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Campus Sexual Assault on Television:

Evaluating SVU's Portrayal of the Party Rape Narrative

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#### **Abstract**

Over the years, scholars have identified socially perpetuated rape myths, or stereotypes regarding the "ideal" victim, the perpetrator, and the crime (see Burt, 1980). Additionally, research has derived that these narratives are often used by television and movies and that these mediums can affect one's level of rape myth acceptance (RMA) and their view on the crime (e.g., Gerbner's cultivation theory). However, while scholars have explored the use of the traditional rape narrative on screen—the stranger jumping out of a dark alley in the dead of night-they have not investigated the use of other scripts. One example is the party rape narrative, which more closely aligns with campus assaults. This crime as a subcategory of rape may or may not be portrayed to the same extent, or in the same manner, as the traditional rape narrative is. Thus, this study involved a content analysis of the popular show, *Law & Order: SVU*. By using the party rape script as a guide, the researcher uncovered to what extent the show perpetuates each narrative as they apply to college rape. Results indicated that with regard to episodes focused on campus SAs, elements of the narrative had adherence levels between 55.6% and 92.6%. Because of the role the media plays in influencing public knowledge and opinion, it is critical that scholars understand how serious topics like SA are portrayed. This research elicits suggestions for shows like *SVU* so they can de-mythologize mainstream attitudes toward rape.

### Introduction

Sexual assault (SA) research has grown extensively in the last 20 years, but there are still large gaps in the research due to the nature of the crime. The lack of comprehensive and representative data limits the ability of scholars to conduct research and impacts the public's ability to understand the issue. SA is notoriously underreported for a variety of reasons. Victims may feel like the police will not believe them, fear reprisal from their attackers, or feel ashamed of the incident (Kimble & Chettiar, 2018; Morgan & Kena, 2016). Additionally, the relationship the perpetrator has to the victim may play a role, as the closer a victim is with their attacker (i.e., intimate partner or close friend), the less likely they are to report the incident (Maryland Coalition Against Sexual Assault [MCASA], n.d.). In 2016, a bulletin published by the Bureau of Justice Statistics stated that 76.8% of SAs/rapes were not reported to the police (Morgan & Kena, 2016). When compared to earlier data, this number is higher, meaning that even fewer victims are reporting their SAs (Morgan & Kena, 2016; Kimble & Chettiar, 2018).

In addition to these factors, stereotypical rape myths and narratives also contribute to the climate of victim silence. The foundation of these myths is mostly cultural and has been propagated and reinforced through a variety of sources including media. This project seeks to explore the level of adherence to "rape myths" by examining a significant media artifact: *Law & Order: Special Victims Unit*. As a contemporaneous and highly rated television program, this artifact affords the possibility of offering a more progressive framing and perception of rape, contributing to a climate where this crime would be less underreported and more accurately perceived.

The level of underreporting presents a barrier to research in the field of SA, as statistics are often estimates. Still, according to a report by the Centers for Disease Control and Prevention (CDC), 1 in 5 women and 1 in 71 men are victims of rape during their lifetimes (Black et al., 2011). However, although this is frequently cited by researchers and organizations, it remains an *estimate* of the problem of SA: tangible, but not all-encompassing. There continues to be a dark figure of crime, or crime that is unreported, when it comes to SA, and without hard numbers to reference, it can be difficult to emphasize the severity and prevalence of the problem (Fisher et al., 2010).

Absent of direct victimization, it can be difficult for the public to understand what the SA experience means to the survivor: how it can cause depression, insomnia, and posttraumatic stress disorder, and how it can lead to self-harm, substance abuse, and disassociation (Rape, Abuse, & Incest National Network [RAINN], 2022). Furthermore, they also may struggle to understand the shame, fear, shock, and numbness that result from such a personal violation. Each survivor's experience is unique, but one commonality is that "sexual assault is not something that any individual will ever 'get over' in their lifetime" (College of Saint Benedict & Saint John's University, 2019). One advantage of this project is that it may help "define" SA by addressing whether the current definition portrayed by fictionalized media is wide enough to encompass the reality of the crime.

Various tactics have been deployed to help laypersons empathize with survivors and develop a better understanding of SA as a crime. In more recent years, television shows and movies have worked on presenting SA in a way that promotes understanding rather than victim-blaming. For example, the 2009 movie, *Precious*, has been described as "impactful and disturbing," with a "brutal storyline" that is "virtually unwatchable" (Webb, n.d.). However, the realistic and graphic portrayal of sexual abuse on screen serves a purpose as it is both "effective and informational" (Webb, n.d.). Similarly, the Netflix series, *13 Reasons Why* (2017-2020), has been criticized repeatedly by parents for its presentation of multiple SAs (Webb, n.d.). Although shocking, horrifying, and uncomfortable to watch, shows and movies like these provide a mediated reality for the development and potential broadening of perceptions regarding SA (see Gerbner, 1994). Despite the recent diversification of media portrayals, the question remains as to whether media is playing a constructive role in

the public's understanding of this issue. The media has the power to broaden the public's ability to empathize with victims and recognize their traumas, *but are they serving that role?* 

### Literature Review

Rape Myths, Rape Culture, and Their Effects

Society's traditional understanding of rape is now more commonly referred to in the literature as rape myths- individual pieces of a greater rape narrative (see Estrich, 1987; Cuklanz, 1998; Lonsway & Fitzgerald, 1994). According to Burt (1980), rape myths are "prejudicial, stereotyped, or false beliefs about rape, rape victims, and rapists" (p. 217). These beliefs create an overarching rape narrative that serves as a script for society to determine what rape is and is not. The issue with rape narratives is that the myths that comprise them are often misleading or incomplete. For example, the traditional narrative depicts rapists as strangers to victims, but research has repeatedly demonstrated that acquaintance rapes are more common (see Estrich, 1987; Kilpatrick, et al., 1992). Similarly, the "Black Rapist" myth has prevailed for centuries, even though statistics show that offenders are more likely to be White males (see Beck, 2021). While sometimes a narrative may be an accurate account of one's victimization, it also compacts the rape experience into one storyline, not allowing for the additional complexities; it fails to present rape as being multidimensional and fluid (Ferguson, 2016).

These rape myths promote a predominate rape culture that still pervades society, harming victims and contributing to a culture of violence. In general, the term "rape culture" has been referred to enough so that most individuals acknowledge its inherent meaning; it involves a wide range of attitudes and behaviors pertaining to sexual violence and the treatment of women within society (Phillips, 2017). In rape cases, this involves using language like "She asked for it!" and "Boys will be boys" (Marshall University, 2019). It also includes the inflation of false reporting statistics and scrutinizing the victim (i.e., dress, drinking habits, and sexual history). At its core, though, behavior constituting the maintenance of traditional gender roles supports this culture (Phillips, 2017; Marshall University, 2019). As one's manhood relies on dominant and sexually aggressive behavior, one's womanhood requires passivity and submissiveness. Men are encouraged to "score"; while, women are taught tactics to avoid getting raped (Marshall University, 2019).

Furthermore, the idea of "real" or "legitimate" rape has negative consequences for victims; when disclosing their experiences, victims are less likely to be believed, their feelings validated, and their trauma acknowledged. Rape myths emanating from this traditional perspective reduce the number of victims willing to come forward (Easteal, 1992; Kahlor & Morrison, 2007). This is especially problematic in the case of rape because it is already a significantly underreported crime. Myths have the power to distort the perception of the prevalence of rape, allowing public opinions and legislative agendas to be influenced by a perception of minimal frequency of the crime (Kahlor & Morrison, 2007, p. 730). Finally, this also contributes to a "culture of violence" that supports the patriarchy and oppression of women within society (Phillips, 2017). Such a culture "undermines the status and power of women... and reinforces harmful attitudes and beliefs about women and violence towards women" (Kahlor & Eastin, 2011, p. 215). Thus, to maintain power, men are encouraged to enact violent behavior, which often includes SA (Anderson & Doherty, 2007; Phillips, 2017).

The Significance and Effects of Law & Order: SVU

Entertainment programming on television plays an important role in the perception of SA. Indeed, some communication theorists argue that television itself can create a "mediated reality" for the public (see Gerbner, 1994). In this context, while many shows and movies have made attempts at promoting knowledge on SA and the reality victims face, one show stands out for its intentional, consistent focus on the topic: *Law & Order:* 

Special Victims Unit (SVU) (1999-). As of its 21<sup>st</sup> season, the show made television history as the longest-running prime-time drama of all time (Raftery, 2019; Yasharoff, 2019). Now in its 24<sup>th</sup> season, the show follows detectives as they investigate special cases, most of which involve SA or rape. Barcella (2018) attributes the show's success to "its willingness to tackle taboo topics around SA," calling it "pioneering." Furthermore, the show is unique from other crime dramas in that it shows not only the crime itself, but also its prosecution (Gajanan, 2019).

Many argue that the portrayal of SA and handling of such cases on screen has had a slew of benefits, including increasing awareness surrounding the crime, helping survivors recognize their own victimizations, and creating pressure for more victim resources (Barcella, 2018). Others, though, have argued that the show "glamorizes" the crime and presents unrealistic expectations for how it is dealt with. For victims of SA, they may see how the show handles the justice process and believe that is how it is done in the real world, especially if they have nothing else to develop those ideas on (Seelinger et al., 2011). There are multiple aspects within the crime drama that do not necessarily match real-world experiences, of which seeing can create psychological and emotional confusion (see Sleath & Bull, 2012; Venema, 2014).

# Campus SA and the Party Rape Narrative

Campus SA is a subcategory of rape that has slowly gained scholarly and public attention in recent years, and rightfully so. One in five women are victims of SA in college, and LGBTQ+ students are more likely to be raped in college than their heterosexual counterparts (Krebs et al., 2016). According to a report published by the Association of American Universities (AAU) in 2019, 23.1% of transgender, genderqueer, and non-conforming students were sexually victimized (Cantor et al., 2020). Additionally, 26.4% of female and 6.8% of male undergraduate students experience some form of rape or SA during college (Cantor et al., 2020). Moreover, these percentages are likely much higher as "most college victims of sexual violence never file a report with law enforcement" (Dastagir, 2019). In a 2011 report by the U.S. Department of Justice (DOJ), rape was declared "the most violent crime on American college campuses today" (Sampson, 2011, p. 17).

The prevalence of campus SA has prompted the creation of an entire subcategory of rape with a new label and definition: party rape. According to Armstrong et al. (2006), "Party rape is a form of SA that takes place either on or off campus; it typically involves plying the victim with alcoholic beverages to obtain sexual access" (cited in Johnson, 2016, p. 41). Yet only 5% of college women report their victimizations to the police. The aforementioned DOJ report explained party rape more in-depth:

The typical party rape occurs at an off-campus house or on- or off-campus fraternity and involves the offender's plying a woman with alcohol or targeting an intoxicated woman. Environmental factors that could facilitate the rape include easy access to alcohol, availability of a private room, loud music that drowns out the woman's calls, and, potentially, a cover-up by the house's residents, who may choose to maintain group secrecy over reporting the rape. (Sampson, 2011, p. 11)

This description highlights the differences between party rape and other types of rape, even separating it from other forms of acquaintance rape. The following table presents the most empirically supported elements of party rape, those that help identify "real" or "legitimate" rape victims (i.e., the party rape narrative) (see Table 1).

Table 1								
Elements of the Party Rape Narrative   Myth   Source 1   Source 2   Source 3   Additional Sources								
Victim is under the	Ehrhart &	Ward et al.,	Carroll &	Katz, 2015;				
influence of drugs and/or	Sandler,	1991	Clark, 2006	Littleton &				
alcohol	1985, 1986			Axsom, 2003;				
				Ryan, 2011;				
				Johnson, 2016				
Rape occurs at a party or	Katz, 2015	Ward et al.,	Carroll &					
other social gathering		1991	Clark, 2006					
Occurs on or near a	Armstrong et	Ward et al.,	Littleton &					
college campus, like a	al., 2006	1991	Axsom,					
popular college student			2003					
bar								
Perpetrators are friends	Ehrhart &	Ward et al.,	Armstrong					
or acquaintances of the	Sandler,	1991	et al., 2006					
victim or someone the	1985, 1986							
victim knows								
Perpetrator uses "low-	Ward et al.,	Armstrong et	Cited in	Reddington &				
level sexual coercion,"	1991	al., 2006	Johnson,	Kreisel, 2009;				
"verbal coercion,"			2016	cited in Martinez				
persuasion, or plies a				et al., 2018				
victim to "obtain sexual								
access."								
Victim is female	Ward et al.,	Carroll &	Johnson,	Littleton &				
	1991	Clark, 2006	2016	Axsom, 2003				
Perpetrator is male	Ward et al.,	Carroll &	Johnson,	Littleton &				
	1991	Clark, 2006	2016	Axsom, 2003				

Links to Communication: The Cultivation Hypothesis

Cultivation theory was developed by George Gerbner and his associates in the 1970s, who posited that television plays a central role in developing people's realities and how they view the world around them (Morgan, 2009; Infante et al., 2017). Gerbner et al. (1986) described television as a producer of culture that is shared among television watchers (i.e., enculturation). Like friends and family, television proposes ideas that may become a part of one's traditional outlook (Gerbner et al., 1986; Infante et al., 2017). Additionally, Gerbner argued that television creates mainstream perspectives for those that watch a lot of television; as such, the television answer becomes the "go-to" answer, especially when individuals do not have any firsthand experience with a topic (Hughes, 1980; Infante et al., 2017). Furthermore, for those that experience violence and trauma in their real lives, they are more vulnerable to the cultivation process; they are more willing to believe the world beyond their own is violent and traumatic as well (i.e., resonance). In essence, programming is playing off personal experiences to reinforce a fictionally designed world beyond the television screen (Gerbner, 1990; Griffin, 2012).

In application to SA, Kahlor and Eastin (2011) used cultivation theory as a lens to explore the role of rape myth acceptance among men and women, attempting "to link television viewing to individual beliefs about

rape" (p. 215). The study concluded, "that general television consumption is [positively] related significantly to first- and second-order rape myth beliefs among adult men and women" (p. 225). First-order beliefs refer to the overestimation of false rape accusations while second-order beliefs involve rape myth acceptance. Neither of the results were unsurprising. Numerous studies have supported the idea that "both news and entertainment media consistently portray a more violent and dangerous view of our world than exists in reality" (Eschholz, 2003, p. 10). Likewise, the literature has identified that a large portion of the population believes rape myths; this study simply linked that belief to television viewing specifically (Kahlor & Eastin, 2011).

The purpose of this study was to understand how one of television's most revolutionary, popular, and unique shows focusing on SA portrays the crime itself, including victims, perpetrators, and their journey through the criminal justice system. This is important because, as previously discussed, television plays a role in how people construct their realities. For audience members, what they see may be the only experience they have with SA, thus creating a television-made construct. For victims, it may allow them to identify their own victimization or help them with coping. However, if the show portrays popular rape myths, either by choice or unknowingly, this can support a false construct, leading audience members to possess an incorrect perception of the crime. Additionally, it may push victims to question their own experience if it does not match what happens on the show.

Because of the show's prominence in popular culture and its probable influence on ideas pertaining to SA, the following research question was proposed:

1) Does the show Law & Order: SVU support the party rape narrative through its depictions of campus sexual assault?

Of note is that this paper is part of a larger study that analyzed both the traditional and party rape narratives for comparison; however, only the party rape narrative results are discussed in this manuscript.

## Methodology

Episodes that met the sample criteria were identified by the episode descriptions provided by IMDb, Hulu, and NBC. In addition, the Law & Order: Special Victims Unit Unofficial Companion which covered each episode for the first 10 seasons in-depth was used. Episodes were chosen using three criteria. First, the themes of the episodes were identified by looking for keywords, including "rape," "sexual assault," "college," "university," and "student." This was an important step to minimize the number of episodes watched that did not meet the purpose of the study. Second, a rape must have occurred, and third, the victim must have been a college student. In total, nine episodes matched the selection criteria. However, there were 15 units of analysis because they were categorized by instances of rape (N = 15). This was decided after coming across an episode where a single victim was raped twice by two different perpetrators and another episode where more than one person raped a single victim in a particular instance. Therefore, multiple episodes had instances where more than one individual raped a victim, but because they were gang rapes and not separate instances of rape, they were not considered separate units of analysis.

## Pilot Studies

At this point, it should be noted that this study was a pilot test designed to establish a foundation for a larger-scale study in the future. Consequently, although the data set is small for this study, that is not an issue for pilot studies and is a part of their structure (Wimmer & Dominick, 2014). In this context, the literature suggests that small samples (ranging from 10-20) can be appropriate for specific aims such as demonstrating the

ability to execute a specific research protocol (Moore et al., 2011; see Hill, 1998). Ultimately, the purpose of pilot studies is to determine the feasibility of a certain research project in application (Thabane et al., 2010; van Teijlingen & Hundley, 2001; Woken, 2013), as is the purpose of this specific study.

The common elements used in the coding construct were identified during a thorough review of the literature. Each element needed to be originally stated or cited a minimum of three times to be included in the analysis. Therefore, some elements, although acknowledged by one or two scholars, were not included in the coding construct. The application of this criterion ensures a high level of relevance to the existing literature. As such, the findings will contribute directly to existing constructs regarding rape narratives. Thus, this approach will produce an "apples to apples" macro-level concurrent analysis that will synthesize "conceptually equivalent data for the purpose of producing a coherent and predictive model" (Snowden, 2012). Therefore, it serves a pragmatic function in terms of data production that allows narratives to become more easily accessible, relevant, and comparable to those reading the findings in the context of the existing literature and for those that plan to reproduce the study in the future (Snowden, 2012). With these criteria, the researcher identified nine elements for the party rape narrative (see Table 2).

Table 2				
Party Rape Narrative Coding Questions				
1) Was the rapist a friend or acquaintance of the victim or someone the victim knows?				
2) Did the rapist use verbal coercion or persuasion to gain sexual access?				
3) Was the rapist male?				
4) Was the victim female?				
5) Was the victim under the influence of alcohol and/or drugs?				
6) Did the rape occur on or near a college campus?				
7) Did the rape occur at a party or similar social gathering?				
8) Was the rapist a college student?				
9) Was the victim a college student?				

Intercoder reliability was established using one secondary coder for three episodes, which were randomly selected using an online generator. According to Bolognesi et al. (2017), "If the intercoder reliability is sufficiently high, the remaining annotations performed by a single coder can be assumed to be replicable." A certain level of variability exists in the literature concerning what constitutes an acceptable intercoder sample size. Riffe et al. (2019) acknowledged that suggestions surrounding sampling for reliability protocol have varied in printed works, but they propose 10-15% of the sample. For this project, the sample accounted for 20% of the total episodes watched and 40% of the total units of analysis, and as such, the benchmarks set by previous scholars were met and exceeded. Additional reliability measures were also utilized based on frequently cited indices of reliability in the social sciences. Even though .80 is considered acceptable for most studies, .90 and above is highly reliable (Lavrakas, 2008). The total percentage agreement was 94.4%, Scott's Pi was .902, Cohen's Kappa was .902, and Krippendorff's Alpha was .903. Thus, the intercoder reliability of this study exceeded all benchmarks. These intercoder calculations were determined using the online calculator, ReCal, which computes intercoder reliability coefficients for all levels of data (Freelon, 2010, 2013).

#### Results

The first question of the party narrative was answered with 12 yeses and three noes. The second question resulted in nine yeses, four noes, and two N/A's. For the third question, the responses were entirely yes (15).

Question four received primarily yeses (13) along with two noes. The fifth question received 12 yeses, two unknowns, and one no. The sixth question had 14 yeses and only one unknown. For question seven, the yes and no responses were mixed- eight and six respectively- along with one unknown. Question eight resulted in 11 yeses, three noes, and one unknown. Finally, the ninth question received all yes's (15) (see Table 3).

Table 3							
Party Rape Narrative Occurrences (Percentages)							
Question	Yes	No	N/A	Unknown			
Was the rapist a friend or acquaintance of	12 (80%)	3 (20%)	0 (0%)	0 (0%)			
the victim or someone the victim knows?							
Did the rapist use verbal coercion or	9 (60%)	4 (26.7%)	2 (13.3%)	0 (0%)			
persuasion to gain sexual access?							
Was the rapist male?	15 (100%)	0 (0%)	0 (0%)	0 (0%)			
Was the victim female?	13 (86.7%)	2 (13.3%)	0 (0%)	0 (0%)			
Was the victim under the influence of	12 (80%)	1 (6.7%)	0 (0%)	2 (13.3%)			
alcohol and/or drugs?							
Did the rape occur on or near a college	14 (93.3%)	0 (0%)	0 (0%)	1 (6.7%)			
campus?							
Did the rape occur at a party or similar	8 (53.3%)	6 (40%)	0 (0%)	1 (6.7%)			
social gathering?							
Was the rapist a college student?	11 (73.3%)	3 (20%)	0 (0%)	1 (6.7%)			
Was the victim a college student?	15 (100%)	0 (0%)	0 (0%)	0 (0%)			

### Discussion

### Element 1: Victim-Offender Relationship

The first question of the party rape narrative relates to an element of the traditional rape narrative, addressing the relationship of the attacker to the victim. In contrast with the traditional narrative, the party rape narrative focuses on attackers as acquaintances. Although people generally think of acquaintances as someone a person knows casually or less personally, the term encompasses a wider audience in the rape narrative literature. Parrot and Bechhofer (1991) defined an acquaintance as anyone who is not a stranger to the victim (cited in Reddington & Kreisel, 2009). This essentially creates two categories: those that are not known to the victim and those that are. On the show, 80% of the victims knew their attacker to some degree, although the extent varied; some had met them the night of the rape and some had known them beforehand. For example, a sorority pledge was assaulted by members of a fraternity after being forced to take a picture of one of the member's penis for her initiation. They were not strangers to her, but rather, acquaintances (season 14, episode 20, "Girl Dishonored"). In another episode, a victim was raped after meeting the perpetrator at a party a few hours before the assault (season 12, episode 9, "Gray").

The show's high adherence to this element of the party rape narrative (80%) highlights the inverse relationship between the two narratives in terms of victim-offender relationship; while the traditional narrative relies on a stranger-rape element, the party rape narrative is designed to anticipate acquaintance rape. By itself, a high level of adherence to this element is not inherently problematic, especially when applied to the college setting. According to the National Institute of Justice (NIJ) (2008b), 85% to 90% of female college rape victims are assaulted by someone known to them, with half occurring on dates. Perpetrators may be friends, friends of

friends, classmates, or neighbors. The issue, though, is that adherence to this element in conjunction with the others may support the overall party rape narrative that pigeonholes rape victims. This will be discussed in greater detail in the latter part of this section.

#### Element 2: Verbal Coercion/Persuasion

Instead of a weapon like a knife, a gun, or even fists, the party rape narrative involves verbal coercion/persuasion as a requirement of "real rape." This particular element of the narrative is not well defined in the literature, thus making it difficult to identify. Nonetheless, it was cited enough to meet the criteria of this analysis and be included as an aspect of the party rape narrative. Although not well established definitionally, there are some inklings of ideas concerning what verbal coercion/persuasion entails. Fisher et al. (2010) utilized a continuum to explain degrees of coercion. The first two apply to the context of the party rape narrative: psychological/emotional coercion and deception. Psychological/emotional coercion may include pressuring, pouting, nagging, pleading, and misusing authority to obtain sex. A perpetrator may also use "the power of persuasion to manipulate the woman into having sexual contact with him by eliciting feelings of guilt or obligation" (Fisher et al., 2010, p. 92). A clear example of this took place in the aforementioned episode where a sorority pledge, Lindsey, had to take a picture of a fraternity member's penis for initiation. As she tried to leave, he grabbed her arm and said, "Hey, what's the hurry? How about a kiss? Green means go" (referring to the party's traffic light theme, where wearing red means "taken", yellow suggests "maybe", and green indicates one is "DTF" ["down to fuck"]) (season 14, episode 20, "Girl Dishonored"). In contrast with persuasion, deception involves "the perpetrator communicating emotions, feelings, or promises that he does not really mean or intend to fulfill" (Fisher et al., 2010, p. 92).

Verbal coercion/persuasion does not involve the stereotyped physical force that the traditional rape narrative upholds. It typically begins with some form of *voluntary* communication between the perpetrator and the victim, which "can be as brief as a few leisure conversations" or more in-depth (Reddington & Kreisel, 2009, p. 39). In "Girl Dishonored" (season 14, episode 20), Lindsey engaged in a compromising photo shoot with one of her assailants just before the attack, where she willingly went up to his room, joked with him, and kissed him. Another victim in the episode, Renee, went to watch a movie at the perpetrator's house. In Renee's case, she was gaslit by campus police, other students, and university officials; her story highlights how people are less likely to believe victims when they communicate or engage with the perpetrator before the attack. This voluntary component seems to cast doubt over a victim's story, making police less likely to pursue the case and prosecutors less likely to bring charges (Lave, 2016). Furthermore, victims are less likely to see themselves as victims even if their experience meets the legal definition of rape (i.e., the unacknowledged rape victim) (Littleton, 2003).

The show had some adherence to this element of the narrative (60%), but it is important to stress that the literature provided no concrete and very little soft guidance on defining the concept, possibly affecting the coding process. More than one episode involved a victim waking up to find themselves being raped (see season 12, episode 9, "Gray"). In these cases, although verbal coercion/persuasion might have occurred before the victims passed out, it did not immediately precipitate the rape itself. The level of adherence could have increased if these cases were included, but without a clear compass on behalf of the literature, a judgment call was made to not include them.

### Elements 3 and 4: Male Offender, Female Victim

Society's general image of rape involves a male perpetrator and a female victim. This is supported by several myths surrounding gender dynamics, such as describing violence as a male problem, suggesting that

men always want sex so they cannot be victims of rape, and positing that women are hurt more by rape (Cook-Daniels, 1998). "The popular conception of the rapist as an over-sexed heterosexual man who is seeking sexual gratification, reinforces the myth of the rape victim as a young attractive female" (Mezey & King, 1987, p. 122). Consequently, "It is widely asserted that male sexual assault victims are far less likely than female sexual assault victims to report the crime against them," which may inadvertently continue to fuel the myths surrounding males as rapists and not victims (Cook-Daniels, 1998, p. 4). Related is the fact that people that report being raped by females are significantly less likely to be believed (see the Canadian Children's Rights Council, 1997).

However, the reality is that women can be rapists, as reflected in updated legal statutes that define rape as it applies to a *person* without specifying gender (Mezey & King, 1987). Upholding the image of men as perpetrators enables multiple negative social constructs that affect men and women. If a man reports being sexually victimized by a woman, his masculinity is questioned. By propagating the idea that men are biologically programmed to always want sex, cases where sex is unwelcome by a man are harder to believe and easier to ridicule. Furthermore, as men are characterized by their "aggression, strength and dominance over women," the inability to fight off a female attacker seems improbable, thus generating more blame for the male victim (Fisher & Pina, 2013, p. 58). The men-as-rapists element of the narrative also affects women by reinforcing traditional gender stereotypes that women are too weak or too innocent and morally upright to commit rape.

As the show had full adherence (100%) to this element of the narrative, SVU appears to rely on men rather than women as rapists in their plotlines. Similarly, the fourth element of the party rape narrative relates to the aforementioned male-rapist-female-victim image. The show had a very high adherence to portraying victims as females (86.7%), although two cases were males (13.3%). In one of the cases where the victim was male, they were sodomized with a paddle during a hazing ritual while pledging a fraternity. Though they were male, the offender was also male (season 5, episode 12, "Brotherhood"). None of the episodes showed a female offender with a male victim. Ultimately, this lack of diverse casting ignores men and transgender individuals as victims, particularly when their perpetrators are female, thus potentially influencing underreporting and their chances of seeking justice.

## Element 5: Victim Intoxication

The fifth element of the party rape narrative looked at whether the victim was intoxicated by alcohol and/or drugs. Although victims are *never* responsible for their victimization, studies have shown that drinking alcohol increases one's likelihood of being sexually assaulted (Marchell & Cummings, 2001). As expressed by a university psychologist during one of the episodes, "Mix in a bunch of horny kids with buckets of booze and you've got a recipe for disaster" (season 12, episode 9, "Gray"). According to Collins and Messerschmidt (1993), alcohol consumption by the perpetrator, the victim, or both can be found in *all* cases involving violent crime. Just as the statistics for perpetrators drinking alcohol have varied, so have those for victim alcohol use; estimates range between 30% and 79% with the general consensus falling around half of all SAs (see Abbey et al., 1994; Abbey et al., 2001; Crowell & Burgess, 1996). Alcohol-precipitated SAs are more likely to occur in cases of acquaintance rape, which as previously discussed, are the most common. Although other drugs are used in SA (e.g., ecstasy, marijuana), alcohol is the most frequently found in victims' systems (Reddington & Kreisel, 2009).

The discussion of alcohol within the context of SA is critical for multiple reasons, particularly due to its relationship with victim-blaming. Victim-blaming is a widespread social practice where individuals are partially or fully faulted for their sexual victimizations. Specifically with alcohol consumption and SA, there is a double standard between men and women. When women are intoxicated, they are more likely to be blamed for being

raped; whereas, when men are intoxicated, it serves as a mitigating factor to reduce their culpability (see Cameron & Stritzke, 2006). The art of victim-blaming is so widespread that individuals are conscious of how it affects their reporting of crimes. Victims are less likely to come forward because they believe they will be shamed for drinking even though that act alone nullifies one's ability to give consent, thus classifying the incident as rape (Dastagir, 2019).

Notably, the relationship between voluntary alcohol consumption and victim-blaming was discussed on the show multiple times, which suggests an attempt at deconstructing this prejudicial element. For example, while testifying during a rape trial, Detective Olivia Benson stated, "It's not uncommon for a rape victim to have been drinking, but that doesn't mean that they weren't raped" (season 15, episode 14, "Comic Perversion"). There was a very high adherence to this element of the party rape narrative, with 80% of the victims having been under the influence of alcohol. It can be argued that, in this specific case, the element being adhered to needs to be portrayed more often on television to dismantle the popular myth that a drinking victim is a willing victim. Additionally, the dialogic constructs built into the show that debate these complexities might also be helpful in doing so. However, this speculation would require more research focused on dialogue to support it.

### Element 6: Location of the Crime

The sixth element of the party rape narrative looked at the location of the rape and whether it occurred on or near a college campus. While it has taken over 100 years for scholars and citizens to discuss the implications of rape in general, it has not been until the last 15 to 20 years or so that rape on college campuses has been explored in depth. In 2013, four fraternity brothers at Vanderbilt University were sentenced after raping a woman in a dorm (Tamburin, 2018). Then in 2019, a student from the University of Delaware was convicted of the second-degree rape of six women between 2013 and 2018 (The Associated Press, 2019).

Unfortunately, not all publicized cases have received attention for their positive outcomes with respect to victim advocacy. A Yale University student was acquitted of rape in 2018 after "his lawyers cast doubt on [the victim's] memory and called attention to her clothing" (Boboltz, 2018). In a particularly unjust case, Brock Turner, a Stanford University student, was sentenced to only six months in jail after raping an unconscious woman behind a dumpster. The judge of the case argued that because he was a first-time offender and a good student and athlete, a tougher sentence "would have had a severe impact on him" (Martinez et al., 2018). Cases like these highlight the expansion of rape reporting on college campuses, which experts attribute to the powerful #MeToo movement (Tamburin, 2018). With regard to this study, *SVU* had a very high adherence to this element of the party rape narrative (93.3%). The specific locations on the campus varied, including fraternity and sorority houses and other on-campus locations (e.g., football training center [season 15, episode 15, "Gridiron Soldier"], "the quad" [season 12, episode 9, "Gray"]). The implications of this element by itself, however, seem to be minimal as the purpose of the study was to explore narratives in the context of campus rape.

## Element 7: Context of the Crime

The seventh question of the party rape narrative, as suggested by its name, looked at whether the rape occurred at a party or similar social gathering. While coding this element, an interesting anomaly presented itself. Multiple rapes technically occurred away from what could be classified as a social gathering; however, the verbal coercion/persuasion process began in such situations even though the crime itself did not occur there. For example, one episode saw the victim, a college student named Carly, meeting the perpetrator, a prominent comedian, at a campus bar before going to his hotel room where she was raped (season 15, episode 14, "Comic

Perversion"). The verbal coercion/persuasion began at the bar and had that not gone successfully, arguably, the victim would not have gone back to his hotel room and the rape would not have occurred.

When looking at the concept of rape occurring at social gatherings, especially those on or near college campuses, this narrative element is not completely misguided. According to NIJ (2008a), more than half of all college SAs occur at off-campus (but still associated with the campus) parties. A study conducted by Krebs et al. (2009) found that half of all incapacitated rapes (those involving victims under the influence of drugs and/or alcohol) and a quarter of all forcible rapes take place at parties. Lindo et al. (2018) stated that "partying may also increase the incidence of rape by increasing social contact and by altering the context in which social contact takes place" (p. 236). This is frequently attributed to the culture of partying that permeates across college campuses and involves alcohol consumption as a peer-pressured requirement for self-enjoyment (NIJ, 2008a).

Overall, the show had some adherence to the party socialization element of this narrative but not high adherence (53.3%). However, based on the number of instances that started at a social gathering and ended with rape in a different location, it is this researcher's belief that the level of adherence would significantly increase if the question were rephrased to reflect this aspect. This may serve as a possible area of alteration for future research.

### Elements 8 and 9: College (Student) Status

The criteria for choosing episodes required that the victims be college students, but the status of the perpetrators was left open, meaning that non-students could be rapists of college students. This was done so intentionally to increase the possible number of episodes for coding while also adhering to the basic construct of the party rape narrative. In 11 instances (73.3%) the perpetrator was a college student, meaning the show had a high adherence to this element. Notably, though, one instance involved a professor as the perpetrator of a graduate student (see season 6, episode 8, "Doubt"). This scenario was interesting for two reasons. First, although the professor was not a student, he was still affiliated with the university arguably making him a part, however minute, of the campus culture. This may be an area of future research to explore how far campus culture extends and affects SA. Second, the student who was victimized was not an undergraduate. Though the "typical" college student rape victim is an undergraduate, 9.7% of female and 2.5% of male graduate and professional school students experience rape or sexual assault (Cantor et al., 2020). In this situation, the show is introducing new character roles for victims and perpetrators, thus pushing back against the party rape narrative. Since one of the criteria for inclusion in this analysis was for episodes to have a college student victim, full adherence to this element was not unsurprising; it merely served as confirmation that the instances included in this analysis did meet the pre-established project parameters.

## Theoretical Implications

While this study was not intended to test theory, it certainly has theoretical implications. As discussed in the literature review, cultivation theory posits that people's perceptions of the world around them are influenced by television, especially in the case of crime. In the absence of personal experience, television helps construct a mediated reality for the person, which may not necessarily match true reality (Griffin, 2012; Gerbner et al., 1986; Infante et al., 2017). In application to *SVU*, most individuals do not have significant personal experiences with law enforcement, let alone the Special Victims Unit. As such, their perception of rape, especially college rape, may be influenced by what they see on the show. With the party rape narrative prevailing more than 50% of the time, there is concern that rigidity to the narrative, as well as adherence to the elements that contradict SA research, may negatively skew how the crime is viewed societally.

However, the party rape narrative seems to contradict the traditional narrative with the intent of presenting a new rape scenario as a non-traditional alternative, while also attempting to dismantle the myths associated with the elements of the party narrative. For example, the narrative suggests that victims are often under the influence of alcohol and/or drugs, which brings attention to the fact that this is *common* among party rapes. Yet, it is still considered rape. Adhering to this element of the narrative can present voluntary consumption in a way that does not negate the experience on behalf of the viewer but enhances their awareness of it as a part of rape. As well, the show's adherence to the party narrative may allow for a deeper understanding of victim blaming. Through careful presentation and meaningful dialogue, this can help decrease levels of victim blaming, as witnessed on the show.

A historic example of this phenomenon on television is *The Burning Bed* (1984) movie, which drew attention to domestic violence and battered-woman syndrome, two issues that had largely been ignored in the public sphere (Langer, 2017). The movie has been identified as "a turning point in the fight against domestic violence" (Ahern, 2014). Before this movie, domestic violence had been viewed as a private crime between a man and his wife. However, the victim "being beaten and bloodied, brought the issue of domestic violence literally into the nation's living rooms," forcing people to take in the crime and analyze their perceptions of it, even subconsciously (Ahern, 2014). As a method of cultivating public knowledge of the crime, *SVU* acts as *The Burning Bed* of SA; by encompassing the complexity of the crime that is often ignored in rape myths and by the media, and increasing general awareness and empathy for victims, it benefits the social collective logistically and morally.

## Limitations and Future Research

The first issue arose with intercoder reliability as the codebook was not clear enough to achieve an acceptable level of intercoder reliability during the first round of coding. This was largely due to the lack of guidance on determining characteristics and defining certain key concepts. As previously discussed, some of these definitional issues arose from the literature, such as the case regarding verbal coercion/persuasion. Others resulted from unforeseen complexities associated with the elements, like victim cooperation increasing and decreasing at varying points with each victim. In these cases, little could be done with the project already underway and the difficulty of mass changes at that part of the research process. Furthermore, it was not as if the researcher could rebuke the literature on its lack of conceptual coherence. Still, the researcher was able to reconstruct the codebook and alter the phrasing of some of the questions, though none of the changes were to the party rape narrative elements (i.e., on the traditional narrative).

As this was a pilot study, there are plenty of ways in which this research can be expanded upon. When looking at the show specifically, the researcher plans to use this project as a baseline for exploring other narratives within the show to see to what extent they are adhered to (e.g., spousal rape, statutory rape, military rape, etc.). There are also plenty of unrelated concepts that can be explored in the show, such as prosecutorial timelines, police brutality, and the relationship between rape and murder on the show, just to name a few. Additionally, although not directly related to the concept of narrative adherence within the show, it would be interesting to gauge male and female responses to episodes featuring male rape to determine gender differences in the construction of rape as it applies to males. Similarly, another project might involve deciphering victim and non-victim responses to the show, possibly utilizing episodes with different themes to ascertain any thematic divergences.

### Conclusion

Undoubtedly, Law & Order: SVU is a unique show for its content and sustainability, both of which have received widespread recognition. The primary argument in support of the show is that it teaches people about SA. While this is true, the real question was what was it teaching about SA? Rape myths, or "false beliefs people hold about sexual assault that shift blame," continue to exist and influence how people view SA (University of Richmond, 2020). These myths are so omnipresent in society that victims internalize them, refuse to disclose to the police, and struggle to get justice for the traumas they have experienced. Consequently, they suffer in silence and do not receive the help necessary to move forward in their lives without unresolved psychological, emotional, and social scars. If the show were supporting rape myths through their portrayals of SA, the reason for its popularity would be unfounded as it teaches people myths of the crime, not reality.

The purpose of this study was to answer whether the show Law & Order: SVU supports the party rape narrative through its depictions of campus SA. Cumulatively, the party rape narrative was upheld more than 50% of the time on the show's episode featuring campus SA; thus, the show frequently relied on stereotypical party rape myths in its portrayal of campus sexual assault. Without contextual consideration, a high level of myth adherence is not necessarily a bad thing, since in some cases, this demonstrates an attempt to bring these issues to the forefront (e.g., the complicated relationship between alcohol and SA). In others, however, it can reinforce rape myths and concepts related to them. On college campuses where drinking, parties, and sex reign supreme, it is essential that perpetrators learn what rape is, and victims can identify and come forward with their own experiences (Armstrong et al., 2006).

In terms of feasibility, this project was useful in determining possible weak areas in the methodology. The findings of this study suggest that the show is not necessarily as helpful in highlighting SA in fictionalized media as originally thought, at least within the context of campus SA. Nonetheless, SVU's emphasis on sex crimes remains socially beneficial, even with these findings, as there are areas in which rape myths are not upheld. Going forward, the researcher recommends that the show analyzes its plots more critically and encourages its writers to broaden their portrayal of victims, perpetrators, and SA. Furthermore, although the show utilized some dialogue to dismantle rape myths that were being presented, it could incorporate more to encourage robust discussion and understanding regarding a complex crime. Of course, these recommendations assume that one aim of the show is to promote and shape social justice. As fictionalized media has a clearer goal of making money through viewership, this recommendation may not serve that aim. Nonetheless, as the intro of the show states, rape and SA are "especially heinous" and "vicious" felonies, and hopefully, this content analysis will help the media understand how to illustrate them as such.

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