THE SENTENCING PROJECT

Media Guide

10 Crime Coverage Dos and Don'ts

The Sentencing Project is a research and advocacy organization that promotes effective and humane responses to crime that minimize imprisonment and criminalization by promoting racial/ethnic, economic, and gender justice. News coverage of crime and criminal justice policies has played an integral role in the buildup of mass incarceration and its racial disparities. Many newsrooms are now striving to more accurately and critically cover these issues. Following is our guidance to newsrooms and journalists on how to cover crime and criminal justice in ways that would better inform the public and policymakers on how to pursue the most effective and humane public safety policies.

1. Situate crime stories, and proposed solutions, within their broader historical and geographic context.

In most of the country, crime rates reached their peak levels in the 1990s and have since reached near-record lows, before certain crimes began climbing in 2020. The economic, social, and psychological turbulence of the pandemic has lowered overall property crime rates while contributing to an increase in violent crimes—particularly homicides. The country's experience with mass incarceration has shown clearly that ratcheting up harmful police and prison policies is a counterproductive response. Well-framed stories about crime upticks should consider the following questions: Is the uptick unique to one form of crime and is it attributable to a change in crime reporting or recording? How does the uptick compare to historical crime peaks and lows, and how does it compare with crime trends in other jurisdictions? If crime rates increased in several jurisdictions, this should inspire skepticism that a particular local reform is to blame. Be sure to also request and assess evidence of the effectiveness of proposed solutions. What broader policy shortcomings does the crime uptick point to and what broader solutions are being implemented? (E.g., access to mental health care, access to effective drug treatment programs, underinvestment in community violence intervention programs, prevalence of guns, under-resourced summer youth programs, unaddressed residential segregation, underemployment and low wages, lack of affordable housing, etc.)

U.S. crime rates increased dramatically beginning in the 1960s, but between 1991 and 2019 crime rates fell by about half, just as they did in many other countries around the world. The decline has been especially steep for youth, whose arrest rate for serious violent offenses fell by 72% from 1994 to 2019. (Throughout this crime drop, polls showed that most Americans, although a declining share, continued to believe that crime was increasing.) Media coverage should test causal claims about the effectiveness of past crime policies by comparing local crime trends with regional and national patterns. The nationwide crime drop between the 1990s and 2019 challenges any claim that a particular local policy brought down crime rates. Do not award credit for crime declines to particular leaders, laws, or tactics without a rigorous assessment.

2. Recognize the limited and declining role of youth crimes.

Recently we have begun to see a new wave of alarmist youth crime coverage which is unsupported by evidence. The reality is that youth ages 17 and under were just 7% of arrests nationwide in 2019 (the latest data available)—down from 15% in 2000. National data indicate that youth's share of total arrests continued to fall during the first year of the pandemic in every major crime category. The spike in certain violent crimes during the pandemic has been driven by adults, not minors.

In the mid-1990s, media reports trumpeted "a ticking time bomb" of adolescent crime perpetrated by a new wave of allegedly remorseless and morally impoverished young "superpredators." These predictions were based on faulty science and proved wildly inaccurate: youth crime rates began a sizable and prolonged downturn in the mid-1990s. Yet the coverage helped spark a wave of counterproductive punitive measures that contradicted all available evidence on what works to address delinquency. In 2020, NBC News reviewed this history and concluded: "Though it failed as a theory, as fodder for editorials, columns and magazine features, the term 'superpredator' was a tragic success—with an enormous, and lasting, human toll." Avoid repeating this history: double-check the data to verify an alleged trend, interview multiple experts, and ask hard questions before feeding a crime wave narrative. Similarly, be wary of claims exaggerating crime levels among other demographic groups, such as immigrants, who commit crimes at lower rates than native-born citizens.

3. Avoid amplifying false or unsupported claims: fact check police, prosecutors, and legislators.

"Man Dies After Medical Incident During Police Interaction," the Minneapolis police department reported after its officers killed George Floyd. Video of the incident contradicted their account, reinforcing that police reports cannot be trusted as facts. Relatedly, there's a growing understanding that prosecutors don't just enforce laws, but play an active role in creating them, making them active players in many legislative debates. This is why it's important to verify claims about crime incidents and trends, and include sources beyond criminal justice practitioners to ensure that you are reporting the truth. Remember that not all numbers are equally reliable: apply a critical lens to internally-conducted polls whose questions and sampling methods are obscure, such as those conducted by some police unions of their members. Finally, report verifiable facts as facts, rather than as claims. For example, did an expert say that people with violent convictions leaving state prisons have lower recidivism rates than others, or does data show it to be a fact? (See #8.)

4. Reassess the newsworthiness of crimes and identities.

Given the racial biases in criminal legal enforcement and the lasting harm of being named in media stories that are easily accessible on the internet, some outlets including the *Boston Globe* are scaling back their coverage of petty crimes and trimming the long tail of these stories by amending or erasing their archives. The *Associated Press* will stop naming individuals involved in stories about low-level arrests. "A consensus appears to be emerging among newspaper publishers," writes the *Washington Post's* Erik Wemple, "that crime coverage and its stickiness in a search-engine world need a systemic update." News outlets should emulate these "right-to-be-forgotten" initiatives and ensure that they are accessible and fair. As a rule, news media should not reveal the names or include photos of young people who are involved in the juvenile court system, which seeks to protect their identities to minimize the long-term consequences of youthful misbehavior.

5. Avoid creating backlash bait with partial coverage of reforms and recidivism.

Situate the impact of sentencing reforms within the massive scale of mass incarceration. For example, 550,000 people were released from prison in 2020 (see Table 9 here for a state breakdown). If a particular reform expedites the release of some hundreds or thousands of people, contextualize that within the much larger number of people that are typically released from prison each year. Unless the pace of decarceration dramatically increases, it will take nearly six decades to cut the prison population in half. If you have identified unfairness in the reform process, be sure to also hold government officials accountable for the persistent unfairness and ineffectiveness of current prison sentences, which scholars have shown to be too long, imposed too frequently, and racially imbalanced.

Even the best policies that dramatically reduce recidivism rates cannot get these rates to 0. If policies are evaluated by the recidivism of the few, then elected officials and practitioners will be pressured to abandon effective policies in the face of public opinion misinformed by skewed media coverage. As the *Marshall Project* explains, furloughs and work release programs in prisons were generally successful but news coverage of "Willie" Horton brought that to an end. Avoid turning one tragic incident into the harbinger of tragic criminal justice policies by informing your audience about the relative infrequency of such incidents, and by asking what preventative policies—beyond further incarceration—might avert another similar tragedy. If an arrest you've covered results in a dismissal or finding of innocence, ensure that your coverage follows through to the conclusion of the case.

6. Conduct a racial equity audit on the *quantity* of your crime coverage.

Media accounts often over represent crime committed by Black males and victimization experienced by white females. Researchers have shown that journalists gravitate to *unusual* cases when selecting homicide victims (white women) and to *more common* cases when selecting people who have committed homicide (Black men), suggesting that newsworthiness is not a product of how representative or novel a crime is, but rather how well it can be "scripted using stereotypes grounded in White racism and White fear of Black crime." Homicide victims were more likely to make the news if they were white or killed in majority-white neighborhoods, according to a recent Chicago study. Media outlets should conduct an audit comparing how their crime coverage compares to the community's crime and victimization rates, with awareness that arrest rates oversample crimes committed by people of color. In addition, ensuring diversity among sources and news staff, in terms of racial and other identities and exposure to the criminal justice system, would improve the fairness of your coverage.

7. Conduct a racial equity audit on the *quality* of your crime coverage.

Ensure that your crime coverage is treating people of color—both those accused of crime and those who are victims—as humanely and fairly as it is treating white people in similar circumstances. Chicagoans killed in predominantly Black and Latinx neighborhoods were less likely to be treated through the "lens of complex personhood," such as by noting the victim's family and community roles. White mass shooters have been presented more sympathetically, such as by recognizing an underlying mental illness, than Black counterparts. News images of people—often white—impacted by the opioid crisis have depicted well-lit spaces, stressed domesticity, and emphasized close-knit communities while past drug crises tended to depict nighttime scenes on seedy streets or portrayed individuals—often Black—interacting with the police, courts, or jails—often using starker black and white photography. Past research on television news found that Black individuals accused of crime were presented in more threatening contexts than whites: Black individuals were disproportionately shown in mug shots and in cases where the victim was a stranger. Black and Latinx individuals were also more often presented in a non-individualized way than whites—by being left unnamed—and were more likely to be shown as threatening—by being depicted in physical custody of police. Regular audits can help to catch and correct biased coverage. To correct these disparities, level up rather than down: reassess whether crimes are newsworthy (see #4) and present the nuance and humanity of everyone.

8. Be cognizant that growing prison terms for violent crimes are a key driver of mass incarceration, and that an abundance of evidence has proven these sentences to be ineffective.

Half of the prison population was convicted of a violent offense, which ranges from assault and robbery to sexual assault and murder. Growing sentence lengths for this population has been a major driver of mass incarceration. Over 200,000 people in U.S. prisons were serving life sentences in 2020—more people than were in prison with any sentence in 1970. But "criminal careers are of a short duration (typically under 10 years)," write University of Texas Criminologist Alex Piquero and colleagues, "which calls into question many of the long-term sentences that have characterized American penal policy." People released after decades of imprisonment for the most serious crimes have extremely low recidivism rates. This fact indicates that they have been imprisoned long past the point at which they pose an above-average public safety risk. More generally, when the Bureau of Justice Statistics examined individuals released from state prisons in 2005, it

found that those with violent convictions were less likely to be arrested than those with drug or property convictions. Consider these facts when reporting on reforms impacting, or omitting, people convicted of violent crimes. Since most coverage focuses on people at the time of their crime and not years later, profiling people released after spending many years in prison is an important contribution.

9. Accurately present crime victims and survivors as having a complexity of views.

Crime survivors are not of one mind and many have unmet needs that go beyond extreme punishment. Increasingly, victim services and advocacy organizations are supporting criminal justice reforms, noting that incarcerated people are often victims of crime and trauma, and are calling for effective investments to prevent future victimization. Black and Latinx people have been far more likely than white people to be serious crime victims, and to be more fearful of becoming crime victims, and yet they have been less supportive of punitive criminal justice practices while being more supportive of investments in rehabilitation and crime prevention. Be mindful of the impact of your reporting on crime survivors and assess whether your coverage includes a spectrum of views. Ultimately, a survivor's desire for punishment must be balanced with societal goals of advancing safety, achieving justice, and protecting human dignity.

10. Use non-stigmatizing, person-first language and toss the exonerative tense.

Remember that your coverage is about people. Using person-first language (e.g., people in prison, people with criminal records) promotes the development of humane policies. Cutting word count with shorter alternatives (e.g., prisoner, inmate, felon, etc.) comes at the expense of casting stigma on a vulnerable population by focusing attention on one dimension of their lives, and contributes to public support for their harsh treatment. Mass incarceration has broad-ranging human costs, harms our democratic system, and diverts resources from more effective investments in public safety. Destigmatizing language regarding substance use disorders also supports public health solutions, instead of the failed War on Drugs.

The "exonerative tense" replaces "police shoot and kill man" with "man struck by officer's bullet." The noun "officer-involved shooting" is no clearer than "officer shooting" in conveying who did the shooting and who was shot. Strive for clarity and precision, including in headlines. According to the *AP* Stylebook: "Avoid the vague 'officer-involved' for shootings and other cases involving police. Be specific about what happened. If police use the term, ask: How was the officer or officers involved? Who did the shooting? If the information is not available or not provided, spell that out."

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