offender to the specific offense(s) and/or the offender confessed to the investigators.

To obtain the needed information regarding these criteria, a comprehensive review of the entire case file was conducted. This included a review of all the police investigative reports; transcripts of offender interviews; medical reports; results of any forensic testing; crime scene photographs; background information about the offender; and where possible, interviews of the lead case investigator.

The collection instrument consisted of 39 items that focused on three areas of interest: offender characteristics (e.g., demographics); offense characteristics (e.g., offense type); and factors that clearly identified the motivation for the allegation. The alleged offense was categorized into one of the possible eight categories: rape/sexual assault, stalking, threats, abduction, attempted murder, physical assault, hate crime, or extortion. If the offender alleged two separate offenses in the same crime (e.g., abduction and rape), both were coded. Primary motivation for the offense was coded in five possible categories: mental illness, attention/sympathy, profit, alibi, and revenge. Similar to the alleged offense, if two motivations were identified (e.g., alibi and revenge), then both were coded. The motivation was identified by careful review of the case file and/or interview of the case investigator. Background information on offenders included demographic descriptors and previous arrest records that would be readily available to investigators prior to any investigative interviews of offenders.

After the complete case file was reviewed by the authors, the collection instrument was completed. Interrater reliability was ensured by having a single coder complete the collection instruments. Afterward, the collection instruments were reviewed jointly to ensure consensus. All personal data were anonymized by assigning each case a number and removing all personal identifiers without compromising the essential characteristics of the case. Any cases where critical data were missing were removed from the data set.

## Results

### *Offender Characteristics*

The 30 offenders consisted of 22 women and 8 men, with a mean age of 29.96. The modal age was 41 years with an age distribution ranging from 15 to 50 years. Of the total population, 93.3% ( $n = 28$ ) were Caucasian, 3.3% ( $n = 1$ ) were African American, and 3.3% ( $n = 1$ ) were Hispanic. Most cases involved only one offender (93.3%). Of the two cases involving two offenders collaborating, only one case identified the second offender (a street gang member, who colluded with the false allegation abduction victim to extort his mother for a cash ransom).

The majority of offenders were high school graduates (43.3%). Of those offenders with higher education, 10.0% had an undergraduate degree, 6.7% had a graduate degree, and 6.7% had a PhD or an MD. Most were employed full-time (60.0%), while 16.7% were unemployed or students (13.3%). Of the male offenders ( $n = 8$ ), three were police officers, and there was one each of the following: medical doctor, newspaper editor, logging company owner, self-employed construction worker, and a student. The women ( $n = 22$ ) ranged in occupation from a secretary, to an exotic dancer, to a college professor.

Relationship status varied greatly with the largest group having never married and living alone (40.0%). Of the remaining offenders, 30.0% were married for the first time, 6.7% were in their second marriage, 10.0% were co-habiting with a significant other, and 3.3% had divorced and never remarried. Background information was available for 25 offenders regarding life problems prior to the false allegation report. Many offenders reported multiple life problems that were not mutually exclusive. This study showed that 76% had marital problems or conflict with a significant other among other life problems (Fig. 1). Only 26.7% of the offenders had prior documented mental illness, according to investigators, at the time of the false allegation offense. There were no known diagnoses of psychoses, but rather Axis II disorders.

Retrievable criminal histories, which may underestimate the number of crimes actually committed, showed that 23.3% of the offenders in this study had been arrested at least once prior to the false allegation being made. The offenses ranged from theft/larceny (10.0%), drugs/narcotics (6.7%), trespassing/breaking and entering (6.7%), assault/battery (3.3%), underage drinking (3.3%), to false report (3.3%). Of the 30 offenders in this sample, 26.7% had made at least one prior false allegation to law enforcement. These prior false allegations included the following: rape/sexual assault (10.0%), stalking (10.0%), physical assault (6.7%), and threats (6.7%).

*Offense Characteristics*

In contrast to other research findings, 73.3% of the offenders notified law enforcement directly themselves. Of the remainder, 6.7% were reported by a spouse/significant other, 6.7% by a relative, 3.3% by a coworker, and 10.0% by other.

The majority of women (72.7%) made false allegations involving some type of interpersonally violent event, such as rape (27.3%), rape/abduction (22.7%), abduction (13.6%), and rape/physical assault (9.1%). All of the male cases ( $n = 8$ ) involved some form of nonsexual violence or threat of violence: attempted murder ( $n = 3$ ), threats/arson ( $n = 2$ ), extortion ( $n = 1$ ), abduction ( $n = 1$ ),

and abduction/extortion ( $n = 1$ ). Over half of the 30 cases (53.3%) involved two or more types of offenses such as abduction/rape, threats/arson, or carjacking/abduction/rape. An example of this was a woman who staged her own carjacking/abduction and transported herself interstate in her own vehicle. She then staged her own sexual assault, tying herself to a tree outside a nearby medical facility, until a third party discovered her.

In half of the cases (50.0%), the location of the alleged offense involved more than one location. The most frequently reported false allegation location was the victim's residence (36.7%), followed by the victim's vehicle (36.7%), a road (13.3%), and the victim's workplace (10.0%).

Only one case (3.3%) showed evidence of sexual trauma, which consisted of self-inflicted vaginal trauma and breast/nipple lacerations. Evidence of self-inflicted physical trauma was present in 30.0% of the cases: blunt force trauma (6.7%), edged weapon (6.7%), ligature strangulation (3.3%), gunshot wound (3.3%), burn (fire or chemical) (3.3%), and other (13.3%).

In 60.0% of the cases, offenders staged crime scenes in which they intentionally manipulated physical evidence at the scene to misdirect the investigation away from themselves (Fig 2). Investigation revealed that there were indications or evidence of preplanning in 73.3% of the cases, and in 23.3% of the cases, it appeared that it was unplanned or spontaneous.

The resolution of 46.7% of these cases ended with prosecution being declined for various reasons. Offenders were convicted and/or plead guilty in 36.7% of the cases. Law enforcement did not have the necessary evidence to proceed to prosecution in 13.3% of the cases, despite confessions. One case, involving a medical doctor, went to trial and ended with a hung jury (3.3%). The prosecution decided not to retry that case. The primary motivations for these cases varied. The primary motivation in 50.0% of the cases was attention/sympathy, as determined by case investigators through interview of the offenders (Fig. 3).

**Discussion**

The data in this research appeared to emphasize the importance of understanding both the offense and the offender in false

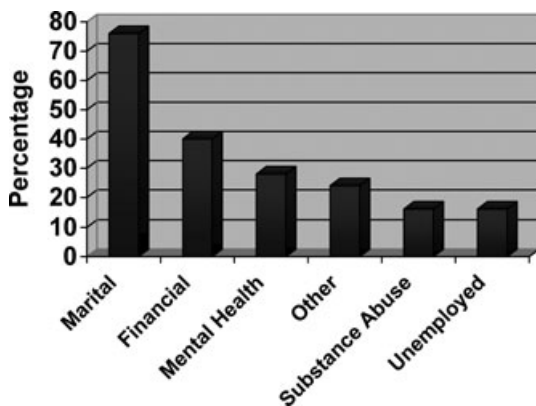


FIG. 1—Life problems.

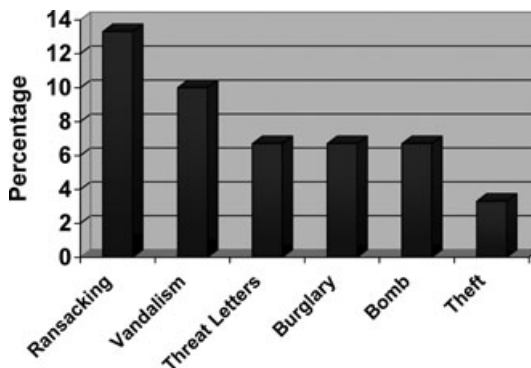


FIG. 2—Evidence of staging.



FIG. 3—Motivation.



allegation cases. In examining factors involved in the cases, some salient findings were identified. Frequently, many offenders often combined two offenses; however, most of these cases asserted a single offense type as the primary complaint. Allegations that involved more interpersonal violence (50.0%) appeared to be primarily motivated by attention and sympathy, which also appears to speak to the type of offender. Impersonal offenses involved other motivations, such as providing an alibi (16.7%), or profit (13.3%). In most of the offenses (60.0%), the offender attempted staging (e.g., spray painting obscenities and threats on the walls of apartment to appear vandalized) at the crime scene.

Second, several factors related to the type of false allegation offender. Most of the cases in this study involved women between the ages of 18 and 34 years, who were high school graduates with no higher education, had some criminal history, and were primarily motivated by attention and sympathy. This was observed most frequently in cases in which the offender made a claim of some type of interpersonal violence versus a more impersonal event such as arson or vandalism. The type of offender who is motivated by some intrinsic psychological need for attention/sympathy is likely to utilize an event they believe will yield the strongest response from others. An interpersonally intense trauma is more likely to achieve this end goal than a more impersonal one.

Men appeared just as likely as women to be motivated by this need; however, men tended to select more violent nonsexual offenses, such as attempted murder and physical threats. Impersonal events were more likely to be motivated by profit. This is similar to those false allegation offenders who were motivated by attention/sympathy. An offender primarily motivated by profit is likely to identify an event that yields the greatest likelihood of outcome success. Further, mental illness appeared to be a factor in a significant number of the cases, especially when no clear incentive could be identified.

In addition to other investigative data, understanding the motivation of the offender is an important consideration for investigators. The most effective investigators are flexible in their investigative approach and adjust their techniques based upon the unique factors in any given case. It is important for the investigator to determine what underlying life problem(s) (e.g., relationship, financial, and employment) are causing the offender to make the false allegation prior to conducting a final interview. This will significantly aid the investigator in selecting the most effective interview approach. Further, an individual motivated by either attention/sympathy need or mental illness would likely benefit from some form of treatment for both the benefit of the offender as well as reducing the likelihood of future false allegations or other pathological attempts to get their needs met.

## Conclusion

Although false allegation cases appear to be rare, these types of cases are an issue of concern for both law enforcement and forensic investigators. While false allegation crime is perceived by many to be primarily a female offense, over one-quarter of the offenders proved to be man (26.7%). Most cases involved only one offender (93.3%), and the offender was responsible for making direct report to law enforcement (73.3%). In addition, there was evidence of staging in more than half of these cases (60.0%), and there were

indications of preplanning and preparation in most cases (73.3%). One significant finding was the motivating factor for attention/sympathy, which played a role in 50.0% of the cases. Further, motivation appeared to be a significant factor in the type of offense selected, with interpersonal traumatic allegations yielding the highest number of attention/sympathy motivations. This tends to suggest that individuals involved in false allegation cases may need to be approached in a different manner than other types of cases.

The small size of the sample, while providing an initial look at false allegation over a wide spectrum of crimes, demonstrates the need for future research involving a larger sample size. Future research efforts replicating this study may enhance the predictability of the common features found in this study, particularly those involving the staging aspects. As false allegation continues to be difficult and frustrating to investigators, there remains the need to gain a better understanding of the dynamics of these crimes as well as the behavior and personality characteristics of the offenders. Further cooperative research is needed to explore and compare the different types of false allegation crimes and the offenders who commit them.

## Acknowledgments

The authors would like to express their gratitude to NCAVC Research Coordinator Yvonne Muirhead, the members of the NCAVC Research Advisory Board, NCAVC Research Analyst Kari Riddles, and NCAVC Intern Jaelyn Chall for their support of this research project.

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