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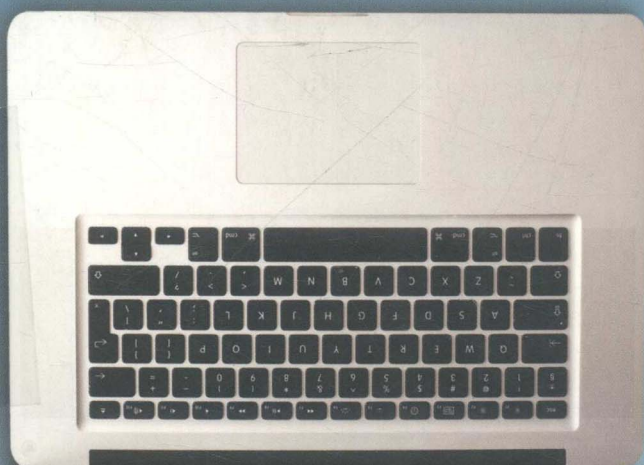


# CRIME

CONTENT, CONTEXT AND  
CONSEQUENCE

KATRINA CLIFFORD

ROB WHITE



# **MEDIA AND CRIME**

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CONTEXT AND  
CONSEQUENCE**

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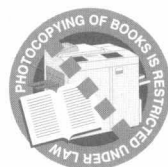
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## 1

## INTRODUCTION

## CHAPTER HIGHLIGHTS

Setting the scene

This book

In Season One, Episode 8 ('The Blackout Part 1: Tragedy Porn', 2012) of the HBO television drama series *The Newsroom*, executive producer MacKenzie McHale (played by actress Emily Mortimer) and news anchor Will McEvoy (Jeff Daniels) are faced with the dilemma of an 'unprecedented' drop in audience numbers for their nightly cable news program, *News Night*. In a week, the program has lost half a million viewers to another show's rolling updates on the trial of Casey Anthony—a real-life mother who was accused of murdering her two-year-old daughter in the United States in 2008, and whose murder trial became a tabloid sensation. *TIME* magazine described it as 'the social-media trial of the century' (Cloud 2011). The main threat comes from television host Nancy Grace (another real-world reference), whose show has shamelessly exploited the public's interest in Anthony with relentless and saturated media coverage of the murder trial and the more salacious details of her life. Still unconvinced that the Casey Anthony case is anything more than 'entertainment ... it's just this side of a snuff film', MacKenzie enlists former executive producer and 'master of the dark arts', Don Keefer (Thomas Sadoski), to brief the *News Night* team on how to market tragedy and play to viewers' expectations. To demonstrate his points, Don plays an actual episode of the Nancy Grace show, deconstructing its televisual strategies (such as showing police evidence and emotionally provocative photographs of Anthony's daughter) to hold audience attention and remind them that they're 'watching the real *CSI Miami*'. As Don tells the team: 'You'll notice little of her coverage in this instance is about the law. It's all based on an emotional appeal; the way she would with a jury if there was no judge there to stop her. Watch how she breaks down courtroom footage.' A jump cut to the television screen shows a slow-motion replay of two seconds of real-life news footage of Anthony walking past her lawyer, looking upset, which Don tells the *News Night* team would be enough to prompt media audiences to flood Facebook with speculation on the reasons for the negative interaction. Concluding his briefing, he says to ensure a ratings winner the team will need to secure Dylan Kagan as talent, described in the closing scene



as an agent who ‘gropes through the trailer park of American jurisprudence for what he calls “oh my god” stories, then he drops in on the victims, the accused, the jurors, the cops; whoever he can sell to the press, the networks, and the studios—he packages the missing white girl’.

This book is about the media–crime nexus. Our intention is to explore the nature of crime, the dynamics of media, and the complicated relationship between the two. It is a conjunction that at many levels and in many different ways is extraordinarily complex and highly contradictory. The scenario above is our way of saying welcome to the to-ing and fro-ing that marks out the doing of ‘**media criminology**’—that is, the theoretically and experientially informed analysis of the relationship between crime, criminality and criminal justice, on the one hand, and media and media frames or representation on the other. Interestingly, in this instance, the fictional account in our opening scenario is remarkably accurate in its broad sweep.

## SETTING THE SCENE

In many respects, the episode from *The Newsroom* could not have been a more ideal starting point from which to illustrate many of the key themes within this book than if scriptwriter Aaron Sorkin had written it explicitly for such purposes. The intersections between Sorkin’s dramatic interpretation of American television’s real-world portrayals of the Casey Anthony murder trial and the points of argument and intervention that we seek to make in this book are almost too numerous to mention.

To begin with, the episode captures many of the long-standing debates and anxieties about contemporary media practices; most notably, the perpetual tensions that exist between the professional ideals of journalistic integrity and the economic imperatives of news media organisations. The result, as many media commentators see it, has been a push towards the (re)construction of ‘serious news’ or ‘**hard news**’ as ‘**infotainment**’—drawing on the ‘softer’ and more colourful conventions of entertainment media—in the interests of commercial appeal and ratings grabs. Collapsing the boundaries between fact and fiction in the way that he does, Sorkin specifically invites us to see these concerns from the perspective of the professional ‘journalists’ on screen. This has a double benefit in that we are, in the process, asked to bear witness to the privilege of hearing journalists talk about *what it is that they do* and *why it is that they do it*. This is something that has been starkly absent from much of the criminological theorising on the relationship between media and crime, and we will return to this theme in Chapter 2.

In these moments of **reflexivity** and intertextuality, the scene lays bare the more naturalised aspects and conventions of media practice (that is, those that are generally taken for granted by direct participants). More to the point, it makes a statement about these practices in the context of the socio-cultural and economic structures of news production. Unfortunately, this statement is an all-too-familiar one that reinforces the long-standing recriminations of media



power; implying that, by and large, media organisations are monolithic, communications flows are uni-directional, and media audiences are passive recipients of preferred media messages. As we hope to demonstrate throughout this book, while there may, on occasions, be some kernel of truth to such claims, more broadly the dynamics of the contemporary **mediascape** are far more complex and fluid than such characterisations intimate. By ‘mediascape’ we mean all of the institutionalised forms of media we use and create to communicate; the ‘global cultural flows’ of information and images that connect us and shape our understandings of the world (Appadurai 1990); and the virtual spaces or environments we inhabit. We’ll return to the challenges of trying to define something so pervasive, diffuse and yet all-encompassing in the next chapter. But, for now, keep in mind that when we refer to the ‘mediascape’, we are talking about everything from traditional newspapers and broadcast media to evolving forms of digital technologies and social media.

On an even more explicit level, *The Newsroom* episode reflects many of the observations made by scholars towards the real-world dynamics of the relationship between media and crime. These include the individualised nature of **mediated** representations of crime and justice; the tendency towards constructions of ‘ideal victims’ and typified offenders; the frequent decontextualisation of crime news and the privileging of emotion as a news value over matters of law; the increasingly visible intersections between media and the criminal justice system (such as being able to see inside the courtroom); and the growing need for an improved sense of **media literacy** with regards to crime media consumption. Most strikingly, what the episode also illustrates are the voyeuristic and pleasurable aspects of crime media, and therefore its pervasiveness and public appeal.

Fascination with tales of the dark side of human existence is not a new phenomenon (Weinman 2016). People have long been drawn—purposely or otherwise—to places, attractions and events linked in one way or another to death, **deviance**, violence, punishment, suffering and disaster. In Elizabethan England, for instance, many of the merciless punishments and executions for crimes were witnessed by hundreds of people at a time. Even minor crimes, like stealing birds’ eggs, attracted a death sentence. For some, fascination with such public spectacles was motivated by curiosity. For others, it was and continues to be connected to more emotive stimuli, such as pleasure, sentimentality, entertainment, risk, memorialisation, spiritualism, and contemplations of morality and mortality.

Entire industries have sprung up in response to people’s fascination with the nefarious and macabre. Foley and Lennon (1996) famously coined the term ‘dark tourism’ to explain the commodification of death and destruction exemplified by tourist visits (sometimes referred to as ‘pilgrimages’) to death and disaster zones, including notorious crime scenes and former prisons. It is estimated that Dealey Plaza in Dallas, Texas—the scene of President John F. Kennedy’s assassination—attracts over a million visitors annually, while Alcatraz Island (‘The Rock’) in San Francisco, California, typically receives more than 1.3 million tourists through the doors of its museum penitentiary each year. Port Arthur in Tasmania, Australia, combines the past (a brutal convict prison) with the near-present (a site of multiple homicides) and in so doing attracts tourists with diverse motivations and interests.

In London, the number of Jack the Ripper walking tours has multiplied to the extent that disgruntled residents in Spitalfields and surrounds have retaliated, with reports of tour guides being sprayed with water and threatened with on-the-spot fines (Coffey 2014). In response to the reported discovery of the true identity of the serial killer, allegedly matched to one of the original Jack the Ripper suspects—a Polish-born hairdresser named Aaron Kosminski—through DNA analysis (the veracity of which was later contested), Walters (2014) notes that we often ‘treat these horrible, true crimes as an extension of the entertainment industry’.

There is no shortage of examples to illustrate Walters’s observation. In January 2015, after allegedly being abducted from a popular wine bar in the tourist hub of Waikiki, Hawaii, and assaulted and robbed, Australian professional golfer Robert Allenby likened the ordeal to an experience reminiscent of the Hollywood film *Taken* (cited in Levy 2015). Scholarly analyses and media commentaries post-September 11, 2001 also frequently made reference to the ways in which the visual excesses of the terrorist attacks on the World Trade Center were reminiscent of the big-budget action shots from any number of Hollywood blockbusters (see, for example, Gabler 2001; Lane 2001; Wilson 2001).

Quite separate to this, there exists an expanding academic oeuvre on the rise (and fall and rise again) of the popularity of filmic adaptations chronicling the exploits of some of society’s most notorious mobsters, outlaws and criminal kingpins. Notable mentions within this genre include *American Gangster*, *Goodfellas*, *Bonnie and Clyde*, *City of God*, *Donnie Brasco*, *The Untouchables* and *Battles Without Honor and Humanity*. In the world of television, entertainment parallels abound with popular examples, such as the highly acclaimed American crime drama *Boardwalk Empire*, and in Australia, the *Underbelly* series, the first season of which was loosely based on the underworld figures and events associated with the 1995–2004 period of the gangland wars in Melbourne, Victoria.

The conflation of true crime with crime fiction also has historical antecedents in mediated representations associated with the genre of ‘news’, inclusive of its oft-discussed ideals of ‘objectivity’ and ‘impartiality’. Popular nineteenth-century press publications like *The Illustrated Police News*—one of Britain’s first tabloid newspapers and a descendant of the crime **broad-sides** and execution broadsheets of the previous century—regularly provided readers with sensationalised and detailed illustrated accounts of the Jack the Ripper crime scenes and the failure of police to catch the killer. According to the British Library’s history website, the story was featured on 184 of *The Illustrated Police News*’ front-pages in the four years after the last murder (see [www.bl.uk/learning/histcitizen/victorians/crime](http://www.bl.uk/learning/histcitizen/victorians/crime)).

Skip forward to the twenty-first century, and crime newshounds have been doing their sleuthing through more experimental entertainment media forms, as evidenced by the global phenomenon of the podcast *Serial*, a spin-off from the creators of popular radio program *This American Life*. As of December 2014, the debut season of the serialised audio narrative—which investigates the murder of high school student Hae Min Lee in Baltimore in 1999, and the conviction of her former boyfriend, Adnan Syed, for the crime—had been downloaded over 40 million times and was the fastest-ever podcast to reach 5 million downloads on the Apple iTunes store (Roberts 2014).

This inventory of examples is by no means exhaustive, and barely scrapes the surface of the intersections between media, crime and justice. Nonetheless, it readily serves to illustrate the multitudinous, complex and *enduring* nature of these intersections. Even as the definitions and contours of the media environment (i.e. the ‘mediascape’) have become more fluid, multifarious, innovative and diffuse, so too the relationship between media and crime (also referred to as the ‘media–crime nexus’) has shifted and evolved. In spite of these changes, as Schlesinger and Tumber (1994: 6) observe, the public fascination with criminal activity and law enforcement remains ‘at the very heart of popular culture ... stories about crime and crime-fighting—whether factual or fictional—are an integral part of daily media consumption for virtually all of us’.

Some of the popularity and pervasiveness of crime and law enforcement as issues within society has to do with the centrality of media within our everyday lives. As Couldry (2012: 180) observes: ‘We live *with* media, *among* media’. Even when we are not actively engaged with it, we may still be surrounded by media and even ‘captured’ by it, particularly in an increasingly surveillant society (see Chapter 11). Public knowledge of crime, criminality and criminal justice may develop through a variety of sources, including personal experience and academic research. More often, however, it emerges as a result of and through engagement with media (Bloustien & Israel 2006; Surette 2011).

For many people, then, media may be their sole source of information on crime-related issues and events (McNair 1994). Findings from one of the early studies that sought to measure the relationship showed that 95 per cent of respondents cited media as their primary source of information about crime and criminal justice (Graber 1980). Almost three decades later, a study of crime news in the United States found that over three quarters (76 per cent) of the public said they formed their opinions about crime from what they read or saw in the news. This was more than three times the percentage of people (22 per cent) who said they derived their information about crime from personal experience (Marsh & Melville 2009: 1). For these individuals, as it is for many of us today, crime is typically a **mediated experience**—what Surette (2011: 24) defines as the comparative experience that an individual has when they experience an event ‘via the media’ versus ‘actually personally experiencing’ it. This being the case, and if statistics such as those derived from the above studies continue to hold true, the role that media play in shaping public perceptions of crime and criminality, and framing debates about criminal justice and responses to crime, is both undeniable and significant. It is little wonder that the relationship between media and crime has been such a long-standing focus of academic and institutional debate and scrutiny, and rightfully so.

## THIS BOOK

The importance of media criminology as a disciplinary field and form of analysis is incontrovertible. But how to undertake such analysis is less than straightforward. The purpose of this book is to map out what we see as the constituent elements of such an

endeavour. We start by outlining the *theoretical foundations* of the book in Chapters 2 and 3. These chapters provide extended discussions of framing theory, practice and analysis, and lay out the basic conceptual repertoire of media criminology (as we understand the term). The second part explores *framing effects and media practices* by examining issues pertaining to police, courts and the media; victims and offenders; and prisons and innovative justice. Chapters 4, 5 and 6 focus on mediated accounts of criminal justice institutions and stakeholders, and the implications of these for understanding and interpreting what happens within these particular social contexts. Part three examines *the politics of mediated representation* in Chapters 7, 8 and 9, which deal with particular population groups. These include young people (in particular, young people as offenders), groups subjected to racial vilification in and through media, and institutions and people of power who largely seem to escape the hazards of negative media attention. The final part of the book, *audiences, industries and technologies*, comprises Chapters 10 and 11, which consider the status and dynamics of crime as entertainment (specifically, through the lens of the 'CSI effect'), and the complex issues associated with knowledge production and consumption as mediated in and by cyberspace. The book concludes with a few overarching observations and suggestions for future research in Chapter 12.

The chapters have been designed to stand alone as critical interventions and discussions within their respective fields and in terms of their relationship to the media–crime nexus. Despite this, in writing each of the sections, we have been motivated by a core set of concerns and aims; many of which are elaborated in Chapter 2, and which we return to at different moments throughout the book. These concerns and aims principally include the desire to promote a more integrated and interdisciplinary approach towards the practice of media criminology. We wish to express a more nuanced and applied understanding of 'media' and media practices and, in doing so, encourage readers to upturn and expose some of the potentially hidden intricacies and complexities of the relationship between media and crime in the contemporary mediascape. This includes, but by no means is limited to, a broader and potentially more productive conceptualisation of 'media' and 'media effects'; recognition of the fragmentation of the traditional categories of 'producers' and 'audiences' with the emergence of 'media actors'; and an appreciation of the increasing importance and centrality of the 'visual' within media criminology and mediated representations of crime.

We have also kept in mind the ways in which modules and courses related to media criminology—be they run out of sociology, criminology or journalism and media studies programs within universities—could be structured around this content. In fact, our own learning and teaching experiences have helped to shape the content and the pedagogic features throughout the book, including suggestions for workshop activities, discussion questions, recommendations for further reading, and the Glossary.

In writing this book, however, we have conceived it to be more than simply a teaching text or a literature review. Ultimately, we hope that this book inspires students and scholars—from law, criminology, sociology, journalism, media and communications, and other associated fields and disciplines—to deepen their understandings of media and crime by

equipping them with the conceptual and methodological tools and knowledge to further independently and reflexively research, analyse, question, unpack and complicate pre-existing assumptions and emergent trends relevant to the media–crime nexus. We very much view this book as a starting point, not a destination. The opportunities to deepen one's thinking, broaden the scope of the study of the relationship between media and crime, and to flourish in one's discoveries as students and scholars lie within these pages, as well as beyond them. For this reason, we have deliberately provided only basic information about some of the case studies and examples cited within the book, in the hope that these references may spark the interest of readers enough to compel them to do their own 'homework' on them.

On this point, we close this introductory chapter with a word of caution: some of the content within this book (and beyond) may prove confronting for some readers, and distressing for others. We cannot always predict how we will respond to our engagement with sensitive issues, such as violence and trauma, especially where we may have lived experiences of such matters. While these experiences can be informative to an individual's research, they also have the potential to bring the research (and the researcher) undone by triggering, for example, memories or emotive responses, which may have negative, biased or harmful outcomes. More broadly, we know that researchers within media criminology and other associated subject areas constantly deal with the evidence and effects of acts of destruction and darkness. The personal impacts can therefore be cumulative, while at other times they may be triggered by a singular event. Either way, it is important that, as reflexive and responsible researchers and scholars (and educators), we not only maintain a sense of our own subject positions (and those of our students) in relation to the study of the media–crime nexus, but also a sense of self-care.

For useful resources and support materials on this, see Dart Center for Journalism & Trauma at: <<http://dartcenter.org>>.

We now turn to consider the key concepts of media criminology, and the debates that continue to generate ongoing consternation and fascination among those engaging in the study of media and crime.



# PART I

## THEORETICAL FOUNDATIONS

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## 2

## DOING MEDIA CRIMINOLOGY

## CHAPTER HIGHLIGHTS

Introduction

The ongoing debate about media influence

Debunking the assumptions of the media effects tradition

Towards a new synthesis

Framing theory, practice and analysis: a conceptual approach

Conclusion

## INTRODUCTION

This chapter introduces the foundational concepts of media criminology. We explain each concept and its importance to this type of study, and provide a general grounding in the themes and issues that will form the substance of the book as a whole. The chapter necessarily takes a fair amount of space to define terms and concepts, identify certain methods of analysis and investigation, and provide insight into the basic elements of framing theory, practice and analysis.

At the heart of the discussions here and throughout the book is the ongoing and persistent debate over media influence. Basically, this debate centres on the extent to which, if any, media influence how people, including the present writers, think about, understand and interpret crime. As such, it is a good starting point for the discussion of media criminology.

## THE ONGOING DEBATE ABOUT MEDIA INFLUENCE

To begin to appreciate why this debate is both important and necessary, it is essential to understand something about *the way in which media operates* and, in terms of mediated representations of crime, criminality and criminal justice, *to what ends*. Within this endeavour, we need to remain reflexive about the potential impacts of our own subjectivities (that is, how we think and feel about and define ourselves) in regard to media and, as well, our positioning in relation to these mediated representations and media forms—as consumers, researchers and potential critics or even news subjects, and as practitioners and producers too.

Within the field of journalism and media studies, this is broadly characterised by the concept of media literacy, which encompasses the development of an understanding of:

- how media is organised
- how meanings are produced (and contested)
- the basic conventions of various media genres, texts and industries
- being responsive to the changing nature of media
- the skills to participate ethically in media cultures and negotiate the networked world
- how to see and embrace opportunities to interrogate and participate in long-standing debates about the relationship between media and audiences
- how to read, analyse, evaluate, create and communicate in and through media (see Hybels & Weaver 2004).

As Couldry (2012: xi) notes, ‘a simple boundary between researching media production or researching consumption is now unsustainable’, although ‘some division of labour between “political economy” and “audience” research remains necessary, given the sheer size of each domain’. Within criminology, and in the context of our current discussion, these considerations resonate strongly with the principles that underscore the practice of media criminology or rather the study of ‘the complex and constantly shifting intersections between crime, criminalisation and control, on the one hand, and media, mediatisation and representation on the other’ (Greer 2010a: 5). Or, to put it differently, media criminology is concerned with the apparent concrete realities of crime and criminal justice, the representation of these realities, and how ‘reality’ and ‘image’ interact and contribute to the formation and reproduction of the ‘Other’.

One of the fundamental tenets of each of these conceptual frameworks (that is, criminology, and journalism and media studies) is the acknowledgment that media do not represent reality, but a *version* of reality (Hall et al. 1978/2013; O’Shaughnessy & Stadler 2006). This underscores the way in which media content is subject to processes of selection and editing, and media texts and media practices are informed by wider contextual factors, including particular professional and institutional pressures, constraints and opportunities (Hall et al. 1978/2013; Cohen & Young 1981; Schudson 2003). While mainstream criminological theorising of the relationship between media and crime has thoroughly addressed the former, it has not always attended to the latter in a cultivated or comprehensive manner—something that Greer (2010a), in his critical discussions of media criminology, has similarly lamented, and which is a key motivation for the development of this book.

Within the shifting boundaries and intersections between media and crime, there are some aspects of the media–crime nexus that remain constant, albeit contested. One of the most persistent of these within criminological theorising and media/cultural studies is the question of how we make sense of what we see and hear in media, and the extent of media’s power to influence our perceptions and understandings of, and responses to, events and issues related to crime and justice, particularly in view of concerns over the selective nature of mediated representations and media practices. These are matters that have long