



What Rape?

[By Jeremy Kohler St. Louis Post-Dispatch – January 16, 2005](#)

Latisha Williams stepped into a stranger's car one night in June 2003. A grave mistake.

They ended up at his house where, she said, he locked the door and raped her.

Williams, then 18, said she called police, who took notes and never called back. For over a year and a half, she said, she assumed the man was locked up.

But there was another reason her phone didn't ring. The officer did not believe a crime had been committed. He wrote an informal memo but no formal incident report.

The Post-Dispatch disclosed Sunday that for at least two years, St. Louis police avoided writing full reports on at least hundreds of incidents called in as crimes. It meant they would not be counted in the city's crime statistics, a clear violation of FBI guidelines and department policy. It made the city look safer than it was, while depriving people like Williams of further investigation of their claims.

After the newspaper asked about the practice, the department ordered it stopped.

Even when St. Louis police do make full reports of sex crimes, they often violate FBI rules again by relegating many cases - crimes that other departments call rapes - to a lesser crime category not included in national figures.

The newspaper's review of minor-crime data identified 169 incidents over five years that appear to fit the rape definition but were filed as "other sex crimes." There were 37 in 2003. Counting them as rapes would have lifted the year's total to 118.

The result is easy to see. St. Louis police reported just 81 rapes in 2003. That's fewer than counted by Sioux Falls, S.D.; Fort Collins, Colo.; Boise, Idaho; New Bedford, Mass.; Lansing, Mich.; Las Cruces, N.M.; and Lafayette, La. - all cities that did not have even one-fifth as many overall crimes as St. Louis that year.

St. Louis had more crime in 2003 than Indianapolis, Kansas City, Boston, Cleveland, Oklahoma City, Minneapolis, Milwaukee, Portland, Ore., Charlotte, N.C., or Wichita, Kan. But those cities, and many more, recorded from three to eight times more rapes.

Phoenix doubled St. Louis' 2003 crime total but had seven times as many rapes. Philadelphia had 60 percent more crime than St. Louis - but 12 times as many rapes.

Richard Rosenfeld, a criminologist at the University of Missouri at St. Louis, agreed to analyze rape numbers for the Post-Dispatch. Based on various data, he estimated that St. Louis should have about 214 rapes in 2003 -nearly three times more than it recorded.

St. Louis police recorded 68 rapes in the first 10 months of 2004.

Two scenarios help illustrate what St. Louis does differently. In the first, a woman drinks too much at a party and passes out. Two men drag her into a bedroom. Each has sex with her before she wakes. In the second, a woman is driven home by her date. He pulls over and makes an advance. She resists. He persists. She says no. He wins.

The FBI calls those rapes. So do major cities like Boston and San Diego. In neither example did the woman consent to sexual intercourse.

But St. Louis police call them "sexual assaults" and list those reports in a crime category that does not show up in national statistics. Police here ignore the FBI and Missouri guidelines and report as rapes only those crimes that fit the state statute's narrow definition of forcible rape.

Sgt. Stephen Dougherty, a supervisor in the St. Louis sex-crimes unit, said in an interview in November it's a rape here only when the attacker causes or threatens harm beyond the rape itself, or drugs the victim.

Missouri's other major city police departments, Kansas City and Springfield, follow the FBI and state standards, regardless of what law the prosecutor might use to charge the offender.

"A rape is unwanted vaginal intercourse," said Sgt. Keith Kirchhoff, a supervisor in the Kansas City police sex-crimes unit. "When it goes to the prosecutor, they might call it whatever, but we pretty much call a rape a rape."

Mike Owen, a detective sergeant with the Springfield, Mo., police, said, "If it's intercourse without the other person's consent, we would consider that rape. The (forcible rape) statute may not fit, but we consider it rape here."

How St. Louis police classify rapes has repercussions beyond making the city look safer than it is.

As in most major departments, St. Louis police have a special sex-crimes unit, which handles the most heinous sex cases, including "forcible" rapes.

But many cases classified as sexual assaults are shunted back to the police district detectives, a legion of about 75 generalists whose caseload includes tens of thousands of felonies and misdemeanors each year, from shoplifting to street robberies.

The Post-Dispatch talked with sex-crimes units in several U.S. cities and found that none place rape investigations in the hands of district detectives.

"We would not allow an area station to handle a rape case," said Sgt. Janet Wright, a sex-crimes supervisor with San Diego police. "They're good detectives, but they're trained in generalized investigations - not in specific sexual assault crimes."

How this affects the quality of St. Louis rape investigations is unknown.

The Post-Dispatch filed a request under the Missouri Sunshine Law in November for access to all rape reports from 2003 and to all sexual assault reports from one month of that year, June. The Police Department said that would be too cumbersome. The newspaper pared the request to about 20 rape and sexual assault reports written in June 2003 - the same month as Latisha Williams' case.

The department, to date, has not complied, saying that because of confidentiality statutes, it would provide only six reports, and then only if the newspaper paid \$700 in administrative costs.

Police had no proof that Latisha Williams was lying. The patrol officer who wrote the memo had only the word of an unmarried teen, pregnant with her second child and living in public housing with her extended family.

The attending physician at Barnes-Jewish Hospital indicated on Williams' medical report, which she provided to a reporter, that it appeared the teen had been raped.

The memo on Williams was initialed by Lt. George Venegoni, who coordinated crime memos for the 4th District, roughly the downtown area, at the request of his commander, Capt. Larry O'Toole, who has since been promoted to major.

Venegoni, reached by a reporter, said he needed approval to be interviewed. O'Toole did not return phone messages last week. Lt. John Harper, who oversees sex crime investigations, sent an e-mail referring a reporter to the department spokesman, Richard Wilkes.

In response to a reporter's request for comment from Chief Joe Mokwa and some other key department figures, Wilkes faxed an unsigned statement on Wednesday saying police had no comment on crime reporting practices.

The request to interview Mokwa was repeated Friday, and met by the same answer.

The Williams case memo was one of about 70 obtained by the Post-Dispatch from police sources last year.

A reporter knocked on Williams' door in October and showed her the memo. Tears welled in her eyes as a reporter read it out loud. The officer had mangled her statement into something that wasn't believable, she said.

It reflected some of what she told him, but certain details were wrong, she said. The way he wrote it made it seem like she had changed her story, she said.

"I told the truth," she insisted.

Even more puzzling for her was that the memo lacked key investigative details, such as addresses where she told the police they could find her attacker. There was no mention that she had been to the hospital. Or that a nurse had swabbed evidence for a "rape kit."

But the memo did offer hope that someone else in the department might have looked deeper. The officer signed off by saying he would forward the memo to the sex-crimes unit "for any additional investigation."

Williams, who is now 20, found even more hope in boilerplate language at the top of her memo, and which is at the top of every memo.

The words said: "It may be necessary, with additional investigation in a controlled atmosphere to determine that a crime has actually been committed and should be officially reported through normal channels."

Surely, that was done, Williams said.

Police reports are kept centrally at police headquarters, 1200 Clark Avenue. People can buy copies of their own reports for \$5. Williams wanted hers.

A reporter accompanied her to headquarters. The guard at the front desk directed her through a metal detector, down a dusty corridor to the record room. There, she filled out a card: Latisha Williams. Sexual assault. June 18, 2003.

She took a seat. Ten minutes passed.

"Latisha Williams," the clerk called. There was a problem.

Was she sure the incident occurred in St. Louis? Was her name spelled any other way? Was the date correct? Williams nodded.

"I know it's frustrating," the clerk said, "but you're not in our system."

Williams agreed to let the newspaper identify her by name and photograph her. She said she wanted her story to be told.

First, though, she had to call her father and tell him that she had been raped.

"I don't want him to see it in the paper first," she said.

"If you don't do it..."

That night in June, Williams said, she and her friend were walking to her cousin's house. A Ford pulled up on O'Fallon Street, a few blocks from her apartment in the Cochran Gardens public housing complex, just north of downtown.

(A reporter could not locate the friend, who is 21. Williams said they had not spoken in several months. The friend's grandfather said he would relay a message, if possible but said he didn't know how to reach her.)

The man in the Ford offered them a ride. Williams said the friend, at first, seemed to know him. After a brief stop at her cousin's apartment, they went to his house.

He wanted sex. Williams said her friend was willing, initially, but Williams was not.

They were still talking when, in a terrifying turn, a third woman showed up with news: A drug debt would not be paid. It sent the man into a rage, Williams said. He slapped the woman, then threw a television and a radio at her, she said. The woman fled in tears.

Williams said she expected to get the same if she refused sex. Now her friend appeared scared, too.

The man ushered the teens into his bedroom, she said.

"He said, 'We're all going to have sex with each other,'" Williams said. "If you don't do it, I'm not taking you home.'

"He kept saying, 'You all better get home the best way you can if you don't do this.'"

Williams didn't resist. She said she was afraid for her baby. She was afraid of being left on the street in an unfamiliar neighborhood, six miles from home.

Williams said that during the rape, someone outside fired gunshots. She remembers four. She said she heard the woman from earlier, shouting. Williams surmised that the woman had returned with others to avenge the beating. The man loaded bullets into a gun and ran out of the room, Williams said.

She and her friend lay on the floor and waited.

"While we were on the floor, I asked, 'Do you even know him?'" Williams said. "She said no."

The shooters fled after a few minutes, she said. Not long after, the man drove her home. It was after midnight. She went to sleep.

She awoke early, crying. Her brother, Lionel Taylor, called 911.

The memo had a few variations. The officer wrote that Williams told him her assailant had shot at his own house. He wrote that in Williams' initial version, she said the man had beaten up her friend, but that later she revised her story to say a third woman, not her friend, had been beaten.

The memo drew the conclusion that Williams had consented to sex.

"When asked again why she said she would agree to have sex with (the suspect) rather than run away, she stated that she needed a ride home," he wrote.

If police had taken Williams seriously, they might have learned more about her alleged rapist, in his late 20s.

It was not the first time he was accused of being violent to a woman. A year earlier, in June 2002, a woman went to court in St. Louis to seek a restraining order against him. A judge denied it.

"He came to my house and I asked him for my house key," the woman wrote in her petition. "He became angry and started threatening to burn my house down and that he hopes my children are in there too. He tried to push his way back into my house and he slapped me in my face as I was closing the door."

A reporter reached the man at his job downtown. In a brief interview, he denied raping anyone and said he didn't recall sex with two teens any night in June 2003.

"If it happened a year ago, police would have come and talked to me," he said.

"It's hard to understand"

Williams is not the only alleged rape victim in St. Louis for whom police did not write a report.

Of about 70 memos obtained by a reporter, seven involved allegations of sex crimes. In one of them, an officer wrote about a prostitute who complained she was raped on Feb. 6, 2003. The unidentified 35-year-old prostitute has a previous conviction of making a false police report.

The woman said her attacker was a man she picked up one night at a supermarket. They smoked crack in her car and she agreed to perform oral sex for \$50. He wanted more.

"It wasn't something I wouldn't consider, but I wouldn't do it, and it made him mad," the woman, 35, told the Post-Dispatch. She said the rape "was awful. You can't explain it."

She contested only one detail in the memo. It said she admitted to knowing her attacker for more than six months. "I had never seen him before," she said. "He was a trick. That's probably why they don't consider it a rape."

Kathleen Hanrahan is executive director of the St. Louis Regional Sexual Assault Center, based at the YWCA in Clayton. Her agency dispatches a volunteer whenever a rape victim shows up at an emergency room in the St. Louis area.

She works closely with the city police. She said she has known about the use of crime memos for some time.

Victims have occasionally called Hanrahan to complain that a police officer did not follow up after an initial meeting at a hospital. In those instances, Hanrahan said, she immediately calls Harper, the lieutenant who oversees the sex-crimes unit.

Harper has a statewide reputation for sensitivity toward victims. Hanrahan said she admired and respected him. But Harper sometimes has to hunt for a crime memo. Sometimes he can't find it, she said.

"Obviously, the memo system, it's hard to understand," Hanrahan said. "But when that's happened, we've always been able to go back to them and file a report."

Hanrahan was reluctant to criticize the St. Louis police. Rape victims have far bigger problems than the St. Louis police, she said.

Some hospitals treat victims coldly, traumatizing them all over again. Some nurses aren't trained to collect rape evidence. Many suburban police departments don't even bother to return her calls, she said.

The St. Louis police - Harper and Dougherty in particular - are the best thing going, she said.

As close as she is to the process, Hanrahan said she had no way of assessing whether police do all they can to investigate rapes. That isn't her role. What's more important to her is that authorities give victims comfort and respect, she said.

"The issue to me is so much bigger," she said. "We don't expect hardly any of the victims to get satisfaction from the criminal justice system."

There might have been a chance for Hanrahan to champion for Latisha Williams.

After the emergency room visit, a volunteer tried four times to check on Williams' well-being, Hanrahan's records show. Williams acknowledged that she never returned the calls.

"We could have done something if she had," Hanrahan said.

Williams said she had just wanted to put the incident behind her.

She soon had her baby - her second son. Her focus turned toward day-to-day survival.

"I was depressed and just wanted to forget about it."

So, apparently, did the police.

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