



DOUGLAS A. DUCEY  
GOVERNOR

STATE OF ARIZONA  
OFFICE OF THE GOVERNOR

DEBBIE MOAK  
DIRECTOR

November 16, 2016

**Guidance: *Start By Believing***  
**Governor's Commission to Prevent Violence Against Women**

Sexual assault is a violent crime with devastating safety and health implications for every person in Arizona, be they a victim, a survivor or family member, loved one, friend, neighbor, or co-worker. One in five women and one in 71 men will be raped at some point in their lives.<sup>1</sup> Among undergraduate college students the statistics are even more abhorrent; nearly one out of every four women and one out of 20 men have experienced rape or sexual assault through physical force, violence, or incapacitation.<sup>2</sup> Offenders often target victims whom they perceive will not be believed; and unfortunately, law enforcement, friends, and family often focus on the victim's character, behavior, or credibility rather than the offender's actions. This attitude has permeated society, and as a result victims fear that they will not be believed and do not come forward after an assault. It is estimated that *at least* 65% of rape or sexual assault victimizations go unreported to law enforcement.<sup>3</sup>

In November of 2014, the Governor's Commission to Prevent Violence Against Women adopted the *Start By Believing* campaign offered by End Violence Against Women International and began encouraging communities and organizations around the State of Arizona to participate. *Start By Believing* is a public awareness campaign focused on cultivating an orientation of belief when responding to sexual assault. This approach encourages friends, loved ones, or law enforcement to treat victims with compassion and respect and communicate a message of belief and understanding. This approach creates an atmosphere in which victims feel more comfortable and willing to report an assault and provide law enforcement the information necessary to investigate the case. Appropriate response to sexual assault is critical; a negative response can worsen the trauma and foster an environment where perpetrators face zero consequences for their crimes.<sup>4</sup>

Recently, several serious concerns have surfaced regarding the *Start By Believing* campaign and whether it is appropriate for criminal justice agencies and others involved in the criminal justice

---

<sup>1</sup> Black, M.C., Basile, K.C., Breiding, M.J., Smith, S.G., Walters, M.L., Merrick, M.T., Chen, J., & Stevens, M.R. The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention (2011).

<sup>2</sup> David Cantor, Bonnie Fisher, Susan Chibnall, Reanna Townsend, et. al. Association of American Universities (AAU), Report on the AAU Campus Climate Survey on Sexual Assault and Sexual Misconduct (September 21, 2015).

<sup>3</sup> Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, National Crime Victimization Survey, 2010-2014 (2015).

<sup>4</sup> Start by Believing, <http://www.startbybelieving.org/TheMessage.aspx> (June, 2016).

process to participate. The concern is that the interjection of “belief” into the law enforcement investigation creates the possibility of real or perceived confirmation bias. Confirmation bias is the tendency to search for, interpret, favor, and recall information in a way that confirms one’s preexisting beliefs or hypotheses, while giving disproportionately less consideration to alternative possibilities. In cases that proceed to trial, defense counsel likely could impugn investigators and claim that alternative versions of the crime were ignored and/or errors were made during the investigation as a result of confirmation bias created by the “belief” element of the *Start By Believing* campaign. Additionally, many detectives have not been adequately trained to effectively defend the *Start By Believing* campaign on the witness stand. During a recent case in Iowa, a detective testified that the campaign required him to believe the victim, “no matter what”. The prosecutor in the case explained, “...the [*Start By Believing*] verbiage is what’s killing everybody in court”.

Recognizing the veracity of these concerns, the Governor’s Office of Youth, Faith and Family and the Governor’s Commission to Prevent Violence Against Women convened a *Start By Believing* Workgroup (Workgroup) to examine these differing viewpoints and work collaboratively to develop overarching guidance for the State. The Workgroup was comprised of a broad array of stakeholders that included county attorneys, prosecutors, law enforcement, forensic nurses, a defense attorney, advocacy centers, policy makers, and advocates. Based on a series of meetings, the Workgroup recommends the following:

- The *Start By Believing* campaign is most appropriate for non-criminal justice agencies and others not involved in the criminal justice system. While investigations and interviews with victims should always be done in a respectful and trauma-informed manner, law enforcement agencies, and other agencies co-located in advocacy centers, are strongly cautioned against adopting *Start By Believing*. Should a law enforcement agency have interest in adopting *Start By Believing*, we strongly encourage that agency to consult and work in close collaboration with their county attorney. The discussions should include weighing the high possibility of challenges during criminal legal proceedings based on actual or perceived confirmation bias. If the county attorney has even the slightest concern with the potential legal challenges associated with the *Start By Believing* campaign, it should not be adopted by law enforcement within that jurisdiction.
- Sexual assault allegations should be investigated in accordance with a codified sexual assault coordinated response protocol. This protocol should be developed with appropriate community partners, ideally a Sexual Assault Response Team (SART), and outline the following elements:
  - Victim-centered, trauma informed, collaborative response;
  - Sexual assault team development and sustainability;
  - Advocacy response;
  - Law enforcement response;
  - Medical response/sexual assault forensic medical examinations;
  - Forensic lab response/sexual assault kit testing; and
  - Prosecutor response.

- The Governor’s Office of Youth, Faith and Family and the Governor’s Commission to Prevent Violence Against Women will create an Arizona-specific sexual violence awareness campaign. The Arizona campaign will convey to sexual assault victims, and the general public, that law enforcement will be respectful, listen, and conduct a comprehensive and un-biased investigation of allegations of sexual assault.
  
- The Governor’s Office of Youth, Faith and Family and the Governor’s Commission to Prevent Violence Against Women will create a statewide system for ongoing sexual assault investigation trainings. This may include regular inter-agency presentations, trainings from local, state or national experts, and development of state sexual assault conferences. These trainings will include, but are not limited, to the following:
  - Basic Investigation of Adult Sexual Assault;
  - Advanced Sexual Assault Investigations;
  - First Responder Training for Sexual Assault Cases;
  - Medical Forensic Response in Sexual Assaults;
  - One Party Consent Calls;
  - Cold Case Investigations in Sexual Assault Cases;
  - Multi-disciplinary Team/ Protocol Development;
  - Interviewing Sexual Assaults Victims and the Neurobiology of Trauma;
  - Courtroom Testimony and Presenting the Sexual Assault Case at Trial;
  - Interviewing the Sexual Assault Suspect;
  - Sexual Assault Offender Behavior;
  - Sexual Assault Cases in Indian County; and
  - Sex Trafficking Investigation.

Research has demonstrated that victims of sexual assault who experience a supportive and compassionate response, regardless of the criminal justice system outcome, have lower rates of post-traumatic stress than victims who experience secondary trauma in the form of disbelief and blame.<sup>5</sup> Regardless of the strategy that an agency adopts, it is important that victims are treated with fairness, respect, and dignity and allegations are investigated in a fair, balanced, and thorough manner.

The Governor’s Office of Youth, Faith and Family and the Governor’s Commission to Prevent Violence Against Women is committed to addressing sexual assault and the devastating impact on Arizona’s citizens. We look forward to continued collaboration with agencies, organizations, and citizens to end sexual violence in Arizona.



Debbie Moak  
Director, Governor’s Office of Youth,  
Faith and Family

---

<sup>5</sup> Rebecca Campbell, Tracy Sefl, Holly Barnes, Courtney Ahrens, Sharon Wasco and Yolanda Zaragoza-Diesfeld, “Community Services for Rape Survivors: Enhancing Psychological Well-Being or Increasing Trauma,” *Journal of Consulting and Clinical Psychology* Vol 67, No 6, (1999).