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CRITICAL DISCOURSE ANALYSIS:
SEXUAL VIOLENCE IN MAINE DEPARTMENT OF PUBLIC SAFETY (DPS)
“CRIME IN MAINE” REPORTS

by

Emma V. Grous

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of the Requirements of a Degree with Honors
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ABSTRACT

Sexual violence is incredibly prevalent in the state of Maine. These crimes, which disproportionately affect at-risk communities – women, children, people of color, and impoverished persons – are not accurately represented in legal discourses within Maine. Changes to how victims and survivors of sexual violence are represented and discussed in law enforcement reports and other materials are necessary in order to promote social change and justice for the survivors in our communities.

Critical Discourse Analysis has been used broadly since its conception and has even previously been used in understanding political and social implications of discourse in the United States. This thesis aims to address how discourse around sexually-based violence in Maine reflects society and vice versa through a Critical Discourse Analysis of Maine Department of Public Safety's, "Crime in Maine" Reports (CiMR).

In researching the discourse surrounding sexually-based violence it was found that changes to legislation and the presentation of data surrounding sexually-based violence often changed around various social movements such as the Rape Crisis Movement, Behind Closed Doors (BCD) Movement, and the #MeToo Movement. These periods of social activism and lobbying have led to significant changes to socio-political discourse surrounding this issue. In order to continue promoting recognition of and advocacy for victims and survivors of sexually-based crimes, we must continuously address the D/discourses surrounding them to create a more equitable society.

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DEFINITIONS

D/discourse: Discourse can be thought of as the way that language is created within a particular social context or institution. Language works in tandem with social values and ‘norms’ to construct realities within the given context. Small “d” *discourse* refers to the smaller language elements—word choice, grammar, hedging language, and other linguistic elements—that play an integral part in shaping these realities.

Rape: The legal definition of rape as provided by the United States Department of Justice in 2013 is “the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim”. This definition recognizes that a broad range of sexual acts may be considered rape and acknowledges that a person of any gender may perpetrate an act of rape.

Sexual Assault: The legal definition of sexual assault as provided by the United States Department of Justice is “any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent” and is more general than the definition of rape in terms of what manner of sexual act constitutes a sexual assault.

Victim: “Victim” refers to a person that has been targeted by a violent crime. This term is a frequently used in feminist theory and anti-rape organizations in criticism of our social understanding of violent crime as it characterizes the person by what has happened *to* them, rather than their response to their victimization. This term limits the agency of

those who have been targeted by violent crime.

Survivor: Like the term ‘victim’, “survivor” refers to a person who has been targeted by violent crime. This term is often preferred in feminist and anti-rape discourse as it does not characterize a person by their victimization but rather by their overcoming being victimized.

Perpetrator: The word “perpetrator” refers to a person who has committed a crime, in this context, a person who has committed the act of rape or sexual assault against another person.

Hedging Language: Hedging Language refers to language that signifies an author's hesitation to make a claim on a given subject. In this paper you will see a review of hedging language that appears in the Crime in Maine Reports such as “may be, in part”.

Attitude Marker: Attitude Markers are words and terms that signify an author's position on a given issue. In this paper you will see a comparison of attitude markers such as “survivor” and “victim”.

Uniform Crime Report (UCR): The Uniform Crime Report or Uniform Crime Reporting System is an FBI Crime Reporting System that gathers data from state or local police departments in the United States and compiles it in state-wide reports on crime.

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INTRODUCTION

Language is not neutral; it serves a function in forming society and the myriad of perspectives and beliefs within it. The D/discourse that shapes society is entwined with politics, race, economics, religion, and culture (Rogers et al., 369). Critical Discourse Analysis (CDA) is a method of discourse analysis that focuses on the relationship between how information is presented (by informers) and how information is translated (by receivers). CDA has been used in a variety of social and political contexts: to reveal how political messaging and propaganda generated by political platforms influences voters (Muralikrishnan), how the use of gender-based language can be used to support public policy (Pilecki and Hammack), and how the materials and guides generated by employers can impact female social workers differently than their male counterparts (Hoppstadius). CDA is a field that develops further with each application of its tenets and can be applied very broadly. However, very little application of CDA has been done in government reports on the topic of violent sexually-based crime as my project does by looking at legal documents specific to Maine.

In beginning to address the issue of sexually-based violent crimes, the discourses surrounding the issue of rape and sexual assault must be closely examined. Changing terminology, the framing of published statistics, and representations of violence within domestic contexts shapes social perception of this issue. Further, the way in which we think and talk about sexual violence impacts social perception and acceptance of sexual violence, rates of reporting sexually-based violence, and the attention and funding given to violence prevention programs. Throughout the history of Maine, changes in legislation

and crime reporting have occurred at times of social and political movements. These movements have aimed to alter the social understanding of sexually-based crimes through changing legislative and social perspectives.

This thesis aims to illustrate how the Maine Department of Public Safety's "Crime in Maine" Reports (CiMR) influence—and are influenced *by*—feminist, anti-rape, and sexual assault discourses at the federal and state levels by answering the following questions: 1) How do CiMR represent the legal and political discourse around sexual violence in the state of Maine? 2) How do CiMR respond to or *reflect* social understandings of rape and sexual assault over time? And 3) How are linguistic markers such as hedges and attitude markers used in the CiMR to present a specific worldview as it relates to rape and sexual assault?

What follows is a detailed discussion of the history of Critical Discourse Analysis and its various applications, how I used this method of analysis on Crime in Maine Reports, my findings from CiMR "Forcible Rape", "Rape" and other sections, and a history of anti-rape social movements and legislative changes that have influenced the discourse around this issue. Using a collection of CiMR available on the Maine Department of Public Safety and United States Department of Justice websites, I discovered that a number of key legislative changes occurred in tandem with major social movements on the state and federal levels that influence the way that crime is defined and reported. However, the reports published by the Maine Department of Public Safety also highlight how documents meant to inform Maine law enforcement officers have historically failed to acknowledge survivors of rape and sexual assault and have negatively contributed to the discourse around rape and sexual assault overall.

FRAMEWORK

Introduction to Critical / Discourse Analysis

Critical Discourse Analysis (CDA) is a branch of discourse analysis situated within critical theory, which uses the analysis of current and historical contexts and their impacts. Discourse analysis generally refers to any analysis of language (discourse) that may be used to promote or initiate an action, perspective, or particular identity in society (Gee 4). CDA is an approach to discourse analysis that focuses on how information is both presented and communicated and how it then is received and interpreted. Whenever information is communicated through speech, writing, or any other form, our perceptions and realities are constructed or reconstructed. However, the source of the message and its intended recipient can vastly change the interpretation of the message and the reality that is then created by the recipient (Gee 12). A person who has grown up with little knowledge or consideration of anti-rape activism may not know the nuanced language of sexual violence discourse. Whether a person who has been victimized can communicate their experience at all depends on their understanding of their experience based on the cultural space they grew up in as well as the 'tools' and language they have at their disposal to detail their experience. Even then, a person who has been victimized may have an interpretation of what has happened to them that is different from the interpretation of a trained advocate, social worker, or law enforcement agent. Someone who is familiar with terminology such as 'marital rape', 'date-rape', and 'intimate-partner-violence' may find it easier to specify their individual experience compared to someone who is not familiar with these specific terms.

CDA differs from other forms of discourse analysis as it also accounts for this relationship between the sender of information and the receiver. CDA inherently addresses the issues of critical theory—power, inequality, social control—and the positionality of the analyst using this analytical approach. Although the sender and receiver may occupy different roles, the analyst who studies this interaction also brings their position and the roles they occupy to the study of this relationship. My interpretation of political discourse directed towards Gender-Queer and Trans* individuals as an analyst, and as a cis-gender woman, is not received in the same way that a transgender woman might interpret the same information. Our experiences and perspectives are vastly different and may color our analysis.

In Gee's 2015 essay on D/discourse he explains that we can think of Discourse more generally as the way that language is constructed within social contexts and institutions and works in tandem with social norms and values. "Small d" discourse are the minutiae, the smaller details within Discourse which construct the language itself. While referred to as 'small' elements of discourse, these details may be just as important. Grammar choices, syntax, and hedging language play as important a role in CDA as the larger Discourse contexts circulating within academia and the legal field. As D/discourse is situated within social context, it is caught up in the "political, social, racial, economic, religious, and cultural formations," explained by Rogers et al., that are in turn, shaped by D/discourse. For instance, the focus on violence that occurred between intimate partners and or family members that occurred in the late 20th century introduced new ways in which to address the social issue of violent crime. Instead of general terms such as 'rape' or 'assault', violence that occurs between partners or family members may now be

classified with more specific terms such as ‘marital rape’ or ‘intimate partner violence’. This change in language began to classify the relationship between both parties and gave recognition to violence that had previously occurred “behind closed doors”. These terms address the relationship violence within relationships in a way that gives agency to the person targeted by the crime as specifying violent acts in this way gives the victim or survivor an avenue through which to identify their experience. Gee posits that as we speak or write, the words that we use are crafted to fit a particular social context; at the same time, the way in which we communicate shapes the context we are communicating in. In this way, we constantly reshape our social contexts through language, which is often “used in tandem with actions, interactions, non-linguistic symbols, objects, tools, technologies and distinctive ways of thinking, valuing, feeling, and believing,” (Gee 11). Within the CDA approach, the analyst examines the relationship between the D/discourse and social context and practices both historically and currently in order to understand future applications and implications of language. In this way, D/discourse becomes cyclical. The social understanding of critical issues shapes the D/discourse around them, which may open up opportunities for new understandings of the issue to reshape the D/discourse.

Applications of Critical Discourse Analysis

Critical Discourse Analysis has been applied very broadly since its conception. Muralikrishnan’s 2011 publication “Critical Discourse Analysis: Politics and Verbal Coding” explores how political actors utilize a variety of discourses with a post-structuralist perspective to communicate with audiences and engage them in political

Discourse. The author posits that social and political issues transfer down into everyday life and can be seen in beliefs, actions, and communication between citizens. The author draws from van Dijk, Fairclough, Wodak, and various philosophers and post-structuralists such as Foucault and Derrida to build a framework for analyzing socio-political communicative events. The application of this framework revealed that politicians use a structure of political language in order to influence citizens, sway legislatures, and enact policies not through issuing direct orders, but by forming ideologies through political discourses. These ideologies, once established, become pathways through which those who wield power may enact their will on citizens. Muralikrishnan posits that in order to properly address social and political issues, CDA must be applied at each level of society and cover not only digital and print communication but oral communication as well since shared ideologies may be deeply rooted throughout all levels of society.

Hammack and Pilecki also utilize Critical Discourse Analysis, exploring a structuralist theory in Democratic and Republican National Convention (D/RNC) texts, to compare how both political parties play on family structures to further political Discourse. The authors analyzed party platform documents in tandem with their intended audiences to highlight the disparity in the presentation of family values between parties. While the Republican Party used a heteronormative ideal in communications to lobby against same-sex marriage, the Democratic Party used the same heteronormative ideal to advocate for policy reforms to same-sex marriage and women's reproductive rights. Hammock and Pilecki build their analytical framework for speeches from the works of Fairclough, van Dijk, and McDowell and Schaffner to analyze what behaviors and values

are traditionally associated with ‘family’ and how this ‘norm’ is positioned in relation to political affairs. Using this framework, they discovered that the social perception of the “traditional family ideal”, which reinforces an androcentric and heterosexual standard where a male is the “head” of the household with a subordinate female partner, was both upheld and challenged through political commentary. Although both political parties acknowledged this ideal, each party’s distinct communications surrounding family reinforce their position and endorse relevant political and social change.

More recently, Hoppstadius’ 2020 research on women and gendered violence, within the sphere of queer theory, explores the ways in which social work ‘Action Plans’ limit the discourse around violence against women. The author discovered three overall discourses that these plans use to explain violence against women. The first suggests that there are specific groups or types of women that are likely to be subjected to violence. The second is that violence against women occurs in a mostly heterosexual context when both parties are assumed to be equal, erasing the experiences of queer and non-heterosexual victims of violence and assuming that cultural identity, education, and a myriad of other factors will not impact the prevalence of violence against women. The third category that Hoppstadius describes is that women are framed as the stressors or aggravators of violence while simultaneously lacking agency within these situations to change anything. Hoppstadius uses an intersectional approach in order to analyze how women are framed in instances of gender-based violence, drawing from Fairclough and van Dijk to create a framework based on three points of analysis: “(1) the level of text, (2) the level of discursive practice, and (3) the level of social practice,” (Hoppstadius). Hoppstadius’ use of CDA highlights *lack* of an intersectional approach within social

work Action Plans and challenges the teaching materials for social workers that handle cases of intimate partner and domestic violence.

As shown, Critical Discourse Analysis is used in a variety of contexts but each of them draws attention to the unique relationship between senders and receivers of information using the perspective of the analyst to draw connections at a metacognitive level. This approach may reveal the unconscious biases and processes within communication that influence society at a structural level. The basis of CDA within critical theory may complicate its application for the analyst but does not limit it to any one established perspective or set of perspectives. Critical theory may include queer theory, neo-colonial studies, post-structuralism, or critical race theory, to name a few, and the way that these unique perspectives address issues of sexual orientation, gender, race, class, religion, education, and justice (Rogers et al., 368). Thus, within CDA, it is necessary to move beyond a textual analysis of the language used to encode and decode information to view the larger context in which the language is being used, how this particular context came to be, and what implications it may have upon the intended and *unintended* recipient(s). Within this framework scholars may begin working towards explaining, “why and how language does the work that it does” and what implications that work will have on society (Rogers et al., 369). In beginning to understand the issue of sexually-based crime in Maine and how crime data is disseminated and communicated to various sources, it is imperative to understand how the language surrounding this issue has been used and is being used to shape our social understanding of sexually-based crime.

METHODOLOGY

In order to study how the Crime in Maine Reports represent legal and political discourse around sexual violence in the state of Maine and how CiMR respond to and reflect social understandings I used a Critical Discourse Analysis to analyze the Crime in Maine Reports for hedges, attitude markers, and other linguistic elements. What follows in this section is a brief discussion on the availability of the reports used in this study, the full sample size, structure of the Crime in Maine Reports themselves, and how the research within each particular section was conducted.

Report Availability

The Crime in Maine Reports (CiMR) are a series of reports published annually by the FBI's Uniform Crime Reporting (UCR) Program and the Maine Department of Public Safety. These reports, first commissioned in 1974, collect crime data from reporting departments across the state to compile and compare rates of crime within the state between years. These reports can be found at the Maine Department of Public Safety website¹ and on the United States Department of Justice website². I first came across these reports during a project in which I explored campus rates of crime in the state of Maine. A broader search led me to the Crime in Maine Reports and my interest was further piqued in studying these reports and the information they contain.

¹ <https://www.maine.gov/dps/msp/about/maine-crime>

² <https://www.ojp.gov/ncjrs/virtual-library>

Sample Size

The sample of Crime in Maine Reports that were used in this study were selected from the official Department of Public Safety: Maine State Police website in their Crime in Maine Archives and the United States Department of Justice, Office of Justice Programs website. In order to locate the CiMR in the Department of Justice virtual library I searched “Crime in Maine” as the title of the document and filtered out publications before January 1st of 1974. As the first CiMR was published during 1974, all reports with the title or containing the phrase “Crime in Maine” published *after* the given date should appear under these parameters. Other reports may appear under these parameters, but the CiMR will generally appear with the title “Crime in Maine (year of publication)”. I did not use additional filters to search for specific authors in the DOJ virtual library because the ‘authors’ of the CiMR are cataloged inconsistently. While some are authored by a specific person responsible for the circulation of these reports, others are authored by “ANON” or “Maine Dept of Public Safety”. The Crime in Maine reports are published annually alongside nationwide crime data as part of the FBI’s Uniform Crime Reporting (UCR) Program. While not all Crime in Maine reports published since 1974 have been digitized and made available on the Maine Department of Public Safety and U.S. Department of Justice websites, the reports that are available to the public total some thirty-five reports between 1974 and 2021 (see Appendix A). The twelve reports that are not available online cover the years, 1976, 1977, 1981, 1983, 1984, 1985, 1987, 1992, 1993, 1994, 1995, and 2009. These reports were not available online and unfortunately, though I was able to contact the Publication Coordinator, none of the “missing” reports were available in print either.

Structure of Crime in Maine Reports

The Crime in Maine Reports attempt to document the breadth of crime in Maine. Historically the CiMR structure has remained consistent with some variation in the order of sections. The report always begins with a cover page displaying a Maine Department of Public Safety graphic along with the year of publication, a Foreword, and Table of Contents. As the purpose of these reports is generally to inform law enforcement and policy makers in Maine on the state of crime, the text is written *to* various agencies. The report itself begins with a letter written to the Governor by the Commissioner or Chief of the Maine State Police that briefly explains the context of the Uniform Crime Reporting Program's inception in 1974. This brief letter summarizes the crime data contained within and crime "trends", and details any changes implemented due to changing legal precedent. There is generally a dedication contained within the first few pages of the report followed by a memorandum of officers fallen in the line of duty. Also included is a profile of the state itself. The report then shifts to a detailed description of the Uniform Crime Reporting Program, how information is reported and verified, the potential applications of the information contained within, and what "Crime Factors" are identified by the program. A "Classification of Offenses" is generally given before the "Index Crimes" section but in some cases appears towards the end of the report. This section details the legal definition of the crimes documented in the report before an overview of the crime data itself. "Violent Crimes" and "Property Crimes" are separated under "Index Crimes", and each are sub-sectioned according to offense. The value of lost and stolen property is given after the section on property crimes which is followed by arrest data and

clearance rates. The CiMR also includes officer employment data and documents the number of assaults against police officers. The report then gives a crime analysis by county before explaining how the crime rates are calculated according to the populations in each county. The report concludes with a statement on the authority of the publication.

For the purposes of this study, my analysis was focused on the sections pertaining to violent sexually-based crime data and their definitions. These sections included “Forcible Rape”, “Rape”, “Domestic Violence”, and “A Classification of Offenses”.

Analysis Methodology

First round analysis involved separating the reports into 5-year groups to make working with the corpus manageable: 1975-1979, 1980-1984, etc.³. In order to limit the scope of this project these reports were meticulously grouped and parsed down to sections pertaining to violent crime and violent crime statistics for analysis. After its inclusion in 1979, the Domestic Violence section was also included in the sample. The first and last publications in each group were visually scanned for differences in presentation and language. When it was determined that a change had occurred within the reports during a five-year grouping, the intervening reports were analyzed more closely in order to determine in which year the specific change had occurred without having to individually examine every report. In some cases, a change occurred during a period where one or more reports were missing from the corpus due to availability. In these cases, the year the change occurred is documented as the first available report *with a*

³ Reports were grouped sets of 5 but due to the inaccessibility of some reports, some groupings are incomplete.

change in the given period. Changes were then contextualized in tandem with Federal laws, Maine statutes, social movement, and lobbying efforts occurring in the same years the particular change occurred in order to explore how social and political change affects discourse, how discourse then affects society, and how social change is initiated.

As a second round of analysis, reports were limited to the sections: “Forcible Rape” and “Classification of Offenses” as these sections contains the legal definitions for violent offenses, and in later years “Rape” and “Domestic Violence”. The reports were then scanned visually and put through a word-search function for both hedging language and for attitude markers (see Table 1). Hedging Language may point towards an author's unfamiliarity with the subject, a lack of confidence speaking within the given context, a deliberately communicated uncertainty in a given context, or an assertion made upon a debatable claim that the author is hesitant to take a stance on. Words and phrases that indicate hedging include (but are not limited to): may, could, might, seem, and appear. These hedges allow authors to present information as opinion rather than fact, a potentially dangerous marker in government reports as it may signify a lack of legal precedent or certainty within the field (Hyland 199). Attitude Markers indicate an author's unspoken feelings or perspectives on a given subject. Words like victim, perpetrator, survivor, forcible, female, and male were all noted in through a word-search function as these words are commonly used in sexual violence research and reporting. These attitude markers allow authors to align themselves with a position or belief without explicitly verbalizing it (Hyland 199). In the context of government reporting, this may convey a personal belief rather than objective legal fact. After an attitude marker or

instance of hedging language was identified, the larger context of the word or phrase was examined and documented.

Table 1. Linguistic Markers

Linguistic Markers	Examples
Hedges:	Could, may, might, in part, perhaps, should.
Attitude Markers:	Survivor, victim, female, male, forcible rape, rape.

List of terms searched, organized by linguistics markers.

FINDINGS / ANALYSIS

Title and Legal Definition Changes

The section of the Crime in Maine Reports (CiMR) that this study focuses on is primarily the “Forcible Rape” section. The use of the word “forcible” in both the title of this section and in the *legal* definition of the crime of rape suggests that coerced sexual contact does not constitute rape. While the legal definitions of rape and sexual assault changed throughout the years, the title of this section remained the same until later editions (2017 and beyond) in which the title of this section was changed to “Rape”.

The legal definition of Forcible Rape was first introduced in 1927. This historical definition reads, “Forcible rape is ‘the carnal knowledge of a female forcibly and against her will’” and is limited by gendered and vague language. According to this historical definition, only a female can be the target of an attempted or completed rape and the use of the phrase “forcibly and against her will” implies that non-forcible sexual contact is not considered rape. This excludes quid-pro-quo situations, manipulation, and other forms of coercion that may result in unconsensual sex or rape. The historical definition of “Forcible Rape” appears in CiMR published between 1974 and 2012 as a part of the “Forcible Rape” definition that covers rape and attempted rape statistics.

In 2013, an addendum to the legal definition of “Forcible Rape” titled “Gross Sexual Assault” was added. This addition reads, “A person is guilty of gross sexual assault if that person engages in a sexual act (direct genital contact) with another person and the person submits as a result of compulsion”. This change addresses the issues of coercion and consent, specifying that compulsion to engage in a sexual act does not constitute consent and is still rape. This new definition also uses *less* gendered

terminology, stating that any sexual act with direct genital contact may constitute rape if the encounter is not expressly consensual. Despite this addition, the historical definition of “Forcible Rape” remains at the top of this section in the Crime in Maine Reports even after the changes to the legal definition of rape began to be applied.

Despite the legal definition of rape changing in the 2013 CiMR, “Forcible Rape” remained the title of this section for another 4 years until 2017. This change in the legal definition of rape is negated by the fact that the title of the crime is still presented as “Forcible Rape”. Although legal precedent may have changed during this time, the title of this section and its presentation in the Crime in Maine Reports reflects the perspective of police and other public servants working with survivors of violent crime victimization. This perspective being that consent is implied unless directly stated otherwise and only a forcible sexual act may constitute rape.

In 2017 the definition of rape changed yet again and the title of the section itself at last changed to reflect the given legal definition. While the new “Rape” section of the Crime in Maine Reports still gives the “Historical Rape Definition” at the *bottom* of the page, the included definition at the beginning of the section stands separate from the historical definition and features more inclusive and general language that covers a broad range of circumstances and sexual encounters. The definition introduced in the 2017 Crime in Maine Report reads, “Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim” and is accompanied by the Maine Title 17-A Section on “Gross Sexual Assault” (see Table 2). This iteration of the Crime in Maine Report also specifies that a victim does not need to physically resist the encounter, accounting for

instances of victim incapacity to resist because of drugs, alcohol, age, and physical or mental impairment.

Table 2. Crime Definitions

Year	Section Title	Crime: Definition
1974	Forcible Rape	Forcible Rape: “The carnal knowledge of a female forcibly and against her will”
2013	Forcible Rape	Gross Sexual Assault: “A person is guilty of gross sexual assault if that person engages in a sexual act (direct genital contact) with another person and the person submits as a result of compulsion.”
2017	Rape	Rape: “Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.”

List of given definitions for Forcible/Rape and Gross Sexual Assault by year and Section Title

Rape Reporting Procedure

In the first published iteration of the Crime in Maine Report published in 1974, the section on “Forcible Rape” includes the following statement:

“Forcible rape differs from other violent crimes in that the victim, in many cases, is reluctant to report the offense to police. The investigation by police, medical examination, court procedure, embarrassment and fear of any accompanying stigma have a deterrent effect on the victim’s willingness to make the offense known to police. The presence of any prior relationship between victim and perpetrator makes the determination of the act of force difficult to establish; and the usually clandestine nature of the offense presents a problem in verification”.

The inclusion of this statement and the specific wording of the last sentence shifts the onus of responsibility for the crime itself onto the victim. The use of the word “force”

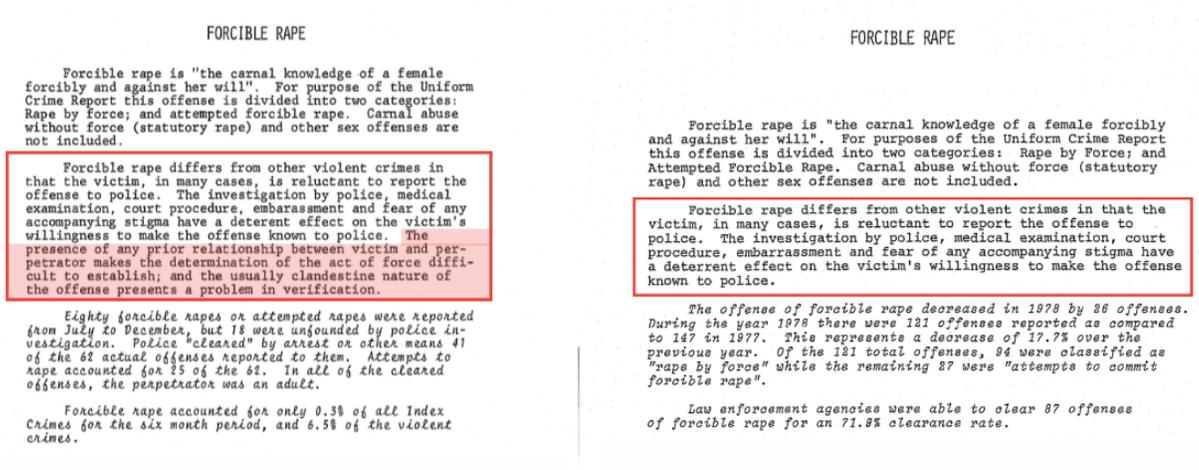
also reinforces the legal standard that the perpetrator must use physical force in order to commit rape and rape does not explicitly occur if the victim is coerced or incapacitated. The phrase, the “nature of the offense presents a problem in verification” also sets an unspoken standard that sexually based crimes are difficult for law enforcement to verify and are thus more difficult to prosecute. This phrasing in and of itself creates a certain deniability around the issue of rape and suggests that law enforcement, and society in general, should be skeptical of reported instances of rape and sexual assault.

Although the 1976 and 1977 reports are unavailable on the Maine Department of Public Safety and U.S. Department of Justice websites, this section was changed within 4 years of the first publication. The 1978 version of the CiMR drops the last sentence, (“The presence of any prior relationship between victim and perpetrator makes the determination of the act of force difficult to establish”). The amended section, in full, reads:

“Forcible rape differs from other violent crimes in that the victim, in many cases, is reluctant to report the offense to police. The investigation by police, medical examination, court procedure, embarrassment and fear of any accompanying stigma have a deterrent effect on the victim’s willingness to make the offense known to police”.

This instead focuses on the social stigmas surrounding rape and sexual assault instead of putting the responsibility for the crime itself and reporting on the victim by removing language that may otherwise discourage survivors from reporting (see Figure 1). When the section itself finally changed to “Rape” in 2017, this section, in its entirety, was removed.

Figure 1. Rape Reporting Procedure.



Scan of 1974 "Forcible Rape" section (left) and 1978 "Forcible Rape" section (right) with highlighted difference.

Rape Resource Availability

Ten years later, in the 1988 Crime in Maine Report, another paragraph was added to the section "Forcible Rape". The added section reads,

"Maine has experienced increased availability in services such as rape crisis centers providing 24 hour hot lines and counselors, witness/victim assistants in District Attorney's offices, improved medical practices and increased sensitivity by law enforcement personnel. The increased number of offenses identified in this report may be, in part, influenced by the increasing confidence of victims in the criminal justice system."

This added paragraph does not appear in the 1986 version of the CiMR and the 1987 version of the CiMR is unavailable on the Maine Department of Public Safety and U.S. Department of Justice websites (see Figure 2). It is important to note that during the 5-year period documented in the 1986 version of the Crime in Maine Report, documented rapes increased by about 45%. This added section boasts about the allocation of state resources going to support victims of violent crime through crisis centers, assistants or

advocates for victims, and specialized training for law enforcement officers. This statement frames the apparent increase of instances of rape as a victory for the criminal justice system in boosting reporting statistics. This section remains unedited from 1988 to the latest 2020 report suggesting that a 32-year period of ‘increasing confidence’ in the justice system is responsible for the 215% increase in reported rapes during this period.

Figure 2. Rape Resource Availability

FORCIBLE RAPE

Crime Clock – 1 Rape Every 38 Hours 53 Minutes

Forcible Rape is the carnal knowledge of a female forcibly and against her will.

Rape – 17-A §252 “1. A person is guilty of rape if he engages in sexual intercourse: B. With any person and the person submits as a result of compulsion,...”

This category is broken down into two categories: Rape by Force; and Attempted Forcible Rape. Carnal abuse without force (statutory rape) and other sex offenses are not included.

Forcible rape differs from other violent crimes in that the victim, in many cases, is reluctant to report the offense to police. The investigation by police, medical examination, court procedure, embarrassment and fear of any accompanying stigma have a deterrent effect on the victim’s willingness to make the offense known to police.

Maine has experienced increased availability in services such as rape crisis centers providing 24 hour hot lines and counselors, witness/victim assistants in District Attorney’s offices, improved medical practices and increased sensitivity by law enforcement personnel. The increased number of offenses identified in this report may be, in part, influenced by the increasing confidence of victims in the criminal justice system.

Scan of 1988 “Forcible Rape” section with added paragraph on Rape Resource Availability highlighted.

The section “Domestic Violence” was added to the CiMR following the 1979 report. This section draws a distinction between “random” acts of violence and violence that occurs within the domestic sphere. The “Domestic Violence” section specifies that “Due to the problems of abuse and domestic violence between family or household

members, the 109th Maine Legislature enacted a law entitled “An Act Concerning Abuse Between Household and Family Members”. This law mandated the reporting of instances of domestic violence data by all law enforcement agencies in the state of Maine. While it seems like a simple distinction to make, this change created a new legal avenue for families to pursue justice in the face of violent crime. While this addition to the Crime in Maine Reports signified a major shift in the government’s, and subsequently law enforcement’s, response to the issue of domestic violence, this section did not change throughout the late 1900’s up until the most recent report in 2020. Despite being a progressive step for the time, no additional legislation was passed to adapt or alter the collection or presentation of domestic violence data in government reporting after 1979.

Hedging Language

Although small in comparison to the rest of the bulk of the total Crime in Maine Report, the instances of hedging language appearing in the CiMR, particularly in the sections addressing sexual violence, mark an interesting shift in the professionalism of the document as a whole. While hedging language can be used appropriately in professional contexts and report writing to note a lack of information or a necessary degree of uncertainty, the use of hedging language in *these* documents is potentially harmful as it frames the victim / perpetrator relationship in a way that puts the burden of responsibility for the crime onto the victim themselves.

Although only seeming to occur in the first iteration of the report, the phrase, “The presence of any prior relationship between victim and perpetrator makes the

determination of the act of force **difficult to establish**⁴,” creates a dangerous precedent for a reader outside a legal audience; The phrasing of this sentence suggests (but does not explicitly state) that any prior relationship or contact that a survivor of sexual assault or rape has with a perpetrator is cause even for reasonable doubt that a crime had occurred. While this sentence does not appear in subsequent reports, its inclusion in the first ever version of this report reflects the social perspective of law enforcement and government personnel at the time: rape and sexual assault crimes are a grey area and difficult to prosecute.

The first iteration of the Crime in Maine Report from 1974 also includes the phrase “Forcible rape differs from other violent crimes in that the victim, **in many cases**, is reluctant to report the offense to police” (see Figure 3). The application of this phrase in context points towards the social perception of rape reporting and subsequent documentation of rape statistics by government agencies. The phrasing of this suggests that the survivor of rape or sexual assault is reluctant to report instances of victimization to police, reinforcing the societal belief that survivors who do not report are responsible for their victimization and subsequent *revictimization* by perpetrators. This particular section of the report was not altered until 2016 when the entire paragraph it appears in was removed from the 2017 CiMR.

⁴ Hedging phrases have been bolded within this section in the given quotes to highlight their occurrence. It does not appear this way in the Crime in Maine Report itself.

Figure 3. Hedging Language.

FORCIBLE RAPE

Forcible rape is "the carnal knowledge of a female forcibly and against her will". For purpose of the Uniform Crime Report this offense is divided into two categories: Rape by force; and attempted forcible rape. Carnal abuse without force (statutory rape) and other sex offenses are not included.

Forcible rape differs from other violent crimes in that the victim, **in many cases**, is reluctant to report the offense to police. The investigation by police, medical examination, court procedure, embarrassment and fear of any accompanying stigma have a deterrent effect on the victim's willingness to make the offense known to police. The presence of any prior relationship between victim and perpetrator makes the determination of the act of force **difficult to establish**; and the usually clandestine nature of the offense presents a problem in verification.

Scan of 1974 "Forcible Rape" section highlighting hedging language.

A final major instance of hedging language occurring in the "Rape" section of the Crime in Maine Reports was added in 1988 along with the added section on rape resource availability in the state of Maine. The sentence "The increased number of offenses identified in this report **may be, in part**, influenced by the increasing confidence of victims in the criminal justice system", offers a potential explanation for a near 50% increase in reported instance of rape and sexual assault without the author taking a definitive stance on the matter. In context, this sentence implies that the resources offered to survivors of violent crime by state and local governments and trained professionals are responsible for the increase in reported instances of sexual violence, ignoring a potential shift in social perception of these crimes or even an outright increase in the number of sexual assaults and sexually-based violent crimes being committed. In this way, the government and its agencies are framed in a more positive light, cushioning the

accompanying statistics under the guise of significant legislative change given that this section has never been edited or amended since its inclusion in 1988.

Attitude Markers

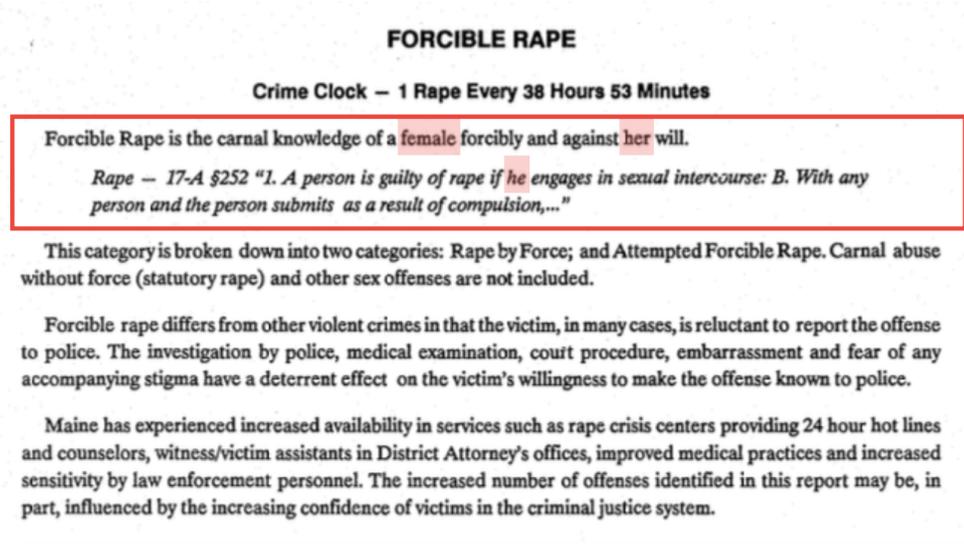
As mentioned previously, attitude markers mark a point at which an author may use a specific word or phrase that reveals something about their particular attitude about a subject. In the case of Crime in Maine Reports, these “markers” are reflective of a social understanding of sexually-based violent crimes. The 1974, 1978, 1988, 2013, and 2017 reports mark times when a number of these markers shift. These particular sets of attitude markers were selected as they commonly appear in sexual violence research and sexual violence reporting.

The first set of attitude markers (“survivor / victim,” and “perpetrator / offender”) aims to look at how the responsibility of instances of rape are framed. In the original 1974 Crime in Maine Report, the word “victim” appears three times while the word “perpetrator” appears twice. Neither the word “survivor” nor “offender” appear at all. In 1978, “victim” appeared twice while “perpetrator” and “survivor” did not appear at all, and “offender” appeared once. This change is attributed to the removal of the last sentence of the section on “Rape Reporting Procedure” first given in the 1974 version of the CiMR that states, “The presence of any prior relationship between victim and perpetrator makes the determination of the act of force difficult to establish; and the usually clandestine nature of the offense presents a problem in verification”. In 1998, the word “victim” appeared four times while “survivor”, “perpetrator” and “offender” did not appear at all. These values remain the same until the 2017 version of the CiMR where

“victim” is referenced six times, “offender” is referenced once, and “survivor” and “perpetrator” do not appear at all. The term survivor is generally used in order to return some agency back to a person victimized by violent crime. By using the term “survivor” rather than “victim”, the person targeted by the crime is not defined solely by their victimization but how they overcome and ‘survive’ it. The term “perpetrator” also serves a clarifying purpose as “perpetrator” draws attention to the targeted nature of crime; The crime was *perpetrated* against a person or persons. Rather than focusing on the just the ‘offending’ party or the “offender”, the term “perpetrator” acknowledges the impact that the crime had on the victim or survivor.

The second set of markers, “female / male,” looks at the relationship between gender and victim / perpetrator -hood. In the 1974, 1978, 1988, 2013, and 2017 reports, the word “female” appears once, and women are referenced once in the phrase “forcibly and against [her] will”. This suggests that the only victims of rape are female. With the exception of the 1988 CiMR report, “male” does not appear in any Crime in Maine report in the “Forcible Rape” or “Rape” sections. The 1988 Crime in Maine Report does reference men as being offenders in the phrase, “A person is guilty of rape if [he] engages in sexual intercourse” suggesting that only men may be perpetrators of rape or sexual assault (see Figure 4).

Figure 4. Attitude Markers.



Scan of 1988 “Forcible Rape” section highlighting “male / female” attitude markers.

The last set of markers is “forcible rape / rape”. This set looks at the way that rape is referenced in Crime in Maine Reports, either characterized by the act of force explicitly or assuming that rape is an act of power and control and does not always necessitate the use of physical force. In the 1974 CiMR, forcible rape is referenced five times while the word “rape” does not appear on its own. These values remained the same until the 1988 version of the Crime in Maine Report was published in which the word “rape” appears twice under the added Maine Statute 17-A §252, “Rape - A person is guilty of rape if he engages in sexual intercourse: B. With any person and the person submits as a result of compulsion,…” This definition is not given in any proceeding versions of the report. In 2013, when the definition of “Gross Sexual Assault” is added to the Crime in Maine Report section on “Forcible Rape”, “forcible rape” is referenced five times, while “rape” is again not referenced at all. The number of these occurrences

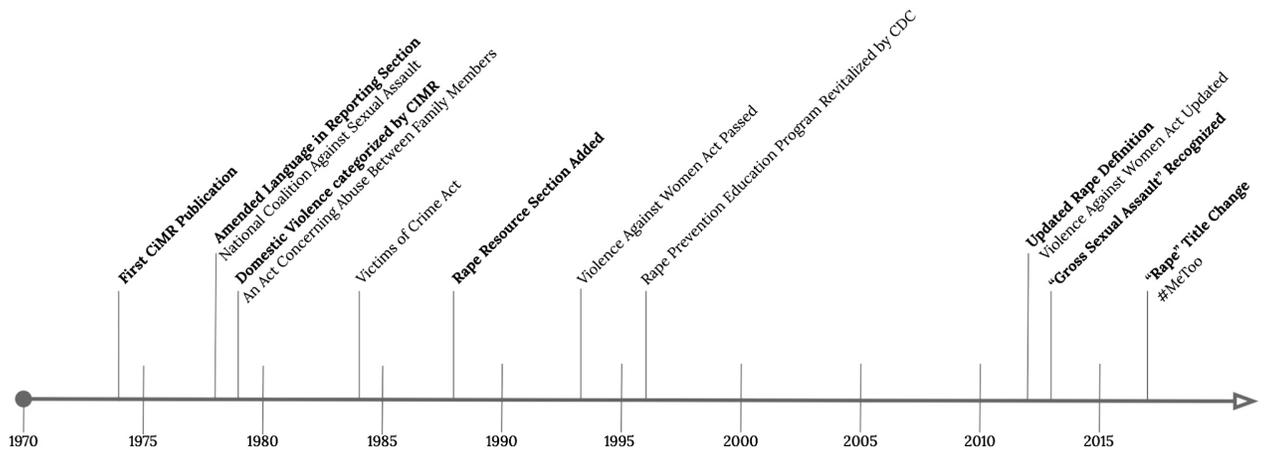
changes in 2017 when the new definition of “rape” is implemented in the CiMR, and “forcible rape” is referenced twice in the “Historical Rape Definition” while “rape” is referenced without being characterized as “forcible” four times. This finding demonstrates that although our social understanding of rape is evolving, the CiMR and subsequently law-enforcement and policy makers still rely on this outdated terminology and language surrounding sexually-based violence.

DISCUSSION

Social Contexts

The timeline presented in Figure 5 depicts CiMR changes, or the *lack* of changes to CiMR, as well as major social movements and political changes in the United States and Maine between 1970 and 2020. These events do not represent the breadth of all social movements and political or legislative changes in Maine during the given time-period. Rather, they are the most recognizable moments in U.S. and Maine history, times at which social perceptions towards sexual violence shifted, that may have impacted documents and reports such as the CiMR. While many of these social movements do seem to prompt legislative and political change, changes to the CiMR are few and far between with little substantive development in the justice system occurring between massive moments of social and political change.

Figure 5. Social Movements Timeline



Timeline of Social Movements *and* CiMR Changes between 1970 and 2020

In 1927, the legal definition of “Forcible Rape” documented by the Department of Justice (DOJ) Office on Violence against Women and by the Federal Bureau of Investigation (FBI) Uniform Crime Reporting System was “The carnal knowledge forcibly and against her will”. This definition appears in the first ever Crime in Maine Report in 1974 and is remarkably different from the more gender neutral and inclusive definition of rape that is documented in Crime in Maine Reports today. The definition is reflective of a time in Maine, and more widely in the United States, where rape was seen as an act that exclusively targeted women. The use of the word “forcibly” also goes to show how far our society has come in our understanding of bodily autonomy and consent. At the time when this definition of rape was widely used, women had just gained the right to vote and the civil rights movement had not yet taken place. Rape was still viewed as an act of force and not as an act of power in which one party removes power or the illusion of it from another person. This historical understanding of rape serves as a baseline for my analysis, a place from which to begin to study the development of legislation around sexual violence. By today’s standards, feminist theorists might consider the term “forcible” as implied when discussing rape and sexual assault but before the distinction was made, there was very little power given to survivors of rape to pursue justice as the very name of the crime itself presented an obstacle, the burden of proof.

In the late 1960’s and early 70’s, the Rape Crisis Movement began as grassroots movements to free incarcerated survivors of rape who had fought back against their attackers and killed or injured them (Greensite). The earliest rape crisis centers appeared in populous and politically active cities and towns like Chicago, Boston, and Washington

D.C. While these organizations were effective in connecting survivors of rape and sexual assault with one another, inspiring activism and political involvement, they lacked the structure and hierarchies of anti-rape organizations today. It was not until the first “Take Back the Night” marches in San Francisco (1978) and New York (1979) where women began to gather in numbers to protest and organize in their communities. While no changes to Crime in Maine Reports correspond with the early days of the rape crisis movement in the United States, this movement was fundamental in establishing organizations and centers who have advocated for the rights of women and other survivors. The Rape Crisis Movement and others informed and inspired later movements.

The National Coalition Against Sexual Assault, first established in 1978 marked the beginning of organized advocacy organizations with connections across the country. Over time this organization has transformed into what we now know as the National Sexual Violence Resource Center, a resource and advocacy hub for survivors of rape and sexual assault. At the time it was established, the National Coalition Against Sexual Assault also sponsored a national conference that met annually to provide training for workers involved in the movement. This program lasted 19 years but the impacts of this social movement are reflected in subtle shifts in the Crime in Maine Reports as the 1978 CiMR revised language within the “Rape Reporting Procedure” section which stigmatized prior “victim / perpetrator relationship[s]”. Today, these organizations advocate for the equitable treatment of survivors, make resources for those who have been victimized more available and accessible, and lobby for policy reform on the national and local levels. In this case a larger social movement led to subtle changes

within the CiMR. Although slight, this change was important in de-stigmatizing any existing victim-perpetrator relationship in instances of violent sexually-based crimes.

In 1979, the Maine State Legislature passed Chapter 677 of the Public Laws of 1979 (Title 19 §770 (1)). This bill, entitled, “An Act Concerning Abuse Between Household and Family Members” distinguished assaults from instances of domestic violence. While this data was previously collected by law enforcement agencies, reporting of domestic violence statistics was not distinguished from other instances of assault in CiMR. With the passing of this bill, a new section was added to the 1979 CiMR that specifically addresses the issue of domestic violence in Maine and provides a summary of the newly included domestic violence statistics. This change marks a shift in the way that society was beginning to think about the different types of violence and sexual violence. Issues such as marital rape, date-rape, intimate partner violence, and child abuse were no longer vague and unspecified instances of abuse occurring within households now that more accurate terminology had been assigned to them. The appearance of terms relating to Domestic Violence are the first steppingstones to the modern lexicon around sexual violence and assault that we use today. Unfortunately, since its inclusion this section remains unedited from the original addition in 1979, in the recent 2020 Crime in Maine Report. While this addition reflected an important shift in social perception of violent crimes occurring within the domestic sphere, this section has never been updated despite various social movements, increased understanding of the impacts of violent crimes, and amendments and new legislation passing in the interim. The lack of attention given to this section suggests that while Domestic Violence has been important or relevant enough for law enforcement to reflect on during the past 40

years, no attention has been given to the issue by policy-makers or the authors of the Crime in Maine Reports themselves to update any terminology included in this section or further protect victims of domestic violence through updated resources, legal definitions, and terminology surrounding the issue of domestic violence and sexually-based crimes.

In 1984, The United States' Congress passed the Victims of Crime Act (VOCA). This act established the Crime Victims Fund, a fund which provides compensation and assistance for victims and survivors of violent crime. This fund helped to address inequalities in the criminal justice system: Survivors who were previously unable to afford legal representation, who were struggling to cover hospital bills, or who had lost pay as a result of violent crime victimization were able to apply for money through this grant fund. The fund also was able to provide funding for crime prevention and for victims of terrorism or mass violence. Due to the enormity of this fund, the Office for Victims of Crime was established in this act to oversee the Crime Victims Fund. Despite a large shift in government attention to violent crime, particularly sexually-based violence, no changes to CiMR between the inclusion of the Domestic Violence section in 1978 and 1988. The 1988 Crime in Maine Report finally reflects the passing of this act with the inclusion of the Rape Resource Availability section added under the (then) "Forcible Rape" section. Through the federal attention given to the Rape Crisis Movement and victims of violent crime, the passing of this bill gave victims and survivors more visibility and an avenue to access the money and resources needed to pursue justice. While it may not be the most recognizable piece of legislation in the broader context of the Rape Crisis Movement, this act had a significant impact on Rape Crisis Centers and other resources for survivors of violent crime across the nation. The

added section in the CiMR, which reflects this important step towards justice for survivors and victims of violent crime, has remained unedited although the scope and resources offered by rape crisis centers has only increased over the past 20 years. Frustratingly, this important addition to CiMR has never been edited since its inclusion in the 1988 Crime in Maine Report. Despite legal changes, social perceptions and understandings of sexually-based violence changing, and the development of new resources with which to aid victims of sexually-based violence, this section has not been altered. While generally edits to Crime in Maine Reports suggest important shifts in policy and changing socio-political perspectives, this is a case in which massive social and political change has been given no attention by the authors of these reports and thus inaccurately reflects the breadth of the issue at hand.

In 1981, Congress passed The Omnibus Budget Reconciliation Act of 1981, (Public Law 97-35). This piece of legislation aimed to enable states to cover the costs of emergency medical services, home health services, and public education for the purpose of risk and harm reduction. In 1992, new legislation was passed to ensure that the funds contained in this grant would be used in a measurable and achievable manner. However, it was not until 1996 when Public Law 102-531, Section 1910A was passed, that money in this fund would be allocated specifically to address rape prevention and education. With the benefit of this additional funding, rape prevention and sexual assault education programs targeting students from middle school to high school were established across the country. Because of the specificity of this new section, rape crisis centers were able to access money that was specifically allocated to them. Despite this being a massive benefit to the breadth and quality of rape crisis and advocacy centers nationwide, this change is

reflected nowhere in the Crime in Maine Reports published in and around this time. The lack of change in the statewide discourse on violent crime is markedly absent and reflects more about the state in comparison to the nation's attitudes regarding the importance of rape and sexual assault advocacy. Yet again, a huge social and political shift occurs in which our understanding of sexually-based crime changes and it is not reflected in CiMR. Despite advocacy in this field beginning to develop more precise terminology, rape is still referred to as "forcible rape" in CiMR, and the given definitions of rape itself in the CiMR still include gendered terminology.

The Violence Against Women Act (VAWA) was first passed in 1993. However, the largest impacts of this act can be seen post 2000's in the various social movements and reforms that have taken place within the context of sexual assault and "rape culture". The passing of VAWA revitalized the Center for Disease Control (CDC) Rape Prevention and Education (RPE) Program in 1994. This program provided tools, training, and technical assistance to existing programs established by the Preventative Health and Health Services Block Grant of 1992 enabling programs to further reduce risk factors and enhance protective factors in targeted communities. The RPE program was also given the power to audit and evaluate existing programs for efficacy.

However, the most important social changes elicited from the passing of VAWA come from minor amendments and protections added into law to the benefit of survivors such as the Rape Shield Law introduced in 2012. Laws such as these ensure that in court proceedings, a survivor's sexual health and sexual history are irrelevant in trial, eliminating any bias or stigma stemming from an existing victim / perpetrator relationship. With the renewal of VAWA in 2012 the legal definition of "rape" was also

changed to be gender neutral, allowing for the recognition of victims *and* perpetrators of any gender to be recognized as such. Language around rape in these legal definitions was also changed so as not to “sanitize” the act of rape. For instance, where previous definitions of rape had referenced “the carnal knowledge of a female,” as in the 1974 Crime in Maine Report, later definitions added in the 2013 CiMR cite “direct genital contact” specifying the manner in which a person can be raped. The 2013 CiMR ultimately recognizes some of these important political and social changes that occurred between the 1988 CiMR and 2013 CiMR however, the lapse in these changes led to an already-outdated update at the time of the 2013 CiMR’s publication.

In 2012, The United States Department of Justice’s Office on Violence against Women announced an important shift in legal precedent and sexually-based crime reporting as a new, more inclusive, definition of rape was implemented. The updated definition: “The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim,” had a number of impacts on the discourse surrounding sexually-based violence (DOJ-VOCA). According to the new definition, people of any gender could be recognized and perpetrators and victims of rape as the gendered language within previous rape definitions was removed. The new definition also recognized that rape in any form is a traumatizing and violent act, recognizing that there are many forms of sexual intercourse and that any of them, if performed without consent, may constitute rape. The issue of consent was also addressed through this new definition with the legal precedent being established that a person may be unable to provide consent because of incapacitation due to drugs or alcohol, disability, or age. Under this new definition, it was

recognized that consent cannot be given in some instances and victims should not be expected to “fight back.” The amended definition recognized that this standard is not applicable in every instance of rape. While this change was implemented on a federal level in 2012, the first appearance of this updated definition in Crime in Maine Reports was in the year 2017. This suggests that though nationally the discourse surrounding rape and sexual assault was changing to shift the burden or responsibility off of people victimized by these crimes and onto the perpetrators themselves, law enforcement and other government agents in Maine were not a part of it, or at least, were slower to reflect the larger social, political, and legal changes occurring at the time. The publication of the 2017 CiMR saw accurately conveyed legal definitions surrounding sexually-based violence to the law enforcement officers and policy makers who read these reports. However, this is still a larger social conversation on consent, implied consent, revoked consent, gender-based violence, and rape resource availability that is not reflected in these reports. Our societal understanding of this issue today has been supported by earlier movements that began to change the dialogue around sexual violence but time and time again, this shift in social perception is not wholly reflected in changes to the materials published that are designed to educate and inform law enforcement and policy-makers.

The #MeToo Movement had its roots in the 2000’s with the burgeoning realm of social media taking over the internet. More easily than ever before, survivors of rape and sexual assault could share their stories to a widespread audience and people began talking back. Similarly to the Rape Crisis Movement in the 1960’s and 70’s, this movement slowly grew from the grassroots, community level to a national level, supporting survivors and advocating for policy reform across the United States. The #MeToo

Movement did not inspire as much policy change as it did social change on institutional levels. However, the social pressure on legal entities to support survivors of rape and sexual assault and change the perceptions around these crimes had noticeable impacts. In 2017 the Crime in Maine Report finally included the updated definition of rape to the less gendered and more broadly applicable definition that we know today, “Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim”. While this definition was implemented at the federal level in 2013, it took four years for this to be reflected in the Crime in Maine Reports published by the Department of Public Safety, after the #MeToo Movement began sweeping the nation. After over 45 years of Crime in Maine Report publications, these reports have demonstrated time and time again, that the authors of these reports, law enforcement, and policy makers do not give adequate attention to the issue of sexually-based violence in order to inform and prepare our public servants with relevant information, updated legal definitions, and accurate representations of sexual violence. What does this say about our society if we do not care to know how the people around us are suffering?

Implications

The Crime in Maine Reports are documents intended to inform and educate law enforcement personnel and other government officials and agents. As such these documents *must* be formal, unbiased, and they must reflect current legislation. Through this Critical Discourse Analysis, these reports have proven themselves to be anything but the unbiased and informative materials they intend to be. While many of these documents

merely reflect the social values and ‘norms’ of the time they were written, the use of biased language throughout the sections that address sexually-based crimes, and the frequent lapses in updating these sections based on massive legislative and social changes, these documents have not accurately informed law enforcement to serve the public.

A review of the structure and goals of these reports and revisions to the language used in them to promote accessibility and equity is necessary to respond to and shape the discourse around rape and sexual assault in Maine. These documents must change to better educate and inform law enforcement officers and other government entities to better understand the issue of sexually-based crime victimization and survivorship within Maine. Prompt updates to crime definitions, the removal of gendered language, and the removal of other outdated terms and sections will begin to make these documents more applicable to society today and reflective of our social understandings of sexually-based violent crimes.

CONCLUSION

The Crime in Maine Reports published annually reflect the socio-political discourses around violent crime and sexually-based violent crime in the state of Maine. However, legal entities do not operate in isolation. Critical Discourse Analysis is interested in the relationship between informers and receivers of information and *relationships* are reciprocal. As social discourse is generated around various social and political issues, the informers of policy must also join in on the discourse. Throughout the history of Maine and the United States, social and political movements have influenced policy on the state and federal levels. Legal materials and policies that are communicated to the people spark debate, spark outrage and light fires that lead to social and political reform. Through the application of CDA we can see what happens when *receivers* begin to talk back, and they must continue to do so.

The presentation of rape and sexually-based crime as unbiased and equitable on the basis of sexual orientation, gender, and other factors is imperative in preparing public servants to deal with these crimes. In order to continue changing Crime in Maine Reports and other legal documents to better educate law enforcement and government agents, the discourse around rape and sexual violence must be further studied and developed.

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Emma V. Grous was born in Vernon, Connecticut on November 25th, 2001. As a child, Emma moved throughout Connecticut until her family settled in the “Quiet Corner” in Ashford, Connecticut in 2018. In high school, Emma volunteered with The Underground, a support and out-reach network for people in human-trafficking situations. Emma graduated from Edwin O. Smith High School in Storrs, Connecticut in 2019. During her undergraduate career at the University of Maine, Emma worked for the University of Maine Honors College, Department of Residence Life, and English Department’s Writing Center. Emma gained experience in the legal field through an internship with the Bangor Attorney General’s Office in their Child Protective Division. Following graduation from the University of Maine in May of 2023, Emma will be gaining more experience in the legal field before applying for law school at Maine Law in Portland, ME.