

**Constructing Juvenile Delinquency through Crime Drama:
An Analysis of *Law & Order***

By

**Gayle M. Rhineberger-Dunn
University of Northern Iowa**

**Nicole E. Rader
Kevin Donald Williams
Mississippi State University**

In this paper, we analyze the depiction of juvenile delinquency in the popular long-running crime drama, *Law & Order*. Using a codebook containing both fixed and open-ended responses, juvenile-focused episodes from seasons 1 through 15 of the series were coded for juvenile offender demographics, judicial process variables, and causes and motivations. Results indicate that *Law & Order* portrays the typical juvenile offender as a violent 16-17 year old white male, currently attending school and treated as an adult in the court process. *Law & Order* does not appear to consider juvenile delinquency as an urgent social problem. While the most common motivations represent individual and rational-choice based theories, there is also a superficial discussion of sociological explanations for crime and delinquency. Some characteristics of juvenile offenders are contrary to what is statistically known about officially reported juvenile delinquency.

Keywords: juvenile delinquency, media and crime, crime drama

INTRODUCTION

The popularity of crime-related television programming, both fiction and non-fiction, is well-established. At a time when far fewer channels and networks existed, Pandiani (1978) reported that 19 different first run series classified as crime dramas were available to viewers during the 1976-1977 television season. Since the mid-1980s, crime has dominated at least one-third of prime-time television programming (Estep & MacDonald, 1984). The advent of cable and satellite television, combined with the popularity of syndicated programming, has provided an ever-increasing number of crime-related television programs available at any time of the day or night.¹ During the prime-time hours of 7:00pm to 10:00pm Central Time, Monday through Sunday, viewers have their pick of any number of crime-fiction dramas on the three main network channels, with NBC and CBS both offering nine different choices and ABC offering one crime-fiction drama.² While lengthy in itself, the list would be much more extensive if original crime-fiction series airing on cable channels (e.g., Fox, FX, TNT, USA) or series running in syndication on various networks were also included in the discussion.

What is important about this rather extensive list of prime-time fictional crime programming is its potential impact on the general public's view of crime, criminals, and the

criminal justice system. Gerbner and Gross (1976, p. 175) suggest the following about the impact of television on viewers' general perceptions:

Television is the medium of the socialization of most people into standardized roles and behaviors. Its function is, in a word, enculturation. The substance of the consciousness cultivated by TV is not so much specific attitudes and opinion as more basic assumptions about the 'facts' of life and standards of judgment on which conclusions are based.

The media essentially "cultivate" a sense of reality about particular people, events, and social standards (Gerbner & Gross, 1976; Gerbner, Gross, Jackson-Beeck, Jeffries-Fox & Signorielli, 1978), regardless of whether this "reality" accurately reflects the social world. Following Gerbner and Gross's cultivation thesis, media are viewed as the major source of information on crime and juvenile delinquency for the general public, as few of us will experience crime directly (Bailey & Hale, 1998; Barak, 1995; Potter & Kappeler, 1996; Sacco, 1992). However, prior research demonstrates that this information from the media tends to be inaccurate (for examples, see Cavender & Bond-Maupin, 1993; Lichter & Lichter, 1983; Oliver & Armstrong 1998; Pandiani, 1978; Soulliere, 2003). The media, then, construct a false reality (Surette, 2007) within which a "cultural awareness" (Barak, 1993) is created. What we do with the (mis)information we garner from these fictional media is of disciplinary, societal, and political concern. For example, these distorted media images may greatly impact individual fear of crime (Chiricos, Eschholz, & Gertz, 1997; Chiricos, Padgett, & Gertz, 2000).

Media images, whether they are accurate or inaccurate, and our interpretation of them may influence our attitudes and behaviors (Felson, 1996; Gerbner & Gross, 1976; Gerbner et al., 1978; Goidel, Freeman, & Procopio, 2006; Heath & Petraitis, 1987; Reep & Dambrot, 1989). The strength of the relationships tends to be weak and vary across studies (Eschholz, Chiricos, & Gertz, 2003). Some of the extant literature affirms the relationship between the consumption of fictional crime dramas and attitudes toward crime, criminals, and the criminal justice system (Dowler, 2003; Eschholz et al., 2003; Holbrook & Hill, 2005), while others find no relationship between these variables (Chadee & Ditton, 2005; Oliver & Armstrong, 1995). While the results are conflicting, they suggest that our perceptions of, and attitudes toward crime, criminals, and various aspects of the criminal justice system *may* be influenced by our consumption of media images related to crime fiction. It is possible, then, that our behaviors are also influenced by these perceptions, from voting for harsher crime legislation to shoring up one's self and home protection measures, which might include purchasing guns, carrying concealed weapons, and avoiding public spaces and events, due to fear of victimization. It seems pertinent, therefore, to understand the depiction of crime, criminals, and various aspects of the criminal justice system in crime-fiction programming.

While a substantial body of literature exists on the images presented in both fictional and non-fictional crime dramas, the depiction of one particular type of offender—the juvenile offender—is largely neglected in the media and crime literature. The few existing studies on this topic focus on the coverage of juvenile offenders in television news (Dorfman, Woodruff, Chavez, & Wallace, 1997; Yanich, 2005), newspapers (Boulahanis & Heltsley, 2004), popular films (Snyder, 1995), and the media in general (Welch, Price, & Yankey, 2002). Currently,

however, no study exists that specifically examines the portrayal of juvenile delinquency in television crime-fiction dramas.

The purpose of this paper is to address this gap in the literature by providing an analysis of juvenile delinquency in the longest-running popular crime drama, *Law & Order*. Exploratory in nature, the intent of our research is to provide the media and crime community with an example of how one crime drama portrays juvenile delinquency over the course of fifteen years. Our primary research question is, "How is juvenile delinquency portrayed in *Law & Order*?" Specifically, we examine episodes for juvenile offender demographics, judicial process variables (e.g., charges, verdicts, sentencing), and causes and motivations.

LITERATURE REVIEW

The extant literature on media depictions of crime and criminal offenders is voluminous in nature and spans several media genres, including newspapers (Liska & Baccaglioni, 1990; Lofquist, 1997; Lynch, Stretesky, & Hammond, 2000; Paulsen, 2002; Sorenson, Peterson Manz, & Berk, 1998), television news (Dixon & Linz, 2000; Entman, 1990 & 1992; Gilliam & Iyengar, 2000; Maguire, Sandage, & Weatherby, 1999; Maguire, 2002; Yanich, 2004), movies and films (Clarens, 1997; Eschholz & Bufkin, 2001; Lenz, 2005; O'Brien, Tzanelli, & Yar, 2005; Rafter, 2006; Tzanelli, Yar, & O'Brien, 2005), reality-based criminal justice programming such as *Cops* (Cavender & Bond-Maupin, 1993; Cavender, Bond-Maupin, & Jurik, 1999; Chiricos & Eschholz, 2002; Doyle, 1998; Oliver, 1994; Prosser & Johnson, 2004; Shon & Arrigio, 2006), and fictional television crime dramas (Barille, 1986; Eschholz, Mallard, & Flynn, 2004; Estep & Macdonald, 1983; Pandiani, 1978; Sparks, 1995; Soulliere, 2003), as well as a few others that offer a comparative analysis across multiple prime-time programs (Cuklanz, 2000; Duwe, 2000; Holbert, Shah, & Kwak, 2004; Lemon, 1977; Tamborini, Mastro, Chory-Assad, & Huang 2000).

Topics and findings from studies of fictional television crime drama are varied, but a few similarities exist. The majority of offenders/suspects portrayed in television crime dramas, consistent with official crime data, are Caucasian and male (Barille, 1986; Eschholz et al., 2003; Estep & Macdonald, 1983; Pandiani, 1978). African American and other races are not shown as commonly as Caucasians in these crime dramas, and when they are shown, they are more likely to be portrayed as an offender or suspect than a criminal justice professional (Eschholz et al., 2003). Fictional offenders/suspects also tend to be older and of higher class standing (middle to upper class as opposed to lower class) than official crime statistics would suggest (Barille, 1986; Estep & Macdonald, 1983; Pandiani, 1978).

What is missing from the studies mentioned above is a specific discussion of juvenile crime and offending in fictional crime dramas. To date, studies addressing the depiction of juvenile crime and delinquency have little similarity in method or analysis. Such studies include the depiction of juveniles in popular fiction films (Snyder, 1995); a consideration of patterns of juvenile homicides reported in two Chicago newspapers compared to juvenile homicides reported to Chicago law enforcement (Boulahanis & Heltsley, 2004); a comparison of rural school violence to urban school violence as covered by six national newspapers (Menifield, Rose, Homa, and Brewer Cunningham, 2001); a representation of gangs and juvenile delinquency in two Hawaiian papers compared to juvenile arrest data (Perrone and Chesney-

Lind, 1997); analysis of the term “wilding” in five New York City newspapers following the Central Park jogger assault case, and how the use of the term constructs a moral panic over juvenile crime (Welch, et al., 2002); coverage of juvenile crime and violence in California television news broadcasts (Dorfman, et al. 1997); and patterns of juvenile crime and offender characteristics in twenty U.S. television markets (Yanich, 2005). Although there are few methodological similarities in the juvenile-oriented media literature presented above, a few important findings are worth noting. First, victims and offenders younger than 14 years of age are overreported in newspapers (Boulaheanis & Heltsely (2004). Second, juvenile offenders and victims reported in newspapers and television news tend to be Caucasian (Boulaheanis & Heltsely, 2004; Yanich, 2005) and male (Boulaheanis & Heltsely, 2004; Yanich, 2005), although Boulaheanis and Heltsely also note that female offenders are overrepresented in coverage compared to the number of female juvenile homicide offenders reported to the Chicago Police Department.

The review of the above literature again illustrates the lack of research examining the coverage of juvenile offenders in media generally, but fictional television crime dramas specifically. The purpose of our research is to address this gap in the literature. We do so by providing a comprehensive analysis of juvenile delinquency in the popular, long-running prime time crime drama, *Law & Order*. We address one primary research question: How is juvenile delinquency portrayed in *Law & Order*, specifically in terms of the demographic characteristics of the juvenile offender and his/her offenses, judicial processing outcomes, and causes and motivations of the delinquent offense?

METHODS AND DATA COLLECTION

Data Acquisition

Currently in its 17th season, NBC’s *Law & Order*, which initially aired on September 13, 1990, is the longest-running crime series and the second-longest-running drama series in the history of television. Only *The Simpsons* and *60 Minutes* have been on the air longer. The show itself is split into two main acts: 1) the investigation of the crime and apprehension of the suspects, and 2) the prosecution of those suspects. The series is an Emmy Award winner for Outstanding Drama Series and holds the record for the most consecutive (11) nominations for a drama series (*Law & Order Website*, 2007). It has spawned three spin-offs, two of which are still broadcasting original episodes. While the original series airs weekly on NBC and in syndication six hours per day on the network TNT, its spin-offs comprise two hours per week on NBC and five hours per day on the network USA. In short, the *Law & Order* brand occupies a significant portion of the television landscape.

Law & Order describes itself in its promotions as having stories, “ripped from the headlines.” There is no doubt that several of the cases on *Law & Order* resemble real-life cases. For example, the episode “Tabloid” involved a celebrity being killed in a car accident while being followed by a gossip columnist (striking a comparison to the Princess Diana case). One recent episode showcased a celebrity who was pulled over by the cops and went on an anti-Semitic rant (similar to that of the Mel Gibson debacle). The 1991 episode “Renunciation” resembles the 1990 Pamela Smart case, in which the teacher convinces her 15-year-old student/lover to kill her husband. When combining its frequency of broadcasts, its popularity

among viewers, and its intent to draw its content from real-life cases, *Law & Order* presents itself as an ideal television show for the focus for investigation.

When this research project was conceived by the authors, *Law & Order* was in its 16th season and had aired well over 350 original episodes. Although it also airs in syndication, the most recent years do not appear as repetitiously, making acquisition of the 16th season more difficult. Therefore, we limited our analysis to the first 15 seasons. Additionally, as we were interested in such a focused topic, the portrayal of juvenile offenders, we narrowed the list of episodes eligible for inclusion in the analysis to only those with an express focus on one or more juveniles as the primary offender(s) in the episode. We defined a primary juvenile offender as anyone between the ages of 10 and 17³ who committed the offense on which the episode focused. Although episodes were selected because of their juvenile-offender focus, we deemed it necessary to include all juvenile offenders within that episode who were charged with any criminal offense during the course of the episode, even if they were not directly involved in the primary offense on which the episode focused. Additionally, our interest extended to juvenile offenders regardless of whether they were prosecuted as juveniles or adults. Therefore, individuals who were juveniles by age but treated as adults in the criminal justice system were also included in the analysis.

To determine whether an episode focused on juvenile offenders, we conducted an extensive review of episode summaries by exploring both the official *Law & Order* website (http://www.nbc.com/Law_&_Order/) and the episode summaries found online at <http://www.tv.com/law-and-order/show/180/summary.html>. Of the 347 original episodes comprising seasons 1-15, we identified 58 with either a reference to a juvenile as the suspect or offender of the primary criminal act in the episode or where age of the primary suspect or offender was not indicated in the episode summary.⁴

Next, we engaged in the lengthy process of acquiring these 58 episodes. We were able to acquire the five seasons available for purchase on DVD as of December 1, 2006-- Seasons 1, 2, 3, 4, and 14. To obtain the episodes from the remaining seasons, we recorded (using TiVo) syndicated episodes from September 6, 2006, through March 7, 2007. This process resulted in the collection of 50 of the original 58 eligible episodes. The episode summaries available online were not always consistent in describing the age status (juvenile or adult) or in the use of terminology. For example, the episode summary⁵ for *The Secret Sharers* from Season 1 described a teen shooter who was protected by members of the community. However, his appearance and episode dialogue suggested that this individual was over seventeen when he is referred to as "a young man" and therefore while he was technically a teenager, he was not a juvenile. Therefore, verification was needed to determine if all 50 of these initial episodes did in fact focus on a juvenile offender. Juvenile status was determined in one of three ways: 1) chronological age of the offender as provided somewhere in the episode dialogue, 2) reference to school grade or status (e.g., tenth grade, high school junior) as provided in the dialogue, or 3) physical appearance or other references clearly indicating status as a juvenile. Of the 50 episodes collected and watched by the researchers, eighteen contained an express focus of a juvenile(s) as the primary offender(s).

Unit of Analysis and Codebook

A codebook containing both closed-ended and open-ended items was derived in order to investigate our primary research question, “How is juvenile delinquency portrayed in *Law & Order*?” The codebook was designed to investigate the following aspects of each juvenile offender’s portrayal: offender and victim demographics, including offense type and characteristics and victim-offender relationship, judicial process variables, and criminal motivations. Several of the questionnaire items were open-ended items, allowing the coder to provide a thick description of the events or dialogue.

Offender and Victim Characteristics

Pertinent demographics regarding the offender and victim were coded for each individual. In episodes with multiple juvenile offenders, each offender was coded separately. Coded information on the offender included the following: age (juvenile or adult), gender (male or female), race (Caucasian, Black/African American, Asian American, Native American/Pacific Islander, Other), ethnicity (Hispanic or Non-Hispanic), social class (lower, middle, or upper class), educational status (drop-out or in school), family status (who they lived with), and victimization status (whether the offender had ever been a victim and if this victimization related to the incident offense in the episode). Coded information on the victim included age (juvenile or adult) and status (qualitative description such as dead, hospitalized, etc). In the event that some categories were not strictly operationalizable, the coder was asked to explain why and how he/she derived their response. For example, social class was a difficult variable to code. As such, when making a determination of social class, the coders indicated the reasoning behind the classification, such as living conditions, dialogue references to class status, and occupations of parents/guardians.

The codebook also included information on whether the victim and offender were similar in race, gender, social class, and any other characteristics. Additionally, we noted whether there had been any contact or interaction between the victim and offender before the crime was committed and if the victim was blamed in any way for the crime.

Judicial Process Variables

Information was collected and coded in order to understand how juvenile offenders were depicted within the judicial process in *Law & Order*. The offender’s previous juvenile offense history was listed when indicated by dialogue present in the episode. Information concerning the commission of the crime (such as weapon possession and type of weapon, time of day, and location of crime) was coded. Significant interactions between the juvenile offender and criminal justice personnel (police, attorneys, and judges) were noted and described. Plea bargains, verdicts, and length of sentences were also noted.

Causes and Motivations

The codebook contained an open-ended item requiring the coder to note both the stated and implied causes and motivations for the crime(s). This included noting both the stated and implied underlying social, psychological, and economic reasons provided by the offender or other characters in the episode.

Reliability and the Resolution of Discrepancies

All eighteen episodes in the final analysis were viewed by at least two of the authors. Episodes were divided into three blocks of five seasons of episodes, with each author coding two of the blocks. In order to ensure a more objective collection of the data, each coder watched these episodes independent of the other coders. Once all episodes were coded, one researcher, in consultation with the other researchers, compiled the codebooks and analyzed the data. When a discrepancy occurred across coders, we discussed the items through both email and telephone dialogue to determine a resolution of the discrepancy. This resulted in the coders reaching a consensus on all items.

FINDINGS

This study attempted to answer one primary research question: “How is juvenile delinquency portrayed in *Law & Order*?” We discuss three categorical indicators of this portrayal: demographics, judicial processing, and causes and motivation.

Demographics of Juvenile Offenders

The first category we used to examine the construction of juvenile delinquency in *Law & Order* was demographic characteristics. Table 1 shows the demographic characteristics of these juvenile offenders. In our sample of 18 episodes, 32 juvenile offenders were charged with a crime during the course of the episode. Although a specific mention of age was not provided for 20 of the 32 offenders, all other indications in dialogue and appearance made it clear these offenders were juveniles, with the majority of offenders aged 16 to 17 years. Most offenders were male (81 percent), white (91 percent), and in school (100 percent). While class status was not apparent for fifteen offenders (47 percent), most of the remaining offenders were of lower to middle class status (44 percent)⁶. The living status of most juveniles was either not indicated (30 percent) or it was not clear which family member juveniles resided with (38 percent). However, nine offenders (29 percent) lived with either their mother or their father. Finally, only a small number of offenders had been the victim of a crime (15 percent).

Table 1: Offender's Demographic Characteristics

| <i>Age</i> | <i>Total Number</i> | <i>Percent (%) of Total</i> |
|-----------------------------------|---------------------|-----------------------------|
| 10-12 | 1 | 3 |
| 13-15 | 5 | 15 |
| 16-17 | 6 | 19 |
| No Juvenile Age Specified | 20 | 63 |
| <i>Gender</i> | | |
| Male | 26 | 81 |
| Female | 6 | 19 |
| <i>Race and Ethnicity</i> | | |
| Caucasian | 29 | 91 |
| African American | 3 | 9 |
| Hispanic | 0 | |
| <i>Family Status</i> | | |
| Mother | 4 | 13 |
| Father | 5 | 16 |
| A Family Member | 12 | 38 |
| Foster Family | 1 | 3 |
| No Indication | 10 | 30 |
| <i>Class Status</i> | | |
| Lower | 5 | 16 |
| Lower to Middle | 2 | 6 |
| Middle | 7 | 22 |
| Middle to Upper | 2 | 6 |
| Upper | 1 | 3 |
| No Indication | 15 | 47 |
| <i>Education Status</i> | | |
| In School | 32 | 100 |
| Drop Out | 0 | 0 |
| <i>Prior Victimization</i> | | |
| Physical Abuse | 2 | 6 |
| Sexual Abuse | 1 | 3 |
| Emotional Abuse/Neglect | 2 | 6 |
| No Prior Victimization | 27 | 85 |

Judicial Processing of Offenders

A second category used to examine how juvenile delinquency was constructed in fifteen years of *Law & Order* was the judicial processing of juvenile offenders. *Law & Order* presented a narrow picture of juvenile offenses. In 16 of the 18 episodes, the primary crime committed

was murder, though one offender was also charged with armed robbery. In the remaining two cases, the offenders were charged with sexual assault. While all offenders identified for inclusion in this study were juveniles, they were rarely portrayed as juveniles in the court proceedings. Very little discussion occurred among the courtroom workgroup (judge, prosecution, and defense) regarding the charging of offenders as juveniles or adults. In five episodes the offender or offenders⁷ were treated as juveniles in the trial or plea proceedings, meaning they were tried in the juvenile justice system, not waived and tried in the adult criminal justice system. In three additional episodes there were multiple offenders, with some juveniles treated as juvenile offenders and others treated as adult offenders. The majority of offenders in each of the remaining 10 episodes⁸ were treated as adults. In other words, of the 32 offenders in the analysis, 9 were treated as juveniles and 23 were treated as adults by *Law & Order*.

Table 2: Offender Outcomes-Adults versus Juveniles

| | Juvenile | Adult | Total |
|-------|----------|-------|-------|
| Plea | 8 | 9 | 17 |
| Trial | 1 | 14 | 15 |
| Total | 9 | 23 | 32 |

Of the nine offenders treated as *juveniles*, eight accepted plea bargains for sentences ranging from accomplice to murder to manslaughter. The remaining juvenile underwent a mental-health commitment hearing that was denied by the court; she was subsequently released to the custody of her parents. Of the 23 juveniles tried as *adult* offenders, nine accepted plea bargains for sentences ranging from murder in the second-degree to manslaughter in the second-degree. An additional nine offenders went to trial in adult court and received a variety of verdicts, including possession of a weapon, murder in the second degree, rape in the third-degree⁹, and not guilty by reason of insanity, or received mistrials due to hung juries. The viewer was not made aware of the verdict or sentencing of five offenders¹⁰ tried as adults for murder.

Causes and Motivation

The final category used to examine the construction of juvenile delinquency in *Law & Order* involved the primary causes and motivations for crime commission.¹¹ Four primary motivation categories emerged from analyzing data in the codebooks, including financial gain, rational choice, emotional turmoil, and medical/psychological deficiencies. Financial gain motivation was defined as crime committed in an attempt to take money from another individual. Rational choice motivation was defined as crime committed because the offender made a rational choice to do so, either to get a “thrill” from committing a crime or to prevent an exposure of some unwanted behavior. Emotional turmoil motivation was defined as crime committed due to severe emotional distress, often involving love, anger, or fear. Finally, the medical/psychological deficiency motivation was defined as crime committed because the offender had a medical problem or clinically defined psychological problem that justified or excused the offender’s criminal behavior.

Table 3: Criminal Motivation by Episode and Offenders

| Criminal Motivation | # of Episodes | # of Offenders |
|-----------------------------|----------------------|-----------------------|
| Financial Gain | 3 | 7 |
| Rational Choice | 6 | 14 |
| Emotional Turmoil | 5 ¹² | 6 |
| Medical/Psych. Deficiencies | 4 | 4 |
| Total | 18 | 31 ¹³ |

The first category of motivation involved financial gain. This initially involved an attempt to take money directly from an individual(s), but often resulted in murder. In some instances the offenders premeditated the robbery/murder, while in others the murder occurred unexpectedly in the course of the robbery or other theft. In three episodes involving seven offenders, murder was not the initial intent of the offender, but was an outcome of the commission of another crime. For example, in one episode (“Teenage Wasteland”), four offenders killed a delivery man because they did not want to pay for their food.

Although financially motivated offenders were generally portrayed as making poor decisions, in two of the three episodes, issues of strain, poverty, and drugs were mentioned as potential underlying causes of a financially motivated crime. *Law & Order* mentioned the “drug problem” in one of these three episodes to help explain financial crime, where offenders committed robbery and robbery/murder as a means to support their illicit drug use. Moreover, financially motivated offenses were depicted in reference to specific types of juvenile offenders. Although previous studies suggest that African Americans are more likely to be portrayed as offenders than criminal justice professionals (Eschholz et al., 2003), our research additionally insinuates that in *Law & Order*, African American juvenile offenders were portrayed in very particular ways -- as financially motivated, impoverished, and drug addicted offenders. All three African American offenders in the analysis were depicted as financially motivated offenders. Additionally, 50 percent of the lower class offenders and over 50 percent of the offenders that lived with their mothers were classified as financially motivated.

A second category of motivation was rational choice, which was presented as the primary cause of crime for fourteen offenders. Specifically, this category consisted of “thrill” killings (three episodes, six offenders) and “prevention of exposure” killings (three episodes, eight offenders). “Thrill” motivation was depicted for offenders who committed crime for fun or excitement. In these episodes, the crimes were presented as having no larger or understandable purpose. “Fear of exposure” killings were committed when the offender wanted to prevent the victim from exposing information about them, such as having bought grades from a teacher, membership in a Nazi group, or sexual orientation.

Episodes involving thrills or prevention of exposure portrayed offenders the most harshly. Unlike offenders in other categories of motivation, those who killed for thrills were depicted as having no additional underlying cause for why they killed (e.g., poor family environment, societal conditions, drugs). They were portrayed as “punk” or “evil” kids of whom the viewer should take an immediate dislike. The victim of the crime was more likely to be viewed favorably. For example, an unsuspecting delivery man was shown talking on his cell phone to his new wife right before he was shot multiple times by two offenders in a “thrill” killing (“Thrill”). Law enforcement and court officials also spoke more negatively of these offenders, and the general picture painted by the episode was that the offender deserved to be punished. This is important because these images may provide viewers with a “false reality” (Surette, 2007), one where offenders are rational, hard, evil beings out to target random victims for the fun of it. This may create an increased level of fear of crime among viewers, greatly impacting the public’s view of the reality of crime (Chiricos et al., 1997; Chiricos et al., 2000)

A third category of motivation involved emotional turmoil. A total of six episodes, encompassing five offenders, portrayed the crime to be the result of intense emotional turmoil. In one episode, the emotional turmoil focused on love, where a young boy killed his lover’s husband. In two episodes, anger was the primary motivation. One juvenile was angry with his father because he was not the person the offender wanted him to be, and another juvenile’s anger was directed at a weaker boy whom the offender routinely bullied. In another episode where thrill was the primary motivation of three of the four offenders, the fourth offender’s motivation was anger¹⁴ directed at the three boys who raped her mentally disabled sister. Lastly, fear was a primary motivation in two episodes (one offender each), such that both of the offenders killed their victims because they were afraid they would be killed if they did not commit the crime. In each case, the juvenile offender worked for an older criminal (one by choice, one as a slave sold by his mother) and was ordered to commit the crime(s). Although a few studies have considered the importance of motivation in crime commission more generally, discussion of an emotional turmoil motivation tends to be extraordinarily sparse in media literature. In some sense, this category mirrors reality better than the others because it suggests that victims and offenders have known relationships, a fact that is supported through actual crime statistics (Federal Bureau of Investigation. (2005a).

A final category of motivation presented by *Law & Order* involved medical/psychiatric issues. In these four episodes, each involving a single offender, the crime commission was medically or psychologically justified by *Law & Order*. These episodes involved the following scenarios: an offender taking psychiatric drugs that caused him to commit murder, an offender whose defense attorney used a genetic predisposition (XYY syndrome) as a strategy to defend his commission of murder, a 10 year old offender whose emotional abuse and sociopathic diagnosis were blamed for her murder of a young boy, and a male offender who was depicted as suffering from trauma, something akin to Stockholm Syndrome, as a result of being raised by his kidnapper for most of his life. In all of these cases, medical professionals testified as expert witnesses on behalf of the offender; in one of these cases, however, the psychiatrist was advocating for the mental health commitment of the offender (the 10 year old girl discussed above). In one of these cases, the offender went to trial and was found not guilty by reason of mental defect, while in another case, the offender went to trial and was found not guilty by reason of insanity. Although their actions were not excused by *Law & Order*, the offender’s

mental state of mind was portrayed as playing a critical role in the commission of the criminal offenses, thereby releasing the offender from full moral culpability.

DISCUSSION

In the most general terms, *Law & Order* does not construct juvenile delinquency as a problem. This is first noticeable in the amount of episodes they devote specifically to this topic. Of the 347 *Law & Order* episodes in seasons 1-15, 18 episodes verifiably focus on a juvenile offender. If we include the additional nine possible episodes we could not obtain or could not verify the primary offender as a juvenile, at most no more than eight percent of all *Law & Order* episodes in a fifteen year time span focus on the issue of juvenile offending. Further, there is little variation in juvenile offenses in these episodes. Murder is the most common offense portrayed, occurring in 89 percent of the episodes as the primary offense, with sexual assault comprising the remaining 11 percent of cases. Murder is depicted as usually committed by an individual acting alone, who generally has an identifiable cause for his/her behavior.

Additionally, murder is rarely portrayed as a “thrill” killing. Thrill killings comprise 17 percent of all episodes, and are committed by 25 percent of all offenders. Juveniles are rarely depicted as out-of-control “superpredators” that need to be stopped. If juvenile delinquency was constructed as a major social problem, we might expect the depiction of juvenile offenders in *Law & Order* to include more group offenses committed for the thrill of it, particularly offenses such as murder, sexual assault, and other forms of mayhem where multiple offenses are involved in a single incident. The unpredictable, malicious, and nonutilitarian nature of such offenses is likely to cause more fear in individuals than murder committed for an express purpose (e.g., love, money). The impact this depiction has on viewers may include an increase in fear of crime, anxiousness about safety, and an increase in protective behaviors taken to prevent potential victimization (Chiricos et al., 2000). As Gerbner and Gross (1976) suggest about media sources more generally, *Law & Order* may “cultivate reality,” providing skewed images not only of crime but also victimization. Because *Law & Order* tends to portray victimization as randomly occurring, viewers may believe they are at an increased risk of victimization.

This offense-based picture of juvenile crime differs markedly from the Uniform Crime Report’s Part I offense picture of juvenile arrests. In 2005, the offense for which most juvenile offenders were arrested is larceny-theft, followed by burglary; they are least likely to be arrested for murder and rape (Federal Bureau of Investigation, 2005a).¹⁵ *Law & Order* clearly overrepresents juvenile commission in violent crime. Again, however, this does not seem to indicate that juvenile delinquency itself is an out-of-control social problem that needs immediate attention.

A second indication that *Law & Order* does not consider juvenile delinquency a problem concerns the culpability of the offender. *Law & Order* holds the offender legally culpable but seems to hold other individuals more socially culpable for the crime. In all but five episodes, although the juvenile appears to be held accountable through court proceedings, a third party is shown as having some responsibility for the juvenile’s criminal behavior. In fact, in only five of the episodes do law enforcement officers discuss the juvenile as a stereotypical juvenile offender, defining the juvenile as a “punk kid” or as a “street criminal.” In most cases, juveniles are

portrayed as the exception to the rule. For example, in five episodes, an older ringleader is blamed for the crime. In these cases, although a juvenile committed a crime and is held legally responsible for his or her actions, the episode ultimately blames the crime on an older person who enticed the juvenile into criminal activity. This reinforces the socialization aspect of crime while minimizing a rational choice-based assumption of juvenile crime commission.

Another source of blame often goes to parents, schools and, to a lesser extent, society at large. In four episodes, the parents or schools are solely blamed for the juvenile's criminal behavior, and in one additional episode, a mother is partially blamed. When parents are the focus of blame, it is usually in the context of their parenting styles. These parents either neglect their children or are portrayed as not willing or able to control or discipline the juvenile. Bad parenting behavior is the primary reason the juvenile commits crime. Finally, in some cases, *Law & Order* blames society at large for the lack of concern over urban youth and the impoverished communities in which they live. For example, in one episode, detectives scope out a local gang hangout, noting that most of the kids they are watching will be dead or "in the can" in ten years due to the community environment they live in. In other words, although juveniles are held legally accountable in most episodes, often by being charged and sentenced as adults, there is still an undercurrent present in *Law & Order* that draws our attention to the fact that someone or something else is at the very least partially to blame for juvenile crime.

There are a few demographic trends worth noting in this discussion. First, in terms of gender, it is important to note that of the six female delinquents portrayed, five serve as a secondary offender to a primary male offender. The one exception is the 10 year old girl who is portrayed as psychologically unstable. Further, all six female offenders are white and in five cases, the female offender's social class status is unknown; the sixth female offender is portrayed as upper class. Second, the majority of juvenile male offenders in *Law & Order* are white, non-Hispanic, and in the lower to middle classes. These images of the most common offender as White, male, middle class, and violent, is consistent with previous research on television crime dramas (Barrile, 1986; Eschholz et al., 2004; Estep and Macdonald, 1983; Pandiani, 1978; Soulliere, 2003). These images mirror official juvenile arrest statistics in that male juveniles are arrested for far more crime than female juveniles. According to the FBI's 2005 Uniform Crime Report, 76.2 percent of juvenile arrests were of males (Federal Bureau of Investigation, 2005b) and 69.8 percent of arrests of both males and females were white juveniles, while 27.8 percent of juvenile arrestees were Black (Federal Bureau of Investigation, 2005c). This general pattern has remained relatively consistent over time. Many studies also find that black characters appear less often than White characters, and when they are shown, they are statistically more likely to be portrayed as offenders than victims (Barrile, 1986; Eschholz et al., 2004; Estep & Macdonald, 1983; Soulliere, 2003) or criminal justice personnel (Barrile, 1986; Eschholz et al., 2004).

Third, the family dynamics of the characters are interesting as well. Twenty-six percent of the offenders are raised by a father. This differs markedly from U.S. demographic statistics, which suggest that more children are raised by single mothers than single fathers (Fields, 2002). Fourth, every offender is enrolled in school. This differs from the criminological literature, which suggests there is a relationship between school drop-outs and official reported delinquency. It is interesting that *Law & Order* does not portray any juvenile offender as a drop-out. We would expect, given the generally held assumption that delinquent kids are more likely

to drop out of school, that this would be reflected in *Law & Order*. Finally, although criminal statistics show that youth are at the greatest risk for victimization and also note that offending and victimization often go hand-in-hand (Gaarder & Belknap, 2002), only 5 of the 32 offenders have victimization experiences, and most of these experiences are discussed primarily to explain why they committed their crimes.

Finally, the motivations for criminal offense commission are of interest for this project. Rational choice motivations are the most prominent, followed by psychological/biological explanations. This is important theoretically because *Law & Order* seems to rely heavily on individualistic theories of crime, such as rational choice theory or psychological/biological crime theories. These theories shape many policies which are believed to deter juvenile offending (e.g., zero tolerance policies in schools).

Similar to Soulliere's (2003) study of murder in prime-time television crime drama, we also find that *Law & Order* makes some attempt to provide sociologically-based explanations for crime causation, such as poverty, racism, and single-headed households, to further explain crime commission. Monetary motivations allude to the more structurally-based theoretical perspectives of strain and social disorganization, while emotional turmoil explanations suggest social process-based theoretical explanations. Although these images seem sympathetic and explanatory, it is also important to point out that the offenders are still held legally accountable for their actions, based on their verdicts or pleas ranging from manslaughter in the second-degree to murder in the second-degree.

Study Limitations

Perhaps the most significant limitation of this study is that it provides an analysis of only one of many fictional crime dramas and is therefore not generalizable to the presentation of all juvenile offenders in prime-time fictional crime dramas. However, the purpose of this data is exploratory, providing a starting point for further research focusing specifically on the social construction of juvenile offenders in this specific media genre.

Similarly, this research does not provide a complete picture of juvenile offending within *Law & Order* itself. We included only episodes where juvenile offending was the primary focus, and could not obtain a complete set of these episodes.¹⁶ It is possible that the few episodes we were unable to acquire contain juvenile offenders who differ from the juveniles included in the analysis. Additionally, and perhaps more importantly, it is reasonable that juvenile delinquency is portrayed in other episodes as side stories or background information. We selected only the episodes with a juvenile focus, thereby potentially leaving out a significant portion of the juvenile offenders portrayed in these fifteen seasons of *Law & Order*. However, we would also like to point out that while only 18 episodes were included in the analysis, the syndication process may significantly increase the exposure of both the episodes which focused on juvenile offenders and those where juvenile delinquency occurred as a side story or as background information. This exposure may further increase the impact these images have on viewers.

Future Research

We believe additional research is needed in the area of television fictional crime drama and the portrayal of juvenile offenders. Future research might examine the portrayal of juvenile

offenders across a broader sample of fictional crime television programming, which would provide a more comprehensive picture of how juvenile delinquency is socially constructed in the media. It is quite possible that other crime dramas depict juvenile offenders differently from the manner in which *Law & Order* depicts them. This is particularly pertinent given the number of prime-time crime dramas currently available on major networks, cable channels, and syndicated programming. Additionally, it would be interesting to compare the depiction of juvenile delinquency in crime dramas to its depiction in reality-based programs, television news, and newsmagazine programs (e.g., *Dateline*, *American Justice*, *20/20*).

It may also be useful to study public attitudes toward juvenile delinquency, its causes, control, and solutions through surveys, focus groups, or interviews, and correlate this information with respondents' viewing of crime dramas. Several studies discussed in this research have conducted similar analysis; however, they have not expressly discussed attitudes toward juvenile offenders. Additionally, Goidel et al., (2006) assess the impact of viewing television news and the reality-based series, *Cops*, on perceptions of juvenile offenders, but did not include an item on exposure to fictional crime drama.

CONCLUSION

In closing, we used the longest-running crime drama on television, *Law & Order*, to analyze the depiction of juvenile offenders in prime-time crime dramas. The similarities and discrepancies among the episodes show the manner in which juvenile delinquency is constructed in *Law & Order*. Furthermore, it shows how the portrayal of juvenile delinquency relates to the larger societal perceptions and statistical reality of juvenile delinquency. In some ways, *Law & Order* seems to mirror this reality and in others it appears dreadfully far from this reality. We believe this study furthers understanding of the connection between media and socially constructed crime and provides alternative avenues for future research.

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ENDNOTE

* Please address all correspondence to the first author, Gayle M. Rhineberger-Dunn, Ph.D., University of Northern Iowa, Department of Sociology, Anthropology, and Criminology, 1227 W. 27th Street, Cedar Falls, Iowa 50614-0513. Email: Gayle.Rhineberger@uni.edu.

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Dr. Gayle Rhineberger-Dunn (Ph.D., Western Michigan University) is an Assistant Professor in the Department of Sociology, Anthropology, and Criminology at the University of Northern Iowa. Her current research interests focus on inequality and crime; media, popular culture, and crime; ethics in crime, law, and justice; and juvenile delinquency.

Dr. Nicole E. Rader (Ph.D., Southern Illinois University-Carbondale) is an Assistant Professor in the Department of Sociology, Anthropology, and Social Work at Mississippi State University. Her primary research areas are gender and crime, victimization, and fear of victimization, specifically women's fear of victimization. She has published recent work in *Sociological Spectrum* and *Women and Criminal Justice*.

Dr. Kevin Williams (Ph.D., University of Georgia) is an Assistant Professor in the Communication Department of Mississippi State University. His main interest is in Media Psychology with a specialty in studying how the media's influence impacts aggression.

¹ Programming that once may have been relegated to prime-time viewing only due to content, may now be viewed during the day time hours. For example, the police drama, *NYPD Blue*, running for 12 seasons ending in 2006 (NYPD Blue website), was fraught with controversy before its debut over profanity, nudity, and violence (Hanczor, 1997). Cries were made early for banning its airing on prime-time television (Museum of Broadcast Communication, 2007). However, for a period of time during its syndication run, one could watch the drama during the mid-day hours on the Court TV channel.

² The websites of each of these three networks was accessed on March 29, 2007, and the data derived from viewing the list of shows aired on the network during prime-time hours, between 7:00pm and 10:00pm central time.

³ This qualification is important in that many times we never see a murder take place. Rather, at the beginning of the episode, someone discovers a dead body. The juvenile murderer would be included in our analysis even though we did not get to witness him/her committing the act during the episode itself.

⁴ In order to protect the integrity of the data, we initially included any episodes that did not provide a clear indication of the suspect/offender's status as a juvenile or an adult. We made a determination of eligibility for inclusion after viewing the episode.

⁵ The *Law & Order* website describes this episode in this manner: "A known felon is shot and killed in front of an entire church congregation; however, the shooter -- a beloved local teen -- is protected by the witnesses. Detectives and prosecutors must work around the uncooperative witnesses to reveal the motive behind the crime."

⁶ As indicated previously, it is often difficult to determine objectively a specific class status. However, it was often apparent which social class an offender did not belong to. For example, some offenders had two parents, one or both of whom may have had blue-collar type jobs and/or they lived in an apartment that was modest. It was clear from the jobs and the home furnishing that they were not upper class; however, it was not clear if they were truly middle class or lower class. In cases where we were unable to make a clear distinction as to one category of social class, we indicated the two classes we believed offenders were likely to belong to.

⁷ Four of the episodes had only one offender and one of the episodes had two offenders treated as juveniles.

⁸ With the exception of the three offenders mentioned above.

⁹ Three suspects in one episode were found guilty by a jury of rape in the 3rd degree but the judge overturns this decision.

¹⁰ There were three offenders in one episode where a verdict or sentence is not revealed.

¹¹ Although some episodes suggested there were several potential motivations for crime commission, for the purposes of analysis, we selected the primary motivation of each episode/offender.

¹² In one episode involving four offenders, three offenders committed a rape and were motivated by thrills while another offender, the rape victim's sister, shot at the rapists and was motivated by anger. This episode is counted in the rational choice category since the episode is primary about the rape case but the anger motivated offender is counted in number of offenders under emotional turmoil.

¹³ One offender is not counted in this total because her motivation is not portrayed by the episode.

¹⁴ There was an additional episode with two crimes committed in the episode, a rape committed by three offenders and an attempted murder committed by the sister of the rape victim. Since the episode is

primarily about the rape case and their motivation is thrill, this episode is counted under rational choice although the offender motivated by anger at her sister's rape is counted in the total # of offenders under emotional turmoil.

¹⁵ Little variation in this pattern exists across years available at the FBI website.

¹⁶ As discussed in the methods section of this paper, we began with 58 episodes where the episode description clearly identified a juvenile offender or suspect, or where no age was discussed in the episode summary. We were unable to acquire 8 of these, as they were either not a part of the five seasons purchased on DVD or were not shown on television during the study time frame.