Know Her Name: Open Dialogue on Social Media as a Form of Innovative Justice

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Abstract
Innovative justice focuses on crime victim needs, support, and healing outside of criminal justice systems. We use the recent public coming forward of Chanel Miller—the survivor in the Brock Turner case—to interrogate innovative justice for sexual assault survivors on social media. By qualitatively analyzing Miller’s Instagram account, we found that it was a platform for innovative justice by being a visual space to process emotions, modeling growth and healing, and offering validation and hope. We offer the concept of victim-centered public dialogue (VCPD), which allows for the public witnessing and possibility for personal disclosures in online spaces that contribute to a process of growth and healing for survivors.

Keywords
innovative justice, Instagram, open dialogue, sexual assault

In March 2016, Brock Turner was convicted of sexually assaulting an unconscious woman (known as “Emily Doe”) at a fraternity party in January 2015 at Stanford University (Miller, 2016). For this crime, Turner faced up to 14 years in prison. However, Judge Aaron Persky sentenced Turner to a mere 6 months in jail (of which he served three) and 3 years’ probation due to concerns that a harsher punishment would have a “severe impact” on Turner (Stack, 2016, para. 4). Such light sentencing drew public outrage from prosecutors and advocates, as well as fury from social media users (Stack, 2016). This outrage led to a campaign to recall Judge Persky, which required a massive petition campaign to get signatures from registered voters for the issue to be put on the ballot (“Stanford Sex Attack,” 2018). In June 2018, Judge Persky was recalled from office; the first judge to be removed from office in this way in more than 80 years in California. While the court of public opinion provided some form of justice in this case, going through formal criminal justice channels for crimes of sexual violence is continually fraught with challenges, from retraumatizing victims to light sentencing for perpetrators (Fileborn, 2017). In this way, “justice’ continues to elude the vast majority of rape victim-survivors” (Powell, 2015, p. 573).

Justice, though, can be conceptualized in ways that do not rely on criminal or retributive systems. Instead, systems of innovative justice focus on the needs of the survivor to heal (Daly, 2016). Recently, Chanel Miller (“Emily Doe”) came forward with a call for people to know her name through the announcement of her memoir, Know My Name (de León, 2019). By qualitatively analyzing Miller’s Instagram account, we offer an example of how this visual and textual platform allows survivors to engage in open dialogue around the issue of sexual assault that can serve as a form of innovative justice.

Literature Review
We begin by discussing the various consequences of harm for sexual assault survivors to contextualize why current criminal justice efforts are not enough. Then, we introduce restorative justice (RJ), and the umbrella concept of innovative justice, as a process that seeks to repair harm in its varied forms. Next, we consider how innovative justice has been enacted in online spaces and conceptual differences that exist between it and online activism. Finally, we explore the concept of open dialogue through social media.

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Consequences of Harm for Sexual Assault Survivors

A key concern when it comes to the concepts of justice, restoration, and healing is the harm itself: its nature, various manifestations, and long-term consequences. Following Wasco (2003), we conceptualize harm in the context of sexual assault as (1) not caused by the/a specific traumatic event alone and (2) not solely evidenced by posttraumatic stress disorder (PTSD) symptoms, which are traditionally understood as feelings of fear, horror, and threat to life. First, sexual assault is a process that involves, in addition to trying to survive the assault, negotiating post-assault experiences such as how to cope, who to disclose to, and how to seek help (Konradi, 1996). The process of sexual assault also involves “society’s responses to the assault, which often absolve the perpetrator of blame” and retraumatize victims (Wasco, 2003, p. 312). Thus, harm is associated with the specific cultural, social, and relational context in which sexual violence usually occurs (Wasco, 2003).

Second, posttraumatic stress symptoms may only be a fraction of the harm caused by sexual assault or rape (Wasco, 2003). For example, the violation of trust that accompanies sexual assault, “whether through blatant violent attack or subtle coercion” (Wasco, 2003, p. 317), has significant consequences for a survivor’s future relationships. Furthermore, survivors often internalize a sense of worthlessness and experience “feelings of intense shame or even as a distortion of reality” (Wasco, 2003, p. 317). Substance abuse, disordered eating, and suicidal feelings are also common for sexual assault survivors (Campbell et al., 2009; Dworin et al., 2017). Therefore, “framing an offense primarily as a violation of the law minimizes the emotional, relational, and moral harm suffered” (Paul & Borton, 2017, p. 201). Because of this expanded recognition of the consequences of harm, sexual assault survivors may find the criminal justice system inadequate for helping them heal.

From RJ to Innovative Justice

RJ may be viewed as a movement or efforts to transform the current processes and outcomes in criminal justice. Through RJ approaches, the offense or harm is addressed through dialogue. In particular, Victim-Offender Conferences (VOC) bring together victims, offenders, and their supporters to discuss the harm, potential reparations, and any future relationship the involved parties may wish to have (Paul, 2016; Paul & Dunlop, 2014; Umbreit, 2001). Communication and growth are at the heart of RJ approaches, and VOC facilitators assert that these conferences “foster greater sensitivity, growth, and involvement for all parties than do conventional trials alone” (Paul, 2016, p. 251). VOC engage in what Levad (2012) conceptualizes as ethical discernment, which entails empathizing with others, locating specific incidents within broader contexts, considering situational particularities for survivors, and seeing possibilities outside of the strict limitations of the legal codes.

VOC facilitators view justice outcomes as multilayered and not mutually exclusive. Justice can be understood as offender punishment, personal repair, and/or relationship rebalancing (Paul & Dunlop, 2014). While offender punishment is the most traditional outcome, results associated with justice as personal repair included healing, story completion, and closure for both victim and offender. Relational balancing involves the literal (“re)creation [or restoration] of relationship peace among victims, offenders, and involved communities” (Paul & Dunlop, 2014, p. 270). Another dimension, justice as human growth, cuts across these three layers (Paul & Dunlop, 2014). Justice as human growth predominately defines growth as understanding resulting from face-to-face dialogue; offenders gain a greater knowledge about the consequences of their actions and survivors gain insight into crimes committed against them (Brooks, 2017).

In defining a tangible measure of healing, McCauley et al. (2019) argued that we must move beyond just considering the “absence of depression, anxiety, and PTSD” and instead look for the “presence of survivor-defined outcomes. A focus on posttraumatic growth and thriving should be the minimum standard we hold for successful interventions with survivors” (p. 1918, emphasis added). Seeking this presence of growth and thriving relies on what Levad (2012) calls “moral imagination,” or the “cognitive faculty that empowers human beings to create images of our world and its possibilities” (p. 70). Cultivating moral imagination enables human beings to consider a variety of images of both the world as it is and possibilities for what it could become.

From a conceptual standpoint, Daly (2016) argues that RJ is not the most precise framing for these justice mechanisms. Rather, a more apt term to describe these activities is “innovative justice,” which serves as a broader umbrella concept rather than a specific type of justice (Daly, 2016). Several innovative justice mechanisms fall under this umbrella beyond a VOC, including people’s tribunals, truth-telling or truth-seeking mechanisms, cultural performances, days of remembrance, and other art and activist projects (Daly, 2016). Innovative justice “may be part of the criminal justice system, work alongside it, or be independent of it” (Daly, 2011, p. 9). Such framing also addresses concerns that expected outcomes could only (or mainly) be “restoration” or “reconciliation” in traditional RJ approaches (Daly, 2016, p. 21). This is a concern because in some cases restoration or reconciliation is not appropriate or in the victim’s best interests. However, through an innovative justice framework a variety of outcomes can meet the needs of victims/survivors. Beyond a face-to-face dialogue traditionally associated with RJ, other mechanisms, such as victim impact statements, may enable survivors to experience “social acknowledgment, a sense of control, an opportunity to tell [their] story, not having to continually relive the crime, and not being required to confront a perpetrator directly” (Herman, 2005,
Social media may also serve as a platform for these restorative outcomes. In this paper, we will utilize the more encompassing term of innovative justice to encapsulate alternative forms of justice. In the next section, we explore scholarship regarding the potential of online spaces as sites for innovative justice.

**Innovative Justice in Online Spaces**

Herring et al. (2002) argued that online forums appeal to vulnerable publics seeking support such as “members of minority, social and political groups” (p. 371). These virtual spaces are appealing to victims of inequality as they can coexist in a space that acknowledges their pain and isolation (Dixon, 2014). For survivors of sexual violence, Powell (2015) argued that such online engagements “represent more than a resistive politics, but the development of new technosocial practices of informal justice” (p. 580). For example, hashtag feminism (e.g., #MeToo) has become a popular tool for survivors of sexual assault to share their stories (Mendes et al., 2018; Turley & Fisher, 2018). While there may be an overlap between online feminist action and innovative justice online in terms of voicing experiences and reclaiming a narrative, these terms are not interchangeable (Powell, 2015). Disclosing personal stories and shared experiences is not only part of a collective political practice but can play an important role for individual feelings of justice when acknowledged by a trusted audience (Powell, 2015). Importantly, while focusing on the innovative justice potential of online spaces, we also recognize how online technologies “have been used to extend the harm of sexual violence through further harassing, humiliating, shaming and blaming victim-survivors” (Powell, 2015, p. 579). However, in this paper, we are focusing on more positive aspects of online spaces for survivor disclosure and community building.

Online spaces are increasingly becoming “spaces where victim/survivors’ justice needs can to some extent be met” (Fileborn, 2017, p. 1483). Furthermore, “[j]ustice can be a collective, rather than individual, pursuit” (Fileborn, 2017, p. 1485). Online community building for victim/survivors can contribute to the validation of the experience and recognition that the offender’s actions were wrong (Clark, 2015). Gundersen and Zaleski (2020) found that self-identified sexual assault survivors who shared their experiences online “found relief, shared commonality, and advocacy—or even protection—from others when disclosing their narrative on social media, as well as in the responses they received” (p. 9). Digital discourse provides a platform to explicitly challenge survivor feelings of shame and self-blame through the support in the responses to the disclosure (Gundersen & Zaleski, 2020). Ultimately, disclosing sexual assault narratives online may contribute to psychological wellness (Gundersen & Zaleski, 2020). These disclosures benefit the survivor and may help to create an opportunity for greater dialogue surrounding stigmatized issues both online and offline.

**Social Media as a Site for Open Dialogue**

Scholars have increasingly looked at the way that survivors are using social media and other digital technologies to dialogue, network, and organize against rape culture (Mendes et al., 2018). Yet, the concept of dialogue is often used without explication or analysis in such studies. In addition, because dialogue forms the core of so many approaches to restorative justice, we want to further understand the concept of dialogue within innovative justice—rather than simply online feminist activism—as it is enacted on social media.

Dialogue, while an attractive ideal toward which to strive, is difficult to operationalize in practice (Theunissen & Noordin, 2012). Furthermore, dialogic theory has evolved beyond interpersonal communication to also encompass communication with organizations. Because of this, public relations research has taken the lead in helping to unpack the relationship between dialogue and social media (e.g., Briones et al., 2011; Henderson & Bowley, 2010; Taylor et al., 2001). Although Chanel Miller is an individual and not an organization, we argue that her new status as a public figure and public social media presence means that public relations conceptualizations of dialogue are useful for this study (Watkins, 2017).

To better operationalize dialogue in a public relations context, Kent and Taylor (2002) argued that there are five key features of dialogue: (1) mutuality—a collaborative orientation and mutual equality for participants; (2) propinquity—consulting publics on issues that influence them and a willingness by publics to articulate demands; (3) empathy—climate of supportiveness and trust; (4) risk—potential for vulnerability and unanticipated consequences; and (5) commitment—marked by honesty and forthrightness and working toward a common understanding. This focus on empathy and risk seems like a natural starting point for understanding if Kent and Taylor’s (2002) view of dialogue can be useful for exploring issues of innovative justice for sexual assault survivors, particularly in the very public approach taken by Chanel Miller.

Yet, an immediate challenge to considering Kent and Taylor’s (2002) operationalization of dialogue is that it focuses too much on dyadic relationships, that is, organization-public (Capizzo, 2018). By only considering dyadic relationships, it appears that there is no dialogue occurring on Miller’s Instagram page as she follows zero people and does not directly engage with any of the comments. Furthermore, there is also little to no interaction between commenters on this page. It can be easy to dismiss the idea of dialogue in this social media space, especially for a deeply personal and still stigmatized issue like sexual assault (Madden, 2019). However, removing the need for a dyadic relationship and embracing the concept of open dialogue provides...
opportunities to reconsider what constitutes dialogue in the socially mediated public sphere.

Open dialogue is rooted in a Bakhtinian approach to dialogue, which is largely public and addresses visible conversations (Capizzo, 2018). Not only can people participate in open dialogue, but they can also witness discussions (Heath, 2000). Capizzo (2018) argued that open dialogue can link dialogic approaches to the public sphere. Habermas (1989) defined the public sphere as “the sphere of private people come together as a public” (p. 27). Despite claiming accessibility for all, Habermas’ conceptualization of the public sphere rested on exclusions (Frazier, 1992). Women, the uneducated, the minoritized, and the poor were excluded from the historical public sphere, and masculine gender constructs were viewed as rational, with new gender norms relegating women to the private, domestic sphere versus the public sphere (Frazier, 1992). Allowing for the inclusion of emotional, oftentimes traumatic, topics such as sexual assault into public venues like social media allows for the “presence and promise of cultural formations that bring traumatic histories into the public sphere and use accounts of affective experience to transform our sense of what constitutes a public sphere” (Cvetkovich, 2003, pp. 15–16). Part of the healing process for survivors of sexual violence can come by using written disclosure (Burke & Bradley, 2006). Furthermore, the idea of witnessing as part of dialogue is related to validation of the experience (Clark, 2015). This broader understanding of dialogue provides utility when thinking about conversations surrounding sexual violence that happen on social media and their inclusion in the public sphere.

In addition, Madden (2018) argued for dialogue to go beyond the words themselves, particularly for emotional and gendered issues like sexual assault. Images and creative expression can become an important part of dialogue, and “alternative forms of engagement are also capable [of] tapping into shared emotions to build a climate of supportiveness” (Madden, 2018, p. 306). Such forms of creative expression may also be part of the healing process for innovative justice. In the spirit of expanding conceptualizations of dialogue for issues of sexual violence, we believe the concept of open dialogue provides additional opportunities for understanding innovative justice. With this in mind, we pose the following research question:

RQ: How, if at all, can social media serve as a platform for innovative justice through facilitating open dialogue around sexual assault?

Methods

We selected Chanel Miller’s Instagram account (@chanelmillerknownymename) for analysis because it is the only social media site in which she is posting content as a public figure. The creation of this Instagram account coincided with the launch of her memoir on September 23, 2019 (Flock, 2019), meaning that followers had access to her book at the same time posts began. Her Instagram account is comprised of images she drew as a way to process the trauma she endured as a rape survivor, as well as her newfound success as a writer and artist. Because of Instagram’s focus on the visual, we believe it is an important site to explore the alternative forms of engaging in dialogue related to sexual violence (Madden, 2018). Furthermore, while Instagram is also the fastest growing social network site globally (Sheldon & Bryant, 2016), it is one of the most understudied social media platforms (Guidry et al., 2014). Our data set was comprised of nine Instagram posts Miller made between September 24 and October 10, 2019. We also included the 1,189 comments that people made in response to the posts. Although all comments were made on a public account, we have decided not to report any usernames. Because of the sensitive nature of the topic and varying degree of personal disclosures occurring in this space, we want to give people the maximum degree of anonymity possible. Table 1 in Appendix A provides more detailed information about each post analyzed and the number of comments.

Data Analysis

We used a combination of Braun and Clarke’s (2006) thematic analysis process and an iconographic qualitative approach (Müller, 2011; Müller & Özcan, 2007) to identify patterns and themes in both the visual and textual data. We began familiarizing ourselves with the content by looking at the images and reading through the comments written on each post. We then split up the data set, with one researcher deeply analyzing the visual images and developing initial codes for the September 24 to October 4 posts and comments and the other researcher doing the same for October 5 to October 10. After discussing the initial codes and interpretations of the data, we collapsed the initial codes into broader themes and found representative quotes. We engaged in extensive peer debriefing throughout the data analysis process through email and by phone. Finally, we reviewed and decided on the final themes, which are recorded in the next section.

Results

Three primary themes emerged in the usage of Chanel Miller’s Instagram as a platform for innovative justice, which were a visual space to process emotions, modeling growth and healing, and validation and hope. With each of these three themes, open dialogue around sexual assault is facilitated through the act of public witnessing and disclosures from others.

A Visual Space to Process Emotions

Because Instagram is primarily a visual social media platform, Miller frequently posts her original artwork—often
involving cartoon creatures—to explain complicated emotional processing. In the October 5 post, Miller’s first drawing in this post shares an anecdote about seeing a mother comfort her crying baby. The mother asks, “Do you need UP?” Seeing this made Miller think about “how many people reading my book are moved, but also processing a lot” and she wants “to be able to hold them up.” She then visualizes a forest full of “soft sleeping monsters” that someone could call upon to find them (the monsters have tissue boxes for hats) while they read to hold them up. Similarly, the October 7 post depicted six pigs, all of which are supporting a girl (presumably Miller) through words or physical actions (hugging, holding). Captions from the pigs read: “Don’t cry”; “We’ve got you”; “You’re okay”; “Stay calm”; “We’re here”; “It will be fine”; and “I promise.” The caption on this post reads, “I drew these little 🐼้า in April 2015 when I was extra sad and wobbly. As long as I have a pen, I can always conjure creatures to comfort me.”

The use of these creatures to explain emotions created opportunities for the use of emojis as shorthand. The September 30 post was about depression, with slugs symbolizing the slow pace and sluggishness experienced when depressed and horses symbolizing the idea that “everyone is charging forward.” The caption for this post read “I drew this comic last year while writing, after making peace with the knowing that I’ll always be riding both slugs and horses. 🐌🐏骑兵.” Emojis are used prominently in other posts as well and are sometimes the entire caption of a post. Using her cartoon creatures and animals to represent emotions facilitates the usage of emojis as shorthand for issues that are difficult to put into words.

Because this account was created in direct connection with the release of Miller’s memoir, many of the people commenting are not directly responding to the images being posted but are using the platform to respond to the book. Many followers remarked on processing their own emotions while reading (or listening to) Miller’s book. One follower noted, “I’m listening and have to pause over and over again but your sharing brings me so much healing through processing—emotions I thought were long gone. Thank you for your courage, advocacy and compassion ❤️轭.” Similarly, another person commented, “I’ve been crying on and off all morning listening to your audiobook. Lots to process. Thank you ❤️不代表.” Another follower described “needing to take emotional breaks” while reading the book and that they “100% could use a monster” (referencing the tissue monster drawing from the post). Someone else described a similar experience of needing to stop and just cry when listening to the audiobook. But this emotional release helped them feel “a little lighter, just like I do when I paint or write. I realize more now that I can’t just keep it to myself because I need too.” In line with this, several followers called for Miller to write a children’s book, using her drawings to help talk about complicated topics with children and begin teaching consent at a relatively young age.

Although many of the details are left vague, one follower indicates they are also going through a sexual assault trial and Miller’s book and Instagram account helped them process the emotions around this:

I am so moved and inspired by your cartoon skits, words of encouragement and of course your book! I am still working through it and can identify with so many of your thoughts, feelings and reactions. Your book was released on the same day the closing arguments in my court case took place. Your book helped pick me up that day to comfort me and many days after too. Thank you for spreading your message and empowering all of our voices ❤️💪 #chanelmiller #passedoutisnotconsent

**Modeling Growth and Healing**

In the same way images help to explain complicated emotions, Miller also uses her drawings to discuss her own personal growth and healing from her assault to more broadly model healing as a non-linear path. In the October 10 post, Miller explains using drawings of a boat on open water. Everyone is on their own boat making their way safely through the ocean. Making a change (in this case switching boats and the in between of being in the water) is hard to do without some sort of external reason: a better job, another boy, a better apartment. The boat we are on is safe, and it is unclear whether a new boat will work out the way we think it will. Miller indicates that sometimes it is trauma that causes you to end up floating in the open water and she hopes “the right pieces find you and you’ll get the help you need to build a new boat.” The caption for this series of images reads, “When I released my name, I said thank you to the little, protected boat I’ve lived in for the last four years & headed into unknown waters. One month in & all I see is 🎈🔥.” It is implied that the trauma of being a rape survivor led to Miller floating around in open water as she worked to heal and build her new boat. In addition to thinking about how life can change in an instant, her post also indicates the support she received throughout her healing process. In this way, Miller is indicating the need for a community of support, which in this case seems to extend to this online community. The metaphor of the boats and open water resonated directly with some followers. For example, one person wrote,

I’ve been fighting for justice and to share my story for 3 years now and I finally might’ve found a “loophole in the law.” I’ve been living in a broken little boat all alone and I’m jumping head first off as soon as someone will listen. Thank you for letting me know your name!!!

Miller’s example of how she is healing demonstrated for others how they can heal.

As one follower said, “This is amazing and relatable and so true. Thank you for sharing what helps heal you with all of
us so we can learn and heal and grow, too 😊.” Similarly, someone else said “all your posts make me cry in the best way. thank you for sharing yourself with us. it’s helping me in my own healing 🧿.” Others describe having feelings stirred up that “we might have buried.” A further indication of how strongly people feel this book can help survivors on the path toward healing comes from the comment by a therapist, who said,

Hell yeah. Just finished the book and in some weird way, I’m actually sad I’m done with it. Just so freaking good. You did such a beautiful job but more than that, you spoke your truth and gave power to yourself and so many others through your words. I feel so honored I got to read it and now get to share it with my friends and family and even my clients (therapist here. 😊) Bravo!!

Many followers also indicated being inspired by Miller’s story and her resilience. For example, one follower wrote, “I love your art and writing. You’re incredibly talented. I love how you have used your pain to strengthen yourself and those around you. You’re an inspiration 💖.” Another follower commented that “You’ve proven that people survive WHILE hurting and that’s okay.”

Validation and Hope

The first post on Miller’s Instagram page is a short video she made of her experiences as an assault survivor. This video includes Miller drawing characters like those that are in her other Instagram postings, but in this video they are animated. Miller provides a voice over to go along with the images. In only 4 min, Miller talks about her experiences being assaulted, going on trial, and finding an online community of support. In the video, Miller explains that “when you are assaulted, an identity is given to you. It threatens to swallow up everything you plan to do and be.” In one of the animated images, you can see Miller curled up in a blanket reading posts about the assault on her phone. As other people’s comments surround her, her voiceover says “shame, really, can kill you.” As she is walking with her head down in the next image, the words “unconscious,” “stupid,” “swimmer,” “dumpster,” “Stanford,” “half naked,” “nameless,” and “nobody” surround her. As the word “nobody” fades, Miller says “Nobody wants to be defined by the worst thing that’s happened to them.”

As the introduction explained, one of the notable outcomes from Miller’s trial was the light sentencing given to Brock Turner. Miller addresses her experiences in court in this video as well, noting that “In court, the judge used words like ‘moderate, less serious’ to describe the crime.” Miller also talks about the victim blaming she experienced in court, with the defense attorney saying “Chanel knows how you get in blackouts. You drink a lot of alcohol and that’s what she did that night and many other nights, to be honest.”

The experiences described by Miller are typical for survivors of sexual assault. To confront the idea that this was a less serious crime, or that she was at fault, Miller wrote a 12-page victim impact statement that she read at the sentencing “straight to the man who hurt me.” Portions of the victim impact statement are read in this video, which include Miller describing being “irreversibly hurt” and “waiting to figure out if I was worth something.” The next animation includes the figure of the judge taking off headphones after she spoke, and Miller saying, “but the judge did not hear me” as Turner only received a 6-month sentence. When Miller released the statement online, though, “something else happened. The world breathed life into my words. I spent all this time absorbing, listening to their voices, until I understood.” It was from this online encouragement and support that Miller realized her talents of writing and illustrating could serve a larger purpose.

Because of the vulnerability and authenticity expressed by Miller in her experiences as a survivor of sexual assault, many people in the comments shared how Miller’s story resonated with them and gave them hope. One follower responded to this video post by saying, “I cry at your artwork and writing because they are so touching and really understand how I as a survivor feel. This one touched my heart.” Similarly, another follower wrote

Well, this made me cry. You are Sooooo strong (stronger than anyone should ever need to be). But also strong enough to be open, and soft and share & that’s amazing. And what makes change. Thank you so much for speaking up and helping reclaim the narrative for survivors.

In addition, having Miller put her story out there in multiple formats and talking about her trauma in various ways offered validation for survivors. A comment on the October 5 post encapsulates this well:

Your book IS that soft sleeping monster—comforting and lifting us all up with your strength and courage. Your words spoke truth to my experience even though our stories were not identical. I couldn’t get through a chapter without crying, but those tears were washing something away. Knowing that you have spoken truth to what so many of us have been through and that you put it so beautifully and clearly and eloquently gave me so much hope. I was so filled with love for you and for every survivor out there and for every woman who showed me compassion like you describe.

Similarly, another follower wrote “Thank you for your book. You show how much hope can be found in tragedy and trauma. One of these days, I hope I can find it too. 5 years later and I’m still searching.”

Discussion

The overarching research question for this project asked how social media could serve as a platform for innovative justice through facilitating open dialogue around sexual assault. From her first Instagram post, Miller directly addresses the
way in which criminal justice approaches to sexual assault failed her by focusing more on the harm to Brock Turner’s future rather than the harm done to her by his actions (Wasco, 2003). Even though Turner went to trial and was convicted, Miller was still exposed to victim blaming and re-traumatization as part of the criminal justice process—a common occurrence for survivors (Wasco, 2003). Because of the failing of the criminal justice system to address growth and healing for survivors, we argue that Miller utilizes art and writing as part of her healing process as a form of innovative justice (Daly, 2016). By writing this book and creating this social media account, she is not only reclaiming her narrative but reclaiming the public dialogue around her story.

Because of the focus on visuals, this case further extends the need to consider dialogue beyond words (Madden, 2018). Through visual metaphor, Miller’s art creates tangible ways to describe intangible emotions by portraying something as some other thing (Birdsell & Groarke, 2007; Lazard et al., 2016). In this way, Miller demonstrates Levad’s (2012) principle of moral imagination through her illustrations, as both she and her followers and/or commenters created and engaged with “images of our world and its possibilities” (p. 201). By illustrating creatures to represent difficult and dark feelings, people can begin to interrogate any buried thoughts and emotions. Emojis figured prominently into both Millers’ posts and people’s responses to the posts, which either comprised the entire response or were integrated with text. Although emojis are often light-hearted (Stark & Crawford, 2015), in this case emojis served a deeper bonding and emotional function. As Stark and Crawford (2015) argued, emojis can be understood as social expression and actual emotional feeling. The heart emoji was prominently used, indicating support and creating “new avenues for digital feeling” (Stark & Crawford, 2015, p. 1).

Miller’s open discussion of emotional and traumatic topics on a public social media account helps to destigmatize topics once deemed private and personal and allows for them to be included in the public sphere (Cvetkovich, 2003). This public Instagram account provides a link to Capizzo’s (2018) conceptualization of open dialogue. Miller is not engaging in a dyadic dialogue with her offender as would occur in a traditional VOC, but she is more broadly engaging in a dialogue with a community of survivors and supporters. Furthermore, Miller’s Instagram not only created a space for the community of followers to dialogue online, but also may have encouraged dialogue offline or in different online spaces. This online community building contributed to a validation of both Millers’ and her followers’ or commenters’ experiences and support for seeking justice in whatever ways are most appropriate for the survivors.

There is value in considering how public witnessing and spaces for public disclosures contribute to an open dialogue around sexual assault that works to destigmatize the issue and reframe societal narratives. We offer the concept of victim-centered public dialogue (VCPD) on social media as an addition to the RJ literature that moves beyond private conferences among victims and offenders to consider the larger implications of sharing sexual assault experiences in the public sphere, in this case online. VCPD allows for the public witnessing and possibility for personal disclosures of the harms in online spaces that contribute to a process of growth and healing for survivors. Miller can model this process for her followers in a public way that further validates the experiences of other survivors and offers them hope.

VCPD works through the fragmented nature of online discussions and interaction (McGee, 1990). Social media users “bounce between and zoom in and out of ‘discursive shards’ of media experience” (Waisanen & Becker, 2015, p. 275). We can see this in the way that followers are interacting with Miller’s Instagram page by discussing their reactions to her book. People are not reacting linearly on social media but are using it as a public space for interaction, both integrating and creating “discursive shards” (Waisanen & Becker, 2015, p. 275) that become part of the open dialogue around issues.

In an indirect way, VCPD may also contribute to the education and growth of people who have committed acts of sexual violence. Because of open discussions about issues once deemed private and taboo, individuals may gain more empathy and understanding of how their actions may not have been consensual. As Daly (2011) wrote, “equally important, but less recognised, is the need to change cultural beliefs and attitudes towards those accused and convicted of sexual offences” (p. 25). This is not meant to excuse or remove consequences for offenders. Rather than demonizing offenders, though, there are opportunities for VCPD to provide greater awareness and education around consent and the harm done to survivors of sexual assault (Brooks, 2017). Therefore, by amplifying survivor stories through social media, VCPD may help play a role in prevention efforts (Wieskamp, 2019). Our consideration of innovative justice has focused on the needs of survivors, but all of society benefits through an open, visible, and public discussion of sexual assault and consent.

Limitations

We want to be clear that posting on social media or making personal disclosures online is in no way a substitution for professional help and support. The anonymity of posting online may make this a safer first step for personal disclosures and offer an additional anchor of support for survivors of sexual assault. However, a limitation of this study is that we only analyzed publicly available information on Instagram. While we could apply an innovative justice framework to Miller’s messages and the comments users made, we do not know her followers’ intentions and experiences following Miller’s account. We also did not have
access to private messages that may have been exchanged between Miller and her followers.

This study also only analyzed a small number of posts in the initial phase of Miller’s public announcement and reclamation of her narrative. More longitudinal research would be beneficial to better understand the connections between innovative justice and social media, particularly as public sentiment can turn quickly against public figures on these platforms. Although all comments analyzed were positive toward Miller and her bravery, it is possible this sentiment would change over time. Furthermore, it is possible harassing and negative comments had been flagged and removed before our analysis. Although we make the claim that VCPD may have positive impacts on education and awareness around issues of consent, additional empirical evidence is needed to support that.

**Conclusion**

Innovative justice recognizes the limitations of criminal justice for sexual assault survivors and seeks alternative ways to empower survivors and help them heal. Social media facilitates innovative justice by allowing survivors to share their experiences and process emotions, receive validation, and witness other’s healing and growth. Open dialogue occurs through witnessing and participating in these online conversations, creating opportunities to destigmatize issues once deemed outside of the public sphere.

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Appendix A

Table I. Instagram Data Description.

| Post date | Post description                                                                 | # of Comments (at time of analysis) |
|-----------|----------------------------------------------------------------------------------|------------------------------------|
| Sept. 24  | 5 min, 9 s video entitled “I Am With You”                                        | 60                                 |
| Sept. 26  | 10 drawings about NYC press blitz                                                 | 28                                 |
| Sept. 30  | 9 drawings about depression                                                       | 149                                |
| Oct. 1    | 10 drawings about success                                                        | 176                                |
| Oct. 4    | 6 drawings about being a literature major and success of book                    | 270                                |
| Oct. 5    | 8 drawings about being able to hold and support people reading her book          | 142                                |
| Oct. 7    | 1 drawing of wobbly pigs                                                         | 38                                 |
| Oct. 8    | Photo of being on Trevor Noah                                                    | 102                                |
| Oct. 10   | 8 drawings about changes                                                          | 224                                |
|           | Total: 1189                                                                       |                                    |