

result of the legislation would be to incarcerate impoverished young black and Latino men. At current rates, though, we can expect that about two thirds of the prison cells constructed through this act will be filled by minorities. This is not exactly what neighborhood leaders had in mind when they called for targeted investments to help rebuild their beleaguered communities.

10

*“Give the Public What
It Wants”: Media Images
and Crime Policy*

The role of the media has been a critical factor in influencing the direction of crime policy in recent years. In assessing the role of the media, one needs to recognize first that “the media” is a complex set of competing interests. The term encompasses a broad spectrum that includes the *New York Times*, the *National Inquirer*, National Public Radio, MTV, and countless other outlets of information and entertainment. Nevertheless, in a variety of ways, media images and information have converged to shape public perceptions of crime, offenders, and incarceration policy in ways that are often misleading.

Such an assertion may appear counterintuitive to those who have studied recent media coverage on certain criminal justice issues. On mandatory sentencing, for example, media attention has been fairly critical. Editorials in recent years in almost all major print media—the *New York Times*, *Washington Post*, *Los Angeles Times*, and many others—have been sharply critical of mandatory sentencing. A sympathetic cover story in the black magazine *Emerge* on Kemba Smith, a 24-year-old first-time offender who was sentenced to twenty-four years for her role as a drug “mule” for her boyfriend drug dealer, generated the

largest reader response in the magazine's history, and contributed to her subsequent sentence commutation.

Given this virtual onslaught of news and editorial coverage, one would almost think that mandatory sentencing laws would be a dying breed. But this is hardly the case. As sound as some of the coverage has been on this issue, it nonetheless operates within a broader media environment. Most images of the crime problem communicate fear, anxiety, and a distorted sense of the actual extent of the problem. This serves to overwhelm any intelligent or informative discussion of the issues.

Many have noted that the influence of print media is rapidly being eroded by electronic media, and by television in particular. Fewer people read newspapers or rely on them for their main source of news; television, on the other hand, with its seemingly endless supply of new channels, has become the primary medium for information. And its power lies in the images it presents on the screen.

The Center for Media and Public Affairs, a Washington-based media monitoring organization, publishes an annual survey of issues covered on the evening news by the three major television networks. In 1993, the center reported that crime stories on network television had doubled from the previous year, with murder stories tripling.¹ Overall, one out of every eight stories featured on the evening news was a crime story.

By 1995, the networks featured more than 2,500 crime stories on the evening news, a 52 percent increase over the previous high in 1993.² While reports on the O. J. Simpson trial accounted for a third of this total, overall coverage had risen dramatically even excluding this story. Murder stories (excluding the Simpson case), for example, rose by 369 percent from eighty stories in 1990 to 375 by 1995, a period in which *actual* murder rates had declined by 13 percent.

Network evening news broadcasts are significant as a source of information, but the most heavily watched news programs

are the late local news shows. Here the images are even more provocative, not to mention often misleading: in virtually every city in the country, crime stories dominate this coverage. For example, a study of television reporting in Philadelphia found that crime news represented almost one third (31 percent) of the stories on the local evening news, and that three-quarters (76 percent) of the crime stories were featured in the first segment of the news shows (prior to the first commercial break).³

Part of the reason for this is that crime makes for good visual effects. A story on an actual crime is much more interesting to watch than a general report about crime rates. But the dominance of crime stories also reflects the way that news is gathered and reported, particularly at the local level.

New York Times reporter Steven Holmes contends that the proliferation of crime stories is related to the fact that local news is dominated by information generated by government institutions.⁴ The five o'clock local news can focus on the activities of various government bodies—a city council, the mayor's office, or state legislative bodies. But since government essentially closes down at five o'clock, it can no longer generate fresh news for the eleven o'clock broadcast. The main government newsmaking agency that stays open late enough for breaking local news is the police department. Crime news is also popular with local news producers because it is relatively inexpensive to produce. Former NBC News President Lawrence Grossman describes how "the crime scene, marked off in yellow police tape, doesn't move; no matter when the reporter arrives there's always a picture to shoot, preferably live. No need to spend off-camera time digging, researching, or even thinking. Just get to the crime scene, get the wind blowing through your hair, and the rest will take care of itself."⁵

There has been a good deal of discussion in recent years about the effects of television violence on viewers. While there is

mixed evidence on this relationship, a more critical issue concerns the impact that television news violence has on public—and policymaker—attitudes about crime.

Recent analysis explores this issue in some detail. The Berkeley Media Studies Group examined news content of a week of local news broadcasts on 26 stations throughout California.⁶ The researchers found that violence was the single most frequent story topic featured and that more than one half (55 percent) of the stories on youth involved violence, while more than two-thirds (68 percent) of the stories on violence involved youth. This is in contrast to FBI data showing that juveniles represent less than 20 percent of arrests for violence; young people are portrayed as contributing far more to the problem of violence than they actually do. Even within the reporting of violence, the Berkeley analysts found that reporting was far more likely (84 percent) to be “episodic” (focused on events) rather than “thematic” (providing a context for the events). Thus, news stories generally presented individual violent crimes with little discussion of the role of guns, alcohol, or drugs in contributing to the events at hand.

Popular cop shows on television reinforce this as well. Consider the crimes that occupy our attention on shows like *NYPD Blue*. Almost every week we’re treated to stories of murder, rape, and robbery. But these are hardly representative of the range of crimes that come into most police precincts in a given week. In fact, for every murder reported to the police there are more than fifty reports of auto theft and 350 larcenies. But imagine a cop show that week after week showed hard-working detectives trying to track down yet another car thief or shoplifter. Hardly the stuff of high ratings.

Such distortions in the perception of crime are not unique to the United States, although they are likely most developed here. In looking at the relationship between fear of crime and actual risks of victimization, the conclusion of the international

victimization surveys coordinated by the Dutch Ministry of Justice has been that there is a “lack of much relationship between anxiety and risks of street crime,” and that much of the level of fear of street crime may be determined by specific “cultural” pressures such as media influences.⁷

The impact of media images can be quite powerful. Political scientists at UCLA conducted an experiment in which they had subjects view television newscasts of crime stories.⁸ Some of the stories identified a perpetrator, and some did not. Even in instances in which no specific reference was made to a suspect, 42 percent of the viewers recalled having seen one. In two thirds of these cases, they recalled the suspect as being African American.

Although distorted television images of crime and violence are troubling enough, a different problem is created by the way that news and feature producers frame issues for discussion. Let me illustrate with a personal example.

In 1995, the Alabama Department of Corrections reinstituted the chain gang in its prison system. State officials, riding a wave of “get tough” sentiment and presumably eager for media attention, began chaining inmates together in leg irons and having them crush limestone while being guarded by shotgun-toting officers. One might have thought that U.S. society had evolved to the point where such a practice would be inherently viewed as uncivilized, but apparently not.

In the weeks following the inception of the chain gang, I received numerous calls from reporters and producers. Many were just looking for the best “visuals” for the story, but a few of the more conscientious ones asked if I could aid them by providing research on the “effectiveness” of chain gangs. No such research exists—humiliation and control, not effectiveness, have always been the goal of such policies.

The confusion did not end there. Next came the producers for the network morning shows and talk shows to set up de-

bates on the issue. Typically, they had no shortage of articulate spokespersons ready to castigate the prison officials, but they had tremendous difficulty finding an advocate for chain gangs. Could I help, they inquired, in finding such an individual? While I had little interest in being of assistance in this regard, it also seemed to me that they were missing a more fundamental issue.

The problem here was that there are not two sides to this issue, at least not in any responsible sense. Reasonable people may differ on the value of imprisonment or even the death penalty, but no reputable scholar or criminal justice official would even dignify the concept of chain gangs through such a "debate." The producers understand this, of course, but they also understand that such theatrics make for good television.

Print media, too, have contributed to distorted representations of issues of crime and justice. A study that appeared in the *American Journal of Public Health* concluded that print media representations of deaths caused by tobacco, alcohol, and illicit drugs were very inconsistent with actual mortality rates for each of these substances. While 4 percent of mortality-related news text was devoted to tobacco in 1990, deaths attributed to tobacco constituted 19 percent of actual deaths that year. Conversely, while illicit drugs were only responsible for 1 percent of all deaths, they represented 16 percent of the print coverage.⁹

Another study on newspaper crime reports found that homicides constituted half of all such stories and that there was little relation between the number of murder stories and actual murder rates in the cities studied. Instead, space devoted to such coverage appeared to be less a function of the "supply" of crime and more the product of the "newshole" space allocated to it.¹⁰

Rather than just bemoan the manipulation of crime news, though, producers and consumers need to seize opportunities

to correct poor coverage of these issues and to establish a new orientation for their news-gathering. One such effort was initiated by television station KVUE in Austin, Texas. Producers at the station had become concerned that their crime coverage was both excessive and sensationalist. In order to cut back on coverage that was not critical to the local viewing area, the station's producers developed guidelines for airing a crime story. Crime news now needs to meet one or more of the following criteria:

1. Does action need to be taken?
2. Is there an immediate threat to safety?
3. Is there a threat to children?
4. Does the crime have significant community impact?
5. Does the story lend itself to a crime-prevention effort?"

Shortly after developing the guidelines, the station's producers elected not to cover a triple homicide that took place in a small town thirty miles east of Austin. The murders involved three acquaintances who shot and killed each other after getting into a Saturday-night brawl spurred by drugs and alcohol. Normally, this would have been a "no-brainer" in the news business; but, tragic as the incident was, the producers viewed the murders as an isolated event that had little immediate relevance for the viewing area. The early success of these news guidelines at KVUE has led to a good deal of interest, and some local news outlets round the country have begun to follow suit.

In addition to reducing sensationalist coverage, crime news can be more responsibly undertaken when reportage provides a crime's social context. The Berkeley Media Studies Group suggests that one means of accomplishing this is to incorporate more data of crime and violence. In California, for example, there are several factors of note: more than half of all violent offenders are under the influence of drugs or alcohol at the

time of their offense; handguns are the leading cause of death of children; and most homicides occur between people who know each other.¹² Reporters should investigate where weapons are obtained, how substance abuse contributes to an offense, and whether officials are taking any preventive actions using the particulars of local crime conditions.

II

Consequences:

Intended and Unintended

In July 1996, Andrew Sonner, the longtime prosecutor for Montgomery County, Maryland, just outside Washington, D.C., ignited a local controversy around county drug policy. Sonner announced that henceforth his office would prosecute fewer small-time drug offenders and, instead, would concentrate its resources on drug sellers who either engaged in violence, were repeat offenders, or operated in high-crime areas.

Sonner's proposal was immediately attacked by County Executive Douglas Duncan, a Democrat like Sonner, who charged that the "county has had a zero-tolerance policy for drugs for a long time, and we're not going to change that as long as I'm county executive."¹ A war of words and competing policy proposals ensued over the next several months. Sonner's fleshed-out strategy included diverting more lower-level offenders to drug courts or treatment; ultimately, both sides compromised.

Despite the heat and rhetoric, Sonner's call merely reflected the thinking of most criminal justice practitioners. His primary offense was in publicly announcing his policy and its rationale. Had he just implemented the strategy within his office, it is likely that there would have been little public scrutiny or discussion.

Given the fact that criminal justice resources are limited,