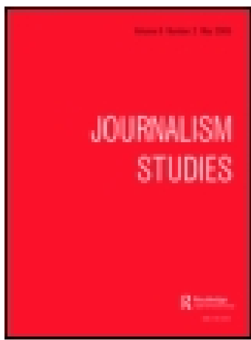

Journalism Studies

ISSN: 1461-670X (Print) 1469-9699 (Online) Journal homepage: http://www.tandfonline.com/loi/rjos20

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To cite this article: Mary Angela Bock, Pinar Istek, Paromita Pain & José Andrés Araiza (2016): Mastering the Mug Shot, Journalism Studies, DOI: 10.1080/1461670X.2016.1191368

To link to this article: http://dx.doi.org/10.1080/1461670X.2016.1191368

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MASTERING THE MUG SHOT
Visual journalism and embodied gatekeeping

Mary Angela Bock, Pinar Istek, Paromita Pain, and **José Andrés Araiza**

This project uses a case study of an elected official's booking mug shot to examine the way political actors engage in embodied performance to maintain their image in visual media. Mug shots are images that are ostensibly equalizing and represent a long-standing link between law enforcement, journalism and visual culture. Released through the "gates" of law enforcement, they are imbued with a connotation of guilt even though they are created prior to a person's conviction. Using mixed methods, including textual analysis, field observations and interviews, this case study examined the way journalists covered the mugshot booking of former Texas Governor Rick Perry. The event was widely proclaimed a victory rather than a ritual of shame. The study suggests that the governor and his staff engaged in embodied gatekeeping by orchestrating the events leading up to his booking photo which impeded journalists in their effort to independently control their narratives.

KEYWORDS gatekeeping; image management; mug shot; performance; photojournalism; visual journalism

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Introduction

In 2014, a dispute between then Governor Rick Perry and a local District Attorney boiled over into a criminal case. Perry's decision to pull funding from the state integrity unit, headed by Travis County Democrat Rosemary Lehmberg, sparked the first indictment against a sitting governor in Texas in nearly a century. Perry justified his action by the fact that Lehmberg had been convicted of driving while drunk and served time in jail for that offense. After vetoing funding for the public integrity unit, a Travis County Grand Jury indicated Governor Perry for abusing official powers and coercing a public official.[1]

The political theater that ensued was everything the public expects from Texas, as Perry proclaimed not only his innocence but that he would do the same thing again. But Perry and his supporters and advisors raised the bar even higher for this sort of court drama with sophisticated visual communication. One week after the indictment, the Governor entered the Travis County Courthouse to be booked on the charges and presented a performance that turned the usual crime narrative upside down. The framing of that performance and the way it was presented by the visual press is the subject of this case study. Good "optics" have long been a concern for elites in power. Photographic images are powerful because even though they are known to be constructions, they "feel" very real and tend to trump words (Barry 1997; Cappella and Jamieson 1994). Understanding *how* images are constructed, by the various actors in media and politics, therefore, is worthy of scholarly attention. Perry's mugshot moment represents an exceptional opportunity to analyze the *process* by which those in power influence the way visual media coverage is constructed.

Routledge Taylor & Francis Group
Journalism Studies, 2016
http://dx.doi.org/10.1080/1461670X.2016.1191368
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Theoretical Foundation

To consider what it means to have "good optics" in the civic realm involves useful theories from multiple fields, such as anthropology, sociology and media studies. The meta-philosophical work of Michel Foucault, which knits together these perspectives, provides a helpful backdrop, particularly his writing about the disciplinary gaze and the role of the body in social processes (Foucault 1979, 2002; Schirato, Danaher, and Webb 2012). Conquergood (2002) reconciled Foucault's seeming disconnect between modernity's gaze of discipline and America's justice system using the lens of ritual as theorized by Victor Turner (1969, 1974). As Conquergood (2002, 342–343) put it, "Rituals carry their weight and earn their cultural keep by restoring, replenishing, repairing, and re-making belief, transforming vague ideas, missed feelings and shaky commitments into dramatic clarity and alignment."

Turner's theorizing of the liminality of public ritual, its function as a space of transformation for participants and the affirmation of social values for witnesses, offers insight into judicial procedures (Coman 2008). Turner's work adds additional dimension to the sociological description by Garfinkel (1956) of "successful" degradation ceremonies and their imposition of uniformity. The rituals of concern in this case, namely a perp walk and mug shot, took place on the mediated stage, upon which the public's gaze serves as a disciplinary force upon embodied subjects. These events are more than simple criminal procedure, but mediated ritual performance, exemplifying Turner's argument that justice is not just something that is done but is performed and *seen* (Goffman 1959; Schechner 1993, 2003).

In this context, therefore, this concept of performance connects the typical expectations of a ritual to the specific, *human actions in the live moment* of a particular iteration (Couldry 2003; Schechner 2003). It offers the advantage of considering how the specifics of the event offer insight regarding larger issues regarding the interplay between journalists, sources and legal authorities. Thinking in terms of performance highlights the importance of the visual message but also implicates the body; for while rituals are socially reproductive, each one is uniquely played out in real time by human beings. Against this backdrop, three strands of scholarship are relevant: the use of the image for social control; the historic exercise of power over image by elites; and the role of journalism in mediating the visual.

Photography and Discipline

The most famous early example of state use of photography comes from the barricades of Paris in 1871 when police used images to find and execute the communards (Przyblyski 2001). Years later, Alphonse Bertillon, a French police officer, started the first scientific police laboratory and systematized the use of photos in the form of mug shots as they are known today (Pellicer 2009; Hagins 2013). Scholars of historic photography have argued this photographic cataloguing of human beings, and similar policing contexts, constitutes a form of state power, control and domination (Edwards 1990; Sekula 1986; Tagg 1999).

This cataloguing context is also an aesthetic equalizer, rendering a sort of sameness to arrestees. In the American frontier and days of prohibition, wanted posters and mug shots elevated certain criminals to legendary status (Cohan and Hark 1997). This equalizing aesthetic—the uniformity theorized by Garfinkel (1956)—may be part of a cultural fascination with mug shots of celebrities, for in their case, the equalizing is a matter of pulling them down. The ease with which mug shots can be shared has spawned a small industry with websites such as mugshots.com, bustedmugshots.com and tabloid newspapers such as

Cellmates or *Just Busted* (Elliott 2011). Such sites have raised concerns about privacy, public records and the way the camera "captures" subjects beyond their embodied arrest (Mulcahy 2015; Norris 2013; Rostron 2013). Traditional newspapers regularly include mug shots in crime coverage and some even post mug shots in online galleries (Lashmar 2014; Batchelder 2014). Finally, the expressions of those depicted in mug shots might also hold fascination for evolutionary reasons, as viewers look for cues in the faces of these debased "others" charged with crimes (cf. Eckman 1992).

A related ritual, the perp walk, is more predominant in the United States, where the First Amendment precludes regulating photographic coverage of public scenes (Boudana 2014). Usually a person is in police custody for a perp walk, but a person might be forced to walk past cameras without being in police custody, and it is this loss of control over one's image that makes perp walks relevant to media theory. Today's perp walk, which subjects individuals to a Foucauldian disciplinary gaze, is a milder version of the punishing gauntlets of history. They have been judged a beneficial form of public relations for police departments (Ruiz and Treadwell 2002). As Boudana (2014) pointed out, perp walks are spectacles because they do not merely *identify* the suspect, they *stage* "being a suspect," that is, they offer a *performance* that frames public attention (Turner 1980, 1987).

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Elites and Image Control

Elites have been concerned with image throughout history; the pyramids of Egypt and similar monuments are testament to visual representations of power. Photography's invention, however, offered new opportunities for using the visual to establish and maintain status. Matthew Brady's portraits of Abraham Lincoln are widely credited with spreading his popularity and helping him to win the presidency (Trachtenberg 1989). The modern "photo opportunity" is rooted in the discovery by politicians of both the power of the early film camera and its limitations; notably its size, weight and overall lack of portability (Barnouw 1974). Breaking news might have the edge in terms of importance, but staged events have been historically far easier to cover for film and television, and even the maligned "pseudo-events" remain staples for the visual press (Adatto 2008; Boorstin 1961).

While politicians might be criticized as being shallow for their concern about their external image, cognitive science supports them. While the details of the mechanics are only beginning to be understood, it is well-established that human beings process visual and verbal information differently (Barry 1997). When words and images are mismatched in a message, we tend to believe our eyes (Barry 1997; Son, Reese, and Davie 1984). Even when we are primed to think about photo manipulation, experimental research has found that we are susceptible to it (Lazard 2015). Cappella and Jamieson (1994) tested this effect with the fact-checking reports about political advertisements, and found that even when we are told the visual is incorrect, the visual information "wins." Their experiment confirmed the lesson from Martin Schram's (1987) oft-cited anecdote about how Ronald Reagan's staff was pleased by a TV report even though the script was critical of the campaign—because the visuals depicted a celebration, and Reagan's staff instinctively knew that only the visuals mattered.

Mediating the News Image

Three theoretical concepts dominate studies of news: gatekeeping, agenda-setting and framing. Each one focuses on a different aspect of the news-making process and its

impact on content, and offers insight for exploring how elites interact with journalists to optimize their image.

Psychologist Kurt Lewin (1947) first coined the term "gatekeeping" to describe the way decision making must pass through key members of a group, and White (1950) famously applied the idea to the way a newsroom functions. Gatekeeping has proven to be a useful lens for studying news media and the way various players in the process, particularly reporters and sources, negotiate what to cover and how (Bennett 2004; Berkowitz 1990; Sigal 1973). The digital era's degradation of the line between user-generated media and professional journalism prompted Williams and Delli Carpini (2000) to declare the "collapse" of gatekeeping. As it evolves, Shoemaker and Vos (2009) argue that gatekeeping remains a useful way of thinking about information flows, even as its models become ever more complicated.

Agenda-setting theory originally focused on the relationship between news stories and reader priorities, but has since evolved to explain other effects of news, such as attitude and affect (Johnson 2013; McCombs and Shaw 1972; McCombs, Shaw, and Weaver 1997). The connection between gatekeeping and the news agenda has fueled the interest in the way power flows through the news process to understand who is controlling the gates and how. Tuchman, Gitlin and other critical scholars argued that the reporter–source relationship tended to favor the interests of those in power (Gitlin 1980; Tuchman 1978). Gandy (1982) used the phrase "information subsidy" to describe the mechanics of the information flow from public relations operatives to journalists.

Framing, what Reese (2007) has called a "bridging" project, provides news researchers with a way to discuss the various ways issues are presented in texts. Entman (1993, 52) famously explained that the framing process is essentially a matter of selection, and that, "Typically frames diagnose, evaluate and prescribe." Framing studies have used content and textual analyses to find what a layperson might consider a news angle, for instance, such as a "horse race" frame (Cappella and Jamieson 1996) for election coverage or "episodic" frames that emphasize events over context (Iyengar and Simon 1993). Scholars interested in visual media have applied framing to news images, and visual framing has been defined in terms of a camera metaphor, similar to questions of cropping and perspective (Coleman 2010). Textual and content analyses have identified visual frames such as images that evoke peace or violence (Fahmy and Neumann 2012) or racism in health coverage (Smith-Dahmen 2009).

Most visual framing studies tend to focus on the frames in texts, and not the framing process. While some scholars have investigated the role of images in gatekeeping and agenda-setting, their work tends to focus on audience *effects* (Fahmy et al. 2006; Wanta 1988). A few researchers have examined processes of visual gatekeeping and the impact of pool coverage, equipment and editing, but compared with text-based inquiry, visual *process* studies are rare (Bissel 2000; Bock 2009; Yaschur-Haslinger 2012). Given what is known about the power of images and the degree to which powerful people work to control them, this gap in the scholarship seems wide.

Summary

Since the camera's invention, it has played a role in the performative rituals of social discipline. Powerful actors, whether politicians, plutocrats or celebrities, aware of the importance of "good optics" use what resources they have to influence the way they appear

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visually in media. Studies of news-making point to the way various gatekeepers, inside and outside of newsrooms, determine the agenda and frame narratives, but rarely contend with how these processes apply to visual media, which are material, rooted in performative rituals and reliant upon technology in a way that facts are not.

This paper examines the way Perry converted what is typically a degradation ritual into a powerful public relations maneuver. Perry's performance during the booking event, under the public's disciplinary gaze, represents a skilled effort to influence the media. While his framing visual victory has already been declared, this paper was designed to examine how he did it, using the lens of ritualized performance as a means of mediating the news image. To formalize our research questions:

RQ1: How did Rick Perry, other authorities and journalists perform the booking rituals?

RQ2: How was the ritual represented to the public in news discourse?

Descriptive questions call for the use of qualitative methods, and this project employs three: interviews, observation and multi-modal discourse analysis, combined to produce an in-depth case study.

Method

Perry was indicted and booked in the course of eight days in August 2014. We conducted our study in 2015, with a guided tour of the Travis County Courthouse booking area, interviews with journalists involved with covering the event, and examples of newspaper and television coverage. Interviews were collected using a snowball sampling method and were conducted with Institutional Review Board oversight; a list of those who participated is found in Table 1.

Television stories were collected from what was available online. Newspaper coverage (including online videos) was collected according to the timeframe starting when Perry was indicted until the weekend after his booking. This timeframe was chosen in order to amass a corpus that reflected the news cycle from the indictment, booking and the aftermath, which ran from August 15 to 24, 2014. We were able to collect all online and print stories (in PDF form) from the *Dallas Morning News* (the state's largest paper) and the *Austin American Statesman* (the major newspaper for the city where the event occurred). We were able to collect all online stories from *The Houston Chronicle*, the

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TABLE 1
Research interviews

Stakeholder	Interview format	Date
Still photographer 1	In person	April 23, 2015
Still photographer 2	In person	June 18, 2015
Still photographer 3	Phone	June 23, 2015
Sheriff Public Officer	Courthouse tour; not recorded	June 26, 2015
Multimedia journalist	In person	October 12, 2015
Photo editor	Phone	December 2, 2015
TV photographer	Phone	July 7, 2015
TV reporter	Phone	January 7, 2016
Multimedia reporter	Phone	May 10, 2016

second largest paper (in terms of circulation) in Texas. The full text corpus of 345 items is described in Table 2.

For the sake of simplifying events for the reader, we present a brief timeline of the events and coverage in Table 3.

The loosely structured interviews were transcribed and analyzed with the goal of understanding the case from the perspective of the various actors. Because the subjects had different jobs, these interviews provided phenomenographic material, which, when incorporated into the larger analysis, supports a more holistic case study (Bowden and Walsh 2000; Yin 2009). The interviews[2] incorporated a few questions in common, with an eye on understanding the "what" and the "how" of the way the Perry booking was covered.

The textual items were listed in hyperlinked spreadsheets, which tracked the basic nature of each story, its visual elements and one qualitative observation: whether or not the word "mugshot" was mentioned and whether or not the mug shot appeared visually. The qualitative analysis used the lens of multi-modal discourse analysis as conceptualized by Kress and Van Leeuwen (2001) which considers text, image, audio, and their combinations. More than semiotics, multi-modal analysis considers symbolic elements in contexts that include discourse, design, production and distribution (what they label "strata"), as well as the resources available to content producers in those contexts (Kress and Van Leeuwen 2001). Therefore, our analysis took note of the size of images on a printed page, how captions contextualized images on line and in print, what television journalists said in script about the images, and of course, what the Governor was quoted as saying.

Findings

Coverage of the Perry indictment fits the usual tropes for political crime stories, with soundbites and quotes from the special prosecutor and Perry's defense. Headlines focused on the news value of "unusualness," and the fact that a sitting governor had been charged with a crime for the first time since the turn of the last century. The lack of elements for

TABLE 2
News items analyzed

News source	Number of items	Mug shot (word)	Mug shot (image)
The Dallas Morning News			
Online stories	26	8	3
Print stories	18	7	2
Austin American Statesman			
Online stories	172	37	15
Print stories	84	12	1
Online videos	15		
Houston Chronicle			
Online stories	23	12	8
Online Austin TV News			
KVUE	3	9[a]	4
KXAN	2	1	3
FOX-7	2	2	2
Total	345	88	38

[a]Six spoken, twice in graphics, once seen on protester signs.

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TABLE 3
Timeline of events

Date	Event	Visual coverage
Friday, August 15	Perry is indicted in the late afternoon	Indictment document, prosecutor
Saturday, August 16	Perry gives a statement	Briefing room
Sunday, August 17	Coverage is analytical	No photo-ops
Monday, August 18	Perry's lawyers speak	Lawyers' news conference
Tuesday, August 19	Perry is booked	Booking with rally, mug shot online and on TV
Wednesday, August 20	Booking coverage, analysis	Mug shot in printed newspapers
Thursday, August 21	Perry's legal fees, other follow- up analysis	Previous photos of Perry; *no* mug shot in print but the mug shot appears online
Friday, August 22	Perry campaigns in New Hampshire	Campaign photos in New Hampshire
Saturday, August 23 and Sunday, August 24	Perry's political prospects, what comes next, legal analysis	File photos from rally, news conferences; the mug shot is not used in print news

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visual coverage limited discourse to the indictment and its analysis. In contrast, the booking event provided a visual and audio banquet laid out by Governor Perry and his aides.

While a Governor's office normally issues news releases about daily activities, it is rare for a defendant to issue a news release in advance of what was a variation of the perp walk, but that is exactly what Perry's office did, issuing a news release in plenty of time for media to gather at the Travis County Courthouse. This strategy made it possible for Perry to exert considerable influence on the story.

The Indictment

The indictment of a sitting politician is big news—but often not a very visual event, and this indictment was handed up late on a Friday afternoon. Governor Perry did not respond directly that day, though representatives issued statements. Visual coverage centered upon the prosecutor Michael McCrum, who spoke to reporters in an impromptu session in the courthouse hallway, and TV reporters held printed copies of the indictment during their standups and live reports. Word-based coverage highlighted the unique nature of the event (a sitting governor in Texas had not been indicted for nearly a century), details of the criminal accusation (including the fact that he faced prison) and the fact that he would have to have his mug shot taken. Print media used a traditional visual cue, the large, front-page bold headline, to alert readers that this was a big story; metaphorically and upon the page.

The next day, Governor Perry met with reporters in his State Capitol briefing room. Presumably having had a chance overnight to meet with his defense attorney, Perry issued a prepared statement and took a few questions during a session that lasted less than 10 minutes. Photo coverage from the event included the well-dressed Governor at a podium in front of the State Seal. He referenced the video many Texans had already seen of Rosemary Lehmberg in custody while drunk, haggard and belligerent, saying that "I think Americans and Texans who have seen this agree with me" about wanting

her out of office. Some photos were published with a side view that included the scrum gathered in the room. Video coverage of the Governor's statement was posted to multiple online story pages.

The Governor's actions reflected his usual practice. One photojournalist with experience in the Statehouse explained that Perry's news appearances are typically tightly controlled:

> The only time we have access to Perry is when he makes a public appearance. You know that's usually a press conference or something at a podium. He may take a few questions on those remarks and then after that he is gone.

On Monday, Perry's legal team took the stage with a news conference to introduce themselves and announce their aggressive defense in terms of law and imagery. The leader of the team, Houston attorney Tony Buzbee, used a commanding voice and style to denounce the charges as a political attack. He and the other attorneys referred to the Lehmberg video three times, with the implication that the tape was evidence of Lehmberg's overall professional incompetence. Newspaper articles did point out in subsequent stories that Perry had not censured two other Republican prosecutors in Texas who had been charged with drunk driving. The *visual scenes* of Lehmberg's night in a jail cell became her own crime, in a sense, beyond the offense of driving while drunk for which she had already plead guilty and served time.

In the days between the indictment and the booking event, another visual was discussed extensively before it even existed: Perry's mug shot. Much in the way Buzbee used Lehmberg's video as a crime of its own, the Governor's political opponents spoke of the *hypothetical* mug shot as evidence of a crime, even though Perry had not (still not as of this writing) been convicted of anything. In straight news stories, journalists mentioned that the Governor would be required to be booked and have his mug shot taken. A *Dallas Morning News* story quoted a former prosecutor cementing the theme of punishment before conviction, labeling the booking and mugshot events as "indignities associated with the process that [Perry] is going to have to endure."[3] In blogs and commentary, journalistic discourse about the future mug shot tended to be humorous, with puns about the Governor going to "get mugged." A print feature, expanded in its online version with photos of the consultants, went so far as to give Perry advice on how to dress and smile for the photo. Experts weighed in on whether he should wear his glasses (part of his more serious second-round presidential campaign look) and how he should smile.[4] More than one columnist in Texas recalled the way former Congressional leader Tom DeLay wore a tie and smiled for his mug shot, making it almost indistinguishable from a professional portrait.

One other story is worth noting here, a video report from a journalist who works for both the Austin American Statesman and one of the local television stations, KVUE. During the weekend after his indictment, Perry appeared for a live interview on the FOX network to denounce the charges, an appearance that received both straight and opinion newspaper coverage. Reporter Tony Plohetski somehow ascertained Perry's location for that live interview, however, and managed to approach the Governor in the public areas of an office building in order to conduct an impromptu interview in the elevator. Before he could even get a question out during this very limited opportunity, the Governor smiled and asked "How do I look?" Plohetski breathlessly responds "You look good," and tries to ask a question, but before he can, the Governor quips,

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almost flirtatiously, "Oh come on, you can give me better than that!" Plohetski managed to ask a couple of questions about the indictment, all the while following the Governor down the elevator, through the halls and into his car, before security literally slams the car door shut between the Governor and the microphone. Plohetski manages to say, to the closed door, "Thank you very much."

Booking

It is possible to report for booking with the Travis County Sherriff's department after hours at the courthouse simply by knocking at the door and requesting to turn one's self in. Doing so in the dead of night is one option for a person who wants to avoid a public display. But in keeping with his aggressive public defense, Governor Perry did just the opposite, showing up during the day, organizing supporters to a rally and sending a news release to announce his plans.

The event was organized for late on a Friday afternoon, allowing for live television coverage, and with the help of Facebook to call supporters to the courthouse, Perry arrived not only for his booking, but for a political rally and a speech complete with his own podium set up outside the courthouse door. Hundreds of people were there, including dozens of reporters, photographers and video journalists. The reporter for KVUE described the scene as a "media circus … the first time in 100 years a sitting governor of Texas indicted on criminal charges." In research interviews two photojournalists also used the word "circus" in their description. A few anti-Perry demonstrators were in the crowd; notably one carrying a sign that says "nice mugshot criminal."

One newspaper photojournalist compared this event with every major story he covered in Austin throughout the 11 years he spent in the area, "I couldn't recall ever seeing that many out-of-town photojournalists." Another defined the crowd as "a wall of photographers." A photojournalist for a weekly local said the scrum was comparable to those he had seen for presidential campaigns. A TV reporter explained that the Governor's decision to publicize the event was exactly opposite of what a typical criminal defendant does:

> Most people typically, when they're going into a courtroom are either trying to avoid the cameras or letting their attorneys handle all the speaking. It's not usually as organized, so that was a little bit different for sure. I don't think I've covered anything where the defendant in a case has stood at a lectern and given a prepared speech.

Perry's declaration that "I'm here today because I believe in the rule of law. I'm here today because I did the right thing. I'm going to enter this courthouse today, with my head held high, knowing that the actions I took were not only lawful and legal but right," was featured multiple times in video coverage on TV and online, as was the background sound of supporters chanting "Perry Perry Perry."

The spokesman for the Sheriff's office offered to escort the Governor past security into the building but in an interview during our research tour, said the Governor declined the offer. In fact, one interviewee heard Perry tell the Travis County deputies "I'm all yours," as he entered the courthouse. Police are shown protecting the Governor, not bringing him into their custody. Video of his walk through the courthouse shows officers helping him move through the crowd of journalists who yielded him space to stride through. One veteran photojournalist on the scene confirmed that the procedure was unusual and not a

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> booking mug taken just like everybody else … Because he is the governor and because he has an army of attorneys, they all shepherd him in and go through the process and get him, you know, in and out in that controlled fashion.

Perry can be seen smiling during the walk, acknowledging the crowd around him, and the journalists giving him space. He never paused near the smaller scrum of photojournalists gathered in the lobby area outside the glass-walled booking room, controlling the space with his wall of lawyers and handlers, who tried to block cameras' views. One photojournalist described the dynamics of the situation as a "kind of cat and mouse game," and a colleague agreed that there was no mistaking the intent of the men standing along the window: "It was really obvious that they were intentionally standing, I mean, they saw all of those cameras. They were intentionally standing in front of it, I think."

This spatial control Perry and his team established pushed visual journalists to think outside of the box in terms of the tools they used to capture. Journalists had to improvise on the spot and came up with a relatively unorthodox method to capture the scene when it became clear that their view of the mugshot moment might be obstructed:

> Journalist: I don't know who gave the orders to the gentleman sitting there to take the paperwork and take the mug shots and all of that, but prior to him coming in the doors of the courthouse, like I said it was kind of a frenzy. We're all trying to figure out "where should we put our GoPros?" This and that. Someone from the inside came out and said you cannot attach anything to the window.
>
> Researcher: OK.
>
> Journalist: We're like, "Oh, OK," we're all scratching our heads. I just decided, OK, well, I'll just put it right down here at the … It has like a little shelf to that window, so it was wide enough for the GoPros to sit on that shelf.

In the end, the image that was widely used turned out to be a screengrab from one of those miniature video cameras, rolling automatically (Figure 1). One of the newspaper photojournalist said, "despite having three photographers and two videographers, the image that made our front page was that from a GoPro camera." And even that was a matter of chance: if not for one member of the Governor's entourage shifting his weight for mere seconds, the *Statesman* might not have had a photo of the "taking of" moment when Perry literally has his back against a wall.

> That was actually … in retrospect, the value of running it as video. It was really just, now I can remember I was scrolling through—it was 30 frames a second. There was just really one frame that showed it.

Forced by circumstance to take a pose, the Governor also chose how to perform for the mugshot camera. His expression is remarkable: a touch of a smile bordering on a smirk; not so extreme that he could be accused of disrespecting the court, but absolutely a nonverbal slap at the charge. Because he wore a suit and tie and skipped his glasses, the Perry mug shot appears much like a professional portrait (Figure 2).

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FIGURE 1
The GoPro image made possible by technology, photographer improvisation and a brief bodily shift from the Governor's entourage. Photo by Kelly West, *Austin American Statesman*; used with permission

A long-time Austin photographer said it is not clear whether the nonchalance was real or feigned, but the result made for good politics:

> He wasn't fazed at all, not at all … I mean, I think that was part of it; he put on a good face for this, you know? I mean, he still insists he's innocent, right, so he was there like "Hey, I've done nothing wrong. This is a joke" … He was smiling like this is a joke. That was his attitude. I think he believes it, too. I mean, I don't know. He was a good politician that way, a good actor, so it could be hard to tell.

FIGURE 2
James Richard Perry. Courtesy of Travis County; used with permission

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Usually mug shots are not released to the press for two weeks, but even here, the Perry booking was unusual. Roger Wade, the Sheriff's deputy in charge, said that sometimes he will speed things up, in his words, "I'll go through the hassle and get it," to help reporters. This was one of those cases, and since the Governor's attorneys did not object to immediate release, the mug shot could be distributed to news organizations via e-mail almost immediately.

Following his obligation inside, the Governor returned to his podium outside to address the crowd again. He left the courthouse plaza and all the TV reporters tethered to their live shots during the early evening newscasts. To underscore his nonchalance, Perry made one more visual move by tweeting a smiling group portrait with his legal team outside an Austin ice cream stand (Figure 3).

This image, along with the mug shot, appeared online and in TV coverage that evening, but the dominant visual of the day came from the rally, that of Perry looking magisterial at the podium, surrounded by a crowd of supporters. The primary oppositional interview came from the executive director of the Texas Democratic Party, Will Hailer, who included this remark while speaking to reporters: "Kids are going to go back to school next week and they're going to learn that their Governor got a mug shot and was indicted the week before." The Governor's pronouncements were the primary soundbites and the sounds of supportive cheers were played repeatedly on TV and online. The paper version of the story, of course, did not appear until the next day.

Follow-up

On the front page of the *Austin American Statesman* the next day, the lead sentence of the top story echoed the Governor's words from the day before: "His head held high amid cheers," and included the GoPro shot (very large) as well as the mug shot itself (significantly smaller). The mugshot was a central concern for reporters before, during and after the booking event, talked about 92 times, though it only appeared 38 times. It was speculated about and used as a metaphor for shame before and after it existed, but coverage after the booking, when talking about this specific mugshot, was often laudatory. Online coverage

FIGURE 3
After he was booked at the Travis County Courthouse, Perry and his aides went for ice cream and tweeted about it

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used the mug shot more often, and two news outlets, the *Statesman* and the *Houston Chronicle*, posted a photo gallery of memes that users had created with the mug shot. Memes included an image of Perry wearing a cowboy hat, Groucho Marx nose-glasses and a side by side with Lehmberg's mug shot and the headline "Rick Perry Wins."

That was the consensus from political comment writers, too, with headlines using phrases like "the mug shot heard 'round the world" and that the Governor "knows how to say cheese." Online coverage included a link from the *Statesman*'s site to a *Wall Street Journal* video in which the presenter declares, "Believe it or not this is an actual mug shot," and noting his perfect hair and confident grin. One local columnist was a bit more derisive, calling Perry "Governor Good Hair," and another writer wryly pointed out that in prison, Perry would have to wear a buzz cut. Coverage in print and online also mentioned work by an artist with Republican sympathies, SABO, who created a mock wanted poster with Perry's image and text that says "Wanted for President 2016" and in a smaller font, "If looking good's a crime then I'm guilty baby."

Photojournalists who covered Perry often were not surprised by his poise. "He tries to make friends with the journalists, even including the photographers," explained one. Another noted that Perry has "personable ability interacting with the public."

The glowing follow-up coverage, such as the declaration that Perry "knows how to say cheese" and "believe it or not, this is an actual mug shot," contrasted sharply with the coverage leading up to the booking shot, which implied that the mug shot would be its own sort of punishment. This explains why the photo appeared only once in each of the printed versions of the *Statesman* and the *Dallas Morning News*. Even though the photo was flattering, the event was not. "It was only used because it was a newsworthy image that day," explained a photo editor, adding that no matter who is depicted, he avoids using images to make a "cheap shot."

Interestingly, none of the coverage, before, during or after the event, explicitly reminded the audience that a booking photo is not evidence of guilt. A TV reporter who covered the story said he hoped everyone knew this already:

> I would hope that most people realize that it is simply a charge at that point. They have not been considered guilty, but I think, the mug shot is the visual representation of that charge and of that first step in the criminal justice process.

By Thursday, the visual story shifted to New Hampshire and Perry's campaigning there. The *Statesman* ran a photo of him speaking to supporters and using his iPhone to photograph a pig roast. Still, the mug shot got a mention from one New Hampshire voter, who said it did not matter.

The reviews did *not* include much commentary on the role of journalists in political theater. While Perry's performance was well-reviewed, it was still covered as though it happened spontaneously. Yet key moments of the unfolding story were anything but spontaneous. Perry controlled camera access during the weekend before his booking; he was able to control when and how they gathered for a rally outside the courthouse, and he left them tethered to their live shots while he went for ice cream and tweeted about it. Each of these actions suggests a sophisticated awareness of how visual journalists operate. The photo editor remarked:

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> Everything is so scripted now … You have to be cognizant of that and careful of what you shoot … Don't let them control the message and don't let them try to fake you out, although it's not just them. Everybody, once there's a camera present, the game changes. There's no such thing as an invisible camera and you, yourself, if somebody was doing a story on you, you're aware of it.

A photojournalist who was there resisted using the word "manipulation" but acknowledged that the power to control a situation in time and space affects the resulting image:

> Photojournalist: I mean, I don't really feel manipulated, but yeah, you have to work around things like podiums, wires, tripods—so that's not really manipulation, that's just the scene.
>
> Researcher: That's just time and space.
>
> Photojournalist: Yeah, but it's manipulative in that yeah, he decides when and where and what to say.
>
> What about the public's awareness of the rules of engagement? A multi-media journalist succinctly said, "We work in it and we know it, but I don't think the public gets it at all."

A few stories and images revealed the process to the viewer. In a post to her newspaper's photo blog, a multi-media journalist reported on the challenges of working that day, the size of the scrum and how good planning—and the GoPro—saved the day. A photo by one of her colleagues at the Saturday news conference revealed the extent of the scrum inside the Governor's briefing room; and a columnist described being there when the Governor walked in and winked at him in a way that brings home how strong the pull can be when a powerful person simply acknowledges you. But the "best" photos of the day did not include other cameras and other journalists, because a "good" shot is a clean one, and journalists are supposed stay *out* of the story. The Governor set the stage, wrote the script, played his part well and got good reviews for his performance, but almost no credit for his directing abilities.

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Discussion

Rick Perry was obligated to present himself at the Travis County Courthouse for a legal ritual, but the obligation ended there. Even though the usual "script" for such an event is one of criminality and shame, Perry and his entourage practiced what we have labeled *embodied gatekeeping* to flip that script, using the transformative function of ritual to his own benefit. Embodied gatekeeping describes the way abstract, word-based message control adapts to the demands of *image* control, which necessitates geographically bounded, temporally specific, embodied human performance. Because Perry exerted power over time, place and his own embodied performance, the news audience saw not a penitent, but a cool, confident cavalier controlling his fate. He did not appear in public immediately after the indictment. His next-day comments were scripted and delivered in a highly controlled and stately briefing room. When he had to appear in public for what is historically a walk of shame, he threw a party.

The rally brought together by staff and supporters using social media turned the event into a celebration, more like a campaign event than criminal procedure. The placement of the podium not only added an authoritative prop but controlled where the crowd and cameras would assemble. The colorful scene, the chanting and the timing of the event around the TV news schedule dominated video coverage on television, online-video and even in the still photo coverage. Some of the still photo coverage included photos from detractors, and reporters on the scene did note that there were some "boos," but for the most part these voices were outnumbered. Perry's stroll into the courthouse, facilitated and protected by uniformed officers, was also more like a celebrity greeting fans at a rope line. In his speech, he said he planned to walk in with his head held high. He did so, and the paper of record for Travis County used those very words to open the front-page story. Finally, as he posed for his official mug shot, Perry displayed an almost flirtatious expression rather than one of shame, anger or resentment. The wry smile is one reflective of someone who just heard a joke, implying, of course, Perry's assessment of the charges against him.

This performance deftly controlled the visual news agenda in ways that went largely unreported. Because news images are created in the moment, in physical space and by a human body in concert with a camera, this embodied gatekeeping, that is, the control of that space and those bodies, exerts power over the news message. News writing has quoting and other conventions for explaining source–reporter relationships, but visual journalists are often constrained in how much they can show or say about visual gatekeeping. In nearly all the 250 stories and photos of the event, journalists described and documented the show in front of them, instead of explaining how the show was put on. Because journalists are expected to tell the story, not be the story, day-to-day coverage tends to include few details of stage-setting.

In today's multi-media news environment, this lack of transparency about *embodied gatekeeping* is problematic, especially in what is known about the way visuals trump words when in conflict. While many stories mentioned the crowd that gathered outside the courthouse for his booking, most did *not* explain how it had been planned and orchestrated by Perry's supporters via social media, nor how it was so perfectly timed for the evening news. Only a blog from the newspaper *VJ* with the GoPro discussed the conditions under which the press operated during the booking. No stories mentioned the limits of their visual access to the Governor immediately after the indictment, nor any of the rules that regulated their access to him in his Statehouse briefing room. These sorts of rules of engagement are the photographic equivalent of verbal rules familiar to the news audience, such as "off the record" conversations, press releases or news conference availabilities. Given the incredible spread of the video-smartphone, it seems reasonable that the public would have a sophisticated appreciation of visual access and embodied gatekeeping.

Yet the audience is rarely informed of these machinations. The visual press knows it is a show. The politicians know it is a show. Shouldn't the public be given a glimpse behind the curtain? After all, Perry's visual performance upstaged the complicated facts of the case. He was charged with illegally threatening to veto funding for the public integrity unit unless Lehmberg resigned. The crime was in the threat, not the veto itself, for using his leverage to try to intimidate a lawfully elected public servant out of office. None of that is as simple and easy to contemplate as a boisterous rally or a wry smile from a handsome man.

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Conclusion

As an exception to the typically shameful ritual of criminality, Perry's mugshot moment highlights the way embodied performance and its visual representations can overshadow the facts of a case. For television journalists, demands of the format, liveness and the compulsion to use interesting footage highlighted the rally more than the facts of the indictment, which were printed on legal documents, abstract and visually boring by comparison. Writers were in a better position to focus on the facts of the case, its history and Perry's apparent inconsistency with regard to drunken District Attorneys—but the visuals of the case, including Perry in front of the state seal, his well-tailored suits, his traditionally masculine good looks, captured the imagination of commentators and the jesters. He still faced the possibility of losing in court, where the law is rooted in language, but he won the optical performance.

As with any qualitative case study, this project is limited by its singularity. Additional cases with observation in the moment, that relied less on the memory of participants and more on direct ethnography, would improve upon this effort. This case is also limited by the unique characteristics of the US court system and First Amendment press law, so additional studies in other parts of the world would be useful for understanding how elites control visual coverage across cultures and borders.

Nevertheless, this project raises questions about how and whether the visual press is able to maintain its independence against *embodied gatekeeping*. The GoPro shot was a happy accident; one that political bodyguards will no doubt take as a lesson for the future. The tug of war over control of the image continues, but because of the material nature of visual journalism, photojournalists will always be subject to the controls of embodied gatekeepers. Without greater transparency about how staged rituals operate, the public will only see the optimized performance.

DISCLOSURE STATEMENT

No potential conflict of interest was reported by the authors.

FUNDING

This project received no external financial support.

NOTES

1. Both charges have been since been dropped (Lindell 2016).
2. The protocol for the interview portion of this project was approved by the authors' Institutional Review Board.
3. From corpus: *Dallas Morning News*, print edition, August 18, 2014.
4. From corpus: *Austin American Statesman*, print edition, August 19, 2014.

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