

The Media Selection of Crimes. Results of a Recent Research

by

GABRIO FORTI

Professor of Penal Law, Faculty of Law
Catholic University of Milan, Italy

In the context of the well-known work, written with Jacqueline Bernat de Célis – *Peines perdues. Le système pénal en question* – Louk Hulsman dealt with the role of public opinion in the discourse of crime (Hulsman-Bernat de Célis, 1982, p. 55), highlighting how politics and most medias cherish, convey and spread the image of “the man of the street”, “obtuse, coward and vindictive”, unable to distinguish among different kinds of criminals as targets of his hatred and anxiety, convinced that prisons are full of dangerous killers and that criminal law is the unique resource to protect society against its most disturbing phenomena. A “man of the street” who doesn’t exist at all, actually a ghost, conjured up in order to legitimate and reinforce current control systems and practices.

Since the appearance of Hulsman’s book, stimulating and thought-provoking ever since, we can assume that the role of the medias, especially television, in constructing and distorting the public image of crime, has become still more pervasive and effective. According to a survey about “media consumption” on behalf of the Italian population (Censis, 2001), television is present in 98,7% of households and this medium is used frequently (at least three times per week) by 94,4% of the individuals interviewed: a choice mostly motivated by leisure (43,6%) and routine (38,3%). The reading of newspapers, which reaches 71,8% of households, is frequent for 45,3% of individuals, and mostly motivated by interest (55,4%). It is noteworthy that 81,5% of the people interviewed deem television news their “preferred medium to be updated” (against 42,9% expressing the same opinion about newspapers) and even 70,3% and 69,2% consider them as the “most trustworthy” and the “most complete” source

respectively. As to crime news, their coverage by medias has been deemed “balanced”, although the public displays a low interest in these news, somewhat inversely related to its educational level, being generally 8th, but ranking higher (5th) among people having a lower educational level.

These figures sound even more impressive if one considers how criminal justice authorities are guided and, in turn, tend to perpetuate and legitimate selection mechanisms of crime, so highly selective are medias choices in general and especially newspaper-accounts dealing with criminal matters. Journalists and media professionals, just like State control agencies, “decide” what is worthy the definition and the relevance of crime (Forti, 2000, pp. 53-54), although their “decisions” are mostly guided by the evaluation about what is more or less important from their “newsperspective”, mainly based upon news values related to criminal facts or in particular to its features (Hulsman, 1986, p. 70; Losito, 1993). We could thus say that medias produce a huge dark figure of crime news, no less problematic than the dark figure of crime arising from the operation of State control agencies, which exerts a profound influence on the credibility of those principles (e.g., equality of citizens) which form the basis of a legal order in democratic societies (Hulsman-Bernat de Célis, 1982, pp. 68-71; Blad et al., 1987, pp. 8-9).

As stated quite recently, “media workers, sources, and the news-consuming public rely on shorthand reference schemes in order for reality to be consistent with the existing conceptions”. The frames used to describe events and groups are conceptualized here as organizing devices or conceptual tools. The significance of these frames is in the acknowledgement that there are multiple, competing ways to frame events, and the media, and that the sources relied on for the interpretation of events, work to sponsor and then promote the preferred meanings. Reporters are selective in deciding how to portray an event and obviously prefer some interpretations to other equally plausible ones. Because specific frames are selected and promoted at the expense of other interpretations, the framing of events has an inherent ideological power” (Chermak, 2003). In focusing on such “ideological nature of crime news”, some American researchers have even concluded that “criminal justice practices have played an important role in bringing the U.S. economy out of extended periods of stagnation and decline into renewed periods of growth” (Hickman Barlow, 2003).

Medias concur therefore hugely in shaping what has been aptly called the “*criminality in our minds*” (Walter, 1995, p. 211), “affected, even determined, by factors totally different from those used in crime statistics and traditional criminological research” and “created every day through

reading the newspaper, speaking to friends and colleagues, listening to the radio, going to the movies, and – of prime importance – through watching TV programmes” (Kania, 2003). Although media selection standards and those practiced by legislators, prosecutors and police not always overlap, sometimes are even at odds with each other, in several areas they are quite similar and in any case often tend to mutually enhance their respective distorting effects, thanks to the capital they can make profusely out of the “myth” of objectivity (De Piccoli et al. 2003, pp. 235-239). “Since the public generally assumes that press storytelling is factual, and even based on reliable, empirically based data, we are guided towards an unrepresentative and quite narrow worldview. Individuals and representatives of powerful and political institutions take advantage of this reality as they are accepted as having authority on such issues. They are thus given the chance to define the preferred meanings of these events and guide the media down a particular path of representation” (Chermak, 2003).

The highly selective nature and impact of media choices, so well diagnosed by Hulsman and further depicted in current media as well as criminological accounts, has been confirmed by a recent interdisciplinary research carried out by the Università Cattolica del Sacro Cuore of Milan, on *The TV Presentation of Crime* (from now on shortened as *UC Research*), lead over a two-years span, with contributions by scholars belonging to various scientific areas, especially legal, criminological, psychological and media-semiotics, and discussed during an international Conference on 15 and 16 May 2003 in Milan, where several well known experts in this field intervened and delivered their papers. While conducting autonomous investigations, according to methods and aims peculiar to their fields knowledge, all research groups have tried to keep the necessary coordination with the other ones. None of them, however, has tried to give scientific evidence to the hypothesis, still quite controversial and no longer in the mainstream of worldwide communication research (for further references, see De Piccoli et al., 2003), about the possible direct causal relationship between media coverage and criminal behaviours, especially violent behaviours. It has rather been deemed productive and appropriate, as well as proportionate to available research resources, an analysis which should compare space/time and contents of criminal news in the media (especially television), with the image of crime emerging from data, know-how and scientific backgrounds characteristic of the various disciplines involved. From this comparison it was expected that some hints for theoretical explanations could arise, useful to better formulate or confirm hypotheses about the role of media news in prompting people to organize their image, perceptions and understandings of the social environment

where crimes occur; an approach thus more akin to those developed within the cultivation (Gerbner et al., 1982, 1994) or the agenda setting (Roberts, 1972) theories, than to the so-called hypodermic one (Katz and Lazarsfeld, 1955).

From such juxtaposition of the two conceptions of crime – the scientific perspective and the “newserspective” – the research has aimed at identifying a few core problematic areas, defined by the most striking and meaningful contrasts discovered and to be submitted to discussion and interpretation, also with the help of the same agents (journalists, media professionals etc.) involved in the “media treatment” of criminal news. Although it wasn’t the aim of the research to find out the reasons why television tends to conform to these stereotypes, a debate with a group of prominent journalists set up during the Conference has given insights into the political, structural and commercial constraints imposed on their choices and having a huge impact on the selective presentation of crime news.

The legal-criminological research, in particular, has studied space and ways of publication of the news regarding crime by some of the main Italian television networks, however analysing the two major national papers too, drawing on such relevant data for some useful comparison between the two kinds of medias. The prime time editions of television news programmes like TG1, TG3, TG4, TG5, as well as the newspapers “Corriere della Sera” and “La Repubblica”, have thus been screened for five consecutive months (from February 2002 to June 2002). The number and extent of crime news have been gauged, and the incidence of criminal news on the general news were calculated in terms of absolute figures, namely seconds of programming (as regards the television headers) and square centimetres of publication (for papers). The aim was initially to measure the incidence of criminal themes within the overall set of news, verifying in which percentage the audience-readership receives information related to crime, in comparison to all other information. With particular regard to the critical issue of the definition of news as “criminal”, it has been chosen to classify as such all facts deemed punishable by the Italian criminal code. Moving from the knowledge that media description of crimes not always shows or conveys the awareness that a legally punishable offence has been committed, the survey has also pointed out to the usage of words (“penal”, “criminal”, “delinquent”, offence names, etc.) overtly conveying the criminal character of events referred to during broadcasts or within news texts. The research assumed that the use of these terms by medias has an enormous bearing on public perception of “criminal”

matters: as aptly highlighted by Hulsman, the labelling of an event as a “crime” contributes in itself to separate it from its context, from the network of personal and collective relationships from where it has arisen, thus communicating that it has been committed by someone guilty, probably belonging to the special milieu of the wicked and cruel people: “to call a fact a ‘crime’ means to limit enormously the ability to understand what has happened and to organize the response” (Hulsman-Bernat de Célis, 1982, pp. 109-110, p. 114)

As outcome of this first analysis, an incidence of crime topics upon the overall amount of news emerged between 12% and 17% on newspapers and between 29% and 40% on television news. It is then an undeniable fact that Italian journalists and media professionals are greatly attracted by crime, sharing under this respect an almost common feature with their colleagues in several other countries, like United Kingdom (Reiner et al. 2000, p. 183) and U.S.A. As clearly stressed by D. Altheide, of the Arizona State University, in his paper delivered at the Conference (Altheide, 2003), “crime and fear dominate most U.S. newspapers and television news reports”, and this overall feature is linked to entertainment formats that provide the basic underlying logic of commercial television (and newspapers), and in turn to “fear,” “the most basic feature of entertainment in popular culture”. This emphasis is not without effect on criminal justice, social policy, public perception of social issues, as citizens “are becoming more ‘armed’ and ‘armored’” and “a new social identity – the victim” is being promoted, ready to be “exploited by numerous claims-makers, including politicians, who promote their own propaganda about national and international politics”. As aptly stated by a German researcher, “the key-factor for the high impact of TV images seems to be their capacity to emotionalise the content”; “what really works is what really affects people – largely regardless of how representative or realistic the content might be” (Kania, 2003).

Besides gauging the general percentage of crime news on the overall amount, the research has mapped the occurrence of different crimes in the medias scrutinized. To this aim a first list of offence groups has been drafted: violent crimes not including homicide; violent crimes including homicide; crimes against the honour; suicides; drug crimes; sexual crimes; child sexual abuses in the family; child sexual abuses out of the family; crimes against property, damage and forgery; economic crime; political-administrative crimes; negligence (not including traffic offences) and environmental crimes; traffic offences; violent political and terrorist crimes; crimes against humanity, war crimes, genocides, racial

intolerances; prostitution and slavery; mafia and organized crimes; other crimes, not classified within any of the preceding items. This list has been largely based, although with some modifications, on the categories of reported crimes adopted by the Italian Criminal Judicial Statistics yearly drafted by ISTAT (Istituto Italiano di Statistica). Next to this official statistics list, further categories of news related to crime have been checked by the research, like general justice themes, prison issues, as well as three “cross-sectional” categories focusing on relevant personal features of the offenders (age, nationality and gender) especially flowing from the criminological research tradition and background: juvenile delinquency; crimes committed by aliens and immigrants; female crimes.

One of the most striking features of the media presentation of crimes emerged from the *UC Research* is the gap between television and newspapers occurrence of property crimes and actual extent of these same crimes according to official statistics as well as actual figures discovered through victimization surveys. Property crimes make up 5,2% of total crime news and only 3,8% of space in the television news, while these same percentages are higher on newspapers, reaching 15,7% and 5,5% respectively (see Tables 1 and 2 below). The average amount of media coverage of property crimes is therefore circa 10,4% and 4,6% respectively (see Table 3 attached below), a value strikingly at odds with official statistics, where these crimes have up 73,6% (year 2000) or 60,2% (year 2002) of total offences reported. The gap between media reality and “real” crime reality is still wider, if we consider the well-established criminological notion that property crimes have the highest dark figure rates, making official statistics quite unable to adequately represent the amount of crimes of this type actually committed

Quite opposite results, however no less meaningful, have been revealed by the survey on homicide and violent crimes.

Table 1

VIOLENT CRIMES (EXCLUDING HOMICIDES)	TEXT	
	% <i>news#</i>	% <i>news</i> <i>time/space</i>
Television	5,7%	5,9%
<i>Newspapers</i>	8,2%	6,8%
<i>Average</i>	6,9%	6,3%

Table 2

VIOLENT CRIMES (INCLUDING HOMICIDES)	TEXT	
	% <i>news#</i>	% <i>news</i> <i>time/space</i>
Television	22,2%	24,7%
Newspapers	16,5%	17,1%
Average	19,3%	20,9%

These media figures are strikingly at odds with official crime statistics, where in 2002 violent crimes made up only 2,6% and homicide only 0,4% of all reported crimes. A similar distance has been revealed by the *UC Research* as regards terrorism, although in this area a comparison with official data is more difficult, due to the heterogenous legal classifications making up the group of offences which we could label as “terrorism”. In any case this category reaches an average of 20,4% of news and 31,5% of time/space in the media coverages considered, while official data, available for the year 2000 only (actually an aggregate made up of different crime classes occurring in Italian official statistics), reveal terrorism acts present in 1,63% of the total amount of registered criminal acts. According to these figures one is lead to remind a similar outcome of a research on the American paper *Time* magazine, which found “an overemphasis on violent street crime, in relation to the proportion of violent crimes among crimes known to the police” (Hickman Barlow, 2003). Equally meaningful a German research discussed during the Milan Conference, confirming “that TV programmes are usually perceived as *not showing representative and realistic reports on crime*”, but rather showing a distorting reality “by (a) *selecting offences*, in particular, overemphasizing homicide and other violent and/or sexual offences and at the same time neglecting economic or white collar-crime, environmental crime, and the ubiquitous property crime (that [/which] seems to be of minor interest to the public)”, and, additionally, *exaggerating* “the way these handpicked offences are committed by real offenders in the real world”: “thus, *selection* and *exaggeration* seem to be the most important means of distorting reality” (Kania, 2003). As already highlighted by Hulsman, medias select “events which are a-typical, present them in a stereotypical fashion, contrast them against a backcloth of normality which is over-typical” (Hulsman, 1986, p. 70).

The *UC Research* has also developed a more articulated analysis, investigating at first, how much space/time was allotted to each of the

traditional criminological components of the criminal phenomenon (“fact”, “offender”, “victim”, “control agencies”, especially police, prosecutors and judges, social context), by any television news or paper for each of the selected typologies of crimes. From this classification it emerged, among other things, that a poor attention is devoted by media news to the “human” components of the criminal event, namely offender and victim, while a wider space is absorbed by the description of the fact (the more so when it shows brutal features) and the action of investigatory agencies. These data seem to suggest even further that in spite of the overemphasis put on victimizations feelings of the larger population in building up media news (the fears of the “man of the street”), insisting on citizens protection and the preference for “the victim’s perspective” as well as avoiding to show “the offender’s perspective” (Kania, 2003), actually televisions and newspapers don’t care about victims as real human beings, but only as stereotypes, as fearful “men of the street”.

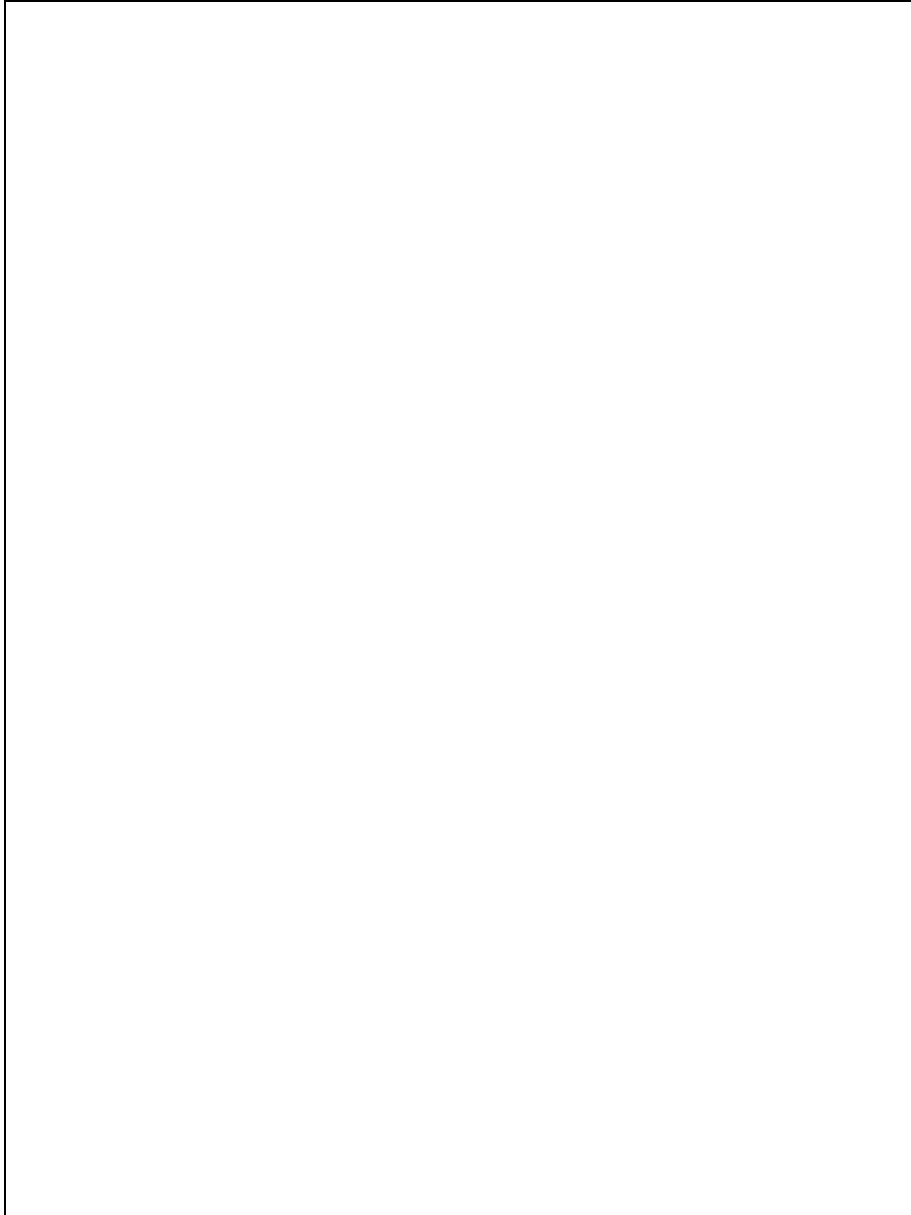
On the basis of a set of indicators (e.g., emphasis is given on excuses or, conversely, on aggravating circumstances for the criminal act; “telling the story” of the offender or of the victim, using clear-cut reproach wordings, etc.), the *UC Research* has also ranked all crime news according to a “media gravity index of crimes”, which in turn has been compared with a “legal gravity index of crime” especially constructed for this research and based upon an average of penalties imposed by law upon each class of offences considered. This rating has confirmed the well-established tendency for televisions and newspapers to emphasize the gravity of traditional street crimes, neglecting the extensive and long-term effects of victimless offences like bribery, environmental and economic crimes. However these latter crimes, as well as crimes committed by strangers and immigrants, while generally occurring with lower frequency in the medias (albeit with marked differences in newspapers and televisions), when covered, receive very often high gravity indexes. The *UC Research* conclusion has thus found a striking counterpart in American researches, “that crimes by persons from the upper class, in white-collar jobs, and from ‘good’ families were presented as unusual and especially newsworthy, sending powerful messages on what is usual about crime”; a feature further illustrated in the recent Enron scandal media coverage, where “rather than presenting the Enron offenders as fundamentally different from the rest of us, the articles contextualized their offences in such a way as to suggest that these were just normal business people who just went too far in their exuberance for the art of the deal” (Hickman Barlow, 2003).

All data collected by the *UC Research* seem to support the image of medias mostly prone not to describe and track crimes as phenomena having

extensive implications and impacts, but rather as individual acts, displaying clear-cut outlines and consequences, as well as rooted in well-defined and easy to establish responsibilities. In Italy too, as already remarked on U.S.A., reports about the causes of crime emphasize “individual level factors” and only rarely suggest “macro-social conditions as the source of the problem of crime”; a feature which somewhat explains why none of the solutions usually called for by medias address “the social structural causes of crime”, so attesting “to the limited range of responses to crime contained within media accounts” (Hickman Barlow, 2003). These remarks have been recently applied to the terrorism scare dominating news coverages. “The argument here is that the media frames issues narrowly. In fact, it was somewhat surprising just how consistent the structure of media storytelling was following two significant acts of terrorism. Terrorism, a complex phenomenon with multiple causes and explanations, is presented clearly and without perspective. The public is not only blinded from understanding anything except the media perspective, but the fear conjured up following these events provide enough justification to accept response – wars, bureaucratic expansion, civil rights violations – uncritically and without reservation. The terrorist has become one of the United States great fears and has replaced other noteworthy demons. The public has been manipulated by the media and policy-makers into believing that the nature and causes of terrorism should be of less concern than the evil deeds of the terrorist. This is a significant and important paradigmatic shift. Society’s top social-control powerbrokers and rule-enforcers have taken the responsibility for protecting society from terrorism. Yet they have neither the means nor a full understanding to manage it. Instead, they can more effectively manage how the public defines terrorism and accepts how best to respond to it. Effort is focused on defining the problem in a way that isolates decision-makers from concern. It is not surprising, then, that the response to terrorism does not focus on reevaluating the role of the United States as an international democratic watchdog or its foreign policy, but on purging terrorists from society. In order to win this war on terrorism, it is necessary only to create opportunities for symbolic victories. The Middle-Eastern terrorist is now a good target” (Chermak, 2003).

One is even further induced to recall Hulsman’s reflections (Hulsman-Bernat de Célis, 1982, pp. 82-83) on how journalists are prone to chase after sensational and “surprising” crimes, neglecting the daily cases judged in the minor courts, which make up the real criminal issues. If media professionals had the patience to do this apparently boring, namely not “entertaining”, skivvying, and, which is more, to adequately pour these

huge daily experiences on their papers or broadcasts, outside mere local coverage, instead of reinforcing the stereotypes of the “man of the street”, they could make and be made aware of the real population crowding courts and prisons: “the weakest and most deprived categories of people”, “at odds with law as unable to find help to solve their problems”. As quite recently stated, “it is an inversion of the social reality of crime in capitalist society (and, therefore, ideological) to portray the classes and races most victimized within the capitalist social structure (in terms of alienation, inequality, unemployment, poverty, and crime) as predators on society, whereas the classes that reap a larger share of society’s benefits are portrayed as victims” (Hickman Barlow, 2003). To this actually “most victimized class” belong the “invisible men”, like the ones occurring in Ellison’s novel (Ellison, 1982), recently analysed by the German philosopher Axel Honneth in the context of his “recognition theory” (Honneth, 2003), whose bodies and souls are literally crossed by the “interior eyes” of their fellow citizens. The almost non-existence of prisons in the medias (except in well sealed news spaces, times and areas), confirmed by the *UC Research* (0,2% of time on television news, 0,5% of space on newspapers), namely of the place mostly crowded by this “invisible” population, all too well supports such massive public dismissal. The current media discourse of fear and terrorism is apt to remove public eyes from these “invisible men”, focusing public attention on that “man of the street”, obtuse, coward and vindictive, who, now and then, as properly stated by Louk Hulsman, actually doesn’t exist but could, over time, materialize under our eyes and within our souls just as an effect of this pervasive media work and the ideology governing it.



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RÉSUMÉ

La sélection des informations pratiquée par les journaux et les télévisions produit un “chiffre clair” de crimes représenté, dont l’écart par rapport au “chiffre noir” est tout aussi manifeste et significatif que celui qui dérive des décisions des agences de contrôle. Une recherche empirique interdisciplinaire récente sur la “représentation télévisée du crime, promue par l’Université Catholique de Milan, a constaté, d’une manière générale, une forte incidence des informations d’ordre criminel. Il s’est dégagé, en particulier, une importante surexposition du crime violent, un intérêt limité pour les crimes contre le patrimoine, alors que leur diffusion est énorme. Il s’est dégagé une tendance à éviter des qualifications “criminelles” explicites et graves se référant aux infractions économiques; enfin, un approfondissement insuffisant des composantes humaines des événements traités malgré une tendance prédominante à tout ramener à des auteurs isolés, à des responsabilités individuelles et, de la sorte, à perdre de vue les phénomènes plus complexes dans lesquels elles s’insèrent. L’interprétation de ces données, qui confirment en tout état de cause les conclusions tirées par d’autres recherches empiriques internationales, peut toujours s’inspirer des intuitions de Louk Hulsman et en particulier de l’idée selon laquelle les médias tendent à se faire un point de référence, pour établir le “comment” et le “si” de l’“information” des faits criminels. Un “homme de la rue” peureux et vindicatif et, en tant que tel, utile à une légitimation du système de contrôle existant et de ses

pratiques. La pénétration sans cesse croissante de la télévision au sein des familles (98%, selon des enquêtes récentes faites en Italie), l'intérêt des autorités à seconder les peurs collectives et le souffle d'objectivité que l'opinion publique semble encore reconnaître au monde de l'information concourent par ailleurs à transformer le stéréotype de "l'homme de la rue" en une entité réelle de plus en plus enracinée dans les esprits et dans les consciences des gens. Bien que la conséquence en soit l'affirmation d'une nouvelle identité sociale – celle de la victime – les choix des médias ne font pas preuve d'un intérêt réel pour les besoins et pour les souffrances des personnes en cher et en os qui souffrent à cause du crime et, moins encore, pour la masse d'individus invisibles, socialement victimisés et destinés à faire régulièrement s'accomplir la prophétie de leur criminalité.

RESUMEN

La selección de las noticias por parte de la prensa y las televisiones produce una "cifra clara" de crímenes representados, y la diferencia entre ésta y la "cifra oscura", tan evidente y significativa cómo la que deriva de decisiones tomadas por los organismos de control. Una reciente investigación empírica interdisciplinar sobre la "representación del crimen en televisión", patrocinada por la Universidad Católica de Milán, indicó en general una fuerte presencia de noticias relativas a hechos criminales; se subrayó además una marcada sobreexposición de los crímenes violentos; un interés limitado para los delitos contra el patrimonio que no corresponde a su amplísima difusión, la tendencia a evitar cualificaciones "criminales" e indicativas de gravedad cuando se habla de delitos económicos, escasa atención hacia el elemento humano de los acontecimientos tratados, a pesar de la tendencia predominante a atribuirlos a autores y responsabilidades individuales, perdiendo de vista los fenómenos más generales en que se insertan. La interpretación de estos datos, que por otra parte confirman los resultados de otras investigaciones empíricas internacionales, puede tener su inspiración en las intuiciones de Louk Hulsman, y especialmente en la idea de que los medios de comunicación, a la hora de decidir si y cómo los hechos criminales pueden "ser noticia" tienden a tomar cómo punto de referencia a un "hombre de la calle" temeroso y vengativo que cómo tal resulta útil para legitimar el sistema de control existente y las prácticas que lo caracterizan. Por otra parte, la penetración creciente de la televisión en las familias (98% en Italia, según cálculos recientes), el interés de las autoridades por favorecer los temores colectivos y el halo de objetividad que al parecer la opinión pública sigue atribuyendo al mundo de la

información contribuyen a transformar el estereotipo del “hombre de la calle” en una entidad real, cada día más arraigada en la mente y las conciencias de la gente. Aunque la consecuencia sea el surgir de una nueva identidad social, la de víctima, la posición de los medios de comunicación no demuestra un interés real por las necesidades y los sufrimientos de las personas en carne y hueso que sufren a causa del crimen y aún menos por la masa de sujetos invisibles, víctimas sociales cuyo destino es cumplir inevitablemente la profecía de su propia criminalidad.