



“I Take it Back” – Investigating Recantations – In Pursuit of True Justice

Child abuse, sexual assault, other forms of interpersonal violence and domestic violence can be such difficult cases for the Criminal Justice system to successfully prosecute for several complicated variables. Recantation being a common occurrence. The victim often recants their initial complaint either partially or completely.

How does a recantation generally impact the outcome of an investigation or prosecution of that case? Unfortunately, the majority of the time, a recantation will result in a closure of an investigation, refusal to prosecute, and worse - result in false complaint charges against the complainant when it may not be warranted.

There are significant consequences when case determinations are improperly made based on recantations alone. These consequences impact the reported victim, reported perpetrator, future potential victims, and society at large. All too often, improper case determinations can be devastating, and have a chilling impact on the criminal justice system. While it is true that some recantations are a direct result of a false report, this is not always the case. Many recantations are actually false.

Numerous victims recant their reports of crime for a variety of reasons. All recantations should be properly investigated to determine if the recantation itself is true or false.

A case determination should not be made until a proper investigation as to the facts and circumstances of the recantation has been conducted. This presentation will assist decision-makers, first responders, investigators, prosecutors, victim advocates, and other multidisciplinary professionals in understanding many of the dynamics surrounding recantations. Case studies and research about this vital topic will be presented along with practical tips and investigative steps to take to ensure a proper case determination.

A proper investigation of a recantation will often provide additional information and evidence that may actually strengthen the criminal case and may move forward to a successful investigation and prosecution.

Learning Objectives:

- Understand many of the issues surrounding true and false recantations
- Discuss the impact of improper case determinations
- Provide case studies to better understand the issues surrounding recantations
- Apply proper recantation investigative and prosecution principles
- Applying Neurobased and Trauma Informed Response and Investigation methods