

2020

Violent Crime And Media Coverage In One City: A Statistical Snapshot

Michael O'Hear

Follow this and additional works at: <https://scholarship.law.marquette.edu/mulr>



Part of the [Criminal Law Commons](#)

Repository Citation

Michael O'Hear, *Violent Crime And Media Coverage In One City: A Statistical Snapshot*, 103 Marq. L. Rev. 1007 (2020).

Available at: <https://scholarship.law.marquette.edu/mulr/vol103/iss3/14>

This Article is brought to you for free and open access by the Journals at Marquette Law Scholarly Commons. It has been accepted for inclusion in Marquette Law Review by an authorized editor of Marquette Law Scholarly Commons. For more information, please contact elana.olson@marquette.edu.

VIOLENT CRIME AND MEDIA COVERAGE IN ONE CITY: A STATISTICAL SNAPSHOT

MICHAEL O'HEAR*

Many commentators have argued that high levels of public fear and anger regarding violent crime result, at least in part, from distorted coverage of crime in the news media. Among other distortions, it is said that the news media devote greatly disproportionate coverage to the most outrageous instances of violent crime, and that the media fail to provide information that would helpfully contextualize the offenses or humanize the perpetrators. In order to test these latter claims, crime stories from a daily newspaper and an Internet news site in one mid-sized city were collected for one year. As expected, in comparison with actual crime rates, the news sources disproportionately covered violent crime, and, within the violent-crime category, disproportionately covered homicides. Homicides accounted for 61% of the coverage in one news source, and 27% in the other. Also as expected, the news sources only infrequently supplied contextualizing/humanizing information. However, it remains unclear whether and to what extent such patterns in news coverage affect public attitudes toward crime and punishment.

| | |
|---|------|
| I. INTRODUCTION..... | 1008 |
| II. PRIOR RESEARCH ON MEDIA COVERAGE OF CRIME | 1009 |
| III. MEDIA COVERAGE IN MILWAUKEE..... | 1016 |
| A. Data | 1016 |
| B. Results | 1017 |
| 1. Journal Sentinel..... | 1017 |
| 2. WTMJ.com | 1021 |
| C. Comparison with Actual Crime Data | 1026 |
| IV. CONCLUSION | 1030 |

* Professor, Marquette University Law School. B.A., J.D. Yale University. This project has been generously supported by grants from Marquette University Law School and the Charles Koch Foundation. Thanks also to Allison Mignon, Annette Rauch, and Maura Woods for helpful research assistance.

I. INTRODUCTION

Violent crime rates in the United States have fallen more-or-less continuously since the early 1990s,¹ but public punitiveness regarding violent crime remains strong.² Indeed, the growing number of enhanced penalties and legal disabilities imposed on individuals with violence convictions suggests that public fear and anger regarding violent crime may, if anything, be on the rise.³ What could explain this seeming disconnect between crime trends, on the one hand, and public opinion and crime policy, on the other? One leading suspect in this mystery is crime coverage in the news media.

Crime coverage has long drawn critical commentary from scholars. Although property crime is far more common in reality than violent,⁴ it is said that violent offenses predominate in the news media,⁵ which may foster public misimpressions about the prevalence and trajectory of criminal violence. Indeed, there seems a particular preoccupation in the media with “the most unusual, or extreme types of crime.”⁶ Additionally, some scholars suggest that

1. MICHAEL O’HEAR, PRISONS AND PUNISHMENT IN AMERICA: EXAMINING THE FACTS 166, 168 (2018).

2. Michael O’Hear & Darren Wheelock, *Violent Crime and Punitiveness: An Empirical Study of Public Opinion*, 103 MARQ. L. REV. 1035, 1069–72 (2020).

3. See Michael O’Hear, *Third-Class Citizenship: The Escalating Legal Consequences of Committing a “Violent” Crime*, 109 J. CRIM. L. & CRIMINOLOGY 165, 185–227 (2019) (summarizing legal consequences of convictions for violent crime).

4. For instance, among crimes reported to the police and tracked by the Federal Bureau of Investigation (FBI), property offenses outnumber violent offenses by a ratio of more than six to one. Unif. Crime Reporting, *2017 Crime in the United States: Table 1*, FED. BUREAU INVESTIGATION, <https://ucr.fbi.gov/crime-in-the-u.s./2017/crime-in-the-u.s.-2017/tables/table-1> [<https://perma.cc/8ZPB-VMHQ>]. It should be noted that the FBI’s Uniform Crime Reporting (“UCR”) system defines “violent crime” by reference to four specific crimes (murder, rape, robbery, and aggravated assault) and “property crime” by reference to three other specific crimes (burglary, larceny, and motor vehicle theft). Victimization surveys point to a similar disparity between property offenses and serious violent crime. See RACHEL E. MORGAN & JENNIFER L. TRUMAN, U.S. DEP’T OF JUSTICE, CRIMINAL VICTIMIZATION, 2017 3 tbl.1, 4 tbl.3 (2018) (indicating that there were 2,000,990 serious violent crimes in 2017 and 13,340,220 property crimes). “Serious violent crime” is here defined to mean sexual assault, robbery, or aggravated assault.

5. Natasha A. Frost & Nickie D. Phillips, *Talking Heads: Crime Reporting on Cable News*, 28 JUST. Q. 87, 89 (2011).

6. *Id.*; see also Andrew J. Baranauskas & Kevin M. Drakulich, *Media Construction of Crime Revisited: Media Types, Consumer Contexts, and Frames of Criminal Justice*, 56 CRIMINOLOGY 679, 681 (2018) (“Put simply, the goal of the media in a capitalist society is to sell stories. They do this by reporting crime incidents that are most likely to grab the attention of their target audiences. Organizational considerations also influence the stories that journalists choose to report, such as deadlines, the availability of information, and the cost in time and money to cover a story. The result is a reality of crime constructed by the media that often consists of sensational stories at odds with more general crime patterns and trends.” (citations omitted)).

media sources “are unlikely to report the causes of crime, [and] mak[e] crime seem random and often happening between strangers, creating the impression that violent crimes can and do happen to anyone.”⁷ Such tendencies in crime coverage may plausibly exacerbate public fear and anger regarding criminal violence.

In light of such concerns, this Article presents an empirical study of crime coverage in one city, Milwaukee, Wisconsin, over a period of about one year. More specifically, the study tracked all crime coverage from the front page of the city’s major newspaper, as well as all crime coverage from a leading local news website. A quantitative analysis of this coverage lends support to the charge that the news media cover violent crimes, and especially the most severe forms of violent crime, far more frequently than other types of crime that are in reality more common. Furthermore, there is a notable dearth of contextualizing information about the covered offenses and humanizing information about the offenders, especially on the news website. Finally, both media outlets seem disproportionately to cover major violent crimes with victims who are young or female—offenses that may be especially prone to provoke public anger to the extent that the victims are seen as particularly vulnerable.

The Article proceeds as follows. Part II summarizes some of the pertinent prior research on media coverage of crime. Part III presents the Milwaukee data and compares the patterns of crime coverage with the patterns of actual crime commission. Part IV, a conclusion, recapitulates the key findings and considers whether they should be a cause for public concern.

II. PRIOR RESEARCH ON MEDIA COVERAGE OF CRIME

Numerous studies over the past half-century have tracked crime coverage in particular media outlets over varying lengths of time.⁸ For instance, one group of researchers studied local TV news programs appearing on three

7. Baranauskas & Drakulich, *supra* note 6, at 683 (citations omitted).

8. *See, e.g.*, NAZGOL GHANDNOOSH, THE SENTENCING PROJECT, RACE AND PUNISHMENT: RACIAL PERCEPTIONS OF CRIME AND SUPPORT FOR PUNITIVE POLICIES 23 (2014) (summarizing results of studies of major newspaper in Columbus, Ohio; local TV news in Los Angeles; and “reality-based” TV shows like *America’s Most Wanted*); Esther Thorson, Lori Dorfman, & Jane Stevens, *Reporting Crime and Violence from a Public Health Perspective*, 2 J. INST. JUST. & INT’L STUD. 53, 54–55 (2003) (summarizing results of several studies, including, *inter alia*, studies of *Los Angeles Times*, TV newscasts in Baltimore, *Time* magazine, and Chicago newspapers); Ted Chiricos & Sarah Eschholz, *The Racial and Ethnic Typification of Crime and the Criminal Typification of Race and Ethnicity in Local Television News*, 39 J. RES. CRIME & DELINQ. 400, 409–11 (2002) (reporting findings from study of TV news coverage in Orlando, Florida).

channels in Orlando, Florida, for a period of three weeks in 1998.⁹ They found that:

- Most broadcasts began with a crime story;
- About one-quarter of the stories covered on-air were crime related, excluding weather, sports, and anchor “chit-chat”;
- More than two-thirds of the crime stories focused on violent crime; and
- By contrast, only 18% of the crime in Orlando in 1998 was violent.¹⁰

Studies of other news media outlets have found similar patterns.¹¹

Also notable are studies finding that crime reporting tends to disregard contextual information that might help readers/viewers to better understand the background of the offenders and the underlying causes of the offenses.¹² As one leading researcher puts it, “People know what happened, nobody knows why. Or more specifically, descriptions of crime are common; explanations of criminality are rare and simplistic.”¹³

A great deal of the prior research on potential distortions in media coverage of crime has focused on issues of race and ethnicity.¹⁴ In particular, concerns have been raised repeatedly that the news media overemphasize crimes committed by people of color, while ignoring or downplaying serious crimes

9. Sarah Eschholz, *Crime on Television—Issues in Criminal Justice*, 2 J. INST. JUST. & INT’L STUD. 9, 10 (2003).

10. *Id.* The 18% figure is based on crime reported to police using the UCR system. See Unif. Crime Reporting, *supra* note 4.

11. For instance, an analysis of TV newscasts in Baltimore found that 38% concerned crime, which was greater than the combined percentage for local government, local politics, education, health, and business. Thorson, Dorfman, & Stevens, *supra* note 8, at 54 (citation omitted). Additionally, as with the Orlando findings, other studies also find that crime coverage is skewed toward violent offenses and, within the violence category, toward the most serious offense, murder. See, e.g., *id.* (noting study finding that the *Los Angeles Times* reported 80% of local murders, but only 2% of assaults and sexual assaults); Melissa Hickman Barlow, David E. Barlow, & Theodore G. Chiricos, *Economic Conditions and Ideologies of Crime in the Media: A Content Analysis of Crime News*, 41 CRIME & DELINQ. 3, 11 tbl.4 (1995) (finding in content analysis of crime coverage in *Time* magazine in selected years from 1953 to 1982 that 73% of the articles dealt with violent crime).

12. See, e.g., Thorson, Dorfman, & Stevens, *supra* note 8, at 54 (summarizing pertinent studies). For instance, a study of crime coverage in *Time* magazine found that stories frequently noted the age and sex of offenders, but much less frequently provided information about their social status and relationships, family, or education level. Barlow, Barlow, & Chiricos, *supra* note 11, at 12 tbl.5.

13. Ray Surette, *The Media, The Public, and Criminal Justice Policy*, 2 J. INST. JUST. & INT’L STUD. 39, 41 (2003).

14. See, e.g., Baranauskas & Drakulich, *supra* note 6, at 684; Chiricos & Escholtz, *supra* note 8, at 406–09.

committed by whites.¹⁵ Thus, it has been argued, “the media frame crime as a particularly Black phenomenon.”¹⁶ However, studies testing this proposition have produced mixed results,¹⁷ suggesting that the racial distortions in crime coverage may be more subtle than sometimes assumed.¹⁸

Although some scholars speak broadly about troubling tendencies in “the media,” others highlight potentially important differences across types of media. For instance, one observes,

Television news is episodic, with an emphasis on daily crime stories that can be described in one short time period. This leaves little time to provide explanation for the action or to situate the crime within larger crime trends. Consequently, the information given about the crime is decontextualized with an emphasis on individual-level attributions and pathology. In contrast, newspaper accounts are thematic, meaning they provide more in-depth coverage, and often unfold in multiple articles over time, which allows the reporter to embed the

15. Baranauskas & Drakulich, *supra* note 6, at 684.

16. *Id.*

17. Chiricos & Eschholz, *supra* note 8, at 406 (based on review of prior studies, concluding that “research provides evidence both for and against the presumption of racial typification of crime in televised news”).

18. For instance, one study of television news coverage in Orlando, Florida, found that blacks were depicted as criminal suspects at a rate that was almost exactly equal to their overall share of the local population. *Id.* at 409–10. Moreover, when the researchers compared media coverage with arrest rates, they found that blacks were actually *under*-represented in the news: while blacks constituted only 20% of the media suspects in cases of violent crime, they accounted for 49% of violent-crime arrests. *Id.* at 410. However, the researchers did find notable distortions in several other respects. First, black suspects were substantially more likely than white to be depicted on-air in a mug shot. *Id.* at 411. Second, black and Hispanic suspects were more likely than non-Hispanic whites to be discussed in connection with stranger–victim crimes. *Id.* at 411–12. Third, black and Hispanic suspects were also more likely to be discussed in connection with crimes against a person of a different race or ethnicity. *Id.* The researchers suggested that these qualitative features of the news coverage might make black and, to a somewhat lesser extent, Hispanic suspects appear especially “menacing” to news consumers. *Id.* at 412. Additionally, the researchers argued that the frequency with which people of color are depicted as suspects in the news should also be considered in relation to the frequency with which they are depicted in other, more positive contexts. *Id.* at 416. Based on their own data, they observed that:

when all persons appearing on TV news programs are considered, including reporters and anchors, 1 in 20 Whites who appear on the screen is a crime suspect. More than 1 in 8 Blacks and more 1 in 4 Hispanics who appear on the screen during Orlando news programs are the suspects of crimes.

Id. The researchers characterized these findings as a “clear indicator of criminal typification of race and ethnicity” in the media. *Id.*

crime story within a larger framework about crime.¹⁹

There may also be important differences between nationally and locally oriented media outlets, with the latter commonly thought to devote more attention to crime—particularly crime with an especially violent or sensational character.²⁰

Most of the existing research on crime coverage focuses on the traditional media of television, newspapers, and, to a lesser extent, radio, but little work to date has been done on Internet news—even though this “is the only news source that [has been] consistently and substantially on the rise” in recent years.²¹

In any event, distortions in crime coverage are potentially problematic because few members of the public have sufficient personal experience with crime and the criminal justice system to serve as an effective counterweight. Indeed, “[w]hen directly asked where they get information about crime, most people report that the media serve as their main source.”²²

More specifically, concerns about the negative social effects of distorted crime coverage can be divided into three overlapping categories. First, it is thought that pervasive coverage of unusual crimes that are especially violent or outrageous can give rise to excessive fear.²³ Second, distorted public perceptions of crime and criminal-justice realities may warp the politics of crime and punishment, and lead to the adoption or maintenance of harshly punitive policies that would not be supported if the crime problem were better understood.²⁴ Third, racial distortions in particular may fuel negative attitudes toward people of color and encourage racial profiling and other practices that are harmful to minority groups.²⁵

In testing these possibilities, media researchers have concentrated their work in the first two areas. The results of their studies have been notably equivocal. Consider first the fear hypothesis. Research on the possibility of a news-fear link has drawn inspiration from what media scholars call “cultivation theory.”²⁶ This theory:

19. Valerie J. Callanan, *Media Consumption, Perceptions of Crime Risk and Fear of Crime: Examining Race/Ethnic Differences*, 55 SOC. PERSP. 93, 97–98 (2012).

20. Baranauskas & Drakulich, *supra* note 6, at 683.

21. *Id.* at 685.

22. *Id.* at 680 (citations omitted).

23. O’Hear & Wheelock, *supra* note 2, at 1044–45.

24. *Id.* at 1051–52.

25. *Id.* at 1041–43.

26. Matthew J. Dolliver, Jennifer L. Kenney, Lesley Williams Reid, & Ariane Prohaska, *Examining the Relationship Between Media Consumption, Fear of Crime, and Support for*

suggests that those who watch television often are more likely to believe that the programming content is a description of reality. According to cultivation theory, the more violent programming a person consumes, the more violent he or she will believe the world is, and the more afraid she or he will be of becoming a victim of crime.²⁷

However, empirical studies of cultivation theory in relation to news consumption have yielded mixed results, with some finding a link to fear and others not.²⁸ One fairly consistent finding has been that viewing local television news is associated with greater fear of crime.²⁹ By contrast, for instance, other studies cast doubt on a connection between fear and reading the newspaper.³⁰

More refined versions of cultivation theory posit that audience characteristics may help to determine whether exposure to violent media content results in increased fear.³¹ Research that distinguishes among different demographic groups has produced a complicated picture of cultivation effects. For instance, one study of Californians found that watching television news was correlated with fear for whites, blacks, and Latinos, but reading the newspaper was only correlated with fear for whites.³² Some research further suggests that, among whites, media exposure may affect perceptions of crime only among those who happen to live near relatively large numbers of African-American neighbors.³³

To whatever extent that crime coverage does generate fear, this dynamic may have important effects on both private and public decision making. On the private side, excessive fear might, for instance, cause a person to purchase a home security system, limit outdoor activities, or move to a neighborhood that is perceived to be safer. On the public side, fear may enhance public

Controversial Criminal Justice Policies Using a Nationally Representative Sample, 34 J. CONTEMP. CRIM. JUST. 399, 401 (2018).

27. *Id.*

28. *See id.* (citing studies).

29. Baranauskas & Drakulich, *supra* note 6, at 684.

30. *See, e.g.*, Callanan, *supra* note 19, at 102 (reporting results of a survey of Californians). Professor Callanan observes, “[a]mong media channels, television has more influence on fear, presumably because viewing crime-related stories evokes a stronger visceral and emotional response than one would get from reading about it.” *Id.* at 97 (citation omitted).

31. *See* Lisa A. Kort-Butler & Kelley J. Sittner Hartshorn, *Watching the Detectives: Crime Programming, Fear of Crime, and Attitudes About the Criminal Justice System*, 52 SOC. Q. 36, 38 (2011) (“Such inconsistencies [in the cultivation theory research] stimulated so-called reception research, in which audience characteristics and program characteristics are considered key variables in understanding viewership effects.” (citation omitted)).

32. Callanan, *supra* note 19, at 104 tbl.3.

33. Baranauskas & Drakulich, *supra* note 6, at 705.

punitiveness—that is, public support for policies that are perceived to be “tough” on crime, such as mandatory minimum prison terms.³⁴ Crime coverage may also fuel public punitiveness through other mechanisms besides feelings of fear. For instance, media reporting that creates false impressions that crime is increasing may undermine confidence in the criminal justice system and promote demand for new, tougher responses to crime. Additionally, it has been suggested that various characteristics of crime reporting may tend to deflect public attention away from the root causes of crime and to reinforce the view that police, prosecutors, and prisons are the only valid societal response to the threat of crime.³⁵

Numerous studies provide support for a media-punitiveness link, although the findings are not always straightforward and consistent.³⁶ For instance, one recent study was based on two national public opinion surveys.³⁷ Controlling for various demographic variables, the researchers found a correlation between the amount of television news a person reported viewing and the person’s support for the death penalty and increased crime spending, but no correlation between policy views and the consumption of radio, newspaper, or Internet news.³⁸ When the researchers distinguished between types of television news, they found that the media-punitiveness association held up for the consumption of *local*, but not *national*, news.³⁹ Perhaps relatedly, viewing local television news was associated with perceiving crimes rates to be on the rise both locally

34. See O’Hear & Wheelock, *supra* note 2, at 1044–45 (discussing research on connection between fear and punitiveness).

35. See, e.g., Justin T. Pickett, Christina Mancini, Daniel P. Mears, & Marc Gertz, *Public (Mis)Understanding of Crime Policy: The Effects of Criminal Justice Experience and Media Reliance*, 26 CRIM. JUST. POL’Y REV. 500, 503 (2015) (“In regard to crime control, and with the exception of police activities, the mass media generally pay little attention to the functioning of the justice system or the contours of crime policy, except when occasions arise to highlight negative aspects of either the legal process or sentencing practices. In these instances, news and entertainment media . . . focus[] on examples of the system’s ineffectiveness, emphasizing the leniency of the courts, drawing attention to cases in which offenders’ due process rights seemingly derail justice, and ignoring successful crime prevention efforts.” (citations omitted)); Callanan, *supra* note 19, at 98 (“The episodic nature of television news has been found to engender beliefs that crime is caused by individual-level pathology rather than societal-level explanations.” (citation omitted)); Frost & Phillips, *supra* note 5, at 92 (noting that “media most frequently rely on government officials and law enforcement representatives as sources for their stories,” which “contribut[es] to the reproduction of dominant notions of crime as a product of individual characteristics or pathology while minimizing social factors.”).

36. See Sarah Britto & Krystal E. Noga-Styron, *Media Consumption and Support for Capital Punishment*, 39 CRIM. JUST. REV. 81, 82–83 (2014) (summarizing results of several studies).

37. Baranauskas & Drakulich, *supra* note 6, at 687.

38. *Id.* at 698.

39. *Id.*

and nationally, but no such correlation was found as to national television news or as to radio, newspaper, or Internet news.⁴⁰ However, the association between television and perceptions of rising local crime were dependent on racial context—the association only existed for whites who had larger numbers of African-American neighbors.⁴¹

Another recent study of survey results in Washington state similarly found an association between support for the death penalty and television news consumption, and no such association as to newspaper or Internet use.⁴² In contrast to the national study, though, the researchers did find a link between death penalty support and *radio* consumption.⁴³ Other studies that do not distinguish among media types also find a media-punitiveness link,⁴⁴ but at least one study of television consumption finds no association between news viewing and policy views.⁴⁵ Still other research suggests that media effects on policy preferences may depend on certain qualitative characteristics of the reporting—“More simplistic, dramatic, and less nuanced crime coverage yield[s] a preference for more reactive and less preventive crime control policies.”⁴⁶

Although the weight of the evidence seems to support the existence of a link between punitiveness and the consumption of local television news, the relationship seems more elusive when it comes to other news media. Inconsistencies in the research findings as to both the media-fear and media-punitiveness links may be attributed, at least in part, to various methodological limitations that are apparent in most or all of the published studies. One issue is that most studies rely on self-reports of media consumption, which have been shown to suffer from much inaccuracy.⁴⁷ Another is that most fail to make distinctions based on the specific media content that is consumed, e.g., all self-reported newspaper readers are counted the same even though some may only read the sports section and so not encounter much crime news.⁴⁸ Yet another potential source of inconsistencies is that different studies focus on different

40. *Id.* at 696.

41. *Id.* at 705.

42. Britto & Noga-Styron, *supra* note 36, at 92 tbl.3.

43. *Id.*

44. *See, e.g.*, Dolliver, Kenney, Williams Reid, & Prohaska, *supra* note 26, at 413 (“[M]edia consumption was a significant predictor of support for these [punitive] criminal justice policies. Media consumption showed both significant direct . . . and indirect effects . . . mediated through fear of crime.”).

45. Kort-Butler & Sittner Hartshorn, *supra* note 31, at 50 tbl.5, 51.

46. Dolliver, Kenney, Williams Reid, & Prohaska, *supra* note 26, at 403 (citation omitted).

47. Pickett, Mancini, Mears, & Gertz, *supra* note 35, at 504.

48. *Id.*

states, or on the nation as a whole, and derive from survey data collected at different times.⁴⁹ Indeed, given the recent impact of the Internet on the news industry, there are good reasons to question the validity of studies that go back more than a few years. Additionally, given the local character of most newspapers and local television stations, and the possibility of wide variation in media content from local market to local market, it may be that statewide and national studies are missing important effects that could be detected if local differences were taken into account.⁵⁰

III. MEDIA COVERAGE IN MILWAUKEE

Although there is a substantial body of scholarly literature analyzing the content of crime coverage in the news media, the research suffers from several important limitations. The present study contributes to the literature in three respects: (1) by focusing on one local media market, Milwaukee's, that has not previously been studied; (2) by analyzing content from the 2017–2018 time period, which is more recent than other published studies and reflects the impact of major changes in the news media landscape that have occurred since 2000; and (3) by encompassing an Internet source—a media type that has mostly been neglected in the existing research.

A. Data

The data for this study are drawn from two sources. The first source is all of the local crime stories that appeared on the front page of the *Milwaukee Journal Sentinel* over a period of one year, between February 21, 2017, and February 20, 2018.⁵¹ “Local” here means that the story involved coverage of a

49. See Britto & Noga-Styron, *supra* note 36, at 82–83.

50. One more limitation of the studies discussed in this Part should also be noted. These are not true controlled studies in which individuals are randomly assigned to obtain their crime information exclusively from one media source or another; instead, respondents select their own preferred media sources, presumably based in part on how well the sources confirm their own preexisting beliefs. Researchers typically try to address this problem by controlling for some basic demographic variables such as age, sex, and race, but we cannot rule out the possibility that many of the extant research findings result from a self-selection bias. For instance, it may be that individuals with a punitive orientation are drawn to local television news, rather than that consumers of local television news become more punitive as a result of their viewing habits. Put differently, to quote the familiar saying, correlation does not imply causation.

51. The various *Milwaukee Journal Sentinel* crime stories are on file with the author. This includes both articles that actually began on the front page and articles for which there was a front-page teaser, with the text of the articles beginning on an inside page. Articles about crime policy are omitted, as are articles about circumstances that were being investigated as a crime without there being any arrest, charge, or certainty on the face of the facts that a crime had been committed. Also omitted are articles that only mention a past crime in passing, or that report about charges being dropped. Also

crime that occurred in Wisconsin. The second source is all of the local crime stories appearing on the website of WTMJ, a leading Milwaukee news/talk radio station, over a similar time period between April 21, 2017, and April 20, 2018.⁵² For all stories from both sources, graduate assistants collected a standard set of data, including data relating to type of crime, manner of commission, suspects/defendants, victims, and court proceedings. All of the coding was then reviewed in order to ensure consistency.

B. Results

1. Journal Sentinel

A total of 127 crime stories were identified on the *Journal Sentinel* front page over the one-year time period, or about one every three days. Although this constitutes a substantial share of newspaper content, it may fall short of stereotypes suggesting saturation coverage of crime in local media outlets.

Table 1 supplies a breakdown of specific crime types, while Figure 1 depicts the allocation of articles among broad crime categories. Particularly notable is the dominant place of homicide in the crime coverage, accounting in its various forms for 78 of 127 articles (61%). Violent offenses more generally account for 102 articles, or 80%. Although crime does not appear on the front page most days, when it does the crime is almost always violent. In that sense, anyway, the old “if it bleeds, it leads” adage does seem to have some truth in Milwaukee.

omitted was an article about an historic, 100-year-old bombing. However, articles are included that provide updates on crimes that occurred prior to the 2017–2018 time period, as are articles that report on cases litigated to a verdict, even if the verdict is not guilty. If there was more than one crime discussed in an article, the article was coded based on the offense that received the most attention in the article or was the most serious.

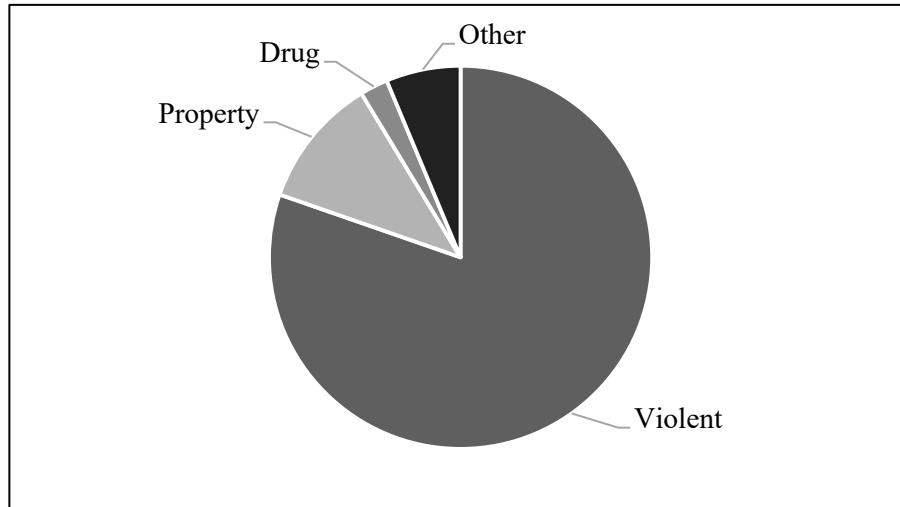
52. The various WTMJ stories are on file with the author.

TABLE 1: CRIMES COVERED IN *JOURNAL SENTINEL*

| Crime ⁵³ | Crime Category ⁵⁴ | Number of Articles (percent) |
|--|------------------------------|------------------------------|
| Intentional homicide | Violent | 32 (25%) |
| Reckless homicide | Violent | 27 (21%) |
| Attempted homicide | Violent | 13 (10%) |
| Fraud | Property | 8 (6%) |
| Battery | Violent | 4 (3%) |
| Child abuse | Violent | 4 (3%) |
| Homicide by intoxicated use of vehicle | Violent | 4 (3%) |
| Reckless injury | Violent | 4 (3%) |
| Drug trafficking | Drug | 3 (2%) |
| Illegal weapons possession | Other | 3 (2%) |
| Official misconduct | Other | 3 (2%) |
| Robbery | Violent | 3 (2%) |
| Sexual assault of a child | Violent | 3 (2%) |
| Theft | Property | 3 (2%) |
| Felony murder | Violent | 2 (2%) |
| Sexual assault | Violent | 2 (2%) |
| Arson | Property | 1 (1%) |
| Bomb threat | Violent | 1 (1%) |
| Burglary | Property | 1 (1%) |
| Carjacking | Violent | 1 (1%) |
| Child enticement | Violent | 1 (1%) |
| Property damage | Property | 1 (1%) |
| Reckless driving | Other | 1 (1%) |
| Suffocation | Violent | 1 (1%) |
| Videorecording without consent | Other | 1 (1%) |

53. To the extent possible, this categorization is based on the most serious crime charged in cases in which charges were filed. Several articles dealt with conduct that seemed clearly criminal in nature, but without providing information about charges being filed—most commonly because a perpetrator was not identified and arrested. In these instances, I categorized the article based on what seemed to be the most serious charge that could reasonably be filed based on the facts as reported.

54. In assigning crimes to the broad categories of violent, property, drug, and other, I tried to follow conventional understandings of these terms. In particular, I associate the “violent” category with offenses that necessarily involve the use, attempted use, or threatened use of force against the person of another. For a discussion of legal definitions of “violent crime,” see O’Hear, *supra* note 3, at 170–79.

FIGURE 1: CRIMES CATEGORIES IN *JOURNAL SENTINEL* COVERAGE

Stranger crime is often thought to be especially scary because it suggests the possibility of unknown, lurking threats against whom precautions cannot be taken. As noted above, some commentators charge that media coverage exaggerates the frequency with which stranger crime occurs.⁵⁵ However, this accounted for only a minority of the *Journal Sentinel* articles on violent crime. More specifically, about 64% of these articles covered crimes as to which there was some indication of a prior relationship between the suspect and at least one of the victims.⁵⁶

Another notable aspect of crime reporting is depth of coverage. A slight majority of the articles (54%) were part of multi-article series on a single crime or group of related crimes. Thus, our 127 articles covered only 79 different crimes or crime groups. Other scholars have observed that newspapers are more likely to devote multiple stories to a crime, in contrast to television outlets.⁵⁷ This difference may affect the audience insofar as greater depth entails richer contextualization of the crime, which may, in turn, diminish the sense that crimes are typically random events or perpetrated by subhuman psychopaths.⁵⁸ The *Journal Sentinel* data are consistent with the expectation

55. Baranauskas & Drakulich, *supra* note 6, at 683.

56. This includes three articles covering a mass shooting incident in which the suspect's primary target seems to have been his estranged wife, although the victims also included some individuals who may not have known the suspect.

57. *See supra* text accompanying note 19.

58. *See supra* text accompanying note 19.

that newspapers often devote multiple stories to a crime. Indeed, the 54% figure almost certainly understates depth of coverage since there are likely many additional stories before and after our one-year period that could be linked to what appear to be one-offs in the dataset.⁵⁹

As noted in the previous Part, suspect race has been a particular matter of interest for earlier researchers. However, since contemporary newspapers only very rarely explicitly identify a suspect's race, it proved impossible to reach satisfactory conclusions regarding racial patterns in the reporting of the *Journal Sentinel*—or, for that matter, the reporting of WTMJ.com.⁶⁰

Beyond race, in the interest of determining how fully the newspaper coverage contextualizes crime and humanizes suspects, I sought to quantify the frequency with which various sorts of information were provided about suspects. More specifically, out of eighty-nine identified suspects:

- For three, there was an indication of mental health difficulties;
- For eleven, there was an indication of substance abuse;
- For twenty-seven, there was some type of positive information provided (mitigating circumstances, good character, disadvantaged upbringing or other reasons for sympathy, support from family or friends at court proceedings, etc.).

As with the earlier observations about depth of coverage, these numbers are surely an undercount because they miss relevant information that may have been included in other articles about the crime that appeared before or after the one-year period of data collection.

Still, it appears likely that a majority or near-majority of crimes are reported without any contextualizing/humanizing information. First, no suspect information at all was found as to twelve of the seventy-nine separate crimes and groups of crimes covered in the dataset. Second, of the eighty-nine suspects with some sort of personal information supplied, this was frequently limited to

59. There may also be additional follow-up articles we missed because they were not noted on the front page.

60. In general, the only basis for doing this would be the suspect photographs that sometimes accompany articles, but even when pictures are available there may be an unacceptable degree of subjectivity in making racial classifications. On the other hand, in a sense, what may be of greatest interest for present purposes is not the suspect's *actual* race, but the suspect's *perceived* race. After all, the underlying concern lies with audience reactions to crime coverage—more specifically, that media coverage may reinforce pernicious stereotypes of black criminality. Thus, there may be some value in knowing how newspaper readers would racially classify a suspect's photograph. However, attempting to determine this in a reliable fashion would seemingly require a representative panel of individuals to review each picture—a project that lies well beyond the scope of the present study.

name and age—forty-nine had no discernible positive or humanizing information in the dataset.

It should also be noted that when personal information was supplied, it was often *negative*, specifically, the suspect's criminal history. Prior arrests or convictions were reported as to twenty-three of the eighty-nine identified suspects. Thus, for many—if not most—of the criminal suspects whom readers encountered in the *Journal Sentinel*, the only information of moral relevance that readers obtained was negative: the person's current criminal allegations and, if documented, prior criminal involvement.

Some prior research has also focused on victims in crime coverage.⁶¹ Out of the seventy-nine crimes or groups of crimes in our dataset, sixty included some victim information. Among the primary victims in our dataset with an ascertainable sex,⁶² exactly half were female and half male. Notably, in the vast majority of the cases with a female victim, the suspect was male.⁶³ Indeed, there were more male-on-female crimes reported than male-on-male.⁶⁴

Finally, a sizeable minority (nineteen) of the seventy-nine crimes involved victims who were sixteen years old or younger. It seems plausible that many readers would find crimes against children and adolescents to be especially shocking.

2. WTMJ.com

The WTMJ website includes a frequently updated newsfeed.⁶⁵ It is clear that WTMJ administers this newsfeed very differently from the way that the *Journal Sentinel* administers its frontpage. Where the newspaper often presents at least as many national and international stories on the frontpage as state and local, the website places a much stronger emphasis on state and local. With an apparent desire to publish new state and local stories on its website regularly throughout the day, WTMJ seems less inclined to limit its crime coverage to offenses that are extreme or highly unusual. Crime stories are thus far more

61. See, e.g., Thorson, Dorfman, & Stevens, *supra* note 8, at 54–55 (summarizing studies).

62. As to nineteen crimes or groups of crimes, reporters noted multiple victims. In these instances, a “primary” victim was identified based on severity of injury and general focus of coverage. In three cases, there are indications of both male and female victims. In two of these, the primary victim was coded as male, and in one as female.

63. Out of twenty-nine female-victim cases in which the suspect's sex could be ascertained, twenty-five of the suspects were male.

64. In eighteen cases with an ascertainable sex for victim and suspect, both were male, as compared to twenty-five male-on-female offenses.

65. WTMJ, <http://www.wtmj.com/news> [https://perma.cc/8JYJ-YBH7].

frequent on the website than on the frontpage and often of a rather different character.⁶⁶

In all, our dataset included 489 crime stories from the one-year search period, or about 1.3 stories per day. The figure is almost four times greater than was found in the one-year *Journal Sentinel* dataset.

Table 2 supplies a breakdown of specific crime types, while Figure 2 depicts the allocation of articles among broad crime categories. As with the *Journal Sentinel* dataset, homicide offenses play a uniquely prominent role in the WTMJ crime coverage, accounting for 27% of the articles.⁶⁷ However, this figure is less than half the comparable figure for the newspaper's crime coverage. Similarly, violent offenses predominate in the WTMJ coverage, but to a somewhat less extreme degree (62% compared to 80% for the *Journal Sentinel*). However, stranger crime seemed more prevalent among the violent offenses. Only 29% of the violent-crime articles dealt with a situation in which there was some indication of a prior relationship between the victim and suspect—again less than half the comparable figure from the newspaper coverage.

66. The large number and variety of stories on WTMJ.com that might plausibly be characterized as crime-related presented greater classification problems than were encountered with the *Journal Sentinel* dataset. For one thing, the website included many articles that recounted low-level public disturbances of one sort or another that might conceivably fit within the legal definition of certain broadly worded offenses like disorderly conduct, but that do not seem likely to be regarded as “real crime” by most readers. For another thing, there were a substantial number of vague “suspicious death” stories that provided little clear sense of the cause of death and seemed to straddle the line between “crime” and “human tragedy” reporting. For purposes of this project, I have classified articles as crime stories using the following approach. First, articles were always included in the dataset if a suspect was formally charged with a crime. Second, articles were almost always included if a suspect was arrested, with the exception of a very small number of articles in which no serious harm was reported and it appeared that a mentally ill individual was being taken into custody mostly for protective purposes. Third, articles reporting shootings or stabbings of one person by another, whether fatal or nonfatal, were almost always included, with the exception of a small number of articles with highly unusual facts indicating that the injury was probably noncriminal (e.g., a shooting by a police officer that was intentionally provoked by a suicidal individual). Fourth, stories about deaths were included if the reported facts seemed to point reasonably clearly to a criminal cause. Fifth, all stories reporting theft or vandalism were included. Sixth, stories were not included if they reported only low-level public disturbances that did not result in significant harm to persons or property, and if there was no indication of any resulting arrests or charges. Finally, I decided not to include vehicle crash or “missing person” reports unless there were clear indications of a criminal cause beyond (in the case of crashes) excessive speed or simple negligence.

67. This reflects the combined total for completed and attempted homicides.

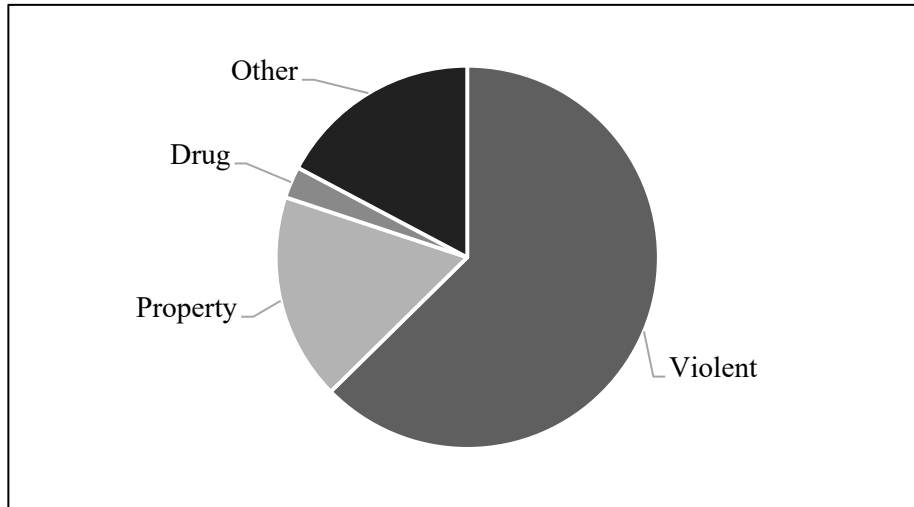
TABLE 2: CRIMES COVERED AT WTMJ.COM

| Crime ⁶⁸ | Crime Category | Number of Articles (percent) |
|-------------------------|----------------|------------------------------|
| Homicide | Violent | 131 (27%) |
| Theft | Property | 53 (11%) |
| Battery | Violent | 38 (8%) |
| Robbery | Violent | 28 (6%) |
| Nonfatal shooting | Violent | 23 (5%) |
| Burglary | Property | 19 (4%) |
| Sexual assault | Violent | 19 (4%) |
| Flight | Other | 13 (3%) |
| OWI | Other | 13 (3%) |
| Reckless endangerment | Other | 13 (3%) |
| Carjacking | Violent | 12 (2%) |
| Sexual assault of child | Violent | 12 (2%) |
| Hit and run | Other | 10 (2%) |
| Homicide (attempt) | Violent | 10 (2%) |
| Threats | Violent | 9 (2%) |
| Drug trafficking | Drug | 8 (2%) |
| Property damage | Property | 8 (2%) |
| Disorderly conduct | Other | 7 (1%) |

68. Classifying stories by offense presented greater difficulty with this dataset than with the *Journal Sentinel* stories because (1) most of these stories simply described an offense occurring without follow-up stories indicating what charges were actually filed, and (2) the stories were almost uniformly far shorter and less detailed than the *Journal Sentinel* stories. Thus, with many of the WTMJ articles, it was necessary to exercise some judgment about how best to legally characterize the offense, often on the basis of a cursory and one-sided summary of the facts. A few notes are in order to explain my approach to classifying crimes when there was no indication of a formal charge. First, if there was an arrest, I generally deferred to the way that the police characterized the offense, although this was not always clearly conveyed in the WTMJ coverage. Second, I classified all homicides as simply “homicide,” without distinguishing between intentional and reckless forms of the offense, which was not possible to do in a satisfactory fashion based on the sketchy information in many of the death stories. Third, although it is not technically a legal category, it seemed best to classify all nonfatal shootings as “nonfatal shootings”; the facts were too limited in most of these cases to choose among offenses like attempted intentional homicide, reckless injury, and battery. Fourth, in other cases of nonfatal injury, I erred in favor of “battery” when it was unclear whether the injury was intentional or reckless. Fifth, if shots were fired but no one was hit, I classified the offense as “reckless endangerment.” Sixth, there were quite a few stories about police officers chasing suspects in cars—chases that often ended with crashes. If the underlying offense justifying the attempted stop was identified and was not merely a traffic violation, I classified the stories based on the underlying offense. Otherwise, these stories were normally classified as “flight.” Finally, outside of homicide, and in order to avoid an endless multiplication of rows in Table 2, I did not distinguish between attempts and completed offenses.

| Crime | Crime Category | Number of Articles (percent) |
|------------------------------------|-----------------------|-------------------------------------|
| Child abuse | Violent | 5 (1%) |
| Drug use/possession | Drug | 5 (1%) |
| Invasion of privacy | Other | 5 (1%) |
| Kidnapping | Violent | 5 (1%) |
| Animal abuse | Other | 4 (1%) |
| Child neglect | Other | 4 (1%) |
| OWI with injury | Violent | 4 (1%) |
| Arson | Property | 3 (1%) |
| Escape | Other | 3 (1%) |
| OWI with child in car | Other | 3 (1%) |
| Child enticement | Violent | 2 (<1%) |
| Child pornography possession | Other | 2 (<1%) |
| Fraud | Property | 2 (<1%) |
| Reckless injury | Violent | 2 (<1%) |
| Explosives violation | Other | 1 (<1%) |
| Exposing child to harmful material | Other | 1 (<1%) |
| False records | Other | 1 (<1%) |
| Identity theft | Other | 1 (<1%) |
| Interfering with custody | Other | 1 (<1%) |
| Mayhem | Violent | 1 (<1%) |
| Obstruction of justice | Other | 1 (<1%) |
| Official misconduct | Other | 1 (<1%) |
| OWI in boat | Other | 1 (<1%) |
| Prostitution | Other | 1 (<1%) |
| Reckless driving | Other | 1 (<1%) |
| Stalking | Other | 1 (<1%) |
| Strangulation | Violent | 1 (<1%) |
| Violation of supervision | Other | 1 (<1%) |

FIGURE 2: CRIMES CATEGORIES IN WTMJ.COM COVERAGE



The WTMJ coverage differs even more markedly from the *Journal Sentinel* coverage in the depth of reporting. Only 20% of the WTMJ articles were part of a multi-articles series on a single crime or group of related crimes. The articles were overwhelmingly short one-offs noting the occurrence of a crime, with any coverage of subsequent legal processes quite unusual. The 489 articles covered 416 crimes, amounting to an average of 1.2 articles per crime in comparison with the newspaper's 1.6.

Given how limited the WTMJ coverage of each crime was, it should not be surprising that contextualizing/humanizing information was in very short supply. More specifically,

- Only 4% of the articles covered crimes as to which there was an indication of suspect mental illness;
- Only 10% of the articles covered crimes as to which there was an indication of substance abuse; and
- Only 9% of the articles covered crimes as to which some other sort of positive or mitigating information about the suspect was provided.

On the other side of the ledger, 14% of the articles covered crimes as to which a suspect's criminal history was provided.

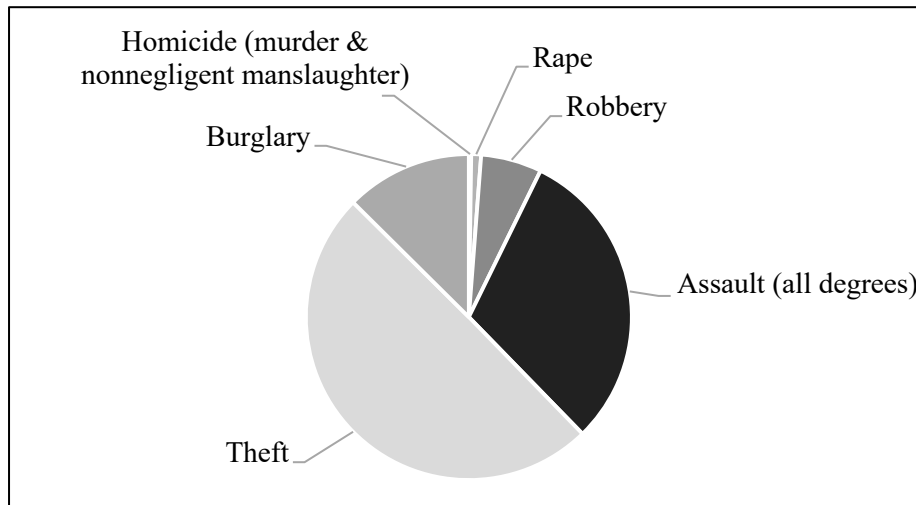
As with the newspaper article, the WTMJ articles seemed skewed toward cases involving male-on-female crime. Out of the 280 articles regarding a crime with an identifiable victim and a sex supplied, 131 involved a female

victim, and 89 of these involved a male suspect.⁶⁹ Also similar to the newspaper coverage, a substantial minority (34%) of the website articles concerned crimes against individuals who were age sixteen or younger.⁷⁰

C. Comparison with Actual Crime Data

How closely does the crime coverage on the *Journal Sentinel* frontpage and WTMJ.com correspond to the realities of crime in the Milwaukee area? A precise answer to this question is not readily available, but the comparisons depicted in Figures 3–6 are strongly suggestive of a wide gap between coverage and reality. More specifically, the first two graphs depict the relative frequency with which certain offenses are reported to the police in Milwaukee County (Figure 3) and Wisconsin as a whole (Figure 4),⁷¹ while the second two present similar breakdowns for the newspaper (Figure 5) and website (Figure 6).⁷²

FIGURE 3: OFFENSES REPORTED TO POLICE IN MILWAUKEE COUNTY, 2017



69. In four of these articles, there was both a male and a female suspect, and no clear indication of one as primary.

70. Out of the 191 articles discussing a primary victim with an identifiable age, that age was sixteen or younger in 64 instances.

71. WIS. DEP'T OF JUSTICE, UCR OFFENSE DATA, <https://www.doj.state.wi.us/dles/bjia/ucr-offense-data> [<https://perma.cc/PTD2-77SV>]. The theft figure reported here includes motor vehicle theft. Both the Milwaukee County and Wisconsin data seem relevant comparisons for present purposes. My crime coverage dataset include all Wisconsin crime reported on the newspaper frontpage and the website, but since both outlets are based in Milwaukee, it seems fair to assume that crimes in Milwaukee County are more likely to receive coverage than crimes in outlying parts of the state.

72. The data come from Tables 1 and 2. Note that robbery here includes carjacking.

FIGURE 4: OFFENSES REPORTED TO POLICE IN WISCONSIN, 2017

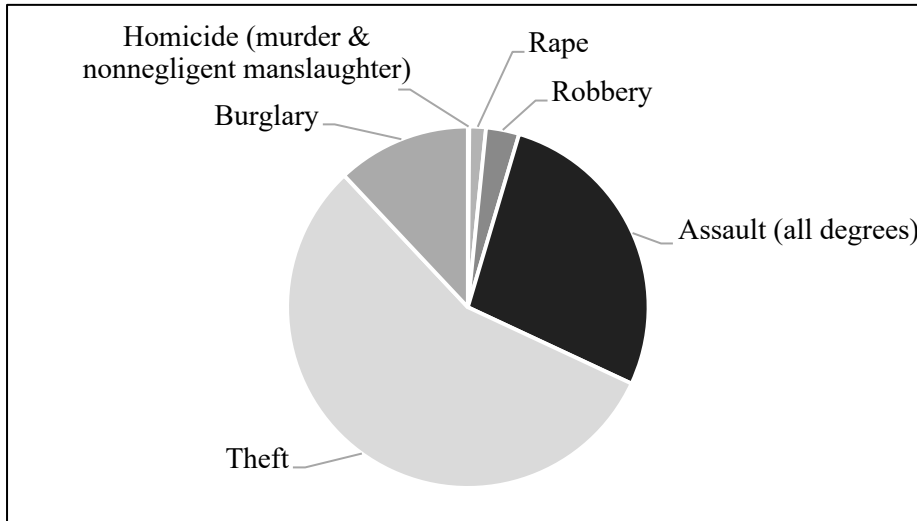


FIGURE 5: OFFENSES NOTED ON *JOURNAL SENTINEL* FRONT PAGE

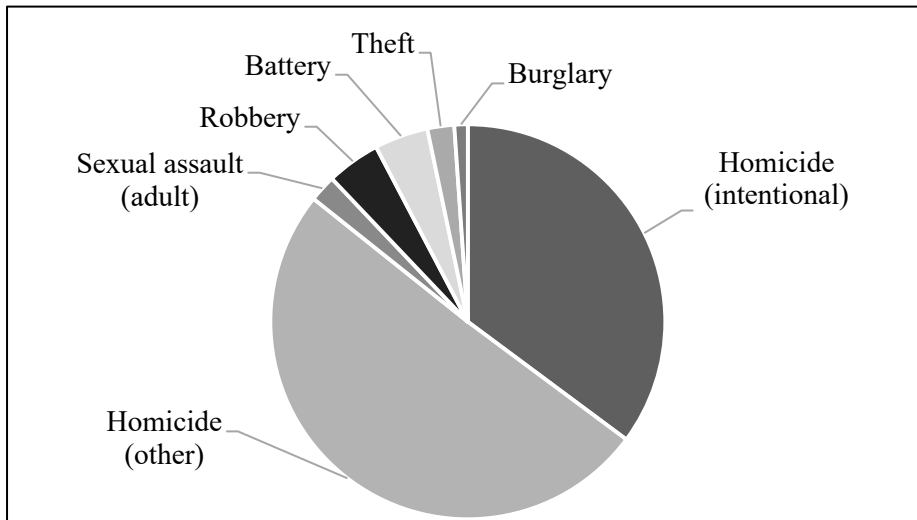
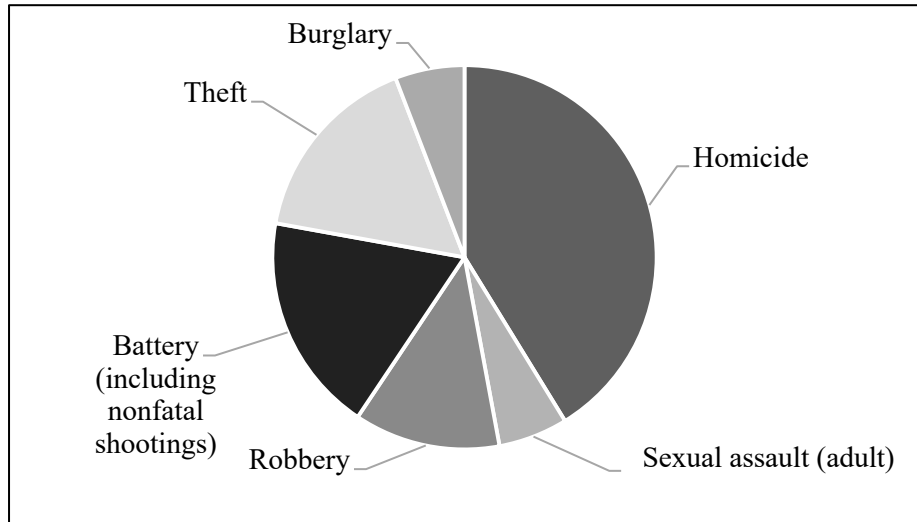


FIGURE 6: OFFENSES REPORTED ON WTMJ.COM



Although the police offense classification scheme reflected in Figures 3 and 4 does not map quite as neatly as one might like onto the classifications used in Figures 5 and 6, it is quite clear that the two pairs of figures present dramatically different pictures of the crime problem. Two points bear particular emphasis. First, the property-violent crime breakdown in Figures 3 and 4 skews sharply in the property direction, with theft and burglary accounting for 62% of the crime in Milwaukee County and 68% of the crime statewide. By contrast, the two crimes account for only 3% of the *Journal Sentinel* stories and 22% of the WTMJ.com stories.⁷³ Second, homicides are such a small proportion of the crime summarized in Figures 3 and 4 as to be invisible on the charts. By contrast, homicides are easily the largest pie wedges in Figures 5 and 6. To be sure, the comparisons are not exact because the police data in Figures 3 and 4 are limited to murder and nonnegligent manslaughter, while the homicides reported in Figures 5 and 6 do include a number of lower-level accidental killings. However, the newspaper data in Figure 5 indicate that the homicide disparity is not simply a function of the inclusion of unintentional deaths. Even when unintentional homicides are excluded from the newspaper data,

73. It might be objected that the comparison is inapt because reported crime data include only the most serious homicides (i.e., those that qualify as murder or nonnegligent manslaughter) and sexual assaults (i.e., those that qualify as rape). However, even if homicides and sexual assaults are excluded—leaving a comparison of theft and burglary with only robbery and assault/battery—there remains a wide gap between the prevalence of property crime in the police data (63% in Milwaukee County and 69% statewide) and the media data (27% for the newspaper and 42% for the website).

intentional homicides still outnumber the other five offenses by more than two to one.

If the news media implicitly suggest that the risk of violent crime in general, and homicide in particular, is *greater* than it actually is, the media may conversely suggest that mitigating considerations are *less* common than they really are. As we have seen, contextualizing/humanizing information seems to be presented in the newspaper coverage less than half the time, and seems nearly entirely absent in the website coverage. To be sure, it is hard to estimate how frequently there is significant mitigating information available in the “real world”—in part, because there is no consensus as to what should be considered mitigating. Still, some datapoints are available to suggest that criminal cases commonly present facts that might help to make the crime more understandable or the defendant more sympathetic. Consider, for instance, the following:

- More than half of prison and jail inmates report symptoms of serious psychological distress or a past mental illness diagnosis⁷⁴;
- About half of prisoners satisfy diagnostic criteria for drug abuse or dependence⁷⁵;
- More than half of prisoners have minor children, and more than half of these imprisoned parents report that they were the primary source of financial support for their kids before their incarceration⁷⁶; and
- Eighty percent or more of criminal defendants qualify as indigent.⁷⁷

None of this is to say that any of these offenders should necessarily be excused from legal liability for their actions, but it is to suggest that, as to most serious crimes, there is information available that, if conveyed by the media, might make the crime appear less random and inexplicable and the criminal less monstrous.

As for stranger crime, national data indicate that 47% of violent-crime cases involve a stranger-perpetrator.⁷⁸ By that benchmark, the website *over-*

74. JENNIFER BRONSON & MARCUS BERZOFKY, U.S. DEP’T OF JUSTICE, INDICATORS OF MENTAL HEALTH PROBLEMS REPORTED BY PRISON AND JAIL INMATES, 2011–12, at 1 fig.1 (2017).

75. O’HEAR, *supra* note 1, at 147.

76. LAUREN E. GLAZE & LAURA M. MARUSCHAK, U.S. DEP’T OF JUSTICE, PARENTS IN PRISON AND THEIR MINOR CHILDREN 1, 5 (2010).

77. Eve Brensike Primus, *Defense Counsel and Public Defence*, in 3 REFORMING CRIMINAL JUSTICE: PRETRIAL AND TRIAL PROCESSES 121, 121 (E. Luna ed., 2017).

78. MORGAN & TRUMAN, *supra* note 4, at 7.

represents, and the newspaper *under*-represents, the prevalence of stranger violence.

Finally, we have noted a particular media orientation toward crime with female victims and young victims, which is consistent with patterns reported by some other researchers.⁷⁹ Closely fitting comparative data are not available, but, given the prevalence of homicide offenses within the media datasets, national homicide figures may be a helpful point of reference. In particular, women constitute slightly less than one-quarter of homicide victims, while individuals aged seventeen and under make up less than 10%.⁸⁰ By contrast, 37% of the *Journal Sentinel* homicide articles involved a female victim, as did 42% of the WTMJ.com articles.⁸¹ Meanwhile, 33% of the newspaper's homicide articles involved a victim aged seventeen or younger, as did 24% of the website's.⁸²

IV. CONCLUSION

Several key points emerge from the *Journal Sentinel* and WTMJ.com data. First, media outlet matters. Crime coverage can vary in important ways from one outlet to another. In Milwaukee, crime news figured more prominently on the news website than the newspaper's frontpage, but was skewed much less toward homicide. Furthermore, the website offered its readers much less depth of coverage, including considerably less contextualizing/humanizing information. The differences in depth of coverage recall the differences that other scholars have observed between newspapers and local TV news,⁸³ which might raise concerns that Internet news consumption may be similar to local TV news consumption in fueling public fear and punitiveness. The WTMJ website's disproportionately high focus on stranger violence may raise similar concerns. In any event, the data here underscore the importance of caution in reaching general conclusions about crime coverage based on the reporting patterns in just one media type or media outlet.

Second, despite other differences between the *Journal Sentinel* and WTMJ.com, violent crime clearly predominated in the crime coverage of both outlets, far overshadowing property and other nonviolent crime. This reverses

79. See, e.g., Thorson, Dorfman, & Stevens, *supra* note 8, at 54–55 (summarizing results of study of homicides reported in *Los Angeles Times*).

80. ERICA L. SMITH & ALEXIA COOPER, U.S. DEP'T OF JUSTICE, HOMICIDE IN THE U.S. KNOWN TO LAW ENFORCEMENT, 2011, at 4 tbl.1 (2013). These figures are from 2011.

81. All forms of homicide, including attempt, are reflected in these figures.

82. These figures exclude articles as to which the victim's age was not reported.

83. See *supra* text accompanying note 19.

the actual prevalence patterns of violent and nonviolent crime as reflected in police data, and complements similar observations of crime coverage made by other scholars.⁸⁴ To the extent that individuals make judgments about the relative importance of different crime threats on the basis of media coverage, there may be a tendency for people to overestimate the threat of violent crime, underestimate the threat of nonviolent crime, or both. Moreover, even within the category of violent crime, there was a sharp skewing toward homicide relative to lesser forms of violent crime, which also reverses the actual prevalence of these offense types and raises parallel concerns about potential misjudgments regarding crime risk.

Third, although the newspaper more commonly provided contextualizing/humanizing information than the website, such information was hardly included as a matter of course in the crime coverage of either outlet. To be sure, contextualizing/humanizing information is not apt to be available to reporters for the first story that initially reports the occurrence of a crime, and there is not apt to be any follow-up coverage if the perpetrator was not apprehended. Yet, even if understandable, a lack of contextualizing or humanizing information still seems an important aspect of crime coverage that may contribute to perceptions of crime as random and incomprehensible, and criminals as depraved monsters.

Fourth, and finally, a sizeable share of the Milwaukee crime coverage focuses on cases with victims who are female or youthful. At least in relation to homicide, the emphasis on these cases appears to be disproportionate in relation to actual crime patterns. It is possible that such victims hold special interest because they are seen as more vulnerable and sympathetic than adult male victims. However, as with other types of skewing in the crime coverage, disproportionate reporting of these crimes may lead to an overestimation of some risks or an underestimation of others. Moreover, when media coverage focuses particularly on crimes that provoke especially high levels of public outrage, it may be more difficult for policymakers to adopt crime policies that would be most effective in relation to more common, less intensely disturbing types of victimization.

How concerned should we be about unrepresentative crime coverage? As noted in Part II, the research literature does not provide consistent support for the expectation that news consumption always tends to enhance fear and punitiveness.⁸⁵ Although few consumers have a sufficiently deep personal knowledge of crime and the criminal justice system to counterbalance the distorted impressions created by news coverage, it seems at least plausible that

84. *See supra* note 11.

85. *See supra* Part II.

many news consumers appreciate at some level that media outlets are competing for readers/viewers; that this competition leads to an emphasis on the most emotionally compelling stories, rather than the most common or representative crimes; and that such stories do not necessarily provide a reliable basis for judgments about the actual nature and severity of crime risks. In any event, the evidence does not indicate that news consumers always adopt a mental picture of their community's crime problem that conforms to media representations.

Still, while not without its inconsistencies and limitations, the research literature does point to a likelihood of links between fear of crime, support for punitive criminal-justice policies, and consumption of at least one particular type of crime coverage—that which is provided on the local TV news. To the extent that local TV news actually drives fear and punitiveness, the dynamic may be related to the tendency of TV news to provide relatively superficial crime coverage with little contextualizing/humanizing information. Similar tendencies seem apparent with the news website coverage analyzed in this Article.

If fear of crime and public punitiveness are thought to be excessive in the United States today, there are reasons to wish for deeper media coverage of crime that routinely seeks to reveal the context in which crimes occur and the background of the individuals who commit crimes. A full exploration as to how this might be accomplished lies beyond the scope of this Article,⁸⁶ but one area that may merit some attention is reporting on the courts.

The adversarial process that follows the formal filing of charges is designed to generate more complete, balanced information than is available through a police department press release or a police-drafted criminal complaint, which seem to be the main sources of information used by journalists in initially reporting on a crime. Even if a defendant chooses not to contest his or her guilt, a competent defense lawyer will inevitably develop a body of contextualizing/humanizing information for purposes of sentencing. However, even if a crime and arrest are reported in a media outlet, there is often no follow-up coverage of subsequent legal processes.⁸⁷ This may result, in part, from such causes as an insufficient number of reporters who are knowledgeable about how courts work, lack of timely updates by officials about what exactly will be

86. For a description of one interesting set of academic initiatives to improve the depth of crime reporting see Thorson, Dorfman, & Stevens, *supra* note 8, at 57–63.

87. This observation is in line with Professor Surette's charge that crime coverage is "front-end loaded." Surette, *supra* note 13, at 42. He observes, "The further into the [criminal justice] system you go, the less media content you find. What the police do is depicted the most, courts less, corrections nil." *Id.*

happening when in a case, difficulties and delays in obtaining copies of court filings and transcripts, and the length and complexity of some court proceedings. These do not appear to be easy challenges to overcome, especially in a media environment of intense competition and cost-reduction pressures, but it is possible that some progress may be made if improved courts reporting were made a high priority by the legal profession—potentially a fruitful area of collaboration for the bench, bar, and legal academy.⁸⁸

88. By way of illustrating examples of ways that the legal profession might encourage and support improved courts reporting, the State Bar of Wisconsin has in recent years hosted a daylong conference on legal issues for reporters, provided assistance to reporters in finding sources regarding legal topics, invited reporters to attend continuing legal education programs, and awarded “Golden Gavel” awards for outstanding legal coverage. Email from Mike Wiltse, Public Relations Specialist, State Bar of Wisconsin, to author (Sept. 4, 2009) (on file with the author).