

## Social Ecology Honors Program: Research Proposal

### **Determining Factors in Sexual Assault Cases**

*Which factors contribute to different sentencing patterns among sexual assault cases?*

#### **INTRODUCTION/PROPOSAL:**

The goal of this project is to find different factors among several sexual assault cases that may contribute to the sentence a sexual offender receives, as well as assess whether these factors have changed within the past years. Previous studies have shown that there are correlating factors within rape cases that can predict whether an offender will get convicted. Certain factors included the race of the victim, a victim's involvement with misconduct, the acquaintance between the victim and the defendant, the elapsed time between the act and when the case was reported (Kebodeaux, 2017). I hypothesize that similar variables will still be determining factors on whether a defendant will be convicted, as well as the length of his or her sentence.

#### **METHOD:**

The study I'm proposing will involve examining sexual assault case studies that have made it into the courtroom. I plan on going to the Superior Court of California of the County of Orange, as well as the UCI School of Law to personally ask if I would be able to access court cases involved with rape. Once I get access to the court cases, I plan on reading thoroughly through about 50 or more cases, and begin to code using a computer aided coding software. I will come up with a list of factors that seem to impact an offender's sentence, and assess whether a correlation could be made.

I will also be examining sexual assault cases from two different time periods. The first set of case studies that will be coded will be before the "Me Too Movement" was established; it was founded by Burke in 2006. The second set of case studies would be after the "Me Too

Movement” was promoted. I expect to find higher sentencing rates after the “Me Too Movement”, but also predict that similar variables that were determinant factors on an offender’s conviction before the movement will still be evident.

### **STUDIES BEING PROPOSED:**

*Study 1:* A correlational study to determine if there is any relationship between different variables within sexual assault court cases and sentencing patterns.

*Study 2:* An impact study to determine whether sentences against sex offenders, specifically in rape cases, became stricter after the “Me Too Movement” was established and whether or not the determinant variables are the same within both time periods (considering changing it to after the ruling of *People v. Turner*).

### **PURPOSE/BACKGROUND:**

The number of sexual assault cases per year is an alarming one. According to RAINN (Rape, Abuse & Incest National Network), one out of every six women have been a victim of rape in their lifetime, yet 995 out of 1000 perpetrators will walk free. Additionally, most rape cases go unreported for several different reasons; only about 230 cases per 1000 will be reported to the authorities (RAINN). These statistics may be a reason of why a person may choose not to report a case to the police. One may believe that certain facts of their case, such as their relationship to the offender, may lead to a perpetrator receiving no sentence at all.

This study will show whether these factors are still relevant, and if movements with the purpose of bringing awareness, affects the way a jury may look at a sexual assault case. I understand that most cases don’t even make it in front of a judge or jury, but understanding the factors that impacts a sentence, can serve as a signal that further changes need to be made within jurisdictions dealing with sexual assault.

People v. Turner serves as a prime example of how factors within a case influences a judge's decision, as well as the impact awareness can have within the judicial system. Brock Turner was convicted for sexually assaulting a 23-year-old women who was unconscious. Despite there being two witnesses, physical and psychological harm to the victim, and no former relationship between the offender and the victim, Brock Turner was still only sentenced to 6 months in prison with 3 years of probation; his sentence was then reduced to 3 months. There were several who found this sentence too lenient, and many activists spoke about the injustices involved with this case. However, the protests and activism that rose due to Brock Turner's light sentence, led to a change in how mandatory minimums were determined in California. In California's previous jurisdiction, sexual assault among victims who were unconscious were viewed as acts without any force used, which is important since the previous California Statute stated that any use of force upon a victim would lead to the automatic denial of probation. After Brock Turner's ruling, probation would be denied to any offender that was convicted of sexual assault involving any type of penetration. People v. Turner displays the importance of activism and how it can affect sentencing laws when dealing with sexual assault.

**RESOURCES NEEDED:**

- Sexual assault court cases involved with rape (before and after "Me Too Movement")
- Computer Aided Coding Software – ATLAS ti

**TIMELINE:**

*September 2019*

- Continue meeting with advisor and sharpen research question.
- Do more background research on topic and previous research done.

*October 2019 to December 2019*

- Finalize Research Question
- Begin UROP Research Proposal
- Design Study
- Get access to Sexual Assault Court Cases
- Complete Literature Review
- Submit UROP application

*January 2019 to March 2019*

- Conduct Study – Read and Code Sexual Assault Court Cases
- Collect Data – Statistical analysis to identify any relationship among different variables and sentencing patterns.
- Determine whether sentencing patterns have changed after the “Me Too Movement” was established

*April 2019 to June 2019*

- Interpret all data collected and write up findings
- Present findings and research at UROP conference

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## The Impact of Crime Drama Viewership on College Students' Perception of the Criminal Justice System and Fear of Crime

### **Statement of Purpose**

This research project will compare the perspectives of college students who watch fictional crime and law-related television shows via streaming services like Netflix and Hulu to the perspectives of those who do not watch these shows in order to determine if there is an association between consuming this type of media and believing that the police can effectively prevent and solve crime, or believing that one will potentially become a victim of crime. This project aims to understand whether using streaming services to consume large amounts of dramatized media that depict law enforcement investigations of often very violent types of crimes influences college students' perception that law enforcement is effective in protecting society from crime, or that one is likely to become a victim themselves. My hypothesis for this project is that high levels of viewership of fictional crime shows will be associated with a higher perceived effectiveness of law enforcement as well as a higher perceived risk of victimization compared to those who do not watch such shows.

### **Background**

Crime dramas have long been a staple of American entertainment, garnering millions of viewers of all ages (Wilson, 2019). From *Law and Order SVU*, an intense police procedural chronicling the lives of detectives who investigate sexual assault, child abuse, and domestic violence, to *Brooklyn Nine-Nine*, a police procedural in the style of a workplace comedy, crime and policing are pervasive in the media Americans consume, whether they realize it or not. Because most people do not have direct connections and experiences with the police and the criminal justice system, media is the major avenue through which members of the public gain information about crime and the criminal justice system (Rhineberger-Dunn, Briggs, & Rader,

2015). Detailed by Rhineberger-Dunn, Briggs, and Rader, the social construction perspective outlines the ways in which our perceptions of the world are based on our own direct experiences, vicarious experiences through our friends and family, or through other sources. In the case of policing and the criminal justice system, we often resort to the media for information to supplement our lack of direct experiences (2015).

George Gerbner's cultivation hypothesis aims to identify the ways viewing ritualized displays of violence, such as television shows, may cultivate an exaggerated assumption about the extent of real threat and danger in the world (Gerbner & Gross, 1976) — watching a great deal of television has the power to create specific and distinct conceptions of reality that are closely aligned with the images presented in that type of media (Shanahan & Morgan, 1999). Beyond the pervasiveness of violence presented in fictional crime shows, themes about the criminal justice system itself are also presented in a way that makes them seem like objective reality. Namely, crime dramas follow a dominant theme of “justice” — more often than not, the offender is captured and punished, portraying offenders as evil and the criminal justice system as a sort of “moral authority” (Kort-Butler & Sittner-Hartshorn, 2011). Kort-Butler and Sittner-Hartshorn identify that crime dramas convey the idea that dealing with offenders in a punitive way is the only option, and emphasize conservative ideas of crime control (2011). Further, the police are portrayed as much more effective at solving crimes than they are in real life — suspects on television are identified, apprehended, and punished at much higher rates than they are in real cases (Rhineberger-Dunn, Briggs, & Rader, 2015), and rates of violent crimes, especially homicides, are exaggerated (Eschholz, Mallard, & Flynn, 2004).

Previous studies regarding the relationship between perceived victimization risk and viewership of crime-related media have focused on the effects of exposure to crime via the news,

ie, non-fictional depictions of crime. Several of these studies (O’Keefe & Reid-Nash, 1987; Gebotys, Roberts & DasGupta, 1988; Heath & Gilbert, 1996) have found an increased perception of risk related to exposure to crime in the news, and Weitzer and Kubrin’s 2004 study found that those who identified local television as their most important source of news were more fearful of crime than those who more frequently got their news from national television, newspapers, or other forms of media. Beyond studies of news media, an array of studies have also examined the relationship between fear of crime and crime drama viewership, as well as between perceptions of the criminal justice system and crime drama viewership. Gerbner and Gross found an overestimation in risk of being involved in violence among those who watch more television, citing that television dramas reflect the basic assumptions about power and social norms and shape real-world perspectives (1976). Kort-Butler and Sittner-Hartshorn found that viewing crime dramas was associated with both fear of crime and support for the death penalty, with viewers simultaneously negatively evaluating the criminal justice system and supporting more punitive policies (2011). Both Maeder and Corbett (2015) and Rhineberger-Dunn, Briggs, and Rader (2015) found that viewership of crime dramas creates unrealistic expectations of the ability of criminal justice actors to effectively collect and use evidence to convict offenders.

With the advent of streaming services like Netflix, Hulu, Amazon Prime Video, and more, the way the public consumes television media has changed substantially since the days of broadcast television. As of September 2019, Netflix had an average of 46.55 million monthly users, Hulu had an average of 26.48 million, and Amazon Prime Video had an average of 16.46 million (Stoll, 2021). Streaming services such as these steer the viewer toward shows they will probably enjoy, based on their viewing history, and make it increasingly easy to consume a large amount of television in one sitting (Pittman & Sheehan, 2015). Crime dramas that are produced

for viewership on streaming platforms have shifted away from the style of shows historically on broadcast television and are made to fit the viewership style of streaming services (Balanzategui, 2019). Pittman and Sheehan found that binge watching, watching multiple episodes of a television show in one sitting, is most likely when the viewer is engaged with and identifies with the storylines and characters (2015), which could influence the perceptions of viewers who watch crime dramas in this way. It is certainly worth exploring the ways in which streaming services influence viewers and shape their perception of law enforcement and risk of victimization.

### **Proposed Research Methods**

To collect data, I will administer a survey to college students aged 18-24 to gather demographic information, information about the volume and frequency of crime drama viewership, the method participants use to watch crime dramas, perceptions of the effectiveness of the police, and fear of becoming a victim of a crime. Collecting demographic information including gender, sexual orientation, race/ethnicity, and education/area of study will allow me to examine whether there are associations between particular demographic groups (i.e. women, people of color, etc.) and their respective perceptions of crime and the criminal justice system. The survey will ask questions regarding the avenue the participant uses to watch crime dramas, how frequently they watch crime dramas, how much they watch at once, and what particular shows they choose to watch more than others. It will also ask how protected the respondent feels by the police, how effectively the respondent feels the police can solve crimes, and how fearful they are that they may become a victim of a crime (with specification of particular types of crime). In addition to the quantitative data, I also plan to conduct interviews with individuals

who frequently watch crime dramas to also get specific qualitative perspectives to supplement the information from the survey.

### **Potential Limitations**

This study's main limitation will be that it is not a controlled or randomized experiment, so no causation will be drawn between crime drama viewership and perceptions of law enforcement and risk of victimization. The study will not have a random sample, so its generalizability will also be limited, and it may be challenging to gather enough survey participants.

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## Role of Digital Neighborhood Watch Apps in Residents' Exposure, Perception, and Fear of Crime

### **Statement of Purpose**

This research project will compare the perception and fear of crime of residents that use digital neighborhood watch apps against that of residents that do not to determine whether there is a difference in perception of crime within the same neighborhood. This research project seeks to understand how engagement with these digital neighborhood watch apps affects residents' exposure, perception, and fear of crime in their respective neighborhoods, which, in turn, may result in negative physiological and psychological effects.

### **Background**

In a traditional neighborhood watch program, residents, in cooperation with law enforcement, work together to prevent crime by sharing information regarding suspicious activities and crime incidents in their neighborhood. Technological companies have introduced a new approach to this resident-police collaboration: digital neighborhood watch (DNW) apps. DNW apps, such as Neighbors by Ring, Citizen, Nextdoor, allow residents to be the “eyes and ears” of the neighborhood by giving residents the power of sharing information among neighbors from their mobile devices (Brush, Jung, Mahajan, & Martinez, 2013; Lewis, 2012). DNW apps vary in features, but the most common feature includes the ability to share a post, much like any other social media platform, regarding suspicious activity or crime incidents in one's neighborhood (Kadar, Te, Rosés, & Cvijikj, 2016). In addition to the initial post about the incident, users in the area are able to share additional information, including photos and videos, in a thread. These chronologically-ordered, easy-to-follow threads allow neighbors to be aware of developing incidents in their area that they may not have been aware of without the DNW app.

Much like the information shared through newspapers, the ability to read information about suspicious activities and crime incidents in one's neighborhood, even if they did not

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witness it first-hand, increases one's exposure to local crime (Einsiedel, Salomone, & Schneider, 1984). This project aims to determine whether this increased exposure to nearby crimes affects users' perception of crime differently than those that do not engage in DNW apps. Popular websites, such as Vox and New York Post, label these DNW apps as "fear-based apps" that have residents worried about crime, despite reports that found national crime rates declining (Federal Bureau of Investigation [FBI], 2018).

In addition to measuring the various effects DNW apps have on residents and their perceptions of crime in their neighborhood, this project will incorporate a method to measure residents' fear of crime (Ferraro & Lagrange, 1987; Jaehnig, Weaver, & Fico, 1979). Research has also found that fear of crime is a social problem that negatively results in physiological and psychological effects, including feelings of violation, helplessness, anxiety, distrust of others, and alienation (Doran & Burgess, 2012; Ferraro & LaGrange, 2000; Warr, 2000). Therefore, by measuring fear of crime, this project will help determine whether these DNW apps could promote an unnecessary stressor by increasing residents' exposure to crime.

My hypothesis is that since the DNW apps increase residents' exposure to crime, the residents that engage with these apps will also see an increased fear and perception of crime in their neighborhoods than those residents that do not engage with such apps. This hypothesis is supported by research that found that exposure to crime, perception of crime, and fear of crime are associated, even if crime rates point otherwise (Truman, 2005). I also hypothesize that since these apps are a form of social media, the research findings that exposure to media regarding increased crime incidents will lead to "elevated perceptions of risk and fear of crime" (Callanan, 2012). Do the benefits of being informed of crime in one's neighborhood outweigh the potential

physiological and psychological costs that are results of increased exposure, perception, and fear of crime?

### **Proposed Research Plan**

As a quantitative study, I propose the use of a survey that aims to collect the i) demographics, ii) perception of crime, and iii) fear of crime. The survey will be administered to two groups living within the same neighborhood: residents that use DNW apps (sample) and residents that do not (comparison group). The survey will collect demographic information (age, race, gender, etc.) that would allow for further in-depth analysis of how these factors play a role in levels of perception and fear of crime. In addition to general demographic questions, the survey will consist of specific questions that researchers (Ferrao & Lagrange, 1987; Jaehnig, Weaver, & Fico, 1979) have determined to be valid methods of measuring perception and fear of crime. The sample survey (Appendix A) shows a draft of the survey that will be used to reach the main objective of the research project: to determine whether there is a difference in perception of crime and fear of crime within residents that use DNW apps and residents that do not within the same neighborhood.

My goal is to conduct as many surveys as possible in order to ensure the findings are statistically significant and the research can be deemed valid. I will attempt to pinpoint in which I expect a high-level of DNW app users so that the data will include a significant amount of both DNW app users and non-DNW app users.

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**Appendix A**  
**Sample Survey**

**Demographics**

Age Group:

- 18-24     25-34     35-44     45-54     55-64     65+

Race/ Ethnicity:

- White     Hispanic/Latino     Black or African American  
 Asian/Pacific Islander     Native American     Other

Marital Status:

- Single     Married     Widowed     Divorced     Separated

Gender:

- Female     Male     Other

Do you have children in your household?

- Yes     No

**Digital Neighborhood Watch Apps**

Have you engaged with any digital neighborhood watch app in the past 6 months?

- Yes     No

If yes, which digital neighborhood watch apps have you used in the past 6 months?

- Neighbors by Ring     Citizen     Nextdoor     Other

How do you learn more about crime in your neighborhood?

- In Person     Word of Mouth     Digital Neighborhood Watch Apps

Other

**Perception and Fear of Crime**

1. Is there more crime in your neighborhood than there was one year ago?

- Less     Same     More

2. Overall, how serious of a problem is crime in your neighborhood?

- Not at all     Slightly     Moderately     Very     Extremely

3. In your everyday life, how afraid are you of getting murdered in your neighborhood?

- Not at all     Slightly     Moderately     Very     Extremely

4. In your everyday life, how afraid are you of being assaulted in your neighborhood?

- Not at all     Slightly     Moderately     Very     Extremely

5. In your everyday life, how afraid are you of being mugged in your neighborhood?

- Not at all     Slightly     Moderately     Very     Extremely

6. In your everyday life, how afraid are you of your home being burglarized when you are not there?

- Not at all     Slightly     Moderately     Very     Extremely

7. In your everyday life, how afraid are you of your home being burglarized when you are there?

- Not at all     Slightly     Moderately     Very     Extremely

8. In your everyday life, how afraid are you of being sexually assaulted in your neighborhood?

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Not at all    Slightly    Moderately    Very    Extremely

9. In your everyday life, how afraid are you of having your car stolen or broken into in your neighborhood?

Not at all    Slightly    Moderately    Very    Extremely

10. In your everyday life, how afraid are you of your child being harmed when alone in your neighborhood?

Not at all    Slightly    Moderately    Very    Extremely

11. In your everyday life, how afraid are you of being the victim of a hate crime in your neighborhood?

Not at all    Slightly    Moderately    Very    Extremely

## STUDENT PROPOSAL EXAMPLE #2

## Judicial Review: Understanding Classical Adaptations for Contemporary Society

**Abstract**

One of the possible initial lessons taught by a professor, within a legal-related field, is that the purpose of the law is to create a cohesive environment that ensures all individuals are treated with dignity and receive maximum social welfare. Thus, laws should reflect all humanity and be intended with a non-discriminatory lens. A prominent notion, judicial review, introduced by Judge Marshall through *Marbury v. Madison* of 1803, is a chief component for the judiciary branch to ensure fair implementation of legislature, in accordance with the Constitution. However, the preceding introduction of judicial review was to rectify issues that are no longer relevant in our current society, and rather, fresh debates are being presented with a lack of ability for resolution. Judicial review is intended to be a form of remedy for any laws that may be deemed unconstitutional and inhumane, but in order to comprehend the concerns of our current society and what is inhumane, we must understand what capabilities are obligatory to properly review. And subsequently, form legislature that reflects all individuals in a non-egocentric manner, through reviewing current legislation that may no longer reflect society.

**Literature Review**

The initiation of judicial review was established by Judge Marshall, and the U.S. Supreme Court, in the case of *Marbury v. Madison* (1803), where there was conflict in the 1800 presidential election. The necessity for this concept arose when the Supreme Court determined that the Judiciary Act of 1789 contradicted the Constitution; thus judicial review was established (Nelson, 2018, pp. 92). Marshall, along with his cohort, elected that judicial review could permit for the U.S. Supreme Court to declare a law unconstitutional. The intent of judicial review was to

stray away from political disagreements, and to emphasize the legality underlying the issues presented (Nelson, 2018, pp. 93). However, in actuality, often judicial review is perceived as two detached tenacities: political or legal. The political perspective stems from deeming the prominent reason for constitutional evaluation as a form of maintenance, to check on government and society (Whittington, 2019, pp. 43). Whereas the legal lens emphasizes the significance of maintaining the intentions of the Constitution, and judges have an obligation to rule with a legal hierarchy (Whittington, 2019, pp. 48).

Regardless of the original intentions behind judicial review, it is essential to understand how the political and legal interpretations of this notion can be translated to connect with contemporary America. Though these two perspectives are comparable, foundationally their distinctions result in arguments over which should be more prominently emphasized in judicial decisions. The legal perspective is associated with retaining fidelity to our Founding Fathers and Judge Marshall, and the values that they embodied. The argument favoring loyalty to the initial intentions coexist with the notion that our country was established with these core, substantive values that should be preserved through generations (Nelson, 2018, pp. 147). These principles molded the Constitution, and revolve around the conceptions of legal positivism, the thought that judges have an obligation to the guidelines of the lawmakers ratifying conventions, and judicial neutrality, the view that judges should treat all litigants equally (Nelson, 2018, pp. 148).

Straying away from the theories of our Founding Fathers, the political perspective advocates for a comprehension that America is vastly dissimilar from its time in the initial stages of judicial review during the late 18<sup>th</sup> century and early 19<sup>th</sup> century. The era of *Marbury v. Madison* was a period of debates over common law rights, often related to property; thus judicial review was coined with that narrow perception (Nelson, 2018, pp. 152). Nevertheless, presently,

judicial review is a necessity in assessing minority rights, and judgements examining judicial scrutiny and identifying the minorities requiring solicitude (Whittington, 2019, pp. 51). Thus, it is exceedingly arduous for judges to attempt to decipher the issue of minority rights without the recourse of political evaluations and social policy, as that is what minority justifications are rooted within.

The political perspective is not enquiring a complete disregard of the values that established our nation, but rather entailing comprehension of the dissimilarities of our contemporary America from our country centuries ago. Social justice and policy modifications are dissociative from judicial neutrality because justice demands for recognizing the gaps between various identity groups and inaugurating accurate adjustments for the minorities to reach egalitarianism (Posner, 2008, pp. 862) In order to preserve the intentions our Constitution was crafted with, and the notions that “all ... are created equal,” contemporary arguments revolve around retaining aspects of our former legislature, and venturing towards fresh implementations that embody the necessities of America in the 21<sup>st</sup> century.

### **Potential Research Questions**

Does judicial review appropriately recognize the necessities of our modern society, and implement decision-making from a non-discriminatory perspective? How can this notion be thoroughly accomplished with the intentions of both political and legal perspectives, to value the law while maintaining advocacy for social justice?

### **Research Methods and Analysis**

In response to the research questions at hand, the majority of this research will be qualitative and stem from the writings of chief scholars within the applicable realm. Discernibly, this research will emphasize judicial review from a contemporary perspective, and use discourse

analysis to understand the various writings that comment on its efficiency in modern America. In addition, many sources will highlight various court cases, addressing the non-discriminatory lens the research project is riddled in by demonstrating reviews that resulted in unfortunate decisions towards individuals of marginalized groups. The various readings from scholars and court manuscripts will aid in fostering a distinctive evaluation of the findings to correlate to a fruitful analysis of judicial review's role in attempting to represent all individuals equally. The analysis will also redirect various stances and theories that scholars have on amending judicial review, to offer unique insight on effective remedies for this characteristic of the law.

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## **The Prevalence of Rape Myths on Twitter**

**By REDACTED**

### **Research Objectives:**

The objectives of this study is to identify the misperceptions and myths about sexual assault that appear on social media. Rape myths can be defined as false beliefs or misconceptions about sexual assault, its' victims, and rapists, with the primary goal of normalizing sexual violence (Stubbs-Richardson, Radar, & Cosby, 2018). Rape myths take part in minimizing the effects rape has on its victims by viewing it as a trivial event, engaging in victim blaming, and protecting the rapist by coming up with excuses as to why he committed the rape to begin with (Harding, 2015). Along with identifying rape myths, a second part of this study will use a quantitative approach to look for variations among rape myths based on the type of rape case being examined. The study will use twitter as it's social media platform and will consist of analyzing and content coding several rape myths.

### **Research Questions:**

What are the misperceptions and myths about sexual assault that appear on social media and why does it matter?

Do the prevalence of rape myths depend on the type of case being examined?

### **Introduction:**

Part of the goal of feminist legal theory is to protect women's rights from political and societal conditions that go against them (Menkel-Meadow, 1982). The goal of the study being proposed here is to defend women who have been sexually assaulted from being attacked by society's misperceptions; it is part of a fight for women rights. Feminist legal theorists such as Susan Estrich and Kate Harding took part in this fight as they depicted the harsh legal system that victims of sexual assault have to endure. Susan Estrich created the term "real rape" as she explained the common misbeliefs people have in regards to acquaintance rape (Estrich, 1987). Kate Harding broadened the scope to other misperceptions she viewed as "rape myths" (Harding, 2015). In order to begin the fight of protecting those who have been sexually victimized, the first step is to identify the misperceptions surrounding sexual assault and understand how they are expressed within society. Everyone has their own legal consciousness, but it is crucial that individuals understand the consequences of having misperceptions that can be reinforced through social media, such as the reading of rape myths through twitter.

A previous study has shown that when pertaining to sexual assault, tweets are more likely to be retweeted when the twitter user engages in victim blaming rather than victim support (Stubbs-Richardson et al., 2018). But victims are not to blame for assault. Instead, Lisak states that serial rapists "harbor all the usual myths and misconceptions about rape" (Krakauer, 2015). These findings are troubling because it leads us to believe that more often than not, social media users continue to have misperceptions about sexual assault, which can then lead to re-victimization of those who have suffered through some form of sexual misconduct. Furthermore, as Lisak explains, serial rapists believe they have committed no wrong, because they, as many social media users, believe the several rape myths that are continually expressed within society. Therefore, the goal of this project is to identify the different types of rape myths that are most

prevalent on social media by conducting a content analysis of twitter. Many studies have begun to analyze how rape culture is portrayed on social media, such as newspaper articles, Facebook, or Twitter, but only a few studies have focused solely on the prevalence of rape myths within social media (Estrich, 1987; Grubb & Turner, 2012, Harding, 2015; Kosloski, Diamond-Welch, & Mann, 2018; Lonsway & Fitzgerald, 1994; Payne, Lonsway & Fitzgerald, 1999; Zaleski, Gundersen, Baes, Estupinian, & Vergara, 2016).

The purpose of this study is to examine the prevalence of rape myths by analyzing three high profile cases that took place on different time periods, with each having its own unique characteristics: (1) the Duke lacrosse case (2006) which included a racial component, and a victim who was later judged for her promiscuity, (2) the Brock Turner case (2016) which involved judicial malpractice, and (3) Brett Kavanaugh's sexual misconduct case (2018) in which the accuser has a political affiliation. It is important to note that rape myths are not only directed toward women identified victims (RAINN). However, due to the cases being examined in this particular study involve female victims and females are disproportionately victims of rape, this study will analyze rape myths that solely target victims identified as women (RAINN).

### **The Impacts of Rape Myths:**

The number of sexual assault cases per year is an alarming one. According to RAINN (Rape, Abuse & Incest National Network), one out of every six women have been a victim of rape in their lifetime. Additionally, the majority of rape cases go unreported for several different reasons; only about 230 cases per 1000 will be reported to the authorities (RAINN). The prevalence of rape myths can "lead to greater victim blaming, lower conviction rates for accused rapists, and shorter sentences for convicted rapists by juries in mock trials" (Franiuk, Seefelt, Cepress, & Vandello, 2008). Rape myth acceptance can not only lead to re-victimization, but has also led to several negative impacts with how the criminal justice system handles cases of sexual assault.

Rape myths are perpetuated on various social structures including, but not limited to: court hearings, news articles, and social media networks. A prime example of how rape myths can have an effect on sentencing outcomes, was *People vs. Turner* (2016). Brock Turner was convicted for sexually assaulting a 23 year old women who was unconscious. Despite there being two witnesses, physical and psychological harm to the victim, and no former relationship between the offender and the victim, Brock Turner was still only sentenced to 6 months in prison with 3 years of probation; his sentence was then reduced to 3 months. Rather than acknowledging his wrongs, Brock Turner himself participated in portraying rape myths within his own statement said in trail: "My poor decision making and excessive drinking hurt someone that night and I wish I could just take it all back" (Levin & Wong, 2016). This one sentence infers that he didn't mean to rape the victim, instead he made a poor choice due to alcoholism, which is a myth many believe; "he didn't mean to". (Payne et al., 1999). Other rape myths said in trail include: "His life will never be the one that he dreamed about and worked so hard to achieve. That is a steep price to pay for 20 minutes of action" (Svrluga, 2016). These rape myths insinuate that the perpetrator doesn't deserve to be punished, instead he deserves to be sympathized for since his life will be ruined, rather than focusing on the one he hurt – the victim he sexually assaulted. These same rape myths were found in a study that examined rape myths

on different social media forums and they were expressed as: “good guys who make a mistake shouldn’t be penalized heavily” or “a conviction ruins a man’s life for an innocent mistake” (Kosloski et al., 2018). It is clear that these type of rape myths appear in court rooms to try to persuade juries and judges for lower sentences, and unfortunately, in some cases it works; Brock Turner was found guilty, but only served 3 months in prison. Thus, there are social and legal consequences along with the minimization of the victims’ traumatic experience when rape myths persist.

### **Background:**

Susan Estrich examined the phenomenon she coined “real rape” to make a statement about the injustices within the legal system in regards to those who have been victims of rape (1987). “Real rape” is actually referred to what Estrich explained as “simple rape”, because the system fails to protect those who are victims of acquaintance rape due to the many misperceptions surrounding those sexually assaulted by someone they know. Estrich uses the expression “Real rape” to debunk the misperceptions regarding cases that involve prior relationships which are many times referred to as “simple rape” rather than what it should be known as— real rape. Estrich’s explanation of why cases involving prior relationships are deemed as nonserious crimes include (1) the belief that prior relationship cases should be handled in a private manner without the involvement of others, (2) the “claim of right”, which is the idea that if a woman has agreed to sex in the past, then the man has a continuing right to sexual activity, (3) prior relationship cases usually include contributory fault by the victim, and lastly, (4) the belief that rape by someone you know is less terrifying than rape by a stranger.

Estrich’s explanation as to why “simple rapes” are viewed as nonserious is the beginning of a larger phenomenon – rape culture. Rape culture can be defined as ideologies, behaviors, or “attitudes toward gender and dating scripts that condone or normalize sexual violence” (Stubbs-Richardson et al, 2018). Rape culture is often portrayed on several online social forums, such as newspaper articles, the comment section of these articles, Facebook, and Twitter, as past studies have documented. One particular study analyzed different comments/tweets/posts about the Steubenville Sexual Assault case and discovered different themes in relation to rape myths: “real rape”, “characterization of victims”, and “characterization of perpetrators” (Kosloski et al., 2018). A similar study analyzed rape culture solely on twitter, as they coded tweets referring to three specific cases: “the Torrington and Steubenville Rape Trials and the Rehtaeh Parson’s story of rape, victimization, and suicide” (Stubbs-Richardson et al, 2018). The researchers in this study examined three main themes that relate to the culture of rape such as, the belief in a just world, sub-tweeting or sharing information about the rape cases without crediting the original author, and rape myth debunking (Stubbs-Richardson et al, 2018). It was discovered that people retweet a tweet more than 10 times, 29.4% of the time when it relates to victim blaming compared to only 3.1% of the time when it relates to victim support (Stubbs-Richardson et al, 2018).

Similarly, the study being proposed here, will also analyze and code three different cases with different characteristics. But rather than examining rape culture as a whole, the primary focus will be rape myths. “Rape myths are a part of a rape culture”, since they play a role in the normalization of sexual violence (Stubbs-Richardson et al, 2018). But analyzing exclusively rape myths, will allow us to find their prevalence on twitter, which can lead to the understanding of

the major societal consequences rape myths may cause. A mixed study will be used to describe the different categories of rape myths that occur in response to three specific rape cases: the Duke Lacrosse case, Brock Turner's case, and Brett Kavanaugh's sexual misconduct case.

### **Rape Myth Themes:**

Along with the use of open coding once the analyzation of tweets begin, this project will also search for categories of rape myths that were identified by previous research. Previous research has shown that certain rape myths tend to be more prevalent than others within online social forums. Each rape myth presented below was identified as a rape myth in previous research. They were all combined and grouped into different categories that will be the themes used when coding tweets in this proposed study. The rape myth categories were either created or chosen because they were ones that seemed the most prevalent among the studies that were analyzed. The following themes are presented below along with examples of comments that would fall under each theme/category.

- a. *False accusations*: Comments under this theme would insinuate that the victim is lying about the sexual assault for a number of reasons. These reasons may include: the victim wants to mess up the accuser's reputation, the victim wants to cover up infidelity, the victim regrets the sexual encounter, the victim wants attention. Other examples that were identified through different studies were:
  - "The victim is lying" (Zaleski et al., 2016)
  - "Women cry rape" (Lonsway & Fitzgerald, 1994)
  - "She lied" (Payne et al., 1999)
- b. *Contributory fault by the victim*: This theme suggests the victim is either partially or fully to blame for the sexual assault (Estrich, 1987).
  - "She asked for it" (Payne et al., 1999)
  - Comments about the actions the victim made such as: being out too late, drinking, substance abuse, flirting, what clothing was worn (Kosloski et al., 2018)
  - Belief in a just world theory which are attributions that suggest the actions of the victim led to her rape (Grubb & Turner, 2012)
- c. *Rape as a trivial event*: The purpose of this rape theme is to view rape as a normal event that shouldn't be as traumatizing as victims make it out to be (Payne et al., 1999).
  - Claims that "sexual violence against women is normal, expected, or not a big deal" (Kosloski et al., 2018)
  - Comments suggesting rape is more traumatizing towards virgins than those who are not (Harding, 2015)
- d. *Attempts to protect the rapist*: This category suggests that people know sexual assault has occurred, but rather than defending the victim, these comments defend the rapist.
  - "good guys who make a mistake shouldn't be penalized heavily" (Kosloski et al., 2018)
  - "a conviction ruins a man's life for an innocent mistake" (Kosloski et al., 2018)
  - "he didn't mean to" (Payne et al., 1999)

### **Population of Interest:**

The population of interest are twitter users. Their tweets and comments will be analyzed and coded to identify tweets or comments that could be considered as rape myths.

## **Methods**

The mixed methods research study that is being proposed involves two steps. The first step involves using qualitative methods to identify the most prevalent rape myths on twitter and generate a theory that explains why these myths are so prevalent. The second part of the study involves quantitative methods to have a better understanding of the variation in rape myths based on the type of rape case being analyzed.

### Step One:

The first step of this study will involve analyzing and content coding several tweets and their responses into different rape myth themes including: (a) false accusations, (b) contributory fault by the victim, (c) rape as a trivial event, (d) attempts to protect the rapist. These themes were chosen based on past scholarly work; their definitions on rape myths and their findings as to which rape myths were most prevalent online social forums were analyzed to create new categories that combine the most prevalent rape myths found within the scholarly works (Estrich, 1987; Grubb & Turner, 2012, Harding, 2015; Kosloski, Diamond-Welch, & Mann, 2018; Lonsway & Fitzgerald, 1994; Payne, Lonsway & Fitzgerald, 1999; Zaleski, Gundersen, Baes, Estupinian, & Vergara, 2016). Along with categorizing the rape myths found on twitter, open coding will also be used in the case that a new rape myth(s) is revealed through the analysis and content coding process. Twitter allows users to use an advanced search in which you can input which words, hashtags, and which dates you want the tweets to show and be from. The use of advanced searching will be used to limit the tweets and comments that will be analyzed. Specific information such as the accusers names with the words rape or sexual assault will be inputted to get relevant tweets. For example, for the Brock Turner case, the words “Brock Turner” and “rape” will be inputted along with the dates of March 14, 2016 to June 14, 2016. March 14, 2016 is a date relevant to this case since it is the date that the criminal court hearing began. This process will be done for all three cases: (1) the Duke Lacrosse case, (2) the Brock Turner case, (3) the Brett Kavanaugh case.

### Step Two:

The second part of the study involves a quantitative approach. The three cases (the Duke Lacrosse case, the Brock Turner case, the Brett Kavanaugh case) were chosen because each case has its own differing characteristics that makes them unique from other sexual assault cases. The Duke Lacrosse case has a racial element and a victim who was judged for her promiscuity (Yamato, 2016). This case also differs from the others, since the defendants were found not guilty. The Brock Turner case had an abundant amount of rape myths present within the trial, and it showed how judicial malpractice took place; the accused was found guilty but only spent three months in jail. Finally, the Brett Kavanaugh case has a political affiliation, as the accused is an active Associate Justice of the Supreme Court of the United States. Part of the coding process will include analyzing the different rape myth categories that are prevalent for each different case. The frequency of each rape myth category for each case will be recorded, to identify whether or not the different characteristics of each case led to the portrayal of different rape

myths. Along with coding and categorizing each rape myth into their appropriate themes (false accusations, contributory fault by the victim, rape as a trivial event, attempts to protect the rapist), the number of retweets and likes for each rape myth will be recorded. The recording of the frequency of each rape myth category for each case and the recording of the retweets and likes for each rape myth will be the quantitative component of this study.

**Prediction** (Step one): The frequency of rape myth themes will differ depending on the type of sexual assault case that is being examined.

**Hypothesis** (Step two): The rape theme “attempts to protect the rapist” is predicted to be found more often in the Brock Turner case, while the rape theme “false accusations” is expected to be found more frequently in the Duke Lacrosse and Brett Kavanaugh case.

## Budget

Ink Cartilage (Cannon)	\$50
<ul style="list-style-type: none"> <li>Several articles/books/resources will be printed (2 x \$25)</li> </ul>	
MAXQDA Analytics Pro – Student License	\$115
<ul style="list-style-type: none"> <li>Includes quantitative text analysis and statistical data analysis</li> </ul>	
ATLAS.TI Student License	\$99
<ul style="list-style-type: none"> <li>Includes qualitative data analysis for content coding</li> </ul>	
“Feminist Legal Theory” by Nancy Levit , Robert R.M. Verchick and Martha Minow	\$30
<ul style="list-style-type: none"> <li>Will be used to frame my research into this theoretical framework</li> </ul>	
<b>TOTAL: \$294</b>	

## Responsibilities

### *Data collection*

- Collection of tweets that were made in regards to the three cases:
  - Duke Lacrosse case
  - Brock Turner case
  - Brett Kavanaugh case

### *Data Coding and Analysis*

- Identify which tweets and/or comments are considered rape myths, and code them according to their appropriate rape myth theme/category

### *Presentation of findings at UROP symposium*

- Oral and visual presentation

### *Writing of final research paper*

- Will write an honors thesis paper discussing my findings

### *Meetings with Advisor Dr. Hillary Berk*

- Development of project
- Research design
- Data collection and results
- Drafting of final research paper and analysis
- Dr. Hillary Berk and I have planned to meet every two weeks, or whenever deemed necessary.

## **Timeline**

*October 2019:*

- Finalize Research Question
- Begin UROP Research Proposal

*November 2019 to December 2019:*

- Design the study; come up with the procedure.
- Complete and Submit IRB protocol
- Complete and Submit UROP Research Proposal
- Complete Literature Review

*January 2019:*

- Begin data collection
- Begin coding and analyzing the tweets that were collected

*March 2019:*

- Finish collecting, coding, and analyzing data

*April 2019 to June 2019:*

- Interpret data found from coding and write up findings
- Submit Abstract for UROP
- Present findings and research at UROP conference

## **IRB Review**

Expedited Review

Pending

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