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Framing Jewell: a discourse analysis of newspaper coverage in the aftermath of the Atlanta Olympics bombing and discussion of legal and ethical standards for such practices

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FRAMING JEWELL: A DISCOURSE ANALYSIS OF NEWSPAPER COVERAGE IN THE
AFTERMATH OF THE ATLANTA OLYMPICS BOMBING AND DISCUSSION OF LEGAL
AND ETHICAL STANDARDS FOR SUCH PRACTICES

A Thesis

Submitted to the Graduate Faculty of
Louisiana State University and Agricultural
and Mechanical College in partial fulfillment
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In

The Manship School of Mass Communication

by:
Anne L. Songy
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ABSTRACT

This study examines the newspaper coverage of Richard Jewell during the weeks after the 1996 Atlanta Olympics bombing. Jewell, a security guard working in the Olympic Park on July 27, 1996, was initially hailed as a hero due to his discovery of a bomb minutes before the explosion. After Jewell's name was leaked to the press as an FBI person of interest in the case, many reporters began to frame Jewell in a negative light and, in some instances, even implied his guilt. Through a discourse analysis of news stories published between the date of the bombing and the date Jewell was officially removed as a suspect (three months), four distinct framing clusters are identified in this study: The Reluctant Hero, He is Guilty, United We Stand, and Media Self-Coverage. Discursive tactics used to support these themes are identified as word choice, source choice and use of unnecessary information.

The roles of myths, symbols, storytelling, and society in frame-making provide the foundation for an in-depth discussion about the broader meanings and implications of the news frames found in the coverage of the bombing. This study finds that frames are prevalent in media coverage and play an essential role in society, but they are sometimes misused by the press in such a way that harms individuals. A subsequent legal discussion underscores the courts' dogged protection of First Amendment rights in these situations and the dilemmas that develop when a private individual is ruled to be a public figure in the defamation lawsuit. An additional examination of news media ethics offers possible reasons journalists resort to the types of discursive tactics found in the Jewell coverage; specifically, this study finds explanations that pertain to the journalist, the newsroom, industry guidelines, and the collective mindset of the profession.

INTRODUCTION

Framing is an often-used tactic the news media employ to present their own adaptations of stories. Gamson & Modigliani (1987) define a frame as “a central organizing idea or story line that provides meaning to an unfolding strip of events, weaving a connection among them” (p. 143). The media frame possesses a great deal of power and can help to assign blame for a social problem, to take another issue out of public focus, or to intimate a person’s guilt. Tankard (2001) observes, “Much of the power of framing comes from its ability to define the terms of a debate without the audience realizing it is taking place” (p. 97). He likens media framing to “the magician’s sleight of hand – attention is directed to one point so that people do not notice the manipulation that is going on at another point” (p. 97).

I will examine the script (or storytelling) function of framing and analyze the attempts made by newspapers to frame a story using techniques that ultimately imply a subject’s guilt. The print coverage of Richard Jewell, the key figure of the Atlanta Olympics bombing, will be examined in this single case study.

A narrative investigation of the topic using this approach will provide an additional layer of knowledge to the body of literature pertaining to framing, news discourse, narratives, ethics and first amendment rights. The discussion will be particularly interesting with respect to meaning-making surrounding high profile crimes in our society. For example, we will gain insight into the techniques and scripts with which the news media speaks to the public and how they strengthen existing cultural scripts and create new ones depending on the societal climate. Furthermore, given that media framing itself can present serious ethical dilemmas and legal concerns, an investigation of this nature provides an ideal opportunity for exploration of journalism’s legal parameters and ethical principles. Finally, the study is important because it

speaks to the power of the press in its ability to use certain discursive tactics that imply the guilt of an innocent person, while sometimes ignoring more truthful (albeit less interesting) facts.

A discourse analysis of this type is a most efficient way of studying media scripting in the “trial by media” context. Whereas a content analysis would only brush the surface of the issue, the discourse analysis gives us the depth needed to gain another dimension of understanding of culture, ideology, and meaning-making. Furthermore, a quantitative study may be able to show some of the effects of framing on the public, but it cannot tell us the specific themes with which the media package the story and, ultimately, insinuate the guilt of an innocent man.

The Olympics bombing provides an excellent study for this media phenomenon for several reasons. Richard Jewell was initially hailed as a hero due to his discovering a bomb minutes before the explosion and his ushering of hundreds of people out of harm’s way. In fact, he was used as an exclusive source by several outlets (Lopresti, “Guard’s alertness in park makes him an unexpected hero,” 1996). Within three days of his accolades, Jewell’s name was leaked to the press by the FBI as being a person of interest in the case. Immediately, some media outlets began to frame Jewell as a “loser” and a person who fit the “loner terrorist” profile (Scruggs, K., & Martz, R., “FBI suspect ‘hero’ guard,” 1996). Although homegrown terrorist Eric Rudolph eventually pled guilty to the bombing and Jewell was cleared of all charges, the negative impact to his reputation was immense. Although he collected damages in settlements from several news sources, he was unsuccessful in his libel suit against the *Atlanta Journal-Constitution* and he never recovered from the stigma given to him by the press. Jewell’s attorney Jack Martin said, ““The bottom line is that a good, innocent man has been devastated”” (Curriden, 1997, p. 20).

LITERATURE REVIEW

According to Entman (1993), “To frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation” (p. 52). Alternatively, frames are also described as “mentally stored clusters of ideas that guide individuals’ processing of information (Entman, 1993, p. 53). In other words, frames can be studied with an eye toward the creator of the frames (the journalist or the source) or the interpreter of the frames (the audience). Gitlin (1980) agrees, stating frames are “largely unspoken and unacknowledged, organize the world both for journalists who report it and, in some important degree, for us who rely on their reports” (p. 7). Kinder and Sanders (1990) refer to frames as “embedded” devices (by the news media) and “internal structures of the mind” (for individuals) (p. 74). Similarly, Kinder and Sanders describe the duality of frames as “devices embedded in...discourse” and “internal structures of the mind” (p. 74).

In his discussion of framing, Scheufele (1999) recognizes three separate actors: the advocacy organization or source, the journalist, and the audiences (McQuail, 2005). Scheufele also assigns processes to the actors, wherein journalists construct frames while working under press routine pressures, interest groups transmit the message, and the audience accepts the message (McQuail). D’Angelo (2002) asserts that framing literature indicate there are three distinct framing paradigms: cognitivist, constructionist, and critical. A cognitivist model describes the journalist’s text becoming “embodied in the thoughts and words of those affected,” while the constructionist model underscores the interpretations journalists ascribe to the positions of their sources (McQuail, p. 511). Lastly, the critical paradigm attributes frames to the “outcome of news gathering routines and the values of elites” (McQuail, p. 511).

Media framing has been studied both on its own merits as a phenomenon that affects how news events are understood (Price, Tewksbury & Powers, 1995, Gamson & Modigliani, 1989; Iyengar, 1991) and as one part in a more complicated system of related approaches, such as agenda-setting (Iyengar & Kinder, 1997; Popkin, 1994). Many times, framing is defined by these related, yet distinctly different, approaches (Fisher, 1997; Scheufele, 1999; Hallahan, 1999; and Maher, 2001). In 1972, McCombs and Shaw set out to determine if the media influenced what the public viewed as issues of importance in political campaigns and whether that exposure influenced audience attitudes. They found voters were likely to share a composite of the media's portrayal of important news based on the political candidates' agenda-setting. Fifteen years after McCombs and Shaw's seminal study on agenda-setting, Iyengar (1987) measured the effects of framing on causal beliefs and the subsequent impact on assessments of presidential performance. He found that people can and do come up with explanations for issues of national importance, and those explanations do affect their opinions of the incumbent president. He writes, "The more individuals attribute problems to structural systematic causes, the more critical they are of President Reagan's performance" (p. 828).

In 1991, Iyengar examined the influence of television viewing on audience perception of responsibility for political issues. In his research, he identified two types of frames, defined by the unique way each is presented (episodic and thematic) and described the difference between the two as, "episodic framing depicts concrete events that illustrate issues, while thematic framing presents collective or general evidence" (p. 14). In this respect, episodic framing tends to illicit more emotion through the use of individual, specific events, while thematic frames tend to be more abstract and systemic (Iyengar, 1991). The differentiation between these two type of frames is important, claims Iyengar, because the use of one over the other determines how the

audience will attribute responsibility for the issue presented in the story. For example, if a news story described a school shooting by depicting the personal details of the individual lives impacted or lost in the shooting (episodic frame), the audience would be more likely to blame the individual shooter or shooters; whereas, if the story were told with an emphasis on the overall facts of the case, the audience would be more likely to shift responsibility to society. Ricart-Costa, Subirana, and Valor-Sabatier (2004) found that “news coverage of poverty, crime, and terrorism are predominately episodic; coverage of racial inequality tends to feature both episodic and thematic reports; and coverage of unemployment is primarily thematic” (p. 3). Semetko and Valkenburg (2000) identified five dominant themes in news media framing (conflict, economy, morality, humanity, and responsibility) and established that the responsibility frame and the conflict frame were the most prevalent themes found.

Tankard (2001) identified three metaphors used to describe frames: a picture, a picture frame, and a house. The picture, or snapshot, metaphor can be seen in Goffman’s (1974) seminal discussion of framing, when he defined a frame as “any arbitrary slice cut from the stream of ongoing activity” (p. 10). Here we can visualize one nanosecond of an entire scene cut from the rest of the frames (slides) and described as though it is the entirety of the scene. Tankard explains the second metaphor, the frame, as a way the journalist can suggest the tone of the picture. He writes, “[A]n elaborately carved, wooden frame provides a different feeling from a mass-produced, metal one” (p. 99). Hallahan (1999) reinforced this interpretation stating the frame is “a window or portrait frame drawn around information that delimits the subject matter and, thus, focuses attention on key elements within” (p. 207). Tankard’s third metaphor, the house, provides an illustrative description of the frame as the “organizing structure used to construct a house” and “the organizing idea on which a story is built” (p. 99).

While researchers have studied frames as metaphors (Tankard, 2001) and types (Iyengar, 1991), Ghanem (1997) presents four parts of framing: the topic, the presentation, the affective attributes and the cognitive attributes. According to Ghanem, the topic is simply the sub-topics of the overall picture. Using the earlier example of a school shooting, the reporter has myriad sub-topics from which to choose his frame (eg. school safety, bullying, absentee parenting, and violence in entertainment media). The presentation part of the frame, according to Ghanem, is found in the placement, the size and the visual treatment of the story. For example, an above-the-fold, front page story will convey a different frame than a buried story. Ghanem's affective attributes are those elements of the frame that draw in the reader and illicit a personal, emotional response and, in doing so, "help the reader identify with the happenings in the story and thus make the reader feel more concern for what is going on" (p. 13). The fourth and final part of the frame, argues Ghanem, is the cognitive attribute, which can be explained as the information the reporter includes in the story that attributes it to another issue.

Much research has also been conducted on the actual effects of media framing on audiences, and Baysha and Hallahan (2004) identify four eras in history of such research. According to the researchers, World War I propaganda in the early 1900s created fear in audiences about the media's power to influence (Scheufele, 1999), but the fear faded during the 1930s to 1960s when personal influence was viewed as more influential than the news media (Klapper, 1960). Dardis, Baumgartner, Boydston, De Boef, & Shen (2006) recognize specific elements of personal influence in existing literature, including "prior dispositions" (Berinsky & Kinder, 2000; Brewer, 2000; Iyengar, 1991; Shah, Domke, & Wackman, 1996; & Shen, 2004), "varying degrees of interest and knowledge" (Haider-Markel & Joslyn, 2001; Iyengar, 1991;

Kinder & Sanders, 1990; Nelson & Oxley, 1997), and “varying levels of attentiveness” (Price & Na, 2000) as evidence that news audiences are not “blank slates” (p. 119).

The media regained the reputation of influence in the 1970s and 1980s, when it was widely held that media messages serve to reinforce or strengthen existing attitudes (Beniger & Gusek, 1995). This focus on cognitive effects of media can be found in Lang and Lang’s (1983) study of agenda-setting in the coverage of the Watergate crisis. The frames contained in the coverage of Watergate shifted from trivializing the event through use of the word “caper,” to elevating it to the level of a national crisis (p. 59). As Callaghan and Schnell (2005) observed, during this period of media research, “empirical works on ‘framing effects’ emerged” (p. 2).

In fourth era of framing research, according to Baysha & Hallahan (2004), the concept of social reality took the spotlight, wherein media were thought to influence an individual’s concept of reality through “framing images of reality ... in a predictable and patterned way” (McQuail, 1994, p. 331); however, this reality, as portrayed by the frame, was thought to be constructed by public discourse. The public and the media are interdependent, in that the media depend on public discourse to frame the news and audiences depend on news media to solidify its social point of view (Callaghan & Schnell, 2005). Gamson and Modigliani (1989) write, “Media discourse is part of the process by which individuals construct meaning, and public opinion is part of the process by which journalists ... develop and crystallize meaning in public discourse” (p. 2). On the one hand, “frames are the lenses through which social reality is viewed” (Dillard, Solomon, & Samp, 1996, p.706), while at the same time journalists frame social phenomena in a way that creates meaning (Snow, Burke Rochford, Worden & Benford, 1986).

Carragee and Roefs (2004) contend framing research has failed due to its disregard for the key issue of political and social power, as well. According to the authors, the interaction

between the framing entity, specifically a social movement, and the news media should be studied to determine the support of and resistance to certain frames with regard to power. The data must be specific to the person or persons in power. For example, a study that ignores the power that comes with resources within a social organization would miss the critical nuances that differentiate the flush organization with a poor one. Reese (2001) echoes this notion of framing as an “ideological contest over not only the scope of an issue, but also over matters such as who is responsible and who is affected, which ideological principles or enduring values are relevant, and where the issue should be addressed” (p. 40).

In the case of Richard Jewell, the news media presented frames through which the case could be viewed so that the story was palatable and easily-digestible to the audience. Severin and Tankard (2001) state, “The events and activities in the focus of attention must be framed, or given a field of meanings within which they can be understood” (p. 230). While many studies have been conducted on framing and related media effects as they pertain to politics (Shah, Domke, & Wackman, 2001; D’Angelo, 2006; Schudson, 1982; Segvic, 2005; Weaver, Graber, McCombs, & Eyal 1981), government and military conflict (Foerstel, 2001; Tumber and Palmer, 2004; Haigh, 2006), and race (Gilliam and Iyengar, 2000; Gilliam, Iyengar, Simon, & Wright 1996; Rhee, 1997; Goidel, Freeman, & Procopio, 2006), the media effects research that concerns high-profile crimes tends to focus only on jury selection and fair trial issues (Robbennolt, & Studebaker, 2003; Tans, & Chaffee, 1966; Sue, Smith, & Gilbert, 1974; Simon & Eimermann, 1971; Millspaugh, 1949). This study will add to framing literature and fill that void by discussing frames and meaning-making in coverage of high-profile crimes wherein the subject is neither a minority nor ever charged with a crime.

Framing of a high-profile crime story was studied by Hasian and Flores (2000), who examined the media representations of the Susan Smith trial. Smith was at first embraced by the public when it appeared her children had been carjacked, but then favor quickly turned to vilification when Smith confessed to drowning them. Researchers conducted an historical and textual analysis of newspaper and television coverage in the first nine days after the apparent disappearance of her two children. Hasain and Flores contend the data show that Smith was portrayed in a “good mother” frame before her confession and in a “bad mother” frame after her confession. In other words, value judgments were placed on her to give the audience a frame through which they could understand the story. The dominant frame that emerged from the coverage was that of motherhood, which created a narrative of Smith as a “modern Medea” warning other women what could happen to them if they too “‘violated the laws of motherhood’” (p. 163).

Many studies of media effects related to news stories about crime are largely concerned with race, rather than reputation of issues of guilt (Hurwitz & Peffley, 1997; Oliver, 1994; Peffley & Hurwitz, 1997; Peffley, Shields & Williams, 1996; Dixon, 2003; Dixon & Linz, 2000; Dixon, Azocar, & Casas, 2003). Gilliam and Iyengar (2000) investigated “crime scripts” used by the news media and the resulting impact on the public opinion of that crime. The crime script is said to be two-fold: 1) the crime is violent; and 2) the crime is committed by a non-white. Operating under the assumption that the news media use these frames when covering crime news stories, researchers set out to determine if the subjects employed the same script in their understandings of crime and race. One of the most significant findings of this study was that in the news story that did not feature a perpetrator of the crime, 60 percent of the respondents recalled there being a perpetrator and 70 percent of those recalled the perpetrator as being

African American. Furthermore, the researchers found that exposure to the racial element of the crime script increased the likelihood the subject would favor punitive approaches to crime. Also, the negative opinions of African Americans increased among white subjects, but not black subjects. They write, “[T]he crime script is no mere journalistic device; instead, it is a powerful filter for observing daily events” (p. 564).

In 2004, Gross and D’Ambrosio attempted to determine not only the influence on public opinion, but also the emotionality elicited by framing. They measured emotional reactions to print coverage of the Los Angeles riots of 1992 and hypothesized that different emotions would be elicited depending on the attribution found in the frames. More specifically, emotions resulting from a frame that attributes the riots to individual defects in character would be anger and disgust. Frames attributing the riots to environmental or social issues would elicit sympathy. Although Gross and D’Ambrosio found evidence that framing affects emotional response, they did not find evidence to support their hypothesis that pity or sympathy would be registered if the story was framed in a societal fault manner. Additionally, the researchers found support for previous findings that predispositions alter the effects of framing on an individual.

In their study of media “frame changing” in coverage of the 1999 Columbine High School shooting, Chyi and McCombs (2004) found the social reality of the crime event that the news media presented changed over time in order to hold the audience’s attention. They argue, “During any news event’s life span, the news media often reframe the event by emphasizing different attributes of the event—consciously or unconsciously—in order to keep the story alive and fresh (p. 22). The researchers used a two-dimensional model to study the frame changes in Columbine coverage by looking at: a) how the news media framed the story with regard to focus

on past, present, or future, and b) how the news media framed the story with regard to impact on people and communities.

News coverage of Hurricane Katrina provided a backdrop for a study by Tierney, Bevc, and Kuligowski (2006), who found the news media relied heavily on hurricane myths, such as deviant behavior, social disorder, and administrative incompetence. The researchers found that this overreliance on these myths “both reflects and reinforces political discourse calling for a greater role for the military in disaster management” (p. 57). Exaggerations of crime and stereotyping have been found by many researchers (Barnett, 2003; Roberts, 1992; Tamborini, Zillmann, & Bryant, 1984; Windhauser & Seiter, 1990) to have a substantial impact on misperceptions of crime rates (Goidel, Freeman, & Procopio, 2006). This “disconnect with reality” was also evident in studies by Dorfman and Schiraldi (2001) and Yanich (1999) related to juvenile crime (Goidel, Freeman, & Procopio, 2006, p. 120).

In their study of media framing and capital punishment in the *New York Times*, Dardis, Baumgartner, Boydston, De Boef, and Shen (2008) found a steep and sudden increase of a new frames over the last 10 years. They write, “[W]e show, (a) the dramatic emergence of a new ‘innocence frame’ within the past 10 years that accentuates imperfections in the justice system, and (b) the much greater impact of this frame on individuals' thoughts - in particular on those who favor the death penalty - when compared to the traditional morality-based frame” (p. 115).

While each of these studies that have been discussed advances the understanding of media framing, none speaks directly to the use of certain framing tactics by the news media, which stealthily implies the guilt of an innocent person. Early discussion of framing by Goffman, 1974, viewed framing as an innate social process, not conscious action on the part of the communicator. Goffman and others (Gitlin, 1980 & Gans, 1974) saw framing as a way to expand

the understanding of the concept, while later media research saw framing as a way to limit understanding by drawing attention to certain facts and detracting from others. For example, Entman (1993) and D'Angelo (2002) hold that selection of frames is a conscious effort on the part of the journalist. Tankard (2001) goes as far as to suggest deceit on the part of the journalist. Reese (2001) argues that where there is a frame, there is always an active process of selection. According to Jasperson, Shah, Watts, Faber, and Fan, the journalist "*chooses* to shape the presentation of an issue" [emphasis mine] (p.205). News frames are said to be "conceptual tools" that media use and audiences depend on "to convey, interpret, and evaluate information" (Neuman, Just, & Crigler, 1992, p.60).

The journalist's active role in frame-making can be seen in the way his chosen words are woven together so as to contextualize them using framing devices. Pan and Kosicki (1993) suggest four categories of framing devices in news: rhetorical, script, thematic, and syntactical. Here we can see the framing devices identified by Entman at work, including "the presence or absence of certain key words, stock phrases, stereotyped images, sources of information, and sentences that provide thematically reinforcing clusters of facts or judgments" (p. 52). Similarly, Davis (2009) identifies five common framing devices: metaphors, exemplars, catchphrases, depictions, and visual images. Tankard (2001) provides several ways to identify framing, including headlines and sub-headlines, photographs and captions, lead paragraphs, source and quote selection, choice of pull quotes, use of graphics, use of charts and graphs, and article conclusions. Swenson (1990) outlines the factors involved in the framing of a story, including the gender of the reporter, placement, word choice, inclusion and exclusion of certain facts, and morality (Tankard, 2001).

The discovery of frame clusters in news coverage of an event such as the Atlanta Olympics bombing provides an excellent platform for the discussion of truth in reporting versus accuracy in reporting. McQuail (2001) argues that the reality the news claims to portray is nothing more than “a selective construct made up of fragments of factual information and...given meaning by a particular frame, angle of vision or perspective” (p. 101). In fact, for something to be true, it must be accurate; however, the opposite is not the case. Discourse analysis of framing allows the researcher to investigate the underlying issue of truthfulness, while separating the discussion from traditional studies of objectivity and blatant bias. In fact, argues Tankard (2001), the study of bias and objectivity in the news may indeed be outdated and should be replaced by the study of framing. He describes bias and framing as very different due to the sophistication and complexity of framing technique in comparison to the simplicity of blatant persuasion pieces. Additionally, framing’s use of textual devices “to define a situation, to define the issues, and to set the terms of debate” sets it apart from traditional, simple bias (p. 96).

The subtle power of framing is well-studied. Tankard (2001) affirms that framing research shows us “that news framing can eliminate voices and weaken arguments, that the media can frame issues in ways that favor a particular side without showing an explicit bias, and that defining the terms of a debate takes one a long way toward winning it” (p. 96). Underscoring the surreptitious nature of framing, Hackett (1984) emphasizes a focus on frames as a way of “getting beneath the surface of news coverage and exposing the hidden assumptions” (Tankard, 2001, p. 96). As frames do incorporate fact (accuracy) into their structures, these facts are given new meaning based on the chosen theme (various “truths”). McQuail (2005) writes, “It is almost unavoidable for journalists to do this and in so doing to depart from pure ‘objectivity’ and to introduce some (unintended) bias” (p. 379).

METHODOLOGY

In this single case study, I applied a three-pronged research approach using three distinct qualitative methods. First, a narrative discourse analysis of selected newspaper coverage served to identify specific themes present in the framing of the stories about Richard Jewell. Next, a descriptive study employing legal research and analysis provided a snapshot of the legal environment during the time of Jewell's libel suits against the news media. Lastly, an explanatory study of news ethics at the time of the bombing offered insight as to the mindset of the journalists covering the event, the possible failure of ethics codes, and the lessons (if any) brought forward.

Qualitative research is unapologetically different from quantitative research and many times is actually defined by its differences from the statistics-based method. Pauly (1991) asserts that, while quantitative research is complete, cumulative, and statistical, qualitative research is partial, illuminative, and illustrative. Denzin and Lincoln (2005) replace the idea of traditional research triangulation with the concept of "crystallization," stating that the multiple methods used in qualitative research allow us to study the causal relationships between variables, crisscrossing and redirecting for alternative angles until multiple contingencies are unveiled (p. 208). These descriptions evoke an image of research questions, observations, and findings overlapping one another and changing the palette on which they are situated, creating an entirely different picture as they blend together. Just as a mixture of yellow and blue will make green, so will a mixture of methods and inquiries create another possibility. And these new possibilities will in turn lead the researcher to take further unexpected turns and discover new information.

While qualitative research does not attempt to support or refute a set of empirical questions in a strict linear fashion, it does allow the researcher to discover or investigate the

definitions we construct in order to make sense of our lives. This process will lead the study in a pattern that is multi-directional, multi-layered and compounded by the myriad (and deliberate) contingencies found along the way.

Rooted in sociological research, Weber (1981) claims we cannot fully understand certain phenomenon using strictly experimental methods. He views the researcher as a subjective observer, who can better understand actions and give causal explanations to these actions. These understandings occur not through statistically based explanations of the relationships between variables, but by looking at the actions in their contexts. Mills (1940) echoes Weber when he claims that quantitative research is incomplete in that it does not take into consideration the social context in which the phenomenon exists.

In Sapir's qualitative look at language, he defines the "perfect symbolic system" to include not only speech, but also forms of speech, like writing and gestures (Sapir, 1985, p. 10). Language, he claims, provides meaning to words that represent experiences we've never had or integrates with those experiences we have had. In doing so, language defines and expresses a culture. A classic example of such an idea can be found in the "newspeak" of Orwell's *1984*, which was designed to redefine society (Orwell, 1961, p. 4). Language, Sapir writes, should not only be considered simply as the physiological process of the larynx and the tongue, rather language is a symbolic system that forms the foundation of all societies.

As the literature suggests, research conducted qualitatively is sometimes more appropriate than quantitative research in attempting to understand certain processes; however, this absence of exactness and uniformity requires extra attention be given to the coherence of the research questions with the inquiry method. While the quantitative researcher can be relatively certain, through validation of the results of the data, the qualitative researcher must be concerned

with proving the authenticity of the data. Pauly (1991) advises the qualitative researcher to accept representativeness as discourse, instead of seeking to guarantee validity. While the qualitative researcher must be flexible to the unique, multi-faceted nature of the design, he must also be disciplined enough to stay focused on the inquiry that will likely answer his research questions. He recommends the researcher should be certain the evidence gathered corresponds to the research questions being asked.

The most appropriate way to prepare for a qualitative study is to have a strong sense of purpose, researchable questions, a firm understanding of the available resources, and an idea of the general features of the setting to be studied (Lindlof and Taylor, 2002). Myers instructs, "In communicating--or generating--the data, the researcher must make the process of the study accessible and write descriptively so tacit knowledge may best be communicated through the use of rich, thick descriptions" (Myers, 2000).

Marshall and Rossman (1999) instruct that inquiry of this type can be linear, but more often takes the form of a funnel (wide-net approach), a cycle (repetition of inquiry over multiple phases), or an expanding frame (upside-down funnel, wherein inquiry moves from specific to broad). Many times, however, these approaches work together in a qualitative study.

Specific to the first phase of my qualitative study is a narrative discourse analysis, which van Dijk (2000) describes as a method to "describe the various structures and strategies of text or talk, and relate these to the social or political context" (p. 35). Through van Dijk's (1991) discourse analysis of news discourse in the press, we see that narratives synthesize information in certain ways, and it is possible to analyze the implications of that phenomenon in news media by looking for specific types of characterization, plotlines, or scripts. He explains that current discourse considers the form and meaning of discourse together as complex, interdependent

variables. Here, we see a more cultural approach with an eye toward ideological and political aspects of media messages. He reminds us that in discourse analysis, we are specifically looking at the *meaning* of the text, and through his analysis of the *Daily Mail* coverage of Mendis, a Sri Lankan refugee, we can see the process of this type of analysis. There are several approaches at work here, and together they help support claims that the press perpetuates intolerance of foreigners through its discursive tactics.

First, the meaning of the text can be viewed as assigned by the reporter or news outlet. Semantic notions, such as the way conceptual meaning structures are bound together (local coherence) or instances when the second proposition serves a function, such as paraphrasing, contrasting, or giving example (functional coherence) are present in the *Daily Mail* coverage along with evidence of global coherence: The unity in the way we intuitively understand a theme expressed in text by employing macro-structures. The attention to specific topics will lead us to utilize topic-specific macro-structures from which an indication of cultural ideology can be gleaned. (van Dijk, 1991).

We can see, for example, that the use of the word “illegal” has implications that are attached by the reporter. The inclusion of irrelevant information and the “analysis of the unsaid” reveal an author-assigned bias, as well (van Dijk, 1991, p. 114). Furthermore, the structure of the news report assigns relevance to the text based on what appears in the headline (or in the lead) or in the choice of quotes. This lends itself to ideological implications prevalent in Fairclough when he writes, “[O]f major concern for critical discourse analysis is ideological effects . . . which can be shown to contribute to establishing, maintaining and changing social relations...” (2003, p. 9).

Style and rhetoric also play a part in ideological presentation of the news. Choosing to say something in a certain way serves to express the opinion of the reporter, serves to garner the

consent of the readers, and shows that news language has a cultural dimension. Foucault studies the codes in grammar and he considers the writing not as expression of society, but of the “nature of the signifier,” where the mark of the writer is in his absence (1977, p. 116). This “author function,” he explains, presents itself differently in different discourses (p. 202).

For Billig (1987), the study of utterances in their rhetorical contexts can give us insight into the social foundation of psychological states. Billig summarizes the assumptions of discursive psychology, which include concepts such as: 1) social life is made possible through language; 2) language should not be viewed as an abstract system of grammar; 3) attention should be paid to “speech-acts” and the actions they perform; 4) the study of language should be contextual; 5) psychological language is found within text, not behind it; and 6) utterances are conscious as well as unconscious (pp. 208-211).

A study by Fish (1980) provides us with examples of the different ways we can approach discourse analysis. In this study, we see that “interpretive communities” are groups that share ideological strategies for writing, presenting, and assigning intentions to texts (p. 171). As humans, we learn interpretive strategies of reading text based on how it is presented to us. So that if we read something differently over time, it is not because we have changed our approach, but rather the writer has changed how it is presented to us.

Flowerdew’s study of Hong Kong uses textual analysis to which he applies critical discourse analysis, genre theory and branding. The author states that through the three documents he analyzed, we can see that the manipulative nature of the Hong Kong government’s discourse controlled the consultation process (Flowerdew, 1996; Flowerdew, 2004). Similarly, van Dijk (1991) argues that through a cognitive approach, the collective ideology used to write

text contains norms and values that help the social group realize its goals and grow its own power.

In the first phase of my study, I conducted a discourse analysis of the print coverage concerning Richard Jewell during the weeks following the 1996 Atlanta Olympics bombing. Specifically, I identified the various themes the print media used in telling the story and I applied further analysis to look at the specific methods used by the news media to create such themes. Pan and Kosicki (1993) argue that every news story has a theme that creates meaning through signifying elements, so I approached my study with an eye toward finding the specific themes or scripts, as well as those elements that were used to create them. Also, I wanted to know if there was any evidence that the print media implied Jewell's guilt and, if so, how that was done. Lastly, I set out to identify the discursive tactics used in the print media's coverage of Jewell. The research questions I sought to answer were:

1. What are the specific framing themes and patterns found in the coverage of Richard Jewell between the time of the bombing and the time of his exoneration?
2. What are the specific framing tactics used by the newspapers to portray the image of Richard Jewell and his place in the investigation?
3. What are the implications of these frames with regard to audience perception of Jewell and what are the possible societal reasons these particular frames might have been used?

My analysis included all stories pertaining to the subject published between July 27, 1996 (the date of the bombing) and October 26, 1996 (the date Jewell was officially removed as a suspect) in the *Atlanta Journal-Constitution*, *USA Today* and in the *New York Times*. *Atlanta Journal-Constitution* was selected because Atlanta is where the bombing took place and it is also Jewell's hometown. Considering the close proximity of the *Atlanta Journal-Constitution* to the

incident and the fact that the paper is the voice of the community that was victimized, it is a reasonable consideration that *Atlanta Journal-Constitution* might be more likely than any other newspaper to exhibit some of the framing and discursive tactics implying Jewell's guilt that I anticipated finding. *USA Today* was included in the study because it has the largest circulation of all national newspapers (*USA Today*, 2010). Also, this publication is marketed to the television generation and as such tends to use attention-grabbing headlines, flashy graphics and "sound byte" language (Liaugminas, 2007, p. 1). The tone of *USA Today* is much different than that of *New York Times* or most metro dailies and lends itself to the possibility of unique discourse and narratives. *New York Times* was selected for inclusion because it has come to represent the highest standard of journalistic integrity among the national newspapers (*Columbia Journalism Review*, 1999). The *New York Times* would be more likely to remain objective and to refrain from rhetoric or inflammatory language. At the same time, the publication is likely to give us an idea of the less inflammatory and, perhaps, more legitimate frames found in news coverage of a high-profile crime. As such, the *New York Times* can almost be regarded as a baseline of sorts against which we can compare other publications.

A LexisNexis Boolean search using the date and publication criteria and a keyword search of "Richard Jewell" resulted in 135 articles for the *Atlanta Journal-Constitution*, 55 articles for *USA Today* and 33 for the *New York Times*. The articles were reviewed for duplication or erroneous inclusion to determine a final number of included articles: *Atlanta Journal-Constitution*, 135; *USA Today*, 40; and *New York Times*, 25.

As a method of comparison, a keyword search of "Atlanta" and "bombing" and "Olympics" yielded 163 *Atlanta Journal-Constitution* articles, 127 *USA Today* articles and 81 *New York Times* articles. These results show the emphasis each newspaper gave to Richard

Jewell as opposed to some other element of the story. Also, in the absence of Richard Jewell coverage, an idea of the substitute themes used by the media can be gleaned from these articles.

Using constant comparative method, an analysis technique borrowed from Glaser and Strauss (1967), I first read the articles without analyzing them. Then I re-read the articles looking for particular themes and discursive tactics. Each article was assigned to a particular script cluster or clusters, such as “Home Grown Terrorist,” “Loser/Loner,” and “We are Not Safe.” Categories during this phase were deleted, added, and changed depending on the discovered data, and units that fit into more than one category were duplicated and included where relevant.

In phase two of the study, the articles were re-examined, and themes were further refined. In this phase, I looked for emerging patterns and relationships among the clusters. I was able to see whether the themes I expected to find were present and if there were scripts I did not anticipate. In this phase of the study I began to make general assumptions about the meaning of these relationships as they pertain to the overall subject.

After the script-related data was categorized, I repeated the process to look for discursive tactics, such as syntax/tone, word choice, inclusion of unnecessary information, and selection of sources. The end result of this portion of the study was a broad overview of the types of techniques the news media used in describing the story. McQuail (2005) offers several possible discursive techniques: word or phrase choice, contextual references, picture choice, inference of examples as typical, and source choice (p. 378). As van Dijk describes it, discursive tactics “often signal the opinions of the reporter about news actors and news events” and “show a cultural dimension of news language (1991, p. 116). This understanding of discourse as it relates to framing allowed me to discover the characteristics of the coverage that created a particular frame, or set of frames, that imply information about Jewell in a stealthy or unstated way.

In the second and third phases of my approach, I conducted descriptive and exploratory studies wherein I sought to discover and describe the legal and ethical variables, their relationships, and how they affected the development of the case. The phenomena I explored were specific to Jewell, the framing present in his coverage, and the behavior of the journalists. A descriptive research method was essential to the legal portion of the study, as a multitude of information is available, yet I needed the flexibility to speak to the uniqueness of the factors of media framing in this particular case.

Descriptive study design involves researching a subject, event, or phenomenon and then describing it without changing or modifying the subject in any way. Kramp (2004) states that it “serves the researcher who wishes to understand a phenomenon or an experience rather than to formulate a logical or scientific explanation” (p. 104). Creswell (1998) stated this type of case study is “an exploration of a ‘bounded system’ or a case...through detailed, in-depth data collection involving multiple sources of information rich in context” (p. 61).

Yin identifies three types of case study: exploratory, descriptive, and explanatory (1994, p. 4). As the name implies, descriptive research is most concerned with describing a phenomenon, rather than judging or interpreting it. The ethics portion of my study did take on a more explanatory approach. Rubin, Rubin, and Piele (2005) define the explanatory research study as a method through which “we look for underlying causes and explanations of event” (p. 206). In my study of the ethical considerations surrounding the Jewell case, I attempted to describe in the richest and most complete way possible the environment in which the framing of the news coverage took place and at the same time offer explanations of these findings. My research questions for this portion of my study were:

1. What was the legal atmosphere in which this story unfolded with respect to rights and limitations of the media and the avenues of recourse for Jewell?
2. With regard to framing, what ethical problems must we consider in this case and what are possible remedies?
3. What are the implications of this case with regard to the legal and ethical effects on journalists' behavior?

Critical to the descriptive or exploratory study is the collection and interpretation of meaningful data. Miles and Huberman (1994) write, "The critical question is whether the meanings you find in qualitative data are valid, repeatable, and right" (p. 245). They describe tactics the researcher can incorporate when approaching the data: seeing plausibility and clustering, making metaphors of the data, making contrasts or comparisons, subsuming specifics into general, noting relationships between variables, and making conceptual/theoretical coherence (pp. 245-246). I applied these suggestions to my findings in these two phases of my study.

The specific way I conducted my research was slightly different for the legal analysis than it was for the ethics analysis. In the legal portion of this study, I applied Marshall and Rossman's (1999) expanding frame approach and began with the end in mind: the Georgia appellate decision affirming Jewell as a public figure in *Atlanta-Journal Constitution v. Jewell* (2001). "Data collection in a case study is a recursive, interactive process in which engaging in one strategy incorporates or may lead to subsequent sources of data" (Merriam, 1998, p. 134). From that legal document, I was able to work outwards reviewing each case presented in the ruling, as well as the court documents available. Through this process, I was able to identify the facts and the overall legal issues of this case. I also Shepardized the Jewell appellate ruling to

find other case law that cited it in order to determine how courts later treated the issue. Lastly, I conducted a search of law reviews on LexisNexis using the term “Richard Jewell” (yield = 11) to discover the professional arguments and legal discourse present at the time.

The ethics analysis entailed more of a funnel approach, wherein I began the search with a broad brushstroke and narrowed my focus naturally as I worked through the case. Bannister (1981) wrote, “The doctrine of reflexivity argues that you are free to choose personally relevant issues of research, to draw on and make explicit, personal experience, to enjoy the wisdom and companionship of your ‘subject’” (p. 199).

I began my research with theoretical framework rooted in Kant’s Categorical Imperative, Mill’s Principal of Utility, Aristotle’s Mean and Rawls’s Veil of Ignorance. With these theories in mind, I conducted a keyword search in Webfeat, a multi-database search engine, and included journals in various social science fields, including mass communication, sociology, philosophy, and psychology. Using the keywords “Richard Jewell” and “news” resulted in a return of 48 articles. As in the case of my legal research, these articles provided me a good sense of the ethics debates occurring in the aftermath of this case and led me to other sources of information. In addition to a review of the common arguments at the time, I reviewed the news industry codes of ethics to establish the possible problems (if any) a journalist might have interpreting ethical standards. Ultimately, I chose the Society for Professional Journalists’ code of ethics for my analysis for three main reasons: 1) the organization is broad-based and includes writers and editors (website); 2) there exists considerable coverage of the organization’s code of ethics in the industry magazine *Editor and Publisher* (e.g., Hernandez & Schmitt, 1996; Noack, 1999); and 3) three months after the Jewell story broke, the organization’s code changed to include a consideration for minimizing harm to the individual being covered (SPJ Code of Ethics, 1996).

Based on my research questions, a multi-faceted qualitative approach was essential to this study. I sought to find something deeper than the information an experimental study might provide. My approach was required to allow me the flexibility to adjust, yet provide the foundational methodology needed to discover the answers to my research questions. Tankard (2001) once wrote of discourse analysis, “Indeed, coming up with the names for frames itself involves a kind of framing” (p. 98). While this may be true, Myers (2000) contends that it is only through a “richness and depth of explorations and descriptions” that we can fully “grasp the idiosyncrasies of the situation” (para. 14).

FINDINGS

Although all three of the selected publications provided some framing themes and discursive tactics that were similar, overall *Atlanta Journal-Constitution* coverage tended to be more biased against Richard Jewell, while *USA Today* and *New York Times* remained relatively neutral on Jewell. The overwhelming majority of the *USA Today* and *New York Times* coverage utilized themes related to the actual media coverage of the incident, and the *Atlanta Journal-Constitution* concentrated on Jewell as the primary subject of the story. In general, discursive tactics used to create framing themes tended to take the form of word choice, source choice, and inclusion of unnecessary information and were most prevalent in *Atlanta Journal-Constitution* coverage.

Frame Clusters

The Reluctant Hero

One of the first themes that emerged in the days following the blast was that of the “Reluctant Hero.” Prior to being named as a person of interest in the case, Jewell was hailed for ushering hundreds of people out of harm’s way just minutes before the blast. *USA Today* called Jewell the “unexpected hero” and included seven full quotes from the security guard that resonated with his down-home humbleness. He was described as a man who will “get no medal and stand on no award platform,” but instead will “man his post...guarding the Olympics that he helped save from cataclysm” (Loprestini, “Guard’s alertness in park makes him an unexpected hero,” 1996). Furthermore, after Jewell became the focus of the FBI investigation, *USA Today* headlines continued the theme by juxtaposing the hero reference against the (now) doubt of his heroism. Headlines read, “Hero now bomb suspect” (Johnson, 1996), “Spotlight on park ‘hero’ takes a dark turn” (Johnson & Hoversten, 1996), and “Suspect or hero: My one-on-one

encounter” (Lopresti, 1996). Eventually the hero reference was dropped altogether, and, when Jewell was no longer a suspect in the investigation, he was most often referred to by his name.

The *Atlanta Journal-Constitution* initially provided a similar version of Jewell’s role in the bombing by comparing him to an Olympic hero. The newspaper reported that although Jewell was not an Olympic sprinter, he “raced against time,” and he was described as a “modest man with an athlete’s precision [who] had unknowingly entered a tragic race” (Walker, “Guard’s quick thinking saved lives,” 1996).

The *New York Times* did not mention Jewell by name in reference to the bombing until after he was identified by the *Atlanta Journal-Constitution* as a suspect. In a July 31 article (Sack, “Report of hero-turned-suspect rivets attention in Atlanta,” 1996), Jewell was named for the first time by *New York Times* in paragraph nine. The headline was the only instance where the *New York Times* referenced the hero theme and probably did so because Jewell had already been labeled as such by other news outlets.

Jewell is Guilty

Overall, the *Atlanta Journal-Constitution* provided the bulk of the scripts that were biased against Jewell, in some cases, going so far as to provide evidence in a prosecutorial tone. Whereas in the first few days of the coverage of Jewell he was portrayed as a down-home do-gooder who shared his story with the world, he quickly became depicted as an opportunist who selfishly contacted the news media to seek the limelight. His hope, as expressed by the news media early on, that he would have the opportunity to meet President Clinton for his heroics was suddenly echoed with disdain for his audacity. Now a “badge-wearing zealot” who lives with his mother, Jewell was reported to be “isolating himself inside his apartment” (Scruggs & Martz, “Guard denies role in blast,” 1996). Through a dramatic shift in word choice, the *Atlanta*

Journal-Constitution reported that he started as the “focus of a federal investigation” and quickly became the “prime suspect” (Kanell, “Security woes hit AT&T,” 1996). Similarly, the headline “FBI suspect ‘hero’ guard” (Scruggs & Martz, 1996) uses “suspect” as a verb, perhaps as a stealthy way to implicate him without running the legal risk of libeling him.

The *Atlanta Journal-Constitution* offered possible motives for Jewell’s act of bombing the Olympic Village, including the search for glory as a hero, the desire for power in halting the Olympics, and the act of revenge since he could not keep his job as a police officer (Martz, 1996, July 31, p. 10A). The newspaper provided evidence that such incidents are not unheard of, offering four recent examples of hero-turned-culprit. Furthermore, the credibility of his attorney was brought into question when it was pointed out that he did not specialize in criminal law.

Perhaps the most blatant example of the *Atlanta Journal-Constitution* insinuating the guilt of Jewell occurred on the day the FBI searched his home. He was characterized as waiting outside “in the shadows” of his apartment as the FBI completed its sweep. He was then compared to convicted child killer Wayne Williams, “another suspect who lived with his mother,” who was ultimately found guilty of two murders after the FBI searched his apartment in the same fashion. It was also noted in the same article that a free-lance photographer made the comparison to other members of the media. And so while Jewell waits outside, “Wayne Williams sits in prison forever” (Kindred, “Long wait in the shadows after his moment in the sun,” 1996).

Other indications that the *Atlanta Journal-Constitution* implicated Jewell in the bombing appeared in later articles, as the case against Jewell began to unravel. For example, the newspaper reported that although no one reported having seen Jewell purchase elements of an explosive device at the Ace Hardware store, that fact was not unusual because the average

salesman would not remember every single sale (Marshall & Waller, “Relentless reporters kicked off apartment property; FBI agents flash suspect’s photo at hardware stores,” 1996).

Out of the 135 articles about the Olympics bombing that appeared in the *Atlanta Journal-Constitution* during this three-month period, 107 of them included Richard Jewell’s name. This indicates that the *Atlanta Journal-Constitution*’s focus was heavily weighted on Richard Jewell. In contrast, the articles in *USA Today* and *New York Times* that did not mention Jewell’s name outnumbered the ones that did by three to one.

United We Stand

The U.S. media’s propensity for comparing current events to events in the past that have profoundly impacted society arose moderately in the coverage of the Atlanta Olympics bombing. Just ten days prior to the bombing, the terrorist-suspected crash of TWA Flight 800 out of New York City provided opportunity for comparison (Page, “Clinton, again, reassures nation 10 days after Flight 800,” 1996; Stout, “Bomb scares increase in New York,” 1996), as did the 1993 New York World Trade Center bombing (Komarow, “‘Silent’ terrorists even more deadly,” 1996) and the 1972 Olympics hostage crisis in Munich (Scott, “Sportscaster McKay knows Olympics trauma,” 1996).

Surprisingly, the Oklahoma City bombing did not play a significant role in the framing of the Jewell story. There were no comparisons of Jewell to Timothy McVeigh, even though McVeigh was framed in news coverage (and proven to be) a home-grown, loner terrorist. Instead, there were no more mentions of the Oklahoma City bombing than there were of the various other terrorist acts in recent history. One reporter made a vague reference to comparison by generally mentioning all of the recent “homespun” bombings in the United States for which “Federal officials have arrested groups of mostly white, lower-middle class suburban people in

Georgia, Arizona, and Washington State” (Egan, "Terrorism Now Going Homespun As Bombings in the U.S. Spread," 1996). In another reference to Oklahoma, the *Atlanta Journal-Constitution* interviewed a young boy and his father, who were visiting the bomb site in Atlanta. The two were from Oklahoma and had visited the remains of the Alfred P. Murrah Federal Building just three days before it was razed. The reporter postulated what the boy and his father must have felt when they again stood looking at the aftermath of a terrorist act, offering that they were probably thinking, "Please, no, not another bomb!" (Pomerantz, "Reactions at the park," 1996). There was nothing in the article that indicated this was a quote or paraphrase from the boy or his father.

More prevalent than the terrorism sub-theme was a distinct frame of United We Stand, which emerged from all three publications. Remarks made by President Clinton gave rise to the frame, when he was quoted as saying, "'We cannot let terror win....The Olympics will continue'" (Page, "Clinton again, reassures nation 10 days after Flight 800," 1996). Olympic visitors were described as standing at the site of the blast with "defiance that the bombing here would not deter them, or their Olympic spirit" (Wilson, "Mood in Atlanta: Disgust, defiance," 1996). *USA Today* kept the same theme alive through headlines, such as "Olympic spirit wounded, but its grit shines through" (1996) and "Shaken but defiant, athletes won't give in" (Brady & Becker, 1996). Former gymnastics Olympian Mary Lou Retton addressed the unknown bomber directly in her guest column, "[I]f you think you've succeeded in stopping the Olympics, you're wrong" (Retton, "Bomber, you forgot we're all human, like you," 1996).

Additionally, the *Atlanta Journal-Constitution* provided readers with selected quotes from interviews of community leaders and Olympic officials, all of whom expressed strength in unity and defiance. Atlanta Governor Zell Miller likened shutting down the games to being held

hostage by the bomber. Others spoke of the spirit of Atlanta shared in common, the Olympic spirit, resilience, strength, and commitment in the face of tragedy (“We must go on against adversity,” 1996). The *Atlanta Journal-Constitution* advanced the theme of united defiance by interviewing citizens of Atlanta about their reactions to the bomb, reporting feelings were “nearly universal” that people “will not give over [their] public spaces to terror” (Goldberg, “Visitors won’t be intimidated,” 1996). The next day, an editorial declared athletes “would not be deterred from the dream of a lifetime” and “the spirit that had initially drawn so many people from so many places to Atlanta, began to reassert itself” (“Courage of the crowd,” 1996).

In his *New York Times* editorial “A medal for humanity,” Bob Herbert (1996) also spoke of the unity against terrorism writing, “What the world watched on television in the aftermath of the explosion was not the power of terrorism but the miraculous instinctive healing power of humanity.” He continued, “Meanwhile, the men and women and children who were frightened but undeterred by the madman and his bomb are doing what members of this peculiar species always seem to do. Rub the spot that hurts. Grieve for those who didn’t make it. And move on.”

Juxtaposed against the “United We Stand” theme was a script of fear that underscored much of the coverage in the days after the blast. For example, a guest editorial by Ben Sherwood (1996) in the *New York Times* painted a picture of a bombing as commonplace at an event such as the Olympics. He meticulously cited the 30 bomb threats that occurred each day during the Olympics, the 320 bags of fertilizer inexplicably missing from a local distributor, and the description by a Georgia county sheriff of the biggest threat to law enforcement: the angry loner with “a stick of dynamite or a sack of fertilizer” (Sherwood, “No safe place,” 1996). Another *New York Times* article reported on dozens of bomb scares (Stout, “Bomb scares increase in New York and around the nation” 1996). The *New York Times* also conducted “man-on-the-street”

interviews at the local Greyhound Bus terminal, and the quotes selected for inclusion resonated with fear. Everyday folks were framed as worrying that Americans are despised and at any time someone could slip through security to hurt us (Terry, “For some, danger now snarls in the next seat,” July 28).

Media Self-Coverage

A prevalent and surprising pattern in the reviewed news stories involved themes related to the media itself. The *New York Times* in particular focused very little on Jewell and much more on the topics of the media circus and media ethics. Instead of leading with Jewell’s identity as the suspect of the bombing, *New York Times* described the evolution of the story from the newspaper’s perspective and did not mention Jewell’s name until the ninth paragraph. For eight paragraphs, the *New York Times* described the activities of other news outlets with regard to the handling of the *Atlanta Journal-Constitution*’s naming of the security guard as a suspect (Sack, “Report of hero-turned-suspect rivets attention in Atlanta,” 1996). It is as if the *New York Times* sought to defend its own decision to “out” Jewell in the absence of a formal charge. In a later article, the *New York Times* attributed its (and others’) decision to run Jewell’s name to the desire to beat the competition, saying that “intense competition” was making it “more difficult to adhere to the most clear-cut ethical standard” (Bruni, “News reports’ naming of bomb suspect raises ethical issue,” 1996).

The news media as a whole were described by *New York Times* as a “multinational mob, who have turned [Jewell’s] modest apartment complex into a media encampment” (Sack, “Atlanta bombing suspect mostly just stays home, many eyes glued on him,” 1996). The newspaper described a chaotic scene when Jewell was followed in his truck by FBI agents and members of the press, all driving wildly to try and keep up, only to find out Jewell was simply

dropping off his dog at the kennel (Sack, “Federal agents in Atlanta comb guard’s apartment,” 1996). Meanwhile, they reported, ABC, CBS, CNN and NBC had pooled their resources to rent an apartment directly across from Jewell’s for \$1,000 per day. In a later article, the *New York Times* admitted its decision to bury Jewell’s name in the ninth paragraph of the first article was because the newspaper had learned from (unnamed) past mistakes. A nuance to the ethical debate is that most outlets, including the *New York Times*, identified Jewell but also stated that he had not been charged with anything. This caveat, the editorial pointed out, many times gets lost and is quickly forgotten by readers. The paper later chastised the entire profession saying, “None of these purposes justify an irreparable media assault on reputation and privacy” (Frankel, “An Olympian injustice,” 1996).

To a lesser extent, the media circus theme was also carried by the *Atlanta Journal-Constitution*. The newspaper provided detailed information on what other outlets were reporting (Ludwig, “The FBI gathers evidence,” 1996) and described the scene at Jewell’s apartment as “turning an area known as the city’s melting pot into a simmering, cheesy, multicultural press happening” (Scott, “Looking for the big story,” 1996). The reporter depicted the day the story broke as one in which “nobody seemed to know exactly what the story was. But they all knew they didn’t want to get beat” (Scott, 1996).

The *Atlanta Journal-Constitution* did not lament any ethical diversion it may have taken in covering this story but did publish an uncharacteristic defense of sorts on behalf of Jewell. The investigation of the bombing was compared to the story of Robert Wayne O’Ferrell, who was falsely accused by the FBI (and the media) for sending letter bombs in 1990 (Whitt, “Guesswork isn’t proof,” 1996). The purpose of the story, however sympathetic to Jewell, was most likely

meant more to call attention to questionable FBI's tactics while detracting from the role of the *Atlanta Journal-Constitution* in Jewell's plight.

After Jewell announced he would consider suing certain members of the media for their coverage of him, *Atlanta Journal-Constitution* began to present its defense. The newspaper claimed that three other news outlets instantly reported Jewell's name as a suspect subsequent to their own publishing of his name and that the paper has a duty to report the way the FBI was conducting an investigation. "Democracy," according to the editorial, "is better served by more information, not less" ("The duty to inform," 1996).

Discursive Tactics

The four themes found in the coverage of the Atlanta Olympics bombing could have been supported in myriad ways; however, the most prevalent tactic used was the newspapers' choice of sources. Overwhelmingly, the news media used unnamed sources, such as "officials" or "acquaintances" to implicate Jewell, or used other media outlets as sources. In the case of *USA Today* in particular, the selection of sources on the street or in the Olympic Park (man-on-the-street interviews) seemed to be dependent on which theme was being developed for the piece. It is worthy to note here that while the *Atlanta Journal-Constitution* tended to use unnamed and anonymous sources, *USA Today* and *New York Times* relied heavily on Jewell's attorneys and FBI officials for information and remarks. It is possible this provided a semblance of balance in the coverage and contributed to the overall tone of balance the two publications had when it came to Jewell's guilt.

Word choice was also common tactic used by *Atlanta Journal-Constitution* in its implication of Jewell in the bombing. For example, Jewell was described as "stocky" when still being lauded as a hero (Walker, "Guard's quick thinking saved lives," 1996), but referred to as

“a beefy 240 pounds” in a later piece (Oglesby & Fernandez, “Security guard had reputation as zealot,” 1996). The newspaper also tagged him as police officer ‘wannabe’ who fit the profile of a lone bomber, although the source of the profile was never revealed (Scruggs & Martz, “FBI suspect ‘hero’ guard may have planted bomb,” 1996). Instead of declining to open his door for an interview, he “refused” (Scruggs & Martz, “FBI suspect ‘hero’ guard may have planted bomb,” 1996), and instead of being questioned by the FBI, he was “interrogated” (Scruggs & Martz, “Guard denies role in blast,” 1996).

In addition to source and word choice, the news stories also used extraneous or unnecessary information to further its theme. For example, the three newspaper outlets frequently mentioned that Jewell lived with his mother, and the *New York Times* reported that his truck still had his graduation tassel hanging from the rearview mirror (Sack, “Federal agents in Atlanta comb guard’s apartment,” 1996). Perhaps the most damaging to Jewell’s reputation was the scrutiny of his employment history, exposing every embarrassing turn in his career. Additionally, when new information was not forthcoming in the story, the news media tended to report what other reporters were speculating about the scene. For example, Dave Kindred (August 1, 1996) of the *Atlanta Journal-Constitution* reported that a television photographer from Los Angeles surmised from the body language of an FBI agent that they had not found anything in Jewell’s apartment (“Long wait in the shadows after his moment in the sun”). In the tedium of the media stakeout in front of Jewell’s apartment, another article described a scene wherein photographers were zooming in on the back of Jewell’s t-shirt to see if it read, “Not Guilty.” Instead, it was decided the shirt read, “Elevate and Decide in the Air” (Scott, “Looking for the big story,” 1996).

SOCIETAL DISCUSSION

The findings presented in this study indicate that journalists employed specific news frames, or schema, in their reporting of the Atlanta Olympics bombing and that some of those representations cast a negative light on Richard Jewell. As presented in a previous chapter, these findings alone may be useful in future mass communication studies; however, an examination of the broader meanings and implications of the frames will provide an even deeper understanding of the functions of news narratives in our society. Additionally, through further exploration, we may gain insight as to the possible motivations behind the use of such frames by journalists and, in doing so, understand the prevalence and importance of certain frames in our everyday lives.

The vast continuum of paradigms we use to make sense of our world is far too complex to include in this discussion; therefore, I will examine only those themes that are specific to this study and set them against the backdrop of three framing forms or categories: myths, symbols, and storytelling. The individual frames found in the news coverage of Richard Jewell provide excellent examples of these framing forms and uncover a rich commentary of our culture during the last decade of the twentieth century. As such, this discussion offers a unique look through the window of our society's recent past.

Mythology and Framing

Many times, news stories are framed using a structure of language that repairs, retells, and reinforces cultural myths (Carey, 1989). Particularly when applied to the news, myths are both a reflection of and a guidebook for the society in which they exist (Bird and Dardenne, 1997). They are vehicles, or "modes of signification" (Barthes, 1972, p. 109), by which we deliver speech that has already been presented, edited, and refined over the years. Myth frames package familiar concepts and they cue audiences about the appropriate standpoint from which

the story should be viewed. Words on their own are just empty strands of letters: “shallow, isolated, impoverished” (Barthes, 1972, p. 119). In a myth frame, “[t]he meaning is already complete [and] it postulates a kind of knowledge, a past, a memory, a comparative order of facts, ideas, decisions” (Barthes, p. 117).

Applying this framework of myth to the coverage of the Olympics bombing, the news media recaptured, redesigned, and reinforced several time-honored myths. The Olympic Games and mythology, both borne of Ancient Greece, provided an ideal backdrop against which journalists could retell the classic Hero myth. Richard Jewell, cast as an unlikely modern-day Hercules, helped reinforce a familiar tale and enabled reporters to “fit new situations into old definitions” (Bird & Dardenne, 1997, p. 345). In portraying Jewell as a “hero” (generally, Loprestini, 1996; Johnson, 1996; Johnson & Hoversten, 1996) journalists encapsulated volumes of meaning into one powerful word and helped audiences use an old definition (the hero) in order to understand a new situation (the bombing).

Although superhuman heroes like Hercules and Achilles are commonly relied-upon mythical characterizations in our culture, variations of the classic hero have emerged over the years to include depictions of the everyday, average man who receives an unexpected call to adventure. This “reluctant hero” was identified by Robert Segal (2000) in his recounting of the story of Arjuna, the protagonist of the ancient Hindu epic *The Mahabharata*, who at first refused to fight a civil war for fear of killing his fellow man, but then overcame his doubts to become a war hero (p. 168). Since the first rendition of this story, around 400 AD, the reluctant hero has reemerged over and over again in Western pop culture, appearing in literature (Huckleberry Finn, Harry Potter), movies (Luke Skywalker, George Bailey), comics (Incredible Hulk, Spiderman), and television (Sam Beckett of *Quantum Leap*, Buffy of *Buffy the Vampire Slayer*). Like Richard

Jewell, these characters began their journeys as average people leading normal lives, until some dramatic event or set of circumstances required them to rise up and perform extraordinary feats.

In his groundbreaking book *Hero with a Thousand Faces*, Joseph Campbell (2008) argues that the Hero myth is prevalent in our culture because it follows the same psychological structure found in our subconscious minds. The Hero myth, Campbell claims, is simply a composite of the characters and events played over and over again in our dreams. As individuals, we need to replay this myth in our everyday lives in order to validate our subconscious desires either to become a hero or to be saved by one. In this respect, the reluctant hero is an especially salient character to journalists and audiences, as he is familiar, ordinary, and easily relatable to the common man.

Through her study of the frames found in magazine cover images, Carolyn Kitch (2005) illustrates how the American hero, a pervasive component of the collective social consciousness, disappeared from the pages of magazines for many years. At the pinnacle of World War II, she explains, the working-class hero was the American soldier. He was not privileged or regal, rather he was of pioneer stock, hearty and, above all, anonymous – the reluctant hero. Individually and as a society, we could relate to the World War II soldier. We saw in him our sons, our fathers, and ourselves.

For years after World War II, according to Kitch, the American psyche suffered an identity crisis of sorts, wherein, as a nation, we could not find a suitable hero. The stained and murky news narratives prevalent during the Vietnam War left the “spirit of American men ... destroyed” (2005, p. 42). As such, news audiences were poised for nourishment and waited anxiously for a fresh, new hero. Sixty years later, according to Kitch, a new national hero rose from the literal ashes of a broken New York City on September 11, 2001. Still hearty and

anonymous, the firefighter hero, an image of strength and confidence, became a “springboard for a general remasculinization of American culture” (Kitch, 2005, p. 42).

In the years leading up to the Olympics bombing, the United States witnessed the fall of a number of its sports icons and heroes. In 1991, basketball great Magic Johnson shocked the nation when he announced his retirement from the game due to a little-known virus called AIDS (Sternberg, “Magic Johnson combats AIDS misperceptions,” 2006). Boxing great Mike Tyson was convicted of rape (Shipp, “Tyson found guilty on 3 counts as Indianapolis rape trial ends,” 1992). Two years later, major league baseball players went on strike causing the cancellation of the World Series and inviting anger and criticism over the tarnished image of an American pastime (Shapiro, Dickerson, Tu, & Jackson, “Bummer of '94,” 1994). The same year, many Americans were disappointed when Olympic figure skater Nancy Kerrigan was brutally attacked and fellow skater Tonya Harding admitted a part in the assault (Celizic, “Tonya Harding reveals her side of roller-coaster life,” 2008). The same year, Americans stared in disbelief as football hero O.J. Simpson fled police and was later arrested for the murders of his estranged wife and her friend (Hoffer, “O.J. Simpson stands accused of brutally killing two people,” 1994).

Clearly, by the summer of 1996, the United States was desperate for a hero. The physical or moral demise of some of society’s most resilient sports heroes created a void wherein an average Joe, like Jewell, could serve a purpose. Against this backdrop of the erosion of American sports, we saw our new hero saving the Olympic Games and the American dream. It was befitting an average man such as Jewell (a representative of sorts) to rescue our country from another sports-related disappointment.

Indeed, the recent loss of so many pop culture heroes along with the long and steady erosion of the nation’s masculinity may have influenced the news media’s decision to try to

create a hero out of someone like Richard Jewell. Perhaps it was a feeble, premature attempt to reverse the impotence felt by the nation after the Vietnam War or an effort to find a quick replacement for the ones we lost in the 1990s. Regardless, compounding the problem of America's missing hero during this period was the United States' growing lack of a clear personification of its own image. In the world theater, the nation had become faceless. Instead of the brave, young soldier on the cover of *Life*, the new images of American strength were the soaring missiles in the night sky above Bagdad. Previously, our heroes were easy to recognize, because they resembled us and possessed an easily identifiable Old West, cowboy quality. Our heroes represented us by personifying the ruggedness of our young nation and its land. In his book on Western films, Will Wright (1975) states, "The strength that makes [the cowboy] unique and necessary to society and the beauty that makes him desirable to the girl are human counterparts to the strength and beauty of the wilderness" (p. 189). In this description of our nation's mythic cowboy, it becomes apparent just how difficult it must have been for news audiences of the nineties, as they watched CNN and tried in vain to find a hero in the dark of night, in a strange and unfamiliar country.

For three days, Richard Jewell, on his own battleground in Atlanta, was the new face of American bravery and defiance against evildoers. His shortcomings were overlooked and his limitations excused. After all, America was desperate for a hero. Then, as quickly as he had been framed a hero, he was re-framed as a wolf in sheep's clothing. This new Aesopian frame, created by reporters after Jewell's name was leaked as a person of interest in the bombing, provided the perfect palette on which the celebrated tale of trickery could materialize and be retold with relevance to a new audience.

Bird and Dardenne (1997) write, “It is in [the reporters’] power to place people and events into the existing categories of hero, villain, good and bad, and thus to invest their stories with the authority of mythological truth” (p. 347). The news coverage of the Olympics bombing event shifted suddenly to include frames that were meant to re-instruct the audience on how to feel about Jewell. These instructions were not a suggestion, but rather an imperative; because myth has more than one function in the news story: it calls something to our attention, it helps us understand the events, and it “imposes” its reality upon us (Barthes, 1972 p. 117). In characterizing Jewell as a “wannabe” (Scruggs & Martz, “FBI suspect ‘hero’ guard may have planted bomb,” 1996) and a “badge-wearing zealot” (Scruggs & Martz, “Guard denies role in blast; Man called hero after bombing under scrutiny,” 1996), the reporters provided a new description of a Jewell as a faker who hoodwinked us into believing he was a legitimate protector. We let him in our city, our Olympic Park, only to find out he used his position to betray us. In one word or simple phrase, we were made to understand the new reality.

Information about Jewell’s tainted employment history and unflattering comments about his physical appearance also were used to expose the wolf underneath the wool. To use a previous example, he only appeared to be “stocky” (Walker, “Guard’s quick thinking saved lives” 1996) when he was a hero, but after we learned his true nature we could see that he was actually “a beefy 240 pounds” (Oglesby, “Security guard had reputation as zealot,” 1996). Also, in revealing his embarrassing employment history (Martz, “A motive? Most seek glory, power or revenge,” 1996), reporters were actually telling readers that, like us, Jewell’s former employers were hoodwinked, too. Using this type of frame shift, reporters made a dramatic transition from creating a much-needed hero out of an ordinary man to validating our fears brought on by the string of disappointing heroes that preceded Jewell. As such, audiences received explicit

instructions on how to “construct reality to conform to those maps and assign meanings to new realities” (Bird & Dardenne, 1997, p. 246). The new reality was, of course, that we had been double-crossed, once again, by one of our own.

Symbolism and Framing

News frames can also be understood in terms of the assigned meanings applied to symbols. The significance that we attribute to a particular word, event, or object is part of what defines communication as “a symbolic process whereby reality is produced, maintained, repaired, and transformed” (Carey, 1992, p. 23). Like the fish that does not notice the water, Carey (1992) explains, humans do not notice that symbols surround and sustain us as a society. Language, he adds, can also be regarded as a map, in that it contains a collection of symbols that tells us where we are in the world (Carey, 1992). Symbols “tower over the reality of everyday life like gigantic presences from another world” creating a “social construction of reality” in which we gain specific knowledge about life and reassurance that others we interact with share at least part of that knowledge (Berger & Luckmann, 1989, p. 40).

The existence of this culturally shared understanding of events requires the audience to read beyond the fundamental representation of the text and, instead, employ an agreed-upon model of the words’ meaning. A collective ideology such as this gives symbols significant persuasion power, in that they denote an assumed truth. To use the previous example, a reporter’s use of the word “zealot” (Scruggs & Martz, “Guard denies role in blast” 1996) to describe Jewell relied upon the shared understanding of the word and intimated a certain wild-eyed craziness. This word choice advanced the story in a different direction than had an alternate word, such as “enthusiast,” been used. The reporter used the assigned meaning of the word to show readers where (on the map) the event took place and how we should understand our

standpoint on that map. Much like the word “illegal” in depictions of immigrants to the United States, certain language belies a bias on the part of the reporter and on the society to which he speaks (van Dijk, 1991).

Human expression can also be represented by objects, whose symbolism offers broad categories under which we can fill in the blanks and typify the experience. As explained by Berger and Luckmann (1989), humans see an object and immediately, in their mind’s eye, place that item into a category of understanding. For example, a person who walks into his bedroom to find a knife in the wall above his bed will make sense of the knife by its symbolic meaning and will follow that meaning to a logical conclusion or action (Berger & Luckmann). In other words, the knife above the bed may signify something like anger or danger, forcing the subject into a pattern of thought (or script) that ultimately helps make sense of the scene.

This technique of using objects as conduits of meaning is exemplified when a reporter mentions convicted child killer Wayne Williams (a symbol of evil) in the same news story as Jewell. The reporter reflects, as Jewell waits outside “in the shadows” of his apartment, that Wayne Williams was “another suspect who lived with his mother,” (Kindred, August 1, 1996, p. 14A). By inserting the object (Williams) into the story, the reporter introduced a new script of meaning to the scene and alerted the audience that Jewell is a killer, too.

One of the most resonating symbols in the coverage was the graduation tassel that was described as hanging from Jewell’s rear-view mirror (Sack, “Federal agents comb guard’s apartment,” 1996). The mention of the tassel was not accidental, nor was it an innocuous commentary on Jewell’s automobile décor. Rather, “[s]pecial emphasis on specific topics may have ideological implications” (van Dijk, 1991, p. 113), which speak to the need for meaning-making in news stories. The graduation tassel was a deliberate framing technique designed to

notify the reader about characteristics of Jewell that we might not otherwise learn from the bombing event alone. For example, the tassel told readers that Jewell was a sort of loser, living in the “glory days” of high school, never having earned a college degree. Jewell, we were reminded often, was 33 years old and “bides his time by watching television, reading newspapers and magazines, and playing video games” (“Sack, Atlanta Bombing Suspect Mostly Just Stays Home,” 1996). In concert with the graduation tassel symbol were other objects of signification: his mother, his truck, his job, and his apartment. Each of these objects was positioned in a story to help the audience place Jewell in a particular category. Audiences were cued to remove him from the “down-home-southern-do-gooder-type” and place him in the “no-good- free-loading-underachiever-type.”

According to Pauly (1991), the use of assigned meanings (symbolism) in news coverage indicates several assumptions: humans symbolize; humans fabricate, rather than discover, reality; and symbolic acts are social, not individual. In the case of the *Atlanta Journal-Constitution*, symbolism was both socially constructed and socially reinforcing. Reporters used words and objects that carried the story with mutually-understood cultural symbols, but also used those meanings to unite the city. The reality constructed through symbolism was a social agreement between the Atlanta-based paper and its local audience that Jewell did a terrible thing to us, we cannot allow our city to be tainted, and let’s all band together to reveal his evilness. (Schudson, 2007) describes it in terms of “us and them” culture, wherein the symbols that placed Jewell in a negative category also united us in a way that legitimized the paper’s antagonistic approach to Jewell.

Given the pervasiveness and dependence society has on symbols, audiences are virtually powerless over their effects. On the one hand, we have created an intricate system of symbols in

our society so that our understanding of the world can expand. On the other hand, those symbol systems serve to dictate how we view the world and how we are to behave in it. In some ways, the system of symbols actually shrinks our world.

Storytelling and Framing

In addition to myths and symbols, reporters covering the Olympics bombing also employed storytelling techniques in order to apply certain meanings to the event. We are a society of storytellers, and those tales (i.e., legends, fables, nursery rhymes, myths, anecdotes, and the like) not only convey a message in their meaning, but because they are specifically constructed to be shared, also say something about society. Darnton (1975) states, “The context of work shapes the content of news, and stories also take form under the influence of inherited techniques of story-telling” (p. 192). The inherited techniques to which he refers are the nuances we have learned, collectively and through personal experience, that will give a story more richness and urgency. Plot points (hero may be bomber), details (graduation tassel), suspense (catch him if we can), character descriptions (“wannabe,” “beefy,” and “zealot”), and location (Olympics, world stage, Jewell’s apartment) are just a few of the many ways the news conveys a story. A primary example of this technique can be found in the ways the reporters covering Jewell extended stories past their logical stopping points and used speculation to keep the drama interesting. For example, when faced with no new information about Jewell, bringing the plot to a halt, so the *Atlanta Journal-Constitution* offered possible motives for Jewell’s act of setting the bomb, including the search for glory as a hero, the desire for power in halting the Olympics, and the act of revenge because he could not keep his job as a police officer (Martz, 1996, July 31, p. 10A). The same can be said for the story in which the reporter speculated on how Jewell could have bought the materials for the bomb without the store remembering him (Sherwood, “No safe

place,” 1996). This information had a broader purpose than to fill up space on a page; it created suspense and kept the story alive.

In her examination of the role of murder mysteries in society, Halttunen (1998) provides an example of this concept. The crime reporter, she suggests, is faced with a daily paradox of deciding whether to write a story in the traditional, objective form versus a form that would resonate more with the audience. The crime reporter’s primary source of information is a trial report, which presents a “welter of testimony and detail” without “moral certainty” and could be subject to “various interpretive treatments” (p. 132). In other words, a trial report does not present a frame. Borrowing from preachers in the pulpit and the murder mystery, the crime news story evolved into a judgment of morality, and reporters routinely inject certain plots and characters that will portray that concept. Much like our traditional nursery rhymes and fables, the concept of morality is central to news storytelling (Halttunen, 1998)

Schudson (2001) states, “The anxiety of journalistic storytelling is double. It is not only an anxiety to identify what the story is but to do so in a way that does not lose the audience” (p. 256); however, keeping the audience’s attention is only part of the motivation. Carey (1992) rejects the idea that information is used with the goal of controlling space and people (i.e., enticing people to buy newspapers). Rather, a more useful way to look at communication is as an act of preserving society by representing the shared beliefs of that society. In this sense, communication does not alter beliefs, but rather supports or confirms the beliefs. Under this more cultural orientation, news is viewed as drama, not information. News portrays society in a series of dramas, and, in order to understand our lives and make sense of the drama, we assume a role in it. In the above-mentioned “us and them” scenario, our role was to join the theoretical vigilantes bringing Jewell to justice. Bird and Dardenne (1997) remind us that while news

sounds like fiction sometimes, it is not. Rather, news is “a story about reality, not reality itself” (p. 82).

Lastly, reporters sometimes include certain irrelevant information to detract from the absence of other information. Entman (1993) calls the study of this communication tactic the “analysis of the ‘unsaid’” (p. 114). The structure of the news reports regarding Jewell assigned relevance to the text based on what did not appear as much as what did appear in them. Entman states, “[F]rames select and call attention to particular aspects of the reality described, which logically means that frames simultaneously direct attention away from other aspects” (p. 54). In this respect, frames are equally defined both by what they include and what they omit. A primary example of this concept in the news coverage of the bombing was found in the repetitive accounts of the media stakeout that occurred at Jewell’s apartment. In concentrating on themselves, the media were telling us much more about Jewell. The real story within those stories was that the case against Jewell appeared weak, no new information was coming out of their usual sources, and they were beginning to feel a little silly for jumping on the bandwagon. As a result, the focus on the “multicultural press happening” told another story about an innocent man. Another interpretation is that the concentration on the reporters instead of the “unsaid” issue of terrorism, told a story about our outlook on outside threats in 1996. The fact that terrorism, was not *the* main frame indicates that Americans were not of that mindset in pre-9/11 United States.

Society and Framing

Myths, symbols, and stories are vehicles that both carry the frame and define it for society. The form of the frame is as significant as its assigned meaning. Applying Marshall McLuhan’s theory of “medium is the message,” the medium is the frame, and the message of

that medium is that society needs a way to connect with one another, to be reinforced, to feel unified, and to make sense of our lives (McLuhan, 1994). Social interaction is at the heart of the pervasiveness of framing in news coverage because frames serve as a “bridge between ... larger social and cultural realms and everyday understandings of social interaction” (Friedland & Zhong, 1996, p. 13). In a scarcity of words, journalists must create robust meaning for readers, and as salience increases, so does the likelihood that receivers will retain a message and come to a conclusion about it. Whether framed as a myth, a mystery, or a metaphor, news stories have cultural implications for the journalist, the news organization and the audience. In conclusion, journalists are not simply observers of society; they are an integral part of the preservation and evolution of cultural traditions and norms.

LEGAL DISCUSSION

The news media's aggressive coverage of certain individuals underscores the dilemma presented to the courts of finding a balance between First Amendment and individual rights. In his concurring opinion in *Rosenblatt v. Baer* (1966), Justice Stewart acknowledged society's strong interest in preventing attacks on a person's reputation and respecting the "dignity and worth of every human being."

Pretrial publicity in particular has been recognized by the courts as prejudicial and damaging to the integrity of the legal process (*Rideau v. Louisiana*, 1963; *Estes v. Texas*, 1965; *Irvin v. Dowd*, 1961). While early cases presumed the prejudice of jurors in highly publicized trials (*Marshall v. United States*, 1959; *Sheppard v. Maxwell*, 1966), later rulings found prejudice only if a bias was admitted to by the juror (*Murphy v. Florida*, 1975; *Patton v. Yount*, 1984). Regardless, rulings lay the responsibility on the judges in such trials to alleviate the effects of the publicity while, at the same time, maintaining the rights of the press.

A Brief History of Libel

As presented in previous chapters, even in the absence of a trial, the effects of news media insinuation and innuendo on the reputation of an individual can be harmful and long-lasting. In recent decades, the Supreme Court has provided several doctrines that deal with defamatory statements against individuals. Justice Murphy (*Chaplinsky v. New Hampshire*, 1942) held that defamation is subject to "prevention and punishment," while Justice Brennan (*Roth v. United States*, 1957) affirmed libel as a class of expression that is "outside the protection intended for speech and press." The *Restatement (Second) of Torts* (§ 559) defines defamation as communication that "tends to harm the reputation of another as to lower him in the estimation of the community or to deter third persons from associating or dealing with him." To be

defamatory in a legal sense, a statement must be "more than merely unpleasant or offensive" (*Howard University v. Best*, 1984), but rather it must "make the plaintiff appear odious, infamous, or ridiculous" (*Johnson v. Johnson Publishing Co.*, 1970).

Laws regulating defamation in the United States began to take shape before the American Revolution when colonists operated under the draconian rule of seditious libel. This law allowed a government agency to bring forth criminal proceedings against an individual or newspaper for printing information considered unflattering to the official. In 1735, journalists enjoyed a significant reversal of fortune when New York publisher John Peter Zenger, facing imprisonment for printing criticism about the colony's governor, won his case and helped set a precedent of absolute truth as a defense in libel cases (Galvin, 1984). Despite this apparent nod to the importance of press freedoms, the United States Congress passed the Sedition Act of 1798 which provided that critics of Congress and the president could be fined or imprisoned for "any false, scandalous and malicious writing" (Swindler, 1955, p. 8).

Freedom of the press was a key protection included in the First Amendment of the U.S. Constitution; however, the Supreme Court did not routinely use it to rule in libel cases. Instead, rulings were left to be interpreted by inherited English law. During this period, the burden of proof was on the publisher, and a strict liability standard held that defamation under any circumstances resulted in a judgment against the media. Moreover, the plaintiff was not required to prove damages, but rather the injury to reputation was assumed (Galvin, 1984).

After several hundred years of reliance on common law in matters of defamation, libel law was elevated to First Amendment status in *New York Times v. Sullivan* (1964). The case emanated from an advertisement that criticized the Montgomery police department for its actions

in the civil rights movement, and, although he was not personally named, Commissioner Louis Sullivan sued for libel.

In *Times v. Sullivan*, the Court ruled that any state statute that places unreasonable burden on the news media is just as unconstitutional as a criminal law that directly punishes the press for its coverage (i.e., seditious libel); therefore the Court imposed a stricter burden of proof on the plaintiff requiring public officials to demonstrate “actual malice” on the part of the news outlet or reporter. Justice Brennan wrote, “Thus we consider this case against the background of a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials.” According to the ruling, actual malice was defined as “knowledge that the information was false” or that the information was published with “reckless disregard for the whether it was false or not.” Thus, strict liability was eliminated from the tort of libel against public officials, and journalists were better protected from government censorship and other equally objectionable concepts permitted in seditious libel law.

Although *Garrison v. Louisiana* (1964) was a criminal case, it helped to further clarify civil libel and *New York Times* actual malice to exclude “mere negligence” and to insist public officials show “reckless disregard.” While *New York Times v. Sullivan* helped to shift the paradigm of libel tort in favor of the media, the ruling was unclear as to the actual nature of “public official.” In *Rosenblatt v. Baer* (1966), “public officials” were more narrowly defined as “those who have or appear to have responsibility or control over the conduct of governmental affairs.” The Court reasoned that “[c]riticism of government is at the very center of the

constitutionally protected area of discussion,” and so “[c]riticism of those responsible for government operations must be free.”

Curtis Publishing Co. v. Butts (1967) extended the actual malice standard found in *New York Times v. Sullivan* to include public figures, defined as persons “intimately involved in the resolution of important public questions or, by reason of their fame, shape events in areas of concern to society at large.” Butts, an athletic director not well-known outside of football, was found to be a public figure and, thus, required to show actual malice. In the absence of this extension from *New York Times*, Butts would have only been required to prove negligence, as he was clearly not a public official. Four of nine justices dissented in this case, stating the public figure should only have to show “highly unreasonable conduct constituting an extreme departure from the standards of investigation and reporting ordinarily adhered to by responsible publishers.” Nevertheless, in his concurring opinion, Justice Warren wrote, “To me differentiation between ‘public figures’ and ‘public officials’ and adoption of separate standards of proof for each have no basis in law, logic, or First Amendment policy.”

Consolidated with *Curtis v. Butts*, the case of *Associated Press v. Walker* (1967) also found the libel plaintiff to be a public figure thereby imposing the actual malice standard. The Court found that an inadvertent mistake made while in pursuit of “hot news” did not meet the standard for reckless disregard and, therefore, was not cause for action in a libel lawsuit. Justice Black concurring in *Curtis v. Butts* wrote, “[I]t is time for this court to abandon *New York Times Co. v. Sullivan* and adopt the rule to the effect that the First Amendment was intended to leave the press free from the harassment of libel judgments.”

The news media gained another victory in *Rosenbloom v. Metromedia* (1971), when a little-known businessman was denied damages resulting from a news story in which he was

reported to be a distributor of obscenity. Justice Brennan wrote, "If a matter is a subject of public or general interest, it cannot suddenly become less so merely because a private individual is involved, or because, in some sense, the individual did not 'voluntarily' choose to become involved." Concurring, Justice Black argued that First Amendment protection should include "all discussion and communication involving matters of public or general concern, without regard to whether the persons involved are famous or anonymous." In effect, *Rosenbloom* found that all libel plaintiffs, public or private, must prove *Times* actual malice, if the topic or event is of interest to the public.

The *Rosenbloom* decision was based on a plurality, wherein the opinion received more support than any other decision but did not receive support from a majority of the justices. This plurality rendered the ruling vulnerable and allowed its overturn two years later in *Gertz v. Welch* (1974), which joined *Times* in virtually eliminating strict liability. *Gertz* established that individual states should determine the standards by which private persons could collect damages in libel cases. Although *Gertz* held that state courts must require the private person show a minimum of negligence, it also gave courts the freedom to impose a higher standard of fault, including actual malice. Furthermore, the ruling stipulated that in order to collect punitive damages, even a private citizen would be required to prove *Times* actual malice. This stipulation substantially changed the treatment of private plaintiffs in libel cases involving the media. According to the Court, private persons "are more vulnerable to injury, and the state interest in protecting them is correspondingly greater." Justice Powell added, "Public officials and figures usually enjoy significantly greater access to the channels of effective communication and hence have a more realistic opportunity to counteract false statements than private individuals normally enjoy." Dissenting, Justice Douglas warned, "With such continued erosion of First Amendment

protection, I fear that it may well be the reasonable man who refrains from speaking.” Also dissenting, Justice Brennan argued that even the stipulation for actual injury “will not provide the necessary elbowroom for First Amendment expression.”

Gertz also served to further define the public figure as: involuntary (those who “assumed roles of special prominence in the affairs of society”), all-purpose (those who “occupy positions of ... persuasive power and influence”), and limited-purpose (those who “have thrust themselves to the forefront of particular public controversies in order to influence the resolution of the issues involved”). *Gertz* was reaffirmed in *Time v. Firestone* (1976) finding that Mary Alice Firestone was not a public figure in that she did not have “especial prominence in the affairs of society” and she did not “thrust” herself into the public eye simply because of her divorce proceedings. Conversely, *Carson v. Allied News* (1976) held that the wife of late-night comedian Johnny Carson was a public figure due to her “proximity” to her husband. In *Wolston v. Readers Digest*, 1979, the Court overturned a lower court ruling that held the petitioner was a public figure because he spoke to the press and failed to appear at a hearing. According to the Court, Mr. Wolston would be regarded as a private figure, because he “led a thoroughly private existence prior to the grand jury inquiry and returned to a position of relative obscurity after his sentencing.” Moreover, he “achieved no general fame or notoriety and assumed no role of special prominence in the affairs of society.” The Court concluded the “petitioner was dragged unwillingly into the controversy.” Consequently, Mr. Wolston was only required to show negligence on the part of the media, rather than *New York Times* actual malice. This ruling was upheld in the *Foretich v. ABC* (1994) finding that the petitioner cannot be deemed a public figure simply because he used the news media to respond to allegations.

Waldbaum v. Fairchild (1980) held a public figure is a person with a name that is a “household word” and has a foreseeable impact on the resolution of the issue. The Court held the petitioner was a limited public figure because he injected himself into the public eye by leading public debate about policy. In a particularly significant ruling that further broadened the definition of public figure, *Dameron v. Washington Magazine* (1985) held that the petitioner was a public figure because he was the only air traffic controller on duty when TWA flight 727 crashed. Through no consent or will of his own, he became a limited-purpose public figure due to his involuntary role in a major public occurrence.

The burden of proof became even greater for libel plaintiffs in *Philadelphia Newspapers v. Hepps* (1986), which held that private persons involved in issues of public interest must prove the statement or information in question is false; it is not incumbent upon the news media to prove the information is true. This ruling was upheld in *Auvil v. CBS 60 Minutes* (1995), when the Federal court dismissed a suit by makers of Alar, a chemical used on apples to improve their appearance, saying that Auvil had to prove the CBS report detailing concerns over cancer-causing pesticides was false.

Regarding Jewell

In the aftermath of the intense media coverage surrounding the Olympics bombing, Jewell sued several media outlets for defamation. He reached a reported \$500,000 settlement with NBC over comments made by Tom Brokaw in which he stated that officials “probably have enough to arrest him right now, probably enough to prosecute him” (Ostow, 2003, para. 102) and settled with CNN, *New York Post*, and ABC Radio for undisclosed amounts for their allegedly libelous coverage of him (“Jewell settles libel suit with ABC for \$5,000,” 1999). There were 23 libel cases involving the media that made it through the state or federal courts in the 1990s (177

trials, down from 261 in the 1980s), and, while only two out of five of them were won by the plaintiff, the average award increased from \$2.6 million to \$3.4 million (Moses, 2000, p. 18). It is worth noting that Jewell also reached an undisclosed settlement with Piedmont College, his former employer, whose representatives first called the FBI to report their suspicions of Jewell (“Jewell settles libel suit with ABC for \$5,000,” 1999).

Jewell’s most controversial lawsuit was filed in early 1997 against the *Atlanta Journal-Constitution* and its parent company, Cox Enterprises Inc. The suit claimed the newspaper “portrayed him as an individual who was guilty or likely guilty of criminal involvement in the bombing, who had a motive for the bombing, and who had an aberrant personality and a bizarre employment history” (*Jewell v. Cox Enterprises Inc.*, 1997).

Unlike other news outlets, the newspaper refused to settle out of court with Jewell, and the case was first heard in 1999 by Judge John R. Mather in Georgia’s Fulton County State Court. Judge Mather ruled that, because he actively sought interviews with the news media, Jewell was a public figure and, as such, must accept a heavier legal burden in the defamation case.

This ruling, and the subsequent affirmation from Georgia’s Court of Appeals (*Atlanta Journal-Constitution v. Jewell*, 2001), served a huge blow to Jewell’s case, as he would now be expected to show *Times* actual malice instead of the much easier burden of negligence. In order to meet the *New York Times* test for actual malice, Jewell was required to show that the newspaper had reckless disregard for the truth in their fact-checking for the story or that they knew the information was false when they published it. Jewell’s attorneys argued that he should not be considered a public figure in this case, because he “did not voluntarily thrust himself to the forefront of the controversy,” nor did he “intentionally seek to influence the resolution or

outcome” of the event (*Jewell v. Cox Enterprises Inc.*, 1997). Moreover, Jewell claimed the defamatory comments made by the newspaper were “not germane to his participation in the controversy over safety at Olympic Park.”

The *Atlanta Journal-Constitution* contended that Jewell was indeed a voluntary limited-person public figure because, although his employer arranged all of his press interviews, he was not forced to grant the interviews, he vigorously pursued the scheduled interviews, and his dealings with the press (ten interviews and one photo shoot) were completely voluntary. Furthermore, attorneys maintained Jewell’s status as a public figure because he was a prominent figure in the bombing coverage, not due to the number of articles that mentioned him as such, but due to the number of readers of the articles. His interviews were with prominent news outlets such as *USA Today* and CNN; therefore, attorneys argued, he, too, should be considered prominent (*Jewell v. Cox Enterprises Inc.*, 1997).

In a unanimous decision, the Georgia Court of Appeals upheld the lower court ruling stating, while Jewell may not be a voluntary public figure (as argued by *Atlanta Journal-Constitution* and as ruled by Judge Mather), he was at very least an involuntary public figure due to his unique role in the controversy and his centrality to an issue of public debate, namely the safety and security of the Olympic Park (*Atlanta Journal-Constitution v. Jewell*, 2001). It is worth noting here that by the time Jewell’s case entered the court system *Wells v. Liddy* (1998) had already provided further definition of the involuntary public figure to include a person who could reasonably know his conduct would result in public interest or one who is considered a “central” figure in debate about the topic.

In determining whether Jewell was a public figure, the Court applied the *Gertz* test, as well as a separate three-prong test provided in *Silvester v. American Broadcasting Cos.* (1988).

This *Silvester* test calls on the courts to “isolate the public controversy, examine the plaintiff's involvement in the controversy, and determine whether the alleged defamation was germane to the plaintiff's participation in the controversy.” The appellate judge agreed with the trial court's rejection of Jewell's claim that the public controversy was the identity of the bomber, but maintained it was about the safety of the Olympic Park, as it directly and immediately affected the public.

Regarding Jewell's involvement in the controversy, the Court found that he “assumed a role of special prominence in the Olympic Park safety debate” when he offered assurances to the press that the police were working from composite sketches and solid leads. Furthermore, “comments regarding the adequacy of the law enforcement preparation, the appropriateness of the response to the bombing, and the safety of those returning to the park could realistically be expected to have an impact on the controversy's resolution.” As such, the judge found Jewell inserted himself into the public controversy.

In speaking to the third prong of the *Silvester* test, whether the defamatory statements were germane to the plaintiff's participation in the events, the Court applied *Waldbaum v. Fairchild* (1980) stating that “a publication is germane to a plaintiff's participation in a controversy if it might help the public decide how much credence should be given to the plaintiff.” Specific to comments regarding Jewell's character, the Court found that the “public figure's talents, education, experience, and motives are relevant to the public's decision to listen to him.”

The judge in Jewell's appeal contended that even if the lower court made a mistake in finding that Jewell was a voluntary limited-purpose figure, he could still easily be found as an involuntary public figure, because he did not reject a role in the controversy and, in doing so,

“invited debate” (*Silvester v. American Broadcasting Cos.*, 1988). Rejecting the *Gertz* assertion that the involuntary public figure is “exceedingly rare,” and citing the myriad examples of an involuntary public figure provided in *Dameron v. Washington Magazine* (1985), the Georgia Appellate Court stated that a private individual can be “dragged” into a controversy without his consent and then become a central figure in that issue, even if involuntarily. They added, “Jewell, who had the misfortune to have a tragedy occur on his watch, is such a person.”

Viability of False Light

In an effort to reverse this ruling and avoid the higher burden proof, Jewell’s attorney, Lin Wood, appealed to the Supreme Court of Georgia and the U.S. Supreme Court, and both courts denied hearing on the issue. Another option for Jewell was to file an invasion of privacy suit against the newspaper for publishing information that put him a false light. In their seminal article “Right to Privacy,” Warren and Brandeis (1890) were the first to claim that privacy was a personal right and not a property right. “[N]ow the right to life has come to mean the right to enjoy life, -- the right to be let alone; the right to liberty secures the exercise of extensive civil privileges; and the term ‘property’ has grown to comprise every form of possession -- intangible, as well as tangible” (p. 193). The authors argued the merits of periodically re-examining one’s own liberty and claimed, of late, “The press is overstepping in every direction the obvious bounds of propriety and of decency” (p. 196).

Nearly 40 years after his seminal article in the *Harvard Law Review*, Justice Brandeis again qualified privacy as the “right to be let alone.” Dissenting in *Olmstead v. United States* (1928), he wrote, “Publicity in many cases is absolutely essential to the welfare of the public. Privacy in other matters is not only essential to the welfare of the individual, but also to the well-

being of society.” Brandeis’ disagreement with the findings in this case foreshadowed the unyielding debate between private citizens and the press that would continue on for decades.

The first case heard by the Supreme Court involving a complaint about privacy and the media occurred in *Time, Inc. v. Hill* (1967), which held that the plaintiff would not be awarded damages for a story that ran in *Life* magazine. In 1952, escaped convicts held the Hill family hostage and eventually released all four of them without harm. Although the incident created unwanted notoriety for the Hills, they moved out of the area and avoided further publicity. Some time later, the Hill ordeal and several other unrelated incidents were the framework for a novel and subsequent play, which portrayed the victims as having suffered “considerable violence.” Accounts of the play were published by *Life* as re-enactments of the Hill incident, and photos and illustrations of the Hill home were used to stage the accounts. Claiming the article knowingly gave a false impression of the family’s experience, the Hills sued *Life* for false light. The Court ruled in favor of the magazine and held that a false-light plaintiff, even a private figure, must prove actual malice if the issue is one of public interest.

Given the *Time v. Hill* ruling, had Jewell sued the *Atlanta Journal-Constitution* for false light, he would have encountered the same obstacle he faced in his libel suit: he would have been required to prove actual malice. Compounding the problem is the existence of a few inherent problems with false light tort. Even today, many states contend that false light and libel are redundant, that false light injuries are too vague (e.g., emotional distress), and that false light rulings over the years have been inconsistent. Some states that do not recognize false light tort are Minnesota, Missouri, North Carolina, Ohio, and, most recently, Florida (Middleton & Lee, 2008, pg. 205).

Although he did not win his legal fight of asking the courts to reverse his public figure status, Jewell's case played a significant role in subsequent cases with regard to the *Silvester* three-prong test (*Mathis v. Cannon*, 2002; *Atlanta Humane Society v. Mills*, 2005; *Sparks v. Peaster*, 2003; *Austin v. PMG Acquisition LLC*, 2006; *Jones v. Albany Herald Publishing Co.*, 2008), the burden of actual malice (*Riddle v. Golden Isles Broadcasting, LLC*, 2005), the legal significance of issues of public concern (*Lake Park Post, Inc. v. Farmer*, 2003), and the finding of involuntary public figure status contrary to *Gertz's* "exceedingly rare" stipulation (*Wilson v. Daily Gazette Co.*, 2003; *Sewell v. Trib Publications, Inc.*, 2005).

Broader Implications

"Trial by media" is a phrase used to describe the media's portrayal of an individual's guilt before, or sometimes in the absence of, a trial (e.g., Sam Sheppard, O.J. Simpson, Duke lacrosse team). This practice can be particularly damaging to a person's reputation and is usually the result of the media's overzealous chase of a good story fueled by the demands of a curious public. When the law is upheld, the First Amendment protects journalists from being sued for such practices; however, framing is one way the media can intimate a person's guilt without losing that protection. Furthermore, while judge-ordered gags and sequestering are commonly relied upon safeguards for a fair trial, many times the offensive publicity occurs before or in the absence of a trial, at which point the judge is powerless to reverse the negative effects of the coverage (or un-ring the bell).

In a sense, the Supreme Court has failed to protect the actual purpose of free speech: to ensure open debate and to support our democratic society. The misuse of free speech by media can result in loss of human dignity, respect, and the universally inherent rights essential for the vitality of a democracy. This "betrayal by the media of the First Amendment's purpose"

(Phillipson, 2008, p. 16) is rarely challenged, because, in doing so, one would have to argue for some measure of media restraint. Phillipson (2008) writes:

Thus, although media freedom should be strongly upheld when the media is carrying out its proper function in a democracy, when it is not doing so, and particularly when it is attacking the basic freedoms of others, courts should not hesitate to rein it in (p. 18).

It is true that a democratic society depends on a free press; however, the tenacious defense of First Amendment law has in many ways bastardized the Constitution. For example, *Nebraska Press Association v. Stuart* (1976) held that at the “[c]ore of First Amendment values” is public scrutiny of the legal system. If journalists are afforded press freedoms based on the idea that public scrutiny of the courts is one of their duties, and if the legal system is in a position to protect journalists, then it follows that news media cannot satisfactorily perform those duties, as they involve criticizing the very institution to which they are beholden. As such, the democratic system breaks down, the legal system has a hesitant watchdog, and Sixth Amendment rights are violated. In 1941, *Bridges v. California* held that reporters cannot be held in contempt for editorials written in criticism of the courts’ handling of pending litigation. Although this ruling provides protection for journalists who choose to criticize judges, it does not remove the pervasive feelings the press may have of being beholden to the courts for their freedoms.

Texas v. Johnson (1989) found that “a bedrock principle underlying the First Amendment” is the news media’s duty to prevent those in power from silencing unpopular views. Indeed, watchdog journalism could not thrive had libel law not evolved to its current state. The hypocrisy lies in the fact that the press, which was intended to oversee the government on behalf of its citizens, is now heavy-handed against the common man and over-reliant on government officials as sources. In that respect, *New York Times v. Sullivan* did a disservice to

open debate. For example, although the *Jewell* finding was rare, it set a precedent wherein the combination of granting interviews and being involved in an issue of public concern may cause a private person to be considered a public figure. Similarly, a private individual who participates in the open marketplace of ideas by agreeing to speak to the news media as a source, a witness, or an expert may in turn fall victim to the overzealous press. If he decides to file suit, he might be named a public figure, due to his initial interviews and the nature of the story, thereby losing his protection. In helping to facilitate open debate and democracy, individuals can be penalized in the courts, contradicting the unsigned social contract between journalists and the democracy in which they operate.

U.S. District Judge J. Owen Forrester scolded the news media for its coverage of the investigation stating, "“This is the worst example of media coverage I've ever seen since watching *La Dolce Vita*," referring to an Italian movie that depicted the news media as vultures (Rankin, “Judge ponders unsealing FBI records on Jewell,” 1996). Nevertheless, the law will not likely change in any significant way with regard to First Amendment rights; therefore, as a society, we must figure out a way to thrive within the current (media and legal) systems. In the absence of a suitable legal solution, we should look to ethics for possible answers.

ETHICS DISCUSSION

It is evident from the legal review of this case that the law is dogmatically in favor of First Amendment protection of the press. In Jewell's case and others, court rulings have been handed down in staunch support of such freedoms, arguing that a free press is essential to the exchange of ideas and, thus, to democracy. Indeed there are powerful legal and constitutional barriers preventing forced restraint, even when the privacy and happiness of an individual is compromised, and rulings that hold private individuals as public figures make recovery of damages nearly impossible.

Clearly, the law failed Richard Jewell and, in some ways, failed the news media. In the absence of strict oversight from the courts, journalists were left to make powerful decisions on their own and, in doing so, drastically affected the life of an innocent man.

In order to satisfy news media's apparent need for professional guidance and the individual's desire for protection from objectionable press practices, we should turn our attention away from the law and, instead, investigate the subject of ethics. The need for ethics privacy in journalism is especially vital given the diminished right to privacy for a public person and, in the case of news stories of public concern, even the private individual. As evidenced in the dismissals of Stephen Glass from *New Republic* and Jayson Blair from *New York Times*, some ethical failures are void of ambiguity. Fabricated stories and blatant plagiarism are journalistic "sins" worthy of consequence; however, the ethics debate becomes much more complicated when less evident indiscretions are the topic. In the case of Richard Jewell, many reporters chose to frame him in a negative way and, in some instances, insinuate his guilt. This type of tactic, although not egregious on its face, can be damaging to a person's reputation and should be further examined with an eye toward ethics.

Theoretical Framework

Debates of this nature frequently turn to legal solutions because most ethical dilemmas are reliant upon personal point of view. A point of view can be formed and re-formed through experience, information, genetics and societal influences. In a diverse country such as the United States, points of view are plentiful; however, there are several theoretical frameworks on which we continually develop and edit our viewpoints. The adoption of one principle over another one affects how we approach tough decisions, particularly when there is no absolute right or wrong choice to be made.

The field of ethics is best understood as a whole comprised of three parts. Metaethics pertains to the overarching ethical values that form the basis for societal norms. For example, the vague concept of truth is a value that metaethics seeks to define so that members of society can relate to one another and make moral judgments (Day, 2000). Normative ethics involve the development of principles, or “ethical markers,” of society, which provide an underpinning for moral decision-making (Day, p. 4). Lastly, in applied ethics, the values identified in metaethics and the principles developed in normative ethics are applied to everyday, concrete cases (Day, 2000). It is in normative ethics that we examine the classic philosophical foundations that have permeated society in profound and lasting ways. Aristotle’s Mean, Kant’s Categorical Imperative, Mill’s Principle of Utility, and Rawls’ Veil of Ignorance help provide the moral framework for every individual’s ethical judgments and decisions (see generally, Rachels, 1986).

Influenced heavily by Socrates and Plato, Aristotle believed that through everyday temperance and moderation one could achieve a morally desirable position in the middle (or mean) of two extremes (Christians, Rotzoll, Fackler, Woods, & McKee, 2005; Day, 2000). Central to Aristotle’s principle is that a state of virtuousness is the ultimate goal, not simply

virtuous conduct. Rather than depend on a strict set of rules, moral behavior will occur naturally from this pure character (Christians, et al., 2005). Applied to the decisions made by the journalists covering the Jewell story, Aristotle's mean would guide reporters to a middle ground, somewhere in between not covering Jewell at all and covering every aspect of Jewell's life. Oftentimes, Aristotle's philosophy is the basis of journalists' attempts at fair and balanced reporting. Day (2000) writes, "In news stories in which there is a tendency toward excessive and sometimes sensational coverage ... the golden mean can be a helpful guideline in exercising more restraint in reporting" (p. 96). Clearly, many of the reporters covering Richard Jewell (and many other sensational news stories) did not apply Aristotle's mean in their ethical decision-making and engaged in excessive reporting of non-newsworthy information.

While the underpinnings of Aristotle's Mean are founded in individual virtue and character, Kant's Categorical Imperative is based on the notion that actions should be rooted in a sense of duty to do the right thing, regardless of the consequences. In other words, truth is not relative; it is absolute. Central to the categorical imperative is the call to respect others through the duty to tell the truth and that "it is the act itself, rather than the person who acts, in which moral force resides" (Patterson & Wilkins, 2005, p. 9). If for example a journalist accepts the obligation to tell the truth, under Kant's principle, the journalist would not consider the consequences of his truth-telling. Rather, his primary focus would be his sense of duty to tell the truth. Furthermore, in determining the morality of an action, a journalist must first identify the underlying principle of his action and test the legitimacy of that principle by determining if it can be made universal (Day, 2000).

Depending on how the concept of truth is defined, Kant's Categorical Imperative can be interpreted a few ways when applied to the Jewell coverage. If we assume the information

contained in the stories was truthful on its face simply because it was accurate (e.g., Jewell may indeed have fit the lone bomber profile), then Kant's theory can be seen in action. Using the lone bomber profile as an example, the journalist who reported that fact may have done so based on a journalistic duty to tell the truth, regardless of the consequences to Jewell. Even though respect for the individual is central to Kant's principle, here the truth was the overriding imperative. On the other hand, if we are to assume that accuracy and truth are not synonymous, then Kant's moral philosophy was not a guiding factor in the reporter's decision-making. Put another way, the things that were reported about Jewell might have been accurate; however, the manner in which some of the items were framed created assumptions that were not truthful. In that respect, and under the Kantian umbrella, the reporters failed to tell the absolute truth, perhaps in an attempt to avoid the consequences of getting scooped or producing a lackluster story.

Unlike Kant's Categorical Imperative, Mill's Principle of Utility is wholly concerned with the consequences of moral decision-making. In this theory, all actions are based on the anticipated result with an eye toward creating the greatest good for the greatest number (Day, 2000). Initially, utilitarianism focused on more hedonistic goals, but then evolved to embrace fundamental values like health and happiness (Christians, Rotzoll, Fackler, Woods., & McKee, 2005). The principles found in this philosophy can be seen in many Supreme Court defamation rulings, wherein individuals like Jewell are sacrificed for the greater good of open debate and democracy. In the same way, the *Atlanta Journal-Constitution* may have based its decision to name Jewell as a person of interest in the bombing investigation on the idea that doing so would result in the safety of a greater number. According to *Atlanta Journal-Constitution* managing editor, John Walter, he was comfortable using the "voice of God" approach when making the controversial decision to state that Jewell fit the profile of a lone bomber, justifying that 'the

need to attribute [the statement] to sources ... is less than if there is no public acknowledgment” (Brenner, 1997, p. 22).

In contrast to utilitarianism, egalitarianism is rooted in social justice, the protection of society’s weakest, and liberty for all individuals. According to egalitarian philosopher John Rawls, when approaching ethical problems, justice should always be equated with fairness. Although people have self-interests, Rawls’ philosophy assumes that goals are best attained through a spirit of cooperation, and that fairness is best achieved by considering the points of view of each stakeholder.

According to Rawls, in order to make the soundest moral decision, one must reject social differentiations and consider the situation from an “original position” behind an imaginary “veil of ignorance” (Day, 2000, p. 58). From this vantage point of “imagined equality” (Christians, et al, 2005, p. 18), moral contracts are made without awareness of one’s own age, sex, ethnicity, or socio-economic status. In the case of Richard Jewell, a reporter struggling with the moral dilemma of whether to use framing devices that imply his guilt would first step behind the veil with major stakeholders in the issue (e.g., Jewell, the FBI, and reporter himself). In doing so, the journalist can consider his actions under the pretense of understanding he might emerge as a powerful government official, as an influential member of the press, or as an individual without power or influence. Borrowing from social contract theory and utilitarianism, Rawls’ theory of justice states that the moral decision made from this blind point of view will automatically serve two functions: equal liberty for all and protection for the weak. For example, the Olympics bombing reporter would emerge from behind the veil having made the moral decision to distribute liberty to all stakeholders and to protect the weakest: Jewell. Theoretically, the reporter

would refrain from using frames that insinuated Jewell's guilt, and instead would concentrate on only those aspects that were truly newsworthy.

Self-Restraint

While ethical foundations are imperative to daily decision-making in journalism, some argue that professional codes of conduct, institutional guidelines, and other self-policing efforts are the most viable hope for journalistic integrity. Virtually all professional organizations in the field of journalism have formal codes of conduct, which are updated periodically to adjust to the changing workforce and emerging societal factors.

In October 1996, mere days before Jewell was officially removed as an FBI person of interest, the Society for Professional Journalists (SPJ) revised its code of ethics to include the responsibility to "minimize harm" (SPJ Code of Ethics). Although there were hints of this concept in the "fair play" section of the prior version (revised in 1984), the document was far less specific (SPJ History of the Society). The 1996 revision called for journalists to "[s]how compassion for those who may be affected adversely by news coverage," to "[u]se special sensitivity when dealing with ... inexperienced sources or subjects," and to "[b]e judicious about naming criminal suspects before the formal filing of charges" (SPJ Code of Ethics).

The specificity with which the SPJ handles this topic in its revised code indicates that journalists were much more idealistic about their moral fortitude in the years prior to the Olympics bombing. In comparison to the newer version, sections of the 1984 code vaguely state that "journalists at all times will show respect for the dignity, privacy, rights and well-being of people encountered in the course of gathering and presenting the news." (SPJ History of the Society). Additionally, the 1984 "fair play" section represents approximately one-sixth of the

total code, whereas the “minimize harm” section of the most recent code occupies nearly one-quarter of the document (SPJ History of the Society; SPJ Code of Ethics).

Formal codes of conduct are hailed by some as a solution to the problem of conflicting interpretations but viewed by others as a form of censorship and a departure from press independence (Day, 2000). Admitting that all journalists are not of like mind on the subject, the 1996 SPJ Ethics Committee chairman said of the *Atlanta Journal-Constitution*’s coverage of Jewell, they did not follow the “spirit of the [ethics] code” (Giobbe, Gotcha’ gamble, 1996); nevertheless, in the absence of industry licensing, the SPJ was powerless to enforce the code. In 1985, SPJ rejected the idea of forcing adherence to their code for fear that legislators would try to license the profession, thereby encroaching on First Amendment rights (Day, 2000).

Regarding the revised code in 1996, an *Editor & Publisher* editorial (“SPJ code of ethics,” 1996), the journal was supportive, but warned:

We must express concern, however, as we have in the past, about journalists who persist in insisting on some method of enforcing the code. SPJ is free to criticize and condemn news organizations that fail to live up to its code, but "enforcement" -- meaning establishing penalties for noncompliance -- is like setting up a journalistic police force, an idea that should be abhorrent to every believer in the right of free expression. (p. 6)

Commenting on the American Society of Newspaper Editors’ rejection of an international news media ethics code in the aftermath of the Clinton-Lewinsky affair, the O.J. Simpson trial, and the Olympics bombing, an *Editor & Publisher* editorial (“Hold the code: Just say no to international ethic rules,” 1998) was a bit less understanding, stating:

In a summer when the sheer number -- and astonishing shoddiness -- of ethical missteps by U.S. journalists is beginning to rival anything Ken Starr is investigating, it takes no small amount of courage for the American Society of Newspaper Editors to roundly reject calls for an international news media ethics code. (p. 6)

Many news organizations operate under their own institutional codes, which can be thought of as professional codes of ethics with a “bite.” Unlike the SPJ and other professional associations, news organizations can impose punishment on those who do not comply with their guidelines. For example, the Bloomberg organization warns that “violations of this standard of conduct can result in suspension or dismissal.” (Winkler & Watson, 1998). Similarly, the *New York Times* code of ethics professes a desire to work with journalists in the event of an indiscretion, but stipulates how “the company views any intentional violation of these rules as a serious offense that may lead to disciplinary action, potentially including dismissal, subject to the terms of any applicable collective bargaining agreement” (New York Times Company, Policy on Ethics in Journalism, n.d.).

Aside from codes of ethics, other evidence of the profession’s “commitment to self-criticism” (Day, 2000, p. 47) is the use of ombudsmen in the newsroom. Ombudsmen serve as investigators and advisors in the event of a question of ethics and, unlike institutional codes, they are “are more interested in improving the social conscience of the institution than in adhering to ... formal policy” (Day, 2000, p. 47). Similarly, news councils provide investigatory and advisory services through a panel of members made up from the community and the media; however, they are seldom used anymore and “have become virtually an ethical anachronism” in the United States (Day, 2000, p. 48). Still, other news organizations use public editors, media-focused blogs, fact checkers, journalism reviews, editors’ columns, and public feedback on radio and television to help guide ethical conduct (Ghiglione, 2008).

Explanations

Framing is a legitimate and powerful journalistic approach to the news story. Newspaper editor Steve Smith explained to Tanikard (2001) that “choosing a frame for a story is the most important decision a journalist makes” (p. 97). Tuchman (1978) echoes this notion, stating that framing is an active task for journalists and that news frames are an “essential feature of news” (p. 193). The frame is as much a part of a journalist’s arsenal as his Rolodex and his laptop, but despite the existence of ethical decision-making tools, reporters sometimes misuse framing tactics, as found in the coverage of Jewell. The reasons for such indiscretions can be best understood as emanating from one of four areas: the journalist, the newsroom, the industry, and the professional mindset.

The Journalist

An overarching conclusion from the ethics debates about the Jewell coverage is that reporters are humans: flawed, fickle and complex. Ghiglione (2008) writes:

Ultimately, as sacrilegious as it may sound, journalists may need to be more open to the notion that journalism today is a most human of institutions – pushed by 24/7 pressures, expected to cover more events with fewer reporters, asked to file stories in several media formats – and that journalists are bound to make mistakes, large as well as small. (p. 14)

To be sure, many of the journalists covering Jewell rushed to judgment, failed to fact-check, overused anonymous sources, and all-too-willingly joined the media circus. In their efforts to keep up with the competition, news media “committed many professional sins.” (Kalb, 2001, p. 150). Additionally, personal prejudices and stereotyping likely played a part in a journalists’ approach to a story and choice of frames (Pool and Shulman, 1959).

Sloppy journalism aside, reporters may sometimes compromise industry guidelines simply because there is no threat of disbarment or loss of licensure (Ghiglione, 2008). Unlike the professions of law, medicine and others, journalists do not operate under the rule of an omnipresent board waiting to hand down punishment when its members do not behave according to professional rules. As stated, journalists are humans first; without clear boundaries or consequences, some may not have the strength, desire, or moral fortitude to self-regulate.

In some cases, journalists are neither sloppy, nor undisciplined. Rather, many times the human journalist is conflicted by conflicting loyalties. According to the Potter Box of Moral Reasoning, loyalties are what ultimately determine a reporter's decision to make certain information public. For example, a news outlet may decide to minimize harm to an individual by not including certain private (and maybe unnecessary) information about a subject. His loyalty would be to the journalistic principle to "minimize harm" or perhaps his loyalty is to the individual. Still, another reporter may publish the information in question because his loyalty lies with the public's need to know (Christians, et al., 2005, p. 3). A news organization's true motives and character can be found in their loyalties and the decisions that they make based on those allegiances.

In trying to satisfy more than one interest, "journalists find themselves poised uneasily between what they see as two impossible ideals," namely journalistic integrity and competition (Bird & Dardenne, 1997, p. 343). A similar problem can be seen in the fields of arts and literature. In setting up a system of position-takings ("field of struggles"), the artistic fields have changed the dynamics of art and art-making. For example, while artists have moved out from under the oppression of church and state, they are still controlled by the public and by their own desires for recognition. In this sense, the culture we sometimes create for ourselves does not

serve to stabilize and neutralize. Instead, a paradox occurs wherein the culture we created in order to make sense of things actually serves to inject a certain level of discomfort and disorder.

While many journalists suffer from conflicting loyalties, a few (particularly in the case of *Atlanta Journal-Constitution*) experience unbalanced loyalty in the form of bias. At the time of the Olympic Park bombing, the *Atlanta Journal-Constitution* was arguably the most powerful news organization in Atlanta. Moreover, the newspaper had a personal stake in championing the search for the bomber on behalf of its community. When major television outlets like ABC, CBS, NBC and CNN and national newspapers like *The New York Times* and *USA Today* appeared on the scene to cover the story, *Atlanta Journal-Constitution* became more aggressive in its attempt to remain the guardian, so to speak, of the city: to catch the bomber. In an interview with *The New York Times*, one of the reporters who broke the story for *Atlanta Journal-Constitution*, Ron Martz, said of the competition, 'If we'd gotten beaten, we'd have been the laughing stock of the industry' (Applebome, 1996, 7B). It is useful to note, the two reporters who broke the Jewell story (Scruggs and Martz) delivered the majority of the most caustic framing of him. In keeping with the current discussion, it is possible that they over-personalized the event and took responsibility for seeing to it that Jewell was charged. Alternatively, the two reporters could have been acting in a more egocentric fashion in their attempts to persecute Jewell, perhaps hoping that they would join Woodward and Bernstein in the annals of journalism history

The News Organization

News room norms also play a role in the breakdown of ethical standards among news media, particularly in cases involving high-profile stories. Schorr (1996) observes:

Decades ago we were taught in journalism school that a statement damaging to an individual is potentially libelous unless an arrest has been made or charges filed. That newsroom rule has generally

broken down under competitive pressures and the symbiotic relationship established between enforcement officers and some news people. (p. 18)

Time constraints in the newsroom sometimes disallow the exercise of careful (and ethical) journalistic measures; particularly troublesome is the news media's frequent misuse and mishandling of sources. Too often reporters rely heavily on officials as sources and accept their words at face value; however, "many cases involving prominent public officials ... require extra skepticism" (Ghiglione, 2008, p. 12). Prosecutors, officials, spokesmen, and advocates are usually more press savvy than the average individual who may find himself in the limelight. Consequently, they learn how to work within press norms and reporters fail to adequately question them. In the coverage of Richard Jewell, reporters used FBI and other officials almost exclusively. They also used Jewell's attorney, Lin Wood, but many times towards the end of the article. When the reporter utilizes an official source, the quote comes to the newspaper already wrapped in a bias frame that benefits the source (McQuail, 2005).

Even more egregious is the use of unnamed sources. During the Monica Lewinsky scandal, the *New York Times* ran a story with 44 references to sources of which only 14 were named (Kalb, 2001). One way the news media circumvent the journalistic standard for naming sources is to use the "voice of God" approach, wherein the newspaper does not attribute the story to any sources (even unnamed ones), but rather vouches for its accuracy itself (Ostrow, 2003, para. 64).

In their discussion of event-driven news, Livingston and Bennett (2003) argue technology has allowed journalists to geographically broaden their scope to cover news not originated by officials. It is logical to presume that reporters would enjoy more independence from the state if the story originates outside of the state's control, but the authors found the reporters' use of

official sources did not change under these circumstances (p. 372). This finding suggests that reporters are so entrenched in their journalistic norms that they are unwilling to deviate from them even under favorable conditions to do otherwise.

Schiffer (2006) contends that even in the presence of opposition uprisings such as blogswarms, “the well-documented norms and constraints of the straight-news gatekeepers” prevail, and media still depend on official sources (p. 506). In fact, the Downing Street memo controversy was largely ignored by the mainstream press until official statements or hearings prompted coverage. Even then, the coverage reflected the position of the administration. In other words, in the absence of opposition from political elites, public uprisings do little to change the norms of the press.

Niven (2005) argues that issues such as pleasing the editor while increasing efficiency lead journalists to rely on the norms of the institution like the use of official sources (p. 247). Furthermore, this behavior is altered by the behavior of the political players. In situations of elite consensus, the press appears to lack independence and freedom. In times when there is lack of census, the press appears to “enjoy freer reign” (p. 259). In either case, their use of institutional norms is present.

It is the media’s set of procedures and assumptions that ultimately dictate how information is received from the framing-entity and how it is ultimately disseminated to the public. In general, individual elites have more framing control, because news coverage overuses elite sources. Unless the source is advanced enough to portray a very strong, single message, the media will be forced to work outside of their press norms. In that case, the media will either not cover the story or will set agenda with no real input from the organization. It is for this reason we

saw the press redirect the story. In the absence of any new information from sources, as was the case, the press took it upon themselves to set the agenda with their own frames.

Equally detrimental to the ethical standards of journalism is competition among news organizations. The drive to engage the reader in order to boost advertising profits can lead to a lapse in ethical judgment on the part of the journalist. Christians, et al, (2005) advises, “Our calculations need to consider that flesh-and-blood people known by name ought not be sacrificed for euphemisms and abstractions such as the public, clients, audience, or market” (p. 6). In 1947, the Hutchins Commission recognized the threat of a failing press in a country that needed news to nourish its democracy. The commission members were idealists who saw television as the much-needed new medium that would upend the dominant (and pretentious) old school print and radio. In their zeal about the promises of television, they failed to see the danger of its dependence on advertising (Jones, 2009, pp. 42-43).

Jones quotes Joe Birch, a broadcast journalist in Tennessee: ‘While news can be entertaining, that’s not our job, to be entertainers. Our job is to be informers.’ (p.19) but when ethical decisions have to be made in a financial crunch, “profit becomes the priority” (Jones, 2009, p.21). Serious news is “the iron core of information that is at the center of a functioning democracy,” and the editorials, the stories of rescued puppies, the scandalous, the entertaining and the frivolous are only derived from the core (Jones, p.1).

While time constraints and competition create ethical barriers for some news media, funding presents another challenge. Truth is an expensive venture and investigative journalism takes expertise and determination that many (especially young) reporters do not possess. Employing a true investigative journalist requires the organization’s financial support in the form of salary and expenses, sometimes in excess of \$250,000 per year (Jones, 2009, p.7). It is now

considered a luxury to have such a reporter. Ironically, the type of reporter that is required to generate high-end, “iron core” news costs a great deal more than the entertainment-style reporter – and entertainment reporting actually sells more papers (Jones, p.21). Additionally, news outlets incur legal risks, which require attorney and court costs, and sometimes offend powerful interests resulting in loss of backing or advertising dollars (Jones).

Industry Standards

The individual journalist and the news organization both offer various explanations why the media are prone to the use of discursive tactics like framing. For further explanation, we can look to the vagueness and lack of uniformity in industry-wide ethics guidelines and principles.

In a country that prides itself on diversity and independence, it is no wonder case-by-case decisions within the profession are often fraught with vagueness and exceptions to the rules. Increasingly, “journalism is becoming more complex,” and that complexity “may be the reality the reporter needs to capture and convey” (Ghiglione, 2008, p. 8).

There are many examples of the news media’s disagreements regarding issues of ethical concern. For example, at its October 1996 convention, Society of Professional Journalists rejected a proposed resolution that would issue a formal apology to Jewell ‘for the embarrassment to him and to his family’ (Giobbe, “SPJ Silent on Jewell,” 1996). The resolution, which was brought forward by a Society member and journalist, was called ‘naïve’ and was scrapped by the resolutions committee because ‘no one is comfortable with a blanket condemnation of any news organizations that would publish the name of a suspect before charges were brought’ (Giobbe, p. 11). Additionally, a survey of newspaper editors found disagreement with regard to specific ethics decisions. Three-quarters of the respondents said they would use the name of a person in custody for a crime but not formally charged, and one-fifth

said they would use the name of a person not yet arrested or charged with a crime (i.e., a person of interest) (Smith & Goodwin, 1999).

In addition to disagreement on important ethical issues, journalists must also contend with industry-wide discrepancies of commonly used terms. Guiding principles such as “truth,” “public interest,” and “objectivity” are subjective and sometimes cannot be relied upon when the rigors and realities of competition and time constraints are ever-present. The American Society of Newspaper Editors *Statement of Principles*, the Society of Professional Journalists *Code of Ethics*, and the *Elements of Journalism* (Kovach & Rosenstiel, 2001) all promote vague standards of accuracy, fairness, integrity and independence. Additionally, the guides all contain “objectivity as its backbone (even when journalists acknowledged that true objectivity was impossible.)” (Ghiglione, 2008, p. 8).

Specific to the Jewell coverage, “person of interest” is a loose term that should not be used by law enforcement officers or the media, because it “can tarnish the person’s reputation, mislead the public, and possibly hurt the investigation” (Chen, 2009, para. 8). Officials began using the term in the 1990s in order to satiate the hungry media and, at the same time, protect themselves against civil litigation; however, many who hear “person of interest” read “suspect” (Chen, 2009). “[T]he important distinction between person of interest and suspect is too often lost on most Americans” (Fox, 2009, para. 10).

As discussed previously, journalists are not required to hold a license, thus it would be impossible to revoke a person’s right to expression for any reason. The regulatory body available to most professions, a licensing board, is unavailable to journalists, and since no continuing education credits required, mandatory ethics courses cannot be set. In an attempt to compensate

for this deficiency, many media outlets and trade associations within the industry create ethical guidelines that are often too vague and lack capacity for enforcement.

Collective Mindset of the Profession

Much of the debate surrounding the Jewell coverage focused on the *Atlanta Journal-Constitution's* decision to name Jewell as a “person of interest” and the media frenzy that ensued (Shepard, 1996); however, the more subtle and less egregious methods the print media used to tell the story may have exacerbated the damage. When executed professionally and with an eye toward ethical guidelines, framing can be very effective; however, there are several aspects of the pervasive mindset among journalists that sometimes cause reporters to compromise their journalistic integrities.

Pack Mentality

Self-evaluations among journalists and interdisciplinary discussions about ethical standards erupted in the wake of the Jewell case (Barnett, 2008; Brenner, 1997; Foerstel, 2001; Millspaugh, 1949; Taylor, 2007; Tierney, 2006; Kalb, 1998). These concerns caused the journalist to reexamine those professional principles that call for minimizing harm, protecting sources, presuming innocence and maintaining objectivity, forcing the news organization to evaluate its loyalty to the citizen.

In the period following an especially intense “feeding frenzy” (Day, 2000, p. 84) news media frequently enter a period of “self-flagellation [and] lament their rush to judgment” (p. 85). The period of sensationalistic coverage depicting mass hysteria and bedlam in the wake of Hurricane Katrina was regarded as “the worst weeks of reporting in the history of American media” (Online NewsHour, 2005, p. 5). The trial by media of the Duke lacrosse team for the alleged rape of a woman ignited outrage over the many lapses of journalistic integrity, including

presumption of guilt, use of stereotypes, use of narratives, and dismissal of the principles of accuracy, fairness, and skepticism (Ghiglione, 2008, p. 1). In reference to the Clinton-Lewinsky affair, Kalb (1998) said, “It was journalism run amok.” (P.150). This phenomenon is so prevalent in news coverage, there are numerous names for it: media circus, trial by media, pack mentality, herd mentality (Day 2000), and catch-up journalism (Kalb 1998), to name just a few.

Speaking specifically about the group of reporters staking out Richard Jewell’s apartment building, *Village Voice* media critic James Ledbetter admitted journalistic decisions are sometimes not ‘an easy call in an extraordinarily competitive environment,’ but pointed out ‘the world of difference in reporting he’s a suspect and camping out at his apartment, writing detailed profiles and having psychologists on the air talking about him’ (Shepard, 1996, para. 8).

First Amendment Righteousness

In a 1997 interview with *Columbia Journalism Review* discussing the aftermath of the Jewell news coverage, *Newsweek* columnist and senior editor Jonathan Alter said, “Doing everything we legally can has been disastrous for the reputation of the press in this country. We have to draw a distinction between the right to do something and the right thing to do” (Boylan, 1997, p. 24). Insight into the collective mindset on this topic might also be gleaned from the pages of *Editor & Publisher* and *Quill*, two newspaper industry standards. *Editor & Publisher* (“Jewell Ruling Sparkles,” 2001) reported on the public figure ruling and subsequent agreement by the Georgia Court of Appeals:

Jewell’s lucrative sideline of shaking down news organizations has reached a dead end....[After he] appeared on any media outlet that would have him, drawing his tale like a backwoods version of Joe Friday, [he] set out to monetize the experience by suing deep-pocketed news organizations.

Commenting on Jewell's latest appeals loss in 2003, *Editor & Publisher* quipped, "Judge Mather would do better to order Jewell, who just turned 40, to get a life" ("A joke and two jewels," 2003). In contrast, *Quill's* treatment of Jewell's case was much less caustic and focused mostly on the legalities of being named a public figure ("Appeals court to review Jewell ruling," 2000).

Pretending for Democracy

The familiar story goes like this: A prideful emperor hires two clothes-makers and orders them to weave a suit that is so exceptional anyone who is dimwitted or unfit for his position would be unable to see the cloth. The weavers, of course, have no way of making such a suit, so they pretend to put invisible clothes on the emperor, who along with his officers pretends he sees the suit so as not to appear dimwitted or unfit for his position. When walking among his subjects in his "new clothes," a child points out that he is actually wearing no clothes at all. Although the emperor suspects the child might be right, he refuses to concede to it and stubbornly continues on his way.

In so many ways, the news media of late (collectively) are the emperor, and their roles as watchdogs in a democratic society are their new clothes. The judges and justices of our courts are the emperor's officers, nodding and agreeing with their assertion that they do indeed serve the role as defenders of democracy. And, while our nation's framers are the weavers of the suit, we, as a society, are the child standing in the crowd. In the name of open debate and democratic freedoms, the media, wearing their new clothes, swagger through the halls of the courthouses. All the while, we can clearly see what they suspect but stubbornly refuse to admit: the media are wearing nothing at all.

Gradually over the course of our nation's young history, watchdog journalism, one of our founding principles, became distorted. The obedient press made way for a new breed of

journalism in which government officials would be held accountable and anyone could enjoy open and free debate. But then, at some point, the press began to take on adversarial stances in politics, in the name of democracy. That spilled over into adversarial journalism in business, in the name of democracy. Now, it seems our adversarial press is turning its attention to the individual, in some cases partnering with the government agencies it used to oversee in order to bring an individual to justice. The trial by media phenomenon essentially makes the reporter a deputy of the FBI or the police.

Today, we can see the results of a slow erosion of the press role as a watchdog. The media have been deputized, they overuse officials as sources, and they are particularly aggressive when setting their sights on certain individuals. Worse, some media stand behind First Amendment rights to protect their sources then betray Good Samaritan sources like Richard Jewell at the first chance of a good lead. The mantra of “afflict the comfortable” (Taylor & Johnson, p. 122) has somehow been twisted to include afflicting anyone who fits the frame.

Especially worrisome are the “emperor’s officers”: the U.S. courts. In *Atlanta Journal-Constitution v. Jewell* (2001), it was held that Jewell would be considered a public figure partially based on the argument that he was a central figure in a controversy of public debate (the security of the Olympic Park) and that the public needed to make a judgment about the reliability of Jewell’s statements. The hypocrisy (the increasing invisibility of the clothes) is in the fact that the newspaper used an unnamed source to initially report that Jewell was a person of interest, disallowing any evaluation of that source on the part of the reader. Even more hypocritical is the fact that *Atlanta Journal-Constitution* has a policy against unnamed sources, stating that “anonymity makes it difficult for readers or viewers to evaluate for themselves the sources’ reliability and possible biases” (Ostrow, 2003, para. 61).

It is interesting to note here, particularly in light of the discussion about the collective mindset of the profession, how Jewell was remembered in 2007 when, at age 44, he died of a heart attack. While *USA Today* presented Jewell's obituary in a very straightforward manner (Copeland, "Richard Jewell dies of heart disease," 2007), *New York Times* actually reintroduced the "hero" reference in its headline and dedicated its lead paragraph to remembering that his "transformation from heroic security guard to Olympic bombing suspect and back again came to symbolize the excesses of law enforcement and the news (Sack, "Richard Jewell, 44, Hero of Atlanta Attack," 2007). Interestingly, *Atlanta Journal-Constitution* used Jewell's obituary to defend itself regarding Jewell's libel suit. While the newspaper does admit Jewell's "transformation from heroic security guard to Olympic bombing suspect and back again came to symbolize the excesses of law enforcement and the news," the story adds that "Jewell was a suspect, so the articles were accurate" and the "newspaper ... was not reckless or malicious in its reports regarding Jewell" (Scott, "Richard Jewell found dead at 44," 2007). *Atlanta Journal-Constitution* publisher John Mellott was quoted as saying, "Richard Jewell was a real hero, as we all came to learn," and this "is not a day to consider lawsuits, rather a day to pay respect." However, Mellott immediately returned to his defense and concluded his comment stating, "The story of how Mr. Jewell moved from hero to suspect and back in the Olympic Park bombing investigation is one the *Atlanta Journal-Constitution* has reported fully, even as it defended itself in a libel case brought by him" (Scott, 2007).

CONCLUSIONS

Framing is a legitimate technique used by well-respected journalists; however, the careless use of certain frames can insinuate the guilt of an innocent person, as was the case of Richard Jewell. Through a discourse analysis of the newspaper coverage during the weeks after the 1996 Atlanta Olympics bombing, as well as a descriptive study of the legal environment and an exploratory study of ethical parameters, this inquiry addressed all of the research questions presented at the beginning of this thesis:

1. What are the specific framing themes and patterns found in the coverage of Richard Jewell between the time of the bombing and the time of his exoneration?
 - This study found four distinct framing clusters: The Reluctant Hero, Jewell is Guilty, United We Stand, and Media Self-Coverage.
2. What are the specific framing tactics used by the newspapers to portray the image of Richard Jewell and his place in the investigation?
 - Discursive tactics of word choice, source choice, and inclusion of extraneous information were all found to contribute to the portrayal of Jewell's guilt in news coverage.
3. What are the implications of these frames with regard to audience perception of Jewell and what are the possible societal reasons these particular frames might have been used?
 - These themes and the specific discourse used to portray them were found to contain characteristics of myths, symbols, and storytelling. This finding underscores the impact of narrative discourse on our culture and our interactions with each other. Frames play an essential role in society, but they are sometimes misused by the news media in such a way that harms individuals, like Jewell.

4. What was the legal atmosphere in which this story unfolded with respect to rights and limitations of the media and the avenues of recourse for Jewell?
 - The courts' dogged protection of First Amendment rights in these situations and the difficulties in recovering losses when a private individual is ruled a public figure prevented Jewell from collecting damages in his libel suit. The law's failure to protect Jewell and others like him underscores the growing need for rigorous ethics in journalism.
5. With regard to framing, what ethical problems must we consider in this case and what are possible remedies?
 - Journalists lack a profession-wide code and are not subject to enforcement or punishment for violation of any code. Consequently, journalists sometimes resort to the types of discursive tactics found in the Jewell coverage for a variety of reasons: 1) Journalists are humans, and as such make mistakes, approach things with bias, or feel conflicting loyalties; 2) Newsroom norms create time constraints, competitiveness, and overuse of unnamed or official sources; 3) Industry guidelines are conflicting, vague, or duplicitous; and 4) The collective mindset of the profession creates a pack mentality, encourages an unhealthy righteousness about First Amendment rights, and remains hypocritical about the role of the journalist in a democratic society.
6. What are the implications of this case with regard to the legal and ethical effects on journalists' newsroom behavior?
 - Given the importance of narratives in our society and the prevalence of framing in news media coverage, it is a safe assumption that journalists are unlikely to discontinue the use of this powerful narrative tactic. Furthermore, in the name of open debate and a thriving

democracy, the law is almost unequivocal in its protection of journalists, and industry attempts to self-regulate almost always circle back to legalities of code enforcement and the potential for violation of First Amendment rights. It is for these reasons that the responsibility to protect unsuspecting private citizens like Richard Jewell falls upon the individual journalist.

In reviewing the salient points of this study, it becomes evident that the *Atlanta Journal-Constitution* provided the bulk of the more egregious frames. There are several reasons this might be the case. As mentioned, the newspaper was geographically close to the event and, as such, the bombing became a more personal story. Atlanta was the Olympic host city, welcoming the world to the new, post-civil rights south. The newspaper poised itself to be the mouthpiece of the Olympics, and was likely embarrassed that such an event occurred in its city. This embarrassment was further exacerbated by the fact that the *Atlanta Journal-Constitution* was an integral part of the community, as well. Additionally, the newspaper was the first to “out” Jewell as a person of interest, and the publisher, editors, and reporters were questioned by the public and media for that decision. In hyper-focusing on Jewell within the coverage of the entire event, the newspaper seemed to be trying to prove his guilt in order to justify its decision. Lastly, the two reporters who provided the most derogatory frames (Scruggs and Martz) were also the reporters who broke the story. Again, it is likely these reporters sought to justify that choice by continuing to vilify Jewell.

At its most elemental level, the journalist’s responsibility is to strike a delicate balance between professional autonomy and societal interdependence. While the result of a regulated media may be a weakened democracy, the result of unabated assaults on individuals through misuse of framing is equally damaging to society. Over the years, First Amendment

interpretation shifted from focusing on the public's right to fair and balanced information to the media's right to free expression. The considerable latitude afforded the press in the name of democracy suggests an unspoken contract. Journalists stand atop their First Amendment rights and demand protection, so it follows that journalists should uphold their duty as interconnected members of society and minimize the harm to others.

American politician and presidential candidate Adlai E. Stevenson once said, "Accuracy to a newspaper is what virtue is to a lady; but a newspaper can always print a retraction" (BrainyQuote.com, Adlai E. Stevenson Quotes). Indeed, the American journalist should be more compelled to remain professionally virtuous, not only to avoid the regrets that inevitably come the day after indiscretion, but also to avoid the retraction and all that it implies. When broadened to speak to the most common journalistic missteps found in the Jewell coverage, the "retraction" infers an escape hatch that news media can use whenever they have behaved badly. If an action on the part of a reporter or editor necessitates a retraction, then, to some degree, there is likely a person or group of people that have been negatively affected by that action, and sometimes a retraction cannot un-ring the bell. Jewell's attorney, Lin Wood, said press apologies and retractions are the "whisper of 'innocence' that could never drown out the shout of 'guilty'" (Hoyt, "Headlines and Exonerations, 2008).

In discussions like this, it is important to keep perspective and consider the alternatives to a free press. While Richard Jewell's reputation was tarnished, magazine editor Christine Anyanwu was sentenced to 15 years in a Lagos prison for the way she framed a story about an alleged plot against the government. Similarly, West African and East European reporters operate in an environment in which offending the government is an act of treason, and in Indonesia, Cuba, and Turkey, news stories are routinely suppressed. In Hong Kong, although

officials assure journalists they support truthful reporting, reporters are under constant worry that their stories will overstep invisible and undefined boundaries (Levy & Bonnilla, 1999). In contrast, the tenacious protection of the U.S. press is how the Watergate scandal broke and how the *New York Times* came to publish the Pentagon Papers, both of which exposed government malfeasance and profoundly impacted the country. These classic examples of watchdog journalism, juxtaposed against the injustices suffered by journalists around the world, serve as a reminder of the merits of constitutional protection and the need for solutions other than media restraint.

There are many theoretical solutions to the dilemmas presented in the Jewell coverage. Phillipson (2008) argues that responsibility for reigning in the press falls on the courts and suggests the news media be legislated in ways that do not tread on press freedoms. For example, he offers that U.S. courts should follow Europe and other countries in preventing the media circus atmosphere at high-profile trials not by banning the press, but by delaying its ability to publish certain aspects of the trial or crime. Unlike a gag order, this suggestion would circumvent the prosecutors and officials involved in a trial and legislate directly to the press. He speaks to the issue of threats to fair trial by stating, “U.S. courts must take responsibility for failing to uphold this ‘fundamental’ right against the media” (page 16).

Calvert and Richards (2002) call for a “Good Samaritan Source” rule that would protect private figures, such as Jewell, in the event that they agree to speak to the press as a source, a witness, or an expert. Haridakis (1999) suggests a special code of professional conduct for legal commentators. Another solution for consideration would be creating professional codes of conduct that specifically address the “person of interest.” Similarly, journalism associations might consider discouraging the use of the phrase “person of interest,” suggesting other phrases

in its place. Additionally, officials could be legislated to refrain from disclosing the name of anyone not yet charged with a crime.

Aside from legislation and codes of conduct, individual citizens very well may need to learn how to manage news media themselves. Farnsworth and Lichter (2006) argue that people must learn to master the media, otherwise they will be reduced to being defined by it. In other words, they must participate in the framing contest, or the agenda will be set without their influence. When it comes to framing, there is a systematic bias within the news media that favors certain people, organizations, or interests at certain times. Many times the message that is gaining the most attention from the press, and consequently becoming part of public discourse, is one that has been framed better than another. The ability to invoke certain frames in the press allows individuals and organizations to influence the public agenda; however, the strongest advantage is held by those who have the most resources, which would make things difficult for someone like Jewell. Furthermore, research on agenda-setting by Eshbaugh-Soha and Peake (2005) found that the best time to impact the agenda about a particular topic is when media coverage has been sporadic and the message or topic lacks saliency. Unfortunately, for Jewell and others, media coverage of high-profile cases is neither sporadic nor inconspicuous.

It is important to remember, “media” are a conglomeration of many different outlets and are derived from and driven by much different forces. As such, it is difficult to construct the perfect solution to the ethics dilemma. In the absence of laws that protect the individual and lacking a uniform regulatory body for journalists, it may be necessary for proponents of press responsibility to address the issue from a different angle. For example, professional associations and news organizations might require that members and employees earn yearly ethics education credits. The enforcement of attendance and punishment for violation of ethics codes would be a

matter for the association and the institution and, as such, would pass First Amendment scrutiny. Furthermore, the burden would be lifted from the individual journalist, who would instead be better equipped with solid ethics guidelines.

Ethics scholar Louis A. Day advocates for instruction that “refines our ability to make critical judgments and to defend those decisions on some rational basis” (Day, 2000, p. 3). In other words, more crucial to the journalist than a set of rules is the exposure and training in theoretical frameworks of media ethics and the resulting ability to make professional decisions that are “morally defensible” (Day, p. 3).

Jones (2009) writes, “One thing is for certain: the revolution in news now taking place will be critical to defining what kind of nation we become in the years ahead” (p. xix). There are many areas of ethics and framing that have yet to be investigated. Relevant to this study, future research should be conducted on how the media frame high-profile crimes of national interest and the extent to which those frames affect public assumption of guilt. Additionally, it would be useful to know what, if any, long-term effects exist weeks, months and years after a trial-by-media event. In determining the long-term effects, we can also gain understanding of the resulting consequences to the accused person’s reputation or psychological wellbeing. Lastly, it would also be reasonable to extract each section of this study (societal, legal, and ethical) and conduct more in-depth analyses on those topics with respect to media framing, concentrating on the professional and moral implications to the individual journalist, the industry, and society.

When considering the misuse of narratives and framing in the news media within the contexts of society, ethics, and the law, it becomes evident that the best hope for a man like Richard Jewell is the journalists’ individual education, training, and deeper understanding of their roles in an interdependent society. It is not the courts, nor the Constitution, but the

journalists themselves and the professional associations they comprise that can exact a positive change in the current media environment. Judge Cardozo, ruling in the New York Court of Appeals, said it best: "If the house is to be cleaned, it is for those who occupy and govern it, rather than for strangers, to do the noisome work" (*People ex rel. Karlin v. Culkin*, 1928).

REFERENCES

- A joke and two jewels. (2003). *Editor & Publisher*, 136(30), 9.
- Appeals court to review Jewell ruling. (2000). *Quill*, 88(1), 7.
- Applebome, P. (1996, October 27). A story where the telling itself has raised many questions. *New York Times*, p. 7B.
- Associated Press v. Walker*, 389 U.S. 28, 1967.
- Atlanta Humane Society v. Mills*, 618 S.E. 2d 18 (Ga. Ct. of App. 2005).
- Atlanta Journal-Constitution v. Jewell*, 555 S.E.2d 175 (Ga. Ct. App. 2001).
- Austin v. PMG Acquisition, LLC*, 629 S.E. 2d 417 (Ga. Ct. of App. 2006).
- Auvil v. CBS "60 Minutes,"* 67 F.3d 816 (9th Cir. 1995).
- Bader, J. L. (2008, January 27). When icons die young. *New York Times*. Retrieved from http://www.nytimes.com/2008/01/27/weekinreview/27bader.html?_r=1
- Bannister, D. (1981). Personal construct theory and research method. In P. Reason & J. Rowan (Eds.), *Human inquiry – A sourcebook of news-paradigm research*. New York: Wiley.
- Barnett, B. (2003). Guilty and threatening: Visual bias in television news crime stories. *Journalism Communication Monographs*, 5, 105–155.
- Barnett, B. (2008). Framing rape: An examination of public relations strategies in the Duke University lacrosse case. *Communication, Culture & Critique*, 1(2), 179-202.
- Barthes, R. (1972). *Mythologies*. New York: Hill and Wang.
- Baysha, O., & Hallahan, K. (2004). Media framing of the Ukrainian political crisis, 2000—2001. *Journalism Studies*, 5(2), 233-246.
- Becker, H., & Dahlke, H. O. (1942). Max Scheler's Sociology of Knowledge. *Philosophy and Phenomenological Research*, 2(3), 310-322.
- Belkin, L. (1990, June 6). Doctor tells of first death using his suicide device. *New York Times*, p. A1.
- Beniger, J. R., & Gusek, J. A. (1995). The cognitive revolution in public opinion and communication research. In T. L. Glasser & C. T. Salmon (Eds.), *Public Opinion and the Communication of Consent*, (pp. 217-248). New York: Guilford.
- Berger, P. L., & Luckmann, T. (1989). *The Social Construction of Reality: A Treatise in the Sociology of Knowledge*. New York: Anchor.

- Berinsky, A. J., & Kinder, D. R. (2000). *Making sense of issues through frames: Understanding the Kosovo crisis*. Paper presented at the Annual Meeting of the American Political Science Association, Washington, DC. Retrieved from http://www.unc.edu/~fbaum/teaching/POLI195_Fall09/Berinsky_JOP_2006.pdf.
- Billig, M. (1997). From codes to utterances: Cultural studies, discourse and psychology. In P. Golding & M. Ferguson (Eds.), *Beyond Cultural Studies* (pp. 205-226). London: Sage.
- Bird, S. E., & Dardenne, R. W. (1997). Myth, chronicle and story: Exploring the narrative qualities of news In: D. Berkowitz (Ed.) *Social Meanings of News*, (pp. 333-350). Thousand Oaks, CA.
- Boylan, J. (1997) Punishing the press: The public passes some tough judgments on libel, fairness, and 'fraud'. *Columbia Journalism Review*, March/April, 1997 accessed online on 2/15/10 from <http://www.allbusiness.com/marketing-advertising/advertising-print-advertising/608248-1.html>.
- Brady, E., & Becker, D. (1996, July 28). Shaken but defiant, athletes won't give in. *USA Today*, p. 3C.
- BrainyQuote.com. (n.d.) Adia E. Stevenson Quotes. Retrieved from <http://www.brainyquote.com/quotes/quotes/a/adlaieste128852.html>
- Brenner, M. (1997, February). American nightmare: The ballad of Richard Jewell. *Vanity Fair*. Retrieved from <http://www.vanityfair.com/magazine/archive/1997/02/brenner199702>
- Brewer, P. R. (2000, April). *Passive receivers or motivated reasoners? An experimental study of how citizens process value frames*. Paper presented at the Annual Meeting of the Midwest Political Science Association, Chicago.
- Bruni, F. (1996, August 1). News reports' naming of bomb suspect raises ethical issue. *New York Times*, p. A12.
- Callaghan, K., & Schnell, F. (2005). *Framing American politics*. Pittsburgh, PA: University of Pittsburgh Press.
- Calvert, C., & Richards, R. D. (2002). A pyrrhic press victory: Why holding Richard Jewell as a public figure is wrong and harms journalism. *Loyola of Los Angeles Entertainment Law Review*, 22, 293-326.
- Campbell, J. (2008). *The hero with a thousand faces*. Novato, CA: New World Library.
- Carey, J. W. (1992). *Communication as culture: Essays on media and society*. New York: Routledge, Chapman, and Hall.
- Carragee, K., & Roefs, W. (2004). The Neglect of Power in Recent Framing Research. *Journal of Communication*, 54(2), 214-233.

- Carson v. Allied News*, 529 F. 2d 206 (7th Cir. 1976).
- Celizic, M. (2008, May 15). Tonya Harding reveals her side of roller-coaster life. Retrieved from <http://today.msnbc.msn.com/id/24645352/>
- Chaplinsky v. New Hampshire*, 315 U.S. 568, 1942.
- Chen, S. (2009). What does 'person of interest' mean? Nothing. CNN. September 17, 2009. Retrieved from <http://www.cnn.com/2009/CRIME/09/17/yale.person.of.interest/index.html>.
- Christians, C. G., Rotzoll, K. B., Fackler, M., Woods, R. H., & McKee, K. B. (2005). *Media ethics: cases and moral reasoning* (7th Ed.). Boston: Allyn and Bacon/Pearson.
- Chyi, H. I., & McCombs, M. (2004). Media salience and the process of framing: coverage of the Columbine school shootings. *Journalism & Mass Communication Quarterly* 81(1): 22-35.
- Columbia Journalism Review*, (1999). America's Best Newspapers. 38(4), 14. Retrieved from Academic Search Complete database.
- Cook, T. A. (2005). *Governing with the news*. Chicago: University of Chicago Press.
- Copeland, L. (2007, August 30). Richard Jewell dies of heart disease. *USA Today*.
- Courage of the crowd (1996, July 29). *The Atlanta Journal-Constitution*, p. 06A.
- Creswell, J. W. (1998). *Qualitative research and design: Choosing among five traditions*. Thousand Oaks, CA: Sage.
- Curriden, M. (1997). Rebuilding a reputation. *American Bar Association Journal*, 83(1), 20.
- Curtis Publishing Co. v. Butts* 388 U.S. 130, 1967.
- Dameron v. Washington Magazine*, 476 U.S. 1141, 1985.
- D'Angelo, P. (2002). News framing as a multi-paradigmatic research program: A response to Entman. *Journal of Communication*, 52 (4): 870-88.
- D'Angelo, P. (2006). The power of the press: The effects of press frames in political campaign news on media perceptions. *Conference Papers -- American Political Science Association*, 1-41. Retrieved from Academic Search Complete database
- Dardis, F., Baumgartner, F., Boydston, A., De Boef, S., & Shen, F. (2008). Media framing of capital punishment and its impact on individuals' cognitive responses. *Mass Communication & Society*, 11(2), 115-140.
- Darnton R. (1975). Writing news and telling stories. *Daedalus*, 104(2), 175-194.

- Davis, P. M. (2009). How the media frames “open access”. *The Journal of Electronic Publishing* 12 (1): February 2009. Accessed on 1/8/2010 from <http://www.journalofelectronicpublishing.org/>
- Day, L. A. (2000). *Ethics in media communications: Cases and controversies* (3rd Ed.). Belmont, CA: Wadsworth.
- DeMichele, C. (2005). A person of interest. In P. Patterson, & L. Wilkins (Eds.), *Media ethics: Issues and cases* (5th Ed.). New York: McGraw-Hill.
- Denzin, N. K., & Lincoln, Y. S. (2005). Introduction: The discipline and practice of qualitative research. In N. K. Denzin & Y. S. Lincoln (Eds.), *The Sage Handbook of Qualitative Research* (3rd ed.), pp. 1-33. Thousand Oaks, CA: Sage.
- Dillard, J., Solomon, D., & Samp, J. (1996). Framing social reality: The relevance of relational judgments. *Communication Research*, 23(6), 703-723.
- Dixon, T. (2003). The portrayal of race and crime on television network news. *Journal of Broadcasting & Electronic Media*, 47, 498–523.
- Dixon, T., & Linz, D. (2000). Overrepresentation and underrepresentation of African Americans and Latinos as lawbreakers on television news. *Journal of Communication*, 50, 131–155.
- Dixon, T., Azocar, C. L., & Casas, M. (2003). The portrayal of race and crime on television network news. *Journal of Broadcasting & Electronic Media*, 47, 498–524.
- Donohue, G. A., Tichenor, P. J., & Olien, C. N. (1995). A guard dog perspective on the role of media. *Journal of Communications*. 45(2), 115-132.
- Dorfman, L., & Schiraldi, V. (2001). *Off balance: Youth, race, & crime in the news*. Washington, DC: Building Blocks for Youth.
- Duty to inform (1996, August 22). *The Atlanta Journal-Constitution*, p. 16A.
- Egan, T. (1996, August 5). Terrorism Now Going Homespun As Bombings in the U.S. Spread. *Atlanta Journal-Constitution*, p. A1).
- Entman, R. M. (1993). Framing: Towards clarification of a fractured paradigm. *Journal of Communication*, 43 (4), 51-58.
- Eshbaugh-Soha, M., & Peake, J. S. (2005). Presidents and the Economic Agenda. *Political Research Quarterly*, 58(1), 127-138.
- Estes v. Texas*, 381 U.S. 532, 1965.
- Fairclough, N. (2003). *Analysing Discourse: Textual Analysis for Social Research*. London: Routledge.

- Farnsworth, S., & Lichter, S. R. (2006). *The Mediated Presidency: Television News and Presidential Governance*. Landam, MD: Rowman.
- Fish, S. (1980), *Is There a Text in This Class? The Authority of Interpretive Communities*. Cambridge, MA: Harvard University Press.
- Fisher, K. (1997). Locating frames in the discursive universe. Retrieved from <http://www.socresonline.org.uk/2/3/4.html>
- Fiske, S. T., & Taylor, S. E. (1991). *Social Cognition*. New York: Cambridge University Press.
- Florida Star v. B.J.F.*, 530 So. 2d 286 (Fla. Sup. Ct. 1988).
- Flowerdew, J. (1996) Discourse and social change in contemporary Hong Kong. *Language in Society*, 25(4), 557-586.
- Flowerdew, J. (2004). The discursive construction of a world-class city. *Discourse & Society*, 15(5), 579-605.
- Foerstel, H. N. (2001) *From Watergate to Monicagate: Ten Controversies in Modern Journalism and Media*. Westport, CT: Greenwood.
- Foretich v. ABC*, 37 F. 3d 1541 (4th Cir. 1994).
- Foucault, M. (1977). What is an author? In D.F. Bouchard (Ed.) *Language, Counter-Memory, Practice* (pp. 113-138). Ithaca, NY: Cornell University Press.
- Fox, J. A. (2009). Commentary: Don't name 'person of interest'. CNN. September 17, 2009. Retrieved from <http://www.cnn.com/2009/CRIME/09/17/fox.person.of.interest/index.html>
- Frankel, M. (1996, September 22). An Olympian injustice. *New York Times*, p. M60.
- Friedland, L. A., & Zhong, M. (1996). International television coverage of Beijing Spring 1989: A comparative approach. *Journalism & Mass Communication Monographs*, 156.
- Galvin, K. M. (1984) *Media Law: A Legal Handbook for the Working Journalist*. Berkley, CA: Nolo Press.
- Gamson, W. A., & Modigliani, A. (1987). The changing culture of affirmative action. In R. D. Braungart (Ed.), *Research in Political Psychology* (Vol. 3, pp. 137-177). Greenwich, CT: JAI.
- Gamson, W. A., & Modigliani, A. (1989). Media discourse and public opinion on nuclear power: A constructionist approach. *American Journal of Sociology*, 95(1), 1-37.
- Gans, H. (1974). *Popular culture and high culture*. New York: Basic Books.

Garrison v. Louisiana, 379 US 64, 1964.

Gertz v. Welch, 418 U.S. 323, 1974.

Ghanem, S. (1997) Filling in the tapestry: The second level of agenda setting. In M. McCombs, D.L. Shaw, and D. Weaver, (Eds.), *Communication and Democracy: Exploring the Intellectual Frontiers in Agenda-Setting Theory*. Mahwah, NJ: LEA.

Ghiglione, L. (2008) Back to the future – Questions for the news media from the past. *Law and Contemporary Problems* accessed on 3/28/10 from [http://www.law.duke.edu/shell/cite.pl?71+Law+&+Contemp.+Probs.+1+\(autumn+2008\)](http://www.law.duke.edu/shell/cite.pl?71+Law+&+Contemp.+Probs.+1+(autumn+2008))

Gibbs, G. T. (1991, March 12). L.A. cops taped in the act. *New York Times*, p. A23.

Gieber, W. (1964). News is what newspapermen make it. In L. Dexter and D. M. White (Eds.), *People, Society, and Mass Communication*. Glencoe, Ill.: Free Press.

Gilliam Jr., F. D., & Iyengar, S. (2000). Prime suspects: The influence of local television news on the viewing public. *American Journal of Political Science*, 44(3), 560-273.

Gilliam, F., Iyengar, S., Simon, A., & Wright, O. (1996). Crime in black and white: The violent scary world of local news. *Harvard International Journal of Press-Politics*, 1, 6–23.

Giobbe, D. (1996). Gotcha' gamble. *Editor & Publisher*, 129:42, pp. 8-10.

Giobbe, D. (1996). SPJ silent on Jewell. *Editor & Publisher*, 129:42, p. 11.

Gitlin, T. (1980). *The Whole World is Watching: Mass Media in the Making and Unmaking of the New Left*. Berkeley, CA: University of California Press.

Glaser, B., & Strauss, A. (1967). *The Discovery of Grounded Theory*. Chicago: Aldine.

Goffman, E. (1974). *Frame Analysis: An Essay on the Organization of Experience*. Cambridge, MA: Harvard University Press.

Goidel, R. K., Freeman, C., & Procopio, S. (2006). The impact of television viewing on perceptions of juvenile crime. *Journal of Broadcasting & Electronic Media*, 50(1), 119-139.

Goldberg, D. (1996, July 28). Visitors won't be intimidated. *The Atlanta Journal-Constitution*, p. 15S.

Gross, K., & D'Ambrosio, L. (2004). Framing emotional response. *Political Psychology*, 25(1), 1-29.

Hackett, R. A. (1984). Decline of a paradigm? Bias and objectivity in news media studies. *Critical Studies in Mass Communication*, 1(3), 229–259.

- Haider-Markel, D. P., & Joslyn, M. R. (2001). Gun policy, opinion, tragedy, and blame attribution: The conditional influence of issue frames. *The Journal of Politics*, 63, 520–543.
- Haigh, M. M. (2006). A comparison of embedded and nonembedded print coverage of the U.S. invasion and occupation of Iraq. *Press/Politics*, 11(2), 139-153.
- Hall, S. (1980). Cultural Studies: two paradigms. *Media, Culture and Society*, 2, 57-72.
- Hallahan, K. (1999). Seven models of framing: Implications for public relations. *Journal of Public Relations Research*, 11(3), 205-242.
- Hallin, D. C. (1984). The media, the war in Vietnam and political support: A critique of the thesis of an oppositional media. *The Journal of Politics*, 46, 2-24.
- Halttunen, K. (1998). The construction of murder as mystery. In *Murder Most Foul: The Killer and the American Gothic Imagination* (pp. 91-134). Cambridge, MA: Harvard University Press.
- Haridakis, P. M. (1999). Commentator ethics: A policy. *Journal of Mass Media Ethics*, 14(4), 231-246.
- Hasian, M., & Flores, L. A. (2000). Mass mediated representations of the Susan Smith trial. *The Howard Journal of Communications*, 11, 163-178.
- Herbert, B. (1996, July 29). In America; A medal for Humanity. *New York Times*, p. A19.
- Hernandez, D., & Schmitt, B. (1996). SPJ approves ethics code. *Editor & Publisher*, 129(42), 22.
- Hoffer, R. (1994, June 27). O.J. Simpson stands accused of brutally killing two people. *Sports Illustrated*. Retrieved from <http://sportsillustrated.cnn.com/vault/article/magazine/MAG1005334/index.htm>
- Hold the code: Just say no to international ethics rules. (1998). *Editor & Publisher*, 130(94), 6.
- Hold the code: Just say no to international ethics rules. (1998, July11) *Editor & Publisher*, 131(28), 6.
- Howard University v. Best*, 484 A.2d 958 (D.C.1984).
- Hoyt, C. (2008, August 17). Headlines and Exonerations. *New York Times*. Retrieved from <http://www.nytimes.com/2008/08/17/opinion/17pubed.html?pagewanted=print>
- Hurwitz, J., & Peffley, M. (1997). Public perceptions of race and crime: The role of racial stereotypes. *American Journal of Political Science*, 41, 375–402.
- Irvin v. Dowd*, 366 U.S 717, 1961.

- Iyengar, S. (1987). Television news and citizens' explanations of national affairs. *American Political Science Review*, 81, 815-831.
- Iyengar, S. (1991). *Is Anyone Responsible? How Television Frames Political Issues*. Chicago: University of Chicago Press.
- Iyengar, S., & Kinder, D. (1987). *News That Matters*. Chicago: University of Chicago Press.
- Jasperson, A. E., Shah, D. V., Watts, M., Faber, R. J., & Fan, D. P. (1998). Framing and the public agenda: Media effects on the importance of the federal budget deficit. *Political Communication*, 15(2), 205-224.
- Jewell ruling sparkles (2001). *Editor & Publisher*, 134(40), 11.
- Jewell settles libel suit with ABC for \$5,000. (1999). *Quill*, 87(9), 6.
- Jewell v. Cox Enterprises, Inc., et al.*, 24 July 2003, 7. Richard Jewell brief, submitted to the State Court of Fulton County, State of Georgia, Civil Action File No. 97 VS-0122804-G.
- Johnson v. Johnson Publishing Co.*, 271 A.2d 696, 697 (D.C. 1970).
- Johnson, K. (1996, July 31). Hero now bomb suspect 'I didn't do it,' says park guard. *USA Today*, p. 1A.
- Johnson, K., & Hoversten, P. (1996, July 31). Spotlight on park 'hero' takes a dark turn. *USA Today*, p. A2.
- Jones v. Albany Herald Publishing Co., Inc.*, 658 SE 2d 876 (Ga. Ct. of App. 2008).
- Jones, A. S. (2009). *Losing the News: The Future of the News That Feeds Democracy*. New York: Oxford University Press.
- Kalb, M. (2001). *One Scandalous Story*. New York: The Free Press.
- Komarow, S. (1996, August 5). 'Silent' terrorists even more deadly. *USA Today*, p. A11.
- Kanell, M. E. (1996, July 31). Security woes hit AT&T. *Atlanta Journal-Constitution*, Pg. 11A.
- Kinder, D. R., & Sanders, L. M. (1990). Mimicking political debate with survey questions: The case of white opinion on affirmative action for blacks. *Social Cognition*, 8, 73-103.
- Kindred, D. (1996, August 1). Long wait in the shadows after his moment in the sun. *Atlanta Journal-Constitution*, p. 14A.
- Kitch, C. (2005). *Pages from the Past*. Chapel Hill, NC: University of North Carolina Press.
- Klapper, J. T. (1960). *The Effects of Mass Communication*. Clencoe, IL: Klapper Free Press.

- Kovach, B., & Rosenstiel, T. (2001) *Elements of Journalism*. New York: Three Rivers Press.
- Kramp, M. K. (2004). Exploring life and experience through narrative inquiry. In K. deMarrais & S. D. Lapan (Eds.), *Foundations for Research* (pp. 103-121). Mahwah, NJ: Lawrence Erlbaum Associates.
- Lake Park Post, Inc. v. Farmer*, 590 SE 2d 254 (Ga. Ct. of App. 2003).
- Lang, G. E., & Lang, K. (1983). *The Battle for Public Opinion: The President, the Press, and the Polls during Watergate*. New York: Columbia University Press.
- Levy, B., & Bonilla, D. M. (1999). *The Power of the Press*. New York: H.W. Wilson Company.
- Lewis, N. A. (1990, January 20). Mayor of Washington is yielding most duties after cocaine arrest. *New York Times*, p.A1.
- Liaugminas, S. G. (2007). USA Today at 25. Retrieved from http://www.mercatornet.com/articles/view/usa_today_at_25/
- Lindlof, T. R., & Taylor, B. C. (2002) *Qualitative communication research methods*. Thousand Oaks, CA: Sage.
- Lisby, G. (2007). Competition, deadlines, and the mistreatment of Richard Jewell. In P. Patterson & L. Wilkins (Eds.), *Media Ethics: Issues and Cases* (pp. 151-154). Boston: McGraw-Hill.
- Livingston, S. & Bennett, L. (2003). Gatekeeping, indexing, and life-event news: Is technology altering the construction of news? *Political Communication*, 20(4), 363-380.
- Lopresti, J. (1996, July 31). Suspect or hero: My one-on-one encounter. *USA Today*, p. A2.
- Lopresti, M. (1996, July 29). Guard's alertness in park makes him an unexpected hero. *USA Today*, p. A4.
- Ludwig, C. (1996, August1). The FBI gathers evidence. *Atlanta Journal-Constitution*, p. 15A.
- Maher, T. M. (2001). Framing: An emerging paradigm or a phase of agenda setting. In S. D. Reese, O. H. Gandy, & A. E. Grant (Eds.), *Framing Public Life: Perspectives on Media and our Understanding of the Social World*. Mahwah, NJ: Lawrence Erlbaum Associates.
- Marshall v. United States*, 360 U.S. 310, 1959.
- Marshall, C., & Rossman G. B. (1999) *Designing Qualitative Research* (3rd Ed). Thousand Oaks, CA: Sage.

- Marshall, S., & Waller, B. (1996, August 2). Relentless reporters kicked off apartment property; FBI agents flash suspect's photo at hardware stores. *Atlanta Journal-Constitution*, p. 07A.
- Martz, R. (1996, July 31). A motive? Most seek glory, power or revenge. *Atlanta Journal-Constitution*, p. 10A.
- McCombs, M. F., & Shaw, D. L. (1972). The agenda-setting function of mass media. *Public Opinion Quarterly*, 36(2), 176-187.
- McLuhan, M. (1994). *Understanding Media: The Extensions of Man*. Cambridge, MA: MIT Press.
- McQuail, D. (1994). *McQuail's Mass Communication Theory* (3rd Ed.). Thousand Oaks, CA: Sage Publications.
- McQuail, D. (2005). *McQuail's Mass Communication Theory* (5th Ed.). Thousand Oaks, CA: Sage Publications.
- Merriam, S. B. (1998). *Qualitative Research and Case Study Applications in Education*. San Francisco: Jossey-Bass.
- Meyer, D. S. (1999). Tending the vineyard: Cultivating political process research. *Sociological Forum*, 14, 79-92.
- Middleton, K. R., & William E. L. (2008). *The Law of Public Communication* (7th Ed.). Boston: Pearson.
- Miles, X., & Huberman, X. (1994). *Qualitative data analysis: An expanded sourcebook* (2nd Ed.). Thousand Oaks, CA: Sage.
- Miller, M. M. (1997). Frame mapping and analysis of news coverage of contentious issues. *Social Science Computer Review*, 15(4), 367-78.
- Mills, C. W. (1940). Methodological Consequences of the Sociology of Knowledge. *The American Journal of Sociology*, 46(3), 316-330.
- Millsbaugh, M. (1949). Trial by mass media? *Public Opinion Quarterly*, 328-329.
- Moses, L. (2000). Punitive damage awards on the rise in media libel cases. *Editor & Publisher*, 133(7), 18.
- Murphy v. Florida*, 421 U.S. 794, 1975.
- Myers, M. (2000). Qualitative research and the generalizability question: Standing firm with Proteus. *The Qualitative Report*, [online serial] 4(3/4). Retrieved from <http://www.nova.edu/ssss/QR/QR4-3/myers.html>

- Nebraska Press Association v. Stuart*, 427 U.S. 539, 1976.
- Nelson, T., Clawson, R. A., & Oxley, Z. M. (1997). Media framing of a civil liberties conflict and its effect on tolerance. *American Political Science Review*, 91, 567-583.
- Neuman, W. R., Just, M. R., & Crigler, A. N. (1992). *Common Knowledge: News and the Construction of Political Meaning*. Chicago: University of Chicago Press.
- New York Times Co. v. Sullivan*, 376 U.S. 96, 1964.
- New York Times Company. (n.d.). Policy on ethics in journalism. Retrieved from <http://www.nytc.com/press/ethics.html#scope>
- Nivin, D. (2005). An economic theory of political journalism. *J&MC Quarterly*, 82(2), 247-263.
- Noack, D. (1999). Prof criticizes SPJ ethics code. *Editor & Publisher*, 132(4), 13.
- Oglesby, C. (1996, July 31). Security guard had reputation as zealot. *Atlanta Journal-Constitution*, p. 10A.
- Oliver, M. B. (1994). Portrayals of crime, race, and aggression in “reality-based” police shows: A content analysis. *Journal of Broadcasting & Electronic Media*, 38, 179–192.
- Olmstead v. United States*, 486 U.S. 1009, 1928.
- Olympic spirit wounded, but its grit shines through (1996, July 28). *USA Today*, p. 14A.
- Online NewsHour. 2005. Katrina media coverage. September 29. Retrieved from <http://www.pbs.org/newshour>.
- Orwell, G. (1961). 1984. New York, NY: New American Library.
- Ostrow, R. (2003). Richard Jewell and the Olympic Bombing: Case study. Pew Research Center. Retrieved from <http://www.journalism.org/node/1791>
- Page, S. (1996, July 28). Clinton, again, reassures nation 10 days after Flight 800, similar words. *USA Today*, p. 7A.
- Pan, Z., & Kosicki, G. M. (1993). Framing analysis: an approach to discourse. *Political Communication*, 10, 55–75.
- Pan, Z., & Kosicki, G. M. (1997). Priming and media impact on evaluations of the president's performance. *Communication Research* 24:3-30.
- Patterson, P., & Wilkins, L. (2005). *Media Ethics: Issues and Cases* (5th Ed.). Boston, MA: McGraw-Hill.
- Patton v. Yount*, 467 U.S. 1025, 1984.

- Pauly, J. (1991) *A Beginner's Guide to Doing Qualitative Research in Mass Communication*. Columbia, SC: AEJMC.
- Peffley, M., & Hurwitz, J. (1997) Racial stereotypes and whites' political views of blacks in the context of welfare and crime. *American Journal of Political Science*, 41, 30–61.
- Peffley, M., Shields, T. G., & Williams, B. (1996). The intersection of race and crime in television news stories: An experimental study. *Political Communication*, 13, 309–327.
- People ex rel. Karlin v. Culkin*, 248 N.Y. 465 (N.Y. Ct. of App. 1928).
- Philadelphia Newspapers v. Hepps*, 475 U.S. 1134, 1986.
- Phillipson, G. (2008). Trial by media: The betrayal of the First Amendment purpose. *Law and Contemporary Problems*, 71(15), 15-29.
- Pomerantz, G.M. (1996, July 28). Reactions at the park; No reprieve from danger; Threat of terrorism impossible to escape. *Atlanta Journal-Constitution*, p. 05S.
- Pool, I., & Shulman, I. (1959). Newsmen's fantasies, audiences, and newswriting. *Public Opinion Quarterly*, 23, 145-158.
- Popkin, S. L. (1994). *The Reasoning Voter: Communication and Persuasion in Presidential Campaigns* (2nd Ed.). Chicago: University of Chicago Press.
- Price, V., & Na, E. K. (2000, May). *Citizen deliberation and resistance to framing effects*. Paper presented at the Annual Meeting of the American Association for Public Opinion Research, Portland, OR.
- Price, V., & Tewksbury, D., (1995). News values and public opinion: a theoretical account of media priming and framing. *Progresses in the Communication Sciences*, 173-212.
- Rachels, J. (1986). *The Elements of Moral Philosophy*. New York: Random House.
- Rankin, B. (1996). Judge ponders unsealing FBI records on Jewell. *Atlanta Journal-Constitution*, p. C2.
- Reese, S. (2001). Framing public life: a bridging model for media research. In S. Reese, O. Gandy & A. Grant (Eds.), *Framing Public Life*, pp. 70-71. Mahwah, NJ: Erlbaum.
- Restatement (Second) of Torts* (1977), Div. 5, Ch. 24-27 *Restatement (Second) of Torts*, § 559.
- Retton, M.L. (1996, July 28). Bomber, you forgot we're all human, like you. *USA Today*, p. 6E.
- Rhee, J. W. (1997). Strategy and issue frames in election campaign coverage: a social cognitive account of framing effects. *Journal of Communication*, 47(3), 26-48.

- Ricart-Costa, J., Subirana, B., & Valor-Sabtier, J. (2004). *Sources of Information Value: Strategic Framing and the Transformation of the Information Industries*. New York: Palgrave Macmillan.
- Riddle v. Golden Isles Broadcasting, LLC*, 621 SE 2d 822 (Ga. Ct. of App. 2005).
- Rideau v. Louisiana*, 373 U.S. 723, 1963.
- Robbennolt, J. K., & Studebaker, C. A. (2003). News media reporting on civil litigation and its influence on civil justice decision making. *Law and Human Behavior*, 27(1) 5-27.
- Roberts, J. V. (1992). *Public Opinion, Crime and Criminal Justice: A Review of Research*. Chicago: University of Chicago Press.
- Rose, H. (1975). Racism and the mass media: A study of the role of the mass media in the formation of white beliefs and attitudes in Britain. *Sociology*, 9(1), 160-162.
- Rosenblatt v. Baer*, 383 U.S. 75, 1966.
- Rosenbloom v. Metromedia, Inc.* 403 U.S. 29, 1971.
- Roth v. United States*, 354 U.S. 476, 1957.
- Rubin, R. B., Rubin, A. M., & Piele, L. J. (2005) *Communications Research: Strategies and Sources* (6th ed.). Belmont, CA: Wadsworth.
- Sack, K. (1996, July 31). Report of hero-turned-suspect rivets attention in Atlanta. *New York Times*, p. B6.
- Sack, K. (1996, August 1). Federal agents in Atlanta comb guard's apartment. *New York Times*, p. A12.
- Sack, K. (1996, August 20). Atlanta bombing suspect mostly just stays home, many eyes glued on him. *New York Times*, p. A12.
- Sack, R. (2007, August 30). Richard Jewell, 44, Hero of Atlanta Attack, Dies. *New York Times*, C13.
- Sapir, E. (1985) The nature of language In: D.G. Mandelbaum (Ed.). *Selected Writings of Edward Sapir* (pp. 7-32). Berkley, CA: University of California Press.
- Scheufele, D. A. (1999) Framing as a theory of media effects. *Journal of Communication*, 49(4): 103-122.
- Schiffer, A. J. (2006). Blogswarms and press norms: news coverage of the Downing Street memo controversy. *J&MC Quarterly*, 83(3), 494-510.

- Schorr, D. (1996, November). Can media protect sources in aftermath of Jewell's ordeal?. *Christian Science Monitor*, p. 18. Retrieved from Academic Search Complete database
- Schudson, M. (1982). The politics of narrative form: the emergence of news conventions in print and television. *Daedalus* 111, 97-112.
- Schudson, M. (2007). The anarchy of events and the anxiety of story telling. *Political Communication*, 24(3), 253-257.
- Scott, J. (1996, July 28). Sportscaster McKay knows Olympics trauma. *Atlanta Journal-Constitution*, p. S19.
- Scott, J. (1996, August 1). Looking for the big story, media from all over the world packed the parking lot in front of Richard Jewell's apartment. *Atlanta Journal-Constitution*, p. S19.
- Scott, J., & Morris, M. (2007, August 30). Richard Jewell found dead at 44. *Atlanta Journal-Constitution*, p. B1.
- Scruggs, K., & Martz, R. (1996, July 30). FBI suspect 'hero' guard may have planted bomb. *Atlanta Journal-Constitution*, p. X01.
- Scruggs, K., & Martz, R. (1996, July 31). Guard denies role in blast; Man called hero after bombing under scrutiny. *Atlanta Journal-Constitution*, p. A01.
- Segal, R. A. (2000). *Hero Myths: A Reader*. Malden, MA: Blackwell Publishers, Inc.
- Segvic, I. (2005). The framing of politics: a content analysis of three creation newspapers. *Gazette: The International Journal for Communication Studies*, 67(5), 469-488.
- Semetko, H. A. & Valkenburg, P. M. (2000). Framing European politics: A content analysis of press and television news. *Journal of Communication*, 50(2), 93-110.
- Severin, W. J., & Tankard, J. W. (2001). *Communication Theories: Origins, Methods, and Uses in the Mass Media* (5th ed.). San Francisco: Longman.
- Sewell v. Trib Publications, Inc.*, 622 SE 2d 919 (Ga. Ct. of App. 2005).
- Shah, D. V., Domke, D., & Wackman, D. B. (1996). To thine own self be true: Values, framing, and voter decision-making strategies. *Communication Research*, 23, 509-560.
- Shah, D. V., Domke, D., & Wackman, D. B. (2001). The effects of value-framing on political judgment and reasoning. In *Framing Public Life*, Ed. Stephen D Reese, Oscar H Gandy, and August E Grant. Mahwah, NJ: Lawrence Erlbaum Associates. Pp. 227-243.
- Shapiro, W., Dickerson, J., Tu, J., & Jackson, D. S. (1994, August 22). Bummer of '94. *Time*. Retrieved from <http://www.time.com/time/magazine/article/0,9171,981283,00.html>

- Shen, F. (2004). Effects of news frames and schemas on individuals' issue interpretations and attitudes. *Journalism & Mass Communication Quarterly*, 81(2), 400–416.
- Shepard, A.C. (1996) Going to extremes. *American Journalism Review*, October 1996, accessed online on 5/1/10 from http://www.ajr.org/article_printable.asp?id=437
- Sheppard v. Maxwell*, 384 U.S. 333 (1966).
- Sherwood, B. (1996, July 29). No safe place. *New York Times*, p. A19.
- Shipp, E. R. (1992, February 11). Tyson found guilty on 3 counts as Indianapolis rape trial ends. *New York Times*, p. A1.
- Silvester v. American Broadcasting Cos.*, 18 839 F.2d 1491, 1494 (11th Cir. 1988).
- Simon, R. J., & Eimermann, T. (1971). The jury finds not guilty: Another look at media influence on the jury. *Journalism Quarterly*, 48, 343-344.
- Smith, R., & Goodwin, G. (1994). *Groping for Ethics in Journalism*, (3rd ed.). Ames, Iowa: Iowa University Press.
- Snow, D. A., Burke Rochford, E., Jr., Worden, S. K., & Benford, R. D. (1986). Frame alignment processes, micromobilization, and movement participation. *American Sociological Review*, 51, 464-481.
- Society for Professional Journalists. History of the Society. Retrieved from <http://www.spj.org/spjhistory.asp>
- Society of Professional Journalists, Code of Ethics Retrieved from <http://www.spj.org/ethicscode.asp>
- Sparks v. Peaster*, 581 SE 2d 579 (Ga. Ct. of App. 2003).
- SPJ code of ethics. (1996). *Editor & Publisher*, 129(42), 6.
- Sternberg, S. (2006, December 12). Magic Johnson combats AIDS misperceptions. *USA Today*. Retrieved from http://www.usatoday.com/news/nation/2006-11-30-magic-aids_x.htm
- Stout, D. (1996, July 30). Bomb scares increase in New York and around the nation, as a new edginess is found. *New York Times*, p. B5.
- Sue, S., Smith, R. E., & Gilbert, R. (1974). Biasing effect of pretrial publicity on judicial decisions. *Journal of Criminal Justice*, 2, 163-171.
- Swenson, J. (1990) *News coverage of the abortion issue. Framing changes in the 1980s*. Paper presented to the Committee on the Status of Women. Association for Education in Journalism and Mass Communications, Minneapolis, MN.

- Swindler, W. F. (1955). *Problems of Law in Journalism*. New York: Macmillan.
- Syracuse Peace Council v. FCC*, 867 F. 2d 654; 276 (D.C. 1989).
- Tamborini, R., Zillmann, D., & Bryant, J. (1984). Fear and victimization: Exposure to television and perceptions of crime and fear. In R. N. Bostrom (Ed.), *Communication Yearbook 8* (pp. 492–513). Beverly Hills: Sage.
- Tankard, J. W. (2001). The empirical approach to the study of media framing. In S. D. Reese, O. H. Gandy, & A. E. Grant (Eds.), *Framing Public Life: Perspectives on Media and our Understanding of the Social World*. Mahwah, NJ: Lawrence Erlbaum Associates.
- Tans, M. D., & Chaffee, S. H. (1966). Pretrial publicity and juror prejudice. *Journalism Quarterly*, 43, 647-654.
- Taylor, S., Jr., & Johnson, K. C. (2007). *Until Proven Innocent: Political Correctness and the Shameful Injustices of the Duke Lacrosse*. New York: Macmillan.
- Terry, D. (1996, July 28). For some, dander now snarls in the next seat. *New York Times*, p. A20.
- Tierney, K., Bevc, C., & Kuligowski, E. (2006). Metaphors matter: disaster myths, media frames, and their consequences in Hurricane Katrina. *Annals of the American Academy of Political and Social Science*, 604, 57-81. Retrieved from <http://www.jstor.org/stable/25097781>
- Time v. Firestone*, 424 U.S. 448, 1976.
- Time v. Hill*, 385 U.S. 374, 1967.
- Tuchman, G. (1972). Objectivity as strategic ritual: An examination of newsmen's notions of objectivity. *American Journal of Sociology*, 77(4) 660-679.
- Tumber, H., & Palmer, J. (2004) *Media at War: The Iraq Crisis*. Thousand Oaks, CA: Sage.
- USA Today. (2010, April 26). *USA Today Remains Number One in Total Daily Print Circulation*. [Press release]. Retrieved from <http://www.prnewswire.com/news-releases/usa-today-remains-number-one-in-total-daily-print-circulation-92115574.html>
- van Dijk, T. A. (1991). Media contents: The interdisciplinary study of news as discourse. In Jensen, K.B., & Jankowski, N.W. (Eds.), *A Handbook of Qualitative Methodologies for Mass Communication Research* (pp. 108-120). New York: Routledge.
- van Dijk, T. A. (2000). New(s) Racism: A discourse analytical approach. In S. Cottle (Ed.), *Ethnic minorities and the media* (pp. 33-49). Philadelphia, PA: Open University Press.
- Waldbaum v. Fairchild*, 449 U.S. 898, 1980.

- Walker, K.E. (1996, July 30). Guard's quick thinking saved lives. *Atlanta Journal-Constitution*, p. 29S.
- Warren, S., & Brandeis, L. (1890). The right to privacy. *Harvard Law Review*, 4(5), 193-220. Retrieved from Academic Search Complete database.
- We must go on against adversity, local leaders say. (1996, July 28). *Atlanta Journal-Constitution*, p. 15S.
- Weaver, D., Graber, D., McCombs, M., & Eyal, C. (1981). *Media Agenda Setting in a Presidential Election: Issues, Images and Interest*. New York: Praeger.
- Weber, M. (1981) Some categories of interpretive sociology. *The Sociological Quarterly*, 22(2), 151-180.
- Wells v. Liddy*, 528 U.S. 1118, 1998.
- White, D. M. (1950). The Gatekeeper: A case study in the selection of news. *Journalism Quarterly*, 27(4), 383-390.
- Whitt, R. (1996, August 2). Guesswork isn't proof: Solving a killing can be a slow process. *Atlanta Journal-Constitution*, p. 01A.
- Wilson v. Daily Gazette Co.*, 588 SE 2d 197, 214 W. Va. 208 (WV S. Ct. of App. 2003).
- Wilson, C. (1996, July 28). Mood in Atlanta: Disgust, defiance. *USA Today*, p. 1A.
- Windhauser, J. W., & Seiter, J. (1990). Crime news in the Louisiana press, 1980 and 1985. *Journalism Quarterly*, 67, 72-79.
- Winker, M., & Wilson, D. (1998). *The Bloomberg Way: A Guide for Reporters and Editors* (10th ed.). New York: Bloomberg.
- Wolston v. Readers Digest*, 443 U.S. 157, 1979.
- Wright, W. (1975). *Sixguns and Society: A Structural Study of the Western*. Berkeley, CA: University of California Press.
- Yanich, D. (1999). *Kids, Crime, & Local TV News: A Report of the Center for the Community Development and Family Policy and the Jesse Dupont Fund*. Newark, DE: University of Delaware.
- Yin, R. (1994). *Case study research: Design and methods* (2nd ed.). Beverly Hills, CA: Sage Publishing.

VITA

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