

MADNESS AND VIOLENCE: THE RHETORICAL CONSTRUCTION OF MOTIVE AFTER  
MASS SHOOTINGS IN THE UNITED STATES BETWEEN 1949-2012

BY

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Doctor of Philosophy.

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## Abstract

This dissertation project offers an historical perspective on news media response to mass violence. More specifically, my dissertation traces associations between mental illness and dangerousness as articulated in the aftermath of rampage shootings. Drawing from rhetorical and reception history methodologies, I investigate the discursive aftermath of four notable rampage shootings: the 1949 neighborhood shooting in Camden, New Jersey; the 1984 McDonald's shooting in San Ysidro, California; the 1991 Luby's shooting in Killeen, Texas; and finally the 2012 movie theater shooting in Aurora, Colorado. An analysis of news media reports in the aftermath of these shootings reveals the extent to which journalists used fear and stigma associated with the mentally ill as a justification or explanation for the violence. Over time, watching for signs of mental illness became the primary narrative in responses to mass shootings in contemporary American culture. As such, mental illness links the public's desire to know, or understand, mass violence with the public's desire to control, or prevent, mass violence.

The case studies presented in this dissertation demonstrate that for the American news media and its audience, mental illness has become one of, if not *the*, primary warning signs of mass shootings. Ultimately, however, accusations of madness and stigmatization of the mentally ill often prevent effective policy change. I believe it is the job of rhetorical scholars to recognize, investigate, and expose the political and ideological commitments underpinning cultural understandings and policy decisions. Indeed, the pervasive use of mental illness in news media as the justification for violence suggests that any benefits of advocacy campaigns and other anti-stigma initiatives cannot be fully realized without substantive changes in news media production habits.

## Acknowledgements

Contrary to what my advisor would say, a dissertation does not necessarily start with a question. Indeed, a good question does matter. But I believe a dissertation starts long before a question is formed. It starts in the classes we take, the colleagues we meet, and the events we attend. That being said, there are so many people who have contributed to the success of this dissertation project. Writing a dissertation is hard. It is a labor of love—a product of an unwavering desire to achieve a dream. In this section, I want to say thank you to the many individuals who gave up their time and offered their guidance in the completion of this project.

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Graduate school is hard. It challenges you intellectually, mentally, and, at times, even physically. Without my dad, Arthur Bird, and mom, Annie Bird, there is no way I could have made

it to this point. My parents fielded tearful calls about the impossibility of finishing this project, cheered on my successes, patched the wounds of rejection, and, from time to time, sent along a little money to buy some chocolate to make the writing process a little sweeter. It is not often I am unable to find the words to express adoration or appreciation, but when it comes to my mom and dad, there are no words, in any language, that can grasp the immense gratitude and love I have for their unwavering support. I owe them everything.

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## Chapter 1: Rampage Shootings and Mental Illness in America

*“Collective fear stimulates herd instinct, and tends to produce ferocity toward those who are not regarded as members of the herd.”*<sup>1</sup> -Bertrand Russell

Firearm violence in America has quickly become one of the defining problems of the early twenty-first century. In a 2013 article published in *The Journal of the American Medical Association*, Eric Fleeger and colleagues found that “30,000 people are purposely shot to death each year and more than 300,000 since the World Trade Center was destroyed in 2001.”<sup>2</sup> Additionally, they argued, “rates of firearm related violent crime have increased 26% since 2008.”<sup>3</sup> According to Erin Richardson and David Hemenway’s article in the *Journal of Trauma*, “The United States has far higher rates of firearm deaths, firearm homicides, firearm suicides, and unintentional firearm deaths compared with other high-income countries....Overall, firearm homicide rates were 19.5 times higher in the United States than other high-income countries.”<sup>4</sup> Moreover, this number is increasing. The authors of *The Gun Debate*, Philip Cook and Kristin Goss, have argued that over the past three decades, “Approximately one million Americans have died of gunshot wounds in homicides, accidents, and suicides—more than the sum total of combat deaths in all the wars in US history.”<sup>5</sup> Although this number is startling, very few of these casualties garner national attention.

However, some gun violence does garner national attention, and no gun violence attracts more media than mass shootings. Unfortunately, mass shootings themselves are also not uncommon in America. In fact, the Federal Bureau of Investigation’s 2013 “Active Shooter Report” stated that there were “160 mass shootings between the years 2000 and 2013...accounting for 1,043 Americans killed and wounded.”<sup>6</sup> Put another way, United States Attorney General Eric Holder stated, “The average number of mass shootings in the US has tripled in recent years...from



an average of five per year between the years of 2000 and 2008, to at least twelve mass shootings in 2013.”<sup>7</sup> Although mass shootings are a statistically low cause of firearm death, they still accounted for the loss or injury of over 1,000 Americans in just thirteen years, and this number continues to grow at an unprecedented rate. This means the American people are forced to make sense of mass shootings with alarming regularity. Three particular shootings in the past decade help to highlight the ways in which the American public responds to mass shooting events.

On April 16, 2007, gunfire erupted on Virginia Tech University’s campus when 23-year-old Seung-Hui Cho shot students and faculty, injuring seventeen and killing thirty-two. Often referred to as the Virginia Tech Massacre, the event remains the deadliest school shooting and second deadliest shooting by a lone gunman in United States’ history.<sup>8</sup> In the wake of the shooting, reporters quickly amassed information about Cho; their focus—Cho’s mental history. Headlines condemning Cho, like, “In the Reach of a Madman”<sup>9</sup> and “Easy Loader—Madman got a Gun in Minutes,”<sup>10</sup> came to dominate the news cycles. A *Daily News* article, published one day after the shooting, ran with the headline, “Natural Born Killer, Friendless Madman had History of Stalking Women.”<sup>11</sup> Cho, one day after the shooting, was decidedly pronounced mad. A piece by John Schwartz and Benedict Carey in the *New York Times*’ ran under the headline, “Experts Shy from Instant Diagnosis of Gunman’s Mental Illness, but Hints Abound,”<sup>12</sup> demonstrating the media’s willingness to report their diagnosis of a shooter prior to medical expertise. Plastered across newspapers was the hallmark definition of Cho as a “loner, quiet, and strange.”<sup>13</sup> In a matter of days, the media had found Cho undeniably mad and admonished universities for not doing enough to aid mentally ill students from acting out as a result of their disease. Cho had effectively come to represent the reach, and presumably the danger, of those diagnosed as mentally ill.

On January 8, 2011, United States House of Representative member Gabrielle Giffords’ held a “Congress on Your Corner” constituent meeting at the Safeway Supermarket in Tucson, Arizona. Resident Jared Lee Loughner arrived, drew a pistol, and shot Giffords in the head. He then proceeded to fire randomly at other members of the crowd. The shooting rampage left six dead, thirteen others wounded, and the nation shaken. Before accusations, vitriol, and blame could be exchanged between political parties, the media needed a full exposé on the man behind the act. The day of the shooting, Brian Mori of the *Tucson Examiner* ran an article with the headline, “He [Loughner] was definitely unstable.”<sup>14</sup> In the article, Mori quoted Pima County Sheriff Clarence Dupnik saying, mere hours after the shooting, “I’m not a psychiatrist...But I’d say he was definitely unstable.”<sup>15</sup> *Los Angeles Examiner* reporter John Curtis published his piece, “Psycho Gunman Wounds Rep. Gabrielle Giffords,”<sup>16</sup> the day following the assassination attempt and murders. Additionally, Douglas Montero of the *New York Post* ran an article describing Loughner as a “government hating crackpot”<sup>17</sup> two days following the assault. Details of Loughner’s “troubled past” and “extreme obsessions”<sup>18</sup> framed reports and established his mental instability long before definitive knowledge of his mental health history could be discovered. Thus, once again, the mental stability of the shooter predominated the narrative of the event.

On December 14, 2012, residents of Newtown, Connecticut experienced one of the most traumatic shooting massacres in American history. Adam Lanza entered Sandy Hook Elementary School and fatally shot twenty-six people—six staff members and twenty children between the ages of six and seven. As the victims’ families struggled to grieve, reporters focused on Lanza and the mental illness that *must* have been present in order for him to commit such a heinous act. On the day of the shooting, only hours after the identification of the shooter had been revealed, the *Associated Press* reported on Lanza’s suspected mental illness with the headline, “School Shooting

Suspect may have suffered from a Personality Disorder.”<sup>19</sup> The *Examiner* also published an article on the day of the shooting, but with a more specific diagnosis of his mental health problems. Their headline read, “Connecticut Shooting Thrusts Autism into the National Spotlight.”<sup>20</sup> CNN’s “Out Front” segment reported minute-by-minute coverage of the event, which included CNN correspondent Drew Griffin stating, on the evening of the event, that this was an incident where “a shooter with a possible mental health issue...with powerful guns easily accessed...had an outburst of violence.”<sup>21</sup> Neighbors and elementary school classmates described Lanza as “nervous, awkward, and quiet,” while others were quick to note his “constant fidgeting and flat affect,”<sup>22</sup> descriptions that led audiences to conclude he was mentally ill. The American media, and subsequently the public, had once again reached consensus about the mental history of the shooter and its role in the commission of his violence within hours.

As these three examples demonstrate, for the American news media there exists a strong link between mental illness and mass shooting acts. After events like these, media and political discussion focuses on the sanity of the shooter and often becomes the dominant narrative. According to Duncan Chappell of the Institute of Criminology, acts of extreme violence involving high-powered weapons and committed by persons with a “presumed or confirmed mental illness” tend to arouse “intense political debate.”<sup>23</sup> Thus, before any other causes or solutions for shooting massacres can be proposed, mental illness is given partial, if not all, blame for the event. Given this, the question becomes: Why? Is it true that mentally ill individuals carry out all mass shootings? What, if any, connection do these phenomena have?

There is no evidence to suggest the mentally ill are more likely to commit violent crimes. The Consortium on Risk Based Firearm Policy has found that “the large majority of people with mental illness do not engage in violence against others and most violence is caused by factors other

than mental illness.”<sup>24</sup> In fact, they argue, “violence has many interacting causes, and that mental illness alone very rarely causes violence....Other factors, including alcohol abuse, drug abuse, domestic violence and violent misdemeanor crimes, significantly increases an individuals’ risk of committing future violence.”<sup>25</sup> Their research also suggests policies that target individuals with a mental illness “could further stigmatize those with mental illness and potentially create barriers to mental health treatment seeking.”<sup>26</sup> With so much at stake then, we need to know more about why Americans so strongly associate mental illness and mass shooting violence. More importantly, we need to know how we got here. My project is not necessarily concerned with determining when shooters are, in fact, mentally unstable. Rather, my goal in this dissertation is to understand how explanations of mental illness have been used and if this pattern is consistent across historical shootings in America’s recent past. Understanding these discursive processes fills an important gap in rhetorical scholarship.

There are others in the field of rhetoric doing work on mental illness and shooting violence; however, rarely do the two phenomena meet in a single study. For instance, Jenell Johnson is a leading scholar investigating the political nature of mental illness, and she argues that the political arena is not immune from stigmatizing those with mental illness. In 1972, Missouri Senator Thomas Eagleton was forced off the Democratic Party’s presidential ticket when his ongoing struggle with mental illness was exposed. Eagleton revealed to the American public that he had been hospitalized three times for depression and, on two other occasions, had received electroconvulsive therapy. During an eighteen-day national debate, questions about the relationship between governance and the responsibility of mental illness disclosure overwhelmed deliberative discourse. Johnson’s essay on the subject examines how this discourse stigmatizes the mentally ill by presupposing their inability to perform as a political leader due to a treated illness.<sup>27</sup>

While Johnson's work does an excellent job showing how mental illness can be stigmatized, her work does not focus on violence. Others, however, have begun exploring gun violence.

Using the "flashbulb memory" of the emotionally and politically turbulent Kent State shooting, Kristen Hoerl explores news depictions of the event thirty years later. Hoerl's analysis "offers insights into the ways in which broadcast news media have portrayed this contentious moment of political crisis after the broader political controversy surrounding that crisis abate."<sup>28</sup> Placing the shooting squarely at the center of her essay, Hoerl argues that the various framing strategies employed over ten years of coverage, from 1990 to 2000, "wove together competing voices into a coherent narrative" that authorized an understanding of the shootings as a "collective tragedy requiring a therapeutic response."<sup>29</sup>

In another essay concerning shooting violence, Angie Chuang and Robin Roemer analyzed news media portrayals of D.C. sniper suspects John Allen Muhammad and John Lee Malvo. Their analysis was particularly interested in how journalists labeled the two suspects who could have been considered "others" by a variety of "cultural codes."<sup>30</sup> Thus, they examined "post-arrest news coverage for how the media constructed—or failed to construct—an 'other' identity" when the high-profile crime suspects embodied several categories. Their study demonstrated that "journalists are easily confounded when presented with complex and layered identities" in crime suspects.<sup>31</sup>

Finally, in an essay that comes closest to analyzing mental illness and shooting violence in tandem, Kristen Hoerl, Dana Cloud, and Sharon Jarvis investigated 220 articles written in the *Washington Post* and *New York Times* to reveal how the frame of "therapeutic discourse" is able to "discredit and depoliticize" the motivations behind seven presidential assassination attempts.<sup>32</sup> The news articles the researchers consulted were published between 1973 and 2001, and the

authors identify “patterns of messages that structured the meaning of presidential assassination attempts in ways that lent legitimacy to the acts of the would be assassin.”<sup>33</sup> They find that the media’s therapeutic frame portrayed presidents as vulnerable, while it simultaneously positioned the assassins as lonely and demented outsiders.<sup>34</sup> This framework ultimately “discouraged the public from thinking politically about violence and tragedy.”<sup>35</sup> The work of these researchers has done much to push the field toward analyzing the political affectivity of moments of violence, but there is still much more work to be done.

Although questions of violence and mental illness are discussed in the field of rhetoric, the two are not normally analyzed in conjunction with one another. My dissertation adds to these conversations by filling the gap in our discipline concerning the rhetoric of violence and mental illness. As Charles Griffin has argued, “The rhetoric of madness [seems] to be a recurrent feature of American political discourse, a trope that reflects as well as shapes the character of the public sphere...at once fascinating, terrifying, and deserving of our continued study.”<sup>36</sup> It is the fascinating and terrifying nature of articulations of madness following rampage shootings that I seek to uncover. Thus, in response to Griffin’s call, the question my dissertation endeavors to answer is—what do the public arguments following mass shootings reveal about cultural understandings of mental illness and violence?

In order to address these concepts, the historical and contemporary relationships between mental illness and shooting violence need to be established. Therefore, the following dissertation project presents rhetorical analyses of four rampage shooting case studies from 1949 to 2012 to explore how the news media contributed to cultural understandings of mental illness and mass violence. Developing a historical account of the pattern of blame placed on the mentally ill helps

bring to light the political and ideological roots of these rhetorical moves and their possible effects on policymaking.

To build the case for my dissertation project, I first discuss the relationship America has with firearms and how mass shootings have the ability to focus media and political attention. Second, I describe my understanding of mental illness and its current associations with violence. Each of these leads to an outline of the method and theory used to investigate my four mass shooting case studies. Finally, I end this chapter with a preview of the arguments I will make in the subsequent case study chapters. However, before detailing the method by which I will uncover the historical and contemporary responses to mass shootings, it is important to establish America's current political environment related to guns and mental illness.

### **America's Gun Culture and Restrictions**

To discuss the competing arguments about causes and solutions to mass shootings, it is essential to consider America's relationship with firearms. Compared to nations of similar wealth and power, the United States has twenty times the number of firearm homicides. One clear reason for this is America's obsession with guns. Daniel Webster and his colleagues argue, "The higher prevalence of gun ownership and much less restrictive gun laws are important reasons why violent crime in the U.S. is so much more lethal than in countries of similar income levels."<sup>37</sup> Emma McGinty and her colleague's research determined that many Americans do, in fact, own firearms. They found that roughly 33% of Americans reported having guns in their home. Among these owners, 71% reported owning a handgun, 62% owned a shotgun, and 61% owned a rifle.<sup>38</sup> Although 33% may not seem like an overwhelming figure, the "United Nations Small Arms Survey" reported that the United States has the highest rate of gun ownership in the world, with an average of eighty-eight guns per 100 people. Coming in second place is Yemen, with an average

of 54.8 guns per 100 citizens.<sup>39</sup> This, as the survey argues, makes the United States, “With less than 5% of the world's population...home to roughly 35–50 percent of the world's civilian-owned guns.”<sup>40</sup>

Indeed, more guns equates to more gun violence, as research suggests that there is a direct relationship between the number of weapons in circulation and the frequency of violent acts. David Hemenway and Matthew Miller of the Harvard Injury Control Research Center confirmed this statistic by demonstrating that across twenty-six nations there “was a highly significant, positive correlation between total homicide rates and gun availability.”<sup>41</sup> Additionally, Matthew Miller, David Hemenway, and Deborah Azreal found “States with higher rates of household firearm ownership had significantly higher homicide victimization rates.”<sup>42</sup> The high rates of violence and homicide associated with gun access lead one to question—why do United States political leaders fail to pass gun restrictions? One reason is that the United States has a very strong and very wealthy gun rights lobby. This, in collaboration with a strong gun rights culture, has prevented the passing of legislation in recent years that would limit civilian access to firearms.

Historically, gun control measures are difficult to pass; that is, they are hard to pass unless a major national trauma occurs and captures the attention of the media and public. But even then, little to nothing gets done. This is because far-right organizations such as the National Rifle Association and the National Association for Gun Rights wholeheartedly advocate for the right to own guns without restrictions. Since the 1970's, these groups have increasingly argued for less gun restrictions, using the second amendment as their support. These organizations have power in Washington because they have money. According to Madoff, “Lobbyists for gun rights outspend those supporting gun control by huge margins...approximately \$40 million versus \$15.5.”<sup>43</sup> Thus, organizations supporting gun rights outspend gun control organizations at astonishingly high



levels.<sup>44</sup> Politicians, afraid of losing financial support, are unwilling to propose gun control laws as a measure of prevention. The constitutional arguments, in addition to the large fundraising capacity of gun rights organizations, make those organizations a difficult force to reckon with for introducing firearm legislation.

In such a pro-gun culture, only shooting massacres may be able to generate the necessary media attention to institute change. Shooting violence, then, has the potential to create substantive policy change in a relatively short period of time. However, this potential can only be reached if a shooting event thoroughly captures the media's attention and energy. In American history, assassinations and mass shootings have led to limited gun control measures. To demonstrate, I detail the two major laws that were able to overcome gun control opposition—the 1968 Gun Control Act and the Brady Act of 1994.

In 1968 the first major piece of gun control legislation was passed in the United States. The Gun Control Act of 1968 passed as a response to the assassinations of Martin Luther King, Jr., President John F. Kennedy, and Senator Robert Kennedy and the riots borne out of the Civil Rights and anti-Vietnam War movements. Among other things, the 1968 Gun Control Act specifies categories of people banned from purchasing or possessing firearms. Some of these provisions include: individuals convicted of or indicted for a felony, individuals who are proven drug abusers, non-citizens of the United States, and individuals who have been found to be mentally ill. Cook and Goss detail in their book, *The Gun Debate*, how the mental defect “terminology has been operationalized to include 4 categories of people: (1) those incompetent to stand trial; (2) those not guilty by reason of insanity; (3) those involuntarily committed; (4) and those subject to a conservatorship.”<sup>45</sup> The restrictions put in place by this act are still used as the direct justification for contemporary gun control legislation; however, a law as substantive in controlling firearm

purchase and possession as the Gun Control Act has not been passed since 1968. The closest the United States came to substantial gun reform was in 1994 with the Brady Act.

After the shooting of President Reagan and his Press Secretary, James Brady, the Brady Handgun Violence Prevention Act was developed and ultimately passed. Although it took over ten years to get this legislation passed, the Brady Law established the national waiting period for handgun purchases and created the National Instant Criminal Background Check System (NICS) to monitor and regulate firearm purchases.<sup>46</sup> This law gave the United States Federal Bureau of Investigation a method to track the sale of guns through licensed sellers. However, there is a significant flaw in the Brady Law—it only applies to licensed dealers. Unlicensed dealers are not placed under the same restrictions. Data suggests that only “40 percent of firearm acquisitions are from individuals who are licensed gun dealers.”<sup>47</sup> This leaves 60% of gun sales completely unregulated. In fact, evidence suggests “nearly 80 percent of those who had used a handgun in a crime had acquired it through a transaction with an individual who was not a licensed gun dealer.”<sup>48</sup> Journalists Mark Follman, Gavin Aronsen, and Deanna Pan also found that of the “143 guns possessed by rampage killers, more than three quarters were obtained legally.”<sup>49</sup> Therefore, this law does little to prevent the sale of weapons to those planning on committing violence.

Another flaw of the Brady Law is that states are not required to submit data about the mental health of individuals. The FBI requests that states submit their data, but many have elected against doing so. As legal scholar Lindsay Lewis found, “At the end of 2005, the NICS had over 234,000 records for people with disqualifying mental health histories. Yet in January 2006, there was an estimated 2.7 million people who had been involuntarily committed for mental health disorders...and only 22 states contributed any mental health records to the NICS.”<sup>50</sup> Thus, background check data can be misleading and does not always work in preventing violence. In

2007, Seung-Hui Cho, the man behind the Virginia Tech massacre, passed two separate NICS checks to purchase the two guns he used to kill thirty-three people.<sup>51</sup> Clearly, the Brady Act is rendered virtually ineffective because the regulations do not cover the type of transactions through which many criminals become armed, nor does it give accurate data about the mental state of individuals to licensed dealers.<sup>52</sup>

Despite the frequency with which mass shootings have happened in the past century, the previously described laws are the most substantial form of national-level gun control in the United States. Indeed, while some state initiatives related to gun control and gun violence have been passed, no comprehensive firearm legislation has been drafted to help curb gun violence. This suggests that a push to change firearm legislation can be circumvented if a competing narrative dominates media and political attention. Therefore, the lack of legislative action is often attributed to our polarized political system that struggles to find consensus on gun control measures. However, one area of agreement for many politicians is their insistence that gun violence should be considered an issue of personal responsibility.

Personal responsibility is the willingness to accept the importance of societal standards for individual behavior and then to live up to those standards. The issues related to personal responsibility often come in the form of strengthening laws that limit access to guns for those diagnosed with a mental illness, meaning more invasive reporting and background checks. These laws rely on the belief that access to treatment for mental health should be universal, making those individuals diagnosed with mental illness responsible for acting in a manner that meets cultural standards of personal responsibility. In fact, these two issues—limitations on firearm access and tracking the mentally ill—have near universal support across party lines. To best understand the

relationship between violence and mental illness, the next section will detail research into the correlation and associations often drawn between the two.

### **America and Mental Illness**

Cultural understandings and clinical definitions of mental illness have been in flux over the last century, transitioning from a focus on disease to a focus on health.<sup>53</sup> Mental illness can affect the cognitive, emotional, and behavioral activities of individuals. Mental illness' ability to impact a person's thinking, feeling or mood may "affect his or her ability to relate to others and function on a daily basis."<sup>54</sup> The World Health Organization notes, "Mental disorders are not the exclusive preserve of any special group; they are truly universal. Mental and behavioral disorders are found in people of all regions, all countries and all societies."<sup>55</sup> In fact, the National Alliance on Mental Illness reported, "1 in 5 adults experience a mental health condition every year and 1 in 20 live with a serious mental illness such as schizophrenia or bipolar disorder."<sup>56</sup> Thus, mental illness knows no bounds and has the potential to affect everyone. Despite such pervasiveness, many suffering from mental illness do not seek treatment. Bruce Link and colleagues provide a compelling case for why many fail to find help; their research found "that stereotypes of dangerousness are actually on the increase and that the stigma of mental illness remains a powerfully detrimental feature of the lives of people with such conditions."<sup>57</sup> Thus, despite the universality of the disease, as demonstrated above, there are still strong feelings of fear among U.S. residents about the mentally ill.

Many Americans seem to have strongly rooted beliefs that those suffering from mental illness are more dangerous and more likely to commit violent crimes than those without a history of mental illness. In one recent study, Colleen Barry and colleagues found that, "85% of respondents supported requiring states to report to the national background-check system persons

who are prohibited from having guns due to mental illness and another 50% of respondents believed that people with serious mental illness are more dangerous than members of the general population.”<sup>58</sup> Furthermore, according to a 2013 national public opinion survey, “46% of Americans believe that persons with serious mental illness are far more dangerous than the general population.”<sup>59</sup> These beliefs are so strong that, according to Barry and colleagues, most respondents even hesitated when asked about living next to or working with a person with a mental illness. Obviously, people are fearful of “violence that is random, senseless, and unpredictable,” and in the U.S., many associate this violence with mental illness.<sup>60</sup> Thus, centuries of telling and retelling stories of the dangerousness of the mentally ill has perpetuated the myth that mental illness leads to violence.<sup>61</sup> These fears then translate into public policy, which restrict the mentally ill from access to guns or require that their medical history be reported to a database. Ultimately, as the vignettes in my introduction demonstrate, public discussion following instances of mass violence is often centered on mental health.

Therefore, in civic discourse, ‘madness,’ or mental illness, remains a “grave accusation” often associated with individuals whose actions are “perceived to be both irrational and threatening to public good.”<sup>62</sup> Using labels related to mental illness or madness connects mass shootings to the “work of a madman” and allows public figures to “place the killer outside the realm of political and personal responsibility,” disassociating them from normal, everyday Americans.<sup>63</sup> This dissociation may assuage responsibility and guilt on the part of policy makers who are unwilling, or unable, to introduce policies that restrict access to guns.<sup>64</sup> The vague and archaic terminology of ‘madness’ or ‘madmen’ arouses images of “dark, chaotic and often violent behavior,” all of which give the terms “formidable rhetorical power” in their deployment or usage.<sup>65</sup> Politicians do not create these representations of madness and mental illness by themselves. Often media help

produce and reinforce these images. Representations of both the event and the killer draw on “common sense elements of madness talk that encourages readers to assume the killer was disturbed prior to any acknowledgment they suffered from a mental disorder.”<sup>66</sup>

Public attention to mass shootings is too often “informed and sensationalized by media portrayals that overgeneralize the connection between the event and mental illness.”<sup>67</sup> Cultural understandings of madness and mental illness are primarily constructed from popular journalism of both the past and present. Following mass shootings, journalists use fear and stigma associated with the mentally ill as a justification or explanation for the violence. As the Consortium of Risk Based Firearm Policy argued, “The national dialogue around mental illness and gun violence is refracted through the lens of news accounts of mass shootings by individuals described as psychotic or mentally disturbed.”<sup>68</sup> Journalists reporting on an event use these stereotypes to fuel uncertainty related to the risk posed by mentally ill individuals to the general public. Investigating the relationship between media and cultural understandings allows us to consider how accusations in media reporting exacerbate the social fear of madness and simultaneously expose the rhetorical power related to labels of mental illness and madness.

Accusations of insanity serve a number of rhetorical functions in relation to the public sphere; however, of all these rhetorical functions, using insanity as a motive for white men’s crimes seems especially problematic. The race, ethnicity, and religion of a perpetrator of mass violence has a significant influence on how the motive for the individual’s crime is characterized in the media. Race is an easily identifiable, visible characteristic that carries with it centuries of social stereotypes about violence and terrorism. Thus, when a shooter is African American or Middle Eastern, the media more often attributes the crime to an act of terrorism. Without these stereotypical conceptions to draw upon, white male shooters remain an enigma. Therefore, media

and politicians often turn to mental illness to make known the motive for the crime and to comfort a public afraid of possible future victimization.

Furthermore, as Jenell Johnson argued, “If to be disabled mentally is to be disabled rhetorically, then mental illness might be one of the defining disabilities for political life.”<sup>69</sup> Thus, another primary function of these labels is to sidestep policy change related to firearm restrictions. Most notably, as a politically expedient form of preventing unwanted legislation, the NRA frequently blames the mentally ill rather than under-regulated access to guns.<sup>70</sup> The mentally ill are made out to be “agents of disruption in an ordered world” by both media and politicians alike.<sup>71</sup> Because of these narratives, many Americans have developed deeply rooted fears and are willing to accept policies that further stigmatize and demarcate the mentally ill from the rest of the population. Public perceptions and attitudes toward persons with mental illness are important to public policy because “people act on the basis of their beliefs and tend to support policies that assume those beliefs to be true.”<sup>72</sup> Thus, issues of mental health “uniquely shape the problem of rhetorical justice and closure in cases of mass shootings.”<sup>73</sup> Given that public opinion toward the mentally ill is often shaped by the news media, an understanding of media frames and the role of rampage shootings as focusing events is necessary to appreciate choices in media coverage following mass shootings.

### **Framing and Focusing Events**

Researchers bridging media and rhetorical studies often turn to framing theories to explain media coverage and audience responses. Framing research assumes the *characterization* of an issue influences how audiences *understand* the issue. Perhaps the most widely cited definition of media framing comes from Robert Entman, who said, “Framing essentially involves selection and salience. To frame is to select some aspects of perceived reality and make them more salient in the

communicating text, in such a way as to promote a particular problem and/or definition, causal interpretation, moral evaluation and/or treatment recommendation for the item described.”<sup>74</sup> In deciding what to think about an issue, people frequently turn to media elites for guidance. Media—e.g., TV, radio, and newspapers—interpret events that one does not experience directly. In other words, all mediated information is already framed and framing research presumes that frames can influence public opinion. According to William Gamson and Andre Modigliani, frames provide the “central organizing idea” that help us make “sense of relevant events by suggesting what is at issue.”<sup>75</sup> Thus, how an issue is characterized in news reports can have an influence on how it is understood by audiences. Indeed, the news media characterization and/or framing of an event has the potential to generate momentum toward political action. News events which create a swell of public interest are called focusing events.

A focusing event is a sudden, attention-grabbing event that can lead to substantive social and political change. These events grab the attention of the media, which in turn focus on the causes and solutions to the event. Mass shootings have traditionally acted as focusing events because:

They happen suddenly, are relatively uncommon, can be reasonably defined as harmful or revealing the possibility of potentially greater future harms, have harms that are concentrated in a particular geographical area or community of interest, and are known to policy makers and the public simultaneously.<sup>76</sup>

The immediacy of events increases the demand for political action, which makes focusing events more likely to result in policy change. If nothing else, political promises of action often follow focusing events because many Americans, feeling a sense of insecurity about their safety and wellbeing, pay close attention to what their political leaders are doing to solve the crisis. Therefore, focusing events can prioritize issues that are otherwise absent from the media agenda and reenergize issues that have fallen out of public favor. As Joshua Farley states, “Focusing events



can bring less visible policy items to the forefront of an agenda or reinforce already prominent agenda items, leading to timely political action in response to the problem.”<sup>77</sup> Indeed, recall that both the Gun Control Act of 1968 and the Brady Act were motivated by mainstream media coverage of gun violence. The passage of these firearm restrictions was directly associated with the swell of public interest cultivated by the increased media attention on the issue of gun violence. Consequently, the frame by which the media decide to report an issue can significantly impact public opinion and policies in the aftermath of rampage shootings. In this dissertation, I contend that media focus on mental illness following mass shootings may, in fact, be preventing effective gun policy change. I believe this pattern of blaming the mentally ill needs to be recognized and remedied if there is to be any chance of curtailing the frequency of mass violence in America.

Rhetoricians are therefore uniquely positioned to expose dominant rhetorical practices that corrupt even the *potential* for good faith deliberation and dialogue surrounding mass shootings. For these reasons, the aim of my dissertation project is to make known the public arguments following mass shootings and reveal cultural understandings of mental illness. To demonstrate my approach to this project, I detail below the theory and method employed in my dissertation.

### **Reception Histories and Case Studies**

As demonstrated by the sections above, within the public sphere there is a constant struggle to determine causes of, and solutions to, rampage shootings. Definitions of these events serve more than an ameliorating function. Determinations of responsibility are often used as the direct justification for policy action or, more commonly, inaction. Therefore, I believe an analysis of public deliberation and debate concerning definitions of rampage shootings can unearth political motivations and cultural understandings of violence. As such, my dissertation focuses on these discursive struggles over meaning. Before going into the specifics of each case study, I first detail

my interpretation of the reception history methodology employed in my project. Second, I explain how the method my dissertation employs is borne out of reception histories. Finally, I explain the rationale for selecting my four case studies and include a brief summary of each chapter.

A reception history is an analysis of the meanings that have been attributed to historical texts. This method attempts to understand the interpretation of a text or object in a specific community within a situated historical moment, enabling new understandings of both the context and the text. Steven Mailloux envisioned projects of rhetorical reception as those that “describe and explain past and present configurations of rhetorical practices as they affect each other and extend and manipulate the social practices, political structures, and material circumstances in which they are embedded at particular historical moments.”<sup>78</sup> Reception studies are a function of cultural studies. The reception method seeks to “study conventions and representations fostered by the whole set of cultural discourses.”<sup>79</sup> Thus, by engaging texts across history, the critic can account for ideological patterns of change and meaning-making within cultures. In so doing, researchers uncover how texts “mean” for publics—what they perceive to be important and what has meaning to them. It is a method to study various interpretations of a text rather than attempting to define the one true reading of a text.

As Dave Tell argues, reception studies “are rhetorical because they attend to the specific ways that texts have been interpreted and classified.”<sup>80</sup> The method by which texts are classified and understood does not exist in an interpretive vacuum. These interpretations can, and do, have direct effects on policy and cultural definitions of texts. Thus, efforts to monopolize competing interpretations are often fueled by both the ideological and the political. Reception histories, then, are an attempt to analyze and understand a text within a specific context. In so doing, scholars are

able to make arguments toward the “rhetorical purposes of those interpretations” and ultimately draw connections to policy and cultural understandings.<sup>81</sup>

My dissertation is an analysis akin to a reception history; however, where most scholars focus on the reception of a written or oral text, I examine moments of violence as an initial text and then perform a close reading of the responses to that moment of violence. For my analysis, borrowing from both Ceccerelli and Mailloux, I use the moment of violence as the initial text and explore the reception of this text in order to determine how it was understood and culturally appropriated.<sup>82</sup> Stephen Browne has written extensively about the validity of violence as a text. Browne argues that scholars attending to the rhetoric of violence do so “not so much for the violence of language,” but rather to discover “the uses to which violence can be made for inventional purposes.”<sup>83</sup> Moments of violence are an inventional resource for media outlets and politicians, who use these instances as a resource for public response and political action. Because audiences rarely have direct access to violence, the footage or narratives borne out of the event, often indirectly linked to the text, are all one can access. That is, all we have is the rhetoric of the aftermath.

The specific mechanism of cultural study that my research employs is a reception study of four different historical events in American cultural life. More specifically, my dissertation employs a reception history of four classic rampage shootings, attending to the differences between the shooting events, shooters, and cultural contexts. The four rampage shootings are the 1949 neighborhood shooting in Camden, New Jersey; the 1984 McDonald’s shooting in San Ysidro, California; the 1991 Luby’s shooting in Killeen, Texas; and finally the 2012 movie theater shooting in Aurora, Colorado. My analysis attempts to understand the rhetorical force and impact of arguments regarding mental illness in connection to gun violence. Through these analyses, then,

I trace the different ways in which participants, observers, and other interpreters have struggled to make sense of these events as they unfolded.

To execute this method, I built a historical archive of each event. My archives consisted of newspaper/magazine articles, political speeches, and legislative documents related to the shooting events. My goal was to cast a wide net in order to uncover all the statements made in the discursive struggle over the meaning of the shootings. To elaborate, I gathered newspaper and magazine articles through *Lexis Nexis* and other databases, focusing primarily on the few months following the events. Limiting my reading to the initial months when discussions are most plentiful and intense offered a rich source of material for analysis. These newspapers include national, regional, and, where available, local outlets. I also looked to congressional debates and proposed legislation produced as a result of the shootings. Although I focused primarily on the few months following the shooting, due to the slow legislative process, some documents extended beyond the immediate aftermath. Finally, my archives included documents and speeches produced by public officials, including presidential, gubernatorial, and mayoral texts. Overall, my primary concern for the archives was mediated accounts of the event because that is how most people learn of and experience the event. Accordingly, mediated accounts of the event often “magnify the salience of shooting episodes...to citizen audiences whose only interaction with the event is via the media.”<sup>84</sup>

It is important to note at this juncture that I limited the scope of news media texts in my archive to print media. Given that my dissertation is predicated on consistency across the four case studies, I chose to focus primarily on print news media. News periodicals have always had a privileged position in the public sphere. Jürgen Habermas, a German sociologist and philosopher, argued that eighteenth century coffee houses were the hub of conversation about issues of art, politics, and literature. In an effort to foster these conversations, weekly “moral periodicals” were

published concerning important topics of the day.<sup>85</sup> Habermas wrote, “the periodical articles were not only made the object of discussion by the public of the coffee houses but were views as integral parts to this discussion.”<sup>86</sup> The importance of print media, especially in relationship to crime, continued into the nineteenth century era of the American penny press. Journalism scholar Earnest Perry wrote, “Modern crime reporting has its roots in the penny press era...the penny press emphasized local news and its mainstay was crime.”<sup>87</sup> Much as these early periodicals served as the foundation of intellectual conversation, newspapers in contemporary America are still the currency of the engaged citizen.

The second reason for this decision was the active role print media continues to have in American news consumption. Television and online news articles from national and regional publications often cite print publications in their reporting. Entertainment news pundit John Oliver argued on his show *Last Week Tonight* that, “most news outlets, faux, Fox and otherwise, essentially rely on newspapers for their material.”<sup>88</sup> *Washington Post* journalist Kathleen Parker also agreed with Oliver’s assessment, stating, “newspapers are the brick and mortar of the Fourth Estate’s edifice.”<sup>89</sup> So while it may seem that limiting my achieves to print media texts was disadvantageous, print news media is both representative of the national dialogue and often informs news stories presented on television and online news programming.

The detailed analyses presented in each case study examined the archival texts for the arguments, evidence, proposals, metaphors, labels, and tropes articulated about both the event and the perpetrator. The primary aim of this investigation was to determine how American news media drew upon conceptions of mental illness as a justification or motive for the mass shooting. Moreover, I looked for the arguments generated about responsibility and the causes of, and solutions to, mass shootings that were exposed by the debates. As such, I paid particularly close

attention to how these arguments matched both the contextual environment of mental illness and was connected to discussions about prior mass shooting events.

I selected the specific case studies not because the public labeled them rampage shootings caused by mental illness; rather, they were chosen in an effort to see what, if any, articulations or arguments about mental illness were present in the wake of these shootings. It is important to note that I was not concerned with the validity of the accusations of mental illness in mass shooting perpetrators. Instead, I wanted to know how the shooter's mental state was discussed in relation to their actions. Thus, similar to Mailloux's aim in investigating the reception of *Huckleberry Finn*, I was not interested in the correctness of the interpretations; instead, I was interested in why these interpretations were articulated at all.<sup>90</sup> By limiting the likelihood of other intervening causes and discussions, I was able to best analyze how news media and politicians link mental illness to the shooters' agency and their act.

Additionally, I also did not use cultural classifications of the mass shootings as a thread connecting my events. Rather, I chose these four case studies for other reasons. Most importantly, my case studies were chosen because they could be analyzed both as distinct texts and as a series of similar event texts. The similarity of the events allowed me to explore the way cultural understandings about violence and mental illness have changed or stayed the same over time. The insights revealed by such historical trajectories can influence future analyses of contemporary texts following mass shootings. The similarity I am referencing is at the level of definition.

The four cases studies presented in this dissertation could best be described as *rampage killings*. The subcategory of *rampage killings* is "distinguished from genocide and terrorism by the greater role of personal motives vis-à-vis religious or political motivations."<sup>91</sup> Often, these shootings involve one shooter who kills multiple persons without a cooling off period. A cooling

off period is an extended break in the killing spree or mass murder. For example, the 2002 Washington, D.C. sniper killings that left ten dead and many others injured is an example of an event that had long durations of time separating the killing events. The Columbine High School shooting, on the other hand, is commonly referred to as an example of a rampage killing. Although it involved two shooters, the crime lasted a terrorizing forty minutes before ending in the killers' suicide. The killers did not stop the violence throughout this period. Thus, it is associated with the rampage killing category. In short, rampage shootings are singular events of mass casualty.

However, the category of rampage shooting can be narrowed even further. Nils Böckler and colleagues illustrate the spectrum of multiple killings in Figure 1 below.<sup>92</sup> In this image, one can see that rampage killings include school, classical, and workplace violence. Thus, although the Columbine shooting is a sufficient example to represent the unique characteristics of rampage killings writ large, the shooting falls within the alternate subcategory of *school* rampage shootings. Both workplace and school shootings have distinctive elements and literature that differs from the classic rampage shooting category on which my project focused. Most scholars agree that classical rampage shootings can be described as, “intentional, planned, perpetuated shooting events involving the use of firearms to kill or injure multiple victims, typically carried out in a *public* venue.”<sup>93</sup> Thus, I chose the four deadliest shootings that meet the criteria of classic rampage shootings.

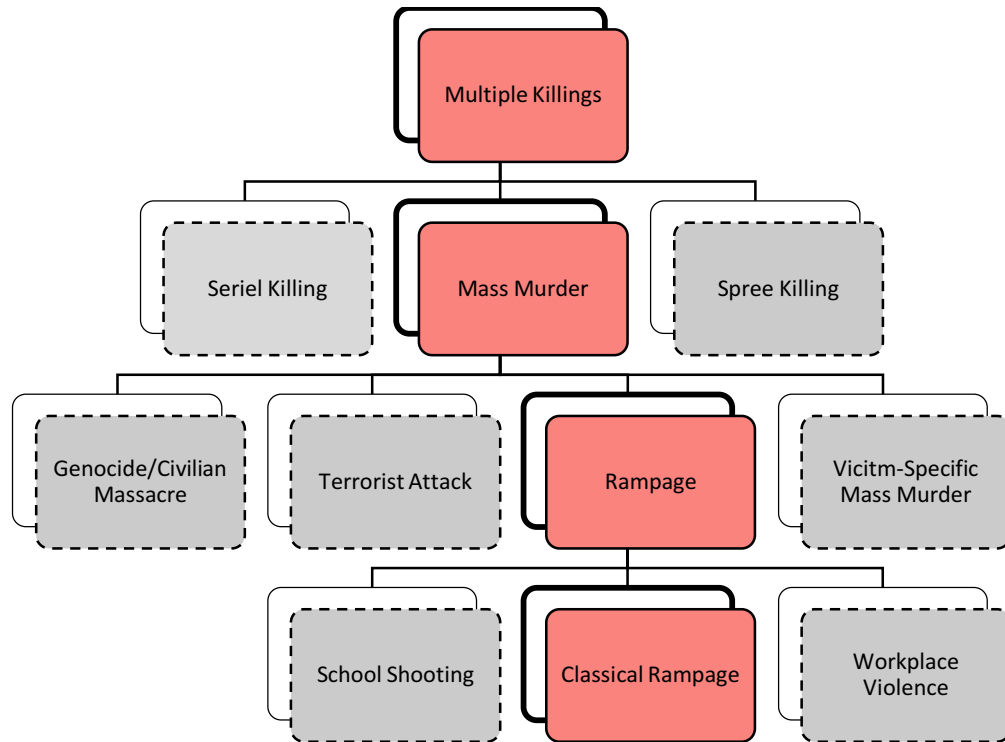


Fig 1: The “Classical Rampage Shooting” in the Spectrum of Multiple Killings (Adapted from Böckler, Seeger, Sitzer, and Heitmeyer, 2012, p. 5)

In addition to the similarity of the definition of the events, there are several other reasons I selected these texts. First, each shooting event happened in a location that is not inherently political. A shooting event tends to have more public support and commentary by political leaders when it takes place at a political location such as a military base, postal office, or government building. I wanted to analyze events that lacked intrinsic political motivation. In particular, I sought to investigate how media and political leaders rationalized causes and solutions to classic rampage mass killings. A second intriguing aspect of the case studies I analyzed was that the perpetrators of the crimes represented almost all of the possible “endings” to a shooting event. One shooter was found unfit to stand trial, one committed suicide, one was killed by police, and one was captured and sentenced to life in prison. The way the mass shooting ended had an influence on the cultural readings and understandings in unique and interesting ways. And, finally, each event gained



national news coverage from a variety of sources, meaning it offers resources and debates available for interpretation.

Each of the case study chapters reveals culturally significant implications about the relationship between rampage shootings and mental illness. However, while each case study chapter reveals distinct implications about these issues, they also tie into a coherent narrative that illuminates how the contemporary response to mass shootings has been influenced by those that came before. Thus, the rampage shooting chronology merits discussion of each event as both a discrete episode and as part of the larger narrative of mass violence in America.

### **Chapter Outline and Conclusion**

In an effort to locate the origin of the “mentally ill as dangerous” narrative, chapter 2 of the dissertation investigates what is usually considered the first mass shooting in America. On September 6, 1949, 26 year-old Howard Unruh walked out of his home in Camden, New Jersey and began a twelve-minute shooting spree that left twelve dead and three injured. As many considered Unruh’s actions to be the first mass shooting in American history, news media played an important role in explaining the event. In this chapter, I argue that news media drafted a narrative of Unruh that worked to “Other” him in the public eye. In order to do this, news media used characterizations of Unruh as religiously fanatic and physically deformed. Additionally, Unruh’s previous military service was used to demonstrate his ability to carry out a malicious attack on this scale. In the end, I contend that by “Othering” Unruh, news media wrote off his massacre as simply one isolated incident of “madness” and not an issue endemic to society.

In chapter 3, the association between mental illness and violence is further scrutinized through an analysis of news media response to James Huberty’s 1984 San Ysidro McDonald’s massacre. Throughout the late 1970s and early 1980s, there was a growing fascination with

incidents of mass or serial violence. Because of this fascination, many Americans wanted to understand *why* Huberty committed his murders. Therefore, chapter 3 explores the ways in which the news media interpreted the San Ysidro shooting and provided a plausible motive for Huberty's massacre. Ultimately, I argue that the news media constructed a narrative of Huberty's life that hinged on anecdotes of mental illness. Through this media narrative, Huberty's life prior to the massacre became amplified and distorted into a justification for terms like "crazy" or "insane" that were prescribed to him by the news media. In doing this, the news media frame barred the rhetorical space to discuss other important issues such as firearm and ammunition regulation.

Chapter 4 explores the news coverage from George Hennard's 1991 Luby's shooting in Killeen, Texas and reveals that mental illness was *not* used as the primary justification for his massacre. Despite eerie similarities between Hennard's and Huberty's shootings, media coverage following the massacres was startlingly different. Unlike with Huberty, the mainstream media coverage never determined Hennard to be mentally ill; rather, journalists focused on evidence that suggested Hennard's shooting was the result of his deep hatred for women. Taken together, this explanation suggested that for the American news media writing in 1991, the targeted attack of women by way of mass shooting was *not* evidence of mental illness. Indeed, the media coverage accepted the killing of women as a rational, plausible motive for a mass shooting that left 23 dead. The media response to Hennard's massacre also demonstrates journalistic choice in covering mass violence. In other words, the media is not compelled to label mass shootings the result of mental illness; the mental illness frame is a journalistic choice—and a poor journalistic choice at that.

In the final case study, I interrogate the media coverage following James Eagan Holmes' Century 16 Theater shooting in Aurora, Colorado. By the conclusion of Holmes' seven-minute shooting spree, twelve had been killed and fifty-eight injured. In chapter 5, I examine the way

mental illness was used to demarcate the boundaries of individual rights, expand the scope of responsibility, and amplify certain political policies for the prevention of mass shootings over others. Drawing on the literature of rights and responsibilities, I situate the discourse of mental illness in rhetorics of dangerousness and prevention via textual evidence found in political and news reports following the Aurora shooting. This chapter gives insight into the range of voices that appear when mass shootings are no longer rare events, but instead, part of an ongoing and increasingly deadly American epidemic.

The final chapter of my dissertation summarizes the patterns of reporting revealed across the four cases studies. The revelation that news media outlets persistently and pervasively blame the mentally ill for mass violence exposes the stigmatizing, discriminatory, and politically expedient use of the mentally ill as a scapegoat for rampage shootings. In response to these patterns, chapter 6 of my dissertation concludes with a series of media and policy recommendations, which I believe could curtail the ongoing stigmatization of the mentally ill in media coverage of rampage shootings.

The evidence presented in this dissertation helps shed light on the media's role in forming political and public response to mass violence. The analysis in the following case studies demonstrates both the consistency and disparity of news coverage following rampage shootings over a sixty-year period. Insights revealed through my dissertation can be used to inform policy and reform contemporary media reporting on mass violence, firearms, and mental illness.

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## Chapter 2: Howard Unruh and the Camden Neighborhood Shooting

*“‘Madness’ is but meaning carried to the extreme.”*<sup>1</sup> –Kenneth Burke

September 6, 1949, began as a normal day in the Cramer Hill neighborhood of Camden, New Jersey. But by ten a.m. thirteen residents would lie dead in the street and 26 year-old Howard Unruh would be hauled off to prison. The massacre would go down in history as the first rampage shooting in America and come to be known as Unruh’s “Walk of Death.”

Howard Unruh was born and raised in the suburbs of Camden. Following a rather unremarkable childhood, Unruh joined the Army at age eighteen. He was trained as a gun tanker and was stationed in Europe throughout World War II. During his tour, Unruh was involved in considerable warfare, including the 1944 Battle of the Bulge in Germany. In 1945, Unruh was honorably discharged from the Army and returned home to live with his mother in New Jersey. Apart from a three-month stint in pharmacy school, Unruh was unemployed and for years only left his home to attend church or argue with his neighbors over petty grievances. Specifically, Unruh quarreled with his neighbor Maurice Cohen. The Cohen family shared a fence with the Unruh family, and Cohen frequently argued with Unruh about his use of the Cohen’s backyard to exit his apartment. By September 1949, Unruh decided to put an end to what he perceived to be disrespect coming from others in the Cramer Hill neighborhood and enacted a deadly plan he had been harboring for months.

On the morning of September 6<sup>th</sup>, Unruh woke up before 8 a.m., had breakfast prepared by his mother, walked out the front door with a loaded German Luger pistol, and began his deadly spree. Unruh’s massacre initially targeted four neighborhood businessmen—the druggist, the shoemaker, the barber, and the tailor; however, any person who crossed Unruh’s path also found



him or herself in his lethal crosshairs. In fairly rapid succession, Unruh targeted each shop owner. Unruh shot John Pilarcik, the shoe repairman, at point blank range. In place of Thomas Zeligrino, the tailor who was away from his shop, Unruh shot and killed Zeligrino's wife, Helga. Unruh then stalked his way toward the barbershop. Six-year old Orris Smith was getting his haircut when one of Unruh's bullets struck his chest. Unruh also took aim at Orris' mother but, in a rare miss for the experienced sharpshooter, failed to hit his target. Unruh then killed his intended target—the barber, Clark Hoover.

As Unruh moved on with his violent task, two-year-old Tommy Hamilton fatally peeked his head through a second story window and unknowingly drew Unruh's attention. Another pedestrian, James Hutton, lost his life simply because he could not get out of Unruh's way fast enough. Unruh finally arrived at his primary target—the druggist Maurice Cohen. Unruh shot and killed both Rose Cohen and Minnie Cohen, Maurice's mother, but, thankfully, did not find the Cohen's son hiding in the closet. In an attempt to escape, Maurice Cohen jumped from the second story window falling onto a shed roof, and finally, the ground. While lying in the street, Mr. Cohen was shot several times and died.

Having wreaked havoc on his intended targets, Unruh then turned his rage toward bystanders near the shooting. The four remaining victims happened to be driving their cars through the small town during Unruh's massacre. Alvin Day was shot and killed in his car as he stopped to examine the bodies in the street. Finally, Unruh shot Helen Wilson and her mother, Emma Matlack, through the windshield of their car, also hitting Helen Wilson's son John in the neck just below his jawbone as he sat in the backseat. John was critically injured and died in the hospital the following day.

Along his “Walk of Death,” Unruh shot indiscriminately into several buildings, including a tavern and a grocery store, injuring several patrons. Unruh amassed a count of thirteen dead and three wounded within a mere twelve-minutes of shooting. Unruh’s massacre ended only after he ran out of ammunition and returned home to barricade himself in his upstairs bedroom. Fifty law enforcement agents surrounded Unruh’s residence and shot a barrage of bullets into his home. Although he was able to withstand the police’s siege of bullets, tear gas tossed into the apartment proved intolerable. In pain and unable to see, Unruh calmly surrendered. According to newspaper reports, as Unruh was being led to the police cruiser, the arresting officer screamed, “‘What’s the matter with you... You a psycho?’ Unruh was said to have stared deeply into the policeman’s eyes and quietly replied, ‘I’m no psycho. I have a good mind.’”<sup>2</sup>

The Unruh massacre became a media spectacle. Local and national newspapers covered the shooting extensively. The Unruh shooting was featured in widely read presses such as the *Chicago Daily Tribune*, *Los Angeles Times*, *New York Times*, and *Washington Post*. Furthermore, famed *New York Times* writer Meyer Berger won the 1950 Pulitzer Prize for Local Reporting for his 4,000-word piece that recalled the shooting in explicit narrative-style detail.<sup>3</sup> Because Unruh’s actions were considered by many to be the first mass shooting in American history, the extensive media coverage the shooting received played an important role in shedding light on the unprecedented event.

Despite Unruh’s claim to a “have good mind,” journalists reported on his “crazed” desire to enact “revenge upon his neighbors.”<sup>4</sup> The *Los Angeles Times* ran their first piece on the massacre under the headline “Maniac Slays 12, Wounds 5 in Jersey Gun Orgy.”<sup>5</sup> The article proclaimed “a psychopathic war veteran” was responsible for this massacre, not a man with a good mind, as Unruh had claimed.<sup>6</sup> In fact, several articles detailed Unruh’s history of mental illness. Berger’s

*New York Times* piece claimed Unruh “had no previous history of mental illness” but that several “specialists indicated he [Unruh] secretly nursed a persecution complex.”<sup>7</sup> The use of psychiatrists or specialists to confirm these lay diagnoses was common among news reports covering the rampage. Within just two days of the shooting, even the psychiatrists observing Unruh in prison indicated, “they, like other specialists, believe[d] the prisoner was definitely a psychiatric case.”<sup>8</sup> Indeed, although barely enough time had passed to even identify the victims of the massacre, the public seemed to know one thing for sure—Unruh was insane.

Unruh’s massacre thrust mental illness into the spotlight. What that meant in 1949, however, is quite different than what it means today in contemporary American culture. Much of the public’s experience with mental illness was limited to mediated accounts of wretched conditions in many asylums of that time period. Popular narratives such as Nellie Bly’s 1887 *Ten Days In A Mad-House*,<sup>9</sup> Frank W. Wright’s 1947 book, *Out of Sight, Out of Mind*,<sup>10</sup> and Albert Maisel’s 1946 *Life* article, “Bedlam 1946,”<sup>11</sup> depicted insanity and the asylum as something violent and menacing. These texts laid bare the reality of mental health treatment in America. Aside from these types of publications, most Americans had little direct experience with mental illness. Insanity was a private matter to be dealt with by the doctor and the family. That was the case until Howard Unruh walked out of his home in Camden. Given that mental illness was a relatively new topic in the public sphere of 1949, the Howard Unruh case study offers an opportunity to investigate the first responses to a mass shooting.

In this chapter, I argue that the media drafted a narrative of Unruh that worked to “Other” him in the public eye, creating the assurance of insanity. As will be shown, many Americans felt uncertain about how mental illness manifested and who was vulnerable. In particular, the American media had established deep-rooted fears of schizophrenia. Given the often undisclosed,

albeit highly perceived threat of schizophrenia, the public needed reassurance that there would be some indicator of insanity. In order to do this, the media used evidence of religious fanaticism and unfavorable physical descriptions of Unruh to cast him as separate, outside, or an “Other,” compared to normal society. Additionally, many journalists characterized Unruh through his previous military service. On its face, this rhetorical choice appears counterproductive to the public perception of the military and political sway of the armed forces (i.e. if military service makes men crazy, why should they join?). However, I contend that these articles used Unruh’s military service as a way to demonstrate his proficiency with weapons and his calculated approach to conducting his “mission.” In the end, “Othering” Unruh meant his massacre could be written off as just one isolated incident of “madness” and not an issue endemic to society. Ultimately, the media’s rhetorical choices differentiated Unruh from normal society and attempted to make mental illness easier to understand for an audience afraid of its influence.

To make this argument, I first demonstrate the growing fear of mental illness and schizophrenia in the years before the shooting. Once established, I use textual evidence from an archive of historical documents in tandem with interdisciplinary theories of “Othering” to explain why these particular rhetorical choices were made. I conclude by establishing that the work of the media, in collaboration with cultural beliefs of insanity at the time, necessitated that Unruh be held up as an exemplar of the violence of schizophrenia and madness. Ultimately, this first case study introduces concepts of “Otherness” and sets the parameters for media responses to mass shootings yet to come.

### **Fear of Insanity in 1949 America**

Prior to the first rampage shooting in 1949, mental illness research was dominated by the idea that medical science could *cure* the mentally ill. Patients were diagnosed in large numbers

rather than individually and were subjected to invasive, painful, and permanently damaging procedures all in a quest to cure them of their mental defect. Medical practices used to “cure” the insane included electroshock therapy, lobotomies, surgeries that removed “infected” body parts, medically induced comas, and submerging patients in water for days or weeks at a time. These often-gruesome treatments were thought to rid patients of their undesirable conditions. As Donna Kemp claimed, “These treatments were given to thousands of patients, in many cases with devastating results...[S]ome patients were helped, but many others suffered bone fractures, brain damage, and chemical poisoning.”<sup>12</sup> Many of these horrifying procedures were performed in the shadows, as most Americans were unaware of what happened behind the closed doors of the asylum. It was not until after World War II that the ghastly conditions in mental facilities came to light. Albert Maisel’s 1946 publication in *Life Magazine* exposed the horrendous state of America’s treatment of the mentally ill. After investigating two state hospitals, Pennsylvania’s Byberry and Ohio’s Cleveland State, Maisel wrote that, “state after state has allowed its institutions for the care and cure of the mentally sick to degenerate into little more than concentration camps.”<sup>13</sup> His description of conditions in the facilities startled many who, before then, had limited awareness of the horrors occurring in the asylum. According to Maisel:

Thousands spend their days—often for weeks at a stretch—locked in devices euphemistically called ‘restraints’: thick leather handcuffs, great canvas camisoles, muffs, mitts, wristlets, locks and straps and restraining sheets. Hundreds are confined in ‘lodges’—bare bedless, rooms reeking with filth and feces—by day lit only through half-inch holes through steel-plated windows, by night merely black tombs in which the cries of the insane echo unheard from the peeling plaster of the walls.<sup>14</sup>

Other reports told a similar story. According to one account, “In hospital after hospital, scenes of patients cuffed, strapped to chairs, and wrapped in wet sheets. Facilities infested with rats, cockroaches and other vermin. Patients, the reporters noted, went weeks, months, or even years

without seeing a doctor.”<sup>15</sup> Reports such as these opened the doors of the asylum and exposed the cruel “science” used to “cure” madness and confine the madman.

Indeed, throughout the early twentieth century, there existed significant uncertainty about the causes and symptoms of mental illness. Among all possible mental illness diagnoses, newspapers, trade publications, and medical journals seemed most fascinated with schizophrenia. During the early 1900s, the schizophrenia diagnosis operated as a catchall term for any extreme manifestation of mental illness. Psychiatrists used the schizophrenia label quite liberally despite uncertainty about what the disease entailed. In fact, as one traces the term throughout various publications, the symptoms, causes, and treatments of the disease were in a constant state of flux.<sup>16</sup> By 1940, over one third of patients admitted to clinics were diagnosed as schizophrenic; by 1960, this number rose to over half of all patients.<sup>17</sup> Despite lacking a complete understanding of the disease, one thing remained certain—the public was anxious about their ability to identify early signs of schizophrenia both in themselves and others. In order to properly understand why the media was transfixed with identifying signs of mental illness following Unruh’s shooting, one must understand the way the disease was discussed, and thereby understood, in texts of that era.

Even before Unruh's shooting spree, media reports made it abundantly clear that schizophrenia was rampant and nearly everyone was vulnerable. A 1946 *New York Times* article by journalist Howard Rusk claimed, “150,000 able-bodied citizens are annually removed from productivity and confined to mental hospitals with a diagnosis of schizophrenia.”<sup>18</sup> Additionally, a September 1949 *Newsweek* article, “Watch for Madness,” argued, “Perhaps 5,000,000 pre- or early- schizophrenics live *undetected* in society. They are often *obscure* people in small jobs, nursing some particular maladjustment, on the *fringe* of reality, but for the most part keeping out of trouble.”<sup>19</sup> The identification of schizophrenia was “easy when the disease is fully developed,”

but, as Theodore Van Dellen, medical columnist for the *Chicago Daily Tribune*, noted, “in many instances the changes are so gradual that the true situation escapes detection for a while.”<sup>20</sup> He further argued that detection was increasingly difficult because prior to experiencing a full mental breakdown, a “majority of victims displayed a *normal* personality.”<sup>21</sup> Given this, many journalists tried to provide their readers with identifying characteristics of the schizoid personality. Roy Hoskins claimed in his book, *The Biology of Schizophrenia*, that the “shy, withdrawn type of individual is especially vulnerable” to schizophrenia.<sup>22</sup> Other commentators focused on how schizophrenics were “very eccentric and showed bizarre patterns of thought and behavior.”<sup>23</sup> Van Dellen claimed, “Absurd behavior and bizarre hallucinations are characteristic of schizophrenia. Some are silly and childish, others are tense, still, and surly and go through long periods of motionlessness...completely oblivious to their surroundings.”<sup>24</sup> Hoskins articulated one study which found patients “by and large were found to have shown early what an ordinary person would call ‘weakness of character.’”<sup>25</sup> Hoskins explained his use of this “handy expression” was not to imply a moral judgment but to simply explain the “symptoms, not sins” of the afflicted.<sup>26</sup> The American Psychological Association published the first volume of the *Diagnostic and Statistical Manual of Mental Disorders* (DSM) in 1952, which attempted to give legitimacy to the schizophrenia diagnosis within the medical community. The DSM contained an entry cataloging the common traits of the schizophrenic:

Inherent traits in such personalities are (1) avoidance of close relations with others, (2) inability to express directly hostility or even ordinary aggressive feelings, and (3) autistic thinking. These qualities result early in coldness, aloofness, emotional detachment, fearfulness, avoidance of competition, and daydreams revolving around the need for omnipotence. As children, they are usually quiet, shy, obedient, sensitive and rearing. At puberty, they frequently become more withdrawn, then manifesting the aggregate of personality traits known as introversion, namely, quietness, seclusiveness, "shut-in-ness," and unsociability, often with eccentricity.<sup>27</sup>

Thus, texts from both media and medicine relied on vague representations of the symptoms of schizophrenia.

The fear of schizophrenia was further perpetuated by arguments about the bleak outlook for the diagnosed. Dr. Charles Burlingame, former superintendent of Hartford, Connecticut's Institute for Living and one of America's most prominent psychiatrists of the 1930s and 40s, stated, "A substantially large portion of patients that [sic] remain uncured and reach the final stage of 'deterioration' where a terrible fate awaits."<sup>28</sup> At this stage there is a "gradual cessation of activity...often to the point in which the patient no longer eats unless coerced to do so."<sup>29</sup> This cessation then "may or may not be followed by a terminal increase in impulse motor activity which may give rise to senseless violence, destructiveness or assertiveness."<sup>30</sup> Given the association of violence with schizophrenia, the mentally ill were often regarded with "fear, distrust and dislike."<sup>31</sup> The ambiguities inherent in the symptoms of schizophrenia did little to calm those fearful of being the next victim of the disease.

To assist in curbing the fear of schizophrenia, social worker Dr. Arthur Myers published a text in 1948 akin to a self-help book, *How Sane are You?* Myers' aim was to do precisely what the title suggested—to provide the reader information to more accurately assess his or her level of insanity.<sup>32</sup> Myers claimed, "we all think we are sane," but it is important to diagnose oneself or close friends and families because the "condition could lead to mental illness if not addressed in time."<sup>33</sup> Myers' overall objective in the book was to "contrast the normal individual with the one suffering from a mental disorder."<sup>34</sup> The contrast was striking as it casted aside the mentally ill as abnormal. These abnormal individuals were represented as the unwanted, peculiar, or deviant who normal people needed to regularly guard against. Upon the arrest of Unruh, journalists used terms associated with mental illness to rhetorically isolate him from normal society. However,



Americans needed further assurances, similar to those provided in Myers' book, that proved the mentally ill could be easily seen and identified. Journalists' depictions of Unruh's shooting offer a range of descriptors that serve to further "Other" Unruh as a result of his violent act.

### **"Othering" Howard Unruh**

"Othering" is the term used to describe when a dominant group demarcates another group or individual as different. "Othering" explains the "coercive and hegemonic potential of the process of constructing hierarchal differences of power, prestige, and privilege" between and within groups and individuals.<sup>35</sup> "Othering" is never a neutral process; it is, instead, "an intellectual exercise of power."<sup>36</sup> As Merrill Singer and Bryan Page argued in their book *Social Value of Drug Addicts: Uses of the Useless*, distinctions between "us" and "them" "divide things in the world on the basis of socially meaningful criteria which values some individuals over others based on alleged distinctive capacities."<sup>37</sup> The criteria cultures use to "Other" is often learned through cultural representations and socially learned behaviors. In the case of Unruh, there was a cultural norm of labeling the mentally ill as "deviants" or "abnormal."<sup>38</sup> These pejorative labels were used for strategic reasons. As Neil Labute articulates in his 2004 Broadway play *Fat Pig*, "The thing that we 'Other' represents what we could be, how vulnerable we all are...we're all just one step away from being what frightens us."<sup>39</sup> Therefore, dominant groups *need* to make those they fear seem inferior. They do this by using a set of identifiable criteria to cast them as different.

The criteria used to "Other" are created through various means and depend on the perceived goals of the dominant group. As Michael Schwalbe and his colleagues note, "The symbolic tools used to accomplish oppressive 'Othering' include not only classification schemes but identity codes."<sup>40</sup> Identity codes refer to "rules of performance and interrelation" that are often signified by certain "words, deeds, and dress."<sup>41</sup> "Othering" is often discussed in relation to ethnicity,

gender, or religion, but there are a variety of other subordinate groups subjected to “Othering.”<sup>42</sup> For example, recent communication research has focused on disability, sexual orientation, and social activism as additional sites of “Othering” behaviors.<sup>43</sup> The scholarly extension of “Othering” research to groups such as these is natural given their subordinate status. As Luke Winslow and Karen Winslow argue, “Othering” includes all groups deemed “naturally backward, degenerate, and inferior” in relationship to the dominant or more mainstream group.<sup>44</sup> Over time, the consistent disparagement of the “Othered” group over the more dominant “us” group becomes a cultural norm and an established hierarchy.<sup>45</sup>

When shared vocabularies are adopted by large groups of people, “individual differences transform into stable identities and social affiliations; all of which are made more real by references to other individuals or groups who do not share the same identities, differences, and vocabularies.”<sup>46</sup> Groups and individuals use mental, or in some cases physical, demarcations to cast individuals as different and separate “them” from a dominant “us” group. Thus, to distinguish Unruh as separate from “normal” individuals, journalists and surviving neighbors needed to do more than merely label Unruh as “insane;” they needed to make his disease knowable. In doing this, commentators on the shooting made salient various characteristics of Unruh that set him apart from mainstream society. Descriptions used to “Other” Unruh included references to his religious fanaticism, unusual appearance, and military training. These rhetorical tactics helped “normal” audiences feel secure that the mental illness already attributed to Unruh was identifiable by a range of other distinguishable characteristics. In order to make these notions clearer, I now turn to evidence of religious fanaticism as a form of “Othering” Unruh in the aftermath of his violence.

#### “Othering” by Religious Fanaticism

Within hours of the shooting, journalists were already using religious fanaticism to describe

Unruh. A fanatic is a person with extreme enthusiasm or zeal toward a cause, or one “moved by a frenzy of enthusiasm.”<sup>47</sup> The “frenzy” associated with the fanatic creates the impression that fanatics are a “disruptive destabilizing force” capable of inducing violence.<sup>48</sup> Political scholar Asghar Engineer argued, “This over-enthusiasm may cross all bounds of reason and may tend to become wild and dangerous. Fanatics always act zealously...such zealousness may result in severe problems for humanity at large.”<sup>49</sup> Fanaticism’s connotations are stigmatizing. One who is labeled a fanatic is semantically connected to adjectives such as “abnormal, dangerous, or silly,”<sup>50</sup> and emotions such as “rage” and “fury.”<sup>51</sup>

News reports about Howard Unruh frequently used the term “religious fanatic.” Neighbors described Unruh as “very religious, to the point of being a fanatic...he was always carrying a Bible.”<sup>52</sup> Appositives used to describe Unruh included, “Howard Unruh, religious fanatic” and “Howard Unruh Bible-reading fanatic.”<sup>53</sup> In its first exposé on the massacre, the *Washington Post’s* headline paired Unruh’s religiosity with mental illness, “Bible Maniac Massacres 12 on Street in Camden.”<sup>54</sup> The month following the Camden shooting, Unruh was described as a “regular churchgoer” who would walk the streets “thumbing his bible.”<sup>55</sup> Articles mentioned the hours Unruh “spent pouring over the Scriptures” and that his only “hobbies were his Bible and his guns.”<sup>56</sup> Religion was a central part of life in the 1940s with forty percent of Americans regularly attending church, but the religious fanatic represented something nefarious.<sup>57</sup>

Religion and fanaticism are related because “fanaticism,” at its base, “denotes something that has an essentially religious dimension, whether that is a belief system or a way of acting.”<sup>58</sup> French philosopher Gabriel Marcel argued, “Even religions which are genuine in their principles can become fanaticized just as an originally healthy organic tissue can become cancerous.” It is the “perversion of religion”<sup>59</sup> that is highly connected to religious fanaticism as religious fanatics

can “use their religious motivation to justify evil behavior.”<sup>60</sup> Thus, the correlation that exists between violence and religion is shaped by the religious fanatic’s *extreme* devotion to their religion. This perception of violence runs through all forms of religion, even those dominant within a culture. Author William Cavanaugh contended, “The frightful specter of religious fanaticism in the modern world is offered as evidence of the dangerous extremes to which untamed religious passion can tend if not brought to heel by a secular social order.”<sup>61</sup> Dr. George S. Stevenson, former president of the American Psychiatry Association and media director of the National Committee for Mental Hygiene, explained in 1950, “instead of benefiting from formal religion as normal people do, they [religious fanatics] vainly try to create a bizarre ‘religion’ of their own.”<sup>62</sup> Stevenson continued, “Such cranks may sound harmless but their twisted egos may lead them to commit violent acts.”<sup>63</sup> Thus, when news reports described Unruh as a religious fanatic, they implied he was an extremist capable of inducing violence against those he perceived to be nonbelievers. This explains why Unruh was considered by most to be a “religious nut” whose actions could be connected to distorted readings of biblical texts.<sup>64</sup> The rhetoric that fueled descriptions of Unruh’s religious devotion dissociated him from normal devotees of the Christian faith, and in this way, Unruh’s religiosity served to “Other” him from mainstream society.

The most compelling example of Unruh’s religiosity was an enthymeme brought forth by an open Bible discovered on his bed. As the *Chicago Daily Tribune* reported it, “In Unruh’s room police found an open Bible apparently where he had left it after his last reading, it was open to Chapter 24 of the Gospel of St. Matthew.”<sup>65</sup> This allusion also appeared in several other news outlets in the days following the massacre. The *Washington Post* referenced the “thumb-worn Bible” left “open on Unruh’s bed,”<sup>66</sup> while Meyers Berger commented that Unruh would constantly “mark scripture passages, especially the prophecies.”<sup>67</sup> While these descriptions further

fanaticized Unruh's religiosity, the references had a second, more powerful, argumentative purpose. Chapter 24 of the Gospel of St. Matthew is Jesus foretelling the devastation of the Temple in Jerusalem and the violence that would precede his crucifixion. In the text, Jesus tells his followers, "See ye not all these things? Verily I say unto you, there shall not be left here one stone upon another, that shall not be thrown down."<sup>68</sup> Jesus warned, "Many false prophets will arise; they will deceive many...But he that shall endure unto the end, the same shall be saved."<sup>69</sup> But this chapter of St. Matthew is not to be read prophetically; instead, it issued a warning to Jesus' followers that they know not the time nor place of the Lord's second coming. Jesus cautioned, "Watch therefore: for ye know not what hour your Lord doth come."<sup>70</sup> This biblical quote suggests that God is omnipresent and one's behavior, at all times, should be obedient and true to a merciful Lord. At the final judgment, also known as death, the actions of the religious devotee will be accounted for as they are assigned to the kingdom of Heaven or of Hell. For those who do not walk in the way of the Lord, Jesus warned:

But and if that evil servant shall say in his heart, My lord delayeth his coming; And shall begin to smite his fellow servants, and to eat and drink with the drunken; The lord of that servant shall come in a day when he looketh not for him, and in an hour that he is not aware of, And shall cut him asunder, and appoint him his portion with the hypocrites: there shall be weeping and gnashing of teeth.<sup>71</sup>

As a result, the meaning commonly interpreted from this Gospel is that if a person does not act as if God is watching, and commits sins against others, he or she shall be cut down and his or her family left to grieve. This narrative was presented as an enthymeme following Unruh's shooting. Journalists' imbued Jesus' parable with meaning and power by implying Unruh's open bible represented a similar foretelling of violence and doom. Audiences were to conclude that Unruh saw himself as doing God's work when he unleashed his wrath against his neighbors. Unruh claimed the motivation for his massacre was to take revenge against his neighbors, who "had been

talking about me [Unruh] and making derogatory remarks about my [his] character.”<sup>72</sup> Audiences’ should, therefore, be willing to accept that Unruh believed his actions dispatched with the “false prophets” on Cramer Hill. This biblical allusion connects back to Marcel’s claim that religious fanatics use scripture as a means of justifying violence.

Additionally, Martin Medhurst explained what makes references to religion powerful to audiences. Although his research focuses on the use of religion in presidential rhetoric, Medhurst’s findings are relevant to the rhetoric of Unruh’s massacre. Medhurst argued the use of scripture describes “the character, beliefs, or traits of some other person or group.”<sup>73</sup> For Unruh, journalists used references to Matthew 24 to describe the purging of specious believers. The biblical allusion creates a parallel between the destruction of Jerusalem and the destruction of Camden. This parallel is created enthymematically, but it “Others” Unruh in significant ways. It suggests that normal, God-fearing Christians would never read this passage and take it upon themselves to act violently in the name of the Lord. Only one descending into an extreme mental psychosis would take God’s word as a call to action. Therefore, Unruh’s open Bible is a physical indication of his lost mind. The bible and its foretelling doom are read as apparent, decipherable symptoms of mental illness. However, to further establish Unruh as an “Other,” journalists and neighbors offered additional signs of mental illness by way of his appearance.

#### “Othering” by Appearance

Appearance is significant to forming impressions. Humans primarily recognize one another based on the way they look. Trying to describe someone without referring to his or her physical appearance is a seemingly impossible task. However, identification based on physical appearance can be a double-edged sword as appearance is also heavily tied to stigma and “Othering.” Social psychologist Leslie Zebrowitz argued, “Not only are people highly attuned to appearance qualities,

but they also perceive behavior propensities to these qualities.”<sup>74</sup> Meaning, we often take what someone looks like to be representative of his or her group memberships or social status. This can be further evidenced by the previously discussed “Othering” research on identity codes, especially in relation to performance and dress. The human ability to recognize and categorize someone as mentally ill based on appearance was extremely important following the Unruh shooting.

To satisfy their identification needs, journalists and the immediate public focused on visible characteristics that could identify Unruh’s deviant status. Visibility is heavily tied to stigma. Erving Goffman, one of the foremost theorists on stigma wrote, “visibility is a crucial factor...that which can be told about an individual’s social identity at all times during his daily routine and by all the persons he encounters therein will be of great importance to him.”<sup>75</sup> However, the importance of visible stigma can be extended to those around the stigmatized. These populations want reassurance that physical indications of disease, especially disease of the mind, can be identified and known. Therefore, as Zebrowitz found, “Perceptible stimulus qualities provided in a person’s movements, vocal qualities, and facial appearance provide socially useful information.”<sup>76</sup> This information is developed through cultural and socially learned representations. Sociologist Thomas Scheff noted, “stereotyped imagery of mental disorder is learned in early childhood” and these “stereotypes of insanity are continually reaffirmed, inadvertently in mass media and ordinary social interactions.”<sup>77</sup> Conceptions of insanity are then further associated with negative stigma, “Othering” those with the illness.

Appearance as an important indicator of deviance is far from novel within the twentieth century. For example, author Sander L. Gilman investigated Western cultural imagery of insanity from the Middle Ages to the close of the nineteenth century. Gilman’s book, *Seeing the Insane*, examined both medical and artistic representations of how insanity and appearance were tied to

the mind. Gilman wrote, “Representations of various symptoms and symbolic references to madness are integrated into a portrait of madness.”<sup>78</sup> As Gilman conducted his historical investigation, he found “the ‘Otherness’ of the representatives of these categories [of deviants] is defined in many different ways, not the least of which is the strict delineation of what the culture designates their appearance to be.”<sup>79</sup> Therefore, as Gilman argued, appearance and behavior are the threads that tie together historical representations of madness. These representations are often included in the media descriptions of Unruh’s appearance. Gilman’s work prescribed insanity via the characteristics of four different categories: facial appearance, expression, gesture, and body build.<sup>80</sup> Each of these categories is evoked during discussions of the behaviors and appearance of Unruh.

There were frequent references to Unruh’s facial appearance in the month that followed the shooting. Reporters and neighbors focused on two aspects—his vacant eyes and his hollow cheeks. In discussing his “strange” eyes, the authors were tapping into a mythic representation that has permeated discourse for millennia. In both Biblical and cultural texts, one equates the eyes with an indication of the character of a man. Roman Philosopher, Marcus Tullius Cicero, famously stated, “The face is a picture of the mind as the eyes are its interpreter.”<sup>81</sup> William Shakespeare’s *King John* written in 1598 included the following line, “The image of a wicked heinous fault, Lives in his eye.”<sup>82</sup> And according to the Gospel of Matthew chapter 6, “The light of the body is the eye: if therefore thine eye be single, thy whole body shall be full of light. But if thine eye be evil, thy whole body shall be full of darkness.”<sup>83</sup> For audiences, then, eyes expose the nature of one’s soul. In this way, Unruh’s eyes told the story of the evil within, which helped the audience recognize the madness. Berger quotes Unruh’s mother expressing this evil ocular indicator, “Mrs. Unruh had murmured something about Howard’s eyes; how strange they looked and how worried she was



about him.”<sup>84</sup> Other reports focused on the emptiness of Unruh’s eyes. The *New York Times* wrote of the “Blank stare in the killer’s eyes” during interviews with psychiatrists.<sup>85</sup> Through his “windows” the public saw nothing. Thus, Unruh became nothing.

In addition to Unruh’s eyes, there were also consistent references to Unruh’s hollow-cheeks. Hollow-cheeks typically describe a face that appears too thin for its frame, which, in the case of Unruh, was already being described as empty. Charles Darwin suggested that researchers should place a focus on the insane because they “notoriously give away all their emotions with little or no restraint...they [the insane] are liable for the strongest passions...giving uncontrollable vent to them.”<sup>86</sup> Darwin recognized the importance human’s placed on the face as the canvas of mental illness. Additionally, the face also played an important role in early artistic representations of madness. Sander Gilman’s book turned to the classic Swiss philosopher Johann Casper Lavatar to lend credibility to claims that early artists’ focused on the face as an indication of insanity. Lavatar, who reestablished classic physiognomy in 1770, described indications of the “quality of idiocy” as including, “indolent disorientation, animalistic obtrusiveness, convulsive attitude, crooked smiles, inconstancy, indifferentiatedness, vacancy, looseness.”<sup>87</sup> To Lavatar, these were “the most common, most evident signs of inherent madness and stupidity.”<sup>88</sup> Lavatar established the connection between vacantness and madness that dominant groups would use to “Other” persons exhibiting these qualities of appearance. Therefore, when the multitude of articles referenced the “hollow-cheeked killer,” they were doing so at the benefit of developing facial identifications of madness.<sup>89</sup>

The blankness of Unruh’s eyes and his hollow-cheeks were frequently paired with his overall lack of expression. Unruh’s minimal emotions during and after the killings dominated media explanations of the killer. The media portrayed Unruh as “unemotional”<sup>90</sup> and

“expressionless.”<sup>91</sup> He was often said to “stare off into space” or to “stare at reporters with blank expressions.”<sup>92</sup> He was described as cold and emotionless, feeling nothing following the death of his neighbors. Emptiness came to embody the killer. Expressionlessness extended into the “silence.” The *Chicago Daily Tribune* described Unruh as “quietly returning back home”<sup>93</sup> after running out of ammunition. Journalists frequently used the word “quiet.” The *New York Times* recalled Unruh’s boyhood reputation of being a “quiet, moody youth,”<sup>94</sup> while the *Chicago Daily Tribune* interviewed Unruh’s childhood reverend to make a similar point, stating, “Unruh...was a quiet and soft spoken youth.”<sup>95</sup> According to Berger, Unruh being a “mild, soft-spoken veteran” who “never said a word” meant he “probably was not in his right mind.”<sup>96</sup> Early descriptions of schizophrenia noted muted facial expression of emotions and shyness as hallmarks of the illness.<sup>97</sup> Thus, while the connection between silence and expressionlessness may seem tenuous by contemporary standards, the validity of these accusations for schizophrenia at the time was clear. Abraham Myerson wrote in the *Atlantic* in 1950, “The past history of the schizophrenic is usually that of a shut in...He has a certain stiff shyness that [made] him off from other men.”<sup>98</sup> Ultimately, describing Unruh as close-mouthed and vacant illustrated the qualities of the disease that audiences could identify.

In addition to accounts of Unruh as “close-mouthed” and “soft-spoken,” journalists also made frequent mention of the stillness and calmness of Unruh and his massacre. If “gesture” represents movement of the body, particularly of the hands, head, and arms, then news reporting was quick to acknowledge a lack of movement by Unruh. Unruh was described in the *New York Times* as, “as calm under questioning as he was during the 20-minutes that he was shooting men, women, and children.”<sup>99</sup> The *Chicago Daily Tribune* wrote, “Unruh’s calmness during the battle with police was indicated by a telephone conversation he had with a newspaper reporter and the

account of a witness at one time at the height of the battle the war veteran took a moment to lean out the window and spit.”<sup>100</sup> Unruh’s act of spitting out a window was meant to demonstrate how unaware Unruh was of the gravity of his violence. Other news accounts recalled Unruh “walking from shop to shop in the 3200 block with a deadly calm”<sup>101</sup> and “[stalking] door to door.”<sup>102</sup> Indeed, in news accounts Unruh’s calm, cool demeanor while committing such an atrocity could have indicated to audiences a deeply embedded mental illness. Nonverbal scholars argue that emotions are difficult to control, conceal, and fabricate. The involuntary release of emotional information is called “nonverbal leakage.” As Ann Burnett and Diane Badzinski argued, “People notice nonverbal leaks and draw attributions about the source based on these microbehaviors.”<sup>103</sup> Thus, to an audience reading the reports of a calm Unruh, the minimal gestures could indicate a failure to understand or acknowledge his wrongdoing and thus a mental incapacitation.

Finally, news articles often made note of Unruh’s physique. Unruh was described as “the six-foot veteran,”<sup>104</sup> a “strapping 6-foot Army veteran,”<sup>105</sup> albeit, a “slender, shy, high-domed youth with dark hair, pallid skin, thick lips and sunken cheeks.”<sup>106</sup> Thus, despite being a strapping war veteran totally capable of going berserk in a murderous killing spree, Unruh was also, in many ways, visually frail and decrepit. Articulations of his appearance rendered Unruh feeble and pale, terms not often associated with masculine virility. Instead, Unruh was colorless and meek. These descriptions, which portrayed Unruh as physically weak, rendered mental disease visible to the audience. Unruh’s dilapidated and expressionless appearance became his tell. Because Unruh looked different, he must have been different. Despite these physical differences, Unruh was still trained for murder, and the reporters who described the killing did not ignore this training.

## “Othering” by Penchant for Violence

When Unruh was not being characterized a “fanatic” or “hollow-cheeked,” he was most certainly being described as a “veteran,” “former soldier,” or “former GI.”<sup>107</sup> Initial readings would lead one to assume there was a connection between Unruh’s war service and his presumed mental illness. Although Post-Traumatic Stress Disorder (PTSD) was not established until the 1980s, psychiatrists at the time used terms such as “war neurosis” or “shell shock” to describe mental disturbances experienced by World War I and II veterans. These conditions were referenced by Unruh’s brother, and when asked about the massacre, James stated, “I don’t know how this happened or why, but I know it is due to my brother’s Army service. Since he came home from the service he didn’t seem to be the same. He was nervous and never his old self.”<sup>108</sup> But despite literature of the era suggesting a connection between mental illness and military service, psychiatric experts quickly dismissed the link between Unruh’s service and the shooting.

A *Chicago Daily Tribune* article, published the day after James Unruh’s testimony, quoted prominent psychiatric, Dr. Edward A. Strecker, proclaiming there was no connection between the two phenomena. According to Strecker, Unruh’s experiences in war did not lead to the shooting; rather, Strecker claimed the shooting was caused by a mental illness Unruh had been nursing for years:

It is likely he [Unruh] has been mentally ill for some time...development of the disorder probably has been gradual. Killings such as these cannot be traced to military services although such service might provide the opportunity for picking up weapons and determining the way killings are committed. It would appear he is the victim of paranoid schizophrenia.<sup>109</sup>

The *Los Angeles Times* turned to the Veteran Affairs (VA) office to discredit the link between Unruh’s war service and mental illness. The VA confirmed Unruh was “never hospitalized by the Army and his service record showed no known physical or mental ailment.”<sup>110</sup> But if references

to Unruh's time in the Army served no purpose in explaining his dissolution into mental illness, how did these terms function rhetorically? I posit the deployment of Unruh's military record and veteran status demonstrated his disposition toward killing and his ability to carry out an attack of this scale. Much like Strecker's analysis, Unruh's military experience served only to "provide the opportunity for picking up weapons" and the necessary training to kill.<sup>111</sup>

Soldiers are equipped with the ability to kill, both in their proficiency with weapons and in their willingness to engage in combat. The conclusion of World War II brought many men back to the country as heroes. According to film and history scholar Kathleen McClancy, "WWII culture particularly emphasized battle as a formative experience."<sup>112</sup> Depictions of battle and the introduction of war propaganda made warfare "not just an adventure and an essential masculine rite but the timeless foundation of American culture: The ultimate wilderness in which to learn violence...manually shaping order from chaos."<sup>113</sup> Many soldiers of the war came home with an expert ability to kill. Given a veteran's status as hero following WWII, the association between soldier and killer rarely took center stage. Following the Camden shooting, however, Unruh's experience in killing seemed to play an important role in defining his propensity toward violence. As Arthur Myers argued, "[The soldier] has been conditioned in the direction of hardness and killing and, whereas these are qualifications that make for a good soldier, they are not assets, but liabilities, in times of peace."<sup>114</sup> News reports of his service, in tandem with his deadly spree, substantiated Myers' claim.

The *Chicago Daily Tribune* observed that Unruh's "murderous mission"<sup>115</sup> was conducted by an "expert marksman,"<sup>116</sup> while *Time Magazine* described Unruh stalking the streets "like a murderous mechanical man."<sup>117</sup> All of these labels evoked terminology found in a military combat context (i.e., "mission," "marksman," and "mechanical"). Soldiers do not engage in shooting

rampages or massacres; soldiers conduct missions. Soldiers do not have excellent aim; soldiers are marksmen. The simple shift of changing “massacre” to “mission” altered the visual framework from which the audience approached the shooting. The labels served the important rhetorical function of explaining how Unruh possessed the necessary military prowess to conduct thirteen murders in the span of twelve minutes. While descriptions of his physical appearance emasculated Unruh, portrayals of Unruh’s war service demonstrated his capacity to commit this level of cold and callus violence.

Several articles provided more details about Unruh’s WWII service. The *New York Times* remarked that Unruh “was in several major entanglements with an armored artillery unit in the European Theater of war from 1942 to 1945.”<sup>118</sup> A *Time Magazine* article titled “The Quiet One” gave a slightly more in-depth account of Unruh’s combat experience. The article noted “Howard B. Unruh saw a good bit of combat as a tank gunner in Italy and France. But unlike most front-line soldiers he never smoked, swore or chased girls;” He did, however, “set up a basement target range, and collect pistols, knives and bullets” after the war.<sup>119</sup> Berger’s Pulitzer Prize winning article noted that not only was Unruh an expert marksman, he was an award-winning expert marksman. This skill proved lethal to his neighbors. Berger wrote, “His [Unruh’s] aim was devastating—and with reason. He had won marksman and sharpshooters rating in the service and he practiced with his Luger all the time with the target set up in the basement.”<sup>120</sup> Even his weapon of choice reflected his military experience as Unruh used a German Luger, the same type of gun many soldiers brought home from the war. The style of weapon was referenced frequently to demonstrate Unruh’s proficiency with these types of firearms as a result of his combat service.

Taken together, Unruh’s religious fanaticism, unsettling appearance, and training in combat, “Othered” him from normal members of society. Each of these characteristics made him

identifiably different. It created the impression that mental illness, particularly schizophrenia, could be recognized before it reached the level of dangerousness and violence seen in Howard Unruh. Given the extremity of Unruh's violence, he came to represent the endpoint for an untreated mental disease. Unruh became the violence of mental illness.

### **The Verdict for Unruh**

As the initial reactions to Unruh's shooting faded, journalists turned instead to discussions of Unruh's fate. Following his arrest, Unruh was committed to the New Jersey Hospital for the Insane at Trenton to undergo observation by four psychiatrists. The experts sought to learn one thing: was Unruh insane or did he know what he was doing the morning he executed his neighbors? The word "insanity," as used in law, has a "varied connotation from that given to the word by the medical profession."<sup>121</sup> Thus, a person can be considered insane from a medical standpoint but still be found criminally responsible for a particular crime (and vice versa). Using the M'Naghten Rule, psychiatrists were tasked with determining if Unruh was competent enough to stand trial. The establishment of criminal responsibility via the M'Naghten Rule was predicated upon a legal standard established in 1843.

The United States adopted Britain's guidelines for evaluating criminal responsibility, which were established during Daniel M'Naghten's 1843 criminal trial. M'Naghten stood trial for the murder of Prime Minister Sir Robert Peel's secretary, Edward Drummond. M'Naghten intended to assassinate Britain's prime minister, but, in error, shot and killed Drummond. During his hearing, a jury found M'Naghten insane and acquitted him of the charge. The grounds for the verdict of "Not Guilty by Reason of Insanity" were predicated on whether the criminal defendant "knew the nature of the crime or understood right from wrong at the time it was committed."<sup>122</sup> The stipulations the jury used in 1843 are still practiced today. The M'Naghten Rule holds the

opinion that the defendant is sane, unless it is proven “at the time of committing the act, the accused was laboring under such a defect of reason, from disease of the mind, as not to know the nature and quality of the act he was doing or, if he did know it, that he did not know what he was doing was wrong.”<sup>123</sup> Under contemporary criminal code for determining criminal responsibility, “Motives for behavior, unconscious drives, aggression, love, hate, need for punishment, emotional attitudes, and the like...have little place.”<sup>124</sup>

On October 8, 1949, one month after the massacre in Camden, psychiatrists rendered their formal judgment regarding Unruh’s insanity. Unruh was diagnosed as a case of “dementia praecox, mixed with pronounced catatonic and paranoid coloring.”<sup>125</sup> The *New York Times* explained that dementia praecox “is a synonym for schizophrenia, or split personality in which the patient withdraws from reality and lives in a world of delusion and hallucinations.”<sup>126</sup> A person with this diagnosis often “suffers from delusions of persecution.”<sup>127</sup> The *Chicago Daily Tribune* described Unruh’s condition as an “incurable disease in which brain cells deteriorate.” A person with this diagnosis was said to “display little or no emotion.”<sup>128</sup> Lest they forget, the *New York Times* reminded their readers that schizophrenia “is the most prevalent of all forms of mental illness...with 40 to 50 percent of the 700,000 patients in the nation’s hospitals thought to be schizophrenic of the deteriorated type.”<sup>129</sup> Therefore, witness descriptions of Unruh walking from shop to shop, never speaking nor seeming angry, bolstered the validity of the diagnosis. Unruh was now *legally* insane. Unruh would not have a trial nor would he go before a jury to confess his crime. On October 12, 1949, in a court proceeding lasting a mere ten-minutes, the Camden County judge formally committed Unruh to a mental institution for an indeterminate length of time. Camden County Prosecutor Mitchell Cohen said, “Everyone realized he [Unruh] was mentally



abnormal to some extent,” an abnormality now declared true by a court of law.<sup>130</sup> The legal ruling finished the puzzle that was Unruh.

In the case of Howard Unruh, the catalogue of media reports on his mental state combined with the subsequent insanity verdict represented the extreme manifestation of mental illness. Unruh became the archetype of the violence of mental illness. Describing Unruh and “Othering” him via religiosity, appearance, and combat experience laid the foundation for the necessary conclusion of insanity. If Unruh was not insane, then the potential for violence was not knowable or predictable. If Unruh was not insane, then everyone was susceptible to schizophrenia (or its effects). As Michel Foucault argued in his 1977 Toronto lecture series about power, psychiatry, and early nineteenth century mental health, “Insanity was seen as the cause for that which made no sense.”<sup>131</sup> Pressures to determine a cause for Unruh’s violence influenced journalists to define Unruh in ways that made him “mad.”<sup>132</sup> Unruh came to represent a paradigm case of schizophrenia. The schizophrenia diagnosis explained away a seemingly inexplicable massacre. In the case of Howard Unruh, the only logical conclusion was insanity.

### **Conclusion and Epilogue**

Although a media spectacle for one month in 1949, Unruh slipped into obscurity over the decades following his massacre on Cramer Hill. Unruh’s shooting never entered the public imagination the same way rampage shootings do today. Crime novelist Harold Schechter argued, “Unruh’s killings were seen as a weird aberration and not something the culture was obsessed by, so he didn’t immediately enter into a larger American mythology.”<sup>133</sup> However, since the massacre, new information about Unruh and his fate has occasionally reappeared in public discourse. One such case was the 1959 revelation of Unruh’s status as a gay man.<sup>134</sup> It has been argued that Unruh missed a date with a man he had been having a weeks-long affair with, and this

was the primary trigger for the shooting. After arriving too late and failing to meet his movie date, Unruh came home to find that his neighbors, the Cohen's, had removed the gate he had put up behind his apartment. These two events pushed Unruh over the edge.<sup>135</sup> In that moment, Unruh decided to put the deadly plan he had fantasized about into action. Not a single media report in the immediate aftermath of the shooting suggested that Unruh was a gay man. This absence is curious for two reasons. First, Unruh was forthright with detectives and psychiatrists about his sexual orientation. And, second, Unruh claimed that both his family and neighbors had openly speculated about his sexual identity.<sup>136</sup> Unruh suggested during interviews that the stress of being a gay man during an era in which that lifestyle was illegal added fuel to his anger and resentment of his neighbors.<sup>137</sup> Foregoing an opportunity to "Other" Unruh via his culturally deviant (at the time) sexual orientation is perplexing. I suspect that because Unruh's sexual identity proved more difficult to substantiate, journalists preferred citing his other, more physically apparent, characteristics. Unruh's sexual identity was unnecessary in solidifying a case of mental illness. Thus, until 1959, Unruh's homosexuality was never described as a contributing factor in the massacre.

In 2012, per the request of the *Philadelphia Inquirer*, the findings of the psychiatrists observing Unruh and the transcripts of police interviews from September 6 and 7, 1949, were made public. The reports claimed that Unruh "cold-bloodedly explained everything, listing the neighbors who had wronged him, and describing each murder with little emotion," adding that Unruh only "claimed to feel sorrow for the children he'd killed."<sup>138</sup> In each interview, Unruh made it clear that he was aware his actions were wrong and that he deserved to be punished for his crime. Unruh asserted, "murder is sin, and I should get the chair,"<sup>139</sup> insisting he was "in perfect control" at the start of his rampage, although admitting, "In the excitement I [he] shot others I [he] did not plan

to kill.”<sup>140</sup> Details such as these suggest that Unruh was entirely aware that what he was doing was morally and criminally wrong. By the M’Naghten standards, Unruh’s statements should have led to a trial and verdict by jury. However, the decision of four psychiatrists in a letter to a judge determined that Unruh was too mentally ill to stand trial, confining him to the asylum for the rest of his life.

Katherine Ramsland, a professor of forensic psychology and the director of the Master of Arts in Criminal Justice at DeSales University, argued in a 2015 *Smithsonian* article that the 1949 diagnosis of Unruh as schizophrenic was wrong. Ramsland contended that by contemporary standards, Unruh would have never been found mentally unfit to stand trial.<sup>141</sup> In an extended citation, Ramsland asserts:

He [Unruh] wouldn’t have been diagnosed with schizophrenia because he didn’t have any actual symptoms of schizophrenia, they just didn’t know what else to do in those days. Back then, paranoid schizophrenia was kind of a trash-can diagnosis. You could put anything in there, but the criteria have tightened up since. Unruh didn’t have command hallucinations or anything like that. The standard is, are you so floridly psychotic that you don’t know what you’re doing is wrong? You can be psychotic and still get convicted. I suspect Unruh had a personality disorder, but it’s clear he knew what he was doing was wrong and that there were legal consequences. I always found it so odd that they just locked him away and forgot about him.<sup>142</sup>

Given this, Unruh’s case continues to stand as a legal mystery. At the time of Unruh's arrest, laws about competency to stand trial were unclear.<sup>143</sup> It was not until 1960 that the U.S. Supreme Court outlined standards for determining a defendant's ability to stand trial. Despite these changes, the Unruh case did not reemerge until 1973 when the U.S. Supreme Court ruled in *Jackson v. Indiana* that a state could not indefinitely hold a defendant deemed incompetent to stand trial. Even though the law about detaining incompetent suspects had significantly changed, Unruh’s lawyers were only successful in getting his murder indictment thrown out.<sup>144</sup> Unruh’s indictment was thrown

out because it was deemed a violation of his rights to a speedy trial. Nevertheless, Unruh was still regarded as a public threat and forced to stay in psychiatric confinement.

Every year that followed the 1973 ruling, Unruh was required to go before a judge to determine if he was safe for release. However, every single year, Charles Cohen, the son of Rose and Maurice Cohen (both killed during Unruh's shooting spree), also went before the court and pleaded for Unruh's continued detainment. Charles Cohen's pleas were successful, and Unruh remained under psychiatric confinement until his death on October 19, 2009. Charles Cohen admitted he was looking forward to the day he got the call about Unruh's death, saying, "I'll make my final statement, spit on his grave, and go on with my life."<sup>145</sup> Unfortunately, Charles Cohen did not live to see the death of Howard Unruh as he died one month before Unruh passed away. Although those on Cramer Hill still recall the terror of September 6, 1949, the rest of the nation has moved on from the massacre. There are "no plaques, memorials or markers"<sup>146</sup> representing the horrors on River Road, only the memories of the thirteen lives cut short by a "madman."

Unruh's "Walk of Death" earned the reputation as the first mass shooting in America, but it would certainly not be the last. Over the course of the next thirty years, America experienced a turbulent socio-political environment with the expansion of rights and access for disenfranchised Americans. The civil rights movement and entanglements in Vietnam placed violence and death squarely in the American consciousness. Furthermore, by the early 1980s, America was awash in drugs, firearms, and violence. However, the unprecedented 1984 rampage shooting in Southern California captured the public's attention and propelled mental health into the spotlight, albeit in the worst possible manner.

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<sup>1</sup> Kenneth Burke, *Counter-statement* (University of California Press, 1968), 180.

<sup>2</sup> "The Quiet One," *Time*, 54, no. 12, September 19, 1949, 30.

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<sup>3</sup> Patrick Sauer, “The Story of the First Mass Murder in U.S. History: Howard Unruh’s “Walk of Death” Foretold an Era in which Such Tragedies Would Become all too Common,” *Smithsonian.com*, accessed October 14, 2015, <http://www.smithsonianmag.com/history/story-first-mass-murder-us-history-180956927/#R9J8Bf70HV3HFxJg.99>.

<sup>4</sup> “Tells why he Massacred 12,” *Chicago Daily Tribune*, September 7, 1949, 1.

<sup>5</sup> “Maniac Slays 12, Wounds Five in Jersey Gun Orgy,” *Los Angeles Times*, September 7, 1949, 1.

<sup>6</sup> “Maniac Slays 12, Wounds Five in Jersey Gun Orgy,” 1.

<sup>7</sup> Meyer Berger, “Veteran Kills 12 in Mad Rampage on Camden Street,” *New York Times*, September 7, 1949, 1.

<sup>8</sup> “Boy, 9, 13th Victim of Ex-GI’s Raid, Dies,” *New York Times*, September 8, 1949, 1.

<sup>9</sup> Bly, a female journalist, committed herself to a New York insane asylum called Blackwell Island in the effort to get first-hand experience of the conditions of the institution. She spent ten days and nights in the institution feigning mental illness. She recalls the experience to be harrowing. Bly says, “I left the insane ward with pleasure and regret—pleasure that I was once abler to enjoy the free breath of heaven; regret that I could not have brought with me some of the unfortunate women who lived and suffered with me, and who, I am convinced, are just as sane as I was and am now myself.” The story was widely circulated as a testament to the conditions of late 19<sup>th</sup> century asylums.

<sup>10</sup> Frank Leon Wright, *Out of Sight, Out of Mind: A Graphic Picture of Present-day Institutional Care of the Mentally Ill in America, Based on More Than Two Thousand Eye-witness Reports*. (National Mental Health Foundation, 1947).

<sup>11</sup> Albert Q. Maisel, “Bedlam 1946: Most US Mental Hospitals are a Shame and a Disgrace.” *Life Magazine* 20, no. 18, 1946, 102.

<sup>12</sup> Donna R. Kemp, *Mental Health in America: A Reference Handbook*. (ABC-CLIO, 2007), 9.

<sup>13</sup> Maisel, “Bedlam 1946,” 102.

<sup>14</sup> Maisel, “Bedlam 1946,” 103-104.

<sup>15</sup> Robert Whitaker, *Mad in America: Bad Science, Bad Medicine, and the Enduring Mistreatment of the Mentally Ill* (Basic Books, 2010), 67.

<sup>16</sup> Throughout 1949 newspaper articles presented a series of different causes and solutions to schizophrenia. The mental illness appeared in many weekly columns about health and wellness. Treatments included surgical, chemical, and physical remedies. Of these, the most popular were tranquilizing medications and electroshock therapies. Additionally, much discussion focused on the causes of schizophrenia. Authors suggested schizophrenia was a socially learned disease while others suggested a biological genetic foundation. Specifically, the adrenal glands were blamed; other journalists suggested you could see schizophrenia at the cellular level. It was clear there was a quest to figure out schizophrenia’s root cause and any possible cure.

<sup>17</sup> Whitaker, *Mad in America*, 67.

<sup>18</sup> Howard A. Rusk, “The Vexing Problem of Schizophrenia,” *New York Times*, August 11, 1946.

<sup>19</sup> “Watch for Madness.” *Newsweek*, 34, no. 55, 1949, emphasis added.

<sup>20</sup> Theodore R. Van Dellen, “How to Keep Well: Life is too much for the Schizophrenic,” *Chicago Daily Tribune*, October 23, 1949.

<sup>21</sup> Van Dellen, “How to Keep Well: Life is too much for the Schizophrenic,” emphasis added.

<sup>22</sup> Roy G. Hoskins, *The Biology of Schizophrenia* (New York: W. W. Norton & Company, 1946), 65.

<sup>23</sup> Van Dellen, “How to Keep Well: Life is too much for the Schizophrenic.”

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- <sup>24</sup> Theodore R. Van Dellen, "How to Keep Well: Shock Treatment of Mental Disease," *Chicago Daily Tribune*, June 8, 1949.
- <sup>25</sup> Hoskins, *The Biology of Schizophrenia*, 67.
- <sup>26</sup> Hoskins, *The Biology of Schizophrenia*, 67.
- <sup>27</sup> American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders American Psychiatric Association* (Washington, DC: 1952.)
- <sup>28</sup> William S. Barton, "Operation to Cure Worry Described," *Los Angeles Times*, March 15, 1949.
- <sup>29</sup> Barton, "Operation to Cure Worry."
- <sup>30</sup> Hoskins, *The Biology of Schizophrenia*, 93.
- <sup>31</sup> Jim C. Nunnally, *Popular Conceptions of Mental Health, Their Development and Change* (New York: Holt, Rinehart and Winston, 1961), 46.
- <sup>32</sup> Arthur Myers, *How Sane are You?* (The Exposition Press. 1948)
- <sup>33</sup> Myers, *How Sane are You?*, iv.
- <sup>34</sup> Myers, *How Sane are You?*, 22.
- <sup>35</sup> Luke A. Winslow and Karen Strand Winslow, "Ezra's Holy Seed: Marriage and Othering in the Hebrew Bible/Old Testament," *Journal of Communication & Religion* 37, no. 3 (2014). 44.
- <sup>36</sup> Daniel Martin Varisco, *Publications on the Near East Reading Orientalism: Said and the Unsaid* (Seattle, US: University of Washington Press, 2012), 22.
- <sup>37</sup> Merrill Singer and Page, J Bryan, *Social Value of Drug Addicts: Uses of the Useless* (Walnut Creek: Left Coast Press, 2013), 16.
- <sup>38</sup> Walter R. Gove, "Societal Reaction as an Explanation of Mental Illness: An Evaluation," *American Sociological Review* 35, no. 5 (1970): 874.
- <sup>39</sup> Neil LaBute, *Fat Pig: A Play*. (Macmillan, 2004.), 71-72.
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- <sup>41</sup> Schwalbe, Holden, Schrock, Godwin, Thompson, Wolkomir, "Generic Processes," 424.
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- <sup>43</sup> For additional reading on these issues in relation to othering see: Yvonne Jewkes, "Punishment in Black and White: Penal "Hell-Holes," Popular Media, and Mass Incarceration," *Atlantic Journal of Communication* 22, no. 1 (January 2014): 42-60; Sarah M. Parsloe, "Discourses of Disability, Narratives of Community: Reclaiming an Autistic Identity Online," *Journal of Applied Communication Research* 43, no. 3 (August 2015): 336-356; Michelle J. Smith and Elizabeth Parsons, "Animating child activism: Environmentalism and class politics in Ghibli's Princess Mononoke (1997) and Fox's Fern Gully (1992)," *Continuum: Journal of Media & Cultural Studies* 26, no. 1 (February 2012): 25-37.
- <sup>44</sup> Winslow and Winslow, "Ezra's Holy Seed," 44.
- <sup>45</sup> Daniel Martin Varisco, *Publications on the Near East Reading Orientalism: Said and the Unsaid* (Seattle, US: University of Washington Press, 2012), 45. For the original text on the

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<sup>46</sup> Winslow and Winslow, “Ezra’s Holy Seed,” 44.

<sup>47</sup> Charles Earle Funk, *Funk & Wagnalls New Practical Standard Dictionary of the English Language* (Em’pha-type ed. New York: Funk & Wagnalls: J.G. Ferguson and Associates, Sole Distributors, Chicago, 1949.)

<sup>48</sup> Scott Smith, Dan Fisher, and S. Jason Cole, “The Lived Meanings of Fanaticism: Understanding the Complex Role of Labels and Categories in Defining the Self in Consumer Culture,” *Consumption, Markets and Culture* 10, no. 2 (2007): 77.

<sup>49</sup> Asghar Ali Engineer, “Religious Fanaticism and Communalism,” *Economic and Political Weekly* 32, no. 14 (1997): 701

<sup>50</sup> Engineer, “Religious Fanaticism and Communalism,” 78.

<sup>51</sup> William Cavanaugh, “The Invention of Fanaticism,” *Modern Theology* 27, no. 2 (2011): 230.

<sup>52</sup> “Maniac Slays 12, Wounds Five in Jersey Gun Orgy,” 1.

<sup>53</sup> “Maniac Slays 12, Wounds Five in Jersey Gun Orgy,” 1; “12 Killed as Wild Gunman Goes on Mass Murder Rampage,” *Los Angeles Times*, September 7, 1949; “Killer of 13 Rushed off to Insane Asylum,” *Chicago Daily Tribune*, September 8, 1949, 4; “Unruh’s Mother Tells of Threat,” *New York Times*, September 10, 1949, 9.

<sup>54</sup> “Bible Maniac Massacres 12 on Street in Camden,” *Washington Post*, September 7, 1949, 1.

<sup>55</sup> “Tells why he Massacred 12,” 1; “Bible Maniac Massacres 12 on Street in Camden,” 1.

<sup>56</sup> “The Quiet One,” 30; “Killer of 13 Rushed off to Insane Asylum,” 4.

<sup>57</sup> Mark Chaves and Lauren Stephens, “Church Attendance in the United States,” In *Handbook of the Sociology of Religion*, ed. Michele Dillon (Cambridge, UK; New York: Cambridge University Press, 2003), 86.

<sup>58</sup> A. P. Martinich, “Religion, fanaticism, and liberalism,” *Pacific Philosophical Quarterly* 81, no. 4 (2000): 410.

<sup>59</sup> Gabriel Marcel, *Man Against Mass Society* (Chicago: Regnery, 1952), 99.

<sup>60</sup> Larry Powell and William R. Self, “The Rhetoric of Sacrifice and the Rantings of the Virginia Tech Killer,” *Journal of Communication and Religion* 34 (2010): 28.

<sup>61</sup> Cavanaugh, “The Invention of Fanaticism,” 226.

<sup>62</sup> Jack Harrison Pollack, “What you should know About Neighborhood Cranks,” *Los Angeles Times*, May 28, 1950.

<sup>63</sup> Pollack, “What you should know About Neighborhood Cranks.”

<sup>64</sup> “The Quiet One.” 30.

<sup>65</sup> “Tells why he Massacred 12,” 1.

<sup>66</sup> “Bible Maniac Massacres 12 on Street in Camden,” 1.

<sup>67</sup> Berger, “Veteran Kills 12 in Mad Rampage on Camden Street,” 1.

<sup>68</sup> Matthew 24:2 (King James Bible)

<sup>69</sup> Matthew 24:11-13

<sup>70</sup> Matthew 24:48-42

<sup>71</sup> Matthew 24:48-51

<sup>72</sup> “Tells why he Massacred 12,” 1.

<sup>73</sup> Martin J. Medhurst, “Rhetorical Functions of the Bible in American Presidential Discourse, 1977-2013: A Taxonomy,” *Journal of Communication & Religion* 37, no. 2 (2014). 9.

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- <sup>75</sup> Erving Goffman, *Stigma; Notes on the Management of Spoiled Identity* (A Spectrum Book. Englewood Cliffs, N.J.: Prentice-Hall, 1963), 48.
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- <sup>80</sup> Gilman, *Seeing the Insane*, xii.
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- <sup>85</sup> "Unruh's Mother Tells of Threat," 12.
- <sup>86</sup> Charles Darwin, Paul Ekman, and Phillip Prodger, *The Expression of the Emotions in Man and Animals* (Oxford University Press, USA, 1998), 157.
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- <sup>103</sup> Ann Burnett and Diane M. Badzinski, "Judge Nonverbal Communication on Trial: Do Mock Trial Jurors Notice?" *Journal of Communication* 55, no. 2 (2005): 218.
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### Chapter 3: James Huberty and the San Ysidro McDonald's Massacre

*“Either they were elements foreshadowing the crime or they were the early signs of madness.”*<sup>1</sup>  
—Michel Foucault

The 1980s ushered in an era of unfettered capitalism, the proliferation of hard drugs, and a marked increase in poverty across the nation. This combination of poverty and drug use also introduced startling levels of violence and crime. One could argue that the early 1980s were a uniquely violent time in American life. According to a Department of Justice report on homicide trends from 1980 to 2008, homicide rates peaked at 10.2 per 100,000 residents in 1980, but subsequently fell to 7.9 per 100,000 residents in 1984.<sup>2</sup> Despite the drop in homicide victims, most Americans remained fearful of being a victim of crime. According to a 1983 *New York Times* article, fear of crime encompassed all of American society, but it was especially high in urban areas. To make this claim, the article cited a Gallup poll, which found that 76% of women feared walking home alone at night, 45% of Americans feared going out alone at night within a mile of their home, and 13% of American citizens even feared going out alone during the day. Overall, a whopping 47% of respondents felt as if there was more crime in 1983 than there had been a year before.<sup>3</sup> Thus, in addition to experiencing the highest recorded crime rate during the time period, Americans during the 1980s felt there was a higher likelihood of being victims of violence. Exacerbating this fear of victimization was the rise in the identification of and discourse concerning serial killers throughout the 1970s into the 1980s.

According to social welfare scholar Kevin Haggerty, serial killers in the 1980s were “understood to be a unique recent development...a phenomenon attributed to the excess of a pathological American culture.”<sup>4</sup> As Jack Levin and James Fox argued in their 1984 book *Mass Murder: America's Growing Menace*, since 1980, the problem of mass murder “seems to have

become more enormous than ever.”<sup>5</sup> Media and politicians added to societal panic concerning mass killers when they emphasized that serial murder was a relatively new phenomena which made it difficult to identify both murderer and potential victim.<sup>6</sup> Rick Atkinson of the *Washington Post* wrote, “In 1960, fewer than one U.S. homicide in 10 went unsolved...by 1982, more than one killing in four was unsolved. They [serial killers] are so ordinary. They could be the guy who sits next to you at the office or the kid next door.”<sup>7</sup>

To put it simply, American culture was awash with images and discussions of crime and violence in the early 1980s. Given this context, it is little wonder, then, that a mass shooting in the middle of 1984—the deadliest to that point in United States history—would capture the American imagination.

On Wednesday, July 18, 1984, 41-year-old James Huberty took his wife Etna and their two daughters, Zelia, 12, and Cassandra, 10, on a family outing. The Hubertys started their day with a stop at a Kearny Mesa traffic court where James Huberty attended a hearing for a minor traffic violation. The appearance went well for Huberty as the Judge let him off for the violation without a fine. Following Huberty’s victory at the traffic court, the family ate breakfast at a McDonald’s near the courthouse before spending the rest of the morning touring the San Diego Zoo. By the early afternoon, the Huberty family was back home in San Ysidro, California; however, James Huberty’s day was far from over. Within the next three hours, Huberty would go on a shooting spree that would leave 21 dead, including himself, and 19 others injured.

According to police reports, at approximately 3:30 p.m. on July 18, 1984, Huberty told his wife he was going out to run errands. Huberty drove to the McDonald’s near his home in San Ysidro, a location different than the one the family had visited earlier that morning. At approximately 4:00 p.m., employees and customers heard several shots outside the restaurant.

Alarmed by the sound, the assistant manager immediately phoned the police. Sadly, the shots the patrons heard were those that killed two young boys and injured another as they rode their bikes outside the store. The death of the two children marked the beginning of Huberty's terrifying 77-minute massacre.

Huberty then entered the restaurant carrying a 12-gauge shotgun, 9mm semi-automatic pistol, a 9mm Uzi semi-automatic, and a bag of Teflon-tipped ammunition. Huberty ordered everyone to lie still on the ground, but when Huberty noticed the manager on the phone with authorities, he began indiscriminately shooting at customers. There were approximately thirty people inside the restaurant during the shooting. Survivors recalled Huberty walking back and forth through the rows of booths "picking off people one by one."<sup>8</sup> Victims of the rampage, though, were not limited to those inside the restaurant. Huberty aimed at nearly anything that moved, both inside and outside the restaurant. All told, of the twenty-one victims, seventeen were killed in the restaurant and four were killed outside the building.

Although police officers arrived at the scene of the shooting within minutes, the officers parked outside the restaurant and crouched behind their cars as Huberty continued to target his victims. As they would later explain, officers were hesitant to take a shot at Huberty for fear of hitting an innocent bystander or missing and further aggravating his violence. In the end, police waited nearly seventy minutes to act. Over an hour of terror elapsed before a police sharpshooter killed Huberty.

Media coverage immediately following the shooting was plagued with shock and confusion. The press tried desperately to identify victims and understand why the officers had waited so long to act. But, most of all, the news media wanted to know why Huberty committed the violence. The *Associated Press* told their readers, "There was no early indication of what

provoked the carnage,”<sup>9</sup> while a local newspaper noted two days after the shooting, “Investigators [are] still baffled as to why 41-year old Huberty blasted the McDonald’s outlet into a blood-soaked slaughterhouse in the worst one-day mass murder by a single gunman in US history.”<sup>10</sup>

In light of this exigent event, the press could have focused on any number of issues related to the shooting. For example, the media *could* have focused on the delay in law enforcement action and police response to mass violence broadly. The media *could* have generated discussion about the proliferation of weapons capable of committing violence on this scale. The media *could* have interrogated issues about both the type of ammunition and the laws that enabled Huberty to amass his arsenal. Instead, however, the news media chose to focus on the motive for Huberty’s crime—ultimately deciding that the act was a result of Huberty’s mental insanity. But given that Huberty had never been diagnosed with a mental illness, how did news media rhetorically construct Huberty’s diagnosis? What evidence did they offer? What symptoms were identified? Moreover, how did they even define mental insanity?

In this chapter, I explore the ways in which the news media interpreted the San Ysidro shooting and provided a plausible motive, or explanation, for Huberty’s massacre. Ultimately, I argue that the news media constructed a narrative of Huberty’s life that hinged on anecdotes that served as post hoc evidence of his mental illness. Despite the widely held belief that mental illness should be diagnosed by a medical or psychiatric expert with direct contact with the patient, journalists retroactively searched for evidence in Huberty’s past to legitimize their own diagnosis of his insanity. Through the media narrative, Huberty’s life prior to the massacre became amplified and distorted into a justification for terms like “crazy” or “insane” that were prescribed to him by the news media. In this chapter I attempt to understand how a man—with no history of mental illness—was crafted into a social deviant by way of mental illness. In doing this, the news media’s

dominant frame barred the rhetorical space to discuss other important issues related to the shooting. In scapegoating Huberty's crime via mental health issues, I contend the media foreclosed opportunities for deliberation on firearm and ammunition access and furthered the stigmatization of the mentally ill.

To make my argument, I first explain the state of mental health treatment in the early 1980s, and I describe both the growing public fear of crime and the widespread public interest in mass murders. Next, I describe the importance of motive to the audience understanding of a crime and how this can be narratively constructed. Using the news media coverage of the shooting, I then demonstrate how journalists used anecdotes from friends, family, coworkers, and mere acquaintances to craft an explanatory narrative that diagnosed Huberty as mentally ill. Finally, I conclude with a discussion of how the media's fixation on motive obstructed social and political discourse about preventative measures. In media accounts, Huberty was decidedly mentally ill, but, in this case, the path that led to his illness was placed under a microscope and examined to the detriment of important national deliberation.

### **Contextual Factors of the 1984 Shooting**

In order to understand the cultural contexts that would have influenced the hermeneutical practices of journalists responding to the Huberty massacre, one must understand the climate of mental health treatment in 1984. However, to fully appreciate the nature of that treatment, the conversation must start with decisions made in the 1960s that changed the landscape of mental health care.

The election of John F. Kennedy in 1960 expanded the federal government's role in treating the mentally ill. The Kennedy administration emphasized a new plan of caring for the mentally ill based on "prevention, treatment, and rehabilitation," substituting, as Kennedy articulated, "a

desultory interest in confining patients in an institution to wither away.”<sup>11</sup> Kennedy’s agenda promoted a program of deinstitutionalization, the term used to describe the decentralization of mental health treatment in state run facilities. Decentralization included moving severely mentally ill patients out of state-run asylums and into small community centers, which primarily delivered outpatient care. Additionally, Medicare and Medicaid were passed in 1965, which “stimulated the growth of skilled nursing homes and intermediate-care facilities...resulting in the movement of large numbers of persons with mental illness and mental retardation out of institutions and into nursing homes and other community institutional settings.”<sup>12</sup> Deinstitutionalization became firmly established in the United States.

However, as the country moved into the 1980s, it became clear the shift to community care and the agenda of deinstitutionalization failed to support the needs of the mentally ill. An overwhelming number of patients with severe mental illnesses had been released from state mental hospitals, but “few community mental health services were available to serve them.”<sup>13</sup> As journalist Richard Lyons claimed in 1984, “the detailed picture that later emerged from interviews, a review of public records, research reports, and institutional recommendations is one of cost-conscious policy makers who were quick to buy optimistic projections.”<sup>14</sup> There were just too many patients in need of care for the community facilities. Additionally, the stigma associated with having a mental illness often prevented those in need from seeking help. Stigmatization of people with mental illness created barriers to providing and receiving competent and effective treatment for those in need and led to inappropriate treatment, homelessness, and unemployment. The critique of mental illness as a serious societal issue arguably culminated in the 1982 trial of John Hinckley.



On March 30, 1981, seventy days into his presidency, President Ronald Reagan was shot on his way out of a convention at the Washington Hilton Hotel in Washington D.C. The attempt on President Reagan's life injured three others. Fortunately, there were no casualties as a result of the shooting. Despite being shot in the chest at close range, Reagan recovered relatively quickly from his injuries. Arrested on site, the police identified the perpetrator as John W. Hinckley. While the assassination attempt was itself a media spectacle, it would be eclipsed by the verdict of Hinckley's trial.

According to renowned forensic psychologist, Ralph Slovenko, "On June 21, 1982, a District of Columbia jury shocked the nation by finding the would-be assassin of President Ronald Reagan, John W. Hinckley, Jr., not guilty by reason of insanity."<sup>15</sup> Law professor Richard Bonnie and colleagues remarked that the acquittal of John Hinckley both "shocked and angered the American public," who believed the verdict "was a travesty of justice," and one that "did violence to common sense."<sup>16</sup> This verdict engendered countless editorials calling on lawmakers to abandon or modify the law.<sup>17</sup> In fact, President Reagan even submitted a bill to Congress that sought to limit the scope of the insanity plea. All told, more than "forty bills were introduced in Congress to abolish or reform the defense."<sup>18</sup> The logic underlying the legislation posited that psychiatrists in courtrooms corrupted the criminal justice system. In a candid critique of psychiatrists in the legal setting, one *Wall Street Journal* writer, Daniel Robinson, remarked, "Clinical psychologists and psychiatrists have expertise only in the textbook sense of knowing the history of that somber speculation that gave form to their disciplines. Their predictions of 'future violence' are in error...their methods are no more scientific than is pastoral counseling."<sup>19</sup> Others were less derogatory, but nevertheless believed psychiatric testimony sullied juries in harmful ways. For example, Stuart Taylor of the *New York Times* wrote, "Psychiatry explains behavior in the

deterministic terminology of diagnoses, impulses, environmental factors and heredity causes. The notion of moral blame, central to criminal law, is almost foreign to psychiatric diagnosis.”<sup>20</sup> Overall, many critics of the insanity defense argued, “the concept of illness is always at the expense of the concept of responsibility...the insanity plea is just a rich man’s defense.”<sup>21</sup> While the American public believed mental illness could be a contributing factor in the commission of a crime, they were frustrated by the lack of responsibility associated with a verdict of “not guilty by reason of insanity.” Thus, while there seemed to be acceptance that the mentally ill were capable and likely suspects in heinous crimes, the role of responsibility in the crime was decidedly less assured.

Ultimately, insanity served as “an empty vessel, a characterization of behaviors without stable symptoms, a disease without a cause, and a sociomedical and linguistic construction that pays its respects to the governing powers of the politics of science.”<sup>22</sup> For this reason, the public required evidence as to how Huberty became mentally unstable—e.g., “his reasons, his motives, his inner will, his tendencies, his instincts.”<sup>23</sup> Thus, unlike the previous case study of Howard Unruh, the media could not just “Other” Huberty and move on. Unruh was an anomaly, something that could be written off as the absurd. Comparatively, Huberty was used as a synecdoche of the growing trend of mass murder. In that way, the media needed to provide the story explaining *why* Huberty had turned violent in the first place. To do this, to make an insanity diagnosis, journalists crafted a motive for Huberty’s crime out of testimonials of his perceived abnormal behaviors. This narrative served as a definition of the ‘madness’ of Huberty, which was primarily informed by freshly minted theories of the serial killer.

#### Rise of the Mass Murderer

The phenomena of serial killers peaked in the 1980s. As Joseph Berger of the *New York*

*Times* wrote in 1984:

There is a peculiar public fascination with multiple murder. Abhorrent as a murder is, people can comprehend its typical rationales: a jealous rage, greed or the need to eliminate a witness to a crime. But the kind of murderer who kills again and again, sometimes choosing his victims at random and often driven by a seemingly unquenchable lust for blood, exercises a special grip on the public's imagination because his murders are so incomprehensible.<sup>24</sup>

Killers such as Ted Bundy, the Hillside Strangler, the Green River Killer, and John Wayne Gacy became household names due, in large part, to increased media attention. In fact, “From 1980 to 1981 more ‘multiple murder movies’ were released than in the previous two decades combined.”<sup>25</sup> The focus on mass murder prompted the Justice Department to hold a news conference in October 1983 on the growing danger of mass murder. During the conference, FBI Behavioral Scientists Roger Depue and Robert Heck claimed there were as many as “35 active serial killers accounting for over 4,000 deaths annually.”<sup>26</sup> These figures, while not entirely accurate, were nevertheless widely recirculated in news reports.<sup>27</sup> Robert Ressler, a criminologist for the FBI, was quoted as saying, “It [mass killing] is at epidemic proportions. The type of crime we’re seeing today did not really occur with any known frequency prior to the 50s...an individual taking 10, 12, 15, 25, 35 lives is a relatively new phenomenon in the crime picture in the United States.”<sup>28</sup> Thus, by 1984, serial killers were decidedly part of the American social imaginary.

While the moral panic surrounding mass killers may have seemed unfounded, evidence suggests that the number of serial killers was, in fact, higher in the 1980s. Psychology scholar Michael Aamodt found that in the 1970s there were 534 reported serial killers. In the 1980s that number rose to 692 before dropping down to 614 in 1990.<sup>29</sup> And while we now know serial and mass killers permeate all cultures across time, researchers at the time could not pin-point what led to an increase in mass killers in the 1980s. However, several theories were postulated.

The increase in serial killers in the 1980s has been attributed to several different things.

Moral conservatives located the cause in the deterioration of American society. According to conservatives, this deterioration included a tolerance for divorce, abortion, homosexuality, drugs, and sexual promiscuity. Others attributed the rise in mass killings to the increase in interstate communication about crime and improvements to forensic technology that helped to expose serial and mass killers. Despite these theories and the ability to better identify killers, the actual logic or motives of serial killers remained mostly incomprehensible.<sup>30</sup>

While mass killings are categorized differently than serial killers, journalists conflated the two in the wake of Huberty's shooting. As Author James William Gibson asserted, "mass murder—the killing of many people at once—did not become widespread until the 1980s...and after Huberty, the frequency of mass murder incidents increased."<sup>31</sup> *CNN* writer Jim Kavanagh argued, "The San Ysidro massacre seemed to introduce a 'cluster' of mass shootings in the '80s and early '90s."<sup>32</sup> In fact, the association between Huberty's act and other serial offenders was made within a day of the shooting by one *New York Times* journalist, Marc Goldstein, who wrote, "When a gunman shot at least 20 people to death in a McDonald's restaurant in San Ysidro California yesterday, he left the greatest number of victims in a single day rampage in recent United States history. But the massacre follows a long history of mass slayings and serial murders."<sup>33</sup> Joseph Berger's article in the *New York Times* used citations about mass and serial killers broadly. Berger wrote, "American society is not very good at recognizing potential multiple murderers—neither mass murderers like Mr. Huberty who kill groups of people in a single outburst nor serial murderers who kill many victims over a long period."<sup>34</sup> Even Levin and Fox's widely read and cited book, *Mass Murder*, made arguments about both perpetrators of serial and rampage murders under the heading of 'mass killing.'

Therefore, to make sense of this unfamiliar tragedy the news media used evidence from

those who could provide, in Michel Foucault's language, "biographical elements that do not in any way explain the action in question but are kinds of miniature warning signs, little scenes from childhood" that could rationalize Huberty's turn to violence.<sup>35</sup> To achieve this end, journalists crafted a narrative that would position Huberty's massacre as the climax in the story of a man's deterioration into paranoia, mental illness, and violence.

### **Definition and Motive**

The public's growing desire to understand violent offenders can be linked to the high crime rate, perception of a heightened likelihood of victimization, and a fascination with mass murder that developed in the early 1980s. In response to this growing threat, which had been primed by the first mass killing on this scale, the American public wanted to understand the motive for Huberty's crime. As philosopher Michel Foucault suggested in his essay "The Dangerous Individual," "The motive must be established, that is, a psychologically intelligible link between act and author."<sup>36</sup> In other words, violence demands a rhetorical response, it cannot remain truly senseless. As Foucault argued, if discourses of motive are missing, "the presiding judge is relentless, [and] the jury is upset."<sup>37</sup> In the wake of Huberty's shooting, the American public acted as both judge and jury, turning to the media to provide evidence of a motive. To establish this necessary motive, the news media crafted a narrative of Huberty's life which characterized him as mentally ill. This characterization also served the dual purpose of defining the parameters by which one could be deemed insane.

The discursive process through which concepts are defined and redefined is not always explicit. Often the cultural understanding of a term is built through discourse. The name advanced, or term used, forwards an implicit argument that suggests how an issue should be viewed without the argument ever being overtly stated. As David Zarefsky contended, "Definitions are central to

argument, yet definitional arguments often take the form of argument by, rather than about or from, definition.”<sup>38</sup> Defining a situation affords the rhetor argumentative power in determining what counts as data, whether people will notice the situation, and influencing how they will react.<sup>39</sup> In other words, rhetorical definitions can describe causes and identify remedies while simultaneously inviting moral judgments about circumstances or issues. In the aftermath of Huberty’s rampage, the demand for motive compelled the news media to both reconstruct Huberty’s life and demonstrate how his actions fit a definition of mental illness that could explain his turn to violence. As media scholar Simon Cross wrote, “Journalists know that the new story is at the core of their professional activity and narrative, that is, storytelling is the central factor structuring news work...this means that news stories, like myths, do not tell it like it is, but rather, tell it like it means.”<sup>40</sup> In effect, the media narrative labeled Huberty as insane, which allowed the public to understand, enthymematically, the connection between mental illness to mass shootings

Narratives are a primary means of constructing reality and defining the relevant issues at stake. Narratives are comprised of ordered events and experiences used to create shared meaning. Journalists routinely frame issues through the use of these narratives.<sup>41</sup> As political researcher Sue-Ann Harding suggested, “Narratives are not just about making meaning out of a human experience; they are also about choosing how to act and then justifying and legitimizing our choices and actions.”<sup>42</sup> Therefore, narratives do the definitional work that establishes causes and proposes solutions to a problem or issue. To construct these narratives, news media enlisted the help of “temporary narrators”—neighbors, coworkers, family members, detectives, criminologists, psychologists, and sociologists—to add validity to the narrative framework.<sup>43</sup> Essentially, those who knew Huberty, or those who had credentials to testify about his actions, provided the “raw material” that would become the news media’s narrative text.<sup>44</sup>

Ultimately, a narrative constructed of minor transgressions from throughout Huberty's life was used as the justification for the insanity motive. As Foucault argued in his *Abnormal* lecture series, those called upon to construct this narrative do so by, "[recounting] a series of what could be called misdeeds that do not break the law, or faults that are not illegal...to show how the individual already resembles his crime before he has committed it."<sup>45</sup> One's propensity toward violence and deviant behaviors hold a "uniquely privileged position" in this reporting in that they are "the form in which the disease is presented: of all that is visible, it is closest to the essential; it is the first transcription of the inaccessible nature of the disease."<sup>46</sup> Those who knew Huberty either directly—through personal experience—or indirectly—through scientific research—explicated what they believed to be signs of deviance at work within Huberty.

### **Narrative of Mental Illness and Violence**

Perpetrators of violent crimes are often subjected to deep inspection into their personal lives. For Huberty, this meant that events, which seemed innocuous at the time, became signs of depravity and violence. The resulting narratives about Huberty functioned as "a method of coming to know," albeit indirectly, who Huberty was; the narratives allowed audiences to understand which clues indicated his later slip into insanity and violence.<sup>47</sup>

It is important to note that in addition to using indirect characterizations of Huberty, the news media also relied on medical doctors to testify as to the physical state of Huberty at the time of the shooting. San Diego county coroner, David Stark found, "Mr. Huberty...had no physical defects whatsoever" and had not been "under the influence of drugs and alcohol" at the time of the murders.<sup>48</sup> Rogers Worthington also commented on the physical condition of Huberty in his *Chicago Tribune* article, stating, "We are still unsure what may have caused Huberty to go berserk. There were no physiological answers. His blood and brain were found to be free of drugs, alcohol,

tumors, and lesions.”<sup>49</sup> The physical state of Huberty was important as it would have evoked memories about the most notable mass shooting prior to San Ysidro. In 1966, Charles Whitman shot and killed fourteen people and injured thirty-four others in what is now known as the Texas Tower Shooting at the University of Texas at Austin’s campus. Whitman’s massacre also ended when police shot and killed him. However, during his autopsy the medical examiner discovered Whitman had a brain tumor which doctors later determined could have affected his mental state on the day of the shooting. When Huberty’s autopsy revealed no such condition, reporters could either accept Huberty’s actions as rational and purposeful or begin to speculate about his mental health. Given the public’s acute concern for violence at the time, it makes sense that reporters and the public at large would want to avoid depicting Huberty as a “determined and rational killer.” Reporters therefore turned to mental illness as a plausible theory for Huberty’s violence.

The call to experts to determine a potential ‘medical’ motive reflected the stigmatized state of mental health. The media deferred to medical doctors when proof of motive could be pointed to in a physical sense—i.e. a brain tumor. They did this because media audiences would deem journalists unqualified to make such medical diagnoses. However, when it came to mental illness the same care was not taken. In other words, despite the fact that no doctor had deemed Huberty mentally ill, the press felt entitled to diagnose him with a mental illness. The narrative exposition therefore began with indirect characterizations of Huberty’s descent into mental illness.

Signs of deviance derived from narratives about Huberty’s past were traced back to his childhood. For example, Arthur Brisbane’s *Washington Post* article cited elementary and high school classmate, JoAnne Stallman, who attributed Huberty’s isolation in school to his “broken home.” However, Stallman noted, Huberty “seemed to prefer it that way.”<sup>50</sup> The same article also quoted Harold Henderson, another childhood acquaintance, who said, “[Huberty] was the kind of



person that didn't stick out...As far as I know, he didn't have any discipline problems. He was something of a loner. He didn't have many friends. He wasn't 'in' with the gang."<sup>51</sup> This pattern of isolation and separation from society permeated most of the recollections used to describe Huberty's early life. Huberty's childhood neighbor, Bertha Eggeman, recalled a time when she and her husband took Huberty to a barbecue when he was a teenager, stating, "He just did not want to mix, he didn't want to talk to people."<sup>52</sup> Etna Huberty told reporters her husband, "had always been a nervous person who could not take much pressure...He had a very unhappy childhood. He was very sad. He came from a broken home. His only close friend was his dog, Shep."<sup>53</sup> Even Huberty's father, Earl, recalled his son as a quiet loner, telling reporters that James Huberty was a "withdrawn, moody youth."<sup>54</sup>

Many of the narratives about Huberty focused on evidence of social isolation. Both criminality and mental illness were frequently linked with social isolation. The *Diagnostic and Statistical Manual-III (DSM-III)* published in 1980 indicated that a child who is unable to create social bonds or establish relationships with his or her peers was likely suffering from a conduct disorder of mental retardation. Given that humans are expected to be social creatures, a person who prefers isolation is often considered interpersonally and psychologically different. As is noted in the *DSM-III*, "The *undersocialized* types [of mentally ill children] are characterized by a failure to establish a normal degree of affection, empathy, or bond with others....There is generally a lack of concern for the feelings, wishes, and well-being of others, as shown by callous behavior."<sup>55</sup> Thus, the media used descriptions of Huberty as a "loner,' a 'loser,' a 'maverick,' a 'ticking time bomb of suppressed rage,'" to prove that he exhibited early signs of abnormality and a potential toward this callousness.<sup>56</sup> Without stating it explicitly, journalists used Huberty's isolation to demonstrate a pattern of mental illness that began when he was a child and grew worse as he aged.

Although several accounts focused on Huberty's social detachment, others referenced his family life as a source of mental instability. One reporter noted that the "Christian fundamentalist beliefs of his parents; their divorce and subsequent estrangement" might be the reason for Huberty's inability to cope as an adult.<sup>57</sup> Other reports cited the divorce of Huberty's parents as a possible cause of Huberty's struggles with failure. James Huberty's childhood reverend, Dave Lombardi, claimed the absence of Huberty's mom early in his childhood "left him [Huberty] embittered...He made it very clear that any God that required a mother to leave her children is not one that he wanted to serve."<sup>58</sup> Within the psychological community, there was near universal agreement that early life experiences have the potential to impact behaviors and mental health in adulthood. By using this particular narrative anecdote, journalists connected the parental rejection of Huberty's mother to his later issues with developing and maintaining social relationships. Thus, the departure of Huberty's mother at a young age represented the first among a series of "frustrations" that ushered in his severe mental break.

As an adult, Huberty was made out to be a man deeply angry and frustrated with the world. According to Arthur Golden at the *San Diego Union*, "Huberty was frustrated when his youthful dream of becoming an embalmer collapsed and he was plunged into despair when he lost a later job as a welder through a layoff."<sup>59</sup> Earl Huberty also noted his son's unemployment as a possible trigger for the crime, stating, "He had lost his job and was pretty unhappy he couldn't find work. He told me he was moving to Mexico where his dollar would go further."<sup>60</sup> Etna Huberty described her husband as a "perfectionist, beset with economic problems, who regularly beat her and their two daughters."<sup>61</sup> Journalist Christopher Reed included a lengthy list of Huberty's frustrations, writing, "There was his job layoff, his abrupt dismissal after years of loyalty. There were his losses

in a property deal that went wrong and his resentment of the small middle-American town where he was raised.”<sup>62</sup>

For many, the loss of his job was a blow to Huberty’s masculine identity. As sociologists Ilana Demantas and Kristen Myers have argued, “because of the interconnectedness of masculinity and employment, it is not surprising to see job loss impacting men’s personal identities.”<sup>63</sup> Research suggested that when men experience a stressful life event, it demonstrates an inability to meet “traditional masculine roles,” and they are more likely to “react in ways that reaffirm their masculinity.”<sup>64</sup> These reaffirmations often hinge on violence and aggression. The concept of aggression, then, is interconnected with violence and mental illness. “Frustration, defined as an interference in obtaining a goal,” James Tedeschi argued, “automatically creates aggressive energy or drive.”<sup>65</sup> This research posited, “the same causal factors that instigate aggressive behavior are assumed to also generate violent behavior.”<sup>66</sup> Furthermore, an inability to cope with frustration is also listed by the *DSM-III* as an early behavioral indication of mental illness. As it is put in that volume, “poor frustration tolerance, irritability, temper outbursts, and provocative recklessness” are often present in those suffering from mental illness.<sup>67</sup> Thus, when the news media indicated there were a series of failures that frustrated Huberty throughout his life, they provided the narrative as evidence for an *enraged* mental break within Huberty.

Journalists drew the necessary connection between frustration and violence through the anecdotes of Huberty’s acquaintances. As Walter Robinson noted, “James Oliver Huberty existed on the raw edge of rage, overflowing with anger at a world where the odds seemed always stacked against him.”<sup>68</sup> Citing an additional, almost trivial, detail allegedly proving Huberty’s “disdain for a world he left so violently,” Robinson added, “Affixed to the [his] car’s rear fender was a black bumper sticker with gold lettering. It said, ‘I’m not deaf. I’m just ignoring you.’”<sup>69</sup> Neighbors,

according to the *Boston Globe*, “described him [Huberty] as angry, hostile, closemouthed, obsessive, sad, lonely, and a person who hated children.”<sup>70</sup> Barry Horstman of the *Los Angeles Times* wrote that Huberty’s “father and his widow described him as a troubled, hot-tempered man who was often abusive to his family.”<sup>71</sup> Horstman added, “Huberty was obsessed with violence and destruction, as well as guns and gun magazines.”<sup>72</sup> Huberty’s access to, and obsession with, weapons played a particularly salient role in the testimonies of those who knew Huberty. Huberty’s affinity for weapons enabled his turn to violence and demonstrated his potential to unleash mass violence because, as psychologist Leonard Berkowitz argued, “Guns not only permit violence, they can simulate it as well. The finger pulls the trigger, but the trigger may also be pulling the finger.”<sup>73</sup>

Huberty’s former co-worker, James Aslanes, claimed Huberty’s home was “filled with guns: shotguns, rifles, handguns and an Israeli-made Uzi semi-automatic weapon.”<sup>74</sup> Terry Kelly, who also worked with Huberty, said, “He had a gun in every corner of his house, loaded.”<sup>75</sup> In fact, when James and Etna Huberty’s first home in Massillon, Ohio, burned down in 1971, firefighters discovered among the wreckage, “the remnants of an extensive gun collection, including at least one automatic weapon.”<sup>76</sup> Reed claimed that “the most serious” of Huberty’s traits was his obsession with guns; Reed stated, “up to a few weeks before the July 18 massacre, Huberty had been concerned in at least nine known episodes involving his weapons and/or threats of violence.”<sup>77</sup> Huberty’s own father even claimed, “Those guns were about the only thing he [Huberty] liked.”<sup>78</sup>

While owning weapons may not, itself, be a crime, the sheer volume of Huberty’s collection was alarming to those who knew him. According to authors Mary Stange and Carol Oyster, “The gun has served a symbolic function that far exceeds any practical utility. It has

become the symbol par excellence of masculinity: of power, force, aggressiveness, deadly accuracy.”<sup>79</sup> Firearms are also used as status symbols; guns do the symbolic work of demonstrating “economic, social and sexual gains” through their unprecedented ability to “[wield] power...and [convey] a message of manliness to the audience and to the male himself.”<sup>80</sup> This tendency is evidenced by Kenneth Schuler, Huberty’s former plant foreman, who said, “He [Huberty] said that if this was the end of his making a living for his family, he was going to take everyone with him.”<sup>81</sup> Meaning, if Huberty could not financially support his family, then he was going to reclaim his identity and power by ‘taking down’ the source of his emasculation.

In addition to stockpiling weapons, several of Huberty’s coworkers were cited in news articles claiming Huberty was a paranoid fanatic who believed the government was conspiring against him. Reed wrote, “There were his strange ‘survivalist’ beliefs—that only by stockpiling guns and food would his family survive the inevitable nuclear holocaust—and his brand of right-wing U.S. populism.”<sup>82</sup> Arthur Brisbane also cited Huberty’s plant coworker, Aslanes, who claimed, “He [Huberty] blamed the whole country for his misfortune. He said that Ronald Reagan and the government were conniving against him. The working class were going to have to pay for this inflation.”<sup>83</sup> Aslanes added that Huberty, “...bought a lot of food, survival foods. He had tons and tons of ammunition and when he left Massillon I was under the impression that he was going to Mexico.”<sup>84</sup> Huberty’s former plant foreman, Leland Stanford, also recalled Huberty as a “radical” who worried about nuclear war and Soviet aggression. Stanford claimed Huberty “hoarded thousands of dollars in foodstuffs for himself, his wife, Etna, and their two daughters, Zelia and Cassandra. He talked about the end of the world. He said he and his family were going to be the only ones left.” Huberty’s estranged mother, Icle Huberty, told journalist Cheryl Clark, “what really prompted his ‘berserk’ behavior was ‘the devil speaking to him.’”<sup>85</sup>

Claims of radicalism and extremist beliefs directly characterize Huberty as a fanatic and by way of this term indirectly associated him with a paranoid mental illness. Psychologically speaking, paranoia is marked by features which include “resentment and anger, which may lead to violence...and often there is social isolation, seclusiveness, or eccentricities of behavior.”<sup>86</sup> Furthermore, Emanuel Tanay, a forensic psychiatrist at Wayne State University, argued in news coverage following the massacre that most mass murderers “have lost contact with or have a defective sense of reality,”<sup>87</sup> while psychiatrist John Liebert contended, “The type of a person who commits a mass murder, is frequently more of a paranoid personality who just blows over his threshold...That threshold is often crossed because of a tangible episode that follows a string of defeats and rejections.”<sup>88</sup> Thus, associations of Huberty with paranoia more than alluded to the characteristics of a person moving toward a psychotic break. Huberty’s plunge into psychosis throughout these narratives was built primarily from anecdotal behavioral evidence that indirectly proved Huberty was different. However, journalists did more than point to insanity, in some cases this conclusion was specifically stated.

Thus, the news media did more than just enthymematically posit a mental illness diagnosis, journalists’ explicitly cited it as a contributing factor to Huberty’s crime. In the *Boston Globe*, psychiatrist Lester Grinspoon argued, “It almost goes without question that this man suffered from serious psychopathology.”<sup>89</sup> The *Los Angeles Times* quoted psychologist and San Ysidro Health Center Director, Arlen Versteed, who claimed “it sounded like he [Huberty] was a paranoid schizophrenia who knew he was going to die...he was isolated and probably very depressed.”<sup>90</sup> Given this diagnosis, there was one call Huberty made the day before the shooting that seemed especially perplexing. Rex Dalton of the *San Diego Union* wrote that Huberty had “tried unsuccessfully to make an appointment for counseling at a mental health clinic.”<sup>91</sup> According to

the *New York Times*, Huberty called the San Ysidro community mental health clinic seeking help on the morning of July 17, the day before the shooting. The clinic later claimed that Huberty had sounded “rational and calm, although he refused to say why he wanted help.”<sup>92</sup> The clinic’s spokesperson claimed the staff had planned to return the call and schedule an appointment within a couple days. Etna Huberty testified that she had checked with the clinic hours after her husband’s call but was told there was no record of it. Etna was told by the clinic to “call the police,” but apparently Mrs. Huberty had not followed through with the advice. It was later discovered that James Huberty’s call was recorded but under the name Shuberty.”<sup>93</sup>

Whatever the reason for the call, news coverage built a narrative that described Huberty as an isolated, frustrated, paranoid, angry, violent, gun obsessed man who was at a pivotal moment in his life at the time of the shooting. Huberty’s overwhelming obsession with weapons, in combination with his deficit in interpersonal relationships and decline toward paranoia, ultimately indicated to audiences that Huberty had an innate proclivity toward violence prior to the McDonald’s shooting. Such an image comes to stand in for and in some way defines a certain type of mental illness. The type of mental illness that reveals itself in a moment of unthinkable rage and violence. Such a definition by example is important because of concerns that Huberty represented a type of mentally ill individual that could “snap” with little warning.

Ultimately, the media concluded that Huberty’s crime was the result of a *sudden and violent* mental break from years of suffering from a mental illness without receiving treatment. Richard G. Rappaport, a psychiatry professor at Northwestern University, was quoted as saying, “There’s a big difference between having a severe break like Huberty and serial murderers who are actually relieving a tension in themselves.”<sup>94</sup> Levin said, “Mass murderers (like San Ysidro McDonald’s killer James Oliver Huberty)...suddenly ‘snap’ following an event such as divorce or

loss of a job.”<sup>95</sup> Harmon even insisted, “In this kind of mass attack, we very seldom see the suspect beforehand” because these shootings tend to be “a cumulative kind of thing. And all of a sudden, it’s too much, and they do things that people in control of their lives wouldn’t ordinarily do.”<sup>96</sup> The narrative created throughout media coverage pointed to one, definitive reason Huberty committed the crime—he was, and always had been, insane.

### **Implications of the Media Narrative**

As Cary Federman and colleagues stated, the criminal does not exist as a “mythic creature...predisposed toward violence, but as a reality created by certain discursive contexts based on shifting behavioral classifications that try to meet criminological theories of deviance and dangerousness.”<sup>97</sup> These shifting theories often appear at the behest of journalists drawing conclusions and interpreting testimony of their sources. The media’s characterization was crucial to how the public and politicians responded to the rampage. Media characterizations were even more important as the event took place during a time when the American public had little knowledge of, or experience with, rampage shootings. As indicated earlier, Huberty’s shooting was one of the first in what would become a series of mass shootings in the United States. The media coverage centered around several key themes that when taken together built a narrative of Huberty’s life that characterized him as suffering from a life of disappointment and frustration that culminated in a severe mental break. Consequently, the immediate media response could feasibly come to symbolize and represent the whole category of rampage shooters.

Therefore, the role of the media goes beyond “mere exposure” to the crime. The media sets the parameters by which society responds to the crime as well. Accordingly, the “stereotype of the mass murderer may also serve a political end.”<sup>98</sup> While the effects of mass shootings are devastating, they also have the potential to spark meaningful dialogue and enact positive change.



However, instead of focusing on the causes and solutions to mass shootings, the initial responses to Huberty's violence sought to determine a motive and legitimize a mass shooter profile. Issues such as firearm access, ammunition restrictions, and mental health access were therefore overshadowed by the media's fixation on motive. Political and social issues relevant to Huberty's crime struggled to gain a national audience and ultimately failed to push public opinion enough to enact policy change.

Motive-seeking coverage overshadowed what was potentially the most important issue—the ongoing debate about armor-piercing ammunition. In the late 1960s, police officers Paul Kopsch, Daniel Turcos, and Donald Ward developed what would come to be known as 'Teflon-covered' or 'armor-piercing' bullets.<sup>99</sup> The officers' objective was to create a more durable projectile, one capable of replacing the traditional hollow-tipped bullets that bounced off cars and inflicted little damage to violent perpetrators. Armor-piercing ammunition is "made of tougher metals, such as iron, and have solid centers that enable them to pass through metal and other objects almost unimpaired."<sup>100</sup> The development of this ammunition received little public attention at the time, as the bullets were primarily distributed to police and military agencies. That is, until 1982, when *NBC* aired a special documentary on the program *News Magazine* that, "demonstrated the penetration power of the KTW [Teflon-covered] bullet through the equivalent of four police bullet-resistant vests."<sup>101</sup> The bullets would come to be known as "cop-killer bullets" as a result of the images produced by the show. The illustration of a bullet traveling through four Kevlar vests spurred immediate outcry from the public.

Representative Mario Biaggi of the Bronx, Representative William J. Hughes of New Jersey, and Senator Daniel Patrick Moynihan of New York wrote and promoted legislation to ban the sale and manufacture of ammunition that could penetrate bullet-resistant vests worn by law

enforcement offices. Given that Representative Biaggi was, himself, a former police officer, and that police officers no longer felt safe in their protective gear, law enforcement agencies were outspoken in favor of passing restrictions on hard ammunition. The ardent support by “almost every congressman, senator, and even President Reagan” led most to believe that this legislation was a “can’t lose” bill.<sup>102</sup>

Despite early momentum, by September 1984, congressional support for restrictions on ammunition all but disappeared. In fact, “74 of the 96 Senators who had originally pledged their support” for the ammunition restrictions had abandoned the cause.<sup>103</sup> The dissipation of support was attributed to the lobbying power of the National Rifle Association (NRA). The president of the NRA in 1984, Howard W. Pollack, argued that the legislation was a violation of gun owners’ constitutional rights. According to a 1984 *Morning Call* article concerning the anti-armor bullets, “The NRA objected strenuously to legislative action. Warren Cassidy, an NRA official, didn’t spell out any legitimate or practical uses for the special ammunition. He simply said the senate and house bill are nothing other than one more attempt to separate law abiding citizens from their weapons.”<sup>104</sup>

This legislation factors largely into Huberty’s shooting. Despite the lack of media coverage on this particular issue, most of the ammunition used by Huberty in the commission of his crime was considered “armor-piercing.” A *New York Times* article in September 1984 noted, “Banning sales [of amour-piercing bullets] is one good way to keep hard bullets out the hands of street criminals and sick people like James Huberty.”<sup>105</sup> Despite the fact that Huberty was in possession of the ammunition in question, the NRA claimed the *type* of bullet was of little consequence. NRA officials argued that given the close range of Huberty’s shooting, any ammunition, soft or hard, would have resulted in the same number of casualties. Thus, despite the fact that cop-killing

bullets were used in the deadliest mass shooting in United States history, limited media attention, in combination with the financial power of the NRA, prevented the swell of necessary public support to pass the legislation during the September 1984 vote.

Surprisingly, in 1986, President Ronald Reagan signed a watered-down version of the anti-armor-piercing bullet legislation into law. However, “The NRA eventually had the bill modified to apply only to handgun ammunition manufactured from specific metals.”<sup>106</sup> Thus, sadly, the law did little to enact real change in the manufacture and sale of these types of ammunition. The focus on guns in the wake of Huberty’s massacre could have had a profound impact on enacting gun law restrictions, but America experienced the exact opposite response from political leaders.

In May of that same year, President Reagan signed the Firearm Owner’s Protection Act into law, repealing many of the firearm restrictions enacted by the 1968 Gun Control Act. Among the changes were, “elevations of the intent which must be proven to establish a violation by an arms dealer, a narrowed definition of who must obtain a dealer's license, restrictions on unreasonable search, seizure, and forfeiture, provisions for recovery of attorney's fees in civil and even criminal cases,” clarification of prohibited persons, and a ban on any national registry of firearm purchasers.<sup>107</sup> Thus, instead of a concerted effort to stymie criminals’ access to weaponry, the United States granted even more freedom to firearm owners and dealers.

Deinstitutionalization was also an issue in desperate need for attention following the Huberty massacre. As Superior Court Judge Eric Younger wrote in his *Los Angeles Times* article about the Huberty shooting, “Crazy people are everywhere—the notion of ‘local treatment alternatives’ for mentally incapacitated citizens is a cruel hoax—it is clear that the vast majority of dangerously impaired people are out there on the streets.”<sup>108</sup> While there was some outcry about the way the clinic handled Huberty’s call for help, a panel of experts agreed the staff acted as best

they could given the limited information Huberty was willing to disclose over the phone. In response to the panel that found the clinic Huberty contacted bared no responsibility for the shooting, San Diego police chief Bill Kolender added, “All of us would recognize that there is a real gap between mental health services and the needs of the community.”<sup>109</sup> More specifically, Emanuel Tanay argued that most mass murderers have lost contact with or have a defective sense of reality. Tanay claimed, “The number of such psychotic mass murders has risen in recent years because of a national policy of releasing large numbers of the mentally ill into their communities, particularly into communities where such firepower as the Uzi semiautomatic rifle used by Mr. Huberty is easily available.”<sup>110</sup> However, if one good thing came from the shooting in the area of mental health, it was that “Counselors say there is a better understanding of mental health problems and more willingness to seek professional help among people who once considered such treatment taboo.”<sup>111</sup>

The San Ysidro massacre resulted in one major policy contribution. The equipment and procedures police used in responding to active shooter situations such as Huberty’s were enhanced. In the aftermath of Huberty’s shooting, the public was confused and frustrated with the length of time it took police officers to neutralize Huberty. Mark Kriedler of the *Associated Press* wrote, “Lieutenant Jerry Sanders, commander of the San Diego police special weapons and tactics squad, was trapped in rush hour traffic when he heard a radio report that commanders at the scene had issued the order to kill Huberty and countermanded it. The ‘green light’ was reinstated eight minutes later.”<sup>112</sup> Sanders added, “We had to be sure it was him, because sometimes people like that will make their hostages walk around, or even change clothes with them.”<sup>113</sup> Four minutes after re-issuing the order, a sharpshooter shot and killed Huberty. At the time, police officials

asserted that the lag in shooting was “inconsequential” because Huberty had “already shot all of his victims by then with his three firearms.”<sup>114</sup>

However, survivors of the massacre remembered the events quite differently. For example, fry cook Alberto Leos, who was shot four times by Huberty, claimed, “The cops didn’t have the guts to go in sooner...They had all that gear, all those guns and stuff. What good did it do? They just sat there and watched and waited while people were getting hit.”<sup>115</sup> Other survivors and their families also vocalized their frustration about the time it took police to act. Graciela Gonzales, whose 19-year-old daughter died at the hands of Huberty, said, “[The police] should have acted faster...they gave Huberty a long time.”<sup>116</sup> And while the coroner’s office reported all the victims died within the first ten minutes, victims contested this timeline. Ronal Herrera, a survivor of the shooting, told the *Washington Post*, “I got shot in the first 15 minutes and then again 45 minutes later...He [Huberty] was shooting until the last minute.”<sup>117</sup> In fact, several survivors inside the restaurant said Huberty was killing people for forty minutes, “sipping soft drinks and dancing to music from his portable radio.”<sup>118</sup>

While we can never know what might have happened had police acted sooner, law enforcement did make significant changes to how they responded to shooting events. At the time of Huberty’s massacre, officers were only carrying a standard-issue .38-caliber revolver, loaded with six bullets. Former Marine and the first officer on the scene, Miguel Rosario said, “Talk about feeling inadequate...He’s [Huberty] got an Uzi, I’ve got a .38, and I’m thinking it’s a robbery gone bad and his buddies are going to encircle me.”<sup>119</sup> After the shooting, Rosario fought to get officers “more firepower and a new strategy.”<sup>120</sup> Rosario’s effort helped create special response teams trained in handling ongoing shooter-hostage situations. The San Diego police department created

“a dedicated unit that trains continuously and uses much more formidable weapons and tactics.”<sup>121</sup>

Other departments across the nation followed San Diego’s lead.

Several other related changes occurred following the grim July afternoon in 1984. To escape the legacy of James Huberty, Etna and their two daughters changed their names and moved to Chula Vista, a suburb not far from San Ysidro.<sup>122</sup> In 2003, Etna Huberty passed away from breast cancer. As for the McDonald’s, the site was demolished and the land was donated to the city of San Ysidro. However, one of the most pointed controversies within the town following the shooting was what to do with the property. Shortly after the massacre, “A grass-roots movement sought to have the land set aside as a memorial park, to which many were opposed.”<sup>123</sup> Some within the community believed that a memorial would pay tribute to the mass murderer, while relatives of the victims wanted to have a monument built to commemorate their loss. After two years of heated community debate, in 1986 San Diego officials formally commissioned the project to build a memorial on the site. The monument was dedicated in December 1990, almost six years after the shooting. The memorial “consists of 21 hexagonal white marble pillars linked in rows forming a pyramid, with a plaque bearing the victims’ names.”<sup>124</sup>

But one thing that has not changed is how little we know about Huberty. Since the San Ysidro shooting, little else has been learned about what caused Huberty to walk into that San Ysidro McDonald’s. People continue to advance a number of different theories, but as Detective Ybarrondo said, “We may never know what sent him over the edge.”<sup>125</sup> While the United States has seen more than its fair share of mass violence since 1984, the seventy-seven-minute shooting spree that began the trend will not soon be forgotten.

## Conclusion

In 1949, the news media focused on signifying the visual characteristics of mental illness to understand and “Other” Unruh. In 1984, after a deadlier mass shooting, journalists needed to do more than merely explain the shooting and shooter; the media needed to provide a reason or motive for Huberty’s crime. Without a motive, the massacre would remain unintelligible, and Americans would feel vulnerable to a similar attack. Thus, using anecdotal evidence from throughout Huberty’s life, the media constructed a narrative of Huberty that cast his massacre as the result of a deeply troubled individual who acted out in a fit of insane violence. Ultimately, mental illness was characterized as the link between shooter and shooting. Given the rhetorical success of this diagnosis and media frame for a seemingly motiveless mass shooting, one might reasonably expect the media to apply similar frames to future mass shootings. However, a Texas massacre in 1991 demonstrated that journalists still have room to make rhetorical choices when covering mass shooting events.

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## Chapter 4: George Hennard and the Killeen Luby's Shooting

*“Experience has shown, and a true philosophy will always show, that a vast, perhaps the larger, portion of truth arises from the seemingly irrelevant.”*<sup>1</sup> –Edgar Allan Poe

Seven years after Huberty's McDonald's shooting, a massacre eerily similar unfolded in a quiet Texas town. That similarity begins with the shooters. George “Jo Jo” Hennard was born in 1956 to George Marcel Hennard, an army doctor, and Gloria Jeanne, an antiques collector. Hennard and his three siblings spent most of their childhood moving around the country as his father worked at various Army hospitals. In 1980, the Hennard family finally settled in Belton, Texas, a small town just outside Fort Hood. This idyllic family scene, however, would be short-lived. In 1983, when Hennard was 27-years-old, his parents divorced. His father moved to Houston, while his mother moved to southern Nevada. Men who come from a broken family is the first of many overlapping characteristics between George Hennard and James Huberty.

Hennard, much like Huberty, was not personally wealthy—even though Hennard's parents let him live in their beautiful brick home on a sprawling piece of property in Belton following their divorce. By trade, Hennard was a merchant marine. According to most accounts, Hennard took great pride in his work. He had lived and worked on the sea from 1981 until 1989 when, while docked in Oakland, California, law enforcement officials found marijuana in Hennard's possession. As this was his second possession offense, it resulted in Hennard's maritime license being revoked and Hennard losing his job. So, in addition to not being personally wealthy, both Hennard and Huberty held hard labor positions and were recently laid off from their only source of pride and income.

Shortly after getting fired from his job, Hennard entered a drug rehabilitation program in an attempt to regain his maritime license. However, Hennard's two-year fight to reinstate his

license ended in February 1991, “when the acting commander of the U.S. Coast Guard upheld a Houston administrative law judge’s decision to revoke [Hennard’s] license.”<sup>2</sup> Later that same month, while visiting his mother in Henderson, Nevada, Hennard passed all the necessary background checks and purchased his first firearm. Four weeks later, in mid-March, Hennard returned to the same shop and purchased a second firearm. On Wednesday, October 17, 1991, the day after he turned 35-years-old, Hennard had breakfast at a local diner, collected his weapons, and drove twenty minutes to the Luby’s Cafeteria in Killeen, Texas.

At approximately 12:30 p.m., Hennard crashed his truck through the window of a crowded Luby’s restaurant and began a ten-minute shooting spree, leaving twenty-three dead and another twenty-seven wounded.<sup>3</sup> Similar to Huberty, Hennard carried with him multiple weapons, two 9mm semiautomatic pistols—a Glock 17 and a Ruger P89—and a surplus of ammunition. As Huberty had done seven years earlier, Hennard exited his truck and fired at anything that moved. Luby’s employee, Sheldon Smith, recounted the moments after Hennard’s truck crashed through the restaurant window, “The guy jumped out of the truck and said, ‘This is what Bell County has done to me.’ Then he pointed toward the line where the service was and he started shooting down the line.”<sup>4</sup> Other witnesses described Hennard shooting “as fast as he could pull the trigger.”<sup>5</sup> Sam Wink, a local school administrator eating lunch with colleagues, recalled, “[Hennard] was very intense, well-prepared, almost as if he had practiced at home. And even though he was yelling, he was very calm. The contrast between the fire in his eyes and the calm on his face was unbelievable.”<sup>6</sup>

After hearing the gun shots, four plainclothes officers attending an event in a neighboring hotel ran toward the restaurant and exchanged gunfire with Hennard for several minutes. After being struck four times, Hennard crawled to the back bathroom of the restaurant. Cornered there,

Hennard committed suicide. As was the case with Huberty in 1984, the shooter, Hennard, did not survive the massacre to be questioned by authorities.

Comparing Huberty's 1984 McDonald's shooting and Hennard's 1991 Luby's shooting reveals haunting similarities. Both shootings took place at popular fast food diners; both shootings were perpetrated by jobless middle-aged men; both shootings involved heavily armed gunmen carrying legally purchased weapons and ammunition; both shootings resulted in the death of over twenty innocent civilians, twenty-two in McDonald's and twenty-three in Luby's; and both shootings ended with the death of the shooter. Given the similarities between the Hennard and Huberty shootings, one would expect a similar media response. However, this was not the case. Unlike with Huberty, the mainstream media coverage never determined Hennard to be mentally ill. How, then, was the media able to avoid an insanity diagnosis in prescribing a motive for Hennard's crime? In other words, what alternate narrative frame(s) did journalist's use to make sense of Hennard's violence?

In this chapter, I contend that despite the similarities between the Hennard and Huberty shootings, the news media cultivated a significantly different narrative while framing the Hennard massacre. Aside from the occasional adjective characterizing Hennard as 'berserk' or 'crazed,' the media did little to build a link between mental illness and Hennard's motive. Unlike in 1984, where journalists' constructed a narrative of Huberty's life that hinged on anecdotes of mental illness, journalists in 1991 instead focused on evidence that suggested Hennard's shooting was the result of his deep hatred for women. Taken together, this explanation suggested that for the American news media writing in 1991, the targeted attack of women by way of mass shooting was *not* evidence of mental illness. In other words, media coverage accepted the killing of women as a rational, plausible motive for a mass shooting that left twenty-three dead—nine of them men.

To make these arguments, I first refute the potential concern that the narrative crafted by the news media was the result of significant changes in American perception of violence and/or cultural understandings of mental illness. Next, I articulate the American culture concerning women in the early 1990s. Third, I demonstrate how the media interpreted and rationalized Hennard's actions via his deep hatred of women, noting areas where alternate frames similar to the 1984 case study could have been used. Finally, I conclude the chapter by detailing the legislative implications of the Hennard massacre and the lasting legacy of the shooting. To begin, I turn to the American culture of violence and mental illness in the 1990s.

### **Mental Illness and Violence in the Early 1990s**

One could reasonably imagine that the frame change in the coverage of Hennard's shooting was demonstrative of cultural shifts in violence and perceptions of mental illness. However, this suggestion would prove false. Between 1984 and 1991, perceptions of violence and mental illness in American culture had only shifted slightly, and this shift was actually toward decline not improvement.

Regarding violence, the shift was decidedly negative. In 1991, the economy had yet to recover from conservative fiscal policies and "trickle-down" Reaganomics, which had led to two recessions during the 1980s. By the early 1990s, stratification by socioeconomic status was deeply embedded in American culture. Additionally, policies including both Nancy Reagan's "Just Say No" antidrug campaign and broader zero-tolerance crime laws led to startling increases in arrest and incarceration rates across the nation. Similar to the early 1980s, the problems related to drugs and poverty ushered in increased levels of crime and violence. Lisa Bastian, a Department of Justice statistician, reported, "The number of violent crime attempts increased 11% between 1990 and 1991."<sup>7</sup> In fact, 1991 held the second highest recorded crime rate in American history with

5,898 crimes per 100,000 people. Criminologist Richard Rosenfeld wrote, “In 1991 the FBI counted 24,700 criminal homicides in the United States, or 9.8 homicides for every 100,000 Americans.”<sup>8</sup> By the conclusion of the decade, homicides dropped to “15,500 and the rate to 5.7 per 100,000, a 42% decline.”<sup>9</sup> Compounding the issue, 52% of American’s felt that United States decision makers were not doing enough to reduce crime.<sup>10</sup> Perceptions of crime echoed this as well. Justin McCarthy’s Gallup report indicated that in 1991 84% of Americans believed there was more crime in the United States than the year before.<sup>11</sup> Thus, the 1990s were plagued with violence, and, more specifically, those first years of that decade were plagued with gun violence.

Indeed, 1992 set the mark for the most recorded incidents of handgun violence. According to a Department of Justice report on homicide trends from 1980 to 2008, “Handgun-involved incidents increased sharply in the late 1980s and early 1990s” hitting their peak in 1992.<sup>12</sup> The Bureau of Justice Statistics also released a “Selected Findings” report in 1994, indicating that in 1992 the handgun crime rate peaked at 4.5 per 1,000 people ages 12 or older.<sup>13</sup> The handgun crime rate in 1992 surpassed the previous high of 4.0 reached in 1982. The report also found, “Over 68% of the murders in 1992 were committed with firearms.”<sup>14</sup> The rise in gun violence translated into public fear of victimization and, ultimately, an increased desire for stricter gun control. While these statistics were reported in 1992, they represented the growing trend that defined handgun violence in 1991, which reached a climax following the Killeen massacre.

Additionally, public opposition to civilian handgun ownership also peaked in the early 1990s. According to a 1990 Gallup poll, 78% of Americans favored making laws on the sale of firearms stricter.<sup>15</sup> Although support for stricter gun laws decreased to a more modest 68% by the end of 1991, the proportion of Americans in favor of stricter legislation was still higher than it had been historically.<sup>16</sup> Lydia Saad argued attitudes toward gun ownership in the 1990s were



“markedly different than the 1980s, when barely half of Americans opposed a ban on civilian handgun ownership.”<sup>17</sup> In fact, according to Tom Smith, the director of the General Social Survey at the University of Chicago, “Except for a period in the late 1980s and early 1990s when support for gun control measures rose moderately, attitudes have generally remained stable over time.”<sup>18</sup> Therefore, the public concern over the threat of victimization seemingly supplanted Americans’ longstanding resistance to gun control. Increased perceptions of crime, feelings of victimization, and desires to limit access to firearms were likely driven, at least in part, by the upsurge in incidents of mass violence over the previous decade.

Unlike earlier in the decade, America in the late 1980s experienced an unprecedented proliferation of rampage killing episodes. For example, in 1986, Patrick Sherrill entered his place of employment, a post office in Edmond, Oklahoma, and killed fourteen of his coworkers. Before being apprehended, Sherrill turned the gun on himself and committed suicide. The phrase “going postal” was coined in response to Sherrill’s violence. “Going Postal” came to represent incidents of uncontrollable violence within the workplace often resulting from the stress brought on by high pressure jobs. The trend of workplace violence continued in 1989 when Joseph T. Wesbecker went to his former workplace, Standard Gravure, killed eight people, injured twelve, and committed suicide. Wesbecker’s massacre was primarily blamed on the antidepressant Prozac, which he had begun taking in the month prior to the massacre. Although Wesbecker was receiving treatment for his mental illness, his disease and treatment were still used as the primary explanation for his crime. Finally, in 1990, after a night of violence that left two dead and two injured, James Edward Pough’s rampage culminated in a massacre at the General Motors Acceptance Corporation (GMAC) office in Jacksonville, Florida. Pough killed ten and injured four before committing suicide. The police and media determined the shooting to be an act of retaliation against GMAC

for repossessing his car earlier that year. All told, there were at least six mass shooting events that dominated national headlines from 1984 to 1991. The growing frequency of these shootings, their relationship with mental illness, and the media spectacle that surrounded each of these high-profile crimes could be, in part, responsible for the continued perception of the mentally ill as dangerous.

Cultural perceptions about mental illness and dangerousness remained largely unchanged in the seven years after the Huberty massacre. In the early 1990s, researchers sought to find out if the public defined mental illness in much more “narrow and extreme terms” than they did in 1950. For example, in 1996 Jo Phelan and her colleagues repeated a survey originally done in 1950 and found, “conceptions of mental illness have broadened but that the perception that mentally ill people are violent or frightening has substantially increased, rather than decreased.”<sup>19</sup> In fact, the proportion of respondents who described the mentally ill as violent increased two and a half times during the forty-six-year period. The authors hypothesized that the combination of increased media scrutiny and deinstitutionalization may have been the root cause of this change in perception. Indeed, the authors suggested, “negative stereotypes, including dangerousness of people with mental illness”<sup>20</sup> frequently cited in media outlets were a contributing factor to increased perceptions of dangerousness in the mentally ill. Medical doctors William Dubin and Paul Fink confirmed this hypothesis. Dubin and Fink argued, “While less than 3% of mentally ill patients could be categorized as dangerous, 77% of mentally ill people depicted on prime-time television [were] depicted as dangerous.”<sup>21</sup> The myth of dangerousness was further engrained by, “sensationalist headline news both in newspapers and on television when murders are committed by former mental patients.”<sup>22</sup> These negative stereotypes subsequently influenced audience perception of the mentally ill as dangerous. Despite the lack of funding and facilities to serve the

needs of the mentally ill, one legislative change *did* positively influence the lives of the mentally ill and disabled.

In 1990, the Americans with Disabilities Act (ADA) was passed. The ADA protected mentally and physically disabled Americans from discrimination in such areas as employment, public accommodations, transportation, telecommunications, and state and local government services. The ADA extended many of the protections of the Civil Rights Act of 1964 but added that employers must provide employees with disabilities reasonable accommodations to perform their job. The ADA also imposed accessibility requirements for public locations and properties. Despite legislative progress, negative attitudes about the dangerousness of mental illness remained intact and had become more entrenched in American political culture.

Compounding, and arguably sustaining, negative perceptions and stigma about mental health treatment was the degree to which research and services in America remained woefully underfunded. In fact, according to Donna Kemp, “In 1990, the Public Citizen Health Research Group and the National Alliance for the Mentally Ill released a report concluding that, as the century was drawing to a close, public psychiatric services were in a near-total breakdown.”<sup>23</sup> Additionally, funding for mental health programs had been significantly cut throughout the latter half of the twentieth century. These cuts were so substantial that by 1990, only one in five people with a mental illness was receiving the treatment that they needed. Specifically, “Expenditures for the alcohol, drug abuse, and mental health administration went from 1,105,477 billion in 1979 to 761,007 million in 1982....The fiscal erosion of the 1980s thus took a heavy toll on state and local mental health programs.”<sup>24</sup>

Therefore, given the increased perception of the mentally ill as dangerous and the incredible lack of funding for treating mental illness, it would be reasonable to assume that if the

media attributed Hennard's massacre to mental illness, as they did with Huberty, the public would have willingly accepted this motive and diagnosis. However, unlike the Huberty coverage, the news media never argued or alluded to mental illness as a contributing factor in Hennard's crime. In the case of Hennard, the media chose instead to frame the shooting as a deliberate act of aggression by a man who harbored a deep hatred for women.

### **Ideological Subordination and Violence Against Women in the 1990s**

While the late twentieth century marshaled in legislative progress toward women's equality, the ideological subordination of women was not so easily broken. Second wave feminism, beginning in the 1960s, ushered in many advancements in women's right to work and equal access to education. For example, the passage of the Civil Rights Act of 1964 prohibited employment discrimination based on race, religion, national origin, and sex. Moreover, Title IX of the Education Codes of 1972 required equal access to higher education and professional schools regardless of sex. In addition to fighting for equal opportunities for work and pay, second wave feminists also advanced a woman's right to make decisions about her body. The 1973 *Roe v. Wade* Supreme Court decision held that a woman, under the advisement of her doctor, could choose to have an abortion in the first trimester of her pregnancy without legal restriction and could have an abortion in later trimesters if she met certain health criteria.

The progress made on behalf of women in employment and health even led some to decree the battle for women's rights a success. Journalist and author Susan Fauldi wrote that throughout the late 1980s and early 1990s the news media, "cheerfully and endlessly repeated that the struggle for women's rights were won."<sup>25</sup> Success, or the achievement of equality, was rhetorically justified because women could, "enroll at any university, join any law firm, apply for credit at any bank;" hence, the feminist movement was a success, and women had become equal in American society.<sup>26</sup>

Despite this picturesque frame, the fight for women's equality was not so simple. The failure of the Equal Rights Amendment, in particular, is one example of the continued fight for women's equality.

The Equal Rights Amendment (ERA) was first introduced in 1923 under the premise that "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex."<sup>27</sup> The amendment had "languished in Congress for almost fifty years" before congress passed the amendment and it was sent to the states for ratification in 1972.<sup>28</sup> Despite the simplicity of the bill, and despite passing both the House and the Senate, the amendment ultimately failed. For the ERA to be established as the twenty-seventh amendment of the United States Constitution, thirty-eight states needed to ratify the legislation. Following its 1972 vote among the states, the ERA had seven years to acquire these ratifications. However, by 1979 the bill had yet to gain the necessary state support, so it was even given a three-year extension to June 30, 1982. Sadly, only thirty-five states ratified the amendment, three short of the necessary thirty-eight. Thus, despite assertions that discrimination of women was over, politicians were not quite ready to legally grant equal access to women. The failure of the ERA was reflective of deeper cultural sentiments about women in American society.

American culture is premised on female subordination to men. For men and women, certain characteristics and traits are expected; violations of these cultural expectations have social ramifications. Expectations for men are referred to as hegemonic masculinity, which means the "normative ideology that to be a man is to be dominant in society and that the subordination of women is required to maintain such power."<sup>29</sup> The norms often associated with hegemonic masculinity include, but are not limited to, aggression, toughness, competitiveness, and combativeness.<sup>30</sup> As psychologist Rachel Smith and her colleagues suggested:

The desire for dominance and power is central to hegemonic masculinity and refers to men's need to control others in order to achieve status according to oneself, as well as in society as a whole. Obtaining and maintaining status and power in society and in interpersonal interactions involves the objectification or dehumanization of others, particularly women, and a need to control others and hold power.<sup>31</sup>

Therefore, hegemonic masculinity is very much a reflection of the societal conditions in which the norms have been constructed. Put another way, psychologist Claire Lisco and her colleagues argued, "male-to-female aggression is often a product of socialization pressures to adhere to a hegemonic masculinity that legitimizes patriarchy and dominance over women."<sup>32</sup> However, while men can perform a multitude of actions to reaffirm their masculinity, Smith contested, "aggression may be the most effective method because it is often viewed as the most evident symbol of manhood."<sup>33</sup> Gender scholar, Henri Myrntinen, extends this line of reasoning to violence further by contending, "violent enactments of masculinity can be seen as a fight back to an extreme, imagined version of what men are 'traditionally' like, a reaction to insecurity posed by perceived threats to one's masculinity."<sup>34</sup> Therefore, threats to masculinity are often met with aggression and violence as a means of regaining status or power within the system.

Psychologist Lenore Walker wrote, "A feminist political gender analysis has reframed the problem of violence against women as one of misuse of power by men who have been socialized into believing they have the right to control the women in their lives, even through violent means."<sup>35</sup> Thus, violence toward women can be largely attributed to the American *culture* that deems such behaviors not only acceptable, but necessary. "Men and boys, more so than women and girls," Erica Scharrer argued, "learn that physical responses to anger, frustration, or threat may be socially accepted and/or reinforced and therefore they may be more likely to perform physically aggressive acts."<sup>36</sup> Rush Dozier added, "If a culture treats women and children as greatly inferior...then men are more likely to act dictatorially and are less likely to engage their sense of

empathy in an effort to understand feelings of others.”<sup>37</sup> A perceived acceptance of violence toward women mirrors cultural representations of women and gendered expectations of crime and violence toward the end of the twentieth century. In fact, the U.S. Surgeon General's 1988 report listed violence as the number one health risk facing women.<sup>38</sup> Additionally, serious crimes against women in the early 1990s rose faster than the total crime rate.<sup>39</sup> The societal issue surrounding women and violence can be further exemplified by the failure of the Violence Against Women Act of 1991.

The Violence Against Women Act of 1991 (VAWA) was a bill designed to combat both domestic and random acts of violence against women. The goal of the VAWA was to, “...assist States, Indian tribes, cities, and other localities to develop effective law enforcement and prosecution strategies to combat violent crimes against women and, in particular, to focus efforts on those areas which the highest rates of violent crime against women.”<sup>40</sup> The bill also included provisions about minimum sentence requirements for offenders and legal restitution procedures for victims of violence. Reflective of a minimal-level protection of women, the 1991 version of the VAWA never even made it out of committee.<sup>41</sup> Thus, despite the progress of second wave feminists in the areas of employment and health services, women were still, culturally and legally, a marginalized and threatened group in American society in 1991.

The acceptance of violence toward women as normal and typical was directly reflected in the coverage of the Hennard shooting. The news media justified Hennard's massacre as a byproduct of his deep hatred for women. The justifications provided by the media needed no association to mental illness to rationalize this motivation. However, it was not just that Hennard hated women, it was also his predisposition toward anger and aggression that, when combined with his hatred for women, made this motive so compelling. Indeed, research has shown “gendered

social practices contribute to a culture that normalizes the violence committed by many men against women.”<sup>42</sup> Thus, news media coverage was patterned around the narrative of a man, living in a society that accepted aggressive outbursts under the domain of hegemonic masculinity, who had a temper and took his aggression out on women simply because he hated them.

Therefore, one of the most important elements to the narrative of Hennard’s massacre was his deeply rooted anger. Most, if not all, newspaper stories connected Hennard’s act, in one way or another, to his anger. For example, Hennard was referred to as “angry with women,”<sup>43</sup> “reclusive and nasty-tempered,”<sup>44</sup> “enraged over rotten treatment by women,”<sup>45</sup> having a “hair-trigger temper,”<sup>46</sup> and having a “strong, hostile attitude particularly toward women.”<sup>47</sup> Hennard was further characterized by his “explosive” and “violent” temper, which journalists attributed to an “anger locked within himself for years.”<sup>48</sup> Hennard’s roommate, James Dunlap, also remembered Hennard as angry and hostile. Dunlap said, “He [Hennard] had a very explosive temper, a very violent temper. He’d throw things when he’d get mad, put his fist through a wall, hit things, knock things over. He’d yell and scream at people a lot. He did that quite a bit. He made several references about wanting to kill people.”<sup>49</sup> Ultimately there was consensus that Hennard was, first and foremost, an angry individual.

Unlike other popular beliefs which may not be consistent with empirical evidence, Roy Baumeister and Brad Bushman found that the popular belief that anger and aggression are correlated is indeed accurate. Baumeister and Bushman contended, “Anger does increase the likelihood and severity of aggression.”<sup>50</sup> In other words, the angrier one gets, the more violent his or her aggressive outburst. Shame and guilt fuel these aggressive tendencies. When one’s “pride, reputation, or self-esteem are impugned by others,” he or she is more likely to lash out in aggressive and violent ways.<sup>51</sup> This relates back to a cultural understanding of masculinity in that



“men often react to masculinity threats, including threats to social influence, with shame, defensiveness, and anxiety.”<sup>52</sup> Given this, one could conclude that emasculation in the form of threats to one’s ego and pride can lead to aggressive outbursts toward the source of the emasculation.<sup>53</sup>

The cultural norm of men expressing their anger and frustration through violence was used to make the shooting rampage seem rational, deliberate, and, ultimately, sane. The media provided narrative evidence of Hennard’s aggressive, angry, and violent temper. Paired with the details of Hennard’s disdain for women, the media implicitly suggested the massacre was an enactment of masculinity to regain a sense of power that had been lost. Additionally, news coverage also demonstrated the ongoing cultural marginalization of women at the time of the shooting that made the conditions of “hating women” as a motive possible.

#### **Media Narrative of Hatred of Women as Motive**

In news coverage of Hennard’s crime, journalists instantaneously asserted that he was motivated by a deep hatred for women. The primary evidence of this assumed motive was a letter Hennard sent to two neighborhood women four months before his shooting spree. The document, written in June 1991, was described by witnesses as an “angry letter venting hatred toward women,”<sup>54</sup> “menacing,”<sup>55</sup> and “bizarre.”<sup>56</sup> The five-page letter was positioned in media coverage as a rambling account of Hennard’s feelings toward the girls and his hatred toward other women in the town in which he lived. Several newspapers ran segments of the letter as evidence of Hennard’s hatred toward women. The excerpt of the letter below appeared both in its entirety and in fragmented quotes throughout news coverage:

Dear Stacey and ? Robin? Surprise surprise. Can you guess who this is writing to you? Well just take a look at the enclosed pictures to help you figure it out. They are for you and your sister? Robin? I never did learn her name for sure. Believe it or not, to this day, 6/6/91, not one single person ever come forward and volunteered one bit of information that would

help me lead to your capture. Maybe your mother saw me as the wolf in sheep's clothing. Was she afraid I would act irresponsibly with her two precious gems and then run and hide? Your mother made a miscalculation in her evaluation of me. There was no place to run and hide, then or now. I worked and sailed on ships for 17 years. When there was a problem, conflict, or a crisis, no place to hide from it on the ship. We all just tried to correct it or sit and ride it out. Do you think the three of us can get together some day? Please give me the satisfaction of someday laughing in the face of all those mostly white treacherous female vipers from those two towns who tried to destroy me and my family. It is very ironic about Belton, Texas. I found the best and worst in women there. You and sister are the one side. Then the abundance of evil women that make up the worst on the other side. I would like to personally remind all those vipers that I have civil rights too. Just because I did not hire an attorney they have carte blanche to do what they want in violation of these rights. I will no matter what prevail over the female vipers in those two rinky-dink towns in Texas. I will prevail in the bitter end. In conclusion, I ask you do not disclose the contents of this letter to anyone other than immediate family members. It is no one else's business but ours anyway. Peace sisters. Love you both, George. Your fan. How about sending me your nice pictures. Ha ha.<sup>57</sup>

The letter clearly contained disturbing references and what would seem like paranoid ramblings of an angry man. Fearing for her daughters' safety, Jane Bugg immediately turned the letter over to police. However, Police Chief Kneese told Bugg, "There was nothing they [police] could file charges on him for... There was nothing in that letter. It seemed like he had a crush on the girls, but there was nothing that in any way that discredited them or embarrassed them. It was just a letter."<sup>58</sup> Despite the fact that the letter detailed stalking-like behaviors and a clear kidnapping threat, police felt that there was nothing threatening in the letter. The lack of concern on the part of the police further demonstrates the culture of acceptance of violence toward women.

While many journalists suggested the letter signified a deep, festering hatred for women, it could have just as easily been framed as the paranoid ramblings of man sinking into the throws of mental illness. In fact, the letter shares a similar tenor to the behaviors journalists categorized as paranoia during their coverage of the Huberty massacre. In 1984, journalists reported that Huberty believed neighbors, colleagues, and even the government had conspired against him to prevent him from acquiring a job. Journalists suggested that this evidence signaled that Huberty

was a paranoid fanatic pushed over the proverbial “edge” when he committed his massacre. However, when one turns back to the Hennard letter and examines it from the same perspective used to explain Huberty’s behaviors, it too could have been justified under the same paranoid fanatic diagnosis. For example, when Hennard wrote about the “vipers” who were conspiring to violate his civil rights,<sup>59</sup> it could have been paranoia and frustration Hennard was expressing toward those he felt were barring him from gaining employment rather than just a hatred for women. Furthering this possible reading, recall that Hennard had had a two-year legal battle to have his maritime license reinstated. The discussion of rights and lawyers within the letter could have suggested that Hennard was bitter about the process and outcome of those proceedings.

In fact, further evidence suggests this letter could have represented more than just a “crush.” It could have also represented the manifestation of Hennard’s mental illness as an ongoing suspicion that the government was out to get him. The *Austin American Statesman* later reported evidence that Hennard had become skeptical about why he was unable to find a job. Two months after the shooting, police reportedly found documentation that Hennard, “Attempted to file a civil rights complaint with the FBI alleging that he was being followed by white women who had banded together in a nationwide conspiracy against him.”<sup>60</sup> This conspiracy, according to the documentation, alleged that women had, “prevented others from dating him and that he could not find a job because unnamed white women would contact potential employers and provide negative information.”<sup>61</sup> Additionally, three months following the shooting, a former band member of Hennard’s told journalists, “[Hennard] felt like he was on a list people in Belton kept to prevent him from getting a job.”<sup>62</sup> This same band member also forwarded an intriguing reason for Hennard’s selection of Luby’s on October 16, saying, “It’s possible that’s why he chose Luby’s on (national) Bosses’ Day—to get even about not getting a job.”<sup>63</sup> However, rather than using this

alternative frame to explain the evidence as suggesting mental illness and paranoia were to blame for Hennard's massacre, as journalists had posited in 1984 using strikingly similar evidence, the media *never* attributed Hennard's crime to anything, not even insanity and mental illness, besides his hatred of women. Journalists were confident the letter foretold, and justified, Hennard's act as one motivated by a hatred toward women.

### The Letter and the Massacre

The letter did more than demonstrate Hennard's general anger toward women; journalists also tied it specifically to his massacre. In startling contrast to early depictions of Hennard as "shooting at anything that moved" and "as fast as he could pull the trigger," journalists later reported that Hennard seemed to *target* women during the shooting. Of the twenty-three people killed, fourteen were women, and "Several people who survived said Mr. Hennard passed over men to shoot women."<sup>64</sup> The *Austin American Statesman* alleged that during the massacre, "Hennard repeatedly yelled obscenities about women and he seemed to pick mostly women as his victims."<sup>65</sup> Additionally, Susan Robinson-Hester, a survivor of the shooting, claimed she heard Hennard scream, "Look at what Belton's done to me! Tell me, was it worth it? Wait 'til those fucking women in Belton see this! I wonder if they'll think it was worth it!"<sup>66</sup> This passage echoed Hennard's sentiments toward Belton, the town in which Hennard resided, and the women for whom the letter was intended.

While the narrative suggesting that Hennard purposely selected female targets may seem compelling, the evidence to support the assertion was relatively weak. Not only did initial reports of the shooting suggest that Hennard was shooting at "anything that moved," the difference between the number of women killed in the massacre and the number of men killed is slight at best. In other words, although fourteen of the victims were women, nine were men, which is quite

a high number for a shooter who was specifically targeting women. However, the “targeting women” frame was used consistently, and prominently, in most mainstream coverage to justify the narrative that Hennard’s crime was driven by a deep hatred toward women.

#### Additional Evidence of Hennard’s Hatred of Women

To further establish the motive of a hatred of women, journalists located others who knew Hennard to testify about his feelings and actions toward women. Neighbor Jana Jernigan told the *Houston Post* that she witnessed Hennard screaming at a woman in the street. According to Jernigan, “He [Hennard] was screaming obscenities, some words I never heard before...He was screaming he couldn’t believe she had gone to Killeen the night before and danced with all those G.I.’s.”<sup>67</sup> In addition to the obscenities and fighting in the streets, Jernigan also said, “the woman tried to walk away but each time Mr. Hennard grabbed her by the wrist and dragged her back...he raised his hand as if to strike the woman, but he did not.”<sup>68</sup> Although not explicitly stated, this story, which circulated throughout media coverage, implied that Hennard had been betrayed by a woman. This betrayal, then, would have ignited or contributed to his hatred toward women and, ultimately, his deadly shooting. The accounts of Hennard also affirmed his potential to be violent toward women. Although Jernigan said Hennard never actually struck the woman she witnessed him assaulting, the citation did indicate violence was his immediate response to a threat and frustration. Another Belton neighbor, Judy Beach, gave evidence about Hennard’s temper. Beach claimed that in May 1991, she got both an “eyeful and an earful” from Hennard. Beach claimed that Hennard stared at her “with these eyes that pierce you right to the soul, like he hates you so much he would pull your head off your shoulders,” and that even though she never said a word to him, he continued to yell “Keep pushing, bitch, just keep pushing” as she drove by him in the street.<sup>69</sup> James Aldridge, a friend of Hennard’s from Austin, claimed, “Hennard’s limited income

made him possessive and made him think women were out to get his money.”<sup>70</sup> Aldridge added that Hennard often referred to women as “vultures” and “gold diggers.”<sup>71</sup> Alexandria Gardner, who knew Hennard because he once filled in on drums in her band, claimed Hennard “detested women badly...He used to say, ‘Women are vile and disgusting creatures.’”<sup>72</sup>

Once again, on its face this narrative seems compelling. Yet again, however, the media could have easily read these same behaviors as further evidence of Hennard’s growing paranoia and anxiety related to his inability to find a job. Instead of using the anecdotal evidence as demonstrating the characteristics of a person moving toward a psychotic break, as had been done in 1984, Hennard’s behaviors were justified as the rational thoughts of a man with an ongoing suspicion and hatred of women.

#### A Cause of Hennard’s Hatred toward Women?

Up to this point, the news media crafted a narrative of Hennard as a man with a deep resentment of women. However, there was little evidence provided to suggest *why* Hennard had these feelings toward women. One could infer, based on the testimonial about his violence toward a woman in the street, Hennard’s hatred could be connected to romantic rejection. Research on unrequited love demonstrates “anger is a common response to having one’s romantic desires thwarted;”<sup>73</sup> however, other than one neighbor’s testimony, there was little evidence to substantiate unrequited love as the source of Hennard’s hatred of women.

Another plausible theory presented in news coverage was that Hennard preferred to be in a position of power, and thus, gravitated toward submissive women. According to Ken Mitchell, a former National Maritime Union representative and Hennard’s former friend, Hennard preferred Asian women because, “They knew how to treat a man.”<sup>74</sup> Additionally, Mitchell claimed Hennard believed, “American women were spoiled.”<sup>75</sup> Criminologist James Fox argued that Hennard’s

preference for the submissive was logical because Hennard was, “Someone who likes to be the authority, the aggressor,” and thus, would have a tendency to “gravitate toward others who are docile.”<sup>76</sup> Fox added, the “Luby’s killings may have been Hennard’s way of not only getting revenge on society but also asserting control over those he blamed for his problems—women.”<sup>77</sup> Fox connected Hennard’s problems to women, but stopped short of rhetorically constructing an *explanation* for Hennard’s anger toward women. Nevertheless, in a hegemonic, patriarchal culture, the tendency and preference toward submissive women was normal and further substantiated the media’s assertion that strong women in positions of power infuriated Hennard.

However, if, as the news media had suggested, Hennard’s hatred of women was the primary motivation for the crime, then the journalists missed one rather compelling explanation for his violence. As suggested earlier in this chapter, Hennard’s job as a merchant marine was very much tied into his identity. Recall that in the case of Huberty’s massacre, job loss was determined to be a *highly* emasculating event. In the 1990s, losing one’s job could be seen as even more emasculating as it was an era when women were increasingly entering the workforce. So, because employment is considered a “core tenet” of hegemonic masculinity, and one, “by which all men are measured,”<sup>78</sup> the loss of one’s masculine identity via work may serve as the catalyst for a violent lashing-out to regain power and control.

News coverage of Hennard’s crime did, albeit subtly, hint at the degree to which Hennard valued his job as a merchant marine. James Dunlap told the *Houston Chronicle* that while Hennard had a history of disrespect and “[doing] whatever he wanted to do,” once he, “found a job as a Merchant Marine his attitude changed, and he became less depressed.”<sup>79</sup> The *Austin American Statesman* quoted Hennard’s friend James Aldridge as saying, “They [law enforcement] definitely took away his life by taking away his license. He was definitely bitter.”<sup>80</sup> Hennard, according to

Karen Roebuck and Bryan Denson at the *Houston Post*, at one time said, “it [his maritime career] means my livelihood, it means all I’ve got, it’s all I know.”<sup>81</sup> Hennard’s former girlfriend, Debbie Dawson, described Hennard as, “a moody person who talked mostly about playing the drums and being a merchant marine.”<sup>82</sup> These references throughout media coverage demonstrated the degree to which Hennard perceived his job as vital to his sense of self. The *Associated Press* added that friends who knew Hennard described him as, “a handsome, hot-tempered loner who hated women but loved his life on the seas before he was thrown out of the Merchant Marines.”<sup>83</sup>

These descriptions made clear that Hennard’s job was integral to his identity. Thus, in losing his job, Hennard could have felt further emasculated and therefore turned to violence, especially violence toward women as the news media had suggested, to regain his sense of power and control. However, the media never fully explored this rationale. Instead, journalists, with help of the expert criminologists, suggested the most plausible tipping point for Hennard was the Anita Hill testimony to Congress intended to undermine the confirmation of Clarence Thomas to the Supreme Court.

#### The Anita Hill Theory

On July 1, 1991, President George H. W. Bush nominated Clarence Thomas to take a vacant seat on the Supreme Court. Despite a general public perception that he lacked experience, Thomas’ Senate hearings went smoothly, suggesting there would be little opposition to Thomas’ confirmation. However, the confirmation quickly unraveled when a confidential interview conducted by the FBI with one of Thomas’ former employees, Anita Hill, was leaked to the press. The interview revealed years of consistent and pervasive sexual harassment of Hill by Thomas throughout her employment under him in both the U.S. Department of Education and the Equal Employment Opportunity Commission. The hearings for Thomas were quickly reopened, and both



Thomas and Hill were called to testify on the matter. On October 11, 1991, less than one week before the Hennard shooting, “Twenty million households tuned in to see her [Anita Hill] testify that her former boss, nominee Clarence Thomas, sexually harassed her.”<sup>84</sup>

According to *New York Times* journalist, Fox Butterfield, “In the case of the shootings in Killeen, Texas, several experts said they were intrigued by the possibility that the murders might have been triggered by the killer’s reaction to the televised Senate hearings last weekend into Prof. Anita F. Hill’s accusations of sexual harassment [sic] against Judge Clarence Thomas.” Criminologist Fox was once again called upon to provide insight into the mind of Hennard. Fox agreed the ongoing Hill coverage may have precipitated the event, arguing, “It’s possible the Senate hearings stirred up his anger at women.”<sup>85</sup> Additionally the *New York Times* quoted sociology professor at the University of California at Berkeley, Neil Smelser, who agreed that the Thomas hearings “could have been the last straw for him [Hennard].”<sup>86</sup> This provided further evidence of the connection between Anita Hill’s testimony and Hennard’s behavior during the week of the shooting. Bill Stringer, manager at a local bar Hennard frequented, testified to journalists that on October 15, “When Anita Hill, a former colleague of Thomas’ who accused him of sexual harassment, testified, Hennard left [sic] from his seat and began shouting, ‘You bitch! You dumb bitch! You bastards opened the doors for all the women!’”<sup>87</sup> The statement by Stringer is certainly persuasive especially given that this occurred the night prior to Hennard’s shooting. And while the testimony of experts and witnesses did provide a motivating rationale for the killing based on a hatred toward women, the narrative frame posited by journalists may have omitted one logical piece of the puzzle. The media could have easily suggested that when Hennard yelled obscenities at the television during the Thomas confirmation hearings, it was not solely because Anita Hill was a woman, but because Anita Hill was a woman who was ruining a man’s reputation

and career—exactly as Hennard thought the women in Belton had done to him.

Thus, the news media provided evidence and a narrative that demonstrated Hennard had an innate proclivity toward violence, that he had a history of violence and aggression toward women, and that either a romantic rejection or the presence of a women in a position of power had been the catalyst for his act of violence. Whether the Hill testimony or a romantic rejection was the final tipping point for Hennard and his violence remained unclear. But one thing was certain—Hennard was *not* insane.

#### A Sane and Rational Act

Both experts and law enforcement officials made it clear that Hennard's act was *not* the result of a mental illness. Killeen Police Chief, F.L. Giacomozzi, stated, "He has an evident problem with women for some reason, not all women," but that law enforcement, "knew of no history of mental illness or treatment."<sup>88</sup> James Fox and Jack Levin once again chimed in with their criminological and sociological "perspectives" on the crime. However, instead of ardently stating that the shooting was an unpredictable snap from a man suffering from a series of frustrations, Fox and Levin, this time, claimed the opposite. According to Levin, "Hennard may have planned this for weeks or even months. He did not snap. He did not go berserk in a spontaneous way. There is a mission, but it is a kamikaze mission. This is an act of suicide."<sup>89</sup> Fox substantiated Levin's argument when he said, "It's not that they just snap...These things take foresight and planning. Generally, they plan out what they will wear, go out and buy the ammunition and carry it out."<sup>90</sup> If planning and preparing for the mass killing did not prove rationality, Fox also added, "Psychologically, they tend not to be insane" and that most are calm and rationally oriented. Moreover, Fox added, "Basically, these people feel they are victims. The motive is simply revenge, but it's revenge at people who had nothing to do with them."<sup>91</sup> By way

of experts Fox and Levin, not only was Hennard a sane and rational actor, he was also the victim of a series of frustrations that *caused* him to lash out and seek revenge toward those responsible for his anger. As Levin articulated, “He [Hennard] sought revenge against society at large—humanity—against an entire town, against all women” when he walked into the Luby’s cafeteria that Wednesday afternoon.<sup>92</sup>

There is no denying that Hennard had an issue with women. However, what remained debatable was the narrative frame journalists espoused which posited that targeted violence against women was a rational, reasoned response to a perceived threat to Hennard’s masculine identity. The implication that this act was rational becomes even more clear when compared to the news media framing of the 1984 Huberty massacre. Unlike the coverage following Huberty’s shooting, journalists did not interview a single childhood friend or teacher of Hennard’s. They did not interrogate his parents about the decisive moment when insanity took hold. The news media did not even level accusations or implications of paranoia despite the existence of Hennard’s five-page letter with incoherent ramblings and threats toward women. To journalists, Hennard was, decidedly, an angry man taking out his aggression on those he saw as responsible for his anger—in this case, women. No further examination was necessary. This is not to suggest that blaming mental illness would have been a more acceptable response by the media. Rather, what I am suggesting is that news media’s acceptance and promotion of the “hatred for women” motive revealed deeper social and cultural issues concerning gender. The motive suggested that women were disposable and Hennard’s act, which involved careful planning and targeting of women, was an elaborate scheme to regain a sense of power and masculinity.

The Luby’s shooting could have been framed as an enactment of aggression and violence in an effort to regain control and seek revenge on those Hennard blamed for his failure. However,

as it was, journalists rationalized and legitimized the massacre as a result of Hennard's general hatred toward women. This hatred could have originated from losing his license, but journalists never felt compelled to unpack that potential because Hennard killing women was justification enough. Could Hennard have been motivated to kill simply because he hated women? It is possible. But was it equally plausible that there was a different, unexplored motive for his crime? This seems undeniable.

### **Aftermath of the Luby's Massacre**

Following the Killeen massacre, a brief debate concerning firearm access took place within the political sphere. Given that media coverage of Hennard's massacre did not frame the incident as the result of a mental illness, the notion of gun control presented as a preventative measure could have feasibly entered the media discussion. It is true that, in a coincidental turn of events, the day following the Killeen shooting congress debated an integral gun control amendment related to the Omnibus Crime Bill. The Crime Bill was a large piece of legislation concerning the funding of community policing programs, public safety initiatives, and crime prevention recommendations. The bill also proposed large-scale changes to prisons and prison sentences. Given that an important debate concerning automatic weapons as part of the Crime Bill occurred one day following Hennard's shooting, the massacre could have been a kairotic moment for gun control efforts; however, gun control advocates failed to capitalize on momentum generated by the shooting. Instead of introducing legislation to limit firearm access, lawmakers and the media suggested the more appropriate solution to prevent future gun violence was to loosen gun control restrictions.

While past efforts to pass the Crime Bill struggled to gain bipartisan support, ongoing gun violence and the skyrocketing homicide rates of the early 1990s pushed congressional support for

the bill to an all-time high. In May 1991, the Crime Bill successfully made it through committee and passed in the House of Representatives by a vote of 239-186. In July of that same year, after a brief debate over the Crime Bill's waiting period for firearm purchasing provision, the Senate also passed the bill by a 71-26 vote. The passage of the Crime Bill seemed all but guaranteed. However, due to wording differences between the House and Senate versions of the bill, it was sent back to a House-Senate Conference Committee to reconcile these differences.

In the reconciliation of wording differences, the House was set to debate an Amendment proposed by Representative Harold Volkmer which called for the *deletion* of language in the bill that would have illegalized the buying and selling of thirteen models of assault-style weapons and all 17-round ammunition clips. The debate was scheduled for October 17, the day after the Hennard massacre. While the firearms used by Hennard were not covered by the language in the bill, the ammunition clip used in the massacre would have been prohibited. Given the timing of the shooting, and the ongoing debate about weapon and ammunition access, the Hennard shooting was directly referenced by politicians debating the Volkmer Amendment and by journalists reporting on the amendment. By day's end, however, the Volkmer amendment passed by a vote of 247-177, abolishing provisions against assault rifles and high-capacity ammunition clips. Thus, despite public approval of stricter gun control, Congressional representatives elected to vote against the provision. As for the fate of the Crime Bill, in November 1991, under threat of a presidential veto, the Crime Bill, which at the time included the Brady Bill, died in the House-Senate committee. The movement toward broadening gun rights was also felt at the state level as Texas lawmakers were urged to reconsider legislation on concealed carry.

In the aftermath of the Killeen shooting, many Texans believed that patrons of the Luby's cafeteria could have protected themselves if state laws allowed them to carry concealed weapons.<sup>93</sup>

Dr. Jim Brown, a spokesman for the Texas State Rifle Association, suggested that it would be better to allow Texans to submit to a background check and carry concealed weapons. Brown argued, “Maybe somebody could have stopped that crazy guy in there had there been an armed citizen...Maybe then he wouldn’t have gotten so far.”<sup>94</sup> Debbie Graves wrote in the *Austin American Statesman*, “While some people say the nation’s deadliest shooting spree makes a case for gun control, other say just the opposite: They believe Texans should be allowed to carry concealed weapons so they can defend themselves against killers like George Hennard.”<sup>95</sup> Graves added, “Texans believe patrons of the Luby’s cafeteria could have protected themselves if state law allowed them to carry concealed weapons.”<sup>96</sup> Given this reaction, Texas lawmakers revisited the issue of gun control and concealed carry laws within the state in the years following the massacre.

Suzanna Gratia Hupp, the leading advocate for concealed carry laws in Texas, survived the Luby’s massacre but witnessed the death of both of her parents that October afternoon. As a result of the shooting, Hupp traveled throughout Texas and the United States to generate support for concealed carry laws. Hupp often told this story about the massacre:

When I finally realized what was occurring I thought ‘I got him,’ and I reached for my purse, he was maybe 12 feet away. Is it possible my gun could have jammed? Sure. Is it possible I could have missed? Sure. But I can tell you, I have hit much smaller targets at much greater distances. But then I realized a couple months ago I made one of the stupidest decisions of my life. I took my gun out of my purse and left it in my car because as you well know in the state of Texas it is sometimes a felony offense to carry a gun in your purse.<sup>97</sup>

Hupp’s narrative was one of an innocent lunch patron unable to use the weapon she had purchased to protect herself and her family. Ann Richards, Governor of Texas at the time of the massacre, continued to veto concealed carry legislation. However, when George W. Bush became the Governor of Texas in 1995, he signed the Texas Concealed-Weapons Bill into law. This law

required all qualifying applicants to be issued a concealed handgun license, provided they passed certain criteria described within the law. The bill went into effect in 1996. Following the success of the legislation, Hupp was elected to the Texas House of Representatives in 1996 for the first of five terms. Texas' passage of concealed carry was indicative of a swell of support for gun rights legislation aimed at the ability to protect oneself that would become the legacy of Killeen.

### **Conclusion**

The legacy of Hennard's massacre can be found in the ongoing struggle to prevent violence toward women and to modify laws limiting firearm access. While the U.S. saw minor improvement in services to the mentally ill through the Alcohol, Drug Abuse, and Mental Health Administration's (ADAMHA) Reorganization Act of 1992, the Hennard shooting did little to bring attention to funding and social issues related to mental health treatment. Instead, Hennard's shooting influenced public deliberation concerning firearm access and contributed to initiatives intended to prevent violence against women. Thus, I contend the Hennard shooting had two lasting implications on America's socio-political culture. First, while the media frame of Hennard's shooting did help to refocus efforts to protect women who were victims of violence, the massacre did little to initiate change or question dominant patriarchal structures. Second, Hennard's shooting served as an exemplar of the "good guy with a gun" narrative that would become popularized in concealed carry debates over the two decades that followed. Indeed, via the hero-citizen argument, the Luby's shooting ushered in an era of concealed handgun laws across the U.S.

The media frame of Hennard's shooting embodied the issue of violence against women in America during the 1990s. While violence aimed at women often took the form of domestic victimization against an intimate partner, there was no denying that a culture of female subordination and gendered violence persisted across all socio-political structures. To help remedy

this issue, Congress finally passed the Violence Against Women Act (VAWA) in 1994. According to the VAWA “Fact Sheet,” “the federal legislation’s comprehensive approach to violence against women combined tough new provisions to hold offenders accountable with programs to provide services for the victims of such [domestic] violence.”<sup>98</sup> Moreover, the aim of the legislation was intended to “change attitudes toward domestic violence, foster awareness of domestic violence, improve services and provisions for victims, and revise the manner in which the criminal justice system responds to domestic violence and sex crimes.”<sup>99</sup> However, while the law did help focus efforts on helping victims of violence through a multitude of programs, the act provided no funding for educating or intervening with the perpetrators of domestic violence.

The VAWA funded training for judges and law enforcement but did not include provisions for intervention training intended to rehabilitate male offenders. The VAWA did not frame the problem of domestic violence as an issue with masculinity and its associations with violence; instead, the act made violence against women primarily a women’s issue to manage and overcome. In her *Time Magazine* article, Kate Pickert quoted Beth E. Richie, a sociologist and professor at the University of Illinois at Chicago who studied violence against women. Richie argued, “VAWA’s focus on law enforcement reduces the really more complicated thing of violence against women to be a problem of the law...And it’s not just a problem of the law.”<sup>100</sup> The problem of male violence against women can be traced to the norms of masculinity perpetuated by American socio-political structures. Media framing of the Killeen massacre fed into this patriarchal social-mechanism. The media portrayed Hennard’s actions of targeting women as rational, sane acts that needed no further description or understanding. Given the media’s acceptance of an aggressive outburst by a man and violence toward women in the coverage of Hennard’s massacre, the structure of intervention *after* a violent act became the primary mechanism to support victims of



domestic violence. The Hennard coverage echoed cultural understandings of violence against women as manageable by way of programs that helped women, but did not address the structural violence of the perpetuation of hegemonic masculinity.

The second legacy of the Hennard shooting was an increased focus on weapons as the means of protection. As suggested above, after the shooting in Killeen, there was a relatively rapid passage of concealed carry as a means to prevent mass shootings like Hennard's. Stroud argued, "The shooting at the Luby's in 1991 was a pivotal moment for the push for concealed handgun legislation."<sup>101</sup> Thus, throughout the 1990s many states started to loosen their restrictions on carrying concealed firearms. The logic used by the concealed carry lobby was that unprotected citizens are more vulnerable to violence since they have no weapon to protect themselves from harm. In fact, in addition to Hupp's testimony, Karl Walter, a spokesperson for Glock, also suggested that concealed carry was necessary legislation to protect innocent Americans. In a press conference the day after the Killeen massacre, Walter argued that the Texas body count would have been minimized, "if there had been one armed person there."<sup>102</sup> Furthermore, as journalist and author Paul Barrett suggested in his book, *Glock: The Rise of America's Gun*, the Killeen shooting also motivated Americans to purchase more weapons to protect their families. While most of Barrett's evidence to support this claim was from middle-class Northern Texas towns, it did suggest a larger theme developed from the Killeen shooting. This theme suggested that firearm ownership was the primary means to prevent victimization following mass violence. In fact, the NRA's monthly publication of the *American Rifleman* has long featured an "Armed Citizen" column in each issue which details everyday armed citizens who were able to prevent the transaction of a crime by shooting back at the perpetrator of violence.

Additionally, the Killeen shooting motivated several states to approve concealed carry legislation. In 1991, sixteen states had shall-issue concealed carry laws (applicants who meet the minimum legal requirements of the state shall receive permits), thirteen had may-issue laws (applicants who meet minimum requirements may receive permits on a case-by-case basis), and fourteen had no-issue laws. By 1995 the number of shall-issue permits had increased to twenty-seven, may-issue decreased to fourteen, and no-issue dropped to eight states. At the time of writing, every state in America has a form of concealed carry legislation. Concealed carry was firmly established thanks, in large part, to the massacre in Killeen.

After 1991, the frequency of mass shootings continued to steadily increase. While media coverage of Hennard's shooting demonstrated a vastly different narrative frame than that of Huberty's 1984 massacre, the next case study demonstrates that by 2012 the relationship between mental illness and mass violence would once again factor squarely into the depictions of both the crime and the criminal following a traumatic rampage shooting on a warm summer evening.

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<sup>3</sup> Thomas C. Hayes, "Gunman Kills 22 and Himself in Texas Cafeteria," *New York Times*, October 17, 1991, A1.

<sup>4</sup> Maria Puente, Tom Squitieri, Alisa Stingley, Carol J. Castaneda, and Gary Fields, "'Dark Hour' Descends on Killeen," *USA Today*, October 17, 1991, A3.

<sup>5</sup> Shirley Perlman, "Gunman Irked by Women but Reason for Killings Eludes Police," *Newsday*, October 18, 1991, 133.

<sup>6</sup> Paula Chin, "A Texas Massacre," *People Magazine*, November 4, 1991, accessed September 17, 2016, <http://people.com/archive/a-texas-massacre-vol-36-no-17/>.

<sup>7</sup> Lisa D. Bastian, "Criminal Victimization 1991," *U.S. Department of Justice Bureau of Justice Statistics*, (1991): 1.

<sup>8</sup> Richard Rosenfeld, "Crime Decline in Context," *Contexts*, no. 1 (2002): 25-34.

<sup>9</sup> Rosenfeld, "Crime Decline in Context," 27.

<sup>10</sup> George Gallup, *The Gallup Poll: Public Opinion, 1991* (Wilmington, DE: Scholarly Resources Inc., 1991), 74.

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- <sup>13</sup> U.S Department of Justice, Office of Justice Programs, "Bureau of Justice Statistics: Selected Findings," *Bureau of Justice Statistics* (1994): 1-4.
- <sup>14</sup> U.S Department of Justice, "Bureau of Justice Statistics," 1-4.
- <sup>15</sup> Lydia Saad, "Americans Fault Mental Health System Most for Gun Violence," *Gallup*, September 20, 2013, accessed September 14, 2016, [http://www.gallup.com/poll/164507/americans-fault-mental-health-system-gun-violence.aspx?g\\_source=mental&g\\_medium=search&g\\_campaign=tiles](http://www.gallup.com/poll/164507/americans-fault-mental-health-system-gun-violence.aspx?g_source=mental&g_medium=search&g_campaign=tiles).
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## Chapter 5: James Holmes and the Aurora Movie Theater Massacre

*“Where all are guilty, no one is; confessions of collective guilt are the best possible safeguard against the discovery of culprits, and the very magnitude of the crime is the best excuse for doing nothing.”*<sup>1</sup> –Hannah Arendt

In July 2012, fifteen miles from the site of one of, if not *the*, most memorable mass shootings in America, incomprehensible violence once again propelled Colorado into the spotlight. And, once again, the perpetrator of that violence became the subject of intense media scrutiny. James Eagan Holmes was born in 1987 to Arlene, a nurse, and Robert, a software company manager. Holmes had a relatively privileged childhood in San Diego, California, where he attended school in the Poway Unified District, a school system known for being “one of the best academic school districts in Southern California.”<sup>2</sup> While in high school, Holmes ran cross-country, played soccer, and lived, according to journalists, a “seemingly idyllic childhood.”<sup>3</sup> Holmes graduated high school in 2006 and went on to attend college at the University of California, Riverside. According to UC-Riverside chancellor Timothy White, “Academically, [Holmes] was at the top of the top.”<sup>4</sup> In 2010, Holmes earned his bachelor’s degree in neuroscience. In addition to his academic prowess, Holmes also gave back to his California community. Holmes spent his summers working as a camp counselor for a program designed to help underprivileged kids in the Los Angeles area. As a bright and intelligent scholar, Holmes was accepted to the prestigious graduate neuroscience program at the University of Colorado, Denver. He started his graduate education there in June 2011. However, Holmes’ higher education tenure would be short-lived. By June 2012, after performing poorly on oral exams administered at the end of the students’ first year of coursework, Holmes began the process of withdrawing from graduate school.

Around the same time Holmes began withdrawing from graduate school in May of 2012, he purchased the first of his many weapons: A Glock 22 handgun from a gun store in Aurora, Colorado. According to Sara Burnett and Jessica Fender of the *Denver Post*, “Six days after purchasing the Glock, [Holmes] picked up a Remington shotgun in Denver. About two weeks later, he bought a .223 caliber Smith & Wesson rifle in Thornton, Colorado and then a second Glock in Denver on July 6.”<sup>5</sup> All told, Holmes amassed a supply of four firearms and a storehouse of ammunition in the span of two months.

On July 20, 2012, Holmes stood in line at the Century 16 Theater in Aurora, Colorado, to attend the midnight premier of *The Dark Knight Rises*. Approximately thirty minutes into the movie, Holmes left the theater via an emergency exit door he had propped open prior to the showing. Holmes retrieved two handguns, a shotgun, an assault rifle, full body tactical ballistic armor, and a tear gas canister from his car and returned to the theater. At 12:38 a.m., Holmes stood in front of the theater filled with approximately 200 people, released the tear gas canister, and began a seven-minute shooting spree that killed twelve and injured fifty-eight others. Witnesses described Holmes as “[Strolling] through the theater, shooting people apparently at random.”<sup>6</sup> Theater-goer Elizabeth Sumrall recalled the chaos of the shooting. Sumrall said, “You just started hearing, Boom, boom, boom, boom, boom! And people started screaming and running.”<sup>7</sup> Another survivor, Tre Freeman, recalled, “[Holmes] started shooting anybody and anyone; he just didn’t care. We were just laying [sic] on the ground, praying that we weren’t about to get shot.”<sup>8</sup>

Within minutes, police, ambulances, and emergency crews “swarmed on the scene.”<sup>9</sup> One witness, Salina Jordan, recalled officers “carrying and dragging bodies” as they ushered survivors out of the theater.<sup>10</sup> Shortly after arriving on the scene, police found and arrested Holmes hunched next to his car in the theater parking lot. Holmes calmly surrendered. After his arrest, Holmes



warned law enforcement officers that his apartment was armed with bombs and explosive devices. Aurora Police Chief, Dan Oates, later confirmed Holmes' confession, telling the press that Holmes entire apartment was "booby-trapped with incendiary and chemical devices looped together with wire."<sup>11</sup> In fact, the apartment was so thoroughly armed that it took the Colorado SWAT team and bomb squad until the morning of July 22 to clear the web of explosives and render the apartment safe for investigation.

Following the shooting and Holmes' arrest, theories about his motive for the shooting began to emerge. Once again, an all too familiar description of the shooter took hold in the media coverage. Holmes was described as "hopelessly shy,"<sup>12</sup> "quiet and strange,"<sup>13</sup> and "a loner isolate [sic] in a brilliant mind."<sup>14</sup> These depictions of difference, isolation, and "otherness," permeated news coverage and signaled to audiences that the killer was mentally deranged. Indeed, explicit assertions of mental illness were presented in the news coverage of Holmes' shooting. John Kelly of the *Washington Post* claimed that Holmes' brain chemistry was "tragically unbalanced."<sup>15</sup> Chuck Murphy of the *Denver Post* added, "We don't yet know if the accused has been previously diagnosed as mentally ill. But we have ample evidence that he is deranged."<sup>16</sup> However, Noel Riley and Josh Margolin were much more confident and specific with their diagnosis. Riley and Margolin described Holmes as "A psychopath who called himself 'the Joker.'"<sup>17</sup> Robert Spitzer contended, "Much is yet to be learned about Holmes's mental state, but it is clear he had significant emotional problems in the months before the attack."<sup>18</sup> Furthermore, experts in the field of psychology and psychiatry were cited to add legitimacy to a mental illness diagnosis. For example, Steven Pitt, a forensic psychiatrist who consulted on the Columbine High School Shooting, was quoted in *USA Today* saying, "I don't know if this guy was mentally ill or the epitome of evil, but I can promise you that as additional information comes out, a picture will be painted of a very

disturbed individual before he committed this act.”<sup>19</sup> Even Colorado Governor John Hickenlooper referred to Holmes as a “warped creature...a twisted, really delusional individual.”<sup>20</sup>

The assertions of mental illness became more cemented in the news media following Holmes first court appearance on July 23. Marisol Bello and Gary Strauss of *USA Today* stated, “Mental health experts were struck by [Holmes] appearance. While they say it’s impossible to know his mental state from TV, the lack of emotion, sleepiness, and dyed hair when combined with the lack of rational motive may suggest some form of mental illness.”<sup>21</sup> Holmes’ former landlord, Carl Allen, told the *Los Angeles Times* that prior to the massacre and court appearance, “[Holmes] hair wasn’t dyed the orange-red it was on the night of his arrest...His eyes did not have the detached vacant gaze he exhibited during his initial court appearance.”<sup>22</sup> Overwhelmingly, the news coverage of Holmes’ crime portrayed him as a “young man struggling with a severe mental illness who more than once hinted that he was losing his footing.”<sup>23</sup>

The diagnosis of mental illness was taken as a fact for journalists writing of Holmes’ massacre. Thus, when analyzing discourse surrounding the shooting, the question becomes, then, how was the readily believed assertion of insanity rhetorically imbued throughout the media coverage of Holmes’ shooting? In other words, how did the media coverage deploy mental illness to rationalize Holmes’ theater massacre?

In this chapter, I examine the way mental illness was used to demarcate the boundaries of individual rights, expand the scope of responsibility, and amplify certain political policies for the prevention of mass shootings over others. I argue that throughout the media coverage of the shooting, Holmes’ presumed mental illness was used to justify both the causes of his shooting and the potential solutions to prevent future mass shootings. Further, I suggest that the discourse of insanity throughout media coverage of the shooting centered on three rhetorical topoi, which I

refer to as the *rhetoric of rights*, the *rhetoric of responsibility*, and the *rhetoric of risk*. In focusing on these three topoi, the news media demonstrated that the stigmatization and surveillance of the mentally ill not only failed to improve since the late nineteenth century but also became defused throughout political and social culture. In their endless search for signs of madness and forthcoming danger, the media and political response to Holmes' violence functioned as a watchful gaze surveying the mentally ill. In this way, the stigmatization of the mentally ill became more imbedded in American culture than ever before.

In support of these arguments, I first explain the contextual environment in which the Aurora shooting was situated. Once established, I lay out the media interpretation of Holmes' shooting as centered around responsibility, rights, and risk, noting important contextual and theoretical arguments for each topos. In concluding this chapter, I demonstrate how surveillance of the mentally ill occurred as a pronounced aspect of America's political and social culture.

### **Gun Violence and Politics**

During the opening decades of the twenty-first century, mass violence unfolded at near epidemic proportions. Indeed, Holmes' shooting was one among an ever-growing string of mass shooting incidents which had occurred in the United States. In fact, a 2015 Congressional Research Report found that in the 1970s, the U.S. experienced an average of 1.1 mass public shootings per year, and by 2013 that figure had risen to 4.5 mass public shootings per year.<sup>24</sup> According to Dale Archer, a clinical psychiatrist writing in *Psychology Today*, "During the 20th century there were about one to two mass murders per decade until 1980. Then for no apparent reason they spiked. Since the year 2000 there had been at least 26, including the massacre in Aurora, Colorado."<sup>25</sup> More specifically, the *Mother Jones*' database indicated that between the 1991 Luby's shooting and the 2012 Aurora movie theater shooting, there had been at least forty-eight documented mass

shooting events in the United States.<sup>26</sup> Indeed, the Aurora massacre coverage had most certainly been influenced or primed by the mass shootings that occurred before 2012.

While the massacres in 1949, 1984, and, in some respect 1991, were rare media spectacles, the growing regularity of mass shootings in American culture changed the media response to the Aurora shooting. Most notably, the 1999 Columbine shooting, the 2007 Virginia Tech massacre, and the 2011 Tucson, Arizona shooting had a significant influence on the coverage of Holmes' massacre.

Although it had been thirteen years since the Columbine shooting, given the geographical proximity between the two shooting locations, the Columbine massacre was frequently referenced in the coverage of the Aurora shooting. Aurora was located less than twenty miles from Columbine High School where, in 1999, two students went on a shooting rampage that killed twelve students and one teacher. Given that both the 1999 and 2012 massacres happened in suburbs of Denver and resulted in a high death toll, many journalists drew comparisons between the shootings and shooters. Two other frequent comparisons made in the media referenced the Virginia Tech shooting by Seung-Hui Cho and the Gabrielle Giffords' shooting in Tucson committed by Jared Lee Loughner. The alleged mentally unbalanced state of both Cho and Loughner often served as the narrative thread linked to Aurora.

Not only were the years prior to Holmes' shooting inundated with mass shooting violence, but 2012 was particularly violent and, thus, in some ways complicated research into the media response to the Aurora shooting. Following the massacre on July 21, several other mass shootings in the United States happened in rapid succession. On August 5, 2012, there was a mass shooting at a Sikh temple in Oak Creek, Wisconsin, where a lone gunman killed six people and wounded four others. On August 13, 2012, a shooting occurred in College Station, Texas, near Texas A&M

University, killing three people, including at least one police officer, and injuring four. On August 24, 2012, a gunman shot and killed a former co-worker outside the Empire State Building in New York City. However, the violence culminated on December 14 when Adam Lanza fatally shot twenty-six staff and students at Sandy Hook Elementary School in Newtown, Connecticut.

Therefore, it is important to note that the concurrent nature of these mass shootings suggests some policies and initiatives may not have been directly associated with the media coverage of the Aurora massacre, but rather the increasing violence in the United States writ large. However, the importance of the media response to Aurora cannot be understated as it was the first among a deadly pattern of mass shootings that demanded media coverage and political response during the latter half of 2012. The frames used by the news media after the shooting would come to dominate political and public attitudes and responses to the shooting, tarnishing what were once seen as credible resources on tragic national events. The framing of the event was influenced by the contentious presidential campaign, the response from President Obama and his challenger Mitt Romney were relatively muted.

At the time of the Holmes shooting, the presidential race between President Obama and presumptive Republican nominee Mitt Romney was especially close. According to a Gallup poll taken on July 18, 2012, days before the shooting, Romney and Obama were tied at 46% support of registered voters.<sup>27</sup> Thus, the slightest miss-step arguably could have cost one of them the election. Despite most gun control advocates calling upon Obama and Romney to take a stance on the issue of firearm access, neither candidate seemed “eager to alienate gun owners” in the middle of a tight presidential election, especially since both candidates had “pledged support for the 2nd Amendment right to bear arms” as part of their platforms.<sup>28</sup> Additionally, according to public opinion data, Americans were not overwhelmingly in favor of further gun restrictions even after

the wake of Aurora. According to a Pew Research Center opinion poll taken on July 29, 2012, while 47% of Americans did say controlling gun ownership was the most important way to curb gun violence, 46% said protecting the rights of Americans to own guns was the priority.<sup>29</sup> Therefore, any policy that neglected the needs on either side of this issue could have been polarizing for the electorate. In lieu of talking about sweeping gun control legislation, the president and his challenger offered solutions echoed in media reporting that centered on gun control specifically targeted toward the mentally ill. Thus, given the prominent role of mental illness in the rhetoric of politicians and media coverage, it is therefore important to consider the state of mental health treatment and culture in the early twenty-first century.

### **State of Mental Health in the Early Twenty-First Century**

The transition into the twenty-first century was marked with an increase in attention paid to mental health and treatment. During the waning decade of the twentieth century, it was clear that the government had been failing to serve a growing body of mentally ill Americans. In fact, the first federally commissioned report on mental health did not occur until 1999. In that year, the Clinton administration commissioned the U.S. Surgeon General to create a report on the state of mental health and treatment in America. The report issued the following statement:

Obstacles that may limit the availability or accessibility of mental health services for some Americans are being dismantled, but disparities persist. Still, thanks to research and the experiences of millions of individuals who have a mental disorder, their family members, and other advocates, the Nation has the power today to tear down the most formidable obstacle to future progress in the arena of mental illness and health. That obstacle is stigma. Stigmatization of mental illness is an excuse for inaction and discrimination that is inexcusably outmoded in 1999.<sup>30</sup>

Thus, the primary objective for organizations and associations attempting to improve the state of mental health treatment was to improve the availability and accessibility of treatment options while simultaneously working to reduce discrimination and stigma associated with mental illness.

In an effort to meet these objectives, President Bush created a Commission on Mental Health in 2003 to help develop a federal system for improving the treatment of mental illness. The focus of the president's "New Freedom" commission was to "investigate mental health issues in mainstream social policies, such as housing, criminal justice, education, employment, and welfare, as well as in general health policy."<sup>31</sup> The overall goal of the commission was to gain a better understanding of the public's experiences with, concerns about, and hopes for the mental healthcare system. In an effort to make the necessary changes, the New Freedom Commission solicited advice from stakeholders in the mental health community on various topics related to the Commission's mission. Ultimately, the commission found that the American mental health system was "in shambles."<sup>32</sup> In fact, the report described "excessive disability, homelessness, dependence on social programs, school failure, and incarceration in jails and prisons" as the primary challenges facing the improvement of mental health treatment.<sup>33</sup> To improve the state of mental health, the commission suggested strategies for decreasing stigma and increasing the number of patients that sought long term treatment, which included, "[educating] the public that mental disorders have a biological and neurological basis, and are not a character flaw or personal weakness."<sup>34</sup> Indeed, throughout the beginning of the twenty-first century, most mental health campaigns stressed the disease model of mental illness.

The disease model "places a focus on finding and treating the causes of emotional, behavioral, and/or organic dysfunction, with an approach based on diagnosis, treatment, and cure" comparable to methods within the traditional medical community.<sup>35</sup> In fact, the late 1990s medical and political community proudly proclaimed that it would be the "decade of the brain."<sup>36</sup> This meant that research and funding would become focused on how mental disorders were connected to brain chemistry and function. In 2015, the Pew Charitable Trusts, in collaboration with the John

D. and Catherine T. MacArthur Foundation, published their research on United States spending on treatment for mental illness. Pew's research found, "Since 1986, the share of U.S. spending on inpatient and residential treatment has decreased significantly, while spending on outpatient treatment (from 24% in 1986 to 32% in 2009) and prescription drugs (from 8% in 1986 to 28% in 2009) has increased dramatically."<sup>37</sup> Thus, a vast majority of money used to treat mental illness went toward prescription drugs and outpatient treatment.<sup>38</sup>

The early years of the twenty-first century were predicated upon the further medicalization of mental health treatment. To this end, the 1990s and 2000s stressed equivalence between mental and physical health. The Mental Health Parity Act, which was passed in 1996, required annual or lifetime dollar limits on mental health benefits to be no lower than dollar limits set for medical and surgical benefits offered by insurance companies. Improving upon this act, the Addiction Equity Act was passed in 2008. The Act directed health insurance plans that offer mental health and substance use disorder benefits to make them at least equal to physical health benefits.<sup>39</sup>

In 2012 it was estimated that over forty-four million Americans were suffering from some form of mental illness and another twenty million were suffering from some form of substance addiction and abuse.<sup>40</sup> Another study performed in 2011 found, "nearly 9 million U.S. adults had mental illness that greatly affected day-to-day living, or serious functional impairment."<sup>41</sup> Despite the vast number of Americans living with a mental illness, fewer than half sought treatment for their disease.<sup>42</sup> Thus, while mental illness was far more visible in 2012 than it had been fifty years earlier, the negative stereotypes and stigma related to the disease had seen limited improvement.

In 2006, researcher Nava Silton and her colleagues sought to find if there had been any change in public perceptions of the mentally ill during the ten years that mental health organizations actively promoted anti-stigma literature and programs. In order to do so, they



examined the relationship between social distance and mental illness mediated through perceptions of mental illness and dangerousness. They found that the “participant’s perceptions of mental illness and dangerousness partially mediated the desire for social distance.”<sup>43</sup> Ultimately, the more “severe” the form of mental illness, the more social distance and level of dangerousness was found. Thus, illnesses such as schizophrenia were associated with higher perceptions of dangerousness and stronger desires for social distance. Therefore, it can be said that in 2006, the pattern of distancing oneself from those with mental illness due to perceptions of dangerousness remained prevalent. As Siltan’s study demonstrated, despite concerted efforts to minimize the stigma related to mental illness, many people still have strongly rooted beliefs that those suffering from mental illness are more dangerous and more likely to commit violent crimes than those without a history of mental illness. Thus, even in the twenty-first century, and despite concerted efforts to minimize negative associations with mental illness, “People with severe mental illnesses remain among the most gravely disadvantaged and stigmatized groups in the United States.”<sup>44</sup>

One of the most significant factors contributing to the belief in the dangerousness of the mentally ill has been media coverage blaming mental illness as the cause for violent events. As demonstrated in the three previous chapters, the news media had a significant role in creating social beliefs about the causes of mass shootings. These social beliefs, in turn, influenced policy actions following mass trauma. Indeed, in 2013 Lydia Saad, a writer for Gallup, found, “Forty-eight percent of Americans blame the mental health system ‘a great deal’ for mass shootings in the United States....At the same time, fewer Americans blame easy access to guns now (40%) than two years ago (46%), making the mental health system the perceived top cause of mass shootings.”<sup>45</sup> Such a discrepancy in attitudes toward disease versus attitudes toward weapons can be explained by the tendency among journalists and politicians to blame a criminal’s actions on a

perceived or diagnosed mental illness. Rhetorically, using mental illness to explain why mass violence occurred adds to public anxiety and fear toward this already disadvantaged population.

The pattern of media reports disparaging the mentally ill persisted and was arguably more injurious for the mentally ill in the coverage of the Aurora shooting. The media, which had quickly formed a consensus around Holmes' apparent mental illness, focused on the causes and solutions to Holmes' crime. In so doing, their coverage hinged on perceptible clues of Holmes' perceived deterioration into madness. Therefore, rhetorically the Holmes' shooting coverage forwarded the argument that a more watchful community would have noticed behaviors as antecedents of the coming violence. Furthermore, the assertion of mental illness also informed policies put forth by the media and politicians to prevent the likelihood of future mass shootings. The policies suggested further restrictions on the rights of the mentally ill and pushed for the implementation of risk assessment protocols intended to surveil the mentally ill for clues about future dangerousness. To demonstrate this rhetorical pattern, I turn to the media coverage related to responsibility in the wake of the massacre.

### **Rhetoric of Responsibility**

Following mass violence, there is a clear focus on finding or attributing the crime to some identifiable cause, because without a cause, there is no way of developing a solution to prevent future incidences of violence. As psychologists Robert Gebotys and Bikram Dasgupta suggested, "Perceiving a negative event as the result of chance is threatening to the observer's view of a stable and predictable world."<sup>46</sup> Thus, the rhetorical function of blaming a person or persons for a trauma is to establish control in an otherwise uncontrollable situation. Zachary Rothschild and his colleagues considered this a fundamental notion of both classic and contemporary perspectives on blame and responsibility. They argued, "people are fundamentally motivated to maintain the

perception that they have effective control over their environment.”<sup>47</sup> Indeed, as Gordon Allport posited in 1959, “among all peoples there is to be found the notion that guilt and suffering can be transferred to some other being or person.”<sup>48</sup> As Kenon Brown and Candace White argued, “Psychologically, people want to place responsibility for events on someone or something because it helps them make sense of the situation.”<sup>49</sup> Within the field of rhetoric, this transference of guilt and responsibility is often called scapegoating.

Kenneth Burke first introduced the concept of scapegoating in his 1935 *Permanence and Change* and once more in his 1945 *Grammar of Motives*. Burke’s theory suggested, “the scapegoat [represented] the principle of division in that its persecutors would alienate from themselves to it their own uncleanlinesses...In representing their iniquities, it performs the role of vicarious atonement.”<sup>50</sup> In other words, humans, dealing with their own insecurities and guilt, will identify an outsider or individual, the scapegoat, to absorb responsibility for an undesirable event or outcome. Selecting a scapegoat to take responsibility is often done in an effort to reduce one’s own feelings of guilt or liability. “Scapegoating,” Barry Brummett argued, is a “particularly poignant symbolic form because the goat is attacked for its ability to represent the sins of the attackers more than for its own transgressions.”<sup>51</sup> Furthermore, as Allport proposed, scapegoating, or blaming another, can help maintain the perception that the external world is orderly, stable, and predictable, rather than chaotic and dangerous.<sup>52</sup> As such, “Focalizing responsibility for the negative outcome onto a scapegoat may serve as a strategy for restoring perceived control because scapegoats, in contrast to chaotic and impersonal forces, can be clearly identified, counteracted, and (at least) understood.”<sup>53</sup> Thus, in determining the appropriate scapegoat for a transgression, one asserts responsibility and judgment upon another.

In determining judgments of responsibility, “factors such as intention, foresight, mitigating circumstances or potential justifications,” are used to assign blame.<sup>54</sup> The litany of clues which foreshadowed violence, in effect, point blame toward those persons who ignored or were unable to recognize the “obvious” signs of deviance. John Marvel wrote that one’s “failure to prevent or to respond swiftly” to a perceived threat makes that individual culpable in the attack.<sup>55</sup> Culpability proved to be a primary focus for journalists searching for a narrative that could explain Holmes’ shooting. However, in the media coverage of Holmes’ massacre, responsibility and blame were dispersed across a number of “culpable” actors. The diversity of blame can best be represented by H. L. A. Hart’s 1968 three conceptions of responsibility.

Hart was a prominent legal and political philosopher throughout the mid-twentieth century. Hart’s *Punishment and Responsibility: Essays in the Philosophy of Law*, published in 1968, presents three forms of responsibility—role, causal, and capacity responsibility—which are used to assign blame and culpability to both positive and negative events. *Causal responsibility* is attributed to human “actions or omissions” that may have contributed to a particular outcome. While these associations may be tenuous, the assertion of causal responsibility proves cathartic for an audience looking for a target of blame. *Role responsibility* includes persons who are considered bound to his or her “distinctive place or office in a social organization.”<sup>56</sup> This form of responsibility is very much tied to the duties associated with one’s title or social position. If one fails in their responsibility as outlined in their official capacities or duties, their responsibility for an act is categorized as a failure of role responsibility. Finally, *capacity responsibility* refers to the person, he or she, who, if granted their normal capacities, should be held responsible for the outcome of his or her actions. The complexities of this form of responsibility are most often revealed within the court of law. As Hart described, “capacity responsibility refers not to a legal

status but to certain complex psychological characteristics of persons, as a person's responsibility for his actions may intelligibly be diminished if impaired as well as altogether absent."<sup>57</sup> In other words, if one is not psychologically fit, then he or she is not necessarily responsible for his or her actions. Indeed, it can be argued he or she was not in his or her right mind or of sound capacity to be considered blameworthy for the event.

Each of these three forms of responsibility are present in the media coverage of Holmes' shooting and implicated a number of individuals as in some way culpable for the crime. Holmes' friends, teachers, neighbors, and acquaintances who missed the warning signs of Holmes' descent into madness were considered causally responsible for the massacre due to their inaction in preventing the shooting. Holmes' psychiatrist and university were held responsible for a failure of meeting the duties expected of them as part of their official capacities or role responsibilities. And finally, one of the more complex questions of responsibility arose in the discussion of Holmes' capacity responsibility for the crime. If he was insane, as the media was quick to assert, then he should have been legally and morally released from the culpability for his crime. To demonstrate how the media assigned blame for the crime via mental illness and Hart's three forms of responsibility, I now turn to the media coverage of Holmes' shooting.

### Causal Responsibility

The news media coverage of Holmes' shooting was concerned with the "signs" of madness he exhibited in the weeks and months prior to his massacre. Although a small number of media commentators suggested there may have been little or no indication that Holmes was moving toward an act of violence, a majority of news outlets detailed small behaviors that strangers, friends, family and neighbors should have recognized as an indication of Holmes' plans. The *USA Today* argued a few days after the shooting, "It is rare a mass murderer does not leave signs."<sup>58</sup>

Chuck Murphy of the *Washington Post* inquired, “Shouldn’t someone have noticed? Shouldn’t he have gotten help long before this?”<sup>59</sup> The persons the media often suggested should have noticed something included his parents, strangers, teachers, and classmates. That no one noticed or reported Holmes made them culpable and responsible for his crime.

Various news outlets suggested Holmes’ social isolation was itself a clue, signaling his potential for violence. For example, Murphy quoted an anonymous neuroscience faculty member at the University of Colorado as saying, “Holmes was very quiet, strangely quiet and socially off in class.”<sup>60</sup> Journalist Jack Healy wrote, “Classmates of Mr. Holmes said that his behavior, always awkward and quiet, changed over the spring, and that he seemed to be retreating farther into himself by June. He performed poorly on oral exams and began the process of dropping out of school on June 10.”<sup>61</sup> Erica Goode and colleagues wrote in their *New York Times* article, “As the fall term began last year and students plunged into their required coursework, [Holmes] pairing of laconic ease with an almost crippling social discomfort would become a theme that many students later remembered.”<sup>62</sup>

Given that humans are expected to be social creatures, a person who prefers isolation is often considered interpersonally and psychologically non-normal, or different. Social isolation is also a correlative of antisocial personality disorder. An antisocial disorder is indicative of not only a tendency to prefer solitude to the company of others, but also a “pervasive pattern of disregard for the feelings of others and often accompanied by violation of the rights of others through negligence or overt action.”<sup>63</sup> The disease manifests often in childhood, but when connected to schizophrenia and psychopathy, the personality disorder frequently presents in early adulthood. While never stated explicitly, news media’s characterizations of Holmes as bizarre, different,

nonconforming, and isolated imply a personality disorder outside the normal realm of young adult behavior.

Adults who have “great difficulty conforming to social norms and rules” are often considered to have a personality or border line personality disorder, which medical doctor Joseph Flaherty alleges makes “it very difficult for them to maintain employment and function within a family.”<sup>64</sup> This family dysfunction is also considered in the news media’s reports as evidence of missed signs and opportunities to diagnose and undiagnosed mental condition. Specifically, Holmes mother was implicated as causally responsible for not doing anything to prevent her son from committing the massacre. “Neighbors and friends,” according to reporters David Farenthold and Carol Leonnig, said, “Arlene Holmes had confided to friends that she was very concerned about her son’s social isolation and had sought counseling for him years earlier.”<sup>65</sup> Adding legitimacy to this story is what many news media outlets reported Arlene said upon hearing about the Aurora massacre. Reportedly, she said, “You have the right person,” and hung up the phone. Thus, as the quote suggested, even Holmes’ own mother knew something was not right with her son but did not do enough to intervene before he became violent.

One more example of a story repeated in various news outlets was Holmes’ attempt to become part of the local shooting range. Approximately one month before the Aurora shooting, Holmes emailed an application for membership to Glenn Rotkovich, the owner of a local gun range. Following standard protocol, Rotkovich called Holmes to inform him of the mandatory orientation program necessary for membership at the range. Although he never spoke to Holmes, Rotkovich told journalists he was disturbed upon hearing Holmes answering machine message. Rotkovich said, “I got his answering machine. It was a very bass, very deep sounding, guttural voice that once you heard it, you realize it was not an accident. Somebody was trying to make it

sound that way. It was an intentional act...bizarre or freakish. I could not make out certain words.”<sup>66</sup> Rotkovich was so concerned about what he heard that he told his staff if Holmes called back or showed up for orientation they had to immediately come get him. Holmes never followed up on his application. Although Rotkovich was deeply disturbed by Holmes and recognized something was “off” about his voicemail, he made no attempt to alert the authorities or to contact Holmes. Given Rotkovich’s failure to do enough to alert the authorities about an applicant he called “freakish,” the *USA Today* argued, “Perhaps we need to take things up a notch and express concern to authorities about such encounters. It is probably our best chance to prevent future horror.”<sup>67</sup> If, as Rotkovich indicated, Holmes sounded distressed and “freakish,” then the obvious question becomes: why did Rotkovich not act on his concerns? If he was so worried as to want to meet him before his entry into the gun club, why did Rotkovich not have the presence of mind to inform the authorities? Again, the media insinuated that another sign of violence had gone unreported by those who could have potentially stopped Holmes’ violence.

Given that Holmes was able to amass a collection of weapons and ammunition, build a storehouse of bombs, and purchase full tactical gear, many journalists presumed multiple persons were responsible for missing the clear signs pointing toward this act. Given that there would likely be signs of an “unraveling” mind, then, there also should have been those who could have seen or stopped Holmes’ actions. By failing to act, these actors were causally implicated as responsible for the Aurora massacre.

### Role Responsibility

On July 25, 2012, four days after the shooting, journalists discovered that during the months leading up to the massacre, Holmes was rumored to have seen university psychiatrist Dr. Lynne Fenton. The story broke when a journal Holmes allegedly mailed to Dr. Fenton the night



before the shooting was turned over to the Aurora police department. In the *Denver Post*, Karen Crummy and Jeremy Meyer wrote, “James Eagan Holmes—suspected in the Aurora movie-theater attack—was seeing a University of Colorado psychiatrist to whom he allegedly mailed a notebook before the July 20 massacre.”<sup>68</sup> Anonymous law enforcement officials were cited in news stories saying the journal included drawings of the massacre and described his plan in detail. However, speculation about the legitimacy of these anonymous sources persisted, and ultimately, Dr. Fenton became embroiled with Holmes’ violence and took on a significant portion of the blame for not stopping him before his massacre.

Medical health professionals are often considered culpable and responsible for the crimes of their patients because, as Nikolas Rose argued, “they appeared to have failed to recognize the danger posed by a patient or client who was living in the community.”<sup>69</sup> Given that “Therapists are required by law to investigate any threat of violence,” the existence of a notebook which journalists said was filled with plans, images, and rationalizations for Holmes’ crime meant that Fenton failed in her duty to acknowledge and prevent his potential for violence.<sup>70</sup> Thus, the importance of this journal lay in the obligations of the psychiatrist. Even though there was no concrete, tangible evidence of what was contained in the journal, its mere existence as a text mailed to Holmes’ psychiatrist was enough to implicate Fenton in the crime. Furthermore, John Banzhaff, a Georgetown law professor, suggested in the *Denver Post* that Holmes’ dropping out of an esteemed program like the University of Colorado’s neuroscience program should have been enough to raise a flag with his psychiatrist. Banzhaff argued:

We have someone who is being treated by a university psychiatrist who specializes in schizophrenia... The university has knowledge of this, and they also know the days leading up to this, the person who is seeing someone for mental illness suffered at least three major stressors. He left the program; he is forgoing his only source of income, which he received from a federal grant; and he is likely to be evicted from his apartment. A psychiatrist does

have some sort of duty to make sure that he gets some further treatment. Did she say, ‘Here are three guys who can take your case?’ I don’t think you can drop him like a hot potato.<sup>71</sup>

While research suggests that the graduation rate for graduate students within 10 years of starting their degree remains around 56.6%, to journalists and even legal professionals, Holmes dropping out of school remained a clue or indication that something was wrong.<sup>72</sup> If this sign was missed by a professional expected to recognize stress and anxieties within the students she works with, then Dr. Fenton was partially responsible for failing her obligations as a psychiatrist.

However, granting some reprieve to Dr. Fenton, she did in fact alert the university threat assessment team of her concerns of Holmes. An anonymous source told the *Denver Post*, Holmes had told Fenton during their one and only meeting on June 11 that he fantasized about killing “a lot of people.”<sup>73</sup> Fenton claimed she went to the university’s threat assessment team on June 12 to “express her concerns and to seek more information about Mr. Holmes.”<sup>74</sup> What the university did from that point to neutralize Holmes as a potential threat was unclear. However, one issue that Fenton could not account for in her role as psychiatrist was why she declined to order Holmes be detained on a 72-hour psychiatric hold or why she failed to go to the police with her concerns. Due to this oversight, a widower of the mass shooting filed a lawsuit in January 2013 claiming Fenton should have, in her role as a psychiatrist, placed Holmes on 72-hour hold to protect the community.

The failure of the university to act on the information provided by Fenton raised questions regarding the role of the university in treating students, even after students express their intentions to leave the school. In their *Denver Post* article, Crummy and Meyer cited Jacque Montgomery, a Colorado University spokeswoman, who said, “Students who have withdrawn from school can pay to continue their student insurance or self-pay by getting a referral to a clinician they can see off campus.”<sup>75</sup> Thus, some newspapers argued that the proverbial ball had been dropped not just by Fenton, but by the university writ large. According to one newspaper, Colorado University

Chancellor Don Elliman repeatedly told the press, “the school did all it could with regard to Holmes.”<sup>76</sup> However, these claims seem suspicious given that the university never contacted police or sought further help for Holmes.<sup>77</sup> Adding to the complexity in understanding the role of the university in these circumstances, a court placed a gag order on the university regarding any information related to the case or Holmes. The university was further placed under a microscope and given partial blame for not performing a mental health background check before admitting Holmes to the university. The dean of the graduate school, Barry Shur, told the *Los Angeles Times*, “faculty closely monitor graduate students and that students undergo background checks before they are admitted” but that no program in the United States requires a mental health evaluation for their graduate students.<sup>78</sup>

In any sense, the role of the university and Fenton’s culpability in Holmes crime were subjects of debate in media reporting of the massacre. Indeed, Crummy and Meyer posited important questions in their *Denver Post* article that draw a line between role and capacity responsibility in the reporting of Holmes’ massacre, “Did Holmes reveal his plans to Fenton? Did Fenton tell the police? Will it become the basis of an insanity defense?”<sup>79</sup> The insanity defense is the next facet of responsibility news coverage contended with in developing the list of those accountable or responsible for the massacre.

#### Capacity Responsibility

Very much related to the issue of mental health was the question of whether or not Holmes’ could be held responsible for his crime. Terms such as “deliberate,” “intentional,” and “premeditated” are often used in determinations of responsibility for a crime.<sup>80</sup> As such, “motivation, intent, and blameworthiness” are central to determining criminal responsibility.<sup>81</sup> According to the law, one is not held legally responsible for their crime if they are found to be

mentally incapable of understanding the moral implications of their deed. Mental incapacity in the legal sense includes, “mental disorders, mental illnesses, intellectual disabilities, and physical disorders that have an effect on mental functioning.”<sup>82</sup> Each of these can be used to excuse criminal responsibility for a crime. Thus, immediately following Holmes’ arrest, the media relied on rhetoric that speculated on the likelihood of an insanity defense being used in the inevitable court case.

Patricia Backlar suggested that even if Holmes was mentally ill at the time of the crime, public opinion was not as decided as to how mental illness should influence his level of criminal responsibility. Backlar wrote, “the public may believe that persons with serious mental disorders should not be held accountable—should not be considered blameworthy—for their deeds; or alternatively, the public may be persuaded that such persons should be held—as is the general adult population—morally responsible for their actions.”<sup>83</sup> As psychologist’s Marina Costanzo and Mark Costanzo argued:

To be found ‘not guilty by reason of insanity,’ the defense must usually show that, at the time of the commission of the crime, the defendant was unable to appreciate the wrongfulness of his actions. Unless it can be proven in court that the defendant was unable to distinguish between right and wrong at the time of the crime, the presumption is that he or she acted freely and with full awareness that the act was wrong.<sup>84</sup>

Thus, debate as to Holmes’ mental state became essential to rhetorically defining responsibility and guilt for his crime.

The technicalities related to legal insanity played out in media coverage. Journalists, often citing legal experts, demonstrated the dissonance experienced when determinations of insanity are potentially counterproductive to assigning legal and moral responsibility for a crime. In his book *Murder and Madness*, Donald Lunde argued, “The origins of the controversial aspects of the insanity defense extend as far back as recorded history. At the heart of the controversy is the

concept of blame.”<sup>85</sup> However, for many people, justice still requires punishment, and this punishment should fit the crime. For example, in the *Washington Post*, David Fahrenthold and Carol Leonnig cited Joseph diGenova, former U.S. attorney for Aurora, stating “[Holmes’] entire demeanor was bizarre. Is this guy acting, or is this real? Is he psychotic? Is he seriously ill? There is no doubt he is a very disturbed person, but whether he is technically mentally ill for insanity defense purposes remains to be seen.”<sup>86</sup> For many Americans, as was the case following the 1982 Hinckley trial, the insanity defense still seemed like “A ruse employed by clever lawyers in collaboration with naïve psychiatrists to win acquittal of an obviously guilty client.”<sup>87</sup> One clear example of the skepticism about Holmes insanity was the media response to Holmes eccentric appearance during his first court appearance. Images of Holmes sitting in court with hair dyed bright orange, eyes wide and unfocused, and a facial expression of both confusion and disengagement circulated throughout the media. The images showed an individual who seemed to eerily match stereotypical conceptions of the madman. To some it was almost as if Holmes seemed to be *too* cold, *too* unfeeling, and *too* bizarre to be believed. The outlandish nature of his appearance led some journalists to suggest that Holmes could be faking a mental illness to avoid the death penalty. Therefore, there seemed to be consensus that Holmes was, in some sense, deranged, but whether that relieved him of responsibility for the crime remained an active topic for debate.

Thus, while Holmes’ disturbed nature was taken at face value and his mental state was left for discussion within the media, what was less decided was how this influenced legal responsibility for his crime. A *Christian Science Monitor* reporter Gloria Goodale specifically discussed these issues, stating, “This case, and those like it, raise question about mental illness and responsibility. Those questions are likely to play out in the case against James Holmes as the court determines

whether he is competent to stand trial and his attorney determine whether he can and should raise the insanity defense.”<sup>88</sup> Another example, journalist Murphy wrote “This is not to excuse Holmes’ alleged actions or let him hide behind a psychiatric condition to avoid punishment. On the contrary, based on some eyewitness accounts, the killer seemed very much in control in the theater, even making choices of victims rather than firing indiscriminately. That along with the booby-trap wiring at his apartment, indicates he is equal parts genius and madman.”<sup>89</sup> In fact, Madison Gray of *Time Magazine* wrote, “Any eventual jury in this case will have to decide if Holmes was in his right mind as the tragedy unfolded and if his actions—which included the use of a small arsenal of weapons and explosives—were calculated and premeditated.”<sup>90</sup> Therefore, while Holmes was a madman trapped inside a deteriorating mind, when it came to responsibility for his crimes, the media and public were less willing to allow a justification based on his perceived mental illness. For journalists, Holmes could be both mentally ill and responsible for his crime. Furthermore, Holmes mental illness was taken as evidence of a need to restrict the mentally ill.

### **Rhetoric of Rights**

In American society, there is a general acceptance that citizens are to be granted inalienable rights and equal protection under the law. Laura Collins argued, “In American politics, we often equate rights, particularly constitutional rights, with freedom.”<sup>91</sup> Insofar as the Fourteenth Amendment is concerned, all citizens are granted equal protections under the law. However, in practice, all citizens are not granted these same rights. Indeed, as Judith Failer suggested, full inclusion or the concept of full citizenship for all members of American society is a “legal fiction.”<sup>92</sup>

The denial of constitutional protections and personal freedoms is often done under the guise of preventing a threat to Americans. According to psychiatrist Felicity Callard, “The law was

historically (and indeed on many occasions still is) used in the service of ‘protecting’ society from individuals deemed to pose a danger because of their mental illness or disorder, rather than used to protect and promote those individuals’ human rights.”<sup>93</sup> By denying constitutional rights, the mentally ill are treated in the same manner as convicted criminals. Indeed, “The mentally ill, especially those with severe, recurring disorders, are constrained to live lives that are shaped, in large part, by social isolation, reduced employment prospects, ongoing stigma and the denial of basic rights.”<sup>94</sup> The continued denial of full access of rights to the mentally ill persists because not many politicians are willing to engage the argument that the mentally ill should have unfettered access to their inherent constitutional rights. Psychiatrist Brenden Kelly argued, “The persistent erosion of power and freedom experienced by individuals with mental illness has resulted in a significant ‘power gap,’ whereby the needs of the mentally ill are grossly under-represented on both societal and political agendas.”<sup>95</sup> The erosion of the constitutional rights of the mentally ill was certainly a theme following the Holmes shooting. Proposed policy actions that pertained to rights and inclusion clearly demarcated the mentally ill outside the boundary of protection. As such, the mentally ill were further disenfranchised and demonized by the media as posing a continued threat to America.

To further alleviate concerns that Holmes’ massacre would introduce a new wave of gun control restrictions, the media coverage of the massacre quoted President Obama’s pledge to protect second amendment rights. For example, Trip Gabriel of the *New York Times* cited the Obama Administration’s press secretary, Jay Carney, as twice saying, “the main focus of the president [is] to protect Second Amendment rights.”<sup>96</sup> However, President Obama also stated he was committed to ensuring that weapons did not make it “into the hands of individuals, who should not, by existing law, obtain those weapons.”<sup>97</sup> Without stating explicitly, President Obama was

alluding to the 1968 Gun Control Act which limited the mentally ill from accessing firearms. This argument enthymematically implied a willingness to restrict the rights of the mentally ill over promoting comprehensive gun laws.

Also echoing President Obama was Colorado Governor Hickenlooper. Journalist Karen Crummy of the *Denver Post* cited Hickenlooper who maintained, “This person [Holmes], if there were no assault weapons available, if there were no this or no that, this guy’s going to find something, right? He’s going to know how to create a bomb. Who knows where his mind would have gone? Clearly a very intelligent individual, however twisted.”<sup>98</sup> The *USA Today* wrote, “In the aftermath of the Aurora, Colorado mass murder, there will be discussion about preventing such a catastrophe. For all the talk about gun control, the reality is that millions of guns already are in society, and it is likely too late to prevent a determined criminal from getting guns.”<sup>99</sup> Clearly, since many believed Holmes’ massacre would not have been deterred by broad firearm restrictions, many felt it should not have an impact on United States citizens ability to enjoy full access to their Second Amendment right to firearm ownership.

Moreover, while it was often reported that Holmes had purchased his weapons through legal channels, within a week of the shooting even this was open for interpretation. John Kelly of the *Washington Post* argued, “News reports have said that James Holmes bought his arsenal legally. But did he really? The mentally ill aren’t supposed to own guns, and is there anyone who thinks this guy wasn’t wrong in the head?”<sup>100</sup> Kristin Rand, director of the Violence Policy Center argued, “Though Holmes apparently purchased his legally, there is a huge gun issue here.”<sup>101</sup> Premised on the principle that the mentally ill should not be granted equal access to their right to the Second Amendment as other citizens, the arguments to restrict access to this already marginalized group began in earnest. Kelly’s article also suggested that, “states [weren’t] doing



enough to stop the mentally ill from getting firearms” and that despite the fact that these laws might not “stop a mentally ill person bent on destruction” there is the possibility that these laws “would stop the friendless loner- or at least deprive them of an easy way to kill.”<sup>102</sup> *Los Angeles Times* reporter George Skelton wrote, “We can lower the kill rate by doing a much better job of keeping weapons out of the hands of mental misfits.”<sup>103</sup> Finally, *New York Times* journalist Joe Nocera argued, “even Liberals” stressed the need for new gun regulations that would make it more difficult for the “likes of James Holmes...to get ahold of killing machines like semiautomatics.”<sup>104</sup> Thus, both gun control and gun rights groups stressed the need to add more strident efforts to prevent the mentally ill from getting weapons. However, most of these proposed changes and restrictions were already integrated into the restrictive policies for firearm access to the mentally ill in American law.

Recall that the Gun Control Act of 1968 specified categories of people banned from purchasing or possessing firearms. These provisions included individuals convicted of or indicted for a felony, individuals who are proven drug abusers, non-citizens of the United States, and individuals who have been found to be mentally ill. The restrictions on the mentally ill were still in place at the time of Holmes’ shooting; however, there was no legal requirement for the states to submit data about the mental health of individuals. The 1993 Brady Law established the National Instant Criminal Background Check *System* (NICS)<sup>105</sup> to monitor and regulate firearm purchases, and despite the FBI’s request for states to submit data on patients with mental health issues, many states elected against doing so. In fact, legal scholar Lindsay Lewis found, “At the end of 2005, the NICS had over 234,000 records for people with disqualifying mental health histories. Yet in January 2006, there was an estimated 2.7 million people who had been involuntarily committed for mental health disorders...and only 22 states contributed any mental health records to the

NICS.”<sup>106</sup> Thus, background check data can be misleading and does not always work in preventing violence. Furthermore, the issue with the NICS was clear and had already been addressed five years before the Holmes’ shooting.

In an effort to improve the law, the NICS Improvement Amendments Act was passed in 2007. The Act provided “incentives to states to submit complete information to the Attorney General by giving grants to state agencies to establish and upgrade information automation and identification technologies.”<sup>107</sup> In addition to incentives to report, the act also administers penalties to states that do not comply. However, these mandatory penalties will not go into effect until 2018, so the United States was unable to determine what benefits or side effects will result for this act. Given these approved changes to the NICS, it is difficult to understand what more politicians would advocate be done to assist in curbing firearm access to the mentally ill. Calls made by politicians, as recounted in the news media, offered no new proposals or specifics about what measures would be introduced to keep weapons out of the “wrong hands.” Moreover, while many argued that the Holmes’ shooting proved there was a strong case for prohibiting the mentally ill from having access to firearms and other weapons, those who worked with these populations on a regular basis disagreed with this position.

The American Psychological Association (APA) released a position statement in 2015 on firearm access, which argued while “reasonable restrictions on gun access are appropriate,” most of these restrictions should “not be based solely on a diagnosis of mental disorder.”<sup>108</sup> The APA’s argument suggested that because only a minimal number of individuals suffering from a mental illness pose a threat to either themselves or others, lawmakers should not create blanket laws that disenfranchise the entire population of individuals already discriminated against in American society. Instead, the APA supports a paradigm that, “all persons whose conduct indicates that they

present a heightened risk of violence to themselves or others, whether or not they have been diagnosed with a mental disorder” should be banned from access to weapons.<sup>109</sup> Moreover, the

APA argues:

Given that the right to purchase or possess firearms is restricted for specific categories of individuals who are disqualified under federal or state law, the criteria for disqualification should be carefully defined, and should provide for equal protection of the rights of those disqualified. There should be a fair and reasonable process for restoration of firearm rights for those disqualified on such grounds.<sup>110</sup>

Although the calls for further restricting firearm access may not have be the most effective solution to mass violence, it was one of the safer and more palatable proposals. Given public fear of the mentally ill and their lack of governmental representation, policies that further restricted their access to weapons was a politically reasonable proposal. However, the limitation of the mentally ill’s Second Amendment rights was not the only way lawmakers further stigmatized the mentally ill. The *Boston Globe* wrote, “if political leaders can’t enact common-sense gun limits, they have an obligation to come up with an alternative strategy to prevent such horrifying acts.”<sup>111</sup> The alternatives proposed by the *Globe* included, “more monitoring of ammunition and military equipment purchases, more aggressive mental health intervention, or more sophisticated policing methods.”<sup>112</sup> It was the more aggressive policing and assessment methods that proved valuable to politicians and journalists as a means to protect Americans from the violence of the mentally ill.

### **Rhetoric of Risk**

Rather than being framed as a singular, episodic event, the media coverage of the Aurora shooting suggested the massacre was part of an epidemic of mass shootings on the rise in the United States. Given the degree to which mass shootings were considered commonplace, journalists and political actors stressed the importance of developing policies and plans to combat mass violence. In fact, as Jaclyn Schildkraut and Jaymi Elsass argued, “As news of a mass shooting

hits the airways, discussions focusing on how to prevent future events begin almost simultaneously, with politicians, pundits, and the general public all weighing in.”<sup>113</sup> As demonstrated earlier in this chapter, blame was generally aimed at those who missed the signs of deviance and mental illness. This blaming lead some to seek actions that might prevent future violence perpetrated by the mentally ill. In fact, following the Aurora shooting a Gallup poll found that 50% of Americans believed government spending on mental health screening and treatment would be a “very effective” method for reducing the frequency of mass shootings.<sup>114</sup> Thus, these solutions fit within a larger pattern in the United States of analyzing risk and dangerousness in relationship to the mentally ill.

During the 1990s and early 2000s, mental illness became “inextricably linked” with risk.<sup>115</sup> “Dangerousness,” Nikolas Rose argued, “became a matter of factors, of situations, of statistical probabilities and by the 1990s, the organizing term of the debates was...risk.”<sup>116</sup> According to Robin Jenson, scholars focused on the rhetoric of risk are primarily interested in how “risks emerge through discourse and are therefore discursive.”<sup>117</sup> Thus, risk exists both in the material and communicative realms; both as an object and discursive subject. Indeed, “notions of risk are at least partly discursively constructed and that to communicate about risk is also to create risk.”<sup>118</sup> In effect, communicating a potential risk to the public calls that phenomena into being. As a means of mitigating the perceived threat of these rhetorically constructed risks, journalists, doctors, and politicians often propose mechanisms to prevent or decrease the likelihood of an undesirable outcome. Therefore, as Timothy Sellnow argued, “Risk communication...is focused largely on recognizing potential threats and recommending actions to managing or minimizing those threats.”<sup>119</sup> In the case of the mentally ill, the common strategy for determining the potential threat an individual or group of individuals posed was done via analyses and tests performed by doctors

to help indicate one's proclivity toward deviance and dangerousness. As such, the burden of creating these tests fell upon psychiatrists who worked with the mentally ill.

These tests of dangerousness, Felicity Callard asserted, "placed a significant focus on the issue of 'public safety' and 'risk,'" often at the detriment of "promoting the human rights of people with mental health problems."<sup>120</sup> Therefore, strategies for "identifying and intervening with individuals who have communicated threats of violence or engaged in behavior that clearly indicated planning or preparation to commit a violent act," were promoted as a means of preventing future incidents of violence.<sup>121</sup> The Aurora massacre renewed calls for evaluating mentally ill individuals for the risk they posed to society through the use of tests developed throughout the early twenty-first century.

One of the foundational works that bolstered the desire for mathematical and statistical tests to substantiate claims of future dangerousness of the mentally ill was the MacArthur Risk Assessment Study. In that study, John Monahan and his colleagues argued, "Violence risk assessment...plays a pivotal role in mental health law throughout the world. 'Dangerousness to others' is now a principal standard for inpatient commitment, outpatient commitment, and commitment to a forensic hospital."<sup>122</sup> The goal of their study was to address the violence that people with mental disorders "sometimes engage in," to better understand how "violence can be anticipated" as a first step toward prevention of harm.<sup>123</sup> Under the paradigm that statistical instruments proved superior to clinical observation, the researchers sought to develop "actuarial tools for the specific task of assessing risk of violence to others among people with mental disorder."<sup>124</sup> Thus, the MacArthur study was intended to help build future assessment protocol to be used by judges, lawyers, and doctors. Their assessment of violence was often done by combining well-known assessment tools into a single actuarial instrument to be used by clinicians.

For example, the research proposed using “classification trees” as an “interactive and contingent model of violence, one that allowed many different combinations of risk factors to classify a person as high or low risk.”<sup>125</sup>

The primary objective was to ask the patient a series of questions about their past medical and social history and then follow the answers along a “tree” that would eventually indicate the statistical probability of future violence (i.e. if the patient was a high or low risk for society). While the study was originally intended to help develop commitment protocols for mentally ill patients, the language and goals of these risk assessment instruments bled into discussions of how to prevent mass shootings. Psychologists Marina Costanzo and Mark Costanzo wrote, “The effort to understand and predict violent behavior—violence risk assessment—is important as an attempt to predict and prevent horrible massacres.”<sup>126</sup> These types of assessments and statistical devices were often suggested as mechanisms to monitor the mentally ill and protect U.S. citizens in the wake of mass shootings such as Aurora. And thus, risk assessment protocols are directly connected to mass shootings.

Risk assessments, such as the MacArthur test, which monitor and surveil the mentally ill to look for proof of dangerousness or the tell-tale signs of violence, are increasingly used in mental health treatment. As such, America’s new “risk society” is characterized by a preoccupation with “managing diverse risks in our everyday lives” and the news media “plays a key role in this sociocultural transformation.”<sup>127</sup> The coverage of the Aurora massacre was an example of the preoccupation with risk and mental illness.

The day after the shooting, Chuck Murphy wrote, “In the United States we have scarce resources for treating mental illness and are even worse about monitoring patients who suffer from it. If we are looking for solutions to horrifying events such as Friday morning’s mass shooting, it’s

a good place to start.”<sup>128</sup> In his *Washington Post* article, Eugene Robinson proposed that the responsibility of monitoring the seriously mentally ill should become a communal effort. Robinson argued that although “There is no simple way to identify the handful of individuals who are quietly spinning out of control, we as a society need to do more to be caring and aware of one another and one another’s behavior.”<sup>129</sup> A week after the shooting, the editorial board at the *McClatchy-Tribune* wrote that media and experts have “wisely weighed in on the issue of mental health,” and what could be done to keep weapons out of their hands and to help “those unable or unwilling to seek treatment.”<sup>130</sup>

Of course, identifying mentally ill individuals who posed an actual risk was no easy matter. The problem that Holmes represented was so big, in fact, that developing tools and policies to police the mentally ill became the cornerstone of President Obama’s 2013 “Now is the Time” plan. Obama’s plan was developed in an effort to, “protect our children and our communities by reducing gun violence.” Obama’s plan argued, “Most gun owners buy their guns legally and use them safely, whether for self-defense, hunting, or sport shooting. Yet too often, irresponsible and dangerous individuals have been able to easily get their hands on firearms. We must strengthen our efforts to keep guns from falling into the wrong hands.”<sup>131</sup> Specifically citing Aurora as an impetus for the plan, the Obama administration detailed four objectives that would help reduce the frequency of mass shootings in America: (1) Closing background check loopholes to keep guns out of dangerous hands; (2) Banning military-style assault weapons and high-capacity magazines, and taking other common-sense steps to reduce gun violence; (3) Making schools safer; and (4) Increasing access to mental health services.<sup>132</sup> In line with previous claims to protect Second Amendment rights while preventing the mentally ill from accessing weapons, each of these four objectives detailed surveilling techniques that would help governmental and medical agencies

better predict and control the dangerously mentally ill. For example, one of the methods to accomplish the first goal—closing background check loopholes to keep guns out of dangerous hands—was to remove any “needless barriers” in sharing mental health information about patients to the NICS. Thus, the “needless barrier” of doctor-patient confidentiality would no longer be extended to those seeking mental health treatment.

Indeed, community safety was further privileged over the mentally ill when the plan argued, “[Preserving] the rights of health care providers to protect their patients and communities from gun violence” would best be accomplished by “never asking doctors or healthcare officials to turn a blind eye to the risks posed by guns in the wrong hands.”<sup>133</sup> Again, implying there are right and wrong hands, including those of the mentally ill, is certainly wrong. And while many of the plan’s objectives are commendable, such as launching national-level conversations about mental health and ending the freeze on gun violence research, many of the plan’s policies indirectly affirm the stigma and fear of the mentally ill by implicating these individuals as representing an ongoing and unpredictable community threat. That is, the perceived risk of violence outweighed the rights of the mentally ill.

### **Surveilling the Mentally Ill**

Altogether the rhetoric of responsibility, the rhetoric of rights, and the rhetoric of risk crafted a larger narrative of the societal danger posed by the mentally ill. Dangerousness and mental illness were discussed as visible and assessable phenomena that governmental and medical agencies needed to actively monitor. From rhetoric vilifying those who missed the “signs of deviance” to the deallocation of rights from the mentally ill, the news media suggested the best solution to preventing future acts of mass violence was to watch, assess, and analyze the mentally ill. As such, the processes of “community supervision and monitoring,” predicated on a perceived



risk of violence by the mentally ill became the fixed solution for mass violence.<sup>134</sup> Indeed, it would appear that even in the twenty-first century, Americans were still fascinated and consumed with observing and surveilling the mentally ill for the signs of deviance and dangerousness.

From the end of the nineteenth century to the start of the twenty-first, the relationship between the mentally ill and the public writ large has changed, but not as drastically as one may believe. Despite claims of an increased focus on the treatment and destigmatization of the mentally ill, characterizations of mental illness have not improved. By this, I mean to say the rhetoric surrounding surveillance of the mentally ill has remained a central feature of public life. However, rather than the nineteenth century era of Sunday penny tours of the asylum, rhetoric of surveillance of the mentally ill has disseminated across all societal actions and become integrated into the American socio-cultural dynamic. Indeed, it would seem the entire public has been instructed to turn its gaze upon the mentally ill as part of a constant search for signs of deviance and violence. The rhetoric and policing following the Aurora shooting exemplify this shift toward an ever-present cultural panopticon.<sup>135</sup>

In the late 1800s and early 1900s, insane persons were seen as “violent, incurable, and a threat to the community.”<sup>136</sup> Thus, policies such as forced sterilization, restrictive marriage laws, and the deportation of immigrants were instituted as a means of protecting the common good and social order. Cages and chains housed the mad due to public fear of an “explosion of their fury.” Indeed, “Such outbursts [were] regarded chiefly as a social danger.”<sup>137</sup> The asylum housing the dangerous and deviant became a form of entertainment and spectacle. As Andrew Scull of the *Wall Street Journal* wrote, “the viewing of its [the asylum] unusual inmates provided much mirth and entertainment to hoi polloi and wealthy alike.”<sup>138</sup> The madman was watched, investigated, and criticized in an effort to know and understand his motivations. Indeed, as Foucault wrote,

“Everything was organized so that the madman would recognize himself in a world of judgment that enveloped him on all sides; he must know that he is watched, judged, and condemned.”<sup>139</sup> Moreover, “Inspection [functioned] ceaselessly. The gaze [was] alert everywhere.”<sup>140</sup> Behaviors of the mentally ill divulged their inner dangerousness and deviance. Thus, there was a fundamental need to identify and surveil the mentally ill. In *Discipline and Punish*, Foucault argued:

Our society is not one of spectacle, but of surveillance; under the surface of images, one invests bodies in depth; behind the great abstraction of exchange, there continues the meticulous, concrete training of useful forces; the circuits of communication are the supports of an accumulation and centralization of knowledge; the play of signs defines the anchorages of power; it is not the beautify totality of the individual is amputated, repressed, altered by our social order, it is rather that the individual is carefully fabricated in it, according to a whole technique of forces and bodies.<sup>141</sup>

At the beginning of the twenty-first century, this need to surveil the mentally ill was just as important as it had been in the nineteenth century. However, instead of inviting community members to the asylum to gawk and watch, lawmakers in the twenty-first century used policy and community-wide observation to keep the collective gaze upon the mentally ill. Evidence of the persistence of supervising the mentally ill can be found in the allocation of funding to mental health programs.

Federal funding for mental health treatment has shifted away from broad programs to help treat and help the mentally ill toward those that watch and monitor. For example, the budget of the Substance Abuse and Mental Health Services Administration (SAMHSA), which was responsible for reducing the impact of substance abuse and mental illness on America’s communities, has changed in intriguing ways since 2012. SAMHSA’s 2015 budget revealed that funding for mental health care and research has largely decreased since 2012; however, the one area in which funding has increased is in Health Surveillance and Program Support. While “Mental Health” programs reported an overall \$23-million loss of funding, including the “Substance Abuse Treatment”

program which reported a \$64-million decrease, “Health Surveillance” had a \$14-million increase in their budget. This demonstrates the pervasive need to watch the mentally ill for signs of deviance. However, these policies and beliefs only worsen the life for those suffering from a mental illness.

The demarcation of the mentally ill as a dangerous “other” in need of constant supervision exacerbates stigmatization and fear of the mentally ill. In fact, Jeffery Swanson and colleagues poignantly wrote, “Fear stokes avoidance and social rejection which in turn beget discrimination and if they are no longer ‘one of us,’ coercion, loss of privacy, and unwarranted deprivation of liberty becomes easy to justify.”<sup>142</sup> Moreover, Warwick Blood and Kate Holland contend that much of the responsibility for embedding the fear of the mentally ill falls to journalists who blame mental illness for violence. Blood and Holland argued, “News stories about extreme or rare cases, such as linking mental illness to violence and murder, tend to stigmatize mental illness and generate community fear of mentally ill people as unpredictable, dangerous others. News values of conflict, violence and drama supported and heightened community fears of risk.”<sup>143</sup> The arguments for limiting the rights of the mentally ill by way of creating invasive policing and surveilling policies are justified via the fear established in the news media following mass shootings. However, these policies are often ineffective means of preventing the likelihood of future incidents of mass violence.

Solutions targeting the mentally ill would fail because “gun violence is an urgent, complex, and multifaceted problem which requires evidence-based and multifaceted solutions.”<sup>144</sup> Daniel Webster and Jon Vernick added, “Although many highly publicized shootings have involved persons with serious mental illness, it must be recognized that persons with serious mental illness commit only a small proportion of firearm-related homicides; the problem of gun violence cannot

be resolved simply through efforts focused on serious mental illness.”<sup>145</sup> Indeed, “distorted rhetoric...directs public attention to the link between mass killers and mental illness and away from the more politically sensitive issue of gun control and the fact that the majority of homicides in the United States are perpetrated by people who are not psychiatrically ill.”<sup>146</sup>

### **Conclusion**

Three long years after the massacre in Aurora, James Eagan Holmes went to trial for his crime. Despite the defense entering a plea of “Not Guilty by Reason of Insanity” on June 4, 2013, opening statements did not begin until April 27, 2015. Leading up to the trial, a contentious battle between the prosecution and defense over the admissibility of evidence and the results of two court ordered psychiatric exams raged. Throughout the trial, the defense portrayed Holmes as a victim of mental illness, bringing forward a series of witnesses who described Holmes as a “sweet, academically gifted child,” before succumbing to illness.<sup>147</sup> However, the prosecution bitterly refuted these claims. Given that Colorado law requires the prosecution to prove a defendant was sane at the time of the crime, the prosecution portrayed Holmes as a “self-absorbed loser who lashed out violently after setbacks in his love life and his studies.”<sup>148</sup> However, to reconcile public opinion of Holmes’ perceived mental illness with the desire to enact moral justice, the prosecution did concede that Holmes could be mentally ill and yet also sane during the commission of his crime. In total, Holmes trial lasted a little less than two months before a jury was asked to determine his fate.

On July 16, 2015, after twelve hours of deliberation the jury came back with their verdict—Holmes was guilty of all 165 charges related to his massacre. The jury rejected Holmes plea of insanity, believing instead that Holmes was sane when he “stormed the suburban Denver movie theater in Aurora, killing 12 people and injuring 70 others.”<sup>149</sup> Holmes was convicted of twenty-

four counts of murder, 140 counts of attempted murder and a single explosives charge. However, the jury had yet to determine his sentence.

For the death penalty, a unanimous vote of all jury members was required. Most media outlets seemed assured that the jury would have no difficulty meeting this threshold. However, on August 27, a lone holdout on the jury saved Holmes life. Instead of the death penalty, Holmes received the alternative punishment for his twenty-four murder counts—one life sentence for each person he killed, plus 3,318 years for the attempted murders of those he wounded and for rigging his apartment with explosives.<sup>150</sup> Holmes, who is not eligible for parole, will live out the remainder of his life in an undisclosed prison within the Colorado Department of Corrections and will forever remain the spectacle of the dangerous mentally ill. As for the rhetorical legacy of the Holmes shooting, appeals to monitor, surveil, and measure the risk posed by the mentally ill—in lieu of sweeping gun control legislation—defined the discourse following mass violence.

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## Chapter 6: In the Aftermath of Violence

*“Dignity does not come from avenging insults, especially with violence that can never be justified. It comes from taking responsibility and advancing our common humanity.”<sup>1</sup> –Hillary Clinton*

In December 2016, the nonprofit organization Sandy Hook Promise released a Public Service Announcement (PSA) entitled “Evan.” The two-minute video follows a high school student, Evan, as he counts down the days to summer vacation. Audiences watch as a disinterested Evan scratches “I am bored” into a library table. Much to his surprise, Evan returns the next day to find a response to his message: “Hi bored, nice to meet you.”<sup>2</sup> Over the course of what seems like several days, the library-table pen pals develop a flirtatious relationship. As a “sentimental folk song” plays in the background, Evan eagerly scans his school and social media accounts in search of the mystery woman.<sup>3</sup> In the last scene of the video, Evan *finally* meets the young lady with whom he had been exchanging messages. However, while their relationship blossoms in the foreground, a student in the background walks through the door armed with an assault rifle and aims it toward the crowd of kids. The music stops and the video fades to black. Words then appear on the screen, “While you were watching Evan, another student was showing signs of planning a shooting...But no one noticed.”<sup>4</sup>

The viewing audience is then taken back through the series of events they had just watched. Except this time, instead of foregrounding Evan, the video literally highlights a student in the background exhibiting what the nonprofit organization considers to be the tell-tale signs of an impending mass shooting. According to *Los Angeles Times* reporter Nina Agrawal, the signs depicted in the PSA include, “an obsession with firearms, displaying excessively aggressive behavior, being bullied and having unsupervised or easy access to firearms.”<sup>5</sup> The video concludes with the words, “Gun violence is preventable when you know the signs.”<sup>6</sup> At the time of this

writing, the video PSA had been viewed over 8.1 million times and has been covered by most major print and television news media. Thus, the PSA has reached a significant viewing audience with its message of prediction and prevention. In the words of Embry Roberts and Scott Stump of the *Today Show*, “The video has been lauded for forcing viewers to experience firsthand how easy it is to become wrapped up in drama and ignore a struggling person—and a potentially dangerous situation.”<sup>7</sup>

The message of the video is clear: mass shootings are preventable. Nicole Hockley, who lost her son in the Newtown shooting and founded Sandy Hook Promise, told *Washington Post*, “The one message I want people to know is that gun violence is preventable when you know the signs...That’s a big eye opener in itself. People don’t think about gun violence in this way. We think about imminent danger, active shooter drills or lockdowns. This is about prevention.”<sup>8</sup> Indeed, the primary goal of Sandy Hook Promise is to educate the public on mass shooting prevention, but the Sandy Hook Promise PSA reflects a broader fixation on preventing mass shootings. My dissertation, in part, sheds light on how prevention and mental illness have become the dominant narrative following mass shootings.

This dissertation began with one broad question: what do the public arguments following mass shootings reveal about cultural understandings of mental illness and violence? As exemplified in the Sandy Hook Promise PSA, prediction and prevention, particularly as they relate to issues of mental illness, have become the prominent responses to mass shootings. While audiences of the mass shootings in Camden and San Ysidro required mere explanation of the crime, by the Killeen shooting and even more so the Aurora massacre, audiences needed assurances that future incidents of mass violence could be predicted and prevented. Mental illness served as the link in contemporary media coverage, connecting the public’s desire to know, or understand, mass

violence with the public's desire to control, or prevent, mass violence. Watching for signs of mental illness thus became the primary narrative in responses to mass shootings in contemporary American culture. Embedded in this narrative is an argument of surveillance, which suggests that if Americans watch and monitor one another a little more closely, the epidemic of mass shootings can be curtailed. More specifically, and again as the Sandy Hook Promise PSA illustrates, news and political outlets called upon Americans to look for signs of aggression and mental illness as a precursor to violence. The case studies presented in this dissertation demonstrate that for the American media, and subsequently the public, mental illness has become one of, if not *the*, primary warning sign of mass shootings.

Throughout this dissertation I have argued that media representations of mass shooters have had significant influence on policymaking and social perceptions of the mentally ill. Through careful attention to the arguments, evidence, proposals, metaphors, labels, and tropes used by the news media, I contend that in lieu of broad gun control legislation, policies that further stigmatized and alienated the mentally ill were used to ameliorate public safety concerns about mass violence. Using representations of the mentally ill as dangerous, aggressive, unpredictable, and socially inept, the media created an "us" verse "them" dichotomy. In establishing this dichotomy, the media and politicians consistently called upon the public to be active participants in supporting policies that regulate, monitor, and judge the mentally ill. The purpose of this final chapter is to identify the salient themes discovered through the analysis of the media response to four mass shootings from 1949 to 2012. Knowledge gained from these overarching themes will thereby inform my recommendations for responding to mass shootings.

To achieve this aim, I must first detail three ramifications of news coverage from the four case studies, demonstrating a shift from episodic to thematic news frames centered on policies of

prevention that ultimately disenfranchise the mentally ill. Once established, I present three areas of emphasis in the fight to transform media and political responses to mass violence. My plan, based on current research in the fields of criminology and psychology, argues that a focus on mental health is detrimental not only to the mentally ill but the country as a whole. Finally, my dissertation ends with a call to correct the rhetoric following mass shootings to minimize the stigmatization of the mentally ill.

### **Implications of the Discursive Aftermath**

Three salient themes are revealed when one evaluates the four case studies as a whole. First, as mass shootings became more frequent in America, the dominant frame in news media coverage transformed from episodic to thematic. Mass shootings were no longer the result of one insane individual; but rather they were the result of a society that allowed the mentally ill to live free and unchecked. Second, in three of the case studies, the stigma of mental illness was widespread and pervasive in both media and cultural representations of the mentally ill. Furthermore, there was a particularly notable fascination with visible characteristics associated with diseases of the mind. “Normal” members of society needed assurances that there were signs foretelling mental illness, signs they could identify, report, and guard against. Finally, over time, mental illness was used not only to demonstrate a motive for the mass shooting, but also as a mechanism for preventing the likelihood of future attacks. While efforts to prevent mass shootings are clearly admirable, doing so at the expense of the mentally ill is discriminatory and stigmatizing.

#### **Episodic and Thematic Framing**

My analysis of media following four mass shootings from 1949 to 2012 revealed that the news media response increasingly framed mass shootings in thematic rather than episodic terms. Meaning, over time, coverage has contextualized mass shootings as a systemic, social problem

rather than isolated episodes of violence. Framing is the mechanism by which the media or political elites organize and disseminate information to the public, and, as a result, reporting on an event or issue is never neutral. Shanto Iyengar proposed two forms of framing utilized by news media when telling a story—episodic and thematic framing. Episodic news frames, Daniela Dimitrova explained, “are references to isolated news events, focusing on discrete cases or episodes.”<sup>9</sup> “Thematic frames,” on the other hand, “provide broader societal context to issues and events.”<sup>10</sup> Political communication scholar Lene Aarøe added, “Episodic and thematic frames have been identified as essential types of political news reporting, and effect studies have shown that these frames influence citizens’ attributions of responsibility, their policy views, and the intensity of their emotional reactions.”<sup>11</sup> Thus, the form in which a news story is framed can have a significant impact on the political and emotional response to the event.

Kimberly Gross argued that episodic frames are more persuasive than thematic frames because an individual story is more compelling and creates identification with the audience, thus generating a stronger emotional reaction.<sup>12</sup> Conversely, Philip Hart suggested that thematic frames are more closely connected to societal and governmental action. Hart found that audiences who read a story presented in a thematic frame increased their responsibility attribution to societal factors and supported government policies that addressed or solved the issue.<sup>13</sup> Iyengar argued most reporting on crime and violence is done from an episodic framework. He argued journalists present the facts and details of a singular crime or terrorism event for an audience, often citing relevant friends, families, and neighbors of both the victim(s) and perpetrator(s) to build narrative and emotional connection with the audience. According to Iyengar, “the prevalence of episodic framing in political news coverage diverts attention from societal responsibility,”<sup>14</sup> which, according to Gross, “leads people to hold individuals responsible for their own predicaments,



thereby dampening support for government programs designed to address problems and shielding leaders from responsibility.”<sup>15</sup> In the case of mass shootings, media reporting in the earlier case studies examined in this dissertation (Camden and San Ysidro) was more consistent with the episodic frame, focusing on the shooter and his path toward violence. However, media reporting of the latter two shootings (Killeen and Aurora) more closely resembled the thematic frame, with arguments suggesting that governmental institutions should be held responsible for providing preventative measures to curb the likelihood of a repeat attack. Indeed, the media coverage in the Killeen and Aurora case studies focused on mass shooting within the larger social and political context, which drew attention to cultural factors that may have contributed to the violence.

Evidence of the shift from episodic to thematic coverage was exemplified in three ways. First, because the shooting in 1949 was a highly unique and uncommon event, there was no comparable events on which to build thematic coverage. However, as the decades passed, and mass shootings increased in regularity, journalists continually and consistently drew reference from previous mass violence events in their coverage. This pattern slowly started to emerge during the 1984 case, albeit using comparisons to other mass causality events such as plane crashes or industrial accidents rather than mass shootings. Although these comparisons tied the Huberty shooting into a larger social narrative, the comparison to tragedies writ large seemed to amplify the drama of the episodic frame. By 1991, however, social comparisons to other mass shootings were built via thematic frames that made mass shootings an ongoing social issue. Following the Hennard massacre in 1991, *USA Today* journalists Maria Puente wrote, “Killeen had become the site of the worst mass shooting in U.S. history, surpassing the July 18, 1984, slayings in San Ysidro, Calif., when James Oliver Huberty killed 21 at a McDonalds restaurant.”<sup>16</sup> Additionally, journalists Steve Marshall and Hayes Taylor noted, “Wednesday’s attack topped the death toll of

21 killed in a McDonald's restaurant in San Ysidro, Calif., in 1984."<sup>17</sup> While not stated outright, the inclusion of the previous mass shooting in San Ysidro created a sense of urgency to solve what would appear to be a growing issue in America. By the 2012 Holmes shooting, references to the series of shootings that occurred throughout the previous decade became commonplace. Recall in chapter 5 how the Holmes shooting was frequently connected to previous mass shootings, such as the 1999 Columbine shooting, the 2007 Virginia Tech shooting, and the 2011 Tucson massacre. Additionally, Holmes' massacre was at the center of legislative action and presidential executive orders intended to reduce the frequency of mass shooting violence. The involvement of government and the increased use of previous events to build narrative cohesion is one indication of the shift toward thematic framing of mass shootings.

The next indication of a shift from episodic to thematic framing was the growing frequency of politicians responding to mass shootings. In the two shootings prior to Killeen, politicians refrained from making public statements following mass shootings, and neither the public nor the media seemed to explicitly call on state representatives, senators, or the president to provide emotional consolation and/or political promises to solve the crisis. However, beginning in 1991, politicians recognized the rhetorical exigency of incidents of mass violence. For example, in a response to questions about firearm sales following the Hennard massacre, President Bush told a reporter, "Obviously, when you see somebody go berserk and get a weapon and go in and murder people, of course it troubles me. But what I don't happen to have that answer to is: can you legislate that behavior away?"<sup>18</sup> Mirroring President Bush, a litany of congressional members weighed in on the shooting and its connection to gun control and concealed carry legislation. Furthermore, the Hennard shooting ushered in the rapid passage of concealed carry laws across the United States. Clearly, by 1991 politicians had started to recognize, and capitalize on, the momentum created in

the wake of mass violence. Therefore, following the 2012 Holmes shooting, both President Obama and his challenger, Mitt Romney, made statements following the massacre. The increased role of political actors in the coverage of mass shootings is evidence of the shift from explaining mass shootings as the result of one deranged individual to explaining them as a result of significant political and social problems in America. This push toward the social and political extends well beyond the involvement of politicians in the response to mass violence.

The final indication of a shift toward thematic framing was the call for citizens to become active in the fight against mass violence. Throughout the coverage of the Camden, San Ysidro, and Aurora mass shootings, the news media suggested that the shooters exhibited the signs and symptoms of mental illness and rhetorically constructed their potential toward violence. As such, in contemporary coverage of mass shootings, journalists implicated a variety of responsible parties who missed the “obvious” signs and, in effect, contributed to the commission of the crime. Specifically, following the Holmes massacre, news media seemed to hold Holmes’ parents, teachers, and community members responsible for his violence. However, the thread connecting all of these actors was the absence of laws or supervision of the mentally ill. Thus, lawmakers, including President Obama, called upon all Americans to look for the signs of mental illness and violence in an effort to intervene before shooting outbursts. The argument of the Sandy Hook Promise PSA echoes this growing push for a society that surveilles one another and makes assessments of their mental state. The movement toward this social panopticon is representative of the shift to the thematic frame—toward reporting on mass shootings as a social and systemic issue to be managed by government and social programs. While recognition of the signs of mental illness are an indication of the shift toward thematic framing of mass shootings, warning signs also represent the significant role played by the “visibility of madness” in discourses that stigmatize

and blame the mentally ill.

### Visibility of Mental Illness and Stigma

In news coverage following mass shootings, mental illness is usually depicted using the individual's visible and behavioral characteristics. Indeed, while stigma originally meant a mark placed on the body to indicate corruption and inferiority, stigma now comprises all visible and invisible behaviors that are considered non-normative. However, the visible appearance or discernable behaviors that signal mental illness are pronounced in the media response to mass shootings. Recall that Erving Goffman argued the visibility of stigma has a significant influence on the way members of society regularly treat and interact with the stigmatized individual.<sup>19</sup> Thus, visibility is heavily tied to stigma. Signs, symptoms, and cues are divulged by journalists to lend credibility to their post hoc diagnoses of mental illness. As Peggy Phelan argued, "visibility is a trap; it summons surveillance and the law; it provokes voyeurism, fetishism, the colonialist/imperial appetite for possession."<sup>20</sup>

In the words of Simon Cross, "The old adage that says, 'madness is as madness looks', suggests a deep-rooted concern with knowing who the mad are."<sup>21</sup> This adage remained equally, if not more, meaningful in the news coverage following the four mass shootings investigated in this study. Symptoms or "cues" such as a lack of social skills or an unusual physical appearance are often used to label an individual mentally ill. More specifically, "obvious cues including psychotic behavior and a disheveled appearance may distinguish a person as odd and, therefore, mentally ill."<sup>22</sup> Criminology and psychology researchers identify strikingly similar signs of someone planning a mass shooting as those identified by Sandy Hook Promise. They argue that the signs identifying a potential for mass violence include:

Someone showing chronic social isolation (though not everyone who seems withdrawn is likely to commit gun violence); someone obsessed with weapons or firearms; someone

exhibiting excessive signs of aggression, or incredibly strong outbursts to what others would see as a minor incident; and someone with extreme behavioral shifts or anti-social behavior.<sup>23</sup>

However, these behaviors do more than merely diagnose or categorize, “These cues elicit stereotypes, which are ways of cognitively categorizing people and creating expectations about them based on notions learned from the general public.”<sup>24</sup>

Stereotypes that stigmatize can be created through a variety of mechanisms, but many communication and psychology researchers agree that media representations have a substantial influence on public perceptions of mental illness. Both news and entertainment media have contributed to deeply stigmatizing depictions of the mentally ill.<sup>25</sup> These mediated representations rely heavily upon visible and behavioral cues. This is, as Cross argues, because “representing visually what is after all an unobservable mental phenomena [presents] a considerable challenge.”<sup>26</sup> As such, cinematic or televisual representations of mental illness use familiar visual cues to convey mental illness. Jessie Quintero-Johnson and Bonnie Miller maintain that the most common media representation of mental illness is, “The psychopathic male as homicidal maniac: a man who exhibits antisocial behaviors because of his inability to relate with others, lack of empathy and remorsefulness, and violent and criminal behaviors.”<sup>27</sup> The media representation recognized in Quintero-Johnson and Miller’s research bares a remarkable similarity to the patterns of reporting demonstrated in each of the four mass shooting case studies. All four shooters were recognized as socially awkward loners, even in cases where the evidence suggested the contrary. Unruh, Huberty, and Hennard were described as particularly aggressive and violent, with journalists noting arguments with neighbors in the case of Unruh, family in the case of Huberty, and women in the case of Hennard. Thus, patterns developed in entertainment media are continually reaffirmed in journalistic practices.

Since the 2012 case study, the attention to the visible characteristics of mental illness has been picked up and used in other rhetorical ways. For example, the search for visible signs of mental illness and violence is embodied in a 2015 mental health campaign put out by the Campaign to Change Direction, which is “a coalition of concerned citizens, nonprofit leaders, and leaders from the private sector who have come together to change the culture in America about mental health, mental illness, and wellness.”<sup>28</sup> The organization’s campaign was focused on educating the public on identifying the “5 signs” of emotional distress under the assumption that friends and family would be more willing and able to intervene before violence occurred if they aware of the 5 signs of emotional distress. The Change Direction PSAs featured both First Lady Michelle Obama and Dr. Jill Biden, wife of then Vice President Joe Biden. Change Direction garnered a wide viewing audience because their PSAs were featured on New York City’s Times Square Jumbotron. The campaign argued that just as one can learn the symptoms of a heart attack, one could just as easily learn the signs that may mean someone is suffering emotionally and needs help. The five signs of emotional suffering indicated by the organization are: “change in personality, agitation, withdrawal, decline in personal care, and hopelessness.”<sup>29</sup>

The five signs identified by the Change Direction campaign are once again reminiscent of the signs identified by Sandy Hook Promise as well as those identified in psychological studies of media stereotypes of mental illness. However, while the efforts of the Change Direction campaign are commendable, they continue to recommend monitoring those suffering from mental illness as a way to protect against the danger of the mentally ill. The constant search for behaviors that indicate difference maintains the “us” versus “them” division between the mentally ill and those considered “normal.” Furthermore, the stigma associated with the stereotypes and monitoring of

the mentally ill also reduces help-seeking among persons who have experienced symptoms of depression.<sup>30</sup>

### Mental Illness as Both Cause and Solution to Rampage Shootings

An evaluation of the news coverage from the Camden case to the Aurora case demonstrates that the use of mental illness as a motive has gotten more nefarious over time; in response to the Camden massacre, the diagnosis was used as mere explanation for the crime, but by Aurora, the mental illness diagnoses had a significant impact on policymaking. Indeed, the media has long been willing to label perpetrators as mentally ill. The justification for doing so, however, has shifted since 1949. Originally deployed as an explanatory mechanism for rare, violent events, mental illness increasingly represents a politically expedient and, consequently, deeply stigmatized justification for what causes mass shootings.

Legal scholar Jeffrey Rosen suggested that when people have to make decisions on issues with which they have little direct experience, they often rely on “mental shortcuts” that can lead them to “miscalculate the probability of these especially dreaded hazards.”<sup>31</sup> These heuristics may be cultivated, in part, by media representations of the likelihood of violence or the likelihood of crime. In other words, if the media presents mass violence as a frequent phenomenon often associated with mentally ill individuals, the audience uses mental illness as a mental shortcut when analyzing potential solutions to rampage shootings. The association between mental illness stigma and preventative measures can best be summarized by communication scholar Rachel Smith. Smith argued, “Stigma appeals warn of the peril associated with people....As with a product warning, the stigmatized groups pose threats, implying that people must take individual and collective action to avoid them.”<sup>32</sup> In the case of mass shootings, evidence presented in media accounts of the shootings functioned as rhetorical attributions of responsibility that subsequently

compelled audiences to act in certain ways. The immense and graphic nature of media coverage during the four shootings created a heightened sense of fear and cultivated a belief that violence perpetrated by the mentally ill was possible in the audience's own communities. In other words, when the news media and politicians proclaimed the mentally ill as responsible for incidents of mass violence, efforts to prevent the mentally ill from accessing weapons were put forward as the best safeguard from future violence. Over the course of the four case studies, fearing the mentally ill became the "mental shortcut" for predicting and preventing future mass shootings. The public was, in effect, primed to see mental illness as the cause of mass violence rather than widespread and easy access to firearms by all persons.

According to Otto Wahl, news coverage serves as a primary source of information about mental health issues for the general public.<sup>33</sup> "Communication research," Emma McGinty and colleagues argued, "suggests that public attitudes about groups of people are heavily influenced by news media portrayals of specific individuals, particularly when the public has little experience with the group in question."<sup>34</sup> Indeed, in the aftermath of mass shootings, the role of the news media is even more pronounced. In one study, McGinty and colleagues took a random sample representing 25% of all news stories about serious mental illness and gun violence from 1997 to 2012 from high-circulation newspapers and television news programming to evaluate the nature of coverage. Results suggested that the number of news stories about mental illness and gun violence did, in fact, increase following incidents of mass violence. In particular, the authors discovered that of all the articles published about mental illness and gun violence between 1997 and 2012, "51% of news media coverage about SMI [serious mental illness] and gun violence occurred in the 3 years encompassing recent mass shootings: 2007, 2011, and 2012."<sup>35</sup> This spike coincides with the shootings at Virginia Tech (2007), Tucson, Arizona (2011), and the Newtown,



Connecticut and Aurora, Colorado shootings (2012).<sup>36</sup> Ultimately, the researchers concluded, “News media portrayals of persons with SMI as violent may contribute to the seemingly intractable negative public attitudes toward persons with serious conditions such as schizophrenia, which have remained steady over the past 6 decades, even as social acceptability of less severe conditions, such as depression, appears to have improved.”<sup>37</sup> When mass shootings are rhetorically connected to mental illness, audiences are more likely to associate mental illness with violence.

The case studies presented throughout this dissertation exemplified the connection between mental illness and mass violence. Indeed, the news media consistently used mental illness as a rationale and motive for the mass shooting crimes. While Hennard’s 1991 mass shooting proved to be an anomaly, it was also the exception that proved the rule. For journalists, mental illness was the most obvious cause of mass shootings. However, by 2012 and beyond, mental illness served far more than an explanatory function. Mental illness also became significant to policy making related to the prevention of mass shootings. In the next section of this chapter, I outline what I believe to be the best mechanisms to change stigmatizing news reporting and alternative policies that may contribute to the fight against mass violence in America.

### **Fighting the “Mentally Ill as Violent” Stigma**

There are three areas of emphasis for scholars and practitioners looking to assuage the negative effects of news media representations of mental illness in the wake of mass violence. First, it is necessary for journalists to undergo continued training on how to better report on incidents of mass violence. While it is fair to say that journalists are under constant pressure to properly represent the stories on which they report, this should not diminish efforts toward continued awareness of the rhetorical implications news media characterizations can have on public understanding of an issue. Thus, journalists from local and national press outlets should be

required to attend seminars and research symposiums about mental illness and violence.<sup>38</sup> Second, those suffering from mental illness should be active participants in conversations concerning mental health and violence. Drawing attention to the issue of mental health is important—after all, mental health treatment is incredibly underfunded; however, when the topic of mental health dominates the conversation following mass violence, the attention does more harm than good to the mental health community. Finally, politicians and news media need to entertain a variety of intersecting causes and solutions to mass violence, namely how integrating broad gun control legislation would curb the regularity of mass shootings. As such, protesting against the misconception of the mentally ill as violent would require investments in research on gun violence and mass shootings beyond issues of mental illness and violence.

#### Media Education on Mental Illness

In the wake of mass shootings, the news media's representations of mental illness and its dangerousness is indicative of larger societal structures that demarcate the mentally ill as an “Other” or non-normative. As these structures are deeply embedded in contemporary American culture, the news media does little to challenge these dominant assumptions. In the aftermath of mass violence, journalists often use evidence of mental illness to justify and rationalize the shooting event. While this dissertation has outlined the motivations for doing so, this does not diminish the negative effects of these journalistic practices. Public service scholars Sherry Glied and Richard Frank contend, “Journalists, investigating a story, seek and frequently find long-standing symptoms of mental disorder: the perpetrator had been depressed, was a loner, or has sought treatment of a mental health problem.”<sup>39</sup> Glied and Frank’s assertion that the news media seeks out evidence to confirm stigmatizing and often inaccurate perceptions of mental illness is further substantiated by John Coverdale, Sara Coverdale, and Raymond Nairn. They argued

previous research demonstrates how “representations of the event and the killer provided by journalists and their sources drew on common sense elements of madness talk that encouraged readers to assume the killer was disturbed, prior to any acknowledgement that he suffered from a mental disorder.”<sup>40</sup> The current dissertation study provided further evidence of these findings, making it accurate to conclude that mass media representations of mental illness emphasize “violence, dangerousness and criminality.”<sup>41</sup> I argue more should be done to curtail dominant assumptions and news frames to better educate the public about mass shootings’ tenuous relationship with mental illness.

One way to address the issue of journalistic frames and their contributions to stigma is to educate journalists about how to discuss issues of mental illness, especially in the wake of mass violence. While it is true that the rise of social media has increased attention given to citizen journalists following mass violence, traditional journalists should be held to a higher standard. Journalists should be better informed so as not to mislead the public and alienate disenfranchised populations such as the mentally ill. Therefore, I suggest that ongoing intervention training with journalists, both during formal education and throughout their career, would help interrupt the persistence of the “mental illness as motive” narrative following mass violence. One such example of intervention training was the National Press Foundation’s 2016 training conference on the complexities of mental illness.

In July 2016, the National Press Foundation offered fellowships to journalists across the nation for a four-day program: “Training Journalists on the Complexities of Mental Health.” The program included topics on:

Diagnosis and intervention; developments in treatment and research; economic impact; demographics; mental health legislation and public policy reforms; successful models in crisis intervention training for law enforcement; and community-based care... They’ll look

at best practices for reporting on mental illness and mental health policy, with a focus on how to approach reporting on crimes involving the mentally ill.<sup>42</sup>

Fellows selected for the training worked for various news organizations including, but not limited to, the *New York Times*, *Huffington Post*, *Psychology Today*, *Politico*, and *New York Daily News*. Intervention trainings such as the National Press Foundation's four-day seminar are excellent examples of how to recraft narratives following mass violence. Instead of responding to mass shootings with the familiar narrative of mental illness, journalists can instead be prepared to investigate the shooting and shooter without adding to stigmatizing narratives of mental illness.

Rhetorically, journalistic changes should include policies that minimize the use of stereotypical descriptions of mental illness, as well as an increased effort to provide alternative solutions to the epidemic of mass shootings. For example, journalists should avoid drawing unsubstantiated conclusions about the medical history of perpetrators of violence. Given that the primary responsibility of news media is to minimize uncertainty, initial reporting on mass shootings should strive for objectivity and report only confirmed information related to the incident. Furthermore, journalists should avoid using value-laden language or synonyms for mental illness to describe the event or shooter. Descriptions of the shooter or graphic headlines including terms such as "mad," "berserk," "insane," "crazed," "psychotic," "manic," or "schizophrenic" should be strictly avoided. While the colloquial use of these terms may not always denote mental illness, their usage in the context of mass violence continues to perpetuate myths about mental illness and dangerousness. Additionally, journalists should question the authority of police and witnesses when amassing evidence about the shooter and the event. Before assuming the credibility of first-hand accounts, reporters should verify evidence and information through various channels to avoid false and/or biased information. Finally, if through investigation journalists discover that the perpetrator did have a history of mental illness, the news coverage

should still contextualize the disease within a larger narrative. By this I mean to suggest that other confounding factors to the violence should be included for a more complete picture of the crime and criminal. Furthermore, journalists should include caveats in their reporting noting that the mentally ill are not inherently violent and mental illness is rarely the sole reason for the crime. In this way, journalists would minimize sensationalizing of the perpetrator, their crime, and the connection between violence and mental illness. Mental illness has become a catch-all term for any behavior that seems unsettling, as such, journalists should be cautious in the deployment of mental illness as motive.

### Inclusivity of Public Conversation

The second way journalists and politicians can help to reduce stigma and discrimination of the mentally ill is to welcome those living with mental illness to be part of policymaking conversations. As demonstrated in the wake of the 2012 mass shooting in Aurora, Colorado, many politicians called upon Americans to watch and surveil one another looking for the signs of madness. Furthermore, anti-stigma and mental health campaigns also used the language of “watching for signs” as a mechanism for prevention. I argue, however, that we need to do more than watch one another; we need to engage one another via deliberation and discussion with those living with mental illness. Recall earlier in this chapter that the Change Direction campaign for mental health detailed their coalition of participants. Absent from that coalition, however, were individuals living with a mental illness as part of the conversation. Another example of the failure to engage the mentally ill in national conversations about mental illness was the 2013 White House conference on mental health.

In June 2013, the White House hosted the first ever National Conference on Mental Health as part of the administration's, “effort to launch a national conversation to increase understanding

and awareness about mental health.”<sup>43</sup> In President Obama’s opening remarks at the conference, he said, “We all know somebody—a family member, a friend, a neighbor—who has struggled or will struggle with mental health issues at some point in their lives.”<sup>44</sup> The president’s remarks reflected the tenor of the conference—it would be an opportunity for experts and witnesses to discuss the struggle of living with a mental illness. Unfortunately, the voice of those diagnosed with a mental illness was effectively silenced. While the conference hosted, “health care experts, psychologists, faith leaders, advocates for veterans, and a host of administration officials” as part of their day-long conference on the topic, the conference failed to include those with first-hand experiences—the mentally ill.<sup>45</sup> The conference’s list of panelists included former United States Senator Gordon Smith, whose son suffered from depression; Janelle Montañó, whose brother committed suicide leading to her own experiences with chronic depression; Barbara Van Dahlen, a clinical psychologist and founder of Give an Hour; actress Glenn Close, whose sister and nephew suffer from bipolar disorder and schizoaffective disorder respectively; and Dr. Norman Anderson, the Chief Executive Officer and Executive Vice President of the American Psychological Association.<sup>46</sup> Of the five panelists, only one had been diagnosed with a mental illness. Thus, while the conference did encourage national conversations about mental health and violence, it did little to engage the community of mentally ill as participants. Once again, the voice of the mentally ill was muted by advocates and officials arguing on their behalf. If preventing mass shootings requires the mentally ill to lose their constitutional protections, the mentally ill should at least be actively included in these conversations.<sup>47</sup>

While the National Conference on Mental Health and the Change Direction campaign are both examples of the failure to engage the mentally ill, one example of a program that demonstrates the positive outcomes of contact with individuals with a mental illness is the National Alliance of

Mental Illness' (NAMI) public campaign called "In Our Own Voice." Although research suggests anti-stigma public campaigns alone cannot eliminate stigmatization of the mentally ill, the intention of the "In Our Own Voice" campaign is commendable. The campaign includes a series of 60-to 90-minute presentation videos where individual's share their personal struggles and the realities of living with mental illness. The goal of the free presentation series is to change attitudes, assumptions, and stereotypes related to mental illness.<sup>48</sup> Politicians and governmental programs engaging issues of mental health treatment and stigma should learn from this initiative by inviting those with a mental illness to be part of the conversation and solution, most especially following incidents of mass violence.

#### Demand Alternative Solutions

The final way to rethink rhetoric following mass shootings is to demand alternative solutions to preventing mass shootings. Repeatedly blaming the mentally ill for mass violence explains why lawmakers have made concerted efforts to enact policies specifically targeting the mentally ill. Since the 2012 Aurora massacre, the news media and politicians have regularly promoted policies aimed at tracking the mentally ill and restricting their access to weapons. These policies are often endorsed in lieu of broader gun control legislation. The political expediency of blaming and further regulating the mentally ill has had detrimental effects on those living with a mental illness. NAMI argued that federal and state laws based on mental illness "created more barriers to people being willing to seek treatment and help when they need it most."<sup>49</sup> Liza Gold, a forensic psychiatrist at Georgetown University Medical Center, also argued that background checks and limitations placed on the mentally ill, "[stigmatize] a large swath of people simply because they have mental illness...it's discriminating...There is no evidence that this is a category of people are at risk of committing gun violence."<sup>50</sup> Even President Obama who has been one of

the chief advocates for restricting the mentally ill from firearms declared in 2016, “We must continue to remove the stigma around mental illness and its treatment and make sure that these individuals and their families know they are not alone. While individuals with mental illness are more likely to be victims of violence than perpetrators, incidents of violence continue to highlight a crisis in America’s mental health system.”<sup>51</sup> However, one of the best strategies for reducing the stigmatization of mental illness is to decrease the frequency with which news media correlate violence and mental illness. Moreover, most psychology, medical, and criminology scholars agree that imposing restrictions on the mentally ill would do little to curb the epidemic of mass shootings. In fact, researchers contend that an alternative set of risk factors needs be considered for making effective gun policies.

According to the American Psychological Association, “Reducing incidences of gun violence will require interventions through multiple systems, including legal, public health, public safety, community, and health. Increasing the availability of data and funding will help inform and evaluate policies designed to reduce gun violence.”<sup>52</sup> Instead of policies that restrict gun access solely based on mental illness, mental health advocacy groups suggest criteria based on other indicators of potentially dangerous behavior would be more effective in preventing gun violence.<sup>53</sup> Indeed, Jeffery Swanson, a behavioral psychologist at Duke University School of Medicine, supports comprehensive background checks for weapons purchases; however, he also argued that the criteria indicated in these checks needs to be modified. To make background checks an effective means of preventing mass violence, Swanson argued:

Criteria for inclusion on the database should be based on other indicators of risk besides mental health history, such as pending charges or convictions for violent assault, domestic violence restraining orders or multiple DUIs. These are indicators of aggressive, impulsive or risky behavior. Criteria for becoming a prohibited person needs to map onto risk, we need to mix criteria to make it more about contemporaneous indicators of risk.<sup>54</sup>



The difficulty of predicting whether someone diagnosed with a mental illness will become violent, combined with a lack of understanding regarding behaviors that predict mass violence, necessitates a system that goes beyond solely tracking the mentally ill. As Swanson and colleagues argued, “A failing health care system on the one hand and gun violence on the other are each complex, important, but different public health problems facing the US—problems that intersect at their edges.”<sup>55</sup> In fact, most researchers agree that if you want to prevent gun violence, it would be more effective to look at prior incidents of aggression than a history of mental illness.

Citing research conducted by Jeffery Swanson, Maria Konnikova wrote in her 2014 *New Yorker* article, “The occurrence of violence is more closely associated with whether someone is male, poor, and abusing either alcohol or drugs—and that these three factors alone could predict violent behavior with or without any sign of mental illness.”<sup>56</sup> Recall that the majority of mass shooters are white (64% since 1982).<sup>57</sup> Taken together, we learn that if politicians were truly interested in preventing mass shootings, they would ban white men of lower socioeconomic status with a history of aggression from owning firearms. Unsurprisingly, it seems very few politicians are willing to forward this solution. It could be because, as Dara Lind at *Vox* found, “Only 32 percent of Americans are white men. But white males make up 61 percent of gun owners.”<sup>58</sup> The political expedience of blaming the marginalized population of mentally ill over the more statistically probable category of poor white men demonstrates the fundamental injustice in the rhetoric of mass shootings. In addition to acknowledging the stigmatizing discourse of politicians and news media, another way to help curb the frequency of gun violence is to fund federal research into the effects gun ownership and gun violence has on American communities. However, complicating research efforts are legal hurdles actively blocking federal funding on firearm research.

In 1996, the Centers for Disease Control and Prevention (CDC) published research that suggested, “having firearms in the home sharply increased the risks of homicide.”<sup>59</sup> The results of this study did not reverberate well with the National Rifle Association and other gun rights advocates. These organizations asserted that the CDC was acting on partisan interests and actively promoting gun control policies. To minimize these negative firearm studies, pro-gun lawmakers pursued actions to defund these efforts. Congress was pressured by the NRA to withdraw the 2.6 million dollars in funding to the CDC for gun violence research. In 1996, congress passed Jay Dickey’s legislation that forbade the CDC from using federal funds “to advocate or promote gun control.”<sup>60</sup> Thus, while the Dickey Amendment did not *technically* ban any federally funded gun research, none of the subsequent CDC directors were willing to challenge the law by researching the effects of firearm ownership. The lack of nonpartisan research into the effects of firearm ownership for the past twenty years has significantly impacted efforts to pass sweeping gun control legislation. In 2012, following the massacres in Aurora and Newtown, President Obama “issued an executive order instructing the CDC to conduct or sponsor research into the causes of gun violence and the ways to prevent it.”<sup>61</sup> However, the CDC vowed they would not conduct this research until the federal government provided funding to cover the costs. Unfortunately, Congress has continued to reject bills that would fund efforts to study gun violence. Until our government and governmental agencies take the issue of gun violence in America seriously, little tangible change can be enacted to prevent the frequency of mass shootings.

Although the outlook seems bleak, some state legislatures have strengthened their state gun restrictions. Between 2012 and 2015, thirty-nine states passed approximately 117 pieces of legislation making gun laws more strict.<sup>62</sup> In 2013, President Obama also signed a series of twenty-three executive actions intended to strengthen existing gun laws. While many of these laws

concerned firearm restrictions for the mentally ill, others on his list promoted federal research on gun crime, as well as increased attention to school safety plans and information about the rights of doctors to talk to patients about firearms.<sup>63</sup> Despite efforts of state legislatures and executive orders to bring about much needed modifications to firearm laws in the United States, my dissertation demonstrates the rhetoric of blame following mass shootings aimed at the mentally ill does little to motivate change and promote policies to prevent future mass shootings.

### **Conclusion**

The purpose of my dissertation was to better understand the relationship between mental illness and violence as rhetorically constructed in news media and political texts. The association between violence and mental illness is created in the rhetoric of news media and sustained in the cultural acceptance of stigmatizing discourses of blame. Using media and political texts from the aftermath of rampage shootings, my research revealed the complicated web of discursive moves used by opinion leaders to deny gun policy change and further stigmatize the mentally ill. Indeed, it is important to have a better understanding of the choices available to political leaders and journalists in response to mass shootings, particularly as we are increasingly forced to seek practical solutions to resolve the very real problem of mass shootings. In the words of President Obama, “Somehow this [mass shootings] has become routine. The reporting is routine. My response here at this podium ends up being routine. The conversation in the aftermath of it. We’ve become numb to this.”<sup>64</sup> It is the job of rhetorical scholars to recognize and investigate the “routine” and expose the political and ideological commitments underpinning cultural understandings and policy decisions. In this case, the routine blaming of the mentally ill does an injustice to logic and humanity. Rhetoricians must be at the forefront of revealing patterns of communication that stifle change, especially when a lack of change results in the continued death

of innocent Americans. In the end, it may behoove journalists and politicians to better understand the difference between being “bad” and being “mad.”

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<sup>3</sup> Josh Hafner, “Watch ‘Evan,’ the Gun Violence Ad with a Twist That’s Leaving Everyone Stunned,” *USA Today*, December 5, 2012, accessed January 24, 2016, <http://www.usatoday.com/story/news/nation-now/2016/12/05/watch-gun-violence-ad-twist-s-leaving-everyone-stunned/94994862/>.

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<sup>15</sup> Gross, “Framing Persuasive Appeals,” 181.

<sup>16</sup> Maria Puente, “‘Dark Hour’ Descends on Killeen. A Crash, Quiet, then Shooting,” *USA Today*, October 17, 1991, A3.

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<sup>36</sup> McGinty, Webster, Jarlenski, and Barry, "News Media Framing of Serious Mental Illness," 406-413.

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