



ANTONIO R. VILLARAIGOSA  
MAYOR

October 17, 2011

The Honorable Eric H. Holder, Jr.  
Attorney General of the United States  
Department of Justice  
950 Pennsylvania Ave. NW  
Washington, DC 20530

Re: FBI Uniform Crime Report

Dear Attorney General Holder:

As Mayor of the City of Los Angeles, I have seen the devastating impact of rape and sexual assault on women in Los Angeles. In this calendar year alone, the Los Angeles Police Department (LAPD) reported 522 rapes in the City. I have worked with the LAPD and community leaders in Los Angeles to address this devastating crime in many ways, including enhancing police training and eliminating the DNA rape evidence kit backlog. As President of the U.S. Conference of Mayors, I know my colleagues around the nation are working at the local level also to address this crime.

We are appreciative of the additional resources available from the Department of Justice, such as STOP grants, Violence Against Women Act Funds, and the Debbie Smith Act grants, which expand our ability to identify offenders and support survivors. However, there is more that the Department of Justice can do.

I write to ask that you act immediately to change the definition of rape that is used by the FBI in the Uniform Crime Report statistics. Written over 80 years ago, this outmoded definition ("the carnal knowledge of a female, forcibly and against her will") includes only forcible rape, and excludes a large portion of sexual assaults that are today recognized as rape. For example, it excludes forced anal and oral rape; rapes with an object, finger or fist; all rapes of men; and, contrary to UCR guidelines, some police departments exclude rapes facilitated by drugs or alcohol because force was not required. This limited definition has resulted in an undercounting of the true number of reported rapes and has led to an inaccurate understanding of the true scope and nature of the problem we face. According to an interview of Aviva Kurash of the International Association of Chiefs of Police in *Ms. Magazine*, misclassifying these assaults creates



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"a perception that this is not a real problem", resulting in resources not being allocated sufficiently for training and investigation.

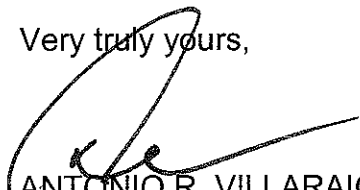
Based upon my discussions with LAPD officers, the current FBI definition of rape has a deleterious effect on sexual assault cases because:

- (1) the national guidelines are relied upon by all law enforcement agencies for the gathering of statistics and the current language is inconsistent with currently established legal, clinical, sociological and methodological definitions of sexual assault;
- (2) it influences police perception of what counts as "real" rape;
- (3) provides misleading data on the sexual assault cases which detectives, as a practical reality, must investigate;
- (4) produces misleading crime statistics that negatively impact departmental decision-makers' perceptions of the severity and pervasiveness of sexual assault; and
- (5) impacts resource allocation and deployment strategies.

Given that rape is already a chronically underreported crime, we must do all we can to properly define this crime.

Thank you for your attention to this request. I look forward to speaking with you regarding these concerns in the near future.

Very truly yours,



ANTONIO R. VILLARAIGOSA  
Mayor

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