
Reviewed by Joshua D. Hutchins

In "When Rape Goes Viral: Youth and Sexual Assault in the Digital Age" Anna Gjika delves into the complex interplay between digital technology and the criminal justice system's handling of sexual violence, particularly among adolescents. The digital age has transformed many aspects of society, including how sexual violence is perpetrated, recorded, and prosecuted. This transformation raises critical questions about the adequacy of existing legal frameworks and the need for systemic reform to address the nuances of digital abuse effectively. Gjika’s work is pivotal as it uncovers the dual roles of digital platforms—both as tools for empowerment and instruments of victimization. The author uses a range of case studies to illustrate how digital media can both aid in bringing justice to victims and exacerbate their victimization through cyberbullying and unconsented sharing of intimate images. This scholarly analysis seeks to unpack the contributions of Gjika's work to the field of criminal justice, specifically in the context of digital harm, the inadequacies of existing legal frameworks, and the influence of gender dynamics, race, and circumstances surrounding sexual assault incidents.

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In her work, Gjika adeptly highlights the contradictory roles of digital platforms in cases of sexual violence. Gjika articulates how digital media can serve as a potent tool for evidence gathering, crucial for the prosecution and awareness of sexual assault cases. However, she also explores how these same platforms can perpetuate victimization through the unauthorized spread of intimate images, creating a cycle of abuse that extends beyond the initial act of violence. This paradox presents significant challenges to the criminal justice system, which is often slow to adapt to technological advancements. The author emphasizes that traditional legal frameworks and procedures, designed for a pre-digital age, struggle to address the rapid dissemination of digital content that can augment the victims' trauma and affect public perception of the cases. Gjika also addresses the devastating effects of digital bullying through the stories of Audrie Potts and Daisy Coleman. Both were teenagers when they were sexually assaulted and subsequently faced intense online harassment and victim-blaming. This online abuse magnified their feelings of guilt and shame, tragically leading both young women to take their own lives. Research by Keefe et al. (2018) indicated that experiencing sexual assault along with feelings of loneliness were the primary factors contributed to increased suicide risk. Kim et al. (2019) discovered that suicide ranked as the second most common cause of death among individuals aged 10 to 34, accounting for 18% of fatalities in those aged 15 to 24. Potts and Coleman felt isolated, heightening their susceptibility to suicidal ideation, and within the age demographic identified by Kim et al. (2019) as being at risk of succumbing to adverse circumstances. These cases are poignant examples of the dire consequences of insufficient legal protections in the digital realm, driving home the importance of evolving our legal frameworks to better protect victims.

Gjika’s work highlights the current legal frameworks' shortcomings in effectively addressing the nuances of digital harm. She emphasizes that the legal system often fails to recognize the seamless connection between digital and physical violence, leaving significant gaps in victim protection and enforcement. Gjika points out that existing laws do not fully capture the severity of digital acts as part of sexual violence, leading to inadequate justice and failure to deter future offenses. This situation necessitates a significant overhaul of laws to better reflect the realities of digital interaction and aggression, ensuring that legal definitions and protections keep pace with technological advancements.

The author also discusses the pressing need for law enforcement to develop new knowledge and skills to handle digital evidence effectively.
She notes a concerning lack of trained personnel capable of managing the complexities of digital evidence, which creates substantial barriers when responding to technology-related offenses in sex crime investigations. The analysis of digital information, often time-consuming and labor-intensive, poses additional challenges, especially when law enforcement agencies are understaffed and grappling with growing caseloads. Jackson and Lee (2019) drew attention to the nationwide shortage of police officers, noting that one city in Washington state experienced a 50% drop in applicants within recent years. Moreover, Gjika addresses the difficulties the judiciary faces in understanding and admitting digital evidence in court, often due to uncertainties about its authenticity. Flory (2016) echoed the sentiment that the absence of legal professionals skilled in handling digital crimes frequently leads to unprosecuted cases. This issue is compounded by a generational gap among older law enforcement officers who may not be as adept with digital technologies, underscoring the need for comprehensive training.

Gender and power dynamics present their own set of issues in the context of digital harm. Gjika’s analysis provides a nuanced examination of how entrenched societal norms and power structures influence both the perpetration of and responses to digital harm. Gjika illuminates how gender stereotypes and power imbalances are deeply embedded within the criminal justice system, often leading to biased legal processes that can significantly affect the outcomes of cases involving digital abuse. This bias is particularly detrimental to female victims who are frequently subjected to a legal framework that underestimates or misinterprets the gravity of digital violence due to prevailing gender norms. Gjika expands on the concept that young women are often coerced into conceding to aggressive sexual behaviors from their male peers, behaviors that are normalized through societal gender roles. This expectation places young women in a precarious position where resistance might lead to social ostracization, and a lack of seriousness taken by legal authorities when such cases are reported. Gjika argues that this normalization stems from a broader cultural climate that tacitly condones male dominance and aggression. In digital contexts, this can translate into male entitlement over women’s bodies and personal spaces, manifesting through actions like non-consensual sharing of intimate images or cyber harassment.

By exposing these systemic biases and discussing their implications on the handling of digital abuse cases, Gjika calls for a reformation of the criminal justice system. She advocates for a system that recognizes these gendered injustices and actively works to dismantle them. This includes
implementing training programs for law enforcement and legal professionals that focus on understanding and addressing gender biases and improving the handling of cases involving digital abuse. Race and class significantly influence the investigation and prosecution of sexual crimes, often resulting in marked disparities in how justice is administered. Individuals from higher socioeconomic backgrounds, such as athletes or community leaders, often benefit from substantial community support and superior legal representation. This advantage can lead to disparities in plea bargaining, where those with greater resources and social standing can negotiate more favorable terms, extending racial and class inequalities within the criminal justice system.

Studies in both sexual violence and criminology reveal a consistent pattern where plea bargains disproportionately favor the more affluent and socially connected, often at the expense of poorer and marginalized communities. These communities frequently suffer harsher penalties and longer sentences, highlighting systemic biases that privilege specific demographics over others. Duxbury (2021) confirms this observation, noting that public perception increasingly views criminal behavior among African Americans as a rising issue that requires judicial intervention. The literature on plea bargaining and policies like the war on drugs provides numerous examples where socioeconomic status plays a decisive role in determining the outcome of legal proceedings. Furthermore, these inequalities reflect broader societal biases that influence the likelihood of conviction and sentencing severity, demonstrating a systemic issue that expands beyond individual cases (Gjika, 2024). The criminal justice system's handling of sexual violence, therefore, is not only a legal issue but also a reflection of entrenched social inequalities that affect the most vulnerable populations. This underscores the need for reforms that address these disparities, ensuring a more equitable justice system that serves all individuals, regardless of race or class.

In the context of sexual assault incidents, societal and criminal justice systems often place undue scrutiny on the victim's behavior before the event. This scrutiny can influence both public perception and the legal outcomes of these cases. Victims of sexual assault face considerable challenges during the legal process, amplified by the media's focus on aspects such as the victim's consumption of alcohol or behavior on social media. The involvement of drugs or alcohol can lead to a lack of pursuit by law enforcement, further diminishing the likelihood of justice for the victim. In 2019, a report found that nearly 7 million young people between the ages of 12 and 20 had consumed alcohol within a month of
the study, while about 2.4 million individuals from 12 to 25 years old had used prescription pain medications within the last year (Close et al., 2021). This may cause victims to be hesitant to report sexual assaults, especially when they have been using substances or know the perpetrator. This reluctance stems from fears of not being believed, self-blame, or doubts about law enforcement’s willingness or ability to act.

The digital trail of the victim can also complicate the perception of consent and culpability. For instance, if a victim was seen flirting with the suspect before the incident or had posted promiscuous photos online, their credibility might be called into question. Such digital footprints have sometimes led to suspects being acquitted, as these elements can skew perceptions of the victim's character and intentions at the time of the assault. Examining the circumstances surrounding sexual assault incidents and their treatment within the criminal justice system spotlights several systemic shortcomings that require attention. Gjika’s analysis contributes to our understanding of how deeply ingrained societal biases and procedural inadequacies within the criminal justice system can hinder justice for victims. It underscores the need for a more informed and sensitive handling of cases that involve social behavior, advocating for reforms that accommodate the complexities of modern social interactions and technology's role in shaping public narratives. By highlighting these issues, Gjika prompts a critical reevaluation of how law enforcement, the judiciary system, and society at large perceive and address sexual violence. This is vital for developing more effective legal frameworks and support systems that ensure fair treatment and justice for all victims. Such insights are indispensable for driving policy changes and fostering a criminal justice system that is both adaptive and equitable.

Gjika's contribution through her discussion on the necessity for comprehensive educational interventions is crucial. She advocates for a paradigm shift in the educational approach to sexual violence and digital citizenship, starting from a young age. Gjika stresses the importance of moving beyond traditional risk-avoidance strategies and, instead, fostering a curriculum that empowers young people to navigate digital spaces with ethical and responsible behaviors. Additionally, Gjika offers concrete policy recommendations to improve how the criminal justice system handles cases of digital abuse. These include calls for enhanced legal definitions that reflect the current digital realities, increased training for law enforcement, and the adoption of survivor-centered approaches that prioritize the needs and well-being of victims. Such changes are imperative for creating a justice system that can effectively respond to
the complexities introduced by digital media and provide real protection and redress for victims.

The insights provided by Gjika into the interaction between digital media and the criminal justice system carry profound implications for policy and practice. She effectively makes the case for reforms that recognize the unique challenges digital environments pose. By advocating for a reformed justice system that better serves the victims of sexual violence and digital abuse, Gjika contributes significantly to the ongoing debates on legal and institutional reform. Integrating digital literacy and sexual ethics into educational curricula is highlighted as a critical step toward equipping future generations with the skills needed to navigate the complexities of digital interactions responsibly. Gjika’s analysis also suggests that policy reforms should extend beyond educational settings and into the realms of law enforcement training and judicial processes. This includes updating training programs to include a comprehensive understanding of digital evidence and its implications in sexual assault cases. Policymakers should consider creating specialized units within law enforcement agencies that are equipped with the tools and knowledge to handle cases involving digital elements effectively. These measures would ensure that the justice system is not only responsive but also proactive in addressing the challenges presented by the evolving digital landscape, thus enhancing the protection and support for victims.

In "When Rape Goes Viral: Youth and Sexual Assault in the Digital Age," Anna Gjika offers a comprehensive critique of the current state of the criminal justice system in dealing with digital harm, accompanied by actionable recommendations for systemic change. By highlighting the dual roles of digital platforms, the limitations of existing legal frameworks, and the influence of gender dynamics, race, and circumstances surrounding sexual assault incidents, the book provides a nuanced understanding of the challenges and opportunities within the criminal justice system in the digital age. This scholarly work is a call to action for policymakers, educators, and legal professionals to rethink and reshape their approaches to better address the complexities of sexual violence in a digitally connected world.
REFERENCES


