



Crime & Punishment

James Alan Fox on criminal behavior and the justice system

MEDIA VIOLENCE

When 911 is TMI

Posted by James Alan Fox, Crime and Punishment August 23, 2010 05:00 PM

Earlier this month, days after the mass shooting at a Connecticut beer distributor, I was asked by a local TV news station to analyze and comment on a recorded 911 call from the gunman that the State Police had publicly released. It was the killer's exceptionally calm demeanor that people found so surprising. After all, he had just killed eight co-workers and was about to take his own life.

The shooter apparently wanted to explain his motives. He wanted to clarify that his actions were precipitated by what he saw as racial discrimination on the job; he wasn't just some nut who went off the deep end. Being considered crazy would negate any legitimacy to his complaints of mistreatment.

Although I tend to question the wisdom and appropriateness of assisting a murderer in having a platform for his few minutes of infamy, there was at least some value in understanding how workplace avengers view their situation — how they typically see themselves as the victim seeking a measure of justice before exiting the world by their own hand.

While reviewing the 911 recordings uploaded to the website of a Hartford television station, I was unexpectedly mistreated to a bonus clip: the 911 call from a distraught woman who was cowering inside a closet at the shooting site and frantically begging for help. Despite her attempt to stay quiet so as not to be heard by the gunman lurking about, the terror in the caller's voice came through loud and painfully clear. It was impossible not to empathize with her feelings of helplessness and horror, all the way through the chilling screams when the police arrived and instructed her to come out with her hands up.

I fully understand how and why the release of 911 tapes has become standard practice. The press and the public insist on their right to know. Notwithstanding the protected freedom of information, this was just another case of TMI -- too much information. The good news, of course is that this 911 caller survived, although her recorded experience of dread and despair will permanently remain in the public domain.

The struggle to balance the public's right to know with the individual's right to privacy is long-standing. Here in Boston, questions were raised two decades ago when the *Boston Herald* published a gruesome photograph of Carol Dimaiti Stuart slumped in the front seat of her car after being shot by her husband. As with most controversial things these days, the problem has been intensified by the distributive power of the Internet. For those who have a compelling fascination with details of death, the Web provides an endless photo library of crime, calamity and catastrophe.

A case can certainly be made for the public release of certain photographic and video images of disturbing events along with viewer discretion warnings. The widely available images of helpless New Yorkers jumping from windows of the World Trade Center to avoid the flames help us all to appreciate the unique horror of the September 11 attack. However, the 911 calls capturing the last words of panic-stricken men and woman who were about to die inside the towers, many of which are available for anyone with connection to YouTube, do nothing more than infringe on these victims' privacy. Seeing may be believing, but listening is merely eavesdropping.

Now that virtually every American has a camera or video recorder as a feature of their cell phone, there is no controlling the supply of material that will satisfy the public's interest, even if it is not in the public interest to pander to such macabre fascination. Unlike recordings by private individuals that can be uploaded or even sold to the highest bidder as a perverted form of free enterprise, it is questionable when public officials participate in such feeding frenzy.

Several states have considered legislation aimed at limiting the release of official recordings of private horrors, and have met with much resistance. Understandably, many people are concerned about the slippery slope toward censorship. At the end of the day, it may just take sensible public officials, like the Milton police who refused last year to release a 911 recording from a teenage girl during a brutal family massacre, deciding when 911 is TMI.