Name

Course

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Abstract

The Steubenville High School rape case is the criminal case of focus in which two male peers raped a female high school student in 2012 after having been incapacitated by alcohol. The significant features of crime are that it was an illegal act, it caused both physical and psychological harm to the victim and that the perpetrators were punished by being jailed for one and 2-year terms based on their involvement in the crime. The least plausible theory to explain the case is the labeling theory which states that people will continue committing crimes after they have been labeled as criminals from their first criminal acts. Its key feature is that the individuals must have been convicted of criminal acts in the past which influences them to commit subsequent acts. The theory is not appropriate in this case since the perpetrators did not have a criminal label against them at the time of committing the act (Turanovic & Pratt, 2014). The most persuasive approach is the social learning theory which states that people tend to commit crime after being motivated by their peers and gaining skills from their close associates on how to commit crimes. The key feature of the theory is that there must be an influence of peers as well as the learning process from the environment on how to commit the crime. This theory is the most persuasive since the crime was a group act meaning that the perpetrators motivated and learned from each other on committing the crime.

I intend to focus on the causes of the crime to determine the theory that is either most or least persuasive in the case. I will focus on evidence that can be used to support the theory is a family history of rape cases in the perpetrators' lineage as well whom they interact with after

school. The evidence will help determine whether their criminal act is out of social influence. The evidence is essential in policy formulation since they will inform the policymakers on strategies that can use to bring sanity in society. Also, the policymakers will use the evidence in guiding social institutions such as schools, churches, and families on strategies they should adopt in enhancing morality among their children.

Introduction

Rape has been one of the debatable crime topics in the recent past. Rape usually termed as a non-consensual sexual association which is done by the use of physical force, threat, or other pressure. The common law determines rape as an unnecessary activity where a male force a female to conduct a sexual activity without their consent. Lack of consent can happen in a situation where the perpetrator has the authority over the victim, or the offender used force that intimidates the victim. According to Chaffin, Chenoweth & Letourneau (2016), the rape laws would convict an offender with rape if any count of nonconsensual penetration took place. The most frequent type of rape is forcible rape. This type of rape happens when the offenders use violence or threats to make the victim agree to have sexual intercourse. Other forms of rape accepted in some states are like blackmailing and duress. In most states in the United States, rape is termed as the first-degree form of sexual assault where its penalties are severe. Statutory rape or defilement is another form of rape where it does not necessarily require an offender to use force to convince the victim to perform sexual intercourse. This type of rape usually happens between the offender and the minor. Minor is a person who is below the age of consent by law, even if they are biologically sexual mature. Minors below the age of consent are denied legal permission to having sex. This means that having sex with a minor violates of statutory rape laws even if there was an agreement (Turanovic & Pratt, 2014). Statutory laws vary from place to

place due to different ages of consent in different states. The universal penalty of rape is a lengthy prison sentence while in some countries; one may have to register as a sex lawbreaker for life. The society has a different perspective concerning the crime of rape and its perpetrators. Different criminology theories can elaborate on why rape is a common crime and why the perpetrators are fond of committing it despite having harsh penalties. Good examples of such approaches are labeling and social learning theory.

Overview of the Crime

Steubenville rape case is one of the controversial rape cases that put the rape culture at the heart of the national conversation. The incidence happened at the night of 11th August the year 2012 in Steubenville, Ohio. Peers raped a young girl aged 16 years old during the night of partying. The offenders identified as Ma'lik Richmond and Trent Mays were charged with counts of rape and kidnapping where they were later proven guilty. According to the trial statements, the victim, together with offenders, left the party intoxicated at midnight on August 11 (Pennington & Birthisel, 2016). They headed to another party, but the victim was too intoxicated to support herself. After twenty minutes, they left the second party and headed to one of the witness homes. At the back seat of their car, May removed the victim's shirt, and digitally penetrated her private parts and exposed her breast as his peers filmed him. He also tried oral rape by forcing his penis to the mouth of the girl. After May's incidence, Richmond also penetrated the victim's private parts and filmed too.

The case gained national attention after being covered by the New York Times. Several people publicized the incidence of social media such as twitter, Facebook, YouTube, and Instagram (Armstrong, Hull & Saunders, 2016). The video revealed that the girl was sexually assaulted for quite a good number of hours. The video showed that the girl was unconscious

during the incidence. Ohio investigators investigated more than fifteen cell phones and two tablets to come up with evidence of the case. They also collected several text messages and interviewed 60 people to raise charges against the two offenders (Pennington & Birthisel, 2016). The girl testified when in court that she had lost memory during the incidence except for a few minutes before. She continued to claim that the following morning, she woke up to find herself naked, accompanied by two offenders in their living room.

The evidence collected in court comprised of several text messages and photos that were shared using social media sites. On March 17, the year 2013, the two lawbreakers were charged with rape, where that judge found them guilty for using fingers to digitally break through the victim's private parts without her consent (Armstrong et al. 2016). The judge charged them with delinquent above reasonable doubt. Richmond was sentenced for one year for having been proven guilty of penetration of the victim. May was sentenced for two years since he had two counts of crime which are rape and spreading child pornography. Being added to the sex offender registry will depend on their behavior and future hearing before they reach the age of 21.

Labeling Theory

The theory that is most reasonable for the crime is labeling theory. Labeling theory is one of the relevant methods in the study of criminology. Labeling theory states that individuals recognize and behave in a custom that replicates how others label them. Labeling and treating a person as a criminal can promote their deviant behavior in the future (Bernburg, 2019). For instance, labeling, one as a criminal can lead society treating that person negatively and as a result of cold treatment can, in turn, cause one to act more negatively.

Labeling theory originated from the notion of the social construction of reality which is connected to the field of sociology. The theory becomes vibrant in American sociology in the 1960s at the time of sociologist Howard Becker (Bernburg, 2019). Its core ideas are derived from Emile Durkheim, who was a French sociologist. Social construction theory by George Herbert Mead was much influential during the development of the approach. The labeling theory assumes that no action which is intrinsically crime. Crime is formulated by individuals who are in power through the passage of laws and implementation through law enforcers, courts, and rehabilitation institutions (Bernburg, 2019). The theory assumes that deviance is not a characteristic of a person but an interaction between the criminal and noncriminal and the background which criminality is defined.

In the Steubenville rape case, the offenders were first time offenders, whose profiles didn't have any history of deviance. In accordance to the labelling theory, sex offenders in America are labeled as abnormal or weird. Hence they become stigmatized as offenders when they are considered or treated by others (Triplett & Upton, 2016). Hence most of them end up as repeat offenders. This, however, was not the case with the Steubenville rape case as the offenders were football players who deviance was intoxication. While the offenders can be classified by irresponsible drinking, they did not fit the profile of sex offenders. Hence, the labelling theory in this case offers a limited view into the case and the actions of the offenders.

Secondly, deviate people mainly accept the label and proceed to act in a manner that agrees with the label that they have been attached. Even though individual labeled as criminal may not commit the crime, it is often hard to erase the label. In the Steubenville rape case, the label of sex offenders follows the convicted offenders to date. After serving their detention and sentences, the offenders have struggled to adapt to the society with challenge being the ability.

They have found it hard to secure employment and society, especially women, usually treat them with suspicion. However, before the crime, the labeling theory was not appropriate when explaining the incidence of rape crime in Steubenville. This is because the offenders had not committed any crime before or showed the characteristics of sex offenders. They had no other similar case of rape. Labeling theory will only become relevant to the case if after being convicted with a crime, jailed and released, they will continue conducting a similar crime. Labeling theory will be more relevant to the case in such incidence since many people in America are aware of their deviant since their act had trend all over the social media and other forms of media.

Social Learning Theory

Social learning theory is the most appropriate approach that can conclusively explain the motive behind the perpetrator conducting the crime. Canadian theorist Albert Bandura developed social learning theory in 1977 (Akers, 2017). According to Akers (2017), the approach is the most influential theory of learning and development. The theory states that human characters are learned by observing others. When one observes other, an individual gets a concept of how a particular behavior is performed and in future, code this information which becomes the guide of a particular action. The approach can also be referred to as observational learning as the behavior is learned through watching others. The theory has three significant propositions. The first proposition is that the individual can learn through observation of others. Secondly, the mental impulse plays an essential role in learning behavior (Akers & Jennings, 2015). Internal rewards such as pride, satisfaction, sense of achievement are the key factors that lead to the success of learning behavior. For a behavior to be learned, there must be cognition and internal thought which articulate with external reinforcement.

A causal model of the social learning theory has four key aspects. The four elements include attention, retention, reproduction, and motivation. One must pay attention to a specific behavior to be learned successfully. After paying attention, one must memorize the information to be used in later dates. After attention and retention, the time of reproduction comes in when an individual practice the behavior they have learned. Motivation is the last step of the learning theory. Motivation leads to repetition of the learned behavior. Reinforcement and punishment usually influence the effect of learned behavior (Akers & Jennings, 2015). Reinforcement encourages repetition of the behavior while punishment deters subsequent behavior.

The case of rape of May and Richmond was due to the social learning theory. The peers were able to learn from one another through observation. The sexual assault that they portrayed to their peer is as a result of paying attention to the cases of sexual assaults that take place in colleges done by their peers or watching pornographic material which is more common among the college students. Richmond decided to rape the girl since he was able to see his friend May doing it. The act of being motivated by their peers who were filming them encouraged them to continue with the act without caring, whether it had consequences. The act of punishment through imprisonment may deter the culprits from conducting similar incidence in the future as well as their peers.

Conclusion

In inference, the main form of punishment to the rape culprits is a lengthy jail term and being registered as a sex offender. Sexual assault that took place in Steubenville, Ohio, is an excellent example of the rape case. The rape involved male perpetrators who assaulted a 16-year-old girl incapacitated with alcohol. The incidence of the crime in society can be well illustrated by labeling theory where the perpetrators of this crime keep on performing the crime due to being

labeled as criminals. For first time offenders, it is challenging to use the labelling theory to explain the crime. The most appropriate approach for this incidence is social learning theory since the perpetrator performed the act since they were able to learn from their peers. From the analysis we understand that peers have an extensive influence on the actions of each other as per the social learning theory. Establishing support channels for delinquent groups such a mentorship program for the football players. Such a program can influence them to act responsibly and take keen interest on developing credible characters and avoid delinquent group behaviors.

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