



“I just signed your death warrant”: A Content Analysis of News Media  
Coverage of Violent Crimes Against Women in the #MeToo Era

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## ABSTRACT

Seemingly overnight, stories of misconduct and violent crimes against women took American news media by storm, occupying national headlines in unprecedented numbers. Prompted by a Twitter hashtag, what came to be known as the #MeToo Movement inspired women to share their stories of sexual assault and harrassment amidst a broader call to end such abuses and hold perpetrators accountable, most obviously through the American criminal justice system. Notably, the movement took off during a period in which American incarceration rates were the highest in the country's history. Disproportionately affected by mass incarceration were Black men who were grossly overrepresented among the incarcerated. This study analyzes the narratives that emerged in the news media during this period and seeks to uncover if and how news media coverage differed based on the race of defendants. Specifically, I ask 1) How does news media coverage of violent crimes against women frame narratives of power, blame, and punishment in the #MeToo Era?, 2) How does the race of the defendant intersect with these narratives?, and 3) How does the race of the defendant influence the news media coverage of his case?

To answer these questions, I conduct a content analysis of the news media coverage of the criminal cases *State of Michigan v. Lawrence Gerard Nassar* and *Commonwealth of Pennsylvania v. William Henry Cosby, Jr.* during the #MeToo Movement. I find that news media coverage of violent crimes against women typically exhibits an inverse relationship in which supportive portrayals of victims predict unsupportive portrayals of defendants, and vice versa. I also find some evidence to suggest that Black male defendants receive more lenient news media coverage than white male defendants. The results of this study demonstrate the power of social

movements in influencing criminal justice outcomes and the news media's role in shaping public opinion on criminal cases.

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## INTRODUCTION

In 2017, American news media took an unprecedented turn when it began reporting on allegations of sexual assault and harassment made by hundreds of women against some of the nation's most powerful men - media moguls, business executives, and politicians, among others. Prompted by a Twitter hashtag, the #MeToo Movement empowered women to share their stories of harassment and assault amidst a broader call to end violence against women. Within a year, “#MeToo” was tweeted 19 million times (Pew Research Center 2018). The #MeToo Movement was powerful not only because of the influential men it ousted, but because it represented a shift in culture. Contrasting decades in which women were silenced and disbelieved, allegations of sexual assault went ignored and uninvestigated, and victims were blamed for the abuse they suffered, the #MeToo Movement affirmed that the harassment and abuse that pervaded the lives of women were unacceptable and would no longer go unnoticed. The movement marked a turning point in news media coverage of allegations of sexual misconduct, increasing the public's awareness of the topic.

The #MeToo Movement also generated a push among the public for the prosecution of crimes against women. Despite the #MeToo Movement's emergence during the peak of American mass incarceration, violent crimes against women had gone largely unprosecuted for decades, with perpetrators walking free and victims denied justice. About 2.3 million Americans were incarcerated when the #MeToo Movement took off, constituting one-fifth of incarcerated people worldwide (Wagner and Rabuy 2017). However, the high incarceration rates at the time stemmed primarily from the prosecution of property crimes, drug crimes, and misdemeanors, not violent crimes against women like sexual assault. Mass incarceration fell especially hard on Black men, who were grossly overrepresented among the incarcerated, a reality that stemmed in

part from their criminalization by the American news media (Oliver 2003; Enns 2014). While the criminalization of Black men by the news media has been widely studied, it has rarely been analyzed in the context of the #MeToo Movement. Likewise, since the growth of the #MeToo movement, there has been little work examining how news media crime coverage frames issues of power and blame. This study will fill this gap by investigating the following questions:

RQ1: How does news media coverage of violent crimes against women frame narratives of power, blame, and punishment in the #MeToo Era?

RQ2: How does the race of the defendant intersect with these narratives?

RQ3: How does the race of the defendant influence the news media coverage of his case?

This study will analyze how the news media reported on violent crimes against women during the #MeToo movement, paying particular attention to narratives of power, blame, and punishment as they relate to both the defendant and the victims. This study will also uncover differences in news media coverage of violent crimes against women by the defendant's race. I do this by comparing the news media coverage of two landmark cases during the #MeToo era: *State of Michigan v. Lawrence Gerard Nassar* and *Commonwealth of Pennsylvania v. William Henry Cosby, Jr.* These cases offer a strong comparison by defendant's race as they are similar in crime type (sexual molestation and assault) and magnitude (10+ victims) and received extensive national news media attention around the same time period (2014-2018). I find that news media coverage of violent crimes against women typically exhibits an inverse relationship in which supportive portrayals of victims predict unsupportive portrayals of defendants, and vice versa. I also find some evidence to suggest that Black male defendants receive more lenient news media coverage than white male defendants. The results of this study demonstrate the power of social



movements in influencing criminal justice policy and outcomes and the news media's role in shaping public opinion on crime and criminal cases.

## LITERATURE REVIEW

This thesis seeks to analyze the narratives of power, blame, and punishment used in news media coverage of violent crimes against women during the #MeToo Movement. It also seeks to uncover the influence of the defendant's race on news media coverage, both as it relates to these narratives and on its own. Literature about the #MeToo Movement and American mass incarceration provides necessary context for this study. Other relevant literature considers the news media's coverage of sexual assault, the criminal justice system's prosecution of sexual assault, and carceral feminism.

### *The #MeToo Movement*

“Me too.” was first used by Tarana Burke on Myspace in 2006. Burke hoped the phrase would shed light on the prevalence of sexual violence and show survivors of sexual violence that they were not alone. Burke, a survivor herself, envisioned “me too.” as a movement to facilitate the healing of survivors, especially women and girls of color.

The #MeToo Movement, as it is known today, gained traction and attention in 2017 when actress Alyssa Milano encouraged her Twitter followers to reply to her tweet with “me too” if they had ever been sexually harassed or assaulted (Pflum 2018). Her tweet was prompted by national news media coverage of numerous allegations of sexual assault surfacing about Hollywood producer Harvey Weinstein (Gill and Rahman-Jones 2020). Among Weinstein's accusers were actresses Ashley Judd, Gwyneth Paltrow, and Angelina Jolie (Rhode 2019:396).

“#MeToo” quickly became a popular Twitter hashtag, circulating globally. It was tweeted 19 million times in the year following Milano's tweet (Pew Research Center 2018). Over the course of the next two years, similar allegations surfaced about many powerful public figures

including media moguls, business executives, and politicians. In the movement's first 18 months, over 400 high-profile figures were outed (Green 2018). The #MeToo Movement did more than bring to light allegations of sexual assault and harassment. During the #MeToo Era, accused parties were fired or prosecuted in unprecedented numbers, signaling a shift in society's response to sexual assault and harassment. Research has yet to show whether the #MeToo Movement will influence criminal justice outcomes.

### *News Media Coverage of the #MeToo Movement*

The #MeToo Movement dominated national news media in 2017 and 2018. Because the #MeToo Movement peaked relatively recently, there have been few studies about its coverage by the American news media. Existing studies, however, show some important disparities. Ghosh et al. (2020) found that during the #MeToo Movement, left-leaning news media sources dedicated more relative attention to #MeToo, sexual misconduct, sexual harassment, and sexual assault than centrist and right-leaning sources.

Another study uncovered disparities in the news media's coverage of victims in stories relating to the #MeToo Movement. Evans (2018) found that "victims most often sourced in #MeToo-related stories [we]re Caucasian females employed in the entertainment industry or in politics."

Cuklanz's (2020) analysis of news framing of #MeToo also yielded important findings. Despite the #MeToo Era's reputation as a time in which the voices and stories of victims were uplifted, Cuklanz (2020) found that "victims and their specific claims and experiences [we]re quickly sidelined" in news stories, which she argued is consistent with coverage in earlier eras. Significantly, she found that the accused dominate news media reporting. "Most stories [we]re

framed from the point of view of the perpetrator or the organization of which he is a part” or consider the costs of his dismissal from said organization. A minority of stories discussed the perpetrator’s problematic behavior.

These studies, though few, provide important insights into the news media coverage of the #MeToo Movement in the context of the criminal court system, at which this study will look. The #MeToo Movement itself serves as the backdrop of this study, contextualizing the increased public awareness of and engagement with issues of sexual assault and harassment at the times of the criminal cases used in this study.

### *American Mass Incarceration*

The United States is the world’s leader in incarceration with almost 2.3 million people currently incarcerated, constituting about one-fifth of incarcerated people worldwide (Sawyer and Wagner 2020; The Sentencing Project). The country has an incarceration rate of 655 per 100,000, the highest in the world (Walmsley 2019). Such large prison and jail populations and high incarceration rates did not always characterize the American criminal justice system. The incarcerated population began to grow rapidly in the 1970s, increasing by 500% in 40 years (The Sentencing Project).

The term “mass incarceration” has been used by many scholars to refer to America’s large incarcerated population and the increased use of incarceration as the primary response to social problems. In *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, Michelle Alexander defines mass incarceration as referring “not only to the criminal justice system but also to the larger web of laws, rules, policies, and customs that control those labeled criminal both in and out of prisons” (2010:13).

A logical explanation for the rise in the number of Americans in prisons and jails is an increase in crime. While there was an apparent increase in crime in the years immediately preceding the prison boom, crime rates have steadily declined since (Lopez 2016). The incarcerated population, however, has continued to grow (Lopez 2016). Scholars have pointed to various explanations for mass incarceration including Nixon's War on Drugs, which cracked down on illegal drug use and led to increased incarceration for drug crimes, "tough on crime" policies like mandatory minimums and stop-and-frisk policing, and public punitiveness, among others causes (Alexander 2010).

### *Public Punitiveness*

Mass incarceration in the U.S. stems, at least in part, from public punitiveness (Enns 2014). "Punitiveness" refers to a harshness towards crime and a predisposition to respond to crime with punishment. Peter Enns (2014) has claimed that an increasingly punitive public has been a "primary reason" for the United States' rising incarceration rates in the last 30 years (Enns 2014: 857). He argues that "the focus on public opinion offers a theoretical framework for understanding why we have seen such a sustained political push toward more punitive criminal justice policies; politically motivated elites have been marching in step with the mass public" (Enns 2014: 859). Developing this theory, Enns cites many mechanisms "by which increasing public punitiveness could result in higher incarceration rates" (859). These include ballot initiatives, through which citizens can vote on things like three strikes laws, and the public's influence on the behavior of legislators (Enns 2014:859).

Dealing with a critique of the influence of public opinion on policy from Jacobs and Shapiro (2000) who argue that politicians actually influence public opinion rather than respond

to it, Enns claims that “in the context of the expanding carceral state, political elites were much more likely to respond to public opinion than to lead it” (859).

Enns tests the impact of public punitiveness on criminal justice outcomes by testing whether there is a correlation between public punitiveness and incarceration rates from 1953-2010. With no single survey of public opinion on criminal justice spanning this time period, Enns uses surveys from the Roper Center Public Opinion Archives, the American National Election Study (ANES), and the General Social Survey (GSS), collecting responses related to four areas of public punitiveness: criminals’ rights and punishment of criminals, the death penalty, spending on the criminal justice system and fighting crime, and trust in police and the criminal justice system (Enns 2014: 860-861).

He finds that the public has generally become more tough on crime since the 1950s (Enns 2014:861). These findings are compared to incarceration rates from the Sourcebook of Criminal Justice Statistics Online. Enns shows that there is a close correlation between increasing public punitiveness and increasing incarceration rates from 1953-2010, with public support for being tough on crime explaining “over 30% of the changes in the incarceration rate” (Enns 2014:865). Also compelling is Enns’ finding that “if instead of becoming more punitive, the public’s support for being tough on crime had remained constant since the mid-1970s, the results suggest that there would be about 20% fewer people incarcerated today” (Enns 2014:869).

So where exactly does public punitiveness stem from? Unnever and Cullen (2010) identify and test three competing theories of public punitiveness. The first is the “escalating crime-distrust model.” This model theorizes public punitiveness as a result of fear of crime and mistrust of government institutions, particularly courts, to protect citizens from crime. The second theory is the “moral decline model.” This model claims that people who perceive society

as being in a “state of moral decay” (Unnever and Cullen 2010: 104), characterized by a lack of a “shared set of moral values” and “declining social ties among people” (Tyler and Boeckmann 1997), are likely to support punitive criminal justice measures. The third theory is the “racial animus model.” This model theorizes public punitiveness as a result of racialized perceptions of crime.

Unnever and Cullen (2010) test these three explanations of public punitiveness using data from the 2000 National Election Study (NES). The NES conducts a pre-election and post-election survey of a nationally representative sample of voting-age Americans. Unnever and Cullen’s (2010) findings do not support the “escalating crime-distrust model.” Although their results show that a “worsening crime rate consistently predicts” public punitiveness, they do not find support for public punitiveness as a result of escalating crime coupled with mistrust of government. Their results do support the “moral decline model.” Finally, their findings partially support the “racial animus” model, which they divided into two scales: racial resentment and racial stereotype. They find that racial resentment predicts public punitiveness while racial stereotype does not.

Others have found more support for the role of racial stereotypes in public punitiveness. Peffley, Hurwitz, and Sniderman (1997) find that whites with negative stereotypes of Blacks consistently support “tough on crime” measures. Interestingly, however, when whites with negative stereotypes of Blacks receive “individuating information” that contradicts their stereotypes, they are actually more disapproving of “tough on crime” actions towards Blacks than towards whites described with the same characteristics and behavior (Peffley et al. 1997:49).

Mass incarceration and the increasingly punitive American public serve as the backdrop of this study. Enns' finding that a punitive public has influenced criminal justice policies, ultimately fueling mass incarceration, speaks to the importance of public opinion and the significance of institutions that shape it, like the news media studied in the present study. Public opinion on crime is not only significant because the public constitute potential jurors, but also because in highly-publicized criminal cases like the ones in this study, the court of public opinion determines the non-legal repercussions for high-profile defendants. These findings are also significant to the present study because the public comprise the readership and target audience of national news media. Therefore, news media may cater its stories and framing to reflect a highly punitive public. Another connection may be that an increasingly punitive news media has generated more punitiveness in the American public.

### *The Criminalization of Black Men*

Black men in America have been hit particularly hard by mass incarceration. According to The Sentencing Project, people of color constitute over 60% of people in prison today. Black men are six times as likely to be incarcerated as white men (The Sentencing Project). For U.S. residents born in 2001, 1 in 3 Black men will spend time in prison during their lifetime, compared to 1 in 9 white men (The Sentencing Project).

Because of the gross overrepresentation of Black men in American prisons and jails, many scholars have identified incarceration as a tool of racialized social control (Alexander 2010). Alexander has even referred to mass incarceration as “the new jim crow,” alluding to an era of enforced racial segregation in the American south following the Reconstruction period. Alexander writes of the connection between mass incarceration and the criminalization of Black



men, “Today mass incarceration defines the meaning of blackness in America: black people, especially black men, are criminals” (2010:192).

The apparent criminalization of Black men provides important context to this study’s analysis of the role of defendant’s race in news media coverage of criminal cases. Some say the American news media is to blame for Black men’s disproportionate incarceration rates, claiming the news media promote a narrative of Black men as dangerous and criminal. Oliver (2003) argues that the news media’s depictions of race and crime “play[] an important role in the stereotyping of black men as violent and dangerous.” Another study found that “even a brief visual image of an African American male suspect in a televised crime story was capable of activating racial stereotypes” in white audiences (Peffley, Shields, and Williams 2010). Entman (1990) found that television news “stimulates the production of modern racism,” in which “anti-black affect combined with resentment at the continuing claims of blacks on white resources and sympathies.” Interestingly, however, Entman (1990) finds that racism in television news may not be intentional; rather “it is partly because they seek to overcome old-fashioned racism and respond to the viewing tastes of black audiences that local TV news programs reinforce modern racism.”

The criminalization of Black men, in general and in news media specifically, is significant to the present study’s exploration of news media crime reporting, especially as it differs by defendant race. Knowledge of the criminalization of Black men by media may also influence the writing of news stories during the #MeToo Era or the opinions of the public shared by journalists, in an attempt to mitigate the damages of racial stereotypes.

## *News Media Coverage of Sexual Assault*

News media coverage of crime is critical because it is often the public's primary or sole source of information about crime in general and certain cases, specifically. Gibeaut has also called the news media the "surrogate" through which the public can exercise "its First Amendment right to observe and criticize" the criminal justice system (2005:44). News media is also significant because it shapes public opinion on crime or a specific criminal case through its framing of stories. Additionally, the news media's influence on public opinion can have significant policy implications as it may inform voter decisions.

Several studies have found that rape myths are pervasive in news media coverage of sexual assault. Franiuk, Seefelt, Cephess, and Vandello (2008) analyzed the prevalence of rape myths in the news media's coverage of allegations of sexual assault against Kobe Bryant. They found that rape myths were prevalent (Franiuk 2008). Notably, the most commonly endorsed rape myth was that the victim was lying (Franiuk 2008).

Similarly, Sacks, Ackerman, and Shlosberg (2017) conducted a content analysis of 386 articles reporting on sexual assault from local newspapers. While they found little evidence of "rape myth reporting," they found that crime coverage nonetheless reinforced rape myths. Specifically, they found that "the presence of a weapon during a sexual assault, the use of physical force, a victim's hospitalization and an assault by a stranger were all related to greater sympathy for the victim" in news stories. The presence of alcohol was associated with less sympathetic articles about the victims.

These results, they believe, reinforce rape myths. They write:

[G]reater sympathy for victims who are hospitalized might suggest that the victim did not "want it" if "serious" injuries occurred during an assault. Similarly, a greater likelihood for compassion is associated with the use of physical force, which might imply that the victim who does not physically resist must have "wanted it." Finally, the sympathy for

victims who are attacked by strangers seems to reinforce the false notion that “stranger rape” is real but rape by someone the victim knows, even a family member, is not.

In these ways, even when rape myths are not explicitly endorsed by journalists, they often function covertly, influencing the way the news media reports on sexual assault.

### *News Media Portrayal of Sexual Assault Victims*

Studies of news media coverage of sexual assault tend to focus on how victims are portrayed. Gravelin (2016) found that portrayals of victims and defendants were fairly consistent in news sources across the political spectrum. Gravelin (2016) also found that victim-blaming language was more common in stories about acquaintance rape than stranger rape. Hollander and Rodgers (2014) found that the newspaper reports of sexual assault often depicted female victims as weak or helpless. In their study, most articles did not mention women’s resistance to attack, which “reinforce[s] the belief that women are incapable of effectively defending themselves” (Hollander and Rodgers 2014:342). They found that “women [were] described as strong, competent actors with the ability to defend themselves against violence” in only a small minority of articles (Hollander and Rodgers 2014:342).

DiBennardo (2018) found differences in news media portrayals of sexual assault victims by victim age. Her content analysis of 323 *Los Angeles Times* articles published between 1990 and 2015 showed that stories about child victims included more graphic descriptions of violence and “emphasize[d] the ‘predatory’ nature of offenders” (DiBennardo 2018:2). Stories about child victims also often portrayed offenders as “sick” and used their abuse of children to justify their punishment (DiBennardo 2018:14). DiBennardo (2018) writes that “[a]rticles frame[d] the protection of children as a type of “collective” responsibility, using narratives of protection to justify violence against sexual predators” (14). In contrast, DiBennardo (2018) found that stories

about adult victims were characterized by more victim blaming and less relative coverage of victims.

Other studies demonstrate that the news media's framing of sexual assault victims is important to how the public perceives crime victims. Gravelin (2016) studied the consequences of victim blaming in news articles on readers. She found that "high victim-blaming content led readers to blame the victim more" (Gravelin 2016:iii). Readers of victim-blaming content were also more likely to endorse rape myths and blame the victim of an unrelated sexual assault case (Gravelin 2016:iii).

Similarly, Anastasio and Costa (2004) found that the inclusion of information about murder victims in news stories influenced readers' sentiments towards victims. They found that readers had more empathy for the victim when stories included the victim's name and other personal information. The inclusion of personal information about the victim also reduced victim blame (Anastasio and Costa 2004:535).

Another study found differences in news media readers' assessments of victim credibility based on when allegations were made. Sikorski and Saumer (2021) found that "delayed accusations [of sexual harassment] resulted in the attribution of negative motives toward the victim" (259). They found that beliefs that victims had negative motives increased the likelihood of victim blaming among readers (Sikorski and Saumer 2021).

#### *News Media Portrayal of Sexual Assault Defendants*

Fewer studies assess the news media's portrayal of sexual assault defendants. One study looked at the use of prejudicial information about defendants in television pre-trial publicity. Dixon and Linz (2002) found that "19% of the defendants described in crime stories were

associated with at least one category of potentially prejudicial information, as defined by the American Bar Association.” They also found that Blacks and Latinos were “twice as likely as Whites to be associated with prejudicial statements on local television news” (Dixon and Liz 2002).

### *The Influence of News Media Coverage of Sexual Assault*

News media coverage of sexual assault and other crimes is significant because it has the power to shape readers’, who are potential jurors, perspectives on crime in general or on specific cases. A story’s frame influences readers’ judgements of perpetrator guilt and victim credibility. Foreman, Arteaga, and Collins (2016) use mock-up news crime articles to study the influence of story framing on readers’ opinions of crime suspects. They find that study participants are more likely to blame the suspect when news stories are framed as scrutinizing compared to sympathizing (Foreman, Arteaga, and Collins 2016:11).

Their study also addresses the implications of news media framing on opinions of racial groups. They find weak support for scrutinizing story frames evoking “more negative feelings for and fear of the entire racial group of the criminal described in the story” (Foreman, Arteaga, and Collins 2016:10). More robust, however, are their findings associated with social identity theory. Social identity theory says that “the stronger a person’s identification with a particular group, the more motivated that person will be to protect both the status and interest of that group” (Verkuyten & Brug 2004). Foreman, Arteaga, and Collins (2016) find that regardless of a story’s frame, participants are more sympathetic towards suspects of their own racial group.

Franiuk, Seefelt, Cephress, and Vandello (2008) evaluated the effects of rape myths in print journalism on readers. They found that participants who read articles that endorsed rape

myths were more likely to believe the accused was not guilty and the victim was lying. In another study, Franiuk, Seefeldt, and Vandello (2008b) found that the impact of rape myths in news headlines on readers' assessments of cases differed by readers' gender. While female participants' attitudes were not affected by the headlines, "male participants were less likely to think [the accused] was guilty of sexual assault after being exposed to myth-endorsing headlines" (Franiuk et al. 2008b:797).

Another study found that exposure to media coverage of crimes generated bias against criminal defendants. Wright II and Ross (1997) found that "potential jurors who are exposed to media coverage of crimes form biases against criminal defendants" (397). Individuals who relied heavily on newspapers for information "felt more strongly that the defendant was guilty" (Wright II and Ross 1997:413).

Thus, research has established that news media coverage of sexual assault influences readers' perceptions of specific cases as well as crime in general. This is significant as news media consumers are potential jurors. Therefore, the way the news media reports on sexual assault has the potential to influence criminal justice outcomes. This research is relevant to this study's analysis of news media narratives about violent crimes against women during the #MeToo Movement.

### *Prosecuting Sexual Assault*

Sexual assault is pervasive in the United States. According to the Centers for Disease Control and Prevention's 2015 National Intimate Partner and Sexual Violence Survey, 43.6% of women in the U.S. experienced some form of contact sexual violence, defined as "rape, being made to penetrate someone else, sexual coercion, and/or unwanted sexual contact," in their

lifetime. Approximately one in five women have experienced completed or attempted rape during her lifetime (CDC 2015). While discourse around sexual assault, including the #MeToo Movement, tend to center women, sexual assault is common among men as well. Almost a quarter of men in the U.S. have experienced some form of contact sexual violence in their lifetime (CDC 2015).

Despite the prevalence of sexual assault, it is extremely underreported. According to the U.S. Department of Justice's National Crime Victimization Survey (2019), only about 34% of sexual assaults are reported to police, meaning the vast majority go unreported and uninvestigated. Even more, according to the Rape, Abuse & Incest National Network, out of every 1,000 sexual assaults, just 9 cases are referred to prosecutors and only 5 lead to a felony conviction. Thus, sexual assault is among the most under-prosecuted crimes (Rape, Abuse & Incest National Network).

Most of the research about the prosecution of sexual assault focuses on jury decision-making, which is often influenced by characteristics of victims and defendants, such as race or ethnicity, age, and gender.

### *The (Mediating) Role of Defendant Race in Sexual Assault Prosecution*

Scholars have found inconsistent results regarding the impact of defendant's race on sexual assault prosecution, but findings generally suggest that when race is made salient, Black defendants may receive more leniency from juries than white defendants.

For instance, Sommers and Ellsworth's 2000 study of mock jurors found that aversive racism explained white jurors' ratings of Black defendants. According to Penner et al. (2010), aversive racists are those with low levels of explicit racism, but high levels of implicit racism.

Sommers and Ellsworth (2000) found that when racial issues are made salient, white mock jurors “are motivated to appear nonprejudiced.” In these cases, white mock jurors rated Black defendants similar to white defendants in terms of guilt and level of aggression and violence. These results contrasted whites’ ratings of Black defendants when race was not made salient. In these cases, whites rated Black defendants as more guilty, aggressive, and violent than white defendants. In this way, the way the defendant is framed influences jurors’ decisions about the defendant’s guilt, ultimately influencing criminal justice outcomes.

Their findings also suggest that in-group favoritism and out-group bias characterized jurors’ perceptions of defendants. In-group favoritism is a preference for people with whom a person shares a characteristic while out-group bias is bias towards those who do not share a particular characteristic. While white jurors’ attitudes towards Black defendants differed between the race-salient and race non-salient studies, Black mock jurors were lenient towards Black defendants across the studies. This is evidence of in-group favoritism. Sommers and Ellsworth (2000) also found evidence of out-group bias among Black mock jurors.

These findings were replicated by many. Cohn, Bucolo, Pride, and Sommers (2009) tested the impact of race salience framing on white jurors. They found that “making race salient reduced White juror bias toward a Black defendant (Cohn et al. 2009). Similarly, Bucolo and Cohn (2010) found that “White jurors’ ratings of guilt for Black defendants were significantly lower when the defence attorney’s [opening and closing] statements included racially salient statements.” When race was not made salient, white jurors gave similar ratings of guilt for white and Black defendants (Bucolo and Cohn 2010).

The findings on aversive racism derail prior theories of in-group favoritism and out-group bias among jurors. Braun and Gollwitzer (2012) found that out-group offenders received lower



punishment severity ratings from study participants than in-group offenders. Similarly, van Prooijen (2006) found that when a suspect's guilt was certain, "people reacted more negatively to ingroup than outgroup suspects." However, in contrast to other studies, van Prooijen (2006) found that in-group favoritism and out-group bias was still at play when the suspect's guilt was uncertain.

George and Martínez (2002) explored perceptions of interracial rapes (rapes in which the victim and defendant are of different races). Study participants were asked to evaluate a rape vignette that varied victim race, perpetrator race, and rape type. They found evidence of less favorable attitudes towards victims and more favorable attitudes towards perpetrators when the rape was interracial. "Victims—whether White or Black—were blamed more if raped interracially (George and Martínez 2002:115). Participants also less uniformly judged interracial rapes as "definitely rape." Compared to intraracial rapes (rapes in which the victim and defendant share the same race), interracial rapes "were judged as having more culpable and less credible victims, and less culpable perpetrators" (George and Martínez 2002). They summarized their findings saying that, "when a Black man raped a White woman, she was blamed more and he was blamed less than if a White man had raped her" (George and Martínez 2002:115).

One study found that the type of crime influenced outcomes for defendants by race. Maxwell, Robinson, and Post's (2003) analysis of real court decisions, which utilized data from the National Pretrial Reporting Program, revealed that both Black and Latino defendants "were treated more punitively compared to Whites when they were charged with an assault, robbery, or murder" (523). Interestingly, however, when charged with sexual assault, defendants of color were treated more leniently. Specifically, their findings showed that "African-Americans and Hispanics arrested for sexual assault [we]re significantly less likely to be found guilty and

receive[d] significantly fewer months of incarceration compared to Whites arrested for sexual assault” (Maxwell et al. 2003:533).

Another study looked at the effects of victim and defendant race on jurors’ decisions in child sexual abuse cases. Bottoms, Davis, and Epstein (2006) found that jurors believed intraracial cases to be more plausible than interracial case. They also found that “jurors assigned more guilt to defendants in cases involving victims and perpetrators of the same race compared to different races” (Bottoms et al. 2006). Additionally, they found female jurors to be more supportive of victims than male jurors (Bottoms et al. 2006).

Studies considering the role of defendant’s celebrity status, in addition to race, similarly show that Black defendants receive more leniency from juries. Knight, Giuliano, and Sacher-Ross (2001) looked at the influence of defendant’s celebrity status and race on perceptions of responsibility for rape. Study participants were asked to “read a fictitious newspaper account of an alleged rape that varied the defendant’s race (Black or White) and celebrity status (famous or nonfamous)” and then asked for their judgement of the event. They found that Black celebrities were perceived more negatively and judged to be less credible than were Black noncelebrities (Knight et al. 2001:186-187). Participants also preferred “harsher punishments for Black celebrities than for Black noncelebrities” (Knight et al. 2001:186). This study also found evidence of aversive racism, which the authors characterized as whites “ben[ding] over backwards’ to appear nonracist and treat Blacks particularly well” (Knight et al. 2001:187).

Affirming Bottoms et al.’s (2006) findings, Knight et al. (2001) also found that female participants displayed more support and empathy for the victim and were more likely than male

participants to believe the victim. Additionally, they found women to be more punitive toward the defendant than male participants, favoring harsher punishments (Knight et al. 2001:188). A similar study sought to find whether race or celebrity status was the determining factor in O.J. Simpson's acquittal. Skolnick and Shaw (1997) had Black and white "jurors read a transcript of a murder trial that varied the defendant's race (Black or White) and celebrity status (high or low)" (503). They found that the defendant's race was more important than celebrity status in juror's decision-making. Like Sommers and Ellsworth (2000), Skolnick and Shaw (1997) also found evidence of in-group favoritism among Black mock jurors, who voted not guilty more often and recommended more lenient sentences for Black defendants over white defendants.

Other studies of celebrity prosecution find that celebrity status hurts defendants. Wong, Goodboy, Murtagh, Hackney, and McCutcheon (2010) executed a mock "murder trial involving a movie star celebrity in one condition, a televangelist celebrity in another, and an office worker in a third" (625). They found that the celebrity was "marginally more likely to be convicted than the other two" (Wong et al. 2010:625). Similarly, Carroll (2013) examined "303 celebrity verdicts from 1998 to 2010 to shed light on whether celebrities [we]re adjudicated in the same or a similar manner as noncelebrities" (1). He found that, contrary to popular belief, "celebrities d[id] not receive any special treatment at trial, but in fact [we]re convicted at a 12.1% higher rate than non-celebrity defendants" (Carroll 2013:1). These studies, in addition to Knight et al.'s (2010) findings, suggest that celebrity status leads to harsher criminal justice outcomes.

### *Carceral Feminism*

The term "carceral feminism" was first coined by Elizabeth Bernstein in 2010 in relation to the feminist antitrafficking movement. Bernstein argued that the feminist antitrafficking

movement of the early 2000s shifted away from a redistributive model of justice, towards an increasingly strong alliance with the carceral state (2010:47). She described carceral feminism as “a vision of social justice as criminal justice, and of punitive systems of control as the best motivational deterrents for men’s bad behavior” (2010:58).

Many have further developed Bernstein’s concept, applying it to the feminist antiviolence movement more generally. Recently, Phillips and Chagnon (2018) identified carceral feminism in the public’s response to the Stanford University sexual assault case of 2015. After being convicted with “assault with the intent to commit rape of an unconscious person, sexual penetration of an unconscious person and sexual penetration of an intoxicated person” (Rocha & Mejia, 2016), Stanford University student-athlete Brock Turner was sentenced to 6 months in jail. The judge’s perceived leniency provoked widespread opposition. In the public’s response, Phillips and Chagnon (2018) identified statements like “six months is a joke” as evidence of carceral feminism because they demonstrated a reliance on punishment by the carceral state as the main method of response to violence against women. Further, they equated the victim’s potential for justice and healing with the severity of Turner’s punishment.

Mimi E. Kim has shown how communities of color, “at the intersections of interpersonal and state violence,” have rejected a carceral feminist approach and have instead responded to domestic and sexual violence with alternatives to criminalization (2018:219). The two main alternatives, restorative justice and transformative justice, were created by women of color who “identified with feminist anti-violence struggles,” but found the mainstream movement’s reliance on the carceral state to be “irrelevant or antithetical to the interests of their communities” (Kim 2018:224). Restorative and transformative justice “challenge punitive, retributive criminal responses to gender violence” (Kim 2018:225). The latter even aligns with the prison abolition

movement. Proponents of restorative and transformative justice believe these models offer a greater means of accountability for perpetrators than incarceration, better fulfilling victims' perceptions of justice.

Carceral feminism is significant to the present study as it underlies many Americans' beliefs about justice. At a time of heightened support for victims of violence against women, like the #MeToo Movement, carceral feminist perspectives are likely to be common among the public's discussion of crimes against women.

## DATA AND METHODS

To investigate how the news media coverage of violent crimes against women frame narratives of power, blame, and punishment, and how this differs by the race of the defendant, I conducted a content analysis of the news media coverage of two cases of violent crimes against women during the #MeToo Era.

### *Data*

#### *Selection of Cases of Violent Crime Against Women*

I compared two cases of violent crime against women covered by national news media during the #MeToo Movement (2017-2019). To answer research questions 2 and 3 about the influence of the defendant's race on news media coverage, I compared a case with a white male defendant to a case with a Black male defendant. Trying to find cases as similar as possible aside from defendant race, I prioritized similarities in the type of crime (sexual assault, molestation, murder, etc.) and the relationship between the defendant and victim(s); namely, the defendant in a position of power relative to the victim at the time of the crime.

#### Comparative Case Selection Criteria:

- a. Case heard in criminal court
- b. Case received national news coverage during #MeToo Movement
- c. Type of crime (sexual assault, molestation, murder, etc.)
- d. Relationship between defendant and victim(s)

Using this criteria, I selected the cases of Larry Nassar (*State of Michigan v. Lawrence Gerard Nassar*) and Bill Cosby (*Commonwealth of Pennsylvania v. William Henry Cosby, Jr.*). Nassar was a white, high-ranking doctor who worked for USA Gymnastics and Michigan State University. Cosby was a famous Black comedian known for producing and starring in *The Cosby*

*Show*, a sitcom that was ranked as the number-one show on television for five consecutive seasons (Brooks and Marsh 2007). Cosby was also known for his philanthropic work and for his leadership in the Black community. Allegations against both Nassar and Cosby resulted in criminal charges. Both cases received national news media coverage during the #MeToo Movement. Finally, Nassar and Cosby both faced allegations of sexual assault or molestation by several (10+) victims in situations in which they held significant power over victims as a healthcare provider and mentor, respectively. Some significant differences between the cases are discussed in the Limitations section.

The following are descriptions of the criminal cases against Larry Nassar and Bill Cosby as reported by *The New York Times*, *The Wall Street Journal*, and the *New York Amsterdam News*.

***State of Michigan v. Lawrence Gerard Nassar (11/22/2017-01/24/2018)***

***State of Michigan v. Lawrence Gerard Nassar (11/29/2017-02/05/2018)***

Allegations of sexual abuse against Larry Nassar were first made public in September 2016 when the Indianapolis Star published accounts of two former gymnasts' abuse at the hands of Nassar under the guise of medical treatment. In November 2016, Nassar was charged with first-degree criminal sexual conduct of a family friend, a minor under the age of 13. Two federal child pornography charges were then filed against Nassar in December 2016, to which he pleaded guilty in July 2017 under a deal in which prosecutors agreed not to bring charges against him in connection to allegations of abuse of four children. He was eventually sentenced to 60 years in federal prison related to these charges (*United States v. Lawrence Gerard Nassar*).

Nassar also pleaded guilty in November 2017 to seven molestation charges in Ingham County, Michigan and three molestation charges in Eaton County, Michigan. He was sentenced to 40 to 175 and 40 to 125 years in prison on these charges, respectively. As the #MeToo Movement took off in 2017, major figures in USA Gymnastics came forward publicly as victims of Nassar's abuse including Olympians Aly Raisman and Gabby Douglas. To date, over 300 women and girls have come forward as victims of Nassar's abuse, 156 of whom gave impact statements at his seven-day sentencing in Ingham County.

***Commonwealth of Pennsylvania v. William Henry Cosby, Jr. (06/05/2017-06/17/2017; 04/09/2018-04/26/2018)***

In January 2005, Andrea Constand filed a criminal complaint in Montgomery County, Pennsylvania against Bill Cosby, alleging he assaulted her in January 2004. The complaint did not result in criminal charges against Cosby as Montgomery County detectives found insufficient evidence to support the allegation. Instead, Cosby settled a civil lawsuit with Constand in 2006. The little news media coverage the allegations received dropped off quickly and the public largely ignored or forgot about the allegations until October 2014 when a video of stand-up comedian Hannibal Burrell calling Bill Cosby a “rapist” was circulated widely. The video prompted other women to come forward with allegations against Cosby. In December 2015, Cosby was charged with three counts of felony aggravated assault related to his encounter with Constand in 2004, just before the statute of limitations on the case would have expired in January 2016. Cosby’s June 2017 trial ended in a mistrial due to a deadlocked jury after six days of deliberations. In his retrial in April 2018, in which six victims testified, Cosby was convicted on three counts of indecent assault and sentenced to 3 to 10 years in prison. To date, 60 women have accused Bill Cosby of sexual assault.



Table 1: Selected Cases of Violent Crimes Against Women

Defendant	Defendant Race	Number of Victims	Criminal Case	Hearing Start and End Date	Charge	Outcome	Sentence
Larry Nassar	White	300+	<i>United States v. Lawrence Gerard Nassar</i> (Western District of Michigan)	07/11/2017	Child pornography (x2)	Defendant pled guilty	60 years (07/11/2017)
			<i>State of Michigan v. Lawrence Gerard Nassar</i> (Ingham County, MI)	11/22/2017-01/24/2018	Criminal sexual conduct - first degree (x7)	Defendant pled guilty	40-175 years (01/16/2018-01/24/2018)
			<i>State of Michigan v. Lawrence Gerard Nassar</i> (Eaton County, MI)	11/29/2017-02/05/2018	Criminal sexual conduct - first degree (x3)	Defendant pled guilty	40-125 years (02/05/2018)
Bill Cosby	Black	60+	<i>Commonwealth of Pennsylvania v. William Henry Cosby, Jr.</i> (Montgomery County, PA)	06/05/2017-06/17/2017	Aggravated indecent assault (x3)	Mistrial	N/A
			<i>Commonwealth of Pennsylvania v. William Henry Cosby, Jr.</i> - Retrial	04/09/2018-04/26/2018	Aggravated indecent assault (x3)	Defendant found guilty	3-10 years (09/25/2018)

### *Selection of News Sources*

I analyzed reporting from some of the most read national newspapers active during the #MeToo movement. My selection of news sources was limited to those with accessible and reliable archives. Within these constraints, I chose newspapers across the political spectrum, coming up with *The New York Times*, which leans liberal, and *The Wall Street Journal*, which leans conservative. Additionally, I analyzed the *New York Amsterdam News*, a historically Black news source with a predominantly Black readership to ensure that a diversity of perspectives was represented in the data.

### *Data Collection*

Using the ProQuest US Major Dailies database, I first searched “Larry Nassar” in the archives of *The New York Times* and *The Wall Street Journal*. I limited my search to articles published between January 1, 2003 and January 12, 2021, the day the data was collected. January 1, 2003 was selected as the start date because it was a year before an allegation of sexual misconduct by Nassar was made to police. The start date was chosen to ensure that all reporting on Nassar was captured in the data. The same process was followed to collect articles about Bill Cosby. The same start date was chosen for Cosby for the sake of consistency, as allegations against Cosby reach well back into the 1960s, and for the sake of keeping this project’s focus in the 21st century. The same process was followed using the ProQuest Ethnic NewsWatch database to collect data on both cases from the *New York Amsterdam News*.

### *Data Refinement*

I used two main criteria to narrow down my collection of news stories. First, data collection was limited to news stories about the defendants' criminal cases. Both Larry Nassar and Bill Cosby were engaged in a number of civil lawsuits related to the allegations of abuse against them. Cosby was also both a defendant and a plaintiff in some defamation lawsuits. To maintain this project's focus on news media coverage as it relates to the criminal justice system, news stories exclusively covering civil lawsuits were excluded from the data. However, reporting that mentioned civil lawsuits against the defendants was included in some cases if the civil cases were mentioned in relation to the criminal cases against the defendants. Finally, only reporting on cases that were completed at the time of data collection for this project were included in the data. As of the writing of this thesis, both Nassar and Cosby have ongoing appeals related to their criminal cases.

Second, data collection was further limited to news stories in which the defendants were the main subjects of the story. This criteria excluded stories in which the defendants were mentioned in passing, something that happened most often in stories about men facing similar allegations. This also excluded stories about peripheral figures or institutions related to the defendant's case. This was much more common in reporting related to Nassar's case than Cosby's. The original data collected for Nassar's case included a significant amount of stories about USA Gymnastics and Michigan State University, his places of employment at the time of his alleged abuse. For instance, the *Wall Street Journal* story "President of USA Gymnastics Resigns Amid Scandal Over Team Doctor's Alleged Abuse" was not included in this study as the main subject of the story was a peripheral figure related to Nassar's case, not Nassar himself.

Beyond stories that centered the defendants, the collected data also included stories about victims, including pieces written by victims themselves. Stories about the cases in relation to the #MeToo Movement were also included in the data.

Following this process, some stories were screened out prior to coding as their titles indicated they did not fit the criteria outlined above. Others were excluded during the coding process when they were determined to not fit the above criteria. Across defendants and data sources, about 30-50% of stories originally collected were excluded from the data, coming up with a data set of 63 articles about Nassar’s cases and 371 articles about Cosby’s case.

Table 2: Articles Included in Data by News Source

	<i>The New York Times</i>	<i>The Wall Street Journal</i>	<i>New York Amsterdam News</i>	Total
Larry Nassar	43	17	3	63
Bill Cosby	329	30	12	371

### *Coding and Analysis*

Using NVivo software, I conducted a content analysis of the news media coverage of Larry Nassar’s and Bill Cosby’s criminal cases through a process of inductive coding. I looked for signs of the article’s general leaning in support of the defendant or victim(s). While most articles were impartial, I considered articles that included quotes from victims or their supporters, personal details about victims, and information about the impact of the abuse on victims to be generally in support of victims. I considered articles that included quotes from defendants or their supporters and information about the defendants’ past and how these allegations would affect the defendants’ future to be in support of defendants. I also paid

attention to the language journalists used when discussing allegations of abuse against the defendant. Some journalists emphasized that the abuse was “alleged,” while others operated as if the defendant was already convicted. Likewise, I noted whether victims were believed and portrayed as truthful in the articles or not. Notably, some journalists stressed the importance of remaining impartial until the court came to a decision on the defendant’s guilt or innocence. Additionally, I examined the tone of the articles, noting journalists’ word choice especially when describing the alleged sexual assault or misconduct.

Another key theme I looked for while coding was how journalists and those they quoted discussed justice. I noted when journalists or quoted people called for “accountability,” noting whether the desired accountability was punitive or not. I also noted calls for the defendants’ incarceration or punishment and the reasoning given or implied for such retribution. Specifically, I paid attention to instances when the defendants’ incarceration was framed as supporting victims.

My coding also included mentions of the #MeToo Movement. I considered how journalists discussed the movement and connected it to the cases against the defendants. I also noted when gender or sexism against the defendant was mentioned or implied.

Finally, the defendants’ race was a major theme in my coding. I noted when and how the defendant’s race was mentioned, if at all. I also noted when racism against the defendant was mentioned or implied. Further, I noticed how journalists or quoted parties connected the defendant’s current situation to America’s history of racism or a specific instance of racism in the past.

A full list of the codes used can be found in Appendix A.

## FINDINGS

Below I discuss the main findings that emerged in my analysis. The findings are organized into five main themes: portrayal of victims, portrayal of defendants, the #MeToo Movement, conceptions of justice, and the role of defendant's race.

### *Portrayal of Victims*

News media reporting on Larry Nassar's and Bill Cosby's cases differed greatly with regard to how victims were portrayed. Journalists writing about Nassar's case generally believed and supported his victims, often sharing their stories. *The New York Times* even published pieces written by two of Nassar's victims, Jessica Howard and Rachael Denhollander, and the full text of Aly Raisman's Victim Impact Statement. News media treatment of Bill Cosby's victims, however, was much less supportive. While Nassar's victims were believed from the time the story made national news, news media reporting on Cosby's victims included a wide variety of responses to their allegations, but was especially characterized by skepticism and questioning of their motives.

### *Belief of Victims*

In general, the news media coverage of Larry Nassar's case demonstrated much greater belief of victims than the coverage of Bill Cosby's case. Journalists covering Nassar's case demonstrated their belief of victims in a variety of ways. These included whole articles written about a single victim, discussions of the impact of sexual abuse on victims, attempts to connect the victims' experiences to sexual abuse more generally, and efforts to explain how the abuse went on for so long and why it is difficult for victims to come forward, among other things. In

virtually all news reporting on Nassar’s case, belief of the victims was implied and accompanied by a generally supportive tone.

Journalists covering Nassar’s case sought to help the public understand the victims’ circumstances, especially how Nassar was able to abuse them for so long.

Nassar portrayed himself as “the nice guy” and was beloved in his community. In a sport where girls are militarily broken down physically and emotionally, Nassar established himself as a rare compassionate figure and confidante. (Salam, Maya. 2019. “How Larry Nassar ‘Flourished Unafraid’ for So Long.” *New York Times*, May 3.)

Through this quote, the journalist explained how the victims were in positions to be abused by Nassar. The journalist identified several features that explained the victims’ trust in Nassar, which he exploited to abuse them. First, the journalist pointed out that when the victims encountered Nassar, they were immersed in a sports culture in which they were “militarily broken down.” Second, the journalist noted that as a “nice guy,” Nassar was “rare” among adults in the sport. Finally, the journalist called Nassar a “compassionate figure” and “confidante.” With this explanation, that implies a belief of victims, the journalist helped the public understand the victims’ circumstances and relationships with Nassar, making their allegations appear more credible.

Many journalists also connected the victims’ stories to existing knowledge about sexual assault, a move that implies their belief of victims. Making these connections in articles also assisted the public in understanding the allegations in a way that bolsters belief in the victims’ stories.

Survivors face tremendous obstacles in reporting sexual assault, which is why an estimated three of every four assaults go unreported, according to the Bureau of Justice Statistics. That’s even more sobering when you consider that one in four girls will experience sexual violence before she turns 18. Sexual misconduct —whether harassment, assault or abuse —thrives in a culture of silence. It is imperative that we listen to, believe and protect young people who come forward. What they stand to gain is

the support to heal, recover and look forward to the future. (Vredenburg, Judy. "Blaming the Victims of Larry Nassar." *New York Times*, January 22.)

In this quote, Vredenburg addressed two common misconceptions among the public when allegations of sexual abuse surface: that sexual abuse is rare and that, when it happens, it is always reported. Using statistics relevant to Nassar's case, the journalist showed that sexual abuse is quite common, experienced by "one in four girls before she turns 18." Vredenburg also utilized statistics to show that sexual assault is "underreported," which may be why the public is often surprised when allegations surface. This quote exemplifies an effort to educate the public on sexual abuse and misconduct, an effort made under the assumption that Nassar's victims' stories were truthful. Evenmore, the journalist's belief of the victims is made explicit when she addressed readers, saying "It is imperative that we listen, believe and protect young people who come forward."

Another common theme among the news media coverage of Nassar's case was the impact of the abuse on his victims. Such reporting implies the journalist's belief and support of victims.

The following quotes describe the impact of Nassar's abuse on victims.

Another statement came from Donna Markham, who told of how her 23-year-old daughter Chelsey killed herself in 2009, years after Dr. Nassar sexually abused her during a medical examination. "It all started with him," she said, describing her daughter's spiral into drug abuse. (2018. "Gymnasts Share Stories of Abuse at Doctor's Sentencing Hearing." *New York Times*, January 16).

Ms. Maroney's mother, Erin Maroney, who was also in court, said in a statement that the abuse and its aftermath "shattered" her daughter. "She has transformed from a bubbly, positive, world class athlete into a young adult who was deeply depressed, at times suicidal," Erin Maroney wrote. (Davis O'Brien, Rebecca. 2017. "Former Doctor for U.S. Women's Gymnastics Gets 60 Years in Prison for Child Pornography; Sentence reflects admitted decades of abuse against young girls, including former Olympians." *Wall Street Journal*, December 7.)

In detailing the detrimental impact of Nassar's abuse on his victims, this reporting implies a belief of victims. Both quotes describe victims who experienced suicidal thoughts after enduring



Nassar's abuse. The victims were described as "spiral[ing] into drug abuse" and "transform[ing]" from "bubbly" and "positive" to "deeply depressed." Reporting these harms experienced by victims and framing the sexual abuse as their cause implies a belief in the victims' stories, a common trend in the news media coverage of Nassar's case. Discussions of the impact of assault on Cosby's victims were much less common in the news media reporting on his case.

A key figure who demonstrated belief of victims in the news media coverage of Larry Nassar's case was Ingham County, Michigan Judge Rosemarie Aquilina. One journalist noted that Judge Aquilina took an "unusual approach" by offering her unequivocal support to the victims in her courtroom. While judges tend to remain at least somewhat impartial, Judge Aquilina was upfront about her belief and support of Nassar's victims.

In the hearing, Judge Aquilina took an unusual approach : She offered words of encouragement to many of the women after they spoke, and she sharply dismissed Mr. Nassar when he said the women's remarks were causing him mental distress. (Davey, Monica. 2018. "Larry Nassar, Convicted Gymnastics Doctor, Wants a New Sentence From a New Judge." *New York Times*, July 25.)

Judge Aquilina praised Ms. Denhollander for opening the floodgates. "You are the bravest person I have ever had in my courtroom," she said. (Cacciola, Scott and Victor Mather. 2018. "Gymnasts' Abuse Draws Sentence Likely to Be Life." *New York Times*, January 25.)

"You are all superheroes," the judge said Friday morning after one of the victims, choking back tears, read her statement. (Cacciola, Scott and Christine Hauser. 2018. "One After Another, Athletes Face Larry Nassar and Recount Sexual Abuse." *New York Times*, January 19.)

"The military has not yet come up with fiber as strong as you," Judge Aquilina told Ms. Lorenzen, calling her a "heroine" and a "superhero." (Cacciola, Scott. 2018. "Victims in Larry Nassar Abuse Case Find a Fierce Advocate: The Judge." *New York Times*, January 23.)

In these quotes, Judge Aquilina goes beyond simply believing victims; she actively supports them with affirmative words. She referred to Nassar's victims as "brave[]" and "strong," calling them "superheroes" and "heroine[s]." Her support for victims was widely reported in the news

media coverage of Nassar's case, likely swaying reporting away from impartiality and towards support for victims.

While the majority of the news media coverage of Bill Cosby's case was characterized by a disbelief of victims, a minority of articles demonstrated belief of victims. The following quotes reflect opinions held by members of the public reported by journalists.

The most recommended comment on Wednesday's story was from Teresa Monroe in New York. In support of the accusers, she wrote, "no woman would want this kind of 'fame.'" She also wrote: "These women have no reason to lie. The statute of limitations for any claims against him have long expired. No state allows claims to be brought decades later." (2014. "Bill Cosby Rape Allegations: Readers Respond." *New York Times*, November 21.)

LT in Boston, said it was a shame that it took a male comic to bring attention to the accusations. "When a man says it, people listen; when 15 women say it, people wonder why a woman is talking," LT wrote. This sentiment is echoed in a Washington Post opinion piece by Barbara Bowman, one of the accusers. (2014. "Bill Cosby Rape Allegations: Readers Respond." *New York Times*, November 21.)

These quotes from members of the public display their belief of victims. Teresa Monroe rooted her belief of Cosby's victims in logic, pointing out the fact that the statute of limitations on the allegations expired. In saying this, she implied that Cosby's victims had nothing to gain from coming forward. Quite the contrary, she claimed that "no woman would want this kind of 'fame.'" LT communicated their belief of victims in a very different way, through their disapproval of the public's tendency to believe allegations only when they are shared by a man. This comment suggests LT's belief of Cosby's victims at an earlier time than the general public.

Belief of victims was echoed by Montgomery County District Attorney Kevin Steele, who hoped Cosby's guilty verdict would encourage more victims of sexual misconduct to come forward.

"Now we know who the real Bill Cosby was," Mr. Steele said, adding: "We hope this case sends a strong message that the victims of these types of crimes can come forward and be heard on what happened to them." (Maher, Kris. 2018. "Bill Cosby Is Found Guilty in

Second Trial for Sexual Assault; Case revolved around incident involving a woman at his suburban Philadelphia home.” *Wall Street Journal*, April 26.)

Mr. Steele’s hope that “the victims of these types of crimes can come forward and be heard on what happened to them” demonstrates an a priori belief of victims. In other words, Mr. Steele communicated that he would believe any victims who came forward. This was a very uncommon perspective in the news media coverage of Cosby’s case, likely stemming from Mr. Steele’s position as the District Attorney.

### *Disbelief of Victims*

Disbelief of victims was particularly evident in the news media coverage of Bill Cosby’s case. When the allegations against Cosby picked up national news media coverage in 2014, the public reacted with great skepticism. Additionally, Cosby’s defense team worked diligently to portray his victims as unbelievable. These sentiments were picked up by the news media. In contrast to the widespread support of victims among journalists writing about Nassar’s case, the journalists reporting on Cosby’s case were much more impartial, refraining from showing absolute support for victims or belief in their allegations, but publishing the perspectives of many who questioned or outrightly denied the victims’ stories.

Cosby’s defense team maintained existing skepticism around the allegations against him. They argued that Andrea Constand, the victim in Cosby’s criminal trial, made up the allegations of sexual assault with the hope that Cosby would pay her to keep quiet. Their disbelief of Ms. Constand relied on Cosby’s celebrity status as the reason she would “con” him.

Mr. Cosby's attorney, Thomas Mesereau, painted his accuser Andrea Constand as a con artist who fabricated assault allegations in order to file a lawsuit against Mr. Cosby in 2005. The entertainer paid Ms. Constand \$3.38 million to settle the suit, without admitting any wrongdoing. "You're dealing with a pathological liar, members of the jury," said Mr. Mesereau. "Bill Cosby got conned big time." (Maher, Kris. 2018. “Pathological

Liar' and 'Con'; Bill Cosby Lawyers, Prosecutors Trade Accusations; Two sides clash in closing arguments during the entertainer's sexual-assault retrial.” *Wall Street Journal*, April 24.)

"You're going to see in this trial what she wanted from Bill Cosby, and you already know the answer: money, money and lots more money," Mr. Mesereau said during a deliberate, at times fiery, opening statement in which he addressed jurors from a lectern for roughly an hour and a half. (Maher, Kris. 2018. “At Cosby Retrial, Prosecutors, Defense Clash Over Accusations; Prosecutors say entertainer engaged in predatory behavior with women, while defense lawyers claim women fabricated accounts of abuse.” *Wall Street Journal*, April 10.)

At Mr. Cosby's retrial, in the same courthouse and before the same judge, a new defense team argued unsuccessfully that Ms. Constand, now 45, was a desperate "con artist" with financial problems who steadily worked her famous but lonely mark for a lucrative payday. (Bowley, Graham and Jon Hurdle. 2018. “Jury Finds Cosby Guilty In a Sexual Assault Case Seen as a Turning Point.” *New York Times*, April 27.)

Here, the attempt by Cosby’s lawyers to discredit Ms. Constand and generate skepticism in the jury is clear. She was not only not believed, but was actively accused of lying. Cosby’s lawyer, Thomas Mesereau, called Ms. Constand a “pathological liar” and a “con artist.” He argued that Cosby was actually the victim of a con orchestrated by Ms. Constand. Further, Mesereau argued Ms. Constand’s allegations were motivated by her desire for Cosby’s money, an argument contingent on his celebrity status.

Some journalists reported on reactions to the allegations against Cosby by the public and people who were close to him. The vast majority of opinions published reflected a disbelief of victims. Regurgitating the argument advanced by Cosby’s lawyers, one citizen interviewed by *The New York Times* said he did not believe the victims and that they were likely motivated by Cosby’s money.

Passing by, Malik Evans, 29, a barber, said he was skeptical of the accusations. He suggested Mr. Cosby’s accusers were looking for a piece of his fortune. “Personally, I don’t believe the girls,” he said. (2014. “Philadelphia Laments Bill Cosby’s Now-Tarnished Image.” *New York Times*, December 7.)

While this is just one man's opinion, it likely reflects the perspective of much of the public when allegations against Cosby were first gaining news media coverage. The interviewee's disbelief of the victims, who he referred to as "girls," despite them being well into their 30s and older, was connected to Cosby's wealth and the possibility that they might receive a "piece of his fortune."

Another journalist reported less consistent views about the victims' allegations among the public.

Many commenters, like Uncle Ike in Washington, D.C., said the number of accusations made them more believable. But the number didn't sway those with doubts. "Do I think he used his influence to seduce young women? I don't know, but I think that's very likely," replied Michelle in San Francisco, to Ike. "Casting couch-type behavior is nothing new. I think it's vile and disgusting, but do I think it's rape?" (2014. "Bill Cosby Rape Allegations: Readers Respond." *New York Times*, November 21.)

According to this article from *The New York Times*, some members of the public were more likely to believe the victims because there were many of them; "the number of accusations made them more believable." However, others were still hesitant to believe that Cosby assaulted women, despite acknowledging that he "used his influence to seduce young women." This virtually self-contradictory opinion was likely held by many.

Notably, Phylicia Rashad, an actress who played Cosby's wife on *The Cosby Show*, spoke out early in support of Cosby.

"Forget these women," Ms. Rashad said. "What you're seeing is the destruction of a legacy. And I think it's orchestrated. I don't know why or who's doing it, but it's the legacy. And it's a legacy that is so important to the culture." Talking to Mr. Friedman at a lunch held for the new movie "Selma," Ms. Rashad added: "Someone is determined to keep Bill Cosby off TV. And it's worked. All his contracts have been canceled." (Manly, Lorne. 2015. "Rashad Defends Cosby, Saying 'Forget' His Accusers." *New York Times*, January 8.)

This quote demonstrates Rashad's belief that the allegations against Cosby were not true, but an "orchestrated" attempt to destroy his legacy and keep him off TV. She advised the reporter to "forget these women." Like Cosby's lawyers, Rashad drew on Cosby's celebrity status as the

reason to distrust the victims. While Cosby's lawyers portrayed Ms. Constand as a con artist who fabricated allegations of sexual assault to get a payday, Rashad also believed the allegations against Cosby were false and orchestrated but not for a payday, but to destroy the celebrity's "legacy."

One protester at Cosby's performance in Florida in 2014 amid substantial news media coverage of the allegations against him had strong opinions about the prevalent disbelief of his victims.

"The backlash against these women who have come forward has really bothered me," said Tamara Allredge, a 46-year-old hairdresser from Orlando who previously worked as a counselor to rape victims. "I believe in innocent until proven guilty, but it goes both ways. "These women are brave. They have a right to be listened to." (2014. "Amid Uproar, Cosby Gets Standing Ovarions at Florida Show." *New York Times*, November 25.)

The protester noted that there was significant "backlash" against Cosby's victims. In contrast to Cosby's lawyers and supporters who dismissed the allegations, calling the victims liars and telling the public to "forget these women," this protester argued that "they have a right to be listened to." As she was one of only three protesters outside of Cosby's sold-out performance, according to the *Times*, her opinion was undoubtedly a minority one among the public.

While many journalists reported on disbelief of victims among Cosby's lawyers and the public, most did not explicitly deny the victims' allegations. One journalist for the *New York Amsterdam News*, however, spoke frankly of his disbelief of the victims. He wrote:

Inconsistencies of accusers' investigative statements aside, Cosby's prosecution reeks of racism, retaliation and the contagious piling on of victim-hood that only greed or desperate career revival can motivate. (Maupin, Jarrett. 2017. "Only Black America can pull Bill Cosby from the fire-Should they? Will they?" *New York Amsterdam News*, June 15.)

In this quote, Jarrett Maupin implied that the victim's allegations were untruthful and stemmed from "greed or desperate career revival." With that statement, he portrayed victims not only as

untruthful, but as ulteriorly motivated. Further, his reference to “victim-hood” as a “contagious piling on” may reflect a general disbelief in the #MeToo Movement. Maupin was one of the only journalists to be this frank about his disbelief of Cosby’s victims.



While the vast majority of news media coverage of Larry Nassar’s case reflected widespread belief and support of his victims, a few journalists reported on a rare instance when his victims were not supported. The following quote reflects the unsupportive attitude of John Engler, interim president of Michigan State University, Nassar’s former employer, towards Nassar’s victims:

“There are a lot of people who are touched by this, survivors who haven’t been in the spotlight,” Mr. Engler said, according to The Detroit News. “In some ways they have been able to deal with this better than the ones who’ve been in the spotlight who are still enjoying that moment at times, you know, the awards and recognition. And it’s ending. It’s almost done.” (Stack, Liam. 2019. “John Engler, Michigan State’s Interim Leader, Says Some of Larry Nassar’s Victims Enjoy Spotlight.” *New York Times*, January 15.)

This quote is a rare instance in the news media coverage of Nassar’s case in which his victims did not receive overwhelming support and praise. Instead, Engler claimed that some of Nassar’s victims were “enjoying” their time in the “spotlight,” and the “awards and recognition” that accompanied it. This statement effectively shames victims for being vocal and visible. It also implies that Nassar’s victims used their victimization to garner fame and recognition. While Engler did not deny the victims’ allegations, he questioned their behavior and motives after speaking out, an attempt to undermine their positive public images. Further, his words implied a preference for “survivors who haven’t been in the spotlight,” a thinly-veiled attempt to silence victims.

One of Nassar’s most outspoken victims, Rachael Denhollander, publicly responded to Engler’s comment.

Rachael Denhollander, the first to publicly accuse Dr. Nassar of abuse, said in an interview on Tuesday that Mr. Engler's remarks were "evidence for the lack of understanding and the lack of knowledge that he has about sexual abuse and the consequences of it and how difficult it is to speak up." "The way he treats sexual assault survivors is exactly what we are talking about when we talk about a culture of abuse," she said. "He blames, he shames and he attacks." (Stack, Liam. 2019. "John Engler, Michigan State's Interim Leader, Says Some of Larry Nassar's Victims Enjoy Spotlight." *New York Times*, January 15.)

In her response, Denhollander pointed out Engler's lack of knowledge on sexual assault and the impact his comment had. She explained that his comment "blame[d]," "shame[d]," and "attack[ed]" victims. She argued that his perspective reflected the "culture of abuse" that permitted Nassar's sexual misconduct and made it "difficult" for victims to "speak up." Reporting on this incident was fairly impartial, except for one *New York Times* journalist who characterized Engler's comment as "callous" (Vredenburg 2019).

### *Portrayal of Defendants*

The way Nassar and Cosby were portrayed in the news media coverage of their cases was closely tied to the way their victims were portrayed. Generally, news media portrayal of defendants and victims took on an inverse relationship. Articles that were supportive of victims were unsupportive of defendants, and vice versa. As the news media coverage of Nassar's case was generally supportive of his victims, it was generally unsupportive of Nassar, characterized by assumptions of his guilt and language that condemned his character. On the other hand, as the news media coverage of Cosby's case was characterized by skepticism and disbelief of victims, it was generally supportive of Cosby, often emphasizing the need to wait for a verdict and highlighting Cosby's positive reputation.



*“Larry Nassar is a monster”*

Larry Nassar was referred to as a “monster” 22 times in the news media coverage of his case. Notably, all 22 “monsters” were found in articles published by *The New York Times*. Regardless of how many articles referred to Nassar as a “monster,” the trope is an accurate representation of the general sentiment towards Nassar among the vast majority of journalists and across news sources. Larry Nassar was consistently portrayed in the worst light and often referred to with heinous language like, but not limited to, “monster.”

Larry Nassar is a monster who will be locked up for life. For that, we can thank the more than 150 young women who have given searing statements about the sexual abuse they endured, on top of the 60-year federal sentence he received last month for child pornography crimes. (Higa, Liriel. 2018. “U.S.A. Gymnastics Still Values Medals More Than Girls.” *New York Times*, January 23.)

“I was told to trust him, that he would treat my injuries and make it possible for me to achieve my Olympic dreams,” she said. “Dr. Nassar told me that I was receiving ‘medically necessary treatment’ that he had been performing on patients for over 30 years.” “Dr. Nassar was not a doctor,” she said. “He in fact is, was, and forever shall be a child molester, and a monster of a human being. End of story.” (Hauser, Christine. 2018. “McKayla Maroney, Describing Sexual Abuse, Calls Larry Nassar a ‘Monster of a Human Being.’” *New York Times*, January 18.)

So how did this happen? How, for 30 years, did this monster manage to prey on little girls and young women without being caught? Partly it is because Larry was an expert predator. He was calculating, deliberate and a master manipulator. Much of the abuse, mine included, took place with our own mothers in the room, their view casually blocked by Larry, his hand hidden under a towel, a sheet or loose clothing. But Larry’s cunning is only a small piece of this story. Because most pedophiles present a wholesome persona, they are able to ingratiate themselves into communities. Research shows that pedophiles are also reported at least seven times on average before adults take the reports of abuse seriously and act on them. In many ways, the sexual assault scandal that was 30 years in the making was only a symptom of a much deeper cultural problem—the unwillingness to speak the truth against one’s own community. (Denhollander, Rachael. 2018. “Rachael Denhollander: The Price I Paid for Taking On Larry Nassar.” *New York Times*, January 26.)

These quotes are characteristic of the way Nassar was discussed in virtually all articles published about his case. The term “monster” is particularly interesting as it dehumanizes Nassar,

portraying him as creature-like. In addition to calling him a “monster,” in an op-ed for *The New York Times*, Nassar victim Rachael Denhollander also referred to him as an “expert predator” “master manipulator.” These descriptors emphasize the calculated nature of Nassar’s abuse. However, unlike “monster,” they affirm his humanity.

Ingham County, Michigan Judge Rosemarie Aquilina was vocal about her dislike of Nassar. Her comments were often picked up by news media sources and further perpetuated negative depictions of Nassar.

In the end, though, Judge Aquilina had the final words. "Your decision to assault was precise, calculated, manipulative, devious, despicable," she told Dr. Nassar in part. "I don't have to add words because your survivors have said all of that and I don't want to repeat it. You can't give them back their innocence, their youth." (Cacciola, Scott and Victor Mather. 2018. “Gymnasts' Abuse Draws Sentence Likely to Be Life.” *New York Times*, January 25.)

Judge Aquilina called Nassar’s “decision to assault” “devious” and “despicable.” Her contempt for him was palpable in her words. Ultimately, Judge Aquilina’s animosity towards Nassar seemed to be rooted in the “innocence” that he took from his victims that the Judge claimed he could not “give [] back”.

Unlike Nassar, the news media coverage on Cosby was generally positive or impartial. Most negative opinions were directed to his victims instead. One journalist summarized the public’s tendency to stand by Cosby amidst allegations:

The closeness and personal pride may be what allowed people to look away when rape accusations against Mr. Cosby surfaced decades ago. And still, with at least 15 women coming forward with similar stories -- of being given a drink or a pill by Mr. Cosby, then waking up feeling they had been sexually assaulted -- many fans continue to point out that he has never been charged. The women, they say, must be after money. (Zernike, Kate. 2014. “A Struggle for Those Raised on a Wholesome Cosby.” *New York Times*, November 23.)

This quote points out a tendency among the public and the news media to dismiss allegations against Cosby with the fact that he hadn’t yet been charged. However, he was later charged in

relation to these allegations. Nevertheless, such comments are a way of silencing victims. They reveal a deep-seated support for Cosby or, at the very least, an inclination to give him the benefit of the doubt, a benefit that was not afforded to Nassar in the news media coverage of his case. Finally, the quote closes with an explanation of the allegations that does not implicate Cosby: “the women...must be after money.” The accusation that Cosby’s victims made up their allegations in the hopes of being paid off was widespread in news media reporting on Cosby’s case. Comments like these serve to redirect the conversation about Cosby’s abuse to questioning the intentions of the victims he abused, an effort that reflects strong support for Cosby.

News media coverage of Cosby’s case also included significant reporting on his lawyers who often spoke on Cosby’s behalf, strongly defending him. When allegations against Cosby were just surfacing in 2014, one of Cosby’s lawyers commented:

"Over the last several weeks, decade-old, discredited allegations against Mr. Cosby have resurfaced. The fact that they are being repeated does not make them true. Mr. Cosby does not intend to dignify these allegations with any comment," said the lawyer, John Schmitt. (Flint, Joe. 2014. “Netflix Shelves Bill Cosby Special; Move Follows Latest Sexual-Assault Accusations Against Comedian.” *Wall Street Journal*, November 19.)

Cosby’s lawyer, John Schmitt, defended Cosby by calling the allegations against him “decade-old” and “discredited.” He suggested that the allegations were untrue and did not merit a response from Cosby, who he said would not “dignify” them with “any comment.” Schmitt’s comments are representative of the comments made by Cosby’s lawyers throughout the period that his case received national news media attention. They denied the allegations against him with little explanation and affirmed that Cosby would not be addressing them. Comments of this nature made by Cosby’s lawyers contributed to the generally supportive leaning of the news media coverage of his case.

While one journalist noted a change in “tide” in public support for Cosby, with more of the public “doubtful” of Cosby’s innocence, the vast majority of news media coverage remained supportive of the defendant throughout his time in the public eye (“Bill Cosby Rape Allegations: Readers Respond” 2014).

### *Claims of Unfair Treatment*

Ironically, it was not Nassar but Cosby who accused the news media and the justice system of unfair treatment. Parties seeking to defend Cosby argued that the news media coverage of his case painted him as guilty.

Mr. Cosby's lawyers issued a statement on Friday night, calling the allegations "increasingly ridiculous" and "unsubstantiated, fantastical," saying he was the victim of "media vilification." (Zernike, Kate. 2014. “A Struggle for Those Raised on a Wholesome Cosby.” *New York Times*, November 23.)

Mr. Cosby's celebrity has been widely seen as hurting him, because the tide of pre-trial publicity has been overwhelmingly negative. (Maher, Kris. 2017. “Bill Cosby Sexual Assault Trial Begins Monday; Experts say much of the case will hinge on how the accuser and the accused are characterized.” *Wall Street Journal*, June 4.)

Mr. Cosby's lawyers sought an outside jury in a filing late last year, arguing that media coverage in New York and elsewhere had branded him a "monster" and "sexual predator." (Maher, Kris. 2017. “Bill Cosby Jury Selection Begins in Pittsburgh; Philadelphia sexual-assault trial to be heard by jurors from hundreds of miles away after lawyers argue local media coverage would've tainted pool.” *Wall Street Journal*, May 22.)

In a three-page release, Mrs. Cosby explicitly blamed the media for Mr. Cosby’s fate in court, citing what she called a “frenzied, relentless demonization of him and unquestioning acceptance of accusers’ allegations without any attendant proof.” She went on to say, “Bill Cosby was labeled as guilty because the media and accusers said so.” (Sopan, Deb. 2018. “Camille Cosby Compares Husband to Emmett Till and Blames Media.” *New York Times*, May 3.)

Cosby’s supporters portrayed him as a victim of “media vilification” and “demonization,” claiming the news media coverage of Cosby’s case “branded him a ‘monster’ and ‘sexual predator.’” Cosby’s wife, Camille, summarized her belief in his unfair treatment with the

comment, “Bill Cosby was labeled as guilty because the media and accusers said so.” Through these quotes, Cosby’s supporters argued that Cosby was mistreated by the news media, which “labeled [him] as guilty.”

This sentiment was echoed by Cosby’s daughter, Evin, in an op-ed she wrote for the *New York Amsterdam News*.

Two years ago, and over 10 years later, several women came out. Like the woman from 2005, they claimed to have been raped and drugged. But, like the one from 2005, their stories didn't match up. Instead of going through the criminal justice system, these stories never got investigated and just got repeated. They have been accepted as the truth. My dad tried to defend himself. His lawyers tried to defend him, but they all got sued. People were constantly reaching out to me about why doesn't your dad say something. I kept saying he's trying, but the media is only interested in the stories of the women. Friends of ours tried to help, but the media wouldn't print what they said or knew. Our friends that spoke up were pressured to shut up. No one wanted to print their supportive words. We live in a scandalous country where the more sexualized and provocative the story, the more attention it gets. We get all sorts of mixed up messages in our society. We are told that we have fundamental rights to be innocent until proven guilty. But, if enough people think you are a bad person, you are branded a bad person and the media just reinforces that. My dad, like anyone in this country, deserves to be treated fairly under the law. (Cosby, Evin. 2017. “Black Press exclusive: Emotional Evin Cosby defends her father.” *New York Amsterdam News*, April 27.)

In this quote, Evin Cosby implicated the media for reinforcing the “brand[ing]” of her father as a “bad person.” She argued that the news media would not print the “supportive words” of Cosby’s friends, an untrue claim in light of the significant support for Cosby in the news media coverage of his case and the printing of opinions of his supporters like co-star Phylica Rashad.

Evin Cosby went on to frame her father as a sort of feminist or ally to women, implying that as such, he could not be a “rapist”:

My dad broke barriers and raised the conscious of America on important topics, especially for the advancement of women. On "The Cosby Show" he only depicted women as smart and accomplished. On "The Cosby Show" and on "A Different World," he took on then-taboo subjects like menstrual cycles and rape, and even did a show on AIDS before anyone else would bring it up. I am his fourth daughter. He raised me to go to college, start my own business and be my own woman. He is helping me raise my children and teach them family values. I know that my father loves me, loves my sisters

and my mother. He loves and respects women. He is not abusive, violent or a rapist. (Cosby, Evin. 2017. "Black Press exclusive: Emotional Evin Cosby defends her father." *New York Amsterdam News*, April 27.)

In this quote, Evin Cosby listed examples of her father's dedication to the "advancement of women." She argued that because he "loves and respects women," he could not be a "rapist."

The underlying message behind this quote was that readers should dismiss the allegations against Cosby because of the work he did on behalf of women.

Even Bill Cosby himself suggested that he was treated unfairly by the media. He claimed he no longer believed the saying "all publicity is good publicity."

After suffering an enormous fall in the public's eyes, the former star of "The Cosby Show" said he no longer subscribed to the adage about any publicity being good for performers. "There's an old show business saying. Look, it doesn't make any difference as long as they spell your name right. Well, I would like to raise my hand and say I debate that strongly," he said. (Maher, Kris. 2017. "Bill Cosby Says He Won't Testify at His Coming Trial; The 79-year-old comedian, whom dozens of women have accused of sexual assault, says racism 'may very well be' a factor in the scandal surrounding him." *Wall Street Journal*, May 16.)

Here, Cosby said he "strongly" "debate[s]" the idea that news media attention, good or bad, "doesn't make any difference." With these comments, Cosby implied that he was the victim of unfair publicity.

Despite the accusations of unfair news media treatment made by Cosby and his supporters, the news media coverage of Cosby's case was generally very supportive of Cosby, as shown above. Thus, claims of unfair treatment by the media do not reflect the reality of news media reporting on Cosby, but were an attempt to portray Cosby as a victim and deflect any guilt or personal responsibility for the allegations against him.

In fact, in an article published by *The New York Times* titled "Calling Out Bill Cosby's Media Enablers, Including Myself," journalist David Carr admitted that the reason it took so long for the allegations against Cosby to come out was that members of the news media who were "in

the know” “kept [the allegations] mostly to themselves,” not wanting to disrupt the status quo.

Rather than adversaries, Carr said that members of the news media were Cosby’s “enablers.” He explained,

No one wanted to disturb the Natural Order of Things, which was that Mr. Cosby was beloved; that he was as generous and paternal as his public image; and that his approach to life and work represented a bracing corrective to the coarse, self-defeating urban black ethos. (Carr, David. 2014. “Calling Out Bill Cosby’s Media Enablers, Including Myself.” *New York Times*, November 24.)

Carr’s article is evidence of just how supportive the news media was of Cosby, so supportive that many journalists refrained from reporting on the allegations against him for decades. The news media actually *protected* Cosby’s image rather than hurt it as he and his supporters claimed.

The news media was not the only source of Cosby’s unfair treatment, however.

According to his supporters, the criminal justice system also treated Cosby unfairly.

Outside court, Cosby, 79, was silent, but spokesman Andrew Wyatt pumped his fist in air and declared that Cosby's "power is back." A spokeswoman for Cosby's wife, Camille, delivered a statement blasting the prosecution, judge and media: "How do I describe the district attorney? Heinously and exploitatively ambitious. How do I describe the judge? Overtly and arrogantly collaborating with the district attorney. How do I describe the counsels for the accusers? Totally unethical. How do I describe many, but not all, general media? Blatantly vicious entities that continually disseminated intentional omissions of truths for the primary purpose of greedily selling sensationalism at the expense of a human life." (Sanchez, Ray, Eric Levenson and Lawrence Crook Lawrence III. 2017. “Mistrial declared in Bill Cosby's criminal trial as jury deadlocks.” *New York Amsterdam News*, June 22.)

Mrs. Cosby saved her angriest barbs for the Montgomery County district attorney’s office of Kevin R. Steele. “I am publicly asking for a criminal investigation of that district attorney and his cohorts,” Mrs. Cosby said. “This is a homogeneous group of exploitive and corrupt people, whose primary purpose is to advance themselves professionally and economically at the expense of Mr. Cosby’s life. If they can do this to Mr. Cosby, they can do so to anyone.” (Sopan, Deb. 2018. “Camille Cosby Compares Husband to Emmett Till and Blames Media.” *New York Times*, May 3.)

In these quotes, Camile Cosby expressed her disdain for various parties who she implied were responsible for her husband’s ultimate conviction. She accused the judge of “collaborating” with

the district attorney and described the prosecutors as “totally unethical.” She referred to the whole group as “exploitive,” “corrupt,” and self-interested, calling for their “criminal investigation.” Camile Cosby again implicated the media as a source of Cosby’s unfair treatment, accusing it of intentionally omitting the truth and claiming its “primary purpose” was “selling sensationalism.” Through these comments, Mrs. Cosby’s framed Cosby as a victim of unfair treatment by criminal justice officials and news media reporters. These comments serve to deflect guilt from Cosby and simultaneously re-center the public’s attention on alleged corruption in the criminal justice system and the news media, of which Cosby was said to be a victim.

### *The #MeToo Movement*

The #MeToo Movement was a less common theme in the news media reporting on Nassar and Cosby’s criminal cases than I expected. Only 26 of the 434 articles used in this study referenced the movement. One article indirectly mentioned the impact of the #MeToo Movement by referencing a change in “climate”:

"The climate is so much more accepting of victims' stories than it was even a year ago," said Wes Oliver, a law professor at Duquesne University in Pittsburgh. (Maher, Kris. 2018. “Bill Cosby Faces Retrial in the Age of #MeToo; The coming retrial marks the first time in the #MeToo era that a celebrity could face his accusers in a courtroom.” *Wall Street Journal*, March 15.)

Other articles referenced the connection between Nassar and Cosby’s cases and the larger #MeToo Movement. Some journalists suggested that the #MeToo Movement set a different tone for these cases than might have been apparent at an earlier time while others described how the cases themselves shaped the #MeToo Movement. One journalist referred to Cosby’s conviction as a “watershed moment” in the #MeToo Movement:



Mr. Cosby's case was the first high-profile sexual assault trial to unfold in the aftermath of the #MeToo movement and many considered the verdict a watershed moment, one that reflected that, going forward, the accounts of female accusers may be afforded greater weight and credibility by jurors. (Bowley, Graham and Jon Hurdle. 2018. "Jury Finds Cosby Guilty In a Sexual Assault Case Seen as a Turning Point." *New York Times*, April 27.)

In describing Cosby's verdict as a "watershed moment," Bowley emphasized the #MeToo Movement as a turning point in the way allegations of sexual misconduct are handled.

Specifically, Bowley argued that thanks to the #MeToo Movement, jurors may see victims as more credible. In this way, the #MeToo Movement may have led to more criminal convictions of those accused of sexual assault and misconduct.

Another journalist speculated that the discrepancy in the outcomes of Cosby's first trial, which took place early in the #MeToo Movement, and his second trial, which took place later, might speak to the impact of the movement:

The trial of Bill Cosby provides what social scientists might call a natural experiment. In the spring of 2017, a jury could not agree on whether Mr. Cosby had drugged and sexually assaulted Andrea Constand, setting the stage for a retrial. But between that trial and this one came the revelations over Harvey Weinstein and a cascade of other powerful men that invigorated the #MeToo movement. The big question: would it make any difference? It well may have. The jury deliberated not even two days—compared with six days the first time around—before finding Mr. Cosby guilty on all counts. (Williams, Timothy. 2018. "Did the #MeToo Movement Sway the Cosby Jury?" *New York Times*, April 26.)

This quote from Williams demonstrates the question some journalists raised about the impact of the #MeToo Movement on criminal justice outcomes. In various ways, journalists asked whether the social context of the trial taking place in the midst of the #MeToo Movement might have led to a different outcome than what would have occurred otherwise in an earlier time. Both Cosby's guilty verdict and the faster jury deliberation in his second trial could be evidence of the impact of the #MeToo Movement. In other words, the #MeToo Movement may have made it easier for the jury to reach a guilty verdict and do so faster than in an earlier time period.

### *#MeToo Bias*

The news media reporting on Cosby's case considered the possibility that the #MeToo Movement would generate bias in jurors, making them more likely to convict defendants facing allegations of sexual assault and misconduct. This was a main argument made by Cosby's defense team in his second trial. Most journalists that reported on the possibility of juror bias generated by the #MeToo Movement remained impartial by simply reporting what Cosby's lawyers said during trial. Thus, these journalists refrained from offering their own perspectives or analysis on a #MeToo-generated bias.

[Mr. Cosby's lawyers] noted that the scrutiny of sexual assault had heightened, and recently had ensnared a group of high-profile men, but they said it was only Mr. Cosby who was on trial in this instance. "Mob rule is not due process," Ms. Bliss told the jury. (Bowley, Graham and Jon Hurdle. 2018. "Jury Finds Cosby Guilty In a Sexual Assault Case Seen as a Turning Point." *New York Times*, April 27.)

Alluding to the #MeToo atmosphere surrounding the case, Mr. Mesereau told jurors they should focus only on the evidence in the case. He argued that the prosecution was relying on jurors being swayed by outside influences. "I think what they're hoping is that somehow in the current climate in America, maybe you'll be prejudiced and you won't see the truth. You won't see the facts. You'll be blinded by accusations," Mr. Mesereau said. (Maher, Kris. 2018. "At Cosby Retrial, Prosecutors, Defense Clash Over Accusations; Prosecutors say entertainer engaged in predatory behavior with women, while defense lawyers claim women fabricated accounts of abuse." *Wall Street Journal*, April 10.)

"This trial is about one issue--what occurred between Mr. Cosby and Ms. Constand during one night," Mr. Cosby's lawyers wrote in a court filing Tuesday. The case is "not about broader social issues impacting other people in other circumstances." (Maher, Kris. 2018. "Bill Cosby Faces Retrial in the Age of #MeToo; The coming retrial marks the first time in the #MeToo era that a celebrity could face his accusers in a courtroom." *Wall Street Journal*, March 15.)

Another Cosby attorney, Kathleen Bliss, told the jury not to succumb to outside pressure from the #MeToo movement. "The commonwealth simply wants you to join a wave of censorious statements and beliefs about the denigration of women," said Ms. Bliss. "But never ever let anyone or anything shame you into a conviction." (Maher, Kris. 2018. "'Pathological Liar' and 'Con'; Bill Cosby Lawyers, Prosecutors Trade Accusations; Two

sides clash in closing arguments during the entertainer's sexual-assault retrial." *Wall Street Journal*, April 24.)

These quotes demonstrate the extensive effort made by Cosby's defense team to mitigate the potential for the #MeToo Movement to create bias in the jury. In other words, Cosby's lawyers hoped to convince jurors that their focus should be limited to the allegations against Cosby and the broader movement on behalf of victims of sexual assault should be disregarded. In doing so, their beliefs about the #MeToo Movement were brought to light. For instance, Cosby's lawyer, Kathleen Bliss, referred to the movement as a "mob rule" that could "shame" jurors into a conviction. Another one of Cosby's lawyers, Tom Mesereau, implied that jurors who considered the "current climate in America" would be "blinded" and "prejudiced." Thus, it is clear that Cosby's defense team worried about the power of the #MeToo Movement to inspire a guilty verdict in his case.

In contrast, one journalist shared an alternative perspective on the possibility of a jury biased by #MeToo: that of one juror himself:

The political left is boasting that the #MeToo movement convicted Mr. Cosby, but the jurors say it was the accuser's credibility and Mr. Cosby's own words in a deposition. "Mr. Cosby admitted to giving these Quaaludes to women, young women, in order to have sex," said one of the jurors, Harrison Snyder, on "Good Morning America." Mr. Snyder added that he'd never even heard of the #MeToo movement until he read the media coverage after the trial. (Riley, Jason L. 2018. "Bill Cosby Couldn't Pull the Race Card--Unlike O.J. Simpson; Is this some measure of progress? Maybe. But black leaders long ago wrote the comedian off as an 'elitist.'" *Wall Street Journal*, May 1.)

This juror's negated that the #MeToo Movement played a role in Cosby's conviction despite preemptive arguments that it would from Cosby's lawyers. According to Snyder, the jury convicted Cosby based on evidence presented at trial, not the social climate at the time. This *Wall Street Journal* quote also reveals another way in which the #MeToo Movement was

referenced by news media in relation to Cosby's criminal cases. Namely, Riley notes that the "political left" frames the #MeToo Movement as the driving force behind Cosby's conviction.

One journalist, however, elected to share her own opinion about the potential of the #MeToo Movement biasing jurors. In contrast to the Cosby defense team's argument that the #MeToo Movement would unfairly bias jurors against Cosby, *New York Times* journalist Deborah Tuerkheimer argued that the movement was actually correcting decades of wrongful handling of allegations of sexual assault and misconduct:

At jury selection last week in the retrial of Bill Cosby for sexual assault, the #MeToo movement was clearly of concern to the judge as a source of potential bias. Nearly every one of the would-be jurors had heard about the campaign. But that doesn't mean #MeToo should be a problem in the trial, the first against a prominent figure since the movement took hold last year. In fact, the opposite is true. #MeToo can best be understood as a needed corrective to a longstanding reality: Women who report sexual violations by people they know, including mentors, co-workers, bosses, classmates, acquaintances, friends and intimates, are often not believed. (Tuerkheimer, Deborah. 2018. "#MeToo Comes to the Cosby Courtroom." *New York Times*, April 9.)

Tuerkheimer argued that the #MeToo Movement was not a "problem," but a "needed corrective" to the reality that before the movement, most victims were not believed. She continued by explaining that in the past, the "important" work of the jury to fairly evaluate evidence presented at trial

was routinely infected by misconceptions about sexual assault, resulting in the vast underestimation of survivors' credibility. #MeToo is only beginning to remedy that profound distortion. (Tuerkheimer, Deborah. 2018. "#MeToo Comes to the Cosby Courtroom." *New York Times*, April 9.)

Tuerkheimer argued that the #MeToo Movement did not bias jurors, but actually corrected long-standing biases that disadvantaged victims. Until the #MeToo Movement, the norm was not to believe victims, but to question their credibility. From Tuerkheimer's perspective, the #MeToo movement fixed this fundamental flaw or "distortion," as she called it. While this perspective may have been shared by other journalists, Tuerkheimer was the only one to write it.

Finally, *New York Times* journalist Juliet Macur took a different approach, utilizing the discussion of the #MeToo Movement as an opportunity to offer her frank opinion on the movement. Speaking directly to her readers, she pointed out how men and women responded differently to the emergence of the movement:

If you're taken aback by this wave of raw honesty, and surprised by the sheer numbers of "Me Too" posts out there, then you're probably not a woman. To so many of us, too many of us, none of this is new. (Macur, Juliet. 2017. "The 'Me Too' Movement Inevitably Spills Into Sports." *New York Times*, October 19.)

Macur was not afraid to take sides on the #MeToo Movement, stating that "too many" people were not surprised by the rise of the movement because of their own experiences of sexual assault or harrassment. She was also not subtle about who of "us" shared these experiences, implying their prevalence in the lives of women. She suggested that men might be among those "surprised" by the movement due to lack of personal experience of sexual assault or harassment.

Macur took her gendered analysis a step farther, warning men of the power of the #MeToo Movement:

The Nassars and the Weinsteins of the world who haven't been outed yet should be worried about "Me Too." Because now that women can see that they're not alone, more will speak up, because so many of them have stories to tell. Like me. (Macur, Juliet. 2017. "The 'Me Too' Movement Inevitably Spills Into Sports." *New York Times*, October 19.)

Macur's words reflect her belief in the longevity of the #MeToo Movement and its impact. She warned abusive men that the time would come when they would be "outed" because women would continue to speak up. She finished by connecting the movement to her personal life by sharing her own #MeToo story, a step few other journalists took.

### *Conceptions of Justice*

An important theme in the news media coverage on Larry Nassar and Bill Cosby's cases is justice, including how it is talked about and how it is practiced. Most reporting on these cases was impartial in relation to the concept of justice. Most journalists refrained from offering their perspectives on what justice should look like for these defendants. At most, these journalists reported on others' perceptions of justice. These others included victims and their supporters, prosecutors, defense attorneys, and judges. A minority of journalists did, however, offer their own opinions on establishing justice for the victims and defendants in these cases.

### *Carceral Feminism*

Carceral feminism characterized the majority of the discussions of justice in the articles about Larry Nassar. The following quotes exemplify carceral feminism as they equate punishing Nassar with supporting his victims. In other words, they demonstrate how the mainstream feminist movement relies on incarceration as the primary response to violence against women.

[P]rosecutors requested...an effective life term...to reflect admitted decades of sexual abuse against dozens of young girls, ranging from family friends to decorated Olympic athletes" (Davis O'Brien, Rebecca. 2017. "Former Doctor for U.S. Women's Gymnastics Gets 60 Years in Prison for Child Pornography; Sentence reflects admitted decades of abuse against young girls, including former Olympians." *Wall Street Journal*, December 7.)

In a statement, USA Gymnastics President Kerry Perry applauded the sentence as "an effort to bring justice to those he abused and punish him for his horrific behavior." (Davis O'Brien, Rebecca and Louise Radnofsky. 2018. "Former USA Gymnastics Doctor Larry Nassar Sentenced to Up to 175 Years for Sexual Abuse; Sentence follows a week of emotional courtroom statements from more than 150 victims." *Wall Street Journal*, January 24.)

These quotes demonstrate the carceral feminism at play in Nassar's case and the news media's coverage of it. The first quote demonstrates a carceral feminist and retributive approach to justice

which requires proportionality of the punishment to the crime. Essentially, Nassar's "*decades* of sexual abuse against *dozens* of young girls" [emphasis my own] necessitated an effective life sentence. In the second quote, sentencing Nassar is equated with providing victims with "justice." In these ways, carceral feminism dominated the discussions of justice in the news media reporting on Nassar's case.

Nassar's victims also pursued a carceral feminist agenda by asking the judge to give Nassar "the strongest possible sentence."

Aly Raisman—the captain of the American women's gymnastics teams at the 2012 and 2016 Olympics, and one of the most outspoken survivors of Dr. Nassar's abuse—published thousands of words in *The Players' Tribune* on Thursday. "I ask that you give Larry the strongest possible sentence (which his actions deserve), for by doing so, you will send a message to him and to other abusers that they cannot get away with their horrible crimes," Ms. Raisman, 23, said in her statement. "Maybe knowing that Larry is being held accountable for his abuse will help me and the other survivors feel less alone, like we're being heard, and open up pathways for healing." (Astor, Maggie. 2017. "Gymnastics Doctor Who Abused Patients Gets 60 Years for Child Pornography." *New York Times*, December 7.)

Here, Raisman made a key connection: she claimed that "survivors [would] feel less alone," feel "heard," and be better able to pursue "healing" with the knowledge that Nassar was being punished. This perspective reflects carceral feminism because it assumes that the only or primary way that victims can feel heard and find healing is through the incarceration of the defendant. Raisman also argued that Nassar "deserve[d]" "the strongest possible sentence," an opinion that reflects a belief in incarceration as the only appropriate form of accountability for wrongdoing.

Addressing Nassar in her Victim Impact Statement, Raisman again invoked carceral feminism, telling him she would "make sure" he got "what [he] deserve[d]."

"Imagine feeling like you have no power and no voice," Ms. Raisman said Friday. "Well, you know what, Larry? I have both power and voice, and I am only just beginning to use them. All these brave women have power, and we will use our voices to make sure you get what you deserve: a life of suffering spent replaying the words delivered by this powerful army of survivors." (Cacciola, Scott and Christine Hauser. 2018. "One After

Another, Athletes Face Larry Nassar and Recount Sexual Abuse.” *New York Times*, January 19.)

Raisman’s belief that Nassar deserved “a life of suffering” reflects a carceral feminist, retributive model of justice. Namely, that violence is to be met with violence or, to use Raisman’s words, “suffering” is to be met with suffering. From Raisman’s perspective, a future for Nassar characterized by suffering would alleviate or make up for the suffering she and other victims endured.

Raisman was not alone in her advocacy for Nassar’s punishment; it was a common thread among the Victim Impact Statements reported on by journalists. These victims tended to see Nassar’s punishment as their justice, often implying that the severity of the punishment should match the crime. One outspoken victim even equated the victims’ worth to Nassar’s sentence:

When she addressed the issue of Dr. Nassar’s sentence, she repeated a phrase that should resonate: “How much is a little girl worth?” (Macur, Juliet. 2018. “In Larry Nassar’s Case, a Single Voice Eventually Raised an Army.” *New York Times*, January 24.)

In asking the judge “How much is a little girl worth?,” this victim suggested that Nassar’s impending sentence would reflect the worth of his victims. Such a belief relies on the carceral feminist model of retributive justice and implies that victims’ worth and healing is dependent on the punishment of the defendant, demonstrating a deep reliance on the carceral state.

*“I just signed your death warrant”*

Judge Rosemarie Aquilina of Ingham County, Michigan gained significant news media attention for her handling of Nassar’s case in a manner that some believed reflected a restorative or transformative model of justice (Gilbert 2018). Journalists pointed to the fact that she allowed 156 victims to give Victim Impact Statements at Nassar’s sentencing, which lasted seven days, as



a sign of her restorative approach in a traditionally retributive system. Her own words, however, reflect a carceral feminist approach to justice, rooted in retribution.

Sentencing is set for Jan. 12. The victims will have an opportunity to speak. In a brief statement on Wednesday, Dr. Nassar said he made the plea “to move the community forward and stop the hurting.” “I pray every day for forgiveness,” he said. Judge Rosemarie Aquilina responded: “You used your position of trust in the most vile way: to abuse children. I agree that now is a time of healing, but it may take them a lifetime of healing while you spend your life behind bars thinking of what you did by taking away their childhood.” (Hoffman, Benjamin. 2017. “Gymnastics Doctor Larry Nassar Pleads Guilty to Molestation Charges.” *New York Times*, November 22.)

In this quote, Judge Aquilina voiced her intention to ensure that Nassar spent the rest of his life behind bars. Her reasoning cited his abuse of children and their need for healing. The clear connection between Judge Aquilina’s support for the victims and disdain for Nassar reflects a carceral feminist binary that supporting victims of crime requires the disparagement of defendants.

When she sentenced Nassar to 40 to 175 years in prison, on top of a preexisting sentence of 60 years on federal child pornography charges, Judge Aquilina boasted that she signed Nassar’s “death warrant.”

In a packed courtroom Wednesday, Judge Rosemarie Aquilina castigated Dr. Nassar for what she said was a failure to accept his guilt. “I just signed your death warrant,” she said. Addressing the girls and young women, she said: “You are no longer victims, you are survivors.” (Davis O’Brien, Rebecca and Louise Radnofsky. 2018. “Former USA Gymnastics Doctor Larry Nassar Sentenced to Up to 175 Years for Sexual Abuse; Sentence follows a week of emotional courtroom statements from more than 150 victims.” *Wall Street Journal*, January 24.)

The journalist’s description of Judge Aquilina as “castigat[ing]” Nassar reveals her contempt for him. Another journalist noted that Judge Aquilina “ha[d] made no secret that she wants Dr. Nassar to spend the rest of his life suffering in prison” (Cacciola 2018). Despite receiving attention for taking a restorative approach to Nassar’s sentencing, Judge Aquilina’s declaration, “I just signed your death warrant,” confirms her punitive approach to justice. Further, her quick

transition from “castiga[ing]” Nassar to proclaiming the victims “survivors” is evidence of her carceral feminism. These two statements were not distinct from each other, but deeply connected. The victims became survivors, from Judge Aquilina’s perspective, *because* Nassar was sentenced. In this way, her support of Nassar’s victims and her antipathy towards Nassar is rooted in carceral feminism.

### *Punitive Justice and Excessive Punishment*

News media reporting on both Bill Cosby and Larry Nassar’s cases was characterized by a reliance on punitive, retribution models of justice. While I expected these models to be dominant in the news media discourse surrounding these cases, I also expected a minority of articles to discuss non-punitive approaches to justice or alternatives to the defendants’ incarceration. These topics, however, were not present in the news coverage of these cases.

In addition to a lack of discussion of non-punitive accountability, news media coverage of Nassar’s case failed to consider the meaning behind his sentences. Sentenced to 60 years on federal child pornography charges, 40 to 175 years on molestation charges in Ingham County, Michigan, and 40 to 125 years on molestation charges in Eaton County, Michigan, Nassar received an absurdly long sentence. Yet, not one journalist discussed this more-than-life sentence. The lack of scrutiny, or even consideration, given to Nassar’s sentences may reflect a numbness, comfort, and complacency with the justice system’s use of lengthy sentences. The apparent lack of a critical analysis of this case is particularly troubling given that journalism is often valued as a space for criticism, challenging paradigms, and exchanging unpopular ideas. The news media coverage of Nassar’s case is likely a proxy for the American public’s uncritical perspective on justice and punishment.

Ironically, one journalist actually referred to Nassar’s sentence as “more symbolic than punitive.”

It was, in some ways, more symbolic than punitive...But this was still the sentence that the victims —survivors, really —craved, and one that the court delivered. (Cacciola, Scott. 2018. ““This Is the Beginning of Our Story.”” *New York Times*, January 24.)

While Nassar’s sentence was certainly symbolic in the sense that no human has ever lived long enough to serve the time to which he was sentenced, it was also absolutely punitive. Nassar’s sentences could not more clearly reflect the dominance of punitive retribution in the criminal justice system. Such long sentences were given for no practical reason, but for the purpose of articulating just how much punishment Nassar’s judges believed he deserved. Nassar’s sentences demonstrate a reliance on punitivity to an excessive extent.

### *The Role of Defendant’s Race*

The findings on the role of the defendant’s race in the news media coverage of the criminal cases of Larry Nassar and Bill Cosby can be divided into two parts. First, the role of the defendant's race can be evaluated in relation to the above themes. Second, the influence of the defendant’s race on the news media coverage of the cases can be evaluated on its own. The following section will do both.

#### *The Role of Defendant’s Race in Relation to the Above Themes*

##### *a. Portrayal of Victims*

It is unclear whether the differences in the portrayal of victims in the news media coverage of Nassar’s and Cosby’s cases were due to the defendants’ different races. A select few articles did, however, mention the race of Cosby’s victims.

But Cosby's pathology also seems to be directed particularly toward young, blond white women. Perhaps his behavior stems from a misdirected anger at America's glamorization of all that is white and is fetishized in the prototypical young, white blonde actress or model. (Williams, Armstrong. 2015. "Raping the system: BUI Cosby, sexual assault, and racial retribution." *New York Amsterdam News*, February 26.)

This quote is significant not only because it is one of few instances in which the race of Cosby's victims is named, but also because the victims' race is used to explain Cosby's abuse. *New York Amsterdam News* journalist Armstrong Williams suggested that Cosby's "behavior stems from misdirected anger at America's glamorization of all that is white." This suggestion excuses Cosby's behavior, deflecting the blame for his actions onto the existence of racism in America. The races of Nassar's victims were not mentioned in the news media coverage of his case.

Cosby's race also played a role in the portrayal of his victims in the following quote from his wife, Camile Cosby:

"Since when are all accusers truthful? History disproves that," she said in her statement, adding, "Emmett Till's accuser immediately comes to mind." Mrs. Cosby also cited Darryl Hunt, an African-American who wrongfully served 19 years in prison after being convicted of a 1984 murder. He was released in 2004, years after DNA evidence cleared him of the crime. She also accused Andrea Constand, whose sexual assault complaint led to the conviction, of perjury, saying that her testimony was filled with "innumerable, dishonest contradictions." (Sopan, Deb. 2018. "Camille Cosby Compares Husband to Emmett Till and Blames Media." *New York Times*, May 3.)

In this quote, Camile Cosby compared Cosby's situation to that of Emmett Till, a Black boy who was lynched in 1955 after a white woman accused him of flirting with her, an allegation she later denied. Through this comparison, Camile Cosby implied that Cosby's victims must have been lying because they, like Till's accuser, were white and Cosby, like Till, was Black. Thus, her disbelief of victims was deeply connected to both her husband's race and the race of his victims. Her disbelief of victims was overt, asking "[s]ince when are all accusers truthful?" a question tied to Cosby's race. Camile Cosby's comparison of Cosby's situation to Emmett Till's, however, was met with widespread criticism.

*b. Portrayal of Defendants*

As discussed above, Cosby was portrayed in a much better light than Nassar in the news media coverage of their cases. While reporting about Cosby was generally supportive, this support, and its accompanying disbelief of victims, was usually not overtly tied to Cosby's race. However, there were some instances in which Cosby's race was discussed explicitly in news media reporting.

Interestingly, the *New York Amsterdam News*, a historically Black newspaper, admitted the publication refrained from reporting on the allegations against Cosby because of his race:

Like so many Black publications, we've been on the sidelines of the Bill Cosby flare up, not sure when and how to enter a situation that is a classic she said, he said, with allegations from a coterie of women charging him with rape. (Boyd, Herb. 2014. "Dr. Huxtable, heal thy self!" *New York Amsterdam News*, December 18.)

In this quote, journalist Herb Boyd explained that the *New York Amsterdam News*, like other Black publications, remained "on the sidelines" while the allegations against Cosby garnered national news media attention. The quote above, and the information that followed in the article, revealed that the publication's decision to remain silent about the allegations against Cosby reflected both Cosby's race and the publication's position as a Black publication. Boyd explained the publication's silence by alluding to its hesitancy to contribute to bad publicity for a beloved Black figure. Thus, in this instance, a national news source thought critically about if and how it would report on Cosby's case because of his race, a consideration that was not discussed or implied in the news media coverage of Nassar's case.

Another journalist for the *New York Amsterdam News* was straightforward about his support for Cosby, which was rooted in Cosby's race and the work he did to advance Black Americans.

So it seems that the time is nearing for the criminal and public opinion courts involved in this ordeal to hear from Cosby's people. People who owe more than a debt of gratitude to the man for doing a yeoman's job of tirelessly pursuing their liberation from a future of racist, stereotypical and exploitative portrayals on every perceivable mode of projection. People who know, intimately, that the lynching of Blacks by our broken and more often than not hypocritical criminal justice system is always a clear and present danger. People who understand that being burned at the stake is, unjustly, still a part of the sick and uniquely American rite of passage for Blacks who breathe too deeply the rarified air of success and achievement. The most circumstantial of embers have already and effectively been flung onto the easily and hurriedly kindled pyre of Bill Cosby, but the questions remain: Should we or will we do nothing at all to pull our beloved blind brother from the fire? (Maupin, Jarrett. 2017. "Only Black America can pull Bill Cosby from the fire-Should they? Will they?" *New York Amsterdam News*, June 15.)

Here, journalist Jarrett Maupin's support for Cosby is explicitly rooted in his race. Maupin referred to Black Americans as "Cosby's people" while arguing that they should be the deciding voice in Cosby's guilt or innocence. He continued by praising Cosby for "tirelessly pursuing" the "liberation" of Black Americans from a racist future. The quote implied that Cosby's sexual misconduct should be dismissed because of his accomplishments on behalf of Black Americans and the general unfair treatment of Blacks in America.

Yet another *New York Amsterdam News* journalist argued that American racism was to blame for Cosby's serial assaults:

Seventy-seven-year-old comedian, educator and actor Bill Cosby came of age during a particularly nasty time in this country for race relations. In the late 1940s and 1950s, the regime that controlled the Jim Crow South was baring its lethal fangs in the face of increasing agitation by Blacks for legal and social equality. Though Cosby is widely known for taking a more conciliatory approach to race relations, one wonders if his formative experiences in the crucible of America's race wars may have produced a resentment that ultimately spilled over into his mistreatment of women. (Williams, Armstrong. 2015. "Raping the system: BUI Cosby, sexual assault, and racial retribution." *New York Amsterdam News*, February 26.)

In this quote, the journalist postulated that Cosby's "formative experiences in the crucible of America's race wars [] produced a resentment that ultimately spilled over into his mistreatment of women." With this comment, the journalist excused Cosby's behavior because he "came of

age during a particularly nasty time in this country for race relations.” The journalist effectively blamed American racism for Cosby’s assaults. Comments like this one reflect unwavering support for Cosby among news media reporting grounded in his race.

While other journalists did not go so far as to declare that racism was to blame for Cosby’s sexual misconduct, a substantial amount of news media coverage of his case argued that he was the victim of racism. In the following quote, journalist Jarrett Maupin advanced a theory that the allegations against Cosby’s were an orchestrated, racist conspiracy to keep Cosby from advancing professionally into white-dominated spaces.

The complexity of the trial notwithstanding, what also must be considered are Cosby's professional actions and ambitions, which lend themselves to the idea that the man legitimately had a target on his back. It is no secret that Cosby made considerable efforts to amass controlling shares, if not outright ownership, of NBC and related print entities. The tight white circle of male executives at the helm of mainline American broadcasting and media surely had something to fear by having someone with Cosby's degree of "négritude" joining their ranks. It is not farfetched to envision a clan of sorts conspiring to prevent it from happening. To what extreme would such a group have gone to stop Cosby and in doing so intimidate and undermine lesser figures from even dreaming about doing the same? (Maupin, Jarrett. 2017. “Only Black America can pull Bill Cosby from the fire-Should they? Will they?” *New York Amsterdam News*, June 15.)

Maupin suggested that the allegations against Cosby were crafted by a “tight white circle” of executives plotting to keep Cosby from “joining their ranks.” Additionally, he argued that Cosby “had a target on his back” because he was Black. Thus, Maupin effectively painted Cosby as the victim of a racist conspiracy that prompted false allegations of sexual misconduct. Such unwavering support for Cosby is intimately tied to his Blackness.

Others also implied that racism played a significant role in Cosby’s case:

“Cosby declined to make a closing statement, but his representative Andrew Wyatt, outside the courtroom, was vociferous in his comments, blasting the trial as one of the "most racist and sexist trials in the history of the United States." He said, "They persecuted Jesus and look what happened. I'm not saying that Mr. Cosby is Jesus, but we know what this country has done to Black men for centuries."” (Boyd, Herb. 2018. “Bill

Cosby, 'America's Dad,' sentenced to 3 to 10 years.” *New York Amsterdam News*, September 27.)

On Thursday, soon after a jury convicted Bill Cosby of sexual assault, his wife, Camille, wrote on social media that “unproven accusations” had “evolved into lynch mobs.” (Tillet, Salamishah. 2018. “No, Bill Cosby and R. Kelly Were Not Lynched.” *New York Times*, May 4.)

Devin T. Robinson X, an actor and renowned poet who's been featured on MTV, NBC, CBS and BET, said that Cosby represents the finest example of someone being found guilty in the court of public opinion without ever facing trial. "Punishing people before they're convicted in court only seems accurate when it serves a media narrative that doesn't hurt a specific demographic," Robinson said. (Brown, Stacy M. 2017. “Black Press exclusive: Cosby breaks his silence.” *New York Amsterdam News*, April 27.)

The above quotes claimed Cosby was the victim of a racist trial and “unproven accusations” that “evolved into lynch mobs,” drawing on Cosby’s race and America’s history of anti-Black racism. The third quote additionally argued that Black people are found guilty “before they’re convicted in court [] when it serves a media narrative.” Cosby was even equated to Jesus, a comparison that was accompanied by the comment “we know what this country has done to Black men for centuries.” In these ways, the news media coverage of Cosby’s case portrayed him as a victim of racism, largely avoiding consideration of his guilt or innocence and focusing instead on his Blackness. While articles like these mentioned Cosby as being disadvantaged by his race, no articles suggested that Nassar was a beneficiary of racial privilege.

Finally, a powerful example of how Cosby’s race influenced his portrayal by the news media came from a provocative article published by the *New York Amsterdam News* in 2005, when allegations against Cosby garnered some news media attention. The article, titled *Bill Cosby’s public problem: A fact of life for famous Black men*, argued that the allegations of sexual misconduct against Cosby were an expected “price of fame” for “high-profile Black men” like Cosby.



I wasn't surprised when the bad news first surfaced, as this is an example of the price of fame for many high-profile Black men. (Carter, Richard. 2005. "Bill Cosby's public problem: A fact of life for famous Black men." *New York Amsterdam News*, February 24.)

Indeed, as Michael Jackson, Kobe Bryant, O.J. Simpson, Mike Tyson and others will attest, sex-related accusations and revelations come with the turf for Black celebrities — especially men — who achieve success in white America. Many years ago, a Black editorial writer friend of mine knowingly opined, "It's tough being colored." And it was ever thus. (Carter, Richard. 2005. "Bill Cosby's public problem: A fact of life for famous Black men." *New York Amsterdam News*, February 24.)

So happily, Cosby can rest easy — for now. Meanwhile, should we take seriously such allegations against him and other high-profile Black men — especially those made by white women? Or should we assume that most women who make explosive sexual complaints are simply out for money? Food for thought. (Carter, Richard. 2005. "Bill Cosby's public problem: A fact of life for famous Black men." *New York Amsterdam News*, February 24.)

Journalist Richard Carter likened Cosby to Michael Jackson and O.J. Simpson, among other Black celebrities, claiming that allegations of sexual misconduct and assault “come with the turf for Black celebrities [] who achieve success in white America.” In this way, Carter dismissed the allegations against Cosby as falsehoods, the manifestation of racism against successful Black men in the public eye. He suggested that allegations against “high-profile Black men” should not be “take[n] seriously” because, from his perspective, they likely stemmed from racism. Such allegations, he implied, were especially untrustworthy when made by “white women” who were likely “out for money.” This article demonstrates strong support for Cosby and an attempt to shift the national focus away from the allegations against him and towards the presence of racism in America. It also hopes to instill doubt in readers about the credibility of the allegations against Cosby and outrage at the possibility that they reflect another instance of anti-Black racism in America.

While the majority of news media coverage that mentioned Cosby's race highlighted public support for Cosby because of his race, a minority of articles claimed his race did not help him.

Twenty-three years after the O.J. Simpson acquittal, another black man whose celebrity transcended race has been tried for crimes against a white woman. In this case, too, the evidence of guilt seems overwhelming. But unlike the O.J. case, this one has not been derailed by racial controversy. (Riley, Jason L. 2018. "Bill Cosby Couldn't Pull the Race Card--Unlike O.J. Simpson; Is this some measure of progress? Maybe. But black leaders long ago wrote the comedian off as an 'elitist.'" *Wall Street Journal*, May 1.)

If O.J. Simpson benefited from racial tribalism, Bill Cosby was on his own. Well before the epic hypocrisy and myriad accusations of his reprehensible behavior toward women become widely known, Mr. Cosby was on the outs with conventional black thought leaders. They convicted him a long time ago. (Riley, Jason L. 2018. "Bill Cosby Couldn't Pull the Race Card--Unlike O.J. Simpson; Is this some measure of progress? Maybe. But black leaders long ago wrote the comedian off as an 'elitist.'" *Wall Street Journal*, May 1.)

This *Wall Street Journal* columnist compared Cosby's case to that of O.J. Simpson. The journalist argued that, unlike Simpson, Cosby did not benefit from "racial tribalism" as he was already "on the outs" with the Black community, who "convicted him a long time ago." Even more, the journalist declared that Cosby's case was not "derailed by racial controversy." This minority opinion is unsupported by evidence of the news media coverage of Cosby's case presented above in which many supported Cosby explicitly, and perhaps exclusively, because of his race.

### c. *The #MeToo Movement*

Discussions of the #MeToo Movement in the news media coverage of Nassar and Cosby's cases did not appear to differ based on the defendants' race. The news media coverage of Cosby's case included a discussion of the potential that the #MeToo Movement generated bias against the defendant, an argument that was not raised in the news media reporting on Nassar's

case. Accusations of #MeToo bias in the coverage of Cosby's case were never linked to his race. These opinions likely reflect the greater attempt made by journalists and supporters to deny the defendant's guilt and generate skepticism about the allegations against him in Cosby's case than in Nassar's case. Allegations of #MeToo bias were likely one of many avenues pursued to advance this agenda.

#### *d. Conceptions of Justice*

While there was a substantial difference in the way justice was discussed in the news media reporting on the two cases, the discrepancies were not explicitly or implicitly linked to the defendants' race. Overall, the theme of justice was much more common in the news media reporting on Nassar's case than Cosby's case, in which justice was rarely mentioned. The prevalence of the discussion of justice in the coverage of Nassar's case likely reflects the widely held belief that Nassar was guilty. In contrast, the lack of consensus among journalists and the public about Cosby's guilt may explain why justice was discussed less frequently in the news media coverage of his case. While this lack of consensus is undoubtedly tied to Cosby's race, his race was not mentioned or alluded to in relation to the topic of justice in the reporting on his case.

#### *The Influence of the Defendant's Race on News Media Reporting*

Some of the news media coverage of Cosby's case was shaped by his race as journalists framed Cosby as a representative of Black Americans. For some, Cosby's fate was a proxy for the fate of Black Americans. One journalist believed that the outcome of Cosby's case was

bigger than a single defendant's guilt or innocence and argued that the larger implications of the verdict should be considered.

Cosby's legacy-hard-fought battles for respectability of Blackness in the entertainment industry, in front of and behind the camera-is also on trial, and the verdict in this case has extrajudicial consequences that deserve to be considered. Like Jack Johnson, Paul Robeson and Michael Jackson before him, Cosby is, and certainly represents, more than the sum total of his accusers' testimonies. Cosby's trial and Black America's definitive response will stand as a go-to memorandum on how communities of color deal with the undoing of leading famed figures by a justice system that is, in all honesty, neither post-racial nor benign to participants of a certain hue. (Maupin, Jarrett. 2017. "Only Black America can pull Bill Cosby from the fire-Should they? Will they?" *New York Amsterdam News*, June 15.)

This journalist argued that it was not only Cosby who was on trial, but also the "respectability of Blackness in the entertainment industry." He argued that the verdict would have "extrajudicial consequences" for Black Americans that "deserve[d] to be considered," implying that the outcome of Cosby's trial would have greater significance than a single defendant's guilt or innocence. Likening Cosby to other famous Black men, the journalist claimed that Cosby "represent[ed] [] more than the sum total of his accusers' testimonies," alluding to Cosby's long career that many see as advancing the position of Blacks in American society. In saying this, the journalist implied that Cosby's contributions to racial harmony outweighed the harm he caused to his victims. Finally, the journalist called Cosby's trial an "undoing of [a] leading famed figure[]" and reminded readers of the racism inherent in the criminal justice system, saying it was "neither post-racial nor benign to participants of a certain hue." Perspectives like this journalist's exemplify the influence that Cosby's race had on the news media coverage of his case.

Another theme related to Cosby's race that emerged in the news media reporting on his case was hope in Cosby's innocence, stemming from all he "accomplished" for and "mean[t] to" Blacks.

For what it's worth, I sincerely hope these allegations against Cosby are false. I respect him too much for what he has accomplished and what he means to Black people. We have far too few positive Black male images to see yet another one tainted. And yet, like me, he is a man and men will be men — famous or not. (Carter, Richard. 2005. "Bill Cosby's public problem: A fact of life for famous Black men." *New York Amsterdam News*, February 24.)

Mervan Osborne, 46, the associate head of a school in Boston that prepares low-income students for private high schools, felt it as a personal embarrassment, the loss of a hallowed icon -- "You know, Cosby, a one-word guy." "It's another black male authority figure, one of those people who folks that don't live on the edges of the country think of as a good black guy; they trust that guy," said Mr. Osborne, who is black. "I felt a real deflation, not even the outrage I should have felt if the accusations are true." (Zernike, Kate. 2014. "A Struggle for Those Raised on a Wholesome Cosby." *New York Times*, November 23.)

These opinions reflect the "deflation" that many felt upon hearing of allegations that could hurt America's perception of Cosby, who stood as an image of "a good black guy." They seemed to prematurely mourn Cosby, who was "a hallowed icon" and one of "far too few positive Black male images." Again, these perspectives framed Cosby as representing Black people in general and the outcome of his case as reflecting the fate of Blacks in America. In these instances, Cosby's race influenced the way his case was discussed by the news media.

Finally, one article described a victim's hesitancy to come forward because of Cosby's race. Black model Beverly Johnson explained how Cosby's race made her question whether or not to make public allegations against him, knowing that the allegations would have implications for Black men in general.

She said she had been hesitant about speaking out sooner because, she had told herself, "black men have enough enemies out there already, they certainly don't need someone like you, an African American with a familiar face and a famous name, fanning the flames." She said she was also afraid. "In the end, just like the other women, I had too much to lose to go after Bill Cosby," she wrote in *Vanity Fair*. (2014. "Beverly Johnson Says Bill Cosby Drugged Her." *New York Times*, December 11.)

Here, Beverly Johnson described the extra burden that Cosby's blackness presented. Believing that allegations of Cosby's misconduct would be seen as a reflection of poor character among

Black men in general, Johnson stayed silent because “black men ha[d] enough enemies out there already.” Further, Johnson alluded to how her identity as a Black woman would further “fan[] the flames. In this way, Cosby’s race influenced the news media coverage of his case, often affording him a second consideration among those who did not want his actions to be seen as a reflection of Blacks in general.

## DISCUSSION

This study sought to analyze the narratives used in news media coverage of violent crimes against women during the #MeToo Era. To do this, I conducted a content analysis of the news media coverage of the criminal cases *State of Michigan v. Lawrence Gerard Nassar* and *Commonwealth of Pennsylvania v. William Henry Cosby, Jr.* in *The New York Times*, *The Wall Street Journal*, and the *New York Amsterdam News*. My study sought to answer the following questions:

RQ1: How does news media coverage of violent crimes against women frame narratives of power, blame, and punishment in the #MeToo Era?

RQ2: How does the race of the defendant intersect with these narratives?

RQ3: How does the race of the defendant influence the news media coverage of his case?

I find that news media coverage of violent crimes against women typically exhibits an inverse relationship in which supportive portrayals of victims predict unsupportive portrayals of defendants, and vice versa. I also find some evidence to suggest that Black male defendants receive more lenient news media coverage than white male defendants. The #MeToo Movement was a less common theme in the news media coverage of these cases than I expected. When the movement was discussed, it was often framed as a source of potential bias against the defendants. In the news media reporting on both cases, justice was generally conceptualized through punitive, retributive models of justice. I find significant evidence of carceral feminism in the news media coverage of Nassar's case. Finally, the defendant's race did influence some aspects of news media coverage. Namely, accusations of racial bias against the defendant was a major theme of the news media coverage of Cosby's case. Reporting on his case also discussed

the broader implications of a guilty verdict for Black Americans. However, some of these findings may relate specifically to Cosby and not be generalizable to other Black defendants.

These findings confirm much of what previous studies have shown. This study's findings are consistent with previous research on the news media coverage of the #MeToo Movement. Like Ghosh et al. (2020), I find that left-leaning news media sources gave more relative attention to the #MeToo movement and sexual assault than right-leaning sources. *The New York Times* more than doubled the other news sources in this study in articles about the cases. My findings are also consistent with Evans (2018) who found that the victims presented in #MeToo-related stories tended to be white females, but this may be coincidental. My findings partially support Cuklanz's (2020) findings that news media coverage of the #MeToo Movement tended to center the defendant, focusing on the costs of the allegations against him, and "sideline[]" the victims. This was true of the news media coverage of Cosby's case, but not Nassar's.

This study's findings confirm some of the results of prior research on news media coverage of sexual assault. My findings are consistent with DiBennardo's (2018) study, which showed that news media portrayals of sexual assault victims differ by victim age. The news media coverage of Nassar's case confirmed DiBennardo's finding that stories about child victims included more graphic descriptions of violence, "emphasize[d] the 'predatory' nature of offenders" (2018:2), often portraying them as "sick," and used "narratives of protection to justify violence against sexual predators" (2018:14). The news media coverage of Cosby's case also confirmed DiBennardo's findings about adult victims. Specifically, they experienced more victim-blaming and received less news media coverage relative to child victims.

Aversive racism (Sommers and Ellsworth 2000; Cohn et al. 2009; Bucolo and Cohn 2010; Knight et al. 2001) may explain why the news media was significantly more supportive of



the defendant in the coverage of Cosby's case than Nassar's. Previous studies found that when race was made salient, jurors "'bent over backwards' to appear nonracist and treat Blacks particularly well" (Knight et al. 2001:187). This may be true of journalists as well. It can be assumed that race was always salient in Cosby's case because his fame was tied to his race and because journalists and Cosby's legal team and supporters continuously connected his case to his race, often arguing he was the victim of racism.

This study's findings are consistent with previous research showing evidence of in-group favoritism among Blacks (Sommers and Ellsworth 2000). This is demonstrated in this study in the coverage of Cosby's case by the *New York Amsterdam News*, a historically Black publication. This news source exhibited virtually unequivocal support for Cosby, even refraining from reporting on the allegations against him for some time. In-group favoritism is also demonstrated in the comments made by Black Americans in support of Cosby on which the news sources reported.

This study's findings also support previous research on judgements of interracial rapes. George and Martinez (2002) found that compared to intraracial rapes, interracial rapes "were judged as having more culpable and less credible victims, and less culpable perpetrators." My findings are consistent with these results. The news media coverage of Cosby's case, whose victims were primarily white women, often characterized his victims as uncredible. The news media coverage of Cosby's case showed significantly more uncertainty about his culpability than the coverage of Nassar's, in which Nassar was assumed to be guilty from the beginning. George and Martínez (2002) summarize their findings, saying "when a Black man raped a White woman, she was blamed more and he was blamed less than if a White man had raped her" (115). A

comparison of the news media coverage of Nassar and Cosby's criminal cases confirms this finding.

The outcomes of the criminal cases against Larry Nassar and Bill Cosby are also consistent with prior research. Maxwell et al. (2003) found that Blacks "arrested for sexual assault are significantly less likely to be found guilty and receive significantly fewer months of incarceration compared to Whites arrested for sexual assault" (533). While Cosby was ultimately found guilty, Maxwell et al.'s research might explain why Cosby's first trial ended in a mistrial due to a hung jury. Their study may also explain the dramatically different sentences these two defendants received. Cosby was sentenced to 3-10 years compared to Nassar's more-than-life sentence, which may be evidence of leniency to Black defendants.

## LIMITATIONS

Comparing empirical cases of violent crimes against women does not allow for the same level of control of variables that a controlled experiment would. Ideally, in seeking to answer the second and third research questions, the two cases chosen would be similar in every way, only differing over a single independent variable, the defendant's race. As stated in the Methods section, I tried to replicate a controlled study by selecting cases that were as similar as possible. Larry Nassar and Bill Cosby's cases offer a strong comparison. Both cases received national news media coverage during the peak of the #MeToo Movement. Both cases were also heard in criminal court. The cases were also similar in type of crime, generally considered to be sexual assault. Additionally, both defendants faced allegations from numerous victims, indicating to the public that they were likely serial abusers. Finally, both Nassar and Cosby were in positions of power relative to their victims at the time of their misconduct.

Despite these similarities, the defendants' cases also differed in several significant ways. The time period of the misconduct differed greatly between Nassar and Cosby, even though both criminal cases took place during a similar time period. Allegations against Nassar were concentrated in the 1990s and early 2000s while allegations against Cosby spanned several decades, dating back to the 1960s. Another key difference between these cases was their trajectory in the criminal justice system. Nassar entered several plea agreements while Cosby's case went to trial twice and he maintained his innocence throughout. The most significant differences, which I believe to have had the greatest impact on this study's findings, are Cosby's celebrity status and the fact that most of Nassar's victims were minors.

Cosby's celebrity pre-dated the #MeToo Movement. At the time the movement emerged, he was a beloved public figure with a very positive reputation known across generations. The

prevalent support for Cosby in the news media coverage of his case is likely a result of his celebrity status. If loving Cosby was orthodox for American news media, then acknowledging that there might be truth to the allegations against him, or even printing them at all, was heresy. This is likely why the news media coverage of Cosby's case was overwhelmingly positive and lacked critical analysis. Ironically, it was also Cosby's celebrity that enabled his abuse in the first place. And it was his celebrity that kept many journalists quiet when allegations surfaced in the decades prior to the #MeToo Movement. Because Cosby's celebrity was so intricately tied to his race, this thesis' findings on the role of defendant's race in news media coverage may not be generalizable to other cases.

Nassar's abuse of minors presents another significant difference between these cases. The fact that Nassar's abuse, however similar it was to Cosby's, was perpetrated against minors likely explains the greater backlash in the news media coverage of his case. The lack of assumption of innocence and apparent contempt for Nassar coupled with the unwavering support for his victims seemed to stem from the fact that his victims were minors. Nassar was widely seen as uniquely monstrous because he hurt kids rather than adults. Some of Nassar's victims were also Olympic athletes, which undoubtedly brought increased media attention to his case, but did not seem to have nearly the same impact as victim's age on the news media coverage of his case.

## CONCLUSION

This study is one of few that have analyzed the content of news media reporting on violent crimes against women during the #MeToo Movement. Its results demonstrate the power of social movements to shape public opinion and criminal justice outcomes. Sociologists and criminal justice practitioners have largely failed to acknowledge the significant role social movements play in contextualizing criminal cases. Future research should continue to assess whether the #MeToo Movement's impact, both on interpersonal relationships and on the criminal justice system, will be momentary or enduring.

Researchers must also consider the #MeToo Movement's intersection with other popular social issues of its time. The #MeToo Movement rose almost simultaneously with the #BlackLivesMatter Movement, which offered a perspective that opposed the #MeToo Movement's support of the criminal justice system. #BlackLivesMatter called attention to the criminal justice system's unfair treatment of Black Americans, from policing to incarceration. In the past year, it has dramatically increased the American public's receptivity to proposals to reform, or even abolish, the criminal justice system. Future research must investigate the intersection of these two movements. Will the #MeToo Movement influence the American public's response to credible allegations of sexual misconduct perpetrated by Black men, even in light of #BlackLivesMatter? Will the #BlackLivesMatter Movement and the increasing awareness of mass incarceration inspire the feminist anti-violence movement to respond to violence against women in ways that do not reinforce the power of the carceral state?

This study's findings indicate that the American news media will play a significant role in influencing the trajectories of these movements and the impact they will have on criminal justice policy and outcomes. The American news media industry must take seriously its role in

educating and informing the public. This study's findings demonstrate the power of the news media's framing of stories in shaping public opinion. Even seemingly impartial reporting can unintentionally endorse certain perspectives while silencing others. Responsible reporting requires that the whole truth be told and that, perhaps, journalists tell the unpopular story.

## APPENDIX A

The following is a comprehensive list of codes I used to code the news media articles collected for this study.

- #MeToo movement
- About sexual abuse in general
- About the defendant
- About the victim(s)
- Allegations
- American racism
- Assumption of guilt
- Assumption of innocence
- Blaming the victim
- Boys will be boys
- Call for impartiality
- Call for incarceration of defendant
- Call to hold defendant accountable
- Call to hold enablers accountable
- Carceral feminism
- Changes made in light of situation
- Charges
- Civil lawsuits against defendant
- Civil lawsuits against enablers
- Conviction
- Court proceedings
- Criticism of the court
- Criticism of the media
- Defamation
- Defendant abuse of power
- Defendant claims innocence
- Defendant found guilty
- Defendant framed
- Defendant history
- Defendant pleads guilty
- Defendant pleads not guilty
- Defendant reputation, impact on career
- Defendant treated unfairly
- Description of abuse
- Disbelief of victim(s)
- Enablers resign or are fired

Excessive punishment  
How abuse was able to continue for so long  
Hurts Black population  
Impact on victim(s)  
Investigation  
Justice  
Lack of evidence  
Leaning towards guilt  
Legal strategy  
Moral language  
Nassar explains medical procedure  
Punishment of enablers  
Quote Enabler  
Quote Defendant  
Quote Supporter of defendant  
Quote Supporter of victim  
Quote Victim  
Race of defendant mentioned, racism  
Race of victim(s) mentioned  
Racism in criminal justice system  
Racism in media  
Reactions from the public  
Reasons why it is hard for victims to come forward, or why they do not come forward  
Relationship between defendant and victim(s)  
Reporter tries to explain why abuse happened  
Sentence  
Sexism against defendant  
Support for defendant, skepticism, leaning towards innocence  
Support for victim(s)  
Unique perspective on justice  
Victim Impact Statement  
Victim seeking help



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