

IMAGES OF PRIME TIME JUSTICE: A CONTENT ANALYSIS OF “NYPD BLUE” AND “LAW & ORDER”*

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ABSTRACT

In the past decade, two crime dramas have consistently led the Nielson ratings for this genre: “NYPD Blue” and “Law & Order.” While these programs are fictional, they frequently borrow and sensationalize story lines from newspaper and television news headlines across the country. This blurring of fiction and reality may influence viewers’ perceptions of the criminal justice system and criminal justice problems in the United States. Using a content analysis of the 2000-01 season of both “Law & Order” and “NYPD Blue,” this study explores the way “justice” is done on television crime dramas by focusing on the race and gender composition of television offenders, victims, and criminal justice personnel, civil rights violations, “control talk,” which emphasizes an “us” against “them” mentality, and finally, the clearance rates for television offenders. Each of these issues will be compared to relevant statistics in the real world in an attempt to gauge the degree that these programs depart from reality. Implications of these findings for the social construction of crime, race, gender and justice are discussed.

INTRODUCTION

Crime drama television programs have captured the attention of millions of viewers in both the United States and abroad. Since *The Untouchables* and *Dragnet* first gained popularity in American television in the 1950s, crime dramas attempting to imitate real life have occupied a prominent role in primetime television (Surette, 1998; Kurtz, 1993). Crime dramas are generally fictional portrayals of the criminal justice system focusing primarily on violent offenders. These programs are usually presented from the perspective of either law enforcement officials or prosecutors. The dominant theme of all of these programs is “justice,” brought about by an offender being caught and/or punished for a crime (Kurtz, 1993; Sparks, 1995; Surette, 1998). Each new television season offers a host of new programs that attempt to capture viewers hooked on this genre.

In the past decade, two crime dramas have consistently led the Nielson ratings for this genre: “NYPD Blue” and “Law & Order.” While these programs are fictional, they frequently borrow and sensationalize story lines from newspaper and television news headlines across the country. For example “Law & Order” advertised its 2001 season with the following:

REAL LIFE CRIMES

Don't take us the wrong way. "Law & Order" has excellent writers. But when you're coming up with story lines for a real life crime drama set in New York, you don't have to look far for inspiration. Just open up the newspaper. There's enough material for a season. (Time Warner, 2001)

And the producers of "NYPD Blue" (2001) describe the show on their web site as:

Set against the gritty and volatile backdrop of New York City, "*NYPD Blue*" powerfully portrays realistic characters devoting themselves to the pursuit of justice while struggling to maintain an ever-elusive sense of humanity. In spite of -- or perhaps because of -- the danger of the streets, the chaos of the squad room and the fragility of their own private lives, the members of the 15th Precinct share a strong commitment to the job -- and each other.

The similarity of many of these story lines to sensational crimes in the news, in addition to advertising that promotes the "realistic" nature of these programs, may lead viewers to believe these programs mirror the actual crime problem in New York, specifically, and the United States in general. In turn, crime dramas may help to shape viewers' perceptions of the crime problem, their interpretations of the bill of rights, and their sense of the meaning of justice.

If these programs shape attitudes and feelings about crime in New York and the United States, they also have the potential to indirectly influence public policy concerning crime. Because of the potential impact of these programs on viewers' social construction of the reality of crime and their resulting political action or inaction, it is important to explore the content of these programs and the nature in which justice is presented in this television genre. Using a content analysis of the 2000-01 season of both "Law & Order" and "NYPD Blue" this present study will explore the way "justice" is done in television crime dramas by focusing on the race and gender composition of television offenders, victims and criminal justice personnel, civil rights violations and reactions to them, "control talk," which emphasizes an "us" against "them" mentality, and finally, the efficiency of the criminal justice system in processing cases. Each of these issues will be compared to relevant statistics in the real world in an attempt to gauge the degree these programs depart from reality. Qualitative examples from the two programs will be used to highlight these findings.

LITERATURE REVIEW

While research on television programming in general has been commonplace since the 1960s, few studies have focused on the content of crime drama, particularly in terms of civil rights violations and “control talk.” The past research can be divided into three general areas: “effects” research (focusing primarily on the impact watching television has on fear of crime or other perceptions), research focusing on how race is portrayed on television, and research that focuses broadly on how justice and the criminal justice system are represented on television.

Beginning with the work of George Gerbner and his colleagues with the Cultural Indicators Project (1976; 1978; 1980), researchers have frequently found relationships between watching television and concern about crime. While the initial “cultivation model” approach, that any and all television viewing (regardless of the content) increases viewers’ perceptions of a mean and scary world (Gerbner, 1976), has been largely deemed too simplistic (Hughes, 1980; Hirsh, 1981), several promising refinements and alternative hypothesis that account for both the type of programs watched and specific audience characteristics in models of attitudes relating to crime have been developed (Heath & Gilbreth, 1996; Eschholz, 1997).

Sparks (1995) predicts that crime dramas may actually assuage or reduce fear of crime because the stories are resolved at the end of each episode. “Perhaps it is television’s practice to frighten and demoralize its audience with one hand (the news) and console it with the other (the drama)” (Sparks, 1995:151)? Contrary to this hypothesis, empirical data show crime dramas actually increase fear of crime, especially for men (Eschholz, 2002; Heath & Petraitis, 1987). If watching crime dramas influences fear of crime, then it is conceivable that these changes in perception could also influence public policy concerning fear of crime.

The possibility that television crime drama portrayals influence public perception is particularly problematic if the images presented on television are inconsistent with actual crime trends, or distort/exaggerate the racialized nature of crime or the sex division of individuals involved with the criminal justice system. At issue is how often and how members of different races and sexes are shown on crime dramas. Entman (1992; 1990) argues that how offenders of different races are shown on television is critical to the way audiences perceive individuals in the real world and may contribute to the phenomenon of “modern racism”. Therefore, even if Blacks are not shown disproportionately as offenders, compared to Whites, their portrayals may still reinforce the stereotype of the “young Black male” criminal if their portrayals suggest Blacks are more threatening, violent, and dangerous. Similarly, one explanation offered for the fact that women have lower victimization rates than men but higher fear levels is that they are disproportionately shown as victims on television and in the movies (Gerbner, et al., 1978).

Several content analyses of television programs have explored television depictions of crime and justice. While the majority of this research has focused on television news (Dixon & Linz, 2000; Entman & Rojecki, 2000; Romer, et al., 1998; Chermak, 1995; Chiricos & Eschholz, 2002; Meyers, 1997), a couple of studies have begun to look at other genres such as reality police programs (Oliver, 1994; Oliver & Armstrong, 1995; Cavender, 1993; Doyle, 1998; Kooistra, et al., 1998) and crime drama (Sparks, 1995; Chiricos & Eschholz, 2002). While news portrayals are not the emphasis of the present study, we consider these findings in our literature review because of the tendency of both news agencies and drama producers to blur the lines

between news and entertainment (Surrette, 1998; Manning, 1996; Krajicek, 1998; Barak, 1996). Findings concerning the news are especially relevant to the present study because of the hybrid nature of the two crime dramas included in the present analysis. Both the shaky camera “docu-drama” style of “NYPD Blue” and the “ripped from the headlines” advertising of “Law & Order” illustrate an attempt to blur reality and fiction.

Various forms of television content, such as drama and news, are widely known for exaggerating and distorting the frequency and types of crime in the United States (Gerbner and Gross, 1976; Gerbner et al., 1977; Gerbner et al., 1978; Surrette, 1998; Chermak, 1995; Potter and Ware, 1987). Both news and entertainment media consistently portray a more violent and dangerous view of our world than exists in reality.

As most television viewers are not regularly involved with the criminal justice system as offenders, victims or representatives, news programs and drama productions that promote their realistic nature give viewers more exposure to crime and the criminal justice system than they experience in real life.

The contributions of the mass media are likely to be especially powerful in cultivating images of groups and phenomena about which there is little first-hand opportunity for learning; particularly when such images are not contradicted by other established beliefs and ideologies (Gross, 1995: 63).

The figures in these non-fictional and fictional criminal justice systems on television may be representative of reality for many viewers who may use these roles to develop their own ideas and beliefs about who should be feared in society, how crimes are solved and how criminals should be punished.[1]

Offenders

An overview of the crime and media literature reveals a widely accepted assumption that minorities, especially African Americans, are frequently treated unfairly or portrayed in a negative light (Anderson, 1995; Entman, 1992; Edsall & Edsall, 1991; Gomes and Williams, 1990; Gilliam, et al., 1995; Fishman, 1998; Martindale and Dunlap, 1997; Sullivan 1990; Drummand, 1990). Some research has shown that when non-Whites are seen on television, they are more likely to be portrayed as perpetrators or suspects of crime than Whites (Entman, 1990; Chiricos & Eschholz, 2002; Romer, 1998).

This does not mean that persons of color are always over-represented as criminals on television. One study of both news and drama found that Blacks are generally under-represented as the perpetrators of all crime when compared to the FBI Uniform Crime Reports (Eschholz, 1998). Another study of the news found that Blacks are represented roughly in proportion to the UCR arrest reports (Chiricos & Eschholz, 2002). Potter and Ware (1987) found White males were more likely to be portrayed as the perpetrators of the most violent felonies, though minorities were more often seen committing less serious anti-social acts ranging from deceit to minor crime. Others have found the exact opposite; Black suspects are not disproportionately shown committing all crimes or minor crimes (Chermak, 1995; Dixon & Linz, 1999; Entman, 1992; Entman & Rojecki, 2000; Klite, et al, 1997; Gilliam, et al., 1995; Romer, et al., 1998).

However, when violent crimes, robbery or felonies are the focus, Black suspects are shown in disproportionate numbers (Dixon & Linz, 2000; Gilliam, et al., 1995; Romer, et al., 1998; Sheley & Askins, 1981).

Though the representation of the race of all television offenders appears similar to official statistics, where White offenders outnumber Black offenders (Eschholz, 1998; Chiricos & Eschholz, 2002; Chermak, 1995; Dixon & Linz, 1999; Entman, 1992; Entman & Rojecki, 2000; Klite, et al, 1997; Gilliam, et al., 1995; Romer, et al., 1998), a recent survey revealed that 69% of respondents thought that Blacks were shown as offenders more often than Whites on television (Eschholz, et al., 1998). This may indicate that how race is portrayed in the media is more influential to viewers' perceptions than the actual quantity of portrayals of a given race.

Some studies included more qualitative measures of how race is portrayed on television, such as a suspect being shown as physically restrained, in hand cuffs or in mug shots (Chiricos & Eschholz, 2002; Cavender, 1993; Entman, 1992). Entman (1992) found that Blacks were more often shown as not moving, poorly dressed, unnamed and physically held than were Whites. Similarly, Chiricos & Eschholz (2002) found, when comparing Whites, Blacks and Hispanics, that Blacks were most likely to be shown in mug shots, and that both Blacks and Hispanics were more likely to be linked with stranger victims in news reports, compared to Whites. These "symbols of menace" (Entman, 1990, p.337) are just a few of the media distortions that are likely to increase Whites' fear of Blacks, forming some of the basis for "modern day racism" (Entman, 1990, 1992).

On television news and in the real world, men, especially younger men, are more likely to be offenders (UCR, 2000; Potter & Ware, 1987; Chermak, 1995). However, studies of crime dramas, reality television and general programming find that the majority of offenders are men over the age of 30 (Gerbner et al., 1977; Cavendar, 1993).

Sympathetic Roles

Though Black males are most often the victims of violent crime (UCR, 2000), this has not been found in television portrayals, where Whites are more likely to be shown as the victims of crime - especially violent crime (Chiricos & Eschholz, 2002; Romer, et al., 1998; Gerbner, 1977). In reality television, Cavender (1993) found that approximately one-half of the victims portrayed were females; the least likely group to become victims of violent crime as measured by official statistics (UCR, 2000). Chiricos & Eschholz (2002) found that White criminals and victims appeared in television news at about the same rate, but non-White victims were shown about one-quarter as often as non-White suspects. Other studies have also shown that Blacks appear 40% to 50% more often as suspects than victims (Chermak, 1995; Klite, et al, 1997; Romer, et al, 1998) whereas Whites are 1.5 to 2.5 times more likely to be shown as victims than offenders (Entman & Rojecki, 2000; Klite, et al, 1997).

Several studies show that Whites are much more likely to be shown as police and other non-criminal roles than non-Whites (Entman & Rojecki, 2000; Klite, et al., 1997). Chiricos & Eschholz (2002) found that Blacks had a 3.3 times greater likelihood and Hispanics a 15.5 times greater likelihood of being shown as suspects than police officers than their White counterparts.

Studies by Dixon and Linz (2000) and Klite, et al. (1997) also find that Blacks are more frequently shown as suspects/offenders than as law enforcement officials.

Civil Rights Violations and “Control talk”

Violations of civil rights on crime drama programming have rarely been examined. These portrayals may lead viewers to distrust police officers and other legal officials, or, conversely, to support a system that routinely violates civil rights in the name of catching the “bad guys”. “NYPD Blue” and “Law & Order” both claim to emulate real life. In doing so, they encourage viewers to believe that the treatment of civilians in these shows is a reflection of justice departments in real life, including the level of respect legal officials afford to civil rights.

The term Civil Rights relates to government’s role in protecting citizens’ rights to freedom, justice and equality, regardless of personal or physical characteristics (Goldman, 1991). Law enforcement officers and other criminal justice officials have the responsibility of upholding the civil rights of civilians. These rights are enumerated in the Fourth, Fifth, Sixth, and Eighth Amendments, and specifically include: the right to be free from unreasonable search and seizure, the right to due process of the law, the right to council, and the right to be free from cruel and unusual punishment.

U.S. crime policy today operates under the “crime control model”, which posits crime is a considerable threat to the American social order and must be dealt with in a punitive manner, even if that involves restricting civil rights. A critical ideological component of the “crime control model” is “control talk”. “Control talk” is a form of political language that is used to discuss the crime problem and what should be done to solve it (Cavender & Fishman, 1998). “Control talk” seeks to make the criminals appear “different” from the rest of society. It seeks to portray an “us against them” model of crime in society (Cavender & Fishman, 1998). “Control talk” works to portray our society as separated into good citizens and bad criminals.

Previous research has identified the distorted crime picture that television media often delivers. Many content analyses have revealed both quantitative and qualitative differences in the way race is portrayed in the televised criminal justice system. The combined research suggests a picture that although Whites are portrayed more frequently in raw numbers as offenders, the relative proportion of offenders to victims or police officers is much higher for minorities (African American and Hispanics) than for Whites. Prior research focused almost exclusively on news or reality programming, while ignoring the crime drama genre. Also lacking in prior research is an examination of the investigative and adjudication process, weapon use, law enforcement's use of civil right violating behavior and “control talk”. The present study explores the issues raised in prior research while introducing these new, more qualitative questions regarding the mechanics of television's criminal justice system.

METHODOLOGY

The entire 2001 seasons of “NYPD Blue” and “Law & Order” were taped for subsequent coding. The sample included a total of 44 one-hour episodes, with 20 from ABC’s “NYPD Blue” and 24 from NBC’s “Law & Order”. Though there are fewer “NYPD Blue” episodes, the entire season of both shows is represented.

Five coders analyzed shows using both individual characters and crimes as the units of analysis. Altogether, every show included in the analysis was coded by at least two coders to provide the basis for inter-rater reliability. Training for the coders consisted of two, one-hour training sessions in which the coders were instructed on the use of the coding categories and operational definitions. The coders then scored sample episodes with follow-up discussion of the results. The shows for coders to score were selected by coin toss and all coding was performed in solitude, with the coders encouraged to watch each episode in its entirety to become familiar with the overall plot and record certain qualitative data before proceeding to a second viewing and the more detailed quantitative features of the instrument. There were three Black female coders, one White female coder and one White male coder.

Characters with speaking parts, or characters who did not speak because of their victimization, were coded one time per episode into the following categories: violent offender (including criminal homicide, forcible rape, robbery, aggravated assault and simple assault), non-violent offender,[2] violent suspect, non-violent suspect, police, defense attorney, prosecuting attorney, other criminal justice officials (including police ranks of lieutenant and above, medical examiners, crime scene and forensic technicians, police administrative assistants, court and prison officials, judges, fire marshals, and all other non-police officer criminal justice employees), witness (including anyone who is a direct witness to the crime or anyone who is questioned by a CJ official for the purpose of obtaining information to solve the crime), expert witness (including anyone paid, whether for prosecution or defense, to offer evidence and/or testimony in court), rat/junkie/informant (including anyone involved in the criminal subculture or with a prior record that is sought out by police for information or individuals who exchange information for leniency), victim of violent crime, victim of property crime, family of victim, family of offender and general public. Each category was sub-divided by race and gender (based on physical appearance, accent, cultural context and supported by last name when available). Average inter-rater reliability for these categories was $\alpha = .85$.

A separate instrument focused on individual crime stories on the programs as the unit of analysis. For example, an episode of "NYPD Blue" that covered a homicide, a robbery, and a domestic violence case would have three individual crime stories. Data were collected including: crime type (utilizing the classifications defined by the FBI Uniform Crime Report), type of weapon used, civil rights violations committed while apprehending/processing the offender(s), number of offenders/suspects (and whether arrested, or convicted), "control talk", language that is used to classify the suspects or offenders as different or bad (ex: "No good lousy dope slinger") and officers and civilians as good, race, gender of suspects/offenders, victims and if suspects/offenders were shown in handcuffs.

ANALYSIS AND DISCUSSION

Throughout the analysis we show comparison data from the United States or New York City when comparable statistics were available. Table 1 explores the racial composition of all characters, offenders, victims and CJ personnel. Generally speaking, what characterizes this table is not that African Americans are over-represented as offenders. It is that Whites are

significantly over-represented in all categories compared to New York City data (this trend is more pronounced on “Law & Order” than on “NYPD Blue”).

Table 1: Racial Composition of Characters on “NYPD Blue” and “Law & Order”

Roles	“NYPD Blue” (N=478)			“Law & Order” (N=843)		
	Black	White	Other	Black	White	Other
All Characters	26%	65%	9%	18%	75%	7%
NYC Census	26%	45%	29%	26%	45%	29%
Offender/Suspect	38%	50%	11%	16%	65%	1%
Violent Off./Sus.	43%	46%	10%	14%	75%	1%
Handcuffed	14%	79%	7%	19%	71%	10%
NYC Data*	51%	13%	33%	51%	13%	33%
Victim	19%	50%	30%	3%	76%	66%
NYC Data*	41%	19%	40%	41%	19%	40%
CJ Personnel	25%	69%	5%	20%	78%	2%
LE Officers	19%	78%	3%	18%	81%	2%
Attornies	78%	23%	0%	6%	94%	0%

* New York City Police Department citywide stop and frisk data for victim identified violent crime.

Note: Bold numbers indicate significant chi-square tests ($p < .05$) for the difference between New York data and TV data.

White lead characters on “NYPD Blue” include Detectives Sipowicz (Dennis Franz), Sorenson (Rick Schroder), Kirkendall (Andrea Thompson) and Russell (Kim Delaney). “Law & Order’s” detective Briscoe (Jerry Orbach), and Assistant District Attorneys McCoy (Sam Waterston) and Carmichael (Angie Harmon) are White.

Likewise, Hispanic and other races are under-represented in all categories. This disparity is most exaggerated in terms of criminal justice personnel, where the “other” category makes up only five percent of criminal justice personnel on “NYPD Blue” and a mere two percent on “Law & Order.” In terms of offenders, the category most focused on in past media studies concerning race and minorities, including African Americans and “others”, are under-represented compared to NYC arrest data.

Table 2 breaks down character roles within racial categories because it is possible that, even if African Americans are not shown in greater numbers as offenders, they will be shown predominantly as offenders when they are shown. On both “NYPD Blue” and “Law & Order,” African Americans and “others” have a statistically significant higher ratio than Whites of being portrayed as offenders to other character roles in six and seven (respectively) out of the ten comparisons. On “NYPD Blue,” African Americans have a higher ratio of being portrayed as an

offender than a victim, CJ personnel, police or attorney, than their White counterparts. On "Law & Order," African Americans have a higher ratio of handcuffed offender to offender (with handcuffed offenders appearing more dangerous) offender to victim, and offender to attorney than their White counterparts. In four of these cases for Blacks and seven of these cases for Hispanics, minorities are at least twice as likely to be shown as offenders than in other roles than their White counterparts. Neither program showed a single Hispanic attorney with a speaking role during their 2000 seasons.

Table 2: Ratio of Offenders to Positive or Sympathetic Roles on "NYPD Blue" and "Law & Order" within Racial Categories

Roles	"NYPD Blue" (N=478)			"Law & Order" (N=843)		
	Black	White	Other	Black	White	Other
Off HC/Off. No HC	.3	.3	.3	.7	.4	100*
Off./Victim	4.3	2.2	.8	15	3.1	1.8
Off./CJ Personnel	.5	.2	1.8	.2	.2	1.4
Off./Police	1.0	.4	1.8	1.4	1.4	11
Off./Attorney	1.8	7.8	100*	2.5	.7	100*

* unable to compute ratio because denominator is 0

Note: Bold numbers indicate significant t-test ($p < .05$) for the difference between White category and Black or other category.

"NYPD Blue" focuses on policing, but the one attorney who is regularly shown is an African American female. This may explain why, for "NYPD Blue," Whites have a much higher offender to attorney ratio than African Americans. Similarly, on "Law & Order," which focuses on attorneys rather than police officers, the offender to police ratio is equal for Whites and Blacks. This finding leads one to believe that positive minority roles on crime drama television are often minor ones.

For example, on NYPD, Lieutenant Fancy (James McDaniel), an African American male, and his replacement Lieutenant Rodriguez (Esai Morales), a Hispanic male, are shown in leadership positions. However, their roles are minor, and unlike many of the White characters, little information about their personal lives are ever revealed. Similarly in "Law & Order," Lieutenant Van Buren (S. Epatha Merkerson) may be in charge down at the precinct, but her screen time is minimal and the humanity of her character is underdeveloped, compared to her White co-stars. The one exception to this pattern is detective Green on "Law & Order," played by Jesse Martin. Martin's character has both depth and screen time.

Table 3: Sex Composition of Characters on “NYPD Blue” and “Law & Order”

Roles	“NYPD Blue” (N=478)		“Law & Order” (N=843)	
	Female	Male	Female	Male
All Characters	28%	72%	35%	65%
NYC Census	52%	48%	52%	48%
Offender/Suspect	6%	94%	17%	83%
Violent Off./Sus.	5%	95%	15%	85%
UCR Data*	22%	78%	22%	78%
Victim	33%	67%	41%	59%
NCVS Data	43%	57%	43%	57%
UCR Homicide	24%	76%	24%	76%
CJ Personnel	21%	79%	34%	64%
LE Officers	20%	80%	11%	89%
Attornies	78%	23%	33%	64%

* New York City Police Department citywide stop and frisk data for victim identified violent crime.

Note: Bold numbers indicate significant chi-square tests ($p < .05$) for the difference between New York data and TV data.

Table 3 shows that for both “NYPD Blue” (72%) and “Law & Order” (65%) the overwhelming majority of all characters all male. This disparity is not found in New York City where Census data for 2000 estimated that females make up over half of the New York City population. The disparity is largest when looking at offenders, which is logical, given that both UCR and NCVS report significantly more male offenders than female offenders, but the television gender gap is larger than the real life gender gap. Although the differences between TV victims and NCVS and UCR victim counts are statistically significant, victimization percentages for both programs fall right between UCR and NCVS reports, and therefore may approximate a realistic portrayal of the gender gap in victimization. Generally speaking, approximately 75% of all CJ personnel shown on the crime drama programs were males. The one exception was that on “NYPD Blue,” more female attorneys were shown than male attorneys. As noted above, attorneys play a very minor role on this program.

The findings from Table 4 reiterate the conclusion that males are shown significantly more frequently in all roles, but especially as offenders. When females are shown in crime drama programs they are more likely to be shown in positive and sympathetic roles, such as victim or CJ personnel including police officers and lawyers, than as offenders, compared to their male counterparts. The one exception is on “Law & Order,” where women are more likely to be offenders than police officers and this ratio (2.3) is higher than it is for men (1.4).

Table 4: Ratio of Offenders to Positive or Sympathetic Roles on “NYPD Blue” and “Law & Order” by Sex

Roles	“NYPD Blue” (N=478)		“Law & Order” (N=843)	
	Female	Male	Female	Male
Off./Victim	.4	3.0	1.3	4.7
Off./CJ Personnel	.2	.4	.1	.3
Off./Police	.2	.5	2.3	1.4
Off./Attorney	.29	14.6	.3	1.2

Note: Bold numbers indicate significant t-test ($p < .05$) for the difference between White category and Black or other category.

In addition to exploring the race and gender characteristics of characters in crime drama programs, this analysis also explored variables such as the types of crimes shown, the types of weapons used, civil rights violations and “control talk.” Table 5 shows the types of crime on “NYPD Blue” and “Law & Order,” compared to Uniform Crime Reports. Both “NYPD Blue” (79%) and “Law & Order” (92%) tremendously exaggerate both the number and the relative proportion of homicides in New York City (.22%), compared to actual crime report data. This is consistent with past studies of the media that report that the media (both print and television), whether it be the news, reality programs, or drama programming, all greatly exaggerate the number of violent crimes, particularly murder in their presentations (Surrette, 1998; Chermak, 1995).

Table 5: Index Crimes Shown on Crime Drama and Crime Reported to the Police in New York City

Offense	“NYPD Blue”	“Law & Order”	UCR
Homicide	79%	92%	0.22%
Forcible rape	3%	0%	0.57%
Robbery	3%	0%	12%
Agg. Assault	9%	0%	14%
Simple assault	3%	0%	0%
Drug abuse violation	3%	0%	0%
Motor vehicle theft	0%	0%	13%
Other	0%	8%	60%
	100%	100%	100%

Note: Bold numbers indicate significant chi-square tests ($p < .05$) for the difference between New York data and TV data.

Uniform Crime Reports show that 66% of all murders are committed with a firearm. Both “NYPD Blue” (50%) and “Law & Order” (46%) under-represent the percentage of homicides committed with a firearm. Alternatively, knives and cutting instruments are over-represented on “NYPD Blue” (21% compared to UCR’s 13%), blunt objects are over-represented on “Law & Order” (17% compared to UCR’s 5%) and personal weapons (hands, feet, etc.) are disproportionately shown on both “NYPD Blue” (23%) and “Law & Order” (17%) compared to UCR (7%). For example, on “Law & Order,” murder weapons included a cement block, a ratchet, fists and feet, knives and guns.

While these crime drama programs depict New York as more violent than it actually is, they also depict police officers and prosecuting attorneys as more efficient and effective than they are in reality. In terms of clearance rates, the cops on “NYPD Blue” and the lawyers on “Law & Order” fair much better than their real life counterparts. The typical program for both “Law & Order” and “NYPD Blue” starts with the discovery or report of a crime. The focus of both programs is on the investigation of the crime. “NYPD Blue” normally concludes with the arrest of the “bad guy”, and “Law & Order” usually ends with a criminal conviction in court accompanied by a long incarceration sentence. Using the 1999 Uniform Crime Reports, crimes known to police and arrest data, the average clearance rate for violent crimes is 29% [3]. “NYPD Blue” had a phenomenal 78% arrest rate, and “Law & Order” had a 61% conviction rate.

In addition to high arrest and conviction rates, civil rights violations are often used to obtain evidence and confessions. Table 6 shows the number of civil rights violations shown on each program throughout the season.

Table 6: Civil Rights Violations Shown on Crime Drama Programs

Violation	“NYPD Blue”	“Law & Order”
No Miranda warning	24	15
Physical abuse	17	1
Forced confessions	2	2
Promises of leniency	21	NA
Total	64	18

“NYPD Blue” showed an average of 2.7 civil rights violations per episode of the program. These violations were relatively evenly distributed among no Miranda warnings, physical abuse, and promises of leniency. “Law & Order” showed an average of .9 civil rights violations per episode, which were predominantly the lack of Miranda warnings at the time of arrest. These violations were alarming considering that the program focuses on the court system, whose job it is to ensure due process. While the legal and moral implications of a few of the violations were addressed on the programs, the vast majority were not even brought up in discussion or proceedings in the course of the program.

Physical brutality was especially prevalent on “NYPD Blue.” Officers frequently shoved suspects, and in some cases witnesses and informants, into walls and onto police cruisers, and punched or kicked suspects in the course of an arrest. In one instance, the detectives grabbed a

suspect by the back of the neck and forced his head into a car trunk that contained the decomposing remains of a victim. Another example involved a forced confession where a detective dunked and held a suspect's head underwater. The casual use of civil rights violations with no repercussions may prime viewers to believe that this is how policing is and "should" be done, and that these behaviors and tactics are justified if they result in the "bad guys" capture and punishment.

Insulting language, one form of "control talk," was prevalent in both of these programs. The "us" against "them" mentality pervading the programs often depicted the criminals as less than human, where any means necessary was appropriate for their capture. On "NYPD Blue," the terms "asshole," "dickhead," "deadbeat scumbag," "jerk," "skank," and "idiot" were all synonymous with suspect. Similarly, on "Law & Order," defendants were referred to as "dirt bags," "low lives," "riff-raffs," "bitches," "bastards," "thugs," "faggots," and "freaks." An "NYPD Blue" detective once told a suspect during interrogation: "the fact is we don't want you to talk, you might express remorse and we want you to go into trial a picture of evil. I ought to beat you the way you beat that girl."

Another common occurrence, especially on "NYPD Blue" was the use of derogatory terms to describe someone's race or ethnicity, therefore symbolically connecting race and crime. Additionally, these programs, with their focus on arrests and convictions resulting in prison terms for violent crimes, imply that incarceration is the only way to deal with these offenders. Treatment, probation and parole are rarely addressed as options, and their occasional mention is usually in a negative light.

What was not as prevalent was the other side of "control talk" that focuses on the "goodness" of criminal justice personnel as the protectors of society. Although this was not verbally stated, law enforcement officers and lawyers often implied that they were the good guys who were protecting society from evil, and the very format of these programs transmitted this same message.

CONCLUSION

In 1976, Gerbner and Gross argued that the images that viewers see on television are important to viewers' perceptions of the world.

Casting the symbolic world thus has a meaning of its own: the lion's share of representation goes to the types that dominate the social order. About three-quarters of all leading characters are male, American, middle- and upper-class and in the prime of life (183).

It appears that times have not changed. The world of television is still predominantly male and predominantly White.

A closer examination of the types of roles that individuals of different races and sexes are cast in reveals that minorities are disproportionately more likely to be cast as offenders than their White counterparts. This is especially true on "Law & Order," where African Americans offenders are 1.75 times as likely to be shown in handcuffs than White offenders, almost 5 times

as likely to be shown as an offender than a victim, and 3.57 times as likely to be shown as an offender than an attorney.

Female representation does not suffer the negative image associated with being stereotyped as offenders that minorities do, and, unlike a past study of the news (Chiricos, et al., 1997), women were not stereotyped as victims on these crime drama programs. Female representation is equally deficient in all categories of characters on “NYPD Blue” and “Law & Order,” but this is especially true of “NYPD Blue” where almost three-quarters of all the characters are male.

Crime dramas also dramatically misrepresent the crime statistics in New York City and the United States. Almost all of the crimes shown on these programs are murders, whereas murder is one of the least frequently occurring crimes in the United States. The emphasis these programs place on murder and violent crime is coupled with regular civil rights violations and the use of “control talk” to further the ideology of the crime control model. The model emphasizes the need to get tough on criminals and to unshackle police and the legal restrictions that are currently placed on them so they can do their jobs (Cavendar, 1993). The abnormally high clearance rates on both of these programs may also lead viewers to have more confidence in the police and to see police officers as the solution to the crime problem (Doyle, 1998; Sparks, 1995; Eschholz, Blackwell, Gertz & Chiricos, 2002).

The combination of the crime control model and the criminal typification of minorities (the relative appearance of minority offender characters compared to White characters) may reinforce the perception that minorities pose a “social threat” to the White majority (Blalock, 1967; Chiricos & Eschholz, 2002) and that the only way to deal with this threat is by giving the police more power and punitive policies, such as three strikes laws, mandatory minimum sentences and the abolition of parole.

ENDNOTES

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[1] We also recognize the possibility that some viewers will negotiate meaning with the text that is not consistent with the dominant message (Caraggee, 1990). For instance some viewers watching crime drama programs may identify more with the injustice of the civil rights violations used by officers to fight crime, rather than the dominant message that justice prevails in the end.

[2] Non-violent crime includes burglary-breaking or entering, larceny theft, motor vehicle theft, arson; -forgery and counterfeiting; fraud, embezzlement; - stolen property-buying, receiving, possessing; - vandalism, weapons-carrying, possessing; - prostitution and commercialized vice, sex offenses (except forcible rape), drug abuse violations, gambling, offenses against the family and children, driving under the influence, liquor laws, drunkenness, disorderly conduct, vagrancy, suspicion, curfew and loitering laws, runaways, other.

[3] UCR Violent Crimes are used as a comparison number due to the fact that the overwhelming majority of all crimes shown on both "NYPD Blue" and "Law & Order" are violent in nature.

BIBLIOGRAPHY

Anderson, D.

1995 *Crime and The Politics of Hysteria: How the Willie Horton Story Changed American Justice*. New York: Random House.

Barak, Gregg

1996 Mass-mediated regimes of truth: Race, gender, and class in crime "news" thematics. In *Race, Gender, and Class in Criminology. The Intersection*. Eds. Martin Schwartz and Dragan Milovanovic. New York: Garland Publishing: 105-123.

Bazargan, Mohsen

1994 The effects of health, environmental, and socio-psychological variables on fear of crime and its consequences among urban Black elderly individuals. *International Journal of Aging and Human Development* 38(2)99-115.

Blalock, Hubert

1967 *Toward a Theory of Minority-Group Relations*. New York: John Wiley & Sons, Inc.

Carragee, Kevin

1990 Interpretive media study and interpretive social science. *Critical Studies Mass Communication* 7(2):81-95.

Cavender, Gray & Mark Fishman

1998 Television reality crime programs: Context and history. In M. Fishman and G. Cavendar (Eds.), *Entertaining Crime*, (pp. 1-18). New York, NY: Aldine De Gruyter.

Cavender, Gray

1993 Fear and loathing on reality television: An analysis of "America's Most Wanted" and "Unsolved Mysteries". *Sociological Inquiry* 63(3) 305-317.

Chermak, Steven

1995 *Victims in the News: Crime and the American News Media*. Boulder: Westview Press.

Chiricos, T. & S. Eschholz

2002 The racial typification of crime and the criminal typification of race: The social construction of social threat by local TV news. *Journal of Research in Crime and Delinquency* 39:400-420.

Chiricos, T., S. Eschholz, & M. Gertz

- 1997 Crime, news and fear of crime: Toward an identification of audience effects. *Social Problems* 44(3):342-357.

Chiricos, T., K. Padgett & M. Gertz

- 2000 Fear, TV news, and the reality of crime. *Criminology* 38(3):755-786.

Dixon, T. & D. Linz,

- 2000 Over representation and under representation of African Americans and Latinos as lawbreakers on television news. *Journal of Communication*, Spring:131-154.

Doyle, Aaron

- 1998 "Cops": Television policing as policing reality. In *Entertaining Crime. Television Reality Programs*. Eds. Mark Fishman and Gray Cavender. New York: Aldine De Gruyter: 79-94

Drummond, William

- 1990 About face, from alliance to alienation. *Black and the news media. The American Enterprise* 1:22-29.

Edsall, Thomas Byrne and Mary D. Edsall

- 1991 Race. *The Atlantic Monthly*, May.

Entman, R. & A. Rojecki.

- 2000 *The Black images in the White mind*. Chicago: The University of Chicago Press

Entman, Robert

- 1992 Blacks in the news: Television, modern racism and cultural change. *Journalism Quarterly* 69(2):341-361.

- 1990 Modern racism and the images of Blacks in local television. *Critical Studies in Mass Communication* 7:332-345.

Eschholz, Sarah

- 1997 The media and fear of crime: A survey of the research. *Journal of Law and Public Policy* 9(1):37-59.
- 1998 Television and fear of crime: The effect of context on audience perception. Tallahassee, FL: Unpublished Ph.D. dissertation, Florida State University.
- 2002 Racial composition of television offenders and viewers' fear of crime. *Critical Criminology* 00:1-20.

Eschholz, S., B. Blackwell, M. Gertz & T. Chiricos

- 2002 Attitudes toward the police. Assessing the effects of watching "reality" police programs. *Journal of Criminal Justice* 30:1-15.

Eschholz, S., T. Chiricos, & P. Weitzel

- 1998 News consumption and perceptions of crime: An assessment of media content and public opinion in Orlando Florida. Technical Report produced by The Collins Center for Public Policy and the Poynter Institute.

Fishman, Mark

- 1998 Ratings and Reality: The persistence of the reality crime genre. In *Entertaining Crime. Television Reality Programs*. Eds. Mark Fishman and Gray Cavender. New York: Aldine De Gruyter: 59-75.

Gallup, G.

- 1994 The Gallup Poll, No. 341 (February). Wilmington, Delaware: Scholarly Resources.

Gerbner, G. & L. Gross

- 1976 Living with television: The violence profile. *Journal of Communication*. 26(2): 173-199.

Gerbner, George, Larry Gross, Michael Eleey, Marilyn Jackson-Beeck, Suzanne Jeffries-Fox, and Nancy Signorielli

- 1977 TV violence profile no. 8: The highlights. *Journal of Communications* (2):171-180.

Gerbner, George, Larry Gross, Marilyn Jackson-Beeck, Suzanne Jeffries-Fox and Nancy Signorielli

- 1978 Cultural indicators: Violence profile no. 9. *Journal of Communication* 28:176-207.

Gerbner, G., L. Gross, N. Signorielli, & M. Morgan

- 1980a The "mainstreaming" of America: Violence profile no. 11. *Journal of Communication* 30:10-29.

- 1980b Television violence, victimization, and power. *American Behavioral Scientist* 23(5): 705-716.

Gilliam, F., S. Iyengar, A. Simon & O. Wright.

- 1995 Crime in Black and White: The violent, scary world of local news. *Press/Politics* 1:6-23.

Goldman, S.

- 1991 *Constitutional Law: Cases and Essays*. New York: Harper Collins Publishers.

- Gomes, R. & L. Williams,
 1990 Race and crime: The role of the media in perpetuating racism and classism in America. *The Urban League Review* 14:57-69.
- Heath, Linda and Kevin Gilbreth
 1996 Mass media and fear of crime. *American Behavioral Scientist* 39:379-386.
- Heath, Linda and John Petraitis
 1987 Television viewing and fear of crime: Where is the mean world? *Basic and Applied Social Psychology* 8:97-123.
- Hirsch, Paul
 1981 On not learning from one's own mistakes, a reanalysis of Gerbner et al.'s findings on cultivations analysis, Part II. *Communication Research* 8(1):3-37.
- Hughes, M.
 1980 The fruits of cultivation analysis: A reexamination of some effects of television watching. *Public Opinion Quarterly* 44:287-302.
- Klite, P., R. Ardwell, & J. Salzman
 1996 Local TV news: Getting away with murder. *Press/politics* 2:102-112.
- Kooistra, Paul, John Mahoney, and Sandra D. Westervelt
 1998 The world of crime according to "Cops." In *Entertaining Crime. Television Reality Programs*. Eds. Mark Fishman and Gray Cavender. New York: Aldine De Gruyter: 141-158.
- Krajecek, David
 1998 *Scooped! Media Miss Real Story on Crime While Chasing Sex, Sleaze and Celebrities*. New York: Columbia University Press.
- Kurtz, H.
 1993. *Media Circus*. New York: Random House.
- Manning, Peter
 1996 Dramaturgy, politics and the Axial Media Event. *The Sociological Quarterly* 37(2):261-278.
- Martindale, C. & L. Dunlap.
 1997 The African-Americans. In *U.S News Coverage of Racial Minorities*. A., Keever, C. Martindale, & M. Weston, eds. Westport, CN: Greenwood Press.
- Meyers, M.
 1997 *News Coverage of Violence Against Women*. Thousand Oaks: Sage.

“NYPD Blue” Web-Site

2001 http://abc.go.com/primetime/nypdblue/for_the_record.html

New York City

1999 New York City Police Department Citywide Stop and Frisk Data, City of New York. www.oag.state.ny.us/press/reports/stop_frisk/stop_frisk.html

O'Keefe, G. and K. Reid-Nash

1987 Crime news and real-world blues: The effects of the media on social reality. *Communication Research* 14:147-163.

O'Keefe, G.

1984 “Public views on crime: Television exposure and media credibility” in *Communication Yearbook*, ed. R. Bostrom. 8:514-535. Beverly Hills: Sage.

Oliver, M. B.

1996 Influences of Authoritarianism and portrayals of race on Caucasian viewers: Responses to Reality-based crime dramas. *Communication Reports*.

1994 Portrayals of crime, race, and aggression in “reality-based” police shows: A content analysis. *Journal of Broadcasting and Electronic Media*, Spring: 179-192.

Oliver, M. B., Armstrong, C.B.

1998 The color of crime: Perceptions of Caucasians' and African-Americans' involvement in crime. In *Entertaining Crime. Television Reality Programs*. Eds. Mark Fishman and Gray Cavender. New York: Aldine De Gruyter: 19-36.

1995 Predictors of Viewing and enjoyment of reality-based and fictional crime shows. *J & MC Quarterly*

Potter, W. James & Ware, W.

1987 Traits of perpetrator and receivers of antisocial and prosocial act on TV. *Journalism Quarterly* 64(2):382-391

Potter, W. James and Ik Chin Chang

1990 Television exposure measures and the cultivation hypothesis. *Journal of Broadcasting and Electronic Media* 34(3):313-333.

Romer, D., Jamieson, K.H., DeCoteau, N.J.

1998 The treatment of persons of color in local television news: Ethnic blame discourse or realistic group conflict? *Communication Research*. 25 (3) pp.286-305

Rubin, Alan; Elizabeth Perse and Donald Taylor

1988 A methodological examination of cultivation. *Communication Research* 15(2):107-134.

Sheley, J. & C. Ashkins

1981 Crime, crime news and crime views. *Public Opinion Quarterly* 45:492-506.

Sparks, R.

1995 *Television and the Drama of Crime: Moral Tales and The Place of Crime in Public Life*. Buckingham: Open University Press.

Sullivan, L.

1990 Quoted in Drummond, William J. About face: Blacks and the news media. *The American Enterprise* 1:23-29.

Surrette, R

1998 *Media, Crime, and Criminal Justice. Images and Realities*. Belmont, CA: Wadsworth.

Time Magazine

2001 "Law & Order" Advertisement. July 2:66.

U.S. Census Bureau

2000 Census 2000. Summary File 3. www.census.gov/

Uniform Crime Reports

2000 Crime in the United States 1999. Department of Justice: Washington D.C.

U.S. Department of Justice.

1995 Sourcebook of Criminal Justice Statistics -- 1994. Washington, DC: Bureau of Justice Statistics.