

The Impact of Murder on the Family Unit

Dealing with the Media

No experience can prepare a family on how to deal with homicide. A murder of a child or loved one changes the very essence of one's life. It reaches to depths that cannot be described. It touches the deepest visceral level and brands permanent and excruciating pain into one's soul. This sudden devastating uninvited intrusion in our lives then changes our existence from private to public. One day people are leading a normal life and the next day they are thrust into a foreign world through no choice of their own, having to deal with police, lawyers, courts and the media.

Certainly every survivor has the right not to talk to the media. However, as stated in "IF THE MEDIA CALLS: A Guide For Crime Victims & Survivors" produced by the Canadian Resource Centre for Victims of Crime (March 2012), speaking with the media has certain benefits such as:

- Changing Public Policy and Awareness;
- Making others aware of how survivors are impacted by the murder of a loved one;
- Telling your side of the story can bring balance to the criminal judicial system by sharing the perspectives of the survivor as the media often focuses on the perpetrator;
- Educating the public to help prevent similar victimizations;
- Humanizing the situation by helping others see the direct impact of the crime;
- Empowering you to help you regain control over your life and to, possibly, influence change in the criminal judicial system.

Whether a survivor speaks with the media or not following a homicide, journalists have an important role to play providing the public with the facts surrounding the homicide. How they perform that role may vary, greatly, depending on the circumstances of the case; the journalist's experience and sensitivity or lack thereof; to what lengths the journalist is prepared to go in order to dramatize the story; reporting deadlines etc.

In 1995, the Victim's Bill of Right was introduced in Canada. While this Bill covers a large range of rights, the language was designed in such a way that it does not guarantee any of the explicit rights mentioned. This inadvertently limits the rights of victims. Moreover, the Canadian Charter of Rights does not assure Canadians the right to privacy. Instead, privacy comes on a case by case basis; often left up to a judge's discretion.

Further, the media is often seen as a public watchdog, to protect and inform the public about crimes occurring in communities. Often times, the accused will receive more rights than the victim. This is frequently done to ensure a fair criminal trial for the defendant and to prevent a mistrial. If the media were to reveal too much information about the defendant, it could create prejudice in the court (i.e. jury).

Additionally, in a world surrounded by social media, it has become even harder to protect the privacy of victims. Through the internet, has come the age of 24/7 news with major news stations continuously updating their websites with the latest news. This is then spread through social media sites such as Facebook and Twitter. Many people will believe instantly what they read on the internet, whether or not it is accurate and came from a valid source. Consequently, there is a fine line that the media has to draw where they can still inform the public without being degrading to the victim.

Many survivors of a homicide victim understand the importance of reporting what happened in a timely fashion and in a way that will encourage the public to take note and in some cases react to the situation so as to help bring a perpetrator to justice and or help prevent similar situations from occurring. However, most would ask that strong consideration be given by journalists to report their findings in as sensitive and ethical a manner as possible so as not to insinuate that the victim was in some way responsible for his or her demise and to help ensure that survivors are not re-victimized as a result of the coverage.

In June 2011 the Canadian Association of Journalists developed Ethics Guidelines to help both seasoned professionals and new journalists hold themselves accountable for professional work.

Following are some examples which many feel are particularly applicable when dealing with survivors of homicide victims:

- We are disciplined in our efforts to verify all facts. Accuracy is the moral imperative of journalists and news organizations, and should not be compromised, even by pressing deadlines of the 24-hour news cycle.
- We make sure to retain the original context of all quotations or clips, striving to convey the original tone. Our reporting and editing will not change the meaning of a statement or exclude important qualifiers.
- When we make a mistake, whether in fact or in context, and regardless of the platform, we correct it promptly and in a transparent manner, acknowledging the nature of the error.
- We publish or broadcast all corrections, clarifications or apologies in a consistent way.
- We respect the rights of people involved in the news.
- We do not refer to a person's race, colour, religion, sexual orientation, gender self-identification or physical ability unless it is pertinent to the story.
- We avoid stereotypes of race, gender, age, religion, ethnicity, geography, sexual orientation, disability, physical appearance or social status. And we take particular care in crime stories.
- We do not allow our own biases to impede fair and accurate reporting.
- We do not manipulate people who are thrust into the spotlight because they are victims of crime or are associated with a tragedy. Nor do we do voyeuristic stories about them. When we contact them, we are sensitive to their situations, and report only information in which the public has a legitimate interest.
- Journalists are increasingly using social networking sites to access information about people and organizations. When individuals post and publish information about themselves on these sites, this information generally becomes public, and can be used. However, journalists should not use subterfuge to gain access to information intended to be private. In addition, even when such information is public, we must rigorously apply ethical considerations including independent confirmation and transparency in identifying the source of information.
- We gather information with the intent of producing stories and images for public consumption. We generally do not share unpublished information – such as notes and audio tapes of interviews, documents, emails, digital files, photos and video – with those outside of the media organizations for which we work. However, sometimes such sharing may be necessary to check facts, gain the confidence of sources or solicit more information.
- We generally declare ourselves as journalists and do not conceal our identities, including when seeking information through social media. However, journalists may go undercover when it is in the public interest and the information is not obtainable any other way; in such cases, we openly explain this deception to the audience.
- When we do use unnamed sources, we identify them as accurately as possible by affiliation or status. (For example, a “senior military source” must be both senior and in the military.) Any vested interest or potential bias on the part of a source must be revealed.
- We independently corroborate facts if we get them from a source we do not name.
- We admit openly when we have made a mistake, and we make every effort to correct our errors immediately.
- Off the record: We may not report the information, which can be used solely to help our own understanding or perspective. There is not much point in knowing something if it can't be reported, so this undertaking should be used sparingly, if at all.
- We are accountable to the public for the fairness and reliability of our reporting.
- We serve the public interest, and put the needs of our audience – readers, listeners or viewers – at the forefront of our newsgathering decisions.
- We clearly identify news and opinion so that the audience knows which is which.
- We don't mislead the public by suggesting a reporter is some place that he or she isn't.
- Photojournalists and videographers do not alter images or sound so that they mislead the public. When we do alter or stage images, we label them clearly (as a photo illustration or a staged video, for example).

- Ethical practice does not change with the medium. We are bound by the above principles no matter where our stories are published or broadcast.
- We consider all online content carefully, including blogging, and content posted to social media.
- The need for speed should never compromise accuracy, credibility or fairness.
- We clearly inform sources when stories about them will be published across various media, and we indicate the permanency of digital media.
- When we publish outside links, we make an effort to ensure the sites are credible; in other words, we think before we link.
- When we correct errors online, we indicate that the content has been altered or updated, and what the original error was.
- We try to obtain permission whenever possible to use online photos and videos, and we always credit the source of the material, by naming the author and where the photo or video was previously posted. We use these photos and videos for news and public interest purposes only, and not to serve voyeuristic interests.
- We encourage the use of social networks as it is one way to make connections, which is part of our core work as journalists. However, we keep in mind that any information gathered through online means must be confirmed, verified and properly sourced.

In 2009, *A Guide for Journalists Who Report on Crime and Crime Victims* was produced in the United States as part of a National Public Awareness and Education Campaign project conducted by Justice Solutions. It was written by Bonnie Bucqueroux with support from Anne Seymour. This Guide offers another important tool for journalists to follow in order to report the news, accurately and in a timely fashion, while respecting the rights and emotions of survivors of homicide victims. CPOMC gratefully acknowledges the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice, for allowing us to reproduce, in part, this guide book.

The guide book was designed to help journalists fulfill their unique role in helping people understand and work to improve the ways in which the United States deals with crime and victimization. This guide is also designed to provide the most current, complete, and specific information and advice on reporting on victims and witnesses, as well as their families and friends. In addition, it is intended to explain the role of victim advocates and service providers and explore ways that journalists can work with them effectively to serve the needs of victims in the context of promoting public safety. I believe that much of the information contained in this guide book has a similar relevance in Canada as it does in the United States.

Victim advocates and the news media share a common goal of educating the public about crime and victimization and its impact on individuals and communities. Reliable and trusting relationships between victim service providers and the media can help reach this goal and ensure that crime victims and survivors are treated with dignity and respect by the news media.

Journalists are objective observers and reporters of important current issues in society, with crime and victimization among such issues. Over the years, news media professionals have been a driving force in publicizing vital information and trends about public safety. The media—

- Can strongly influence public opinion about issues important to society.
- Provide a continuing venue to publicize important information about crime and victimization.
- Play a key role in identifying critical issues related to individual, community, and overall public safety.
- Offer opportunities for crime victims and advocates to be both *proactive* and *reactive* sources on coverage of crime and victimization.
- Help victims and survivors who choose to tell their stories to relate the events effectively, which can promote their recovery.

Victim assistance organizations and the news media often rely on “the power of the personal story” of crime victims and survivors to relay the often devastating impact that crime has on their lives. When crime victims are provided with guidance and resources to help them speak out, they become passionate, articulate spokespersons to address victims’ needs, rights, and concerns.

News media—newspapers, television, magazines, and online news Web sites—have an enormous impact on how (we) view crime and victimization... It is important for journalists to understand the unique role the media play and the impact they have on:

Crime victims

Victims and their families and friends often find themselves the subject of media coverage, regardless of whether they agree to participate directly. An important challenge for news media is to report on crime victims in trauma without re-victimizing them. Important as well is that victims who want to tell their stories have the opportunity to do so, fully and completely, while those who do not wish to speak have that right respected, with the assurance that they will still receive fair treatment. Giving victims a chance to tell their stories can help in their recovery.

Victims are clearly affected by the way that the media report on crime and victimization. Individual victims who become the subject of crime reporting tend to fall into three broad categories, each with its own dynamic and concerns:

Breaking News

The reporters who cover breaking news, whether for print or broadcast, are under pressure to gather accurate information under deadline from a number of different sources. In many cases, the crime has just occurred and victims and witnesses are literally in shock, trying to assimilate what has just happened to them. Other stories that reporters often seek comments from victims include breaking news that occurs during trials, especially when verdicts are announced. Although the main focus is often on the perpetrator, victims and their family and friends may also be asked for interviews when convicted defendants are considered for probation or parole, when they are released,...and when they escape from jail or prison.

Feature Stories

Victims can be asked for interviews for follow-up features and profiles. For these stories, newspaper, magazine, broadcast, and online reporters want facts but they also want to capture the victim's feelings, emotions, and opinions, as well as details about the interview subject's appearance, expressions, and environment. Many features are anniversary stories. There are also continuing mysteries, such as unresolved disappearances and cases in which the perpetrator has not been identified or caught. In most cases, the reporter has more time to prepare for and conduct the interview than when reporting breaking news.

High-Impact Stories

These stories go beyond traditional crime coverage to explore the social, political, economic, or cultural impact of crime and victimization, or they strive to give victims a voice. These are the exceptional stories that break the mold, making readers and viewers pause to reflect on the reality and impact of crime and victimization in our culture. Such stories are often "enterprise" stories, which means they involve significant planning by a team of reporters and editors. They are often longer stories and many times they run as a series. For High Impact Stories, victims are often asked to give lengthy interviews or multiple interviews over time.

Each component of crime coverage poses a different set of challenges for victims, their families and friends, and the victim advocates and service providers who work with them—and for the reporters, photographers, videographers, and editors who cover them. This next segment will focus on information, insights, and tips that reporters need to deal with the opportunities and constraints for Breaking News crime coverage.

Most of the complaints from victims about reporters involve breaking news stories. Reporters are rushing to meet deadlines and struggling to get the facts of a story that may still be unfolding. Victims are often still in shock, unaware of the pitfalls of speaking and staying silent. Unless journalists exercise special care, the situation can become the proverbial recipe for disaster.

Reporters need to understand the specific challenges that victims face in being the subject of a breaking news story. While individuals vary in their response to trauma, only a handful of victims are likely to be both composed enough and eager to speak to the media immediately after being victimized. Victims often need time to recover from the initial shock of what has happened to them before they can accurately and fully report the facts and their feelings about them to others. The physical and emotional shock of victimization can literally leave victims "speechless" when trauma disrupts the normal blood flow to the speech centres of the brain.

With those realities in mind, reporters need to approach victims appropriately and sensitively. News organizations often worry that raising victim concerns with their reporters and editors will make them less effective because they will hesitate or pull back from approaching and reporting on victims in trauma. The reality, however, is that reporters and editors who understand the dynamics of victimization and trauma get better stories because more victims will talk with them and talk openly. Reporters should learn as

much as they can about traumatic stress and its impact on the victims whom they interview, as well as on themselves. Increased awareness about the immediate-, short- and long-term impact of trauma will improve reporters' sensitivity, interviewing skills, and their ability to address the vicarious trauma that often results from ongoing exposure to traumatic events.

For reporters under deadline, the first challenge is to persuade victims to talk to them. The challenge is even greater for television reporters because they want visuals for their stories and victims can be intimidated by the equipment, or they may not want others to see them in their current condition. To be ethical and effective in securing an interview, reporters should:

- *Minimize distractions.* Whenever possible, reporters should approach a victim without their equipment—notebooks, tape recorders, cameras, lights. Your goal is to make a human connection and these items can get in the way. If the person grants the interview, ask permission to use a recorder or bring up your videographer. Giving victims a sense of control can help them overcome feeling powerless, a common consequence of victimization.
- *Identify yourself as a reporter.* Trauma can impair a person's ability to understand what is happening around him or her. The first thing reporters should do is identify themselves and their news organizations, so victims understand that they are speaking to a member of the media.
- *Acknowledge the victim's experience.* The Victims and the Media Program at Michigan State University's School of Journalism trains young reporters to use one of two "safe" phrases: (1) "I am sorry for what happened to you" or (2) "I am sorry for your loss." To make a human connection with a victim in trauma, reporters need to express compassion and concern. These phrases cover almost all conceivable situations involving victims, and they also help the reporter avoid unintentionally offending the victim (e.g., inexperienced reporters or reporters under stress who may blurt out something hurtful).
- *Give the victim a reason to speak to you.* Whenever possible, explain the purpose of the story and why a victim's participation is so important. "Your information may help with the investigation." "Members of the community want to know how you are doing." "We want to verify what others have said." Victims sometimes report that they turned down a reporter without realizing that this might be their only opportunity to be heard.
- *Tell the person how much time you need.* In the immediate aftermath of a crime, a victim's priority may be to contact family and friends or to go somewhere safe. Reporters are more likely to secure their permission for an interview when they explain that they just need a few minutes of the victim's time.
- *Take no for an answer.* Victims who want to speak deserve the opportunity to do so. Those who do not want to talk to reporters should be treated with care and courtesy. However, while reporters should respect the wishes of victims who do not want to speak, they should also explain to victims that this does not mean a story will not appear. Consider saying, "We will be doing a story. This is your opportunity to share your information and tell your side of the story." Make sure that your words and your tone do not imply you are pressuring or "blackmailing" the victim into speaking or that you will portray them badly in the story.
- *Leave a business card.* It is appropriate to offer a business card, suggesting that the victim may want to speak at a later time. Reporters sometimes leave a business card with a short note at a victim's home when the person is not home or does not answer the door. In that note, you should acknowledge the person's experience and explain the mission of the story in your message in addition to providing contact information and asking for an interview.
- *Ask for the names of alternative spokespersons.* If the person still elects not to grant an interview, it may make sense to ask the person to name an alternate. Suggest that there may be a family member, friend, or a representative of the clergy who could serve as an appropriate family spokesperson. All too often instead, reporters who fail to ask for suggestions from the victim end up interviewing neighbors or coworkers who may not know much about the person.

The more that you can put the victim at ease, the better the interview.

- *Make the person as comfortable as possible.* There may be situations in which offering the victim a chair or suggesting a more inviting place to talk can help the victim feel safe and relaxed enough to speak freely.
- *For broadcast reporters.* People in trauma often do not want to be touched, especially by strangers. It is better to hand the lavalier microphone or earpiece to the person and verbally instruct him or her how to attach or insert it. Remember also that bright lights can be particularly intrusive when people are in trauma.

Ask permission to record the interview. As noted above, anything a reporter can do to give the victim a sense of control over the situation can be empowering. Asking permission signifies to victims that you are mindful of what they have been through and do not seek to exploit them.

- *Come prepared.* Many reporters offer water and tissues. In the immediate aftermath of a crime, victims' hair or clothing may be askew or they may have smudges on their face. Victims will often appreciate it (and tell others) if you offer them a damp tissue or a comb to freshen up before they will be photographed or videotaped.
- *Establishing ground rules.* Even people who are sophisticated about the media may become confused about conventions such as "off the record" in the aftermath of victimization. Explain to victims that *anything* they say may be included in the interview. If they want to tell you something that should not be included in the interview, give them the power to turn off the tape recorder or ask for the video camera to be turned off.

The goal again is to put victims at ease and help them share what they know.

- *Avoid leading questions.* Victims in trauma are more vulnerable than they would normally be. You want them to report the facts as they know them, not lead them into overstatements or errors.
- *Avoid questions that imply blame.* Many victims focus on things they could have done differently that they think might have saved them from being victimized. Do not mistake expressions of remorse for a confession or ask questions that reinforce the impression that the victim is somehow at fault.

Reporters need to understand that victims never "ask for it." If a story includes tips to enhance safety relevant to a specific type of crime, care should be taken to address "risk-reduction strategies" rather than "how to avoid being a victim," as there are no fail-safe methods to prevent victimization.

- *Avoid loaded words and phrases.* The following can cause problems:
- *Don't ask "How do you feel?"* Broadcast reporters in particular want victims to speak about their emotions with viewers. However, experience confirms that asking the obvious question bluntly is unlikely to elicit the desired answer. Recast the question in ways that express greater understanding of what the victim is going through. "I know that I cannot know what you are going through at this moment. Would you be willing to share with me and with our viewers the thoughts and feelings you are experiencing?" Tone of voice and body language can also be important in conveying compassion and concern.
- *Avoid the term "closure."* Some victims do not find this term offensive. However, many feel that the question puts pressure on them to assure the audience that all is well, reinforcing the false ... portrayal of the "noble victim" who bravely goes forward without shedding a tear. Victimization is often a life-altering experience that can have significant physical, emotional, financial, and spiritual effects that can be immediate, short- and long-term, and some victims construe the question as implying that they are expected to "get back to 'normal' or simply forget what happened to them or their loved ones.
- *Ask for their preference on "victims" versus "survivors."* Some people prefer to be called a victim and some find it demeaning and feel empowered by being called a "survivor" instead. Some have no preference. To avoid giving inadvertent offense, ask the person if he or she has a preference.
- *Eliciting emotion on camera.* There is a balance between asking sensitive questions that cause victims to express honest emotions and manipulating them into breaking down. While it is important that the community understands the toll that crime exacts on victims, pushing a victim to tears crosses the line. Broadcasters should also reflect carefully before going in for a close-up on tears or grimaces of anguish.
- *Going live.* Broadcast television (and Internet video) can bring the audience live images unfiltered, thereby adding drama and immediacy to the news. The dangers, however, can easily outweigh the risks, especially in the case of crime victims. The news media serve as the gatekeepers who decide what should and shouldn't be seen or heard or read, based on their professional judgment. The opportunity to edit video footage before it airs is a crucial responsibility that broadcasters should not quickly abdicate. The danger is that disturbing images, unwarranted accusations, and unfortunate comments may air without recourse.

- *Ending the interview.* Breaking news stories are typically under deadline, so they usually do not require much time with a victim. The goal is to be sensitive to the victim's needs and their feelings. Victims often have other priorities to attend to, but they should not feel the interview ended abruptly.
- *Thank the victim.* You should thank victims for their time and for sharing their story at a difficult time.
- *Provide contact information for yourself and your editors.* Especially when you are borrowing a photo or videotape, you should provide complete contact information. Because reporters are often out in the field, it is also wise to include the name of an editor who can be reached if you are gone.

There can be specific dynamics for different kinds of crimes in breaking news stories.

a. *When dealing with homicide.* Special considerations for breaking news stories include:

- i. *Avoid the inadvertent death notice.* Check with your editors (and follow up with the police, if necessary) before approaching family members of a homicide victim to make sure they have been notified by police. Even when reporters are cautious, they can find that the person they reach on the telephone or who answers the door has not been notified of the death of a loved one.

In those cases, the reporter must:

- *Verify the identity.* Check with the person who answered to make sure you dialed the right number or have the right address. Keep asking questions until you verify that you have the right family. (One reporter did not find that he had contacted the wrong family until he asked the fifth question designed to verify the identification.)
- *Apologize and acknowledge that your information could be faulty.* Perhaps there has been an error on the part of law enforcement or there is a mix-up of some sort. Reporters should apologize for the problem and promise to help the family find out what has happened.
- *Share information and discuss next steps.* Assure the person you will follow up. Give the individual the names of law enforcement agencies and officers to contact. (Make sure the person gets something to write down the information or he or she may forget what you said when you hang up.) It also helps to ask if the person is alone. If the person is, encourage him or her to ask a family member, neighbour, or friend to stay with him or her to provide support and, in cases in which an assailant has not been apprehended, tend to any safety needs or concerns.
- *Follow up.* Make sure that the family receives accurate information from the appropriate authorities, either through their efforts or yours.
- *Use care when asking for a photograph or video of the deceased.* The request must be done sensitively. It is also imperative that the reporter take personal responsibility to ensure that the photo or videotape is returned to the family intact. Scan or dupe a copy before the item leaves your sight at your news organization. You will also earn a reputation for thoughtfulness if you provide a copy of your coverage to the family.

In Summary

Most news organizations use sensitivity when dealing with crime victims while serving the public by providing them the information they need about crime and victimization.

By following the above practices and procedures, members of the media will help minimize the re-victimization of survivors of homicide victims, thus assisting them to better deal with the trials and tribulations that lie ahead.