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Newsmaking Criminology in the 21st Century: Forming the Public Opinion under the New Reality

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criminology,
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Abstract

Objective: to study the concept of newsmaking criminology and its relevance in the current conditions of mass media development.

Methods: the methodological basis of the work consists of general scientific, social, and special-legal methods of cognition. The conducted research is based on the dialectical method (in determining the general direction of the study), methods of formal logic (analysis, synthesis, induction, deduction, analogy), system method (in comparing and generalizing the information collected for the research).

Results: the functions of newsmaking criminology in its classical manifestation, as well as its additional functions in the study of mass media in the Internet, were revealed. It is suggested that with the emergence of the World Wide Web, the relevance of newsmaking criminology has increased: social networks, blogs and video hosting as alternative media have a strong influence on public opinion, while an unlimited number of people have access to content generation, contrary to traditional media. Many states understand the importance of interaction between mass media and law enforcement agencies and are actively implementing their methods of promoting newsmaking criminology online. This article points out the risks that arise in media coverage of law enforcement and crime. One of such risks is the cancel culture, which is spontaneous, unpredictable in nature, and may jeopardize the quality of life of the victim or business reputation and activity of organizations.

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Scientific novelty: the functions performed by newsmaking criminology in the study of traditional and alternative media were identified. So far, such doctrine has not been sufficiently researched taking into account modern forms of mass communication. Examples of interaction between law enforcement agencies of different states and the media were analyzed.

Practical significance: the study contributes to understanding the correlation between criminological phenomena and modern media platforms. The Internet and social networks provide new channels of information exchange that differ significantly from traditional media such as printed media or television.

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Introduction

Interaction between law enforcement officers and mass media (hereinafter – the media) has an ambivalent nature. It is of particular interest to researchers of the nature of such a relationship from the viewpoint of criminology. The media have a tremendous influence on public opinion, which can both reduce the level of citizens' trust in law enforcement agencies or contribute to stereotypes about a certain criminal phenomenon, and do the opposite. Through cooperation, law enforcement agencies and the media can provide the public with accurate and reliable information on incidents, investigations and law enforcement activities, inform about public safety issues, and raise awareness of crime prevention strategies. Such cooperation is key to ensuring public safety, establishing trust, and facilitating effective communication with the public. This potentially enhances positive law enforcement-public relations while ensuring the dissemination of accurate and timely information.

The term “newsmaking criminology” was first introduced by Gregg Barak in 1988. This scientific doctrine studies the peculiarities of interaction between law enforcement agencies and the media, the influence of the media on public opinion about law enforcement

officers and the criminogenic situation in the country. Newsmaking criminology is a subset of so-called public criminology, a special approach to criminology, in which scholars disseminate the results of their research in this field beyond academia to a wider audience.

This article examines the concept of newsmaking criminology through the prism of modern legal realities. The era of digitalization encompasses all spheres of society, including the media. The author of this concept viewed newsmaking criminology considering traditional media like radio, television, newspapers, etc. The community formed in the World Wide Web has become a new form of media, interaction with which has become a much more complex process than the interaction with traditional media was supposed to be. Social processes on the Internet are more spontaneous and unpredictable, which bears a number of risks.

1. Classical newsmaking criminology

Criminologists often criticize the media for the emotional narrative, distortion of facts and oversimplification they bring to crime and justice issues. This phenomenon is caused by the social and technological advances of the media: their ability to reproduce and create content and their influence on many aspects of social and cultural life. The media are capable of creating public opinion, determining the views of individuals and entire social groups (Sysoev, 2007). From this perspective, powerful forms of communication create unrealistic images of criminality and avoid rational reflection on these phenomena. Central to this critique is the concept of media as a communication process and the notions underlying it (Arrigo & Bersot, 2015; Stout & Clamp, 2015; Gore et al., 2020, De Melo Bandeira, 2013; Cotee, 2004).

Newsmaking criminology is the deliberate activity of criminologists examining media representations of crime and criminal justice and working with media representatives to shape “newsworthy” stories about crime and justice (Barak, 1988).

Despite the similarities between the terms “newsmaking criminology” and “media criminology”, there are some differences between the two concepts. Mass communication (media) criminology is a concept aimed at analyzing the causes and patterns of crime in multiple mass communications and information exchange in general (Gorshenkov, 2003). Thus, newsmaking criminology can be called a subtype of media criminology.

Newsmaking criminology encompasses the issues in media coverage of the administration of justice, thus directly affecting citizens’ perceptions of law enforcement or crime in general. The originator of this concept points to the insufficiency of adequate education among participants in educational programs. For example, programs on economics and politics invite experts in these scientific fields, while criminology programs lack relevant specialists (Barak, 2007). The deficit of expert opinion in such materials can be explained by time constraints and their infotainment nature: few experts can take the discussion of the issue beyond “soundbites” or “talking points” within the

narrative (Frost & Phillips, 2011). Newsmaking criminology is driven by a moral and political motivation to inform media audiences and dispel misconceptions about crime and justice (Richards et al., 2020).

The relationships between the criminal justice system and the media system has been the subject of research, speculation and commentary throughout the 20th century. These relationships can be described as symbiotic: the criminal justice system is a valuable resource for the media system, as information about recent crimes and their prosecution is sought after by audiences. In search of new material, the media monitor the latest trends in society for real and potential threats to individual and collective well-being. Many journalistic investigations and exposés contribute to the detection of latent offenses, and timely publicized information can prevent upcoming crimes (Shamaev, 2018). The interaction between the media and law enforcement agencies is a strategic remedy towards crime, and its result affects several spheres at once. Thus, newsmaking criminology has a number of functions (Ozkan, 2019).

First, the analytical function of newsmaking criminology is to study the representation of crime and criminal justice administration in the media. It analyzes the content, framing, and possible bias in the news, helping to identify patterns and trends in media coverage of crime.

Second, newsmaking criminology examines the formation of public opinion and the target audience's perception of crime and the criminal justice process. Newsmaking criminology examines how media narratives influence public opinion, shape fear or stereotypes about particular phenomena or criminogenic factors. It also examines the broader social implications of crime and criminal justice representations, such as how the media affect public trust in certain social institutions and the stigmatization of certain groups and communities.

Third, newsmaking criminology looks at the ethical implications of media practices in reporting crime. This function looks at aspects such as misinformation, incomplete coverage of all the facts of a criminal case, etc. Gregg Barak emphasized the media's representation of crime in a one-dimensional and distorted format. For example, only the most "interesting" stories, which, in theory, should attract a large audience and generate profits for TV news channels or newspapers, are presented to the public, while other social issues may be ignored or distorted.

Fourth, newsmaking criminology has an educational function. The specificity of the concept of newsmaking criminology lies not only in the interaction of criminologists and law enforcement officials with the media, but also in taking the ideas of criminology as a science beyond academia and making them more accessible for study. The aim of the educational function is to create a deeper understanding of criminal problems, to debunk myths and misconceptions about the administration

of criminal justice and to promote media literacy, which in turn contributes to the reduction of crime.

The media have a direct influence on public consciousness, which can contribute to both the reduction and increase of crime (Matskevich, 2013). For example, the representation of law enforcement officers in the media as competent specialists gives citizens a sense of security and motivates them to cooperate with law enforcement agencies (Gaidai & Grozin, 2020). Materials published by the media may contain so-called criminally repulsive triggers – audiovisual materials causing a chain of feelings in a person that may suppress criminal motivation (Tokarev & Bodrov, 2012). Such triggers can be stories that remind a potential offender of the inevitability of punishment. Establishing cooperation between law enforcement agencies and the media is one of the methods of creating a positive perception of law enforcement among citizens (Glukhova et al., 2017).

The ability of the media system to reach a wide audience positions it as an important resource for the criminal justice system and all related judicial and law enforcement agencies. For the criminal justice system to work effectively, it must achieve credibility based on people's willingness to give it legitimacy, and media narratives can influence this process.

The entertainment media have also been studied and criticized for their influence on public opinions about the people and institutions that make up the criminal justice system. A large number of television programs (e.g., comedies, detective stories, dramas, biographies, documentaries) focus in one way or another on police, lawyers, judges, criminals, and crime victims. The impact of these images on public attitudes and behavior has received considerable attention of researchers. Journalists can enhance the overall legitimacy of the justice system by reporting on its activities. Public trust and confidence that law enforcement officials are working properly can be maintained through the coverage of crime in news sources.

2. Newsmaking criminology in the 21st century

In the pre-Internet era, the media had a stricter system of censorship. With the advent of the World Wide Web, particularly social media, it became more difficult to censor the exponentially growing flow of information. The concept of newsmaking criminology was developed in the 1980s; consequently, in that period, researchers focused on the features of the representation of the criminal justice administration in traditional media, particularly radio, television, and newspapers. In the broad sense of the term “mass media”, the Internet can also be called a kind of mass media (Sukhodolov & Bychkova, 2017). The so-called alternative media (also known as social media), video hostings, blogs and social networks are a more chaotic system with a global reach to audience. Any user can share their subjective opinion, which, depending on how the algorithms work, can find a wide response among other users from all over the world. One and the same judgment

acquires different meanings and has a different impact on public opinion depending on the author personality. This exacerbates the relevance of newsmaking criminology. Such new cyberspace phenomena as cancel culture, cyberbullying, information wars, etc., draw the attention of the scientific community to the need to update the doctrine of newsmaking criminology.

In the case of classical media, several people work on the content production in order to improve its quality; the source material is aimed at an audience within a single state or region. Consequently, the techniques developed by newsmaking criminologists when interacting with traditional forms of media can still be applied on the Internet, but their effectiveness has become much lower. This indicates the need to find new approaches to interaction.

According to statistics, in recent years there have been serious changes in preferences regarding sources of information. For example, in 2010 in the Russian Federation 89 % of respondents preferred television as the main source of news, 13 % received information from news sites on the Internet, 21 % – from printed newspapers and magazines, 19 % learned news on the radio and only 4 % of respondents learned news from blogs, websites and social networks. As of 2023, it can be seen that in 13 years the dynamics of viewers' preference has changed in favor of alternative media. In 2023, the percentage of Russians receiving information from television was 62 %, from news sites – 42 %, from blogs and social networks – 23 %. Indicators of preference for radio and printed press decreased to 8 and 7 % respectively¹.

At the same time, the trust rating for news sources has also changed: the level of trust in television was 43 % in 2023 with 63 % in 2010. During this period, the trust level for forums, blogs and social networks increased from 4 % to 13 %.

With the advent of the Internet and alternative media, newsmaking criminology is gaining additional functions. For example, now it is also tasked with studying Internet communities and subcultures, formation of these communities and their impact on crime rates. This field focuses on the representation of the law enforcement officer image in the online community and among different subcultures. Newsmaking criminologists can examine how information circulates in these spaces and how it correlates with the behavior of online communities' participants in real life.

Genre features of an Internet communication are blurred. On the one hand, it has features of a personal diary entry; on the other hand, such a record is aimed at being read by a wide range of users (Aleksandrova, 2008). One person's subjective opinion, based on emotions and speculative assessment, rarely supported by facts, can find a wide response among other users and lead to public resonance. This suggests the

¹ Sources of information: preferences of the Russians. (2023, February 14). "Obshchestvennoye mneniye" Fund. <https://clck.ru/3CgYy3>

personalization of alternative media, in which the basis of public opinion on the Internet can be formed not only by a blogger, a politician or another media personality, but also by any user of the Web (Bykov & Akhmedova, 2021).

In this feature of alternative media lies another new function of newsmaking criminology: modern conditions allow law enforcement and criminologists to create blogs and news pages without having to interact with representatives of traditional media. As mentioned above, law enforcement agencies and representatives of traditional media often pursue different goals, therefore the result of such interaction can negatively affect the quality and content of the material that news criminologists originally wanted to convey. For example, when studying the criminology of mass communications, D. A. Shestakov identified several methods of influencing public opinion used by traditional media, such as direct falsification of facts, creating the illusion of open discussion, and dosing information (Shestakov). The specificity of alternative media is that newsmaking criminologists can interact with the audience on the Web directly and choose content for enlightenment without needing to interact with other persons, as in the case of traditional media.

In this aspect, of interest are the approaches of some BRICS member states to the interaction between law enforcement agencies and the media within states. For example, India considers it undesirable for law enforcement agencies to interact with news channels to cover news about criminal cases that are under investigation or where no court decision has been announced, as the information may potentially cause moral damage to the defense or prosecution². India's approach is also interesting because of an unusual experiment on the part of law enforcement agencies where regional police stations are setting up blogs and social media accounts³. For example, the Mumbai police blog has 4 million subscribers. In such blogs, police officers share news about the crime situation in the region and also offer a feedback system. For example, citizens can report suspicious incidents to law enforcement officers using Twitter⁴ or WhatsApp.

In the case of Brazil, its Internet segment faces a confrontation between organized crime and law enforcement because criminals use social media to intimidate the public and promote their illegal businesses⁵. Brazilian law enforcement agencies stick

² Narendran, A. (2022, June 14). Police-Media relations: Should they be regulated? The Probe. <https://clck.ru/3CgZ4q>

³ Chaturvedi, A. (2019, July 27). Law enforcement agencies turn to social media for better outreach. The Economic Times. <https://clck.ru/3CgZ93>

⁴ The social network blocked in the territory of the Russian Federation for disseminating unlawful information.

⁵ Muggah, R. (2015, August 21). Gangsta's Paradise: How Brazil's Criminals (and Police) Use Social Media. Instituto Igarapé. <https://goo.su/lRgf>

to a strategy similar to Indian and use social media to increase their public profile and streamline obtaining information.

Newsmaking criminologists from South Africa emphasize that their situation regarding the image of law enforcement officers is similar to that of the UK and the US (Motsepe, 2020). Information reported in the alternative media makes the South African Police Service (SAPS) appear incompetent and unprofessional. The image of the body has been tarnished by a number of mediated uproars involving actions by officers such as institutional racism, incompetent investigation of crimes (murders), and recurrent corruption. Historically, the media in South Africa has played a significant role in exposing police abuse and misconduct (Potgieter, 2013). Thus, the level of public trust in the police in South Africa is very low.

3. Cancel culture as a criminological phenomenon

Another factor that reinforces the relevance of alternative media influence on citizens' opinions about law enforcement is the emergence and development of the "cancel culture" phenomenon. The reason for such a cancellation can be a public statement that is considered unacceptable from the viewpoint of certain groups. The exponential speed of spreading negative reactions to the statement can have irreparable consequences for the future career of its author. Not only individuals, but also private institutions, public bodies and even states with their cultural heritage and citizens can be subjected to "cancelling".

The cancel culture developed in 2015-2020. To date, this phenomenon is most widespread in English-speaking countries such as the United States and the United Kingdom. However, the trends of cancel culture were also noticed in other countries, such as France, South Korea, and the Russian Federation. Recently, the Russian Federation, its culture and citizens have become the objects of cancellation in foreign traditional and alternative media⁶. In Russian society, the cancel culture has only recently emerged and there are currently only a few known cases of media personalities and CEOs being "canceled". Unlike in the West, at the moment, the effects of the cancel culture in Russia do not have such a grave impact on the career or life of the persons exposed to it.

Cancel culture is a form of ostracism in which an individual who has committed an act contrary to the ideas of good and evil of certain groups is expelled from social or professional circles. One of the reasons for the emergence and development of cancel culture is the sharp refusal of Web users to compromise with those whose worldview

⁶ Akopov, P. (2022). Cancelling Russia has got to a universe level. RIA Novosti. <https://clck.ru/3CgZS4>

goes against their ideals, as well as the desire to ward off unpleasant concepts as much as possible (Lukianoff & Haidt, 2019). Anyone, despite limited access to the facts, can decide and publicly state whether or not they believe a person is guilty, and then demand that the person be “cancelled”. “Cancelling” entails dismissal, inciting widespread hatred against the person, the organization, or even the community. The public organizations behind the initiation of “cancelling” may also seek criminal prosecution of the person, depending on the nature of the “cancel” victim’s actions. The widespread public outcry caused by the “cancelling” of a person in the media undermines the principle of objectivity and impartiality of the court, a vivid example of which is the Harvey Weinstein trial (Borzunova et al., 2020). By dictating the judicial process, a broad public actually becomes judge and jury for the “cancelling” victim (Baranova, 2021).

Cancel culture has four characteristic features in all cases of this phenomenon: (1) public condemnation of unacceptable behavior; (2) retroactivity, i.e., an action that is permissible at one time may be grounds for cancelling years later; (3) failure to support the victim of cancelling, and (4) a desire to see the victim suffer consequences or punishment, such as loss of employment and profits, imprisonment, and even suicide.

A reason for canceling a person can be either an act that goes against the general view of morality and ethics (e.g., fraud, sexual assault, etc.) or an act or statement that is inconsistent with the life stance and political views of a particular group. The trend of “canceling” acquires the character of a snowball, as a result of which the victim is canceled by citizens and institutions that do not belong to the offended social group. For example, the uproar that followed Joanne K. Rowling’s statement about the absurdity of the gender reassignment concept forced many companies that have nothing to do with the LGBT community⁷ to cancel contracts with the writer and refuse to cooperate with her.

Returning to media coverage of law enforcement forming a positive public opinion, it is worth noting that newsmaking criminology faces complexities that were not foreseen by its author Gregg Barak. This is due to the subjectivity of assessing the situation in the materials posted online and the difficulty of predicting their impact on the public. For example, as part of the uproar related to the killing of George Floyd in 2020, an uncontrollable wave of negative judgments about the U.S. police in general emerged on the Internet, which subsequently led to mass riots. Given the unpredictability of sociocultural phenomena on the Internet, in the long term, similar cases may be repeated in other states.

According to the U.S. National Center for Health Statistics, in 2020, the annual increase in homicides was the largest since 1905⁸. In 2020, there were seven to eight homicides

⁷ In the Russian Federation, it is forbidden to propagate nontraditional sexual relations.

⁸ Crude death rates for all causes: United States, 2020-Quarter 3. (2020) National Center for Health Statistics. <https://clck.ru/3CgZcE>

for every 100,000 people in the USA, up from six homicides per 100,000 people a year earlier. The increase in the nation's homicide rate in 2020 far exceeded the 20 percent increase measured in 2001, which was caused by the September 11 terrorist attacks. One of the reasons for the increase in US homicides in 2020 is believed to be changes in relations between police and the public following the murder of George Floyd in Minnesota⁹.

Incidents similar to the story of G. Floyd have previously occurred in the criminal practice of the United States. However, the police activity of this country has never been subjected to such an acute public stigmatization due to a single officer behavior. The reason for such a strong reaction was the widespread publicity of the incident in the media. For example, articles calling for the complete isolation of the police from society appeared in serious US newspapers, such as The New York Times. The author of one such article suggests that abolishing the police altogether and redirecting funding to other public sectors, such as education, could not only reduce crime but eliminate it in principle, thus rendering the police irrelevant and obsolete as a social institution¹⁰.

Another effect of media coverage of crime that has received considerable attention from researchers is the effect of pre-trial publicity on juries. It has been observed that most crime coverage is prejudicial to the defendant. A variety of experimental and quasi-experimental studies have shown consistent support for the hypothesis that at least a moderate bias against the defendant may result from the impact of pretrial publicity.

Bruschke and Loges (2003) found that the conviction rates of federal murder defendants whose cases received little press coverage did not differ significantly from the conviction rates of defendants whose cases received extensive press coverage. They found that the highest conviction rates were among those defendants whose cases received between one and five articles in the media. Defendants who received the most publicity received significantly longer prison sentences than those with little or no media exposure.

Although the said study was conducted in 2004, it is still relevant now that the adoption of Internet media has become a massive phenomenon. The media, by influencing public opinion, contributes to the development of bias in potential jurors, which contradicts the basic rights of the accused in court. Hence, legal scholars have to look for ways to ensure the right to an impartial trial, taking into account the modern reality (Brown, 2013). The personalization of internet media is a new aspect

⁹ Gramlich, J. (2021, October 27). What we know about the increase in US murders in 2020. <https://clck.ru/3CgZgE>

¹⁰ Kaba, M. (2020, June 12). Yes, we mean literally abolish the police because reform won't happen. The New York Times. <https://clck.ru/3CgZkz>

of contemporary life and newsmaking criminology needs to adapt to it. Negative manifestations of modern media such as cancel culture have enormous implications for the criminal justice system. Cancel culture is a form of cyberbullying with the stigmatization of individuals, institutions, and even states with their cultural heritage.

Conclusions

Newsmaking criminology, developed in the 1980s, has not lost its relevance. The emergence of the World Wide Web and new forms of media indicates the need for new research within this subfield of criminology. Forms of interaction with traditional media are not effective in relation to Internet media. The emergence of complex social phenomena such as cancel culture exacerbate the importance of developing countermeasures to influence public opinion. If the paradigms discrediting law enforcement are entrenched in the digital community, suggesting that a common user is more effective in struggling against crime, they become a potential criminogenic factor in which such struggle may extend beyond cyberspace into everyday life.

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Новостная криминология в XXI веке: формирование общественного мнения в новых реалиях

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право,
преступность,
социальная сеть,
средство массовой
информации,
цифровые технологии

Аннотация

Цель: исследование концепции новостной криминологии и ее актуальности в современных условиях развития средств массовой информации.

Методы: методологическую основу работы составляют общенаучные, социальные, специально-юридические методы познания. Проведенное исследование основано на диалектическом методе (при определении общего направления исследования), методах формальной логики (анализ, синтез, индукция, дедукция, аналогия), системном методе (при сопоставлении и обобщении информации, собранной в процессе исследовательской деятельности).

Результаты: выявлены функции новостной криминологии в классическом ее проявлении, а также ее дополнительные функции при изучении медиа в интернет-пространстве. Высказано предположение, что с появлением Всемирной сети актуальность новостной криминологии повысилась: социальные сети, блоги и видеохостинги как альтернативные средства массовой информации имеют сильное влияние на общественное мнение, при этом в отличие от традиционных средств массовой информации доступ к генерации контента имеет неограниченный круг лиц. Многие государства понимают важность взаимодействия средств массовой информации и правоохранительных органов и активно внедряют свои методы реализации новостной криминологии в сети. Автор статьи указывает на риски, возникающие при освещении материалов о правоохранительных органах и преступности в СМИ. Одним из таких рисков является культура отмены, которая носит стихийный, непредсказуемый характер, при котором может пострадать качество жизни жертвы или деловая репутация и деятельность организаций.

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Научная новизна: определены функции, выполняемые новостной криминологией при изучении традиционных и альтернативных медиа. До настоящего времени такая доктрина не была исследована в достаточной мере с учетом современных форм массовой коммуникации. Проведен анализ примеров взаимодействия правоохранительных органов разных государств и средств массовой информации.

Практическая значимость: исследование вносит вклад в область понимания корреляции между криминологическими явлениями и современными медийными платформами. Интернет и социальные сети предоставляют новые каналы информационного обмена, которые существенно отличаются от традиционных средств массовой информации, таких как печать или телевидение.

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