

THE PRESS AND ASHLEY SMITH:
POWER, KNOWLEDGE, AND THE PRODUCTION OF TRUTH
ABOUT A DEATH IN CUSTODY

By:

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ABSTRACT: This research project examines the production of power and knowledge within print media representations of the Ashley Smith case. Smith was a teenager from New Brunswick who killed herself in a Canadian federal prison under the direct observation of seven prison guards. I analyze five regional newspapers and one national newspaper to provide an analysis of how the case was constructed in the news over a five-year period. I incorporate Michele Foucault's concepts of discourse, power, and resistance, along with Stanley Cohen's theories on "states of denial", to explain how knowledge about the case was manufactured, interpreted, and circulated by the press to create three "regimes of truth" about Smith's death in custody over time: accidental death, preventable death, and unnecessary death. I argue that the government deployed a vocabulary of denial of which the media became increasingly skeptical. Their strategies to evade accountability contributed to continuities and discontinuities in the sourcing and framing of the news, where accounts from above could more easily become discredited and challenged by accounts from below. Ultimately I demonstrate how and to what effects the media was able to define Smith's death, and provide a deeper understanding of the relationship between news discourse, news sources, and the exercise of power and resistance.

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I. INTRODUCTION

Introduction

This research project examines the relationship between discourse, power, and resistance within print media representations of the Ashley Smith case. Smith was a teenager from New Brunswick who killed herself in a Canadian federal prison under the direct observation of seven prison guards. Since the role of the media is to inform and shape our knowledge about the criminal justice system, the circulation of the 'facts' of an event such as a death in custody attracts an enormous amount of public scrutiny regarding correctional institutions and criminal justice policies (Welch, Weber and Edwards 2000: 247). Not surprisingly, competing constructions of the 'truth' often circulate regarding such deaths. Politicians and bureaucrats often try to manage accountability and protect political reputations by denying, re-interpreting, or downplaying the reality of these tragedies. However, their disavowals are sometimes challenged by less prominent groups trying to fight for human rights, social justice and policy reform. The media becomes a powerful site in deciding which claims to disseminate, which claims to emphasize, and how claims will be framed to fit within the organizational constraints of news discourse. As a result, the media is able to influence social and cultural perceptions, actions and reactions towards these events. Thus, the intersection between discourse, power, and resistance, is of utmost importance when examining a controversial case such as Ashley Smith's, because it enables us to better understand the media's role in the production of knowledge and the management of social control. The subsequent

sections are organized as follows: 1) I provide a description of the Smith case to set the stage for my thesis, 2) I further explain why a study of the media representations of the Smith case is important, and 3) I outline the topics and direction that my thesis will take going forward.

The Ashley Smith Case

Ashley Smith was a troubled youth (Gartner 2010; Richard 2008; Sapers 2008). She was suspended from school on many occasions for aggression, defiance, and disobedience, and by the time she was 14 her impulsive behaviour landed her in the Moncton Youth Court on several occasions. Charges included assault, disturbances in a public place, and trespassing (Richard 2008:15). At the age of 15, Smith was sent to the New Brunswick Youth Centre (NBYC) to serve time for throwing crab apples at a postal worker (Richard 2008; Sapers 2008; Union of Canadian Correctional Officers (UCCO) 2008: 7). Prior to her arrival at the Youth Centre, she was given a month sentence. But in a matter of weeks it was apparent to staff that she had severe behavioural issues (UCCO 2008: 6). She acted out, was aggressive with the staff, and destroyed her cell on a number of occasions. Smith's mattress and clothing were replaced with indestructible materials, but she still used pieces of clothing and bed sheets to successfully obscure the cameras that were focused on her. Eventually everything was taken from her, and she was left in her cell with nothing but a suicide gown and a concrete slab to sleep on (Gartner 2010; Richard 2008).

Consequently, Smith's sentence was repeatedly increased. Her disruptive behaviour led authorities to put her in solitary confinement, known as the

Therapeutic Quiet Unit (Richard 2008: 18). Smith remained in solitary confinement for 23 hours a day, with an hour for shower and exercise. Over the span of three years she accumulated approximately 800 incident reports associated with her behavior (Richard 2008: 19). One hundred and fifty of these incidents involved attempts to self-harm (Richard 2008: 21; Sapers 2008). One incident report is exemplary: “staff members found bruises on Smith's neck. She had constructed a noose and tied it to a ceiling vent in her cell. She told staff members that she was scared of receiving more charges that would prolong her sentence and therefore wanted to die...” (Richard 2008: 18).

Staff frequently used excessive force to get Smith's compliance. On one occasion correctional officers used a cocoon-like contraption known as “The Wrap” to restrict her movements (Gartner 2010; Richard 2008: 22). Restraint belts were placed on her feet all the way up her body to her shoulders, and a hockey helmet was placed on her head in order to prevent injury in the event that she toppled over. Smith was placed in this device for almost an hour. Indeed New Brunswick Ombudsman Bernard Richard noted that despite the claims to rehabilitate and reintegrate youth back into their community, “the New Brunswick Youth Centre remains first and foremost a prison” (Richard 2008: 22).

In January of 2006, Smith turned 18 years of age. Correctional officers warned her that if she did not change her behaviour, she could receive an adult sentence (Gartner 2010; Richard 2008). Terrified at the thought of going to an adult prison, Smith insisted in an affidavit that she was unable to control her outbursts:

Although I know that my record looks bad, I would never intentionally

hurt anyone. I am really scared about the thought of going to an adult facility with dangerous people. It has occupied my mind for a long time. I have wanted to behave to ensure that I would not ever go to adult and was sure that I would succeed (cited in Richard 2008: 26).

When her behaviour failed to improve, she was sent to Youth Court to have her case reviewed by a judge. He decided that an adult correctional system would be better suited to address her needs. He claimed that in an adult facility more programs were available, including anger management and mental health remedies (Richard 2008: 26-27). So, after three tumultuous years in the New Brunswick Youth Centre, Smith was transferred to Saint John Regional Correctional Centre (SJRCC) for adult offenders. Concerned about her reputation as a “problem” inmate, the correctional authorities at SJRCC immediately put Smith in segregation, where she remained for the majority of her month-long stay (Richard 2008: 27; Sapers 2008). During that time her behaviour worsened. She accumulated numerous institutional charges for covering her cell window and surveillance cameras with paper, refusing to return plastic utensils, destroying her clothes, damaging her mattress and other institution property, and threatening to self-harm by obstructing her airway (Gartner 2010; Richard 2008: 28).

The repeated infractions led to charges that extended Smith’s sentence longer and longer. Initially sentenced to one month in a youth detention centre, her punishment now amounted to six years. Because it was over two years in length, Smith was ordered to serve the remainder of her sentence in a federal penitentiary (Richard 2008: 25). She was sent to the Nova Institution for Women in Nova Scotia. Two months after Smith arrived, she was sent for mental health treatment and

transferred to a Psychiatric Centre in Saskatoon. However, before any diagnosis or treatment could be established, Smith misbehaved and was assaulted by a staff member. She was then transferred out of this facility to another institution in Quebec. According to Sapers, this commenced a “long sequence of highly inappropriate, unnecessary and unlawful transfers between correctional facilities” (Sapers 2008: 13). Indeed during her last 11.5 months in federal custody, Smith was involuntarily transferred 17 times. These transfers included three federal penitentiaries, two treatment facilities, two external hospitals, and one provincial correctional facility (Sapers 2008). All her time in these facilities was spent in Administrative Segregation or solitary confinement. Not surprisingly, her behavioural problems only worsened. Smith began to direct more and more of her anger and frustration inward, attempting self-strangulation on a regular basis (UCCO 2008: 22).

Hundreds of reports documented official interventions with Smith. Ligatures were removed from her neck six or seven times a day. This pattern was so severe that facial blood vessels burst, leaving her face permanently discoloured (Gartner 2010). She lost sight in one eye and suffered numerous nosebleeds. Whenever attempts to negotiate the removal of a ligature failed, staff entered Smith's cell and used force to remove it. This typically involved physical restraints, the use of inflammatory sprays, injections of anti-psychotic medication or tranquilizers, and the repeated use of Tasers (Richard 2008: 28). The incident reports documenting the use of force were so extensive that institutional heads began to think of ways to limit it (UCCO 2008: 31). The preferred solution was to prohibit prison staff from

entering her cell to remove ligatures or correct unwanted behaviour, unless she was not breathing (Sapers 2008; UCCO 2008: 31). Only then guards were permitted to remove any ligatures and avoid dealing with her erratic behavior (UCCO 2008).

The last minutes of Ashley Smith's life were captured on videotape, and described in a report compiled by the Union of Canadian Correctional Officers (2008). Smith is seen kneeling on the floor of her cell, wedged in a narrow space between her bed frame and the wall. She has tied a ligature so tightly around her neck that it disappears under the folds of her skin. A number of guards peer into her cell through a small window. Her face is dark purple and her breathing is laboured. A guard opens her cell door to determine if she is still breathing. Satisfied that she is alive, he withdraws and closes the cell door. Officers confer to establish a plan of action. Minutes pass, and Smith seems unresponsive. Guards finally enter the cell and cut the ligature from her neck. They withdraw again to assess the situation. Eventually they re-enter the cell for a third time and begin CPR but Smith could not be revived (p. 6-7).

Eight employees were suspended after Smith's death and three prison guards and one supervisor were charged with criminal negligence causing death (Sapers 2008; Richard 2008; UCCO 2008). However, after new medical opinions suggested that the prison employees could not have reached Smith in time to save her life, the court determined that there was not enough evidence to go to trial. The decision was explained by the Crown prosecutor: "It is now believed that a viable resuscitation of Ms. Smith would only have been achievable much sooner than was originally thought -- and much sooner than officers could have entered her cell"

(cited in Dalton 2008c). Despite the decision to drop the charges, the guards, the supervisor, and two managers were prohibited from returning to their jobs at the Grand Valley Institution for Women. Indeed Smith's death was deemed preventable. According to correctional investigator Howard Sapers, "What happened to the 19-year-old Smith is an example of the systemic failures of the prison system, especially in its treatment of the mentally ill ... Her death, I believe, was entirely preventable. Smith's treatment in custody was inadequate, inconsistent and at times inhumane" (cited in Brennan and Dalton 2009). Sapers further explained that when he says "preventable" he is not just referring to the action or inaction of a few individuals on the day of Smith's death. Rather he insists in his report that her entire case was mishandled from the moment she entered the criminal justice system. He states, "Had there been a full psychological assessment, had there been a comprehensive treatment plan in place, had there been therapeutic relationships with staff, I believe Ashley Smith would not have died that morning" (cited in Brennan and Dalton 2009)." Sapers claims that many of the actions and decisions made by Correctional Services of Canada violated the Corrections and Conditional Release Act and Regulations (CCRA and CCRR), as well as CSC policies, at the individual, institutional, regional, and national levels (Sapers 2008: 4). These violations, he says, included the institutional transfers and administrative segregation, interventions involving the use of force, the provision of health and mental health services, and staff responses to medical emergencies.

Following Sapers' report, the family of Ashley Smith filed a wrongful death lawsuit against the federal government. Although originally suing for a total of 11

million dollars in damages, both parties eventually agreed to a confidential out of court settlement. The family's fight for justice, however, is far from over. A coroner's inquest, which is mandatory any time a death in custody occurs, is now investigating all aspects of Smith's incarceration to determine exactly how she died and what can be done to prevent similar deaths in the future. Unfortunately, legal battles over the scope of the inquiry, the competence of the coroner, and the inclusion of certain videos and documents as evidence, delayed its official start date to January 2013. The inquiry at the time of writing is still in process.

Not surprisingly, news coverage of the Smith case has been extensive. Over the past five years, journalists have written hundreds of articles on the case. However, reporting has not been limited to the print media. The case has had a strong presence on televised news broadcasts, radio programs, and the Internet. To date, there also have been two documentaries on The Canadian Broadcasting Corporation (CBC) that afford some insight into Smith's time in custody and the circumstances surrounding her death. The media efforts have explored who should be held accountable for what happened and how justice will be served in the future, but these issues remain highly contested. This study sheds new light on this debate by studying the various representations of the Smith case in the press. By doing so, my thesis makes contributions to the area of media studies on crime and deaths in custody. It also contributes to the field of criminology by adding to the literature on Michele Foucault and Stanley Cohen; offering an analysis of news production using the concepts of discourse, power, resistance, and states of denial.

Media and the Truth about Ashley Smith

The media is “an accelerating and expanding knowledge circulatory system; quickly moving ideas, images, and information” (Surette 2011: 5). We depend on it to increase our knowledge about a variety of different topics. Indeed, the *news* media is an important vehicle in producing, disseminating, and relaying the 'truth' about certain events. But what is truth? Many of us believe in a conventional notion of truth, which defines it as an objective reality, or a universal fact waiting to be discovered. Alternatively, Foucault, who is inspirational for my thesis, claims that truth is socially constructed. It is created through statements, which are formed out of bodies of knowledge known as discourses, which define the way we write, speak, or think about a particular event or practice (McHoul and Grace 1993: 31). For Foucault, there is no truth outside of these discourses. In other words, there are no universal truths. Rather truth is relative.

Some discourses, however, are considered to be more credible than others. Credibility is determined by *regimes of truth*, which are created via different systems of power that are able to influence which statements are accepted as true or false, which discourses are considered credible, and which individuals or institutions determine what counts as true (Foucault 1980: 131). Thus, prominent institutions such as a government or a corporation are more easily able to generate and maintain regimes of truth. Government officials use the media to advance their own agendas that “serve the state’s political, ideological, and economic interests by generating public support, legitimizing power, and garnering resources” (Welch et al. 2000: 246). To help accomplish this they often deploy ideas that are produced by

“experts”, such as scientists, doctors, and lawyers, whose disciplines are often accredited as authoritative news sources (Barak 1994; Welch et al. 2000; McMullan 2005; Surette 2011). So dominant groups can use the media as an effective tool for communicating truths, reinforcing current regimes of truth, and ultimately influencing the public’s perception of the truth.

However, facts can seldom be established without controversy. Most importantly, there exists another system of power relations, which comes in the form of subaltern discourses of resistance. Thus, Foucault argues that even though truth and power are inextricably linked, mechanisms of power are not only deployed in a top-down manner. The news media often offer forums where official discourses can be challenged and contested from the “bottom-up”, by other institutions and organizations, that have previously been ignored or subjugated (Foucault 1980: 132). The media, in this way, is capable of producing its *own* regime of truth, which can question the political and economic apparatuses that attempt to define the reality of our social world. So, the battle for ‘truth’ is not just about the acceptance of new truths and the rejection of others; it’s about trying to change the *rules* of the game, or the ways in which discourses become accepted as true at a certain time period around a certain event.

The dynamics of this power struggle are the focus of my thesis research. In what follows, I explore how the ‘truth’ about the Smith case is created, circulated, and contested within the news. I investigate the relationship between news agencies and news sources, the role of the media in representing authority, and the dynamic process by which claims and accounts are denied, negotiated and validated in the

news regarding Smith's death. Ultimately, this is a study of the complexities of news production and the strategies and practices involved in the art of story telling and the exercise of power. Thus, my thesis is concerned with answering the following broad questions:

1. How was the 'truth' about the Ashley Smith case constructed, framed, resisted, and denied in the print media?
2. How did the nature of truth changed from the accounts immediately following Smith's death to the present?
3. How was the case sustained by the press as a 'newsworthy' event over time?
4. What were the dominant discourses in the news, and what were the relationships between discourses, power, resistance, and the production of knowledge?
5. Which sources were most prominent, how did the sourcing of the news change over time, and how was the reporting of the case affected?
6. What "regimes of truth" were formed about Smith's death, and how were they circulated by the media?

Chapter Outline

My thesis is organized as follows. The subsequent chapter consists of three parts. First, I review literature on the process of news production. In particular, I focus on the relationship between the media, the criminal justice system and the reporting of crime news. Second, I explore Stanley Cohen's "states of denial", and discuss how the media plays a significant role in registering, producing, and

circulating evasions and denials in the news. Third, I examine Foucault's concepts of discourse, power, and resistance, and explain how his ideas are used to analyze the media and, in particular, the Ashley Smith case. In Chapter III I outline my methodology. I justify my choice of newspaper articles, research design, and sampling strategies; I describe how I used a combination of content and discourse analysis to study the news articles on the Smith case, and I explain my coding protocols. In Chapter IV I present my findings and compare them to other research studies in the field. I examine the organizational features of the press coverage to measure newsworthiness. Specifically I discuss how the news articles on the case were framed, dramatized, personalized, sourced, and discursively constructed. Ultimately, I investigate how the case was produced and reproduced in the news over time. In Chapter V I interpret my findings using my conceptual framework and explain how the discourses came together to form media "regimes of truth" about Smith's death. I explain how the 'truth' about the Smith case was negotiated in the media throughout the reporting period by examining how the press managed tensions between "official" and "unofficial" sources, validated certain claims, and disqualified, silenced, or denied others. Lastly, in Chapter VI I summarize the main points of my thesis. I then give a brief follow-up on the proceedings of the Smith case as of January 2013, and provide recommendations for future research.

II. LITERATURE REVIEW AND THEORETICAL FRAMEWORK

Introduction

A study of news discourse, or “the ways in which journalists make sense of the world”, is a good way to achieve a better understanding of society (Ericson, Baranek and Chan 1987: 356). The knowledge we gain through the news, regarding politics, social organization, culture, and crime can be situated within a complex web of power relations. News discourse is imbued with “intra- and inter-organizational negotiations” between news agencies and news sources regarding the ways in which a story is framed, articulated, and disseminated in the news. Stories that are ‘newsworthy’ portray individuals or organizations as deviant in some way, and also provide the public with an idea of who is authorized to deal with a situation, who can be held accountable, and what solutions are being implemented. According to Ericson et al. (1987), this ‘designation of deviance’ is essential to defining our culture and belief systems. They state, “Our cultural identity, our sense of what we are, derives from pointing to what we are not: that which is bad, wrong, faulty, in error, straying, etc. Bad news provides a barometer for how good our life is” (p. 356). Thus, the news as an institution plays a powerful role in the construction of order and the management of social life, and the news production process becomes an elaborate game of strategy and technique involving news agencies and the sources they employ.

This chapter explains the news making process and the ways in which events are selected and represented within the news. I incorporate Cohen’s theories on

denial to demonstrate how controversial, catastrophic, or tragic news can generate different forms of state-sponsored denial. The media plays a big part in circulating these denials, which are carefully articulated using euphemism, rhetoric, and heavily nuanced language to minimize harm and evade responsibility. Thus, the press exercises a lot of power by redefining events in the news and, in turn, fostering much wider cultures of denial. A discussion of Foucault's concepts of discourse, power, and resistance, will help to further explain how news 'truth', is not as absolute and impartial as we may think. Rather, a network of power/knowledge relations dictates which accounts become operationalized as truth in the news and which ones are silenced or denied. Ultimately, events are framed, manipulated, and registered in order to satisfy the organizational requirements of news discourse, resulting in a distorted version of reality that is communicated to the public as knowledge. Hence, the chapter is divided into the following four headings: 1) Media, Crime and News Discourse, 2) Cohen and States of Denial, 3) Foucault and Discourse, Power, and Resistance, 4) Foucault and the Media, and 5) Summary and Conclusion.

Media, Crime and News Discourse

Due to the nature of the Ashley Smith case, my literature focused on the production of crime news and the relationship between the media and the criminal justice system. I divided my review into the following themes: News as a Social Construction, Visualizing Deviance and the Process of News Production, Crime News Sources, Crime News Sources and the Criminal Justice System, and Newsworthiness.

These themes informed my thesis for a number of reasons. First, it was important to look at the social construction of the news as well as the news production process in order to analyze how the accounts of the case were produced and how the organizational factors of news-making affected the way that these accounts were framed. Second, studying the relationship between news agencies and the sources they use was important because it allows us to deconstruct the ways in which people attempt to govern, represent, and control themselves and others. Thus, the representations of sources in the news about the Smith case helped to reveal a connection between sources and social hierarchy, power relations, and knowledge. This also helped to ascertain the influence of certain organizations over the production of news about Smith's death. Lastly, newsworthiness was important because it allowed us to see why some elements of the case were focused on more than others and how and why the press constructed an evolving narrative about the case over a 5-year period.

News as a Social Construction

Our contemporary society is a knowledge-based society, so a considerable amount of time and energy is spent on the production of symbols and their transformation into knowledge (Stehr and Ericson 1992; Ericson et al. 1987: 12). According to Ericson et al. (1987), "knowledge is a social and public mechanism for ordering the world, and thus is an instrument of social control and a condition for social order" (p. 12). However, in our society there is an unequal ability to obtain and use knowledge, and also to prevent its acquisition and use by others. Generally, individuals at the top of the 'knowledge hierarchy' are those in positions of

authority, such as experts, bureaucracies and political and economic officials. Thus it can be argued that “The exercise of power over the population and the accumulation of knowledge about it are two sides of a single process: not power and knowledge, but power-knowledge” (Foucault 1977: 28).

The primary mode for the production of knowledge is via communication systems such as the news media. The news media, and in particular the newspaper, make an effort to include information on a variety of organizations, transactions, events, and issues which seem to relate to every day life (Ericson et al. 1987; Jewkes 2011; Surette 2011; Van Dijk 1988). Thus, the news media hold a great deal of authority. In fact, many argue that it is the most powerful institution in society (Ericson et al. 1989; Fishman 1980; Tuchman 1978). However, despite efforts to remain a neutral and unbiased source of information, the news production process make rendering an objective image of reality impossible (Barak 1994; Cohen and Young 1973; Ericson et al. 1987; Jewkes 2011; Fishman 1980; Surette 2011; Tuchman 1978). What the public receives as news is “capsulized, stylized, and commodified information”, which includes elements that are fabricated, fictitious and politically and socially constructed (Surette 2011: 17). This process is explained by Ericson et al. (1987):

The news organization is a hub, repository, and active agent of organized life. It is an institution for the collection, storage, and dissemination of all kinds of information from hundreds of different microsystems that exist within its sphere. More than that, it acts as an information broker to society. Journalists engage in reproducing knowledge of their sources, governed not by the laws of nature but by the laws of social constructs. Their work, and their creativity, comes from refining, reformulating, recirculating, and reordering knowledge: discovering ways to burrow into the abundance rather than augment it, to illuminate rather than search. (P. 15-16)

This 'structuring' of reality, rather than recording of it, is an important element in news discourse (Fishman 1980). Like other types of discourse, news "is not *about* objects but rather *constitutes* objects or objectivated meanings" (Ericson et al. 1987: 19, emphasis added). Journalists impose meaning by "perpetually defining and redefining constituting and reconstituting social phenomena" (Tuchman 1978: 184). The reality offered by the news is thus embedded in the ways that newswriters formulate their knowledge in language. This relationship between language and reality always involves a blurring between fact and interpretation, between hard (factual) news and soft (commentary, opinion) news (Ericson et al. 1987: 20). For this reason it was imperative that the news articles surrounding the Smith case be examined with a critical eye, as the language used by news agencies to create knowledge was influenced not only by organizational factors, but also systems of power.

Visualizing Deviance and the Process of News Production

The essence of news is its emphasis on social deviance and control (Cohen and Young 1973; Ericson et al. 1987; Wilkins 1973) Deviance occurs when a person acts in a way that departs from socially, culturally, and morally accepted standards. But morality, like all knowledge, is related to power. Thus only certain individuals are authorized to define and regulate deviance. News organizations are important vehicles for communicating these social norms, identifying and exposing deviant behavior, and creating moral boundaries. Generally, the news process begins with an event, issue, or occurrence that involves prominent organizations, institutions, or other officials. For example, the Smith case involves Correctional Services of Canada

(CSC) and various correctional officials who worked in the prisons where she was incarcerated. Members of the organization select important features of the phenomena to investigate, respond to, and deal with in a certain way. Members then construct an official account of the event that they share with reporters, journalists, or news organizations. The potential news account is structured in accordance with organizational factors such as timing, professional values, organizational interests, media outlets, and other elements common to both sources and journalists as newsmakers (Barak 1994; Cohen and Young 1973; Chermak 1994; Ericson et al. 1987; 1989; 1991; Fishman 1980; Galtung and Ruge 1973; Rock 1973; Tuchman 1978; Van Dijk 1988). The news account can be communicated through a variety of channels to the media, “from the highly structured (official reports, news conferences, news releases), to the structured (personal or phone interviews), to the unstructured (reporter acquires documents or learns of the event by chance)” (Ericson et al. 1987: 42). The reporter, his colleagues and editors, in turn, face pressures within their news organization, such as: timing, selection, space, material and technical constraints, and professional expectations, which shape how they translate and transform the source event into published or broadcast news.

The transformation of the information into an appropriate piece of news, involves 4 interrelated components: visualizing, symbolizing, authorizing and convincing (see Barak 1994; Ericson et al. 1991; Cohen and Young 1973; Hall 1973; Van Dijk 1988). First, a news story needs to be visualized by its audience. This is done through dramatic descriptions, figurative language, and illustrations. Stories visualize what happened, how it happened, the effects on those involved, and what

should be done about it. Techniques of visualization are particularly important for print media, as they do have the same ability as other mediums (i.e television) to engage the readers through audio or video representations. Second, news stories are symbolic. They “embody, stand for, or correspond to persons, events, processes, or states of affairs being reported on” (Ericson et al. 1991: 5). Symbols are produced through daily social interactions between individuals, institutions, and organizations. They represent social beliefs, values, and norms, which constitute public culture. Journalists infuse the events and issues with ‘symbolic meaning’ by linking them to broader cultural contexts. This way, the audience can more easily draw connections between what is being said and what they already know to be true. Symbolization is thus a way that news agencies form, reproduce or alter dominant cultural ideologies (Hall 1978; 1997).

Third, news agencies represent those who are authorized to provide the public with certain types of knowledge. For example, certain news sources are chosen over others to provide news workers with the ‘facts’ of an event. These are sources that are connected to the event in some way and are in a position to have some sort of ‘expert’ knowledge (Barak 1994; Chermak 1994; Cohen and Young 1973; Ericson et al. 1989; Fishman 1980; Sacco 1995; Tuchman 1978; Van Dijk 1988). As noted, the ability to acquire and disseminate knowledge in society is dependent on relations of power. As we will see, news agencies want to include accounts from sources that can provide the most credible information in order to reinforce their own status as a legitimate source of knowledge. Thus, news stories represent the hierarchy of “authorized knowers” in society. Finally, all of these

components help to convince the audience that news stories deliver truthful information about an event or issue. The audience is able to repeatedly visualize the news event, connect it with the broader cultural meanings, and feel confident that the information is coming from individuals that have expert knowledge.

Crime News Sources

News sources are integral to the news production process. Sources allow the journalist to obtain the facts of a situation, event, issue, or case, without having personally experienced or witnessed it (Welch et al. 2000; Van Dijk 1988). Sources can include representatives of government or non-government institutions and organizations, researchers, experts, individual citizens, and other journalists. In order to maintain their image as a credible source for knowledge, news agencies will typically seek out sources that are the most competent, reliable, and convenient to access. The most popular sources for information are usually government sources, including political leaders, law enforcement officials, and other state managers, as their social structural position authorizes them to have specialized knowledge about certain things (Barak 2007: 193; Chermak 1994; Cohen and Young 1973; Ericson et al. 1987; Fishman 1980: 93; Sacco 1995: 144). The reason for this is that government sources occupy elevated positions within the “hierarchy of credibility” (Becker 1967; Ericson et al. 1989; Fishman 1980; Sacco 1995; Welch et al. 2000). Becker (1967) explains, “in any system of ranked groups, participants take it as given that members of the highest group have the right to define the way things really are” (p. 241). Each jurisdiction, and each

agency within it, is supposed to have expert knowledge appropriate to their sphere of operation. For example, lawyers are supposed to have specialized knowledge about the law and legal procedures and practices. The public depends on this knowledge because they typically do not have direct access to the same information. Thus, news organizations may rely on certain bureaucracies to provide them with the scope, variety, and quantity of information in a scheduled and predictable way (Fishman 1980:143).

As a result the news agencies and the sources they rely on to produce the news have a co-dependent relationship (Chermak 1994: 98). The media needs to cite sources that are socially recognized as credible in order to reinforce their own authoritative status. In turn, the source organizations are seen as a dependable, legitimate voice for crime news (Chermak 1994; Ericson et al. 1989; Fishman 1980: 152). Ericson et al. (1989) explain:

Without [credible sources] the news outlet would disappear from the ranks of the respectable mass media, and be relegated to the level of the disreputable 'fringe' media. The news outlet would take on the character of being deviant, rather than being the most pervasive and authoritative vehicle in society for designating deviance and promoting social control ... [T]hrough the process of displaying the place of authorized knowers in the knowledge structure of society, and conveying the type of knowledge that gives them that place, news organizations underscore their own authority. News organizations thereby join with key source organizations in representing the authoritative apparatus of society. (P. 4-5)

In addition, the news can have instrumental value. To become a routine source for news is to have incredible power in "defining public knowledge of a world outside a individual's immediate experience" (Fishman 1980: 152).

News agencies, however, do not only judge source competency in terms of

social hierarchy and expert knowledge, but also on the ability of the source to represent the 'common sense' (Ericson et al. 1987: 282). Thus reporters consider normative criteria such as moral-character, reputation, relationship with those involved, and experience with the issues. In other words, the reporter assesses how the source fits into a story in terms of situation and context. Of course, different sources will have differing perspectives on an issue or event. When dealing with sources, reporters make an effort to ensure that the differing accounts are comparable. Establishing a framework, which will orient sources towards a certain way of looking at the event, helps to formulate a more complete and balanced story (Cohen and Young 1973; Surette 2011; Tuchman 1978; Valkenburg, Semetko and De Vrees 1999; Van Dijk 1988). Reporters often define the terms of an acceptable account, the terms in which all the various accounts will be framed, and the terms in which the event will eventually be described in the news story for their sources (Fishman 1980: 131). Of course, to some extent, sources are able to negotiate the terms of the news accounts. Sources with opposing interests use news discourse to compete for preferred contextual meanings and constructions (Ericson et al. 1991; Fishman 1980; Surette 2011; Tuchman 1978; Van Dijk 1988). In this struggle for legitimacy and control they attempt to defend their organization against accusations of deviance and/or advance their own claims about the deviance of other organizations. Thus, "negotiation with journalists is itself an exercise in social control: control over organizations in the environment requires control over the news" (Ericson et al. 1989: 26).

An examination of the news sources represented in the articles surrounding

the Smith case was important because it helped reveal the “power players”, and those organizations that have a role in generating and sustaining the current regimes of truth in our society. Deconstructing the relationship between the source organizations and the news agencies was critical for uncovering the strategies used in the competition over preferred statements and meanings about the case, and determining how narratives changed over time.

Crime News Sources and the Criminal Justice System

The access that a news agency has to particular sources and knowledge can be varied, and largely depends on the type of source organization involved and the type of knowledge being sought (Chermak 1994). For example, police are the most accommodating to the crime news media, and are thus the most popular source of news (Chermak 1994; Ericson et al. 1989; Kasinsky 1994; Jewkes 2011; Pemberton 2008; Sacco 1995; Surette 2011). The police are valued for their inside information on crime stories, and for their strategies for crime control and prevention. They normally employ public relations specialists and ‘news-media officers’ who are available to news organizations as a source of information (Chermak 1994; Ericson et al. 1989: 11). The police recognize that they have an important reputation to uphold and a trust to build. Being an open and reliable authority for crime news allows them to demonstrate their ability to effectively protect and serve the public (Kasinsky 1994).

Courts are more restricted to the media (Chermak 1994; Jewkes 2011; Surette 2011; Van Dijk 1988). Part of the reason for this is that the court system is less reliant on publicity as a means of legitimation than the police. Thus, “court

officials can easily restrict reporters' access to particular regions of the system, and disclose only particular knowledge as they deem it appropriate in terms of time, place, language, and content" (Ericson et al. 1989: 54-55). As a result, the majority of the knowledge obtained by reporters from the courts comes in the form of organizational documents that have been approved by the appropriate authorities. Consequently, the information available to reporters is often already deemed public information. In addition, because they typically lack specialist legal knowledge, reporters often have a harder time interpreting information from the courts. Unlike police organizations, there are no court-appointed news media relations personnel to help reporters' access and translate information into news discourse. Court officials are also discouraged from doing interviews or talking with reporters about cases they are working on due to privacy and confidentiality issues (Chermak 1994; Ericson et al. 1989; Jewkes 2011; Surette 2011).

Prisons and correctional institutions are generally the most difficult to access for the news media. According to Surette (2011: 142), correctional personnel are the least likely of all sources to be quoted in news stories, accounting for less than one percent of the total sources typically cited by the press. Correctional officials are equipped with many justifications for denying media access to information, including claims of institutional security, administrative discretion, prisoner confidentiality, or the protection of ongoing investigations (Surette 2011: 143). As a result, much of the correctional news comes from "unofficial" sources such as families of inmates, defense lawyers, researchers and academics, and prisoner advocacy groups. Thus, corrections are often portrayed in a negative light within the

news, as the press tends to include voices that challenge the government's correctional strategies (Welch et al. 2000: 261).

An understanding of source accessibility was important for deconstructing the reasons behind source choices as well as the types of accounts that were portrayed by the media in the reporting of the Smith case. Since the case primarily involved corrections and correctional institutions, the dominant sources were not police but correctional officials and their agents, and other experts or representatives of the criminal justice system, such as medical doctors, coroners, psychologists, lawyers, and correctional investigators, to which the media had more access.

Newsworthiness

The criteria for newsworthiness are widely varied, as there are so many considerations and intended functions of a news story. I have identified several general criteria found in the literature – simplification, dramatization, personalization, and themes and continuity – which were directly relevant to my study (see Chermak 1994; Ericson et al. 1987; Galtung and Ruge 1973; Hall 1973; Jewkes 2011; Roshier 1973; Surette 2011). Simplification implies that an event should be relatively unambiguous. In order to keep the attention of the audience, the news story should be easy to follow and straightforward. Simplification can also relate to the proximity of the event. Reporting on local events and issues tend to be more meaningful than stories that involve events taking place in other countries. Simplification was relevant to the Smith case in terms of its proximity more than its ambiguity. The case has local appeal because it happened in Canada and Smith was

from New Brunswick, but its controversial nature contributes to its complexity. So although the story's evolving narrative may have made it harder to follow, readers likely found it more interesting and significant when compared to other news writing.

Dramatization is an important element to a news story (Jewkes 2011; Roshier 1973; Surette 2011). An event can be dramatic if it is unusual, sentimental, unexpected, extreme, or controversial (Surette 2011: 17). Dramatization can also be gauged in terms of the individuals involved, and the effect that the event has had on them. The reason for this is that it can generate public sympathy as well as send a message that something needs to be done about the situation (Ericson et al. 1987: 140). If the event involves a prominent figure or organization, that story is usually considered to be more newsworthy than ones involving ordinary citizens. Not surprisingly, personalization is an important technique used by news organizations to attribute accountability and place blame. In continuing stories, reporters will focus the attention on the institution or individual they believe to be responsible for the occurrence. Dramatization was relevant to my thesis because the Smith case is controversial, extreme, and sentimental. It involves the questionable death of a young girl while incarcerated. So news agencies want to provide the public with explanations regarding what happened, who can be held accountable, and what will be done to prevent it from happening again. In terms of personalization, the case involves very prominent institutions such as the criminal justice system and Correctional Services of Canada.

Themes and continuity have to do with establishing recognizable 'frames' that allow a news story to be understood in a certain context (Cohen and Young 1973; Ericson et al. 1987; Fishman 1980; Jewkes 2011; Surette 2011; Valkenburg et al. 1999). Frames are templates that allow news organizations to categorize, sort, and manage a wide range of events. Journalists are especially interested in events that can be fit into the existing frame of previous events because it makes it easier for readers to understand them. For example, correctional news is often sorted into one of two frames: correctional failures and correctional horrors (Surette 2011: 144). Stories involving correctional failures to protect the public will often focus on escapes, staff negligence, and prisoners that are out of control. Stories about correctional horrors normally document staff misconduct or systemic corruption. Usually these stories employ the death of an inmate as the symbolic representation of a correctional system failure (Surette 2011: 144). When faced with an opportunity to investigate controversial deaths in custody, the media are often willing to put in a lot of research effort, at least for a short time, to "explore and construct another correctional system gone bad" (Surette 2011: 147). Thus, frames allow a news venue to generate mass attention to social issues, as well as "shape the nature of the debate by defining parameters and selecting key items for public discourse" (Welch et al. 2000: 247). So, Smith's death may be framed as both correctional horror and failure stories as it involves the possibility of correctional misconduct, a prisoner that was considered 'out of control', and ultimately a controversial death. The case received enormous media attention over a prolonged period of time because it had the potential to depict the criminal justice system in a

negative way, creating issues concerning its competency to successfully protect and rehabilitate offenders in prison.

Criminal justice officials often engage in strategies of evasion and denial, refusing to accept responsibility for controversial events. A discussion of Cohen's (2001) forms of denial helped to examine the types of denial circulated by government officials within the press representations of the Smith case, and the extent to which the press became implicated in these denials. The points at which official discourses intersected with other accounts (i.e. from other officials or unofficials), allowed me to analyze the fluctuation of power relationships and, subsequently, the interpretation of events surrounding her death in the news over time.

Cohen and States of Denial

When organizations, individuals, governments, or the media are presented with information that is alarming, controversial, aberrant, or disturbing, it often becomes much more difficult to acknowledge and interpret in the news (Cohen 2001: 2). Cohen (2001) explains: "The information is therefore somehow repressed, disavowed, pushed aside or reinterpreted. Or else the information 'registers' well enough, but its implications – cognitive, emotional or moral – are evaded, neutralized or rationalized away" (p. 2). Cohen identifies many different states of denial, which involve certain *content* being denied, an *organization* associated with an event being denied, a *time* period of the event(s) being denied, an *agent* involved in the event being denied, and the *spatial proximity* of the event(s) in question being denied. In terms of content, denial can be literal, interpretive, or implicatory. Literal

denial is fairly straightforward: it is claimed that the event did not happen, or that the facts never occurred and are untrue. By contrast, interpretive denial does not deny the “raw facts” of what happened, but rather their cognitive meaning. Information is interpreted and rephrased into something less harmful or problematic. For example, instead of events being defined as “torture”, they are described as “moderate physical pressure” (p. 8). Lastly, implicatory denial does not deny the facts of the event or their interpretation, but instead denies the “psychological, political, or moral implications that conventionally follow” (p. 8). So facts are acknowledged but not considered disturbing, inappropriate, or psychologically distressing in any way. Implicatory denials are filled with rationalizations and justifications, where the significance of actions are downplayed.

Organizations involved in a denial can be personal, official, or cultural.

Personal denials mostly occur in the private realm. For example, a person refuses to believe that a friend or family member is capable of criminal or harmful behaviour. At the other end of the spectrum, official denials are planned, organized, and facilitated by state actors in the public sphere. Supported by their own massive resources, officials cover-up and deny large-scale violence, tragedies, and other incidents of human suffering. In this case, Cohen insists that, “denial is not a personal matter, but is built into the ideological façade of the state. The social conditions that give rise to atrocities merge into the official techniques for denying these realities” (p. 10). In totalitarian regimes, the events may be completely erased from history, and any acknowledgement of the incidents may be forbidden by the state. In democratic societies, officials tend to present a more favourable version of

the truth, putting a positive spin on the event using ambiguous language and interpretations. Cultural denials are typically influenced or initiated by official denials. They involve the collective denial of past events by a whole society, where the facts may be known but they are not publicly acknowledged. The mass media are known to reproduce and circulate a language of denial so that people can “evade thinking about the unthinkable” (p. 11). Events are neutralized using rhetoric and euphemism, and the public does not press the matter further.

Denial can also be historical or contemporary. Historical denials involve the repression of personal memories or, in extreme cases, the refusal to believe or acknowledge tragic events in history that have been widely recognized as historical fact, such as the Holocaust. Contemporary denial, however, is more common. Our capacity to absorb knowledge is limited, and we are constantly bombarded with vast amounts of information on a daily basis, primarily from media outlets. As a result, some events provoke reactions and others get filtered out and forgotten. Although we may not be conscious of these disavowals, or participating in *literal* denials of events, we end up denying most of their implications by treating them as irrelevant.

When a tragedy occurs, there are typically victims, perpetrators, and bystanders, and each can engage in different modes of denial. At a personal level, victims often refuse to acknowledge the suffering they have endured, or deny the realities of the harm done. To a wider extent, countries, cultures, and societies can deny their collective victimhood, claiming that the truth is too horrible that it must be impossible. For example, victims of genocides have been known to deny their

impending fate, refusing to believe what was about to happen to them despite being warned (p. 14). As a result victims often fail to take appropriate measures to protect themselves. Alleged perpetrators often evade blame by claiming 'we did not know what was happening', 'everybody else was doing it', 'we did not intend to do anything bad', or even 'we were just following orders'. Indeed perpetrators have been known to deny or minimize harms caused, saying that 'no one really got hurt', or 'it's really not a big deal'. However, it is difficult to deny injuries to victims following large atrocities, as harms are more prevalent. In turn, officials resort to interpretive denial, where the harm is reframed as something morally or socially acceptable.

By contrast, bystanders, witnesses, and observers, often deny the significance of what they see by not reacting, intervening, or attempting to help the situation. They partake in a passive form of denial, where they either do not know what to do and feel powerless, or worry they will be punished if they involve themselves. According to Cohen, studies of international tragedies have found "a history of inaction, indifference, and insensitivity," where people not only turned a blind eye to the suffering of those around them, but they also took the jobs and possessions that victims left behind (p. 16). During genocide, violence and torture become normalized and naturalized, people are dehumanized, and bystanders often see the victims as deserving of their treatment in some way.

Lastly, spatial proximity is an important element of denial. Naturally, we are more likely to show concern for the suffering of those closest to us. According to Cohen, we are also more affected by events that take place in our own society

compared to events that occur internationally. Personal experience, familiarity, and community engagement help people to feel more attached to local events, and more willing to react and respond in times of crisis. However, we obtain most of our information on foreign tragedies and atrocities from the media, and it is easier to 'look the other way', or simply refuse to be informed, when you or your country are not directly involved or affected by the events reported in the news.

Thus, for Cohen, the facts of an event can be acknowledged while their implications are denied. Responsibility is dispersed and actions of those accused are justified or reinterpreted as something less harmful. The media is one of the most effective tools for disseminating public denials, especially from state actors trying to evade blame and maintain social control. Endorsing their strategies of denial, the press has been known to reproduce these "official" versions of the 'truth' and facilitate their own culture of denial. It is important that these discourses of denial are investigated because they inform our perception, evaluation, actions, and behaviour towards tragedies. The way that they are framed in the media will influence the likelihood that government officials will be held responsible for contributing to or alleviating social issues.

In sum, media coverage often represents a "specific, narrow, slice of the world that has been chosen, reshaped, and marketed to the public" (Surette 2011: 30). The journalist is a participant in this knowledge production process of seeking out source organizations, and constructing a framework in which accounts will be represented, rejected, or denied. The result is a *partial* knowledge because accounts from sources are ultimately designed to fit the genre capacities and organizational

needs of the news organization. However, according to Ericson et al. (1991), “the concern is not whether news as knowledge is true or false, but how it enters into power relations and serves to legitimate or undermine these relations” (p. 11).

Thus, the news has the ability to not only shape our understanding of the nature of society, but also contribute to its structured inequality and to control over the production of knowledge (Ericson et al. 1989: 16).

Indeed Foucault’s theories on discourse, power, and resistance are important in situating “truth claims” within a wider framework of social practices designed to bring about certain effects. A Foucauldian framework allowed me to deconstruct the production of truth surrounding the Smith case and analyze how the organizational factors of newsmaking facilitated the creation of “regimes of truth” about it.

Foucault and Discourse, Power, and Resistance

Foucault (1980) claims that, ‘truth’ is to be understood as a “system of ordered procedures for the production, regulation, distribution, circulation, and operation of statements” (p. 133). These statements come from bodies of social knowledges known as discourses. Foucault explains that discourses contain objects (what they study or produce), operations (ways of treating the objects), and concepts (terms or ideas or language or theoretical options and assumptions or theories within a discipline) (McHoul and Grace 1993: 44). Thus, discourses form the relationship between disciplines and disciplinary practices and they ultimately crystalize into discursive formations (Dreyfus and Rabinow 1982: 67). Discursive formations *produce* the object of which they speak (Dreyfus and Rabinow 1982: 61).

For example, in his book *Madness and Civilization* (1973), madness was not, as Foucault had assumed, an objective experience outside of the discourse which had attempted to capture in its own terms. Rather, “mental illness was constituted in all the statements that named it, divided it up, described it, explained it, traced its developments, indicated its various correlations, judged it, and possibly gave it speech by articulating, in its name, discourses that were taken as its own” (Foucault 1972: 32). Thus, in every society the production of discourse functions according to a number of principles, such as who has the right to make statements and from what site do these statements emanate (Foucault 1972: 216).

Discourses, then, define the way that we write, speak, or think about a given social object or practice within a particular historical context (McHoul and Grace 1993: 31). They are discontinuous because they are distinct from one another, even though they may change and overlap throughout different time periods. For example, previous discourses known as life, labour, and language have been transformed into what we now call biomedicine, economics, and linguistics (McHoul and Grace 1993: 31-32). The dominant discourses of a certain time period form what Foucault calls an *episteme*, or body of knowledge that we accept as the truth.

The transformation of discourses and the creation of an *episteme* are dependent on power relations. Truth cannot be produced without the exercise of power, and power cannot be exercised except through the production of truth. Each society has a *regime of truth*, which dictates:

The types of discourse which it accepts and makes function as true; the mechanisms and instances which enable one to distinguish true or false statements, the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of

truth; [and] the status of those who are charged with saying what counts as true (Foucault 1980: 131).

According to Foucault (1980), a regime of truth is produced and sustained through different mechanisms of power that rely on the existence of a capitalist economy. He explains that, “this regime is not merely ideological or superstructural; it was a condition of the formation and development capitalism” (p. 133). In this way, power is consolidated into political practices that are concerned with the governing of the social body (McHoul and Grace 1993: 62). Although this type of power exists in different forms within our society (such as legal, administrative, economic, military, etc.), it can only be understood in terms of the *techniques* through which it is employed. The one attribute, however, that is shared by all forms of power, is their capacity to gain authority by referring to scientific ‘truths’ (McHoul and Grace 1993: 65).

In the news, the use of scientific discourses, such as medical discourse, are heavily relied on by various sources to provide ‘official’ statements regarding social events. In many western societies, the natural sciences claim a certain “epistemological rigour”, and ‘truth’ is often considered to be “the product of science or scientific methods” (McHoul and Grace 1993: 58). This is not to say that political practice has the ability to alter the *meaning* of certain scientific discourses, but rather their conditions of existence, their functioning, and their institutionalization (Foucault 1978: 65-68). Thus, in order to analyze the history of ‘true’ discourses, one must examine the relationship between politics and the practices used to “filter them, organize them into a hierarchy, [and] organize them in the name of a true body of knowledge, in the name of the rights of a science” (Foucault 2003: 9).

Examining the history of discursive practices and the production of knowledge allows us to more easily differentiate between past and present conceptions of power. For example, in the early chapters of “The History of Sexuality” Foucault (1978) explains how systems of power have evolved from a traditional sovereign or “juridico-discursive” notion to one that is decentralized and ubiquitous. Sovereign power was absolute, and functioned as a right to kill or preserve life, as well as a means of deduction or a power of seizure, where wealth, taxes, and land of subjects were under the command of sovereigns. This power, passed down through inheritance, was considered the “law”, or the “right of the sword” (Foucault 1978: 259).

However, a radical shift in power relations began in the 18th century, where life and death were regarded in a different light. A new interest in the value of life emerged and power became body focused. Two basic forms, of disciplines emerged. The anatomic component focused on controlling and disciplining the body as a machine. The second component focused on the species of the body, or its biological processes and preservation (Foucault 1978: 261). Thus began the era of bio-power, which sought to regulate bodies through various institutions. Concerned with better health, longer lives, and population expansion, bio-power was both an articulation of individuality, and the management of life (Foucault 1978). New disciplines emerged which focused on the human sciences, such as psychology, psychiatry, and demographics, and this new found quest for knowledge about the body allowed for its control and regulation through subtle processes of surveillance, normalization, and judgment. The emergence of the human sciences also created new ways of

speaking and writing about the human subject. As a result, individuals were transformed into cases (Foucault 1977). Foucault explains, “the case is the individual as he may be described, judged, measured, compared with others, in his very individuality; and it is also the individual who has to be trained or corrected, classified, normalized and excluded” (p. 191). In other words, these discourses were a means of disciplining the subject through a process of normalization. As a result, the individual is constituted as both the effect and object of power, and as the effect and object of knowledge (p.192).

Herein lies the difference between the previous regimes and the disciplinary regime of which Foucault speaks. In the feudal regime, efforts to individualize a human subject, and make them known, were aimed at those who exercised the most sovereign power. In other words, individualization worked in an ‘ascending’ manner, in accordance with social hierarchy (Foucault 1977: 193) In a disciplinary regime, on the other hand, individualization is ‘descending’. As power becomes more anonymous and more functional, those most affected by its relations tend to be more strongly “individualized”. Foucault elaborates:

In a system of discipline, the child is more individualized than the adult, the patient more than the healthy man, the madman and the delinquent more than the normal and non delinquent. In each case, it is towards the first of these pairs that all the individualizing mechanisms are turned in our civilization; and when one wishes to individualize the healthy, normal, and law abiding adult, it is always by asking him how much of the child he has in him, what secret madness lies within him, what fundamental crime he has dreamt of committing (P. 193).

This juxtaposition of individual characteristics is necessary for disciplinary power to function. Harnessing knowledges about individuals while emphasizing differences

between 'normal' and 'abnormal' traits was crucial to social organizations dedicated to the administration of life (McHoul and Grace 1993: 68). Foucault explains: "What was then being formed was a policy of coercions that act on the body, a calculated manipulation of its elements, its gestures, its behaviour. The human body was entering a machinery of power that explores it, breaks it down, and rearranges it" (1977: 38). The implementation of disciplines was carried out through social institutions like prisons, hospitals, and work places. The techniques and procedures used to accumulate knowledge of individuals required the distinct hierarchization of discursive subjects (those authorized to make judgments based on their association to a particular scientific discourse), and discursive objects (those which constitute it) (McHoul and Grace 1993: 70-71).

Foucault has argued that, in the past, power was most often described in negative terms: it was repressive, absolute, and centralized. With the emergence of the human sciences, however, power was perceived for the first time as having a *productive* quality: it produces reality, domains of objects, and rituals of truth (Foucault 1977: 194). Most importantly, one of the prime effects of power is that "certain bodies, certain gestures, certain discourses, and certain desires, come to be identified and constituted as individuals" (Foucault 1980: 98). His current notion of power suggests that power is an anonymous and decentralized mode of *action*. Although it may appear that there are certain strategies, patterns, or designs within relationships of power, a person cannot be given power, take away power, or share power. Power cannot be immediately and directly imposed upon people, relationships, or situations. Rather, power emerges *out* of these relationships, as an

effect of the inequalities, divisions, or disequilibriums present within them (Foucault 1980: 99). Power is therefore a *condition* of these differentiations and serves an active role within these relationships. It is constantly changing, multiplying, and moving. So although power can be manifested from a variety of relationships and situations, one cannot *have* power, as it is not a constant feature attributed to one person, social body, state, or institution; rather, individuals are the *vehicles* of power (Foucault 1978: 94; 1980: 98). So power must be exercised over *active* subjects, or subjects capable of some action. Rabinow and Rose (2003) elaborate:

A power relationship can only be articulated on the basis of two elements that are indispensable if it is really to be a power relationship: that “the other” (the one over whom power is exercised) is recognized and maintained to the very end as a subject who acts; and that, faced with a relationship of power, a whole field of responses, reactions, results, and possible inventions may open up. (P. 137-8)

Thus, power is less a confrontation between two adversaries or their mutual engagement than a question of “government”. In other words, it is an attempt to structure the way in which the conduct of others might be directed (Rabinow and Rose 2003: 138). By defining power in this way, Foucault is implying that relationships of power include an element of freedom. For example, the relationship between a slave and his master cannot be considered one of power when the slave is physically constrained (using chains, etc.), but only when he has some mobility or chance of escape (Rabinow and Rose 2003: 138). Thus, the relationship between freedom and power is a complicated one. It is more like a game, where power appears as both the precondition to its existence and the condition of its support

and maintenance, since without the possibility of some sort of action, power would be reduced to a relationship of violence or force (Rabinow and Rose 2003: 139).

The power relationship and resistance cannot therefore be separated, and resistance in itself is a form of power. It is important to note that this does not necessarily mean that resistance is reactionary or a consequence of domination. Resistance does not have to be a response to oppression, and resistance is not always “doomed to perpetual defeat” (Foucault 1978: 96). Instead, resistance allows for the decentralization of power. Able to work from both “above” and “below”, power can be exercised at many levels of society (Foucault 1978: 95). Hence, an analysis of power must emphasize the many local and regional points where it is exercised, and the strategies and techniques used to produce certain types of *effects*. Focusing on these instrumental modes of power, the mechanisms which have been “invested, colonized, utilized, involuted, transformed, displaced, [and] extended by more general forms”, will allow for a better understanding of the wide range of practices that contribute to the many forms of social domination that exist within society (McHoul and Grace 1993: 84). However, and perhaps most importantly, an analysis can examine the instances of resistance which challenge these forces through active interrogation of those practices employed. In other words, in this struggle over the production of knowledge, “oppressive forces of domination do not hold the monopoly in the capacity to invent tactics” (McHoul and Grace 1993: 87).

It is these strategies of resistance that allow for the possible insurrection of what Foucault terms “subjugated knowledges and regimes of truth”: knowledges and truths that have been suppressed, disqualified, or silenced due to their status as

“hierarchically inferior” or “below the required level of erudition or scientificity” (Foucault 2004: 7-8). Revealed through resistance and critique, they often encourage “further investigations, articulations, and technical refinements” of the practices behind the continuing development and reorganization of knowledge (Gutting 2005: 113). According to Gutting (2005), “once we recognize the complex and contested dynamics of knowledge production, we might say of knowledge as well as of power that it is the name that one attributes to a complex strategical situation in a particular society” (p. 114). Thus, the technologies employed during the exercise of power, reveal something about the production of truth in our society: “The knowledge that springs from this technology may or may not be ‘true’. The important point is that the technology is effective in producing what is considered as ‘truth’” (McHoul and Grace 1993: 90).

Foucault and the Media

Although Foucault did not specifically focus on the mass media in his research, his theories open up a new way of thinking about culture with its social hierarchies and systems of power, and the forms of communication which both constitute and represent it. The media, like other institutions, is subject to its own discourse and discursive practices. Journalists and reporters are subjects of a news discourse and play a crucial role in the production of knowledge within society. Hobbs (2008) explains:

Much like the human sciences and their practitioners, journalists profess to impart social truths, operating within the context of a professional code that values ‘objectivity’, ‘balance’ and the ‘public interest’. Such a code is, of course, a discourse, which influences the manner in which

events, objects and things are represented by the media text. Other discourses will also shape the textual form a particular 'news event' will take, with the journalist interpreting the 'truth' of a news event through a particular discursive way-of-seeing. (P. 11)

So, events within news stories are described, interpreted, and represented through various discourses. News narratives are thus the result of certain discursive practices, and cannot claim to tell the truth in an absolute sense as "truth can never be captured and represented in its pure, multi-dimensional form by the limited symbolic constraints of discourse and the limited physical constraints of the medium" (Hobbs 2008: 11-12). In other words, journalists either choose narratives created by particular news sources, or incorporate their own accounts, but it will always be the *discourse* which produces the knowledge. The subjects of the discourse, or in this case the journalist and the news sources they deploy, can only act within the conceptual limits of an *episteme* of a certain culture or time period. As Hall (1997) notes:

The 'subject' is *produced* within discourse. This subject *of* discourse cannot be outside discourse, because it must be *subjected* to discourse. It must submit to its rules and conventions, to its dispositions of power/knowledge. The subject can become the bearer of the kind of knowledge which discourse produces. It can become the object through which power is relayed. But it cannot stand outside power/knowledge as its source and author. (P. 55)

Thus, Foucault's theory not only helps to reveal the complexity of the newsmaking process, but also its powerful role in the social production of knowledge proper. At first glance, the news media appears to be a truth-telling institution; we depend on it to increase our knowledge about the world we live in. However, we tend to overlook the multiple systems of power at play within our society, and the effect they have on our perception of the 'truth'. To a certain extent,

news agencies rely on official sources for their stories because high-ranking individuals in society are seen as the most credible. These sources often frame the truth in a way that enables them to advance their own interests, protect their reputations, and ultimately define accountability. At the same time, we need to realize that the system of news creation is not that simple, nor do the news agencies play a passive role in its process. We underestimate the authority these agencies have over the distribution of facts, claims, reports, and stories. The discursive practices of reporters and journalists have the ability to legitimize particular regimes of truth, which “see the journalist participating (although perhaps unwittingly) in the ‘government’ of modern society” (Hobbs 2008: 12).

Contrary to popular belief, power and knowledge are not always the result of a “hierarchy of credibility” as Becker (1967) suggests. Rather, Foucault’s decentralized theory of power allows us to conceptualize power as a dynamic relationship. When power is defined in this way it enables us to see how dominant institutions within society, such as bureaucratic officials, can be challenged by ‘bottom-up’ power in the form of resistance discourses. News sources that occupy less dominant positions within society, such as victim or advocacy groups, also have the opportunity to provide journalists with information surrounding an event or issue. Journalists are inclined to present conflicting accounts within the news stories because they are more newsworthy, especially when they involve high-ranking individuals or organizations. Thus, official knowledges can be challenged and previously subjugated ones can be validated, proving that it is possible to constitute a new ‘politics of truth’ within society. The media, therefore, by acting as an arena

for competing truth claims, is able to affect “the political, economic, institutional regime of the production of truth” (Foucault 1980: 133). What emerges out of this “battle over the status of truth” is the possibility that the power of truth can be detached from the social, economic, and cultural hegemony within which it operates (p. 133).

This struggle is exemplified through the media representations of the Smith case. I examined the strategies used by all involved parties to create ‘regimes of truth’ about the case. This was important because news narratives not only affect our experience of the truth, but they can also affect policies and practices. Specifically, I examined the *language* used in this type of truth-telling; the language belonging to certain discourses that achieve their authority based on their ‘scientific’, legal, or expert status. This investigation was not only concerned with the effects of the ‘true’ statements surrounding the case, but also their intentions and implications. For example, Foucault (2004) states that we might begin by asking: “What types of knowledge are you trying to disqualify when you say that you are a science? What speaking subject, what discursive subject, what subject of experience and knowledge are you trying to minorize?” (p. 10) Indeed, Foucault emphasizes the importance of this analysis when he states: “Language never either deceives or reveals. Language is played ... It is these games of power that one must study in terms of tactics and strategy, in terms of order and of chance, in terms of stakes and objective” (Davidson 1996: 4).

In other words, the knowledge produced about the Smith case cannot be separated from relationships of power and political strategy. Journalists seek out

sources that can provide specialist knowledge using different types of discourses. This way the news stories appear more convincing and truthful, enabling the news agency to reinforce their status as a legitimate source of knowledge. Hence, a theory of discourse, power, and resistance was useful in understanding how language was used to create regimes of truth about the Smith case as a way to produce certain types of perceptions, decisions, events, conflicts, and victories. It was necessary to understand how discourse is in itself a “force” used to bring about certain effects by employing certain words, phrases, and ways of speaking, because “taken by itself, a statement ... cannot count as knowledge. Only in the ways that it is used, and thereby increasingly connected to other elements over time, does it become and remain epistemically significant” (Gutting 2005: 113).

This is especially important when we consider the media’s role in visualizing deviance. News sources fight over control of the problem definition and solution, and the opportunity to place it within a larger moral framework. For prominent institutions, the authority to regulate deviance is essential in achieving capital gains and securing hegemony. Bringing awareness to social issues through the news enables them to constantly search for ways to better organize, manage, and discipline society. The discourses that are used to speak authoritatively about these issues are seen as credible and newsworthy, despite the fact that they may represent only a partial version of the truth, and are used to serve specific purposes. For example, the ways in which Smith was pathologized, categorized, and individualized in the news narratives can be seen as a direct result of certain political practices, which allowed news sources to compete for the right to define

what she was rather than *who* she was, constituting her as both an effect and object of disciplinary power. The result of this visualization of deviance is essentially “bad news”. Its purpose is not only to provide the reader with an idea of those who dominate the knowledge/power hierarchy, but “in being bombarded with stories of misfits and who is authorized to designate and deal with them, the citizen is given his sense of place in the administered society” (Ericson et al. 1987: 357). Prompted by the visualization of deviance in the news, discourses of truth, then, must be seen as “strategic games of action and reaction, question and response, of domination and evasion, as well as of battle” (Davidson 1996: 5).

Summary and Conclusion

In this chapter I have reviewed the elements of news discourse that I thought were most relevant to my thesis. These include the media’s role in defining deviance, an investigation of news sources, and a detailed discussion of newsworthiness. I explained Cohen’s theories on states of denial, demonstrating the significance of state-led denials in the production of knowledge in our society. Cohen’s work allowed me to critically evaluate government responses in the wake of Smith’s death, and investigate how they were supported or rejected by the press. Lastly, I examined Foucault’s notions of discourse, power, and resistance. Foucault’s concern for the power of discourse and the effects of discursive practices can easily be applied to my current research, and the study of media more generally. As Hobbs (2008) puts it, “[Foucault] offers an important reminder regarding the power of language for producing particular ways of thinking and seeing: that the symbolic has

real repercussions” (p. 14). My research offers an important critique of the production of truth surrounding the Smith case, and the nexus of power relations that constitute it. Indeed critique allows us to exercise power against domination, and “question truth on its effects of power and question power on its discourses of truth” (Davidson 1996: 6). Just as source organizations deploy their own strategies of control, journalists engage in maneuvers that may be “visualized as part of a game that is much more complex and sinuous than how it is dramatically actualized in news content” (Ericson et al. 1987: 349). Thus, my critique encourages skepticism of the news institution as a site for the production of truth, and of the representational reality of the Smith case within the news.

In the next chapter I describe my methodology. I explain my case study research design, justify my sampling techniques and review how I coded my data. I discuss why the integration of content and discourse analysis was necessary to carry out my thesis research, highlighting the benefits of a quantitative and qualitative newspaper comparison. Ultimately, my codebook was guided by the themes found in my literature review and theoretical framework, and allowed me to investigate the news producers, organizational features, main foci, frames, drama, tone, personalization, news sources, and discourses pertaining to each news story. Thus, the following chapter will answer the following questions: What are case studies, and what type of case study did I perform in my research? What are content and discourse analysis and how were they be helpful to my study? Which newspapers did I choose to analyze and why? How did I code my data and why is each category important to my analysis?

III. METHODOLOGY

Introduction

In this chapter I discuss my case study research design, methodology, sampling strategies, and coding protocols. My research design is a study of the Ashley Smith case, focusing on print media representations over a five-year period. My method combines content and discourse analysis of 167 news articles from four regional and one national newspaper. In order to examine the exercise of power, resistance and the production of truth within the media constructions of Smith case, it was important that I analyzed both the denotations and connotations inherent in the news texts. Content analysis enabled me to count themes, narratives, sources and other empirical elements of news-making, while discourse analysis helped to uncover the silences, denials, and discursive practices behind them. Thus, I considered the following themes and questions when creating my codebook: a) News production: Who is producing the news? b) Newsworthiness: What are the organizational features of the articles? What is the main focus of the story? How is Smith's death framed? How is the case being dramatized and sensationalized? What is the tone of the news story? Who is targeting whom as accountable? c) News sources: What sources are cited? d) Discourses: What kinds of news narratives are present? How have they changed over time? Is there a dominant discourse in the press coverage?

The Case Study

Definitions of a case study are varied. To some extent, this is due to the diversity of objectives, priorities, methods, and epistemological standpoints among disciplines (Neuman 2011; Thomas 2011). However, many scholars agree that a case study is an in-depth analysis of a particular type of phenomenon (Bryman and Teevan 2005; Dooley 2002; Flyvberg 2006; Gerring 2004; Good 1942; Jocher 1928; Neuman 2011; Ruddin 2006; Yin 1981), and has the potential to expand our knowledge about the world by displaying a number of methods, both qualitative and quantitative (Dooley 2002; Flyvberg 2006; Gerring 2004; Ruddin 2006; Thomas 2011; Yin 1981). Indeed, many researchers agree that it offers the promise of a focused analytical framework based on its potential to understand wider social phenomenon (Dooley 2002; Flyvbjerg 2006; Gerring 2004; Jocher 1928; Neuman 2011; Ruddin 2006; Thomas 2011; Yin 1981). As Gerring (2004) notes, the case study is an in-depth analysis of a single unit (or “relatively bounded phenomenon”) where the aim is to illuminate characteristics of a larger class of similar or broader phenomena (p. 341). Neuman (2011: 42) states that case study research can intensely investigate either one or a small set of cases, focusing on many details within each case, as well as the larger context. Similarly, Thomas (2011) argues that case studies are “analyses of persons, events, decisions, periods, projects, policies, institutions, or other systems that are studied holistically by one or more methods. The case [is] an instance of a class of phenomena that provides an analytical frame ...

within which the study is conducted” (p. 513). Hence, it can be concluded that case studies have a detailed focus but aim to tell a larger story.

I studied a single case for my research project. There are two different types of single case studies, depending on time and space boundaries. These types are referred to by various names depending on the scholar, but Thomas' (2011) categorization of snapshot and diachronic types is the most useful to me because it is precise and clear. The snapshot or “cross-sectional” case study examines information on a case at only *one* point in time. This time frame can be a month, a week, a day, or even a period as short as an hour, depending on the design and purpose of the study. The analysis involves “a temporal juxtaposition of events” where a 'snapshot' of the case develops, and the researcher captures the whole picture within a defined period of time (p. 517). The data is generally used to explore a particular aspect of social life, or an example of a larger theory. The diachronic study is “longitudinal” in nature; data is collected at *various* points over a long period of time, providing a “moving picture” of events (Bryman and Teevan 2005; Dooley 2002; Neuman 2011; Thomas 2011; Yin 1981). The information gathered is then used to look for patterns, measure stability, or track trends for exploratory, descriptive, or explanatory purposes. This type of study is more difficult to conduct and requires more resources (Neuman 2011: 44).

The type of study that I conducted can be classified as diachronic or longitudinal. I used a theoretical framework to guide an examination of a single case over a five-year period. I collected data from various points during the allotted time frame in order to track continuities and discontinuities within the narratives, isolate

themes and deconstruct connoted and denoted meanings. When researchers analyze specific cases in this way, they develop richer, more comprehensive explanations that capture the complexity of a particular event. Since the case that I have chosen cannot be deemed 'typical', researchers might argue that the validity of the study will be questionable. However, atypical case studies can provide an in-depth, contextual understanding of the 'bigger picture' because they "activate more actors and more basic mechanisms in the situation studied" (Flyvbjerg 2006: 229). In other words, single cases that are unusual, radical, or interesting examples of a phenomenon are more likely to illuminate the complexity of a problem and calibrate a clear analytical focus to research. This allows the researcher to gain a deeper understanding of the underlying causes or relationships behind a problem, as well as its consequences. As Flyvbjerg (2006: 229) observes, random or representative samples are seldom able to produce this kind of insight.

Content and Discourse Analysis

The case study approach can employ many different methods for analysis. Since I examined a case study through newspapers, I used the methods of content and discourse analysis. In daily life we are constantly communicating and interpreting the meanings and definitions of situations, and this ongoing process "breaks the distinction between subject and object, between internal and external, and joins them in the situation that we experience and take for granted" (Altheide 1996: 8). Everything we do and everything we believe is constantly being influenced and restructured by our daily interactions. Altheide explains: "What we consciously

believe and do is tied to many aspects of 'reality maintenance' of which we are less aware, that we have made part of our routine 'stock of knowledge'" (p. 8). Thus, systems of communication, such as the mass media, have an enormous impact on our everyday lives, and newspapers are a medium that are intensely and routinely consumed by a large number of people on a daily basis. They are widely accessible in almost every part of the world and available to almost anyone for little or no cost. Newspapers present stories using a diverse range of sources in detailed and subtle narratives. Whether they feature individual or continuing stories, newspapers are more capable of introducing experts and their specialist knowledge than other mediums such as television or radio (Ericson et al. 1991: 24-9). As such, the news media are deserving of serious attention and academic scrutiny regarding their methods, procedures, and organizational preferences, as they are vital to truth telling (Ericson et al. 1987: 10). Investigating print media allows researchers to deconstruct and interpret the processes of social life by placing symbolic meaning in context, and tracking news creation and their influence on wider social definitions and situations (Altheide 1996: 12).

Content analysis is one of the most popular approaches for investigating print media (Bryman and Teevan 2005; Krippendorff 2004; Neuman 2011). In part, this is because it is an unobtrusive method, which can be useful in studying a particular event over a certain period of time (Neuman 2011: 361). Research involving content analysis also enables the researcher to gather data from a variety of different regions, allowing for comparisons and trend analyses. At bottom, content analysis entails a systematic reading of a body of texts, images, or symbolic

matter, for the purpose of thematic analysis (Krippendorff 2004: 3). Content analysis is used to analyze what, how, and to whom something is said; making inferences about why something is said; and hypothesizing the consequences or effects of something that is said (Krippendorff 2004: 46). Not surprisingly, questions around who does the reporting, what gets reported, and where, when, and why something gets reported are often considered.

Content analysis focuses on ‘inter’ and ‘intra’ textuality. This involves an examination of how the components of the same text are related to each other, and a comparison of how news sources are cited and used in particular ways. For example, some sources are given noticeable attention throughout an article, and are able to “frame both the preferred definition of the problem and the control solution”(Ericson et al. 1991: 56). Other sources may be used to “underpin it, or are themselves marginalized, excluded, or shown to be part of the problem” (p. 56). Newspapers, of course, evince different types of news such as editorials, letters to the editor, opinion columns, news stories, cartoons, and advertisements. Analysts are able to point out the subtle ways in which news-workers combine these different reports and stories to create new meanings, reinforce old ones, and frame wider narratives.

Content analysis employs a coding system, where the frequency of certain words, sources, or phrases is counted in order to reveal (manifest and latent) themes within the material (Bryman and Teevan 2005; Krippendorff 2004; Neuman 2011). Themes can be sorted and interpreted according to many different categories, depending on the research question and area of interest. Ultimately, this

thematic sorting can lead the researcher to formulate hypotheses about texts, describe trends in media content, identify the intentions and characteristics of the communicators, interpret the attitudes, interests, and values of population groups, and expose propaganda techniques (Krippendorff 2004: 45).

Content analysis, although useful for uncovering relationships, patterns, and narrative frames and themes in the text, is somewhat limited in its ability to analyze discourses. This is because *absences* from the texts are often overlooked. According to Bryman and Teevan (2005), “what is said is always a way of *not* saying something else” (p. 345). In other words, either total silence on a topic or articulating an argument in one way rather than another way, can reveal a lot about the newsmaking process, public perceptions, and most importantly relationships of power (Bryman and Teevan 2005; Krippendorff 2004; Neuman 2011). Discourse analysis, therefore, is a more effective method for deconstructing these relationships because it produces a wider and more contextual perspective on discourses, making it particularly relevant for my current study. According to Foucault (1972), a discourse is a group of statements, which frame an understanding of a subject. For example, a discourse concerning mental illness can consist of statements that explain what a mentally ill person is, the nature of their illness, how they should be treated, and who is entitled to treat them. This discourse can become a framework for the justification of the way mentally ill people are perceived, diagnosed and controlled (Bryman and Teevan 2005: 344). According to Bryman and Teevan (2005), “discourse is much more than language: it is constitutive of the social world that is a focus of interest or concern” (p. 344). A

hierarchy of credibility influences a society's *regime of truth*, which determines the discourses that are accepted as knowledge, and the dominant discourses that are likely to be "sanctioned by courts, legitimated through laws, enforced by police, and ideologically sustained and reproduced by the media" (Van Dijk 1993: 255).

Thus, the aim of discourse analysis is to provide a "detailed description, explanation and critique of the ways discourses (directly or indirectly) influence socially shared knowledge, attitudes and ideologies" (Van Dijk 1993: 258). It is concerned with how specific discourse structures facilitate the formation of specific social representations and the strategies they employ in trying to create different kinds of effects. In the case of text analysis, strategies refer to the linguistic moves made by various social groups to facilitate the formation or change of social attitudes towards specific events, issues, or groups (Van Dijk 1993: 259). So, if powerful figures or groups are able to reproduce dominance through discourse, and similarly, if less dominant groups are able to effectively challenge this power with resistance, we need to know exactly how this is done. As Van Dijk (1993) states:

The discursive reproduction of dominance, which we have taken as the main object of [discourse] analysis, has two major dimensions, namely that of production and reception. That is, we distinguish between the enactment, expression or legitimation of dominance in the (production of the) various structures of text and talk, on the one hand, and the functions, consequences or results of such structures for the (social) minds of recipients, on the other. (P. 259)

Although it was beyond the scope of my research to analyze readers' reception of the news, I could still evaluate the strategies involved in the production of knowledge and the reproduction of dominance through formulations of text. I examined how the case was being represented in the news, and how certain

narratives produced “preferred readings towards the reader”, which encourage people to think, act, and respond in a certain way (McMullan 2005: 39). According to Potter (1996), this production process involves “the categorization and formulation of practices that are used to constitute an event, person or group as having a specific and distinctive character suitable for some action” (p. 176). In other words, descriptions, arguments, or explanations are made about a subject, where particular facts are highlighted and others ignored, in order to promote a way of acting towards, or thinking about that subject. These techniques of news writing can be used to “normalize” and “abnormalize” groups, individuals, or events by recurrently presenting their own actions as normal or natural and the other as unwarranted, deviant or problematic (Potter 1996: 194). These descriptions serve to justify inequality and display or question attributions of accountability (Potter 1996; Van Dijk 1993). Thus, in newswriting there is often a tendency to contrast “us” with “them”, by emphasizing “our” tolerance, help or sympathy, and by focusing on negative social or cultural differences, deviance, or threats attributed to “them” (Van Dijk 1993: 263).

These strategies involve the use of rhetorical figures and lexical styles such as hyperbolic enhancements, euphemisms, denials, and understatements. According to Mayr (2008), vocabulary represents the speaker’s or writer’s attitude towards something, and these lexical items are “the most obvious and most thoroughly studied forms of (ideological) expression ... Words convey the imprint of society and of value judgments in particular -- they convey connoted and denoted meanings” (p. 21). Structural placement of words is also important, especially for news reports as

certain texts can be emphasized in headlines, summaries, and alongside images. Lastly, quoting credible witnesses, sources or experts, is another example of how certain strategies may be used to “manage the processes of understanding” of the readers and produce a representation of an object which encourages a certain perception of it (Van Dijk 1993: 264).

The major criticism of content and discourse analysis is lack of scientific rigour (Ericson et al. 1991; Krippendorff 2004). Qualitative analysis typically does not produce objective results that can be tested or replicated, since media texts are subjective, and relative (Ericson et al. 1991: 58). However, researchers analyzing news texts are primarily concerned with discovery and interpretation. They expose how people are represented by others, and how they represent themselves within the news media. Content and discourse analysis are therefore context-sensitive, and by searching for suggestive themes or narratives which either challenges or proves a theory, researchers can potentially have an affect on the events, processes or states of affairs that they are studying. Thus, content and discourse analysis are necessary in order to understand the deeper meaning of texts, their implications, and the way that they construct ‘subjects’ through discursive formations.

I deployed content and discourse analysis to identify the content of news stories and uncover the rhetorical strategies used to create discourses and regimes of truth about the Smith case. In other words, content analysis helped me to quantify news producers and sources, the placement of words and phrases, and narrative frames and themes, while discourse analysis aided me qualitatively by allowing me to obtain a deeper reading of discursive language and the legitimation

and reproduction of power and knowledge. According to McMullan (2005), it is crucial that the examination of connotation is added to the quantitative study of media messages, because the use of particular words and phrases can convey a distinct narrative, which, through repetition, forms a dominant representation of an event. Thus, a quantitative and qualitative analysis uncovers suggestive meanings that may be concealed or marginalized within the “denotive configuration of story telling” (p.39).

Sampling Strategies

I chose the following newspapers to analyze: the Globe and Mail (National newspaper), the Waterloo Region Record (Regional), the Toronto Star (Regional), the Moncton Times and Transcript (Regional), and the New Brunswick Telegraph-Journal (Regional). I chose the Globe and Mail because it is Canada’s largest-circulation national newspaper. I thought it would have: 1) the most variety in terms of source organizations, 2) the most extensive and easily accessible archives, and 3) the capacity to provide the best comparisons between regional and national news. I chose the Waterloo Region Record because Smith died while she was incarcerated at the Grand Valley Institute for Women in Waterloo. Because the tragic event occurred locally, I supposed it was more likely that this newspaper would maintain interest in her case over a longer period of time. I chose the Toronto Star because the coroner’s inquest into Smith’s death is taking place in Toronto. Thus, I thought that the Toronto Star would have the most coverage out of any other regional newspapers in the area. I chose The Moncton Times and Transcript because Smith

was born and raised in Moncton, New Brunswick. This newspaper prides itself on its ability to reflect the voices of the community by including public opinion and editorial pages that focus on issues directly affecting their readers (Brunswick News 2007: para. 4). Thus, I thought that by including a regional newspaper from her hometown it would add insights that might have otherwise been overlooked in other venues. Lastly, I chose The New Brunswick Telegraph-Journal because it is New Brunswick's largest and most widely read newspaper. Based in Saint John, both local and provincial readers agree that it is the best source of news about government and province-wide issues (Brunswick News 2007: para. 2-3). I thought it important to have another regional newspaper from New Brunswick that has a vested interest in this case in order to broaden my scope and adopt a more comprehensive sample of articles.

Data Sources

I obtained my newspaper articles from the Lexis Nexis and Eureka databases. I typed "Ashley Smith" with "death" and "case" and "prison" into the search engine. I chose these words because I thought that it would give me the and most relevant articles specific to her case. I chose a five-year study time frame because I wanted to look at both the specific case, and the aftermath to her tragic death. I developed a strategy for excluding articles in my sample based on length and relevance. Articles that were less than 150 words were removed because they simply did not contain enough information to analyze. Determining relevance was slightly more complex. Articles that mentioned the case in relation to another issue were included in the sample if the connections and comparisons were extensive and continuous. This

was largely determined by word count. Articles that briefly discussed the case in relation to another issue, where the other issue was the main focus in the news, were removed if the case was discussed using less than 150 words. For example, a lengthy article in the Telegraph Journal on June 16th 2012, primarily discussed the suspicious death of a 22-year-old mentally ill patient at the Saint John Regional Hospital. The connection to the Smith case occurred when the story cited Bernard Richard, New Brunswick's former child and youth advocate, as exposing "serious gaps in mental health services for youth" while conducting an investigation into the province's handling of the Smith case. The article quotes Richard saying, "We know Ashley Smith's death could have been prevented. We believe that to be the case. Further deaths should be prevented by stopping those cases from becoming 'complex' in the first place" (Cunningham 2012: p. A1). Although the article discussed issues not entirely unrelated to the Smith case, it is clear (by the lack of any further mention of the case) that it was not the main focus. For those reasons I chose to remove the article.

In cases where exact duplicates existed within the regional newspapers I made an effort to determine which paper produced the original story, or which newspaper had the story first. I did this by looking at the date, location, and producer of the news story. In cases where this could not be determined, I developed a system in order to choose the articles in a random order. I alternated back and forth between newspapers, and started by removing the article from the newspaper that had the most news articles in my sample. In cases where two articles contained duplicated content but one of the articles was longer or had more

information, I kept the longer one because it provided me with more data to analyze. When duplicate articles involved the Globe and Mail, I removed the duplicate that belonged to the regional newspaper because the Globe and Mail article count was rather low and I wanted to keep a national focus to my study. My final sample size was 167 news items: 21 articles from the Globe and Mail, 62 articles from the Waterloo Region Record, 23 articles from the Toronto Star, 25 articles from the Moncton Times and Transcript, and 36 articles from the New Brunswick Telegraph-Journal.

Coding the Data

As noted, I developed the following broad coding categories based on the themes found in my review of the media and crime literature and my theoretical framework: a) News production, b) Newsworthiness, c) News sources, and d) News Discourses.

In order to examine how organizational factors of newsmaking affected the way that the news stories were registered, I coded for five categories of news producers: reporters and journalists, editors, wire service, opinion pieces, and “other”. Next I looked at the placement of article in the newspaper, so whether the story appeared on the front page (A1), section A, or “other”. I then coded for article length by sorting the stories into one of three categories: 150-400 words, 400-800 words, or more than 800 words. Lastly, I scanned the articles for the presence of any photographs or other visual imagery. An understanding of how certain news stories are chosen, and why some elements are highlighted or emphasized more

than others was necessary when examining how an evolving narrative about the Smith case was created. To measure newsworthiness I coded for five categories: story focus, news frames, descriptions of Ashley Smith, dramatization and tone, and personalization. Simplification, or the ability of a news story to be easily understood and meaningful, can be determined by examining the main focus of a story. Typically, the more simple and straight forward the story is, the greater its newsworthiness value. Readers are often interested in events that happen in close proximity, where the locations and individuals involved are more familiar. Hence, I coded as follows when reviewing the story's main focus: did the news item a) give a general description of the case and Smith's life, b) present new information about charges, arrests, or other legal issues, c) provide an update on the current status of the case (i.e. follow-up on what is being done), or d) discuss a separate issue that is related to the case?

Recall that framing allows news agencies to categorize stories into pre-established templates so that they can be understood within a certain context. Journalists are especially interested in events that can be fit into the existing frame of a previous event because it makes it easier for readers to follow and understand. I coded for three types of frames: a) the "faulty criminal justice" frame where the case is classified as a persistent failure of the criminal justice system and improvements are needed, b) the "correctional horror" frame – where the case is perceived as an isolated incident involving the misconduct of specific prisons and staff members which resulted in catastrophe, and c) the "social reform" frame – where the case is seen as an example of why policy and procedural changes fail to address the root of

the problem, which is that prisons are incapable of effectively treating and rehabilitating certain types of offenders. Within the social reform frame it is argued that, in many ways, the prison environment encourages resistance, mental and physical deterioration, and violent behaviour. Thus, alternative rehabilitation programs might be more effective for some offenders, such as women, youth, and the mentally ill.

The press circulated narratives that described Smith in particular ways. These characterizations influenced how the case was understood and framed in the news stories. In order to analyze the various descriptions of Smith, I sorted them into the following categories where Smith was characterized as: a) a criminal offender, b) an innocent victim, c) a mentally ill or unstable person, d) a behavioural problem, or e) a child/girl. Dramatization is an important factor in determining the newsworthiness of a story. A dramatic story can be unique, controversial, scandalous, or surprising. To assess the dramatization of the news articles I coded as follows: 1) the article describes the case as a) controversial, serious, problematic, contentious, or extreme, b) in urgent need of some action, where recommendations or solutions to the issues are discussed, or c) a cover-up or conspiracy by the federal government, and 2) the article describes the tone of the narrative as a) tragedy, loss, or sadness, b) hope or optimism for the future, or c) anger, outrage, or hostility. Personalization influences newsworthiness by mentioning the names of individuals or organizations that are involved in the story. Both the media and news sources identify 'targets' in an attempt to attribute responsibility and blame. Name-dropping is also a good way to make a story resonate with readers by allowing them to draw

connections and develop a sense of familiarity and understanding. In order to code for personalization I looked at who was responsible for identifying the targets (i.e. either the news sources or the media), and which targets were mentioned (i.e. criminal justice system, federal government, prison staff, Smith, provincial government, and medical personnel).

Recall that the relationship between news producers and the sources they use is significant because it allows us to evaluate the ways in which people attempt to govern, represent, and control themselves and others. News agencies often choose certain sources over others and construct a framework in which accounts are represented, rejected, or denied. Thus, an examination of sources in the news reveals important connections between sources, power relations, social knowledge, and news reporting. I coded for five categories of news sources in order to gain insight into whose accounts are most represented in the news. They are: a) government –consisting of public safety ministers, CSC spokespersons, correctional investigators, police, political figures, and correctional staff or members of the Union of Canadian Correctional Officers, b) legal– which included government legal personnel such as judges, lawyers, and crown prosecutors, other lawyers such as Smith’s family lawyer, advocates such as representatives of the Elizabeth Fry Society, and the New Brunswick Ombudsman, c) medical – such as psychologists, psychiatrists, and other medical actors including coroners, d) Smith’s family members and Smith herself through written documentation, and e) “other” – comprising of other “non-expert” sources such as inmates, community members,

academics, media personnel, and other “expert” sources such as consultants, board members, spokespersons, and non-governmental organizations.

Bryman and Teevan (2005) remind us that discourses produced in the press are not simply neutral devices for imparting meaning. Rather, “discourses are positioned within an ensemble of specific institutional practices that promote, prohibit, and deny” (McMullan 2005: 39). As such, discourses involving the same subject can have tensions or similarities between them, and discourses of a similar sort can make up a regime of truth. Analyzing discourses and regimes of truth within the Smith case not only uncovers the discourses that reproduce dominance, legitimate control and naturalize the social order, but also discourses which challenge these regimes by questioning the truths manufactured by powerful groups. For example, contested meanings within media discourse that are resistant to hegemonic manipulation can affect a truth regime by exposing power abuse, breaches of laws, misconduct, or human rights violations, while fighting for principles of democracy, equality, and justice. I coded for 4 types of discourses in the press coverage of the Smith case: 1) medical, 2) legal, 3) criminal justice, and 4) moral. The medical discourse included statements that discussed Smith’s health; medical language was often used to explain her behaviour and apparent suicide. Specifically, I coded for medical discourse by asking whether the article referred to Smith’s physical or psychological health status by citing a) medical experts, or b) non-medical experts (such as family members, legal personnel, government officials, advocacy groups, and those employed by the criminal justice system). Coding as such allows for the discovery of patterns in news sourcing and framing. The legal

discourse primarily involved statements from legal officials, but accounts from non-legal personnel such as Smith's family and community members were also included. Legal narratives revolved around questions of justice, where justice was a matter of legal reform, punishment, and accountability. There was a focus on charges, arrests, procedural rules, the public inquiry, and narratives that decontextualized the social processes and events while individualizing responsibility. The criminal justice discourse was a broad category, which included statements from both official and unofficial sources such as correctional staff, advocacy groups, investigators, prison inmates, government officials, police, ordinary citizens, family members, Smith, and others. Criminal justice narratives evaluated the competence of the prison system and/or correctional staff, the treatment of inmates, correctional procedures and policies, and Smith's behaviour and death while incarcerated. The moral discourse contained narratives that discussed the case as an ethical issue. They were framed by a vocabulary of social reformation and outrage, where conditions of confinement and the nature of imprisonment were judged from a moral standpoint. The moral discourse included sources such as advocacy groups and Smith's family lawyer, who claimed that Smith's treatment in custody was a violation of human rights.

A caveat, however, is called for in the coding of my data, as it is a slight departure from the conventional content analysis method. I did not count the number of times that each coding category reoccurred throughout individual news articles. Thus, when examining dramatization, I only counted the first appearance of a dramatized narrative (i.e. a statement describing the case as controversial) and not recurring similar statements also describing the case as controversial. However,

when I discovered another statement in the article that described the case as “urgently requiring action”, I counted that as a second dramatized narrative in the news article. So each news article contained several *types* of narratives, as long as they were different. I coded this way because I was interested in revealing how and when the presence or absence of certain types of narratives influenced the formation of “regimes of truth” regarding Smith’s death. I was focused not on the quantification of recurrent words and phrases within each story per se, but on how narratives emerged, changed, and formed broader discourses over time and within different newspapers. I was primarily concerned with the deployment of specific sources and the acknowledgement or disqualification of accounts by the press contributed to the development of press narratives that allowed the case to be translated into a complex newsworthy event.

Summary and Conclusion

In sum, a combination of content and discourse analysis was necessary to perform my case study research. I wanted to reveal the power/knowledge relationships inherent in the process of news-making and truth-telling by focusing on the continuities and discontinuities in the press coverage of the Smith case, and this was best done by discourse analysis. Deploying only content analysis would have restricted my ability to illuminate the strategies behind the meanings and the underlying discursive language in the news texts. However, content analysis was essential for tracking changes in the reporting by time period and newspaper location. It allowed me to quantify the organizational features of the news articles,

as well as the story foci, frames, narratives, dramatizations, tones, targets, sources, and discourses, which would have not been impossible had I relied on discourse analysis alone.

In the following chapter I discuss the findings of my news analysis. I investigate how the news production process affected the ways in which those involved in the case were constituted and represented in the press, and how knowledge about the case was manufactured, disseminated, and registered as truth. How did news coverage vary by time and newspaper location? What were the relationships within and between news discourses and truth-telling? What language was used to discuss the Smith case? What role did “experts” and “officials” play in defining the discourses found in the press coverage? Did journalists conform to a “hierarchy of credibility” when selecting their news sources?

IV. THE REPRESENTATION OF THE ASHLEY SMITH CASE IN THE PRESS

Introduction

In this chapter I discuss the content and findings of the news coverage surrounding the Ashley Smith case. The chapter is categorized into four sub-headings: News Production of the Ashley Smith Case, Newsworthiness of the Ashley Smith Case, News Sources and Claimsmaking in the Ashley Smith Case, and News Discourses and the Ashley Smith Case. In the first section I discuss the general pattern of reporting on the Smith case, including the number of articles produced by year and newspaper location, as well as type of news producer. Then I consider the factors influencing the newsworthiness of the stories by reviewing my findings on story length and placement, graphics, story focus, news frames, dramatization, tone, and personalization. Next I reveal the sources used in the news coverage, along with the type of accounts presented. Finally, I examine how the case was discursively constructed through criminal justice, legal, medical, and moral language. Within each section I discuss how my findings compare and contrast with previous research about media and crime, as well as other studies on newspaper analysis. Where possible I provide passages from the news stories in my sample to illustrate my findings. Ultimately, this chapter describes and discusses how five newspapers created a continuous narrative about the Smith case, constituting it as a newsworthy event over a five-year time period. How newsworthy was the Smith case? To what extent were the stories dramatized and sensationalized? How did reporters frame

the case? Who was targeted as responsible for Smith’s death? Which sources were used most frequently to make the news? Was there a dominant discourse in the reporting?

News Production of the Ashley Smith Case

Table 1 Newspaper	Year						Grand Total
	2007	2008	2009	2010	2011	2012	
Globe and Mail	3	1	4	1	6	6	21
Moncton Times and Transcript New Brunswick Telegraph Journal	6	3	3	1	7	5	25
Toronto Star	9	6	11	5	4	1	36
Waterloo Region Record		2	2	5	6	8	23
	11	18	5	12	8	8	62
Grand Total	29	30	25	24	31	28	167

Table 1. Number of Newspaper Articles by Year

The news reporting about the Smith case was consistent from 2007-2012, totaling 167 articles and averaging about 28 stories a year. Some variation existed in the coverage by newspaper location. Much to my surprise, the Globe and Mail had the lowest number of articles of all the newspapers at 21 (13%), indicating that the Smith case did not have a strong national audience. The Toronto Star had the second lowest total of stories at 23 (14%), followed by the Moncton Times and Transcript at 25 (15%), the New Brunswick Telegraph-Journal at 36 (22%), and the Waterloo Region Record at 62 (37%). The two newspapers with the most articles were located in the provinces where Smith was born and died. This suggests a strong relationship between news coverage and location, which is a finding very much compatible with studies done by Fishman (1980), Jewkes (2011), Surette (2011),

and Tuchman (1978). Locally produced news stories were more popular and interesting amongst news agencies and the public where Smith was known and active. According to Van Dijk (1988), coverage of local events “may be more relevant because it may provide information needed for direct interaction or other cognitive and social activities” (p. 124).

Table 2. Number and Type of News Story Producers by Year

Table 2	News Producers					
Year	Reporter	Editorial	Wire Service	Opinion	Unknown	Grand Total
2007	24		2	2	1	29
2008	20	1	4	4	1	30
2009	20	1	1	3		25
2010	11	4	8	1		24
2011	14	2	13	2		31
2012	7	5	11	3	2	28
Grand Total	96	13	39	15	4	167

Table 3. Number and Type of News Story Producers by Newspaper

Table 3	News Producers					
Newspaper	Reporter	Editorial	Wire Service	Opinion	Unknown	Grand Total
Globe and Mail	13	2	6			21
Moncton Times and Transcript	8	2	10	4	1	25
New Brunswick Telegraph Journal	24		7	4	1	36
Toronto Star	13	5	2	1	2	23
Waterloo Region Record	38	4	14	6		62
Grand Total	96	13	39	15	4	167

Tables 2 and 3 indicate that the Smith case was primarily produced by reporters (57%), followed by wire service providers (23%), members of the public (9%), editorials (8%), and “unknown” sources (2%). For the most part, the frequency of reporters decreased over the five-year period, while the use of wire services increased. The significant reliance on wire services, such as the Canadian Press, is also recognized by Ericson et al. (1991). In their study of how news content

varies by media and markets, they discovered that three quarters of their Toronto-based newspaper articles (366 out of 488) were produced by wire services. According to Ericson et al. (1991), “wire service is widely regarded as the most straightforward and factual news available. As such, it can provide a standard against which a reporter’s account of the same event is judged” (p. 159). The use of editorials also increased over time, which is not unusual since they provide reporters with ideas about ‘sacred cows’ of the newspapers, which reporters then follow-up in their stories (Ericson et al. 1987: 302). The rise in the use of wire services and editorials parallels the growing awareness of the Smith case as an event worthy of much public attention. Lastly, opinion stories in the news coverage remained consistent over time. Opinion pieces help to sustain narratives and themes in regular news stories by displaying “a preferred version of events and vision of eventualities,” and were used in the Smith case to tie news stories together with a persistent blend of fact and opinion, providing an interactive public reaction to events that had already been recognized by institutional sources as news (Ericson et al. 1991: 154). An examination of the news producers by location indicates that the stories from most of the newspapers were composed by reporters, except for the Moncton Times and Transcript which delivered many of its stories using wire services. The Globe and Mail was the only newspaper that did not contain opinion pieces, which is not uncharacteristic of national newspapers since their top priority is to present accurate versions of events using primarily authoritative news sources (Ericson et al. 1991; Tuchman 1978).

Newsworthiness of the Ashley Smith Case

Table 4. Article Placement by Year

Table 4	Article Placement			
Year	Front Page	Section A	Other	Grand Total
2007	15	12	2	29
2008	8	11	10	29
2009	10	11	5	26
2010	9	14	1	24
2011	3	18	10	31
2012	6	16	6	28
Grand Total	51	82	34	167

Table 5. Article Placement by Newspaper

Table 5	Article Placement			
Newspaper	Front Page	Section A	Other	Grand Total
Globe and Mail	3	18		21
Moncton Times and Transcript	2	5	18	25
New Brunswick Telegraph Journal	16	19	1	36
Toronto Star	4	18	1	23
Waterloo Region Record	26	22	14	62
Grand Total	51	82	34	167

Story placement, length, and graphics are important features of newsworthiness. The pattern of story placement over the five-year period, as evinced in Table 4, was remarkably similar and continuous over time. The Smith case was reported in section A of the newspaper almost half of the time (49%), and was front-page news 31% of the time. The majority of news stories that were put on the front page occurred in 2007 (29%) and 2009 (20%), while the least amount of front-page coverage occurred in 2011 (6%). The noticeable decline in front-page stories about the Smith case suggests that it became less newsworthy over time, however, the consistent placement of Smith news stories in section A indicates that the case was still important and serious news even though it did not appear on the

front pages of the newspapers. This pattern is consistent with results previously reported by Slingerland, Copes and Sloan (2007) in their study of the media construction of white-collar crime. Examining the press coverage of two nightclub tragedies by eight American regional newspapers and one American national newspaper, they found that 71% of the 199 stories did not appear on the front page (p. 439). Furthermore, the majority of front-page stories were published within the first week of reporting. In the Smith coverage, we notice a slight rise in front-page reporting in 2009 and 2012, but the numbers were still lower than the total amount of front-page stories in 2007. A closer look at article placement by newspaper location in Table 5 reveals that the Waterloo Region Record presented the most front-page articles at 26 (51%), followed by the New Brunswick Telegraph-Journal at 16 (31%), the Toronto Star at 4 (8%), the Globe and Mail at 3 (6%), and the Moncton Times and Transcript at 2 (4%). So again, the newspapers with the most front-page stories were connected with Smith's place of birth and death, suggesting that public interest in the case was higher in newspapers where Smith was more likely known. According to Jewkes (2011: 54), "spatial" and "cultural" proximity to an event affects newsworthiness and determines the likelihood that a story will be reported. As such, stories are more likely to be published if they reflect an existing framework of values, beliefs and interests and occur within geographical proximity of the event.

Table 6. Article Length by Year

Table 6	Article Length			
	Year	150-400	400-800	800+
2007	4	17	8	29
2008	7	20	3	30
2009	3	14	8	25
2010	6	14	4	24
2011	8	18	5	31
2012	6	19	3	28
Grand Total	34	102	31	167

Table 7. Article Length by Newspaper

Table 7	Article Length			
	Newspaper	150-400	400-800	800+
Globe and Mail	1	14	6	21
Moncton Times and Transcript	8	15	2	25
New Brunswick Telegraph Journal	6	23	7	36
Toronto Star	4	15	4	23
Waterloo Region Record	15	35	12	62
Grand Total	34	102	31	167

Table 6 indicates story length was consistent over the five-year period. Almost two-thirds (61%) of the news articles were between 400-800 words, followed by news stories of 150-400 words (20%), and those 800 words or more (19%)(Table 6). Similarly, Table 7 indicates that the majority of the stories in each newspaper by location were between 400-800 words. The persistent reporting of mid-length stories over time illustrates a departure from findings reported by Wright, Cullen and Blankenship (1995), in their study on the media coverage of the Imperial Food products fire. Performing a content analysis of 10 American newspapers over a one-year period, they discovered that story length increased after the first week of reporting while the number of stories declined (p. 28).

Alternatively, Slingerland et al. (2007) reported two different story-length trends: an overall reduction in story length over time in the coverage of one night club tragedy, and an initial decrease followed by a significant increase in the coverage of the other nightclub tragedy over time (p. 439). The general stability of the story length in the press coverage of the Smith case demonstrates that news agencies created an ongoing narrative by emphasizing its significance and prominence and, in turn, increasing its appeal to the public.

Visuals are another type of organizational news feature used to maximize public interest, attention, and retention. Photographs, in particular, have a 'natural' ability to evoke emotion and convey meaning, and are often exploited by journalists to inflect a story towards a particular news angle (Hall 1973: 178). By connecting stories with people and places, photographs also help to strengthen the credibility of the news agency by actualizing the event, or providing 'proof' of what happened. The importance of this visual representation of the news is captured by Hall (1973):

In the modern newspaper, the text is still an essential element, the photograph an optional one. Yet photographs, when they appear, add new dimensions of meaning to a text. As Roland Bathes has observed, 'pictures ... are more interpretive than writing, they impose meaning at one stroke, without analyzing or diluting it.'" (P.176)

The two databases used to search for articles restricted my ability to code for graphics in all of the newspapers. The Eureka database, which I used to search the Moncton Times and Transcript and the New Brunswick Telegraph-Journal, provided no information about graphics. Lexis Nexis, however, included information for the Toronto Star, Waterloo Region Record, and Globe and Mail. These three newspapers accounted for 106 of the 167 news articles, of which 31 (29%) contained graphics.

The highest percentage of articles containing graphics occurred in 2007 (50%), followed by 2009 (45%), 2008 (38%), 2011 (25%), 2010 (22%), and 2012 (10%). This decline is not uncommon in continuing stories, as graphics are often used at the beginning of a news event to ‘hook’ reader’s attention and draw them into the story. Once a recurrent narrative is established, illustrations are not as necessary (Ericson et al. 1987). If we examine the use of graphics more carefully we find that the Toronto Star had the highest percentage of stories containing graphics (43%), followed by the Waterloo Region Record (26%), and the Globe and Mail (24%). These findings are consistent with those found in Ericson et al. (1991), for example, who argue that popular newspapers often rely on the help of graphics to “magnify the contexts of their stories and to give them force and validity”, while national newspapers tend to focus their attention on the quality of their sources to establish credibility (p. 24).

Table 8. Number and Type of Main Focus of News Story by Year

Year	Main Focus				Grand Total
	General Discussion	Present New Info	Update	Other	
2007	6	15	12	7	40
2008	11	13	14		38
2009	17	7	7	3	34
2010	11	5	14	2	32
2011	6	17	15	1	39
2012	15	8	15		38
Grand Total	66	65	77	13	221

Table 9. Number and Type of Main Focus of News Story by Newspaper

Newspaper	Main Focus				Grand Total
	General Discussion	Present New Info	Update	Other	
Globe and Mail	7	15	4	1	27
Moncton Times and Transcript	11	5	12	2	30
New Brunswick Telegraph Journal	11	12	19	5	47
Toronto Star	10	10	10	2	32
Waterloo Region Record	27	23	32	3	85
Grand Total	66	65	77	13	221

Fishman (1980) suggests that the journalist’s concept of continuing news is “a series of stories on the same subject based upon events occurring over a period of time” (p. 68). Counting the main focus types in news stories is a way to make sense of the production of a continuing story. In his work, Fishman focused on the methods journalists use to generate the “social facts” we read about in the news. Through an extensive participant observation study of newswork on a newspaper in California, he discovered that continuous stories are warranted whenever an event enters a new “phase” (i.e. the progression of a case) (p. 67). Indeed the consistent orientation toward the disposition of a case, such as the presentation of new information, or updates on action being taken, underlines the importance of news-making (Chermak 1994; Fishman 1980: 70).

Tables 8 and 9 show the numbers and main focus of news articles about the Smith case. The reason that the total numbers of main focus stories are higher (221) than the total number of articles in the sample (167) is because many articles had more than one main focus. The findings indicate that the main focus of the articles

was rather dispersed over time. The following categories each accounted for approximately one-third of the main story foci: general discussion, new information, and updates (Table 8). Thus, the majority of the stories presented accounts of the Smith case in general terms, such as writing about Smith's life, family, and friends, presented new information about the case such as legal actions, proceedings and outcomes, and presented the readers with updates such as the delays and the problems surrounding the coroner's inquest. These findings indicate the ongoing efforts by news agencies to search for answers surrounding Smith's death in custody. Stories that discussed the case through repetitions of the facts and elongated narratives about Ashley's life, allowed readers to develop a deeper connection to the case and encouraged them to follow along as the story unfolded. The "other" category contained the lowest number of main focus stories. For the most part, these stories focused on a broader social issue related to the Smith case (5%) such as the criminalization of the mentally ill, the general practice of solitary confinement, and inmate rights. The number of stories that focused on such topics may be low because articles of 150 words or less were removed from my sample and shorter articles were more likely to be found in the "other" category.

If we look at the number and focus by newspaper in Table 9 we discover some disparities. Over half of the main foci of news stories in the Globe and Mail were concerned with presenting the public with new information about the Smith case; there was only one instance where an issue related and relevant to the case was the main focus of reporting. By contrast, the regional newspapers were mainly concerned with providing the readers with updates on the case. Compared to the

national newspaper, the regional newspapers contained higher percentages of stories that discussed the Smith case generally. This finding is not unusual since regional newspapers often provide a more detailed focus on local events. For example, in his study of the press coverage surrounding the Westray mine disaster in Nova Scotia, McMullan (2005) found that the Chronicle Herald, a local newspaper, included personal accounts that “provided a longitudinal view of the local social climate,” and had reporters who had a more “intimate knowledge” of the event when compared to other print media (p. 42).

Table 10. Number and Type of News Story Frame by Year

Year	Frame			Grand Total
	Faulty CJS	Correctional Horror	Social Reform	
2007	17	4	11	32
2008	14	3	5	22
2009	14	1	17	32
2010	16		7	23
2011	8		3	11
2012	8		11	19
Grand Total	77	8	54	139

Table 11. Number and Type of News Story Frame by Newspaper

Newspaper	Frame			Grand Total
	Faulty CJS	Correctional Horror	Social Reform	
Globe and Mail	12	1	7	20
Moncton Times and Transcript	3		13	16
New Brunswick Telegraph Journal	20	3	17	40
Toronto Star	10		7	17
Waterloo Region Record	32	4	10	46
Grand Total	77	8	54	139

Frames influence the way events are perceived and constructed within news stories. Some stories are categorized under pre-existing frames that allow readers to more easily get a sense of the ‘bigger picture’. Others are fabricated at the

moment depending on sources used or angle taken by editors and reporters. Framing a particular event not only helps to establish consonance and continuity, it also allows news agencies to emphasize and speculate on current social trends relating to crime and justice (Ericson et al. 1987: 147). The effects of news framing on reader's thoughts are demonstrated in a study by Valkenburg et al. (1999), who asked respondents to read two different newspaper stories containing four distinct news frames: human interest, conflict, responsibility, and economic consequences. They observed that the participant's thoughts typically mirrored the frames found in the news story, leading to the conclusion that "the news media can have the capacity not only to tell the public what to think about but how to think about them" (p. 567).

The findings in Tables 10 and 11 display the total number and types of frames in the news stories. Altogether, there were 139 frames found in the 167 news articles, indicating that some articles absented framing. In the stories that contained no frame, the press provided legal updates, information on the inquiry, or Smith's life history, as a more 'objective' presentation of the facts that made framing unnecessary. Over half of the coverage framed the Smith case as a "faulty criminal justice system" story (55%), followed by "social reform" (38%), and "correctional horror" story writing (6%). In the first frame, the case was perceived as yet another failure of the criminal justice system, where procedural and policy reforms were commonly cited as solutions. Here, the press presented narratives in the news that criticized specific penal practices such as the use of solitary confinement for mentally ill offenders. Accounts from many types of sources were used, including

government and legal experts, who claimed Smith's tragic death was the result of a deeply flawed system. Consider the following example as illustrative of a "faulty criminal justice" frame:

"This troubling case illustrates what can go wrong in federal corrections. I've concluded that if different decisions had been taken, and if different routes had been pursued, there's every reason to believe that she'd still be alive today." ... Sapers' recommendations include: upholding correctional policy and respect for the law in federal prisons; improvements to a medical emergency response, and more oversight of inmate isolation. (Bailey 2008: A22)

The faulty criminal justice frame is often the most popular in media depictions of crime news, as it tends to "lead the public to evaluate the overall system poorly while paradoxically leading the same public to increase support for crime-and-justice policies" (Surette 2011: 184).

The next frame of note, "social reform", identified the case as a 'societal' failure requiring system-wide reforms, extending far beyond the criminal justice system. Specific disciplinary practices like segregation were described as ineffective, and reported as gross violations of human rights. A variety of sources in the news including advocacy groups and inmate rights activists claimed that correctional and mental health systems must work together to divert certain types of offenders, such as youth, women, and the mentally ill, away from prison. Indeed it is in this context that a gendered narrative appeared in the news writing, and will be discussed in greater detail in the next chapter. Essentially, Smith's status as a woman was emphasized by the press, and the case was situated within a wider set of issues relating to the imprisonment of women. The focus on Smith's gender was not surprising, as feminist scholars have examined the development of prison discourse

around women for decades. They have pressed for a women-centered approach to corrections and demonstrated that the criminal justice system adheres to male standards, and thus ignores women's social realities in penal policy-making (Kilty 2006: 162). The news articles containing gendered narratives often also cited the Prison for Women in Kingston that was closed after Madame Justice Louise Arbour reported that prisoners were being treated in cruel, inhumane, and degrading ways (Dalton 2007a: A1). The following is an example of a gendered narrative in the social reform news frame:

“[Women’s prisons] have become hierarchal, male-dominated institutions,” said Ms. Pate, who saw Ms. Smith in Ontario’s Grand Valley Institution just weeks before she died ... In 1996, Madame Justice Louise Arbour produced a groundbreaking report that examined prison for women and recommended sweeping changes that would create a new era in female corrections. The reality has not been quite so rosy. The prison worker’s time at the Nova Institution, for example, provided a sobering lesson both on institutional dynamics and society’s approach to women prisoners. (Cheney 2007: A1)

Lastly, in the “correctional horror” frame, the press presented the case as an isolated incident of institutional misconduct that resulted in tragedy. Here, reporters included accounts from correctional officers, police, and other government officials, to discuss criminal charges and any further disciplinary action taken against the prison staff at the Grand Valley Institution where the death occurred. In this frame, Smith’s death was described mostly as a suicide, or apparent suicide, which gave the impression that she may have been at least partly responsible for her own death. The following passage is an example of the “correctional horror” frame:

Two male correctional officers at Kitchener’s prison for women have been charged in connection with the death of an inmate last week. Ashley Smith, 19, died of an apparent suicide in a cell at Grand Valley Institution for

Women on Friday. Although the initial investigation did not indicate foul play, “there were, however, pieces of evidence and investigative pieces that came together that turned this into a criminal investigation,” said Insp. Bryan Larkin of Waterloo regional police. (Davis 2007: A1)

The total number of frames fluctuated from 2007-2009, but then declined from 2010 to 2012. It would seem that the Smith case became especially controversial in 2011 and 2012 when new video evidence surfaced regarding her treatment in custody, making it difficult for reporters to evoke a clear and obvious frame to their story writing. Indeed, the largest number of “correctional horror” stories occurred early on in the coverage in 2007 at 4, and then disappeared in 2010, while the number of faulty criminal justice system story frames declined from 16 in 2010 to 8 in 2011 and 2012. New information about the Smith case brought forth from investigations and legal proceedings may have ruled out “correctional horror” stories after 2009 and reduced the number of stories indexing isolated criminal justice errors. As evinced in Table 11, the dominant news story frame in the Globe and Mail, The New Brunswick Telegraph-Journal, the Toronto Star, and the Waterloo Region Record, was to situate the Smith case within a “faulty criminal justice system”, while most of the news stories in the Moncton Times and Transcript framed the case as one requiring “social reform”. These findings suggest that in the newspaper from Smith’s hometown in Moncton, the press was more inclined to frame her death as a broader social issue, rather than a criminal justice failure.

Table 12. Number and Type of Description of Ashley Smith by Year

Year	Ashley Description					Grand Total
	Criminal Offender	Victim	Mentally Ill	Behavioural Issues	Child/Girl	
2007	22	22	22	9	8	83
2008	20	17	19	13	7	76
2009	7	20	22	16	9	74
2010	9	19	21	12	2	63
2011	2	20	22	20	4	68
2012	6	20	23	12	5	66
Grand Total	66	118	129	82	35	430

Newspaper	Ashley Description					Grand Total
	Criminal Offender	Victim	Mentally Ill	Behavioural Issues	Child/Girl	
Globe and Mail	9	14	20	14	6	63
Moncton Times and Transcript	5	19	20	12	9	65
New Brunswick Telegraph Journal	14	26	33	16	7	96
Toronto Star	10	17	16	12	4	59
Waterloo Region Record	28	42	40	28	9	147
Grand Total	66	118	129	82	35	430

Table 13. Number and Type of Description of Ashley Smith by Newspaper

Narratives are popular and useful in news stories for establishing social constructions. They contribute to the development of frames, normally consisting of characteristics that the public is already familiar with (Surrette 2011: 41). In the stories about the case, I counted the different narratives in each story that were used to describe Smith but not the number of times it occurred in the article. The findings indicate that one-third (129 out of 430) of the news descriptions characterized Smith as mentally ill. Words such as “troubled”, “disturbed”, and

“unstable” were commonly used in the construction of this narrative. Consider the following news texts as examples:

At 19, Smith had spent nearly a quarter of her life in prison, much of it under suicide watch. She had been transferred through a series of federal institutions, accumulating a number of internal disciplinary charges that added to her sentence. She was by all accounts a troubled young woman, but was jail the answer? (Cheney 2007: A1)

The inquest has been told that Ashley Smith suffered from a range of mental health issues, including borderline personality disorder. Despite medical recognition that her behaviour was rooted in conditions over which she had little, if any, control, the justice system treated her as a delinquent. She was first arrested for causing a disturbance at 13; at 15, she was jailed. (New Brunswick Telegraph-Journal 2011: A8)

According to Pemberton (2008), the tendency to pathologize the offender is fairly common amongst ‘deaths in custody’ news, as it makes it easier to blame them for their own deaths (p. 249).

However, an equally significant number of articles (118) described Smith as an innocent victim, which is unusual since offenders are not typically portrayed as such in the news (Pemberton 2008; Jewkes 2011; Surette 2011). This narrative is exemplified in the passages below:

Smith's horrific journey through the criminal justice and mental health care systems has been under investigation by several public agencies. New Brunswick ombudsman and youth advocate Bernard Richard said no young person struggling with mental illness should endure the same treatment as Smith. Locked away in a small cell, penalized with solitary confinement for 23 hours a day, Smith can't be blamed for the way she reacted” (Moncton Times and Transcript: 2007: A11)

"As much as Ashley Smith is a victim in this case, our members are also victims," Godin said. "We have seven dedicated professionals for whom the balance of their lives are resting on inconsistent policies in the (federally sentenced women) sector." The union has held several information pickets at Grand Valley in the weeks since Smith's death and has implied there is more to the story than has been revealed to date. (Dalton 2007b: A1)

Discussions, explanations, and analyses concerning Smith's behaviour while incarcerated accounted for 20% of the total number of narratives. Her behaviour was described in varying degrees of recalcitrance, ranging from problematic, high-risk, and erratic, to violent, manipulative, and unmanageable. The following passages are exemplary:

The report [released by the Canadian Union of Correctional Officers] also reminds us that three years ago, the union asked Correctional Services Canada to consider the rising numbers of violent and unmanageable female inmates. Smith, who would rip out window frames and floor tiles, smear feces on the window of her cell so guards couldn't see inside, and spit on staff, was one of those people. (Waterloo Region Record 2008: A12)

A native of New Brunswick, Ms. Smith had been charged with minor offences. She had bounced from one prison to another since she was 15, in a spiraling pattern of destructive behaviour, repeated suicide attempts and constant solitary confinement. Her death was preventable, Howard Sapers, the federal correctional investigator, concluded this summer, citing the lack of adequate mental health services as a contributing factor. (Thanh Ha 2008: A10)

Lastly, Smith was characterized as a child or young girl in 35 of the 430 narratives:

"Smith should not be dead today. And while Sapers' report cannot bring her back, it should fill Canadians with enough righteous outrage that they demand profound changes in how their national prison system treats other prisoners with mental illnesses. Because here's the real rub. Smith wasn't a hard-core criminal. She wasn't a thug. She was a little girl who was mentally ill. (New Brunswick Telegraph-Journal 2009: A11)

Most of us know little of prison life, let alone have any understanding of how a mentally ill girl like Ms. Smith, whose real-world "criminal" career consisted of pulling fire alarms and the like, could end up moving through 17 federal prisons and hospitals in less than a year, her treatment ever more isolating and troubling. (Blatchford 2011: A8)

The press, to some degree, 'infantilized' Smith, a common technique used to generate feelings of sympathy from readers and promote moral judgment (Adorjan 2011). Over the five-year period, the number of times that Smith was described as a victim and as mentally ill remained steady, while the number of times that she was

described as a criminal offender decreased significantly. This emphasizes a critical shift in the perception of the case by news reporters and agencies, where Smith was no longer seen as the wrongdoer. These discoveries are consistent with those found by Adorjan (2011), in his investigation of the emotional reactions to youth crime in three Canadian newspapers. He suggests that by referring to young offenders as “kids”, the press was able to deploy a theme of innocence and underscore victimhood. Hence, the “kids” in his study engaged in negative behaviour, but they were not seen as responsible for their actions (p. 175). No significant findings were revealed in the newspaper descriptions by location.

Table 14. Number and Type of Dramatization of News Story by Year

Table 14	Dramatization			
Year	Controversial/Serious	Urgent Action Needed	Cover-up	Grand Total
2007	21	25	6	52
2008	29	27	10	66
2009	25	23	10	58
2010	24	22	14	60
2011	31	27	9	67
2012	28	28	16	72
Grand Total	158	152	65	375

Table 15. Number and Type of Dramatization of News Story by Newspaper

Table 15	Dramatization			
Newspaper	Controversial/Serious	Urgent Action Needed	Cover-up	Grand Total
Globe and Mail	21	19	14	54
Moncton Times and Transcript	22	25	7	54
New Brunswick Telegraph Journal	32	34	11	77
Toronto Star	23	20	12	55
Waterloo Region Record	60	54	21	135
Grand Total	158	152	65	375

Dramatization and tone are typically displayed to sensationalize news stories and increase newsworthiness. News sources and journalists work at emphasizing dramatic elements to engage the public, spark awareness, encourage support, and force government action or accountability. Tables 14 and 15 represent the number of dramatized occurrences within the sample of news articles. Again, each type of dramatization was only counted once within each news story. The high numbers of dramatizations (375) compared to actual articles (167), indicate that the majority of the stories were dramatized using several themes and sometimes simultaneously. Most of the dramatized accounts persistently described the Smith case as controversial and serious (158), and in need of urgent action (152). The passages below are examples of the dramatic narratives:

A high-profile examination of Ashley Smith's 2007 death by hanging has been put off until Sept. 12. This after a series of controversies, including whether key video evidence should be shown, and a coroner's ruling threatening lawyers with contempt on sharing exhibits with the media. Smith, a 19-year-old with a history of mental illness, strangled herself in a Kitchener prison while jail guards watched. (Toronto Star 2011: A20)

Ashley Smith's ordeal demands a two-fold response. In the short term, federal authorities must bring accountability to the justice system and ensure that mentally ill prisoners are receiving proper treatment. The federal and provincial governments also must work towards a long-term solution. Canada needs a comprehensive strategy to deal with mental illness through the health care system, rather than the courts. (New Brunswick Telegraph-Journal 2009: A6)

A smaller but significant number of stories (65) accused the federal government of hiding important facts in an attempt to cover-up the "truth" of the Smith case. Indeed, the numbers indicating a cover-up increased steadily from 2007 to 2012, and the content suggested a growing skepticism regarding the

government's capability to address the Smith case. The following two passages are illustrative. In the first excerpt a union official implicates upper management correctional staff, and in the second excerpt Smith's lawyer Julian Falconer registers his mistrust of the Correctional Services of Canada:

Fernando Aziz, president of the Grand Valley local of the Union of Canadian Correctional Officers, said: "At the time it happened, the night shift was coming off and the day shift was coming on," Aziz told the media this week. "We feel unsubstantiated," he said, of the criminal allegations. "It really is out of left field and, quite honestly, reeks of a cover-up." (Times & Transcript Staff 2007: A3)

Falconer said the Correctional Service "concealed and suppressed" an expert report it commissioned from a psychologist that provided an alternate theory on Smith's death. Dr. Margo Rivera concluded that Smith never intended to kill herself and that she was counting on prison staff to save her. "They cannot be trusted to fix things," he said. (Toronto Star 2010: A2)

A closer look at dramatized accounts by newspaper location in Table 15 reveals that the Waterloo Region Record was the most likely to register dramatized accounts (36%), followed by the New Brunswick Telegraph-Journal (20%), and the Toronto Star, Globe and Mail, and Moncton Times and Transcript at 15% each. Interestingly, if we return to Table 1 and relate these findings regarding the deployment of dramatization to the actual number of newspaper articles published in each newspaper, we discover that the Globe and Mail had the highest percentage of articles (14 out of 21) that described the case as a cover-up, followed by the Toronto Star (12 out of 23), the Waterloo Region Record (21 out of 62), the New Brunswick Telegraph-Journal (11 out of 36), and the Moncton Times and Transcript (7 out of 25). These findings support Ericson et al.'s (1991) observation that national newspapers are almost twice as likely as regional newspapers to publicize items that associate government officials with deviant activity, as they articulate an

“institutional-news emphasis” and are often seen as a “watch-dog of government” (p. 254).

Table 16. Number and Type of Tone of News Story by Year

Table 16	Tone			
Year	Tragedy/Loss/Sadness	Hope/Optimism	Anger/Outrage/Hostility	Grand Total
2007	22	2	19	43
2008	24	1	18	43
2009	16	1	16	33
2010	21	1	16	38
2011	13	1	17	31
2012	22	1	23	46
Grand Total	118	7	109	234

Table 17. Number and Type of Tone of News Story by Newspaper

Table 17	Tone			
Newspaper	Tragedy/Loss/Sadness	Hope/Optimism	Anger/Outrage/Hostility	Grand Total
Globe and Mail	9		21	30
Moncton Times and Transcript	15	4	16	35
New Brunswick Telegraph Journal	27		22	49
Toronto Star	17	1	19	37
Waterloo Region Record	50	2	31	83
Grand Total	118	7	109	234

Tables 16 and 17 represent the extent and type of tonality in the news stories. Overwhelmingly, the tone of the stories was “tragedy, loss, and sadness”, and/or “anger, outrage, and hostility”. The following examples are exemplary:

Inmate advocate Kim Pate, executive director of the Canadian Association of Elizabeth Fry Societies, spoke on behalf of Smith’s family. “They want to be able to put their daughter to rest,” Pate said in an interview. “She was taken away at 15 into youth custody, and has been sent back to them at 19 in a body bag. They’re extremely, understandably distressed by how this could have happened.” (White 2007: A3)

Ashley Smith's tragic story is well-known in New Brunswick. The 19-year-old spent nearly a year in solitary confinement before she choked herself to death in her solitary cell on Oct. 19, 2007 while prison staff watched. Suicidal and violent, she had been classified as a threat to herself and others. Her small, chilly, dim cell in the Grand Valley Institution for Women, in Kitchener, Ont., was eventually stripped of everything but a steel toilet. (Linke 2009: A1)

So, the press conveyed the clear message that the case was a human tragedy, while at the same time reporting it with strong tones of anger. Increasingly, stories evoked powerful feelings of moral and criminal wrongdoing, as the press struggled to uncover the 'truth' about her death in custody:

It was Smith who wrapped that strip of cloth around her neck and Smith who pulled it tight enough to choke the last breath of life out of her body. But it was a complicit Correctional service of Canada that made possible the demise of this troubled teenager. And that sad involvement continued right down to the staff at Kitchener's Grand Valley Institution for Women who watched the 19-year-old committing suicide and turning blue from lack of oxygen but, incredibly, did nothing to stop her because they had been told not to intervene while she was still breathing. (Waterloo Region Record 2009: A10)

Not surprisingly, only 7 of the 234 instances where I was able to document tone in the news, evinced hope or optimism. Indeed, many of the stories casted doubt on the likelihood that similar cases can be prevented without significant changes to the way the criminal justice system deals with those whom they called mentally ill offenders:

[Conservative MP Dave MacKenzie] said the [prison] service had also reviewed its capacity to meet the needs of mentally ill women offenders; Sapers countered that the review found the capacity "fell short." "So now it needs to address the gaps." Pate said it is difficult to remain hopeful that Smith's death will trigger reforms. Still, she said, "we do remain hopeful that as more information about the prison service's acts and omissions come out, the government will see fit to act." (Linke 2009: A3)

The reporting of tonality over the five-year period was relatively constant ranging from 43 examples in 2007 to 46 in 2012. A closer look at tonality by

newspaper location and the number of actual newspaper articles in Table 17 reveals that the dominant tone in the Globe and Mail was anger, outrage, and hostility. By contrast, the stories in the Waterloo Region Record mostly portrayed tones of tragedy, loss, and sadness. While the number of articles indexing hope or optimism for the Smith case was generally low, the Globe and Mail and the New Brunswick Telegraph-Journal were the only newspapers that did not have *any* stories evoking hope or optimism regarding the case. The Moncton Times and Transcript, the New Brunswick Telegraph-Journal, and the Toronto Star displayed a balanced number of tragedy, loss, and sadness and/or anger, outrage, and hostility tones.

Table 18. Number and Type of Target Identified in the News Story by Year

Table 18	Target						Grand Total
	Criminal Justice System	Federal Government	Prison Staff	Ashley	Medical Personnel	Provincial Government	
Year							
2007	18	19	3	1		2	43
2008	4	24	6	1		3	38
2009	13	24	5	1		7	50
2010	7	21	1		3	4	36
2011	4	16	1	1	17	1	40
2012	12	24			1	4	41
Grand Total	58	128	16	4	21	21	248

Table 19. Number and Type of Target Identified in the News Story by Newspaper

Table 19	Target						Grand Total
	Criminal Justice System	Federal Government	Prison Staff	Ashley	Medical Personnel	Provincial Government	
Newspaper							
Globe and Mail	11	20	2		5	3	41
Moncton Times and Transcript	10	15	1	1	5	4	36
New Brunswick Telegraph Journal	19	30	4	1		5	59
Toronto Star	6	19	1		7	3	36
Waterloo Region Record	12	44	8	2	4	6	76
Grand Total	58	128	16	4	21	21	248

Identifying targets, where groups or individuals are mentioned as responsible for events, adds an aspect of personalization to news writing. Stories are more newsworthy if the press can attach a face to the event that is recognizable amongst readers. The story becomes simultaneously less ambiguous and more interesting if readers can draw familiar connections between the event and those named responsible for events (Ericson et al. 1987; Hall 1973; Jewkes 2011; Surette 2010). Tables 18 and 19 indicate the total number of times a target was mentioned in the newspapers. Again, I counted the different types of targets identified in each article but not the number of times the type of target was mentioned in each article. Altogether there were 248 targets identified in the 167 news articles. The most frequent one discussed was the federal government (52%), followed by the criminal justice system (23%), medical personnel (8%), the provincial government (8%), prison staff (6%), and Ashley Smith (2%). The reporting was especially critical of officialdom and demanded that the federal government assume responsibility for what happened to Smith. The following excerpt is exemplary:

The union maintained its members went "above and beyond" in their efforts to save Smith. This was affirmed by the decision to drop the criminal charges, said Jason Godin, president of the union's Ontario Region. "These are excellent people, excellent correctional officers, who were wrongly accused and obviously used as scapegoats by our employer." He repeated the union's call for a public inquiry. "We want to send a clear message to Correctional Service of Canada – you need to own up to your responsibility, which you clearly haven't done since the beginning of this." (Dalton 2008c: A1)

This result was rather surprising since previous research indicated that the press is often reluctant to blame government officials in crime news writing (Barak 1994; Chermak 1994; Ericson et al. 1991; Kasinsky 1994; Slingerland et al. 2007; Surette

2011; Wright et al. 1995). According to Chermak, the performance of the police and the court system was negatively evaluated in only 4% of the total number of stories he analyzed, and when evaluations did occur, the event was framed as isolated rather than ongoing or systemic (p. 15). Interestingly, only 4 articles targeted Smith as the architect of her own misfortune. This finding is also at odds with other studies of news about deaths in custody, which typically blame the victims for their own demise (Pemberton 2008; Scraton 2002; Surette 2011).

Variance occurred in the reporting of the type of targets by year. The targeting of the criminal justice system, for example, fluctuated from year to year, while the targeting of the federal and provincial governments was fairly consistent over the five-year period. The number of stories targeting prison staff doubled from 2007 to 2008 and then slowly declined to zero in 2012. This pattern was influenced by the criminal charges laid against the prison staff for negligence following Smith's death in custody in 2007. The targeting of the prison staff in the news declined when the charges were dismissed in 2008 after new medical evidence suggested that the guards could not have saved Smith's life. Medical personnel were not identified as targets in the news coverage until 2010, and over 80% of this occurred in 2011. This was the time when the coroner was at the centre of a controversy. Questions were raised about her competence in presiding over the inquest and news stories accused her of trying to impede the investigation into the causes of Smith's death. These accusations, in turn, resulted in a number of news narratives that questioned whether coroners should even be allowed to conduct inquiries, since they lacked the appropriate legal expertise. An examination of targeting by newspaper location as

evinced in Table 19, revealed no significant results. In all of the newspapers, the federal government was targeted the most, followed by the criminal justice system.

Table 20. Number and Type of Identifier by Year

Table 20	Target Identifier					
	Legal	Government	Family	Media	Other	Grand Total
Year						
2007	19	15	1	2	6	43
2008	10	25		4	3	42
2009	17	25	7	2	4	55
2010	19	10	4	5	1	39
2011	26		2	6	6	40
2012	17	6	3	6	6	38
Grand Total	108	81	17	25	26	257

Table 21	Target Identifier					
	Legal	Government	Family	Media	Other	Grand Total
Newspaper						
Globe and Mail	18	14	3	4	4	43
Moncton Times and Transcript	19	4	5	2	4	34
New Brunswick Telegraph Journal	30	20	5	2	8	65
Toronto Star	17	7		8	1	33
Waterloo Region Record	24	36	4	9	9	82
Grand Total	108	81	17	25	26	257

Table 21. Number and Type of Target Identifier by Newspaper

Target identifiers are those responsible for naming targets in news stories. Target identifiers are used by news agencies to increase newsworthiness by personalizing the stories, while creating controversy and drama by pitting sources against each other (Chermak 1994; Ericson et al. 1987; 1989; Fishman 1980; Tuchman 1978). Tables 20 and 21 capture the number of times groups or individuals identified targets. Altogether there were 257 target identifiers acknowledged in the 167 news articles. Forty-two percent (108) of identifiers were

legal personnel. These included governmental legal personnel such as judges, crown prosecutors and lawyers, Smith's family lawyer, legal advocates such as the Elizabeth Fry Society, and the New Brunswick Ombudsman. Within this category, most of the identifiers were Kim Pate of the Elizabeth Fry Society or other members of her organization (39%) and the Smith family lawyer Julian Falconer (38%). The Ombudsman made up 16% of this group, non-governmental lawyers accounted for the remaining 8%, and government legal personnel for 6%. Government officials were the second most likely group to identify targets accounting for 31% of the total number. These 81 individuals included government officials such as public safety ministers, government spokespersons from different departments, Correctional Services of Canada (CSC) managers, investigators, and correctional staff including members of the Union of Canadian Correctional Officers (UCCO). The two largest target identifiers in this category were the correctional investigator Howard Sapers (41%) and members of the UCCO (36%), followed by government officials and political figures at 9% each, and the CSC at 4%. Community members, academics, and other experts (26) constituted the "other" category of target identifiers at 10%, followed by media (25) at 10%, and Smith's family members (17) at 7%. These findings are compatible with those found in Ericson et al.'s (1987) study of the role of journalists in defining and shaping social deviance Ontario. They discovered that imputations of deviance from individuals without organizational or professional affiliations were less likely to be reported in the news. These accounts lacked authority and had the potential to result in lawsuits. So publishing them was akin to risking the reputation of the news agency. However, once the statements had been

recognized by officials or experts, journalists were more likely to accept them as 'factual' and legitimate. According to Ericson et al., "it was not the voice of the people, but the authority for the people, that counted" (p. 285).

The number of target identifiers remained stable over the five-year period. However, Table 20 indicates that government officials steadily declined as identifiers in the news and especially from 2009 to 2012. Media targeting, on the other hand, steadily increased over the same time period. A consideration of target identifiers by newspaper location reveals that the majority of the identifiers in most of the newspapers were legal personnel. The Waterloo Region Record was the exception to the pattern. It registered mostly government officials as target identifiers. Since the Grand Valley Institution was located in Waterloo, the press coverage of criminal charges and legal proceedings was more extensive in that jurisdiction than the coverage in other regions. It was apparent that local journalists published more accounts from correctional staff, especially at the beginning of the reporting period when initial charges against them were laid. Van Dijk (1988) suggests that this is not an uncommon finding in news analysis. Reporting on local events typically take priority over others because stories are more easily formed and updated if the journalist has a better knowledge of the location, circumstances, and actors involved (p. 124).

News Sources and Claimsmaking

Since most events reported on in the news are not directly observed or experienced by journalists, they must rely on a variety of sources for their

information (Van Dijk 1988: 87). However, Becker (1967) reminds us that a hierarchy of credibility exists when it comes to sources; not all are considered equal. Sources are chosen based on a number of factors such as accessibility, social status, connection to the event, and relationship with the news agency (Ericson et al. 1989; Jewkes 2011; Surette 2011; Van Dijk 1988). Thus, the types of sources used by reporters to gain insight into an event can influence the way an event is portrayed in the news.

Table 22. Number and Type of News Sources by Year

Table 22	News Sources					
	Government	Legal	Other	Family	Medical	Grand Total
Year						
2007	38	28	9	2		77
2008	42	19	1	1	2	65
2009	46	27	6	11	1	91
2010	20	26	5	5	12	68
2011	5	42	7	2	14	70
2012	23	30	4	4	5	66
Grand Total	174	172	32	25	34	437

Table 23	News Sources					
	Government	Legal	Other	Family	Medical	Grand Total
Newspaper						
Globe and Mail	21	29	4	5	5	64
Moncton Times and Transcript	12	28	3	4	2	49
New Brunswick Telegraph Journal	49	43	11	4	4	111
Toronto Star	17	25	1	5	8	56

Table 23. Number and Type of News Sources By Newspaper

Waterloo Region Record	75	47	13	7	15	157
Grand Total	174	172	32	25	34	437

Tables 22 and 23 illustrate the number of times a source was used in the news stories. Again, I counted each type of source only once per story, but this still resulted in a total of 437 news sources. Government (174) and legal sources (172) dominated the press coverage of the Smith case, contributing to 80% of the total number of sources reported in the news. Medical sources (34) accounted for 8% of the total, while the “other” category (32) made up 7% of the total. Lastly, family sources (25) including Smith herself accounted for 6% of the sources used by reporters.

The heavy reliance on government and legal sources was not surprising, as other studies have demonstrated similar findings (see Ericson et al. 1991; Chermak 1994; Kasinsky 1994; McMullan 2005; Surette 2011; Welch et al. 2000). In their study of the debate over corrections in the New York Times, Welch et al. (2000) found that political and government leaders were quoted substantially more often compared to other news sources, such as health care professionals, inmates, volunteers, religious personnel, or professors. They concluded that, “media discourse on corrections provides additional opportunities for high-ranking government figures to institutionalize their authoritative position” (p. 260). In the coverage of the Smith case, these types of sources provided reporters with “official” statements and legal updates. If we examine the source categories carefully, we discover that the Elizabeth Fry Society, Mr. Sapers, the correctional investigator, and Mr. Falconer, the Smith’s family lawyer, were cited in 51, 49, and 48 of the news

stories. These sources were often critical in tone and content, accusing the federal government of “secrecy,” “conspiracy,” and “criminal misconduct”. The majority of the statements were directed at CSC, who remained largely absent in the news stories, citing the ongoing investigations as reasons for their lack of communication. Police had the lowest number of news sources at 6 (3%), followed by psychologists and psychiatrists at 9 (5%), Smith at 10 (6%), “other expert sources” at 10 (6%), and Smith’s family at 15 (9%). The highest number of sources cited in the news appeared in 2009 at 91 (21%).

Government sources were predominant in the news from 2007 to 2009, while legal sources were more popular from 2010 to 2012. News narratives were increasingly critical of the federal government and especially in 2011 when videos containing disturbing footage of Smith being mistreated by correctional staff were made public. The use of family sources increased in 2009 and then steadily declined, while the use of medical sources soared in 2010 and 2011. Controversy surrounding the coroner presiding over the inquest seems to explain the sudden increase in medical sources during that time. Table 23 reveals that the Waterloo Region Record contains over one-third of the total source count at 157 (36%), followed by the New Brunswick Telegraph-Journal at 111 (25%), the Globe and Mail at 64 (15%), the Toronto Star at 56 (13%), and the Moncton Times and Transcript at 49 (11%). For the most part, the numbers of government and legal sources within each newspaper were distributed evenly. The exceptions, however, were the Waterloo Region Record and the Moncton Times and Transcript. The Waterloo Region Record had a significantly higher number of government sources (75) compared to other sources

deployed, while the Moncton Times and Transcript had a much stronger presence of legal sources (28). The reliance on one type of source over another may be a result of a combination of factors. It is possible that journalists had better relationships with government or legal sources in these regions, which would mean greater accessibility to these types of sources (Ericson et al. 1989). Alternatively, reporters may have been more interested in accounts from one type of source as compared to others, depending on how the case was to be framed by the newspaper (Chermak 1994; Ericson et al. 1987).

News Discourses and The Ashley Smith Case

Table 24. Number and Type of Discourse by Year

Table 24	Discourses			
Year	Medical	Legal	Criminal Justice	Moral
2007	21	22	27	10
2008	16	27	27	12
2009	21	20	24	13
2010	21	20	23	16
2011	22	27	28	13
2012	22	24	28	25
Grand Total	123	140	157	89

Table 25. Number and Type of Discourse by Newspaper

Table 25	Discourses			
Newspaper	Medical	Legal	Criminal Justice	Moral
Globe and Mail	18	18	21	8
Moncton Times and Transcript	20	20	24	17
New Brunswick Telegraph Journal	32	31	35	24
Toronto Star	17	21	19	13
Waterloo Region Record	36	50	58	27
Grand Total	123	140	157	89

Tables 24 and 25 denote the absence of a single dominant discourse in the press reporting of the Smith case. Rather, the news stories reveal a plurality of criminal justice, legal, and medical discourses in the coverage period. While the presence of multiple discourses is common among crime news, particular discourses tend to dominate during different stages of the event coverage (see Adorjan 2011; McMullan 2005; Slingerland et al. 2007; Wright et al. 1995). For example, McMullan (2005) discovered that political economy narratives were most prevalent in the first time interval of news coverage of the Westray mine disaster, while legal tragedy discourse was most popular in the second and third time intervals (p. 58). Throughout the coverage period of the Smith case, however, the criminal justice, legal, and medical discourses remained persistent and consistent. Criminal justice narratives were registered in 157 (31%) of the news stories. The criminal justice discourse evaluated the competence of the prison system and its correctional staff, the treatment of inmates, and correctional protocols, procedures and policies. The Smith case provoked strong emotive reactions by both official and non-official sources that challenged the efficacy of the criminal justice and penal systems. The following passage is an example of the criminal justice discourse:

After her death, the Child and Youth Advocate for New Brunswick and the Federal Correctional Investigator released reports on her time in custody, detailing the life of a troubled young woman as she was passed through both systems. The New Brunswick report described incidents when Smith was constrained in a strait-jacket-like device called “the wrap,” hit with a stun gun and confined to segregation called “therapeutic quiet.” The federal ombud’s report raised question about her frequent transfers in the 11 months she was in federal custody – several of which occurred before a mandatory 60-day review of her time in segregation. (Dalton 2010: A1)

Legal narratives were almost as prevalent, occurring in 140 articles or 28% of

the total. The legal discourse typically detailed the mundane charges, arrests, procedural rules, and penalties associated with the Smith case or conveyed the idea that the legal system was flawed and required reform. Many of the legal narratives were enunciated by lawyers, but a significant contribution came from Smith's family and members of the public who focused on cumbersome bureaucratic policies and procedures when discussing the case:

With a coroner's inquest into Ashley Smith's death also scheduled to start in November, Sapers told the Star he feels strongly that the process should examine her entire experience in the adult correctional system. Ontario's Deputy Chief Coroner Dr. Bonita Porter had earlier ruled that the inquest should focus on the last 13 weeks of Smith's life, which she served in the province. Smith's family argues that Porter's inquest must consider the 11 months preceding the teen's death, which drove her to "suicidal despair." (Toronto Star 2010: A1)

A small number of stories contained narratives that investigated the social processes surrounding her death in custody, while individualizing criminal responsibility. Here, the language of reporting documented the ways in which Correctional Services of Canada staff broke the law and should be held *criminally* accountable for their actions:

"Orders from Correctional Service of Canada that led prison guards to not immediately enter the cell of a young woman choking herself to death should be the subject of an RCMP criminal investigation, her family's lawyer said Tuesday". Ashley Smith's family has written two letters - dated Oct. 15 and 19 - to RCMP Commissioner William Elliott, requesting the investigation of incidents at Joliette Institution in Quebec and a management directive at Grand Valley Institution for Women in Kitchener. (Jones 2010: A1)

A medical discourse was an ensemble of statements that either explicitly or implicitly referred to Smith's physical or psychological status by using medical terminology from medical experts or non-medical personnel, such as family members, legal personnel, government officials, advocacy groups, and those

employed by the criminal justice system, to discuss Smith's health in relation to her death. Medical stories (123) accounted for about one quarter of the total number of news narratives written about Smith. Although many of the medicalized statements described Smith as mentally ill, a closer look at these accounts reveals that her health was primarily discussed by non-medical personnel. By contrast, the small number of articles that included opinions from medical experts implied that Smith was a rational, manipulative, and mentally stable individual. Passages containing the medical discourse are exemplified below:

An independent psychologist looking at records after her death interpreted Smith's frequent self-injuring – often by choking herself – as bids to attract attention. It was “a means of drawing staff into her cell to alleviate the boredom, loneliness and desperation” of her prolonged isolation, the psychologist later wrote. “This behaviour was Ms. Smith's way of adapting to the extremely difficult and increasingly desperate reality of her life in segregation. – The girl was bored out of her mind,” said an unnamed guard quoted in a union report. (Linke 2009: A1)

This girl was given a 90-day sentence, triggered by throwing one crabapple at a postal worker at age 17, never to see the light of day. She had other minor offences, but I cannot for the life of me see that someone didn't realize that Ashley Smith had a serious mental problem. She had been in and out of prison since she was 14 for disturbing the peace. (Poole 2011: A14)

So, despite the noticeable absence of support from medical experts, the press did not hesitate to circulate an 'unofficial' medical discourse in the coverage of the Smith case that persistently described her as having a mental illness.

A moral discourse accounted for 89 (17%) of the narratives. They registered the Smith case in terms of ethical and human rights violations, and contextualized her treatment in a language of animalistic torture and intentional harm. Words such as “inhumane”, “barbaric”, “wrong”, “shameful”, “abusive”, “evil”, or “unacceptable”

were often used to facilitate moral judgments. Consider the following passages as examples of a moral discourse:

Her psychological breakdown was not a surprise: For nearly two years, Ms. Smith had been confined to segregation cells, where she lived alone, in conditions that appalled the few outsiders who knew about them. “Her human rights and her Charter rights were violated,” said Kim Pate, Executive Director of the Canadian Association of Elizabeth Fry Societies. “She was being treated in ways that were inhumane.” (Cheney 2007: A1)

Court and prison documents show how the once soft-spoken young woman’s complaints were largely ignored and how she wound up as a “caged animal” – four years after she first got in trouble, caught throwing crab apples at a postal worker. Recently, video records of her time in a New Brunswick facility were obtained by the CBC program *The Fifth Estate*, reportedly showing guards dousing her with pepper spray and getting ready to zap her with a Taser. (Zlomislic 2010: A1)

The contextualization of the Smith case as a moral issue was a significant change from the heavy focus on criminal justice and legal issues. The increase of the moral discourse over the years indicated the growing disapproval by the press of not only the correctional system, but society as a whole for endorsing the practices of imprisonment. If we compare these discourses by newspaper location we discover that the Waterloo Region Record included mostly legal and criminal justice story telling in their reporting, while the other newspapers evinced a balanced blend of medical, legal, and criminal justice narratives. This may be because the majority of the criminal justice and legal narratives were directed at the Grand Valley Institution in Waterloo where Smith was incarcerated at the time of her death. Moral narratives, while present in each newspaper, were significantly higher in the New Brunswick Telegraph-Journal and the Moncton Times and Transcript, where about 70% of their total news stories contained moral discourses (24 out of 36 and 17 out of 25 respectively). Compared to the newspapers in other regions, New

Brunswick contained more family and friends who knew Smith personally. It would seem that reporters dramatized and sensationalized the news to construct the Smith case as more of a moral issue than a matter of legal reform or criminal justice failure in these newspapers.

Summary and Conclusion

In sum, the New Brunswick Telegraph-Journal and the Waterloo Region Record were the two newspapers with the most coverage of the Smith case, demonstrating that the case was not strongly represented as national news. Reporters in the regions where Smith was born and died showed more interest in the case because the event occurred locally. Although the press coverage remained consistent throughout the five-year reporting period, the decline in front-page stories indicates that the case lost some of its appeal over time. However, stories were relatively lengthy and constantly featured in section A of the newspapers, suggesting that the Smith case remained prominent and serious news. In order to develop an ongoing narrative about her death and the aftermath, news stories focused on the case generally, and provided readers with new information and frequent updates on actions taken or not taken. The case was primarily framed as a criminal justice system failure, calling for policy and procedural reform. However, in 2007, 2009, and 2012, the press circulated a significant amount of stories depicting the case in a social reform frame, where Smith's treatment in prison was considered both illegal as well as immoral. By contrast, the press refrained from describing the

case as a correctional horror, or isolated tragedy, altogether, after 2009. Indeed descriptions of Smith as a criminal offender drastically declined in the coverage over time. Rather, Smith was typically seen as an innocent victim who suffered from mental illness and related behavioural issues. Notably, Smith's health was mostly discussed by non-medical experts in the news.

Stories portrayed the case as serious, controversial, and in urgent need of action, while evoking tones of both sadness and hostility. Over the years the number of articles describing the case as a government cover-up increased. The press became more critical of state officials, circulating narratives that accused them of dishonesty, secrecy, and scapegoating. Hence, accounts mostly targeted the federal government and the criminal justice system as a whole as responsible for what happened to Smith. Initially, target identifiers were predominantly other government officials, but after 2009 the sourcing of the news changed and the main identifiers became lawyers and advocates for the Smith family. Although the press relied heavily on government and legal sources to obtain information about the case and write their stories, a number of accounts from non-expert sources were also validated by the press and contributed to the dissemination of criminal justice, legal, medical, and moral discourses. As the press became more diverse in their sourcing over time, they also mobilized an increasing amount of moral narratives, which, in turn, sparked more controversy over Smith's death and invited further public scrutiny of state actors and the criminal justice system.

In the next chapter I present my analysis. I use Foucault's notions of discourse, power, and resistance, to explain the continuities and discontinuities

found in the reporting relating to the sourcing and framing of the Smith case over time. How did the press coverage influence the formation of certain “regimes of truth” about Smith’s death? What role did power and resistance play in registration of the “truth” of the case by the press? What was the relationship between discourses, news sources, and story-telling? I also incorporate Cohen’s work to examine how the government reacted to the accusations and criticisms in the aftermath of Smith’s death, and whether or not the press accepted and disseminated their denials in the news coverage. Which narratives were used to silence, disqualify, and deny events surrounding Smith’s death? Was a vocabulary of denial produced and circulated by the press? What were the strategies behind the creation of narratives of blame, responsibility, and justice? How did these accounts affect the way that the case was framed, understood, and dealt with by the press?

V. THE PRESS AND THE PRODUCTION OF THE TRUTH ABOUT ASHLEY SMITH'S DEATH

Introduction

In this chapter I draw out the significance of my findings and examine the production of truth surrounding the Smith case. I discuss how the press operated as truth tellers by validating certain discursive statements and silencing others, governing what could be said about the Smith case and by whom. Using Cohen's theories on denial I critically examine the government's response to Smith's death in the news, arguing that they engaged in three forms of official denial at different stages in the reporting period: implicatory denial, passive denial, and interpretive denial. Each was registered differently by the press in congruence with the formation of three regimes of truth concerning Smith's death: accidental death, preventable death, and unnecessary death. Although these regimes of truth appeared simultaneously in the reporting, there were times where one was more dominant than others. In this chapter I demonstrate that the press deployed a multiplicity of discourses in their newswriting to attribute blame, invoke innocence, and circulate denial. As a result, Smith was constructed as both defiant and mentally

ill, and her death was described as a horrific tragedy, where legal battles remain never-ending, and justice has yet to be done.

The Press Representation of Smith as “Mad” vs. “Bad”, Implicatory Denial, and the Production of the Accidental Death Regime of Truth

Smith’s death in 2007 sparked controversy in the news. However, the complexity of the Smith case made it difficult for the press to present a clear explanation as to why Smith died and who was accountable for her death. As the case unfolded, the media’s search for ‘truth’ produced as many questions as answers. Not surprisingly, the early reporting period contained the highest number of stories that framed the case as an incident of misconduct, and an example of “correctional horror”. Responsibility for Smith’s death was initially “criminalized”; prison staff at the Grand Valley Institution were reported as negligently causing death for failing to intervene when Smith choked herself in her segregation cell. News stories followed the criminal justice events of arresting and charging guards and reported the accounts of members of the Union of Canadian Correctional Officers who defended the actions of those accused:

[Grand Valley local Union President Fernando Aziz] wouldn't get into specifics but said guards are extensively trained for emergency situations and did everything they could to save Smith. "The staff acted in a professional manner," Aziz said. "They performed CPR and their duty as they were trained to do . . . We did everything we could to save this woman's life. The front-line staff are not to blame here." (Dalton 2007a: A1)

Correctional staff and members of the Union insisted that their employer was using

them as scapegoats to cover-up their own incompetence. Guards were just doing their jobs! Not surprisingly, they rallied for public support by staging protests outside the prison, and by eagerly telling their side of the story to the assembled media. The press accepted their accounts, and news narratives evinced shock and outrage as the staff deflected the blame to upper management, arguing that they had direct orders not to enter Smith's cell unless it was clear she was not breathing:

[Ontario Union President Jason Godin] said the guards were "conditioned and brainwashed" to remain outside the cell and watch for breathing instead of immediately coming to Smith's aid. ... "We're not medical experts," Godin said yesterday. "We were put in an absolutely impossible situation." "Our members faced two problems -- one, they were ordered not to go into the cell and, secondly, had they gone into the cell, they probably would have faced repercussions as well." (Dalton 2008b: A1)

This line of reasoning evinces what Cohen (1993) calls 'implicatory denial' which, he says, is "the most pervasive and powerful of all denial systems" (p. 107-8). He elaborates:

Implicatory denial concedes the facts of the matter and even their conventional interpretations. But their expected implications – emotional or moral – are not recognized. The significance of the reality is denied. These are 'denials' in the loosest sense. (Cohen 2001: 22)

Responsibility for Smith's death was denied on the basis of obedience; the guards were just following orders and an unfortunate accident occurred:

Management at the prison held a training session nine days before Smith's death, instructing staff how to "hold back" during the young woman's choking incidents, he said. The union believes management gave staff these directions because they were "concerned about the damage to their public relations image," [Ontario Union President Jason Godin] said. Every time staff went into her cell to remove ligatures or to prevent her from self-harming, it was recorded as a use-of-force incident, he said. The union alleges management was concerned these incidents with Smith were driving up the institution's statistics involving use of force. (Dalton 2008b: A1)

Unlike other forms of denial which may dismiss an event outright, implicatory

denial imposes an alternate construction of an event from that which is already known. Actions are enabled and explained by denying their consequences. Cohen (1993) puts it as follows:

This is not Milgram's famous question of how ordinary people will behave in terrible ways, but rather how ordinary, even good people, will not react appropriately to knowledge of the terrible. Why, when faced by knowledge of others' suffering and pain - particularly the suffering and pain resulting from what are called "human rights violations" - does "reaction" so often take the form of denial, avoidance, passivity, indifference, rationalization or collusion? (Cohen 1993: 104)

The media circulated these disavowals to the public and encouraged, supported, and validated them. Thus, the press participated in and valorized the implicatory denial communicated by state officials. They mobilized correctional sources and produced and reproduced their explanations and justifications for their actions, although they sometimes claimed that prison staff were not trained to deal with "high risk" inmates such as Smith. So while front-line officials did not deny their actions or their acts of omission in the news, the media reflected their attempts to avoid blame by directing attention away from their own conduct. The press endorsed this view that Smith's death was an unfortunate event caused by an "impossible situation" and by Smith's own demeanor. Emphasizing her "problem" behaviour, they circulated testimonials in the news from correctional staff that described Smith as violent and difficult to manage:

According to the Union, Smith regularly practiced "self-choking," an act she learned in a youth facility to get high. Prison staff had to remove ligatures from her neck several times a day, the report says. During her 11 months in federal custody – spent at several institutions – Smith built up a lengthy record of incidents in which she harmed herself, assaulted staff, or destroyed property in her cell. The report describes Smith's behaviour as that of a "social person who craved physical interaction," even if the only interaction she could generate was negative. (Dalton 2008b: A1)

In addition, the media reproduced reports from prison psychiatrists who claimed that Smith was “self-injurious”, and knew the consequences of her behaviour, and that prison guards went beyond the call of duty in caring for her:

“If the actions of the three charged at Grand Valley and of the four other members also suspended and facing the possible loss of their careers merit such harsh penalties, then correctional officers are working at an impossible job,” the Union states. “All seven performed their duties as trained and ordered, while some went far beyond the call of duty in trying to save the life of an inmate known at female institutions across Canada as an exceptionally troubled young woman.” (Gowan 2007: A2)

In [Smith’s] first month at Nova Institution in Truro, N.S., she accumulated 18 incidents on her prison record, including choking herself with blankets and clothing, breaking a window frame and sprinkler in her cell, hiding metal objects and breaking out of handcuffs and using them to assault an officer, the union says. Despite the self-injurious behaviour, mental health specialists in the corrections department did not document Smith as psychotic, the report says. A document on Smith dated December 14th 2006, stated she was aware of her behaviour and able to understand the consequence of her actions. (Dalton 2008a: A1)

Thus, an “official” accidental death regime of truth was developed and circulated to and by the press. News stories insisted that Smith was not suicidal. She did not mean to die! Rather, her behaviour was portrayed as manipulative and attention seeking. The Correctional Service’s ability to define Smith as “destructive”, “abusive”, and “unmanageable”, and the media’s resort to discussing her in this rather emotive language, enabled them to dehumanize her. According to Cohen (2001), this is an essential part of implicatory denial because it allows individuals to be “placed outside your moral universe” (p. 90), where you no longer have “normal human obligations to them” (p. 90). Similarly, it approximated what Garland (1996) calls a “criminology of the other”, where offenders are portrayed as “distinct racial and social groups that bear little resemblance to *us*” (p. 461). On the one hand, by

labeling Smith this way, the staff was able to deploy and justify a wide range of disciplinary techniques including the use of force, involuntary transfers, random searches, and prolonged segregation in solitary confinement, and have them reported to the public in a language of penal necessity and rationality. In Foucault's (1977: 90) words, discipline was "naturalized" in the media because it was sanctioned by law. "The arbitrary power of administration", as he calls it, had every reason to fear and restrain the unmanageable prisoner even if it resulted in an unfortunate death in custody with widespread public and press implications (p. 266). On the other hand, Smith's death was reported as sensation-seeking gone wrong. She was the accidental architect of her own misfortune, a rational calculator who could not or would not foresee the risks to her own life despite the care of others. She refused pacification, challenged authority and resisted her conditions of confinement in an attempt to exercise power over those trying to tame her. Hence, she played a version of Russian roulette with the justice system and herself, and her death was an unfortunate by-product of a complicated and dispersed power struggle that she could not possibly win:

Ashley would probably have been better off if all those who did intervene, who sought to alter her behaviour, so often in cruel ways, had just left the girl alone, said: Go. Fend for yourself. You've heard of "black while driving" or "Muslim while flying" – externally imposed perceptions that pre-emptively stigmatize, even criminalize, behaviour. Ashley was incorrigible while incarcerated. (DiManno 2009: A2)

Thus, the early press coverage of the Smith case demonstrated that, to a large extent, the press became implicated in the correctional officers' discourse of evasion and denial. They downplayed the significance of the guards' actions by refusing to invoke a vocabulary of individual criminal culpability in their news-writing. They

deployed government, legal, and “other” expert and non-expert sources to address broader issues concerning prison populations, and contextualized the Smith case within a wider institutional frame of reference. On the positive side, the press discussed the problems surrounding conditions of confinement, the state of women’s prisons, and the overall need for system-wide changes. On the negative side, attention was deflected from the events that took place on the day of Smith’s death, and responsibility was dispersed rather abstractly to the criminal justice system as a whole. Indeed in the print media, mental health care in prisons became a popular topic of discussion and reporters evoked feelings of empathy for the prison guards in their story writing. News narratives kept circling back to the notion that prisons were not psychiatric institutions, and by extension, correctional officers were not competent mental health experts, nor should they be:

[Correctional officers] are dedicated, hard-working officers who in a difficult situation have to be accountable. They were expected to be experts in the field of nursing, the field of mental health, the field of psychiatry, and the field of security in a prison already bent on destruction, and at the same time take orders from their expert leaders. Corrections as a whole hasn't mastered the art of proper treatment, yet we expect correctional officers to go beyond that. (O'Neil 2007: A14)

“Official” accounts that described Smith as a manipulative delinquent and narratives that criminalized the actions of the guards proper, were eventually minimized by the press.

Debates over mental health services in prison and more specifically over Smith’s mental state, framed a second “unofficial” accidental death regime of truth in the news coverage. This version of accidental death was endorsed by Smith’s family, their lawyers, and prisoner and youth advocacy groups. They agreed that

Smith's death was an accident in the sense that she did not mean to kill herself, but they claimed that she was unable to control her actions. Mental illness, they said, played an important role in her loss of life. Smith in this view was a *medical* accident in waiting:

[New Brunswick Ombud Bernard Richard] told the editorial board yesterday that no youth struggling with a mental illness should endure the same treatment as Smith. Richard said it's hard to blame a troubled teen locked away in a small cell, penalized with solitary confinement, for her later reactions, actions that ultimately led to her prolonged incarceration. ..."To think this already challenged young person lived through this and ended up acting up, and then being charged and charged again, perhaps over 50 times, institutional charges." (Dalton 2007b: A1)

The language of mental illness was used to denote her innocence and victimhood, to underscore her inability to control her own behaviour, and to blame correctional authorities for failing to help her before an accident happened. Smith was repeatedly described as "distressed" and "unstable". Her actions were redefined by the press as symptoms of a disorder where fault was removed from death and an accident was bound to occur (Foucault 2006: 273).

According to Berrington and Honkatukia (2002), the media construction of Smith as either rationally defiant or mentally ill is not unusual when Smith's gender is considered. Women involved in the criminal justice system, they say, are typically represented in the media as either "bad" or "mad". These categorizations hark back to the previous century when theories about women's crime were formed. Many of these explanations provided "stereotypical and biologically based constructions of women's offending which pathologized, infantilized, demonized, and sexualized women's crime and deviance" (Hannah-Moffat and Shaw 2000: 12). Women who broke the law were reported as "bad" because they were deviating from their

prescribed gender roles, or “mad” because they were a slave to their hormones and their biology. On the one hand, women were supposed to be passive, loyal, nurturing, pure, and subservient to men. On the other hand they were seen as “eve-like” and susceptible to constant corruption and immoral, unruly, behaviour (Zedner 1991: 320). Karlene Faith (1993) captures the essence of the latter typification:

The unruly woman is the undisciplined woman. She is a renegade from the disciplinary practices, which would mold her as a gendered being. She is the defiant woman who rejects authority, which would subjugate her and render her docile. She is the offensive woman who acts in her own interests. She is the unmanageable woman who claims her own body, the whore, the wanton woman, the wild woman out of control. She is the woman who cannot be silenced. She is a rebel. She is trouble (Faith in Belknap 2007: 21).

These typifications still exist and are widespread in media and criminal justice institutions, the effects of which individualize and create ‘us’ versus ‘them’ mentalities (Dell, Fillmore and Kilty 2009: 291). So, similar to the previous construction of Smith as “bad” in the news, this media focus on Smith’s mental health also reinforced stigma, where she was viewed as “the other”, distinct from members of the general population as well as from the prison population (Cross 2004; Olstead 2002):

She was a handful, she fought and challenged prison officials and those who tried to help her. But we failed her, absolutely and completely... [New Brunswick Ombudsman Bernard Richard]’s report recommends many changes to the way youth – especially youth who suffer from mental-health problems – are treated by our criminal justice system. ... Never again should a person suffering from mental illness be sent away and forgotten in a segregation cell. *These* people deserve treatment, *they* deserve clinics, *they* deserve our help. (Emphasis added)(Wishart 2008: D9)

Although a medical discourse underpinned this second version of accidental

death, the majority of the medicalized narratives circulating in the press emanated from *non*-medical experts such as family members, prisoner advocates, lawyers, and community members. This contrasts with statements from medical experts who valorized Smith's adequate mental health in the early press reporting and categorized her behaviour as "bad". So in this second "unofficial" version of accidental death, the media communicated claims from those who knew Smith well and who identified and reflected on her mental state as "mad" not "bad". Indeed Berrington and Honkatukia (2002) discovered similar findings in their study of the press coverage of two female murderers. The media portrayed these women in contrasting binary discourses. Rosemary West, a woman convicted of 10 counts of murder, which included her husband's ex-wife and stepdaughter, was labeled as a 'bad' and 'evil' woman in the news (p. 50). By contrast, Sanna Sillanpaa, a woman accused of walking into a gun club and shooting three men dead, was characterized as mentally ill, even though there was no medical proof of mental illness at that stage in the reporting (p. 67). More importantly, the press consistently circulated accounts from family members, friends, and personal acquaintances that legitimated her mental illness and not her unruliness.

Thus, the accidental regime of truth embodied a conflict between "official" and "unofficial" accounts, where Smith's agency and self-control were points of difference. The constant distribution of claims identifying Smith as mentally ill in the press overshadowed accounts that depicted her as calculating and rational, and symbolized what Foucault calls a "truth-event". Here, truth about Smith was produced rather than uncovered, and it lived "everywhere" in the news accounts

and was “posed at every moment” in the coverage (Foucault 2006: 236). The contradictory character of the accidental death regime of truth also indicated that no one was “exclusively qualified to state the truth”, even though different parties had “the instruments required to discover it, the categories necessary to think it”, and an adequate language for expressing it (Foucault 2006: 236). Indeed, the press communicated news coverage which queried the claims provided by government officials and medical experts associated with those officials. Evidence of this was seen throughout the early reporting period and beyond where they opined that if Smith had been given proper assessments and treatments, she would still be alive. Thus the truth clashes in the news between state and correctional officials and “unofficial” sources centered not only on the question of knowledge, but also of power. Once mental illness became a dominant explanation for Smith’s behaviour in the news, contrarily minded psychological and psychiatric opinions were downplayed or disqualified because they conflicted with the truth claims that were more accepted and prominently circulated by the press. Foucault (2006) explains:

It is not a truth that is given through the mediation of instruments, but a truth provoked by rituals, captured by ruses, seized according to occasions. This kind of truth does not call for method, but for strategy. The relationship between this truth-event and the person who is sieved by it, who grasps it or is struck by it, is not a relationship of subject to object. Consequently it is not a relationship within knowledge but, rather, a relationship of a shock or clash, like that of a thunderbolt or lightning. It is also a hunting kind of relationship, or, at any rate, a risky, reversible, warlike relationship; it is a relationship of domination and victory, and so not a relationship of knowledge, but one of power. (P. 237)

Thus, regardless of their authoritative status or scientific expertise, some truth claims were difficult for officials to maintain because of how they were taken up by the press. Statements by medical experts on their own did not really count as news

knowledge; rather knowledge in the media was produced by the deployment of these texts and interviews (Foucault 1980). Thus the media defined Smith as mentally ill without medical evidence or authoritative sources, and enabled an accident regime of truth to be communicated as epistemically significant.

Interestingly, claims about Smith's mental health in the press coverage evinced the ways in which truth was produced in discourse and, in turn, produced power and knowledge regardless of whether or not what was being reported as mental illness in the press was indeed 'true' in an objective medical sense (Olstead 2002: 627). The reporting of the Smith case revealed shifts in the rules governing the articulation of credible statements. This allowed individuals to become discursive subjects and to speak other versions of the "truth" of an accident: a medical accident in waiting, not an unruly suicide. This reversal in power relations is an example of how small, everyday acts of resistance can threaten the credibility of state actors and disrupt the power/knowledge hierarchy of professional experts and their claims to know the truth.

Criminal Justice Failure Stories, Passive Denial and the Production of the Preventable Death Regime of Truth

In June 2008, correctional investigator Howard Sapers deemed Smith's death preventable. He put it as follows: "I believe that her death was preventable ... what we saw were a number of failures, in terms of compliance with law and policy. All of these things incrementally contributed to the circumstances that led to Ashley Smith's death" (cited in Outhit 2008: A1). Sapers identified numerous instances of excessive use of force, abuse of inmate transfers, improper use of solitary

confinement, and inadequate mental health services, which he said contributed to Smith's demise. He made sixteen policy recommendations for "better co-ordination of mental-health and correctional systems, more funding and improved training", which he claimed was needed to prevent future deaths in custody (cited in Bailey 2009: A1). The press picked up on Sapers' report and a preventable death regime of truth was quickly validated and circulated. In this death in custody scenario, Smith died because laws were broken and policies were not followed:

The Correctional Service of Canada broke its own regulations by holding a troubled inmate in solitary confinement for most of the year she spent in federal prisons before she killed herself, the correctional watchdog says. In a critical report, Correctional Investigator Howard Sapers detailed how repeated bureaucratic failures contributed to the death of Ashley Smith, 19, who choked herself in her cell on Oct. 19, 2007. (Thanh Ha and Clark 2009c: A4)

This wider contextualization of Smith's death in custody in the news shifted the focus of coverage away from "isolated correctional horrors," "individual criminal negligence", and "personal mental illness", to a truth telling frame that emphasized the "faulty criminal justice system" as deadly. The press published numerous stories that focused on Smith's treatment in prison, and the urgent need for penal reform. Despite the widespread coverage of Sapers' findings, the Union of Canadian Correctional Officers remained defensive in the accounts they provided to reporters. They agreed with Sapers' conclusion of a "preventable death", but continued to blame prison management for the penal system failures and denied any culpability in her death:

I couldn't agree more, there was a series of failures," said Jason Godin, Ontario regional president of the Union of Canadian Correctional Officers. "But the series of failures lies with the administration. . . . It certainly doesn't lie with our members, who were used as scapegoats in this particular case." Three of the prison employees facing charges are union members. "We do agree this

could have been a preventable death," said Godin, who has not read Sapers' report. (Outhit 2008: A1)

Government officials, especially at the higher levels of bureaucracy, however, responded to these claims in the press with either silence or short cryptic statements:

Yesterday, Ms. Smith's family and their lawyer, Julian Falconer, sent a letter to Public Safety Minister Peter Van Loan asking him to direct Mr. Sapers to issue a second report that names those responsible for the failure to live up to the law. Mr. Van Loan's spokesman, Chris McCluskey, noted that three corrections officers and one manager lost their jobs, as did the warden and deputy warden of Kitchener's Grand Valley Institution for Women. Six others were suspended. "There has been accountability, and disciplinary action has been taken," he said. (Clark 2009: A7)

When the Smith case prompted further news stories about other deaths in custody, the response from the government was fatalistic:

Federal Public Safety Minister Peter Van Loan said in an interview Thursday that he hasn't received a briefing on subsequent deaths mirroring Smith's. "There are frequently deaths in custody and often they are unfortunate – suicides and the like – and I suspect no matter what measures you take, you'll never be able to stop all deaths from occurring," the minister said. (Zlomislic 2009b: A1)

According to Cohen (2001), there are typically three forms of government response to tragedies: "the classic discourse of official denial, the conversion of a defensive position into an attack on the critic, and the partial acknowledgement of criticism" (p. 102). These reactions, he says, are "active"; they engage the media, offering rounds of claims and counter-claims. Many governments, however, participate in a passive form of denial. Cohen (2001) elaborates:

Because of the pressures from outside (stigmatization, sanctions, boycotts, isolation) and their own internal ideology (everyone is against us, no one understands us), they do not react at all. They see no political necessity for dialogue with the rest of the world; nor do they have to contend with internal

criticism. Their silence is the most radical form of denial possible. (P.102-103)

The press, in a departure from the implicatory denial seen earlier, did not, however, participate in the government's preferred politics of passive denial. Their role in society empowers them to seek the truth, and the State's dismissal of the seriousness of the event prevented the media from providing the public with the answers they desperately needed, and from fulfilling the organizational demands of their news discourse. Foucault (1980) further explains this power/knowledge relationship:

We are forced to produce the truth of power that our society demands, of which it has need, in order to function: we must speak the truth; we are constrained or condemned to confess or discover the truth. Power never ceases its interrogation, its inquisition, its registration of the truth: it institutionalizes, professionalizes and rewards its pursuit. (P. 93)

In addition, this passive denial indicated a more persistent and tenacious denial of a "broader moral culpability" which, in turn, "undermines legitimacy and weakens authority" (Scruton 2002: 117). So rather than supporting the government's relative silence, the media became skeptical of their official evasions and disavowals. Statements from top-level officials were challenged in the news and questioned by views from below. Accounts from correctional personnel were mobilized to discredit their own government superiors, and claims by advocates for the Smith family were used to criticize officials from all levels of government. This resulted in dramatic and controversial news writing that stressed the public need for acknowledgement, reconciliation, and truth.

As noted, by the end of 2008 the charges against the prison employees were

stayed. New medical evidence indicated that correctional staff could not have reached Smith in time to save her life:

"It is now believed that a viable resuscitation of Ms. Smith would only have been achievable much sooner than was originally thought -- and much sooner than officers could have entered her cell," [Crown prosecutor Andre Rajna] told Justice David Carr. The decision to drop the charges came two weeks into a three-week preliminary hearing to decide if there was enough evidence for a trial. (Dalton 2008c: A1)

Dismayed over the dismissal of criminal charges and annoyed with the government's listless responses, the Smith family accused the federal government them of not caring about their daughter's death in custody. News stories captured their anger, desperation, and need for justice:

Fighting back tears almost 18 months after her daughter died, Coralee Smith called on the federal government to name the Corrections Canada officials responsible for shuffling her daughter from jail to jail and keeping her in solitary confinement without review in violation of the law. She said her family deserves to know who told prison guards not to intervene too quickly when Ashley tied a ligature around her neck. "I would like names. These faceless bureaucrats have to be held accountable. We need to know the names of these officials who are responsible for what happened to my girl," she said at a news conference in Ottawa. (Clark 2009: A7)

By 2009, the Smith family acknowledged their growing frustration with the lack of state action and accountability, and launched an \$11 million lawsuit against the federal government. The press wasted no time in picking up this story line and discussing and disseminating their claims, which were replete with both moral and legal discourses, to the public:

The family of a teenager originally jailed for throwing crabapples at a postman is suing the federal government for \$11 million, alleging inhumane conduct led to Ashley Smith's death in a dark segregation cell in Kitchener. "The justice system let my daughter down," Coralee Smith told the Star. The lawsuit alleges federal corrections staff - from senior bureaucrats to prison guards - engaged in a "conspiracy" that endangered Smith's life by "unlawfully" segregating her for nearly a year and not taking proper action after she was declared a suicide

risk. (Zlomislic 2009a: A1)

As the Smith family grew increasingly dissatisfied with the government's handling of the case, so did the press. They circulated more accounts from family members, advocacy groups, and legal experts that defined Smith's treatment in custody as a preventable death that bordered on a violation of her basic human rights. From this perspective, the abuse of solitary confinement, the excessive use of violent force, the lack of health care and the denial of basic hygiene products, contributed to a vicious cycle of self-harming behaviour and extreme disciplinary repression that ultimately led to her death. News stories revealed how the prison system mistreated Smith by "failing to recognize her developing mental illness", by ignoring her complaints of "inhumane treatment", and by forcing her to live like a "caged animal" (Zlomislic 2009a: A1):

"She progressively got worse," Coralee Smith said of her daughter's condition in federal custody. She has heard "stomach-churning" stories of her daughter's time in prison. "That she was dirty, unkempt, her hair was like a rat's nest and on and on it goes. And I'm thinking, 'You're not talking about the girl you took in. you're talking about what you buried. You're talking about what you turned this girl into.'" (Zlomislic 2010: A1)

The deployment of these statements by the press signified yet another expansion to the limits of what could be said about the Smith case and by whom. Indeed by now the press seemed less concerned with upholding a "hierarchy of credibility" in newsmaking (Becker 1967). Instead, there was a shift in the calculus of credibility and news accounts were increasingly subversive and skeptical of the government's strategy of focusing on the individual and refusing to countenance system crisis. The result was the reconstitution of the case as both a criminal justice failure, and, more importantly for the press, as a wider social injustice. So in 2009,

the media utilized the highest number of sources in the entire coverage and once again produced and reproduced discursive tensions between “official” and “unofficial” accounts. These accounts, however, not only focused on judicial decision-making and reform, the legal matters pertinent to a public inquiry, and the need for justice, but also the unethical and inhumane nature of certain penal practices. Prisoner’s rights advocates, the New Brunswick ombudsman, and the Smith family, along with their lawyer, claimed in the news that Smith should not have been sent to prison in the first place. While Smith’s death was being presented in the press as accidental and preventable, it was increasingly being explored as a travesty of law and justice that led to an unnecessary human tragedy. And so, a third regime of truth was registered by the press: unnecessary death in custody.

Moral/Medical Discourse, Interpretive Denial, and the Production of the Unnecessary Death Regime of Truth

In the unnecessary death regime of truth, Smith was front and center in the ebb and flow of story writing when compared to the news narratives that highlighted criminal justice failures to prevent her death. By 2009 the characterization of Smith as a criminal offender had faded away in the reporting. Her innocence and victimhood were well-known news facts that were embedded in both the accidental and preventable death regimes of truth. News stories were often longer, personal, evocative, dramatic, provocative, and accusatory. Indeed, the press coverage now adopted a decidedly intersectional approach and claimed that Smith’s gender, age, and mental health compounded her behavioural issues in custody. Following advocacy, family, and non-governmental sources, the press pushed the

issue that prison was no place for women who were young and mentally ill. Unlike the preventable death regime of truth, the unnecessary death regime of truth claimed that institutional policy and procedural reforms could not address the root problem of the Ashley Smith custody death. At bottom, the unnecessary death scenario emphasized that the prison system was incapable of effectively rehabilitating offenders and worse it killed those in its care. In this view, prisons were spaces that constrained freedom and promoted passivity and resistance through strict disciplinary measures. The extent to which they can be altered for different types of offenders was reported as unlikely. The rough consensus in the press coverage was that Smith should have been treated in an institution better suited to address her needs as a mentally ill, young woman:

While I believe the Grand Valley Institution for Women was negligent in its duty to care for inmate Ashley Smith, and that her suicide was, as was determined, a "preventable death," I have to wonder if Smith's incarceration was also preventable. [...] This case also shines the spotlight on teen mental health problems and the need for better education on issues such as how to distinguish between outright rebellious behaviour that requires disciplinary action, and real cries for help. [...] Incarceration should, in my opinion, be a last resort for any 15-year-old -- especially a young person suffering from mental illness. (Reid 2009: A10)

The repetitive dissemination of medical-like statements by the press contributed to the normalization of Smith's behaviour in the news coverage. As Foucault (2006) notes, the goal of individualization is not only to exclude, but also to produce. Thus, the power of the press in the Smith case was two fold: "discarding certain individuals, bringing anomie, the irreducible, to light", and "normalizing, that is to say, inventing ever new recovery systems, always reestablishing the rule" (p. 54). While "discarding" occurred in the formation of the accidental regime of truth about

Smith, this was not so in the unnecessary death regime of truth. Here, Smith was not usually pathologized in the press to be forced to the margins of society, but judged to be made “normal” in the context of aberrant state practices and societal failures to protect her basic rights. News narratives described her in an empathetic language of rehabilitation and treatment:

She needed [psychiatric] care. The state gave her incarceration. She was in the wrong place. To even describe her as a petty criminal is an overstatement. Smith landed in New Brunswick's youth justice system for minor offences such as pulling fire alarms and throwing apples at a postal worker. Time passed and her disturbed personality made her a disruptive inmate whose constant acts of rebellion earned her a place in the federal prison system with increasingly longer sentences. (Waterloo Region Record 2009: A10)

By drawing upon non-experts as discursive subjects and circulating their claims and discourse as truth, the press opened up more new spaces for considering Smith’s death, constituting her as both target and partner in the relationship of power (Foucault 2006: 56).

By 2010, another shift occurred in the sourcing of the news. Government sources declined drastically, and the press relied more and more on legal sources to discover and resolve contradictions and controversies surrounding the case. By now, the federal court had ordered the Correctional Service to release Smith’s prison records to her advocate, Kim Pate of the Elizabeth Fry Society. The records were requested seven months after Smith’s death, but were not disclosed while criminal charges were still pending. The documents detailed countless interventions with Smith in the months before she died, creating more controversy over her treatment in custody, adding to the accumulation of legal concerns and providing more fodder for press reporting. News stories now focused on the issues

surrounding the coroner's inquest, and reporters provided detailed accounts of each legal dispute and court battle.

The press asserted that a public inquiry was now crucial to finding the truth about Smith's death and preventing similar tragedies in the future. Excerpts from advocates for the Smith family as well as prison psychiatrists were quoted in the news to highlight the accidental nature of Smith's death and underscore that Smith did not willfully commit suicide:

Ashley Smith's use of ligatures and other methods of self-harm did not constitute suicide attempts," psychologist Margo Rivera said in an extract from the report. "These behaviours met her need for increasing stimulation in an environment that was lacking in even the most basic sensation and stimulation." ... The report concluded that it was "highly likely that Smith's death was not a suicide, but rather an accident, and that no one intended Ashley Smith to die – least of all Ashley herself." (Jones and Mehta 2010: A1)

Interestingly, these statements were similar to those used earlier in the reporting period when an accidental death regime of truth was formed by the press. During that time, the press circulated such statements from psychiatrists as evidence of Smith's "badness". Now, these medical statements were repositioned and mobilized to support the opposite view; Smith's "madness" deteriorated in prison, and her "inhumane treatment" led her to become "increasingly depressed" (Bundale 2010: A1). The press was not merely repeating these accounts of accidental death, but re-deploying them; the same sources were used to assert qualitatively different claims. In corroboration with the Smith family, the media pressed that an inquiry examine the time Smith spent in federal prison, as well as the time spent in provincial correctional institutions. They promoted the view that an extended time frame would better allow the coroner to determine Smith's "state of mind" at the time of

her death and address the changes needed for the prevention of future deaths in custody. However, the coroner at the time, Dr. Porter, decided to limit the scope of the inquest to include only the last 13 weeks Smith spent in federal prison in Ontario. This ruling did not sit well with mental illness advocates, the Smith family, or the press, and their frustration towards Dr. Porter was disseminated in the news:

“I think the scope has been limited both unfortunately, and perhaps deliberately, because there are huge problems in the correctional system in terms of how we’re dealing with mental health issues,” said Holland, who is leading a study into the correctional service’s treatment of mentally ill offenders. Julian Falconer [the family lawyer] said that what the coroner’s office has done shows it is not fulfilling its motto of “speaking for the dead”. (Zlomislic 2010: A1)

The Smith family fought in court to have the scope of the inquest expanded and after much legal jockeying they eventually won. Dr. Porter then made another decision. She excluded explosive video footage of Smith while in custody. The tapes in question showed Smith’s traumatic death, but also another incident where she was duct-taped to an airplane seat and forcibly injected with anti-psychotic drugs by correctional officials while on an institutional transfer. News reports indicated that the coroner “found no ‘nexus’ between the events in the videos and a pattern of ligature use that led to Smith's death on Oct. 19, 2007” (Zlomislic 2011: A4). Bewildered by Dr. Porter’s decision to prohibit the release of the videos, the press became even more reliant on legal experts in their news-writing, publishing stories that questioned the competence of coroners to hold and manage inquests on the grounds that they lacked the appropriate legal knowledge and training.

In 2011, the press deployed the highest number of legal sources in the news, and the Smith case was described as a “legal circus” (Blatchford 2011b: A10).

Fraught with legal delays (the inquest had not yet begun), and public outcries, Dr. Porter announced her retirement. Parties to the dispute were again baffled but in the end she was replaced with Dr. Carlisle, who was both a doctor and a lawyer. The Smith family immediately boycotted the old inquiry and fought for a new one. Dr. Carlisle agreed to their request. Excited by the prospect of a new start, the Smith family urged the new coroner to reconsider Dr. Porter's decision concerning the video footage. The press attempted to elicit responses from government officials, but Correctional Services either refused to discuss the legal proceedings distanced themselves from the controversy by refocusing attention away from Smith's treatment regime and on to her role in her death:

"We need to start this inquiry off on the right foot to make sure there are no more delays," Nancy Noble, prison service lawyer, told the court, an astonishing remark given that her client has been primarily responsible for the inquiry's stuttering process. She further objected: "This is becoming an investigation into how Correctional Service Canada treated Miss Smith and not an investigation into her death." (Toronto Star 2012: A2)

They repeatedly claimed that the videos were irrelevant and that the Smith family was attempting to unfairly influence the legal process:

Corrections Canada said Smith's family is abusing the process by asking for the tapes, which presiding coroner Dr. Bonita Porter did not include in an upcoming inquest into Smith's death. "Whether something is shocking or not is going beyond what this test provides for," said Joel Robichaud, a lawyer for the prison service. "By saying videos are relevant here . . . I think you're almost saying they are relevant to the inquest. You're crossing that line." (The Canadian Press 2011: A5)

But the press refused to enable official strategies of denial. Instead, reporters continued to narrate the Smith's family's calls for full public scrutiny of the video evidence, and reproach the government for their tactics. News accounts argued that the attempts to ban the videos by state officials amounted to an "unprecedented

incursion” on the nature of an inquiry, and insisted that such actions were deceitful, unlawful, and unjust (Blatchford 2011a: A8). The new coroner did not see the issue the same way that Correctional Services did. He argued that the videos were important pieces of evidence and admitted them at the inquiry.

After the videos were made public, the Smith family asked the RCMP for a criminal investigation into the events that occurred during Smith’s airplane transfer. The press circulated their claims, and a preventable death regime of truth re-emerged once again in the coverage. It reprimanded correctional authorities for violating their own policies and practices in their treatment of Smith. Responsibility was once again individualized and criminalized by the media as they reproduced the Smith’s family’s demands for justice in the news. The RCMP declined the family’s request and instead passed their plea onto the provincial police. After a brief examination of Smith’s prison files, a provincial investigator determined that the actions of the correctional staff were not considered ‘criminal’:

The provincial police report found authorities used force on Ms. Smith “when she behaved contrary to regulation.” Ms. Smith was calm but her behaviour was “not in accordance with acceptable behaviour by an inmate,” the report states. While there may have been “deviations from internal procedure,” they were minor, no excessive force was used, and the actions did not amount to anything *criminal*, the investigator concluded. (Perkel 2012a: A3)

Throughout the “legal circus”, government officials increasingly engaged in a form of “interpretive” denial. When they had to talk to the press words were carefully chosen, euphemisms were deployed, and individuals disputed the meanings of the events in order to classify them as something less pejorative. Cohen (2001) explains with interpretive denial “there is room for legitimate controversy, claims and counter-claims, not because of the sociological truism that all actions are

interpreted, but because the dominant language of interpretation is legal” (p. 106). The harm inflicted by correctional officials at all levels was acknowledged but the legal implications were minimized and their behaviours were excused. For them, their actions or non-actions could be accepted as inappropriate, wrong, or unnecessary, but not ‘criminal’. This legal gerrymandering was a way for government officials to avoid the political repercussions associated with criminal responsibility in the case of preventable death in custody, and to downplay their role in contributing to a death that should not have occurred under any circumstances.

But the press downplayed the government’s interpretive denials. News stories evinced anger and outrage at the RCMP and the correctional investigator for not pursuing criminal charges against the correctional staff. The press openly criticized the quality of the investigation, reproducing accounts from the Smith family lawyer who called it “embarrassingly shoddy” while rebuking the investigator for not taking Smith’s medical file into consideration (Perkel 2012a: A1). In addition, the media returned their attention to the events that occurred on the day of Smith’s death to further incriminate correctional authorities and demonstrate the incompetence of the penal system. They emphasized the inactions of the prison staff using accusatory language, stating, for example, that “Smith choked to death while guards did nothing” (Perkel 2012b: A1). These declarations were a shift from those present in the early press coverage that invoked sympathy for the guards and justified their actions to the public.

Thus, demands for criminal accountability were most supported by the press in 2011 and 2012. In the early reporting period, the press deflected attention away from the actions or inactions of correctional officials, participating to some degree in their own form of implicatory denial. Additionally, despite the articulation of preventable death as a truth regime, a law and order discourse was not predominant in the news coverage during that time. Even though Smith was framed as a victim, and the government blamed for her death, the case was primarily reported in the news using a language of distributed culpability that carefully avoided a language of criminality. However, when the Smith family called for a criminal investigation in 2011, the media ran with the cause. They wrote and circulated a compendium of stories that evaluated the actions of corrections officials as both unethical *and* criminal. Lawyers framed the discussions in the news, and the media produced and reproduced accounts replete with legal jargon that accused Correctional Services of Canada not only of dishonesty and secrecy, but also of “contempt”, “conspiracy”, “abuse”, and “torture”.

However, narratives evincing criminal responsibility were short-lived. There was a discursive threshold that the press was reluctant to cross on its own; when charges were not enacted reporters resorted back to the social reform frame characteristic of the unnecessary death regime of truth:

“This tragedy continues to show that individuals with mental health issues do not belong in prisons but in professional facilities,” [Public Safety Minister Vic Toews] said, going on to enumerate various measures the Harper government has implemented to deal with the problem. [...] “I would note that the NDP, while consistently speaking of behalf of prisoners, never speaks on behalf of the victims of these prisoners,” he said, urging New Democrats to take “a more balanced view about what it means to have a safe society.” (The Canadian Press 2012: A16)

Following their sources, the press once again implicated government institutions in a deeper moral culpability that called for reform, reconciliation, and justice. They situated Smith in webs of deceit and denials and mobilized a myriad of moral signifiers to reframe the Smith death and its aftermath as: corruption, indifference, failure of duty, and incompetence. By censoring themselves and demarcating moral and criminal boundaries, the media engaged in their own version of interpretive denial. They distanced themselves from individual accountability to focus on the larger issues surrounding the Smith case, and primarily reconstituted Smith's death in a language of social scandal and institutional wrongdoing. Nonetheless, these local points of resistance were essential to the 'game of truth' as they allowed for the persistent exercise of power from below and for a wider control over the 'political economy of truth', helping the media to produce and reproduce ongoing narratives about the Smith case in the news and manufacture several representations about her death over time (Foucault 1980).

Summary and Conclusion

My analysis of the press representations of the Smith case led to the following conclusions: Firstly, the formation of the three regimes of truth were distinct yet contingent upon each other. In the initial reporting period, the media validated a number of truth claims concerning Smith's health, behaviour, and agency, relying on the conflicts between "official" and "unofficial" sources to present dramatic and sensationalized news narratives. While they circulated both "official" and "unofficial" definitions of Smith as "bad" and "mad", they eventually accepted

Smith's mental illness as truth and manufactured a variety of narratives that described her as a "mentally ill teenager", a "troubled youth" and a "disturbed young woman". Her destructive behaviour was transformed into a symptomology, her agency was eliminated and her death was described as an unfortunate consequence of the action of the norm. Foucault (1977) explains:

The judges of normality are present everywhere. We are in the society of the teacher-judge, the doctor-judge, the educator-judge, the 'social worker'-judge; it is on them that the universal reign of the normative is based; and each individual, wherever he may find himself, subjects to it his body, his gestures, his behaviour, his aptitudes, his achievements. The carceral network, in its compact and disseminated forms, with its systems of insertion, distribution, surveillance, observation, has been the greatest support, in modern society, of the normalizing power. (P. 304)

Second, tensions in the news reporting revealed how relationships of power functioned and knowledge was produced. As Foucault (1980) argues, power is always circulating, and can only be exercised over active participants. Explanations for Smith's death consistently provoked acts of resistance so that new truths were registered over time. As the case unfolded, news accounts were more critical of the government and its experts. Official explanations were overshadowed by competing news accounts (some of them coming from within government circles) that were more concerned with penal policies, legal conflicts, correctional treatment, and public accountability. In the preventable death scenario, although blame was less individualized, higher-level government officials were further criticized and berated by "unofficial" sources in the coverage. Increasingly, the news evinced moral undertones that foreshadowed institutional horrors and failures; the treatment Smith suffered in prison was ignoble and abusive. Accordingly, Smith's death was

not only accidental and preventable, but also unnecessary; it was the tragic result of an unjust social system.

Third, throughout the reporting government officials resorted to silence, denial, and disavowal. According to Scraton (2002), it is not unusual for powerful figures to act this way in shaping the news:

The political dynamics which frame the conduct of inquiries and investigations into controversial deaths are derived in ideologies of dissociation, dehumanization, demonization and decontextualization. Within these dynamics, the marginalized, the excluded, the 'appeasers', the 'enemy within' or at the frontier are denied the structural, material worlds they occupy. State institutions cast aside their critics through denials and rationalizations; their actions neutralized and their condemners condemned. (P. 116)

Of course, the press themselves, at certain times, knowingly or unknowingly, participated in the government's strategies of denial and disavowal. They initially relied on official government sources, and justified the actions of correctional officials to the public. They engaged in their implicatory denial and directed attention away from individual culpability and criminal misconduct. Smith was dehumanized, and seen as a "high-risk" and "deviant" inmate in need of strict disciplinary measures. Her death might have been an accident, but her attention-seeking behaviour ultimately caused her to be the architect of her own demise. However, in the preventable and unnecessary death regimes of truth, the media grew increasingly frustrated with the government's silence and refusal to acknowledge any responsibility for what happened to Smith. In their search for the truth, the press deployed alternate sources to gain insight into her death. Legal experts, family members, and advocates for the Smith family accused the government of both illegal and immoral behaviour. When the Smith family sought

criminal charges in 2011, officials redefined their actions as normal, reasonable, and justifiable under the circumstances. At first the press rejected their interpretive denials, but when the potential for criminal charges waned, reporters re-employed the unnecessary death regime of truth once again. Here they facilitated their own version of interpretive denial which condemned state officials on a deeper level of social and moral failure, but did not highlight their conduct as criminal.

Fourth, by problematizing certain truth claims and favouring others, the media facilitated preferred actions and reactions and framed the way that the case was presented to the public. In turn, these discursive continuities and discontinuities served a functional role. They empowered the press to identify avenues for social and legal reform and they helped to sustain the newsworthiness of the case. A plurality of discourses framed the news-writing of the Smith case, helping to constitute the event and its aftermath as interesting, controversial and serious in the news over time. Regional newspapers had the most coverage of the case and they were crucial to sustaining descriptions and explanations of Smith's death. The press deployed a diverse range of local sources to produce highly personal and emotionally charged news stories with increasingly moral undertones. But the relationship between sources and news reporters shifted during the reporting period, such that it was not possible for the press to sustain a dominant regime of truth surrounding her death. Instead, there was a co-mingling of discourses that undergirded contrasting truth claims and re-registered preferred regimes of truth at different times in the reporting. While the general trajectory of the production and politics of truth was from accidental to preventable to unnecessary death in the

reporting, all three regimes of truth carried credibility and were woven into the tapestry of news-making surrounding the Smith case and its aftermath.

Lastly, to some extent, the power relationships formed in the press coverage of the Smith case exemplifies Foucault's notions of a diffused, decentralized form of power. On the one hand, no one held a dominant position throughout the reporting period. There was discursive plurality and diffusion anchored to widely different claim-makers of unequal power. In addition, truth could not extend past the boundaries of discourse. The press did not further engage in a vocabulary of criminality when a law and order discourse was no longer being produced by their sources. On the other hand, the media demonstrated that they exercised considerable power to define Smith's death and structure social responses to its aftermath. Contrary to what other studies on media and crime have found, such as Ericson et al. (1987, 1989, 1991), Scraton (2002), and Chermak (1994), reporters did not always follow a hierarchy of credibility in sourcing and framing the news. Nor were news stories presented as neutral. Rather, the press exhibited increased autonomy as the case progressed from death to inquiry, indicating that they were not a pawn in the 'game of truth' but a key player, a "strategist of life and death" (Foucault 1980: 129).

In the last chapter, I summarize the main points of my thesis and provide a brief update on the reporting of the Smith case in 2013. I address the following questions: What has my research accomplished? How do the current news stories written in 2013 compare to my analysis of the news from 2007-2012? Was a new

regime of truth formed in the latest round of news reporting? What future research might be recommended to study the Smith case further?

VI. CONCLUSION, EPILOGUE AND FUTURE RESEARCH

Introduction

According to Foucault (1980), society continuously produces, reproduces, and transforms the “truth” of the social because it is inexorably linked to power. As noted, the news media is a primary mode for obtaining knowledge about what is happening in the world. However, they negotiate a complex network of relationships, the most important of which is prioritizing the operational needs of the news agency. As we have seen, when events are controversial, as in the Smith case, the press deals with numerous stakeholders seeking to advance their side of a story. This raises concerns about accountability in news production. After all, when powerful state actors are involved, facts can be manipulated, blame deflected, and responsibility disavowed. As Scraton (2002) notes, “It prevents the bereaved and survivors from coming to terms with the pain of their loss, exacerbating the suffering of ‘not knowing’” (p. 117).

Indeed, the disparities between the use of “official” and “unofficial” accounts in the news, as in the Smith case, raises unsettling questions about what rules of right should be implemented “by the relations of power in the production of discourses of truth?” (Foucault 1980: 93) In his lectures on truth and power Foucault insists that intellectuals play a crucial role in society, since they have the capacity to “develop lateral connections across different forms of knowledge and from one focus of politicization to another”(p. 127). It is useful to think of the media as an institution that assumes the role of a “collective intellectual”. Their prominent position in society grants them access to a variety of knowledge networks with boundless information that allows them to be both the subject of their own professional discourse (news discourse) and the purveyor of other discursive regimes concerning crime, sex, health and morality. Foucault elaborates:

And it’s with this last factor that his position can take on a general significance and that his local, specific struggle can have effects and implications which are not simply professional or sectoral. The intellectual can operate and struggle at the general level of that regime of truth which is so essential to the structure and functioning of our society. (P. 132)

My analysis indicates that the dynamics of news-making, the public need for truth, and the right to truth telling in the Smith case, were embedded in a nexus of power relationships. In my thesis I have demonstrated the following: First, an integrated theoretical framework, which included Foucault’s notions of discourse, power, and resistance, along with Cohen’s theories on denial, was helpful in illustrating the fluidity of truth in the news-making process, and the effect that this had on the production of knowledge and the exercise of power in society. Studying vocabularies of denial in news talk, for example, was an important way to reveal the

language, euphemisms, phrases, and rhetorical devices used by public officials and the press to shape our perceptions of the truths of a controversial death in custody.

Second, there are reasons to consider both the written and unwritten elements of news texts when analyzing print media. Hence, I combined the methods of content and discourse analysis to conduct a quantitative and qualitative study of the press representations of the Smith case. I compared regional and national news reports to examine the news production, newsworthiness, news sources, and news discourses present in the texts, investigating operations of power and resistance between news agencies and the sources they employed.

Third, news accounts were organized, dramatized, personalized, and framed to sustain the Smith case as a newsworthy event over time, especially in regional newspapers. I discovered that the press cited more local sources to update readers on the case and to provide new information regarding legal proceedings and the inquiry. New Brunswick newspapers were more likely to contain emotional and personal narratives that described Smith and her aftermath in sad and hostile tones. Indeed, newspapers from this region primarily framed the case as one requiring broad social reform rather than institutional or criminal justice and policy changes.

Fourth, I found that the media did not rely on government sources alone to make or frame the news. Unlike other news studies of news production, reporters of the Smith case deployed a range of non-expert sources to help write their stories. The press encouraged and empowered them to become discursive subjects and speak the truth of discourse regardless of what was actually fact or had been established as 'scientifically true'. This provoked a cycle of power and resistance

between experts and non-experts, and generated highly controversial and sensational news stories that led to competing regimes of truth about Smith's death in custody.

Fifth, the press produced three regimes of truth surrounding Smith's death, which were circulated at different stages in the reporting. The media relied on official and unofficial tensions to manage the explanations surrounding Smith's death, ultimately demonstrating how acts of resistance can shift the 'political economy of truth' by discrediting the authority, typically attributed to government officials and experts, to manipulate and control the production of knowledge in our society.

Lastly, I found that government officials refused to acknowledge accountability for the events surrounding Smith's death, deploying strategies of evasion and denial in their official responses to the press. Although the media participated in their denials in the early reporting period, they quickly became skeptical and news accounts were increasingly critical of correctional authorities altogether. Yet, despite the critical tones in the reporting, the Smith case was primarily discussed in the language of dispersed responsibility, system catastrophe, and collective social failure and scandal. Although the press reported on the legal discourse, they did not produce an enduring vocabulary of state crime in their news-writing. Instead, a moral discourse increased over time and thus implicated government officials in a broader moral culpability that was scandalous but not criminogenic.

Thus I have demonstrated that the public's need for the truth and the reliance on the press as primary truth-tellers enabled the media to exercise a great deal of

power over the definition of Smith's controversial death in custody. The ways in which the press deals with these tragic events in their aftermath influences how we register and react to them and similar events in the future.

My analysis of the news reporting of the Smith case ended in December, 2012. Unfortunately I was unable to include news reports surrounding the public inquiry as part of my research. But I think it is important to provide a brief epilogue regarding the recent reporting of the Smith case in 2013.

Epilogue: The Reporting of the Smith Case in 2013

I address the following five questions in my discussion of the reporting of the Smith case in 2013: Is there still a debate around the competency of the coroner's inquest to find answers surrounding Smith's death in custody? Is there a return to the deployment of official sources in the news production process? Are narratives still critical of government accounts? Are accidental, preventable, and unnecessary death regimes of truth still prevalent in the reporting? Is there an assembly of a new regime of truth about Smith's death in custody?

Firstly, the current reporting indicates that there is still debate over the scope of the coroner's inquest. The inquest into Smith's death began hearing evidence on January 14th, 2013. The coroner decided to examine Smith's entire time in federal custody, but not the time she spent in youth correctional facilities before she turned 18. Recent news stories maintain that the scope of the inquest is too limited; since the majority of Smith's sentence was spent in provincial institutions much evidence is being ignored. Nor has the current coroner escaped criticism in the press. One

article argued that the Coroner's Act should be amended so that interested parties from other provinces can participate in these deaths in custody investigations (see Barry 2013: A11).

Second, the media continues to utilize an abundance of family and legal sources in recent news narratives, but there is also a return to the deployment of official sources. Since the inquiry is open to the public, and the media have access to the courtroom, "official" accounts from correctional authorities are now more prevalent in the news than a year ago. Thus, the actions of the correctional officers regarding their treatment of Smith, for example, are both defended and criticized by the press. There appears to be a shift to reporting legal matters: procedural correctness, competing versions of culpability, and scientific witnessing are reported in a rather mundane vocabulary. This presents a contrast from the news narratives in my sample, which were increasingly critical of reports from correctional authorities as the case unfolded, and which were reported in evocative and accusatory tones.

Third, mental health experts are now more prominent in the news stories as attention is re-directed once again towards Smith's self-choking incidents in custody and the press continues to struggle to find explanations for her erratic behaviour. Smith is further individualized and pathologized; she is portrayed as both *extremely* "mad" and *extremely* "bad". For example, a prison psychiatrist who met with Smith while she was in federal custody testified that she was severely mentally ill but also "a large tyrannical child" and "one of the most difficult cases he had ever encountered", and that "only the best quality, sustained psychological care might

have helped Ashley Smith overcome her extreme problems” (Perkel 2013: A3). As a result of the public inquest, prison records, transcripts, and interviews with Smith are now openly discussed by the media. Thus, there is an increased presence of medical discourse in the recent reporting that is supported by scientific experts, rather than non-expert sources.

Fourth, there seems to be no new regimes of truth regarding her death being circulated by the press. Much of the current reporting remains centered on the released video footage of Smith’s death. Videotapes have been shown to the jury, and the press has circulated transcriptions of the footage detailing the gruesome actions and non-actions of state officials in a language of moral disapproval and institutional scandal. There is little in the way of a vocabulary of state criminality. The inquest is not concerned with criminal culpability and responsibility it seems will likely be further dispersed once the report is written. The accidental and preventable regimes of truth appear to have been minimized in recent news accounts, but the press continues to circulate the unnecessary death regime of truth, claiming that Smith should have been treated in an alternative institution rather than punished in prison. Gender is still discussed in the Smith case and written to emphasize the plight of female offenders in the justice system and to deplore the lack of psychiatric care and resources for them. The press continues to discuss mental health services, insisting that the federal and provincial governments work together to divert those suffering from mental illnesses away from prisons.

As more evidence is exposed in the inquiry and more information is produced and circulated by the press, it is difficult to say whether the Smith family will find

closure. One thing, however, is certain; the battle for truth continues!

Recommendations for Future Research

There are many potential research projects that might provide for a better understanding of the media representations of the Ashley Smith case. In this section I have chosen and described a select few that I deemed to be the most sensible, and that specifically flow out of my research limitations. First, time constraints and sample size restrictions shaped my thesis. In order to ensure that my work was completed within a two-year time frame, I had to limit the number of newspapers and news articles that I studied. A wider sample of newspapers from across the country and of other national newspapers may reveal why the Smith case did not have a strong national news focus. It would also provide for more detailed explanation of how her death in custody was framed by the press in both regional and national newspapers.

Second, since my study consisted of only Canadian newspapers, an international comparative study of cases like Smith would allow researchers to examine different vocabularies of denial within different cultures and media outlets, and compare how controversial deaths in custody are dealt with in other countries. It would also provide for an increased awareness of how power and knowledge is produced in other societies with different forms of government.

Third, content and discourse analysis allowed me to compare regional and national newspaper representations of the Smith case, but future research might benefit from an ethnographic approach, where researchers immerse themselves in

the news-making environment, engaging with reporters and other production staff as they manufacture the news. Researchers would have more access to documents, court hearings, and other information, followed up by interviewing reporters on the job. This would provide for a better understanding of how news reports surrounding a case such as Ashley Smith are directly produced and shaped by the organizational features of the newsroom.

Fourth, while I counted news sources and illustrated some of their content, a detailed study of news sources would make for an interesting project. By interviewing sources, researchers could compare the differing stakeholder perspectives on the Smith case with those ultimately circulated in the news. This would allow for a more in-depth understanding of the relationship between news sources, news producers, claims-making and regimes of truth, resulting in a richer analysis of the news production process. This type of research project might be best carried out regionally, as spatial proximity to an event such as Smith's death in custody has an effect on source accessibility and newsworthiness.

Lastly, it is unfortunate that I could not include articles about the inquiry into my data sample. I would recommend that future researchers perform a longitudinal study of the Smith case, where the media representations of the case prior to the inquest are compared to those produced during the inquest and those produced after the inquest. This type of research project might best examine television, radio, and Internet news as well the print media. This multi-medium analysis would expand the scope of the research and enable the researcher to compare how knowledge about the Smith case was produced and disseminated within each media

venue. In addition, a study of social media would provide another interesting perspective, as it would allow researchers to analyze how public perceptions of the Smith case changed over time as it proceeded from death to inquiry and beyond.

References

- Adorjan, Michael. 2011. "Emotions Contests and Reflexivity in the News: Examining Discourse on Youth Crime in Canada." *Journal of Contemporary Ethnography* 40(2): 168.
- Allemang, John. 2011. "Objections Raised Over Coroner's Inquests; Problems with Ashley Smith Case Lead Critics to Call for Changes to System That Puts Medical Professionals in Charge." *The Globe and Mail*. July 9th, p. A6. (Retrieved from Eureka Database on November 8th 2011).
- Altheide, David. 1986. *Qualitative Media Analysis*. Thousand Oaks, California: Sage Publications Inc.
- Atkinson, Maxwell J. 1971. "Societal Reactions to Suicide: the Role of Coroners' Definitions." Pp. 165-191 in *Images of Deviance*, edited by S. Cohen. England: Penguin Books Ltd.
- Bailey, Sue. 2008. "Inmate's Death 'Preventable'; 'Serious Failures' Led to Apparent Suicide of Troubled Teenager, Prison Watchdog Says." *Toronto Star*. June

- 25th, p. A22. (Retrieved from Lexis Nexis Database on August 20th 2011).
- Bailey, Sue. 2009. "Feds Accused of 'Dark Ages' Response to Inmate's Death."
Waterloo Region Record. March 11th, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).
- Barak, Gregg. 1994. *Media, Process, and the Social Construction of Crime: Studies in Newsmaking Criminology*. New York: Garland Publishing Inc.
- Barry, John. 2013. "Fix the Coroner's Act." *New Brunswick Telegraph-Journal*. June 8th, p. A11. (Retrieved from Eureka Database on June 10th 2013).
- Becker, Howard. 1967. "Whose Side Are We On?" *Social Problems* 14:239.
- Belknap, J. 2007. *The Invisible Woman: Gender, Crime and Justice*. Belmont, CA: Thomson Wadsworth.
- Berrington, Eileen and Paivi Honkatukia. 2002. "An Evil Monster and a Poor Thing: Female Violence in the Media." *Journal of Scandinavian Studies in Criminology and Crime Prevention* 3:50.
- Blatchford, Christie. 2011a. "CSC Seeks Inquest Publication Ban; Lawyer for Family of Girl Who Died in Prison Cell Calls Move an 'Unprecedented Excursion into the Public Nature of the Inquest.'" *Globe and Mail*. May 17th, p. A8. (Retrieved from Lexis Nexis Database on August 20th 2011).
- Blatchford, Christie. 2011b. "A Death, a Video and a Legal Circus; In a Bid to Keep her Last Moments off YouTube, the Coroner Examining the Prison Death of Ashley Smith Issues a Hotly Contested Ruling." *Globe and Mail*. May 18th, p. A10. (Retrieved from Lexis Nexis Database on August 20th 2011).
- Brunswick News. 2007. "Publications." New Brunswick, NS.: New Brunswick News

Inc., Retrieved 09/21, 2012.

(<http://www.brunswicknews.com/publications.php>).

Bryman, Alan and James Teevan. 2005. *Social Research Methods*. Ontario: Oxford University Press.

Bundale, Brett. 2010. "Ashley Smith's Family to Request Public Inquiry Tragedy N.B. Woman Died Three Years Ago in a Segregation Cell." *New Brunswick Telegraph-Journal*. November 1st, p. A1. (Retrieved from Eureka Database on November 8th 2011).

Cheney, Peter. 2007. "How Prison 'Only Made Her Worse'; Teen's Treatment Before Death in Custody Amounts to an Institutional Suicide Machine, Critics Charge, and Raises Serious Questions About Conditions Women Face Behind Bars." *Globe and Mail*. December 8th, p. A1. (Retrieved from Eureka Database on November 8th 2011).

Cheney, Peter. 2007. "Teen's Death Sparks Prison Furor." *Globe and Mail*. November 21st, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).

Chermak, Steven. 1994. "Crime in the News Media: A Refined Understanding of How Crimes Become News." Pp. 95 in *Media, Process, and the Social Construction of Crime: Studies in Newsmaking Criminology*, edited by G. Barak. New York: Garland Publishing Inc.

Clark, Campbell. 2009. "Family Wants Corrections Staff Named in Teen's Death." *Globe and Mail*. March 5th, p. A7. (Retrieved from Lexis Nexis Database on August 20th 2011).

Cohen, Stanley and Jock Young. 1973. *The Manufacture of News: A Reader*. Beverly

Hills: Sage Publications, Inc.

Cohen, Stanley. 1993. "Human Rights and Crimes of the State: The Culture of Denial."

Australian & New Zealand Journal of Criminology 26: 97.

Cohen, Stanley. 2001. *States of Denial: Knowing about Atrocities and Suffering*.

Cambridge: Polity Press.

Cross, Simon. 2004. "Visualizing Madness: Mental Illness and Public

Representation." *Television and New Media* 5(3): 197.

Dalton, Melinda. 2007a. "Third Jail Guard Arrested; Nineteen-Year-Old who Died in

Apparent Suicide was in Segregation Unit of Grand Valley Women's Prison."

Waterloo Region Record. October 26th, p. A1. (Retrieved from Lexis Nexis

Database on August 20th 2011).

Dalton, Melinda. 2007b. "DEAFENING SILENCE; More than a month after Ashley

Smith took her own life inside a segregation cell at Grand Valley Institution

for Women, silence is all that has come from behind the prison's walls. The

same silence is echoed by those in charge in Ottawa, justified, they say,

because of the five ongoing investigations all searching for their own

answers". *Waterloo Region Record*. December 1st, p. A1. (Retrieved from

Lexis Nexis Database on August 20th 2011).

Dalton, Melinda. 2007c. "Prison Guards; Show of Solidarity for Colleagues Charged

in Death of Local Inmate". *Waterloo Region Record*. December 19th, p. A1.

(Retrieved from Lexis Nexis Database on August 20th 2011).

Dalton, Melinda. 2008a. "'Ashley Smith did not Have to Die'; In a New Report,

Correctional Staff at the Grand Valley Institution for Women Tell Their Side of the Story About the Death of a Young and Troubled Inmate." *Waterloo Region Record*. October 23rd, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).

Dalton, Melinda. 2008b. "Guards Union Calls for Inquiry; Report into Death of Inmate Ashley Smith Calls for Testimony From Prison Managers." *Waterloo Region Record*. October 24th, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).

Dalton, Melinda. 2008c. "Charges Dropped in Cell Death; Crown Doubts It Can Make Case Against Four Former Prison Workers". *Waterloo Region Record*. December 9, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).

Dalton, Melinda and Richard Brennan. 2009. "Ashley Smith's Death Deemed 'Preventable'; Correctional Investigator Says Death At Grand Valley Prison Is An Example Of Systemic Failure". *Waterloo Region Record*. March 4, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).

Dalton, Melinda. 2010. "Court Frees Ashley Smith Records." *Waterloo Region Record*. April 30, p. A1. Waterloo. (Retrieved from Lexis Nexis Database on August 20th 2011).

Davidson, Arnold, ed. 1997. "Foucault and His Interlocutors." Chicago: University of Chicago Press.

Davis, Brent. 2007. "Guards Charged with Inmate's Suicide." *Waterloo Region*

- Record*. October 25th, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).
- Dell, C. A., C.J. Fillmore, and J.M Kilty. 2009. "Looking back 10 years after the Arbour Inquiry: Ideology, policy, practice, and the Federal Female Prisoner." *The Prison Journal* 89:286.
- DiManno, Rosie. 2009. "Square Peg Beaten Down by System." *Toronto Star*. March 9th, p. A2. (Retrieved from Lexis Nexis Database on August 20th 2011).
- Dooley, Larry M. 2002. "Case Study Research and Theory Building." *Advances in Developing Human Resources* 4(3): 335.
- Dreyfus, Hubert and Paul Rabinow. 1982. *Michel Foucault: Beyond Structuralism and Hermeneutics*. Chicago, Illinois: The University of Chicago Press.
- Ericson, Richard, Patricia Baranek and Janet Chan. 1987. *Visualizing Deviance: A Study of News Organization*. Toronto, Ontario: University of Toronto Press.
- Ericson, Richard, Patricia Baranek and Janet Chan. 1989. *Negotiating Control: A Study of News Sources*. Toronto, Ontario: University of Toronto Press.
- Ericson, Richard, Patricia Baranek and Janet Chan. 1991. *Representing Order: Crime, Law, and Justice in the News Media*. Toronto, Ontario: University of Toronto Press.
- Fishman, Mark. 1980. *Manufacturing the News*. Austin, Texas: University of Texas Press.
- Flyvbjerg, Bent. 2006. "Five Misunderstandings about Case-Study Research." *Qualitative Inquiry* 12(2):219.
- Foucault, Michel. 1972. *The Archaeology of Knowledge: And the Discourse on*

- Language*. Great Britain, United Kingdom: Tavistock Publications Limited.
- Foucault, Michel. 1977. *Discipline and Punish: The Birth of the Prison*. London, England: Penguin Books Limited.
- Foucault, Michel. 1978. *The History of Sexuality*. New York, New York: Pantheon.
- Foucault, Michel. 1980. *Power/Knowledge: Selected Interviews and Other Writings 1972-1977*. New York: Vintage Books.
- Foucault, Michel. 2004. *Society must be Defended*. London, England: Penguin Books.
- Foucault, Michel. 2006. "Psychiatric Power: Lectures at the College de France 1973-74." Edited by Jacques Lagrange. New York: Palgrave Macmillan.
- Galtung, Johan and Mari Ruge. 1973. "Structuring and Selecting News." Pp. 62 in *The Manufacture of News: A Reader*, edited by S. Cohen and J. Young. Beverly Hills: Sage Publications Inc.
- Garland, D. 1996. "The Limits of the Sovereign State: Strategies of Crime Control in Contemporary Society." *The British Journal of Criminology* 36(4): 445.
- Gartner, Hana [Producer]. 2010. *Behind the Wall*. Television Documentary.
- Gerring, John. 2004. "What is a Case Study and What is it Good For?" *The American Political Science Review* 98(2):341.
- Globe and Mail*. 2012. "Everyone Knows What Should Be Done." March 2nd, p. A12. (Retrieved from Lexis Nexis Database on November 22nd 2012).
- Good, Carter V. 1942. "The Sequence of Steps in Case Study and Case Work." *Educational Research Bulletin* 21(6):161.
- Gowan, Derwin. 2007. "Correctional Staff Back in Court Feb. 5 Justice Union Protests Charges in Death of Young Moncton Woman." *New Brunswick Telegraph-*

- Journal*. December 19th, p. A2. (Retrieved from Eureka Database on November 8th 2011).
- Gutting, Gary, ed. 2005. "The Cambridge Companion to Foucault." Cambridge: Cambridge University Press.
- Hall, Stuart. 1973. "The Determinations of News Photographs." Pp. 176 in *The Manufacture of News: A Reader*, edited by S. Cohen and J. Young. Beverly Hills: Sage Publications Inc.
- Hall, Stuart, ed. 1997. "Representation: Cultural Representations and Signifying Practices." London, England: Sage Publications.
- Hannah-Moffat, Kelly. 2000. "Prisons That Empower: Neo-liberal Governance in Canadian Women's Prisons." *British Journal of Criminology* 40: 510.
- Hannah-Moffat, Kelly and Margaret Shaw. 2000. *An Ideal Prison? Critical Essays on Women's Imprisonment in Canada*. Halifax, Nova Scotia: Fernwood Publishing.
- Hobbs, Mitchell. 2008. "On Discourse and Representation: Reflections on Michele Foucault's Contribution to the Mass Media." Melbourne: Annual Conference of the Australian Sociological Association.
- Humphries, Adrian. 2011. "Troubling Video Shown to Jury in Ashley Smith Case." *New Brunswick Telegraph-Journal*. May 19th, p. A1. (Retrieved from Eureka Database on November 8th 2011).
- Jocher, Katherine. 1928. "The Case Method in Social Research." *Social Forces* 7(2):203.
- Jones, Allison and Diana Mehta. 2010. "Prison Death Likely Accidental: 'No One

- Intended Ashley Smith to Die, Least of All Ashley Herself.” *Waterloo Region Record*. November 1st, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).
- Jones, Allison. 2010. “Prison Protocol Should be Probed: Family.” *Waterloo Region Record*. November 3rd, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).
- Jewkes, Yvonne. 2011. *Media and Crime*. Thousand Oaks, California: Sage Publications.
- Kasinsky, Renee. 1994. "Patrolling the Facts: Media, Cops, and Crime." Pp. 203 in *Media, Process, and the Social Construction of Crime: Studies in Newsmaking Criminology*, edited by G. Barak. New York: Garland Publishing Inc.
- Krippendorff, Klaus. 2004. *Content Analysis: An Introduction to its Methodology*. Thousand Oaks, California: Sage Publications.
- Linke, Rob. 2009. “Prison ‘Torture’ Corrections: Like troubled teen Ashley Smith, Hundreds of Inmates in Canada’s Federal Institutions are Held Each Year in Solitary Confinement.” *New Brunswick Telegraph-Journal*. December 5th, p. A1. (Retrieved from Eureka Database November 8th, 2011).
- Linke, Rob. 2009. “Skepticism Greeted Prison Reform Claims.” *New Brunswick Telegraph-Journal*. April 29th, p. A3. (Retrieved from Eureka Database on November 8th 2011).
- Mayr, Andrea. 2008. *Language and Power: An Introduction to Institutional Discourse*. New York, NY: Continuum International Publishing Group.
- McHoule, Alec and Wendy Grace. 1993. *A Foucault Primer: Discourse, Power and the*

Subject. Dunedin, New Zealand: University of Otago Press.

McMullan, John. 2005. *News, Truth, and Crime: The Westray Disaster and Its*

Aftermath. Black Point, Nova Scotia: Fernwood Publishing.

Moncton Times and Transcript. 2007. "Moncton Teen's Death in Prison Raises

Questions Ashley Smith, 19, Killed Herself in October, Resulting in Calls for Improvements in How Province Handles Mentally Ill Youth Offenders."

December 28th, p. A11. (Retrieved from Eureka Database on November 8th 2011).

Neuman, Lawrence. 2011. *Social Research Methods: Qualitative and Quantitative*

Approaches. Boston, MA: Allyn & Bacon.

New Brunswick Telegraph-Journal. 2009a. "Killed By Indifference." Newspaper

Opinion. March 5th, p. A6. (Retrieved from Eureka Database on November 8th 2011).

New Brunswick Telegraph-Journal. 2009b. "Prisons Helped Kill Ashley Smith." March

7th, p. A11. (Retrieved from Eureka Database on November 8th 2011).

New Brunswick Telegraph-Journal. 2011. "Save the Next Ashley Smith." May 19th, p.

A8. (Retrieved from Eureka Database on November 8th 2011).

Olstead, Riley. 2002. "Contesting the Text: Canadian Media Depictions of the

Conflation of Mental Illness and Criminality." *Sociology of Health & Illness* 24 (5): 621.

O'Neil, Sheila. 2007. "Demands are Heavy on Women's Prison Staff." *Waterloo*

Region Record. December 14th, p. A14. (Retrieved from Lexis Nexis Database on August 20th 2011).

- Ostgaard, Einar. 1965. "Factors Influencing the Flow of News." *Journal of Peace Research* 2(1):39.
- Outhit, Jeff. 2008. "Inmate's Death 'Was Preventable.'" *Waterloo Region Record*. June 25th, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).
- Pemberton, Simon. 2008. "Demystifying Deaths in Police Custody: Challenging State Talk." *Social & Legal Studies* 17(2): 237.
- Perkel, Colin. 2012a. "Ruling on Videos Allows Smith Inquest to Proceed." *Waterloo Region Record*. October 25th, p. A1. (Retrieved from Lexis Nexis Database on November 22nd 2012).
- Perkel, Colin. 2012b. "Corrections Actions Unacceptable, PM Says; Opposition Calls Harper Government Dishonest, Says it Wanted to Block Showing of Jailhouse Video." *The Globe and Mail*. November 2nd, p. A3. (Retrieved from Lexis Nexis Database on November 22nd 2012).
- Perkel, Colin. 2013. "Ashley Smith a 'Large Tyrannical Child', Psychiatrist Tells Inquest." *New Brunswick Telegraph-Journal*. March 26th, p. A3. (Retrieved from Eureka Database on June 10th 2013).
- Poole, Tom. 2011. "This Should Never Happen Again." *Waterloo Region Record*. May 26th, p. A14. (Retrieved from Lexis Nexis Database on August 20th 2011).
- Postmedia News. 2010. "Inmate's Treatment Before her Death 'Barbaric:' Lawyer Argues that Moncton Native's Inquest Must be Expanded." *Moncton Times and Transcript*. November 2nd, p. A2. (Retrieved from Eureka Database on November 8th 2011).

- Potter, Jonathan. 1996. *Representing Reality: Discourse, Rhetoric and Social Construction*. London: Sage Publications Ltd.
- Rabinow, Paul and Nikolas Rose, eds. 2003. "The Essential Foucault." New York: The New Press.
- Reid, Mary. 2009. "System Failed Ashley." *Waterloo Region Record*. March 20th, p. A10. (Retrieved from Lexis Nexis Database on August 20th 2011).
- Richard, Bernard. 2008. *The Ashley Smith Report: A Report of the New Brunswick Ombudsman and Child and Youth Advocate on the Services Provided to a Youth Involved in the Youth Criminal Justice System*. Fredericton, New Brunswick: Office of the Ombudsman & Child and Youth Advocate.
- Roshier, Bob. 1973. "The Selection of Crime News by the Press." Pp. 28 in *The Manufacture of News: A Reader*, edited by S. Cohen and J. Young. Beverly Hills: Sage Publications Inc.
- Ruddin, Lee P. 2006. "You can Generalize Stupid! Social Scientists, Bent Flyvbjerg, and Case Study Methodology." *Qualitative Inquiry* 12(4):797.
- Sacco, Vincent F. 1995. "Media Constructions of Crime." *Annals of the American Academy of Political and Social Science* 539:141.
- Sapers, Howard. 2008. *A Preventable Death*. Ottawa, Ontario: Correctional Services of Canada.
- Scruton, Phil. 2002. "Lost Lives, Hidden Voices: 'Truth' and Controversial Deaths." *Race & Class* 44(1): 107.
- Slingerland, Wade, Heith Copes and John Sloan. 2006. "Media Construction of White-Collar Violence Revisited: An Examination of Two Nightclub Tragedies."

Deviant Behavior 27(4): 423.

Stehr, Nico and Richard Ericson, eds. 1992. "The Culture and Power of Knowledge: Inquiries into Contemporary Societies." Berlin, Germany: Walter de Gruyter and Co.

Surette, Ray. 2011. *Media, Crime, and Criminal Justice: Images, Realities and Policies*. California: Wadsworth.

Thanh Ha, Tu. 2008. "Charges Dropped Against Four Prison Workers; New Medical Information Shows Officers Couldn't Have Saved 19-year-old Who Committed Suicide In Her Cell". *The Globe and Mail*. December 9, p. A10. (Retrieved from Lexis Nexis Database on August 20th 2011).

Thanh Ha, Tu. 2009a. "Systemic Failures Led to Prison Death: Report". *The Globe and Mail*. March 3, p. 1. (Retrieved from Lexis Nexis Database on August 20th 2011).

Thanh Ha, Tu. 2009b. "Instructed to Curtail Crushing Red Tape, Guards Watched Girl Die in her Cell". *The Globe and Mail*. March 3, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).

Thanh Ha, Tu and Campbell Clark. 2009. "Prisons Broke Own Rules by Holding Teen in Solitary; Repeated Bureaucratic Failures Contributed to the Death of 19-year-old, Who Choked Herself in her Cell in 2007, Watchdog Reports". *The Globe and Mail*. March 4, p. A4. (Retrieved from Lexis Nexis Database on August 20th 2011).

The Canadian Press. 2011. "Judge Ponders Release of Ashley Smith Videos."

Waterloo Region Record. April 19th, p. A5. (Retrieved from Lexis Nexis Database on August 20th 2011).

The Canadian Press. 2012. "Toews' Suggestion Ashley Smith was not a Victim Draws Opposition's Ire." *Globe and Mail*. November 7th, p. A16. (Retrieved from Lexis Nexis Database on November 22nd 2012).

Thomas, Gary. 2011. "A Typology for the Case Study in Social Science Following a Review of Definition, Discourse, and Structure." *Qualitative Inquiry* 17(6):511.

Times and Transcript Staff. 2007. "Advocate Says Prisoner's Rights Were Violated Canadian Association of Elizabeth Fry Societies Director Says Moncton Woman's Death Could Have Been Avoided." *Moncton Times and Transcript*. October 27th, p. A3. (Retrieved from Eureka Database on November 8th 2011).

Toronto Star. 2010a. "Deaths of 9 Prisoners Similar to Ashley's: Watchdog; Notes Parallels to Teens's Suicide in Kitchener Jail." September 7th, A1. (Retrieved from Lexis Nexis Database on August 20th 2011).

Toronto Star. 2010b. "Treatment of Female Inmate 'Outrageous and Barbaric'; Lawyer for Teen's Family Urges Inquest Include Entire Period of Custody." November 2nd, p. A2. (Retrieved from Lexis Nexis Database on August 20th 2011).

Toronto Star. 2011. "No Place For Secrecy." June 22nd, p. A20. (Retrieved from Lexis Nexis Database on August 20th 2011).

Toronto Star. 2012. "Treatment of Ashley is Indefensible." November 1st, p. A2.

(Retrieved from Lexis Nexis Database on November 22nd 2012).

Tuchman, Gaye. 1978. *Making News: A Study in the Construction of Reality*. New York, New York: The Free Press.

Union of Canadian Correctional Officers. 2008. *A Rush to Judgement: A Report on the Death in Custody of Ashley Smith, and Inmate at Grand Valley Institution for Women*. Kitchener, Ontario: The Union of Canadian Correctional Officers.

Valkenburg, Patti, Holli Semetko and Claes De Vrees. 1999. "The Effects of News Framing on Readers' Thoughts and Recall." *Communications Research* 26(5): 550.

Van Dijk, Teun. 1988. *News As Discourse*. New Jersey: Lawrence Erlbaum Associates Inc.

Waterloo Region Record. 2008. "Inquiry Needed Into Smith's Death." Newspaper Opinion. October 25th, p. A12. (Retrieved from Lexis Nexis Database on August 20th 2011).

Waterloo Region Record. 2009. "Prisons Helped Kill Ashley Smith." Newspaper Opinion. March 5th, p. A10. (Retrieved from Lexis Nexis Database on August 20th 2011).

Welch, Michael, Lisa Weber and Walter Edwards. 2000. "'All the News That's Fit to Print:' A Content Analysis of the Correctional Debate in the New York Times." *The Prison Journal* 80(3): 245.

White, Nathan. 2007. "Three Ontario Guards Charged in Death of Maritime Inmate." *New Brunswick Telegraph-Journal*. October 26th, p. A3. (Retrieved from Eureka Database on November 8th 2011).

- Wilkins, Leslie. 1973. "Information and the Definition of Deviance." Pp. 22 in *The Manufacture of News: A Reader*, edited by S. Cohen and J. Young. Beverly Hills: Sage Publications Inc.
- Wishart, John. 2008. "Ashley Smith's Death on our Conscious Synopsis Lead". *Moncton Times and Transcript*. June 14th, p. D9. (Retrieved from Eureka Database on November 8th 2011).
- Wright, John, Francis Cullen and Michael Blankenship. 1995. "The Social Construction of Corporate Violence: Media Coverage of the Imperial Food Products Fire." *Crime & Delinquency* 41(1): 20.
- Yin, Robert. 1981. "The Case Study Crisis: Some Answers." *Administrative Science Quarterly* 26(1): 58.
- Zedner, L. 1991. "Women, Crime, and Penal Responses: A Historical Account". *Crime and Justice* 14:307.
- Zlomislic, Diana. 2009a. "How this Generous Girl became a 'Caged Animal'." *Toronto Star*. October 10th, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).
- Zlomislic, Diana. 2009b. "Watchdog Probes Prison Deaths; 'Troubling' Similarities to 2007 Jailhouse Suicide of Teen Ashley Smith Seen in Two Other Inmate Deaths." *The Toronto Star*. October 17th, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).
- Zlomislic, Diana. 2010. "Ashley Smith's Family Boycotting Inquest." *Waterloo Region Record*. January 9th, p. A1. (Retrieved from Lexis Nexis Database on August 20th 2011).

Zlomislic, Diana. 2011. "Ashley Smith Inquest Will Get New Coroner." *Waterloo Region Record*. June 30th, p. A4. (Retrieved from Lexis Nexis Database on August 20th 2011).