

Perceptions of the O.J. Simpson Murder Trial and its News Coverage¹

Stanley E. Ketterer
University of Missouri

Euntaek Lee
University of Missouri

Earnest L. Perry, Jr.
University of Missouri

Keith P. Sanders
University of Missouri

Robert W. Meeds
University of Missouri

Jiafei Yin
Eastern Michigan University

ABSTRACT: The O.J. Simpson criminal trial was the most extensively covered in U.S. history. Not only was it reported virtually daily (usually on the front page) in the nation's newspapers and television newscasts, but CNN brought the trial to home and work-place television sets nearly "gavel-to-gavel." It quickly became obvious that public interest in the trial was about more than murder. It had to do with celebrity, justice, wealth, sex and race. The situation presented an excellent opportunity to study perceptions about an almost universally-known event, the underlying social issues attracting the massive interest and the news media coverage that linked them. This study, conducted near the middle of the trial, identified four viewpoints about the trial and its coverage. Additional insight was gained by asking four news media gatekeepers to provide second-order Q sorts as they thought "typical" news readers might.

The News Media Go To Court

One of the basic roles of the media is to provide news about issues of public importance. Readers, viewers and listeners, in turn, can use this

Author's address: Sanders, School of Journalism, University of Missouri, Columbia MO 65211; ktaq@showme.missouri.edu

¹Revised from a paper presented at the annual meeting of the International Society for the Scientific Study of Subjectivity, University of Missouri-Columbia, Columbia MO, October 3-5, 1996. Q arrays for each type and the factor matrices (unrotated and rotated) are available on request from the above address.

news to develop informed opinions about these issues. Citizens can use these opinions to elevate the public discourse on these issues. Ideally, enlightened discourse will lead to better choices in the voting booth and in the hallowed halls of government.

Milton (1644) and Mill (1859) argued that open, public discourse of important issues is essential to discovering the truth about them. It is only through the clash of opinions, they argued, that falsehood can be exposed and truth elevated. U.S. Supreme Court Justice Oliver Wendell Holmes took a similar position (1919) when he argued in a dissenting opinion that the "marketplace of ideas" should determine the worth of "fighting faiths."

The role of the media to inform the public about issues of importance is complicated when the news is about a trial, especially a murder trial in which the defendant faces a lengthy prison sentence or even death. The rights of the accused to a fair trial must be balanced with the public's so-called "right to know." The media's challenge is to inform the public about the trial while not treading on the defendant's rights.

Trial coverage is further complicated when the accused is a celebrity. The newsworthiness of the trial is elevated simply by the status of the accused. The defendant's recognizability makes the story national and, in some cases, international. This high level of notoriety means that journalists across the nation—and possibly the world—will descend on the trial in order to give their audiences a first-hand account of the proceedings. The resulting atmosphere surrounding the trial is generally described as a "media circus."

Such an atmosphere was created when Dr. Sam Sheppard, a prominent Cleveland surgeon accused of murdering his wife, was tried in Ohio in 1954. The case generated extensive pretrial publicity, including headlines in Cleveland papers that proclaimed, "Somebody Is Getting Away With Murder" and "Why Isn't Sam Sheppard in Jail?" (Holsinger, 1991). Newspapers printed the names and addresses of jurors, who all said they received telephone calls and letters from people trying to influence them (Holsinger, 1991).

The judge set up a special table inside the bar to accommodate the swarm of reporters who covered the trial. Television cameras were stationed on the sidewalk outside the courthouse for interviews with witnesses. Although the judge would not permit cameras in the courtroom while the trial was in progress, he did allow photographers to burst through the doors at each recess and to take pictures of witnesses as they left (Holsinger, 1991). In the *Texas vs. Estes* case, a

year earlier, the Supreme Court had concluded that cameras in the courtroom had turned the trial into a theatrical event and would ultimately result in prejudicing the outcome.

Sheppard was found guilty and sentenced to life in prison. F. Lee Bailey, a prominent defense attorney, was hired by the family, and he quickly went to work. At Bailey's urging, a U.S. district judge ordered "Sheppard's release on the grounds that his conviction was the product of a media 'carnival' that not only polluted the atmosphere with inadmissible evidence but violated the serenity of the courtroom," as Holsinger (1991) describes.

The judge's order was overturned on appeal, and the case was ultimately decided by the U.S. Supreme Court, which ordered a new trial. The Court in 1966 held that the judge's first duty was to ensure a fair trial based on the evidence. Although noting that the media has historically guarded against "the miscarriage of justice by subjecting police, prosecutors, and judicial processes to extensive scrutiny and criticism" and praising "a responsible press," the Court harshly criticized the judge for the conduct of the trial, especially for not protecting the jurors. The Court said that "bedlam reigned" as newsmen, who hounded most of the participants, practically took over the courtroom, disrupting it frequently with their movements. The Supreme Court set down some steps that judges might take to ensure a fair trial, including a change of venue and more intense questioning during jury selection (Holsinger, 1991).

From Sam Sheppard To O.J. Simpson

Recently, Bailey was again involved in a trial that had all of the elements of a "media circus" and more—the O.J. Simpson murder trial:

Celebrity: Simpson, a Pro Football Hall of Fame running back nicknamed "The Juice," starred in three "Naked Gun" movies and numerous television commercials. He also helped broadcast football games.

Murder: He was accused of killing his former wife, Nicole, and her friend, Ronald Goldman, in a jealous range.

Media Coverage: The trial was covered by journalists worldwide. The television networks interrupted financially lucrative daytime soap operas with live coverage, something usually reserved for events of national and international importance, such as the Challenger disaster and the beginning of the Persian Gulf War. Cable television networks, such as CNN and Court TV, covered it gavel to gavel. CNN alone provided 640 hours of coverage during the 17-month

trial. About 150 million people are estimated to have watched the verdict including an estimated 91 percent of those watching television at the time (McCellen, 1995).

Perhaps the most absurd example of this media scrutiny was Geraldo Rivera's live analysis of prosecutor Christopher Darden's style as Darden was presenting closing arguments on CNBC. Some legal talk shows were spawned as a result of the trial (Brown, 1995), and it was a big financial boon to talk radio (Petrozello, 1995). And the trial was covered extensively by so-called "tabloid" television shows (McCellen, 1995), such as "Hard Copy," which blur the lines between news reporting and entertainment.

Despite the Supreme Court's warnings in the *Estes* case, the Simpson trial was televised live. Some observers saw the cameras as a means of educating the public about the legal system and ensuring a fair trial (c.f., Abrams, 1995) whereas others saw them as an unwanted intrusion that would hurt the rights of the defendant and prejudice the jury with their spotlights (c.f., Kaimer, 1995).

Race: Simpson is an African American, and his former wife and her friend were white. Although most of the factors are similar, the race issue differentiates the Simpson trial from the Sheppard trial.

Seven years before the Sheppard trial, the Hutchins Commission recommended that the media offer a "representative picture of the constituent groups of society and present realistic reporting of the events and forces that militate against the attainment of social goals as well as of those which work for them" (Leigh, 1947). But the urban riots in the late 1960s indicated that those underlying causes had not been addressed, prompting President Johnson to appoint the Kerner Commission. The commission's report stated the media did a good job of covering the day-to-day events of the Civil Rights Movement, but did a poor job of putting them into proper context. According to the Kerner report, the media presented the news from the perspective of a "white man's world" (Report of the National Advisory Commission on Civil Disorders, 1969).

Martindale (1990a) and others have studied the media's coverage of African Americans from the early 1950s to the present and concluded that although coverage has increased, the media have largely failed to look at the deep-rooted causes of festering problems. In the Kerner Commission report, blacks said the top problem areas were police behavior, unemployment/underemployment and inadequate housing (Report of the National Advisory Commission, 1969). Martindale's study (1990b; 1994) shows that the media focus more on blacks' involvement in crime. Police behavior, which many view as an

extension of the justice system, appears to have been one of the major factors affecting opinion in the O.J. Simpson case.

How the media cover different racial groups, including stories involving prominent members of them such as Simpson, might affect how these groups perceive media. Although few studies have dealt with blacks' media perceptions, Becker, Kosicki and Jones (1992) found that blacks do not make distinctions between media biases and biases among whites in general. To many blacks, the media are a part of a society, mainly white, that is biased toward them.

These perceived biases could affect how blacks view the media coverage of the Simpson trial and the legal system itself. A *Washington Post* poll taken just after the verdict showed that eight out of 10 blacks interviewed agreed with the decision, including 66 percent who expressed strong approval of the verdicts. Fifty-five percent of the whites interviewed disapproved of the verdicts, 40 percent strongly (Marin, 1995).

Media differed in their coverage of the trial, which was one of the longest in U.S. history. Some newspapers displayed it prominently whereas others gave it inside play. Some media observers praised the coverage of the trial (c.f., Kaplan, 1994) whereas others condemned it (c.f., Anderson, 1996; Petrakos, 1995).

Although the views of media critics are germane, this study is mainly concerned with gaining insights about how readers, viewers and listeners—the primary consumers of news—perceived the trial and media coverage of it. Their views are important because Simpson was not the only one on trial in this case. The media, cameras in the courtroom, and the justice system itself were also on trial in the court of public opinion. Historically, the public has had a low opinion of journalists and that has not changed in recent years (Glass, 1995).

The trial also presented an opportunity for journalists. It was an opportunity to educate the public about the justice system and to report in-depth about the important issues brought up during the trial, especially those involving African Americans. In addition, it was a chance to repair the media's tattered image before a national audience.

In this study, we looked primarily at how people perceived the trial and its coverage. Did the massive coverage help the image of journalists or hurt it? Did the use of cameras enhance the public's understanding of the legal system or lead to cynicism? Did the conduct of the trial indicate that a black man can get a fair trial or did it indicate that problems remain?

No other trial this century was so extensively publicized. Few could

escape the massive media coverage. This situation makes the Simpson case ideal to study in connection with public perceptions because nearly everybody was exposed to it. Not only was it reported virtually daily in the nation's newspapers (frequently on the front page) and the nightly television newscasts, but CNN brought pictures of the legal system in action into the living rooms of millions of Americans throughout the day.

In addition, the study also sought to garner insights into journalists' perceptions of their audience. Journalists must "know" their audiences to provide news of importance to them in order to perform their gatekeeping function (White, 1950). "Knowing" starts with anticipating how audience members might perceive the news. This study sought to gain insights into how well some journalists were able to predict the perceptions of their audiences.

The study has much in common with the two other studies of the Simpson trial reported in this issue. Thomas, McBride and Bass (1997) investigated attitudes about the case before and after the trial. Sylvester (1997) conducted her research after the jury had delivered its verdict. Our study was conducted about halfway through the trial, providing a look at the dynamics of public attitudes *in process* and free from being influenced by the hindsight of knowing the verdict. The Sylvester and Thomas *et al.* post-trial data provided study participants' views as they looked at the trial in its entirety, including its immediate aftermath. Although similar, the three studies focused on different issues. This study primarily was concerned with the perception of the media coverage and its impact. Sylvester concentrated on whether the publicized racial split over the verdict was actual or perceptual. Thomas *et al.* focused on the trial as a spectacle and on the issue of race in light of public opinion polling. More broadly, they looked at the influence of race and gender in constructions of meaning of the trial. Despite the differences in focus, the studies do overlap, especially in terms of resulting attitudinal types, as will be discussed later.

Methodology

Determining public perceptions required a procedure that enabled people to express their subjectivity about the varied and complex issues involved. Q Methodology (McKeown and Thomas, 1988) was ideally suited.

Subjects were asked to read a set of 50 opinion statements about the

trial and indicate their degree of agreement or disagreement. The statements were selected from a large pool created by intensive interviewing of a diverse group of people in a medium-sized midwestern city and supplemented with material from news media stories and commentaries and other sources. The residents were served by three network television stations, cable television, several local and regional newspapers and numerous radio stations, including a 24-hour talk station.

An original convenience sample of 28 people performed Q sorts in April 1995 during the early part of trial. Half of the subjects were journalists or had journalism experience, and half of the subjects were selected for their demographic diversity. An additional random sample of 27 people did sorts in June 1995. Analysis of the two samples indicated no differences over time. Subsequent data analysis was conducted on the combined sample of 59.

Four of the participants, who were not included in the original pool, were selected because they were local news gatekeepers. They performed two sorts each, once as themselves and once as they thought the average local newspaper reader would sort the statements. By comparing their second-order sorts (i.e., their sorts as they thought others would sort) with the attitude typologies from the regular sample it was possible to determine how closely the gatekeepers were tuned to the perceptions of the public. Three of the gatekeepers were from a local newspaper and one was from a network-affiliated television station. Their news experience in the community ranged from 1 to 20 years. Three were male. One was African American.

Sorts from the 59 subjects were factor analyzed, producing four factors. After Varimax rotation and the elimination of people with confounded or non-significant sorts, there were 15 people on Type I, 10 on Type II, 14 on Type III and 12 on Type IV. Type IV was correlated .40 with Type I and .50 with Type III; all other correlations between types were statistically non-significant. Factors I and IV explained the most variance (12 percent), followed by Factor II (10 percent) and Factor III (8 percent). Subjects' individual Q sorts were weighted according to their factor loadings and standard scores were computed for each type.

The four gatekeepers' first-order sorts were included with those of the 55 subjects. Later, their second-orders were entered into a factor analysis with all 59 of the first order sorts to see how closely they were aligned with the typologies that had been developed.

Factor Interpretations

Each Q factor represents a particular type of thinking about the trial. Thus, once the factor compositions had been determined, attention turned to interpreting the typologies. Types are given names or labels to help the reader identify key meanings.

Type I: Equal Justice Doubter

The *Equal Justice Doubter* viewed racial discrimination, unequal justice and tabloid journalism as the main foci of the Simpson case. This type viewed the trial as a media circus in which a biased judicial system was guilty of discriminating against a prominent member of a minority group.

Seventy-three percent of *Equal Justice Doubters* are minorities: 60 percent African Americans and 13 percent Asian Americans (see Table 1). There are more males than females (9:6), and they are young (13 out of 15 under 45). They have relatively extensive education (more than half having more than 16 years of schooling). About 42 percent of them subscribe to newspapers. Of all the types, this one has the largest number of ethnic minorities. The opinions of this group can be considered representative of those held by educated ethnic minorities.

Table 1
Demographic Characteristics of Types

	Equal Justice Doubter	Media Devotee	Cynical Intellectual	Disinterested Analyst
N	15	10	14	12
Age	35 or less; 46%	35 or less; 40%	35 or less; 50%	35 or less; 42%
Gender	Female: 38% Male: 62%	Female: 40% Male: 60%	Female: 50% Male: 50%	Female: 50% Male: 50%
Education	16 or less: 40%	16 or less: 50%	16 or less: 21%	16 or less: 33%
Ethnicity	Af.Am.: 60% As.Am.: 13% Cauc.: 27%	Af.Am.: 0% As.Am.: 0% Cauc.: 100%	Af.Am.: 14% As.Am.: 7% Cauc.: 79%	Af.Am.: 25% As.Am.: 0% Cauc.: 75%

The emphasis on racial issues is most clearly evident in the statements that Type I disagreed with the most. The top three statements all involved racial issues: "The media coverage wouldn't be any different if O.J. were white" ($z=-2.46$), "There is no racial discrimination in the Simpson case" ($z=-2.21$); and "The media coverage wouldn't be any different if the victim were a black woman" ($z=-1.94$). The typical array of z-scores on these statements shows that the *Equal Justice Doubter* is the only type with z-scores of -1.5 or below on all three statements. Five of the top eight "disagree" statements in the *Equal Justice Doubter's* array mention race. The concentration on racial discrimination appears to be related primarily to their perspective as members of minority groups. The five members with the highest factor loadings are African Americans.

Race is also an important issue for the *Equal Justice Doubter* in the "agree" category, although the z-scores of statements dealing with the topic are half the size. The statement with the third-highest z-score is: "If it wasn't black O.J. Simpson the superstar being charged with the murder of his white ex-wife, it wouldn't be on television."

This emphasis on race also is apparent in the written responses of the subjects. "I really believe there is some racial discrimination functioning in this case," one wrote. "The case is all about discrimination," wrote another. "I disagree because color does have an impact," wrote a third subject.

The second most important issue is equal justice under the law. The top two agree statements of *Equal Justice Doubters* deal with perceived prejudice in the legal system: "If the defendant were an average person instead of a rich celebrity, the trial already would be over" ($z=2.20$) and "Even in the United States, all are not equal before the law" ($z=1.73$). *Equal Justice Doubters* also disagreed with the statement: "Media coverage of the trial shows us that celebrities are not above the law" ($z=-1.51$)." And racial issues also combine with equal justice under the law, in the statement with the seventh highest agree z-score (1.00): "The day they let a black man off for killing two white people will be a cold day in hell." The perception appears to be that a minority group member cannot get a fair trial when the crime involves a white victim. This mistrust of the justice system surfaced in the written responses as well, as one subject wrote: "They are going to do something to O.J. even if he is not guilty. It won't be as bad if he were found guilty, but they will do something to him."

The remainder of the statements deal mostly with the media, the third

major area of concern. The *Equal Justice Doubter* appears to be saying that the media are exploiting the situation for their own commercial gain while covering the trial like a supermarket tabloid. He perceives the media as obsessed with the trial and believes that "we are experiencing the trial as a sporting event" ($z=1.31$) and "it's like nothing else in happening in the world" ($z=1.20$). *Equal Justice Doubters* also had the highest negative z-score among all types on a statement saying that the media had been "fair," -1.6 compared with -1.3, -0.2 and 0.0. One subject wrote, "It has never been the media's job to make anything fair. The media's role is to give the people what they want, and the people usually want excitement, not fairness."

Most *Equal Justice Doubters* apparently did not form these views by paying close attention to print media. They had the lowest percentage of newspaper subscriptions in the study, 42 percent. The next lowest rate was 71 percent.

Type II: Media Devotee

The *Media Devotee* was deeply interested in the media coverage of the trial. Persons of this type read or watched the trial enthusiastically and were positive about the role that the media played. Race was not a major factor in the trial.

All 10 *Media Devotees* were white. They range in age from less than 25 to more than 56, with the plurality (5) in the 36-45 bracket. There were nearly equal numbers of men and women (6:4) and nearly all (82 percent) subscribed to newspapers. Five have more than 18 years of education, three had some college education, and three had completed only high school. The most significant characteristic of *Media Devotees* was their intense interest in the coverage of the trial. They believe that the news media was giving the public what it wants, which they consider compelling trial news. *Media Devotees* paid the most attention to the trial and showed the most support for cameras in the courtroom.

"While this case is interesting in its own right, I probably pay so much attention to it because it's captured everyone else's attention, too," one wrote. "I think there are people who are genuinely interested in his life and the outcome of the case," wrote another. "Because it's such a dramatic story, I find the public's fascination with the case quite understandable," wrote another subject.

However, such persons viewed the trial coverage as also serving an entertainment role, finding no difference between coverage on shows

like "Hard Copy" and on the network news ($z=1.62$). They think that the coverage was similar to that of a sporting event, emphasizing the skillful use of cameras and instant replay.

The factor array for the *Media Devotee* shows that all of the statements with z-scores larger than 1.0 spoke to the entertainment role of the news media or the positive role of the trial coverage. *Media Devotees* were deeply interested in the coverage and believed that media essentially performed a neutral role in the trial. They believe media are mirrors of the society rather than manipulators.

Media Devotees do not think race played an important role in the trial. They place almost every statement related to race issues near the middle of the opinion continuum. They think there would have been no difference if Simpson had been white or his wife would have been black. Their most disagreed-with statement was, "The day they let a black man off for killing two white people will be a cold day in hell" ($z=-2.64$).

Although they believe that race was not an issue in the trial, *Media Devotees* are somewhat critical of the way the trial was conducted. They disagreed strongly with the claim that the lawyers' courtroom behavior was professional ($z=-1.54$). Indeed, they thought that the case was being conducted like a soap opera ($z=1.02$). Still, they showed the most overall support for the justice system of any factor.

Type III: The Cynical Intellectual

The *Cynical Intellectual* showed little interest in the trial coverage. This type was critical of the media and the judicial system, as well as the lawyers' courtroom behavior. To them, race was not an issue in the trial.

There were an equal number of men and women on this type, spread evenly across age categories. Most were white (79 percent), but there also were two African Americans and one Asian-American. About 71 percent subscribed to a newspaper, and 79 percent had graduated from college.

The *Cynical Intellectuals* were very critical of the media coverage of the trial. They strongly agreed that the media covered the trial like "a sporting event . . . complete with play-by-play commentators, instant replays, postgame interviews and expert analysis" ($z=2.0$), making it seem like a "never-ending soap opera" ($z=1.47$) that was "not about justice anymore" ($z=1.51$). And they strongly disagreed that "The use of cameras in the courtroom is a good thing" ($z=-1.66$), the highest

z-score of any of the types.

One subject summed up the sentiment, "Trials and justice are serious. It should not be made into a performance for curiosity seekers. It's a travesty." Another wrote, "TV coverage makes all parties act in front of the cameras."

A critical attitude toward the media was also demonstrated by the *Cynical Intellectual's* strong disagreement with statements such as "media have been fair in their coverage of the story" ($z=-1.30$) and "TV news reports about the trial have been handled quite well" ($z=-1.07$). They did not even agree that the story had all the elements of news. They think the media blurred the line between real news and tabloid programs like *Hard Copy*.

Cynical Intellectuals agreed that the coverage of the trial "far outweighs the public interest" ($z=1.07$) and the reason was that media use the trial to make profits ($z=1.08$). They disagreed with the statement that "The media are trying to give people what they want to know" ($z=-.78$). They believed that the case was a legitimate news story, but if not for the celebrity status of the suspect, the trial would have been over much sooner and they believed that heavy coverage would have an impact on the jurors.

Moreover, they did not have much interest in the trial and did not "watch it very much" ($z=1.22$). *Cynical Intellectuals* think that court proceedings are tedious and boring ($z=1.11$), and they did not agree that people "get hooked." And they cannot understand why people were fascinated with the trial. They are critical of the public for its "unquenchable thirst for idle speculation." One subject wrote, "I have watched very little of the trial, only excerpts on some news shows and national radio comments. I don't believe trials should be like a circus performance." Another subject had a similar view: "I have given the trial little attention because I do not wish to be a part of encouraging the media to continue with this type of coverage."

Cynical Intellectuals also were critical of the judicial system. They believed that "It's not about justice any more" ($z=1.51$), but rather about who can be "the slickest." To them, "most people in the court act like entertainers trying to get audience's attention" ($z=1.47$) and they disagreed that "The courtroom behavior of the lawyers has been very professional" ($z=-1.63$).

They did not see race as an issue in the trial. They agreed strongly with the statement that "This is not a racial trial and it should not be regarded as one" ($z=1.48$). And they disagreed most with the statement "The day they let a black man off for killing two white people will be

a cold day in hell" ($z=-2.01$). They also disagreed with the proposition that the justice system is not color blind. They believe that the trial's black lawyers were as competent or more so than their white colleagues.

Although they were critical of the media, they agreed that, "It is not the media's role to ensure fair trials; that is the role of the criminal justice system" ($z=.16$). They also believed that it is not the media but society that was to blame for the coverage placed on the trial. Although they think they are somewhat better than the average person, they did not believe they could have given an impartial verdict if they had been on the jury.

Type IV: Disinterested Analyst

The *Disinterested Analyst* was unimpressed with the Simpson case and the least involved with its day-to-day proceedings. People of this type disagreed most strongly with a statement asserting that they had paid more attention to the Simpson case than any other ($z=-2.14$); conversely, the statement they agreed most strongly with was "I don't watch it very much" ($z=2.09$). *Disinterested Analysts* thought that the trial was being framed like a sporting event ($z=1.47$), but apparently a rather dull sporting event. In fact, when they did consume media coverage of the trial, they found the court proceedings to be "tedious and boring with a lot of repetition" ($z=1.25$), and they strongly disagreed with the statement "the coverage is interesting; you get hooked" ($z=-1.30$). One subject put it bluntly, "I do not watch the trial because I'm not interested. The sound bites on the news are enough to satisfy my curiosity (almost to the point of overkill!)."

Disinterested Analysts have above-average education (all but two had some education beyond high school) and were predominantly newspaper subscribers (80 percent). There were an equal number of men and women. Ethnic group membership was mixed and followed similar proportions of the sample as a whole.

Despite the fact that *Disinterested Analysts* reported paying less attention to the case than the other types, they still developed strong opinions about how the news media conducted themselves. First, they reported no educational benefit from their media consumption surrounding this case, disagreeing with the statement "I've learned a lot about the legal system as a result of the coverage" ($z=-1.57$). Although they did not agree that officials were "letting the media control the trial" ($z=-1.03$), they strongly agreed that the media were motivated by

profits during the case ($z=1.50$). Not surprisingly then, they believed that the continual coverage made the case seem "like a never-ending soap opera" ($z=1.41$), and as a result, blurred the traditional distinctions between shows like *Hard Copy* and network news ($z=1.11$). Nor did they feel that "televising the trial helps prevent journalists from reporting on the trial in a biased way" ($z=-1.19$) or that the intense coverage demonstrated that "celebrities are not above the law" ($z=-1.22$).

The perceptions of *Disinterested Analysts* regarding the media's role in the Simpson case reflect a sort of balanced cynicism. They seemed to feel the news media were out of control in their coverage but this lack of restraint did not exert any control on the judicial process. They seemed rather detached and uninterested in the coverage themselves, but felt that the media were simply "trying to give people what they want to know" ($z=1.01$). One subject summed it up as follows: "The media is presenting this case for the public. It is the biggest 'story' at the present time, and if they make money while covering this topic, it's because the public is allowing them to by watching the coverage."

Although racial opinions about the case were less polarized for *Disinterested Analysts* than they were on other types, some opinions are worth noting. In contrast to the *Equal Justice Doubters*, the *Disinterested Analyst* strongly disagreed with the statement "The day they let a black man off for killing two white people will be a cold day in hell" ($z=-1.67$). They also disagreed that the media were not affected by Simpson's race ($z=-1.35$), or the victim's race ($z=-1.28$). Rather, they felt that Simpson's celebrity status, his race and the race of his ex-wife were the only reasons the case was even on television ($z=1.30$).

Second Order Interpretations: Gatekeepers Analyze the Audience

Four local gatekeepers, three from a daily newspaper and the news director of a network television affiliate, sorted as they thought a "typical" local newspaper reader would. Two of them, one from the newspaper and one from the television station, produced sorts similar to Type I, the *Equal Justice Doubter*. They were the most experienced of the gatekeepers, and the ones with the most years in the community.

When their second-order sorts were entered in the factor matrix, they loaded .59 and .44 on Type I. The other gatekeepers had no significant loadings. The lone woman was most like Type I (.36 loading) and the African American was most like Type II (.27), *Media Devotees*. When

they sorted as themselves, they loaded respectively on Types IV (.70), II (.60), III (.45) and I (-.36, n.s.). The correlations between their first and second-order sorts were .32, .08, .29 and .04 respectively.

Gatekeeper No. 1's concept of the typical local newspaper reader was similar to the *Equal Justice Doubter*, but with several differences. He thought readers were more interested in the trial than they were. He also thought they were learning more about the judicial system and were more content with it than the type indicated. He saw Simpson's celebrity status as less important. Intriguingly, he strongly disagreed with the statement that "We are experiencing the trial as a sporting event . . . complete with play-by-play commentators, instant replays, postgame interviews and expert analysis." All four types indicated relatively high agreement with the statement.

Gatekeeper No. 2, the broadcast journalist, also saw the typical reader as similar to the *Equal Justice Doubter*. He thought they would see race as less of an issue and would be more critical of the media coverage, especially its excessive character. He noted, "People are so interested in the coverage, yet they feel they will look bad if they say so. Therefore, they complain it's too much." He also thought they would be more likely to think the media coverage would not affect the verdict or the public's acceptance of it.

Gatekeeper No. 3, a woman, produced a profile most like the *Cynical Intellectual*. She thought the public was cynical about the judicial system and how it functioned in the case. She believed people thought Simpson's celebrity status was getting him preferential treatment within that judicial system. However, she thought the average reader did not see race as an issue and that the case was about entertainment. She considerably overestimated interest in the case. Although Type III was neutral about the public's acceptance of the verdict, she thought people would be unlikely to accept the verdict.

Gatekeeper No. 4 thought the typical reader did not see the trial as a race issue, considered the judicial system to be working well and assumed the trial's outcome wouldn't be affected by the media coverage, which could have been handled better. In short, he thought the public's view of the trial was relatively simplistic.

Discussion and Future Research

Did the massive coverage of the trial help or hurt the image of the media in the eyes of the public? It appears that it did much more harm than good to their image. Most of the types in this study were very

circus" label to fit perfectly, especially the *Equal Justice Doubter* and the *Cynical Intellectual*. Although critical of the coverage, the *Disinterested Analyst* believed that the media were giving the public what it wanted. These three types thought that corporate profits were a major factor in the level of coverage, which they deemed excessive. One *Disinterested Analyst* was particularly blunt: "The media are amoral on this. If people weren't watching, they'd stop broadcasting. They don't care about informing us, they care about making money."

Both the *Equal Justice Doubter* and the *Cynical Intellectual* thought the media coverage was unfair. All four types thought the trial was being covered like a sporting event, resulting in an image that resembled a soap opera. The most profound perception might be that the types saw a blurring between tabloid television and the network news. Only the *Media Devotee* seemed to give the media a passing grade. Although critical of certain aspects of the coverage, including the play-by-play and tabloid approaches, *Media Devotees* found the coverage compelling and got hooked on it. They thought that the trial had all of the elements of news and paid more attention to it than other non-local cases.

Overall, it appears that viewers, readers and listeners were evaluating the media coverage of the trial on its quality, not its quantity. And most subjects in this study appear to have perceived that quality was lacking.

The second major question was: Did the use of television cameras in the courtroom enhance the public's understanding of the legal system or lead to cynicism? Only the *Media Devotees* felt they had learned anything about the system from the coverage, and they were ardent supporters of its use. The *Cynical Intellectual* and the *Disinterested Analyst* were bored by the coverage and turned it off. The *Cynical Intellectual* was the harshest critic of the television cameras and apparently learned the least from them. "I haven't learned a thing about the legal system, especially since I've watched it," one *Cynical Intellectual* wrote. However, only the *Disinterested Intellectual* thought that the cameras did not ensure a fair trial and thought that they could influence the jury's verdict.

The perceived amount of learning from the trial might have been different if more "average" readers had been a part of the study. The large number of highly educated subjects may have skewed the results.

Perceptions of the second half of the question are tied to the perceptions about the third major question: Did the conduct of the trial indicate that a black man can get a fair trial or did it indicate that problems remain? The answer depends on whom one asks. The *Equal*

Justice Doubter appears to believe that the justice system is still stacked against members of minority groups. They perceived that race was the major issue in the trial and discrimination is the norm. It appears significant that most of the members of this type are young and black. Members of this group appear to mirror those who cheered when Simpson was acquitted (Smith, 1995). They appear cynical about the prospects of equal justice in America and whether cameras in the courtroom can alter those prospects. "The justice system is color blind, think about Emmet Till," one *Equal Justice Doubter* commented.

Both *Media Devotees* and *Cynical Intellectuals* disagreed most strongly with the statement "The day they let a black man off for killing two white people will be a cold day in hell" whereas *Disinterested Analysts* put it second. The three groups are predominantly white. *Equal Justice Doubters* ranked it seventh highest. The *Cynical Intellectual* thought race was not an issue in the trial but the *Disinterested Analyst* and the *Media Devotee* were uncertain. *Media Devotees* and *Equal Justice Doubters* thought that the public would not accept the jury's verdict. "The public will never be completely satisfied with the jury's decision," one *Equal Justice Doubter* wrote. "Everyone has their own opinions." Another wrote, "No matter what the jury decides, the public will be divided into several parts."

Consequently, it appears that only the *Equal Justice Doubter* has a firm belief that race dominated the trial and the legal system is seriously flawed. The *Cynical Intellectual* appears to believe that the case did not involve race. The *Media Devotee* and the *Disinterested Analyst* have views somewhere in between concerning the race issue. The *Media Devotee* appears to show the most support for the justice system, although all four types have some doubts about it. It is important to note that our study using Q methodology uncovered the deep division of opinion along racial lines early in the trial, before it was widely reported in the news media. Q methodology was particularly adept at tapping this aspect of subjectivity.

The final question in the study involves the ability of the gatekeepers to anticipate the perceptions of their audiences in this trial. The first-order sorts of the four gatekeepers mirrored the range of factor types in the study, indicating that all types will likely be represented in the media as well as the general public. The two gatekeepers with the most experience loaded on the same type, the *Equal Justice Doubter*, although the other two did not load significantly on any type.

The study's gatekeepers were well-educated, experienced journalists with reputations for excellence. Our most experienced journalists are

nationally-known and respected. Based on their journalistic performance and our knowledge of them personally, it would be hard to imagine a group of journalists more sensitive to the interests of a local community. Heavy consumers of news themselves, they were knowledgeable about the trial. Their backgrounds, sensitivity and Simpson trial knowledge no doubt helped them in their attempt to imagine how local audience members perceived the case. Yet, they fell somewhat short in predicting the perceptions of the audience. The study suggests the key to improving accuracy in estimating public perceptions could be an increased knowledge and understanding of the underlying problems related to complex cases. Perhaps these problems could be discovered earlier if journalists were more proactive instead of reactive.

The gatekeepers differed on how the audience perceived the trial's impact. One of the most experienced gatekeepers thought that the audience was paying more attention to and learning more from the trial than the study results indicate. The female gatekeeper thought the average reader saw the trial more as entertainment, whereas the African American gatekeeper thought the public's view of the trial was relatively superficial. Half of the gatekeepers thought that the media would have no effect on the trial's outcome.

These results are revealing, but it is obvious that future research is in order involving a larger sample of gatekeepers. Such research could also include subjects's second-order sorts concerning how they think gatekeepers perceive them. A comparison of the two sorts would yield insights into who is the better predictor, the subjects or the gatekeepers, as well as what readers think about journalists in their gatekeeping role.

A longitudinal study would also be beneficial. Subjects could be asked to sort the statements at the beginning and at the end of high-profile trials. It would be interesting to determine whether their perceptions of the media and the justice system change over the course of the trial.

The study found that readers perceive a blurring between the network news and shows like *Hard Copy*. For journalism, this is a disturbing finding, one that deals with the long-term credibility and function of the news media. This recommends a more rigorous effort to monitor public attitudes about such blurring.

Comparison With Thomas *et al.* and Sylvester Studies

The studies were conducted at different times (before, during and after the trial), varied considerably in demographic characteristics of their

samples, used different Q (statement) samples and focused on different issues. Thomas, McBride and Baas recruited subjects at two universities, one in the midwest and one (an all-black school) in the south. Sylvester's sample consisted of students from a southern university. Our sample, nearly half of which was selected by a random process, included students, journalists and townspeople from a small midwestern city and was the broadest of the three studies. The differences in statement samples (or concourses) reflected the studies' differences in focus, but included many similar themes.

Despite such differences there is considerably uniformity in the subjectivity expressed in the types and their interpretations by the three sets of researchers. Each study produced a factor-type chiefly comprised of African-Americans who thought that Simpson was not guilty under the law; racism is pervasive in our society; the legal system is biased against African-Americans; race played a role in the media coverage; and the coverage would (or did) affect the jury. The African-Americans on this type, as Thomas *et al.* explained, seemed to take the Simpson case and generalize it to the overall treatment of blacks. Each of the studies also found a factor-type that was chiefly comprised of white respondents who thought that the race of the defendant should not have been a chief factor in the trial and should not detract from the real issues in the case: the evidence or lack thereof regarding the two killings. This type found the trial to be compelling and paid close attention to it. Although it believed that the legal system had some shortcomings as it pertained to the trial, they showed the strongest support for it. Each study also found a third type that had views somewhere in the middle. As Thomas *et al.* argue, survey research would not have found this third (and, in our study, fourth) factor. This confluence of findings says much about the robustness of Q methodology.

References

- Abrams v. United States*. 20 U.S. 616, 40 S.Ct. 17, 63 L.Ed. 1173 (1919).
Abrams, F.A. (1995). Cameras reflect the process for better or worse. *ABA Journal*, 81, p. 36.
Anderson, L.M. (1995). Presumed guilty: or, I thought this was the movie of the week. *The Black Scholar*, 25, pp. 40-42.
Becker, L.B., Kosicki, G.M., & Jones F. (1992). Racial differences in evaluations of the mass media. *Journalism Quarterly*, 69, pp. 124-134.
Brown, R. (1995). *Broadcasting and cable*, 125, pp. 6-8.
Estes v. Texas, 381 U.S. 532, 85S.Ct. 1628 14 L.Ed.2d 543 (1965).

- Glass, A.J. (1995). It's official: Most people don't like us any more. *The American Editor*, pp. 6-15.
- Holsinger, R.L. (1991). *Media law*. New York: McGraw-Hill.
- Kaplan, J. (1994). In praise of the media's O.J. Simpson coverage. *Editor & Publisher*, 127, p. 56.
- Leigh, R.D. (1947) Ed. Committee on freedom of the press. *A free and responsible press, a general report on mass communication: Newspapers, radio, motion pictures, magazines and books*. Chicago: University of Chicago Press, p. 47.
- Marin, R. (1995). Poll reflects division over case; Trial damaged image of courts, races agree. *Washington Post*, Oct. 8.
- Martindale, C. (1990). Changes in newspaper images of black Americans. *Newspaper Research Journal*, 11, pp. 40-51.
- Martindale, C. (1990). Coverage of black Americans in four major newspapers 1950-1989. *Newspaper Research Journal*, 11, pp. 96-112.
- Martindale, C. (1994). Significant silences: Newspaper coverage of problems facing African-Americans. *Newspaper Research Journal*, 15, pp. 102-115.
- McCellen, S. (1995). TV's biggest moment: The Simpson verdict. *Broadcasting and Cable*, 125, pp. 6-8.
- Kaimer, W. (1995). Tabloid television doesn't belong at trial. *ABA Journal*, 81, p. 37.
- McKeown, B., & Thomas, D. (1988). *Q methodology*. Newbury Park, CA: Sage Publications.
- Mill, J.S. (1978). *On liberty*. Indianapolis, IN: Hackett Publishing Co.
- Milton, J. (1951). *Areopagitica and of education*. Ed. G.H. Sabine. Arlington Heights, IL: Harlan Davidson Inc.
- Petrozello, D. (1995). O.J. doubles ratings for news/talk stations. *Broadcasting and Cable*, 125, pp. 24-26.
- Perakos, C. (January 1995). Television robs courtroom of jurisdiction. *The Quill*, p. 42.
- Report of the national advisory commission of civil disorders. (1968). New York: E.P. Dutton and Company.
- Sheppard v. Maxwell*, 384 U.S. 333, S.Ct. 1507, 16 L.Ed.2d 600 (1966).
- Smith, D. (1995). The Simpson verdicts valley rejoices, recoils at jury's verdict. *Los Angeles Times*, Oct. 4, p. 1.
- Sylvester, J. (1996). Post-verdict attitudes toward the O.J. Simpson murder trial: The LSU study. *Operant Subjectivity*, 19, 105-115.
- Thomas, D., McBride, A., & Baas, L. (1996). Contrary convictions: Race and subjectivity in public opinion on the O.J. Simpson criminal trial. *Operant Subjectivity*, 19, 58-84.
- White, D. (1950). The 'Gate Keeper': A case study in the selection of news. *Journalism Quarterly*, 27, pp. 383-390.