Agenda Setting: the Media's Role in Abolishing the Death Penalty in New Jersey

Honors Project

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TABLE OF CONTENTS   PAGE

ABSTRACT

In 1976, the Supreme Court federally reinstated the death penalty. New Jersey became the 37th state to reinstate the death penalty in 1982, and Gov. Christine Whitman signed the death warrant for John Martini Sr. in 1999. By 2006, the state had a moratorium on the death penalty. On Dec. 17, 2007 Gov. Jon Corzine signed the bill that abolished the death penalty in New Jersey, making it the first state to repeal the practice since it was reinstated in 1976. Scholars have conducted decades of research on the mass media's influence on public opinion. The following is a content analysis study to look at how agenda setting can influence public opinion and lead to policy change. Specifically, the study discusses how newspapers reported the death penalty before its abolition in New Jersey. Through agenda setting, New Jersey print media led the public to think about the death penalty, which caused policy makers to look at change in legislation and led to the abolition.

LITERATURE REVIEW

Agenda setting is the theory that the mass media influences the public by telling the masses what to think about, not necessarily what to think. Essentially, the media helps the public to decide which topics will be registered on the public roster of salient, debatable issues (Stone and McCombs, 1981, p. 51). While many agenda setting studies have been conducted and linked connections between public opinion and the media, little has been published relating to the influence media has on policy agendas and decision makers. Most studies rely on theoretical, normative or anecdotal information to explain the link between the media and policy makers (Leff, Protess and Brooks, 1986, p. 301 and Cook, et al., 1983, p. 16-17).

As the "agenda setting capacity" of the mass media implies: the news media reports something and the report influences publics' perception of issue importance. The assumption is that these changes in priorities alone will influence policy choices (Cook, et al., 1983, p. 17). Several studies support the theory that the agenda setting function of the media influences the general public (p. 25). Only a few though, support the theory that the media do the same for policy makers. According to Cook's et. al. 1983 experimental study, governmental policy makers who were exposed to an investigative report changed their views of the issue's importance and their perception of the public's view of issue importance, and became convinced that policy action was necessary (p. 33).

"Overall the data suggested strongly that watching the target program influences public views of issue importance, which supports the concept the agenda-setting function of the media among members of the general public" (Cook, et al., 1983, p. 25). Using an

experimental design built around a single media event, the researchers found that media presentations influence general judgments of issue importance (p. 25).

Of course when dealing with reaction to a story, researchers should know how long it takes for issues broadcast in the media to become important to the public. According to Stone and McCombs, communications theorists learned early that message effects are neither compulsive nor immediate. They discuss three different scholars studies in time lag in agenda setting. Hovland came up with the idea of the "sleeper effect," which explains the delay between the media's presentation and the receiver acceptance. While Key noted there was a difference between short and long-term effects of mass communications. Key suggested that day-after-day repetition might have noticeable effects on attitudes and opinions toward certain issues. Lang and Lang researched the media's structuring of issues and personalities in elections and found the public was not affected immediately overnight, but gradually over a period of time (Stone and McCombs, 1981, p. 51).

Salwen (1990) discuses how the media can shape the public opinion in three ways (1) agenda-setting, (2) the spiral of silence, and (3) agenda-building (p. 16). According to Salwen, "agenda-setting is thought to be benign because the media acts only to inform, not to manipulate" (1990, p. 16). He explains the spiral of silence as the theory that people have a fear of being isolated socially, and so do not always express their true opinions on controversial issues. In order to feel accepted, people hold what they think is the popular opinion, and if enough people do not publicly express their true opinion the spiral occurs (18).

According to Salwen (1990), the mass media provides an outlet for organized activist groups to influence the public opinion and eventually influence the legislation. "The media are viewed as one of many tools at the disposal of a citizenry that can be used to frame and enlarge issues" (p. 22).

Agenda-building, as Salwen explains is the idea that the public can participate in influencing the agenda. He states that people need to be organized into political interest groups and do the following: (1) Define issues, (2) Enlarge conflicts to subgroups, (3) Frame cause, emotion, (4) Influence setting where issues fought, (5) Define priorities of issue. This theory frames the idea that special interest groups can take action to arouse the media and once media hooked on the issue; it takes off (20).

METHODOLOGY: CONTENT ANALYSIS

The content analysis was designed to collect various information from articles which had the words "death penalty" or capital punishment" in three publications widely circulated in New Jersey, including: *The New York Times*, *The Star-Ledger*, and *The Record*. The articles were collected using the database LexisNexis. The researcher collected articles from one issue per month from 1999 to 2007 from each of the three newspapers. Articles from the third Sunday from each month were the only ones collected for coding purposes. This is because the circulation for the Sunday issues is larger and therefore reaches more readers. The collection totaled in 577 articles from 324 newspaper issues.

The researcher developed a coding instruction sheet (Appendix A) and coding sheet (Appendix B) to keep track of the data collected from each article. The coding sheet was designed to collect information including: the date of publication, newspaper name, headline, section, page number, wordcount, format, editorial position, picture/art, and sources quoted. In order to test the validity of the coding instruction sheet and coding sheet, the researched held a coding session in a Mass Communication Theory and Research class at the University of North Carolina at Pembroke. In this class, taught by Dr. Dandan Liu, coders were asked to read the instruction sheet and ask any questions before the coding.

The researcher had everyone code the same article to see how varied people's answers for the coding sheet would be. Coders were told to fill in the blanks for the date of publication, page number, and wordcount; all of which were available under self-explanatory headings provided by the printouts format from LexisNexis. Coders circled

the corresponding numbers for the newspaper, section (News, A, B, Opinion, Sport, etc.), format (news report, editorial, feature, op-ed, etc.), editorial position (for, against, etc.), picture/art (number of photos/art), and sources quoted (mayor, governor, community members, religious leader, etc.).

After verbally going over everyone's answers, the researcher made some adjustments to the coding sheet for clarity before proceeding with the coding. The adjustments included adding options to the sources quoted category, adding "not applicable" to some of the categories, and lengthening the instruction sheet in various places, again, for clarity.

In addition to this data, the researcher also tallied the total number of articles published relating to the death penalty using the LexisNexis database. This was accomplished by searching the database for articles containing the words "death plenty" or "capital punishment". The search was completed for each year from 1999 to 2007 for the three publications: *The New York Times*, *The Star-Ledger*, and *The Record*. After collecting that data, the researcher searched the database again for the key words "death penalty" or capital punishment" and "abolish" to see how many articles published also mentioned getting rid of the practice. This information was collected to see the variances of the publication of the issue from 1999 to 2007.

FINDINGS

After reviewing the other data from the coding sheets, the average wordcount for the stories was approximately 1,050. This shows that on average, the public read or hard the opportunity to read stories, in-depth and well-reported stories, related to the death penalty. Longer stories register high on the public's list of priorities than short news briefs.

In addition, the average number of images or artwork published along with the story was 1.2. As the length of a story can influence how the public ranks the importance of an issue, so to does whether or not a story has an accompanying picture. Because the average number of artworks published per story was a little over one, one can assume that the public registered these stories more important than those published without artwork.

The data reveals that the number of articles related to the death penalty published from 1999 to 2007 declined overall, with some fluctuation (Figure 1). *The New York Times* publication of the issues peaked in 2001 due to the Timothy McVeigh execution. After reviewing some of the articles coded, the researcher determined that the other spikes in publication of the issue were due to events dealing with DNA testing, exoneration, or executions. While the overall discussion about the death penalty slowly declined over the nine years, the discussion about the abolition spiked from 2001-2002 and again from 2006 to 2007 (Figure 2).

The researcher suspects that this first spike was due to the execution of Timothy McVeigh, and the second spike was due to the moratorium and eventual abolition of the practice. This seems plausible; especially since Stone and McCombs study found that it takes the public and average of two to six month to register a topic (1981, p. 51).

The researcher found that a majority of the articles coded were news reports or features, while very few were editorials or columns. Because many of the articles were news reports most appeared in the first section of the newspaper. This is another indicator to the public helping them decide how important an issue is. Articles that are published on the front page, are going to register higher on the agenda than those buried somewhere in an inside section.

Based on what was found for the literature review, very little research has been conducted in the area of mass media's direct or indirect influence on policy makers. As stated earlier, the idea of agenda-setting implies a causal connection and sequence of events: (1) News media investigates a potential story, (2) News media reports said story, (3) News reports influence public perception of issue importance, (4) Public pressures officials to take action, and (5) Policymakers respond to public through legislation or policy change. (Cook, et al., 1983, p. 30).

This seems to be the way things should happen, but is not always the case. The research and data collected from this study only speaks about how *The New York Times*, *The Star-Ledger*, and *The Record* reported the death penalty nine years prior to its abolition in New Jersey. It is clear that publications about the death penalty in relation to abolition increased, especially during 2007. The graphs (Figures 1, 2, 3,) show that the mass media extensively covered the topic, and did not extensively discuss abolition prior to it being newsworthy.

However, looking at the New Jersey opinion polls conducted in 1999, 2002, and 2007 the public opinion on the death penalty (Figure 4) is surprising. In the 1999 poll by *The Star-Ledger*/Eagleton Rutgers, found that 44 percent of those surveyed would choose the death penalty and only 37 percent would choose life in prison with no chance of parole (NJ Favors, 1999). By 2002, the same poll reported that 36 percent of those surveyed would choose the death penalty and 48 percent would choose life in prison with no chance of parole (Murray, 2002).

In 2002, *The Star-Ledger*/Eagleton Rutgers also reported that 60 percent of those surveyed would support a moratorium and 25 percent of people were more likely to support a political candidate who supported the moratorium compared to the 17 percent who were less likely to support a candidate in favor of the moratorium (Murray, 2002).

In 2007, Quinnipiac University conducted a poll and reported that 53 percent of those surveyed were in favor of keeping the death penalty, while 39 percent were in favor of abolishing the practice. However, if given the choice between the death penalty or life in prison with no chance of parole, 52 percent of those surveyed chose life without the chance of parole and only 39 percent chose the death penalty. According to this opinion poll, it seems that the people in New Jersey wanted to keep the death penalty in case they wanted to use it. When asked if the state should keep the death penalty and use it only for the most violent cases, 78 percent of those surveyed said yes and only 18 percent said no (New Jersey Voters, 2007).

The researcher suggested that these opinion polls and the rising support for keeping the death penalty in New Jersey might be due to the way things were presented in the media. Although the data collected for this study was limited only to three newspapers, while coding the information, the researcher noticed that while many of the articles discussed the death penalty in practice, others discussed the impact on families, and court trials. It is possible that any of the people who chose to keep the death penalty did not know all of the facts surrounding the issue, and these facts can easily be covered up by strong emotions from either side of the controversy.

Based on the findings, the researcher suggested that the public began thinking about the death penalty and over time, with the help of political groups, and the media the

issue finally got the attention of policy makers. In order to fully support the hypothesis further research would need to be conducted in a state that has not yet abolished the death penalty. An experimental study similar to those conducted by Cook, et al. would be a good way to test whether and to what extent the media can influence policy change in regard to the death penalty. Also, if further research were to be conducted on this issue, one should look into how the television news media covered the death penalty.

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Coding Sheet Instructions For Newspaper Content Analysis

Code each newspaper article relating to the death penalty from the three given newspapers. Please fill in the blanks for Letters *A through F* and circle the appropriate numbers for letters *G through J*

A. **DATE OF PUBLICATION**: Date of publication given in full (located at the top of the first page)

B. **NEWSPAPER**: Name of newspaper, located at the top of the first page
   1- *The New York Times*
   2- *The Star-Ledger*
   3- *The Record*

C. **HEADLINE**: Write the headline of the article (located at the top of the first page)

D. **SECTION**: Found beneath the headline, under SECTION: these sections are named as followed to help organize the articles in the newspaper, making it easy for the reader to find things he/she wants to read. For example, the sections in the beginning of the newspaper (news or A) will have the hard-hitting news stories about current events, while the opinion section will have editorials, columns, and op-ed pieces.

1- News	12- Financial/money
2- A/1	13- Culture/society
3- B/2	14- Style/fashion
4- Opinion	15- Media/ I.T.
5- Editorial	16- Education
6- Newark this week	17- Travel
7- (Weekly) news review	18- Books/ literature
8- Word Brief	19- Sport
9- Review & Outlook	20- Perspective
10- New Jersey	21- Other_____
11- Lifestyle/Previews	(specify)

E. **PAGE #**: write the page on which the article begins (found listed under the SECTION)

F. **WORDCOUNT**: write the word count of the article (found on the first page of the article under LENGTH)

G. **FORMAT**: Maybe listed under TYPE at the end of the article, otherwise, red the following descriptions and match the article to the appropriate story format.

   1- News report: straight news story, informative piece about recent events
   2- Editorial: opinion piece (no byline) expressing opinion of editor/publishers

3- Column: opinion piece (byline) appears regularly in publication
4- Op-ed: opinion piece opposite the editorial page
5- Feature: focused an individual, group, organization (not straight news)
6- Cartoon/illustration: graphic or artwork published, can be a photo or illustration
7- Diary: entry
8- Letter: (letter to the editor, forum)
9- Weekly news summary: short synopsis of local/national news
10- Review: critic of book, movie, entertainment medium, etc.
11- 'News in brief': news brief
12- Obituary: published notice of death
13- Other (specify) _____

H. EDITORIAL POSITION (IF APPLICABLE)

1- For: content advocates for the death penalty
2- Against: content advocates for the abolition of the death penalty
3- Neutral: content mentions the death penalty, but does not take a position of either for or against the practice
4- Not Applicable: content is not an editorial or opinion piece.

I. PICTURE, ART: Information is located at the end of the article. Some articles will not have any graphics that were published with them.

1- 0   4- 3
2- 1   5- 4
3- 2   6- 5+

J. SOURCES QUOTED: Who was quoted as a source in the article? Prominent public figures and officials can influence the public opinion. Look for the quotations marks, if there are any, in the article and look at who was speaking. Choose the appropriate category for the speaker from the options given below.

1- Mayor: an official elected or appointed to act as chief executive or nominal head of a city, town, or borough
2- Governor: an official elected or appointed to act as ruler, chief executive, or nominal head of a political unit
3- Other government officials: any other government official, U.S. or international
4- Community members: concerned, involved members of the community speaking out on the issue
5- Religious leaders: pope, minister, priest, deacon, preacher, etc.
6- Member/leader of organization for the death penalty
7- Member/leader of organization against the death penalty: those in local organizations, not those listed in numbers 8, 9, or 10.
8- Amnesty International member/leader

9- Death Penalty Information Center member/leader
10- National Coalition to Abolish the Death Penalty member/leader
11- Warden/Prison Representative: a person who is responsible for a prison, and for making sure that the laws or regulations that relate to it are obeyed
12- Former death row inmate: someone who was on death row
13- Family of death row inmate: family members of anyone who was on death row
14- Family of victim: family members of the victim of a crime resulting in a death row sentence
15- Judge: the person in a court of law who decides how the law should be applied, for example how criminals should be punished
16- Police officer/Parole officer: men and women who are members of the official organization that is responsible for making sure that people obey the law/parole orders
17- Defense attorney: the lawyer representing a person who has been accused of breaking the law and is being tried in court
18- Prosecutor: a lawyer or official who brings charges against someone or tries to prove in a trial that they are guilty
19- Other: any other person directly quoted in the article
20- No direct quotations: no direct quotations are in the article

Coding Sheet For Newspaper Content Analysis

Code each newspaper article relating to the death penalty from the three given newspapers. Please fill in the blanks for Letters *A, C, E, and F* and circle the appropriate numbers for letters B, D, *G, H, I, and J*

A. **DATE OF PUBLICATION:**_____

B. **NEWSPAPER**:
    1- *The New York Times*
    2- *The Star-Ledger*
    3- *The Record*

C. **HEADLINE**:
_____

D. **SECTION**

1- News	12- Culture/society
2- A/1	13- Style/fashion
3- B/2	14- Media/ I.T.
4- Opinion	15- Education
5- Editorial	16- Travel
6- Newark this week	17- Books/ literature
7- (Weekly) news review	18- Sport
8- Word Brief	19- Perspective
9- Review & Outlook	20- Other
10- Lifestyle/Previews	(specify)_____
11- Financial/money	

E. **PAGE #**: _____

F. **WORDCOUNT**: _____

G. **FORMAT**

1- News report	8- Letter
2- Editorial	9- News summary
3- Column	10- Review
4- Op-ed	11- 'News in brief'
5- Feature	12- Obituary
6- Cartoon/illustration	13- Other (specify) _____
7- Diary	

H. EDITORIAL POSITION (IF APPLICABLE)
- 1- For
- 2- Against
- 3- Neutral
- 4- Not Applicable

I. PICTURE, ART

1- 0	4- 3
2- 1	5- 4
3- 2	6- 5 +

J. SOURCES QUOTED
- 1- Mayor
- 2- Governor
- 3- Other government officials
- 4- Community members
- 5- Religious leaders
- 6- Member/leader of organization for the death penalty
- 7- Member/leader of organization against the death penalty
- 8- Amnesty International member/leader
- 9- Death Penalty Information Center member/leader
- 10- National Coalition to Abolish the Death Penalty member/leader
- 11- Warden/Prison Representative
- 12- Former death row inmate
- 13- Family of death row inmate
- 14- Family for victim
- 15- Judge
- 16- Police officer/parole officer
- 17- Defense attorney
- 18- Prosecutor
- 19- Other
- 20- No direct quotations

Figure 1

This graph shows the number of articles which have the words: "death penalty" or "capital punishment" that were published in *The New York Times*, *The Star-Ledger*, and *The Record* from 1999 to 2007.

Number of articles with DP or CP

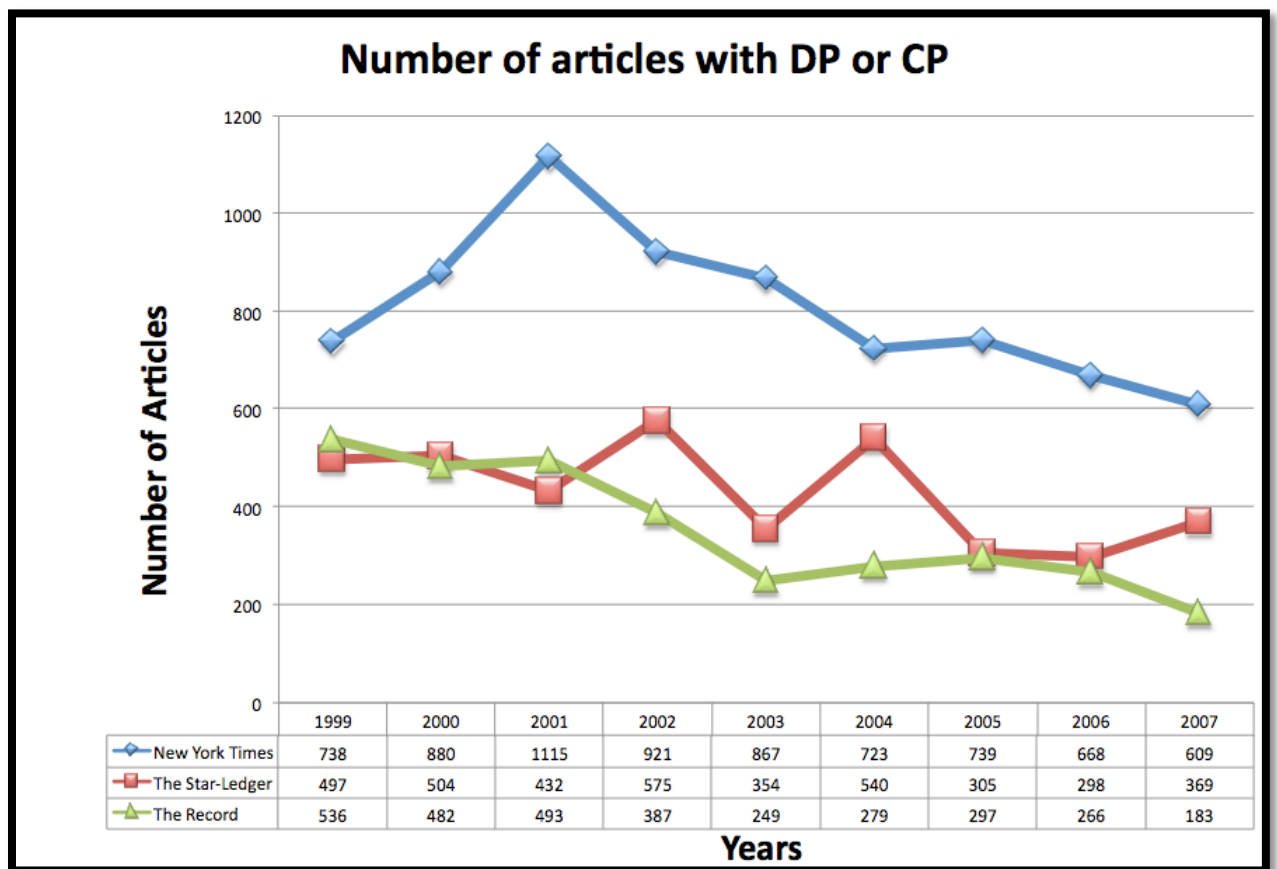|	1999	2000	2001	2002	2003	2004	2005	2006	2007
New York Times	738	880	1115	921	867	723	739	668	609
The Star-Ledger	497	504	432	575	354	540	305	298	369
The Record	536	482	493	387	249	279	297	266	183

Years

Figure 2

This graph shows the number of articles which have the words: "death penalty" or "capital punishment" and "abolish" that were published in *The New York Times*, *The Star-Ledger*, and *The Record* from 1999 to 2007.

Number of articles with DP or CP and abolish

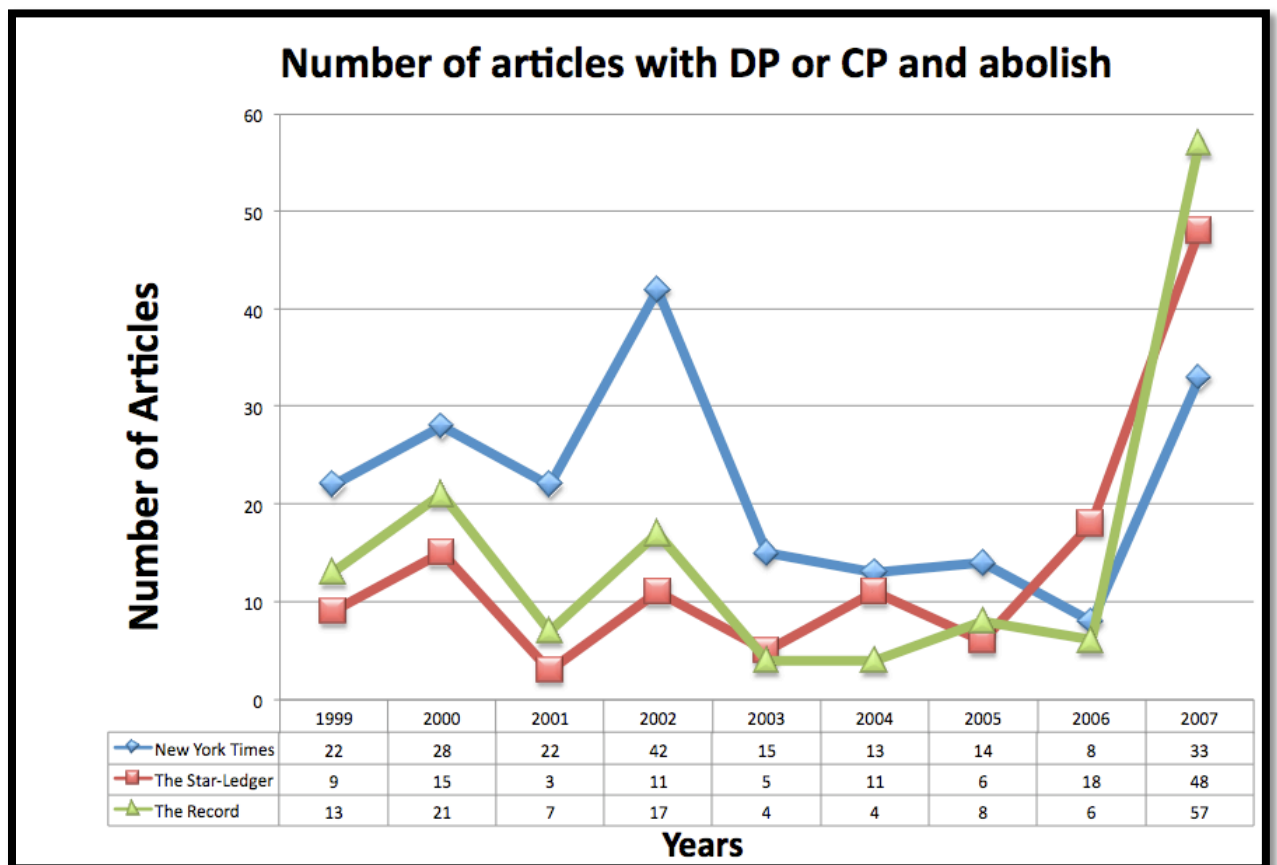|	1999	2000	2001	2002	2003	2004	2005	2006	2007
New York Times	22	28	22	42	15	13	14	8	33
The Star-Ledger	9	15	3	11	5	11	6	18	48
The Record	13	21	7	17	4	4	8	6	57

Figure 3

This graph is a combination of both graphs from Figures 1 and 2. The graph shows the number of articles which have the words: "death penalty" or "capital punishment" and "abolish" that were published in *The New York Times*, *The Star-Ledger*, and *The Record* from 1999 to 2007 as well as the number of articles which only have the words: "death penalty" or "capital punishment" in the same publications.

Number of articles with DP or CP compared to those with abolish

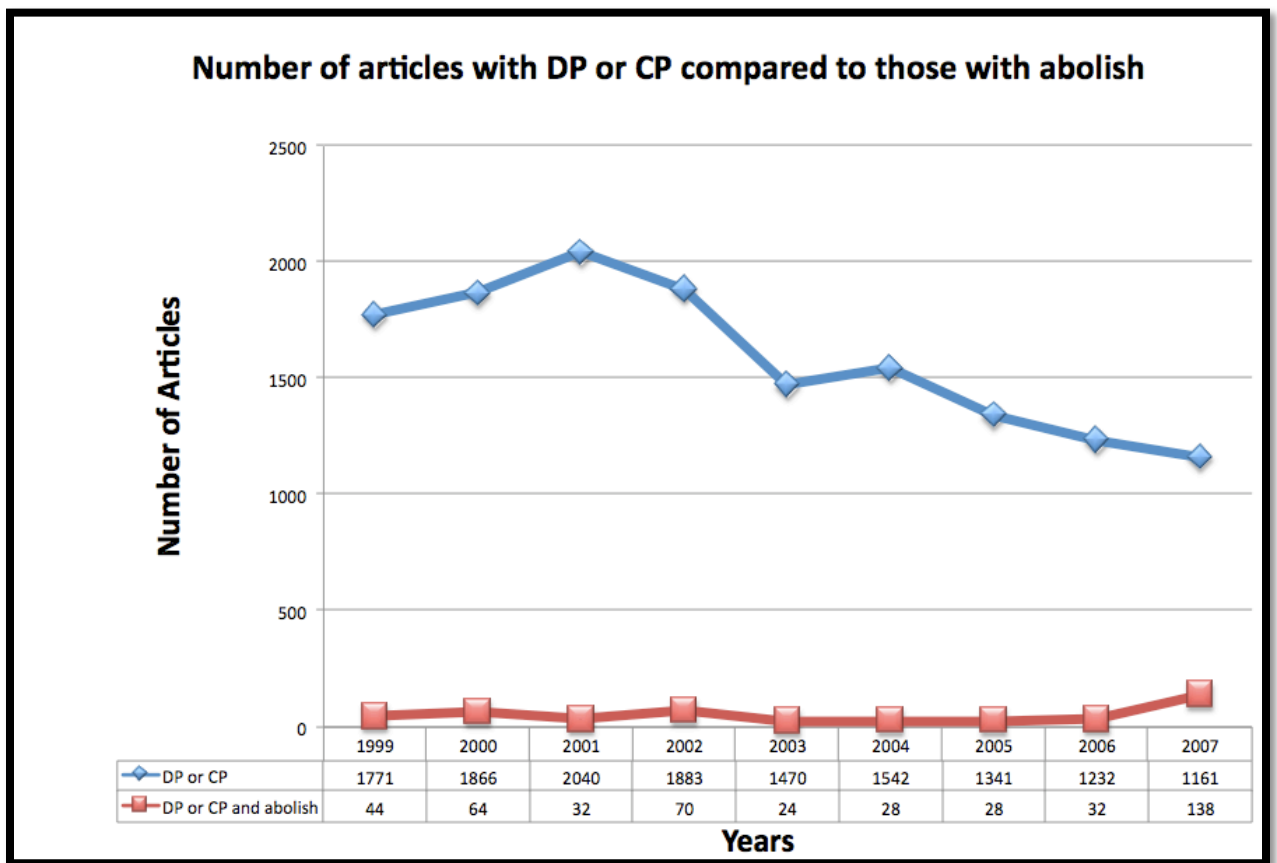|	1999	2000	2001	2002	2003	2004	2005	2006	2007
DP or CP	1771	1866	2040	1883	1470	1542	1341	1232	1161
DP or CP and abolish	44	64	32	70	24	28	28	32	138

Figure 4

This graph shows the percentage of people who would chose the death penalty or life in prison with no chance or parole during the years 1999, 2002, and 2007. The Star-Ledger/Eagleton Rutgers and Quinnipiac University conducted the polls.

New Jersey Opinion Polls from 1999-2007:
Percentage of those in favor of the deapth pently v. life with no chance of parole