

“All Lies Matter!”

Revealing Misleading Information in Media Stories About Police Brutality

Eric K. Jones

Introduction

The problem of police brutality in Black and Brown communities has become a very frustrating issue. Part of the reason for exasperation lies with the fact that we are divided as a country when it comes to the notion of responsible policing. This became apparent when the “Black Lives Matter” movement was quickly met by obstinate supporters of police officers, rebelliously retorting chants of “All Lives Matter” and “Blue Lives Matter.”

At the center of this polarized debate we saw graphic videos of unarmed Black suspects being shot by police. We saw Twitter serve as an online graveyard when the names of the fallen victims of police violence became trending hashtags resembling digital tombstones (i.e., Walter Scott, Tamir Rice, and Rekia Boyd to name a few). We also saw a police officer declaring that he was in fear of his life at a trial where he was charged with manslaughter¹ (Berman, 2017). After his acquittal, family members of the slain, desperate for the justice system to work, agonized over the loss of their loved one.²

All of these events raise the following question: How do educators teach students how to cut through the emotional trauma of such harrowing stories in order to find credible information? Part of the answer is to help students detect distorted ideas about police brutality that pervade media coverage. Some of the stories covering the issue of police brutality have contained misleading viewpoints even when the journalists appear to be citing reputable research on the topic (Simon, 2016).

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What follows is a teaching strategy that features one such article. This lesson requires students to complete several tasks: first, they must read the article as a homework assignment, they must then deconstruct the article’s coverage for misleading ideas, and finally they must critique a social media post while participating in a media literacy exercise. Once the students are finished, they should be able to demonstrate competency in detecting misleading media themes and be able to judge the credibility of research studies. This article explains in detail how to reach these learning goals with college students at the undergraduate level.

Educational Setting

This lesson was taught in a class entitled “Race, Gender, and Class in Media” on the campus of a small liberal arts college in the Midwest. Overall, the purpose of the class is to examine how media stories that feature minority groups are distorted and misleading to their audiences. Minority groups are defined as people identified within an underrepresented classification of ethnicity, gender, or socioeconomic status.

There were 27 students in the class, of which most were White. Students taking the class were fulfilling a general education requirement, therefore the course was comprised of an assortment of majors including Sociology, Political Science, History, Journalism, Communication Studies, Public Relations, Media Studies, English, and Womens Studies. Most of the students enrolled in the class were juniors and seniors.

Many of the students were members of the millennial generation and could identify with the subject matter as media consumers. Knowledge of how students use media helps professors make informative decisions about facilitating classroom

discussions and incorporating relatable examples. For the most part, they exhibited the media-use habits of a typical college student. A good way to get an impression of these habits is to look at a report produced by Nielsen which examined media use activity (Nielsen, 2016). The report describes some typical media use patterns of people grouped in the age category of 18-34 years.

Among this age group, the average amount of weekly time spent consuming all-media platforms is 26 hours and 49 minutes. 24% of that time (6 hours and 19 minutes) is spent on social media. During a typical week, 78% of adults within this age group prefer to spend their time on social media with their smart phone devices. Ten percent of adults within this age group prefer to spend their time on social media using a tablet. And the other 12% of adults within this age group prefer to spend their time on social media using a PC. Their most popular social media platforms are Facebook, Instagram, Twitter, and Pinterest.

The Pew Research Center (2016) conducted a news consumer study on a corresponding age group of millennials. This category of viewers was comprised of adults between the ages of 18-29. The study revealed they get their news in the following ways: 50% of the people in this group prefer to get their news via some kind of on-line source, 27% get their news from regular television, 14% from radio, and 5% prefer to get their news from print media.

The Genesis of a Lesson Plan: The Tumultuous Summer of 2016

The summer of 2016 was marked by disturbing stories of violence associated with policing. It had such a profound impact on me personally that I was inspired to start thinking about how I was going to teach this subject matter to my students. Most

notable were the shootings of Alton Sterling in Baton Rouge, Louisiana; Philando Castile in St. Paul, Minnesota; and Micheal Xavier Johnson's ambush and murder of police officers in Dallas, Texas.

With so much violence in the headlines, the news media began to search for expertise and insight about violence in policing. Roland G. Fryer, Jr., a Harvard University professor, was vexed by this issue and began researching the topic himself. A paper he authored began gaining traction in mainstream media circles when his work became the focus of an "Up Shot" feature article in *The New York Times* (Fryer, 2016). Fryer's research found that there was no racial bias in police shootings but there was racial bias shown in other physical aspects of police-suspect interactions.

At the time, this was seen as a surprising result because many of the shootings that were receiving heavy media coverage seemed to indicate police bias. Fryer's study was used by news organizations like the *Washington Times* to give the impression that his findings were proof that charges of police brutality were being over-exaggerated (Richardson, 2016).

This kind of news coverage contained an implied backlash sentiment which was demonstrated by some influential figures in law enforcement who used the report to cloud the issue. One example of this sentiment was shown when former FBI Director James Comey referenced Fryer's research during a speech he was delivering at a conference of police chiefs in San Diego. In his speech, Comey expressed skepticism about the intense scrutiny that was being placed on law enforcement tactics and he pointed out that much more data needed to be collected (Berman, 2016).

But prior to the backlash and Comey's skepticism, some data had already been collected by the Department of Justice (DOJ) that began to paint a different picture of how police officers engage in racially-biased use of force. In April of 2014, the DOJ issued a report on the procedures of the Albuquerque, New Mexico, police department after a two-year review period (Samuels & Martinez, 2014). They concluded that the department "engages in a pattern of practice of use of excessive force, including deadly force, in violation of the fourth amendment." (p. 9).³

The DOJ produced similar findings when it reviewed the procedures of other police departments as well (namely those in Cleveland, Ohio, and Baltimore, Maryland).⁴ In addition, the DOJ produced a damning report on the Ferguson, Missouri,

police department in 2015 which documented a clear pattern of racial disparities and discriminatory intent.⁵ The sum total of all of these events made this topic timely, challenging, and problematic. These are characteristics that make a topic such as this well-suited for a media literacy course lesson utilizing the teaching philosophy of problem-based learning.

Problem-Based Learning

When students are learning about police brutality in news reports, they must learn how to apply the criticisms they generate to a broader societal level. Moreover, they must learn that ascertaining an accurate representation of any research on this topic helps create a more informed public and prevents distortion. This process is conducive to a philosophy called Problem-Based Learning (PBL) or engaging students by organizing lessons around a central problem (Barrows, 1985).

PBL was first developed within the medical field where educators taught students lessons that emphasized hypothetical cases and deductive reasoning (Barrows & Tamblyn, 1980). In addition, Bridges and Hallinger (1997) have indicated that PBL helps develop good decision-making skills. According to Hmelo-Silver, Duncan, and Chinn (2007), class activities devised around PBL encourage students to work together in an assertive way: "In PBL, students learn content, strategies, and self-directed learning skills through collaboratively solving problems, reflecting on their experiences, and engaging in self-directed inquiry" (p. 100).

In classes designed to teach media-related subject matter, PBL encourages students to make decisions based on intuition, common sense, and experience (Reddy, Aronson & Stam, 1998). PBL is effective in race and gender media literacy courses as a method to encourage students to think critically, cooperate in teams, and use appropriate resources (Duch, Groh, & Allen, 2001).

Media literacy classes can also give students an appreciation for the way in which the media can operate in a socially responsible way. Students can be very resistant to lessons about social responsibility. Some of this stems from student apathy. I have found a significant challenge in getting students actively engaged in issues affecting local communities inside and outside of the classroom. Accordingly, some professors have seen students reveal in reflection papers their ambivalence about being a part of

any solution to raise awareness of negative media depictions (Jones, 2011).

A good way to introduce the concept of social responsibility is to refer to the Hutchins Commission report (1947). In this report, scholars, politicians, clergy, and journalists wrote a government document outlining some suggested ethical guidelines and principles for media practitioners to follow. From that document, one of the suggestions made of particular importance for race, gender, and media courses was to avoid giving offense to minority groups in media coverage. As a government document, this report brings authority and credibility to the notion of social responsibility. At the same time, it justifies the pursuit of this idea within a media context. Addressing media representations about police brutality make problem-based learning a "necessary" teaching tool to incorporate in the classroom (Knowlton & Sharp, 2003).

Phase I: Assigning The New York Times Article as Homework

On July 11, 2016, Fryer's work was featured in *The New York Times* as part of its "The Upshot" series. The article was entitled "Surprising New Evidence Shows Bias in Police Use of Force But Not in Shootings" (Bui & Cox, 2016). Even though many media outlets reported on Fryer's paper, this article gives a seemingly more thorough summary of the research.

I assigned the article and attached some basic study questions for the students to consider before they came to the next class (see Table 1). The data from the study are the most notable aspect of the article because they were located right underneath the headline in a graphic table. The table is designed to show that police officers are more likely to use the following types of force with Blacks than with Whites in similar police/suspect interactions:

- ◆ They're more likely to use their hands with Black suspects.
- ◆ They're more likely to push Black suspects into a wall.
- ◆ They're more likely to use handcuffs on Black suspects.
- ◆ They're more likely to draw weapons on Black suspects.
- ◆ They're more likely to push Black suspects to the ground.
- ◆ They're more likely to point their weapons at Black suspects.

- ◆ They're more likely to use pepper spray or a baton on Black suspects.

I assign this article before I assign Fryer's paper as a required reading assignment. I think it is important to do this for a couple of reasons. The first reason is because it has been my experience that many undergraduate students who are not knowledgeable about this kind of research tend to struggle with reading these kinds of papers without an introduction. Therefore, having them read the newspaper article first works well because it summarizes pertinent points of the research paper, and provides table graphics that highlight the important findings. This makes the reading assignment a good orientation to the subject matter and it allows the instructor to raise the student's level of curiosity about the research.

The other reason I assign *The New York Times* article before I assign the Fryer paper is because I can then use the element of surprise as an advantage when the article is discussed later in the classroom. Surprise comes into play after many of the students read the article and answer the assigned questions without thinking about whether Fryer's paper is being represented accurately.

The questions addressing the article that I assign are straight forward. Most of the time the students focus only on answering the study questions I list, without giving a serious read to the rest of the article. When we cover the homework in class, I challenge them to think on a deeper level about the article. See Table 1 for examples of the questions I assign with the reading homework.

These questions focus on the data presented in the article, the impression given by the story headline, and the students' thoughts on whether this write-up is a believable summary of Fryer's research. Some of the questions are designed to get students to consider how this story is framed and

some of the questions are designed to get students to consider how this story rates on source credibility. Media framing and source credibility are two concepts that are useful for educators to consider when they teach a media literacy lesson.

According to Potter (2004) teaching students about media framing can increase their awareness about the kinds of traps that prevent them from learning the entire context of a story. Potter defines a media frame as a snapshot that "limits a person's view of a total phenomenon and focuses attention on that which fits in the frame" (p. 210). He says that media stories limit the audiences' viewpoint in three basic ways. First, media stories make necessary selections because it is impossible to present everything. As a result, those selections limit the audiences' perspective. Second, producers purposely constrain the presentation of information to manipulate audiences. Third, audiences bring preconceived biases to a media-use experience which creates a frame that determines what they pay attention to.

More likely than not, the controversial nature of police brutality in media coverage will make it easier to facilitate class discussions around media framing. One useful question to address framing could be "What aspect of police brutality is being left out of this story and the research it is describing?"

When it comes to the source credibility of a news story, research has shown that two characteristics typically stand out. According to Hovland, Janis, and Kelly (1953), the aspects of a news story that make it a believable and credible source are: 1. trustworthiness—is a source willing to communicate the correct information on a topic?; and 2. competence—can a person provide a valid statement on a topic? Stories that are perceived as being trustworthy and competent are considered more effective in influencing audience attitudes.

Another aspect of source credibility is reputation. Research has shown that there is a greater likelihood that users will choose to read a news source if it is considered reputable (Sundar, Knoblock-Westerwick, & Hastall (2007). Since *The New York Times* is considered a pretty respectable news source and Fryer is a professor at Harvard University, one of the most elite schools in the country, we can engage students in a conversation about how the reputation of these important entities factor into the believability of this story.

Phase 2: Facilitating a Classroom Discussion about Fryer's Research via *The New York Times* Feature Story

This reading assignment provides a good opportunity to walk students through a discussion that shows how media literacy merges with the evaluation of credible research. Some of the misleading language used in *The New York Times* story led to criticism about Fryer's research after the story was published. Professors can use the following criticisms to teach their students about how to evaluate credible research.

Roland Fryer's research was not a study published in a peer-reviewed journal, it was a working paper submitted to an on-line research collective.

As a professor who often requires undergraduate students to write term papers and research projects with bibliography pages, I often see students include research papers that they have found online that have not been peer-reviewed or published in an academic journal. Fryer's research was a good example of this kind of paper. On the day that *The New York Times* first published the article featuring Fryer's work, his paper more closely resembled a work-in-progress draft and not a finalized research study. Such materials are commonly referred to as working papers.

Fryer and a group of his students at Harvard submitted the paper to the National Bureau of Economic Research (NBER), which is a place where scholars can upload drafts of their unfinished research to solicit feedback from other scholars and interested readers. However, the framing of the Upshot article referred to Fryer's work as a "study" and did not make the working paper's actual unfinished status clear to the audience. This is a subtle but important framing issue. In the rush to publish what many considered

Table 1
Study Questions for The New York Times Homework Assignment

1. What impression do you get about this research from the headline of the story?
2. What is your opinion about the accuracy of *The New York Times* as a believable source of information?
3. What do the data convey about police use of force?
4. What do the data convey about shootings?
5. Does the study strike you as believable? Why or why not?
6. What's been your personal experience with the police in your hometown?
7. Where do you typically find information about stories of police shootings?

to be a newsworthy finding, the article implied that the research was thoroughly vetted, but it was not. This presented a good opportunity to explain to students the difference between unvetted working papers and research published in a peer-reviewed journal.

Fryer's paper relies on the narratives of police officers.

Teaching students about the reliability of data is another very important part of evaluating research findings. One popular point of criticism was that Fryer's findings of no racial bias in shootings may have been the result of biased self-reporting (Balko, 2016). In many of the cases that Fryer included in his study, there was a reliance on the personal accounts of the officers who were involved in the shooting.

Not to prejudice every officer account as a fabrication, but in situations where police use deadly force, there are going to be factors that prevent an objective assessment. These factors can include many things that are consistent with human nature: fear, panic, shock, and an incentive to avoid punishment if the officer were to admit racial bias. Most of these police reports are plagued with subjectivity and the reliability of this data ought to be considered with extreme caution.

In a question and answer session about the research, Fryer disputed that the possibility of biased police officer narratives would have altered his findings of no racial bias. But many observers were not persuaded by his rejection. Moreover, the question of source credibility comes into play when considering the trustworthiness of the officers to self-report honestly. This critique provides a good opportunity to discuss the importance of measurement validity in Fryer's research. Does the data he received and the results he reported really convey no bias? Or does it convey something else?

Fryer's paper left out whether Blacks are stopped more often than Whites.

For years, one of the issues fueling the polarized debate on police brutality was the question of racial profiling. Some notable data has been collected on the racially-biased tendencies of law enforcement to stop Black suspects more often than White suspects. The stop and frisk report from the infamous New York City case is one notable example (Gelman, Fagan, & Kiss, 2007). Among commentators and other journalists focusing on Fryer's

research, this became a very controversial omission from the paper. In *The New York Times* article, Fryer does acknowledge the problem of racial bias in police stops. He explained that his paper had to eliminate any decisions on racial profiling because it wasn't possible to measure that aspect (Cox, 2016). He said that to do so would have required setting up an experiment and he clearly preferred to examine only the data that was already available.

Thus, Fryer's study only explained how police deal with people who have already been caught, identified, or apprehended as suspects of a crime. This is one of the most important distinctions to make between the data that Fryer was analyzing and some of the controversial shootings that were being covered in media accounts. Looking at some of the cases covered in the media, consider the fact that the public got a chance to see video of the escalation that occurred when police officers first identified and tried to apprehend Walter Scott, Eric Garner, and Sandra Bland as suspects.

Being able to see the video of the escalation gave people much more insight into whether the stop was justified, or whether the force that was used to apprehend each suspect was proportional to the threat they were posing. But it was clear that Fryer did not have access to this kind of information in the data that he analyzed. This led me to conclude that the article contained another media framing distortion. Consider the headline of the article again which was entitled "Surprising New Evidence Shows Bias in Police Use of Force But Not in Shootings." This is a misleading media frame that conveys a false parallel.

The implication of the headline is that the data analyzed in Fryer's paper essentially matched the same types of information the public had in the cases the media had been covering. This presented a good opportunity for me to talk to my students about how research studies have limitations. Being more specific, the headline created an opportunity to stress how certain research methods are limited in their ability to measure certain phenomena.

Phase 3: Analyzing an Instagram Post Featuring Fryer's Research as a Media Text

In my experience, I've concluded that millennials don't typically get their news from sources like *The New York Times* or *The Washington Post*. As the data from the aforementioned Nielsen report suggests, a

lot of the students in this generation are more likely to find out about any issue on social media platforms than they are from traditional media platforms. In the summer of 2016, I noticed a considerable amount of attention being paid to Fryer's paper on social media. His work became somewhat of a political football because posters on social media using pseudonyms were cherry-picking some of his findings to advance their own partisan agendas. The back and forth contained a lot of misleading statistics and distorted ideas. I found one example of this kind of post on Instagram (see Figure 1).

This Instagram post contains a racially-biased interpretation of Fryer's study. Given this bias, it can be used as the basis of an in-class group exercise for the students to develop their media literacy skills. It is an ideal media text for students to study, examine, and critique. This Instagram post provided a great opportunity to guide and facilitate a textual analysis session for the students enrolled in my class.

Buckingham (2003) defines a textual analysis as a process that "offers depth rather than breadth and tends to focus in great detail on single texts ... (it) involves close attention to detail and rigorous questioning. Students need to be steered away from making instant judgments and encouraged to provide evidence for their views" (p. 71). In order to structure the students' collaborative efforts for this exercise, it is always a good idea to provide them with some core media literacy questions to frame their deliberations. Jolls and Wilson (2014) promote five key questions to require the students to respond to during this process. For each of these questions, I provide some additional probes to help specify how each question can be answered, as follows.

◆ *Who created this message?*

The pseudonym on the Instagram post in the upper right corner says "aconservativemindset." Facilitate a discussion among your students about the kind of identity this conveys for the creator of this post. Does it convey a political viewpoint? (*Interestingly enough, many of the African-American students in my class did not associate this name with politics at all.) Can they make any other inferences about this person based on the message?

◆ *What creative techniques are used to attract my attention?*

Probe students to think about what stands out the most when they look at this post. Is it the font size of some of the phrases and

words? Is it the picture? Are they more attracted to the rhetoric? What creative devices are being used by this person to make their points about racial identity and police brutality?

◆ *How might other people understand this message differently?*

Ask students to think about other groups who would disagree with this message? What would be the basis of their disagreement? Ask students if they themselves disagree. Would the claims mentioned in this post survive the scrutiny of those who disagree? This would be a good opportunity to show them other studies that have been conducted with different conclusions and that have gone through a peer review process. Including studies that have findings that implicate Black suspects being more at risk than Whites in police shootings (Nix, Campbell, Byers and Alpert, 2017; Ross, 2015).

◆ *What lifestyles, values, and points of view are represented in or omitted from this message?*

Does the person who posted this message represent a class (socio-economic status) identity? What are their views about police? What are their views about social justice movements led by groups like “Black Lives Matter?” Does this “snap shot” of the issue

represent an accurate and comprehensive account of Professor Fryer’s study? What’s being misrepresented about the study? (For instance, are the claims comparing White shooting victims to Black shooting victims even mentioned in Fryer’s study?) What’s not included about the study? This is a good time to encourage them to refer to the original version of Fryer’s research from the NBER cite to clarify some of the confusing and misleading claims of this Instagram post. As much as you can, try to steer them away from referring too much to *The New York Times* article.

◆ *Why is this message being sent?*

Ask students to think about the goals of the person who created this message? Are they seeking a political outcome? Are they seeking to bully or intimidate others? Are they seeking to confuse, and obfuscate the issues?

During this group exercise, students should feel confident to think about and ponder each of these questions on a deeper level after you have facilitated a discussion with them about how Fryer’s research was described in *The New York Times* article. The earlier classroom discussion and homework assignment should have given them a solid grasp of what Fryer’s research was attempting to ascertain.

Conclusion

This lesson plan incorporating Fryer’s paper provides a unique opportunity to teach students critical thinking skills around the issue of police brutality. In my experience teaching this kind of subject matter, I have received different responses from students. Sometimes, I find myself trying to teach students who tend to downplay the importance of racial and ethnic bias and dismiss it as mere “identity politics.” In other situations, I find myself teaching students who tend to view these issues as so central to their experience that it becomes a challenge for them to process the emotions surrounding the tragic shooting deaths, the spectacle of the media coverage, and the deep divide about how to conduct law enforcement responsibly. All of these things make this issue a challenging topic to teach undergraduate students.

No matter how difficult it gets, it is always important to show how academically rigorous these kinds of lesson plans can be. Such teaching encourages students to do three very important things that will serve them well even after they complete this lesson. One, they learn the value of trustworthy and reliable information. Two, they learn to be aware of misleading

Figure 1
Instagram Post of Roland Fryer’s Research Paper

A new Harvard study shows NO bias towards black Americans in police shootings.

Professor Roland Fryer, Harvard University

In fact, they were shot 20% less than whites.

This study was done by an award winning Harvard economics professor, who happens to be...black.

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aconservativemindset Truth! More whites are killed every year by the police than blacks. Listen to the black Harvard professor. He isn't racist. He isn't biased. Listen to truth and stop blaming all police officers for all the wrong in your universe. Killing innocent police officers who put their lives on the line, every single day, does not help the BLM concerns. It only proves that the Black Lives Matter movement is promoting hate and violence. If you promote it, then you're guilty of the same hate, violence, and racism that you cry out against. You are no different. #prayforpolice #meninuniform #prayforthetroops #prayforamerica #prayforpeace #prayfortheworld #alllivesmatter #antiblacklivesmatter

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media stories. Three, they learn the basic characteristics of credible research studies. When students become adept at these things, they not only perform better in the classroom, but they also become better citizens.

Notes

¹ Officer Jeronimo Yanez of the St. Anthony., Minnesota. Police Department testified that he feared for his life when he shot Philando Castile during a traffic stop in July, 2016. Yanez was charged with second-degree involuntary manslaughter and was acquitted of all charges.

² Castile's mother Valerie decried the verdict of Yanez's acquittal and called her son's death a murder.

³ Two Attorneys from the Department of Justice, Civil Rights Division named Jocelyn Samuels and Damon Martinez wrote a thorough and detailed letter/investigative report to Albuquerque Police Chief Gordon E. Eden documenting the findings of their investigation. Page 9 of the letter is where the direct quotation is contained. The full document can be found online at https://www.justice.gov/sites/default/files/crt/legacy/2014/04/10/apd_findings_4-10-14.pdf

⁴ Results of the DOJ's report on the Cleveland Police Department can be found at https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2014/12/04/cleveland_division_of_police_findings_letter.pdf

The report on the investigation into the Baltimore Police Department can be found at <https://www.justice.gov/opa/file/883366/download>

⁵ The report on the investigation into the Ferguson, MO Police Department can be found at https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf

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