



**Figure 5.** Visual schematic for attrition of rape cases in the criminal justice system

Note: This visual schematic is based on research summarized in the article, estimating that 5% to 20% of all forcible rapes are reported to law enforcement; of these reports, 7% to 27% are prosecuted and 3% to 26% yield a conviction. The 2004 State Court Processing Statistics then suggest that 62% of all defendants who are arrested and prosecuted for rape will be convicted; of these, 95% will be sentenced with incarceration (BJS, 2008a). The National Violence Against Women Survey (Tjaden & Thoennes, 2006) revealed that 17.6% of female and 3% of male respondents were raped at some time in their lives. Based on U.S. Census data, this translates to 17.7 million women and 2.8 million American men (Tjaden & Thoennes, 2006, p. 7).

a misdemeanor. Of these convictions, the data suggest that 95% will ultimately lead to a sentence of incarceration, with 65% in prison and 30% in jail.

To translate this to an illustrative computation, we have combined these estimates in a visual representation in Figure 5, using the upper bound of the range of estimates for each stage of attrition. The starting point is the commission of a forcible rape, and the funnel of attrition is demonstrated through the stages of reporting, conviction, and a sentence of incarceration. In other words, of 100 forcible rapes that are committed, approximately 5 to 20 will be reported, 0.4 to 5.4 will be prosecuted, and 0.2 to 5.2 will result in a conviction. Only 0.2 to 2.9 will yield a felony conviction. Then an estimated 0.2 to 2.8 will result in incarceration of the perpetrator, with 0.1 to 1.9 in prison and 0.1 to 0.9 in jail.

Of course, it is important to keep in mind that the definition of rape differs for many of these data sources, and most focus exclusively on forcible rape (excluding other types of sexual assault). However, even with the considerable margin of error that is inevitable when estimating such a computation based on different data sources, it is clear that only a very small minority of sexual assault cases end in a prosecution, conviction, and a sentence of incarceration.