

Guilty until Proven Innocent

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To be human is to be imperfect, however, the premise on which our legal system is founded affords every citizen the right to be considered innocent until proven guilty. This same courtesy should be extended to our neighbor every day, regardless of race or ethnicity. Regrettably, in today's world, we continue to consume media which disproportionately represents Black Americans as criminals who are predisposed to violence. Too often the media narrative surrounding Black Americans is poisoned by the inclusion of extraneous facts and assumptions which support negative stereotypes. This depiction perpetuates racism and negative public opinion, harkening back to the shameful days of slavery when Blacks were deliberately portrayed as inferior and violent. Just like all free people, the future of every Black American should be determined by their own decisions and achievements, unhampered by the weight of negative expectations.

The complex socioeconomic history of Black Americans has at its roots one of the largest forced migrations in history, or victim diaspora, of Africans via the Atlantic slave trade. It is reported in *The Encyclopedia of Diasporas: Immigrant and Refugee Cultures Around the World* that during the 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> centuries, according to Curtin, an estimated 9.5 million enslaved Africans were transported to the Americas (as cited in Ember, 2005, p. 25). Unlike free migration, the traffic in slaves was one directional and in the countries to which they were taken they constituted for centuries the most oppressed and exploited element in society (Ember, 2005, p.4). As of 1990, it was estimated that 12.1% of Americans are of African descent (Ember, 2005, p. 29). Despite the end of slavery in the United States in 1865, emancipation did not necessarily bring true freedom and equality. Blacks were assigned inferior citizenship and moral worth which resulted in political and socioeconomic marginalization. Ember also explains that since slaves brought to the Americas were taken from multiple cultural groups, they did not

necessarily possess a sense of cultural identity but were ethnically grouped as a “race” by their captors. This lack of coherence and common cultural heritage perhaps hampered their ability to unify, control their own narrative and self-represent in a post-colonial America.

In their collection of essays on *Indigenous Media*, Wilson and Stewart comment that indigenous peoples have “been the object of other peoples’ image-making practices in ways that have often been damaging to their lives.” (Wilson & Stewart, 2008, p. 3). Though Black Americans are technically not considered indigenous peoples, as a group they seem to have suffered the effects of racism and stereotypes reinforced by the same imperialistic hegemony against which Native Americans struggle. Wilson and Stewart go on to argue that mass media in its various forms “in most cases have represented the perspectives, values, and institutional structures of empire.” (Wilson & Stewart, 2008, p. 3). In her essay *Media as Our Mirror: Indigenous Media of Burma*, Lisa Brooten explains that there is growing support for indigenous peoples to produce their own indigenous media to alter stereotypes which have contributed to their disadvantaged socioeconomic stratification (as cited in Wilson & Stewart, 2008, p. 112). The American mainstream media narrative needs to include the voice of Black Americans and new sources which do demonstrate a diverse editorial perspective should be applauded.

Nevertheless, Blacks continue to be looked down upon by a society that sees itself as better than the false stereotypical identity tied to Blacks, failing to understand that strength and honor is not bred, it is earned. It is learning what creates this false perception that is so vital to our society’s capability to grow as a whole; in a day and age so focused on the individual we have conformed to altering our perception in justifying ourselves.

The way we receive information about the world and people around us has a powerful impact on how we formulate our ideas and make choices every day. Media remains a biased

form of information, and the accessibility magnified by technology has served to amplify the power of reports of everyday life in the media. With services like *Snapchat*, *Facebook* and *Twitter* now becoming major platforms for both political and social news, it is important to analyze how the presentation of this information influences our perceptions of the world around us. This paper will focus on how news coverage of blacks allows for misrepresentation of black males which effectively proliferates white supremacy and racial profiling.

First impressions are so important, but often a black man is not afforded that same privilege of forming a first impression, in many cases, that has already been formed for them. Sadly, many people would be more surprised by a black man holding the door open for them than they would be by that same black man holding a gun. The idea of being so beholden to a person's preconceived idea of you is a scary thing. When those perceptions are acted upon it becomes terrifying, and the lives of young black men hang in the balance. An edition of the *New York Amsterdam News*, published May 2018, reports on the killing of two young black men in Oklahoma by a group of whites. Both of the victims were 21 years-old and were killed while making a *Craigslist* deal with their attackers in a grocery store parking lot. Their bodies of the two victims were found four days later having been dismembered and disposed of in a pond.

The newspaper reports, ““This literally appears to be a modern-day lynching,” journalist Shaun King wrote on social media. “These 2 men, and 1 other, abducted 2 young Black men from a grocery store parking lot. Then shot & killed them. Stripped them naked. Burned clothes. Took them to a pond tied their bodies to cinder blocks.”” (Barker, 2018, p. 6). Though it was not clear if the initial crime was racially motivated, the horrific and dehumanizing treatment of the victims' bodies leaves little doubt as to attacker's disdain for their victims. What angered people

specifically about the *craigslist* case was that it “received little news coverage,” as stated in the *New Amsterdam News*.

Sadly, society does more than just turn a blind eye on the brutal killings of young men, it also calls upon stereotypes to justify such killings. Michael Brown was an 18-year-old unarmed black teenager who was tragically shot by a police officer in Ferguson, MO. The tragedy was further heightened when the *New York Times* chose to report, “Michael Brown, 18, due to be buried on Monday, was no angel...” (Eligon, 2014, para. 5).

The *New York Times* focused on the fact that Brown had been raised in a rough community where had experimented with drugs and alcohol and had started producing vulgar rap lyrics months before his death. This type of reporting is actually implying that somehow Michael Brown deserved to be killed, or at best, is implying that he is somehow better off dead given the disadvantaged life he was destined for. The report failed to demonstrate how any of that was related to the incident. It conjured up images of violent, angry black youth for the reader which effectively overshadowed the fact that the young man was completely innocent of any real or perceived wrongdoing. The report did not even mention his innocence.

This presentation of minority victims has such a negative influence on the way society views black males. While the media continues to over report on crimes committed by black men, they simultaneously preach that even after being killed for no reason they are somehow to blame, that justice was served on some level. Elsewhere in the report of the Michael Brown murder the writer says that he was a “victim of himself . . . just that simple” (McManus, 2014, para. 26). Here, not only is the reporter refusing to lay the blame at the feet of the police officer, but the victim, himself, is being painted as guilty of the crime. While it might be tempting to write-off

such media biases as inevitable or even harmless, the impact of reinforcing stereotypes is devastating to each black life and diminishes all of humanity.

The relentless negative light that reporters shed on black men is misleading and hampers their ability to fully engage with society on their own merits. They are relegated to minority status. A study by Chiricos and Eschholz in 2002 demonstrated that not only are racial minorities overrepresented in the media as criminals compared to whites, but also that the existence of this media bias serves to promote hostility towards the minorities on which they report (Chiricos, 2002, p. 400-420). Thus, society's ability to interact with one another, regardless of race, is directly impacted by the attitude with which events regarding race are presented. For as mentioned earlier, even when innocent black victims are reported to have been killed, they are depicted as somehow being responsible for their own death.

A significant study in the *Journal of Social Issues*, by Dukes and Gaither in 2017, demonstrated a strong correlation between media cruelty towards black victims of violence and society's perceptions of those black victims posthumously. This study presented both Black racially stereotypic information about victims, as well as Black counterstereotypic victim information to 453 participants, 73% of which were White. The analysis of their findings demonstrate that the content and tone of the reporting had a significant impact on the opinions of participants relating to empathy as well as sentencing recommendations made to the court. The study concluded that background information given about a victim clearly governs where the participant's sympathy will lie when presented with the facts of the case. When participants in the study were told negative information about black victims, participants were more likely to identify with and sympathize for the white shooter. The data demonstrated that participants even went so far as to feel sorry for the shooter who, they perceived, had no choice but to kill the

black victim. Portraying the victim as angry and threatening to the participants in the study significantly increased the likelihood that the sentencing recommendation would be justifiable homicide, rather than murder. Moreover, participants reported wanting to behave similarly as the white shooter if they were in the same situation, faced with the same criminally depicted black victim. However, when the scenario was repeated where both the shooter and the victim were Black, the study participants did not feel the same empathy with the shooter (Dukes & Gaither, 2017, p. 802). The results of this study illuminate the power media has to influence how society feels towards a shooting victim. Furthermore, participants' ability to empathize with a white shooter and inability to empathize with a black shooter affords an opportunity for further research.

A study by J.R Pepin posted in *Sociological Spectrum* analyzed the media coverage of domestic violence cases for a number of male celebrities. The celebrities were both Black and White, ranging from careers as actors to professional athletes. The research in this study focused on the way in which each reporter addressed the same crime with a varying degree of racial involvement, thereby revealing much about the power and impact of such media representations on our view of Black men. The results of this study concluded that Black men were most often presented as criminals in reports about domestic violence cases, while articles about White men in the same situation were more likely to merely list excuses to justify the White man's actions (Pepin, 2016, p.129). This is unsurprising considering the seemingly universal adoption of the view that Black men are immoral criminals, while White men are knights in shining armor. In Pepin's study of celebrity domestic violence cases, while each case had legal involvement; the *Criminal Framing* was present in 67% of articles about black celebrities, while only present in 37% of articles about white celebrities (Pepin, 2016, p.133). *Criminal Framing*, as defined in this

particular study, represents the coding for articles in the study, that included information regarding; the celebrities arrest, charges, court proceedings, criminal history, mention of law enforcement or legal documentation, criminal references, or sentencing. This means that Black celebrity abusers are three times more likely than White to be labeled and reported on as a criminal. Furthermore, White celebrity abusers are also two and a half times more likely than Blacks to have their case presented along with an excuse or justification for their behavior (Pepin, 2016, p.135). Articles such as these chose to focus on *Johnny's* battle against drug addiction instead of the poor girl lying somewhere in a hospital bed. In examining this study's results, it seems so clear that the idea in the back of society's mind about who or what a Black man is capable of is all based on the information presented. For example, White celebrity abusers were six times more likely than Blacks to reference drug and alcohol use, as well as four times more likely to cite anger as an excuse for their violence (Pepin, 2016, p.136). So why is it that the forced characterization of all Black men presented by such new articles paints them to be bitter and angry drug addicts that have no self-control or self-awareness? It is actually their white counterparts that occupy this end of the spectrum. The media seems unable to let go of the idea that blacks are predisposed and bred to be ruthless criminals, when, in reality, they fail to see it in themselves. Overall, this study is very significant in the way it is able to evaluate media situations empirically leading to an irrefutable conclusion: Black men are presented in a stereotypical way that urges the audience to fear them.

A 2006 newspaper article in the *New York Amsterdam* reports that international perception of Black men in America is consistent with these stereotypes. The author of the article, Armstrong Williams, comments that people in other countries often greet Black American males visiting their country with pity and empathy. This is thought to be occurring



because they have been fed information from the international media portraying Black American males to all be high school dropouts, criminals, and helpless victims of racism (Williams, 2006, para.5). This racial depiction is not something that just promotes “stranger danger” it has a real impact on the very lives of every Black man in America.

The way we treat the people around us is something that should matter greatly in society, however, not only does society look down on others justified by our adapted perceptions of reality, but it continues to impact the very lives of the people they are so critical of. One of the many impacts of controlling such a powerful perception of Black males, is evident when looking at a study from 2004 published in the *Du Bois Review*. This study by Bobo and Johnson in evaluating the political justice system has shown that harsher sentences were given to minorities compared to crimes involving Whites (Bobo, 2004, p. 170). Studies such as this continue to relate the attitude media takes when reporting on an event to how the jury will prosecute the case in trial. So not only does media now dictate how we treat our black neighbors, whether they live or die, their innocence, but now also can sentence them to a life of prison. While the White men walk free, portrayed as the victim of their own actions.

Again, this attitude toward Blacks was measured by Dukes, who concluded that participants in a study of hypothetical sentencing recommendations were more likely to recommend justifiable homicide for a White shooter than for a Black shooter when the victim was Black. This behavior serves to heighten both real and perceived levels of racial tension (Dukes & Gaither, 2017, p.801). The notion that a news article can have a say in someone’s life is frightening, yet because it is a minority being misrepresented it is as if the issue is nonexistent to the rest of society. New guidelines and social policies should be created to limit the types of information that can be released about cases, especially in the early stages of investigation.

Such guidelines could be an extension of existing ones like the Society of Professional Journalist Code of Ethics that states that a journalist should “avoid stereotyping,” “balance the public’s need for information against potential harm,” “show compassion for those who may be affected by new coverage,” and “expose unethical conduct in journalism,” (Society of Professional Journalists, 2014).

Additionally, new guidelines should serve to discourage the reporter from sharing a biased report when covering an incident, this would allow the public to form their own opinion on the situation after looking at the facts. An article by McBride calls attention to the use of “inflammatory terminology” (McBride, 2014, para. 5), to draw their audience in to what promises to be a good story. This is because it comes down to the way a reporter titles their article, do they; state the incident as a fact? Throw in the word ‘FBI’ or ‘homicide’ for some draw? This often clearly asserts the reporters personal take on the incident and robs the audience of coming to their own conclusion.

Furthermore, guidelines should restrict the reporter from giving any insignificant information, that is not relevant to the incident itself being reported on (Global Protection Center, 2013). This would include reference to an individual’s clothing, location, and most importantly any kind of details about their social life or criminal record, unless it is relevant to the incident. This is vital for media coverage going forward.

Another poignant example of the media’s misuse of power can be seen in the 2002 domestic violence case against a black basketball player, Allan Iverson. The media blatantly tried to control public perception by consistently predicating its presentation of the case at hand with a detailed discussion of Iverson’s teenage years when he had been involved in criminal activity. However, this information had no relevance to his domestic violence case, as 10 years

had passed since then, during which he had become a productive member of society. At the time of the domestic violence case he had been a husband, a father, and even a community fundraiser (Brown, 2005, p.74). The painting of his character by the media's coverage of his 2002 legal case makes it clear that the media had no difficulty feeding society's secret fear of fear black masculinity. Given the media's potential to impact the decisions of the jury, it is clear that a deeper look into how the two interact is necessary in order to uphold the American judicial system. Knowing the power of the media, it should also be considered how this capability might be used to impact racial differences in a positive way. Yet, until there is heightened awareness of this issue and more objective guidelines for this supposedly 'fact based' reporting on crimes, many jurors will not consider Black men innocent until proven guilty. For the media's pervasive opinion impacts not only jury sentencing and police profiling but also attitudes of potential employers and admissions officers at colleges.

Education and employment are the real currency of economic security and success in the free world. In an article by Abe Aamidor, the relevance of race in America is discussed in depth, "If the only information about black people is what's in the news, there's a reason why the unemployment rate is astronomic and why we have all these negative issues — because the imaging of black people is extremely negative" (Aamidor, 2013, p.29).

Mainstream narratives need to change so as to include minority voices or, at a minimum, not stoop to sensationalism by over reporting unrelated details of a story which may cause the reader to develop a biased opinion of the accused. If we are to come together at all as a nation, we must stop pretending these problems do not exist. We should not wage a media war against people of other ethnicities but work together as human beings to improve the world for every person, every day.

## References

- Aamidor, A. (2013). When Race Is Relevant. *Quill*, 101(4), 26–30. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&db=ufh&AN=89901841&site=ehost-live&scope=site>
- Barker, C. J. (2018, May 10). Killing of two Black men by group of whites sparks outrage but little media coverage. *New York Amsterdam News*, pp. 1–6. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&db=asn&AN=129661813&site=ehost-live&scope=site>
- Bobo, L., & Johnson, D. (2004). A TASTE FOR PUNISHMENT: Black and White Americans' Views on the Death Penalty and the War on Drugs. *Du Bois Review: Social Science Research on Race*, 1(1), 151-180. doi:10.1017/S1742058X04040081
- Brown, T. J. (2005). Allan Iverson as America's Most Wanted: Black Masculinity as a Cultural Site of Struggle. *Journal of Intercultural Communication Research*, 34(1/2), 65–87. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&db=ufh&AN=17741008&site=ehost-live&scope=site>
- Chiricos, T., & Eschholz, S. (2002). The Racial and Ethnic Typification of Crime and The Criminal Typification of Race and Ethnicity in Local Television News. *Journal of Research in Crime and Delinquency*, 39(4), 400-420. <https://doi.org/10.1177/002242702237286>
- Dukes, K. N., & Gaither, S. E. (2017). Black Racial Stereotypes and Victim Blaming: Implications for Media Coverage and Criminal Proceedings in Cases of Police Violence against Racial and Ethnic Minorities. *Journal of Social Issues*, 73(4), 789–807. <https://doi.org/10.1111/josi.12248>

Ember, M. "African Diaspora in the Americas." *Encyclopedia of Diasporas: Immigrant and Refugee Cultures around the World*, Springer, 2005.

Eligon, J. (2014, August 25). Michael Brown Spent Last Weeks Grappling With Problems and Promise. Retrieved from <https://www.nytimes.com/2014/08/25/us/michael-brown-spent-last-weeks-grappling-with-lifes-mysteries.html>

Global Protection Center. (2013, July 25). Media guidelines for reporting on gender-based violence in humanitarian contexts. Retrieved from <http://gbvaor.net/wp-content/uploads/sites/3/2013/07/GBV-Media-Guidelines-Final-Provisional-25July2013.pdf>

McBride, K. (2013, May 9). How journalists can provide fair coverage when reporting on rape charge in Cleveland case. Retrieved from <http://www.poynter.org/2013/how-journalists-can-provide-fair-coverage-when-reporting-on-rape-charges-in-cleveland-case/212688/>

McManus, B. (2014, December 4). Blame only the man who tragically decided to resist. *New York Post*. Retrieved from <http://nypost.com/2014/12/04/eric-garner-was-a-victim-of-himself-for-deciding-to-resist/>

Pepin, J. R. (2016). Nobody's business? White male privilege in media coverage of intimate partner violence. *Sociological Spectrum*, 36(3), 123–141.  
<https://doi.org/10.1080/02732173.2015.1108886>

Society of Professional Journalists. (2014). SPJ code of ethics. Retrieved from <http://www.spj.org/ethicscode.asp>

Williams, A. (2006, April 6). Black men in America. *New York Amsterdam News*, p. 13.  
Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&db=asn&AN=20475713&site=ehost-live&scope=site>

Wilson, P., & Stewart, M. (2008). *Global indigenous media: cultures, poetics and politics*.

Durham, NC: Duke University Press.